



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

Staff Report: Site Plan 820100040, Clarksburg Village – Phase 3, Retail & Age-Restricted Housing

ITEM #: _____

MCPB HEARING DATE: April 15, 2010

REPORT DATE: April 5, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RAK*
Development Review Division

FROM: Joshua Sloan, Coordinator *JLS*
Development Review Division
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APPLICATION

DESCRIPTION: Final water quality plan and site plan for development of 100 multi-family dwelling units, including 13 MPDUs, and 109,000 gross square feet of retail in the PD-4 zone on 17.40 acres; located on Newcut Road approximately 4,000 feet north of Frederick Road; Clarksburg Master Plan

APPLICANT: Clarksburg Village Center, LLC

FILING DATE: December 9, 2009

RECOMMENDATION: Approval with conditions

EXECUTIVE

SUMMARY: The proposed development would provide 100 age-restricted, multi-family units and 109,000 square feet of retail, including a grocery store, gas station, and several additional retail, restaurant, and service uses. Parking for 695 vehicles would be provided on surface lots, including 138 spaces dedicated to the age-restricted dwelling units. Sidewalks, plazas, and benches would provide connections to the adjacent neighborhood and provide gathering and resting opportunities. Stormwater techniques using environmentally sensitive design measures will be used on site. Approval of this application must be consistent with Development Plans G-735 and G-784 as amended by DPAs 04-3 and 05-1. A preliminary plan amendment must be approved to shift density between two previous approvals, both of which are within the area of the approved development plans.

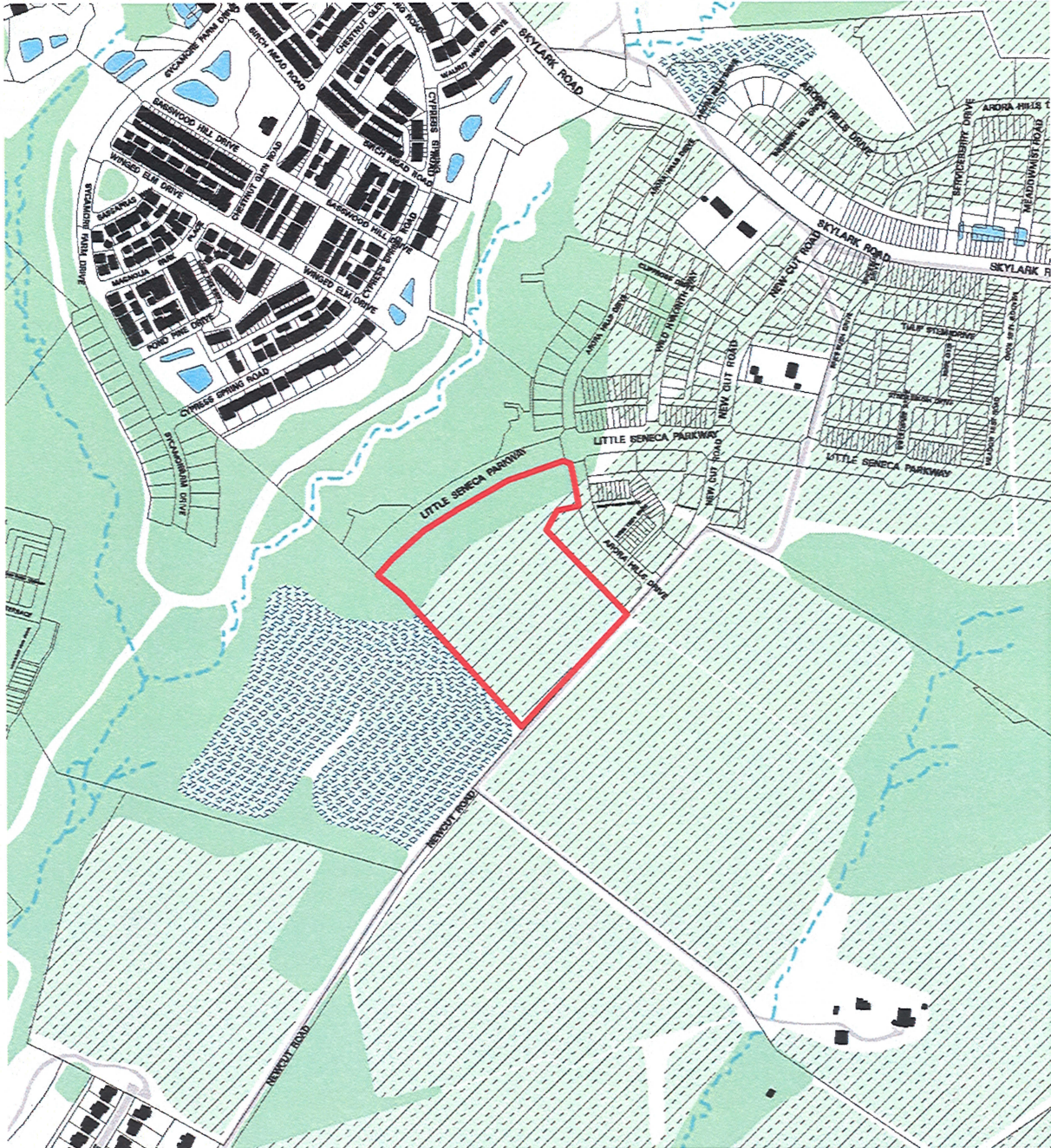
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SITE DESCRIPTION

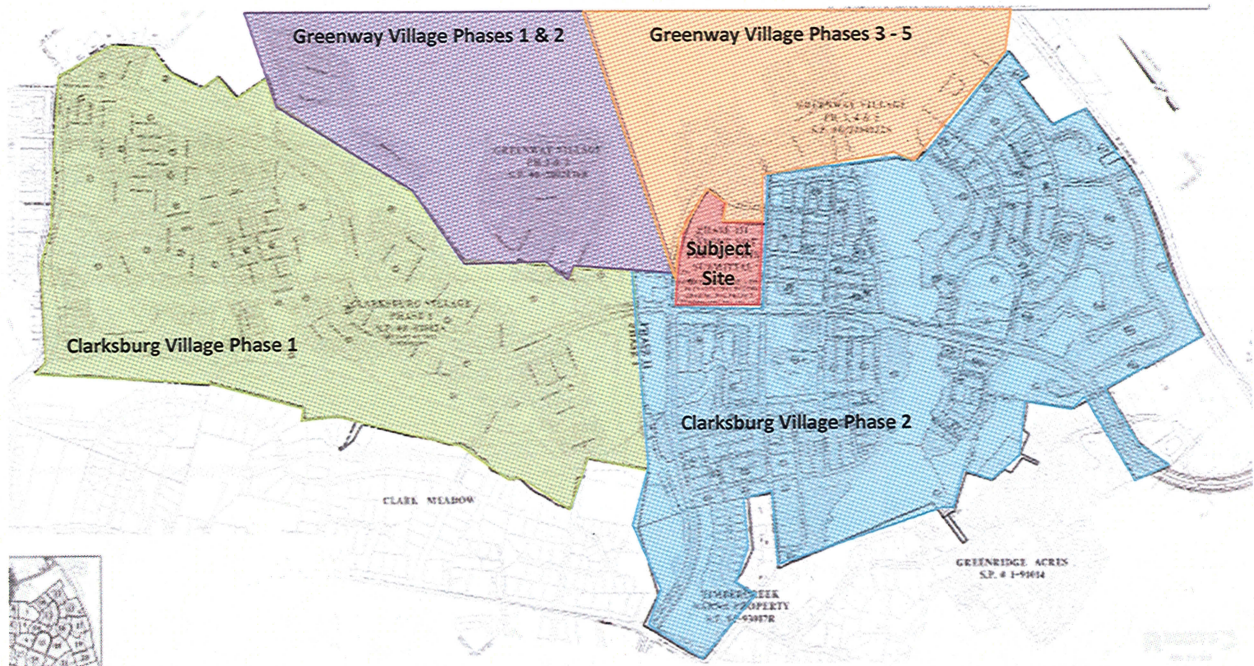
Vicinity

The subject site is located on a block defined by Little Seneca Parkway, Snowden Farm Parkway, Newcut Road, and Arora Hills Drive. This site takes up the entirety of the block except for a section in the eastern corner that is approved for a mixture of two-over-two and townhouse units. Numerous types of residential buildings, including detached, townhouse, and multi-family buildings, confront the site to the east, south, and west. A protected stream valley park confronts the site across Little Seneca Parkway to the north.



Vicinity Map

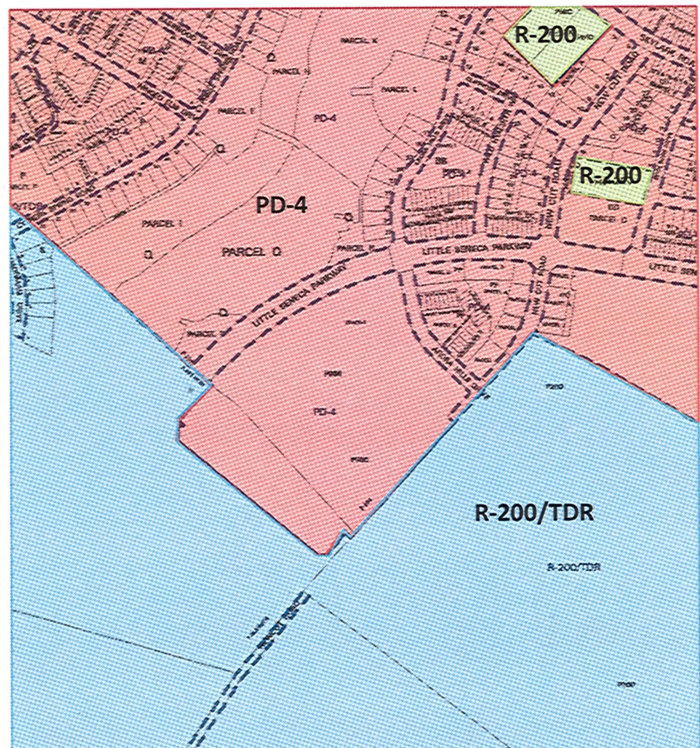
Nearby pending or recently approved site plan applications include 82002036B – Greenway Village Phases 1 & 2 to the north; 82003002A – Clarksburg Village Phase 1 – to the west; 82004022A – Greenway Village Phases 3, 4, & 5 to the north and east, and 820050410 – Clarksburg Village Phase 2 to the south and east.



Phasing & Neighborhood Map

The general context of this area is in transition from large lot residential and semi-rural housing to a mixed-use neighborhood with various housing types and commercial opportunities. Nearby land is divided between R-200, R-200/TDR, and PD-4 zones. The primary road network creates an edge to the adjoining greenway and varying unit types with the retail center being the primary hub.

Originally, part of this development was in the Greenway Village area, thus requiring an amendment to the preliminary plan to reflect the transfer of commercial densities.



Zoning Map

Environmental Site Analysis

The subject site is currently vacant of structures and was primarily used for agriculture. The site will be served by public water and sewer. The site slopes generally from the north to the south with moderately inclined and steeper areas; the entire site and the adjacent development activity is will complete the infrastructure and set grades for the transformation from agricultural and woodland to higher densities of residential and commercial uses.

The entire 784.90-acre Clarksburg Village property is located east of I-270 in Clarksburg within the Clarksburg Special Protection Area (SPA). The entire site drains directly to the Little Seneca Creek (Use IV-P SPA stream) which runs through the Phase 2 portion of the site. The current land uses include residential development, abandoned agricultural fields, and forest. The natural resources for the subject properties are characterized in Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) plans #419981120, #420011480 and #420013270. Staff approved the first NRI/FSD in 2000 and the remaining two in 2001. All three NRI/FSDs were amended and approved in February 2005. The Planning Board approved a preliminary plan of subdivision including a preliminary forest conservation plan on September 6, 2001 which incorporated Clarksburg Village Phases 1, 2, and 3.

The entirety of Phase 3 drains directly to the Little Seneca Creek that is located off site approximately 375 feet west of the subject site. There are no steep slopes (> 25%), no highly erodible soils and no environmental buffers associated with this project site. In addition, there are no springs, seeps or wetlands on this property. The Phase 3 subject site contains 3.62 acres of existing forest.

Water quality plans are required as part of the Special Protection Area regulations. Under the SPA law, Montgomery County Department of Permitting Services (DPS) and the Planning Board have different responsibilities in the review of the water quality plan. DPS conditionally approved the elements of the final water quality plan under their purview on December 22, 2009. The Planning Board's responsibility is to determine if the forest conservation requirements, environmental guidelines for special protection areas, and site imperviousness requirements have been satisfied.



Aerial View

PROJECT DESCRIPTION

Previous Approvals

The site is subject to several approved development plans and development plan amendments.

- Local Map Amendment (LMA) G-735 in April 2001 and Development Plan Amendment (DPA) 04-3 in December 2004 were approved for 1,330 dwelling units and a commercial center containing 89,000 square feet of retail uses in Greenway Village.
- LMA G-784 in April 2001 was approved for 2,653 dwelling units and 20,000 square feet of retail space in Clarksburg Village to be combined with the retail uses in Greenway Village (G-735).

- DPA 05-1 in April 2008 was approved for the construction of the age-restricted, multi-family apartment building with 100 dwelling units.
- Prior preliminary plan approvals are described in the associated preliminary plan amendment staff report.

The combined retail square-footage of LMA G-735 (Greenway Village) and LMA G-784 (Clarksburg Village) equal the 109,000 square feet of retail that is the subject of part of this site plan. The 100 age-restricted, multi-family units that were approved by DPA 05-1 is the subject of the other part of this site plan.

Proposal

Building Layout & Height

The proposed development would create 109,000 square feet of retail space in eight separate buildings and 100 age-restricted (55+), multi-family units in a ninth building. The retail buildings are all single-story with varying interior ceiling heights; the rooflines are limited to a maximum of 49 feet. The multi-family building is limited to 4 stories in front, 5 in back, and a maximum height of 55 feet.

The largest of the eight retail buildings is a proposed 54,000 square-foot grocery store that sits within the site. The other retail buildings, which range from 4,000 square feet to almost 15,000 square feet, line the public streets to the southeast and southwest of the site. The focus of potential “street activating” uses lie in the group of small buildings at the southern corner of the site and is anchored by a public plaza at the intersection of Snowden Farm Parkway and Newcut Road. The plaza itself will be paved with patterned concrete and will remain open to allow the community to use it for a variety of uses; it is flanked along each road by raised planters that will allow for siting, but also define the area as an “outdoor room”. Any gas-station pumps, dumpsters, or drive-through windows will be situated within the site and screened by architectural wing-walls.

Sidewalks

Sidewalks radiate diagonally from this plaza towards the interior parking field and along both roads. These sidewalks continue along the perimeter of the site and provide access at each intersection from the adjacent neighborhood. A separate mid-block connection on Snowden Farm Parkway will connect to the proposed multi-family unit neighborhood that was approved by the Clarksburg Village Phase 2 plan.

Interior sidewalks run along a cruciform street pattern that divides the site into four quadrants. This pedestrian circulation system ties together the parking fields, storefronts, multi-family units, and adjacent neighborhoods. Benches, street trees, lighting, and access ramps at all crosswalks will provide comfort and ensure accessibility for handicapped patrons, families with strollers, and the aged population.

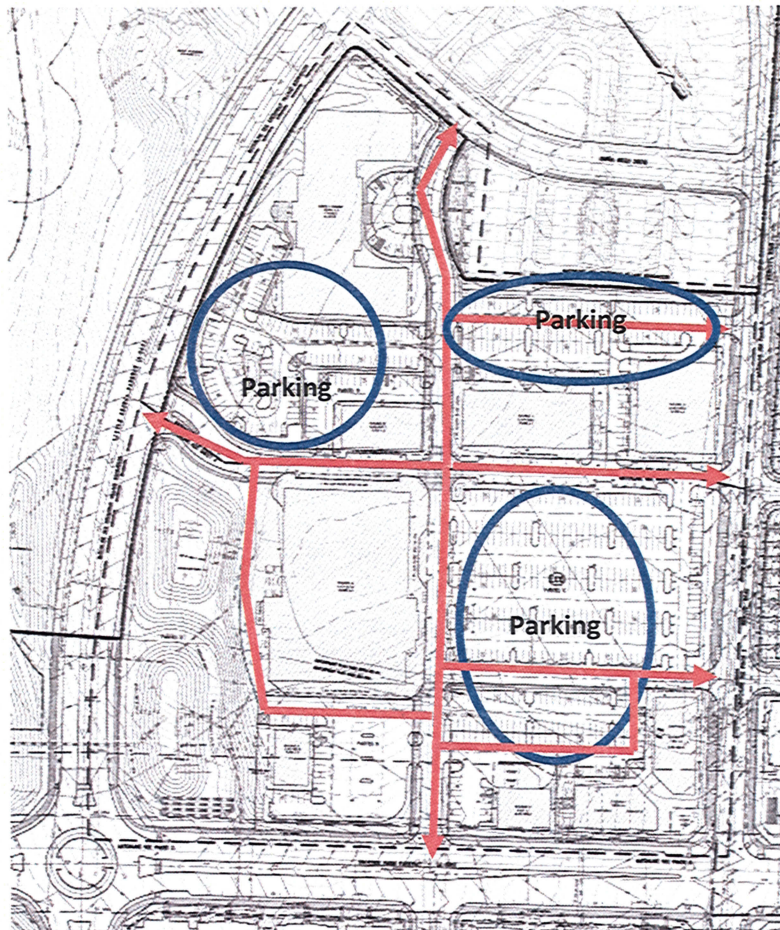
Streets and Parking

As mentioned, vehicular access is provided midway along each of the four adjacent public streets creating four quadrants. The multi-family building will have a drop-off/visitor parking area near

the entrance from Arora Hills Drive and access to a gated parking area for the residents situated to the side and behind the building.

The street intersecting Snowden Farm Parkway is aligned with the approved street access to the confronting multi-family buildings, but is separated by a median. This point will serve as a pedestrian mid-block crossing, but will not allow left turns into or out of the site. Access from Little Seneca Parkway will occur midway along the block and run through the site to align with an approved street access Newcut Road. Two additional streets will provide access from Newcut Road providing pedestrian and vehicular entry points to parking areas, dumpsters, and drive-throughs.

Parking for the retail is provided largely in a surface field in front of the grocery store, but also behind the northern row of buildings and within the L-shaped area defined by the southern row of buildings. The interior street running from Little Seneca Parkway to Newcut Road will also have parallel parking along both sides; Snowden Farm Parkway also provides parallel parking along the frontage of the site.



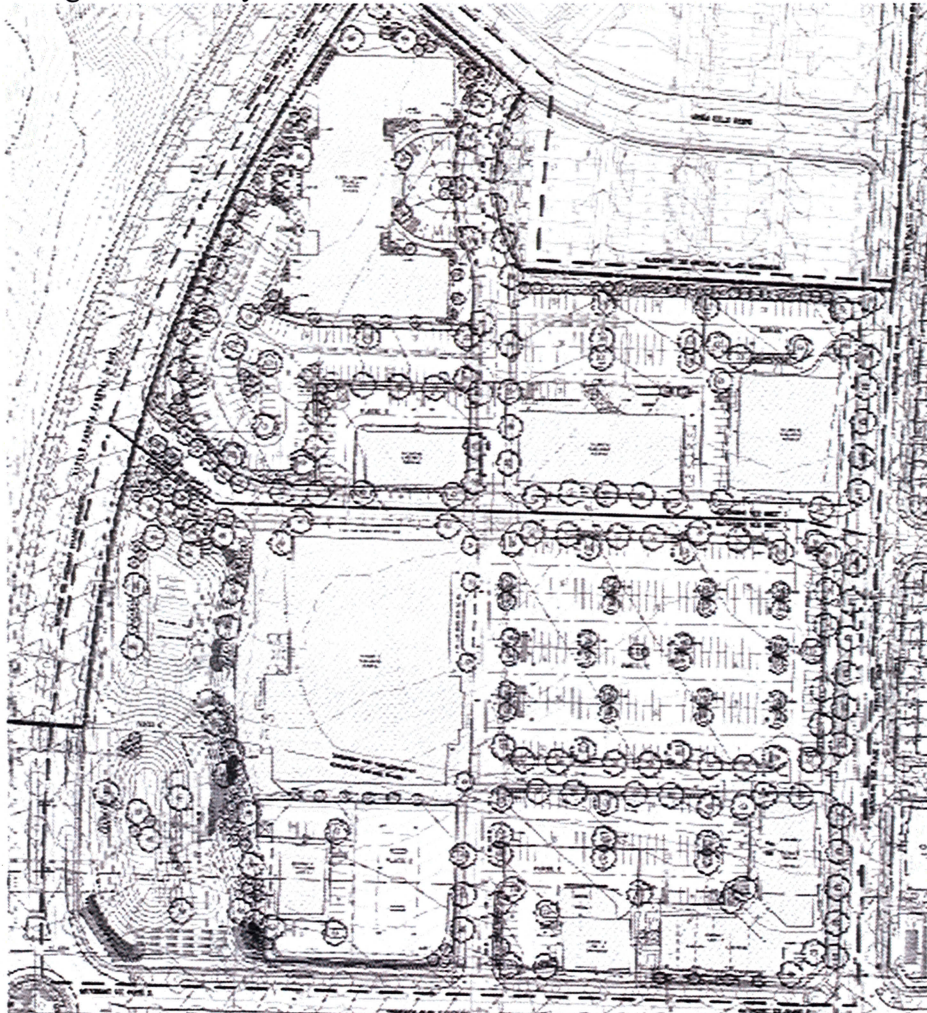
Vehicular Circulation Exhibit

Landscape

Plantings will consist primarily of street and parking island trees. Newcut Road is proposed to have a wide sidewalk that extends to the curb, so trees along this frontage will be provided in tree pits. Most of the frontage along Arora Hills Drive is not subject to this site plan approval. The frontage of the site along Little Seneca Parkway and Snowden Farm Parkway will be planted with large shade trees within a grass strip as required by previous approvals.

Interior streets will be planted with shade trees on roughly 40-foot spacing with street lamps placed at regular intervals. The intention is to create a main-street feel along these primary streets that mimics the adjacent public streets. Each parking island will contain one or two deciduous trees; those that also serve as micro-bioretenion facilities for stormwater management will be native species.

Additional screening plantings and fencing will be provided along the property line shared with the Greenway Village residences to the west and along the multi-family parking area that faces Little Seneca Parkway. The majority of the western corner of the site will contain a landscaped stormwater management facility.



Illustrative Landscape Plan

PROJECT ANALYSIS

Master Plan

Regarding the proposed use, layout, design, and compatibility, the plan is consistent with prior reviews of the Phase III area including the proposed maximum 109,000 sq. ft. of retail space and the 100 unit age restricted housing component. The phasing of the retail implementation, however, must be in line with overall staging for retail in the Town Center. This phasing is a condition of approval of the concurrent preliminary plan amendment 12001030E being reviewed by the Planning Board.

The plan reflects significant involvement, since the spring of 2009, by the developer with residents of Clarksburg including development and analysis of alternate studies for the 17.4 acre site and program. The plan is in conformance with the June 1994 Clarksburg Master Plan and the Applicant's submission generally respond to Department staff reviews and input prior to the December 2009 submittal.

Transportation and Circulation

A local area transportation review (LATR) was completed as part of the preliminary plan review, which was approved for the entirety of the Clarksburg Village area. According to the LATR, several improvements must be constructed in accordance with the phasing of road improvements for Clarksburg Village.

With respect to traffic circulation on and adjacent to the subject site, the ingress/egress points are well-aligned with confronting roads and spaced safely to accommodate turning and queuing movements. Internal street layout, drive-aisle orientation, and loading areas are well related to each other and screened where they would create a visual annoyance.

Sufficient parking is provided for patrons who must drive to the site, and dedicated parking for the age-restricted, multi-family units is provided as required by the DPA binding elements. The proposal would provide 139 spaces for the multi-family development, one more than required, and 557 spaces for the retail areas, 12 more than required. Of the total parking spaces, 10 will be sized for motorcycles and 26 will be dedicated handicapped spaces. As conditioned, bike racks accommodating 36 bicycles will be provided throughout the site. This number is based on the equivalent of two inverted-U bike racks near the primary entrance to each of the 8 retail buildings and the multi-family building.

Sidewalks are provided around and within the site as are benches and open space that will enhance the focus on pedestrian orientation in the area. Striping, paving changes, and ramps will ensure safe accessibility by foot, stroller, or wheelchair. As a condition of approval, pavement markings will be provided from the parking fields to some retail buildings in addition to the proposed striping at all crosswalks.

Environment

Environmental Guidelines

The environmental guidelines for SPAs require examination of many tools to maximize achievement of site performance goals. For instance, the goal of protecting seeps, springs, and wetlands is better achieved with naturalized buffers surrounding these areas. The NRI/FSD for

the project identified the environmental buffers. Environmental buffers include wetlands and wetland buffers, floodplains, and streams and stream buffers. As part of the *Environmental Guidelines*, the stream buffers must be reforested. Where trees do not currently exist in the stream buffers, the applicant will plant new forests where applicable. The applicant will place forest conservation easements on the environmental buffers and all forest retention areas or transfer the ownership of a portion of these areas to MNCPPC Parks.

Forest Conservation

There are 16.80 net acres in this phase of the project with 3.62 acres of existing forest. The applicant is proposing to remove the entire 3.62 acres of forest. The project site initially contained 4.40 acres of forest. However, a 0.58 acre portion of the existing forest was previously cleared for Clarksburg Village, Phase 2 and incorporated into that phase. Additionally, a 0.20 acre portion had been cleared for the Greenway Village development and incorporated into the reforestation requirements for that project. The current forest clearing of 3.62 acres leaves the applicant with a reforestation requirement of 6.79 acres for clearing below the conservation threshold in Phase 3. The forest conservation plan indicates that the applicant will meet the conservation requirement onsite within the Clarksburg Village, Phase 2 development and that they will meet all planting requirements through a combination of landscape credit and onsite planting.

Under the M-NCPPC's implementation of the Special Protection Area (SPA) regulations, the Environmental Guidelines require accelerated reforestation of stream buffers within SPAs. This project lies entirely within the Clarksburg SPA. Therefore, Environmental Planning is requesting a condition on the forest conservation plan requiring the applicant to plant the stream buffers in the first planting season following DPS issuance of the first sediment control/grading permit, and that the applicant provide a five-year maintenance period for all planting areas credited toward the forest conservation requirement.

Noise

Under current Montgomery County noise guidelines if the residential building envelope falls within the 65 decibel area exterior noise line then architectural mitigation to reduce the interior noise level of a dwelling structure to 45 decibel area or less will be required. In this particular case, the building envelope for the age restricted residential structure lies outside of the projected 65 decibel area noise line for the Little Seneca Parkway (A-302). As a result, no noise mitigation measures will be required for this project.

Site Imperviousness

There are no impervious limitations within this portion of the Clarksburg SPA. However, the Special Protection Area regulations require the applicant to minimize impervious areas. The estimated impervious amount proposed for the entire site is less than 45 percent. Impervious data within this watershed is not available for sites of this size and mixture of units and square foot of commercial/office space.

Water Quality Plan

As part of the final water quality plan, DPS established several site performance goals for the project:

1. Protect the streams and aquatic habitat.

2. Maintain the natural on-site stream channels.
3. Minimize storm flow run off increases.
4. Identify and protect stream banks prone to erosion and slumping.
5. Minimize increases in ambient water temperatures.
6. Minimize sediment loading.
7. Maintain stream base flows.
8. Protect springs, seeps and wetlands.
9. Minimize pollutant loading (nutrient and toxic substances).

Stormwater Management/Sediment Control

To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs). A dry pond will provide stormwater quantity control for the one-year storm with a maximum retention time of 12 hours. Stormwater quality control is provided via a treatment train consisting of micro bioretention structures, surface sand filters, structural filters and hydrodynamic pretreatment structures.

Redundant sediment control facilities are required during construction of the site. This means upland sediment traps will drain to secondary traps downstream. DPS will not allow silt fences as the only perimeter control.

Development Standards

The subject site is zoned PD-4. The purpose of the PD Zones is several-fold - these numerous purposes are delineated and analyzed in the findings of this staff report. The proposed uses are allowed within the PD-4 zone provided they are shown on an approved development plan; these uses were approved by DPAs 04-3 and 05-1.

The minimum tract area, units per acre, and unit mix are met by the full development, including Clarksburg Village Phases 1, 2, and 3 (82003002A, 820050410, and the subject site plan, respectively). The following data table indicates the proposed development's compliance with the approved Development Plan Amendment, which was found by the County Council to comply with the Zoning Ordinance.

Project Data Table for the PD-4 Zone

Development Standard	Permitted/Required by DPA 05-1	Proposed for Approval
Density		
Age-Restricted Residential Units	100	100
Commercial (square feet)	109,000	109,000
Building Height (feet)¹		
Multi-Family	55	55
Commercial	Not specified	49
Building Setbacks (feet)²		
Public Right-of-Way	Not specified	10
From any Adjacent Residential Lot	Not specified	50
Parking Setbacks (feet)		
Public Right-of-Way	10	15
From any Adjacent Residential Lot	6	15
Green Area (% of gross tract zoned PD-4)		
	40	40
Parking Facility Internal Landscaping (%)		
	5	5
Parking Spaces		
	683	696

COMMUNITY OUTREACH

The Applicant has met all proper sign posting, noticing, and submission meeting requirements. Staff has not received correspondence on this matter.

¹ As determined by building height measurement points delineated on the certified site plan for each building.

² Final location of buildings may shift up to minimum setback within the building envelope established on the certified site plan.

FINDINGS

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.*

The site plan conforms to all binding elements of the development plan amendment (DPA) 05-1:

1. The age-restricted housing is limited to a maximum of 100 dwelling units.
 2. The number of parking spaces provided for the age-restricted housing units meets the requirements of the zoning code.
 3. The age-restricted housing must be built in a single phase according to the development program.
 4. The building height of the age-restricted housing will be 4 to 5 stories with a maximum height of 55 feet above the finished grade of Arora Hills Drive.
 5. The age-restricted housing must provide architectural design features presenting a compatible residential appearance on all sides as conditioned by the site plan approval.
 6. All 12.5% MPDUs must be provided on site.
2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed uses, age-restricted, multi-family residential units and commercial retail, are allowed in the PD-4 Zone if they are shown on an approved development plan; these uses were approved by DPA 05-1.

The site plan fulfills the purposes of the PD zones as detailed in the following outline.

- The 1994 Clarksburg Master Plan recommends that the subject site be rezoned to the PD-3 to PD-5 zones to help fulfill a vision of the “Newcut Road Neighborhood”. This recommendation, in turn, fulfills the wedges and corridors concept of the General Plan by locating higher density in self-sustainable core areas, especially those with eventual links to transit corridors such as the Corridor Cities Transitway. The zoning and unit mix utilizes the PD-4 zone standards to implement both the Sector Plan and the General Plan.
- The site design facilitates social interaction by locating multi-family and commercial uses at a central location with pedestrian connections and amenities provided throughout the site and by providing front doors directly on community sidewalks. The tight-knit nature of a development with this level of density will further create a sense of community. Because of the character of the site, which transitions from a variety of residential building types to retail services within a relatively small area, this community will have a distinct character and identity.

- There will be a minimum of two different unit types within the multi-family building. Because these are age-restricted units, a greater diversity of residential opportunities is provided within the neighborhood.
- Open space is provided over the minimum of 40% of the total site, which permits both active and passive recreation and a variety of spaces for social interaction. There are numerous open spaces, natural areas, trails, and recreation facilities within walking distance of the site
- Pedestrian circulation is provided throughout, connecting all of the open spaces and seating areas within the site. Further, these internal paths connect to the public sidewalks and provide access to off-site sidewalks that lead to neighborhood parks, trails, schools, and neighborhoods. Each of the buildings has direct access to this pedestrian circulation system.
- This site is part of a larger 1,060 acre tract that fulfills the purpose of the large-scale nature of planned developments.
- This site provides safe and convenient access to internal sidewalks, parking, and amenities as well as connections to adjacent and nearby amenities.
- This application establishes the comprehensive and systematic development of the county that was envisioned by the master plan; accomplishes the purposes of the zone, as outlined above; and, as conditioned by preliminary plan amendment 12001030E, is in substantial compliance with the Master Plan through the provision of additional unit types and commercial services, compatible building styles, and pedestrian-oriented sidewalk networks.
- The uses proposed are compatible with other uses in the vicinity as detailed in the finding for compatibility.

As the project data table on page 13 indicates, the site plan meets all of the development standards of the approved development plan amendment and the zone. With respect to building height, setbacks, and density the proposed development meets the maximum and minimum standards allowed. With respect to minimum gross tract area, green space, units per acre, and mix of unit types, the subject site plan meets the standards of the zone in conjunction with site plans 82003002A and 820050410.

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

The buildings and structures of the proposed development are located primarily around the perimeter of the site establishing relationships to the adjoining streets and residential buildings. This is appropriate for the neighborhood character envisioned by the Master Plan. These locations provide easy access to the building from adjoining sidewalks and parking. The locations of the buildings and structures are adequate and efficient, while meeting the aesthetic concerns of the area, and do not pose any safety concerns on the site.

The open space that is provided is primarily through the use of a sidewalk network connecting the buildings and the adjacent sidewalks. It serves to promote walking

between areas and buildings by patrons and nearby residents. A prominent open space is provided for the community at the corner of Newcut Road and Snowden Farm Parkway. Landscaping provides a screen for the parking where it fronts on external roads or residences and the larger open space is used primarily for stormwater management. Street trees and lighting are provided along the external and internal streets to enhance the pedestrian environment. Interior lighting will create enough visibility to provide safety in the parking areas but not so much as to cause glare on the adjacent roads or properties. The recreation facilities required are provided in or around the multi-family units and additional benches and bicycle facilities are provided throughout the site. The open spaces, landscaping, and site details adequately and efficiently address the needs of the proposed uses and the recommendations of the Master Plan, while providing a safe and comfortable environment.

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. Safety is enhanced by several improvements including crosswalks and signalization. The vehicular circulation design efficiently directs traffic into and through the site with minimal impacts to pedestrian circulation. This balance of pedestrian and vehicular circulation needs meets the recommendations of the Master Plan and is an efficient and adequate means to provide a safe atmosphere for pedestrians, cyclists, and vehicles.

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

The proposed multi-family building is compatible with the adjacent and confronting uses as well as approved but unbuilt development. The height is similar in scale to the nearest uses with the 5 story façade facing only a wide parkway and park beyond. The architectural details provided on the building further reduce the sense of scale by breaking up the massing of the building's face. The use is well-integrated into the surrounding mix of residential uses.

The proposed commercial buildings are laid out with the smaller footprints along the perimeter of the site and the largest building set internally. This helps create more a more balanced sense of scale between the residential and commercial buildings. The heights and articulation of rooftops help ensure compatibility with the rooflines that will sit across Snowden Farm Parkway and Newcut Road. Breaks in the streetwall and open space along the road frontages further enhance this sense of complementary scale and rhythm.

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

The proposed development will provide 6.79 acres of reforestation within the Clarksburg Village, Phase 2 development area. All of the planting requirements will be met through a combination of landscape credit and onsite planting.

Stormwater quality control is provided via a treatment train consisting of micro bioretention structures, surface sand filters, structural filters and hydrodynamic pretreatment structures. These features will ensure the goals of the final water quality plan are met for this special protection area.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820100040, Clarksburg Village Phase 3, for 100 age-restricted, multi-family units and 109,000 square feet of commercial retail space on 16.8 gross acres. All site development elements shown on the site and landscape plans stamped "Received" by the M-NCPPC on March 26, 2010 are required except as modified by the following conditions.

Conformance with Previous Approvals

1. Development Plan Conformance

The proposed development must comply with the binding elements of the local area map amendments G-735 and G-784 and development plan amendments 04-3 and 05-1.

2. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for preliminary plan 12001030E, as amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, Local Area Transportation Review, and Department of Transportation conditions.

Environment

3. Forest Conservation

The proposed development must comply with the conditions of the approved final forest conservation plan received by M-NCPPC on March 31, 2010. The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosion control permits by the Montgomery County Department of Permitting Services.

4. Final Water Quality Plan

The proposed development is subject to the conditions as stated in the Department of Permitting Services letter dated December 22, 2009 approving the elements of the special protection area water quality plan under its purview.

Parks, Open Space, & Recreation

5. Recreation Facilities

- a. The Applicant must meet the square footage requirements for all of the applicable proposed recreational elements and demonstrate that each element is in conformance with the approved M-NCPPC Recreation Guidelines.

- b. The Applicant must provide the following recreation facilities on site: an outdoor seating area, pedestrian connections to the adjacent sidewalk and trail system, and an indoor community space within the multi-family building.

6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to, plantings, plazas, sidewalks, and seating areas.

Transportation & Circulation

7. Bike Lockers

Provide two inverted-U bike racks, or equivalent, proximate to the primary entrance (or midpoints of the building façade if there are multiple entrances) of each of the 9 proposed buildings. Capacity for 36 bicycles must be provided in total.

8. Pedestrian Circulation

- a. Provide a mid-block pedestrian connection across Snowden Farm Parkway at the intersection with the interior street as approved by DOT and DPS.
- b. Provide striped crosswalks from any handicapped parking spaces to accessible ramps wherever those parking spaces are separated from the building entrance by a drive aisle or street.
- c. On-site paving scoring and coloration may change due to commercial tenant requirements but may not be built of any material not shown on the certified site plan.

Density & Housing

9. Moderately Priced Dwelling Units (MPDUs)

- a. The proposed development must provide a minimum of 12.5% on-site in accordance with Chapter 25A of the Montgomery County Code. The Applicant is not receiving any density bonus for providing these MPDUs.
- b. The Applicant must obtain an agreement to build pertaining to the construction and staging of MPDUs from the Department of Housing and Community Affairs (DHCA) prior to the issuance of any residential building permits.
- c. The final unit distribution and bed-rooms per unit for the MPDUs within the multi-family building must be approved by DHCA. Any resulting changes to the parking requirements must be accounted for on site.

10. Occupancy Provisions

The age of the residents of the proposed project is restricted to persons 55 years or older and will be stipulated in the agreement to building approved and enforced by DHCA.

Site Plan

11. Architecture

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on sheets A-18 and A-19 of the submitted architectural drawings, as determined by M-NCPPC Development Review and Urban Design staff.

12. Landscaping

- a. Substitutions for particular varieties of plant material may be made per approval of M-NCPPC Development Review staff.
- b. All plantings, lighting, and amenities within stormwater management easements and Montgomery County rights-of-way are subject to final approval by the relevant permitting agency with the exception of the specified plant sizes shown on the applicable certified site plan(s). Changes to the landscaping and lighting within these areas will not require a site plan amendment.

13. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential and commercial development, as applicable.
- b. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- c. Illumination levels from on-site fixtures may not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- d. The height of the light poles shall not exceed 32 feet including the mounting base.

14. Landscape Surety

The Applicant must provide a surety (performance bond) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The amount of the surety must include plant material, on-site lighting, recreational facilities, and site furniture within the relevant area of development. Surety to be posted prior to issuance of first building permit and will be tied to the development program.
- b. Provide a cost estimate of the materials and facilities, which will establish the initial bond amount.
- c. Completion of plantings by area to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the respective parties and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

15. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- b. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities, must be installed prior to release of each building occupancy permit.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing for installation of on-site landscaping and lighting.
- e. Community-wide pedestrian pathways and recreation facilities, including perimeter sidewalks and crosswalks, must be completed prior to issuance of any commercial building permit.
- f. Landscaping associated with each parking lot and building must be completed as construction of each facility is completed.
- g. The development program must provide phasing of the indoor community space, dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

16. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.
- b. Add a note to the site plan stating that “M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading”.
- c. Modify data table to reflect development standards enumerated in the staff report.
- d. Ensure consistency off all details and layout between site plan and landscape plan.
- e. Make minor corrections to layout and details as required by staff.
- f. Building envelopes for all of the buildings.

APPENDICES

- A. DPA 05-1 Hearing Examiner’s Report