

The Courts at Clarksburg: Preliminary Plan No. 120150060 and Site Plan No. 820150030

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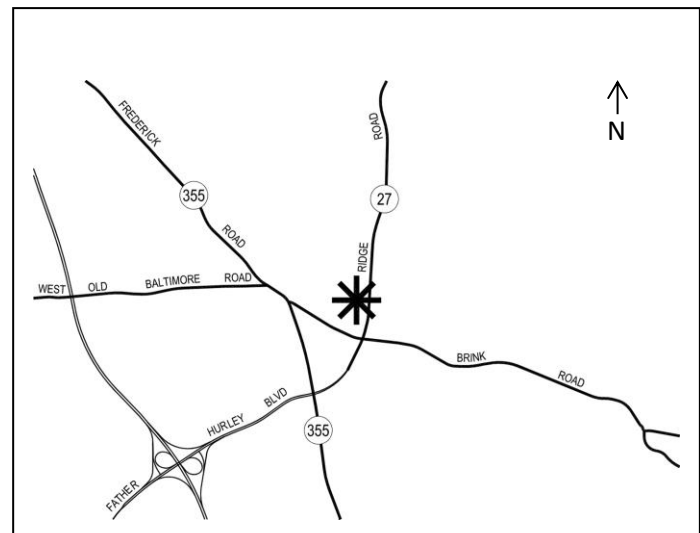
Completed: 07/17/15

Description

The Courts at Clarksburg: Preliminary Plan No. 120150060 and Site Plan No. 820150030

Request to create one hundred and forty (140) lots for 140 age-restricted one-family detached units including 12.5 percent MPDUs; located on the west side of Ridge Road (MD-27), north of Brink Road; 54.32 acres: PRC (Planned Retirement Community) zone; *1994 Clarksburg Master Plan & Hyattstown Special Study Area.*

Applicant's name – Windridge Farms LLC
Application Accepted – 10/6/2014
Review Basis – Chapter 50, Chapter 59



Summary

Staff recommends approval of Preliminary Plan No. 120150060 and Site Plan No. 820150030 including a Final Water Quality Plan for 140 age-restricted one-family detached units including 12.5% MPDUs.

- The applications were submitted in October 2013. As such, they have been reviewed under the standards and procedures of the previous Zoning Ordinance in effect prior to October 30, 2014 as allowed by Section 7.7.1.B.1 of the Zoning Ordinance.
- Staff supports the 20-foot wide closed section streets in the Clarksburg Special Protection Area (SPA).
- Staff supports the two over-length cul-de-sacs with the additional sidewalk and trail connections.
- Staff supports no sidewalks only on the cul-de-sac bulbs, which helps to reduce impervious on the SPA.
- The site plan conforms to all binding elements of the Development Plan approved with G-881.
- As conditioned, the Final Water Quality Plan will allow 29 percent imperviousness including all off-site improvements.
- As conditioned, the Applicant must submit recorded documents confirming that all of the property in the Courts at Clarksburg has been annexed to and is part of the Clarksburg Village Homeowners Association in order to make all amenities at Clarksburg Village available to all residents at the Courts at Clarksburg.

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SECTION 1: CONTEXT AND PROPOSAL

SITE DESCRIPTION

Vicinity

The property is zoned Planned Retirement Community (PRC), a planned unit development zone for senior housing established under Section 59.C-7.0 of the zoning ordinance. The property is currently a 54.32 acre unplatted parcel, located along in the northwest quadrant of the intersection of Ridge Road (MD 27) and Brink Road (“Property” or “Subject Property”) (Figure 1). The Property is identified as Parcel 429 on Tax Map FV122 and EV562 and is located in the Little Seneca Creek Watershed (Use Class IV-P). Furthermore, the Property is located in the Clarksburg Special Protection Area.

The Property was zoned RE-2 by the 1994 *Clarksburg Master Plan and Hyattstown Special Study Area* (“Master Plan”^{1,2}). However, zoning case G-881 rezoned the Subject Property to the PRC zone in June of 2013. The Subject Property is currently vacant but has been historically used for agricultural purposes (Figure 2). The Subject Property is in water and sewer categories W-1 and S-1, respectively.

Properties surrounding the Subject Property are primarily developed with residential uses with a mixture of recreational resources, agricultural uses and utility uses. To the west is the Brink Meadow subdivision in the RE-2 zone. To the north is the Greenside Acres subdivision in the R-200 zone. The Ridge Road Recreation Park is located to the south across Brink Road from the Subject Property. Across Ridge Road to the east is agricultural land, a WSSC water tower and an expansive cemetery in the RDT zone (now AR under the new zoning ordinance). In addition, located adjacent to the northwest corner of the Subject Property is the Howes Farm (Yegher Country Inn), which is a historic resource listed in the Master Plan for Historic Preservation (#13/19). There is an existing gas line easement that traverses the western portion of the Property in a west-east orientation.

Ridge Road (MD 27) runs along the east side of the Property; Brink Road along the south, and the future Snowden Farm Parkway extension (A-305) from the Clarksburg Village Center to Ridge Road will traverse through the northern portion of the site. A private driveway for the historic Howes Farm building runs along the northern boundary of the site. The extension of Snowden Farm Parkway will sever the Howe’s Farm access to Ridge Road, but access to Snowden Farm Parkway will be created.

¹ The 1994 Master Plan was amended by the *2011 Limited Amendment to Allow an Exception to the Retail Staging Provisions*, which is not applicable to the Subject Property because no retail/commercial uses are proposed.

² *The Ten Mile Creek Area Limited Amendment to the Clarksburg Master Plan & Hyattstown Special Study Area* does not include the Subject Property.

Figure 1: Vicinity Map

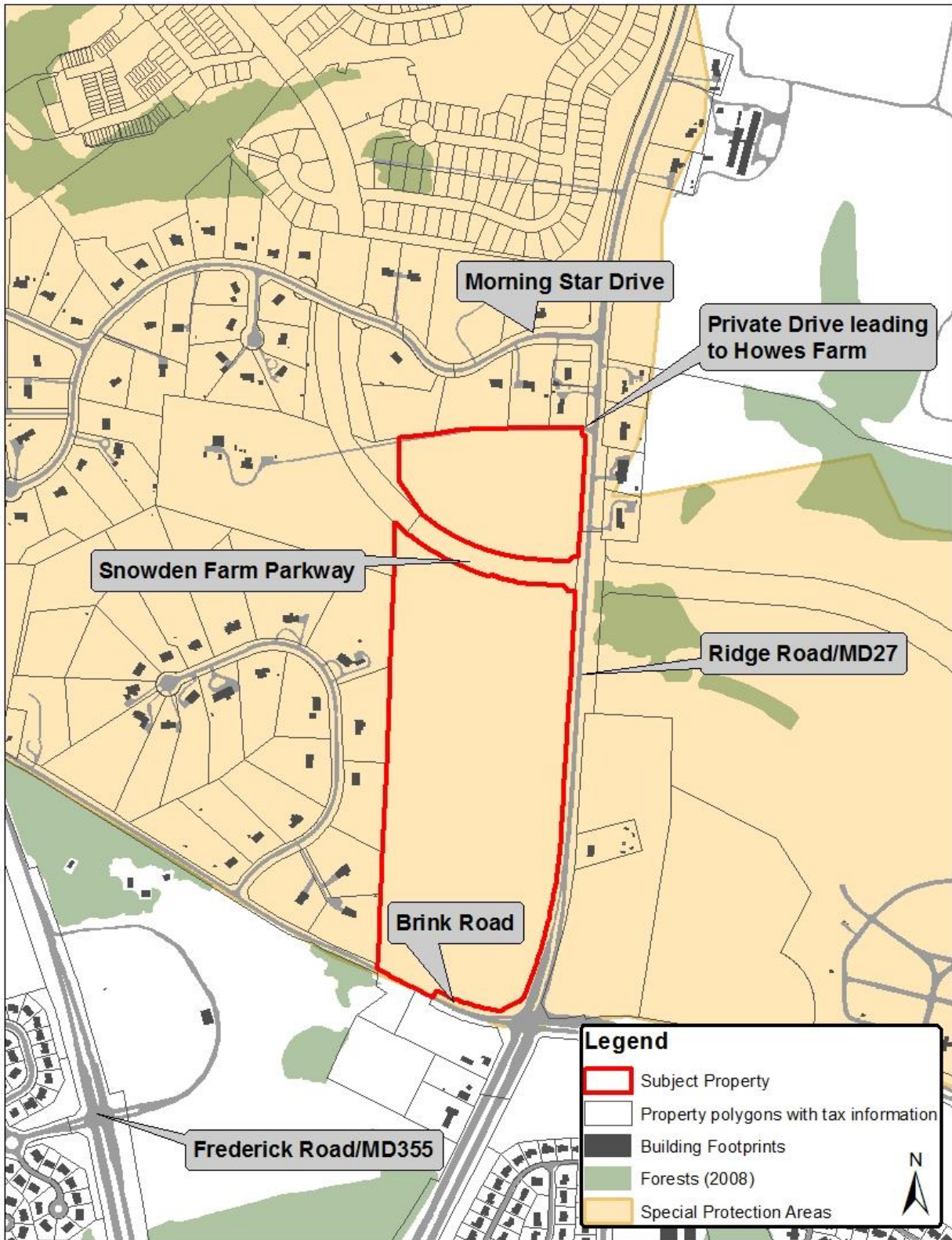


Figure 2: Aerial Photo

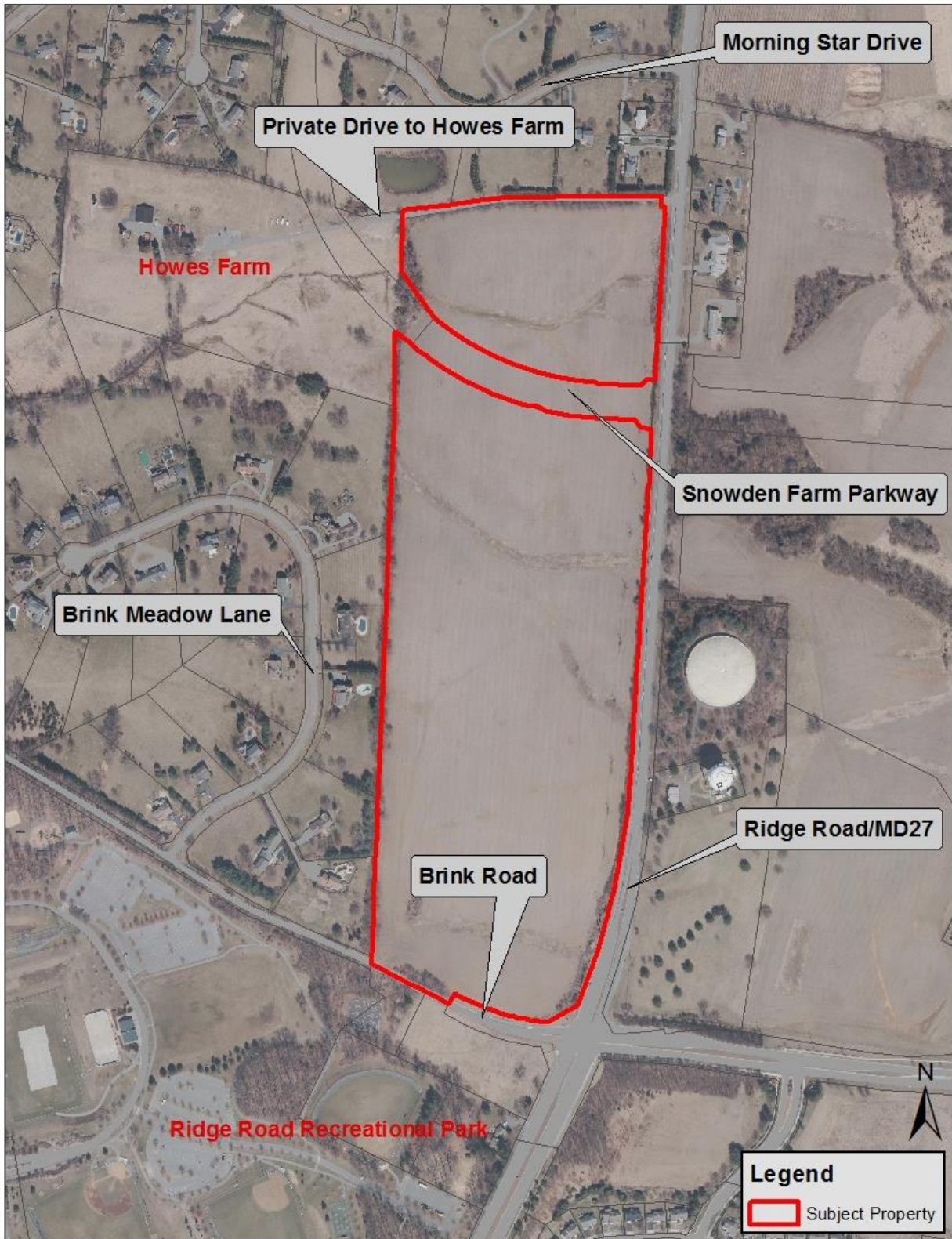


Figure 3: Illustrative Site Plan Drawing

PROJECT DESCRIPTION

Proposal

The Preliminary Plan is designated No.120150060, (“Preliminary Plan”) and the Site Plan is designated No. 820150030 (“Site Plan”). The applications propose to create 140 lots for 140 age-restricted detached one-family homes including 12.5% MPDUs served by public water and sewer.

The PRC zone under Section 59-C-7.4 intends “to provide for the establishment of a planned retirement community type of development, accessible to or providing within it most of the day-to-day recreational, medical, retail, commercial, and similar service required by the residents.” Furthermore, a project in the PRC zone should be “designed as to achieve a maximum of coordination between the development and the surrounding uses, including a maximum of safety, convenience and amenity for the residents of the development.

While the Application does not contain medical, retail, commercial or similar service within the boundaries, it does leverage its proximity to the Clarksburg Village commercial area, the Milestone Shopping Center, the Ridge Road Recreational Park, and recreational amenities located in the Clarksburg Village subdivision to provide these amenities. As such, the Applicant proposes to join the Clarksburg Village Homeowners Association in order to provide a portion of these recreational opportunities envisioned by the zone.

The development will dedicate 57.5 feet of right-of-way from the future centerline of Brink Road and the Applicants have already provided the right-of-way for the extension of Snowden Farm Parkway to be built by others. The Application proposes 20-foot wide closed section streets public streets with sidewalks on both sides except around the cul-de-sac bulbs. The Application is accessible via Brink Road to the south as well as a future connection to Snowden Farm Parkway, currently under construction. The proposed street section



will not allow for on-street parking in all locations. On street parking is accommodated at certain locations.

The Site Plan provides an elaborate amenity and open space concept consisting of 3 main areas connected by a trail and sidewalk system (Figure 3). Area 1 is a natural park with an area of open lawn, sitting and a pergola. Area 2 is the Clubhouse with a community garden, and an outdoor patio for grilling and seating. Area 3 is a passive linear seating area with lawn and seating nooks. These Areas are connected by sidewalks and thematic trails that include specific plantings and design elements, such as bird boxes, to attract butterflies and birds. Also at key locations along the trails, the plan provides dog stations. In addition, some reforestation areas, such as, along the western property boundary, are also used for recreation by including natural surface trails and enhancing the planting plan.

Previous Approvals

Zoning Case G-881

The Subject Property was rezoned from RE-2 to the PRC with District Council Resolution 17-780 adoption on June 11, 2013 [Attachment 5]. The Development Plan associated with zoning case G-881 has a variety of binding elements. The binding elements allow for a maximum of 140 lots with an allowed housing mix of up to 15% attached single-family units and 85% detached single-family units. All units are required to be age-restricted for individuals 50 years of age and up with exceptions made for disabled relatives and eligible people according the Section 59-C-7.44. All units are limited to maximum of 35 feet in height. The Applicant is also required to provide 250-330 parking spaces on-site as well as a community center included in the binding elements. The final binding element is an impervious surface limit of 28% based on a net acreage of 49.4 acres.

CITIZEN CORRESPONDENCE AND ISSUES

These Applications were submitted and noticed in accordance with all Planning Board adopted procedures. Four signs referencing the applications were posted along the Property frontage (three signs along the MD 27/Ridge Road frontage and one sign along the Brink Road frontage). A pre-submission meeting was held at the Clubhouse of Clarksburg Village located at 23075 Turtle Rock Terrace on August 27, 2014 at 7:00 pm. Twenty-four people who were not part of the Applicant's team attended the meeting and according to the minutes of that meeting, questions were raised regarding the location of the community center, traffic, road improvements, signage and the status of A-305/M-83, Snowden Farm Parkway.

An adjacent property owner attended the Development Review Committee meeting on December 8, 2014 to listen to the subject matter of the meeting between Staff and the Applicant. After the meeting concluded, Staff met with the citizen separately. The citizen also sent a follow-up letter summarizing his concerns about the project [Attachment 14]. The concerns pertained to impervious surface cap, density and compatibility, location of the community center/Clubhouse, setbacks from adjoining properties, street width, sight line distance and safety concerns with the Brink Road access. These topics are all addressed in the Findings Section of the Staff Report.

SECTION 2: PRELIMINARY PLAN #120150060

RECOMMENDATIONS & CONDITIONS

Staff recommends approval of Preliminary Plan No. 120150060 subject to the following conditions:

1. This Preliminary Plan is limited to one hundred and forty (140) lots for one hundred and forty (140) age-restricted residential homes and one 2,800 square foot community center support building.
2. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated May 22, 2015 (Attachment 10), and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
4. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services (“MCFRS”) approval dated July 1, 2015 (Attachment 12) and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the approval. These recommendations may be amended by MCFRS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. The Planning Board accepts the recommendations of the Maryland State Highway Administration (“MDSHA”) in a letter dated April 22, 2015 (Attachment 11) and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the approval. These recommendations may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Applicant must dedicate and show on the record plat the rights-of-way for the following roads as well as construct the roads to the design standards specified below:
 - a. Road A with a minimum of 44 feet of right-of-way from the cul-de-sac on Road A to Snowden Farm Parkway. Road A must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - b. Road B with a minimum of 44 feet of right-of-way from Snowden Farm Parkway to the cul-de-sac on Road B. Road B must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - c. Road C with a minimum of 44 feet of right-of-way from the cul-de-sac on Road C to Road D. Road C must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.

- d. Road D with a minimum of 50 feet of right-of-way from Road B to Road C. Road D must be constructed to MCDOT Road Code Standard MC-2001.02: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - e. Road D with a minimum of 44 feet of right-of-way from Road C to Brink Road. Road D must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - f. Brink Road with a minimum of 72.5 feet of right-of-way from the future centerline of Brink from Ridge Road along the entire frontage of the Applicant's site. Brink Road must be constructed to MCDOT Road Code Standard MC-2004.16: Suburban Divided Arterial Modified as shown on the Preliminary Plan.
7. The Applicant must implement a signal modification at Brink Road and Ridge Road (MD 27) with MCDOT approval at such time as the Brink Road/Ridge Road intersection improvement is constructed.
8. Prior to the issuance of the 76th residential building permit for those units between Brink Road and Snowden Farm Parkway , both points of access to Brink Road and Snowden Farm Parkway must be complete and accepted for maintenance by MCDOT.
 - a. The Applicant must construct left turn lanes on eastbound and westbound Snowden Farm Parkway as shown on the Preliminary Plan prior to any access being approved by the MCDOT.
 - b. The Applicant must construct the frontage improvements on Brink Road as shown on the Preliminary Plan prior to any access being approved by MCDOT.
9. The Applicant must construct a 10-foot shared use path on the west side of Ridge Road from Snowden Farm Parkway (A-305) to the northern property line as shown on the Preliminary Plan.
10. The Applicant must satisfy the Adequate Public Facilities – Transportation Policy Area Review (TPAR) test by making a TPAR payment, equal to 25% of the applicable development impact tax, to the Montgomery County Department of Permitting Services at the time of 1st building permit.
11. 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. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permits. 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.”
12. Record plat must show all necessary easements.
13. 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.

14. Prior to Certified Preliminary Plan, the Applicant must address Eplans markups including minor clarifications and corrections to the plan drawings.

ANALYSIS AND FINDINGS – Chapter 50

Conformance to the Master Plan

This Property is located within the “Brink Road Transition Area” identified on Page 75 of the Master Plan. The issue of Master Plan conformance was largely determined during zoning case G-881.

The Montgomery County District Council and the Planning Board concluded that the best way to support the overall objectives of the 1994 Clarksburg Master Plan is to allow a density in this Brink Road Transitional area of two to four dwelling units per acre. However, this density could not be completely implemented because of the inability to provide sewer service for all areas of the Brink Road Transition area, including the Subject Property. The proposed development has a density of 2.6 dwelling units per acre, well within the preferred range specified for the larger transitional area. In the review of the Development Plan and local map amendment application, the Planning Board and District Council concluded that the density proposed by the Applicant was consistent with the goals of the Master Plan, now that public sewer service can be provided for the Subject Property.

The Planning Board and District Council further concluded that the local map amendment application substantially complied with the Master Plan. The Planning Board believed that the proposed rezoning from RE-2 to the PRC Zone and the associated Development Plan met the overall goals and density of the Brink Road Transition Area and provided an appropriate transition from the Germantown Master Plan Planning Area to the Clarksburg Master Plan Area.

Because the Preliminary Plan remains substantially unchanged from the Development Plan, the Preliminary Plan substantially complies with the 1994 Clarksburg Master Plan.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The *1994 Clarksburg Master Plan & Hyattstown Special Study Area*, and the *2005 Countywide Bikeways Functional Master Plan* include the following nearby roadway/bikeway facilities:

- Ridge Road (MD 27): A controlled major highway (M-27) with six divided travel lanes (three in each direction) and a minimum right-of-way of 150 feet from Brink Road to M-83 (Snowden Farm Parkway). From M-83 to Skylark Road, the minimum right-of-way dedication is 120 feet with four divided travel lanes (two in each direction). The Bikeways Master Plan calls for a shared roadway (SR-39) from Brink Road to the Howard County line.
 - As part of the development of the Clarksburg Town Center, an upgraded bicycle facility is being provided on Ridge Road from Brink Road to Snowden Farm Parkway (A-305), which is a higher grade bicycle facility than recommended in the Bikeways Master Plan recommendation of a shared roadway.
 - Since a shared use path is being constructed between Brink Road and Snowden Farm Parkway, and because a shared use path exists north of the site from Apple Orchard

Way to about 200 feet north of Morning Star Drive, Staff has requested that the Applicant construct a 10-foot shared use on the remainder of their frontage on Ridge Road from Snowden Farm Parkway to the northern property line. This will create an almost continuous shared use path on the west side of Ridge Road from Apple Orchard Way to Crystal Rock Drive in Germantown, a distance of more than 3 miles. A higher grade bicycle facility is being constructed on Ridge Road than recommended in the Bikeways Master Plan, which is a shared roadway.

- Snowden Farm Parkway: An arterial (A-305) with four divided travel lanes (two in each direction) and a minimum right-of-way of 120 feet from Ridge Road (MD 27) to Stringtown Road. The Bikeways Master Plan calls for a shared use path (SP-70) from the ICC to Frederick Road (MD 355). The Bikeways Master Plan calls for this path to be built on the north side of the road; however, in this section the path has already been constructed on the south side of the road; therefore the Mandatory Referral (MR2010814) stipulated that constructing the shared use path on the west/south side of the road was acceptable.
- Brink Road: An arterial (A-36) with four divided travel lanes (two in each direction) and a minimum right-of-way of 100 feet from MD 355 to M-83. The Bikeways Master Plan calls for a shared roadway (SR-62) from Frederick Road (MD 355) to Damascus Road (MD 650). The bikeway name is Sundown Road/Brink Road.
 - The minimum right-of-way for the road is being increased from 100 feet to 115 feet. This is primarily to accommodate the treatment of storm water through the environmentally context sensitive road design. The road is being designed as an open section road.
 - The Bicycle Master Plan recommendation of a shared roadway is being upgraded to a shared use path for the reasons that follow. The road has a posted speed limit of 40 miles per hour with no shoulders. Other roads in the area, including Ridge Road, also have a posted speed limit of 40 miles per hour and have, or will have, shared use paths for the bicycle and pedestrian infrastructure. The bicycle path network that has been constructed, and continues to be constructed in the area, is a system of shared use paths; therefore, a shared use path on the north side of Brink Road connecting into a funded and soon-to-be-built shared use path on Ridge Road is a more appropriate bicycle facility.

Public Facilities

Roads and Transportation Facilities

The development will require a full movement intersection for vehicular access on the portion of the future Snowden Farm Parkway that bisects the Property. This intersection was not shown in the Mandatory Referral (MR2010814) for Snowden Farm Parkway when reviewed by the Planning Board or when the zoning case was presented to the Planning Board on December 10, 2010. The Applicant is currently working with the party responsible for constructing the extension of Snowden Farm Parkway to modify the design to include the necessary intersection. The intersection will require left turn lanes on both eastbound and westbound Snowden Farm Parkway to make left turns into the proposed development, which is on both sides of Snowden Farm Parkway.

Another second point of vehicular access (intersection) is required on Brink Road and it will also be a full movement access. Other significant improvements to Brink Road are required to be completed by the developer of Black Hills (formerly Crystal Rock, Preliminary Plan 120120210), as a condition of their

approval. That developer must construct a second westbound through-lane on Brink Road at Ridge Road. The two westbound through-lanes will transition to one westbound lane along the Subject Property's frontage. The Applicant must participate in this intersection improvement as a condition of approval of this development in order to complete the Brink Road (A-36) along the Subject Property frontage. The Master Plan requires two lanes in the westbound direction along the entirety of the Subject Property frontage on Brink Road. The development will have no direct vehicular access to Ridge Road.

All internal streets are tertiary roads. Section 49-31.n of the Montgomery County Code limits the number of units on a tertiary road to 75. Therefore, Condition #8 of the Preliminary Plan prohibits issuance of the building permit for the 76th unit (located between Snowden Farm Parkway and Brink Road) until access to both Brink Road and Snowden Farm Parkway is open.

The Master Plan indicates a desire line for bicycle facilities on Brink Road from MD 355 to the future Mid-County Highway (M-83) while the Master Plan of Bikeways indicates a shared roadway (SR-62) from MD 355 to Damascus Road. Brink Road has a posted speed of 40 miles per hour with no shoulders. Given the speed and design of the road staff has recommended that the Applicant construct an 8-foot shared use path along their frontage of Brink Road that will tie into the 8-foot shared use path being constructed on Ridge Road. There is room to expand this path to 10-feet wide if needed; however, because this property is in the Clarksburg Special Protection Area where impervious surfaces should be limited, an 8-foot shared use path is acceptable. Additionally, the shared use path being constructed on Ridge Road, as part of the road widening, are 8-feet wide, as are the existing paths on Ridge Road south of Brink Road.

Along with the road improvements to Ridge Road and Snowden Farm Parkway, the Clarksburg Town Center developer is constructing 8-foot shared use paths on the west side of Ridge Road and the south side of Snowden Farm Parkway. To increase the pedestrian and bicycle access to these shared use paths, a series of hard surface and natural surface paths will be constructed within the development to connect to these paths. These path connections will reduce the distance a person needs to walk or bike and promote alternative forms of transportation to destinations in Clarksburg and Germantown.

Vehicular parking for the development is provided in garages and driveways associated with each unit. Each garage will accommodate two vehicles and most of the driveways will necessarily accommodate two cars. Seventeen additional on street, guest parking spaces have been dispersed throughout the Subject Property in groupings of two or more spaces. The Clubhouse has seven additional surface parking spaces.

Montgomery County Ride-On Route 79 provides bus service along Ridge Road (MD 27). The route connects Clarksburg Town Center to the Shady Grove Metrorail Station via Skylark Road, Ridge Road, and I-270 Monday through Friday with service every 30 minutes. The route operates in the southbound direction during the morning peak period and the northbound direction during the afternoon peak period. The closest bus stop is at Apple Orchard Way, which is about one third of a mile to the north of the Subject Property. At this time, taking transit, based on the bus stop locations and service availability, would be very limited, if non-existent. As roads are constructed and density increases, there could be the possibility of looking at bus service expansions; however, this would be need to be done by Montgomery County Ride-On assuming sufficient funds are available to expand the route.

Removal of sidewalks on cul-de-sac bulbs

All internal sidewalks will be a minimum of 5-feet wide on both sides of the roads except in a few locations where consideration was made to eliminate sidewalks in order to reduce the impervious surfaces. Sidewalks are not being provided in the 3 cul-de-sac bulbs (Figures 4, 5, and 6) and along the west side of Street D as it approaches Brink Road (Figure 5). This exception is made for the west side of Street D for approximately 450 feet because no houses will be constructed along this stretch of the road, and because there is an alternative natural surface path running through the proposed forest conservation easement in this location that will connect to the shared use path on Brink Road. Staff gave particularly high scrutiny to the elimination of sidewalks, especially in an age-restricted housing development, however, it was felt that removing the sidewalks in the cul-de-sac bulbs creates the least impact on pedestrian circulation while achieving a small reduction in imperviousness. Therefore, staff finds sufficient reason for the Planning Board to accept this modification.

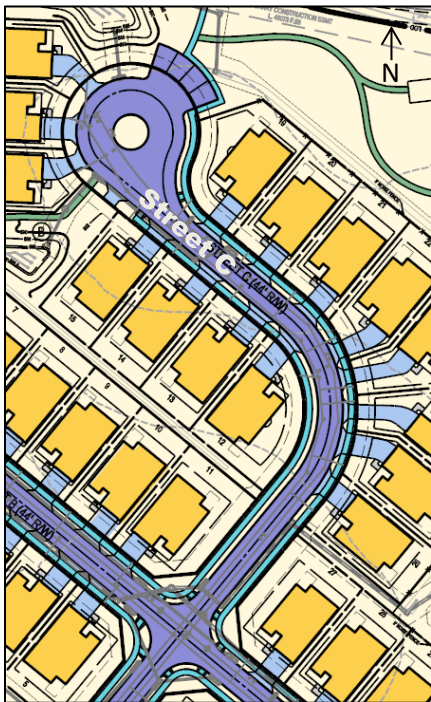


Figure 4 – Cul-de-sac bulb at Street C and sidewalks shown in blue.

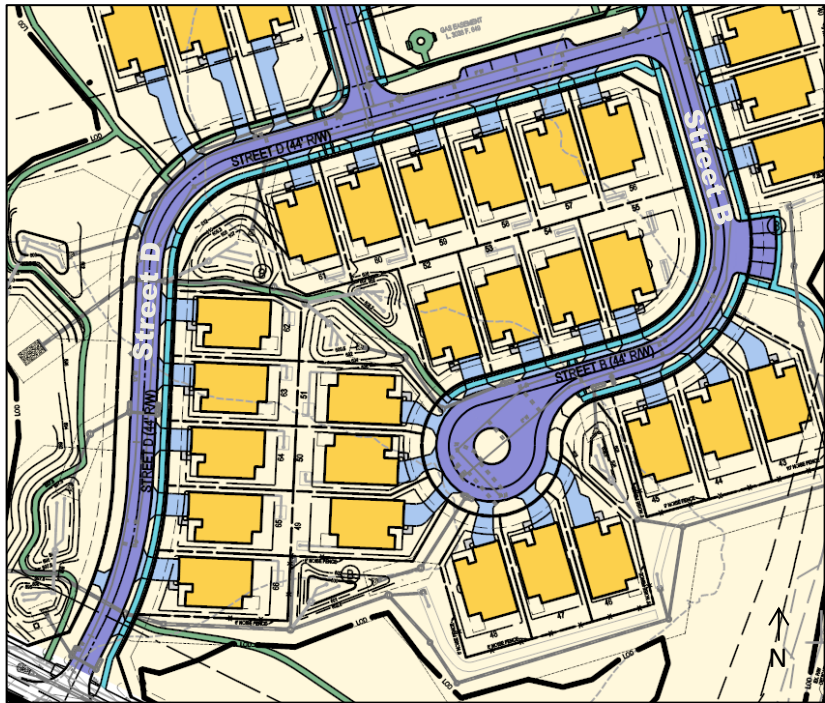


Figure 5 – Cul-de-sac bulb at Street B and sidewalks shown in blue. Street D with sidewalk on one side only.

Over-length cul-de-sacs

Section 50-26(b) of the Subdivision Regulations allows the Planning Board to approve cul-de-sacs when their use would produce an improved street layout because of unusual shape, size or topography of a given property. Cul-de-sacs that exceed 500 feet in length are generally discouraged unless the Planning Board determines that the property's shape, size, topography, large lot size, or improved street alignment dictate a longer length.

There are two over-length cul-de-sacs proposed in the development. The first is on Street A, where the cul-de-sac is approximately 750 in length (Figure 6) and the second is on Street C where the cul-de-sac is approximately 550 feet in length (Figure 4). Street A cannot be extended as a through street to the west or north since this is land not owned by the Applicant and the land has little subdivision potential that

would allow the roads to be extended. By providing access to Snowden Farm Parkway at a location other than that proposed, it would make the intersection spacing too close. Trying to provide a point of access to Ridge Road, north of the future Snowden Farm Parkway intersection, would also create an intersection that is too close to the Snowden Farm Parkway/Ridge Road intersection. Furthermore, Ridge Road is significantly higher in elevation than Street A, thus making a road connection impractical due to the steep grades that would be required. Ultimately, intersection spacing would not allow any additional connections to Ridge Road or Snowden Farm Parkway. In order to improve connectivity, a sidewalk connection is provided from Street A to Ridge Road, which creates a shortcut to the shared use path on Ridge Road.

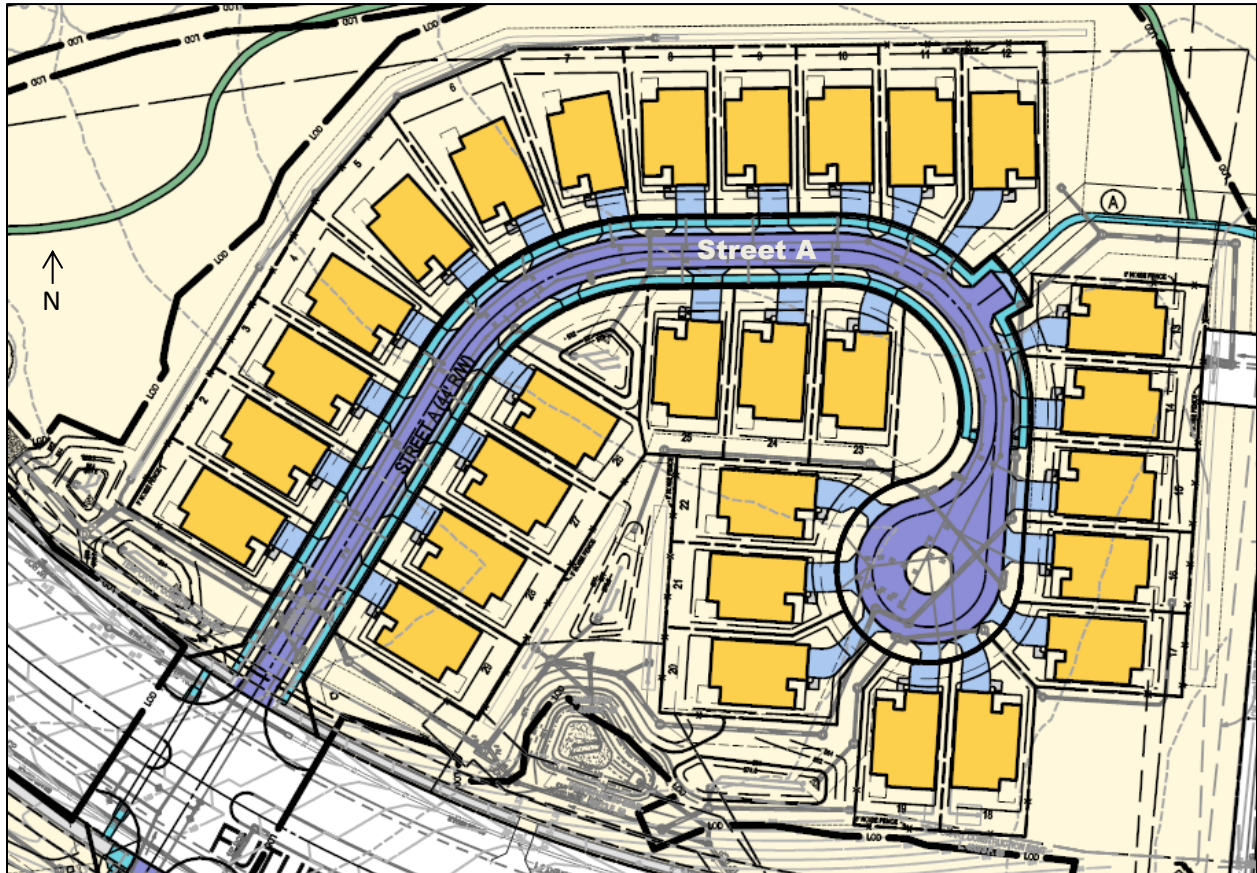


Figure 6 – Over-length cul-de-sac at Street A and sidewalk treatment at cul-de-sac bulb.

Street C is slightly over the over-length cul-de-sac limit; however Street C cannot connect to Snowden Farm Parkway or Ridge Road due to intersection spacing. Additionally, connecting Street C to Street B at another point north of the community center would create sight distance issues and intersection spacing issues. The intersections need to be spaced approximately 300 feet apart, which means the intersection would be on a curve on Street B. To improve connectivity, a sidewalk is being proposed to connect the cul-de-sac on Street C to Snowden Farm Parkway and a natural surface path to connect Street C to Street B (Figure 12). Staff believes that based on the intersection spacing, and the walking/biking connections proposed to improve connectivity, there is sufficient reason for the Planning Board to approve cul-de-sacs that are greater than 500 feet in length for this Application.

20-foot wide closed section streets in a Special Protection Area

The Applicant has requested a modification from COMAR Section 19.67.01.09 (IV) to allow 20-foot wide closed section streets within a Special Protection Area (SPA). MCDOT has approved this modification as part of the submitted design exception in their letter dated May 22, 2015 letter (Attachment 10). In this case, the narrowness of the streets improves water quality by reducing impervious surface. In conjunction with the on-site Environmental Site Design structures to control and treat stormwater runoff, the narrow pavement helps match the level of water quality expected with the implementation of open-section streets with drainage swales typically implemented in SPA's. Because the environmental objectives of the SPA are still being achieved, staff finds sufficient reason for the Planning Board to accept the modification.

Adequate Public Facilities Review (APF)

As conditioned, the Preliminary Plan will satisfy the LATR and TPAR requirements of the Adequate Public Facilities (APF) review. The peak-hour trip generation estimated for the development was based on trip generation rates included in the *ITE Trip Generation Manual, 9th Edition* for Senior Adult Housing – Detached (ITE-251). A site trip generation summary is presented in Table 1, which shows that the development would generate a total of 54 new peak-hour trips during the weekday morning peak hour and 58 new peak-hour trips during the weekday evening peak hour. The community center is meant to support the residential units of the Subject Application; therefore, no trips have been assigned to this use. The Subject Property is currently vacant.

Table 1: Site Trip Generation

Development	Units	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Senior Adult Detached (ITE-251)	140	19	35	54	35	23	58

Local Area Transportation Review (LATR)

A traffic study dated February 4, 2015 (revised March 3, 2015), was submitted to determine the impact of the development on the area transportation system. Four local intersections were identified as critical intersections for analysis to determine whether they meet the applicable congestion standard. One of the intersections, Brink Road & proposed Street D (Site Access), is a future intersection that would only exist with the development. The intersections are located in the Clarksburg Policy Area with a Critical Lane Volume (CLV) standard of 1,425. The proposed development's trips were added to the existing and the background traffic (approved but unbuilt developments) to determine the total future traffic. The total future traffic was assigned to the critical intersections to evaluate the total future CLVs. The results of CLV calculations are shown in the Table 2 below. As shown in the table, two of the intersections will operate at acceptable conditions under the background development condition and total future condition with the proposed use on the Subject Property. Two intersections will exceed the CLV standard.

The intersection of MD 27 & Skylark Road exceeds the CLV standard in the background condition and was identified and included in the analysis because Snowden Farm Parkway, which is south of, and closer to the Subject Property, is not currently constructed. The Applicant was advised to include the Snowden Farm Parkway extension in their analysis since the road is scheduled to be constructed in the very near future. Once Snowden Farm Parkway is open, any traffic associated with the Subject Property would use Snowden Farm (and not Skylark Road) to head towards the Clarksburg Town Center. This

means no future trips from the Subject Property were assigned to use the Skylark Road/Ridge Road intersection to access the Town Center. Since the development is not sending any additional trips through this intersection under the future condition, they do not need to mitigate the failing condition of the intersection, which is caused entirely by the background traffic from approved developments.

The intersection of MD 27 and Brink Road exceeds the CLV standard in the background condition and is made slightly worse by the Subject Property. To remedy this failing condition, the Applicant either needs to mitigate the failing condition or mitigate 150% of the developments’ vehicle trips on the failing intersection. The Applicant has shown that the failing condition can be mitigated by adjusting the traffic signal to remove the “split phasing” for the Brink Road approaches to MD 27. The Applicant is required to work with the Montgomery County Department of Transportation to implement this improvement when this intersection is being improved in the near future.

The Applicant was allowed to include the improvement associated with the Snowden Farm Parkway extension since they have provided right-of-way for its construction. The Applicant was also allowed to include the Brink Road/Ridge Road intersection improvement as they will be participating in the cost associated with this improvement.

Table 2: Summary of Critical Lane Volume (CLV) Calculations

Intersection	Critical Lane Volume (CLV) Standard	Existing Traffic		Background Traffic		Total Future Traffic		Total Future Traffic with Improvement	
		AM	PM	AM	PM	AM	PM	AM	PM
MD 27 & Skylark Road	CLV Standard 1,425	1,198	1,269	1,505	1,570	1,505	1,570	1,505	1,570
	Exceed CLV	no	no	yes	yes	yes	yes	yes	yes
MD 27 & Brink Road	CLV Standard 1,425	1,024	1,178	1,277	1,441	1,309	1,449	1,309	1,421
	Exceed CLV	no	no	no	yes	no	yes	no	no
MD 27 & Snowden Farm Parkway	CLV Standard 1,425	---	---	1,147	1,132	1,162	1,132	1,162	1,132
	Exceed CLV	---	---	no	yes	no	yes	no	no
Brink Road & Site Access	CLV Standard 1,425	---	---	---	---	260	371	260	371
	Exceed CLV	---	---	---	---	no	no	no	no

Local Area Transportation Review (LATR)

The Property is located in the Clarksburg Policy Area. According to the 2012-2016 Subdivision Staging Policy (SSP), the Clarksburg Policy Area is inadequate under the transit test; therefore, a TPAR payment of 25% of the General District Transportation Impact Tax is required. The timing and amount of the payment will be in accordance with that set in Chapter 52 of the Montgomery County Code.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the proposed lots. The Property is located in the W-1/S-1 water and sewer service categories. As such, the Applicant will extend public water and sewer infrastructure to serve all the lots in the subdivision. The Application was also reviewed by the Montgomery County Fire Marshal’s office, and was approved on July 1, 2015 (Attachment 12). Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the FY 2016 SSP. The Application is age-restricted housing in the PRC zone and is, therefore, exempt for the School Facilities Payment Test.

Adequate Public Facilities Conclusion

The Preliminary Plan has been evaluated by Staff, the Montgomery County Department of Transportation, the Montgomery County Department of Fire and Rescue Services, and the Maryland State Highway Administration, all of which support the transportation elements of the Plan. Staff finds the proposed accesses to the Subject Property, as shown on the Preliminary Plan, to be adequate to serve the traffic generated by the development. Staff also finds that the internal and external pedestrian circulation and walkways as shown on the Preliminary Plan will provide adequate movement of pedestrian traffic and bicycle traffic.

Environment

The Property is located within the Little Seneca Creek watershed and drains to an unnamed tributary of Little Seneca Creek beginning on the adjacent property to the west. The Property is located within the Clarksburg Special Protection Area (SPA). There are no streams, wetlands, or 100-year floodplains on the Subject Property but there is a small area of environmental buffer on the Property that extends from the offsite stream. There are no steep slopes ($\geq 25\%$) or highly erodible soils on the Property. The Property contains approximately 0.21 acres of high priority forest in one stand located in the northwest corner, within and adjacent to the environmental buffer. Future A305/M83 (Snowden Farm Parkway) will bifurcate the Property. This master planned road was approved under a separate Final Forest Conservation Plan, as part of Mandatory Referral MR2010814, and includes some disturbance, including forest clearing on the Subject Property.

Forest Conservation Plan

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. As conditioned and fully discussed in the Site Plan Section of the Staff Report, the Application is in compliance with the Environmental Guidelines and the Forest Conservation Law.

The Preliminary Forest Conservation Plan (G-881) was approved by Planning Board Resolution dated January 16, 2013 during the review of the re-zoning of the Subject Property, which included a Development Plan. The Final Forest Conservation Plan was submitted as part of this Application and proposes to retain all of the remaining 0.21 acres of existing forest and provide the entire 7.01 acre forest planting requirement on-site.

SPA Water Quality Plan

The Application satisfies all of the applicable requirements of Chapter 19 of the Montgomery County Code. As conditioned and fully discussed in the Site Plan Section of the Staff Report, the Application is in compliance with the Environmental Guidelines and Chapter 19 of the Montgomery County Code.

A Preliminary Water Quality Plan (G-881) was approved by the Planning Board Resolution dated January 16, 2013 during the review of the re-zoning of the Property. The Final Water Quality Plan was submitted as part of this Application and proposes to protect the areas of environmental buffer, existing forest, and planted forest in a Category I Conservation Easement. The Applicant has demonstrated efforts to minimize impervious surfaces. In a letter dated April 17, 2015, MCDPS conditionally approved their portion of the SPA Water Quality Plan including site performance goals, stormwater management, sediment and erosion control and BMP and stream monitoring. The approved stormwater management concept plan proposes to meet the required stormwater management goals via bio-swales, microbioretention and dry wells.

Compliance with the Subdivision Regulations and Zoning Ordinance

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations and is found to meet all applicable sections. The proposed lot size, width, shape and orientation are found to be appropriate for the location of the subdivision, as a standard method development plan, within the Master Plan.

The lots were reviewed for compliance with the dimensional requirements for the PRC zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and open space, and future dwellings can meet setbacks required in that zone. A summary of this review is included in attached Table 1. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Table 3: Preliminary Plan Data Table for the PRC Zone

<i>Development Standards</i>		Required / Permitted *	Proposed for Approval
Tract Area: (59-C-7.43)			
Minimum Tract Area		25 ac.	54.32 ac.
Ridge Road Dedication		N/A	2.61 ac. (0.02 ac. dedicated by this plan)
Snowden Farm Parkway Dedication		N/A	2.72 ac.
Brink Road Dedication		N/A	0.50 ac.
Net Area (s.f.)		N/A	48.49 ac.
Density: (59-C-7.44-a)			
Total Units		up to 10 dwelling units per acre / 543 DU maximum	140 units
Dwelling Units per Acre		10 d.u./ac	2.58 d.u./ac (140 d.u./54.32ac)
MPDU's (59-C-7.44-b-3)		12.50%	18 units (12.5%)
Setbacks from boundary (Sect. 59-C-7.45)		Not less than the setback of the adjacent zone	
North: Greenridge Acres sub. (min.)		C-lnn: 75 ft. (min. from boundary)	75 ft.
East: Ridge Road (min.)		RDT: 50 ft. (min. from street)	50 ft.
South: Brink Road (min.)		RE-2: 50 ft. (min. from street)	50 ft.
West: Brink Meadows (min.)		RE-2: 35 ft. (min. rear yard)	35 ft.
Individual Lot Setbacks (none required)			
Setback from Street (min.)		N/A	15'
Side (min.)		N/A	4'
Rear (min.)		N/A	15'
Green Area (59-C-7.462)		50% (24.33 acres)	67.2% (32.60 ac)
Maximum Building Height (ft.):** (59-C-7.47)		No building higher than 100' max.	35'

SECTION 3: SITE PLAN #820140030

RECOMMENDATIONS & CONDITIONS

Staff recommends approval of Site Plan 820140030. All site development elements shown at the end of Review Cycle no. 2 as submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.³

Conformance with Previous Approvals & Agreements

1. Development Plan and Local Map Amendment Conformance
The development must comply with all binding elements of District Council Resolution No. 17-780 approving Local Map Amendment G-881 dated June 11, 2013.
2. Preliminary Plan Conformance
The development must comply with the conditions of approval for Preliminary Plan No. 120150060, or as amended.

Environment

3. Forest Conservation & Tree Save
The Applicant must comply with the conditions of the approved Final Forest Conservation Plan No. 820150030.
 - a) The Applicant must submit and obtain Staff approval of a revised Final Forest Conservation Plan as described below.
 - i. Include a list of all trees 24" DBH and greater that were identified on the approved Natural Resource Inventory/Forest Stand Delineation and Preliminary Forest Conservation Plan, with size, species, condition, and impact status noted. The trees in the list should be numbered and correspond to the number identifying the tree on the sheet where they are located.
 - b) The Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Forest Conservation Plan. The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed prior to the start of any demolition, clearing, or grading on the Subject Property, and the Liber Folio for the easement must be referenced on the record plat.
 - c) The Applicant must provide financial surety to the M-NCPPC Planning Department for the 7.01 acres of new forest planting prior to the start of any demolition, clearing, or grading on the Property.
 - d) The Applicant must submit a five year Maintenance and Management Agreement approved by the M-NCPPC Office of General Counsel prior to the start of any demolition, clearing or grading on the Property. The maintenance and management agreement is required for all forest planting areas credited toward meeting the

³ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

requirements of the Forest Conservation Plan, including the reforestation of environmental buffers.

- e) The Applicant must install permanent Category I Conservation Easement signage along the perimeter of the conservation easements.
- f) Afforestation plantings that are located outside the limits of disturbance must occur within the first planting season following approval of the Certified Site Plan. Plantings within areas of future disturbance must occur in the first planting season following the stabilization of the applicable disturbed area.
- g) The Final Sediment Control Plan must be consistent with the final limits of disturbance shown on the approved Final Forest Conservation Plan.
- h) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

4. Clarksburg SPA Water Quality Plan

The Applicant must comply with the conditions of the approved Final Water Quality Plan No. 820150030.

- a) The Applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) Final Water Quality Plan approval letter dated April 17, 2015 and the reconfirmation letter dated June 30, 2015 (Attachments 7 & 8).
- b) Prior to recording of plat, the Applicant must enter into an agreement with the Planning Board to limit impervious surfaces to no more than 29.0 percent, which shall include the impervious surfaces on the Property and any offsite improvements required to be constructed by the Applicant. The impervious surface agreement may provide for the phased release of building permits to ensure ongoing compliance with the impervious surface limit, and must be reviewed and approved by the M-NCPPC Office of General Counsel.
- c) Prior to release of the first building permit, the Applicant must demonstrate that the approved plans conform to the impervious surface limit. Any modifications which increase impervious surfaces beyond 29.0 percent will require Planning Board approval.

5. Noise Attenuation

- a) Prior to issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer that specializes in acoustical treatment that:
 - i. The location and construction materials of the noise mitigation techniques to attenuate current and/or proposed noise levels to no more than 60 dBA L_{dn} for the outdoor backyard area of homes and areas of common outdoor activity are adequate.
 - ii. The building shell and materials used for residential dwelling units to be constructed within the projected 60 dBA L_{dn} noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA L_{dn} .
- b) Prior to issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff that they will construct the noise impacted units in accordance with the recommendations of the engineer that specializes in acoustical treatments.
- c) Prior to issuance of the first building permit, the Applicant must provide acknowledgement to M-NCPPC Staff that if any changes occur to the plan which affect the validity of the noise analysis dated March 17, 2015, acoustical certifications, and/or noise attenuation features, a

new noise analysis will be required to reflect the revised plans and new noise attenuation features may be required.

Public Use Space, Facilities, Amenities

6. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 (Covenant).

7. Recreation Facilities

- a) Before Certified Site Plan approval, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
- b) Prior to the issuance of the 1st building permit, the Applicant must submit to the M-NCPPC Office of General Counsel recorded documents confirming that all of the property in the Courts at Clarksburg has been annexed to and is part of the Clarksburg Village Homeowners Association in order to make all amenities at Clarksburg Village available to all residents at the Courts at Clarksburg. Any subsequent changes to the Homeowners Association documents pertaining to access to recreational amenities for residents of the Courts at Clarksburg must be approved by the Planning Board prior to becoming effective.
- c) The Applicant must provide at a minimum the following recreation facilities: (1) indoor community space, (1) community garden, (2) natural areas, (7) picnic/sitting areas, (1) pedestrian system.

Transportation & Circulation

8. Transportation

- a) The perpendicular vehicular parking spaces being constructed on Street A (2 spaces), Street B (4 spaces), and Street C (4 spaces) must be placed outside of the right-of-way. The spaces must be privately maintained along with the sidewalk that is outside of the right-of-way unless a maintenance agreement is executed with the MCDOT. Signs must be posted that these spaces are for visitors and should be based on the Manual on Uniform Traffic Control Devices (MUTCD).

9. Pedestrian & Bicycle Circulation

- a) The Applicant must construct the following paths as shown on the Site Plan:
 - i. A 5-foot hard surface path from Street A to the 10-foot shared use path being constructed by the Applicant on Ridge Road (MD 27).
 - ii. A 5-foot hard surface path from the cul-de-sac on Street B to the 8-foot shared use path on the south/west side of Snowden Farm Parkway.
 - iii. A 5-foot natural surface path from the cul-de-sac on Street C to Street B.
 - iv. A 5-foot natural surface path from Street B to the 8-foot shared use path on Ridge Road (MD 27).
 - v. A 5-foot hard surface path from the perpendicular parking spaces on Street B to the 8-foot shared use path on Ridge Road (MD 27).
 - vi. A 5-foot natural surface path from the cul-de-sac on Street B to Street D.

- b) The Applicant must install public bicycle parking racks (inverted U or an equivalent design approved by the Department of Permitting Services “DPS”) to accommodate four bicycle parking spaces at the community center as indicated on the Site Plan.

Density & Housing

10. Moderately Priced Dwelling Units (MPDUs)

The Planning Board accepts the recommendations of Department of Housing and Community Affairs (DHCA) in its letter dated June 9, 2015, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The development must provide 12.5 percent MPDUs on-site consistent with the requirements of Chapter 25A and the applicable Master Plan.
- b) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and DHCA must be executed.

Site Plan

11. Site Design

- a) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

12. Private Lighting

- a) Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for residential development.
- b) All on-site down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on proposed fixtures causing potential glare or excess illumination.
- d) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- e) The light pole height must not exceed 12 feet including the mounting base.

13. Site Plan Surety and Maintenance Agreement

Before issuance of the any building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board. The Agreement must include a performance bond(s) or other form of surety as required by Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, paths and associated improvements within the relevant Phase of development. The surety must be posted before issuance of the any

building permit within each relevant Phase of development and will be tied to the development program.

- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.
- d) The bond or surety for each block/phase shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific CSP sheets depicting the limits of each block/phase.

14. Development Program

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

15. Certified Site Plan

Before 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 letter, stormwater management concept approval letter, development program, and Site Plan resolution (and other applicable resolutions) on the approval or cover sheet(s).
- b) Prior to Certified Site Plan, the Applicant must address Eplans markups including minor clarifications and corrections to the plan drawings.
- c) Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Consolidate “amenity planting plans” and “amenity layout plans” in one set of plan drawings.

ANALYSIS & FINDINGS

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

The site plan conforms to all non-illustrative elements and all binding elements of the Development Plan approved with Zoning Application G-881 by the District Council on June 11, 2013, with Resolution No. 17-780 [Attachments 5 and 6]. The binding elements, as set forth below on Figure 7, specified densities, use, mix of housing types, building heights, impervious cap, and age restriction. The Development Plan also included a note about landscape screening for stormwater management facilities along the western property line.

The Site Plan conforms to these binding elements by developing the site with 140 one-family age-restricted detached units; providing 12.5% of the units (or 18 units) as MPDUs; limiting building height to 35 feet; and maintaining the impervious area as further discussed in the Conformance with Chapter 19 and 22a Findings below. In addition, the Site Plan includes evergreen trees mixed with some flowering trees as a screen along the western property boundary (as further discussed in the compatibility Finding below).

Figure 7 – Binding Elements and Notes of Development Plan G-881

DEVELOPMENT PLAN NOTES:

BINDING ELEMENTS:

1. The development plan depicts the overall concept for the orderly and staged development of The Courts at Clarksburg; a planned retirement community made up of interdependent phases. This development plan depicts that element of the Planned Retirement Community that is to be developed in accordance with provisions of the Zoning Ordinance applicable to the PRC Zone. It is anticipated that revisions to the development plan may become necessary as the entire Community evolves. This development plan reflects the proposed Community as it is presently envisioned.
2. Densities, use, and mix of housing types are as specified in the appropriate tables for A and B. Building and parking locations will be approximately as shown. Specific building locations, footprints, parking locations and other design details will be refined and finalized during subsequent subdivision and site plan proceedings.
3. Impervious Area to be up to 28% based on a net acreage of 49.4 AC.
- 4.

A	Predominantly Detached Residential w/ Attached Residential Up To 35 feet in Height Approximately 38.9± Acres	
	Residential	# Units
Detached/ Attached*	100 - 130	Parking Spaces 200 - 260
Other	#	Parking Spaces
Community Center	1	TBD

B	Predominantly Detached Residential w/ Attached Residential Up To 35 feet in Height Approximately 10.5± Acres	
	Residential	# Units
<i>Detached/ Attached*</i>	25 - 35	Parking Spaces 50 - 70

PRC Yield Summary		
Residential		
<i>Detached</i>	Minimum 85%	119 Units
<i>Attached*</i>	Not to Exceed 15%	21 Units
Total	Not to Exceed	140 Units
Other		
<i>Community Center</i>	<i>Size to be determined at Preliminary Plan</i>	
<small>Binding Element for Age Restriction: Residency is restricted to permanent residents 50 years of age or over except: (a) a disabled relative may reside with a permanent resident; and (b) any person eligible for residency as described in Section 59-C-7.44 ("Age of residents, residential densities and MPDU"), or its successor, after the date of approval of this development plan.</small>		

*"Attached" Residential describes a dwelling unit commonly referred to in the age restricted housing industry as a "villa". An attached residential unit (villa) will be a two story structure containing a first floor master bedroom.

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 Site Plan meets all of the requirements of the Planned Retirement Community (PRC) Zone and satisfies the purposes of the Zone as established by the Zoning Ordinance in effect prior to October 30, 2014, when this Application was accepted. Section 59-C-7.41 indicates that the purpose of the Zone is to allow planned retirement communities, "accessible to or providing within" most of the day-to-day recreational, medical, retail, commercial and similar services required by the residents thereof. The section also provides that "Consideration must be given to the size of development (in acres) and the use of the site when determining whether day-to-day services and public facilities must be provided." Consistent with the District Council findings for G-881, given the size of the Property and its proximity to commercial uses and recreational amenities located off-site, the Site Plan satisfies the purpose of the PRC Zone.

As demonstrated in Table 4 below, the project meets all of the applicable requirements and development standards of the PRC Zone.

Table 4: Data Table for the PRC Zone

Development Standard	Zoning Ordinance Permitted/Required ^(a)	Proposed for Approval
Site Area (acres)		
Min. Gross Tract Area (GTA) [59-C-7.43]	25	54.32
Road Dedication	n/a	
Ridge Road		0.02
Snowden Farm Parkway		2.72
Brink Road		0.45
Net Area	n/a	48.54
Density		
Total Units	n/a	140
Max. Residential Density (du/acre) [59-C-7.44-a]	10	2.58
MPDUs [Chapter 25A] [59-C-7.44-b3]	12.5%	12.5% (18 MPDUs)
Min. Building Setbacks (ft) [59-C-7.45]		
North: Greenridge Acres Subdivision	C-Inn: 75 (min. from boundary)	75
East: Ridge Road	RDT: 50 (min. from street)	50
South: Brink Road	RE-2: 50 (min. from street)	50
West: Brink Meadows	RE-2: 35 (min. rear yard)	35
Min. Individual Lot Setbacks		
Front (from Street)	n/a	15
Side	n/a	4
Rear	n/a	15
Noise fence	n/a	0
Min. Green Area [59-C-7.462]		
	50% (24.33 acres)	67% (32.6 ac.)
Max. Building Height (ft) [59-C-7.47]		
One-family detached	No building higher than 100'	35
Clubhouse		35
Accessory buildings		15
Min. Vehicle Parking Spaces (59-E)		
Residential (140 units)	2 spaces/du = 280	280 ^(b)
Community Center (2,800 SF)	2.5 spaces/1000 SF ^(c)	7
On-street visitor parking	n/a	17
Total	287	304
Bicycle Parking (number of spaces)		
Racks	n/a	4

^(a) The Site Plan has been reviewed under the standards and procedures of the Zoning Ordinance in effect prior to October 30, 2014 as allowed by Section 7.7.1.B.1 of the Zoning Ordinance.

^(b) Additional residential parking can be accommodated in some driveways.

^(c) Consistent with the Development Plan G-881 approval.

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

a) Locations of buildings and structures

The location of buildings and structures is adequate, safe, and efficient. The Site Plan includes 140 one-family detached units located internally within the site and fronting on internal private streets. The units are efficiently located to maximize density on the infrastructure provided, and free up areas of contiguous open space mostly on the periphery of the Property, which permits adequate setbacks and buffering from adjacent communities and roads.

The location of the Clubhouse, where Street B curves after entering the Property on Future Snowden Farm Parkway, enables adequate visibility and emphasizes it as a focal point for the community. In addition, this location provides efficient access from the internal sidewalk system and nature trail system. This location, approximately at a mid-point in the Property, will be safe and convenient for all (Figure 8).

Additional structures provided include entrance monument signs, which are located outside the right-of-way and coordinated with Clarksburg Village for style and materials.



Figure 8 – Clubhouse location keyed with number 2 and Natural Park keyed with number 1.

b) Open Spaces

The location of open space is adequate, safe, and efficient. The Site Plan provides a variety of well-connected open spaces that accomplish several goals and requirements including recreation, reforestation, stormwater management and compatibility. The amenity and open space concept consists of 3 main areas connected by a trail and sidewalk system. Area 1 is a natural park with an area of open lawn, sitting and a pergola. Area 2 is the Clubhouse with a community garden, and an outdoor patio for grilling and seating. Area 3 is a passive linear seating area with lawn and seating nooks. These Areas are connected by sidewalks and thematic trails that include specific plantings and design

elements, such as bird boxes, to attract butterflies and birds. Also at key locations along the trails, the plan provides dog stations.

Another significant open space feature, that also meets reforestation requirements, is located along the western property boundary and has been designed as a linear park with the Clubhouse at its northern terminus. This open space feature includes a trail system linking Ridge Road Local Park, across Brink Road to the south, to Future Snowden Farm Parkway to the north and the open space network and amenities beyond it in Clarksburg Village [Attachment 15].

Other areas of open space, such as along the northern property boundary and at the corner of Brink and Ridge Roads, in addition to meeting reforestation and forest conservation requirements, enable buffering from adjacent communities and roads, which improves compatibility.



Figure 9 – Natural Park and design features

c) Landscaping and Lighting

The landscaping with an emphasis on native species is adequate, safe, and efficient. The landscape plan achieves several objectives. It provides screening and buffering within the project, as well as, between the project and adjacent roads and property. The Property is adequately screened and buffered through the use of perimeter landscaping along Ridge Road and Snowden Farm Parkway, as well as the western property boundary from the adjacent community as required in G-881. Within the project, larger

evergreen shrubs and trees contribute to an adequate visual separation between the passive linear seating area and adjacent residential units.

The Linear Park benefitted from additional landscape design to better accomplish amenity and recreation goals, while meeting reforestation requirements. Measures include locating individual plant species to create maximum visual display and effect, and planting larger caliper trees than customary. Several 5-inch caliper trees are located along the edge of the path and the rest of the trees are 3 ½ - 4 inch caliper in size. This will help establish the forest sooner, and keep the smaller vegetation from getting accidentally trampled.

Lastly, the landscape provides canopy coverage and shade for roads, and open spaces. It defines open spaces and amenity areas by creating an edge or boundary, and adding interest. For instance, the Natural Park at the corner of Ridge Road and Future Snowden Farm Parkway has plant material efficiently delineating the perimeter of the open play area (Figure 9). Smaller plant material, such as herbaceous plants, evergreen and deciduous shrubs, and ornamental trees, in conjunction with monument signs emphasize the entrances to the development.

The lighting proposed is adequate, safe, and efficient. The majority of the light fixtures provided are located along the new public streets within the public right-of-way, which must comply with MC-DPS and MC-DOT requirements and can be adjusted without amending the Site Plan. Lighting outside the public right-of-way is located around the community center near the parking area and the main entrance, and consists of pole mounted light fixtures with a maximum pole height of 12 feet. The lighting provided will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties.



Figure 10 – Clubhouse and associated amenities keyed with number 2

d) Recreation Facilities

The recreation facilities provided are adequate, safe, and efficient. As an age 55 and older community (consistent with the PRC Zone and binding elements of G-881), the Site Plan emphasizes recreation facilities for the older age groups. It provides a Clubhouse with indoor community space that will serve the future residents and envisioned to accommodate HOA meetings, classes and gatherings. Outside the Clubhouse, the Site Plan has a patio for grilling and picnicking, and a community garden (Figure 10). The Site Plan provides natural areas with a trail system, and seating at key locations. Certain trail connectors were designed with a theme (i.e. greenway trail, butterfly garden trail, bird trail) in which specific plant material and features (i.e. flowers to attract butterflies, bird boxes) were used to enrich the recreational experience of the users (Figure 11). Boulders placed on slopes were intended for more informal recreational opportunities that could appeal to the younger age groups as well.

The Site Plan requests credit for off-site facilities located in Ridge Road Recreational Park immediately to the south of the Property across from Brink Road [Attachment 15]. Facilities at this Park range from multi-age playground, volleyball, multipurpose court, tennis, soccer fields, softball, to open play areas amongst others. These off-site facilities supplement those provided on-site by offering recreation opportunities for the younger age groups. As demonstrated in the Recreation Calculations Table (Attachment 17), the Site Plan meets all the recreation requirements through on-site and offsite facilities, which satisfy the 1992 M-NCPPC Recreation Guidelines. The facilities adequately and efficiently meet the recreation requirements of this development, while providing safe and accessible opportunities for recreation for the various age groups.



Figure 11 – Passive Linear Seating Area with associated amenities keyed with number 3.

Additionally, and as conditioned, the Applicant will submit recorded documents confirming that all of the property in the Courts at Clarksburg has been annexed to and is part of the Clarksburg Village

Homeowners Association in order to make all amenities at Clarksburg Village, including the two Clarksburg Village pool facilities and community clubhouses, available to all residents at the Courts at Clarksburg. This was a strong consideration for the District Council in finding that the application met the purpose of the PRC Zone.

e) Pedestrian and Vehicular circulation systems

The pedestrian and vehicular circulation systems are adequate, safe, and efficient. Access to the 140 one-family detached units is provided via two full movement site access points, one along Brink Road (a County road) and one along the future extension of Snowden Farm Parkway (a County road). An over length cul-de-sac, Public Street A, provides access to 29 units on the northern portion of the Property from Snowden Farm Parkway. The southern portion with the remaining 111 units can be accessed from either Snowden Farm Parkway via Public Street B or from Brink Road via Public Street D.

Pedestrian circulation within the Property is accommodated via sidewalks on both sides of all public streets except on the cul-de-sac bulbs. A well-connected trail system links the sidewalk system to the amenity areas and the shared use paths on the perimeter of the Property (Figure 12 & Attachment 16). On Ridge Road the proposed 10-foot shared use path will continue the approved path along this frontage. On Brink Road, the proposed 8-foot shared use path along the Property's frontage will provide a safer condition for bicyclists than on-road bicycle lanes.



Figure 12 – Pedestrian circulation system with sidewalks shown in pink and natural surface trails in blue

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

Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development. Several measures improve the compatibility between this development and the surrounding existing development. First, the dwelling type selected is all one-

family detached units even though the DPA allowed a mix of detached and attached units. This dwelling type is consistent with the dwelling type in the surrounding communities, which is also mainly one-family detached. Second, the building height is capped at 35 feet for all units and the Clubhouse, which is lower than the maximum height of 50 feet allowed in the adjacent RE-2 zone to the west. Third, the building setbacks shown on the plans are greater than the minimums required, which sets the new units farther away from the property lines and consequently decreases impacts on adjoining properties. Forth, the new units will have a reduced presence and limited visibility on Ridge Road because the road is generally 5 to 10 feet higher than the Subject Property. Fifth, the development is adequately screened from surrounding roads and properties by preserving natural features and supplementing existing vegetation with new plant material. Lastly, noise barriers are provided along the lot property lines and the site property line ranging between 6 to 10 feet in height to reduce the yard noise levels to meet the exterior noise guidelines, which improves compatibility with the surrounding roads.

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.*

As conditioned, the Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws. A Preliminary Forest Conservation Plan G-881 was approved on January 16, 2013. As required by Section 22A-4 of the Montgomery County Code, the Application includes a Final Forest Conservation Plan.

“(a) a person required by law to obtain an approval or amendment to a development plan, diagrammatic plan, project plan, preliminary plan of subdivision, or site plan;

Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420121380 for this Property was approved in May 2012. The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The Subject Property is located within the Clarksburg Special Protection Area (SPA). There are no streams, wetlands, or 100-year floodplain on site but there is a small area of environmental buffer on the Property associated with an offsite unnamed tributary to Little Seneca Creek that originates on the adjacent property to the west. There are no steep slopes ($\geq 25\%$) or highly erodible soils on the Property. The Property contains approximately 0.21 acres of high priority forest in one stand located on the northwest corner, within and adjacent to the environmental buffer.

Forest Conservation Plan

The Preliminary Forest Conservation Plan G-881 was approved by Planning Board Resolution dated January 16, 2013 during the review of the re-zoning of the Property, which included a Development Plan. Future A-305/M83 (Snowden Farm Parkway) will bifurcate the Property. A separate Forest Conservation Plan for this master planned road was approved by Planning Board Resolution dated June 28, 2011 and amended on September 4, 2012, as part of a Mandatory Referral (MR2010814) and includes some disturbance, including forest clearing on the Subject Property. The net tract area and existing forest calculations included in the forest conservation section of this Staff Report reflect the revised calculations after deducting the property and forest area included in MR2010814.

A Final Forest Conservation Plan (FCP) 820150030 for the Application was submitted as part of the Preliminary Plan and Site Plan on May 20, 2015 (Attachment 2). The FCP proposes to retain the existing 0.21 acres of forest in its entirety and has an afforestation planting requirement of 7.01 acres that will be met on-site. All of the retained and planted forest and the environmental buffer area will be protected in a Category I Conservation Easement. Proposed impacts to trees subject to Section 22A-12(b)(3) of the Montgomery County Code were approved as part of the Planning Board approval of the Preliminary Forest Conservation Plan.

The 7.01 acres of afforestation is required under Section 22A-12(d) of the Montgomery County Code:

“(1) A site with less than 20 percent of the net tract area in forest cover must be afforested in accordance with the required afforestation percentages shown on the table in subsection (a) of this Section.”

The afforestation requirement under 22A-12(a) for planned unit development areas is 15%, and based on a net tract area for forest conservation of 48.12 acres, the afforestation requirement is 7.22 acres.

As a planned unit development, this Application is subject to Section 22A-12(f)(2)(C) of the Montgomery County Code:

“On a site covered by this subsection, if existing forest is less than the minimum required retention, all existing forest must be retained and on-site afforestation up to the minimum standard must be provided. If existing forest is less than the applicable afforestation threshold in subsection (a), the afforestation threshold is the minimum on-site forest requirement.”

As noted above, the Application proposes to retain all of the existing forest (0.21 acres) and provide the required afforestation (7.01 acres) on-site.

Clarksburg Special Protection Area Water Quality Plan

This Property is within the Clarksburg SPA and is required to obtain approval of a water quality plan under section 19-62 of the Montgomery County Code. This section of the Code states:

“(b) Privately owned property. Except as otherwise expressly provided in the Chapter, the requirements for a water quality inventory and a preliminary and final water quality plan apply in any area designated as a special protection area to a person proposing a land disturbing activity on privately owned property:

(1) who is required by law to obtain approval of a development plan, diagrammatic plan, schematic development plan, project plan, special exception, preliminary plan of subdivision, or site plan;”

As part of the requirements of the SPA law, a Water Quality Plan should be reviewed in conjunction with a Preliminary Plan and Site Plan. Under Section 19-65 of the Montgomery County Code, the Montgomery County Department of Permitting Services (MCDPS) and the Planning Board have different responsibilities in the review of a Water Quality Plan. MCDPS has reviewed and conditionally approved the elements of the Water Quality Plan under its purview which include site performance goals, stormwater management, sediment and erosion control, and monitoring of Best Management Practices.

The Planning Board must determine if SPA forest conservation and planting requirements, environmental buffer protection, and limits on impervious surfaces have been satisfied.

A Preliminary Water Quality Plan (G-881) was approved by Planning Board Resolution dated January 16, 2013 during the review of the re-zoning of the Property, which included a Development Plan. The Final Water Quality Plan was submitted as part of this Application and proposes to protect the areas of environmental buffer, existing forest, and planted forest in a Category I Conservation Easement. The Applicant has demonstrated efforts to minimize impervious surfaces.

MCDPS Special Protection Area Review Elements

MCDPS established the performance goals for the project which include:

- a. minimize storm flow run off increases,
- b. minimize increases to ambient water temperatures,
- c. minimize sediment loading,
- d. minimize nutrient loading.

In a letter dated April 17, 2015 and reconfirmed on June 30, 2015, MCDPS has conditionally approved their portion of the Final Water Quality Plan under its purview including 1) stormwater management facilities, 2) sediment and erosion control measures, and 3) Best Management Practices (BMP) monitoring (Attachments 7 & 8). A synopsis is provided below.

1) *Stormwater Management*

Stormwater management will be provided via bio-swales, microbioretention, and dry wells.

2) *Sediment and Erosion Control*

Sediment and erosion control measures will be reviewed by MCDPS during the detailed sediment control/stormwater management plan stage.

3) *BMP Monitoring*

Required stream and BMP monitoring will be performed by the Montgomery County Department of Environmental Protection with the Applicant required to pay a fee for this monitoring.

Planning Board Special Protection Area Review Elements

Following is an analysis of the Planning Board's responsibilities in the review of the Final Water Quality Plan. Staff recommends approval of the elements of the SPA Water Quality under its purview.

1) **Priority Forest Conservation Areas**

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The Final FCP was submitted with this Application (Attachment 2). As part of the FCP, the Applicant will be retaining the 0.21 acres of existing forest in its entirety, including all of the forest within the environmental buffer. The Applicant proposes to meet the entire 7.01 acre forest planting requirement on-site. The forest conservation requirements are described in more detail in the Forest Conservation Plan section of this report. Per SPA requirements outlined in the Environmental Guidelines, areas of the environmental buffer

currently lacking forest will be reforested, forest plantings will occur during the first planting season after issuance of grading permits when possible, and a five-year maintenance program to better ensure forest survival, with emphasis on controlling invasive species is required. The retained and planted forest on-site will be protected through a Category I Conservation Easement.

2) SPA Environmental Buffer Protection

The Application proposes minimal disturbance to the environmental buffer for the creation of a five foot wide natural surface trail. In order to avoid unnecessary impacts to existing vegetation, the exact location of the trail will be determined in the field with M-NCPPC Staff, no grading will be permitted, and no mechanized equipment will be used.

3) Impervious Surfaces

The Clarksburg SPA does not have a specific numerical limit on impervious surfaces; however, a main goal for development in all SPAs is to reduce or minimize the amount of impervious surfaces. In this case, the Development Plan approval for the project included a binding element that limited impervious surfaces to 28% based on a net acreage of 49.4 acres. The Preliminary Water Quality Plan approved by the Planning Board at the time of the Development Plan application included a condition of approval that limited impervious surfaces to 26% over 49.4 acres, with the understanding that this condition may need to be reevaluated at the time of Site Plan and Final Water Quality Plan review due to additional requirements that may be deemed essential for the Site Plan. Staff's recommendation for The Final Water Quality Plan included with this Application proposes a condition limiting impervious surfaces to 29% over an updated net tract area of 50.6 acres. The following discussion outlines the history of the previous reviews and Staff's rationale for the proposed recommendation.

Development Plan

The Development Plan approval for the project included the following binding element:

“Impervious Area to be up to 28% based on a net acreage of 49.4 acres.”

At the time of review of the Development Plan, the net acreage of 49.4 acres was derived based on the information available at the time which deducted 4.95 acres of proposed right-of-way dedication from the 54.35 acre total tract area. The updated area of right-of-way dedication of 5.78 acres results in a revised net acreage of 48.54 acres. Since the proposed development has been revised in both tract area because of changes in required dedication, and proposed on-site impervious surfaces, the Applicant has demonstrated compliance with the binding element of the Development Plan in two ways:

1. Proposed on-site impervious surfaces of 13.59 acres over a net acreage of 48.54 acres = 28%.
2. Proposed on-site impervious surfaces of 13.59 acres over a net acreage of 49.4 acres (tract area from binding element) = 27.5%.

The calculations provided above are consistent with the calculations from the Development Plan because they include only on-site impervious surfaces.

Preliminary Water Quality Plan

The SPA Preliminary Water Quality Plan approval for the project included the following condition:

“The impervious surfaces on the Subject Property are limited to no more than 26 percent of 49.4 acres of land with the SPA as shown on the Impervious Surface Plan portion of the Preliminary Water Quality Plan.” (Attachment 9)

The staff report to the Planning Board for the Preliminary Water Quality Plan included a discussion on impervious area that included the following:

1. Typical developments across the County in the RE-2 zone have impervious surface levels ranging between 9.0% and 10.6%.
2. The impervious surface level of the other PRC development in the County is approximately 35%.
3. The Impervious Surface Plan provided as part of the Preliminary Water Quality Plan review proposed an impervious surface level of 25.6% over 49.4 acres of land resulting in a condition of approval that limits the impervious surfaces to 26%.
4. Measures utilized to minimize impervious surfaces included shortening roadways, eliminating redundant roadways, eliminating alleys, eliminating on-street parking to reduce roadway widths, and utilization of sidewalks on one side only (subject to issuance of a waiver).
5. The 28% impervious surface limit (over 49.4 acres) noted in the Development Plan binding element was used to allow flexibility for future adjustments that might become necessary due to specific design requirements or other county regulations at the Site Plan review stage. If the impervious surface level exceeds the 26% limit (over 49.4 acres) imposed by the Preliminary Water Quality Plan approval, the Planning Board would be obligated to re-evaluate the condition at time of Site Plan and Final Water Quality Plan review. The binding element of the Development Plan would not be required to change unless the plan proposes to exceed the 28% impervious surface level.

Final Water Quality Plan

Pages 27 and 28 of the Environmental Guidelines provide direction for calculating impervious surfaces, which includes offsite areas required to be built by the Applicant. The impervious surface calculations at the time of the Preliminary Water Quality Plan approval did not include any required offsite areas.

The Impervious Surface Exhibit provided with the Final Water Quality Plan proposes 14.62 acres of impervious surfaces over the updated net tract area, including offsite areas, of 50.6 acres resulting in 28.9 percent (Attachment 9). As anticipated in the staff report for the Preliminary Water Quality Plan discussed above, specific measures were required during the Site Plan review that resulted in an increase in impervious surfaces. These design features include

sidewalks on both sides of the majority of the roads rather than just one side, on-street parking, and trail connections. Additionally, the proposed community center, parking lot, leadwalks, and porches for the houses were not included in the original calculations. In conformance with the Environmental Guidelines, the offsite improvements that the Applicant is responsible for (sidewalks in Ridge Road and Brink Road ROW, street paving in Brink Road, and street paving in Snowden Farm Parkway to provide turn lanes to access the Property) are included in these updated calculations. The result is an imperviousness of 28% on-site and 28.9% overall, including required offsite improvements (Table 5).

Table 5: Impervious Surfaces Calculations

Tract Area (acres)	
Net	48.54
Offsite	<u>2.06</u>
Total	50.60
Impervious Surfaces (acres)	
Onsite	13.59
Offsite	<u>1.03</u>
Total	14.62
% Impervious Area	
Onsite	28%
Total	28.9%

As noted in this Staff Report, Staff recommends approval of the Site Plan with the condition that the impervious surface limit of 26% imposed by the Preliminary Water Quality Plan be revised to 29% as demonstrated on the Impervious Surface Exhibit (Attachment 9).

As conditioned, the proposed Application is in compliance with the Montgomery County Environmental Guidelines, the Forest Conservation Law, and the Special Protection Area Law.

Noise Analysis

A Traffic Noise Impact and Barrier Analysis was prepared by Polysonics for the Property due to its location along Ridge Road, Brink Road, and the proposed Snowden Farm Parkway, and the results were provided in a report dated March 17, 2015 (Attachment 13). A noise analysis is necessary to determine the projected interior and exterior noise levels requiring mitigation for residential units and outdoor recreational areas. The Montgomery County “Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development” stipulate a 60 dBA L_{dn} maximum noise level for outdoor recreation areas and 45 dBA L_{dn} for indoor areas.

The results of the analysis for this Property indicate that future unmitigated traffic noise levels above 60 dBA L_{dn} will impact several proposed residential lots including Lots A 1-29, B 1-48 and 54-57, and C 1 and 15-25. The Analysis recommends noise barriers along the lot property lines and the site property line ranging between 6 to 10 feet in height to reduce the yard noise levels to meet the exterior noise guidelines. The Applicant has worked with Polysonics to determine locations for barriers along the roadways, which vary between locations along the property lines of the lots and along the property line of the Property to achieve the recommended 60 dBA L_{dn} in all yards. The analysis recommends that the barriers be constructed with materials with a transmission loss of 20 dB or higher.

The analysis also determined that the highest building façade noise level will be 71.8 dBA L_{dn} and that several proposed residences will require extensive enhanced building materials such as modified windows, doors, and wall construction to meet the interior noise guidelines. These affected residences are located on proposed Lots A: 1-3, 11-20, 29, and B: 1, 3, 19-26, 28-47. The analysis recommends that a Building Shell Analysis and review of architectural floor plans for proposed residential buildings be performed to ensure the guideline recommendations for interior areas are achieved.

SECTION 4: CONCLUSION FOR #120150060 AND #820140030

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations, the Zoning Ordinance, and substantially conform to the recommendations of the *1994 Clarksburg Master Plan & Hyattstown Special Study Area*. 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, Staff recommends approval of Preliminary Plan No. 120150060 and Site Plan No. 820150030 including a Final Water Quality Plan and a Final Forest Conservation Plan for 140 age-restricted one-family detached units including 12.5% MPDUs with the conditions specified above.

Attachments

- Attachment 1 – Preliminary Plan
- Attachment 2 – Final Forest Conservation Plan
- Attachment 3 – Site Plan
- Attachment 4 – DHCA MPDA Approval Letter
- Attachment 5 – G-881 District Council Resolution
- Attachment 6 – G-881 Development Plan
- Attachment 7 – MCDPS Final Water Quality Plan Approval
- Attachment 8 – MCDPS Final Water Quality Plan Approval Reconfirmation
- Attachment 9 – Impervious Surface Exhibit
- Attachment 10 – MCDOT Amended Preliminary Plan Approval Letter
- Attachment 11 – MDSA Approval Letter
- Attachment 12 – MCFRS Approval Letter
- Attachment 13 – Noise Study
- Attachment 14 – Letter from adjacent property owner
- Attachment 15 – Exhibit locating amenities in the vicinity of the Property
- Attachment 16 – Pedestrian circulation exhibit
- Attachment 17 – Recreation Calculations Table