



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
5/21/09



MEMORANDUM

DATE: May 10, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *CA for RK*
Catherine Conlon, Subdivision Supervisor *CAE*
Development Review Division

FROM: Richard Weaver, Planner Coordinator (301-495-4544) *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision to create 118 lots for 118 one-family dwelling units and 3 lots for 144 multi-family apartments.

PROJECT NAME: Greenbriar at Norbeck Crossing

CASE #: 120060610

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200/TDR-7

LOCATION: Located in the northeast quadrant of the intersection of Norbeck Road (MD 28) and Georgia Avenue (MD 97)

MASTER PLAN: Olney

APPLICANT: Georgia Group Ltd Partnership and Mid-Atlantic Golf/Norbeck, L.L.C.

ENGINEER: Gutschick, Little and Weber

ATTORNEY: Holland and Knight

FILING DATE: December 6, 2005

HEARING DATE: May 21, 2009

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a maximum of 262 dwelling units. A minimum of 15% of the dwelling units must be moderately priced dwelling units (MPDUs). The number of multifamily units must not exceed 55% of the total number of units and the number of one family detached units must not be less than 8.8% of the total number of units.
- 2) Final approval of the number of buildings and dwelling units, and location of sidewalks/bikepaths will be determined at site plan approval including final number of MPDUs and TDR's per Condition 1. The final location of the Master Plan recommended internal bikepath must be along a public street.
- 3) The initial stage of development will be limited to 200 units due to the lack of a primary street intersection with Norbeck Road. The staging of development will be determined at Site Plan, MPDU's and TDR's must be provided in accordance with approved percentages and ratios. The building permit for the 201st dwelling unit must not be issued until a primary street intersection at Norbeck Road (MD 28) is provided by either an extension of Public Road "A" from the Park and Ride access road to MD 28, or an extension of Norbeck Boulevard from MD 28 to Public Road "A". The design of this intersection must be reviewed by M-NCPPC staff prior to SHA approval.
- 4) The proposed one-family detached units located on the north side of the private open space adjacent to Coolidge Avenue must be relocated and the open space enlarged.
- 5) No clearing, grading or recording of plats prior to certified site plan approval.
- 6) The final location of the different unit types will be determined at Site Plan. One-family detached units must have frontage on public roads. Townhouses and multi-family units may front on private roads provided that they are constructed to tertiary street standards and have appropriate public access and circulation.
- 7) The proposed development must comply with the conditions of the Preliminary Forest Conservation Plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. Conditions include:
 - a. On-site reforestation and forest retention will total a minimum of 6.00 acres.
 - b. All drywells and other stormwater management devices must be removed from Category I forest conservation easements.
 - c. Approval of final forest conservation plan consistent with approved preliminary forest conservation plan prior to any clearing, grading or demolition on the site.
 - d. Final forest conservation plan will show a planting plan consistent with adjacent land use. Canopy trees must be sited a minimum distance of 20' from all proposed structures. Understory and shrub plantings may be used to the easement line.
 - e. Split rail fencing and permanent forest conservation signage will be required along boundaries with residential lots and must be shown on the Final Forest Conservation Plan.

- 8) Record plat(s) must reflect a Category I conservation easement over all areas of forest conservation. Prior to plat recordation, MNCPPC staff must approve any amended language to easements or agreements.
- 9) At time of site plan, noise mitigation measures must be shown to meet the 65 dBA L_{dn} exterior noise guidelines and 45 dBA L_{dn} interior noise guidelines.
- 10) Prior to the release of a building permit that permits construction of the 49th residential unit, the Applicant must implement Maryland State Highway Administration (SHA) required “interim” frontage and site access improvements along MD 28. The Applicant must also construct or fund the “ultimate” frontage and access improvements as required by SHA, and any requirement to install/upgrade/modify new/existing traffic signals. The timing for construction of “ultimate” frontage and site access improvements related to this development at a future date will be as directed by SHA.
- 11) To satisfy Adequate Public Facilities (APF) traffic requirements the applicant must either:
 - a. design and construct, with SHA approval, the following improvement required for westbound MD 28 at MD 97:
 - i. widen westbound MD 28 approach to MD 97 to provide 1 left-turn lane, 3 through lanes, and 1 free-flow right-turn lane in place of existing 1 left/through lane, 2 through lanes, and 1 free-flow right-turn lane; or,
 - b. pay a fee-in-lieu contribution towards design and construction of the improvement as described in this condition to SHA prior to the release of the building permit for the construction of the 49th residential unit of any type within the proposed development.
- 12) The following right-of-way dedications for public roads must be shown on the certified preliminary plan and record plat:
 - a. MD 28 – Not less than 75 feet (Major Highway) from the existing roadway centerline along property frontage. The right-of-way dedication will be expanded if SHA determines that additional right-of-way is necessary to accommodate the MD 97/MD 28 interchange improvements;
 - b. Coolidge Avenue – 70 feet (Primary Street) from MD 28 to Public Road “A”. 60 feet (Secondary Street) from Public Road “A” to the first proposed private road north of proposed Public Road “B”. 30 feet (half Secondary Street) to the north of this point;
 - c. Bradford Road – 30 feet (Secondary Street) from centerline along property frontage;
 - d. Public Road “A” - 70 feet (Primary Street) at MD 28, transitioning to 60 feet (Secondary Street) approaching proposed Private Road 1. 50 feet (Tertiary Street) from proposed Private Street 1 to Coolidge Avenue. (Note: Private Street 1 to become a public street per condition (7f), below);
 - e. Public Road “B” – 50 feet (Tertiary Street) from Coolidge Avenue to property boundary at Bradford Road; and
 - f. Private Road 1 – 50 feet (Tertiary Street) public road right-of-way from Public Road “A” to Coolidge Avenue.
- 13) Until adjacent development occurs and Bradford Road is improved to full public road standards, Public Road B must terminate as a temporary “hammer-head” turnaround

- with no access to Bradford Road. This design must be reflected on the certified preliminary plan and future site plan. The development, as proposed on the preliminary plan dated April 30, 2009, must not have access to Bradford Road.
- 14) The Applicant must construct the section of Coolidge Avenue between the proposed alley north of Private Road 1 and proposed Private Road 3 to a width of 28 feet to permit two-way travel.
 - 15) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes except as otherwise noted on the preliminary plan.
 - 16) The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
 - 17) The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant must provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
 - 18) The applicant must comply with the conditions of the MCDPS stormwater management approval dated March 13, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 19) The applicant must comply with the conditions of the MDSHA letter dated May 7, 2009. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
 - 20) The record plat(s) must reflect serialization and liber/folio reference for all TDRs utilized by the development.
 - 21) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

SITE DESCRIPTION

The subject property "Subject Property" or "Property", as shown below consists of an assemblage of numerous platted lots and unplatted remainders of lots totaling 30.76 acres. The Property is zoned R-200/TDR-7 and is located in the northeast quadrant of the intersection of Norbeck Road and Georgia Avenue. A 4.0 acre WSSC property which includes a water pumping station, is located in the center of the Property and is not part of the application. The most notable existing use on the Property is the Golden Bear golf driving range. The Intercounty Connector (ICC) generally forms the northern boundary of the property.

The Property consists of platted lots and portions of platted properties that have been altered by deeds. The original subdivision, known as Bradford's Rest, was platted in the 1930's and dedicated four roads: Norbeck Road, Coolidge Avenue, Bradford Road and Norbeck Avenue. For the most part, this subdivision never developed to its full potential and the internal roads: Norbeck Avenue, Coolidge Avenue and Bradford Road, while dedicated to 30 feet in width, have never been fully dedicated or built to modern standards. Yet, these roads continue to serve the limited number of homes that were built here.

Uses adjacent to the Property are the Park and Ride lot located on State property in the immediate northeast quadrant of the intersection of Georgia Avenue and Norbeck Road. To the south, confronting on Norbeck Road, is the Leisure World community in the Planned Retirement Community (PRC) zone. To the west are numerous one family residences that front Bradford Road. Coolidge Avenue and Norbeck Road and are also in the R-200/TDR-7 zone. Further

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to the east is the M-NCPPC, East Norbeck Local Park and beyond that, the right-of-way for the ICC which is currently under construction.

The site is located within the Northwest Branch watershed; however, there are no streams on the Property. There are 16.71 acres of oak and poplar forest on the Property.

APPLICATION REVISION

This application is an application that originally included additional properties. The original submittal was reviewed at the staff level but did not receive a Planning Board date. One of the three applicants included in the original application elected to drop out and, as a result, some of the properties under the original application were removed from consideration. Two of the original applicants revised the application to request consideration of their remaining properties.

PROJECT DESCRIPTION (Attachments A, B, C, and D)

The application proposes to create 118 lots for 118 one-family dwelling units and 3 lots for 144 multi-family apartments. The plan also includes five open space/private park parcels and numerous stormwater management parcels. The plan utilizes the optional method of development using Transferable Development Rights (TDR's) and Moderately Priced Dwelling Units (MPDU's). For providing 15% of the units as MPDU's the applicant is requesting a 22% density bonus for a total of 262 dwelling units. The applicant has chosen to maximize the number of MPDU's and minimize the number of TDR's required to achieve these densities as allowed. The applicant will acquire 103 TDR's which is in excess of the two-thirds minimum (102) that they are required to provide.

Density calculations are as follows:

Gross Tract Area	30.76 acres
Zoning	R-200/TDR-7
Base Density	$30.76 \times 7 = 215$ units
MPDU Bonus Density (22%)	$218 \times 1.22 = \mathbf{262}$ units
Number of MPDU's required (15%)	$262 \times 0.15 = 40$ MPDU's (16TH and 24MF)
Maximum TDR's allowed	154
Minimum number of TDR's required	102
Number of TDR's proposed	103

Access to the site from the local street network will be from two locations on Norbeck Road; one at Coolidge Avenue and the other at what is now the access road to the Park and Ride lot and golf driving range. The internal street network will consist of public roads and private roads and alleys. As proposed by the application, the majority of internal street linkages, Roads "A", "B", and Coolidge Avenue, will be public, and a private road is proposed that will provide access to a significant portion of the multi-family units and townhomes.

The main entrance to the subdivision will be at the westernmost entrance point currently along the Park and Ride access road. There will be full movement at this location both to, and from, east- and west-bound Norbeck Road. The proposed configuration of this intersection is temporary until such a time that it is reconstructed as part of a future SHA project to tunnel Norbeck Road under Georgia Avenue. A discussion of this project follows in the transportation section.

The second point of access will be at Coolidge Avenue which will require a short service road type entrance to be constructed so that vehicles can gain right-in only ingress at the existing Norbeck Boulevard signalized intersection. Egress from the development at Coolidge Avenue will be a right-out only movement that directs traffic in a west bound direction.

The project proposes to place the multi-family units in the southwest corner of the site, adjacent to the Park and Ride lot and in proximity to the future Georgia Avenue busway. Transitioning away from the multi-family, the proposal is to locate townhomes in the central area of the Property with one family detached units to the west. Forested green space separates the developed areas from the Georgia Avenue and Norbeck Road intersection as well as from the ICC on-ramp along the northern portions of the site.

The preliminary plan show three separate formal recreation areas, including recreation areas “A” and “B” located generally between the multi family and townhomes, and a third area identified as the Village Green. The Village Green is located at the intersection of Coolidge Avenue and Public Road “A” and serves as an entrance feature to the development as well as a park like feature.

Stormwater management is interspersed through the Property with a large storage pond located along Norbeck Road that is designed to handle the 100 year storm. This pond is larger than typically required by the County and was the result of numerous discussions with Leisure World to address on-going flooding problems in that community. The pond is surrounded with landscaping to create a green edge along Norbeck Road.

CONFORMANCE WITH THE MASTER PLAN

The Olney Master Plan (“Plan”) makes general recommendations for the Southeast Olney quadrant but makes specific recommendations for the Subject Property since it is severed from the quadrant by the ICC. The Plan identifies the properties within the area south of the ICC as the “Golden Bear Area”. The Plan identifies this area as appropriate for higher densities given its proximity to transit, its lack of environmental and historic resources, and the availability of public sewer. The Plan recommends the R-200/TDR zone to support a mix of one family detached, attached and multi-family units with a maximum density of 7 units per acre. Multi-family units developed in accordance with the PD-7 controls permits flexibility in creating more public or private open space. The Plan supports TDR’s to achieve these density levels.

The Plan envisions redevelopment of this area to create a “small neighborhood” with a mix of housing, significant open space, a public or private park and a buffer along the ICC and the Georgia Avenue/Norbeck Road interchange. Safe and convenient pedestrian access to the

Georgia Avenue busway and neighborhood shopping centers is also encouraged. Specifically, the Plan recommends an internal pathway linkage to the East Norbeck Local Park with appropriate open space and play areas.

The Master Plan also envisions a “dedicated” local park within the overall Golden Bear Area. The assemblage of properties included in this application generally includes the center of the Golden Bear Area, and it is at the intersection of Coolidge Avenue and Public Road “A” where a local “private” park is planned. Staff concurs with the location of the park because it not only serves as an entrance feature, but also complements the green frontage of the WSSC property across Coolidge Avenue. However, staff believes that the size of the internal park, at 0.9 acres, is inadequate for the potential development possible in the Golden Bear Area. Therefore, staff recommends that the four one family detached lots abutting the northern boundary of the park be relocated at the time of site plan to provide for a larger park to serve the needs of this community.

Overall, the preliminary plan generally conforms to the vision of the Olney Master plan to provide a small neighborhood type development with safe and convenient pedestrian access. Although this development only represents a portion of the overall Golden Bear Area, staff is satisfied that it provides a reasonable step in the right direction with a mix of unit types at a density that fulfills the goals of the Olney Plan. The internal eight foot wide bikepath connection is provided along Public Road “A”, Private Road 1 and Public Road “B” will ultimately provide a connection to the East Norbeck Local Park. With the recommended expansion of the proposed private local park, and other proposed open space areas, staff believes that sufficient recreational and outdoor opportunities will exist for the future resident here, However, the open space requirements will be fully evaluated at the time of Site Plan review.

ENVIRONMENT

Environmental Guidelines

Due to the nature and timing of this development, this property is covered by two different NRI/FSDs, 419960880 and 420053380. These plans confirm that there are no environmentally sensitive features on the Property. Although there is a small area of wetlands, both staff and applicant believe that it was created by improper grading and is not connected to any groundwater hydrology. As required by the Environmental Guidelines, wetlands are buffered appropriately and placed in conservation easement to provide for their continued protection. In this case, staff is supporting the removal of these wetlands, with no compensation, because of the nature of the wetlands. As per the Environmental Guidelines, the wetlands are shown on the NRI/FSD and buffered, but noted as removed on the forest conservation plan and not protected by a conservation easement.

Forest Conservation

The portion of this property used as a golf driving range is covered by approved forest conservation plan number 119970030, with Category I conservation easements protecting areas of forest. The forest conservation plan approved with this application will supersede the

previously approved plan and remove the current easements and place new ones according to the new development. The forest conservation requirements for this plan have been determined using the pre-development acres of forest. This means that there is no loss of forest due to the incremental nature of this development.

The predevelopment existing forest cover is 16.71 acres. Total forest removed as part of both previous and current development is 14.51 acres. The remaining 2.20 acres of forest will be retained and placed in Category I easements. Per Sec. 22A-12(f)(2)(B) of the forest conservation law, on-site forest retention must equal the applicable conservation threshold, or additional forest must be planted so that the combination of on-site forest retention and planting meets this threshold. For the subject property, the conservation threshold is 20%, or 6.0 acres. The proposed development meets this requirement by planting an additional 3.8 acres onsite. The additional 4.32 acres of forest conservation requirements will be met off-site.

Stormwater

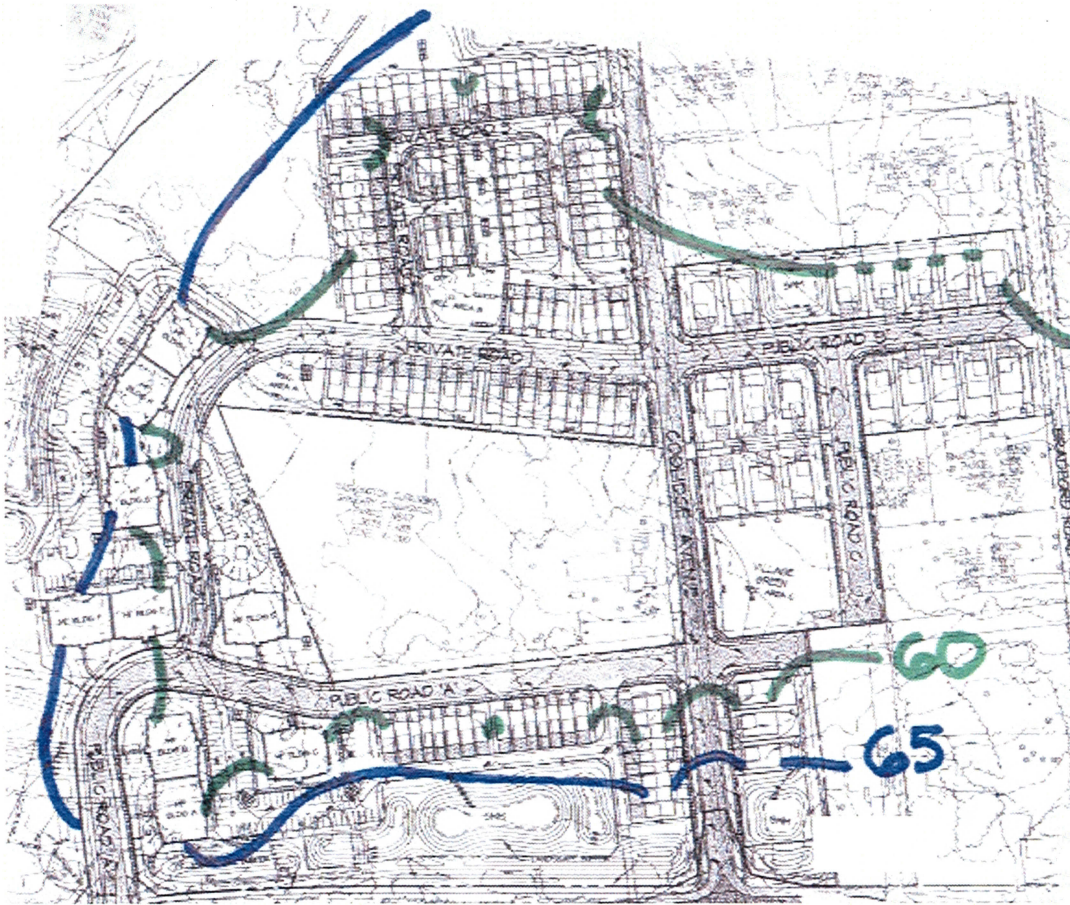
The MCDPS Stormwater Management Section approved a stormwater management concept for the project on March 12, 2009, which includes: on-site channel protection measures via three detention ponds, on-site water quality control via construction of seven Montgomery County Sand Filters (MCFS's) and nonstructural methods and recharge via disconnection and other nonstructural elements.

Noise

The subject property is directly adjacent to three major roads (see below) and impacted by noise from all of them. A noise analysis was conducted and revealed that the proposed residential units nearest Norbeck Road, Georgia Avenue and the ICC will be affected by current and future vehicular noise. The noise analysis indicates that unmitigated noise levels will range from 60 and 65 dBA Ldn for the units adjacent to all three roads, which are greater than the levels recommended in the Noise Guidelines. (See graphic below)

The design of the development is responsive to the current and future noise by unit type, location, and orientation. Along the ICC, front-loaded townhomes effectively shield other areas within the development. Multi-family buildings are located along Georgia Avenue and partially along Norbeck Road. Other units along Norbeck Road are rear-loaded townhomes. These unit types do not have usable outdoor areas. Stormwater management facilities provide some additional distance from Norbeck Road.

There are several units that will require external noise mitigation measures. The upper stories of the residential units and all multi-family and rear loaded townhouse units affected by noise will rely entirely upon acoustical treatment to meet the indoor noise guideline of 45 dBA Ldn. This issue will be further addressed at site plan.



TRANSPORTATION

Site Access

Access to the Greenbriar at Norbeck Crossing development is proposed at two separate access points along MD 28 as ultimately permitted by Maryland SHA. One access point is at Coolidge Avenue and the other uses the access road to the SHA - Park and Ride lot and the golf driving range. The latter access point will be the primary entrance to this development because it offers full movement both to, and from, east- and westbound Norbeck Road. The applicant will construct a new road, Public Road "A" to intersect with the Park and Ride access road, which is built to unspecified design standards. When the SHA, MD 97/MD 28 interchange project (discussed below) is constructed, the Park and Ride access road will be heavily modified into a completely new intersection and this will affect the development's access as currently proposed. Therefore, the proposed configuration of this intersection can be considered temporary, until the SHA improvements are made in the future.

The second point of ingress will be at Coolidge Avenue and will generally be opposite the intersection of Norbeck Boulevard with MD 28, where there is an existing traffic control device. Norbeck Boulevard serves as the main access point to Leisure World on the north side of

that community. The proposed ingress/service road at Norbeck Boulevard to the Subject Property is non-typical and is a significant departure from normally accepted intersection design where one would expect a direct alignment with the traffic controls. Right-in only ingress to the proposed subdivision will be provided at that traffic signal but it is somewhat of an odd movement to that service road and onto Coolidge Avenue. Egress from the development at Coolidge Avenue will be a right-out movement only that directs traffic in a west bound direction. The applicant was asked to make a good faith offer for the property that would allow the intersection with Norbeck Boulevard to be properly designed; however, that offer was rejected by the property owner.

Because this preliminary plan represents consolidation of only a portion of the properties within the 85 acre, Golden Bear Area, the resulting development proposed by this application is not a comprehensive layout. While staff supports the internal street layout, proper access to Norbeck Road remains as a significant limitation for this development.

The Olney Master Plan makes no specific recommendation on where this quadrant of Olney should access Norbeck Road and this has limited staff's authority to mandate a particular location as the primary access to the Golden Bear Area properties. Logic and sound transportation planning dictate that the preferred access should be at Norbeck Boulevard in a conventionally designed, primary street, intersection. Notwithstanding the fact that this applicant, upon failure to acquire the desired property, had to work with the Property that they did control, staff is not convinced that either proposed access point configuration to Norbeck Road (MD 28) is designed for maximum efficiency and at best are temporary measures that compromise safe and adequate access for this development. Lacking a direct, primary road connection to Norbeck Road at either access point, staff cannot support full build-out of the total number of units requested by this application. Sound transportation planning principles dictate that development of more than 200 units will require at least one of the access points to meet primary road standards (70ft. ROW with 36 feet of pavement) and that it have a direct intersection with full movements on to Norbeck Road. Therefore, as supported in Condition #3, staff recommends that the development be limited to no more than 200 units, in any combination to be determined at Site Plan.

Area Transportation Projects

The proposed Intercounty Connector (ICC), an east-west controlled-access highway to the north of the site, is currently under construction by Maryland SHA. Contract A, the section of ICC between I-270 and MD 97, is currently under construction and will have a full interchange at MD 97. An interim access to/from the ICC will be provided from/to MD 28 until Contract B, the section of ICC between MD 97 and US 29, is completed.

SHA is currently completing planning studies to construct MD 28 as a four-lane divided facility between MD 97 and I-95 in Prince George's County. This project is funded for planning studies only. A Draft Environmental Impact Statement (DEIS) for the project is currently under preparation and SHA anticipates a Location/Design Public Hearing in Fall 2009.

Currently, SHA is also engaged in the final design for the MD 97/MD 28 Interchange selected alternative. Should this project move forward as currently anticipated, MD 28 will be tunneled under Georgia Avenue (MD 97). This project is not funded for right-of-way acquisition or construction.

The Georgia Avenue Busway, within the median of MD 97, is a proposed two-lane, bi-directional express busway that will connect the Olney and Aspen Hill communities with the Glenmont Metro Station. The busway will serve both express as well as local bus service. The busway will be supported by a station/stop at MD 28 and will be supported by the Norbeck Road Park and Ride Lot adjacent to the site.

Dedication of Streets

The fragmented ownership in the Golden Bear Area presents some issues for this application. The applicant has aligned proposed roads in such a way that full width dedication would not be provided, rather, adjacent undeveloped properties would need to dedicate portions of the right-of-way if, or when, they develop. This is particularly evident for portions of Public Road "A" and Coolidge Avenue where these roads abut the WSSC property. By aligning the road rights-of-way as shown on the plan, the WSSC would have to dedicate right-of-way to complete the entire required dedication width of these abutting roads.

Staff has recommended conditions that require the applicant to provide for full width dedication of these specific roads as specified in condition #12 above. Staff does not believe that WSSC should be, nor is ever likely to be required to dedicate any right-of-way, since it is extremely unlikely that the WSSC pumping station will ever be developed for anything other than a WSSC facility. The full width dedications are appropriately done as part of this application; the right-of-way is needed now to accommodate the development proposed as part of this application. For the section of Coolidge Avenue generally north of Public Road "B", staff acknowledges that adjacent properties will need to dedicate right-of-way for Coolidge Avenue when they develop. This applicant will only be required to dedicate 30 feet from the existing centerline of the road in this location, however, staff recommends that the road be built as a two way street with 28 feet of pavement.

Private Streets

The current preliminary plan drawing continues to propose the use of private streets to provide access to many of the units within the subdivision. While the approval of the use of private streets is at the sole discretion of the Planning Board, staff does not support approval of proposed Private Road 1, from Public Road "A" to Coolidge Avenue, as a private street. This particular section of road will provide access to 73 townhomes and 96 multi-family units and will eventually carry a significant volume of traffic. Typically, roads with this volume of traffic would be built to secondary road standards within a 60 foot wide right-of-way with at least 28 feet of paving and parking on one side. Such a pavement width can also be provided in a 50 foot wide tertiary road right-of-way. Given the applicant's desire to pull units as close to the road as possible in this "small neighborhood", staff supports a tertiary street within a 50 foot wide right-of-way in lieu of the proposed private street. The use of a public street in this location also gives

staff and the Board additional flexibility to locate one family detached units on this road frontage should it be determined to be desirable at the time of Site Plan. Because of the need to maintain front yard setbacks along this wider public road right-of-way, units may need to be pushed back. Again, these issues can be addressed at the time of Site Plan.

Other private streets that serve exclusively townhouses or multi-family buildings are supported by staff, particularly those which are proposed for the townhouse block in the northernmost section of the development. Townhouses which sit on individual lots, may front on private streets that are designed to function as public streets. Staff has reviewed the private street network in this pod of development and believes that public access and circulation will be adequate. These streets will function as public streets. One family detached units are not permitted by the Zoning Ordinance to front on private streets in this zone.

ADEQUATE PUBLIC FACILITIES TEST

1. Roads and Other Transportation

Local Area Transportation Review (LATR)

As part of the APF test, a Local Area Transportation Review (LATR) test was required for the subject development since it was estimated to generate 30 or more peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. A traffic study dated May 2, 2007 (Updated October 29, 2008) was submitted by the Applicant based on the *2004 Local Area Transportation Review Guidelines* that examined traffic-related impacts of the development at nearby intersections.

The proposed Greenbriar at Norbeck Crossing development was estimated to generate approximately 129 peak-hour trips during the weekday morning peak-period and 174 peak-hour trips during the weekday evening peak-period. A summary of site trip generation is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED GREENBRIAR AT NORBECK CROSSING**

Time Period	Trip Generation		
	In	Out	Total
Weekday Morning Peak-Hour	25	104	129
Weekday Evening Peak-Hour	116	58	174

Note: Based on M-NCPPC trip generation rates.

A summary of the capacity analysis/Critical Lane Volume (CLV) analysis results for the study intersections for the weekday morning and evening peak hours within the respective peak periods from the traffic study is presented in Table 2.

As shown in Table 2, the weekday morning and evening peak-hour capacity analysis presented in the traffic study indicates that under Total (or Build) Traffic Conditions in conjunction with the required roadway/intersection improvements as outlined in Condition #11 of this report (also see Note #4 in Table 2), CLV values at the study intersections would be below the applicable policy area congestion standards. Therefore, the application satisfies the LATR requirements of the APF test.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED GREENBRIAR AT NORBECK CROSSING**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 28 and MD 97	1,884	1,722	1,753	1,541	1,779	1,575
<i>With proposed intersection improvement</i>	--	--	--	--	1,719	1,495
MD 28 and Proposed Public Rd A	--	--	--	--	892	1,117
MD 28 and Norbeck Blvd/Coolidge Ave.	1,369	1,514	1,214	1,407	1,217	1,415
MD 28 and Wintergate Dr.	1,344	1,314	1,158	1,189	1,161	1,200

Source: The Traffic Group, Inc. Revised Local Area Impact Analysis, Greenbriar at Norbeck Crossing, October 29, 2008.

Notes:

1. The Capacity Calculations assume higher site trip generation than that currently proposed.
2. 2004 Growth Policy Olney Policy Area Congestion Standard: 1,475 CLV and Aspen Hill Policy Area Congestion Standard: 1,500 CLV.
3. Background and Total Traffic Conditions assume full construction of ICC.
4. At-grade roadway improvement at MD 97 and MD 28 intersection include widening westbound MD 28 approach to MD 97 to provide 1 left-turn lane, 3 through lanes, and 1 free-flow right-turn lane in place of existing 1 left/through lane, 2 through lanes, and 1 free-flow right-turn lane.

Policy Area Mobility Review (PAMR)

The APF test for the subject development did not require the Policy Area Mobility Review (PAMR) test since this application was filed prior to January 1, 2007.

2. Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the Property. The Application is not within a school moratorium area and is not subject to

payment of School Facilities Payment. Electrical and telecommunications services are also available to serve the Property.

CONFORMANCE TO THE SUBDIVISION REGULATIONS AND ZONING ORDINANCE

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lots and uses provided that the recommended phasing of development is followed. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

Waiver to Permit the Unit Mix

Section 59-C-1.395 of the Zoning Ordinance specifies that TDR development in the range of 6 to 10 units per acre is required to provide a minimum of 15% of the units as one-family detached, and limits multi-family units to less than 35%. The minimum/maximum percentages can be waived by the Planning Board if the “development is more desirable for environmental reasons or is more compatible with adjacent development...”

In a letter dated February 12, 2009 (Attachment), the Applicant requested that the Board make a finding to waive the minimum percentage of one-family detached units from 15% to approximately 9% and increase the number of multi-family from 35% to 55%. This request is based on a finding that because of compatibility, additional multi-family units are appropriate given the nature of the site. The applicant argues that the Olney Master Plan envisioned the highest densities within the Golden Bear Area, to the west, along the Georgia Avenue Corridor Park and Ride lot and future Georgia Avenue busway. Densities to the east would transition from higher to lower. Had the entire Golden Bear Area developed as single piece, one could argue that the greatest concentration of multi-family units to be located on the Greenbriar at Norbeck property in the location shown on the preliminary plan. Yet, without a compatibility finding by the Planning Board, the Applicant would be unable to reach the types of density that could be expected on this Property because of the limitations that the Zoning Ordinance places on multi-family units. Further, the Applicant argues that as densities transition to the east, the one family homes that exist in the Golden Bear Area justify locating proposed attached and detached units in the eastern portions of the Subject Property.

Staff supports the waiver and believes the transition of uses is more compatible with adjacent development and existing one-family detached homes. The transition of higher density multi-family uses near Georgia Avenue creates a sensible transition toward Bradford Road to the east. The remaining pockets of attached and detached uses create a step-down approach to the surrounding one-family neighborhoods to the east. Staff also believes that from a compatibility stand point, if properties to the east do not develop as a consolidated plan (which seems likely), the majority of the uses will be one-family attached and detached uses, making it more practical to accommodate a greater percentage of multi-family uses on the subject property. Finally, the increased percentage of multi-family units appropriate given that the height proposed for each building is allowed to go to four stories. Based on height considerations, multi-family is most

appropriate in the westernmost portions of the Property. Staff believes the Planning Board can find that the proposed development will be more compatible with adjacent development and waive the maximum and minimum requirements of the units mix.

Citizen Correspondence and Issues

The Leisure World community has been heavily involved with this application from its original application and throughout the review of this amended application. Chief among their initial concerns was the combined impacts caused by construction of the Inter - County Connector in conjunction with the Applicant's road improvements along MD 28/MD 97. The community worried that construction of both the ICC and other MD 28 projects could cause traffic delays that would affect emergency response times to the Leisure World community. Other general concerns about the traffic improvements on the project, e.g., property acquisition, turning movements and right-of-way, were also mentioned. Construction of the ICC in this area is well underway; any road improvements to MD 28 for this project are at least a year away and given market conditions perhaps longer. While there may be some overlap of construction projects, staff cannot comment on the potential delays to emergency response. In general, Leisure World has supported a more cautious approach to this development, much in keeping with the recommendations from staff regarding limitations on the number of units.

Leisure World has also questioned the location of multi-family units along MD 28 and believe the units would be overbearing and incompatible with development in Leisure World across MD 28. Staff believes that this has been addressed by increasing the green buffer and setbacks from MD 28.

Leisure World also questions the whether the plan conforms to the master plan with respect to layout and unit type location. Staff believes that the plan does conform to the master plan. The phasing schedule was also questioned by Leisure World. Phasing will be discussed at the time of Site Plan.

Most notable of all Leisure World concerns was the issue of an existing flooding problem along MD 28 on the northern boundary of the community. Buildings in Leisure World have in fact, been damaged by flood water. These drainage issues are also a concern to the State Highway Administration. Because this development would potentially add to the problem, the stormwater management pond is designed to control the 100 year storm. This pond is located on the Subject Property's southern border and is part of the green buffer that provides screening along this road.

Staff believes that the plan as proposed, with the conditions, reasonable addresses all of the Leisure World concerns.

Future Site Plan Issues

Given the challenges of creating the beginnings of the Master Plan desired mixed-use neighborhood on this unusually shaped and highly constrained property, staff in the Site Plan

section have extensively participated in the review of this preliminary plan and have several suggestions in anticipation of the future site plan.

Landscaping

Extensive landscaping should be provided along Norbeck Road to buffer the stormwater management facilities and parking areas associated with the multi-family buildings. A planting plan that emphasizes the importance of the placement and orientation of units to Norbeck Road needs to be submitted with the site plan. The parking lots should include a substantial amount of planting for shading and buffering.

Location of Open Space

The location of open space appears to be adequately positioned in central areas directly relating to the clusters of unit types. The details of the space will be reviewed in greater detail during the site plan. Staff recommends additional detail for the design of mews for the one-family attached units and the open space between the multi-family buildings. The design of the Village Green will also be reviewed in greater detail at site plan with respect to unit orientation (units adjacent to the green), size and function of the space. Staff also recommends further refinement of the stormwater management facilities to accommodate greater useable open space for the surrounding units while providing a more attractive community setting.

Recommendations of Site Plan Staff

1. Additional active recreational facilities should be located in the southwestern quadrant near the cluster of multi-family buildings. Recreation activities for all age groups, especially teens, needs to be addressed with the site plan
2. The site plan submittal must include an extensive planting plan for the series of “sculpted” berms along Norbeck Road to include, but not limited to larger plant material including a mix of shade, ornamental, and evergreen trees and shrubs, and masonry walls.
3. Design of the mews and alleys is important and should be emphasized with appropriate selections of planting, paving material and lighting. Planting and lighting must be provided in the alleys that accommodates utilities and a/c units.
4. Design of the stormwater management facilities must include grading that is curvilinear in nature with adequate planting to become visible site amenities and not just structures to accommodate runoff.
5. The Applicant must explore alternative stormwater management techniques, including vaults, given the density proposed on the site. Alternative techniques may not take up as much space and could provide more useable open space and additional amenity area for the mix of units.
6. The Applicant must provide architecture that is sensitive to the surroundings for the multi-family buildings and should address building materials, building orientation, location to amenities, and the height of the buildings.
7. Consider LEED ND for the multi-family buildings and provide a scorecard at the time of site plan submittal.

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Olney Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments:

- 1) Preliminary Plan drawing
- 2) Detailed Preliminary Plan
- 3) Northern half of project
- 4) Southern half of project
- 5) Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Greenbriar at Norbeck				
Plan Number: 120060610				
Zoning: R-200/TDR				
# of Lots: 118 total – 3 lots for 144 multi-family; 118 lots for one family				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval the Preliminary Plan	Verified	Date
Minimum Lot Area	Not Specified	Determined at Site Plan	RW	5/10/09
Lot Width	Not Specified	Determined at site plan	RW	5/10/09
Lot Frontage	Not Specified	Determined at Site Plan	RW	5/10/09
Setbacks				5/10/09
Front	Not Specified ¹	Determined at Site Plan	RW	5/10/09
Side	Not Specified ¹	Determined at Site Plan		5/10/09
Rear	Not Specified ¹	Determined at Site Plan	RW	5/11/09
Height	4 story for multi-family	May not exceed maximum ¹	RW	5/11/09
Max Resid'l d.u. per Zoning	Seven units per acre before density bonus	262 units	RW	5/11/09
MPDUs	12.5% required	15%	RW	5/11/09
TDRs	Yes (102 required)	103	RW	5/11/09
Site Plan Req'd?	Yes			5/11/09
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes			5/11/09
Road dedication and frontage improvements	Yes	Agency letter		5/11/09
Environmental Guidelines	Yes	Staff memo		5/11/09
Forest Conservation	Yes	Staff memo		5/11/09
Master Plan Compliance	Yes	Staff memo		5/11/09
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Agency letter		5/11/09
Water and Sewer (WSSC)	Yes	Agency comments		5/11/09
10-yr Water and Sewer Plan Compliance	Yes	Agency comments		5/11/09
Well and Septic	N/a			5/11/09
Local Area Traffic Review	Yes	Staff memo		5/11/09
Fire and Rescue	Yes	Agency letter		5/11/09

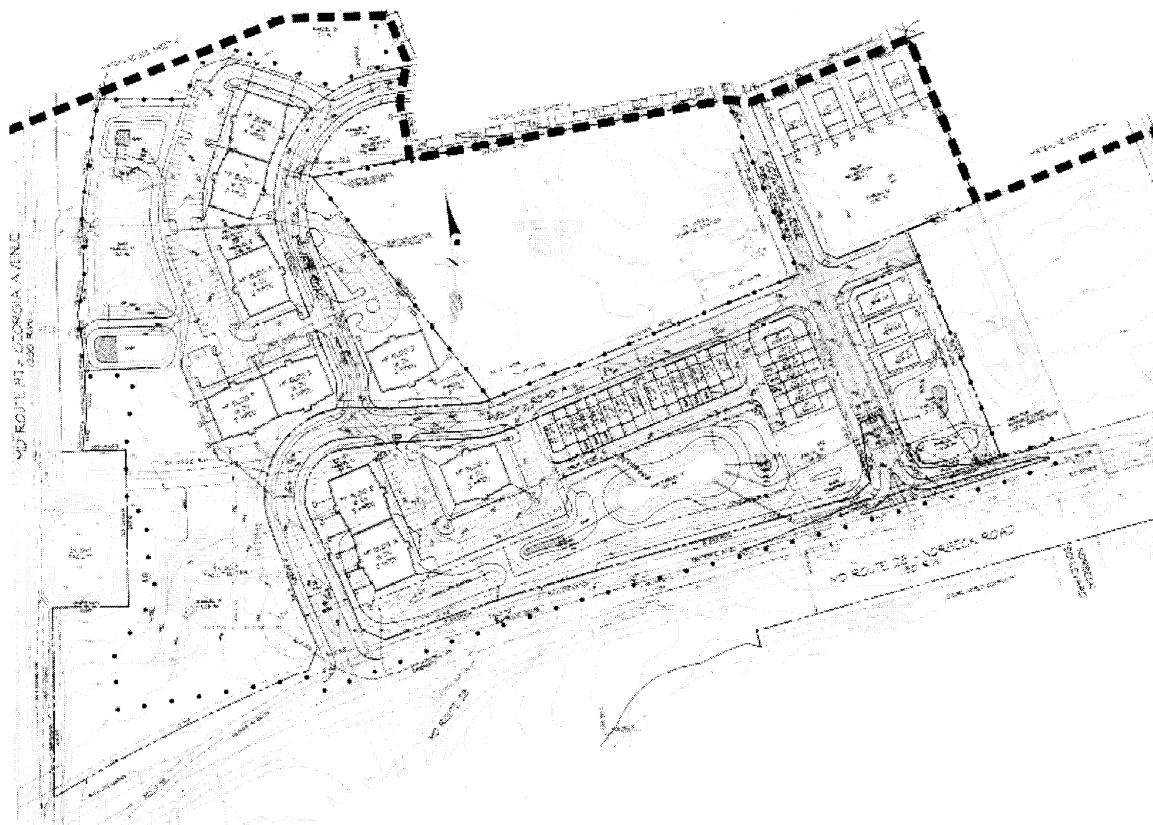
¹ Setbacks and maximum height will be determined by the required 59-D-3 site plan review.



Attachment 2 - Overall plan in detail



Attachment 3 - Northern half of Subdivision



Attachment 4 – Southern Half of Subdivision

MILES & STOCKBRIDGE P.C.

Rebecca D. Walker
301-517-4830
rwalker@milesstockbridge.com

November 26, 2008

Ms. Cathy Conlon
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Mr. Richard Weaver
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Greenbriar at Norbeck Crossing
Preliminary Plan No. 120060610

Dear Cathy & Rich:

Thank you for taking the time to meet with myself and representatives of the Leisure World Community on November 13th to discuss the pending Preliminary Plan for the above referenced project.

As we discussed, in 2006 the Leisure World Board of Directors formed an Ad Hoc Committee to review the then submitted Winchester Homes Preliminary Plan. During 2006 Leisure World had great success working with Winchester Homes to negotiate matters of concern, including but not limited to stormwater management. As we noted during the meeting, members of the Leisure World Committee and Management did have the opportunity to briefly meet with Mr. Hillerson, the current lead developer, prior to his submittal of the pending plan. To date, we have not had any subsequent follow up meetings. We anticipate providing Mr. Hillerson and his development team with our comments shortly and hopefully meeting to discuss the feedback.

In the interim, as mentioned, members of Leisure World attended the DRC meeting and have reviewed the comments submitted by the various agencies. As a follow up to the DRC, we wanted to meet with M-NCPPC staff to raise certain concerns and to echo our support for many of the comments made during the DRC. As you know, we strongly support the thrust and direction of staff recommendations for improving the project and encourage the staff to press for incorporation of these changes into the preliminary and site plans.

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DEVELOPMENT REVIEW

For the purposes of this correspondence, we wanted to highlight our concerns that were discussed last week. We hope that these will aid both you and the Developer going forward.

1. Traffic Access/Traffic Control/Right of Way- Leisure World has concerns regarding the timing and impact of the ICC construction (Contract A & B) and how that improvement will interact with the Developer's project and road construction improvements within the vicinity of Leisure World. Specifically, there appears to be a substantial likelihood that construction traffic for ICC Sections A and B and the proposed development will occur simultaneously, thereby negatively impacting the surrounding community, and perhaps slowing ambulance transports from Leisure World to the Montgomery General Hospital Emergency Room. We view this as a very serious public safety issue. Further, we understand that the Developer has not yet submitted a revised traffic study to accommodate for the change in the density and unit mix of the project. We would appreciate notice when the study is submitted.
 - a. Additionally, we agree with Planning Staff that the street and road connections within the development need to reflect planning for the eventual build out of the entire area referenced in the master plan. While we understand that the current plan is scaled down from the prior development proposal, ultimately the street and road connections for the development, right of way, and improvements should be the product of comprehensive planning for compatibility within the development and within the context of the larger community.
 - b. Concern has been expressed regarding the alignment of Public Road A with Norbeck Road (MD 28). Specifically, Public Road A is aligned opposite a future interchange planned for MD 28 at MD 97. It is unclear whether the project will be moving forward prior to the intersection improvement, and if so, how the traffic will be accommodated from Public Road A in the interim. The design for the "interim" intersection appears incomplete and/or unclear at this time.
 - i. Additionally, we have been advised that there is a significant grade differential (almost 16 vertical feet) at the point where Road A is proposed to connect with the future MD 97/28 interchange improvement. It is unclear how this grade differential will be addressed by the Applicant.
 - c. Concern also surrounds the proposed intersection of Coolidge Avenue and Bradford Road with MD 28.
 - i. Bradford Road is substandard, and should be upgraded to at least Secondary Road standards. It appears that there is insufficient right of way to accommodate that improvement. Therefore, the Applicant's plan, as currently proposed, cannot accommodate a necessary road
 - ii. The most recent proposed design (see attached aerial photograph) for the road improvements at Coolidge Avenue, Norbeck Boulevard and MD 28 appear to be inadequate. A vehicle heading westbound would have to perform an awkward right turn movement, and all traffic must traverse a private driveway apron.

- d. Finally, the original Winchester Homes development proposal aligned an entrance to the proposed development along MD28 and Norbeck Boulevard, opposite the existing entrance to Leisure World, thereby creating a four way intersection. While we understand that the current developer does not have control over the necessary property at this time to accomplish this intersection, we support the M-NCPPC Staff and the State Highway Administration's initiative to require verification that a bona fide offer has been made to the property owner by Mr. Hillerson, and either acceptance or rejection of the offer by the property owner. A four way intersection at Norbeck Boulevard would be the preferred means of access for the proposed development.
2. Stormwater Management- location and capacity
 - a. In our prior discussions with Winchester Homes they had agreed to treat a 10 year storm event (vs. 1 year). Mr. Hillerson made the same commitment to us during the initial meeting, but we have not been able to ascertain whether the submitted stormwater concept plan (the "Concept Plan") does in fact accomplish this goal.
 - b. The design of the current stormwater management system, which we understand will be revised because the Department of Permitting Services has denied the Concept Plan, proposes to pipe water from the project across the highway and tie into existing state highway facilities at Hampshire Village. The existing facility at Hampshire Village is inadequate to handle the existing drainage, much less the additional water proposed by the project.
 - i. Aside from the piping leaving storm water management ponds 1 & 5, the submitted plan shows another pipe crossing Route 28 west of Norbeck Blvd. This pipe appears to be picking up a 1.5 acre by-pass area. The proposed drainage outfall area on the south side of Route 28 does not drain. Water in this area ponds and creates a swampy environment. Therefore, Leisure World has concerns regarding adding more water flow to this already compromised area.
 - ii. Also, the pipe outfall from storm water management ponds 1 & 5 extends too far east. It should be shortened to dump into the existing State Highway Administration storm water management pond shown on the plan.
 - iii. Additionally, it is our understanding that the lots shown with direct access to Public Road A (Lots 1-6) are located within an area that Maryland State Highway Administration has designated as a Stormwater Management Pond. While this State Highway pond has not been formally approved, SHA has indicated that the existing pond in this area is insufficient to handle run-off from the new road construction in the area. Therefore, we would like to understand how this will work.
 - iv. By way of anecdotal evidence, in 2006, during a storm event, Leisure World experienced major flooding in the basement garage on their property. There is a concern that the additional impervious area proposed

for both the ICC and the proposed development will exacerbate the existing inadequate conditions thereby negatively impacting Leisure World.

3. Multi-family waiver request.

- a. We support the comments made by M-NCPPC staff during the DRC Meeting. Specifically, that there has not been sufficient justification provided by the Applicant to justify the waiver requested. As was discussed during the meeting, the Leisure World homes, opposite the project, are single-story dwellings that are located below the grade of Norbeck Road. Should the project be approved, these existing dwellings would be facing 4-story multi-family buildings which would tower over these homes¹. Given the proposed placement of the “pod” of multi-family dwellings, and depending upon the grading and architecture for the proposed buildings, these 4 story multi-family buildings could be overbearing and incompatible with the existing confronting development.

4. Configuration/Layout of the Development

- a. The revised layout submitted by the Applicant does not appear to take into account the circulation/density of the entire area once fully built out. Leisure World would like to see development consistent with the master plan vision.
- b. The revised layout does not seem to integrate or embrace the various housing types. Rather, the single family dwellings are grouped together, the townhouses are grouped together, and the multi-family buildings are grouped together. The various unit types are segregated from one another and appear choppy.

5. Phasing of Development.

- a. There is a concern that the current project timing may coincide with the construction of the ICC and may negatively impact the surrounding community more than would otherwise be required.
- b. Leisure World also has concerns that the layout of the project is conducive to selling sections of the development to builders and that certain aspects, such as the single-family dwellings may never come to fruition, and the entire project may end up as multi-family housing for the foreseeable future.


Again, thank you for the opportunity to present our concerns. We hope to meet with the Developer shortly to discuss them, and to coordinate with the State Highway Administration regarding the drainage and road improvement/access concerns.

¹ There are some existing trees within the right of way for MD28 that screen the existing homes, but with the proposed plans for widening of MD28, it appears that this screening will be lost in the near future.

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Should you have any questions, please do not hesitate to contact me.

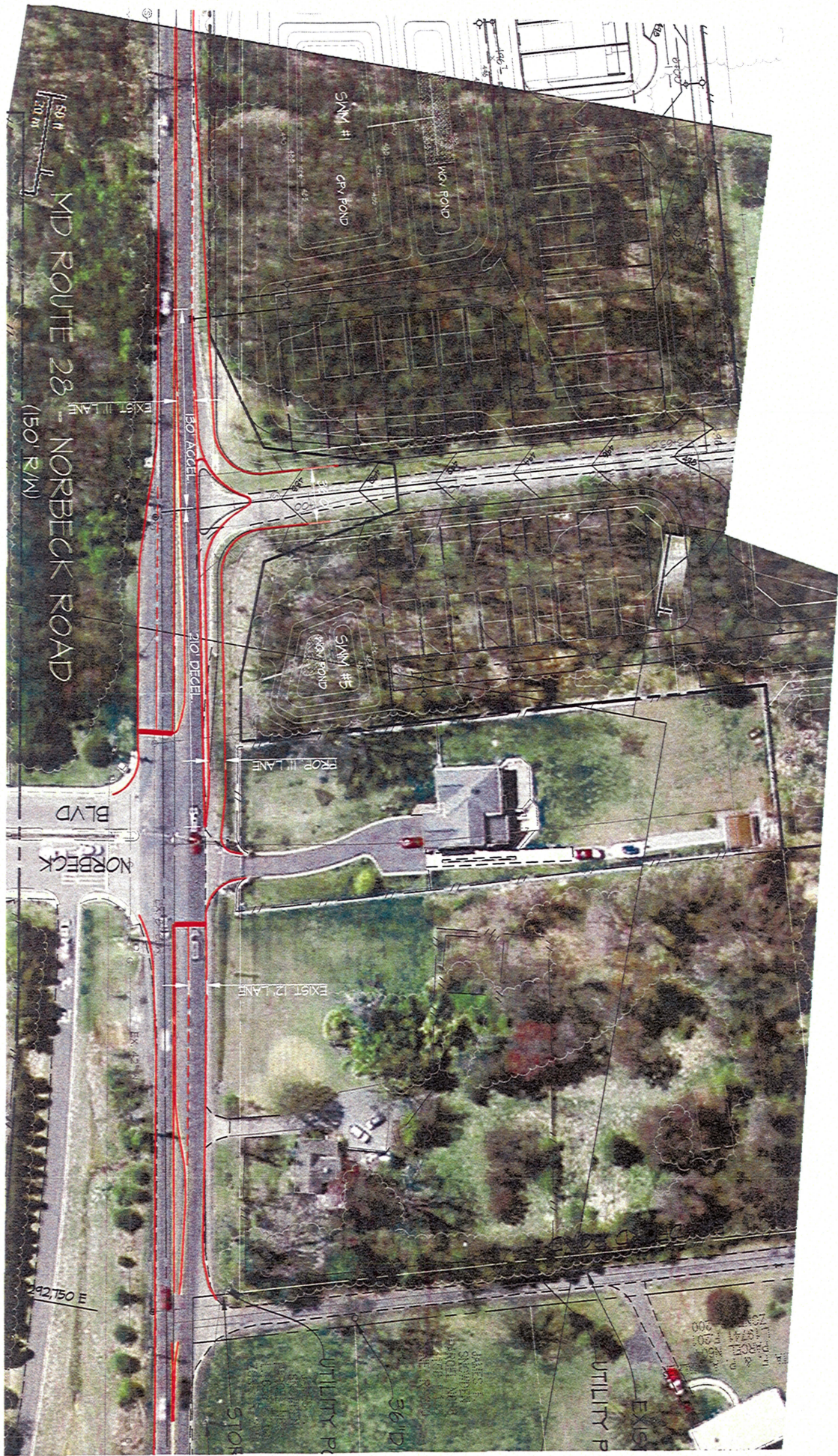
Sincerely,



Rebecca D. Walker

Enclosure

cc: Kevin Flannery, Leisure World General Manager
Phil Marks, Leisure World Ad Hoc Committee
Corren Giles, Maryland State Highway Administration
Bob Harris, Esquire



SCALE: 1"=60'

MILES & STOCKBRIDGE P.C.

Rebecca D. Walker
301-517-4830
rwalker@milesstockbridge.com

November 26, 2008

Mark Etheridge, Water Resources Plan Review
Department of Permitting Services
255 Rockville Pike, 2nd Floor
Rockville, Maryland 20850

Re: Greenbriar at Norbeck Crossing
Preliminary Plan No. 120060610

Dear Mark:

Thank you for taking the time to correspond with me last week regarding the Greenbriar at Norbeck Crossing development. As you know, I am working with the Leisure World Community to express their concern regarding certain aspects of the development, including but not limited to, stormwater management.

As I mentioned, in 2006 the Leisure World Board of Directors formed an Ad Hoc Committee to review the then submitted Winchester Homes Preliminary Plan. During 2006 Leisure World had great success working with Winchester Homes to negotiate matters of concern, including but not limited to stormwater management. As I mentioned to you, members of the Leisure World Committee and Management did have the opportunity to briefly meet with Mr. Hillerson, the current lead developer, prior to his submittal of the pending plan. To date, we have not had any subsequent follow up meetings. We anticipate providing Mr. Hillerson and his development team with our comments shortly and hopefully meeting to discuss the feedback.

In the interim, we wanted to take this opportunity to provide both DPS and the Maryland State Highway Administration with our comments and concerns regarding the preliminary plan submitted by the Applicant, as well as the corresponding stormwater management concept plan:

1. Stormwater Management- location and capacity
 - a. In our prior discussions with Winchester Homes they had agreed to treat a 10 year storm event (vs. 1 year). Mr. Hillerson made the same commitment to us during the initial meeting, but we have not been able to ascertain whether the submitted stormwater concept plan (the "Concept Plan") does in fact accomplish this goal.
 - b. The design of the current stormwater management system, which we understand will be revised because your department has denied the Concept Plan, proposes to pipe water from the project across the highway and tie into existing state highway

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facilities at Hampshire Village. The existing facility at Hampshire Village is inadequate to handle the existing drainage, much less the additional water proposed by the project.

- i. Aside from the piping leaving storm water management ponds 1 & 5, the submitted plan shows another pipe crossing Route 28 west of Norbeck Blvd. This pipe appears to be picking up a 1.5 acre by-pass area. The proposed drainage outfall area on the south side of Route 28 does not drain. Water in this area ponds and creates a swampy environment. Therefore, Leisure World has concerns regarding adding more water flow to this already compromised area.
- ii. Also, the pipe outfall from storm water management ponds 1 & 5 extends too far east. It should be shortened to dump into the existing State Highway Administration storm water management pond shown on the plan.
- iii. Additionally, it is our understanding that the lots shown with direct access to Public Road A (Lots 1-6) are located within an area that Maryland State Highway Administration has designated as a Stormwater Management Pond. While this State Highway pond has not been formally approved, SHA has indicated that the existing pond in this area is insufficient to handle run-off from the new road construction in the area. Therefore, we would like to understand how this will work.
- iv. By way of anecdotal evidence, in 2006, during a storm event, Leisure World experienced major flooding in the basement garage on their property. There is a concern that the additional impervious area proposed for both the ICC and the proposed development will exacerbate the existing inadequate conditions thereby negatively impacting Leisure World.

Thank you for the opportunity to provide our comments. We look forward to working with you. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Rebecca D. Walker

cc: Kevin Flannery, Leisure World General Manager
Phil Marks, Leisure World Ad Hoc Committee
Corren Giles, Maryland State Highway Administration
M-NCPPC- Cathy Conlon & Rich Weaver, Development Review Division ✓
Bob Harris, Esquire