

**MEMORANDUM**

DATE: March 4, 2005
TO: Montgomery County Planning Board
FROM: Sandra Youla, AICP (301-495-4624) *SY*
 for the Department of Park and Planning
VIA: Carlton Gilbert, Zoning Supervisor, and
 Rose Krasnow, Chief, Development Review Division *RK*

REVIEW TYPE: Local Map Amendment/Optional Method of Application
APPLYING FOR: R-90 (Residential, One-family, Detached) to O-M (Office Building, Moderate Intensity)
REVIEW BASIS: Chapter 59, Zoning Ordinance

CASE NUMBER: G-831
APPLICANT: Musgrove Road Joint Venture, LLP
LOCATION: 1) 2415 Musgrove Road (Lot 5, Thompson's Addition to Deer Park), Silver Spring, MD 20904
 2) 2409 Musgrove Road (Lot 2, Thompson's Addition to Deer Park), Silver Spring, MD 20904
MASTER PLAN: Fairland Master Plan (1997)
FILING DATE: November 8, 2004
PUBLIC HEARING: March 18, 2005

RECOMMENDATION:

Staff recommends **DENIAL** of the O-M zone and the Schematic Development Plan. Staff's findings are as follows and are discussed more fully in the staff report:

1. The application does not meet the purpose clause of the O-M zone because, per 59-C-4.310:
 - a. the application, if approved and undertaken, would have an adverse impact on the adjoining neighborhood; and
 - b. the area is predominantly one-family residential in character and the zone is not intended for use in such areas.
2. The application is in full compliance with all other requirements of the O-M zone.
3. The application is not compatible with the surrounding area because:

- a. the proposed intensity of use is excessive for a predominantly single-family residential area;
 - b. the proposed scale and bulk of the additional building, which result from the two binding elements of height and gross floor area, are, when considered in conjunction with the existing on-site development, excessive for a predominantly single-family residential area;
 - c. the building setback, a binding element for the proposed additional building, disrupts the setback that has been established along U.S. 29 in the vicinity of the subject site;
4. The application is partially but not wholly in the public interest, namely:
- a. it does not comply with the recommendation of the master plan that the property be retained in the R-90 zone, a zoning that was retained despite a request during the time the master plan was being prepared that the property be rezoned through sectional map amendment to O-M. (Note, however, that the O-M zone can be applied to a given property without a site-specific master plan recommendation for such zoning);
 - b. it does not comply with the vision and goals of the master plan and would be detrimental to the continued effectuation of the master plan, which seeks to reinforce single-family residential character and provide more opportunities for single-family housing on the remaining undeveloped properties along Old Columbia Pike between Musgrove and Randolph Roads;
 - c. it is adequately served by public facilities; and
 - d. it does adequately address concerns of transportation and environmental staff.

Staff also notes that though illustrative only, the proposed parking setbacks are too small to ensure that there will be no adverse impacts on the adjoining single-family home and residentially-zoned land, and thus the application is not compatible with the surrounding area. (Parking setbacks are not proposed as binding elements, and would be established at time of site plan review.)

BACKGROUND

Introduction

Under the optional method of application, the applicant, Musgrove Road Joint Venture, LLP, requests reclassification from the R-90 zone (residential, one-family, detached) to the O-M zone (office building, moderate intensity) of two adjacent recorded lots, as follows:

1. 2415 Musgrove Road, known as Lot 5 within a resubdivision known as Lot 2 and Lot 5, Thompson's Addition to Deer Park (recorded 8/19/1985, Plat Book 133, Plat No. 15462, MNCPPC No. 559-13), and

2. 2409 Musgrove Road, known as Lot 2 within a resubdivision known as Lot 2 and Lot 5, Thompson's Addition to Deer Park (recorded 8/19/1985, Plat Book 133, Plat No. 15462, MNCPPC No. 559-130).

(Note: The land that currently comprises Lot 2 and Lot 5 was originally known as Lots 2, 3, and 4, Thompson's Addition to Deer Park, recorded 6/13/1955, Plat Book 52, Plat No. 4123, MNCPPC No. 151-31).

The applicant is the owner of both properties.

Property Location, Description, Special Exception Use, Access

The property is located in the southwest quadrant of the intersection of U.S. 29 (Columbia Pike) and Musgrove Road in the Fairland area.

Lot 5, a corner lot, comprises 121,076 square feet (2.77 acres), is irregularly shaped and fairly flat, and has 315.82 feet of frontage along Musgrove Road, 127.19 feet of frontage that diagonally faces the intersection (see plat), and 259.08 feet of frontage along U.S. 29. Lot 2 comprises 32,867 square feet (0.7545 acres), is rectangular and fairly flat, and has 151.60 feet of frontage along Musgrove Road.

Lot 5 is developed with a three-story brick medical office clinic with a footprint of 12,708 square feet and a total floor area of 38,112 square feet, a storm water management pond, and a 192-space surface parking facility. Access to Lot 5 is provided via Lot 2, pursuant to an ingress/egress easement shown on the plat. Lot 2 contains a vacant, one-story brick house, landscaped yard, a parking stub off the driveway, and an approximately 30-foot wide driveway that cuts directly in front of the house to provide access to Lot 5. A row of evergreen trees planted in front of the doors of the attached two-car garage impedes access to the garage from the driveway.

The Board of Appeals granted a special exception (S-906) for a medical clinic on what is now Lot 5 (previously Lots 3 and 4) on May 23, 1984, subject to conditions. The Board of Appeals subsequently allowed minor modifications and extended the time to implement the special exception, per its resolution issued on May 14, 1985. One of the four requested and approved minor modifications was the relocation of the proposed access to Lot 2 so that it would be directly opposite the entrance of what was then the C&P telephone complex (now Verizon).

Surrounding Area

Definition: In a floating zone application, the surrounding area is less rigidly defined than required with a Euclidean zone application. In general, the defined surrounding area takes into account those areas that are most directly affected

by the proposed development and any special study areas that may have been defined by a master or sector plan.

In the case of the subject application, staff finds that the most directly affected area is that area bounded by Musgrove Road to the north, U.S. 29 to the east, Old Columbia Road to the west, and the southern property line of St. Marks Church to the south. These properties are most directly affected for two reasons. Firstly, they are zoned for single-family residential (R-90 or R-200) and have the most potential to face development pressures if the subject property is rezoned. Secondly, at least some of these properties are also most likely to experience the most immediate adverse impacts of the proposed rezoning, such as noise from the expanded parking lot.

In determining the affected surrounding area, staff carefully considered the community analysis areas of the master plan, master plan vision and objectives, and master plan guidance for properties between Old Columbia Road and U.S. 29. (Staff recommends that the reader now review the attached memo from Community-Based Planning staff, because an understanding of the master plan approach is critical to zoning staff's analysis, definition of surrounding area, and findings.) Staff also looked at subdivisions, roads, lots sizes, development patterns, and community edges.

Staff rejects the surrounding area defined by the applicant, namely that area bounded by Fairland Road on the north, Randolph Road on the south, Old Columbia Pike on the west, and the properties fronting on the east side of U.S. 29 between Fairland Road and Randolph Road. Staff finds this area too broad and inclusive of properties that would not be directly affected by the proposed rezoning. Staff finds that U.S. 29, a 6-lane arterial, acts as a reasonable boundary, and thus properties along the east side of U.S. 29 should not be included. Staff also finds that the large-lot uses north of Musgrove on either side of U.S. 29 should not be included: they are employment centers, they relate more to each other than to the residentially zoned properties to the south, and the buildings themselves are separated from the surrounding community by extensive parking lots or green area. Further, these two uses are surrounded by a sea of residential zoning, and hence are clearly meant to be distinct and contained. To include these two properties would be to employ a corridor-city concept along U.S. 29 that the current master plan explicitly rejects.

Uses and Zones within the Surrounding Area: Properties within the defined area above include:

- Lot 5, Thompson's Addition to Deer Park: subject site, medical clinic, special exception use (S-906), zoned R-90, owned by applicant.
- Lot 2, Thompson's Addition to Deer Park: subject site, vacant house and access drive for Lot 5, zoned R-90, owned by applicant.

- Lot 1, Thompson's Addition to Deer Park: single family home, adjoins subject site to west, zoned R-90.
- Lot 6 of Thompson's Addition to Deer Park: religious institution known as Guru Nanak Foundation, with rear parking lot, adjoins subject site, zoned R-90.
- P905: parking lot and open field for Guru Nanak Foundation, adjoins Lot 6 above, adjoins subject site, zoned R-90.
- P908: undeveloped land, subject of S-1247 – an unimplemented special exception use for an eleemosynary institution (Machinists' Union headquarters), zoned R-200.
- P961: undeveloped land, also subject of S-1247 – an unimplemented special exception use for an eleemosynary institution (Machinists' Union headquarters), zoned R-200.
- N064: Arbor Crest Senior Apartment Community, special exception use (S-2487), zoned R-200, recently constructed.
- P061 and N101: St. Mark's Episcopal Church, zoned R-90.
- P119: vacant land, zoned R-90.

Staff notes that outside of the defined area to the south of St. Mark's along Randolph Road is land zoned C-1, developed with commercial uses. Also outside the defined area, in the northwest quadrant of the intersection of Musgrove Road and U.S. 29, north of the subject site, is a 35-acre site, zoned I-3, developed with 7-story and 3-story office buildings (Verizon), with extensive surface parking. In the northeast quadrant of the same intersection is another large parcel zoned O-M. This property is developed with office buildings also for Verizon and has extensive green area. In the southeast quadrant of the intersection on land zoned R-90/TDR is an assisted living and nursing home complex.

Approval Procedures

Re: Rezoning: The O-M zone is a type of zoning device known as a floating zone, which "consists of a prescribed set of permissible land uses that are not attached, in advance, to any particular geographic district, but are, instead, permitted to "float" over the entire area until located upon a specific property at the petition of the property owner." (Wheaton Moose Lodge v. Montgomery County, 41 Md. App. 401, 397 A.2d 250 (1979).) Similarly to a special exception, a floating zone must not be approved for a specific property unless the application meets certain requirements, namely that it:

- furthers the purpose of the zone, per Section 59-H.2.51 of the Montgomery County Zoning Ordinance,
- meets all other requirements of the zone, per Section 59-H.2.51,

- is compatible with the surrounding area, per case law (see above cited case), and
- is within the public interest, per case law and per Article 28 (Regional District Act), Section 7-110, which states that zoning power must be exercised:

“...with the purposes of guiding and accomplishing a coordinated, comprehensive, adjusted, and systematic development of the regional district,...and [for] the protection and promotion of the health, safety, morals, comfort, and welfare of the inhabitants of the regional district.”

The District Council normally construes being within the public interest to mean that the application must comply with the master plan, have adequate public facilities, and address recommendations made by the technical staff and the Planning Board, e.g. that environmental issues be addressed.

The County Council, sitting as the District Council, approves or denies the requested zone. The applicant seeking a rezoning reclassification has the burden of proof to establish all the elements of his case and to establish that the application meets requirements, per case law (see *Chevy Chase Village v. Montgomery County Council*, 258 Md. 27, 264 A.2d 861 (1970)).

In certain zones, including the O-M zone, the applicant may utilize an alternative method of application for a local map amendment, known as “optional method of application.” The applicant has elected to do so in this case. According to 59-H-2.5 of the Montgomery County Zoning Ordinance, the optional method of application

permit(s) an applicant to restrict development standards, stage development or limit uses provided in the requested zone. An applicant may utilize the optional method of application to limit the use of the property, without imposing a restriction on any of the development standards of the requested zone...In addition to other requirements contained in this article, the application for the optional method must include a schematic development plan...An application for the optional method must include a covenant that...(is) suitable for filing in the land records of Montgomery County, Maryland, and must reflect in specific language any restricted development standards, development program, or limited uses contained in the schematic development plan and applicable to the property if the district council grants the application....Upon approval of the application by the District Council, the applicant must immediately file the executed covenant in the land records of Montgomery County, Maryland. Certification of such filing must be submitted to the

Montgomery County Planning Board at the time of submission of the site plan.

Other Approval Processes to which the Application is Subject: Lots 2 and 5 were previously recorded. If the rezoning is approved, the applicant will not be required to submit a subdivision plan assembling the two lots into a single lot. However, prior to the release of any building permit, the applicant will be required to submit an amendment to the previous conditions of the preliminary plan approval for the increase in square footage on Lot 5. Formal adequate public facilities review will occur at the time of site plan review. The O-M zone requires site plan review, and therefore, if the rezoning is approved, the applicant will also be required to submit a site plan application pursuant to Chapter 59D-3 of the Zoning Ordinance.

Details of Proposal, Schematic Development Plan, Binding Elements

According to the application,

The applicant, pursuant to the Schematic Development Plan submitted with the application, will construct a 15,252 square foot, 3-story addition to the existing building for a total of 53,364 square feet of floor area. The Schematic Development Plan contains the following binding elements.

Binding Elements:

- Use – Medical Office uses per O-M Zone.*
- Property Area – 153,943 square feet or 3.535 acres*
- Building Coverage – 17,538 square feet or 11.4%*
- Paving Coverage – 80,500 square feet or 52.3%*
- Green Area – 55,905 square feet or 36.3%*
- Impervious Area – 98,038 square feet or 63.7%*
- F.A.R. -- 52,286 square feet or 0.34*
- Building Height – 3 story or 36 feet*

[Building] Setbacks

- Rt. 29 – 16 feet*
- Musgrove Road – 40.7 feet*
- South – 20 feet*
- West – 142 feet*

Parking

- Regular – 255 spaces*
- Handicapped – 12 spaces*
- Total = 267 spaces*

The existing house on Lot 2 will be removed and replaced with additional parking, storm water management, landscaping and fencing. The existing access drive to Musgrove Road will be retained. The existing storm water management facility in the front of Lot 5 will be upgraded to accommodate the building addition and additional parking. Additional landscaping is also shown on the landscape plan.

Additional Binding Elements: The submitted schematic development plan has two additional binding elements:

Cross easements will be recorded on Lots 2 and 5, Thompson's Addition to Deer Park, to provide ingress, egress, common parking, maintenance and utilities in common to both properties.

Binding Traffic Mitigation: The Applicant will provide, subject to governmental approval, traffic mitigation/improvements as required by the applicable governmental authorities. All traffic mitigation/improvements shall be installed or implemented prior to the issuance of occupancy permits for the subject property.

Amendments and Additional Submissions: The applicant's attorney, via a letter dated 11/15/2004, received by MNCPPC on 11/17/2004, requested a modification of the submitted schematic development plan, per advice of the People's Counsel. The amendment was to eliminate the words from the schematic development plan that stated "All of the Binding Elements are subject to Final Site Plan Approval by the Montgomery County Planning Board." Staff did not receive a revised copy of the schematic development plan, but notes the amendment. The applicant also submitted a revised Declaration of Covenants, Conditions and Restrictions with the same words deleted. Staff received this revised document, on 11/17/2004. Via the same letter, the applicant also submitted the record plats for Lot 2 and Lot 5 in lieu of the ALTA/ACEM Survey, which though submitted, apparently had not been stamped and sealed by a surveyor as required. Staff did not receive these plats, but got copies of the plats from MNCPPC's own records.

Zoning and Special Exception History for the Subject Properties

Comprehensive Zoning:

G-747 -- SMA, adopted 7/8/97: R-90 zone confirmed.

G-563 -- SMA, adopted 7/10/87: R-90 zone confirmed.

G-337 -- Eastern Montgomery County SMA, adopted 3/16/82: R-90 zone applied.

1958 Countywide Comprehensive Zoning: R-200 zone applied.

Local Map Amendments:

G-588 – Lot 5, request for R-90 to O-M zone, withdrawn without prejudice, 1988.

Special Exceptions:

S-906 – Lot 5, medical clinic, granted 5/23/84.

Master Plan Recommendation, per 1997 Fairland Master Plan

Land Use: Medical clinic pursuant to a special exception. The master plan notes also that “the Zoning Ordinance was amended in 1989 to restrict all future clinic special exception use to a maximum of four practitioners.”

Zoning: R-90.

Public Facilities

Water and Sewer Service:

Service Categories: The subject property is in Water Category W-1 and Sewer Category S-1.

Roadways: See attached memo dated 3/3/2005 from Transportation Planning staff, page 3.

Schools: Not applicable, since office use will not generate any demand on schools.

ANALYSIS

Purpose of the Zone

According to Section 59-C-4.310 of the Montgomery County Zoning Ordinance,

It is the purpose of the O-M zone to provide locations for moderate-intensity office buildings in areas outside of central business districts. It is intended that the O-M zone be located in areas where high-intensity uses are not appropriate, but where moderate intensity office buildings will not have an adverse impact on the adjoining neighborhood. This zone is not intended for use in areas which are predominantly one-family residential in character. The fact that an application complies with all specific requirements and purposes set forth herein shall not be deemed to create a presumption that the application is, in fact, compatible with surrounding

land uses and, in itself, shall not be sufficient to require the granting of any application.

Staff finds that application of the O-M zone on the requested properties would not meet the purposes of the zone, for several reasons.

Firstly, staff finds that the area is predominantly one-family residential in character and that furthermore, the master plan intends through its zoning and other recommendations to strengthen and reinforce that character. The land within the defined surrounding area is zoned either R-90 or R-200, and is vacant or developed either with uses permitted by right in those zones and hence complementary to single-family residential development or with special exception uses found to be compatible with and subject to restrictions to ensure compatibility with single-family residential development.

Secondly, because staff finds the area to be predominantly single-family residential in character, staff also finds that the proposed O-M zone would be located in an area where moderate-intensity office buildings would have an adverse impact on the adjoining neighborhood. Certain adverse impacts, such as the visual impact of increased bulk and the noise arising from so much traffic and parking, will be discussed under compatibility. Another adverse impact includes the increased likelihood that nearby residentially zoned properties also would request non-residential rezonings or other non-residential uses, contrary to master plan objectives for more single-family housing and reinforcement of residential character of existing communities. That non-residential uses on residentially zoned land create pressure for more non-residential uses has become evident – as evidenced by action taken approximately ten years ago by the County Council to amend the Zoning Ordinance to include cumulative impact findings for special exceptions. The Council recognized that each special exception, though compatible with the neighborhood, incrementally changed the character of the neighborhood, and if there were too many, tipped the character of the neighborhood unless restraints on the overall number of special exception uses were imposed. The Council recognized that each special exception in a given area is used to justify the existence of an additional special exception. Floating zones are similar to special exceptions, and case law recognizes this, yet they are subject to no such cumulative impact finding. Therefore, great care and restraint must be shown in their approval and application.

Other Requirements of the Zone

Staff finds that the application and schematic development plan meet the other requirements of the zone for each of the two parcels. The requirements are excerpted from the Zoning Ordinance as follows:

59-C-4.311. Lot coverage and building height.

- (a) Except as provided in paragraph (b) below, the following shall apply:

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- (1) Not more than 60 percent of the lot area shall be covered by buildings and accessory structures.
 - (2) No building shall exceed 5 stories or 60 feet in height at any point.
 - (3) At least 10 percent of the lot area shall be devoted to green area.
- (b) Coverage may be permitted to increase to 75 percent and height to 7 stories, but not more than 72 feet if the following conditions are met:
- (1) The lot has an area of at least one-half acre.
 - (2) At least 80 percent of the additional floor area is used for off-street parking.
 - (3) At least 15 percent of the lot area is devoted to green area.

59-C-4.312. Floor area.

The gross floor area of buildings shall not exceed FAR 1.5.

59-C-4.313. Setbacks.

All buildings shall be set back from lot lines at least as follows:

- (a) From any street right-of-way as shown on a master plan-15 feet.
- (b) From any other lot line:
 - (1) If the building has windows or apertures providing light, access or ventilation to a space intended to be occupied for commercial or residential purposes that faces that lot line-One foot for each 3 feet of building height.
 - (2) If the adjoining lot is in a residential zone and is not recommended for commercial or industrial zoning on a master plan-One foot for each 3 feet of building height.
 - (3) In all other cases, no setback is required.

59-C-4.314. Development procedure.

The procedure for site plan approval shall be as set forth in division 59-D-3.

Staff refers the reader to the site development data table in the Appendix and shown on the schematic development plan. This table shows that the application complies with development standards. Staff has reviewed the SDP, and insofar as possible to tell from a schematic and illustrative plan, finds that the application complies with development standards in the O-M zone.

Compatibility

Use: The proposed use is too intense for a single-family residentially zoned area. In about 1987, the County Council passed a zoning text amendment limiting medical clinics to four medical practitioners on site at any one time (or four more if they will not be generating additional patient-related traffic). This zoning text amendment was approved because the Planning Board and Council recognized that medical clinics had become tantamount to medical office buildings, and as such were not appropriate in single-family residential areas. The requested O-M zoning is simply a way to circumvent the current restriction

on the intensity of the use. The existing medical clinic already exceeds the current intensity restrictions because it was approved prior to the 1987 zoning text amendment and is grandfathered. Additional intensity is not warranted.

Structure: Staff finds that the proposed scale and bulk of the additional building, which result from the two binding elements of height and gross floor area, are, when considered in conjunction with the existing on-site development, excessive for a predominantly single-family residential area. At three stories, at least 32.8 feet in height not including the roof peak, and a footprint that is roughly 175 feet by 80 feet, the existing building already looms over the nearby residences and religious structure. Additional bulk is not warranted and is not compatible.

Staff also finds that the 16-foot building setback, a binding element for the proposed additional building, disrupts the setback that has been established along U.S. 29 in the vicinity of the subject property. Please refer page 8 of the attachment from Community-Based Planning for further details.

Parking Setbacks: The proposed parking setbacks are not binding elements and will be determined at site plan if the rezoning is granted. Therefore, staff does not use insufficiency of parking setbacks as a reason for denial. Instead, staff merely notes that if Lot 2 were being proposed for parking as an expansion of the special exception, rather than through a rezoning, the parking setback requirements would be significantly larger than proposed along the eastern and southern boundaries of Lot 2, per 59-E-2.83(b). Consequently, staff finds that the proposed parking setbacks are insufficient to mitigate adverse effects on the adjoining residentially zoned properties, and should be increased to at least 25 feet.

Landscape, Streetscape, Pedestrian Circulation, Noise, and Screening Requirements: Staff also notes that per 59-G-1.3(c)(4)(A), if the proposal were being reviewed as a special exception modification, an addition of 14,174 square feet likely would trigger the need for the entire special exception to be brought into compliance with the general landscape, streetscape, pedestrian circulation, noise, and screening requirements of 59-G-1.26 in order to help mitigate the adverse impacts of the addition on the neighborhood. These requirements may well be more stringent than imposed in an O-M zone.

Public Interest

Zoning staff finds that the application is partially but not wholly within the public interest, as discussed below.

Master Plan Conformance: Community-Based Planning staff finds that the application with respect to the subject properties is not consistent with the vision and recommendations of the Fairland Master Plan (1997), which seeks to retain the residential zoning, increase opportunities for single-family housing, and

stabilize or reinforce the single-family residential character of communities and certain roads. Zoning staff agrees. Please refer to the attached memo dated 2/25/2005 in the Appendix.

Adequate Public Facilities:

Transportation

Transportation staff, in a memo dated 3/1/2005 and contained in the Appendix, recommends that two transportation-related comments be part of the Planning Board's recommendation on the subject Local Map Amendment application. Transportation staff also concludes that based on the review of the analysis presented in the traffic study, the proposed zoning reclassification request for the property satisfies requirements under the LATR Guidelines and therefore, the APF test. Please refer to the memo in the Appendix for details.

Zoning staff concludes that there will be adequate transportation facilities.

Other Public Facilities

Staff received no comments from WSSC regarding water and sewer issues. Schools are not an issue in this application, because the uses in the O-M zone would not generate demand for school demand.

Environmental Issues: Environmental staff reviewed the application and finds that there are no significant environmental impacts associated with the application. Please see the attached memo dated 3/3/2005 in the Appendix. Zoning staff concludes that the application with regard to environmental issues is within the public interest.

Community Concerns

Staff received a letter dated 11/24/2004 from the Chairman of the Fairland Master Plan CAC expressing the Fairland Master Plan Committee's emphatic opposition to the proposed rezoning, on the grounds that it is inconsistent with the goals of the Fairland Master Plan. Please refer to the Appendix.

Revised Declaration of Covenants

Staff reviewed the revised declaration of covenants and finds that it reflects the binding elements as discussed in the application and reflected on the schematic development plan. The Hearing Examiner may wish to review the document with respect to legal requirements. Please see attachment in Appendix.

CONCLUSION

Staff concludes that the application does not meet the purpose of the zone, does not meet all other requirements of the zone, is not compatible with the surrounding area, and would be partially but not wholly within the public interest, namely would not comply with the master plan, would be served by adequate public facilities, and addresses the concerns of transportation and environmental staff. Thus, because staff cannot make all required findings in the affirmative, staff recommends **denial** of the application for the O-M zone and schematic development plan.

APPENDIX

Vicinity Maps

Zoning Map

Aerial Photos

Plat for Lot 2

Plat for Lot 5

ALTA/ACEM Survey of Lot 2 and Lot 5

Tax Map

Schematic Development Plan submitted with application

Site Development Data Table

- Memo from Community-Based Planning Staff dated
2/25/2005

Memo from Transportation Staff dated 3/1/2005

Memo from Environmental Staff dated 3/3/2005

Letter dated 11/24/2005 from Chairman of the Fairland
Master Plan Citizens Advisory Committee

Revised Declaration of Covenants, Conditions, and
Restrictions, received by MNCPPC 11/17/2004