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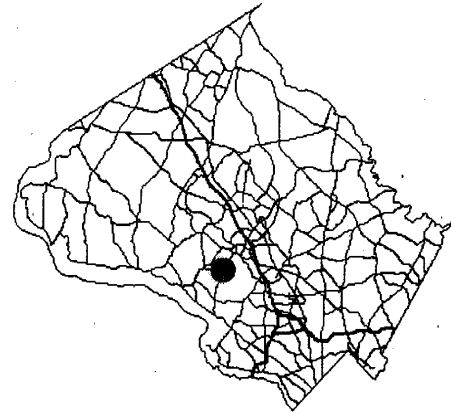
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10.28.04

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

**MEMORANDUM**

DATE: October 22, 2004  
TO: Montgomery County Planning Board  
VIA: Michael Ma, Supervisor *Ma*  
Richard Hawthorne, Acting Chief *RCH*  
Development Review Division  
FROM: Mary Beth O'Quinn, Planner  
Development Review Division  
(301) 495-4595



REVIEW TYPE: **Site Plan Review**  
CASE NUMBER: **8-05002**  
PROJECT NAME: **Avalon @ Decoverly**  
APPLYING FOR: Approval of: **196 Multifamily Residential Units of which 69 Units  
are Productivity Housing Units Provided On Site (35%)  
274 Parking Spaces**

REVIEW BASIS: Montgomery County Zoning Ordinance  
Division D-3, Site Plan Review

ZONE: O-M Zone  
LOCATION: NE Quadrant of Decoverly Drive and Diamondback Drive  
MASTER PLAN: Shady Grove Area Master Plan (1990)

APPLICANT: Avalon Bay Communities, Inc.  
FILING DATE: July 21, 2004 (October 4, 2004)

HEARING DATE: October 28, 2004

**STAFF RECOMMENDATION:** Approval of 196 multifamily residential units, of which 69 residential units are Productivity Housing Units provided on site, on 10.81 acres, with the following conditions:

1. Special Exception Conformance

The proposed development shall comply with the conditions of approval for Special Exception S-2597, as noted in the *Opinion*, Board of Appeals for Montgomery County, dated June 2, 2004.

2. Preliminary Plan Conformance

The proposed development shall comply with the conditions of approval for Preliminary Plans 1-88264B and 1-85245A.

3. Site Plan

a. Provide the following Site Plan information:

- i. Label the Corridor City Transitway Reservation Area on all site, landscape and lighting plans, including partial plans and pedestrian use plans;
- b. Provide details, including dimensions and materials for all accessory buildings, including dumpster screens, compactor housing, garages, gazebos, and signage, retaining walls, etc.; details and materials subject to staff review and approval;
- c. Provide final dimensions and location for the lead sidewalk to Building 1 from Decoverly Drive;

4. Landscape Plan

Prior to signature approval of the landscape plans the following revisions shall be made and/or information provided, subject to staff review and approval:

- a. Provide replacement street trees for any missing or diseased street trees along the site frontage east side of Decoverly Drive and along Diamondback Drive; replacement species and location subject to staff review and coordination;
- b. Provide additional trees as follows:
  - i. Shade trees along both sides of the entire length of the vehicular entry driveway to Building 1;
  - ii. One additional street tree on the east side of Decoverly Drive;
  - iii. Three additional shade trees for the Decoverly Drive median, subject to coordination with MNCPPC staff and DPS;
  - iv. Ornamental trees for the median of the driveway entrance to Parcel MM;
- c. Provide additional evergreen screening for the following: garage and parking visible from Diamondback Drive; dumpsters; parking facing the stream buffer; screening to be provided at 4-6 feet in height at the time of installation for the dumpsters and garage;
- d. Provide detailed planting plan for all site planting, including foundation plantings, showing plant size, species and spacing subject to staff review and approval;
- e. Provide spot elevations for building entryways and adjoining sidewalk.

5. Lighting

- a. Provide a lighting distribution and photometric plan with summary report and tabulations to conform to IESNA standards for residential development; provide average maximum/average minimum ratios;
- b. All light fixtures shall be full cut-off fixtures;
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. Illumination levels shall not exceed 0.5 foot-candles (fc) at any property line abutting county roads or adjacent residential properties.
- e. Provide for the lighting schedule the following: mounted height and wattage.

6. Pedestrian and Bicycle Circulation

- a. Provide, prior to signature set, plans showing the design and placement for bike path signage to announce the path's presence from adjoining roads;
- b. Provide the following enhancements to increase pedestrian safety:

- i. A painted, striped crosswalk with handicapped ramps across Decoverly Drive on the north side of Diamondback Drive to enhance safe pedestrian passage; coordinate with MNCPPC staff, DPS and DPWT regarding the placement and specifications for the crosswalk;
- ii. A painted, striped crosswalk across the vehicular travel lanes to connect the north side of Building 1 to the recreational sitting area near the stream buffer;
- iii. A painted, striped crosswalk across the vehicular travel lanes to connect the open space amenity area between Building 3 and Building 4 to the path between Building 5 and Building 6;
- iv. A connecting sidewalk between the sitting area and the tot lot on the north side of Building 1;
- c. Increase the width of the sidewalk at the west side of Building 3 to provide a minimum 5-foot clear pedestrian passage;
- d. Provide details at 1:10, including spot elevations for the stair and pedestrian walkways at the southeast corner of Building 1;

7. Productivity Housing Units

The proposed development shall provide 69 (or 35% percent) PHUs on-site in accordance with the Opinion of the Board of Appeals dated June 23, 2004. The applicant is receiving a density bonus for providing 35% percent PHUs on-site, (increased from the base density of 6.0 units/acre to 18.1 unit/acre averaged across the site; the proposed density is less than the maximum density bonus of 21.5 units/acre).

8. Transportation

The applicant shall comply with the following conditions of approval from M-NCPPC- Transportation Planning revised memorandum, dated October 22, 2004:

- a. Total development under the subject site plan is limited to 196 multifamily residential dwelling units, of which 69 are Productivity Housing Units;
- b. The applicant shall provide the physical improvements as shown on the approved site plan:
  - i. Grading of the full width of four lanes of Decoverly Drive along the site frontage;
  - ii. Construction of two lanes of Decoverly from the end of the existing pavement through the property, to include a median with street trees;
  - iii. Prior to issuance of building permit, applicant to record an easement for future dedication of a 50-foot wide right-of-way for the Corridor Cities Transitway contiguous to the eastern boundary of the Decoverly Drive right-of-way along the entire frontage of the two parcels. Easement language to be reviewed and approved by M-NCPPC legal staff prior to recordation.

9. Forest Conservation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated October 12, 2004:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits;
- b. Record plat of subdivision, site plan, and landscape plan shall reflect a Category One Conservation Easement over all areas of stream buffers and forest conservation.

10. Noise Attenuation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning per communication dated October 18, 2004 to attenuate noise from Decoverly Drive and/or the Corridor Cities Transitway:

- a. Certification from an engineering firm that specializes in acoustical analysis, that the building shell for residential dwelling units to be constructed within the unmitigated 65 dBA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification from the acoustical engineer shall be reviewed and approved by M-NCPPC Environmental Planning staff prior to issuance of building permits. Any changes that may affect acoustical performance

shall be approved by the acoustical engineer in advance of installation and M-NCPPC Environmental Planning staff prior to their implementation.

- b. Applicant shall conduct an outdoor-to-indoor noise analysis of constructed units in Building I, Parcel NN to ensure the 45 dBA Ldn interior noise level is achieved within the unmitigated 65 dBA Ldn contour after construction and shall present verification of noise levels to M-NCPPC Environmental Planning staff prior to occupancy of the residential units.
- c. For all residential dwelling units to be constructed within the 65 dBA Ldn unmitigated noise contour, the applicant/developer/builder shall disclose in writing to all prospective purchasers that those homes are impacted by existing and future highway/transitway noise. Such notification will be accomplished by inclusion of this information in all sales contracts, brochures and promotional documents, including the Illustrative Site Plan(s) on display within any sales related office(s), as well as in Homeowner Association Documents, and by inclusion on all subdivision and site plans, and with all Deeds of Conveyance. Notification shall be provided to M-NCPPC staff prior to issuance of any building permit.

11. Stormwater Management

The proposed development is subject to Montgomery County Department of Permitting Services Stormwater Management Concept approval conditions dated July 19, 2004.

12. Occupancy Provisions

Occupancy of Productivity Housing Units shall be limited to households that satisfy the applicable income restrictions established pursuant to Montgomery County Code Chapter 25B, Article IV (Productivity Housing Program), and any regulations duly adopted thereunder, as such Article or regulations may be amended from time to time.

13. Development Program

Applicant shall construct the proposed development in accordance with Development Program. A Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. Development Program shall include a phasing schedule as follows:

- a. Streets tree planting, including trees for the roadway median, shall progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets;
- b. Community-wide pedestrian pathways and recreation facilities, as noted in the Recreation Chart, shall be completed prior to issuance of the 6th building permit;
- c. Landscaping associated with each parking lot and building shall be completed as construction of each facility is completed;
- d. Pedestrian pathways [different than the community-wide pedestrian pathway listed in condition b. above] and seating areas associated with each facility shall be completed as construction of each facility is completed;
- e. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion;
- f. Coordination of each section of the development and roads;
- g. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.

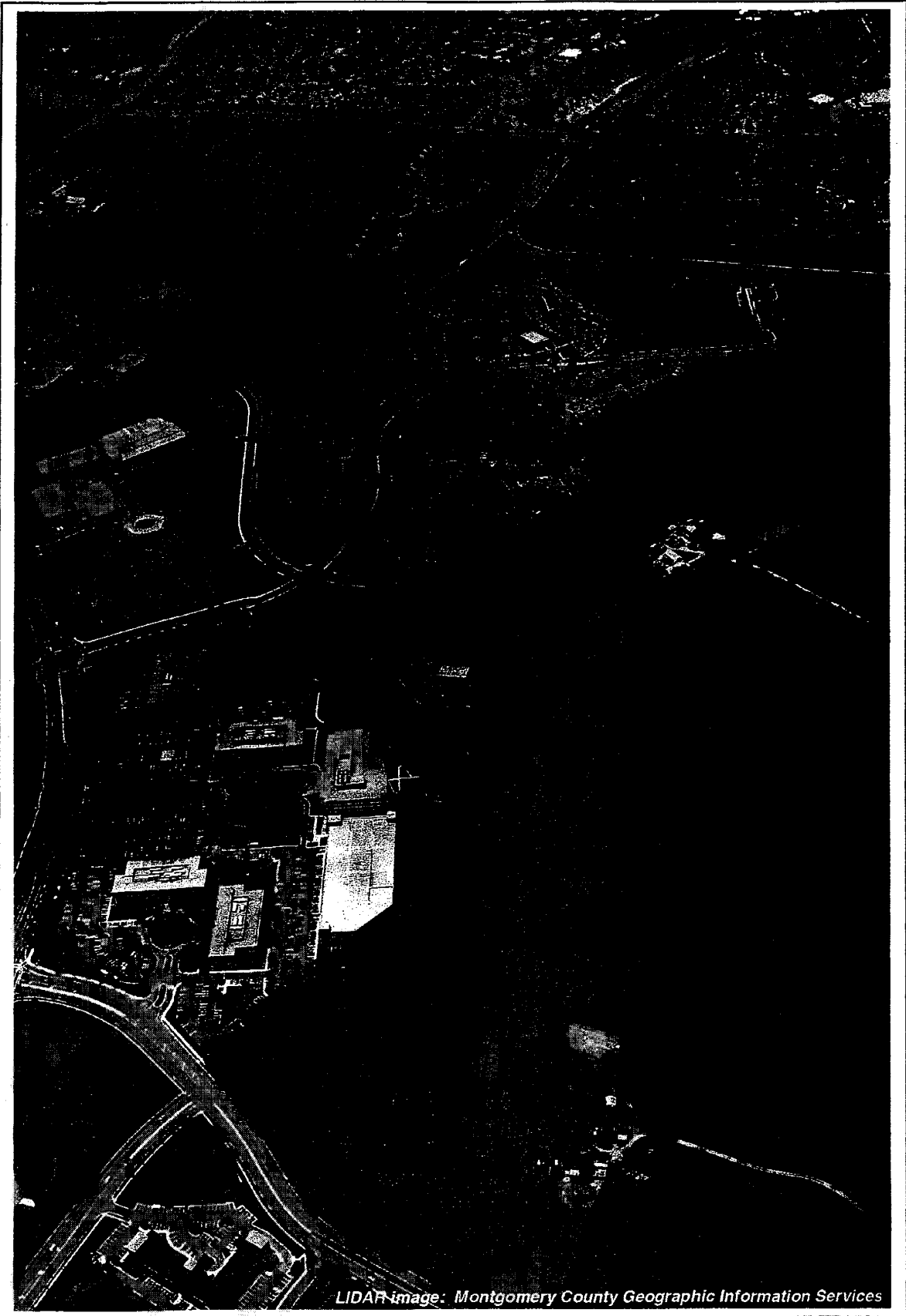
14. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

15. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion;
- b. Undisturbed stream buffers as shown on the final Forest Conservation Plan;
- c. Limits of disturbance;
- d. Methods and locations of tree protection;



LIDAR image: Montgomery County Geographic Information Services

Aerial oblique view showing the Avalon at Decoverly site. Crown Farm is seen at the right, extending to the bottom of the image. The Key West Regional SWM Pond is seen at the center. The Avalon Phase 2 site adjoins the SWM Pond, while the R-60/TDR development of Shady Grove