



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

Staff Report: 120100230 & 820100070: Darnestown at Travilah

ITEM #: _____

MCPB HEARING DATE: July 15, 2010

REPORT DATE: July 5, 2010

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Cathy Conlon, Supervisor
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Development Review Division



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APPLICATION DESCRIPTION:

The Applicant proposes to construct 39 one-family attached dwelling units including 5 MPDUs on 5.24 acres of land zoned RT-8.0 within the Great Seneca Science Center Master Plan.

APPLICANT: Fifty, LLC.

FILING DATE: Preliminary Plan and Site Plan applications submitted on March 17, 2010

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY:

The proposed plans directly correspond to the Schematic Development Plan G-849 approved December 11, 2008, including the binding elements which primarily addressed landscape buffering and noise attenuation. The subject site will play an important transitional role between the existing one-family residential development to the south of Darnestown Road and the future redevelopment of the PSTA site located north of the site.

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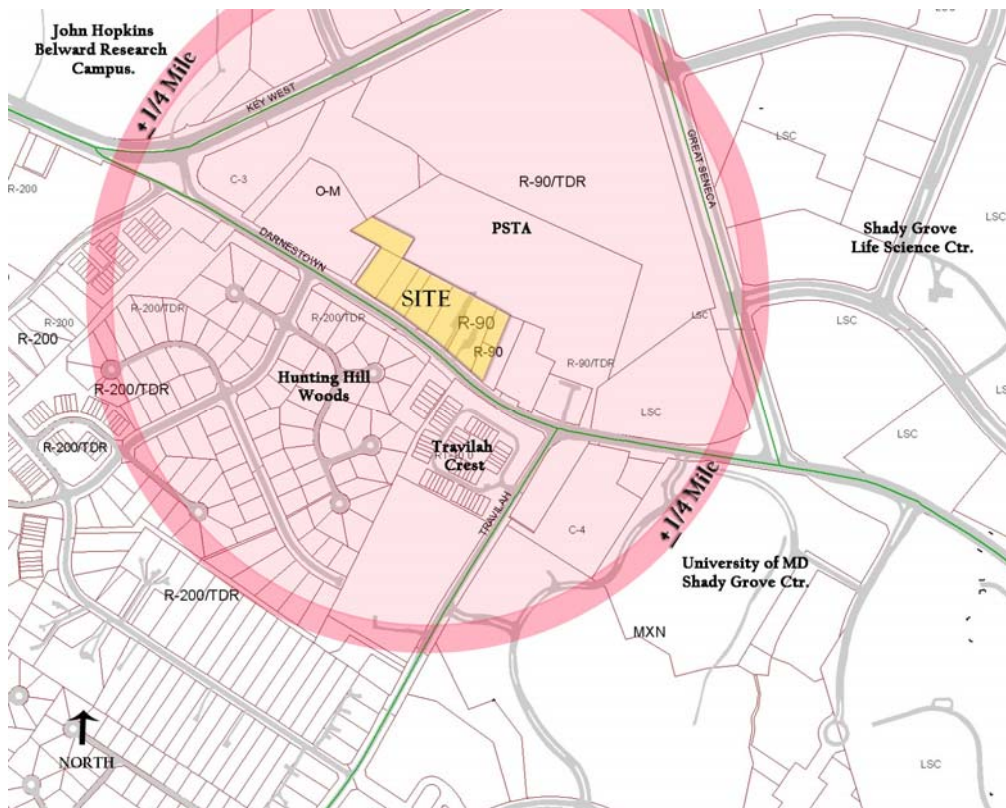
SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity

The site is located north of Darnestown Road (MD 28) between the intersection at Travilah Road and Key West Avenue, with approximately 757 feet of frontage onto Darnestown Road. The property was rezoned from R-90 to RT-8 zone on February 8, 2006. To the west, the site abuts retail and office uses zoned C-3 and O-M; to the north and east are one-family dwellings zoned R-90/TDR and a dance studio operating by a special exception on the ground level. Hunting Hill Woods Subdivision, zoned R-200/TDR, and Travilah Crest, zoned RT-10, are located to the south of the site.

The Public Service Training Academy (PSTA) is currently located to the north of the site. The PSTA was a topic of major concern at the public hearing for the Development Plan; however, the approved plan and the Great Seneca Science Corridor Master Plan acknowledge the future relocation of the PSTA facility and redevelopment of the site in accordance with the CR zone guidelines. The Life Science Center (LSC) properties have been designed towards the northeast in close proximity to Great Seneca Highway. The John's Hopkins Belward Research Campus is located within walking distance (less than ½ mile away) along Key West Avenue to the northwest.



Vicinity Map

Site Analysis

The subject property is currently developed with 10 one-family detached properties with a combined area of approximately 5.24 acres of land zoned RT-8. The residential units vary in size; and 7 out of 10 parcels access Darnestown Road via private driveways. The site drains to the Muddy Branch Watershed with the existing topography decreasing in elevation from the northeast corner of the site to the southwest corner. The site contains a few mature trees randomly clustered throughout the site, including a cluster of mature trees directly adjacent to the Medical Office building and parking facility.

The close proximity to the retail and institutional/office uses (i.e. Montgomery Village Medical Retail Center, the Travilah Square Shopping Center, and the LSC zones) as well as the mixed-use residential and recreational opportunities (i.e. PSTA, Lakewood Country Club, etc.) provide walkable local amenities essential to creating more sustainable communities. The existing suburban character is carefully retained by the landscape buffering provided along the roadways and the placement of the existing buildings.

There are no wetlands, 100-year floodplains, critical habitats or notable historical resources on the property. All existing structures will be removed and existing wells will be abandoned.

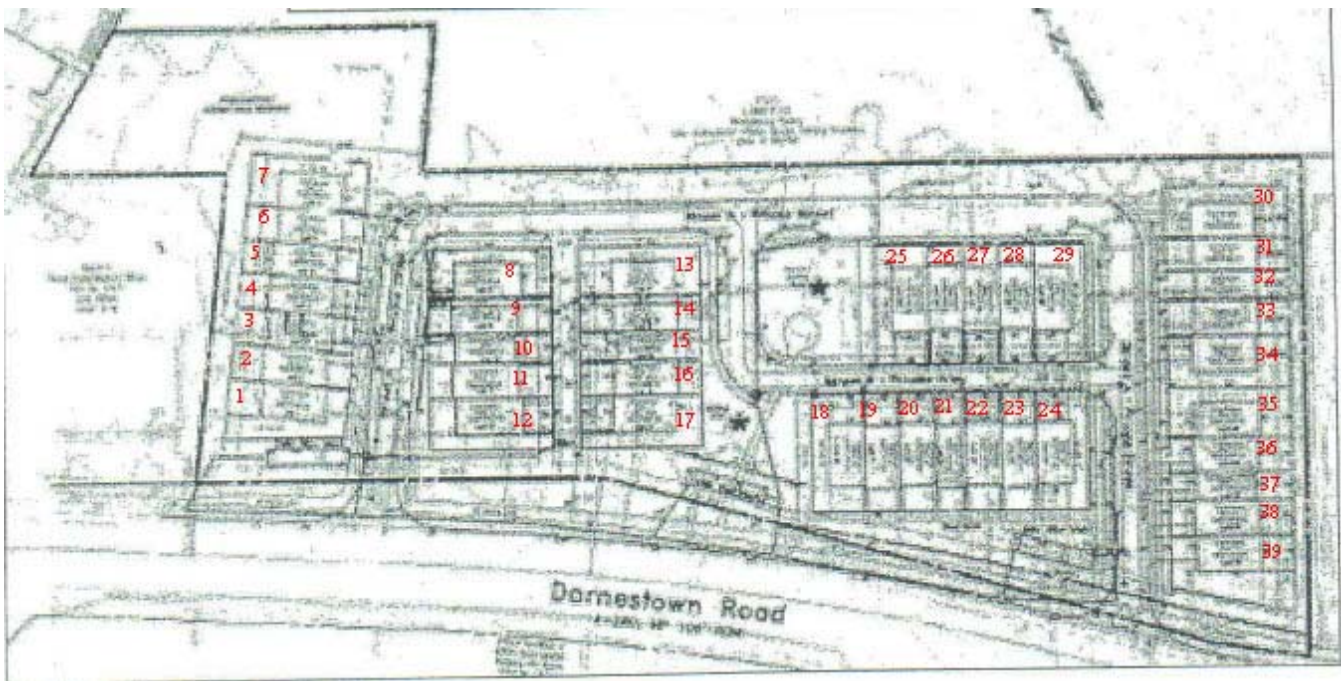


Aerial Photo

PROJECT DESCRIPTION

Previous Approvals

The Schematic Development Plan (“SDP”) G-849 was filed February 8, 2006 for 39 townhouses including 5 MPDUs on 4.92 acres of land zoned RT-8. The plan was first approved by the Planning Board on June 22, 2006; however there were specific unresolved issues concerning the need for noise mitigation for the northern property boundary directly adjoining the PSTA property. The Hearing Examiner recommended approval on October 13, 2006; however, the Council remanded the case to the Planning Board on October 26, 2006 to specifically address noise concerns. The remand directed the Planning Board to conduct a more detailed analysis of the compatibility with regard to the noise impacts generated by the PSTA site.



Original SDP

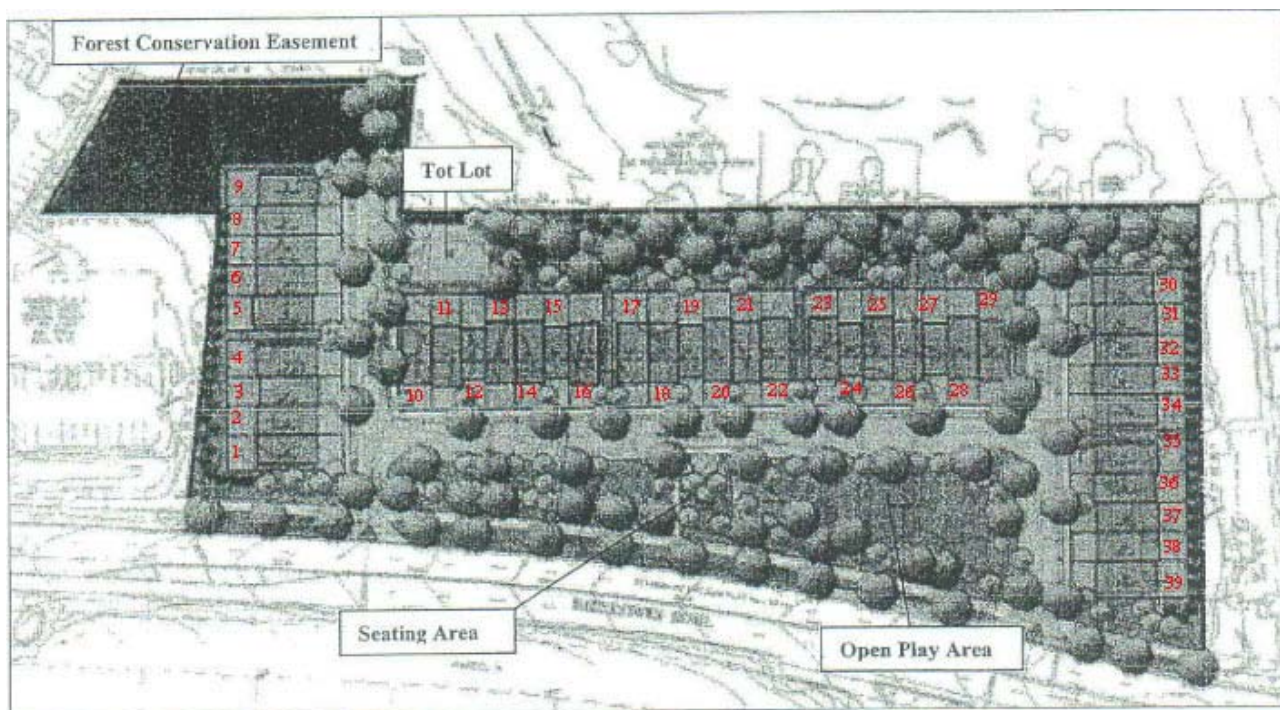
On September 24, 2008, the Montgomery County Executive agreed with the Gaithersburg West Master Plan’s recommendation to relocate the PSTA to another site and to encourage redevelopment of the parcel with a transit-served, mixed-use development with residential and commercial uses. Therefore the remand second order was intended to evaluate any future and/or potential noise impacts of the PSTA operations on the residential use. The PSTA will eventually move to another location, which would make the noise compatibility issue moot.

Nevertheless, consistent with the recommendations of the County Council, the Applicant modified the Schematic Development Plan to specifically add a landscaped berm topped with a 6 foot tall fence between the townhouse units and the PSTA site, in order to address the concerns regarding noise mitigation.

The SDP was approved with 3 binding elements and 10 design elements. The changes regarding the binding and design elements were intended to maintain the Planning Board’s flexibility in approving or imposing design changes during the Site Plan review stage. The layout approved with the SDP was subject to change with minor changes during Site Plan review.

Binding Elements:

- a. The Applicant agrees to dedicate its proportionate share of the necessary right-of-way width along Darnestown Road, as recommended in the Shady Grove Study Master Plan, Adopted July 1990.
- b. The Applicant agrees that an 8 foot shared path will be located within the public right-of-way with final determination at the time of Site Plan review.
- c. The maximum density of 39 one-family attached dwellings including a minimum of 12.5% MPDU’s, and a maximum building height of 35 feet.



Approved SDP

Proposal

Consistent with the binding elements of the approved SDP, the Applicant is proposing to construct 39 townhouse units including 5 MPDUs, which is 12.5% of the total number of units proposed. The building orientations of lots 1-7 and 30-39, the evergreen landscape buffering along the property edges and the interior roadway configuration have not changed from the approved SDP. However, the building orientations for lots 8-29 have been realigned, the seating areas and tot lot have been relocated, and the proposed Category I Forest Conservation Easement has been increased to include a few existing specimen trees.

The subject site will access Darnestown Road via Street A or C; however an exit is only permitted from Street A. Both Streets run perpendicular (northeast to southwest) to Darnestown Road, while Street B connects Street A to Street C. The required turn-around areas are provided at the ends of Streets A and C. The visitor parking spaces primarily run parallel to Darnestown Road along Street B. The proposed lots 8-12 and 25-28 have been realigned to directly correspond to the front facades of lots 3-7 and 33-30. Lots 12 and 25 shall have corner treatments which will appear to have two front facades, serving as a smoother transition to lots 13-24. The middle lots have been broken up into 2 rows of 6 lots; thereby creating a sensible pattern with more green space between the townhouse groupings.



Illustrative Plan

The tot lot and sheltered seating area are strategically located near lots 1-12; and near the existing mature specimen trees to take advantage of the shade. The proposed pedestrian sidewalks are connected along the front property lines. The open play area is still sited directly adjacent to the front property edge in close proximity to lots 13-39; with evergreen landscape buffering provided closer to the street edge.



Illustrative Section

Ornamental street trees are planted along the 8 foot wide Hiker/Biker Trail, which runs parallel to Darnestown Road. The proposed stormwater management facilities are located primarily between

the Hiker/Biker Trail and the townhouse units (lots 8-28). Evergreen trees and fencing will adequately buffer the rear yards of lots 1-7 and 19-39 from the roadway. The landscaped berm, including the fence, is located to the rear of lots 13-28, and is approximately 12 feet in height. The landscaped berm and 6 foot fence are specific design recommendations; which are intended to buffer the community from existing and future development along the northern property boundary. The MPDUs have been evenly dispersed among the market rate units.

ISSUES

Overall Site Configuration & Building Orientation

Staff has recommended several conceptual iterations for the Applicant to consider. The iterations were intended to address comments received at the Development Review Committee (DRC) meeting on May 3, 2010; resolve circulation and frontage issues; and strongly emphasize the recommendations of the Shady Grove Study Area and new Great Seneca Science Corridor Master Plans. Due to the specific design recommendations of the approved SDP and the requirements of the stormwater management concept approval; the proposed iterations were considered unfeasible given the current development constraints and site details. However, the Applicant modified their plans to reflect a change in the orientation of some of the units and to accommodate a better design for the recreation areas in concert with the mature trees in the northwest corner of the site.

Roadway Profile and Sight Distance (along Darnestown Road)

The total frontage of the entire site is 757 feet. The Applicant originally proposed two entrances, both with a right-in and right-out and an accel lane along Darnestown Road. The first proposed entry point is less than 600 feet away from the intersection at Travilah Road and the second entry point is approximately 1,140 feet away from the intersection with Key West Avenue. Darnestown Road is classified as an arterial road and would only allow a right-in and right-out at the second entry point; and a right-in only is permitted at the first entry point. Ultimately the street access onto Darnestown Road (within this immediate area) will be improved with the elimination of 5 out of the 7 existing driveways. The access and circulation shown on the Site Plan drawing is an improvement compared to the SDP considering the access and safety concerns expressed by Fire and Rescue and the Department of Transportation (DOT). Minor site details concerning the proposed streetscape, curb alignment, and roadway dimensions have been thoroughly reviewed by Site Plan and DOT staff.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements. The pre-submission meeting was held at Prince of Peace Lutheran Church on January 7, 2010 with 2 members of the community in attendance. The Applicant provided clarity regarding the purpose and design of the project, stormwater Management, MPDU requirements, and proposed parking spaces. The Notice of Application was sent on March 17, 2010. Staff has not received any correspondence and/or opposition to the development of this project.

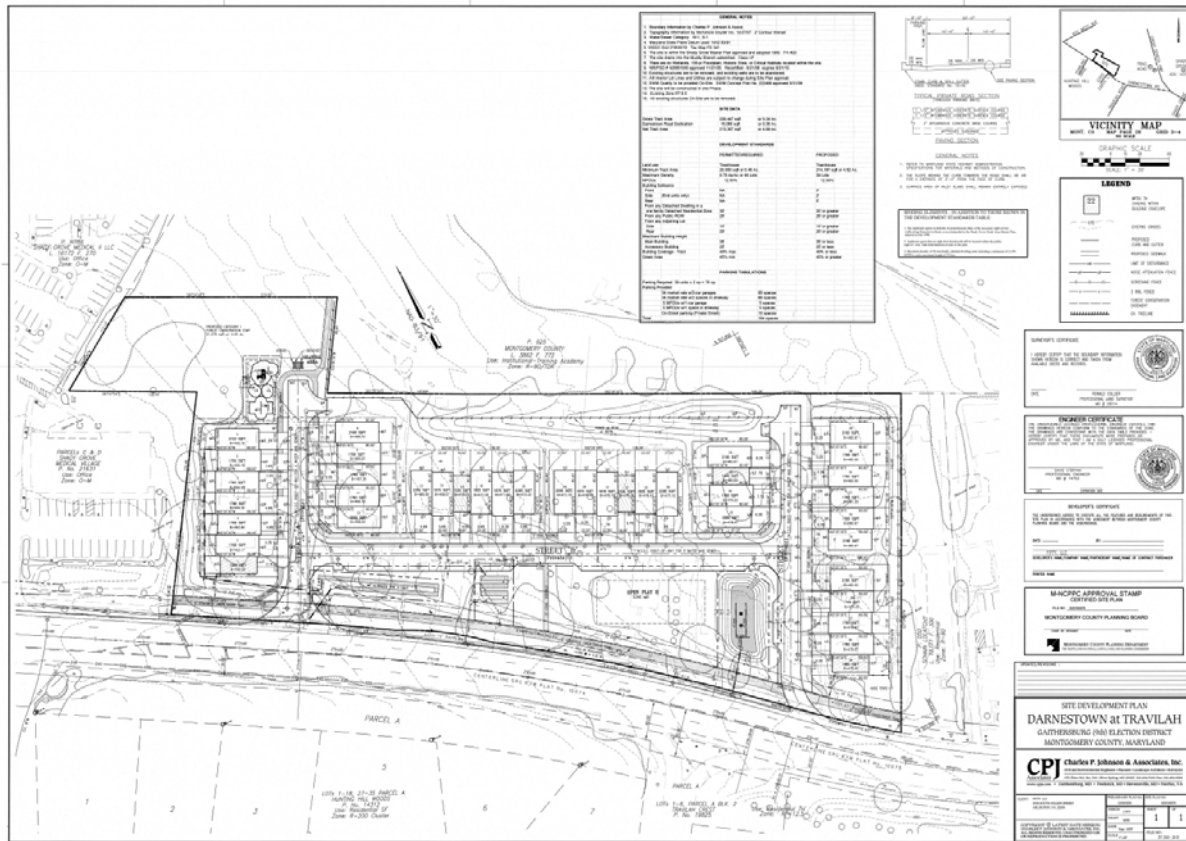
SECTION 2: PRELIMINARY PLAN REVIEW

Project Description

This Preliminary Plan proposes to create 39 lots for 39 townhouse units. The Subject Property has approximately 730 feet of frontage on Darnestown Road. Access to the site will be at two locations; the easternmost access point will be restricted to right-in only and the westernmost point will be restricted to right-in and right-out only. The Plan provides for dedication of right-of-way for Darnestown Road 50 feet from the centerline, and the Plan also shows necessary improvements to the frontage along Darnestown Road that includes an 8 foot wide hiker/biker trail. The internal streets are configured in an “H” pattern and will be private; all lots will front on a private street. The private streets will have sidewalks that allow pedestrian circulation through the site and to a tot lot located in the northwest portion of the Property. The internal sidewalks will connect to the hiker/biker trail along Darnestown Road and will allow future connection to the adjacent PSTA property when it redevelops.

An area of particularly desirable mature hardwood trees in the northwest corner of the site will be preserved to the extent possible and co-located with the tot lot. Forest Conservation will be provided on and off-site. Stormwater management will be located in a relatively large, open area along Darnestown Road. Extensive landscaping is proposed in and around the stormwater management area, and the area will also be used for open play area, where appropriate. A landscaped berm is proposed along the northern boundary and is required as part of the approved Schematic Development Plan (G-849) to attenuate noise from the adjacent PSTA site while it remains at this location.

The site will be served by all locally available utilities, including water and sewer, electric, telecommunications, natural gas and cable.



Submitted Preliminary Plan

ANALYSIS AND FINDINGS

Conformance to Existing Plans

Staff finds that the Preliminary Plan is consistent with the binding elements of the approved Schematic Development Plan (SDP) and substantially conforms with the previously applicable Approved and Adopted July 1990 Shady Grove Study Area Master Plan, and the currently applicable and recently Approved Great Seneca Science Corridor Master Plan (GSSCMP). Please refer to the Attachment_B for a complete Vision Division analysis of the Schematic Development Plan and Master Plan conformance. Following is a summary of the findings from that report:

Schematic Development Plan

Based on a review of the Preliminary Plan drawing staff finds the submitted plans to be in conformance with the three Binding Elements of the approved Schematic Development Plan (G-849), specifically:

- a. *The Applicant agrees to dedicate its proportionate share of the necessary right-of-way width along Darnestown Road, as recommended in the Shady Grove Study Master Plan, Adopted July 1990.*

The Preliminary Plan drawing show a proposed dedication of 50 feet from the centerline of Darnestown Road for a total right-of-way width of 100 feet to meet the arterial highway road standards as specified in the Master Plan of Highways and the Approved Great Seneca Science Corridor Master Plan (GSSCMP).

- b. The Applicant agrees that an 8 foot shared path will be located within the public right-of-way with final determination at the time of Site Plan Review.*

The Preliminary Plan shows an 8 foot wide hiker/biker trail located within the public right-of-way along the Property's frontage with Darnestown Road.

- c. The maximum density of 39 one family attached dwellings including a minimum of 12.5% MPDU's, and a maximum building height of 35 feet.*

The Preliminary Plan drawing shows no more than 39 units and that 12.5% of those units will be Moderately Priced Dwelling units. Building height limits will be established by the Site Plan and enforced by MCDPS through issuance of building permits.

Furthermore, the submitted Preliminary Plan carries forward most of the non-binding design elements of the approved Schematic Development Plan including the general overall layout at the Darnestown Road frontage with the open space area and vehicular access requirements. There will be significant landscape planting along the Darnestown frontage and at the northeast property line inclusive of a berm and a screening fence at the northeast area. This area is designed to buffer the proposed residential units from the interim uses and activities of the PSTA and to provide an appropriate transition between the Darnestown at Travilah townhouse project and the future adjacent residential and mixed use development. The Preliminary Plan also carries forward the provision for the future extension of two walkway connections through the site from Darnestown Road to the adjacent LSC West, transit-oriented residential community.

Staff notes minor changes to the design elements of the Schematic Development Plan to include adjustments to the location of the 39 townhouses which staff believes provide a superior layout for units, recreational amenities and tree protection. The shifting of unit orientation allows additional protection of individual trees in the northwest corner of the site and the co-location of the tot lot in this natural area. The minor changes to the unit locations also provide an opportunity for improved traffic circulation by allowing vehicle turnarounds at the ends of the private street stubs.

Great Seneca Science Corridor Master Plan

The preliminary plan is in conformance with both the prior applicable Approved and Adopted July 1990 Shady Grove Study Area Master Plan, and the currently applicable and recently Approved Great Seneca Science Corridor Master Plan (GSSCMP). The May 4, 2010 Approved Planning Board Draft of the Great Seneca Science Corridor Master Plan (GSSCMP) addresses the Life Sciences Center (LSC) District and the subject property. The GSSCMP confirms the site as rezoned to R-T 8 following the approved Schematic Development Plan.

The GSSCMP includes a discussion of Urban Form as a general concept for the LSC West development. With respect to the Subject Property the Urban Form discussion suggests that there perhaps should be one roadway traversing the southeast portion of the Subject Property from Darnestown Road through to one of the residential blocks adjacent to the transit station. Staff and the Board considered the Schematic Development Plan and found that this particular roadway element was not needed for development of the future adjacent residential and mixed use community at the vacated PSTA central land area. This road was found to also have significant site distance issues at the location shown in the Urban Form section of the GSSCMP, therefore, it was not included as an element of the SDP or the Preliminary Plan.

Similar to the findings made for the SDP, staff finds the Preliminary Plan to also be in substantial conformance with the Great Seneca Science Corridor Master Plan.

Public Facilities

Roads and Transportation Facilities

The proposed lots generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is subject to Local Area Transportation Review. The site is located within the R&D Policy Area where there is a 40% PAMR trip mitigation requirement according to the County’s Growth Policy.

Local Area Transportation Review (LATR)

Two intersections were identified as critical intersections affected by the proposed development and were examined in a submitted traffic study to determine whether they meet the applicable congestion standard. The congestion standard for the R&D Policy Area is 1,450 Critical Lane Volumes (CLV). The result of the CLV analysis is summarized in Table 1.

Table 1: Calculated Critical Lane Volume Values at Studied Intersections

Intersection	Weekday Peak Hour	Traffic Condition		
		Existing	Background	Total
MD 28 & Darnestown Road	Morning	799	1,079	1,085
	Evening	1,020	1,166	1,170
Darnestown Road & Travilah Road	Morning	970	1,090	1,095
	Evening	995	1,149	1,150

As shown in the above table, all analyzed intersections are currently operating within an acceptable CLV level of 1,450 and are expected to continue the same for the background and total future development conditions. Therefore, the subject preliminary plan application meets the LATR requirements of the APF review.

Policy Area Mobility Review (PAMR)

Since the site is located within the R&D Policy Area where there is a 40% PAMR trip mitigation requirement according to the County's Growth Policy, the applicant is required to make a lump sum payment of \$115,000 to mitigate 10 peak-hour trips which represent 40% of new trips generated by the proposed development. Thus, the preliminary plan applications meet the PAMR requirements of the APF review.

Site Access and Vehicular/Pedestrian Circulation

Two access points to the site are proposed from Darnestown Road. Due to the sight distance limitations, the eastern entrance is limited to a right-in only movement and the western entrance is limited to a right-in/ right-out only movement. The site plan shows the 8' hiker/biker along Darnestown Road frontage with lead-in sidewalks to the site to accommodate pedestrian activities safely.

Internal access and circulation has been determined to comply with Chapter 50, the Montgomery County Subdivision Regulations. The internal private street system will function as a public street based on a staff finding that the pavement width provides for adequate vehicle circulation and allows adequate turning movements including turnarounds at the ends of the streets.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical, gas, and telecommunications services are also available to serve the Property. The Application is not within a school moratorium area; however, Wooten High School is operating at inadequate levels (107%) so the Application is subject to a School Facilities Payment at the high school level.

ENVIRONMENT

Environmental Planning staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) (#420061040) on August 21, 2010. There are no forests, streams, wetlands, steep slopes, or environmental buffers on-site. The site is mostly open, with some large and specimen trees on the west side of the site. The property is within the Muddy Branch watershed; a Use I-P watershed. The Countywide Stream Protection Strategy (CSPS) rates the streams in this watershed as fair.

Environmental Guidelines

There are no environmentally sensitive features on-site; however, there is a desirable stand of 6 large and/or specimen trees in the northwest corner of the site. The applicant has proposed to protect that stand of trees and will convert the area into an afforestation area. This plan complies fully with the Montgomery County Environmental Guidelines.

Forest Conservation

Staff finds that the plan meets all applicable requirements of the Montgomery County Forest Conservation Law, Chapter 22A. The forest conservation requirement on the 5.24 acre site equals 0.73 acres. To meet this requirement, the Forest Conservation Plan shows 0.15 acres of landscaping credit, 0.49 acres of afforestation which is to be protected in a Category I easement, and 0.09 acres to be met off-site via a forest conservation bank.

Staff has recommended as a condition of approval that the easement area be protected with split rail fencing, or staff approved equivalent, to prohibit damage from mowing and other landscaping activities given its proximity to the tot lot and residential uses. However staff believes permanent split-rail fencing and signage will be adequate to prevent accidental encroachments into the easement area.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on December 11, 2008 which includes on site channel protection measures via the offsite Stonebridge Regional pond and on-site water quality controls via underground sand filter. On-site recharge is not required due to shallow bedrock. This plan complies with Section 50-24(j) of the Montgomery County Subdivision Regulations.

CONFORMANCE TO SUBDIVISION REGULATIONS AND ZONING ORDINANCE

This application has been reviewed for compliance with all other sections of Chapter 50, the Subdivision Regulations. The application meets all applicable sections. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision. The lots comply with all specific development standards found in Section 59-C-1.73 of the Zoning Ordinance and have been recommended for approval by the Montgomery County Department of Permitting Services.

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

RECOMMENDATION: Approval, Subject to the Following Conditions:

1. Total development under this preliminary plan approval is limited to a maximum of 39 townhouse units, including 12.5% Moderately Priced Dwelling Units (MPDU).
2. Compliance with the conditions of approval of the Final Forest Conservation Plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s) as appropriate. Conditions include, but are not limited to:
 - a. Record plat to show Category I conservation easements over all afforestation areas as shown on the forest conservation plan.
 - b. The easement area to be protected with split rail fencing, or other staff approved equivalent, to prohibit damage from mowing and other landscaping activities due the proximity of the tot lot and residential uses.
 - c. The applicant shall have an ISA certified arborist prepare and implement a specific tree save plan for tree #42.
3. The applicant must dedicate Darnestown Road to a full master plan width of 50 feet from the centerline as shown on the Preliminary Plan drawing. Dedications to be shown on the record plat(s).
4. The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes.
5. The record plat must reflect a public use and access easement over all private streets and adjacent parallel sidewalks shown on the Preliminary Plan.
6. The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
7. The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 (“Covenant”). Applicant must provide verification to Commission staff prior to release of final building permit that Applicant’s recorded HOA Documents incorporate by reference the Covenant.
8. The applicant must comply with the conditions of the MCDPS stormwater management approval dated December 11, 2008. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval
9. The applicant must comply with the conditions of the MCDOT letter dated June 14, 2010. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
10. Before any building permit is issued, the applicant must make a school facilities payment at the high school level for each dwelling unit to the Montgomery County Department of Permitting Services (MCDPS).
11. Prior to issuance of and building permit, Applicant is required to make a lump sum payment of \$115,000.00 to mitigate 10 peak-hour trips which represent 40% of new trips generated by the proposed development.
12. No clearing, grading or recording of plats prior to certified site plan approval.
13. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
14. Final number of MPDU’s as per condition #1 above to be determined at the time of site

- plan.
15. Site Plan #820100070 must be approved by the Board and signed (certified) by the Development Review Staff prior to the approval of the record plat.
 16. The certified preliminary plan must contain the following note: “Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the preliminary plan are illustrative. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
 17. The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
 18. The record plat must show necessary easements.

SECTION 3: SITE PLAN REVIEW

Development Standards

This subject property is currently zoned RT-8. The intent and purpose of the RT zone is to provide suitable sites for residential development at appropriate densities and to provide a buffer or transitional use between commercial, industrial, or high density apartment uses and low-density one-family uses. RT zones provide the maximum amount of freedom possible in the design of townhouses and their grouping and layout with the areas classified in that zone.

The following data table indicates the proposed development’s compliance with the Zoning Ordinance.

Project Data Table for the RT-8 Zone

	Permitted/ Required	Proposed for Approval
Gross tract area (sf)	N/A	228,447 sf. (5.24 ac.)
Dedication (sf.)	N/A	15,080 sf. (0.35 ac.)
Min. tract area (sf)	20,000 sf. (0.46 ac.)	213,367 sf. (4.89 ac.)
Max. Density – townhouse lots	48	39
Min. MPDUs @ 12.5%	5	5
Min. Building Setbacks (ft.)		
Front	N/A	3
Side	N/A	2
Rear	N/A	5
From Detached Dwellings Units	30	30
From Public ROW	25	25
From Adjoining Lot		
Side	10	10
Rear	20	20

Max. Building Ht. (ft.)		
Main	35	35
Accessory	25	25
Max. Building Coverage (%)	40	40
Min. Green Area (%)	45	45
Parking spaces	78 (2 per unit)	164 ¹ (2 per unit + 18 visitor spaces)

FINDINGS

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

A schematic development plan for G-849 was required for the subject site and contained binding elements and design elements relevant to the development. Slight adjustments have been made to the approved plan; however the changes do not compromise the original intent of this development.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed use is allowed in the RT-8 Zone and the site plan fulfills the purposes of the zone by providing townhouse units, including 5 MPDUs, and densely planted landscape buffers along the property boundaries.

As the project data table on page 16 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, and density the proposed development meets all the standards. The green space calculation meets the minimum requirement within this zone.

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

The building orientations on the western and eastern sides of the property are aligned perpendicular to Darnestown Road; while the lots at the center of the site are parallel. This alignment emulates an “H-shaped” layout; which ultimately dictates the vehicular circulation patterns throughout the site. The locations of the buildings and accessory

¹ This calculation is based on the 34 market rate units with 2 spaces in each driveway and 2 spaces in each garage unit for a total of 136 potential parking spaces. Plus 5 MPDU’s with 1 space in each driveway and 1 space in each garage unit for a total of 10 potential parking spaces; in addition to the 18 visitor parking spaces.

structures are adequate, while still meeting the aesthetic recommendations of the approved SDP, and do not pose any safety concerns on the site.

The tot lot (1), seating areas (2), and the open play area II provide for the communal growth and physical exercise of the residents. These amenities are not only essential to the healthy development of the community, but the quality of life in general.

The proposed landscaping provides a screen for the guest parking facilities, the open space play area, and stormwater management facilities. Ornamental street trees will be provided along Darnestown Road to connect and enhance the pedestrian environment while also maintaining the compact growth pattern so as not to interfere with the existing overhead utility lines. The pedestrian circulation systems are connected along the individual lots and the overall property edges. Future pedestrian access points are also provided in close proximity to the northern property boundary. Interior lighting will create enough visibility to provide safety for the residents without causing glare on the adjacent roads or properties. The seating and open space areas, landscaping, and site details adequately provide a safe and comfortable environment for the residents.

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

The proposed use is compatible with the adjacent and confronting uses as well as future development plans. The pedestrian sidewalks perpendicular and directly adjacent to the northern property boundary were specifically intended to provide access to the neighboring property consistent with the recommendations of the Master Plan. The internal pedestrian sidewalks are connected to the Hike/Biker Trail that runs parallel to Darnestown Road.

The proposed structures are in scale with the nearby buildings and are oriented in such a way that they will not adversely impact existing or proposed adjacent uses.

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

A Natural Resource Inventory/ Forest Stand Delineation (NRI/FSD #420061040) was approved on August 21, 2010. There are no forests, streams, wetlands, steep slopes, or environmental buffers on-site. The site is mostly open with some large mature specimen trees. The Applicant has proposed to protect the cluster of trees on the northwest corner of the site through a conservation easement and will provide afforestation in this area.

Noise mitigation measures have been provided along the rear of the northern property line through a combination landscaped earth berm and noise fence. The mitigation measures were intended to mitigate noise from the adjacent County training facility.

The property is within the Muddy Branch watershed (Use I-P). The stormwater management concept consists of on-site channel protection measures via the offsite Stonebridge Regional

pond and on-site water quality control via underground sand flitters. Onsite recharge is not required due to the shallow bedrock.

RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 820100070, Darnestown at Travilah, for 39 townhouse units on 4.89 gross acres. All site development elements shown on the site and landscape plans stamped “Received” by the M-NCPPC on June 4, 2010 are required except as modified by the following conditions.

Conformance with Previous Approvals

1. Schematic Development Plan Conformance
The proposed development must comply with the binding elements of the Schematic Development Plan G-849.
2. Preliminary Plan Conformance
The proposed development must comply with the conditions of approval for preliminary plan 120100230. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DPWT conditions, and DPS stormwater conditions.

Environment

3. Forest Conservation & Tree Save Plan
The proposed development must comply with the conditions of the approved preliminary forest conservation plan and/or tree save plan. The Applicant must satisfy all conditions prior to the recording of a plat(s) or to the issuance of sediment and erosions control permits by the Montgomery County Department of Permitting Services.
 - a. Compliance with the conditions of approval of the Final Forest Conservation Plan. The Applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s) as appropriate.
 - b. Record plat to show Category I conservation easements over all afforestation areas as shown on the forest conservation plan.
 - c. The easement area must be protected with split rail fencing, or other staff approved equivalent, to prohibit damage from mowing and other landscaping activities due to the proximity of the tot lot and residential uses.
 - d. The Applicant shall have an ISA certified arborist prepare and implement a specific tree save plan for tree #42.
4. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated December 11, 2008 unless amended and approved by the Montgomery County Department of Permitting Services.

Transportation & Circulation

5. The total development under the subject Site Plan and Preliminary Plan application is limited to 39 single-family attached residential units shown on the site plan and analyzed in the traffic study.
6. The applicant must make a lump sum payment of \$115,000.00 prior to issuance of the building permit to mitigate the PAMR required 10 peak-hour trips.

Density & Housing

7. Moderately Priced Dwelling Units (MPDUs)
 - a. The proposed development must provide a minimum of 12.5 percent MPDUs (5 townhouse dwelling units) in accordance with the binding elements of the Schematic Development Plan.
 - b. The MPDU agreement to build must be executed prior to the release of any building permits.
 - c. All of the required MPDUs shall be provided on-site.

Site Plan

8. Site Design
 - a. Provide benches in close proximity to the Open Play II.
 - b. The architectural drawings/elevations shall be submitted for review by M-NCPPC Development Review and Urban Design staff.
 - c. Provide details of the evergreen tree plantings, proposed signage, benches and trash receptacles.
9. Landscaping
 - a. Ornamental trees should be planted between Darnestown Road and the 8 foot Hiker/Biker Trail.
 - b. The proposed plant materials shall be installed to meet the standards of the American Standards for Nursery Stock (AAN) with regard to the correct size and type as specified within the plant list and planting plan.
 - c. An alternate plant list may be provided on the Landscape and Lighting plan to accommodate plant substitutions.
 - d. The proposed plantings shall be properly installed and maintained so as not to conflict with the public right of way and/or cause damage to any existing public utilities.
10. Lighting
 - a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential development.
 - b. All onsite down- light fixtures must be full cut-off fixtures.
 - c. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
 - d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting

- county roads and residential properties.
- e. The height of the light poles shall not exceed 18 feet including the mounting base.

11. Landscape Surety

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

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

12. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan.

The development program must include the following items in its phasing schedule:

- a. Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- a. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- b. The development program must provide phasing for installation of on-site landscaping and lighting.
- c. Recreational facilities and amenities including the 8 foot Hiker/Biker Trail, the Open Play II area, seating areas and trash receptacles must be completed prior to issuance of the 27th building permit.
- d. Landscaping associated with each row of townhouses must be completed as construction of each facility is completed.
- e. Pedestrian pathways and seating areas associated with each facility must be completed as construction of each facility is completed.
- f. Provide each section of the development with necessary roads.
- g. The development program must provide phasing of dedications, stormwater management, sediment and erosion control, trip mitigation, and other features.

13. Certified Site Plan

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

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

APPENDICES

- A. Statement of Justification
- B. Approval Letters/ Correspondence
- C. Recently Submitted Plans

APPENDIX A: Statement of Justification

Fifty, LLC

Site Plan
Statement of Justification

Fifty, LLC (the "Applicant") requests approval of a Site Plan, allowing the development of a 39 unit townhouse community, consistent with recently approved Local Map Amendment and associated Schematic Development Plan. The Property, which is the subject of this application, is known as 10113, 10119, 10123, 10127, 10131, 10201 and 10207 Darnestown Road (the "Property"). The Property includes 10 parcels consisting of P891, P944, P945, P946, P972, P970, P003, P971, P005, P051.

I. Property Description.

The Property is located on the north side of Darnestown Road, west of Travilah Road and east of Key West Avenue. The gross tract area of the Property is 214,197 square feet or 4.92 acres. The Applicant proposes a dedication of 15,080 square feet of the Property towards Darnestown Road, resulting in a net tract area of 199,117 square feet or 4.57 acres of land. The Property is currently improved with old, small detached houses with seven individual driveways accessing Darnestown Road.

II. Proposed Development.

The Property is located in the RT-8 zone, and is the subject of a recent Local Map Amendment ("LMA") approval (G-849), approved by the County Council, sitting as the District Council, on March 17, 2009 (Council Opinion Attached as Exhibit 1). The Schematic Development Plan, approved with the LMA, depicts 39 townhouse units in a design mirroring what is proposed in the subject site plan application. While the underlying zoning would allow up to 48 dwelling units, the Applicant has limited its development to 39 units, including 34 market units and 5 Moderately Priced Dwelling Units ("MPDU").

III. Montgomery County Code Compliance.

As described in detail below, the site plan complies with the requirements of Code Section 59-D-3.4(c). Accordingly, the Planning Board can appropriately reach the findings necessary for approval.

- A. Subsection 59-D-3.4(c)(1): *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.* As required, the site plan is consistent with the binding elements of the SDP. The SDP binding elements are:

1. *The Applicant agrees to dedicate its proportionate share of the necessary right-of-way width along Darnestown Road, as recommended in the Shady Grove Study Area Master Plan, adopted in July 1990.*

The Site Plan reflects the Applicant's dedication of its proportionate share of the necessary right-of-way width along Darnestown Road, which equates to 15,080 square feet. The right-of-way for Darnestown Rd (A280) between Key West Ave and Great Seneca Hwy is to be 100' wide, as confirmed on page 95 of the Shady Grove Master Plan.

2. *The Applicant agrees that an eight-foot shared path will be located within the public right-of-way, with final determination at time of Site Plan.*

The site plan reflects an eight-foot shared path along Darnestown Road.

3. *Maximum density of 39 one-family attached dwelling units including a minimum of 12.5% MPDUs, and maximum building height of 35 feet.*

The site plan reflects that the maximum density is 39 one-family attached dwelling units, including 5 MPDUs. The site plan also reflects that the maximum building height is 35 feet.

- B. Subsection 59-D-3.4(c)(2): *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed development complies with the development standards set forth for the RT-8 zone in Code Section 59-C-1.73 (Development Standards), as identified below:

		DEVELOPMENT STANDARDS			
		PERMITTED/REQUIRED		PROPOSED	
Use		Townhouse		Townhouse	
Minimum Tract Area		20,000 sqft or 0.46 Ac.		214,197 sqft or 4.92 Ac.	
Maximum Density		9.76 du/Ac or 48 Lots		39 Lots	
MPDUs		12.50%		12.50%	
Building Setbacks					
Front		NA		0'	
Side		NA		0'	
Rear		NA		0'	
From any Detached Dwelling in a one family Detached Residential Zone					
		30'		30' or greater	
From any Public ROW					
		25'		25' or greater	
From any Adjoining Lot					
Side		10'		10' or greater	
Rear		20'		20' or greater	
Maximum Building Height					
Main Building		35'		35' or less	
Accessory Building		25'		25' or less	
Building Coverage - Tract					
		40% max		40% or less	
Green Area					
		45% min		45% or greater	

In addition, the proposed development complies with the special regulations set forth for the RT-8 zone as set forth in Section 59-C-1.72.

1. *59-C-1.72 Special Regulations*

59-C-1.721. Intent and purpose. The purpose of the R-T Zone is to provide suitable sites for townhouses:

- (a) *In sections of the County that are designed or appropriate for residential development at densities allowed in the R-T Zones; or*
- (b) *In locations in the County where there is a need for a buffer or transitional uses between commercial, industrial, or high-density apartment uses and low-density one-family uses.*

It is the intent of the R-T Zones to provide the maximum amount of freedom possible in the design of townhouses and their group and layout within the areas classified in that zone, to provide in such developments the amenities normally associated with less dense zoning categories, to permit the greatest possible amount of freedom

in types of ownership of townhouses and townhouse developments, to prevent detrimental effects to the use or development of adjacent properties or the neighborhood and to promote the use or development of adjacent properties or the neighborhood and to promote the health, safety, morals and welfare of the present and future inhabitants of the district and the County as a whole. The fact that the an application for R-T zoning complies with all specific requirements and purposes set forth herein shall not be deemed to create a presumption that the resulting development would be compatible with surrounding land uses and, in itself shall not be sufficient to require the granting of the application.

In approving the LMA for the Property, the Council found that the SDP, depicting 39 townhouses in the layout as shown on the site plan, is consistent with the intent and purposes of the RT-8 zone. Council Opinion at p. 18. In addition, the Council found that the subject 39 townhouse development will "play an important transitional role between the existing one-family residential development south of Darnestown Road and the future redevelopment of the PSTA site. . . . The proposed development will complement and complete the residential orientation of the portion of Darnestown Road between Travilah Road and Key West Avenue. This proposed development will complete the transition between the existing one-family residential development on the south side of Darnestown Road and either the PSTA activities or the proposed redevelopment of the PSTA site." Council Opinion at p. 18.

2. Subsection 59-C-1.722. Row Design:

(a) *Eight townhouses is the maximum number permitted in any one attached row.*

(b) *Three continuous, attached townhouses is the maximum number permitted with the same front building line. The variations in building line must be at least 2 feet.*

As the site plan reflects, there are no more than eight townhouses in any attached row. There are no more than three continuous, attached townhouses, within the same front building line.

C. 59-D-3.4(c)(3) the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.

As designed, the location of buildings, open spaces, landscaping, recreation features and pedestrian and vehicular circulation systems are an improvement of the existing site conditions and are more than adequate, safe and efficient. Through the SDP process, and as implemented through the subject site plan, the Applicant has carefully arranged the townhomes to maximize green space,

setbacks and the overall enjoyment by residents of this new community. The Applicant proposes a seating area, open play area, tot lot and large conservation easement area, which residents can experience and enjoy.

Pedestrian connections are provided throughout the new community. In addition, a new 8 foot wide path is being added along Darnestown Road, and a proposed pedestrian connection has been provided should the PSTA property redevelop.

The Applicant proposes improved access points into the Property, by consolidating the existing seven curb cuts into two limited access drives. Darnestown Road will be improved adjacent to these driveways, which will enhance vehicular circulation.

- D. Subsection 59-D-3.4(c)(4): *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.* This issue was exhaustively discussed and reviewed by the County during the LMA approval process for the Property. As noted in section IIIB above, the Planning Staff, Planning Board, Hearing Examiner and County Council all found that the structures and uses are compatible with other uses and with existing and proposed adjacent development. Council Opinion at 19.

The LMA was reviewed by the County for purposes of finding compatibility. It was found that "[t]he proposed townhouse development would blend well with the mix of residential and non-residential uses in the surrounding area If the PSTA is moved and replaced with a residential or mixed residential/commercial community . . . the proposed townhouses would still fit in well with the surrounding development." Council Opinion at p. 17, Hearing Examiner's Report and Recommendations dated February 28, 2009 ("Hearing Examiner's Report" at Circle 106, attached hereto as Exhibit 2). The Hearing Examiner, quoting the Planning Board, stated "the proposed project would be appropriate for the site and would be compatible with existing development and future land uses planned for the area." Hearing Examiner Report at circle 106.

The Hearing Examiner also found compatibility with Parcel 50, located to the east of the Property. Parcel 50 is improved with a building housing a special exception dance studio use and residence. The Hearing Examiner concluded that Parcel 50 is "already located on a block with several non-residential uses, and the lots comprising the subject property are currently occupied by dilapidated buildings, which are eyesores. Moreover, the Applicant has committed to providing buffering along the eastern property line, between the subject site and Mr. Lolatchy's property, in the form of a wooden fence at least six feet high, plus 6-8 foot evergreens." Hearing Examiner Report at Circle 105; Council Opinion at p. 17. The Council held that the "proposed development will not detrimentally affect the adjacent property to the east, currently owned by Mr. Lolatchy". Council Opinion at p. 17.

- E. Subsection 59-D-3.4(c)(5): *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The Department of Permitting Services ("DPS") approved a Stormwater Management Concept Plan for the Property. The property will comply with Chapter 19 regarding water resource protection and other applicable laws.

In addition, a Preliminary Forest Conservation Plan has been proposed and reviewed during the LMA review process for the Property. As denoted on the Final Forest Conservation Plan, the proposed development complies with applicable requirements of Chapter 22A regarding forest conservation.

IV. Conclusion.

As demonstrated by this Statement of Justification and the materials submitted herewith, the site plan satisfies all applicable requirements of the Montgomery County Code. The proposed project is consistent with the approved LMA and associated SDP for the Property and complies with the development standards of the RT-8 Zone. The community's layout, including the building placement, open space, landscaping and pedestrian and vehicular circulation are adequate, safe and efficient.

For the reasons set forth herein, we respectfully request that the Planning Board approve the requested Site Plan application. We appreciate your consideration of this matter.

APPENDIX B: Approval Letters/ Correspondence



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

June 11, 2010

Mr. Ki Kim, Planner
Transportation Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Local Area Transportation Review/
Policy Area Mobility Review for
Darnestown at Travilah
Preliminary Plan 1-20100230

Dear Mr. Kim:

We have completed our review of the Traffic Impact Study dated April 7, 2010 for the above referenced project prepared by the Traffic Group Inc. The site is located in the R& D Village Policy Area and has a congestion standard of 1450.

Local Area Transportation Review

We agree that all critical intersections will have acceptable Critical Lane Volumes.

Policy Area Mobility Review

We also agree that Policy Area Mobility Review can be satisfied by a monetary contribution of \$11,000.00 per trip for each of the ten (10) trips to be mitigated for a total of \$110,000.00.

Pedestrian and Bicycle Impact Statement

The document does not appear to provide the Pedestrian and Bicycle Impact Statement specified in the approved Local Area Transportation Review Guidelines. Since the report has been accepted for review, sidewalks already exist from Key West Ave leading to the Darnestown Road site frontage, and there are existing crosswalks at the nearby intersections of Darnestown Road with Travilah Road and Key West Ave, we accept the document without need for further changes.

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

Mr. Ki Kim
Darnestown at Travilah
Traffic Impact Study
June 11, 2010
Page 2

In summary, we find the proposed Darnestown at Travilah project will pass both LATR and PAMR reviews.

Thank you for the opportunity to review this Traffic Impact Study. If you have any questions or comments regarding this letter, please contact Sam Farhadi at (240) 777-2197.

Sincerely,


Gregory M. Leck, Manager
Development Review Team

M:\subdivision\FARHAS01\TIS\Darnestown at Travilah\TIS.doc

cc: Glenn Cook, Traffic Group Inc
Gary Erenrich, DOT
William Haynes, DOT
Kamal Hamud, DOT
Sam Farhadi, DOT TEO



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

June 14, 2010

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan 1-20100230
Darnestown at Travilah

Dear Ms. Conlon:

We have completed our review of the unsigned, updated preliminary plan that was printed on June 11, 2010. An earlier version of this preliminary plan was reviewed by the Development Review Committee at its meeting on May 3, 2010. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Darnestown Road in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference. Due to obstructions, the eastern entrance is limited to right-in only movements.
4. 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. Also, the homeowners' documents should establish each property owner's rights & responsibilities with respect to use, maintenance, & liability of the private rights-of-way.

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. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
7. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
8. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operation Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
9. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with Division of Highway Services, Tree Maintenance Section. Mr. Linkletter may be contacted at (240) 777-7651.
10. Provide twenty (20) foot wide channelized driveway based on the MSHA/EAPD concept detail. As previously noted, the eastern driveway will be limited to right-in only movements. The western driveway will need to physically limit all movements to right-in and right-out.
11. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. Construct concrete curb and gutter across the site frontage, set twenty five (25) feet from the centerline, based on MCDOT closed section arterial roadway standard (MC-213.01) modified, with an enclosed storm drain system. Provide a lawn panel no less than ten (10) feet wide between the curb and face of the concrete bikepath, within which minor ("small") species street trees are to be planted. Construct eight (8) foot wide concrete bikepath across the site frontage, set at least two (2) feet inside the right-of-way.
 - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.

Ms. Catherine Conlon
Preliminary Plan No. 1-20100230
June 14, 2010
Page 3

- D. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Division.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi at (240) 777-2197.

Sincerely,



Gregory M. Leck, P.E. Manager
Development Review Team

m:/subdivision/farhas01/preliminary plans/ 1-20100230, Darnestown at Travilah, gml revs.doc

Enclosures (2)

cc: Michael Postal, Fifty LLC
Les Powell, Charles P. Johnson & Associates
Stacy P. Silber, Holland & Knight
Preliminary Plan Folder
Preliminary Plans Note Book

cc-E: Richard Weaver; M-NCPPC DRD
Molline Smith; M-NCPPC DRD
Shahriar Etemadi; M-NCPPC TPD
Sarah Navid; DPS RWPR
Henry Emery; DPS RWPR
Brett Linkletter; DOT DHM
Gail Tait-Nouri; DOT DTE
Dan Sanayi; DOT DTEO
Fred Lees; DOT DTEO
Sam Farhadi, DOT DTEO



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: Darnestown at Travilah Preliminary Plan Number: 1-20100230

Street Name: Darnestown Road Master Plan Road Classification: Arterial

Posted Speed Limit: 40 mph

Street/Driveway #1 (West Entrance) Street/Driveway #2 (East Entrance)

Sight Distance (feet) OK?
 Right 800' + ✓
 Left 600' + ✓

Sight Distance (feet) OK?
 Right 800' + ✓
 Left *325' ✓

Comments: _____

Comments: * Site distance can be achieved through the relocation of an existing commercial entrance sign, utility pole and removal/ cutting of vegetation only.

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

David Michael
 Signature

14752
 PLS/P.E. MD Reg. No.



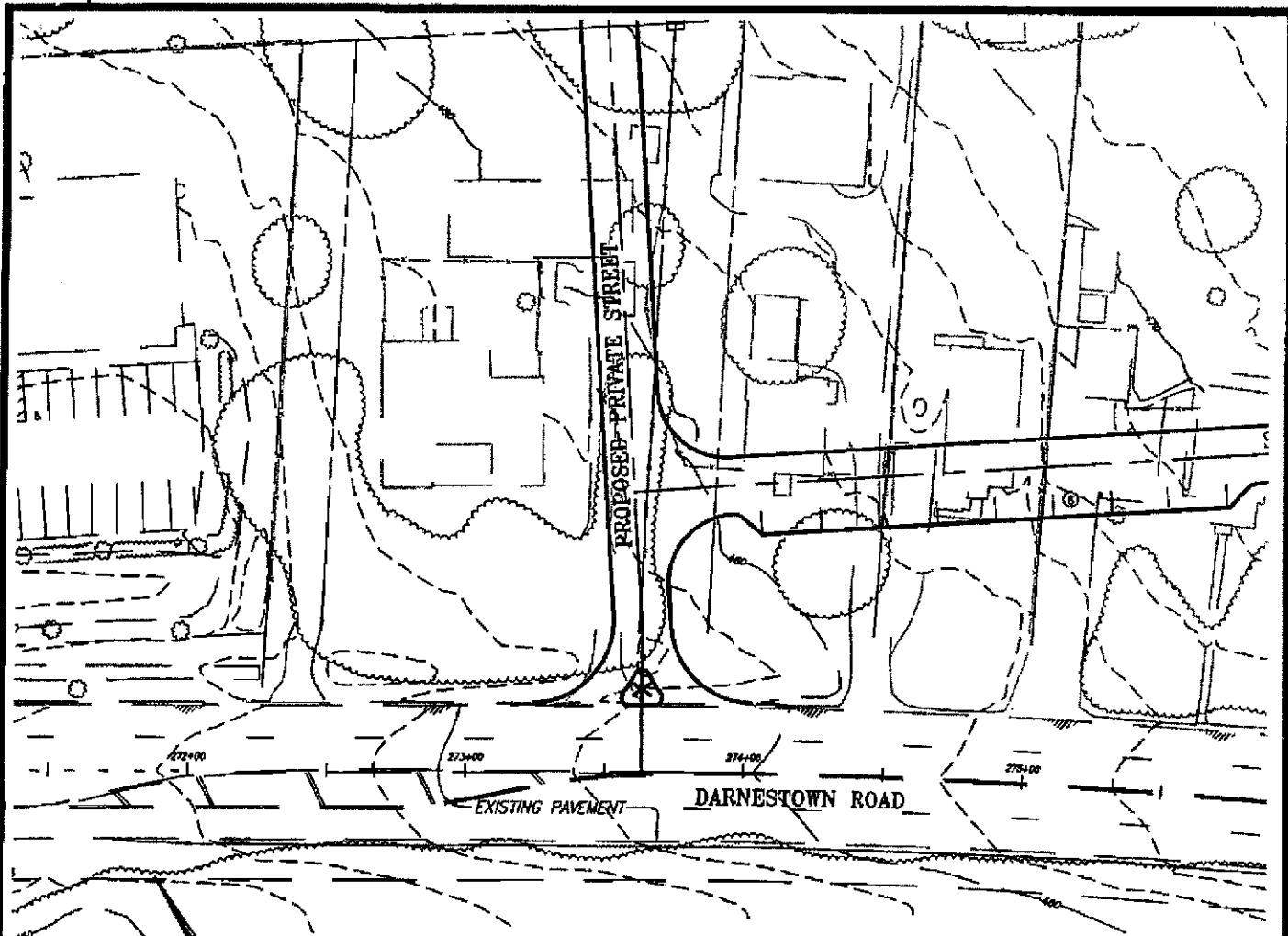
Montgomery County Review:

Approved

Disapproved:

By: _____

Date: _____



SCALE: 1"=60'
 MARYLAND STATE PLANE
 DATUM (MAD 83/91)

WEST ENTRANCE

* LOCATION OF SITE DISTANCE STUDY POINT

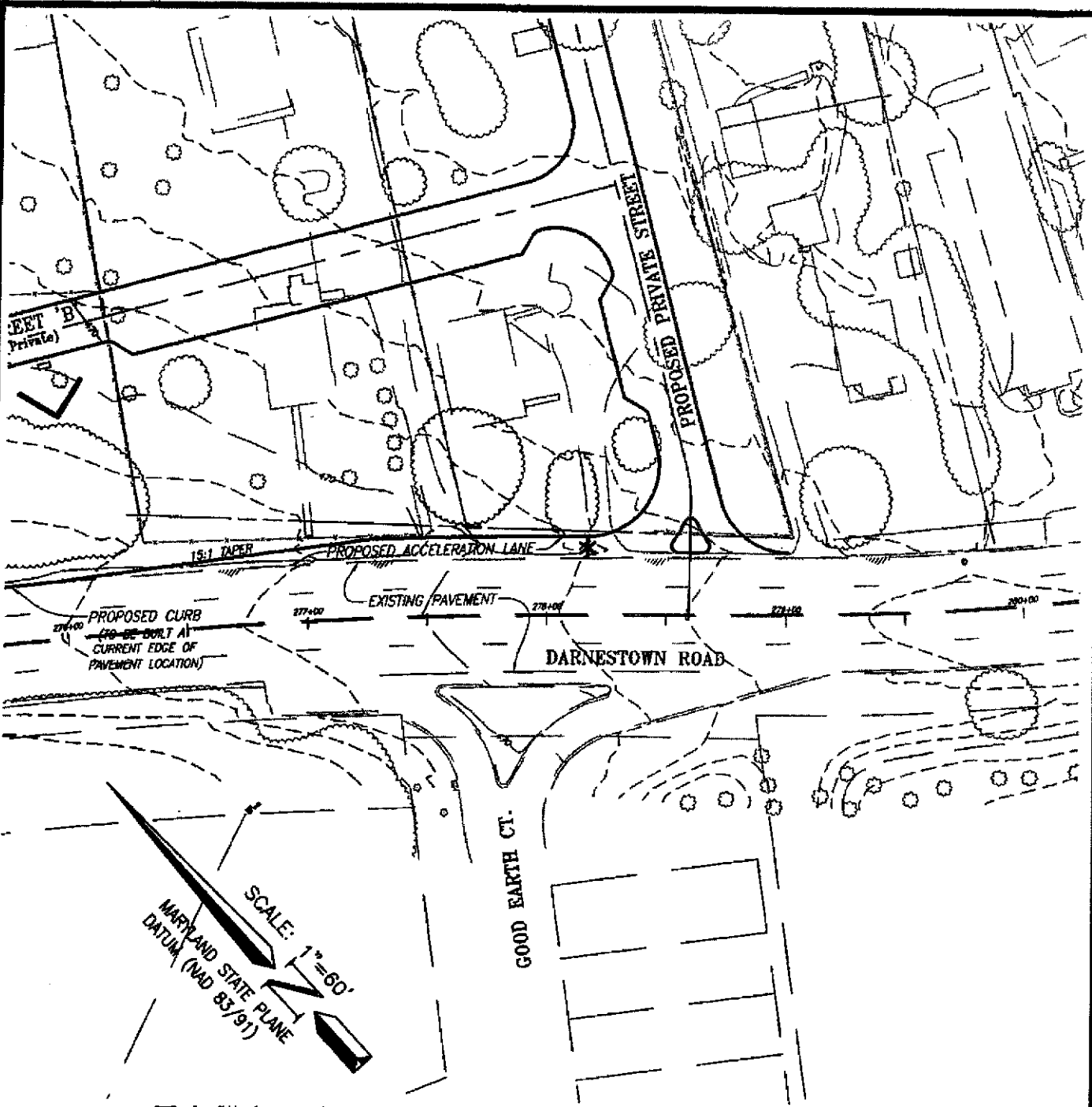
**SITE DISTANCE STUDY
 EXHIBIT
 DARNESTOWN AT TRAVILAH
 GAITERSBURG (9th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND**

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 Associates 2781 Elton Rd., Ste. 500 Silver Spring, MD 20905 301.434.7000 Fax: 301.434.5094
 www.cpjia.com • Gaithersburg, MD • Frederick, MD • Stevensville, MD • Fairfax, VA

CLIENT: EPTV, LLC 2700 SOUTH NELSON STREET ARLINGTON, VIRGINIA 22204 PHONE: 703.997.3017	PRESUMINARY PLAN NO.	SITE PLAN NO.	
	DESIGN DMO	SHEET 1	OF 2
	DRAFT		
DATE FEB. 2010		FILE NO. 37-210-94.1	
SCALE 1" = 60'			

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Attached: 37-210-94.1-2



EAST ENTRANCE

* LOCATION OF SITE DISTANCE STUDY POINT

SCALE: 1"=60'
 MARYLAND STATE PLANE
 DATUM (MAD 85/91)

**SITE DISTANCE STUDY
 EXHIBIT**

DARNESTOWN AT TRAVILAH
 GAITERSBURG (9th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 Associates
 1781 Elton Rd., Ste. 300 Silver Spring, MD 20906 301.434.7000 Fax: 301.434.5294
 www.cpj.com • Gaithersburg, MD • Frederick, MD • Stevensville, MD • Fairfax, VA

CLIENT: PEYTE, LLC 2000 SOUTH NELSON STREET ARLINGTON, VIRGINIA 22204 PHONE: (703) 927-2000	PRELIMINARY PLAN NO. DESIGN DMO DRAFT DATE FEB. 2010 SCALE 1" = 60'	SITE PLAN NO. SHEET 2 OF 2 FILE NO. 37-30-941
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MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 21, 2010

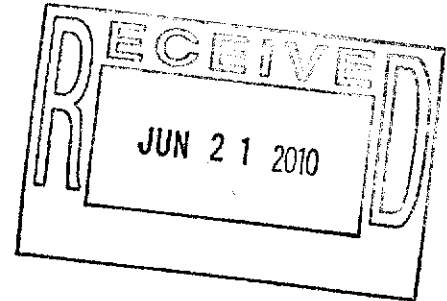
MEMORANDUM

TO: Molline Smith, Planner
Richard Weaver, Coordinator
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning Division

FROM: Ki H. Kim, Planner/Coordinator
Transportation Planning Division

SUBJECT: Site Plan No. 820100700 and Preliminary Plan No. 120100230
Darnestown Road Property
Darnestown Area



[Handwritten signatures and initials: a large signature over the VIA line and 'KHK' over the FROM line]

This memorandum represents Transportation Planning staff's Adequate Public Facilities (APF) review and recommendations on the subject site plan and preliminary plan applications. The application includes 39 single-family attached residential units proposed for the Darnestown Road Property, located along north side of Darnestown Road, east of its intersection with Key West Avenue (MD 28) in the Darnestown area.

RECOMMENDATION

Based on our review of the site plan and the traffic analysis submitted by the applicant, staff recommends the following conditions as part of the APF test related for approval of the subject site plan and preliminary plan applications.

1. Total development under the subject site plan and preliminary plan application is limited to 39 single-family attached residential units shown on the site plan and analyzed in the traffic study.
2. The applicant must make a lump sum payment of \$115,000.00 prior to obtaining the building permit to mitigate the PAMR required 10 peak-hour trips.

DISCUSSION

Local Area Transportation Review (LATR)

Two intersections were identified as critical intersections affected by the proposed development and were examined in a submitted traffic study to determine whether they meet the applicable congestion standard. The congestion standard for the R&D Policy Area is 1,450 Critical Lane Volumes (CLV). The result of the CLV analysis is summarized in Table 1.

Table 1: Calculated Critical Lane Volume Values at Studied Intersections

Intersection	Weekday Peak Hour	Traffic Condition		
		Existing	Background	Total
MD 28 & Darnestown Road	Morning	799	1,079	1,085
	Evening	1,020	1,166	1,170
Darnestown Road & Travilah Road	Morning	970	1,090	1,095
	Evening	995	1,149	1,150

As shown in the above table, all analyzed intersections are currently operating within an acceptable CLV level of 1,450 and are expected to continue the same for the background and total future development conditions. Therefore, the subject site plan and preliminary plan applications meet the LATR requirements of the APF review.

Policy Area Mobility Review (PAMR)

The site is located within the R&D Policy Area where there is a 40% PAMR trip mitigation requirement according to the County's Growth Policy. The applicant offered to make a lump sum payment of \$115,000.00 to mitigate 10 peak-hour trips which represent 40% of new trips generated by the proposed development. Thus, the subject site plan and preliminary plan applications meet the PAMR requirements of the APF review.

Site Access and Vehicular/Pedestrian Circulation

Two access points to the site are proposed from Darnestown Road. Due to the sight distance limitations, the eastern entrance is limited to a right-in only movement and the western entrance is limited to a right-in/ right-out only movement. The site plan shows 8' hiker/biker along Darnestown Road frontage with lead-in sidewalks to the site to accommodate pedestrian activities safely.

Staff has reviewed the proposed access points and internal traffic/pedestrian circulation system shown on the site plan and finds them to be adequate.

CONCLUSION

Transportation Planning staff concludes that the subject site plan and preliminary plan applications for the 39 townhouses called Darnestown Road Property development satisfies the LATR/PAMR requirements of the APF review with conditions described in this memorandum.

KK:tc



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

MEMORANDUM

TO: Robert Kronenberg, Development Review
Rich Weaver, Development Review

VIA: Stephen Federline, Master Planner, Environmental Planning *SFF*

FROM: Josh Penn, Environmental Planning *JP*

DATE: June 21, 2010

SUBJECT: Site Plan #820100070 Darnestown at Travilah
Preliminary Plan #120100230 Darnestown at Travilah

The Environmental Planning Division recommends the Planning Board approve the Preliminary Plan of Subdivision, the Site Plan, and the Forest Conservation Plan, subject to the following conditions:

1. Compliance with the conditions of approval of the Final Forest Conservation Plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit(s) as appropriate.
2. Record plat to show Category I conservation easements over all afforestation areas as shown on the forest conservation plan.
3. The easement area to be protected with split rail fencing, or other staff approved equivalent, to prohibit damage from mowing and other landscaping activities due the proximity of the tot lot and residential uses.
4. The applicant shall have an ISA certified arborist prepare and implement a specific tree save plan for tree #42.

BACKGROUND

The 5.24-acre property is located on Darnestown Road 1000 feet southeast of Key West Avenue in Rockville, MD. The property is bound on the west side by a medical center, the north side by the Public Service Training Academy, the east side by residential, and Darnestown Road on the south side. The property is currently single family residential lots. The applicant is proposing the creation of 39 townhouse subdivision.

DISCUSSION

Environmental Planning staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) (#420061040) on August 21, 2010. There are no forests, streams, wetlands, steep slopes, or environmental buffers on-site. The site is mostly open, with

some large and specimen trees on the west side of the site. The property is within the Muddy Branch watershed; a Use I-P watershed. The Countywide Stream Protection Strategy (CSPS) rates the streams in this watershed as fair.

Environmental Guidelines

There are no environmentally sensitive features on-site. This plan complies fully with the Montgomery County Environmental Guidelines.

While there are no environmentally sensitive features onsite, there is a nice stand of 6 large and specimen trees in the northwest corner of the site. The applicant has proposed to protect that stand of trees and will convert the area into an afforestation area.

Forest Conservation

Staff finds that the plan meets all applicable requirements of the county Forest Conservation Law, Chapter 22A. The forest conservation requirement on the 5.24 acre site equals 0.73 acres. To meet this requirement, the Forest Conservation Plan shows 0.15 acres of landscaping credit, 0.49 acres of afforestation which is to be protected in a Category I easement, and 0.09 acres to be met off-site via a forest conservation bank.

Staff has recommended as a condition of approval that the easement area be protected with split rail fencing, or staff approved equivalent, to prohibit damage from mowing and other landscaping activities given its proximity of the tot lot and residential uses. The location of lot 7 and the immediately adjacent tot lot provides cause of concern, since the easement is all the way to the rear of the property. However staff believes permanent split-rail fencing and signage will be adequate to prevent accidental encroachments into the easement area.

Forest Conservation Variance

Section 1607(c) of the Natural Resources Article, MD Ann. Code, identifies certain individual trees as high priority for retention and protection. Any impact to these trees, including removal or any disturbance within a tree's critical root zone (CRZ), requires a variance. An Applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the Montgomery County Code. The law requires no impact to any trees that measure 30" diameter at breast height (DBH) or greater; any tree designated as the county champion tree; trees with a DBH 75% or greater than the diameter of the current State champion for that species; trees associated with a historic site or structure; and rare, threatened and endangered species. Since this project did not obtain approval of this Forest Conservation Plan amendment prior to October 1, 2009 and the applicant is proposing to remove five trees greater than 30 inches DBH and affect/impact one tree greater than 30 inches DBH, a variance is required. The applicant's variance request is provided in Attachment A.

Section 22A-21(c) of the County Code requires the Planning Board to refer a copy of

each request to the County Arborist in the Montgomery County Department of Environmental Protection and other appropriate officials or agencies for a written recommendation prior to acting on the request. The County Arborist has 30 days to comment. The variance request was referred to the County Arborist on June 11, 2010. In a letter dated June 16, 2010, the County Arborist elected not to review the variance request (see Attachment B).

Section 22A-21(e) of the County code states that the Planning Board must make certain findings that the applicant has met all requirements of this section before granting a variance. The four findings are listed below, each followed by information and recommendations offered in support of the specific finding.

1. *Will confer on the applicant a special privilege that would be denied to other applicants.*

The proposed FCP will remove five specimen trees; 35" Silver Maple in good condition; 34" Silver Maple in good condition; 34" Silver Maple in fair condition; 40" Willow Oak in good condition; 30" Willow Oak in good condition; and a 36" Post Oak in good condition. The one tree being impacted is to remain and will need tree save measures to help protect it from the construction activities. The proposed plan is a typical development situation where there is a balance between loss of trees and development of the site, no special privilege would be granted to the applicant that would not be granted to others.

2. *Is based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of specific actions by the applicant outside the norm of a development application allowed under the applicable zoning and associated regulations. The requested variance is based on the proposed site layout and a design to achieve a reasonable layout given an existing school that is to remain.

3. *Arises from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property.*

The requested variance is a result of the proposed site design and layout on the subject property in accord with zoning and subdivision requirements and not as a result of land or building use on a neighboring property.

4. *Will violate State water quality standards or cause measurable degradation in water quality.*

This site contains no wetlands, streams, floodplains, or stream valley buffers and the removal of these specific trees will not cause a measurable degradation in water quality.

The retention of tree #42 is feasible but will require more than just the standard tree save measures to help protect it from the stress from the site development. Staff recommends that an ISA certified arborist prepare and implement a specific tree save plan for tree #42.

As a result of documentation provided in support for the above findings, Environmental Planning staff recommends Board approval of the applicant's request for a variance, as required per Section 1607(c) of the Natural Resources Article, MD Ann. Code with the condition that an ISA certified arborist prepare and implement a specific tree save plan for tree #42.

The variance approval is a necessary component of the Planning Board's approval of the forest conservation plan.

RECOMMENDATION

Environmental Planning recommends the Planning Board approve the Preliminary Plan of Subdivision, the Site Plan, and the Preliminary Forest Conservation Plan.



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

July 1, 2010

MEMORANDUM

TO: Molline C. Smith, ASLA, Senior Planner
Development Review Division

VIA: Sue Edwards, Team Leader
North Central Transit Corridor Team, Vision Division

Nancy Sturgeon, Planner Coordinator *NS*
North Central Transit Corridor Team, Vision Division

FROM: Ronald Cashion, RA, Planner Coordinator, Urban Designer *RC*
North Central Transit Corridor Team, Vision Division

SUBJECT: Darnestown at Travilah Site Plan 820100070

MASTER PLAN: Great Seneca Science Corridor Master Plan
Approved May 4, 2010

RECOMMENDATION: Vision staff recommends approval of the Applicant's proposed Site Plan. The Site Plan is in compliance with the previously applicable Approved and Adopted July 1990 Shady Grove Study Area Master Plan, and the currently applicable and recently Approved Great Seneca Science Corridor Master Plan (GSSCMP).

BACKGROUND

Site Location

The Site Plan for the subject property consists of 4.92 acres (214,197 square feet) and 39 townhouses located on the north side of Darnestown Road, northwest of the intersection of Travilah and Darnestown Roads. The site is within the Life Sciences Center portion of the GSSCMP.

Local Map Amendment Application G-849

The Applicant (Fifty, LLC) has developed the proposed Site Plan subsequent to the December 11, 2008 Planning Board approval of the Development Plan Amendment Application for rezoning of the site from the R-90 Zone to the R-T 8 Zone for the proposed 39 townhouses.

Prior to the rezoning approval the application had been remanded by the County Council to the Planning Board for a more detailed analysis of compatibility with the Public Safety Training Academy (PSTA) located adjacent to and north of the site. The remand included a request for added analysis of noise impacts associated with the adjacent PSTA uses.

Planning staff reviewed and recommended approval of the Schematic Development Plan (SDP) in the context of both the then applicable July 1990 Shady Grove Study Area Master Plan and the anticipated Gaithersburg West Master Plan, underway at the time of review, and now approved by the Planning Board and County Council as the Great Seneca Science Corridor Master Plan (GSSCMP). The staff analysis and recommendation for approval of the remanded plan for rezoning included the following considerations:

SDP compliance with the 1990 Shady Grove Study Area Master Plan -

- The proposed residential density of 7.9 units/acre conformed to the land use plan range of 7-10 units/acre;
- Consolidation of individual properties at the Darnestown Road frontage was achieved;
- The plan density and access configuration conformed to requirements for the Darnestown road frontage;
- The revised plan was significantly improved in comparison to the pre-remand plan with better internal circulation and an open frontage area at Darnestown Road;
- The inclusion of the berm and screening at the north PSTA side of the site would provide a visual and noise buffer (for the existing PSTA uses); this was a primary consideration related to the remand of the earlier plan;
- The plan met the Intent and Purpose sections (59-C-1.721) of the R-T Zone;
- The plan provided an appropriate transition between the adjacent established residential neighborhood southwest of Darnestown Road and other uses that are adjacent to the subject property, including current uses at the abutting PSTA site and compatibility with potential redevelopment of the PSTA site.

SDP compliance with the anticipated new Gaithersburg West Master Plan -

- The SDP provided an appropriate transition to existing residential uses along Darnestown Road;
- The SDP also provided an appropriate transition to the existing, current uses at the abutting PSTA site and compatibility with potential redevelopment of the PSTA site, and;
- The post-remand plan provided for future pedestrian connections to the new development that could occur with the anticipated relocation of the PSTA uses.

Planning Board Conditions for Approval of the Post-Remanded SDP

Staff concluded that the revised SDP had responded to conditions requiring the remanded plan, including the Applicant's completion of extensive analysis of potential noise impacts of the adjacent PSTA uses, and that the plan had been significantly improved. The Planning Board concurred with the staff recommendation and unanimously approved the SDP. The binding elements of the SDP included:

- Referencing design and landscape elements to be addressed and considered at site plan;
- Commitment for the Applicant to dedicate its proportionate share of the necessary right-of-way width along Darnestown Road, and;
- Provision of an eight-foot wide shared path located within the public-right-of way (of Darnestown Road).

Hearing Examiner's Review of the Pre-Remanded SDP

The Hearing Examiner's prior October 13, 2006 report and approval recommendation related to the original pre-remanded plan concluded that the application:

- Satisfied the requirement of the purpose clause of the R-T Zone;
- Proposed a form of development that would be compatible with existing and planned land uses in the surrounding area, and;
- With the requested reclassification to the R-T 8 Zone bears sufficient relationship to the public interest to justify its approval.

The Hearing Examiner's review also included the following considerations related to the anticipated Site Plan phase of the proposed project:

- The need for an evaluation as to whether adequate amenities are provided;
- The Applicant's commitment to provide noise mitigation, as a binding element of the SDP, at or below the prescribed 45dB for interiors and at or below 65dBA at exterior areas;
- Possibly including reforestation at the Darnestown frontage to buffer road noise, and;
- The approved SDP is an illustrative layout that is subject to change at later stages of review, provided that the binding elements are followed.

OVERVIEW OF THE PROPOSED SITE PLAN

Subsequent to the Hearing Examiner's original approval of the zoning reclassification and the Planning Board's approval of the remanded plan, Department and interagency staff have provided significant input related to considerations for the Site Plan. A detailed description of the current Site Plan is included in the Development Review Division's staff report.

Features of the SDP retained in the Site Plan include:

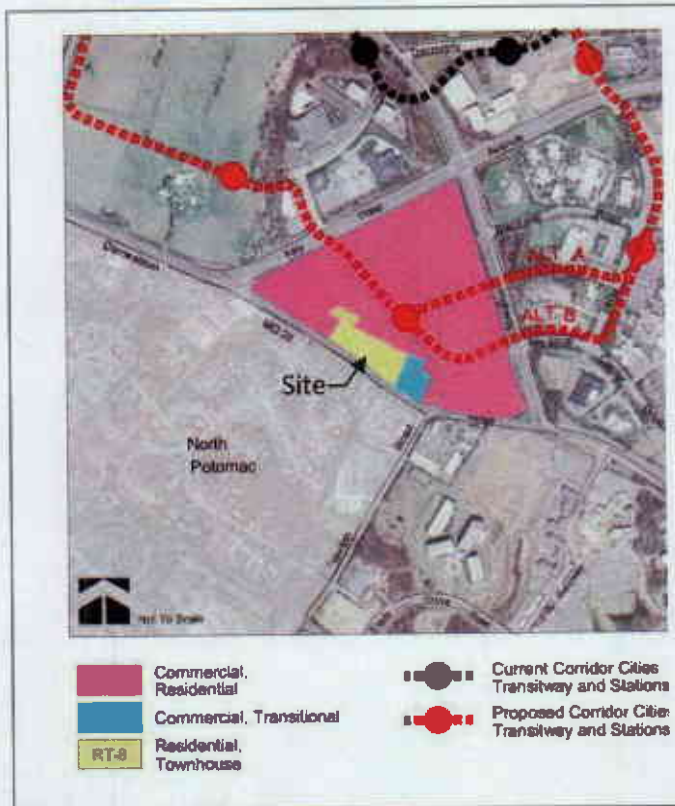
- The general overall layout at the Darnestown Road frontage including the open space area and the vehicular access requirements;
- Significant landscape planting at the Darnestown frontage and at the northeast property line inclusive of a berm and a screening fence at the northeast area. This area is designed to -
 - Buffer the residential units from the interim uses and activities of the PSTA, and;
 - Provide an appropriate transition between the Darnestown at Travilah townhouse project and the future adjacent residential and mixed-use development, and;
- The provision for the future extension of two walkway connections through the site from Darnestown Road to the adjacent LSC West, transit-oriented residential community.

Differences between the SDP and the current Site Plan include:

- Adjustments to the location of the 39 townhouses including -
 - Protection of the important forest conservation area in the northwest corner of the site;
 - An improved layout of the central site area with added separation of the units.
- Addition of a tot lot in the northwest corner.

COMPLIANCE WITH THE GSSCMP

The May 4, 2010 Approved Great Seneca Science Corridor Master Plan addresses the Life Sciences Center (LSC) and the subject property.



Proposed Land Use and Zoning
LSC West
Pg. 32, GSSCMP



Urban Form Diagram
LSC West
Pg. 32, GSSCMP

Proposed Land Use and Zoning

The GSSCMP confirms the site as rezoned to R-T 8 following the approved Schematic Development Plan:

- The adjacent existing two special exception uses to the east of the site, a dance studio and a child care facility, are shown as Commercial Transitional uses with master plan zoning changed from R-90/TDR to C-T;
- The surrounding larger, LSC West area, including the Corridor Cities Transitway (CCT) and station, are designated to replace the PSTA uses as a residential and mixed-use development with CR zoning to include -
 - Requirement of a concept plan with the first preliminary plan to address the CCT location, and;
 - Placement of the highest density housing and building height closest to the CCT station with the addition of a local street network and public open spaces.

Urban Form (Refer to Diagram Pg. 4, GSSCMP Pg. 32)

The GSSCMP includes an Urban Form diagram as a general concept for the LSC West development and illustrates:

- A development block and local roadway network pattern for the new residential and mixed-use LSC area;
- Extension of the LSC transit loop from Medical Center Drive with the station location adjacent and west of a planned central open space;
- Provision of at least 15 percent of the net tract area as public use space;
- Location of highest density housing with heights up to 150 feet near the transit station;
- Location of one of the higher density residential blocks southeast of the transit station and northwest of the Darnestown at Travilah site;
- Proposed Build-to-Lines at key street front areas around the transit station, and;
- Two secondary, local right-of-ways that overlap the subject property -
 - one, parallel to Darnestown Road, and crossing the northeast corner of the site;
 - a second traversing the southeast portion of the property from Darnestown Road through to one of the residential blocks adjacent to the transit station.



Proposed Mobility/ Highways and Roads
LSC West
Pg. 33, GSSCMP

Proposed Highways and Roads (Refer to Diagram Pg. 5, GSSCMP Pg. 33)

The Master Plan includes proposed roadways in the LSC West area. This Mobility Plan includes:

- Major Highways and Proposed Arterial Roads;
- Proposed Business Roads, and;
- The Proposed CCT Transitway and LSC West Station

Relative to the Darnestown at Travilah Site Plan this Proposed Highways and Roads exhibit:

- Contains no roads located on or through the subject property;
- Contains two Business Roads that will link Darnestown Road to the future LSC West residential development at the vacated PSTA area. These two roads are located southeast and northwest of the Darnestown at Travilah site and will not impact the proposed townhouse development, and;
- Does not contain the two internal right-of-ways that traverse the Darnestown at Travilah site as shown on the GSSCMP Urban Form diagram.

Vehicular Access for the Darnestown at Travilah Site Plan

Relative to vehicular access for the Darnestown at Travilah development, Vision staff has determined that the Site Plan as proposed is in compliance with the GSSCMP:

- The Proposed Mobility/Highways and Roads plan and the additional "Transportation Network Plan" (GSSCMP pg. 70) do not include roadways that would traverse or impact the subject site;
- The two internal, secondary right-of-ways included in the "Urban Form" diagram that traverse the site are not required for development of the future adjacent residential and mixed-use community at the vacated PSTA central land area;
- The "Urban Form" block and right-of-way diagram can be refined at the Concept Plan phase of planning for the adjacent transit-oriented development. The LSC West Concept Plan would determine the best use and treatment of the transitional space between the designated maximum 150-foot height residential block and the adjacent townhouses at the Darnestown at Travilah site.

COMMUNITY CONCERNS

Vision staff is unaware of any concerns expressed by community residents regarding the current site plan. Staff recalls that the prior approval of the zoning change and SDP by the Planning Board occurred without community opposition. Staff has noted and concurs with the Hearing Examiner's October 13, 2006 analysis of the SDP that concerns expressed by the adjacent property owner will be adequately addressed with the binding elements. Mr. Lolatchy, the owner of the residence and dance studio to the southeast, had voiced concerns including adequate screening and possible parking on his property.

CONCLUSION

Pending detailed findings and conditions that may be needed as determined by the Development Review Division, Vision staff recommends approval of the Darnestown at Travilah Site Plan.

The 39-unit townhouse development as proposed:

- Complies substantially with the prior approved, post remanded Schematic Development Plan;
- Is in conformance with both the prior applicable Approved and Adopted July 1990 Shady Grove Study Area Master Plan, and the currently applicable and recently Approved Great Seneca Science Corridor Master Plan (GSSCMP);
- Complies with the GSSCMP Mobility/ Highways and Roads plan and allows for adjustments to the Urban Form diagram to assure compatibility with the future adjacent LSC West uses proposed at the PSTA site;
- Reflects significant input from interagency staff during the Development Review Committee work sessions, and;
- Provides an appropriate and attractive transitional land use between the established residential neighborhood at Darnestown Road and the adjacent planned LSC West transit-oriented residential and mixed-use community.

Smith, Molline

From: Les Powell [lpowell@cpja.com]
Sent: Wednesday, June 23, 2010 1:01 PM
To: Smith, Molline
Subject: FW: Darnestown at Travilah - Updated Fire Access Plan

Mollie, I noticed that you were not copied on this. Hope you had a great vacation.

From: David O'Bryan
Sent: Wednesday, June 23, 2010 11:58 AM
To: 'stacy.silber@hklaw.com'; 'John Thillmann'
Cc: Les Powell; David O'Bryan; Amanda S. Stamper
Subject: FW: Darnestown at Travilah - Updated Fire Access Plan

FYI.

*David O'Bryan, P.E., LEED AP
Director of Maryland Operations, V.P.
Charles P. Johnson and Associates, Inc.
1751 Elton Road
Silver Spring, MD 20903*

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From: Mosman, Tyler [mailto:Tyler.Mosman@montgomerycountymd.gov]
Sent: Wednesday, June 23, 2010 11:57 AM
To: David O'Bryan; Rich Weaver
Cc: Les Powell; LaBaw, Marie
Subject: RE: Darnestown at Travilah - Updated Fire Access Plan

The emergency vehicle access appears to meet all the prescriptive requirements. The grasspavers are acceptable as shown.

Feel free to contact me with any questions.

Tyler Mosman, PE
Fire Protection Engineer
Montgomery County Department of Fire Rescue Services
Fire Code Enforcement
255 Rockville Pike, 2nd Floor
Rockville, MD 20850
240-777-2457 - office 240-777-2465 fax
tyler.mosman@montgomerycountymd.gov

-----Original Message-----

From: David O'Bryan [mailto:dobryan@cpja.com]
Sent: Wednesday, June 23, 2010 11:31 AM

Smith, Molline

From: Les Powell [lpowell@cpja.com]
Sent: Wednesday, June 23, 2010 8:47 AM
To: Schwartz, Lisa; Smith, Molline
Cc: Anderson, Christopher; Ababu, Essayas
Subject: RE: MPDU's for Darnestown

Thanks Lisa

From: Schwartz, Lisa [mailto:Lisa.Schwartz@montgomerycountymd.gov]
Sent: Tuesday, June 22, 2010 3:32 PM
To: Smith, Molline
Cc: Les Powell; Anderson, Christopher; Ababu, Essayas
Subject: RE: MPDU's for Darnestown

Molline,

We have reviewed the plan and do not have any concerns about the MPDUs. The conditions are fine as is. In DHCA's DRC comments, we had recommended a condition that DHCA would need to approve a construction sequencing plan prior to certified site plan, but in the current plan the MPDUs are distributed well enough that this additional condition is not necessary.

Lisa

Lisa S. Schwartz
Senior Planning Specialist
Montgomery County Department of Housing and Community Affairs
100 Maryland Ave., 4th Floor
Rockville, MD 20850
(240) 777-3786 - office (240) 777-3709 - fax
lisa.schwartz@montgomerycountymd.gov
www.montgomerycountymd.gov/mpdu

-----Original Message-----

From: Smith, Molline [mailto:Molline.Smith@mncppc-mc.org]
Sent: Monday, June 21, 2010 11:30 AM
To: Schwartz, Lisa
Subject: RE: MPDU's for Darnestown

FYI, this is how the condition reads now...

Density & Housing

1. Moderately Priced Dwelling Units (MPDUs)
 - a. The proposed development must provide a minimum of 12.5 percent MPDU's (5 one family attached dwelling units) in accordance with the Schematic Development Plan #G-849 (binding element c).
 - b. The MPDU agreement to build shall be executed prior to the release of any building permits.
 - c. All of the required MPDUs shall be provided on-site.

Smith, Molline

From: Brush, Rick [Rick.Brush@montgomerycountymd.gov]
Sent: Thursday, June 17, 2010 2:04 PM
To: Smith, Molline
Cc: David O'Bryan
Subject: Darnestown at Travilah Stormwater Management Concept

Molline;

Please be advised that the proposed Site Plan layout does not adversely affect the stormwater management concept plan approved for this project by the Department of Permitting Services (DPS). Since a sediment control plan is currently being reviewed for approval by DPS, the older stormwater management criteria still applies.

Rick Brush





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid
Director

December 11, 2008

Mr. Jeffrey Strulic
Charles P. Johnson & Associates, Inc.
1751 Elton Road, Suite 300
Silver Spring, MD 20903

Re: **Stormwater Management CONCEPT Request**
for Darnestown at Travilah
Preliminary Plan #:
SWM File #: 222465
Tract Size/Zone: 4.92 acres/R-90
Total Concept Area: 4.92 acres
Lots/Block: 39/1
Parcel(s): 35,51,891,944-946,970-9722
Watershed: Muddy Branch

Dear Mr. Strulic:

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 on-site channel protection measures via the off-site Stonebridge Regional pond and on-site water quality control via underground sand filters. Onsite recharge is not required due to shallow bedrock.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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 appear on the sediment control/stormwater management plan at its initial submittal. 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 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 Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,



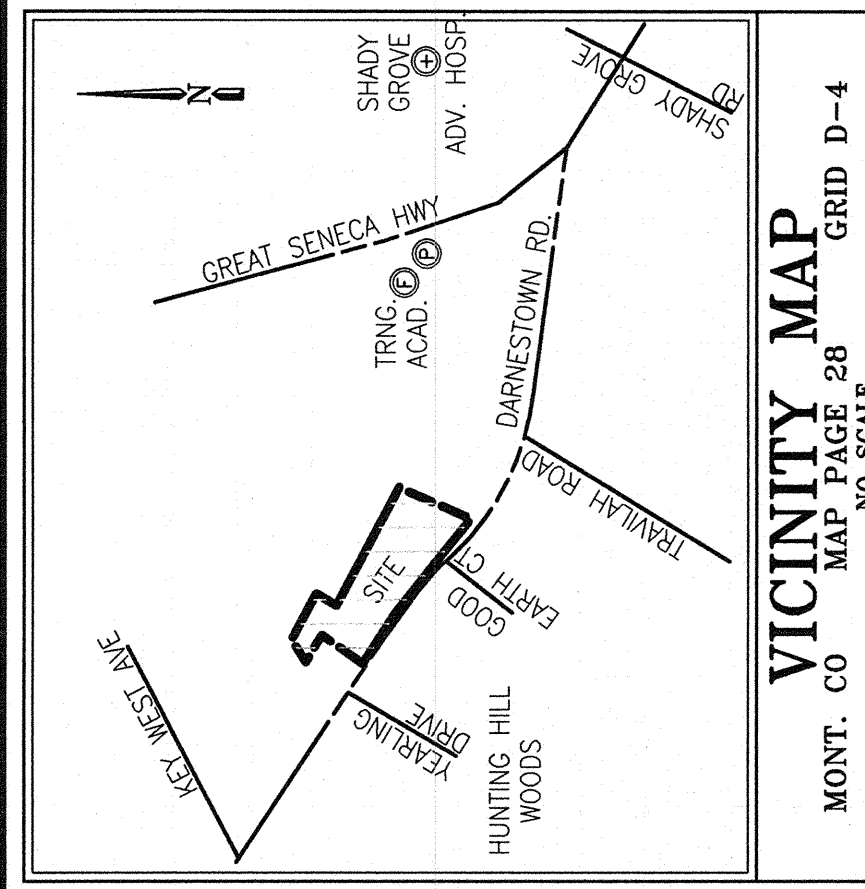
Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN222465

cc: C. Conlon
S. Federline
SM File # 222465

QN -onsite; Acres: 4.92
QL - onsite; Acres: 4.92
Recharge is not provided

APPENDIX C: Recently Submitted Plans



VICINITY MAP
 MONT. CO MAP PAGE 28
 GRID D-4
 NO SCALE

LEGEND

- MPIU TH SHOWING WITHIN BUILDING ENVELOPE
- EXISTING GRADES
- PROPOSED CURB AND GUTTER
- PROPOSED SIDEWALK
- LIMIT OF DISTURBANCE
- NOISE ATTENUATION FENCE
- SCREENING FENCE
- 3 RAIL FENCE
- FOREST CONSERVATION EASEMENT
- EX. REELINE

SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARY INFORMATION SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I AM A DULY LICENSED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MARYLAND.

DATE: _____
 DANALD CALLEY
 PROFESSIONAL LAND SURVEYOR
 MD # 20014

ENGINEER'S CERTIFICATE
 THE UNDERSIGNED CERTIFIES THAT THE DRAWINGS HEREON CONFORM TO THE STANDARDS OF THE ZONE. I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

DATE: _____
 DAVID COBYAN
 PROFESSIONAL ENGINEER
 MD # 14752

DEVELOPER'S CERTIFICATE
 THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS SITE PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

DATE: _____
 BY: _____
 DEVELOPER'S NAME/COMPANY NAME/PARTNERSHIP NAME/NAME OF CONTRACT PURCHASER
 PRINTED NAME

M-NPPC APPROVAL STAMP
 CERTIFIED SITE PLAN
 FILE NO. 020100070
 MONTGOMERY COUNTY PLANNING BOARD
 OFFICE OF RESURVEY
 MONTGOMERY COUNTY PLANNING DEPARTMENT
 10000 WOODBURN DRIVE, SUITE 100
 GAITHERSBURG, MD 20878

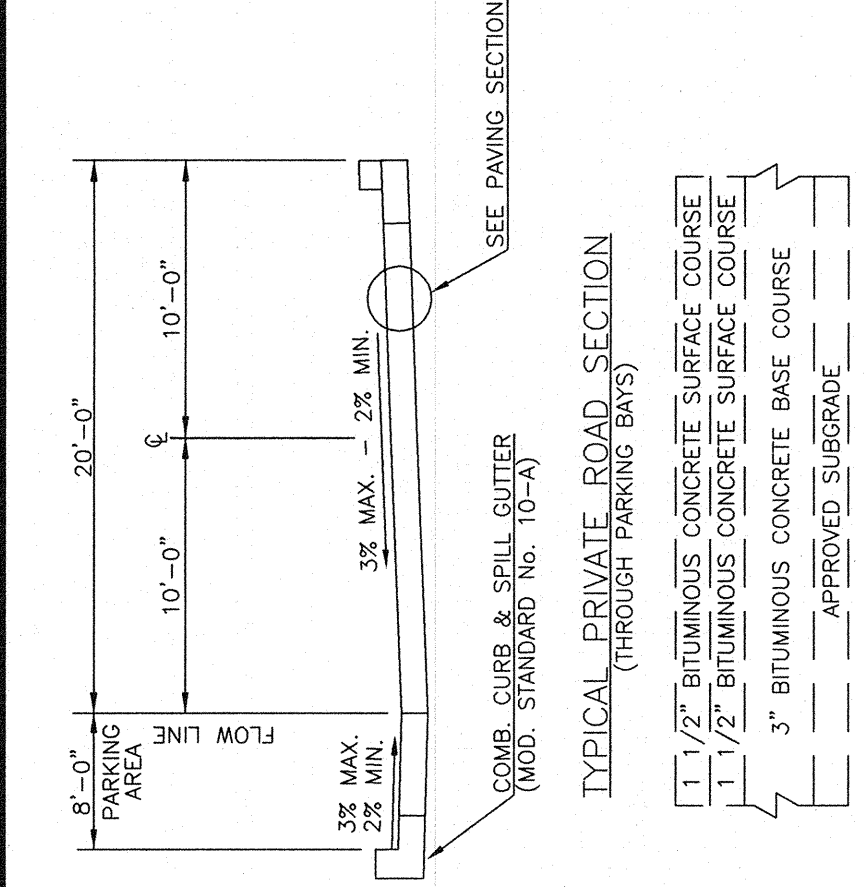
SITE DEVELOPMENT PLAN
DARNESTOWN at TRAVILAH
 GAITHERSBURG (9th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers - Planners - Landscape Architects - Surveyors
 726 Green Rd., Ste. 300 Silver Spring, MD 20906 301.434.7000 Fax: 301.434.6994
 www.cpj.com • Gaithersburg, MD • Frederick, MD • Silver Spring, MD • Fairfax, VA

CLIENT: FIFTY LLC
 270 SOUTH NINTH STREET
 ANNAPOLIS, MD 21403

PRELIMINARY PLAN NO. 020100070
 DESIGN LWP SHEET 1 OF 1
 DRAFT MBS 1
 DATE Sep. 2009
 SCALE 1"=30'
 FILE NO. 37-30-21-D

DATE: June 10, 2010



GENERAL NOTES

- SEE THE MARYLAND STATE HIGHWAY ADMINISTRATION'S STANDARD SPECIFICATIONS FOR CONSTRUCTION.
- THE SLOPE BEHIND THE CURB TOWARDS THE ROAD SHALL BE 4% FOR A DISTANCE OF 3'-0" FROM THE FACE OF CURB.
- SURFACE AREA OF INLET SLABS SHALL REMAIN ENTIRELY EXPOSED.

BINDING ELEMENTS - IN ADDITION TO THOSE SHOWN IN THE DEVELOPMENT STANDARDS TABLE:

- The building area to include the construction of the site's water supply system with an approved water main, an easement in the Shady Grove Study Area Water Plan, subject to City 1996.
- Lighting fixtures shall be installed in accordance with the applicable code requirements and shall be installed in accordance with the applicable code requirements.
- Maximum height of three-story attached dwelling units including a maximum of 12.9m.
- Maximum lot coverage of 45.0%.

GENERAL NOTES	PROPOSED
1. Boundary information by Charles P. Johnson & Assoc.	Townhouse
2. Topography information by McKenzie Snyder Inc. 12/27/07 Z Contour Interval	214, 197' left of 4.82 Ac.
3. Survey information by Danal Calley, Professional Land Surveyor, MD # 20014	39.00' of 40' lots
4. Maryland State Plane Datum used NAD 83/91	12.50%
5. WSSC Grid 218N/10 W. Map FS 341	3'
6. The site is within the Shady Grove Master Plan approved and adopted 1980, PA #20	5'
7. The site is within the Shady Grove Water Main Plan approved and adopted 1980, PA #20	30' or greater
8. The site is within the Shady Grove Sewer Main Plan approved and adopted 1980, PA #20	25' or greater
9. NRI/FSD # 42005/040 approved 11/27/05, Re-certified 9/21/08 expires 9/21/10.	10' or greater
10. Existing structures are to be removed, and existing wells are to be abandoned.	20' or greater
11. All interior Lot Lines and Utilities are subject to change during Site Plan approval.	36' or less
12. The site is to be developed in accordance with Concept Plan No. 222469 approved 5/31/06	25' or less
13. The site will be constructed in one Phase.	40% or less
14. Existing Zone RT 8.0	45% or greater
15. All existing structures On-Site are to be removed.	

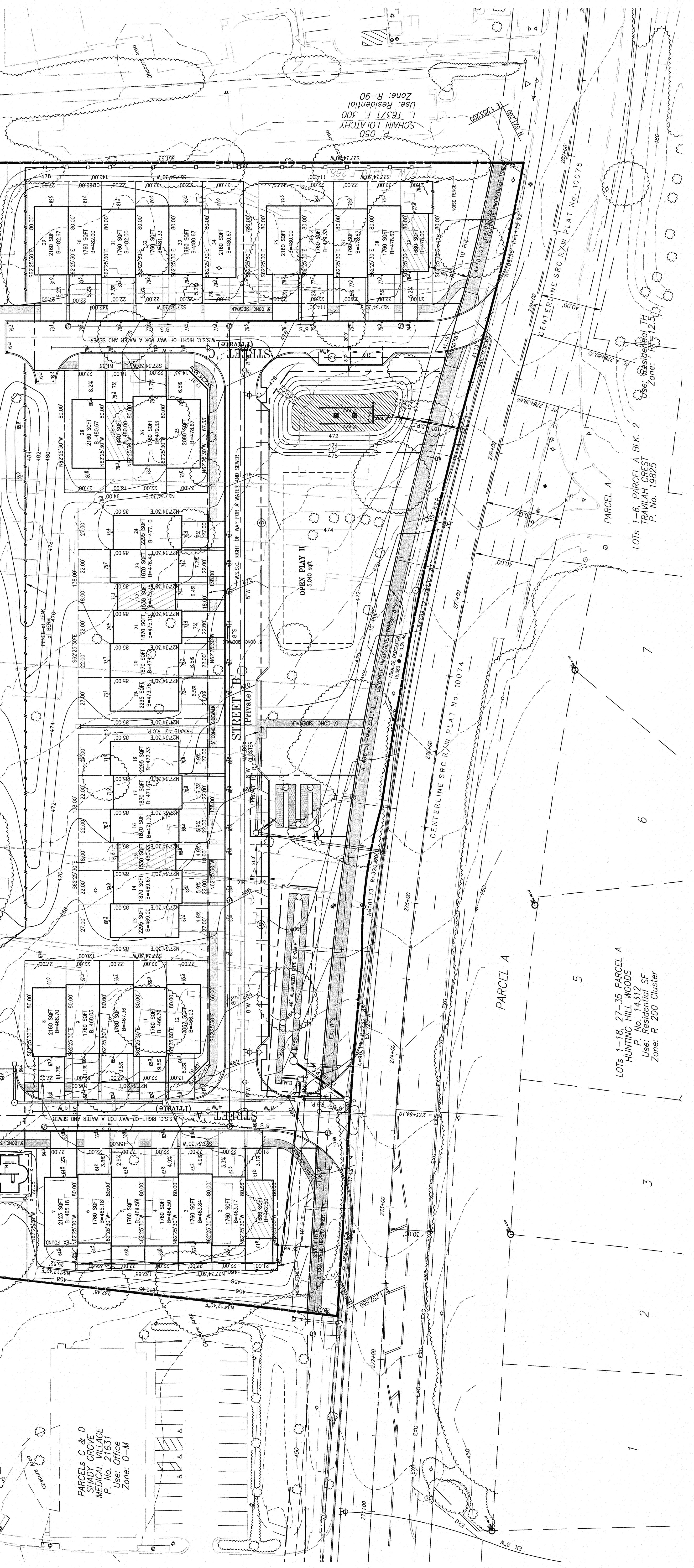
DEVELOPMENT STANDARDS	PERMITTED/REQUIRED
Gross Tract Area	or 5.24 Ac.
Darnestown Road Dedication	15,000 sqft
Net Tract Area	213,501 sqft
Minimum Tract Area	20,000 sqft or 0.46 Ac.
MFD/UDS Density	30 units per 40' lots
MFD/UDS Density	12.50%
Building Setbacks	NA
Front (End units only)	NA
Rear (End units only)	NA
Side	NA
From any Detached Dwelling in a one Family Detached Residential Zone	30'
From any Public ROW	25'
From any Adjoining Lot	10'
Side	20'
Rear	20'
Maximum Building Height	36'
Accessory Building	25'
Building Coverage - Tract	40% max
Green Area	45% min

PARKING TABULATIONS
Parking Required 39 units x 2 sp = 78 sp
Parking Provided
34 market rate w/2-car garages
68 spaces
5 MPDUs w/1-car garage
5 spaces
5 MPDUs w/2 spaces in driveway
10 spaces
On-Street parking (Private Street)
104 spaces
Total



P. 925
 MONTGOMERY COUNTY
 L. 3862 F. 772
 Use: Instructional Training Academy
 Zone: R-90/10K




1"=30'
 NAD 83/91



ILLUSTRATIVE LANDSCAPE PLAN



LEGEND

-  SHADE TREES
-  ACCENT TREES
-  EVERGREEN TREES



UPDATES/REVISIONS:

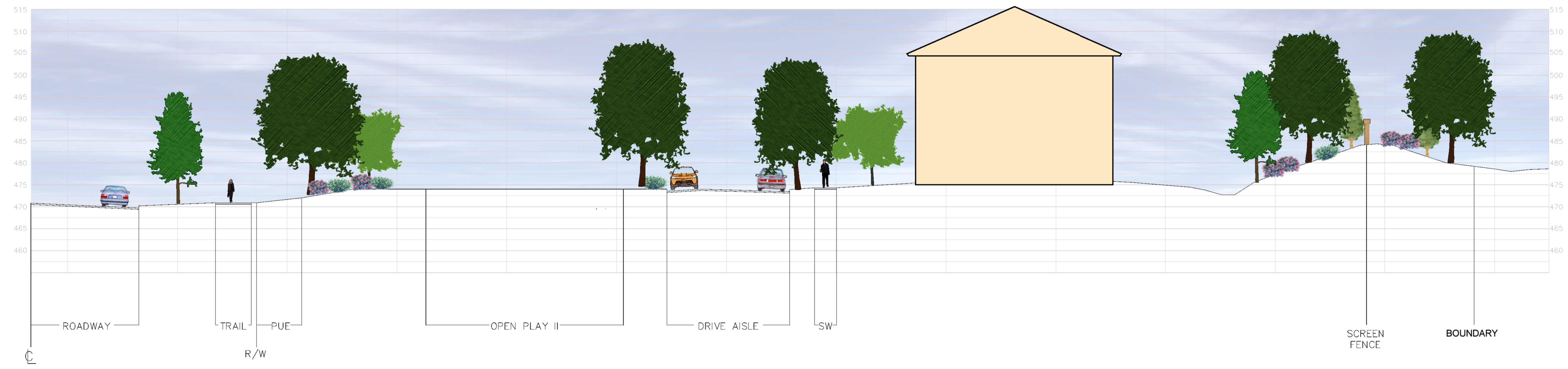
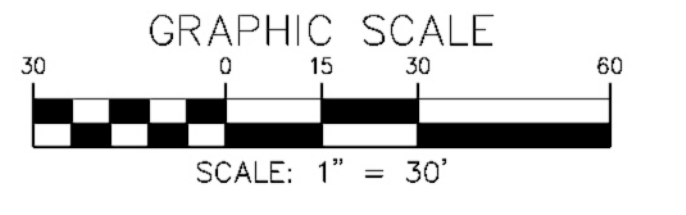
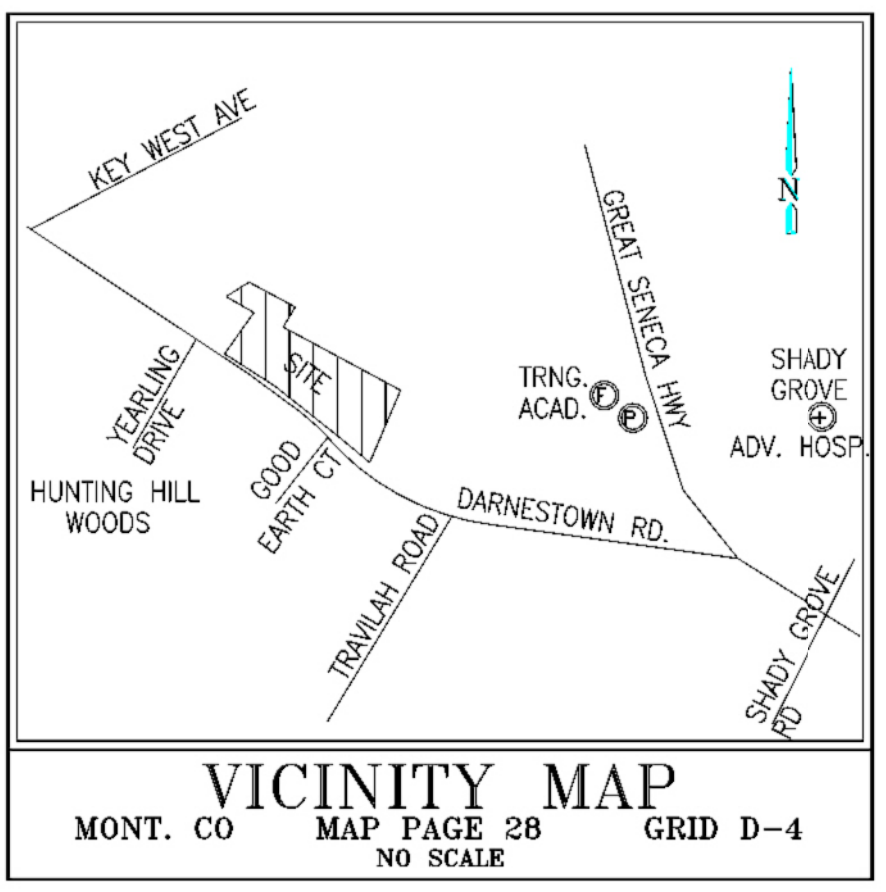
LANDSCAPE RENDERING
DARNESTOWN at TRAVILAH
GAITHERSBURG (9th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
275 Elm Rd., Ste. 500 Silver Spring, MD 20910 301.474.7000 Fax: 301.474.0294
www.cpj.com • Gaithersburg, MD • Frederick, MD • Stevenson, MD • Fairfax, VA

CLIENT: 7979 LLC 200 SOUTH MILAN STREET ARLINGTON, VA 22204	PRELIMINARY PLAN NO. 2000020 DESIGN: LMP DATE: JUN, 2016 SCALE: 1"=30'	SHEET 1 OF 1 FILE NO. 27-300-90 D
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CHARLES P. JOHNSON & ASSOCIATES, INC.
ALL RIGHTS RESERVED. UNAUTHORIZED USE
OR REPRODUCTION IS PROHIBITED.

ILLUSTRATIVE LANDSCAPE PLAN

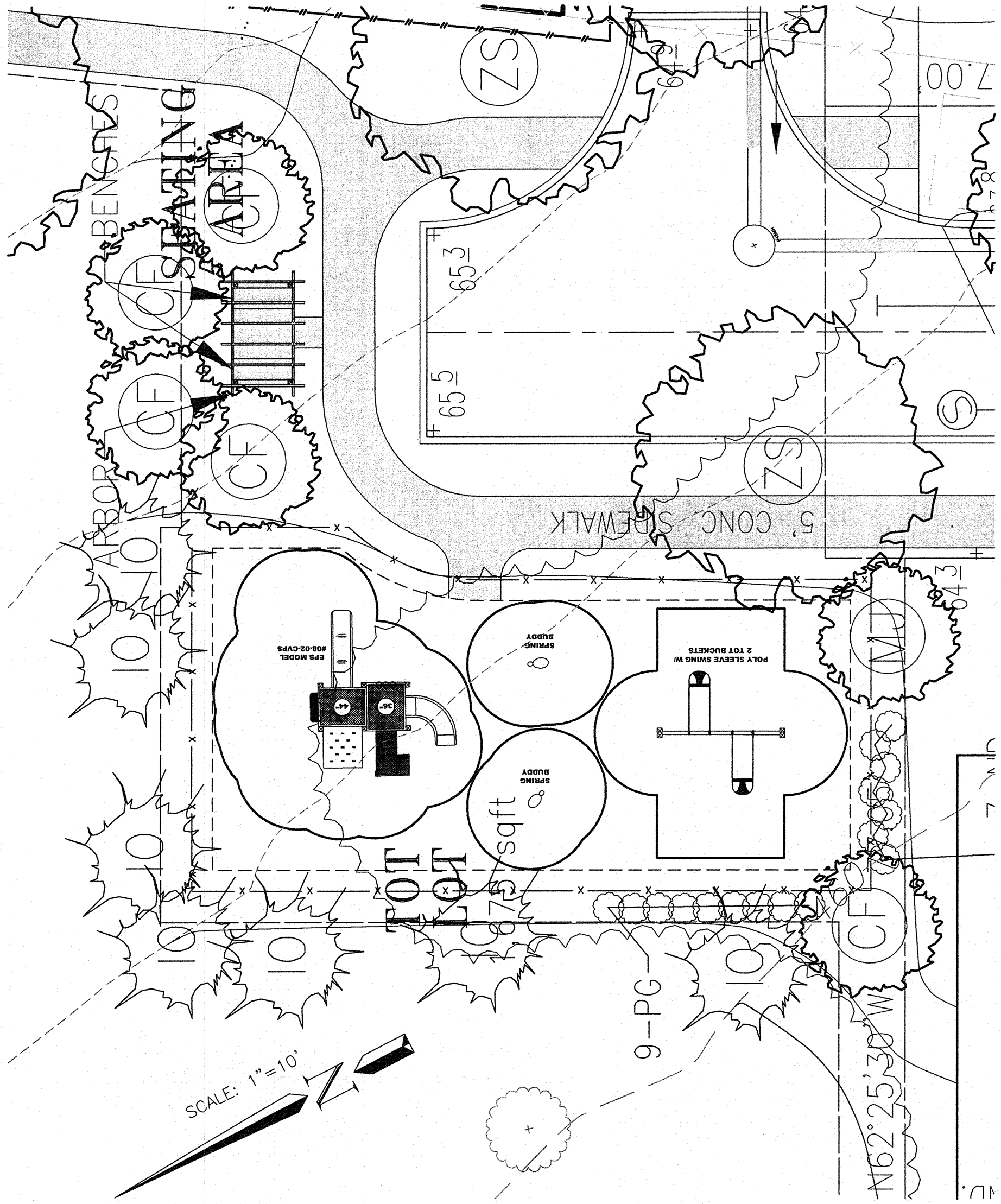


UPDATES/REVISIONS :

LANDSCAPE RENDERING
DARNESTOWN at TRAVILAH
GAITHERSBURG (9th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

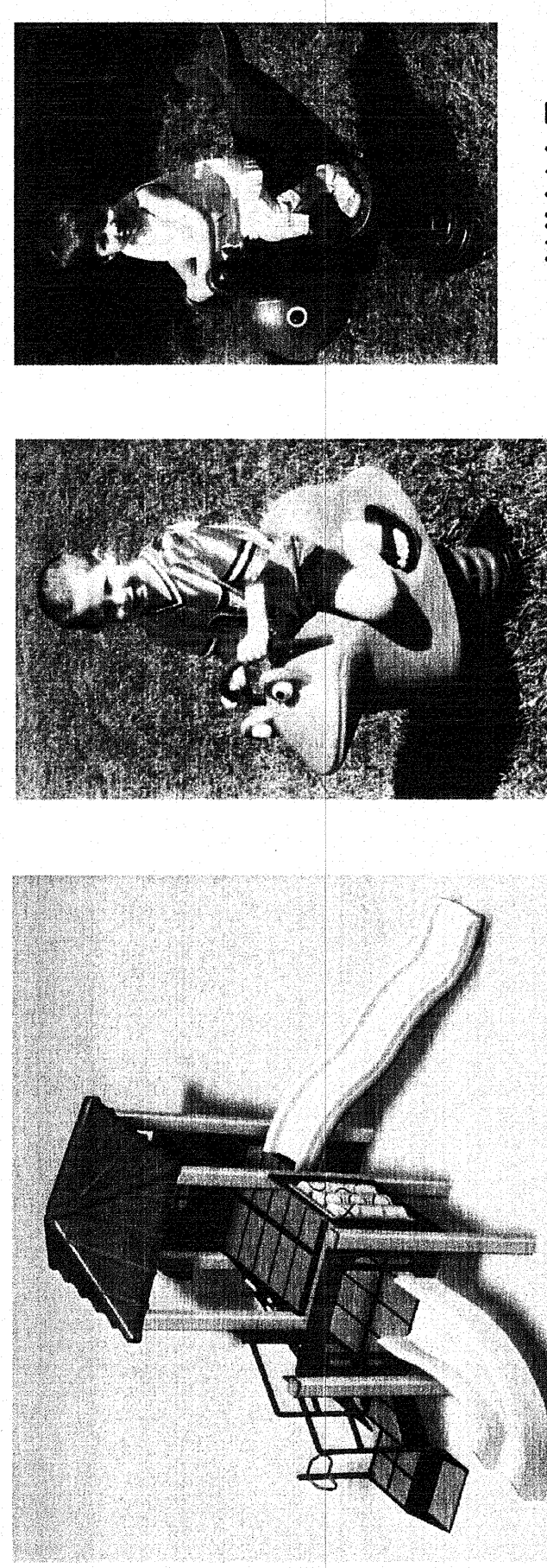
CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20905 301.434.7000 Fax: 301.434.9394
www.cpja.com • Gaithersburg, MD • Frederick, MD • Stevensville, MD • Fairfax, VA

CLIENT: FIFTY LLC 2700 SOUTH NELSON STREET ARLINGTON, VA 22206	PRELIMINARY PLAN NO: 12010020	SITE PLAN NO: 62060070
DESIGN: LWP	DRAFT: RPI	SHEET: 1 OF 1
DATE: JUNE 2010	SCALE: 1"=30'	FILE NO.: 37-310-90 D



TOT LOT DETAIL

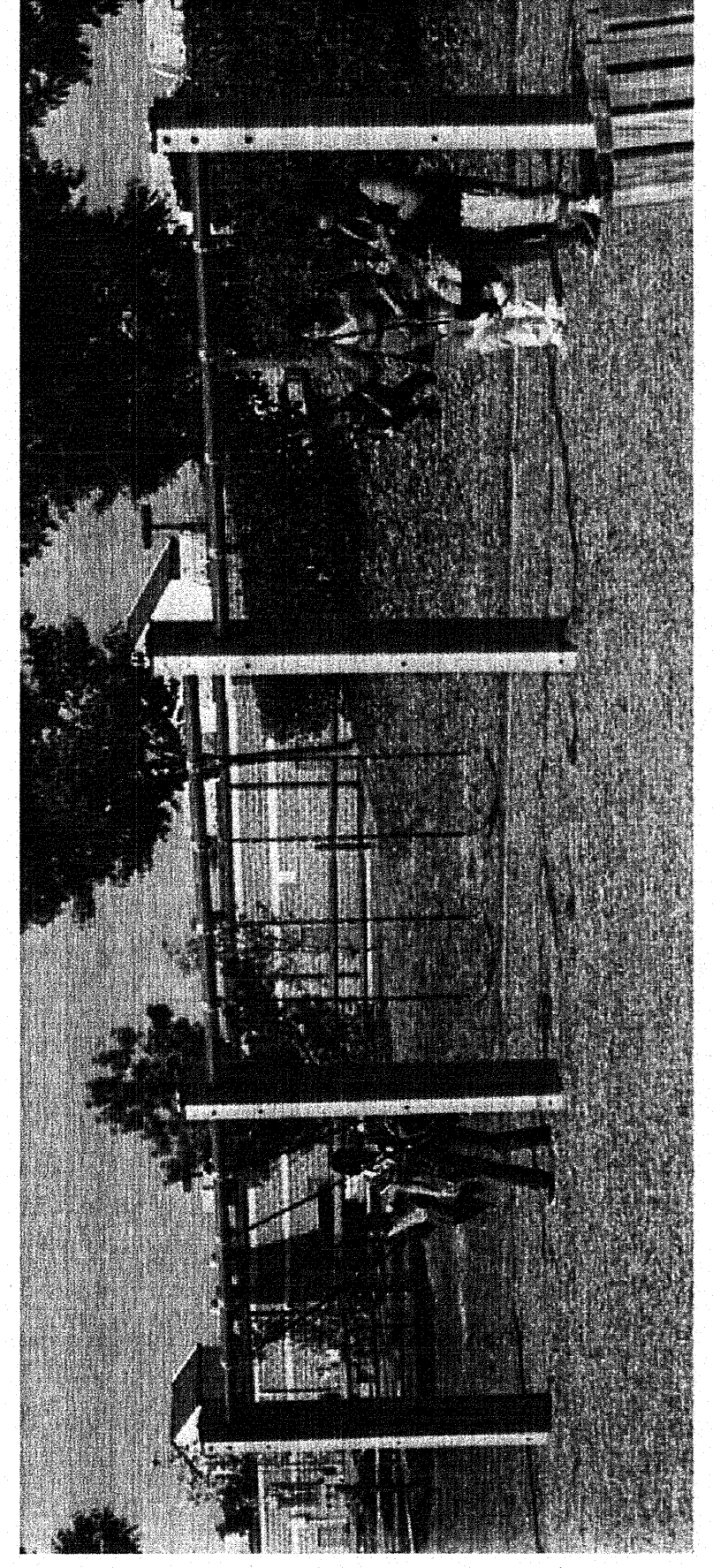
SCALE: 1" = 10'



WHALE SPRING BUDDY

FROG SPRING BUDDY

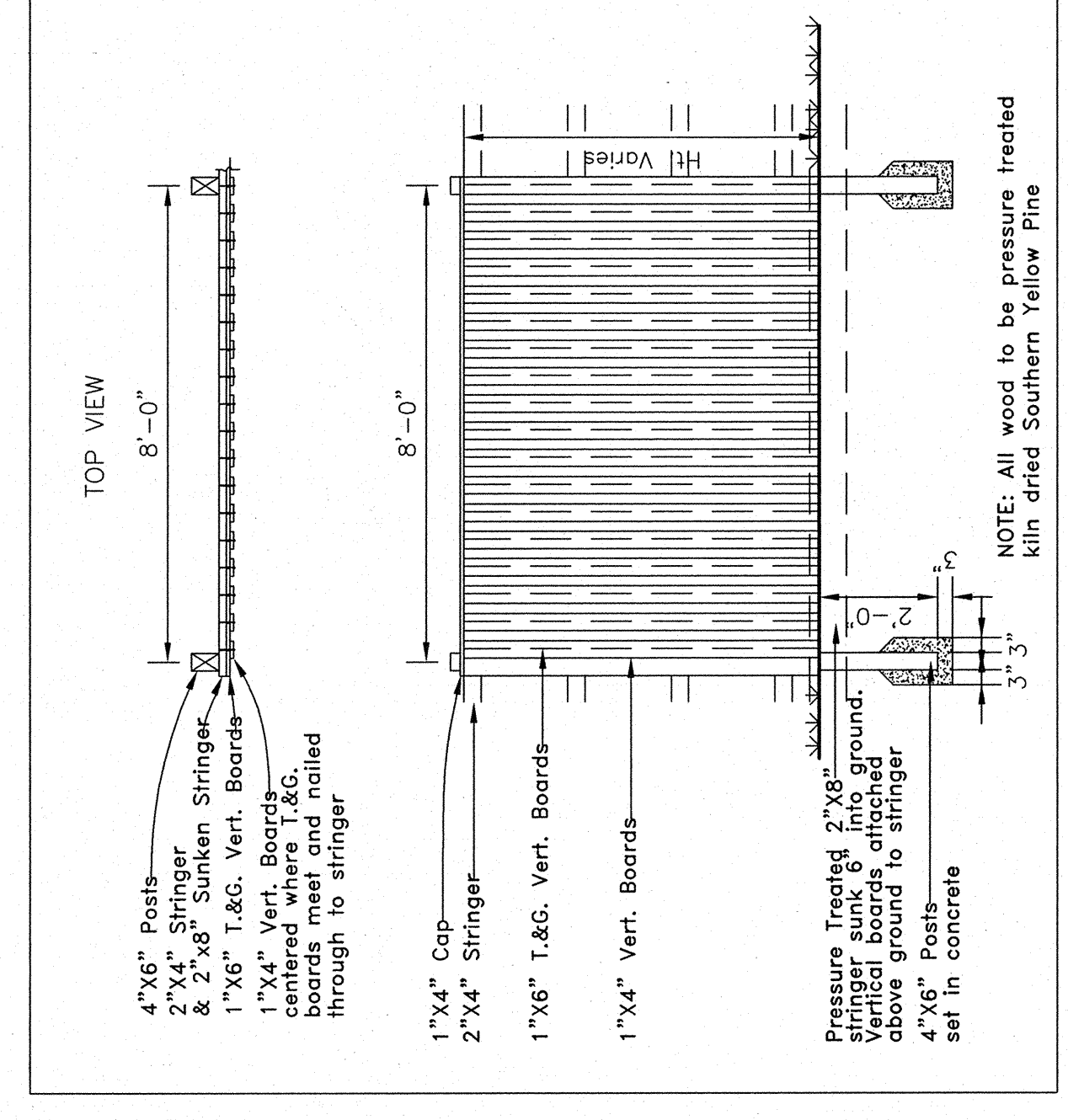
EPS MODEL #8-02-CVPS



POLY SLEEVE SWING W/2 TOT BUCKETS

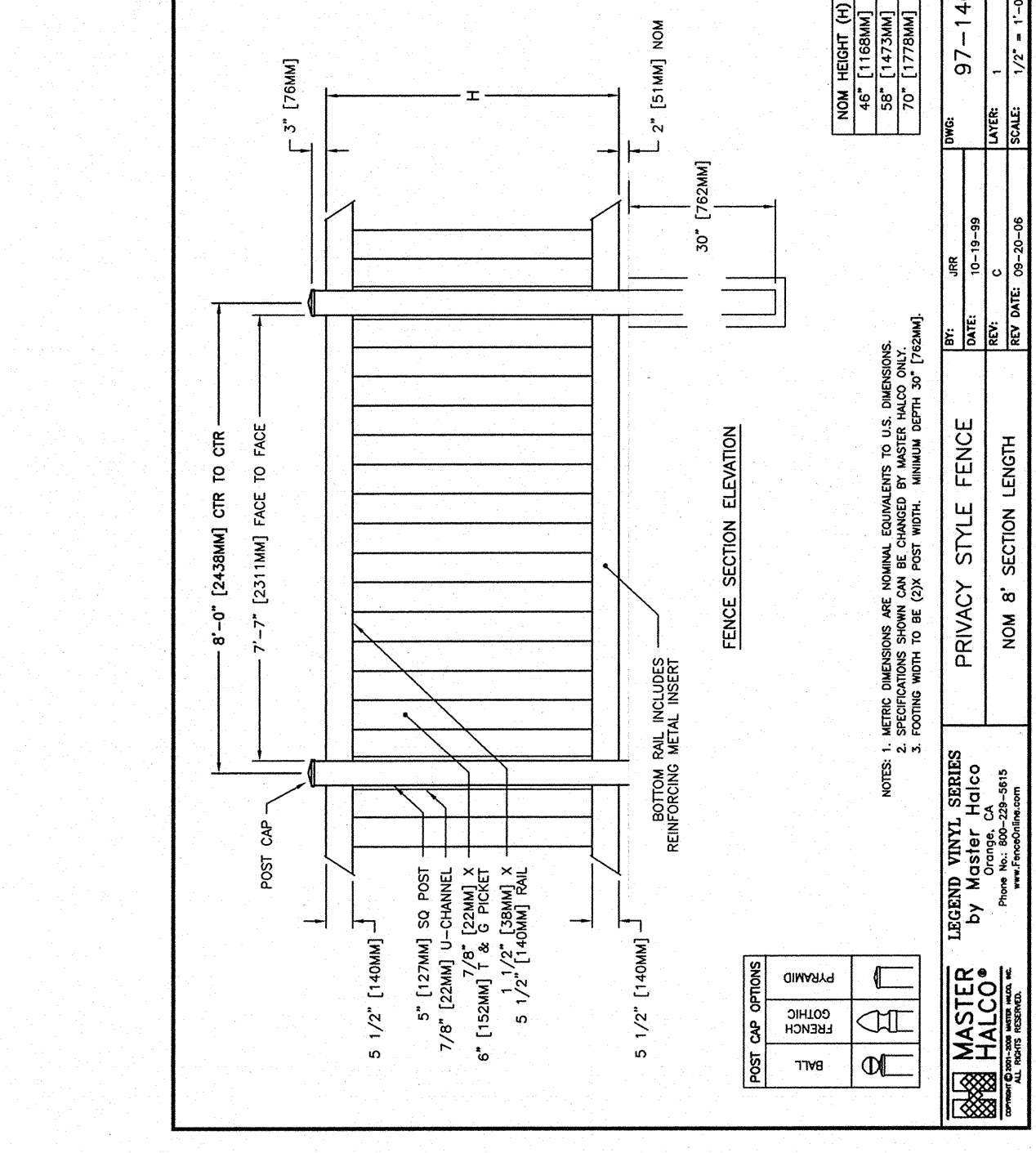
DESIGNED BY EAGLE PLAY STRUCTURE (301) 604-4747

OR EQUAL



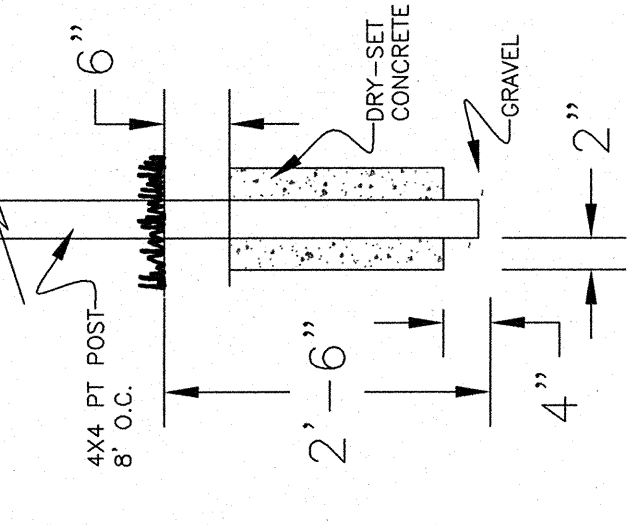
BOARD ON BATTEN NOISE ATTENUATION FENCE DETAIL OR EQUAL

NOT TO SCALE

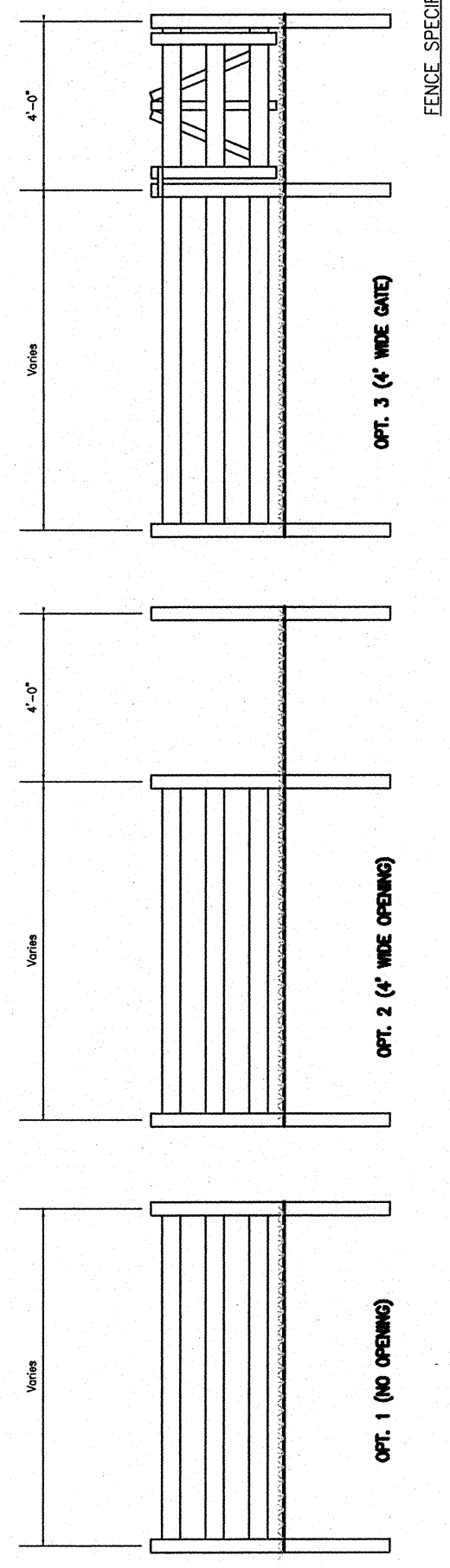


VINYL FENCE DETAIL OR EQUAL

NOT TO SCALE

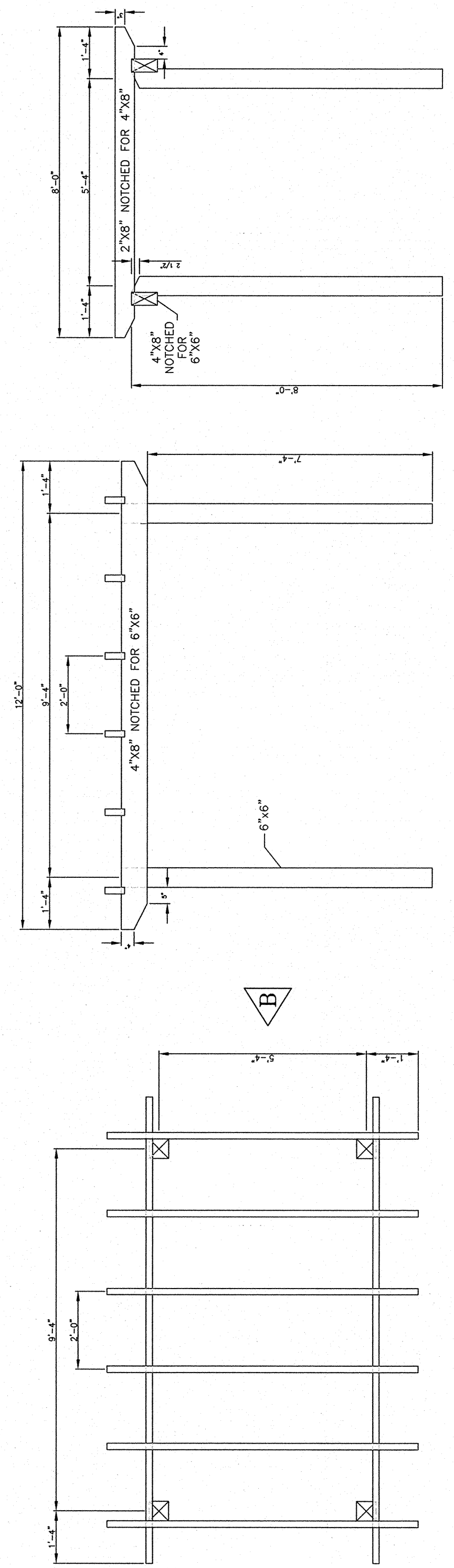


- FENCE SPECIFICATIONS:
- ALL POSTS SHALL BE LOUST, HARDWOOD, OR 4x4
 - RAILS SHALL BE SPRUCE, PINE, OR A2Q
 - HEIGHT OF TOP RAIL SHALL BE 48"
 - DISTANCE BETWEEN POSTS MAY VARY
 - CONCRETE SHALL BE 3000-PSI IN CONCRETE MIX.



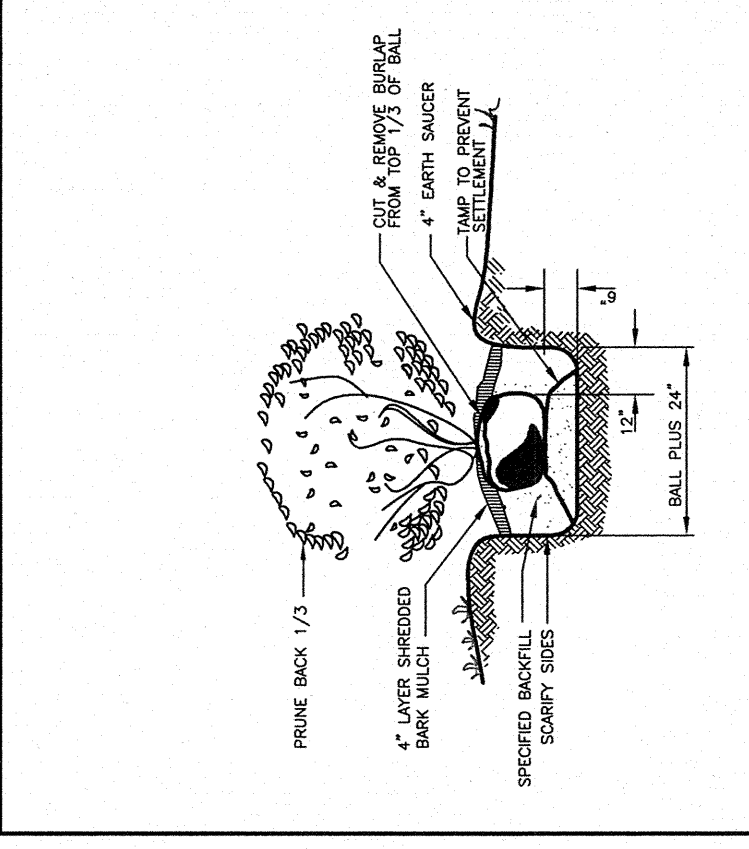
3-RAIL FENCE DETAIL OR EQUAL

NOT TO SCALE



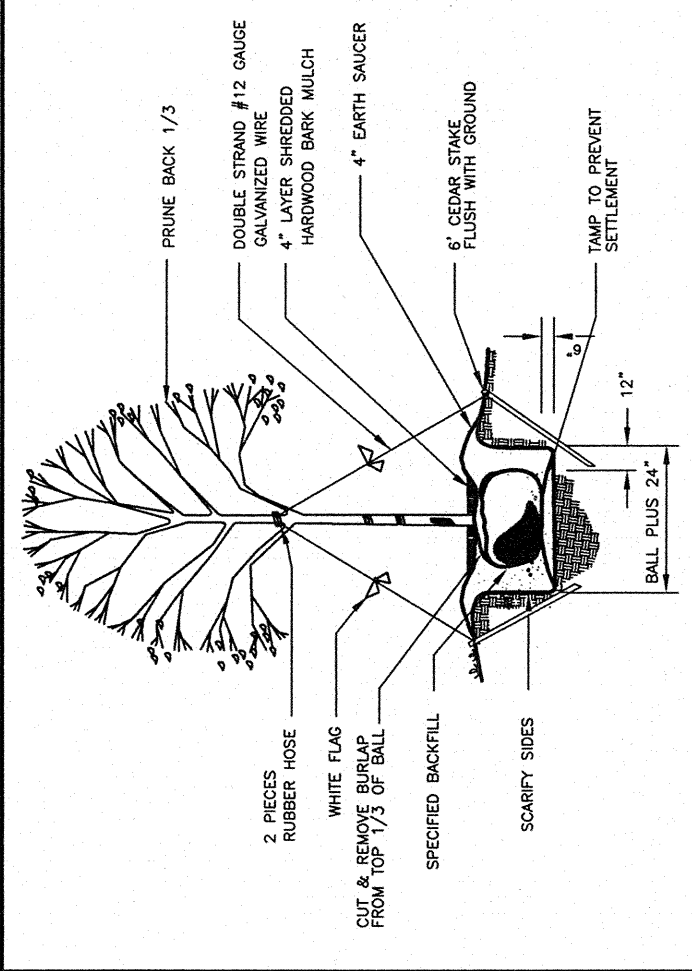
ARBOR DETAIL OR EQUAL

NOT TO SCALE



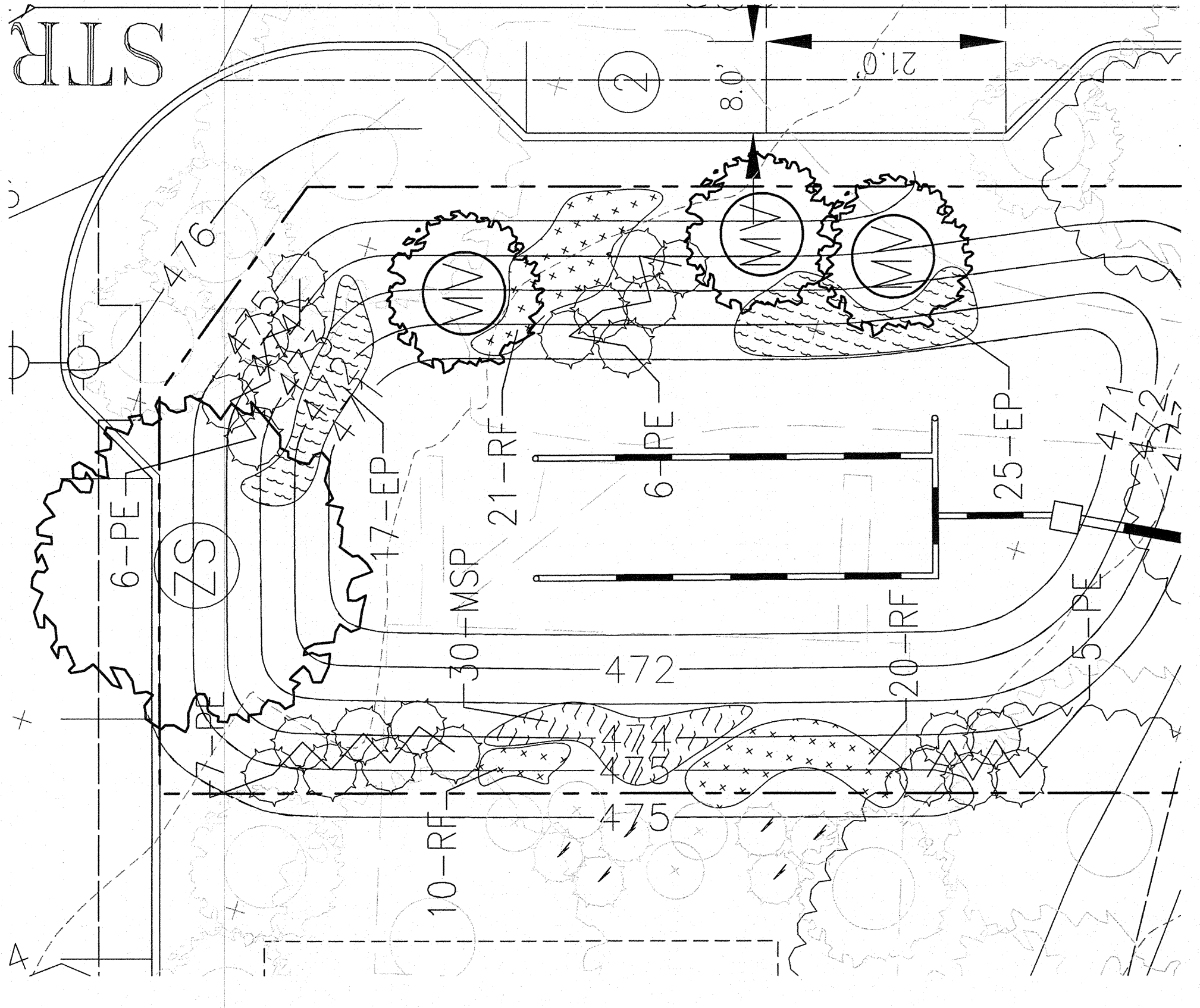
SHRUB PLANTING DETAIL

NOT TO SCALE



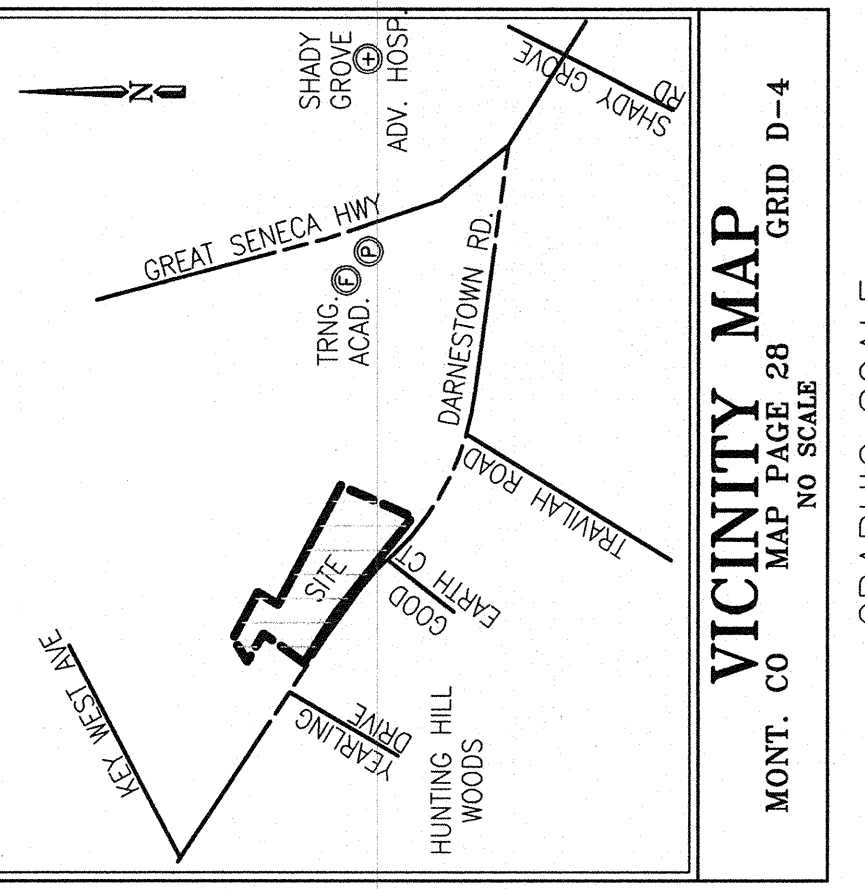
TREE PLANTING DETAIL

NOT TO SCALE



SWM EASEMENT PLANTING DETAIL - SEE SHEET 1 FOR PLANT SCHEDULE

SCALE: 1" = 10'



VICINITY MAP



LANDSCAPE ARCHITECT CERTIFICATE

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT AND TAKEN FROM AVAILABLE PLANS AND RECORDS.

LESLEY POWELL ARCHITECT
REGISTERED ARCHITECT
NO. #936

DATE: _____

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES AND REQUIREMENTS OF THIS PLAN IN ACCORDANCE WITH THE AGREEMENT BETWEEN MONTGOMERY COUNTY PLANNING BOARD AND THE UNDERSIGNED.

DATE: _____

DEVELOPER'S NAME/COMPANY NAME/PARTNERSHIP NAME/NAME OF CONTRACT PURCHASER: **PEIXY, LLC**

PRINTED NAME: _____

M-NPPCC APPROVAL STAMP
CERTIFIED SITE PLAN

FILE NO. 2023100020

MONTGOMERY COUNTY PLANNING BOARD

CHIEF OR DESIGNER: _____ DATE: _____

MONTGOMERY COUNTY PLANNING DEPARTMENT
100 SOUTH HILSDALE STREET
FREDERICK, MD 21701

LANDSCAPE PLAN

DARNESTOWN at TRAVILAH
GAITHERSBURG (9th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1700 Shom Rd., Ste. 300 Silver Spring, MD 20903 • Tel: 410.700.0000 Fax: 410.454.6994
www.cpjinc.com • Gaithersburg, MD • Frederick, MD • Stevensville, MD • Fairfax, VA

PRELIMINARY PLAN NO. SITE PLAN NO. 2300000000
DESIGN TWP SHEET 2 OF 2
DATE: JAN 2023
SCALE: 1" = 30'

CLIENT: PEIXY, LLC
2700 SOUTH HILSDALE STREET
FREDERICK, MD 21701

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