

MEMORANDUM

DATE: September 8, 2006
 TO: Montgomery County Planning Board
 VIA: Rose Krasnow, Chief
 Michael Ma, Supervisor
 Development Review Division
 FROM: Robert A. Kronenberg
 Development Review Division
 (301) 495-2187



REVIEW TYPE: **Limited Site Plan Amendment**
 CASE #: **82005028A**
 PROJECT NAME: The Reserve at Fairhill
 APPLYING FOR: Approval to 1) Increase the widths of the private streets from 18 feet to 20 feet and private driveways from 14 to 20 feet; 2) Adjust the lot areas due to the increase in pavement width; 3) Adjust the locations of the sidewalks and public utility easements (PUEs) on the private streets due to the increase in pavement width; 4) Modify the building restriction lines on the private streets due to the increase in pavement width; 5) Modify the impervious calculations to reflect private street and private driveway widening, driveway reduction, and sidewalk reduction; 6) Remove the center cul-de-sac islands due to radii requirements from the Fire Marshall; 7) Modify the radii on Bansford Place and Hawkstone Court from 40 feet to 45 feet and the right-of-way due to requirements from the Fire Marshall; 8) Reduce the length of the sidewalk around the private street cul-de-sacs and place a 25-foot truncation on the private streets at the request of MCDPS during review of Storm Drain and Paving Plans; and 9) modify the lot lines of the stormwater management facilities and relocate one of the stormwater management facilities due to final design comments from the Department of Permitting Services.

REVIEW BASIS: Div. 59-D-3 of Montgomery County Zoning Ordinance

ZONE: RNC
 LOCATION: In the southwest quadrant of the intersection of MD 108 (Laytonsville Road) with Mount Zion Road in Olney, Maryland

MASTER PLAN: Upper Rock Creek Master Plan
 APPLICANT: Pulte Homes
 FILING DATE: May 1, 2006
 HEARING DATE: September 14, 2006

STAFF RECOMMENDATION:

Staff recommends **Approval** of the Site Plan Amendment (82005028A). The terms and conditions of all applicable prior regulatory approvals and agreements, including the approved Site Plan [No. 820050280] and Preliminary Plan [No. 120041100] remain in full force and effect, except for the following modifications:

- 1) Increase the widths of the private streets from 18 feet to 20 feet and private driveways from 14 feet to 20 feet;
- 2) Adjust the lot areas due to the increase in pavement width;
- 3) Adjust the locations of the sidewalks and public utility easements (PUEs) on the private streets due to the increase in pavement width;
- 4) Modify the building restriction lines on lots fronting on the private streets due to the increase in pavement width;
- 5) Modify the impervious calculations to reflect private street and private driveway widening, driveway reduction, and sidewalk reduction;
- 6) Remove the center cul-de-sac islands due to radii requirements from the Fire Marshall;
- 7) Modify the radii on Bansford Place and Hawkstone Court from 40 feet to 45 feet within the right-of-way due to requirements from the Fire Marshall;
- 8) Reduce the length of the sidewalk around the private street cul-de-sacs and place a 25-foot truncation on the private streets at the request of MCDPS during review of Storm Drain and Paving Plans; and
- 9) Modify the lot lines of the stormwater management facilities and relocate one of the stormwater management facilities due to final design comments from the Department of Permitting Services.

Summary

Plan Approval

The Site Plan (820050280) for the Reserve at Fairhill was presented to the Planning Board on July 14, 2005 for approval of 113 one-family detached dwelling units, including 20 duplex MPDUs, in the RNC Zone. The Preliminary Plan of Subdivision (No. 12004110) was approved on March 31, 2005 for the overall tract of 334 acres. The certified site plan (820050280) has not been approved, nor has the Planning Board approved the record plat.

Analysis of the Limited Amendment

Applicant's Position

As final engineering and grading for this site has been designed, the Applicant has been directed to amend the site plan to account for changes to the stormwater management facilities and to address comments from the Fire Marshall for turning radii, width of private roads and road termini for emergency vehicles.

The proposed amendment has not changed in terms of house locations and building layout, access, landscaping or site amenities. The number of units and their locations will remain the

same as originally shown to the Board. The following modifications are being requested by the Applicant: 1) Increase the widths of the private streets from 18 feet to 20 feet and private driveways from 14 to 20 feet; 2) Adjust the lot areas due to the increase in pavement width; 3) Adjust the locations of the sidewalks and public utility easements (PUEs) on the private streets due to the increase in pavement width; 4) Modify the building restriction lines on the private streets due to the increase in pavement width; 5) Modify the impervious calculations to reflect private street and private driveway widening, driveway reduction, and sidewalk reduction; 6) Remove the center cul-de-sac islands due to radii requirements from the Fire Marshall; 7) Modify the radii on Bansford Place and Hawkstone Court from 40 feet to 45 feet and the right-of-way due to requirements from the Fire Marshall; 8) Reduce the length of the sidewalk around the private street cul-de-sacs and place a 25-foot truncation on the private streets at the request of MCDPS during review of Storm Drain and Paving Plans; and 9) modify the lot lines of the stormwater management facilities and relocate one of the stormwater management facilities due to final design comments from the Department of Permitting Services. The modifications were made due to comments from the various agencies.

Staff Position

Staff reviewed the application and has met with the Applicant to discuss the changes initiated by the Department of Permitting Services and the Office of the Fire Marshall. The brunt of the changes affect the road widths for the private streets and drive, which have a direct bearing on the proposed building restriction lines and lot area. Staff did not receive comments from the Fire Marshall during the original review and approval of the site plan. Those changes and recommendations have been shown on the site plan amendment.

The significant change is the location of the stormwater management facility at the southwestern intersection of existing Wickham Road and proposed Chichester House Road. The facility is being relocated to the opposite side of Wickham Road due to final design changes by the Department of Permitting Services. Additionally, the impervious amount approved by the original plan increased from 22.97 acres to 23.476 acres for the total 334-acre site. The Upper Rock Creek Master Plan caps the imperviousness coverage at 26.72 acres or 8 percent of the gross tract area. The additional imperviousness represents a 0.50 acre or 7 tenths of a percent increase from the original approval. The increased imperviousness has resulted in a separate bioretention area near the trailhead parking lot at the request of the Department of Permitting Services.

Staff's recommendation is approval of the site plan amendment with the modifications listed above.

PROJECT DESCRIPTION: Prior Approvals

Preliminary Plan

The Preliminary Plan of subdivision #120041100 was approved by the Planning Board on March 31, 2005 for 113 one-family detached dwelling units, including 20 duplex MPDUs on a site area of 334 acres. The approval included the granting of the following waivers:

1. Waiver for an overlength cul-de-sac and a waiver per Sec. 50-26(h)(3) to permit sidewalk on only one side of proposed public tertiary roads and private streets.
2. Waiver of Sec. 50-26(f) pursuant to Sec. 50-38(a) to permit reduced centerline radii on private streets "HH" and "BB".

Site Plan

The Planning Board approved the Site Plan 820050280 on July 15, 2005 (Planning Board Opinion dated February 2, 2006) for a total of 113 one-family detached dwelling units, including 20 duplex MPDUs on 334 acres in the RNC Zone. The original certified site plan has not been approved.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

Total Site Area: 333.95 acres
Existing Zoning: RNC
Method of Development: Optional

Development Standard	Permitted/ Required	Approved for Site Plan 820050240	Proposed for Site Plan Amendment 82005024A
Min. Lot Size (sf.):	4,000	4,972	4,979
Max. Density of Development (d.u./ac.)	0.40	0.40	0.40
Number of Dwelling Units			
Detached unit		113	113
Duplex		20	20
Total	133	133	133
Min. Building Setbacks (ft.)			
<u>For Main Buildings</u>			
Front	15	15	15
Side (SFD)	8	8	8
Side (Duplex)	0	0	0
Rear	0	10	10
For Accessory Structures			

Side/Rear	5	5	5
Min. Lot Width at R/W (ft.)	25	25	25
Max. Lot Coverage (%)	35	35	35
Rural Open Space (%)	65	72.6	72.6
Common Open Space (%)	Not Specified	3.7	3.7
Max. Impervious Area (%)	8	6.88	7.07
Max. Building Height (ft.):	35	35	35
Parking Spaces:			
One-family detached	266	266	266
(2 sp./unit @ 133)			

ATTACHMENTS

- A. Planning Board opinion for Site Plan 820050280.
- B. Letter from the Applicant dated May 1, 2006.
- C. Memoranda from agencies
- D. Site Vicinity and Description
- E. Draft Resolution

ATTACHMENT A

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-493-4500, www.mncppc.org

Date Mailed: FEB - 2 2006
Hearing Date: July 14, 2005
Action: Approved Staff
Recommendation
Motion of Commissioner Perdue,
seconded by Commissioner Bryant,
with a vote of 5-0;
Chairman Berlage and Commissioners
Perdue, Bryant, Wellington, and
Robinson voting in favor.

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan No. 8-05028
NAME OF PLAN: The Reserve at Fair Hill

The date of this written opinion is FEB - 2 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules, thirty days from the date of this written opinion. This site plan shall remain valid as provided in Section 59-D-3.8.

INTRODUCTION

On July 14, 2005, the Montgomery County Planning Board held a public hearing on Final Water Quality Plan and Site Plan Review No. 8-05028. Pulte Homes ("Applicant") proposed to develop 113 one-family detached dwelling units and 20 MPDU duplex semi-detached dwelling units on 334 acres in the RNC zone. At the public hearing, the Planning Board heard testimony and received evidence submitted in the record on the Final Water Quality Plan and Site Plan.

THE SUBJECT PROPERTY

The 334-acre property is located southeast of the intersection Olney-Laytonsville Road (MD Route 108) and Mount Zion Road in the Olney areas. Wickham Road bisects the property into eastern and western tracts. The property is zone RNC and is located in the environmental overlay zone of the Upper Rock Creek Special Protection Area ("SPA"). The Subject Property, formerly known as The Freeman Property, comprises approximately 334 acres in size. The parcel is located along the headwaters of the North Branch Stream straddling the stream valley and wetlands, oriented on the north-south axis in the area between Muncaster Mill Road and Laytonsville Road. The site extends to Laytonsville Road (MD108), south of its intersection with Zion Road. Norbeck Grove is located directly south of the property, as a TDR receiving area. M-NCPPC parkland adjoins for the east and west boundaries of the site. The Applicant proposes to develop the site with single-family detached units, MPDU duplexes, and associated infrastructure.

This Subject Property lies within the Upper Rock Creek watershed (Use III-P in this section) and has been classified as a Special Protection Area. The existing conditions on the site include stream valleys and associated floodplains, wetlands converted into lowland pastures, upland agricultural fields and forest. The tract includes 151.4 acres of forest. The forest is scattered throughout the property with large tracts of upland forest. Not all environmental buffers are forested. The site includes 107 acres of environmental buffer, which includes 52 acres of wetlands.

BACKGROUND

Prior Approvals

The Planning Board reviewed the Preliminary Plan 1-04110 on March 31, 2005. The approval included the granting of the following provisions:

- 1) Waiver for an overlength cul-de-sac and a waiver per §50-26(h)(3) to permit sidewalk on only one side of proposed public tertiary roads and private streets.
- 2) Waiver of §50-26(f) pursuant to §50-38(a) to permit reduced centerline radii on private streets "HH" and "BB".

PROPOSED DEVELOPMENT

This application proposes to create a residential community with 133 dwelling units. The units will be a combination of 113 one-family detached dwelling units and 20 one-family duplex units. The detached dwellings will be located on lots ranging in size from 15,000 square feet to more than 10 acres, with the majority of lots in the 15,000-19,000 square foot range. The duplex units will be located on lots as small as 4,900 square feet.

The plan proposes a total of approximately 242.86 acres, or 72.7 percent of the site, be preserved as open space. Approximately 191 acres of the open space, or 57 percent of the site, will be dedicated to M-NCPPC for parkland. The remaining open space areas will be preserved by conservation and rural open space easements. A combination of public and private modified tertiary open section residential streets, with sidewalks on one side, are proposed with up to eight lots having direct access to existing Wickham Road. Safe and adequate access for vehicles and pedestrians will be provided by the existing and proposed vehicular and sidewalk system.

PLANNING BOARD HEARING

Staff described the location and proposed development. Staff reviewed the waivers granted by the Planning Board at the time it approved the Preliminary Plan for the Subject Property. Staff stated that the Applicant confirmed that the MPDUs shall be developed at a steady rate along with the market-rate units and that it will provide 15% MPDUs. Staff made one correction to Condition No. 7(a) by adding the word "private" before the words "rural open space." Staff recommended approval of the Site Plan with conditions.

The Applicant was represented by legal counsel and accepted all of the Staff's conditions as modified.

There was one speaker. Wayne Goldstein, President of Montgomery Preservation, Inc., testified that he supported the preservation of the Chichester House site as proposed by the Applicant.

The Planning Board questioned Staff regarding the format and content of the Staff's report and, as a result, directed Staff to make several changes to Staff's Project Data Table as incorporated below.

FINDINGS

Based on all of the testimony and evidence presented and on the staff report, which is made a part hereof based upon the uncontested evidence of record, the Montgomery County Planning Board finds:

1. *The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required.*

Not applicable.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Planning Board finds that the Site Plan complies with the purpose clause and all development standards of the optional method of development for the RNC zone. The Planning Board expressly finds that the proposed development achieves a diversity of lot sizes with lots ranging from 4,979 square feet to approximately 10 acres and that the provision of duplex units provides a diversity of house sizes. The Board further finds that the diversity of lot and house sizes is compatible with existing development on adjoining properties and consistent with the purpose and intent of the zone. The Board hereby approves the development standards as set forth in the following Project Data Table:

PROJECT DATA TABLE

	<u>Zoning Ordinance Development Standard</u>	<u>Development Standard approved by the Planning Board and binding on the Applicant</u>
Gross Tract Area (acres)	-	333.95
Maximum Number of Lots	133 (Opt. Method)	113 (market rate) <u>20 (MPDUs)</u> 133 units total
Minimum Lot Area for one-family detached (sq. ft.):	4,000 sf	4,979 sf

Minimum Setbacks:

from the street (as defined in § 59-A-2.1)	15 ft	15 ft.
from the side yard	8 ft., if provided	8 ft. (for duplexes, only the end units must provide 8 ft. side yard setback)
rear yard	to be set by Planning Board at site plan	10 ft.

Minimum Lot Width at the existing or Proposed street line (ft.):	25 ft.	25 ft.
Maximum Building Height (ft.):	35 ft.	35 ft.
Maximum Lot Coverage (%):	35%	35%

Rural Open Space (% of Gross Tract Area):	65%	72.6%
Private Rural Open Space (%):		15.4%
Public Rural Open Space (dedicated to M-NCPPC) (%):		57.2%

Common Open Space (% of Gross Tract Area):	-	3.7%
---	---	------

For Special Protection Area Total Impervious Area (% of Gross Tract Area):	8% max.	6.88%
--	---------	-------

3. *The locations of the buildings and structures, the open spaces, the landscaping, the recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

a. Location of Buildings and Structures

The location of buildings and structures are adequate, safe, and efficient. This premier site of approximately 334 acres that supports extraordinary natural features of wetlands and forest,

is shaped as an irregular pentagon, sharply bisected by the linear 250-foot wide Pepco Easement that slices the site's area on the NNW-SSE axis. This easement effectively defines the "west side," with its dense, typical cul-de-sacs and the "east side," that features the five, expansive conservancy lots that directly adjoin the protected open space. In contrast to the Pepco line, lies the major public route, Wickham Road, winding in an extended "S-shape" form from north to south across this natural terrain, connecting the existing subdivisions to the south with Laytonsville Road at the site's northern boundary.

The buildings have been organized in two primary subdivision clusters appended to the major public road and five conservancy lots fronting on Wickham Road. The pattern of these typical suburban lots on cul-de-sacs, while creating a "marketable" product, respects the stream buffers and wetlands, fitting lots around the boundaries of sensitive areas, resulting in, surprisingly, compatible building locations, efficient use of the site, and safe physical relationships between the houses themselves and the surrounding amenities.

b. Open Spaces

The location of the open spaces are adequate, safe, and efficient. The open spaces planned include the required Rural Open Space. The open space provided through this optional method development are notable for their quality and quantity.

Over 191 acres of the 334-acre site will be retained as public rural open space and dedicated to M-NCPPC Parks. Further, 51.6 acres will be preserved as private rural open space protected by conservation easements, as well as an additional 12.7 acres as common open space under the control of the Home Owners Association. The designation of rural and common open space is required by the RNC zone.

The Master Plan's general open space recommendation, as applied to this site, is 65% of net site area for retention as rural open space. The plans indicate that 72.6% will be preserved as rural open space and that 3.7% will be created as common open space; therefore meeting the requirements of the Master Plan for this property.

The stormwater management concept consists of on-site water quantity and quality control via a system of surface sand filters and retention basins. The final water quality plan was approved by the Department of Permitting Services on July 5, 2005.

The disposition of these natural assets, particularly in relationship to the proposed housing, the locations of public roads and bike paths, the Chichester House site, and the public school

site, ensures sustained public enjoyment of these amenities, along with public investment and protection of this valuable land. Clearly, this plan fulfills the intent of the Master Plan.

c. Landscaping and Lighting

The landscaping and lighting are adequate, safe, and efficient. Landscaping proposed for the site consists of formal streetscape installed along the open section public and private internal roads. Perimeter planting has been proposed for the stormwater management ponds and play areas. Varied ornamental plantings consisting of ground cover, shrubs and small trees are planned for the cul-de-sac islands. Recent site inspections verify that the Hickory street trees flank both sides of Wickham Road. Lighting proposed consists of decorative light poles topped with Washington Globe acorn-style lights, spaced within the rows of street trees.

Staff, working with DPS and DPWT has investigated the allowances for spacing of street trees as encompassed in the county code. Such study points to modest, feasible alternatives for the streetscape treatment: utilize the maximum allowable spacing for the placement of street trees along the public and private internal streets, and, enhancing the intervening public view sheds by the provision of groups of native species, deciduous, evergreen, and understory along the front lot lines adjoining the streets. Such treatment provides potential for greater compatibility with the open section roads, and the surrounding natural forest and plantings, while enhancing the visual perspectives of the homes themselves.

d. Recreation Facilities

The recreation facilities are adequate, safe, and efficient. The Planning Board finds that recreation demand is satisfied as proposed. Formal recreation facilities proposed consist of a Tot Lot and an Open Play Area II. Both facilities are located along the street frontage on Wickham Road, offering optimal accessibility. A paved surface parking, also located on the Wickham Road frontage, lot within M-NCPPC parkland dedication, is proposed to accommodate 12 vehicles for users of the natural trails and the subdivision's tot lot.

The existing bike path along Wickham Road provides effective and safe connections between the subdivisions surrounding the site and for future residents of Fair Hill. The extensive areas of forest and wetlands within in the stream valley buffer will provide abundant recreational opportunities for the residents of The Reserve. The protection of these areas, both as dedicated parkland and as private rural open space will preserve the character and environmental health of the sensitive environmental network addressed in the Upper Rock Creek Master Plan.

d. Vehicular and Pedestrian Circulation

The vehicular and pedestrian circulation systems are adequate, safe, and efficient. The pedestrian system consists of formal concrete sidewalks along the public and private streets, paved asphalt paths, and natural trails that traverse the natural areas and dedicated parkland. This comprehensive system provides a generous complement of paths that ensure safe, adequate, and effective connections between the expanded natural trail system and the formal, paved pedestrian routes.

A sidewalk is provided for each internal street; paved asphalt pedestrian paths are provided at numerous points in the site for access to recreational amenities. A direct pedestrian connection is provided at the southern end to the Montgomery County School Site, covered by a public access easement. Sidewalks are provided on one side only of the internal private and public streets, per the waiver approved by the Planning Board under the approved preliminary plan. This limitation is proposed to reduce impervious surfaces and protect the surrounding stream valley. The Applicant will provide trails within the rural open space and a portion of the construction of trails within the dedicated parkland.

Vehicular circulation is accommodated by the provision of public and private roads, as approved at preliminary plan. The roads utilize the reduced width tertiary public road with twenty-six feet of paving to minimize impervious coverage in the PMA.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed housing is compatible with the established patterns of the surrounding residential development and with the vision of the Master Plan. The placement and shape of the existing Wickham Road, essentially establishes the density and larger scale development pattern, whose envelope, is dictated in correspondence with the locations of the stream valley buffers. Generally, the houses achieve a pattern and density that is compatible with the surrounding existing and proposed adjacent development.

The Planning Board further finds that the activity associated with the proposed residential community will not cause any negative effect on adjacent residential or institutional uses.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation and Chapter 19 regarding water resource protection.*

Forest Conservation requirements have been met by the preservation of 37.60 acres of private on-site forest; 191 acres of forested area will be dedicated to M-NCPPC Parks, contiguous with existing parkland. The Applicant is required to reforest 25 acres as mitigation for forest clearing.

A Category I Conservation easement will be placed over the forest conservation and stream valley buffer areas on private property as shown on the Forest Conservation Plan.

With the conditions of approval for the Final Water Quality Plan, the proposed development meets all applicable requirements of Chapter 19 for water resource protection. The project as proposed maintains an on-site imperviousness of 6.88% of the Gross Tract Area, which is below the 8% impervious cap required by the SPA.

6. The Record of this Site Plan does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

PLANNING BOARD ACTIONS AND CONDITIONS

The Montgomery County Planning Board APPROVES the Final Water Quality Plan and Site Plan Review No. 8-05028 for 113 one-family detached dwelling units and 20 MPDU duplex semi-detached dwelling units on approximately 334 acres in the RNC Zone. All site elements of The Reserve at Fair Hill (8-05028) Site Plan(s) dated 6/10/05 and Site Details dated 6/9/05, shall be required except as modified by the following conditions:

1. Conformance with Prior Approvals

a. The proposed development shall comply with the conditions of approval for Preliminary Plan 1-04100 as approved by the Planning Board on March 31, 2005.

b. The proposed development shall comply with the conditions of approval as stated in the DPS letter dated July 5, 2005, approving the Final Water Quality Plan for elements of the Special Protection Area under its purview

2. Site Design: the following revisions shall be included and/or information provided prior to signature set, subject to staff review and approval:

a. Locate all storm water management facilities outside of the PUE-PIE and outside of the forest conservation easement areas;

b. Provide a land area for maintenance and construction 8-feet in width between each retaining wall and forest conservation easement areas; provide top and bottom elevations for all retaining walls and note the linear feet of the retaining wall segments; construct all retaining walls of masonry materials; limit the height of all retaining walls to 6 feet and create terraces where necessary;

c. Provide a public access easement for any trail connections through common HOA open space to parkland and the public school site;

d. Provide details and specifications for the pedestrian connection to the public school site.

3. Landscape Design: the following revisions shall be included and/or information provided prior to signature set, subject to staff review and approval:

a. Revise spacing of street trees to conform to the Montgomery County Department of Public Works and Transportation maximum spacing standard (50-60 feet o.c.);

b. Provide alternative foundation planting plan for front lot lines including deciduous, evergreen, and understory planting, for one of the three house lots listed in each line below:

i. Fairhill Road: Lots 1, 2, 3;

ii. Chichester House Road: Lots 5, 6, 7;

iii. Chichester House Road: the Historic site, if acceptable to MNCPPC Historic Preservation and M-NCPPC Parks;

iv. Chichester House Road: Lots 108, 109, 110;

v. Chichester House Road: Lots 55, 56, 57;

vi. Woodgate Place: Lots 60, 61, 62;

vii. Woodgate Place: Lots 99, 100, 101;

vii. Woodgate Place: Lots 70, 71, 72;

viii. Woodgate Place: Lots 91, 92, 93;

ix. Weatheroak Drive: Lots 3, 4, 5;

x. Ashbourne Place: Lots 8, 18, 19;

xi. Ashbourne Place: Lots 20, 21, 22;

xii. Wickham Drive: Lots, 1, 2, 3;

- c. Provide additional landscaping at storm water management facilities to complement the recommended street tree spacing and landscaping on private lots;
- d. Provide additional landscaping for the entire perimeter of the Tot Lot such as holly, tightly spaced at no less than 18 inches and 36 inches at the time of planting to discourage cut through pedestrian traffic between the trailhead parking lot and the HOA tot lot;

4. Lighting

- a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential/commercial development.
- b. All light fixtures shall be full cut-off fixtures;
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties;
- d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties;
- e. The height of the light poles shall not exceed 14 feet including the mounting base.

5. Pedestrian Circulation

Provide sidewalks at five-feet in width along one side of Fair Hill Road, Weatheroak Drive and Chichester House Road to meet Recreation Guidelines requirements and enhance pedestrian accessibility and safety; provide sidewalk at four feet in width along one side of open section tertiary streets and along private streets;

6. M-NCPPC Park Facility

The Applicant shall comply with the following conditions of approval from M-NCPPC-Park Planning and Research Analysis in the memorandum dated June 17, 2005:

- a. The Applicant shall dedicate to M-NCPPC approximately 191.1 acres of open space, as identified on the Site Plan and the Forest Conservation Plan, per the Upper Rock Creek Area Master Plan. Dedicated areas include Parcel 'Q' and 'H' in Block 'B', Parcel 'A' in Block 'A', Parcel 'B' in Block 'G', and Parcel 'C' in Block 'H'. Land to be conveyed at time of record plat and be free of

trash and unnatural debris. Park boundaries to be staked and signed to distinguish between parkland and private properties;

b. Applicant to construct a 4' wide, natural surface trail, including any needed bridges or stream/wetland crossings, as shown on the revised Pedestrian System Exhibit to the Site Plan dated July 14, 2005, prior to issuance of the 93rd building permit. Exact location of trail will be staked and confirmed by staff and applicant prior to construction and specifications shall be coordinated with, and approved by M-NCPPC staff in coordination with Special Protection Area guidelines; Trail shall be adequately marked and signed by the applicant at the time of construction;

c. Applicant to construct a 4' wide natural surface trail, to extend east/west from the North Branch park trail to the trailhead parking area to be constructed by Applicant; and from Wickham Road to existing parkland along Route 108, as shown on the revised Pedestrian System Exhibit to the Site Plan dated July 14, 2005, prior to issuance of the 93rd building permit. Exact location of trail will be staked and confirmed by staff and applicant prior to construction and specifications shall be coordinated with, and approved by M-NCPPC staff in coordination with Special Protection Area guidelines; Trail shall be adequately marked and signed by the applicant at the time of construction;

d. Applicant to construct a small, paved, park trailhead parking area for twelve (12) cars, prior to issuance of the 93rd building permit. Parking lot to be located on dedicated parkland in Parcel 'F', Block 'B' along Wickham Road for public access to the natural surface trail system. Lot to be constructed to park standards and specifications and to include necessary stormwater management facilities, if required. Applicant to provide engineering and secure all necessary permits including required park permit.

7. Rural Open Space Documentation

Record plat to reflect delineation of Private Rural Open Space areas and make note of the Liber and Folio of an easement agreement or covenant recorded in the land records which restricts the uses in the rural open space to those set forth in the RNC zone and establishes procedures for the management of natural or agricultural features as set forth in the approved site plan. Record plat to have the following note: "The land identified heron as rural open space is within an approved cluster development and subdivision or resubdivision is not permitted after the property is development."

8. Moderately Priced Dwelling Units (MPDUs)

The proposed development shall provide 20 (or 15 percent) MPDUs on-site in accordance Chapter 25A of the Montgomery County Code as amended April 1, 2005. The proposed density

has been increased via optional method to 0.4 units/acre from the standard method of 0.2 units/acre. The location of the MPDUs shall be dispersed as set forth on the exhibit titled "MPDU – Pulte Homes" dated 7/14/05, and shall be identified on the signature set.

9. Transportation

The Applicant shall comply with the following conditions of approval from M-NCPPC-Transportation Planning in the memorandum dated June 16, 2005:

- a. Total development under the subject site plan is limited to 133 single-family units as identified for trip-generation/Local Area Transportation Review purposes. (113 one-family detached homes and 20 duplex MPDU dwelling units);
- b. The Applicant shall enter into a covenant with Park & Planning and the Maryland State Highway Administration (SHA) to make a pro rata contribution for future sidewalk construction along the remaining property frontage of MD 108 north of Wickham Drive, if such improvements are constructed by the State Highway Administration within 60 months of Planning Board approval of the subject site plan.

10. Forest Conservation and Environmental Conditions

The applicant shall comply with conditions of approval for the Final Water Quality Plan and Site Plan issued by M-NCPPC Environmental Planning, memorandum dated July 6, 2005, prior to recording plat or the Montgomery County Department of Permitting Services (DPS) issuance of sediment and erosion control permit:

Applicant to comply with conditions of approval on the final forest conservation plan including the development and implementation of an invasive management plan;

- a. Applicant to construct a split-rail at the rear of lots 14 through 16 Block "B", lots 107 through 111 Block "B", and the rear of lots 1 through 3 Block "E" to delineate and protect forest planting areas;
- b. Imperviousness for the 334-acre tract not to exceed 1,000,573.2 square feet;
- c. On lot imperviousness, not including public sidewalks, not to exceed 774,932.4 square feet;
- d. Applicant to enter into an agreement with M-NCPPC for the purpose of withholding of building permits for thirteen (13) residential lots to ensure compliance with the impervious

limitations and monitoring compliance with the impervious limitations of the site plan. The 13 lots shall be graphically denoted on the site plan. A note shall be placed on the record plat restricting issuance of building permits for lots 20 through 27 Block "B" and lots 30 through 34 Block "B" pending approval from M-NCPPC Environmental Planning;

- e. Applicant to reference agreement on record plat;
- f. All driveways with the exception of driveways for side-load garages or driveways that exceed 80' in length, must be designed as double car width at the public right-of-way;
- g. The developer/builder must submit an impervious surface report to M-NCPPC Environmental Planning staff prior to issuance of the 66th, 100th and 119th building permits. The applicant will submit an impervious report for each of the remaining building permits after the 119th building permit. The impervious reports must include: surveyed 'as-builts' drawings which include dimensions for buildings, driveways, sidewalks, leadwalks, porches, patios, chimneys, walled exits, rear exits and any building feature that is two feet or less from the ground;
- h. If the 'as-builts' submitted for 93 units (70% of the total number of units) demonstrate that construction of the units to date is less than or equal to 97% of the total on-lot impervious limitations for the first 93 'as-builts', then M-NCPPC staff will release building permits for 9 of the 13 withheld lots. Building permits for the remaining 4 withheld lots will be released by M-NCPPC staff as staff determines compliance with the on-lot impervious limitations. The building permit for lot 25 Block "B" shall be the last one released and building permits for lots 23 and 24 Block "B" the second and third last released.

If at the 93 'as-built' drawing construction to date is greater than 97% of the total on-lot impervious limitations, then staff will release building permits for the 13 withheld lots as staff determines compliance with the on-lot impervious limitations. The building permit for lot 25 Block "B" shall be the last one released and building permits for lots 23 and 24 Block "B" the second and third last released.

- i. Upon recordation of the plat, applicant shall record in the land records a disclosure of the imperviousness limits and monitoring requirements. The disclosure is intended to give notice to other builders and/or developers in the event of sale of lots by the applicant. This disclosure shall be reviewed and approved by Commission legal staff before recordation;
- j. Applicant prohibited from placing fill material in rural open space areas; except as shown on the site plan dated June 16, 2005 submitted to EPD;

- k. Conformance to the conditions as stated in the DPS letter approving the elements of the SPA water quality plan under its purview.
- l. Record plat of subdivision shall reflect a Category I Conservation Easement over all areas of stream buffers and forest conservation, including any forest retention areas, forest planting areas, natural regeneration areas, and environmental buffer areas.
- m. Provide sediment and erosion control plan with final forest conservation plan;
- n. The services of a licensed arborist shall be retained to evaluate the appropriate measures necessary to ensure the survival of the large and specimen trees proposed to be preserved whose critical root zones will be impacted by construction.

11. Historic Preservation

- a. Provide protection measures for the historic site during construction and materials staging as approved by M-NCPPC Historic Preservation staff; protect the boundaries of the one-acre site and coordinate in the field with historic preservation staff. The HOA will maintain the historic marker if located on HOA property;
- b. Provide, in commemoration of the lost historic site, a one-time grant of \$25,000 to M-NCPPC to be used on surveying and researching historic resources in Planning Areas 10 and 15. The developers contribution of \$25,000 will be provided in the form of a cashier's check made out to M-NCPPC and will be delivered within 60 days of the Planning Board decision;
- c. Provide, in commemoration of the lost historic site, an educational marker at a prominent location within the new community that will describe the Chichester House prior to issuance of the 93rd building permit; design, specifications and location of the marker must be reviewed and approved prior to signature set and included in the signature set drawings;
- d. Provide, in commemoration of the lost historic site, a road in the new community named "Chichester House Road", as approved by the Planning Board.

12. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated July 5, 2005.

13. Open Space

The applicant shall convey approximately 51.6 acres of Rural Open Space and 12.7 acres of Common Open Space to the Homeowners Association; Rural Open Space parcels and Common Open Space parcels shall be covered by required conservation easements and shall remain in private ownership. Open Space Parcels shall be conveyed free of trash and unnatural debris.

14. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 93rd building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

15. Home Owners Association Documents

Home Owners Association documents and declaration of covenants shall contain specific language that identifies all activities and limitations regarding the uses allowed within Rural Open Space and Common Open Space. Documents shall be recorded in the land records of Montgomery County. Recorded documents shall be referenced on the record plat.

16. Conservancy Lots

A Site Plan amendment must be approved by the Planning Board or its designee for any accessory structure on a conservancy lot. The site plan amendment must be approved prior to issuance of any building permit for the accessory structure.

17. Development Program

Applicant shall construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. Development Program shall include a phasing schedule as follows:

- a. Streets tree planting shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.

- b. Community-wide pedestrian pathways and recreation facilities [list specific facilities] shall be completed prior to issuance of the 93rd building permit.
- c. Landscaping associated with the trailhead_parking lot shall be completed at the time of construction.
- d. Pedestrian pathways [different than the community-wide pedestrian pathway listed in condition b. above] and seating areas associated with each facility shall be completed as construction of each facility is completed.
- e. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- f. Coordination of each section of the development and roads.
- g. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features

18. Clearing and Grading

- a. No clearing or grading prior to M-NCPPC approval of signature set of plans;
- b. Prior to issuance of any grading permit, the final location and design of the proposed outfalls, which will be located within 20 feet of the dedicated parkland, shall be reviewed and approved by M-NCPPC park engineering staff;
- c. Prior to issuance of the 93rd building permit, permit, permanent property markers shall be installed by the applicant along the lots or parcels that abut the dedicated parkland as required by staff. Details for the boundary marker shall be shown on the Site Plans.
- d. Prior to release of grading permit, identify the final location for all SWM facilities and associated landscape treatment subject to staff review and approval.

19. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Clearly delineate on the signature set drawings all easements, Limits of Disturbance, ROWs, Forest Conservation Areas, Rural Open Space, Common Open Space, Stormwater Management Parcels, HOA Parcels, PUE's, PIE's, Historic Preservation sites, dimensions

and placement of sidewalks, pedestrian paths, bicycle paths, equestrian trail, high priority forests and storm drain outlets, verified location of existing roads, sidewalks and street trees, development program inspection schedule, numbers and dates of all regulatory approvals;

- b. Provide details and specifications for paved surfaces and trails;
- c. Provide details and specification for all fences and retaining walls, furnishings and fixtures;
- d. Provide a note on the site plans stating the maximum building height;
- e. Label minimum setbacks for the building envelope on the site plans.

20. Monument Signage

The monument signage shall be constructed in accordance with the details and dimensions shown on Sheet No. LP-13 titled "Foundation Planting, Monument Signage, and Open Play Area Details" dated 6/9/05.

• • • • •

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

APPROVED AS TO LEGAL SUFFICIENCY
DYD 4/20/06
MAY 1 2006

CERTIFICATION OF BOARD ADOPTION OF OPINION

At its regular meeting, held on **Thursday, January 26, 2006**, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent **ADOPTED** the above Opinion which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for **Site Plan 8-05028, The Reserve at Fair Hill**. Vice Chair Perdue was temporarily absent.



Certification As To Vote of Adoption
E, Ann Daly, Technical Writer

ATTACHMENT B



May 1, 2006

Mr. Kronenberg
Development Review
MNCPPC
8787 Georgia Avenue
Silver Spring, MD 20910-3670

RE: The Reserve at Fair Hill
SP# 8-05028-
Certified Site Plan Amendment 5/1/06

On, behalf of Pulte Homes, the developer of The Reserve at Fair Hill, we are submitting the enclosed, Site Plan Amendment to the Certified Site Plan# 8-05028.

In accordance with Section 59-D-2.6(c)(5) of the Montgomery County Zoning Ordinance, the modifications do not impact the community nor alter the height, setback, or greenspace requirements. In order to coordinate with Fire Access & Fire Code requirements, the following changes for the Site Plan are requested.

1. To comply and meet the requirements set forth by the Fire Code Regulations, all roads whether public or private, must be a minimum of 20 feet in width to allow for fire truck access. These regulations resulted in the modification of lot lines, right-of-way's, sidewalk location, building restriction limits (BRL), public access easements (PAE), public utility easements (PUE), and public improvement easements (PIE). Curb and pavement radii were increased to a required minimum for fire trucks to not roll over a curb, nor make multiple turns to turn around. Private streets Ashbourne Place, Bransford Place, Hawkstone Court, and the intersection of Ashbourne Place and Weatheroak Drive all had the cul-de-sac island removed to meet with the curb radii requirement. The cul-de-sac pavement radii was modified from 40 to 45 feet on Bransford Place & Hawkstone Court in accordance with Fire Code requirements. Finally the last modification in result of the Fire Code Requirements was the re-calculation of the impervious tables.
2. Sidewalks were reduced around private street cul-de-sac's to approximately half-way around the cul-de-sac at the request of MCDPS during the review of Storm Drain and Paving Plans.
3. Private streets received a 25 foot truncation of the road right-of-way when intersecting with public streets at the request of MCDPS during review of Storm Drain and Paving Plans.
4. Stormwater Management (SWM) was modified by relocating one of the facilities, and adjusting lot lines on others.

Thank you for your consideration of this Certified Site Plan Amendment.

VIKA Inc.
20251 Century Blvd. Suite 400
Germantown, MD 20874
p-301-916-4100
f-301-9162262

VIKA Incorporated

ATTACHMENT C

Kronenberg, Robert

From: Pfefferle, Mark
Sent: Friday, September 08, 2006 1:49 PM
To: Kronenberg, Robert
Subject: Reserve at Fair Hill

Environmental Planning staff has reviewed the increase in impervious surfaces associated with this amendment. The impervious amount approved by the original plan increased from 22.97 acres to 23.476 acres for the total 333.95-acre site. The Upper Rock Creek Master Plan caps the impervious coverage at 26.72 acres or 8 percent of the gross tract area. The additional impervious represents a 0.50 acre or 7 tenths of a percent increase from the original approval. The increased impervious results from roadway changes initiated by the Department of Permitting Services and the Office of the Fire Marshall. The changes affect the road widths for the private streets and driveways. EP staff is okay with this change.

There is a significant relocation of a stormwater management facility at the southwestern intersection of existing Wickham Road and proposed Chichester House Road. The facility is being relocated to the opposite side of Wickham Road due to final design changes by the Department of Permitting Services. Staff is okay with this change and it already reflected in the forest conservation plan.

Mark Pfefferle
M-NCPPC - Environmental Planning
8787 Georgia Avenue
Silver Spring, MD 20910

Phone: 301.495.4730
Fax: 301.495-1303



September 5, 2006

MEMORANDUM

TO: Robert Kronenberg, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Coordinator/Planner
Transportation Planning

SUBJECT: Site Plan No. 8-05028 Amendment
The Reserve at Fair Hill

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Site Plan Amendment.

RECOMMENDATIONS

Transportation Planning staff recommends the conditions below as part of the APF test for transportation requirements related to the approval of the subject Site Plan Amendment:

1. Satisfy the Fire Marshall requirements as follows:
 - a. Increase the pavement width of the private streets and private driveways from 18 feet and 14 feet, respectively, to 20 feet to permit two-way traffic flow.
 - b. Increase the turning radii from 40 feet to 45 feet.
 - c. Remove the green center island within the smaller cul-de-sac.
2. Satisfy the Montgomery County Department of Permitting Services as follows:
 - a. Delete small segments of sidewalk to be approximately half way around the proposed cul-de-sacs on streets where sidewalks were previously approved only on one side.
 - b. Provide 25 feet truncation at intersections where it is not provided.

3. Retain all other previously approved transportation-related conditions that are not affected by the modification discussed above.

DISCUSSION

AFP Review

The APF test was approved for 133 single-family detached units at the time of subdivision approval for Preliminary Plan No. 1-04110 on March 31, 2005. Subsequently, the original Site Plan No. 8-05028 was approved on July 14, 2005.

Other Transportation-Related Topics

Refer to the attached Transportation Planning staff's memorandums for discussion of the site location, vehicular access points, available bus service, master-planned roadways and bikeways, Local Area Transportation Review, and Policy Area Transportation Review:

1. Preliminary Plan No. 1-04110 memorandum dated March 25, 2005.
2. Site Plan No. 8-05028 memorandum dated June 16, 2005.

EA:gw

Attachments:

cc: Ivy Leung
Barbara Sears

mno to Kronenberg re Reserve at Fair Hill 805028A



June 16, 2005

MEMORANDUM

TO: Mary Beth O'Quinn, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Ed Axler, Coordinator/Planner EA
Transportation Planning

SUBJECT: Site Plan No. 8-05028
The Reserve at Fair Hill

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject site plan. The Preliminary Plan No. 1-04110 was approved on March 31, 2005, under the *FY 2004 Annual Growth Policy (AGP)* because the subject preliminary plan application was considered complete on or before June 30, 2004.

RECOMMENDATION

Transportation Planning staff recommends the conditions below as part of the APF test for transportation requirements related to the approval of this site plan:

1. Limit the site plan to a maximum of 133 single-family detached units.
2. Provide a pedestrian connection between the tot lot and the ten-car trailhead paved parking area off Wickham Drive.
3. Provide for a five-foot-wide sidewalk along the property frontage of MD 108.
4. Work with Park Department to provide a natural surface trail across the future dedicated environmentally sensitive area between Wickham Drive and MD 108 opposite the Boys and Girls Club's recreation facilities.

DISCUSSION

Pedestrian and Bicycle Facilities

A shared-use path was initially considered at preliminary plan review between the site and the recreation facilities operated by the Boys and Girls Club. Such a shared-use path would provide a convenient pedestrian and bicycle connection for residents to the Boys and Girls Club's recreational facilities. However, a viable path alignment could not be developed because of environmental constraints and the uncertainty associated with the long-term, non-programmed master-planned widening of MD 108. However, with the applicant proposed dedication of the environmental-sensitive areas between Wickham Drive and MD 108, Park Departments can provide a natural surface trail connection for pedestrians to MD 108 opposite the Boys and Girls Club.

Other Transportation-Related Topics

Refer to Transportation Planning staff's memorandum dated March 25, 2005, for discussion of the site location, vehicular access points, available bus service, master-planned roadways and bikeways, Local Area Transportation Review, and Policy Area Transportation Review.


EA:gw
Attachment


cc: Mary Goodman
Barbara Sears

memo to O'Quinn re Reserve at Fair Hill 8-05028

March 17, 2005
Revised: March 25, 2005**MEMORANDUM**

TO: Cathy Conlon, Acting Supervisor
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning 

FROM: Ed Axler, Coordinator/Planner 
Transportation Planning

SUBJECT: Preliminary Plan No. 1-04110
Reserve at Fairhill (or Freeman Property)
Rock Creek (Rural) Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan under the *FY 2004 Annual Growth Policy (AGP)* because the subject preliminary plan application was considered complete on or before June 30, 2004.

RECOMMENDATION

Transportation Planning staff recommend the conditions below as part of the APF test for transportation requirements related to the approval of this preliminary plan:

1. Limit the preliminary plan to a maximum of 133 single-family detached units and an existing barn if retained at site plan.
2. Construct an eastbound right-turn lane from MD 108 onto southbound Muncaster Road. The design should be in accordance with the standards of the Maryland State Highway Administration (SHA) and the Montgomery County Department of Public Works and Transportation (DPWT).
3. Final approval of a possible bikepath to the Olney Boys and Girls Club to be determined at site plan. Provide a 10-foot-wide shared-use path between the site and the Boys and Girls Club's recreation facilities (located on the north side of MD 108 east of the site). The alignment of the path should be determined at the site plan between two alternative routes given existing grade and environmental constraints.

4. Provide four-foot concrete sidewalks on one side of the modified public tertiary residential streets as well as the private streets.

DISCUSSION

Site Location and Vehicular Accesses

The site is located on the south side of Olney-Laytonsville Road (MD 108) between Mount Zion Road and Olney Mill Road. The vehicular accesses points to the housing units are from the proposed residential streets off of Wickham Drive and directly from Wickham Drive.

Pedestrian and Bicycle Facilities

~~As described in Recommendation No. 3, a~~ A shared-use path is recommended in the master plan along MD 108 from the Town of Laytonsville, pass the site's frontage, ~~pass proposed between the site and~~ the recreation facilities operated by the Boys and Girls Club, ~~and to the eastern master plan border.~~ As described in Recommendation No. 4, sidewalks are proposed along residential street network. These recommended improvements would enhance the existing facilities for pedestrian and bicycle use in vicinity of the subject site. The existing facilities include a shared-use path on the south and west side of Wickham Drive and a sidewalk on the south side of MD 108 along the property frontage.

Regarding the recommended shared-use path, ~~the final alignment for this path will be determined at site plan.~~ One alternative route follows the alignment for SP-36 along the north side of MD 108 within the available right-of-way between the intersection with Wickham Drive and the Boys and Girls Club. Another alternative route follows the desire line for the Norbeck Grove Bike Path (B-21) through the North Branch Stream Valley Park between Wickham Drive near the southeastern property line and MD 108 approximately opposite Boys and Girls Club. Further study of the need and alignment for this bike path will occur as part of site plan review.

Available Bus Service

The nearest available bus route is Ride-On route 53 that operates along the segment of MD 108 east of Olney Mill Road.

Master-Planned Roadways and Bikeways

The master-planned roadways and bikeways are as follows:

1. Olney-Laytonsville Road (MD 108) is designated as a Major Highway (M-60) with a 150-foot right-of-way in the *Olney Master Plan*. The *Olney Master Plan* recommends a five-foot sidewalk on the south side along the property frontage and a Class I, or SP-36, shared-use path along this road.
2. Wickham Drive is designated as a Primary Residential Street (P-5) with a 70-foot right-of-way in the *Upper Rock Creek Master Plan* and *Olney Master Plan*. Wickham Drive has an existing Class I bike path on the south or west side.

3. Olney Mill Road is designated as a Primary Residential Street (P-9) with a 70-foot right-of-way in the *Olney Master Plan*.
4. Bowie Mill Road is designated as an Arterial (A-42) with an 80-foot right-of-way in the *Upper Rock Creek Master Plan* and *Olney Master Plan*. On this arterial, the *Olney Master Plan* recommends bike lanes (BL-20) between North Branch Rock Creek and MD 108.
5. The *Olney Master Plan* recommends the Norbeck Grove Bike Path (B-21) shared-use path between North Branch Rock Creek and MD 108 that could be aligned through the existing HOA property.

Local Area Transportation Review

The proposed 133-unit residential development would generate 107 peak-hour trips during the weekday morning peak period (6:30 to 9:30 a.m.) and 130 peak-hour trips during the weekday evening peak period (4:00 to 7:00 p.m.). A traffic study was required to satisfy Local Area Transportation Review because the proposed land use would generate 30 or more peak-hour trips during the weekday morning and evening peak periods.

Based on the results of the traffic study, the table below shows the critical lane volumes (CLV) and the applicable congestion standard for the first five analyzed intersections in the study area. The CLV/congestion standards below reflect those under the *FY 2004 AGP* that are 50 CLVs higher than the CLV standards under the current *FY 2005 AGP*. The traffic conditions analyzed include the existing, background (existing traffic plus traffic from approved, but unbuilt developments), total, and total improved traffic conditions. The last intersection shown in the table below has a roundabout and was analyzed using the appropriate *Highway Capacity Manual's* methodology to determine the average delay in seconds and the corresponding level of service.

Intersection Congestion Levels, Resulting CLVs, and Average Delay

Intersection / Roundabout	Capacity Criteria: CLV Standard ¹ /Delay	Weekday Peak Hour	Traffic Condition			
			Existing	Background	Total	Total Improved
MD 108 and Muncaster Road	Intersection CLV Standard=1,450	Morning	1,638 ²	1,773 ²	1,816 ²	1,552 ^{2,3}
		Evening	1,277	1,345	1,294	1,250
MD 108 and Wickham Drive ⁴	Intersection CLV Standard=1,450	Morning	n/a	1,253	1,303	-----
		Evening	n/a	1,405	1,427	-----
MD 108 and Olney Mill Road	Intersection CLV Standard=1,525	Morning	1,017	1,084	1,085	-----
		Evening	972	1,028	1,028	-----
MD 108 and Bowie Mill Road	Intersection CLV Standard=1,525	Morning	1,409	1,476	1,478	-----
		Evening	1,321	1,341	1,332	-----
Wickham Drive-Cashell Road and Bowie Mill Road	Intersection CLV Standard=1,525	Morning	991	996	1,035	-----
		Evening	1,050	1,058	1,083	-----
Wickham Drive and Olney Mill Road-Dumford Drive	Roundabout, Average Delay (in Seconds)	Morning	5.1 / A	5.1 / A	4.8 / A	-----
		Evening	4.4 / A	4.4 / A	3.9 / A	-----

¹=(a) The congestion/CLV standard is 1,450 for the first and second intersections that located entirely in a rural policy areas such as the Rock Creek Policy Area.

(b) The congestion/CLV standard is 1,525 for the third, fourth, and fifth intersections that located on the border or within the Olney Policy Area.

2=The CLV at this intersection exceeds its congestion/CLV standard of 1,450.

3=The site-generated traffic is mitigated where the CLV in the total improved traffic condition is less than the CLV in the background traffic condition.

4=This intersection includes a proposed eastbound deceleration lane and acceleration lane along MD 108.

The CLVs at the intersection of MD 108 and Muncaster Road exceed its congestion/CLV standard during the weekday morning peak hour as indicated with the superscript No. 2 in the table above. The proposed eastbound right-turn lane from MD 108 onto Muncaster Road would increase this intersection's capacity so that the CLV in the total improved traffic condition is less than the CLV in the background traffic condition. Thus, the site-generated traffic is mitigated as indicated with the superscript No. 2.

Policy Area Transportation Review

Under the *FY 2004 AGP*, the Policy Area Transportation Review component of the APF test is still applicable. The site is located in a rural policy area that has no established transportation staging ceilings for residential and non-residential developments.

EA:gw

cc: Mary Goodman
Chris Kabatt
Barbara Sears

memo to Coston re Reserve at Fairhill 104110.doc

ATTACHMENT D

Site Vicinity and Area

The 334-acre property is located southeast of the intersection with Olney-Laytonsville Road (MD 108) and Mount Zion Road in the Olney area. Wickham Road is an existing road that bisects the property into the eastern and western tracts. The property is zoned RNC and is located within the Upper Rock Creek Special Protection Area (SPA). The parcel is located along the headwaters of the North Branch Stream straddling the stream valley and wetland areas, oriented on the north-south axis in the area between Muncaster Mill Road and MD 108. Norbeck Grove is located directly south of the property, and is designated as a TDR receiving area. M-NCPPC parkland adjoins the east and west boundaries of the site.

The existing conditions of the site include environmentally sensitive areas such as wetlands, floodplain and stream valley, as well as lowland pastures, upland agricultural fields and forest. The tract includes 151.4 acres of forest. The site includes 107 acres of environmental buffer, including 52 acres of wetlands.



ATTACHMENT E

MCPB No. XX-XX
Site Plan No. 82005028A
Project Name: Reserve at Fairhill
Hearing Date: September 21, 2006

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on May 1, 2006, Pulte Homes ("Applicant"), filed a site plan amendment application designated Site Plan No. 82005028A ("Amendment") for approval of the following modifications:

- 1) Increase the widths of the private streets from 18 feet to 20 feet and private driveways from 14 to 20 feet;
- 2) Adjust the lot areas due to the increase in pavement width;
- 3) Adjust the locations of the sidewalks and public utility easements (PUEs) on the private streets due to the increase in pavement width;
- 4) Modify the building restriction lines on the private streets due to the increase in pavement width;
- 5) Modify the impervious calculations to reflect private street and private driveway widening, driveway reduction, and sidewalk reduction;
- 6) Remove the center cul-de-sac islands due to radii requirements from the Fire Marshall;
- 7) Modify the radii on Bansford Place and Hawkstone Court from 40 feet to 45 feet and the right-of-way due to requirements from the Fire Marshall;
- 8) Reduce the length of the sidewalk around the private street cul-de-sacs and place a 25-foot truncation on the private streets at the request of MCDPS during review of Storm Drain and Paving Plans;
- 9) Modify the lot lines of the stormwater management facilities and relocate one of the stormwater management facilities due to final design comments from the Department of Permitting Services;

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated September 8, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on September 21, 2006, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's

recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 8-2005028A; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this opinion is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *