



Limited Site Plan Amendment, Hallman Grove, 82007024A

October 13, 2011



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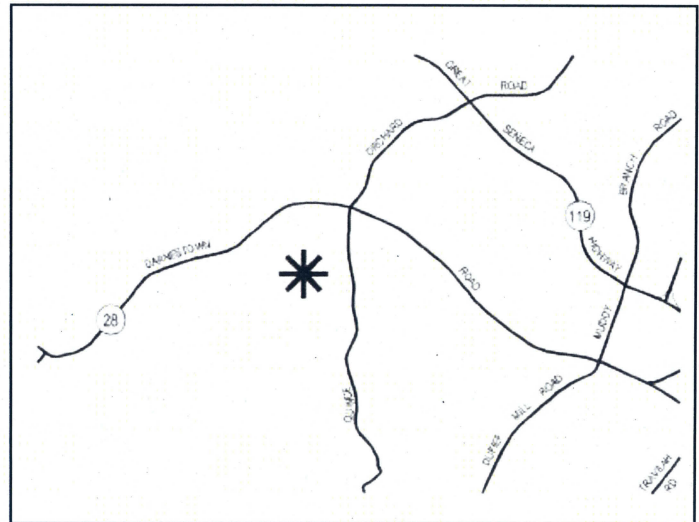
**description**

**Limited Site Plan No. 82007024A (Amendment):  
Hallman Grove**

Modification to the lot lines, to add an open play area, and to revise the Forest Conservation Plan; on Fellowship Lane approximately 1,600 feet west of Quince Orchard Road, 12.4 acres; R-200 and R-200/TDR-3 Zones

Potomac Master Plan

*Staff recommendation: Approval with conditions*



**summary**

Limited Site Plan Amendment proposing the following modifications:

- Replace the horseshoe pit facility with an open play area II;
- Shift the lot lines to accommodate the architectural house footprint selected for the project;
- Relocate the front entrance of townhouse corner units (Lots T1, T6, T7, T11) to the side façade; and
- Amend the approved Final Forest Conservation Plan to adjust the locations of the proposed on site Category I conservation easements.

Staff has not received correspondence on this application.

## RECOMMENDATION AND CONDITIONS

Staff recommends approval of site plan 82007024A, Hallman Grove. All site development elements shown on the site and landscape plans stamped “Received” by the M-NCPPC on June 27, 2011, and September 8, 2011, are required except as modified by the following conditions:

1. Preliminary Plan Conformance

The proposed development must comply with the conditions of approval for preliminary plan 120070350 as listed in the MCPB Resolution No. 07-74 unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DPWT (now DOT) conditions, and DPS stormwater conditions, as amended.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for site plan 820070240 as listed in the MCPB No. 07-190, except as amended by this application.

3. Forest Conservation & Tree Save

The proposed development must comply with the conditions of the approved Final Forest Conservation Plan (FFCP).

- a) The applicant must satisfy all conditions prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s), as appropriate.
- b) Inspections must occur consistent with Section 22A.00.01.10 of the Forest Conservation Regulations.
- c) Final Sediment Control Plan must be consistent with the final limits of disturbance as approved by the M-NCPPC staff.
- d) Applicant must place a Category I conservation easement over all areas of forest retention, forest planting, and environmental buffers that lie outside MDCPS or WSSC easements, as shown on the approved Final Forest Conservation Plan. Conservation easements must be shown on the record plats.
- e) The Category I conservation easements must be recorded in the land records prior to the start of clearing and grading.
- f) Compliance with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan.
- g) Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- h) Submission of financial security for planting 1.85 acres prior to the start of clearing and grading.
- i) Reforestation must begin within the first planting season after issuance of the first building permit.
- j) A two-year maintenance and management agreement must be approved prior to M-NCPPC accepting any on-site planting.
- k) Applicant must install permanent Category I Forest Conservation Easement signage along the perimeter of the conservation easements.

l) The applicant shall install permanent split 2-rail fencing along the forest conservation easement boundary at specific locations, as shown on the approved Final Forest Conservation Plan.

4. Recreation Facilities

The Applicant must provide a tot lot, an open play area II, two sitting areas and a pedestrian system.

5. Development Program

The Applicant must construct the development in accordance with the approved development program, except for condition 11.b), which shall be replaced by the following:

a) Community-wide pedestrian pathways and recreation facilities, such as the tot lot and open play area II, shall be completed prior to issuance of the 20<sup>th</sup> building permit.

6. 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:

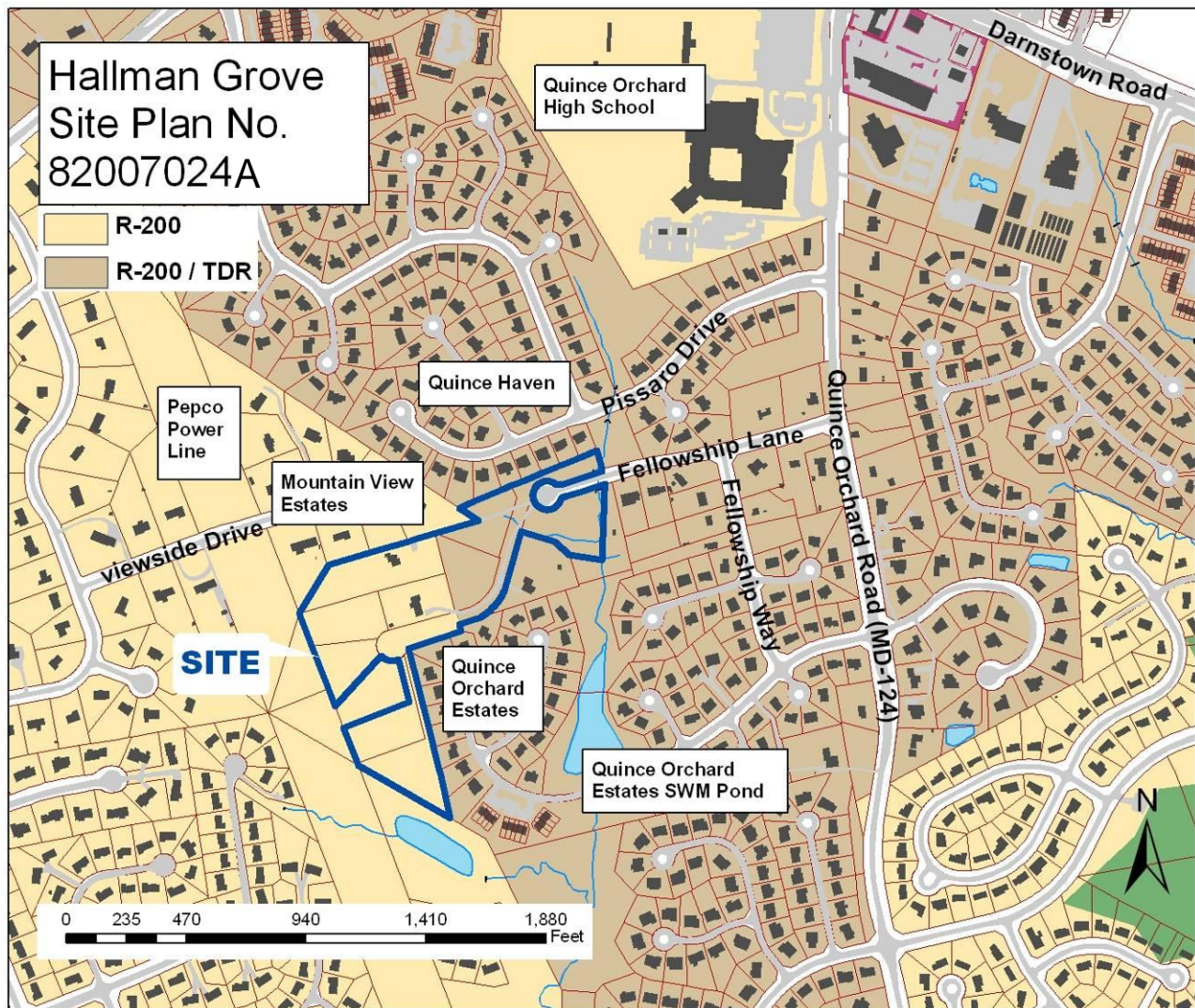
a) Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.

b) Revise the Limits of Disturbance (LOD) in the site plan to match that shown on the FFCP.

## SITE DESCRIPTION

### Vicinity

The subject property consists of 12.4 acres of land located west of the cul-de-sac terminus of existing Fellowship Lane. Fellowship Lane begins at Quince Orchard Road (MD-124) approximately 1,700 feet south of the intersection of Quince Orchard Road and Darnestown Road (MD-28) in the Potomac Subregion. The property is split-zoned R-200 and R-200/TDR-3 and lies within the Muddy Branch watershed which is designated as Use Class I. Surrounding land uses consist of one-family residential dwellings in the R-200/TDR-3 zone on the south, east and northeast property boundaries; one-family residential dwellings in the R-200 zone on the northwest property boundary; and a major Pepco power line right-of-way along the western property boundary.



*Vicinity Map*

## Site Analysis

The site currently contains two occupied one-family residences (on existing Parcels 801 and 821) accessed by paved driveways originating at the Fellowship Lane cul-de-sac. A third existing residence, on a deeded parcel which is not part of the proposed development (Parcel 795), also has driveway access from existing Fellowship Lane through the subject site. Another unoccupied, deeded parcel which is not part of the proposed development, Parcel 927, has unimproved access through the subject site via an existing ingress/ egress easement.

The site gently slopes to the east and southwest from a high point located in the rear of the two existing homes. A perennial stream crosses existing Fellowship Lane on the eastern property boundary and a second intermittent stream flows into this tributary from the eastern portion of the site. Environmental buffers associated with these streams encompass 1.27 acres on the eastern portion of the site. Total forest cover on the site consists of approximately 6.46 acres in four stands; the largest (in the southwestern portion of the site) is approximately 4.5 acres. Overall forest stand quality is fair to poor, but some large, high quality individual trees are present within existing forest stands and scattered throughout the property. The property is eligible for public water and sewer.



*Aerial Photo*

## PROJECT DESCRIPTION

### Previous Approvals

On March 22, 2007, the Planning Board approved with conditions Preliminary Plan No. 120070350 (MCPB Resolution No. 07-74) to create 28 lots on 12.4 acres.

On November 1, 2007, the Planning Board approved with conditions Site Plan No. 820070240 (MCPB No. 07-190) for 28 residential dwelling units (17 one-family detached and 11 one-family attached units) including 4 MPDUs, on 12.4 gross acres. [Appendix A]

### Proposal



*Illustrative Plan*

The Applicant requests the following modifications:

- 1) Replace the horseshoe pit facility with an open play area II (5,000 SF). The adjacent sitting is to remain. This modification will provide an amenity that will serve wider demographics than previously accomplished. As a result of this modification, the landscaping was adjusted and the recreation calculations updated (see below). The development continues to meet all recreation requirements onsite.
- 2) Shift the lot lines for one-family detached lots 2 through 17 in order to accommodate the architectural house footprint selected for the project. This adjustment is mostly internal to the rows of lots, without any revisions to the adjacent proposed conservation easement boundary.
- 3) Relocate the front entrance of townhouse corner units (Lots T1, T6, T7, T11) to the side façade. This modification will enhance the appearance and activation of the side facades.
- 4) Amend the approved Final Forest Conservation Plan to adjust the locations of the proposed on site Category I conservation easements. The proposed adjustments are necessary to address new policy changes implemented by WSSC and the Montgomery County Department of Permitting Services (DPS) to no longer accept overlapping easements.



*Proposed Open Play Area II (modification #1)*

*Recreation Calculations*

Demand						
	Number	Tots	Children	Teens	Adults	Seniors
Housing Type	of Units	0 to 4	5 to 11	12 to 17	18 to 64	65+
SFD II (7,000-19,999)	17	2.21	4.08	4.25	18.02	1.87
TH	11	1.87	2.42	1.98	14.19	0.77
		4.08	6.50	6.23	32.21	2.64

On-Site Supply		Quantity Provided	Tots 0 to 4	Children 5 to 11	Teens 12 to 17	Adults 18 to 64	Seniors 65+
Recreation Facility							
Tot Lot	1	9.00	2.00	0.00	4.00	1.00	
Picnic/Sitting	2	2.00	2.00	3.00	10.00	4.00	
Open Play Area II	1	3.00	4.00	4.00	10.00	1.00	
Pedestrian System	1	0.41	1.30	1.25	14.49	1.19	
	total:	14.41	9.30	8.25	38.49	7.19	

Adequacy of Facilities		D1	D2	D3	D4	D5
Gross Total Supply		14.41	9.30	8.25	38.49	7.19
90% Demand		3.68	5.85	5.61	28.99	2.38
Adequate?		yes	yes	yes	yes	yes



Townhouse corner units (modification #3)

**PROJECT ANALYSIS**

**Master Plan**

The proposed amendment maintains conformance with the 2002 Potomac Master Plan vision and recommendations as described in the approved Site Plan.



## **Transportation and Circulation**

The proposed amendment does not affect vehicular or pedestrian traffic.

## **Environment**

The applicant proposes to utilize the optional method of development and therefore must comply with Section 22A-12(f) of the Montgomery County Code. This section of the code requires developments utilizing an optional method of development to either retain or plant a certain percentage of the net tract area in forest on site. For this particular plan, 20 percent of the net tract area (2.43 acres) must be in retained or planted forest, or a combination of the two. The Final Forest Conservation Plan indicates the removal of 4.56 acres of forest and the preservation of 1.82 acres of forest. This generates a 2.21 acre planting requirement which the applicant will meet through a combination of forest planting (1.85 acres) and tree preservation (0.45 acres) on site. The combination of forest retention and forest planting will also satisfy the requirements of Section 22A-12(f). Staff finds that this application does comply with Chapter 22A of the Montgomery County Code.

On-site stormwater management will not change.

## **Development Standards**

The proposed amendment does not alter any development standards approved with the original site plan.

## **COMMUNITY OUTREACH**

The Applicant has met all proper signage, noticing, and submission meeting requirements. Notice of the subject amendment was sent to all parties of record on June 30, 2011 giving 15 days for comments. Staff has not received correspondence on this matter.

## **CONCLUSION**

Staff recommends approval of the Limited Site Plan Amendment with conditions. The proposed modifications to the site plan do not alter the overall design character of the development in relation to the original approval and the site remains compatible with existing and proposed development adjacent to the site. The location of buildings and structures, vehicular and pedestrian circulation, open space, landscaping and lighting remain adequate, safe and efficient. The Site Plan Amendment is in conformance with the Potomac Master Plan and the development standards in the R-200 and R-200/TDR-3 Zone.

## **APPENDICES**

A. Prior Resolution



DEC 20 2007

# MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-190  
Site Plan No. 820070240  
Project Name: Hallman Grove  
Date of Hearing: November 1, 2007

## MONTGOMERY COUNTY PLANNING BOARD

### RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on May 17, 2007, Hallman Grove LLC ("Applicant"), filed an application for approval of a site plan for 28 residential dwelling units including 4 moderately priced dwelling units (MPDUs) ("Site Plan" or "Plan") on 12.4 acres of R-200 and R-200/TDR-3 zoned land, located on Fellowship Lane approximately 1,600 feet west of Quince Orchard Road ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820070240, Hallman Grove (the "Application"); and

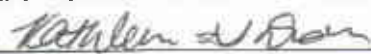
WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated October 18, 2007, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on November 1, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on November 1, 2007 the Planning Board voted to approve the Application subject to conditions on the motion of Commissioner Bryant; seconded by Commissioner Robinson; with a vote of 5-0, Commissioners Bryant, Cryor, Hanson, Lynch, and Robinson voting in favor.

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPC LEGAL DEPARTMENT

DATE 12/10/07

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820070240 for 28 residential dwelling units (17 one-family detached and 11 one-family attached units) including 4 MPDUs, on 12.4 gross acres in the R-200 and R-200/TDR-3 zone, subject to the following conditions:

1. Preliminary Plan Conformance

The development shall comply with the conditions of approval for Preliminary Plan No. 120073050 as listed in the Planning Board Resolution dated June 21, 2007.

2. Landscaping

Provide a fence on top of each retaining wall as a safety measure.

3. Lighting

- a. Prior to approval of the Certified Site Plan, provide a lighting distribution and photometric plan with summary report and tabulations that show conformance with IESNA standards for residential development.
- b. All light fixtures along the public street must meet Montgomery County Department of Public Works and Transportation ("MCDPWT") standards and additional light fixtures along the private streets shall be cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels shall not exceed 0.5 footcandles (fc) at any property line abutting county roads or adjacent residential properties.
- e. The height of the light poles along the private street shall not exceed 12 feet including the mounting base.

4. Pedestrian Circulation

Provide a continuous sidewalk along Fellowship Lane connecting Hallman Grove to Quince Orchard Road if adequate public right-of-way is available. The sidewalk must be at least 3 feet from the edge of the roadway. If adequate public right-of-way is not available at certain locations and if the home owners are not willing to donate it, the Applicant will provide the longest continuous stretch of sidewalk along Fellowship Lane as long as it is greater than 300 feet and it should preferably include a connection from the subject development to the school bus stop at the intersection of Fellowship Lane and Fellowship Way. If none of these can be provided within the existing right-of-way, Montgomery County Department of Permitting Services ("MCDPS") may collect a 'fee in lieu of' payment given that the monies are used for an improvement directly related to Hallman Grove.

5. Recreation Facilities

- a. Recreation facilities shall be in conformance with the M-NCPPC Recreation Guidelines.
- b. Revise the dimensions of the horseshoe court, per the standards of the M-NCPPC Recreation Guidelines.
- c. Provide alternative measures, such as landscaping, to compensate for the reduced setback on the west side of the tot lot, per the standards of the M-NCPPC Recreation Guidelines.

6. Moderately Priced Dwelling Units (MPDUs)

The development shall provide 4 MPDUs on-site in accordance with the provisions of Chapter 25A of the Montgomery County Zoning Ordinance. The Applicant shall comply with the following conditions of approval as specified in the letter from Department of Housing and Community Affairs ("DHCA") dated October 3, 2007:

- a. The cost of maintaining the private road serving the townhouses will be borne by the HOA for the entire development, not just the townhouses.
- b. The lighting for the private road shall be of the same type and follows the same standards as the lighting for the public road.
- c. The MPDU townhouses will have at least 3 bedrooms, and the Applicant will provide DHCA with floor plans for the MPDU townhouses at the time of the Agreement to Build.
- d. The Applicant will comply with Chapter 25 A-5 (i) of the Montgomery County Code, which concerns construction staging of MPDUs.

7. Transportation

The Applicant shall comply with the following condition of approval from M-NCPPC-Transportation Planning Staff in the memorandum dated October 11, 2007:

- a. Total development under this Site Plan is limited to 28 dwelling units (11 townhouses and 17 single-family detached).

8. Forest Conservation

The Applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning Staff in the memorandum dated October 11, 2007:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The Applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- b. The record plat must reflect a Category I Conservation Easement over all areas of stream valley buffers and forest conservation areas.

- c. The Applicant shall begin reforestation within the first planting season after issuance of the first building permit.
  - d. The Applicant shall install permanent Category I Forest Conservation Easement signage along the perimeter of the Conservation Easement.
  - e. The Applicant shall install permanent split 2-rail fencing adjacent to the side of Lot T-7 along the Forest Conservation Easement boundary.
9. Stormwater Management  
The development is subject to Stormwater Management Concept approval conditions dated January 22, 2007 unless amended and approved by the MCDPS.
10. Common Open Space Covenant  
Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). The Applicant shall provide verification to Staff prior to issuance of the 20<sup>th</sup> building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.
11. Development Program  
Applicant shall construct the development in accordance with a Development Program. A Development Program shall be reviewed and approved by Staff prior to approval of the Certified Site Plan. The Development Program shall include a phasing schedule as follows:
- a. Street trees planting shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
  - b. Community-wide pedestrian pathways and recreation facilities, such as the tot lot and horseshoe courts, shall be completed prior to issuance of the 20<sup>th</sup> building permit.
  - c. Landscaping and lighting associated with each parking lot and building shall be completed as construction of each facility is completed.
  - d. Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.
  - e. Buffer planting along the extension of Fellowship Lane and the private street shall be installed as street construction progresses, but no later than six months after completion of the units adjacent to those streets.
  - f. The off-site sidewalk connection, if permitted by MCDPS, shall be constructed prior to the release of the 20<sup>th</sup> building permit.
  - g. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
  - h. Provide each section of the development with necessary roads.

- i. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.

12. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of the Certified Site Plan.

13. Certified Site Plan

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

- a. Development Program, inspection schedule, site plan index, and Site Plan Resolution.
- b. Development standards table consistent with 'Project Data Table' in Staff Report.
- c. Limits of disturbance.
- d. Methods and locations of tree protection.
- e. Forest Conservation Easement areas.
- f. MPDU and recreation facility calculations.
- g. Note stating the Staff must inspect tree-save areas and protection devices prior to clearing and grading.
- h. Revise the grading of Lots 1 through 5 to minimize grading and size of retaining wall.
- i. Revise the grading of Lots 10 through 17 to minimize grading and associated steep slopes.
- j. Details of fences proposed on top of retaining walls.

BE IT FURTHER RESOLVED that all site development elements as shown on Hallman Grove drawings stamped by the M-NCPPC on October 4, 2007, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

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.*

An approved development plan or a project plan is not required for the subject development.

2. *The Site Plan meets all of the requirements of the R-200/TDR and R-200 Zones and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Application meets all of the applicable requirements of the R-200/TDR and R-200 zones. The following Project Data Table sets forth the development standards approved by the Planning Board and binding on the Applicant.

**PROJECT DATA TABLE (R-200 with MPDU Option)**

Development Standard	Development Standards Approved by the Board and Binding on the Applicant
Min. Tract Area (ac.)	12.4
Max. Density of Development (d.u./ac.)	2.25
Max. Number of Dwelling Units	
Detached units	17
Attached units (townhouse)	11
Total	28
MPDUs	4
Min. Lot Area (sq. ft.)	
Detached Units	6,200
Attached Units	1,500
Min. Building Setbacks (ft.)	
Detached Units	
from public street	25
rear yard	15
side yard	5
Attached Units	
from private street	16
rear yard	12
side yard (end-units)	5
Accessory Buildings or Structures	
from street	60
rear yard	5
side yard	5
Min. Green Area per attached unit (sq. ft. per unit)	6,300
Max. Building Height (ft.)	40
Max. Building Height for Accessory Structures (ft.)	25
Min. lot width for detached unit at street line (ft)	25

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

- a. Buildings and Structures

The buildings are located in three cul-de-sac clusters. Two of these, with 8 detached dwelling units each, are accessed via the public street. The third cluster has 11 attached (townhouse) dwelling units and is accessed via a private street that connects to the public street. A single detached unit is isolated from the three clusters and accessed directly off Fellowship Lane. This layout seems to make the most efficient use of the land given the odd shape of the Subject Property and the constraints of maintaining the current access easement for the adjacent properties.

The buildings have an inward focus toward each cul-de-sac. The front façade and main entrance of the detached units face the cul-de-sac, where private driveways radiate to provide access to the two car garages of each unit. Similarly, attached units have a private driveway branching out of the private street to access the one car garage for each unit. The front of the buildings face onto the private street. The MPDUs are integrated with the market rate units as requested by DHCA in their letter dated July 26, 2007. The architectural character of the units resembles the neo-traditional style with emphasis on the front façade of the units. There are different elevations for the detached and attached units, which will add character and interest to this development. The buildings are safe, adequate and efficient.

There will be three retaining walls. The first modular concrete block wall, between the single detached house and the first cul-de-sac cluster, is 155-foot long and varies in height between 2 and 5 feet. The other two modular concrete block walls located 30 feet apart at the southwest corner of the site, take up the grade change without disturbing the adjacent land or the Forest Conservation Easement to the south of the townhouse cluster. Their exposed height varies between 1 foot and 5 feet. The Planning Board approved changes to the retaining walls to include fences as a safety measure, and to reduce the total length. The retaining walls are adequate, safe and efficient.

A fence with dense vegetation is provided along the existing access drive to maintain the privacy of the lots at Quince Orchard Estates that face Hallman Grove. This 5-foot fence is made of solid white vinyl panels and is heavily planted on both sides. The Planning Board finds this fence to be,



adequate, safe and efficient at providing solid screening and maintaining the privacy of the adjacent lots in the neighboring community.

b. Open Spaces

While this zone does not set an open space requirement for the total development, it sets a green area requirement for the attached units. This development exceeds the requirement for green area and will provide an ample area between the units and along the perimeter of the Property. The location of the green area requirement is adequate, safe and efficient.

c. Landscaping and Lighting

The main elements of the landscape plan include street trees, buffer plantings and focal area plantings. There will be shade trees along the public street and in each cul-de-sac per MCDPWT standards. Buffer plantings are mainly provided along the access roads and together with the privacy fence described above. These plantings include a mix of deciduous and evergreen shrubs with flowering trees that will add variety and interest to the solid fence. More intensive plantings are used as a highlight at the entrance to Hallman Grove and at the recreation amenities. None of the plantings are considered non-native invasive (NNI) per the latest listings of the M-NCPPC Parks Department.

The lighting plan will provide street lights along the public right-of-way that conforms with MCDPWT standards and street lights along the private street that are consistent in style and placement with those on the public street. The lights will be cut-off fixtures and illumination levels will not exceed 0.5 footcandles (fc) at any property line abutting adjacent residential properties. The landscaping and lighting is safe, adequate and efficient.

d. Recreation Facilities

The recreation demand for Hallman Grove is met on-site. The recreation facilities, including a tot lot, horseshoe court, sitting areas, and the pedestrian system, provide a variety of on-site recreation opportunities for the different age groups. Their location is well-distributed throughout the site and they will be conveniently accessed from the sidewalk system.

The recreation facilities conform to the requirements of the M-NCPPC Recreation Guidelines. The Planning Board approved changes to the horseshoe court to conform to the standard dimensions, and to the tot lot

to meet the minimum recommended setback from the adjacent townhouse building. As indicated in the M-NCPPC Recreation Guidelines, alternative measures such as landscaping will be provided for the tot lot to compensate for the reduced setback. The recreation facilities are safe, adequate and efficient.

e. Vehicular and Pedestrian Circulation

The access to the site is provided via a public road extension from the terminus of existing Fellowship Lane. The alignment of this extension follows an existing access easement, which provides ingress and egress for two parcels that are not part of the Site Plan (P795 and P927). According to the existing ingress/egress agreement, this access cannot be modified or terminated unless all parties agree. Since agreement to change the alignment was not reached, the development will use the existing access easement to create the Fellowship Lane extension as a public, reduced-width, tertiary standard road.

In line with the Planning Board findings at the time of Preliminary Plan, Planning Board finds that the use of a reduced-width, tertiary road is still justified, since it improves compatibility between existing subdivision and the subject subdivision by 1) increasing the amount of tree save and planting that can be provided where the roadway must abut the rear lot lines of existing homes to the south (Quince Orchard Estates); and 2) creating an opportunity for significant forest stand buffer between the smaller subject and larger existing lots to the north of the Property (Mountain View Estates). From an environmental perspective, the road is also better because it provides more contiguous on-site forest planting area and greater opportunity for tree save.

The private street connects to the public, reduced-width, tertiary road and it provides access to the townhouse cluster in the southwest corner of the site. The use of a private street will allow for an increased buffer and planting area that will help maintain the privacy and compatibility with adjacent neighboring lots. The vehicular circulation system is safe and adequate to serve the subject lots, and makes efficient use of the land already designated as an access easement.

Internal sidewalks will also be provided to facilitate pedestrian circulation throughout the development. Because both public and private streets are single-loaded, the sidewalk is only provided on one side of the roads. The pedestrian system of Hallman Grove formed by a continuous 5-foot wide

sidewalk is adequate and efficient in providing safe pedestrian linkages within the development.

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

The Site Plan meets the requirements and adheres to the standards for development in the R-200 zone using the MPDU Option. These standards include the option to use smaller lot sizes and provide up to 40 percent of the units as townhouses. The standards for minimum lot area for both detached and attached units are met at 6,200 square feet and 1,500 square feet, respectively. The adjacent community of Quince Orchard Estates to the south has lot sizes similar to the subject detached units, whereas the community of Mountain View Estates to the north has larger lot sizes. The maximum height of the subject units is 40 feet and they must not exceed 3 stories. In contrast, existing units to the south in the R-200/TDR zone and existing units to the north in the R-200 zone can have a maximum height of 50 feet.

In order to better address compatibility with adjacent development, the Site Plan proposes a 75 foot wide planted forest buffer between the subject units and existing houses along the northern boundary of the Property. Along the rear of existing houses on Quince Valley Drive adjacent to the subject townhouse area, the Site Plan preserves a minimum 50 foot wide forest buffer, except along the access road. Along the existing access drive where forest cannot be preserved, the Applicant will provide dense landscaping and fencing. The subject townhouses are also configured so that sides of units, rather than townhouse rows, face the rear of the existing houses. Finally, the extension of Fellowship Lane is designed so that tree preservation and supplemental planting can be provided between the road and the rear of existing homes.

The unit layout reflects the limitations associated with the parcels being assembled. Given these limitations, the Site Plan layout, with the buffering, is generally compatible with adjoining development.

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) was approved on February 15, 2007. The NRI/FSD delineates and identifies the existing conditions on the site including on-site environmental buffers, forests, topographical contours and soils. The site includes a stream and a small wetland,

1.27 acres of environmental buffers, and 6.46 acres of existing forest located in four distinct stands.

The Stormwater Management Concept consists of 1) on-site water quality control via a surface sand filter, a structural sand filter and non-structural methods; and 2) on-site recharge via recharge trenches and nonstructural methods. Channel protection volume is not required for parts of the site because the one-year post development peak discharge is less than or equal to 2.0 cfs.

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

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

BE IT FURTHER RESOLVED, that the date of this Resolution is DEC 20 2007 (which is the date that this Resolution is mailed to all parties of record); and

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

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At its regular meeting, held on Thursday, December 13, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Robinson, seconded by Commissioner Lynch, with Commissioners Hanson, Robinson, Cryor, and Lynch voting in favor, and Commissioner Bryant absent, ADOPTED the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 820070240, Hallman Grove.

  
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Royce Hanson, Chairman  
Montgomery County Planning Board