



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

MCPB
Item
Date:

DATE: April 9, 2010

TO: Montgomery County Planning Board

FROM: Elsabett Tesfaye, Planner Coordinator (301) 495-1301

VIA: Rose Krasnow, Chief, Development Review Division
 Ralph Wilson, Zoning Supervisor, Development Review Division

SUBJECT: LOCAL MAP AMENDMENT NO G-885:. Request by Bowie Mills Road, LLC, for rezoning from the R-200 to the PD-3 Zone. 18241 Bowie Mill Road, Olney.

FILING DATE: August 11, 2009
PLANNING BOARD HEARING: April 22, 2010
PUBLIC HEARING: May 05, 2010

Staff Recommendation:

Staff recommends **APPROVAL** of Local Map Amendment No. G-885 for the following reasons:

- (1) The proposed Local Map Amendment and the Development Plan are consistent with the purpose clause and all applicable standards of the PD-3 Zone.
- (2) The proposed reclassification is in conformance with the land use recommendations of the 2005 Olney Master Plan.
- (3) The proposed reclassification is compatible with existing and planned land uses in the surrounding area.
- (4) Public facilities are adequate to serve the proposed development.

A number of master plan, transportation, environmental and related issues identified by planning staff need to be addressed at the time of preliminary plan and site plan review. Staff recognizes that the proposed Development Plan reflects a measurable effort made on the part of the developer to address the various issues raised by staff and the community and to incorporate design elements consistent with master plan general guidelines. The Development Plan satisfies the master plan's site-specific recommendations for development of the subject property in terms of design, layout, lot size, mix of housing types, and density. The Development Plan also satisfies master plan affordable housing, environmental, and storm water filtration and recharge objectives.

BOWIE MILL PROPERTY (G-885)



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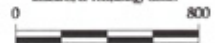
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Key Map



Research & Technology Center



1 inch = 800 feet
1 : 9600

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

8787 Georgia Avenue - Silver Spring, Maryland 20910-1700

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ATTACHMENTS:

- **Plans and drawings**
- **Referral Comments**

I. APPLICATION SUMMARY

Applicant	Bowie Mill Road, LLC
Zoning And Use Sought	Zone: PD-3 Use: 117 residential units including 30% MPDUs and 30% workforce housing:
Current Zone/Use	R-200/Undeveloped
Location	South side of Bowie Mill Road, at the southwestern corner of its intersection with Thornhurst Drive in Olney, Maryland
Site Size to be rezoned	Approximately 32.74 acres
Right-of-way to be dedicated	1.85ac
Base Density in PD-3 Zone	3 per acre X 32.74= 98 DU (base density)
Maximum Density allowed (using 22% MPDU bonus)	98x22%=21 98+21=119 DU
Density Proposed by the Applicant	117 DUs
Green Space: required proposed	30% 45%
Parking Required/Proposed	234 spaces/258 spaces
Building Height	3 stories/40 feet
Environmental Issues	Environmental Planning has recommended approval of Preliminary forest conservation plan
Consistency with Master Plan	Proposed development is consistent with the 2005 Olney Master Plan
Neighborhood Response	Opposition from area residents citing congestion
Staff recommendation	Approval

II. STATEMENT OF THE CASE

The applicant, Bowie Mill Road, LLC, requests reclassification of a 32.74-acre parcel of unimproved land from R-200 Zone to PD-3 Zone. The Property, which is owned by Montgomery County Government is known as Parcel 850 and located on the south side of Bowie Mill Road, at the southwestern corner of its intersection with Thornhurst Drive in Olney, Maryland.

The Applicant initially filed the subject application in August of 2009. The development plan was later revised to address various design and layout issues identified by staff. The revised Development Plan represents a significant improvement over the plan presented at the Development Review Committee (DRC) review in October of 2009. The Applicant proposes to develop the property with a total of 117 one-family detached, townhouses, and 2 over 2 residential units, including 30% MPDUs and 30% workforce housing units.

III. DESCRIPTION OF PROPERTY

The subject property consists of approximately 32.74 acres of land. The site is generally rectangular in shape, with a small notch in the northeast corner of the property. The property is currently undeveloped and contains 6.7 acres of wooded area, stream and wetland of which some will be retained as part of the Forest Conservation requirements. The Applicant’s land use report describes the property’s topography as follows:

The topography of the property is reasonably level but drops downward from the grade of Bowie Mill Road that abuts the northern side of the parcel of land. The center of the site is the location with the least variation in topography from which the land slopes towards an intermittent watercourse that traverses diagonally across the western half of the property.

IV. SURROUNDING AREA

The area surrounding the site is generally defined by the following boundaries:

North	North Branch Stream Valley Park/Laytonville Road (MD 108)
East	Laytonville Road/Georgia Avenue (MD-97)
South	Morningwood Drive /Headwaters Drive
West	North Branch Stream Valley Park

The land use within the surrounding area is predominantly single-family detached residences in the R-200, RE-1 and RE-1/TDR zones. A 250-foot wide, north-south Pepco power line easement bisects the western portion of the area surrounding the subject property. The area also includes local recreational facilities and neighborhood parks. Retail and light commercial uses are located at the eastern end of the neighborhood along MD 108.

The subject property adjoins residential properties to the south and east. The property abuts the Pepco power line easement to the west, which is zoned R-200. Confronting the subject property across Bowe mills Road to the north are also single-family residences in the R-200 zone.

V. PLANNING AND ZONING HISTORY

The site was placed in the R-R Zone when the zone was enacted and mapped in the 1954 Regional District Zoning. The 1958 County-Wide Comprehensive Zoning confirmed the R-R zoning of the site (The R-R Zone was renamed R-200 in 1973). The 1980 Master Plan for Olney recommended the site for a High School. The 2005 Olney Master Plan recommended a base zone of R-200 with a recommendation for development under the PD-3 Zone by Local Map Amendment. The 2005 Olney Sectional Map Amendment (G-838) implemented the Master Plan's recommendation for rezoning the property.

VI PROPOSED DEVELOPMENT

The applicant has filed an application to rezone 32.74 acres of land from the R-200 zone to the PD-3 Zone. Development of the site is under a negotiated agreement with the county government who owns the subject property. The agreement commits the applicant to provide at least 40% market-rate units, 30% MPDUs, and 30 % Workforce Housing (WFH) units.

As proposed by the applicant, the site would be constructed with a total of 117 residential units, including 57 single-family detached, 36 single-family townhouses and 24 2 over 2 (single family) townhouse units.

The applicant indicated that due to the topographical nature of the property and the layout of the plan the project can be developed either simultaneously in one phase or separately in two phases. The applicant has not given a clear indication at this point regarding the phases of development.

VII. MASTER PLAN CONFORMANCE

The proposed Development Plan is consistent with the *Approved 2005 Olney Master Plan*, which specifically recommends PD-3 zoning for the 32-acre county-owned site (page 37-38 of the master plan). The Plan also recommends that a portion of the site be open space and include an active recreational component as part of any future development of the site. The master plan also supports connecting the open space to the adjoining residential community through the proposed network of trails and bikeways in the area.

In a memorandum dated March 29, 2010, the Community Based Planning Division noted that the Council looked at three different zoning options for subject property during its deliberations on the 2005 Olney Master Plan:(1) the existing R-200 (up to 78 total units); (2) PD-3 (up to 117 total units), and (3) PD-4 (156 total units).

The Council included the following guidance in the text of the master plan. (p. 37 of the 2005 Olney Master Plan):

The public ownership, its location on a major road, and the size of the property make it suitable for a housing development including affordable housing. To maximize the potential for affordable housing, the site is appropriate for R-200/PD-3 zoning but the actual yield may be limited due to compatibility and environmental constraints on the

site. The full yield allowed by the PD-3 Zone is only appropriate if the following objectives can be met:

1. At least half of the units are affordable (Moderately Priced Dwelling Units (MPDUs) or work force housing). It would be acceptable to have the affordable housing (in excess of what is required by law) placed on another site in Olney if there is joint development of both sites. The Council recommends that the Executive pursue this option first.
2. The size, scale, and design of the development preserve the sensitive environmental resources in accordance with a stormwater management concept approved by the County. The stormwater management concept must include measures that are designed to enhance natural storm water filtration and recharge.
3. The density of development and resulting population increase does not overwhelm the area's already severely strained public facilities.
4. Lot sizes, the mix of housing types, and the density are compatible with adjacent properties.
5. Commercial development is not appropriate for this site.

Recommendations:

1. Since it has been determined that the site is not needed for educational purposes, the site should be used for affordable housing designed to be compatible with the surrounding residential neighborhood. The site is currently zoned R-200 and is recommended for R-200/PD-3.
2. Include open space with an active recreational component as part of any future development on this site. Connect the open space to the adjoining residential community through the proposed network of trails and bikeways in the area.

Community-Based Planning staff has found the proposed plan to be consistent with the Olney Master Plan and supports approval of the subject application.

VIII. ADEQUATE PUBLIC FACILITIES

(i) Water and Sewer Service

The Washington Suburban Sanitary Commission (WSSC) staff has indicated that the local service is adequate to serve the proposed development and that the changes proposed by this application will have negligible impact on the water or sewer systems.

(ii) **Transportation**

The applicant has been working with the Transportation staff of MNCPPC and the staff of the Department of Transportation (MCDOT) to ensure that all transportation issues have been addressed. The Transportation Planning staff has indicated that adequate solutions to be addressed at preliminary plan are available to satisfy or mitigate any transportation related potential impact concerning the proposed project and has offered the following comments:

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2005 Approved and Adopted *Olney Master Plan* include the following nearby master-planned facilities:

- Bowie Mill Road, as a two-lane primary residential road (P-2) with a minimum right-of-way width of 80 feet. The master plan and the 2005 Approved and Adopted *Countywide Bikeways Functional Master Plan* also recommends bike lanes (BL-20) along Bowie Mill Road between MD 108 to the east and North Branch of Rock Creek to the west.

The master plan, while classifying Bowie Mill Road as a primary residential street and noting that “speeding traffic is often observed”, recommends that “the regulation on through traffic in residential neighborhoods and the administrative practice allowing truck prohibitions should not apply for this segment of Bowie Mill Road.”

Adequate Public Facilities Review

A traffic study was required for the subject Local Map Amendment/Rezoning application per the *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines* since the proposed development on the subject property 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.

The consultant for the applicant submitted a traffic study (dated July 2009; Updated August 2009) and a PAMR Mitigation Measures supplement to the traffic study (dated October 5, 2009) that determined traffic-related impacts of the proposed development on nearby roadway intersections during weekday morning and evening peak periods.

- **Trip Generation**

The peak-hour trip generation estimate for the proposed Bowie Mill Property development was based on trip generation rates included in the *LATR/PAMR Guidelines*. A site trip generation summary is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED BOWIE MILL PROPERTY DEVELOPMENT**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
57 single-family detached units	14	40	54	40	23	63
36 single-family attached (townhouse) units	3	14	17	20	10	30
24 two-over-two units	2	10	12	13	7	20
Total	19	64	83	73	40	113

Source: Kimley-Horn and Associates, Inc. Traffic Impact Analysis; July 2009, Updated August 2009.

As shown in Table 1, the Bowie Mill Property development was estimated to generate approximately 83 total trips during weekday morning peak-hour and 113 total trips during the weekday evening peak-hour.

- **Local Area Transportation Review**

A summary of the results from the Critical Lane Volume (CLV) analysis results for the study intersections during the weekday morning and evening peak-hours is presented in Table 2.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED BOWIE MILL PROPERTY DEVELOPMENT**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 108/Queen Elizabeth Dr ¹	1,024	1,162	950	1,096	953	1,099
Bowie Mill Rd/Thornhurst Dr ¹	587	666	542	611	590	698
Bowie Mill Rd/Brightwood Rd ¹	640	713	592	659	647	731
Bowie Mill Rd/Muncaster Mill Rd ²	1,371	1,209	1,251	1,120	1,265	1,137
Georgia Ave/Emory La ¹	1,259	1,448	1,184	1,394	1,195	1,395

Source: Kimley-Horn and Associates, Inc. Traffic Impact Analysis; July 2009, Updated August 2009.

¹ Olney Policy Area Congestion Standard: 1,450 CLV

² Rural East Policy Area Congestion Standard: 1,350 CLV

As shown in Table 2, under Total (Build) traffic conditions, CLV values for intersections included in the study were below the Olney Policy Area and Rural East Policy Area congestion standards (1,450 and 1,350 CLV, respectively). Based on the analysis presented in the traffic study, staff concludes that the

subject Local Map Amendment/Zoning Application satisfies the LATR requirements of the APF test.

- **Policy Area Mobility Review**

To satisfy the PAMR requirements of the APF test, a development located within the Olney Policy Area is required to mitigate ten percent (10%) of “new” peak-hour trips generated by the development.

The site trip generation summary presented in Table 1 shows that the development will generate 83 peak-hour trips during the weekday morning peak period and 113 peak-hour trips during the weekday evening peak period. With the PAMR requirement to mitigate 10% of the “new” trips, the mitigation requirement for the development is therefore 8 peak-hour trips during the morning peak period and 11 peak-hour trips during the evening peak period.

The Applicant is proposing to satisfy the above PAMR requirements of the APF test at the time of subdivision application through options such as off-site sidewalk construction and/or other measures.

As part of the Adequate Public Facilities (APF) test for transportation requirements related to the subject rezoning case, Transportation Planning staff recommends the following:

1. The Applicant must limit future development on the site to 117 residential dwelling units, consisting of 57 single-family detached units, 36 single-family attached (townhouse) units, and 24 2-over-2 units, or a mixture of units as determined at the time of Preliminary Plan and/or Site Plan Review with an updated traffic Study or a Traffic Statement
2. At the time of subdivision application, the Applicant must satisfy Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) requirements of the APF test necessary under Growth Policy procedures in effect at the time of filing of the application.

(iii) Schools

The Montgomery County Public School (MCPS) finds capacity adequate in the Sherwood Cluster (see attached Memorandum from MCPS). The property is located within the Olney Elementary School, Rosa Parks Middle School and Sherwood High School attendance area.

The proposed development is expected to generate approximately 37 elementary school, 16 middle school, and 20 high school students. Enrollment at Olney Elementary School is currently within capacity and is projected to stay within capacity. Enrollment at both

Rosa Park Middle School and Sherwood High School currently exceed capacity but is trending down and is projected to be within capacity beginning in 2011-2012.

IX. ENVIRONMENT

The Environmental Planning Staff supports the proposed rezoning and Development Plan. The development has an approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) (No. 420100430), issued on November 17, 2009. A Preliminary Forest Conservation Plan has been submitted to Environmental Planning and staff found that the plan meets the basic parameters of forest conservation law and recommends approval of the plan. The Planning Board will take a separate action on the Preliminary Forest Conservation Plan at the rezoning hearing. The Board will take action on the Final Forest Conservation Plan with the Preliminary Plan of Subdivision

The Environmental Planning staff has identified the following issues that should be resolved at the time of Preliminary Plan and Site Plan reviews:

- Creation of lots with adequate, usable backyards with respect to on-lot environmental site design (ESD) measures.
- Detailed design of proposed stormwater features in environmental buffers.
- Lot and house layout with respect to the existing gas transmission line and easement.

The following are excerpts from the Environmental Planning Section assessments regarding the proposed Storm Management System and the proposed lot configurations relative to the existing 40-foot Gas transmission line that traverses the southern portion the property (also see attached EP Memorandum of March 22, 2010)

Stormwater Management

The Department of Permitting Services (DPS) has approved the SWM concept with conditions that will require further refinement of the concept at the preliminary plan stage (Attachment 1). It should be noted that the applicant proposes the placement of four stone recharge trenches within the currently non-forested, upper portions of the environmental buffer. The idea is to have some of the stormwater runoff generated within the subdivision travel through some treatment features, such as grass swales, within the subdivision before finally entering into the stone recharge trenches. These trenches would be designed to allow for infiltration of part of the runoff into the soils and allowing for sheet flow of remaining runoff from the trenches down through the environmental buffer. DPS believes that initially, the trenches may have some minimal maintenance requirements. But over time, as forest is planted within the environmental buffer and trees grow up and around the trenches, DPS envisions that the trees will take over the functions of the trenches with respect to promoting infiltration and sheet flow. Therefore, the trenches will not require maintenance. Staff believes the trenches in the general locations proposed within the environmental buffer are acceptable. At the preliminary and site plan stages, more details of the trenches will be reviewed and the final locations within the environmental buffers will be determined. In addition, the need for SWM

maintenance easements over these trenches should be closely coordinated between staffs of DPS and Environmental Planning.

Another feature of the SWM concept is the use of grassed, water quality swales in the back yards of some of the proposed lots. Many of these same lots have existing trees that should be preserved because these trees provide some buffering from existing lots in adjoining subdivisions. Staff has a concern that the combination of tree save and a water quality swale in some of these backyards may not leave back yard areas that are usable to the affected homeowners. Staff believes that, at the site plan stage, specific details should be provided by the applicant for affected lots to show that enough usable yard space will be available without compromising either the water quality swales or tree save areas.

Gas Transmission Line

A 40-foot wide gas transmission line and related easement lies along the southern portion of the site. The applicant has configured proposed residential lots such that the gas line itself lies outside proposed lots, although portions of the easement for the gas line lies within the lots. The Development Plan shows house structures no closer than 10 feet from the edge of the gas line easement. To minimize conflicts that might arise from homeowners' use of their properties with the gas line itself or future maintenance activities by the gas line company, staff believes the location of the gas line outside residential lots should be carried forward on the preliminary and site plans. In addition, the separation of the gas line easement from residential structures as shown in the Development Plan should be the minimum required in the preliminary and site plans.

X. COMMUNITY CONCERNS

Several residents of the area have voiced concerns regarding the nature of the proposed development and its potential impact on the immediate residential neighborhood. The record of the case contains nearly 100 letters of opposition from the residents of the area. Major issues and concerns identified in the letters include the following:

1. The proposed development will result in a substantial increase in traffic in the neighborhood and on Bowie Mill Road, creating congestion and hazardous conditions.
2. The types of housing units and the total number of units proposed relative to the size of the property represent overdevelopment and incompatibility with the existing character of the neighborhood.
3. The loss of open space in the area will have a negative impact on the quality of the neighborhood.

The Applicant has indicated that the development team has met with the area residents a number of times to discuss the original project and subsequent revisions. The applicant has also reported that earnest efforts were made to address the community's concerns by revising the design, layout, landscaping, screening and setbacks of the proposed

development. However, it is staff's understanding that a mutual agreement has not been reached.

XI. COMPLIANCE WITH THE PD ZONE

f) §59-C-7.11—Purpose

It is the purpose of this zone to implement the general plan for the Maryland-Washington Regional District and the area master plans by permitting unified development consistent with densities proposed by master plans. It is intended that this zone provide a means of regulating development which can achieve flexibility of design, the integration of mutually compatible uses and optimum land planning with greater efficiency, convenience and amenity than the procedures and regulations under which it is permitted as a right under conventional zoning categories. In so doing, it is intended that the zoning category be utilized to implement the general plan, area master plans and other pertinent county policies in a manner and to a degree more closely compatible with said county plans and policies than may be possible under other zoning categories.

It is further the purpose of this zone that development be so designed and constructed as to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within an area and to encourage the creation of a distinctive visual character and identity for each development. It is intended that development in this zone produce a balanced and coordinated mixture of residential and convenience commercial uses, as well as other commercial and industrial uses shown on the area master plan, and related public and private facilities.

It is furthermore the purpose of this zone to provide and encourage a broad range of housing types, comprising owner and rental occupancy units, and one-family, multiple-family and other structural types.

Additionally, it is the purpose of this zone to preserve and take the greatest possible aesthetic advantage of trees and, in order to do so, minimize the amount of grading necessary for construction of a development.

It is further the purpose of this zone to encourage and provide for open space not only for use as setbacks and yards surrounding structures and related walkways, but also conveniently located with respect to points of residential and commercial concentration so as to function for the general benefit of the community and public at large as places for relaxation, recreation and social activity; and, furthermore, open space should be so situated as part of the plan and design of each development as to achieve the physical and aesthetic integration of the uses and activities within each development.

It is also the purpose of this zone to encourage and provide for the development of comprehensive, pedestrian circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities, and thereby minimize reliance upon the automobile as a means of transportation.

Since many of the purposes of the zone can best be realized with developments of a large scale in terms of area of land and numbers of dwelling units which offer opportunities for a wider range of

related residential and nonresidential uses, it is therefore the purpose of this zone to encourage development on such a scale.

It is further the purpose of this zone to achieve a maximum of safety, convenience and amenity for both the residents of each development and the residents of neighboring areas, and, furthermore, to assure compatibility and coordination of each development with existing and proposed surrounding land uses.

This zone is in the nature of a special exception, and shall be approved or disapproved upon findings that the application is or is not proper for the comprehensive and systematic development of the county, is or is not capable of accomplishing the purposes of this zone and is or is not in substantial compliance with the duly approved and adopted general plan and master plans. In order to enable the council to evaluate the accomplishment of the purposes set forth herein, a special set of plans is required for each planned development, and the district council and the planning board are empowered to approve such plans if they find them to be capable of accomplishing the above purposes and in compliance with the requirements of this zone.

Reclassification of the subject property from the R-200 zone to the PD-3 Zone satisfies the design, housing, amenity, circulation, and other purposes of the PD zone. Staff finds that development of the site under the PD-3 Zone is proper for the comprehensive and systematic development of the County, will accomplish the purposes of the zone, and will be in substantial compliance with the General Plan and the 2005 Olney Master Plan that specifically recommended the site for the type of development that is proposed in this application.

Development of the property under the PD-3 Zone will provide a range of dwelling types consistent with the purpose of the zone. The proposed development provides for a unified form of development at an overall density and mixture of unit types that is generally consistent with the recommendations of the Olney Master Plan. The proposed development also encourages preservation of the sensitive environmental resources existing on the site and includes measures that are designed to enhance natural stormwater filtration and recharge. The design and layout of the proposed development also provides maximum social and community interaction through pedestrian and vehicular linkages and, as such, it would provide for the safety, convenience and amenity of residents and assure compatibility with the surrounding residential land uses.

(ii) Standard and Regulations of the PD-3 Zone

§59-C-7.121 —Master plan. No land can be classified in the planned development zone unless such land is within an area for which there is an existing, duly adopted master plan which shows such land for a density of 2 dwelling units per acre or higher.

The subject site is governed by the approved and adopted 2005 Olney Master Plan, which shows the site for development at a density of 2 dwelling units or higher.

§59-C-7.122.—Minimum area. No land can be classified in the planned development zone unless the district council finds that the proposed development meets at least one of the following criteria:

- (a) That it contains sufficient gross area to construct 50 or more dwelling units under the density category to be granted;
- (e) That the site is recommended for the PD zone in an approved and adopted master or sector plan and so uniquely situated that assembly of a minimum gross area to accommodate at least 50 dwelling units is unlikely or undesirable and the development of less than 50 dwelling units is in the public interest.

The proposed development is consistent with the 2005 Olney Master Plan that recommends the subject property for PD-3. The proposed development is well above the minimum gross area required by the PD zone to accommodate 50 or more dwelling units.

§59-C-7.13. —Uses Permitted.

§59-C-7.131. —Residential: Only one family detached, townhouses, and attached dwellings are permitted. The proposed PD-3 is classified as a low-density development with the following required minimum percentage for each dwelling unit type.

		Minimum (maximum) percentage			
		One family*			
Density category	Size of Development (units)	Detached		Townhouse and Attached	
		Required (minimum)	Proposed	Required (minimum)	Proposed
Low: PD-2 & PD-3	Less than 200	35 min	48.7	35	51.3

In response to staff inquiry regarding the designation of the two-over-two units as single-family units, the applicant has provided the following information

Each individual two-over-two dwelling unit will have its own designated outdoor space (extending at least 15 feet from the building). The upper two-level unit will have outdoor space in front of the building. The lower two-level unit will have outdoor space in what might appear to be the rear of the building, with access from the lower level. The units are, therefore, considered “attached units” (rather than “multi-family units”).

As proposed and depicted on the Development Plan, the proposed development satisfies this requirement.

§59-C-7.14.—Density of Residential Development.

- (a) An application for the planned development zone must specify one of the following density categories and the district council in granting the planned development zone must specify one of the following density categories:

Density Categories	Max. Density (du/ac)
Low: PD-3	3

The application specifies that the property will be developed at the PD-3 density category as recommended in the approved and adopted sector plan.

- (b) **The District Council must determine whether the density category applied for is appropriate, taking into consideration and being guided by the general plan, the area master or sector plan, the capital improvements program, the purposes of the planned development zone, the requirement to provide moderately priced dwelling units in accordance with Chapter 25A of this Code, as amended, and such other information as may be relevant. Where 2 or more parts of the proposed planned development are indicated for different densities on a master plan, a density category may be granted which would produce the same total number of dwelling units as would the several parts if calculated individually at the density indicated for each respective part and then totaled together for the entire planned development.**

- (c) **The density of development is based on the area shown for residential use on the master plan and must not exceed the density permitted by the density category granted. However, the maximum density prescribed by Subsection (a) may be increased to accommodate the construction of Moderately Priced Dwelling Units as follows:**
 - (1) **For projects with a residential density of less than 28 dwelling units per acre, the number of Moderately Priced Dwelling Units must not be less than either the number of density bonus units or 12.5 percent of the total number of dwelling units, whichever is greater.**
 - (2) **For projects with a residential density of more than 28 dwelling units per acre, the number of Moderately Priced Dwelling Units must be at least 12.5 percent of the total number of dwelling units in accordance with Chapter 25A**

The Zoning Ordinance places the PD-3 Zone in the Low Density Development category with a maximum of 3 dwelling units per acre. A maximum density of 98 units (not including MPDU's) is allowed for the 32.4-acre property. With a maximum bonus density of 22 % for providing 15 % MPDUS, the applicant is allowed a maximum of 119 units including 18 (15% MPDUs). However, the applicant in this case proposes to provide 117 dwelling units, including 30 % MPDUs and 30% workforce housing units. The 30 % MPDUs and workforce housing proffered in this application satisfy the specific recommendation of the Olney Master Plan that calls for at least 50 % affordable housing (MPDUs or workforce) on this site. The density requested for this development will not exceed the density permitted.

§59-C-7.15—Compatibility

- (a) **All uses must achieve the purposes set forth in section §59-C-7.11 and be compatible with the other uses proposed for the planned development and with other uses existing or proposed adjacent to or in the vicinity of the area covered by the proposed planned development.**
- (b) **In order to assist in accomplishing compatibility for sites that are not within, or in close proximity to a central business district or transit station development area, the following requirements apply where a planned development zone adjoins land for which the area master plan recommends a one-family detached zone:**
 - (1) **No building other than a one-family detached residence can be constructed within 100 feet of such adjoining land; and**
 - (2) **No building can be constructed to a height greater than its distance from such adjoining land.**

The proposed development is compatible with existing and future land uses in the area in terms of use, density and bulk. A smaller section of the proposed development that include 16 townhouses and six 2 over 2s, is located on the north western corner of the property separated from the closest residential developments by the 250-foot Pepco utility easement and Bowie Mill Road, with its ultimate right-of-way width of 80 feet. Approximately 10 acres of land that contain a Forest Conservation area stream valley buffer and wetlands separate this section of the site from the remaining (larger) portion of the development. The portion of the development along Bowie Mill Road is accessed from Bowie Mill Road via a 22-foot driveway serving only that portion of the development.

The plan also provides a winding and scenic pedestrian connection between the two sections of the project. The larger portion of the development —57 single-family dwellings, 20 town houses, and six 2 over 2s—is designed in such a manner that only the single family houses will be on the periphery of the development adjoining the existing residential dwellings. The townhouses and the 2 over 2s in this portion of the development are located in the interior of the development surrounded by the single-family dwellings and the forest conservation area. The proposed single-family detached houses adjoining the existing residential properties are designed in a manner that is compatible with the properties that they are abutting and confronting in terms of lots sizes and density.

§59-C-7.16. —Green Area.

Green area must be provided in amounts not less than indicated by the following schedule

Density Categories	Minimum Green Area % of Gross Area-Required	Minimum Green Area % of Gross Area-Proposed
Low: PD-3	30	45*

*Green area may be reduced at Preliminary Plan and Site Plan reviews

The Development Plan satisfies the 30 percent minimum green area requirement for the Low-Density PD-3 Zone.

§59-C-7.17—Dedication of Land for Public Use

Such land as may be required for public streets, parks, schools and other public uses must be dedicated in accordance with the requirements of the county subdivision regulations, being chapter 50 of this Code, as amended, and the adopted general plan and such adopted master plans and other plans as may be applicable. The lands to be dedicated must be so identified upon Development Plans and site plans required under the provisions of Article 59-D.

The application satisfies all public use dedication requirements. The applicant’s Development Plan shows that a total of approximately 1.85 acres of land will be dedicated to public use along the property’s frontages on Bowie Mill Road.

§59-C-7.18—Parking Facilities.

Off-street parking must be provided in accordance with the requirements of article 59-E.

A total of 234 parking spaces are required. According to the parking schedule on the Development Plan, a total of 258 parking spaces are provided. The proposed parking is consistent with zoning ordinance requirements. The following table shows the breakdown of the parking spaces:

Unit Type	Number of units	Required spaces per DU	Required No of spaces	Proposed No. of Spaces
Single-family Detached	57	2 sp/du	114	114
Townhouse	36	2 sp/du	72	84 on lot and Private streets
2 over 2s	24	2 sp/du	48	60 Private streets
Total	117		234	258

Some of the parking spaces as depicted on the development plan do not appear to meet the required measurements under the parking standards. All standard parking spaces are required to be a minimum of 8.5 feet x 18 feet paved surface, in accordance with the Montgomery County Zoning Ordinance. The applicant will have to demonstrate at site plan that that the proposed parking spaces satisfy parking code standards.

§59-C-7.19—Procedure for application and approval.

- (a) Application and Development Plan approval must be in accordance with the provisions of division 59-D-1.**

- (b) **Site plans must be submitted and approved in accordance with the provisions of Division 59-D-3.**

If the proposed zoning reclassification and the accompanying Development Plan are approved, site plan review will be required in accordance with the provisions of Division 59-D-3. The proposal is also subject to a preliminary plan of subdivision review.

XII. THE DEVELOPMENT PLAN



Development under the PD-3 Zone is permitted in accordance with a development plan that is approved by the District Council when the property is classified to PD-3. **Under the applicable portions of §59-D-1.3, the proposed development plan must contain the following, in addition to any other information that the applicant considers necessary to support the application:**

- (a) **A natural resources inventory**
- (b) **A map showing the relationship of the site to the surrounding area and the use of adjacent land.**
- (c) **a land use plan showing:**
- (1) **The general locations of the points of access to the site.**
 - (2) **The locations and uses of all buildings and structures.**

- (3) A preliminary classification of dwelling units by type and by number of bedrooms.
- (4) The location of parking areas, with calculations of the number of parking spaces.
- (5) The location of land to be dedicated to public use.
- (6) The location of the land which is intended for common or quasi-public use but not proposed to be in public ownership
- (7) The preliminary forest conservation plan
- (d) A development program stating the sequence of proposed development
- (e) The relationship, if any, to the County's capital improvements program
- (f) &(g) not applicable
- (h) the density category applied for as required in subsection 59-c-7.14 (a)

The Development Plan in this case fulfills these requirements. As established in previous cases the Development Plan as well as the Land Use Plan that constitutes one of its primary parts are binding on the Applicant except where particular elements are identified as illustrative or conceptual. As stated in many of the Hearing Examiner findings: *"illustrative and conceptual elements may be changed during site plan review by the Planning Board, but the binding elements (i.e. those that the District Council will consider in evaluating compatibility and compliance with the zone) cannot be changed without a separate application to the District Council for a development plan amendment"*

Following discussions with staff (subdivision, site plan and zoning) concerning aspects of the proposed development and refinements and revisions that will be certain to occur at later review processes, the Applicant revised the Development Plan to clarify the binding and non-binding elements in the context of the current application. Therefore, staff's recommendation on the proposed rezoning request is based on the review of the revised Development Plan that was submitted to this office on April 06, 2010. The proposed Development Plan indicates that the structures shown on the Plan are conceptual and that the final lot configurations and setbacks will be determined at Preliminary Plan and Site Plan review. The general notes on page 1 of the Development Plan indicate that the approved stormwater management (SWM) is conceptual and that details of the SWM features may change at subsequent review stages. The project is not dependent upon the County's Capital Improvements Program.

A. Binding elements

The Applicant proffers the following binding elements:

CATEGORY	BINDING ELEMENT
Density	There will be not more than 117 dwelling units constructed on the subject property.
Unit Affordability	At least one-half of the units to be constructed will be deemed affordable under the County's moderate priced dwelling unit and/or work force housing programs.
Screening	Landscaping shown on the Development Plan at the rear of proposed Lots 1 through 4, Block A, and along the east side of proposed Street A (behind existing Lots 17-19, Block E, OLNEY

	SQUARE subdivision), will be installed. Details of such plantings (e.g., species, caliper, separation) shall be determined at the time of site plan review.
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The cover page (page 1) of the Development Plan contains information on the Development Standards and Recreational Amenity Requirements. However, much of the data provided in both the Development Standards and Recreation Amenity Requirements tables are not binding and are subject to further modification and refinement in subsequent review stages.

A summary of issues to be addressed at Preliminary Plan and Site Plan reviews

The following issues and recommendations need additional consideration at the time of preliminary plan and site plan reviews:

Subdivision issues:

- (1) Reconfiguration of unit on lot 11 to front directly onto Street A.
- (2) Frontage waiver for one-family attached units
- (3) Public and private street cross sections
- (4) Sidewalk waivers

Site Plan Recommendation

Buildings and Structures:

- (1) Design Lots 32-35 to be rear loaded and with a consistent setback from Street A.
- (2) Rotate Lots 23-25 to follow the proposed road alignment.

Pedestrian and Vehicular circulation systems:

- (3) All standard parking spaces shall be a minimum of 8.5 feet x 18 feet paved surface, in accordance with the Montgomery County Zoning Ordinance.
- (4) Provide a combined driveway for Lots 20-22 and Lots 18-19.

Open Spaces & Recreation:

- (5) The final design, location and type of open spaces and recreation amenities will be determined at site plan.

Transportation Recommendation

- (1) The Applicant must limit future development on the site to 117 residential dwelling units, consisting of 57 single-family detached units, 36 single-family attached (townhouse) units, and 24 2-over-2 units, or a mixture of units as determined at the time of Preliminary Plan and/or Site Plan Review with an updated traffic Study or a Traffic Statement

- (2) At the time of subdivision application, the Applicant must satisfy Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) requirements of the APF test necessary under Growth Policy procedures in effect at the time of filing of the application.

Environmental Planning issues

- (1) Creation of lots with adequate, usable backyards with respect to on-lot environmental site design (ESD) measures.
- (2) Detailed design of proposed stormwater features in environmental buffers.
- (3) Lot and house layout with respect to the existing gas transmission line and easement.

B. §59-D-1.61. Findings

Before approving an application for classification in any of these zones, the District Council must consider whether the application, including the development plan, fulfills the purposes and requirements in Article 59-C for the zone. In so doing, the District Council must make the following specific findings, in addition to any other findings, which may be necessary and appropriate to evaluate the proposed reclassification:

- (a) **The proposed development plan substantially complies with the use and density indicated by the master plan or sector plan, and does not conflict with the general plan, the county capital improvements program, or other applicable county plans and policies. However:**

The Development Plan substantially complies with the use and density recommendations of the 2005 Olney Master plan. The Plan recommends a PD-3 Zone for the subject property. The Development Plan implements the objectives of the Master Plan by providing 60 percent affordable (MPDUs and work force) housing units and preserving the existing sensitive environmental resources. The Development Plan provides for a number of small recreation areas and open spaces for the enjoyment of the community, and it will meet the recreation guidelines. The proposed project also promotes maintaining a reasonable development density so as not to overwhelm the areas public facilities.

The plan achieves compatibility with the adjacent residential uses by locating the large-lot single-family houses along the northeast, east and south portions of the property and clustering the smaller lots and attached units in the interior of the property. Compatibility of the proposed townhouses and 2over2s located at the northwestern corner of the property adjacent to Bowie Mill Road is achieved through setbacks, smaller grouping of units, landscaping and site design. Furthermore, architectural treatments and design features will further enhance the compatibility of this portion of the development with the residential properties across Bowie Mill Road. The proposed development will not conflict

with the County's Capital Improvements Program (CIP) or other applicable county plans and policies.

- (b) **That the proposed development would comply with the purposes, standards, and regulations of the zone as set forth in article 59-C, would provide for the maximum safety, convenience, and amenity of the residents of the development and would be compatible with adjacent development.**

The proposed development satisfies this requirement. The proposed development complies with the purposes, standards, and regulations of the PD-3 Zone. Maximum safety will be provided through vehicular accesses, sidewalk systems, and innovative site design. Each component of the project maintains an appropriate scale, both in terms of activity and layout, to achieve compatibility with the adjacent single-family communities.

- (c) **That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient.**

The proposed two points of access located on Bowie Mill Road and the proposed internal vehicular and pedestrian circulation networks, as shown on the Development Plan, are generally safe and adequate. Each of the two access points serve two separate portions of the development: (1) the eastern access point across from Thornhurst Drive serving 89 residential units, and (2) the western access point across from Brightwood Road serving 28 residential units. These access points are not connected internally, but a network of pedestrian walkways connect the two portions of the development that are separated by approximately 10 acres of environmental buffer.

The internal pedestrian circulation and walkways, as shown on the Development Plan, provide for the safe and adequate movement of pedestrian traffic. Additional measures related to pedestrian traffic, to be considered at site plan review, are identified in an attached memorandum.

Bowie Mill Road is served by RideOn route 53, which has a stop at the Bowie Mill Road/Wickham Road/Cashell Road intersection (approximately 1,200 to 1,800 feet from the proposed development) and runs between Glenmont Metro Station and Shady Grove Metro Station via Olney.

Site Plan staff has offered the following comments regarding the proposed vehicular and pedestrian circulation system:

Public roads are shown with a 26-foot width, which might compromise on-street parking given the latest regulations from the Department of Fire & Rescue. Staff recommends that the Applicant coordinate with the necessary Agencies to accommodate on-street parking. Staff recommends private driveways be combined.

The Proposal meets the Local Area Transportation Review requirements and the Applicant proposes to satisfy the Policy Area Mobility Review requirements of the APF test at the time of subdivision application through options such as off-site sidewalk construction and/or other measures (see attached Transportation Planning memo). The Transportation staff has offered the following comments:

At the time of subdivision application, the Applicant must satisfy Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) requirements of the APF test necessary under Growth Policy procedures in effect at the time of filing of the application.

- (d) That by its design, by minimizing grading and by other means, the proposed development would tend to prevent erosion of the soil and to preserve natural vegetation and other natural features of the site. Any applicable requirements for forest conservation under Chapter 22A and for water resource protection under Chapter 19 also must be satisfied. The district council may require more detailed findings on these matters by the planning board at the time of site plan approval as provided in division 59-D-3.**

The site contains a stream, wetlands, and forested area. The property is subject to the Montgomery County Forest Conservation Law and a Preliminary Forest Conservation Plan (FCP) must be approved by the Planning Board. The Environmental Planning staff has recommended approval of the Preliminary FCP submitted by the applicant.

The Applicant has submitted a stormwater concept plan to the Department of Permitting Services (DPS) and has received a concept approval. The Environmental Planning staff has offered the following detailed descriptions on the environmental features of the subject property:

There is a first-order stream that flows roughly northeast to southwest through the property. There are wetlands associated with the stream. The environmental buffer covers about 10.96 acres, or roughly one-third of the site. About 6.79 acres of forest exist within the environmental buffer. A WSSC sewer right-of-way also runs through the environmental buffer serving upstream development.

The property has gently rolling topography. Most of the site outside the environmental buffer is in field cover. Part of the buffer is also in field cover. Individual trees and hedgerows lie along most of the property's perimeter. Many of these trees are 24 inches and greater in diameter at breast height. There are four trees that are at least 75 percent of the diameter of the County champion tree. Three of these trees (two 39-inch DBH basswoods and a 31-inch DBH pin oak) lie within the environmental

buffer. The fourth tree, a 51-inch basswood, lies along the southern property boundary.¹

The subject property is located in North Branch of Rock Creek watershed, a Use Class III watershed. The 2003 update of the *Countywide Stream Protection Strategy* (Montgomery County Department of Environmental Protection) identifies the property as being in the Williamsburg Run subwatershed; this subwatershed has fair water quality...

- (e) **That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common or quasi-public purposes are adequate and sufficient.**

The property is being developed by Bowie Mill Road, LLC, which is a joint venture of Elm Street Development and Montgomery Housing Partnership (MHP), a non-profit organization. Because the County owns the land, the applicant has signed a Development Agreement and Agreement of Sale and purchase (“Development Agreement”) with the county. The agreement commits the applicant to provide 40% Market-rate units, 30% MPDUs, and 30% Workforce Housing (WFH) units. Moreover, Site Plan conditions and/or Home Owners Association documents and agreements showing methods of assuring maintenance will be required as part of site plan review.

The applicant has already submitted a sample set of Homeowners Association Documents to satisfy this requirement.

XIII. CONCLUSION

Staff finds that the proposed Local Map Amendment with the associated Development Plan will be consistent with the purpose clause and all applicable standards for the PD-3 Zone, and will be in accord with the land use recommendations of the 2005 Olney Master Plan. Therefore, staff recommends approval of the PD-3 Zone and the proposed Development Plan.

¹ A variance for impacting or removing trees, if required, will be handled Preliminary plan.

Attachments

Attachments




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

April 2, 2010

MEMORANDUM

TO: Elsabett Tesfaye, Planner/Coordinator
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM:  Cherian Eapen, Planner/Coordinator
Transportation Planning Division
301-495-4525

SUBJECT: Local Map Amendment/Zoning Application No. G-885
Bowie Mill Property
18241 Bowie Mill Road; Parcel P850
Bowie Mill Road LLC
Olney Policy Area

This memorandum presents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject Local Map Amendment/Zoning Application request to rezone the 32.74 acre subject property from the R-200 zone to the PD-3 zone. The purpose of the rezoning request by Bowie Mill Road LLC ("Applicant") is to obtain approval to construct 117 residential dwelling units, consisting of 57 single-family detached units, 36 single-family attached (townhouse) units, and 24 2-over-2 units on the property.

RECOMMENDATIONS

Transportation Planning staff recommends that the following transportation-related comments be part of the Planning Board's recommendations on the subject Local Map Amendment/Zoning application. Staff notes that these recommendations may or may not satisfy APF requirements at the time of subdivision.

1. The Applicant must limit future development on the site to 117 residential dwelling units, consisting of 57 single-family detached units, 36 single-family attached (townhouse) units, and 24 2-over-2 units, or a mixture of units as determined at the time of Preliminary Plan and/or Site Plan Review with an updated Traffic Study or a Traffic Statement.

2. At the time of subdivision application, the Applicant must satisfy Local Area Transportation Review (LATR) and Policy Area Mobility Review (PAMR) requirements of the APF test necessary under Growth Policy procedures in effect at the time of filing of the application.

DISCUSSION

Site Location, Access, and Public Transportation Facilities

The Bowie Mill Property development is located along the south side of Bowie Mill Road between Darnell Drive/Daly Manor Place to the east and Cashell Road/Ivy Lane to the west in Olney. Olney-Laytonsville Road (MD 108) is approximately 2,500 feet to the east of the proposed development.

Access to the site is proposed at two locations along Bowie Mill Road and includes an eastern access point across from Thornhurst Drive (serving 89 residential units) and a western access point across from Brightwood Road (serving 28 residential units). These access points are not connected internally.

Bowie Mill Road is served by RideOn route 53, which has a stop at the Bowie Mill Road/Wickham Road/Cashell Road intersection (approximately 1,200 to 1,800 feet from the proposed development) and runs between Glenmont Metro Station and Shady Grove Metro Station via Olney.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2005 Approved and Adopted *Olney Master Plan* include the following nearby master-planned facilities:

- Bowie Mill Road, as a two-lane primary residential road (P-2) with a minimum right-of-way width of 80 feet. The master plan and the 2005 Approved and Adopted *Countywide Bikeways Functional Master Plan* also recommends bike lanes (BL-20) along Bowie Mill Road between MD 108 to the east and North Branch of Rock Creek to the west.

The master plan, while classifying Bowie Mill Road as a primary residential street and noting that “speeding traffic is often observed”, recommends that “the regulation on through traffic in residential neighborhoods and the administrative practice allowing truck prohibitions should not apply for this segment of Bowie Mill Road.”

Adequate Public Facilities Review

A traffic study was required for the subject Local Map Amendment/Rezoning application per the *Local Area Transportation Review (LATR)/Policy Area Mobility Review (PAMR) Guidelines* since the proposed development on the subject property 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.

The consultant for the applicant submitted a traffic study (dated July 2009; Updated August 2009) and a PAMR Mitigation Measures supplement to the traffic study (dated October 5, 2009) that determined traffic-related impacts of the proposed development on nearby roadway intersections during weekday morning and evening peak periods.

- **Trip Generation**

The peak-hour trip generation estimate for the proposed Bowie Mill Property development was based on trip generation rates included in the *LATR/PAMR Guidelines*. A site trip generation summary is provided in Table 1.

**TABLE 1
SUMMARY OF SITE TRIP GENERATION
PROPOSED BOWIE MILL PROPERTY DEVELOPMENT**

Trip Generation	Morning Peak-Hour			Evening Peak-Hour		
	In	Out	Total	In	Out	Total
57 single-family detached units	14	40	54	40	23	63
36 single-family attached (townhouse) units	3	14	17	20	10	30
24 two-over-two units	2	10	12	13	7	20
Total	19	64	83	73	40	113

Source: Kimley-Horn and Associates, Inc. Traffic Impact Analysis; July 2009, Updated August 2009.

As shown in Table 1, the Bowie Mill Property development was estimated to generate approximately 83 total trips during weekday morning peak-hour and 113 total trips during the weekday evening peak-hour.

- **Local Area Transportation Review**

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.

**TABLE 2
SUMMARY OF CAPACITY CALCULATIONS
PROPOSED BOWIE MILL PROPERTY DEVELOPMENT**

Intersection	Traffic Conditions					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 108/Queen Elizabeth Dr ¹	1,024	1,162	950	1,096	953	1,099
Bowie Mill Rd/Thornhurst Dr ¹	587	666	542	611	590	698
Bowie Mill Rd/Brightwood Rd ¹	640	713	592	659	647	731
Bowie Mill Rd/Muncaster Mill Rd ²	1,371	1,209	1,251	1,120	1,265	1,137
Georgia Ave/Emory La ¹	1,259	1,448	1,184	1,394	1,195	1,395

Source: Kimley-Horn and Associates, Inc. Traffic Impact Analysis; July 2009, Updated August 2009.

¹ Olney Policy Area Congestion Standard: 1,450 CLV

² Rural East Policy Area Congestion Standard: 1,350 CLV

As shown in Table 2, under Total (Build) traffic conditions, CLV values for intersections included in the study were below the Olney Policy Area and Rural East Policy Area congestion standards (1,450 and 1,350 CLV, respectively). Based on the analysis presented in the traffic study, staff concludes that the subject Local Map Amendment/Zoning Application satisfies the LATR requirements of the APF test.

- **Policy Area Mobility Review**

To satisfy the PAMR requirements of the APF test, a development located within the Olney Policy Area is required to mitigate ten percent (10%) of “new” peak-hour trips generated by the development.

The site trip generation summary presented in Table 1 shows that the development will generate 83 peak-hour trips during the weekday morning peak period and 113 peak-hour trips during the weekday evening peak period. With the PAMR requirement to mitigate 10% of the “new” trips, the mitigation requirement for the development is therefore 8 peak-hour trips during the morning peak period and 11 peak-hour trips during the evening peak period.

The Applicant is proposing to satisfy the above PAMR requirements of the APF test at the time of subdivision application through options such as off-site sidewalk construction and/or other measures.

SE:CE:tc

cc: Khalid Afzal
Ed Papazian
Cathy Conlon
Robert Kronenberg
Larry Cole
Greg Leck
Gary Erenrich
Corren Giles
Michelle Berkel

mno to ET re Bowie Mill Rd G-885.doc

MEMORANDUM

TO: Elsabett Tesfaye, Build/Development Review Division

FROM: Khalid Afzal, Team Leader, Eastern Transit Corridor, Vision/Community-Based Planning) Division *KA*

CC: Ralph Wilson, Zoning Supervisor, Build/Development Review Division

DATE: March 29, 2010

SUBJECT: Rezoning Application G-885, 32-acre property at 18241 Bowie Mill Road, Olney from R-200 to PD-3, Olney, M.D.

The proposed application for rezoning of an approximately 32-acre property on Bowie Mill Road from R-200 to PD-3 is located within the 2005 Olney Master Plan. The rezoning application proposes up to a total of 117 units (57 single-family detached; 36 townhouses; and 24 two-over two units).

The community Based Planning staff believes that the proposed application is consistent with the Olney Master Plan.

Background

This property was reviewed by both the Planning Board and the County Council during their worksessions on the Olney Master Plan. The Council looked at three different zoning options for this property during its deliberations on the 2005 Olney Master Plan: Existing R-200 (up to 78 total units); PD-3 (up to 117 total units); and PD-4 (156 total units). It determined that the site was appropriate for PD-3 and included the following guidance in the text of the Master Plan. (p. 37 of the 2005 Olney Master Plan):

“This approximately 32-acre property on the south side of Bowie Mill Road was recommended for a high school site in the 1980 Master Plan. The Montgomery County Public Schools (MCPS) later determined that it was not needed for school purposes, surplussed it, and transferred it to the County. It is zoned R-200 and contains a stream but no significant forest.

The public ownership, its location on a major road, and the size of the property make it suitable for a housing development including affordable housing. To maximize the potential for affordable housing, the site is appropriate for R-200/PD-3 zoning but the actual yield may be limited due to compatibility and environmental constraints on the site. The full yield allowed by the PD-3 Zone is only appropriate if the following objectives can be met:

1. At least half of the units are affordable (Moderately Priced Dwelling Units (MPDUs) or work force housing). It would be acceptable to have the affordable housing (in excess of what is required by law) placed on another site in Olney if there is joint development of both sites. The Council recommends that the Executive pursue this option first.
2. The size, scale, and design of the development preserve the sensitive environmental resources in accordance with a stormwater management concept approved by the County. The stormwater management concept must include measures which are designed to enhance natural storm water filtration and recharge.
3. The density of development and the resulting population increase does not overwhelm the area's already severely strained public facilities.
4. Lot sizes, the mix of housing types (single family detached duplexes, and townhouses excluding multi-family units), and the density are compatible with adjacent properties.
5. Commercial development is not appropriate for this site.

Recommendations:

1. Since it has been determined that the site is not needed for educational purposes, the site should be used for affordable housing designed to be compatible with the surrounding residential neighborhood. The site is currently zoned R-200 and is recommended for R-200/PD-3.
2. Include open space with an active recreational component as part of any future development on this site. Connect the open space to the adjoining residential community through the proposed network of trails and bikeways in the area."

Community-Based Planning staff has reviewed the proposed application and believes that the proposal is consistent with the Olney Master Plan. The maximum number of units, site layout, mix and type of housing units, stormwater management, and compatibility with the adjacent development would be further discussed during the site plan review.



MEMORANDUM, Site Plan Section

To: Elsabett Tesfaye, Senior Coordinator
Development Review Division

Via: Robert Kronenberg, Supervisor
Development Review Division

From: Sandra Pereira, Senior Planner
Development Review Division

Subject: G-885, BOWIE MILL PROPERTY

Date: 3/25/2010

The subject site is located south of Bowie Mill Road near the intersection of Bowie Mill Road and Cashell Road. Application G-885 proposes the rezoning of a parcel from R-200 to PD-3 Zone. This development proposal is for a residential community totaling 117 dwelling units, including 35 MPDUs and 35 workforce housing units, on 32.74 acres of land.

Buildings and Structures

The plan proposes a mix of housing types to include one-family detached and attached units, and 2-over-2 units divided into two clusters. The location of the units follows the proposed street layout, and avoids important environmental features and existing utility easements on the property. The development proposes several stretches of rear-loaded units which will enhance the pedestrian experience. For this reason and due to their proximity to the main entrance, Staff recommends that Lots 32-35 be rear loaded allowing for a reduced setback from Street A. Lots 23-25 should be rotated to follow the proposed road alignment.

Pedestrian and Vehicular Circulation Systems

The application proposes two vehicular access points to the site. Public Street A loops around the northern portion of the site and gives access to the largest cluster of units. Cul-de-sacs were eliminated from the original proposal in favor of a well-connected system of streets and sidewalks. Public roads are shown with a 26-foot width, which might compromise on-street parking given the latest regulations from the Department of Fire & Rescue. Staff recommends that the Applicant coordinate with the necessary Agencies to accommodate on-street parking. Staff recommends private driveways to be combined

wherever possible, but especially on Lots 20-22, and Lots 18 and 19. A proposed private street from Bowie Mill Road and opposite Brightwood Winding Oak Drive provides access to the townhouse cluster west of the site. All parking areas proposed must show parking spaces with the standard dimensions of 8.5 feet x 18 feet.

Open Spaces & Recreation

The plan proposes to preserve the stream valley area and associated environmental features as open space and amenity area with limited access, and to provide smaller open spaces and active recreation areas spread throughout the community. The revised plan has addressed Staff comments to provide additional opportunities for active recreation and facilities for tots and children on both clusters of the development, however, the final location and type of amenities will be determined at site plan.

Compatibility

The plan addresses compatibility from the adjacent residential properties to the north and east through the proposed lot sizes and landscape buffer. The revised lot sizes for the lots abutting the property line create a more compatible relationship than the smaller lots originally proposed. Additionally, a landscape buffer with predominantly evergreens will protect the privacy of the existing homes. Compatibility of the townhouse cluster closest to Bowie Mill Road was achieved by grouping some of the proposed townhouses into groups of 3 units to replicate a pattern and character of detached homes in the vicinity. Compatibility will be further enhanced through architectural treatments on the units.

RECOMMENDATIONS

Site Plan Staff supports Application G-885, Bowie Mill Property with the following recommendations:

Buildings and Structures

- 1) Design Lots 32-35 to be rear loaded and with a consistent setback from Street A.
- 2) Rotate Lots 23-25 to follow the proposed road alignment.

Pedestrian and Vehicular circulation systems

- 3) All standard parking spaces shall be a minimum of 8.5 feet x 18 feet paved surface, in accordance with the Montgomery County Zoning Ordinance.
- 4) Provide a combined driveway for Lots 20-22 and Lots 18-19.

Open Spaces & Recreation

- 5) The final design, location and type of open spaces and recreation amenities will be determined at site plan.

Grayson, Erin

From: Grayson, Erin
Sent: Monday, March 22, 2010 4:08 PM
To: Tesfaye, Elsabet
Subject: G-885 Bowie Mill Subdivision Comments

- 1)Frontage waivers for one-family detached residential units will not be granted at the preliminary plan stage, because practical difficulties or unusual circumstances are not present for these units. Subdivision staff recommends the Applicant reconfigure unit on lot 11 to front directly on to Street A.
- 2)Request for frontage waivers for one-family attached residential units (townhomes, MPDUs, etc.) will be required at the time of preliminary plan. Applicant will need to submit justification statement with request.
- 3)Public and private street cross sections will be determined at preliminary plan stage.
- 4)Sidewalk waivers will be determined at preliminary plan stage. Applicant will need to submit justification statement with request.



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

MEMORANDUM

TO: Elsabett Tesfaye, Development Review Division

VIA: Stephen Federline, Master Planner *SF*
Environmental Planning Division

FROM: *CB*
Candy Bunnag, Planner Coordinator
Environmental Planning Division

DATE: March 22, 2010

SUBJECT: G-885, Bowie Mill Property

The Environmental Planning Division recommends approval of zoning application G-885. Under separate memorandum to the Planning Board, staff recommends approval of the preliminary forest conservation plan associated with this zoning application.

Certain other issues associated with this zoning request and associated Development Plan are conceptually acceptable, and can be resolved during subsequent reviews in the development approval process. These issues include:

- Creation of lots with adequate, usable backyards with respect to on-lot environmental site design (ESD) measures.
- Detailed design of proposed stormwater features in environmental buffers.
- Lot and house layout with respect to the existing gas transmission line and easement.

DISCUSSION

Background

The 32.74-acre site lies on the south side of Bowie Mill Road in the Olney Planning Area, and is currently vacant. A PEPCO power transmission right-of-way with overhead wires lies along the west side of the property. The applicant proposes to rezone the property from R-200 to PD-3.

The Board's action on the Preliminary Forest Conservation Plan is regulatory and binding. The Planning Board must act on the Forest Conservation Plan (FCP) before it

finalizes its recommendations on the zoning case. Staff recommendations will be sent for Planning Board review of the FCP under separate cover.

Environmental Guidelines

The applicant received approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420100430 on November 17, 2009. There is a first-order stream that flows roughly northeast to southwest through the property. There are wetlands associated with the stream. The environmental buffer covers about 10.96 acres, or roughly one-third of the site. About 6.79 acres of forest exist within the environmental buffer. A WSSC sewer right-of-way also runs through the environmental buffer serving upstream development.

The property has gently rolling topography. Most of the site outside the environmental buffer is in field cover. Part of the buffer is also in field cover. Individual trees and hedgerows lie along most of the property's perimeter. Many of these trees are 24 inches and greater in diameter at breast height. There are four trees that are at least 75 percent of the diameter of the County champion tree. Three of these trees (two 39-inch DBH basswoods and a 31-inch DBH pin oak) lie within the environmental buffer. The fourth tree, a 51-inch basswood, lies along the southern property boundary.

The subject property is located in North Branch of Rock Creek watershed, a Use Class III watershed. The 2003 update of the *Countywide Stream Protection Strategy* (Montgomery County Department of Environmental Protection) identifies the property as being in the Williamsburg Run subwatershed; this subwatershed has fair water quality.

Zoning Ordinance

The applicant proposes to rezone the property to PD-3. This zone requires a development plan.

Forest Conservation

This property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). The law requires that a forest conservation plan is reviewed by the Planning Board concurrently with the Development plan as required with a PD application. The applicant has submitted a Preliminary Forest Conservation Plan: the concept meets all forest conservation requirements onsite. Staff's review of the forest conservation plan is provided in a separate memorandum.

Stormwater Management

The applicant has submitted a stormwater management (SWM) concept plan to the Department of Permitting Services (DPS) for review and approval. Under the current state regulations, the applicant will be required to follow the new SWM requirements that use environmentally-sensitive design components to the maximum extent possible. DPS has approved the SWM concept with conditions that will require further refinement of the concept at the preliminary plan stage (Attachment 1). It should be noted that the applicant proposes the placement of four stone recharge trenches within the currently non-forested, upper portions of the environmental buffer. The idea is to have some of the

stormwater runoff generated within the subdivision travel through some treatment features, such as grass swales, within the subdivision and finally entering into the stone recharge trenches. These trenches would be designed to allow for infiltration of part of the runoff into the soils and allowing for sheet flow of remaining runoff from the trenches down through the environmental buffer. DPS believes that initially, the trenches may have some minimal maintenance requirements. But over time, as forest is planted within the environmental buffer and trees grow up and around the trenches, DPS envisions that the trees will take over the functions of the trenches with respect to promoting infiltration and sheet flow. Therefore, the trenches will not require maintenance. Staff believes the trenches in the general, proposed locations within the environmental buffer are acceptable. At the preliminary and site plan stages, more details of the trenches will be reviewed and the final locations within the environmental buffers will be determined. In addition, the need for SWM maintenance easements over these trenches should be closely coordinated between staffs of DPS and Environmental Planning.

Another feature of the SWM concept is the use of grass, water quality swales in the back yards of some of the proposed lots. Many of these same lots have existing trees that should be preserved because these trees provide some buffering from existing lots in adjoining subdivisions. Staff has a concern that the combination of tree save and a water quality swale in some of these backyards may not leave much back yard areas that are usable to the affected homeowners. Staff believes that at the site plan stage, specific details should be provided by the applicant for affected lots to show that enough usable yard space will be available without compromising either the water quality swales or tree save areas.

Gas Transmission Line

A 40-foot wide gas transmission line and related easement lies along the southern portion of the site. The applicant has configured proposed residential lots such that the gas line itself lies outside proposed lots, although portions of the easement for the gas line lies within the lots. The Development Plan shows house structures no closer than 10 feet from the edge of the gas line easement. To minimize conflicts that might arise from homeowners' use of their properties with the gas line itself or future maintenance activities by the gas line company, staff believes the location of the gas line outside residential lots should be carried forward on the preliminary and site plans. In addition, the separation of the gas line easement from residential structures as shown in the Development Plan should be the minimum separation distances provided in the preliminary and site plans.

Z:\Local Map Amendments (G)\501 to 999\G885_BowieMillProperty_cb sf.docx



ATTACHMENT 1.
(page 1 of 2)

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

March 18, 2010

Mr. Ed Wallington
Loiederman Soltesz Associates, Inc
2 Research Place, Suite 100
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Bowie Mill Property
Preliminary Plan #:
SM File #: 236788
Tract Size/Zone: 32.7 Acres/PD-3 (Proposed)
Total Concept Area: 32.7 Acres
Lots/Block:
Parcel(s): 850
Watershed: Upper Rock Creek

Dear Mr. Wallington:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of the use of environmentally sensitive design measures to the maximum extent feasible. This includes improved site layout, microscale best management practices, nonstructural measures, alternative surfaces, and structural measures, as needed.

The following items will need to be addressed during the preliminary plan process:

1. Final plans must show that all disturbed areas will be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. The stormwater management concept plan must be further refined based on further site analysis and experience gained with the greater use of the newly formulated stormwater management standards and requirements. Many of these standards and requirements have not yet been used enough to establish their practicality for all development sites. Alternative practices may be used instead.
3. A sediment control concept plan must be submitted for review and approval

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must be submitted with the revised stormwater management concept plan at its initial submittal in the preliminary plan process. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the

ATTACHMENT 1
(page 2 of 2)

Information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact me at 240-777-6343.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm

cc: C. Conlon
M. Pfefferle
SM File # 236788

QN -Onsite; Acres: 32.7
QL - Onsite; Acres: 32.7
Recharge is provided

Tesfaye, Elsabet

From: Suarez, Sharon
Sent: Wednesday, March 24, 2010 4:49 PM
To: Tesfaye, Elsabet
Subject: Bowie Mill

Hi, Elsabet:

I reviewed the updated plan and think that it is much improved. I have no problems with the plan from a housing standpoint. I do hope that there will be plenty of signage and traffic calming in the area of the playground.

Regards,

Sharon

**Sharon Suarez, MPA, AICP | Coordinator for Housing Research & Policy | Research & Technology Center
Montgomery County Planning Department | M-NCPPC
MRO Dedrick Annex | 1400 Spring Street | Suite 500 | Silver Spring, MD 20910
Ph: 301.650.5620 | Fax: 301.650.5695
Sharon.Suarez@MNCPPC-MC.org**

Tesfaye, Elsabet

From: Whipple, Scott
Sent: Tuesday, September 08, 2009 4:41 PM
To: Tesfaye, Elsabet
Subject: Zoning Application No. G-885

Follow Up Flag: Follow up
Flag Status: Flagged

The above referenced Zoning Application, for the property located at 18241 Bowie Mill Rd, Olney, has no impact on any historic sites or districts listed in the Master Plan for Historic Preservation or the Locational Atlas. The Historic Preservation Section has no comment.

Scott D. Whipple, Supervisor

Historic Preservation Section | Urban Design and Preservation Division

Montgomery County Planning Department | M-NCPPC

Office: 1109 Spring Street, Suite 801 | Silver Spring

Mail: 8787 Georgia Avenue | Silver Spring MD 20910

301-563-3400 phone | 301-563-3412 fax

scott.whipple@mncppc-mc.org | <http://www.montgomeryplanning.org/historic/>



March 26, 2010

Mr. Ralph Wilson
Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Mr. Wilson:

This letter is sent in response to Zoning Application No. G-885, known as "Parcel P850, Tax Map HT34," located at 18241 Bowie Mill Road, Olney, Maryland.

This rezoning would result in 57 single family units and 60 townhouse units. Based on average yield factors derived from the Montgomery County Planning Department 2008 Census Update Survey, the impact of this project is estimated to be approximately thirty-seven (37) elementary, sixteen (16) middle and twenty (20) high school students.

This property is located within the Olney Elementary School attendance area, Rosa Parks Middle School attendance area, and Sherwood High School attendance area.

Enrollment at Olney Elementary School is currently within capacity and is projected to stay within capacity. Enrollment at Rosa Parks Middle School currently exceeds capacity but is trending down and is projected to be within capacity beginning in 2011-2012. Enrollment at Sherwood High School currently exceeds capacity but is trending down and is projected to be within capacity beginning in 2011-2012. See enclosed pages from the Montgomery County Public Schools *FY 2011 Capital Budget and FY 2011-2016 Capital Improvements Program (CIP)*.

The current Growth Policy schools test (FY 2010) finds capacity adequate in the Sherwood Cluster.

Sincerely,

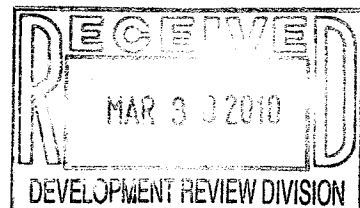
Bruce H. Crispell, Director
Division of Long-range Planning

BHC:lm








Enclosure

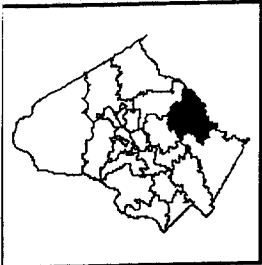
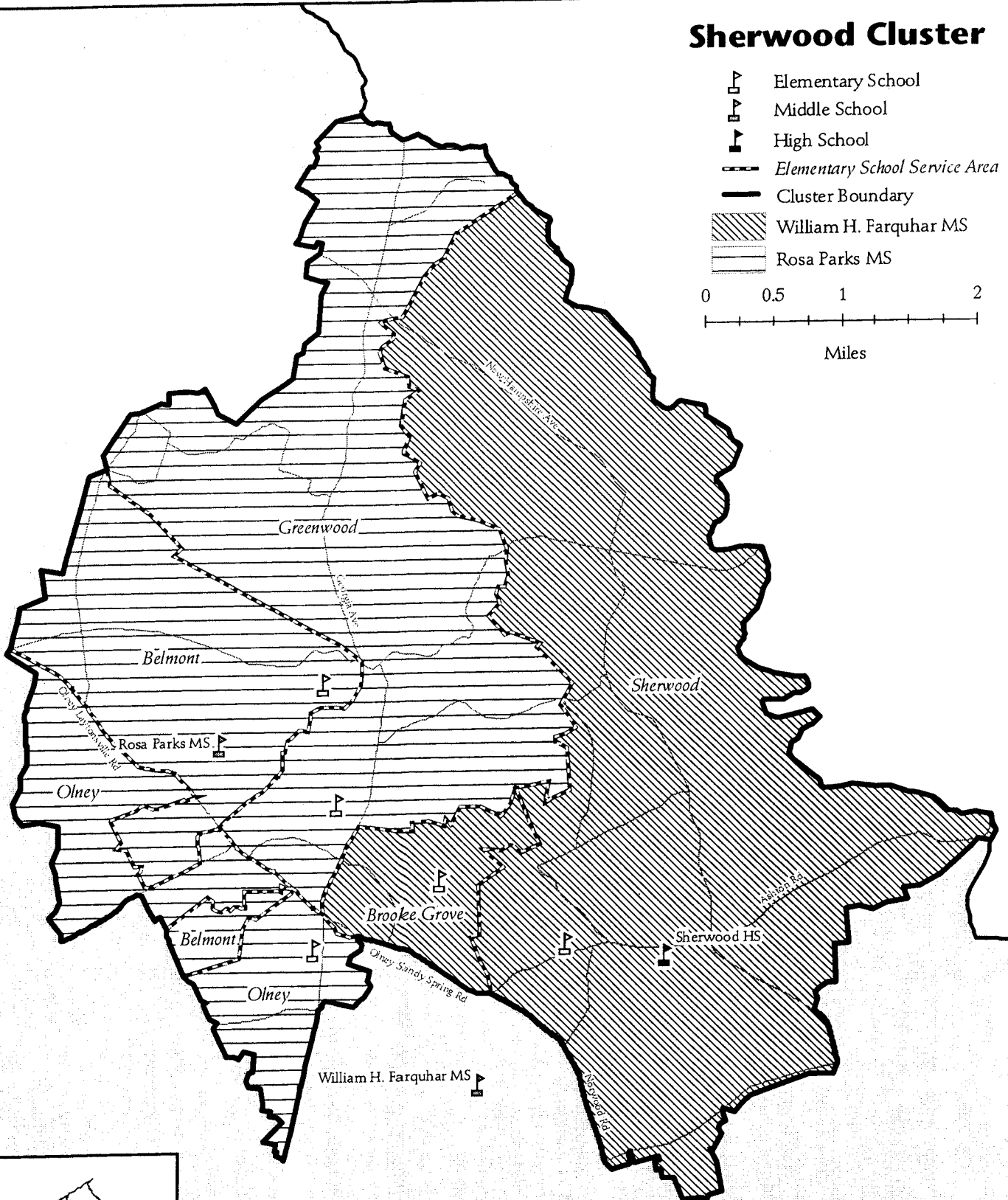
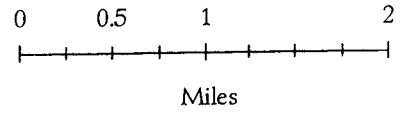
Copy to: Mr. Bowers, Mr. Lavorgna, Ms. Turpin

Division of Long-range Planning



Sherwood Cluster

-  Elementary School
-  Middle School
-  High School
-  Elementary School Service Area
-  Cluster Boundary
-  William H. Farquhar MS
-  Rosa Parks MS



Montgomery County Public Schools - Division of Long-range Planning - October 13, 2009

SHERWOOD CLUSTER

Projected Enrollment and Space Availability
Effects of the Recommended FY2011–2016 CIP and Non-CIP Actions on Space Available

Schools		Actual 09-10	Projections							2019	2024
			10-11	11-12	12-13	13-14	14-15	15-16			
Sherwood HS	Program Capacity	2004	2004	2004	2004	2004	2004	2004	2004	2004	2004
	Enrollment	2090	2013	1970	1929	1878	1850	1789	1800	1850	
	Available Space	(86)	(9)	34	75	126	154	215	204	154	
	Comments										
William H. Farquhar MS	Program Capacity	851	851	851	851	851	851	851	851	851	
	Enrollment	619	590	587	587	569	558	540	575	600	
	Available Space	232	261	264	264	282	293	311	276	251	
	Comments		Facility Planning For Mod.	Planning for Modernization		@ Tilden Facility		Mod. Complete			
Lisa Parks MS	Program Capacity	880	880	880	880	880	880	880	880	880	
	Enrollment	888	898	866	828	800	778	749	775	800	
	Available Space	(8)	(18)	14	52	80	102	131	105	80	
	Comments										
Montgomery ES	Program Capacity	415	415	415	415	415	415	415			
	Enrollment	364	333	330	327	315	323	330			
	Available Space	51	82	85	88	100	92	85			
	Comments										
Doke Grove ES	Program Capacity	543	543	543	543	543	543	543			
	Enrollment	391	392	383	385	385	385	399			
	Available Space	152	151	160	158	158	158	144			
	Comments										
Greenwood ES	Program Capacity	571	571	571	571	571	571	571			
	Enrollment	553	542	524	525	538	528	531			
	Available Space	18	29	47	46	33	43	40			
	Comments										
Dorsey ES	Program Capacity	584	584	584	584	584	584	584			
	Enrollment	562	548	547	542	525	526	532			
	Available Space	22	36	37	42	59	58	52			
	Comments										
Greenwood ES	Program Capacity	377	589	589	589	589	589	589			
	Enrollment	470	467	474	491	506	502	515			
	Available Space	(93)	122	115	98	83	87	74			
	Comments		Addition Complete +1 preK LFI/SCB								
Cluster Information	HS Utilization	104%	100%	98%	96%	94%	92%	89%	90%	92%	
	HS Enrollment	2090	2013	1970	1929	1878	1850	1789	1800	1850	
	MS Utilization	87%	86%	84%	82%	79%	77%	74%	78%	81%	
	MS Enrollment	1507	1488	1453	1415	1369	1336	1289	1350	1400	
	ES Utilization	94%	84%	84%	84%	84%	84%	85%	89%	93%	
	ES Enrollment	2340	2282	2258	2270	2269	2264	2307	2400	2500	

SHERWOOD CLUSTER

Facility Characteristics of Schools 2009–2010

Schools	Year Facility Opened	Year Reopened Mod.*	Total Square Footage	Site Size Acres	Adjacent Park	FACT Assess. Score	Child Care**	Reloc-atable Class.	LTL/SBHC***
Sherwood HS	1950	1991	333,154	49.3					
William H. Farquhar MS	1968		116,300	20		1434			
Rosa Parks MS	1992		137,469	24.1	Yes				
Belmont ES	1974		49,279	10.5		TBD	Yes	1	
Brooke Grove ES	1990		72,582	10.96					
Greenwood ES	1970		64,609	10	Yes	TBD			
Olney ES	1954	1990	68,755	9.9					
Sherwood ES	1977		60,064	10.85		TBD	Yes	7	

*Schools with a date before 1986 underwent a renovation, not a full modernization of the facility. Schools that were reopened but not fully modernized or completely rebuilt, will be included in the assessments for future modernization based on the year the school was originally opened. See Appendix K for additional information.

**Private child care is provided at the school during the school day.

***LTL=Linkages to Learning. SBHC=School-based Health Center that includes Linkages to Learning.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Richard Y. Nelson, Jr.
Director

March 22, 2010

Ms. Elsabet Tsfaye
Development Review Division
M-NCPPC
8787 Georgia Ave.
Silver Spring, MD 20910

RE: Zoning Application No. G-885, Bowie Mill Road

Dear Ms. Tsfaye:

I understand that you are preparing a staff report concerning the above-referenced application and are seeking comments from the Department of Housing and Community Affairs (DHCA).

This property is being developed by Bowie Mill Road, LLC, which is a joint venture of Elm Street Development and Montgomery Housing Partnership (MHP), a non-profit organization. Because the County owns the land, the applicant has signed a Development Agreement and Agreement of Sale and Purchase ("Development Agreement") with the County, which commits the Applicant to providing 40% (47) market-rate units, 30% (35) MPDUs, and 30% (35) Workforce Housing (WFH) Units.

DHCA has been closely involved in the development of this zoning application, and strongly supports its approval.

Sincerely,

Christopher J. Anderson
Manager, Single Family Programs

CJA:lss

cc: Jody S. Kline, Miller, Miller & Canby
Joseph T. Giloley, DHCA
Essayas Ababu, DHCA

Division of Housing and Code Enforcement

Code Enforcement
FAX 240-777-3701

Moderately Priced
Dwelling Unit
FAX 240-777-3709

Housing Development
and Loan Programs
FAX 240-777-3691

Landlord-Tenant Affairs
FAX 240-777-3691



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

March 22, 2010

Arthur Holmes, Jr.
Director

Ms. Elsabet Tesfaye, Planner Coordinator
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Zoning Plan No. G-885
Bowie Mill Property

Dear Ms. Tesfaye:

We have completed our review of the December 3, 2009 amended version of the above-referenced zoning plan. We do not object to the proposed rezoning. We also commend the applicants for their efforts to address the comments that were provided at the October 26, 2009 meeting of the Development Review Committee.

The following comments are tentatively set forth for the subsequent submission of a preliminary plan:

1. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
2. Necessary dedication for improvements to Bowie Mill Road in accordance with the master plan and Executive Regulation No. 31-08 AM (Context Sensitive Road Design Standards). Dedicate rights-of-way for the interior public streets as determined by the Planning Board and in accordance with Executive Regulation No. 31-08 AM. Provide standard right-of-way truncations at all intersections, unless waived by the Planning Board.
3. Necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. Full width dedication and construction of all interior public streets as closed section streets (Street A = secondary, Street B = tertiary). The interior streets should be designed in accordance with context sensitive roadway design principles. Traffic calming measures should be provided on Street A; it may be appropriate to construct a traffic circle or chokers at the northern intersection of Streets A and B.

Division of Traffic Engineering and Operations

100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878
Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080
trafficops@montgomerycountymd.gov

5. If the applicants desire to increase the pavement width(s) to provide on-street parking, the proposed change(s) to the applicable design standard(s) should be documented in the preliminary plan package.
6. Storm drainage and/or flood plain studies, with computations. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
7. Show the location of proposed entrances on the preliminary plan.
8. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.
9. At the preliminary plan stage, submit a completed, executed MCDOT Sight Distances Evaluation certification form, for the intersections proposed on Bowie Mill Road, for our review and approval. The applicant's consultant will also need to demonstrate satisfactory sight distances for the proposed driveways on the inside of the horizontal curves on Street B [such as Lots 1 and 5 (Block D), Lot 5 (Block B), and the private alley on Block B] or relocate those driveway aprons to the adjacent private alleys.

Several driveway aprons (such as Lot 10 (Block C), Lots 13 and 18 (Block D) appear to be located too close to the nearby intersections; it may be necessary to relocate those aprons to the opposite side of those lots.

10. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.

The pavement for Lots 26-31, Block A should be designed and built similar to the other on-site private alleys (twenty feet of pavement) and have a proper terminus.

11. The parking layout plan will be reviewed by the Planning Board and the Department of Permitting Services at the site plan or building permit stage, whichever comes first. To facilitate their review, that plan should delineate and dimension the proposed on-site travel lanes, parking spaces, curb radii, handicap parking spaces and access facilities, and sidewalks. The applicant may wish to contact Ms. Sarah Navid of that Department at (240) 777-6320 to discuss the parking lot design.

Ms. Elsabett Tesfaye
Zoning Case G-885
March 22, 2010
Page 3

12. Record plat to reflect denial of access across the Bowie Mill Road site frontage, except at the approved intersection locations.
13. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
14. Review comments on the Traffic Impact Study for this Zoning Case were provided in our February 1, 2010 letter.
15. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements:
 - A. Improvements to the public rights-of-way will be determined at the preliminary plan stage based on a review of the additional information requested earlier in this letter.

Thank you for the opportunity to review this pre-preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. David Adams at (240) 777-2197 or david.adams@montgomerycountymd.gov.

Sincerely,



Gregory M. Leck, Manager
Development Review Team

M:/subd/dca/G-885, Bowie Mill Property, gml revs.doc

cc: John M. Clarke; Bowie Mill Road LLC
Jody S. Kline; Miller, Miller & Canby, Chartered
Ed Wallington; Loiederman Soltesz Associates, Inc.
Ralph Wilson; M-NCPPC Development Review
Catherine Conlon; M-NCPPC Development Review
Shahriar Etemadi; M-NCPPC Transportation Planning
Lisa Schwartz; DHCA
Marie LaBaw; MCFRS
Sarah Navid; DPS RWPPR
David Adams; DOT DTEO

WASHINGTON SUBURBAN SANITARY COMMISSION
DEVELOPMENT PROPOSAL REVIEW
FOR A
REZONING APPLICATION

APPLICATION NO.: G-885

DATE: SEPTEMBER 11, 2009

APPLICANT: BOWIE MILL ROAD LLC

LOCATION: 18241 BOWIE MILL ROAD, OLNEY, MD 20832

COUNTY: MONTGOMERY

200' SHEET NO.: 225NW04

PRESENT ZONING: R-200

PROPOSED ZONING: PD3

SIZE OF PARCEL: 32.74 ACRES

DWELLING UNITS: 24 APT; 57 SF; 36 TH

OTHER:

WATER INFORMATION

1. Water pressure zone: 660A
2. A 24-inch water line abuts the property (contract no. 70-4326C).
3. Local service is adequate.
4. Program-sized water main extensions (16 inches in diameter or greater) are not required to serve the property.
5. The impact from rezoning this property would be negligible.