

LIDAR image: Montgomery County Geographic Information Services

Aerial oblique view showing the Avalon at Decoverly site from the south. Crown Farm is seen at top, the Key West Regional SWM Pond at the right. At the bottom is seen the intersection of Diamondback Drive and Key West Avenue, and one of the buildings that forms the Decoverly Office Park. Shady Grove Gables is seen at the far left. Note the clear delineation of the streambed.

- e. Forest Conservation easement areas;
- f. Productivity Housing Unit calculations and recreation facility calculations;
- g. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- h. Centralized, screened trash areas for all multi-family units;
- i. Location of outfalls away from tree preservation areas;
- j. Label the ROWs, centerlines, PUEs on all site plan sheets; show dimensions of the CCT Reservation;
- k. Label the top and bottom elevations for all retaining walls.

16. Site Plan Amendments

- a. Any application for a site plan amendment may not limit the scope of the review to any individual parcel or portion of the site. A site plan amendment application shall require an analysis of the entire 10.81-acre site to ensure compliance with applicable conditions of approval of the preliminary plan and the special exception;
- b. The applicant must file a site plan amendment within 120 days of issuance of notice that construction will commence on that portion of the Corridor Cities Transitway (CCT) that abuts the site to ensure Planning Board review of landscaping, pedestrian, bicycle, and vehicular circulation, provision for utilities, parking, and any other impacts of the construction of the CCT adjacent to the site.

SITE PLAN REVIEW ISSUES

Site plan review addressed site design as related to pedestrian safety achieved through enhanced streetscape, and adequate, appropriate recreation amenities, both on site and off site; the site and landscape plans have been modified to include additional sidewalk connections to the street and increased landscape and screening areas to accommodate shade trees within surface parking areas.

Staff has received communications from two members of the nearby residential communities about the impact of the development with respect to traffic congestion and tree loss on the subject land parcel.

I. Environmental and Traffic Impacts

The shape and natural topography of this site along with the existing constraints of the Decoverly Drive ROW and the Transitway reservation on the west, the stream buffer in the center, and the office park and regional storm water facility on the east create what is, ironically, a suburban "infill" site! These conditions demand careful, exact consideration of building locations, parking, and adequate attendant open space, in addition to preserving the forests and wetlands within the stream buffer.

Applicant's Proposal: The plan preserves the high priority forest within the stream buffer within the site's boundaries. The disturbance to wetlands required by the extension of Decoverly Drive and the installation of sidewalks and utilities has been certified with respect to water quality by the Maryland Department of the Environment (MDE). The applicant expects to receive the necessary permits from either MDE or the US Army Corps of Engineers to complete the road construction across the wetlands area.

Community Position The community members who contacted staff regarding the proposal expressed concern about the loss of wetlands and forest attributable to the proposed development. Each expressed additional concern about future traffic levels.

Staff Analysis/Position The proposed plan received considerable attention at the time of the Special Exception application that preceded the proposed site plan. Technical staff reports for the Special Exception include analyses specific to each of the issues.

Environmental Planning staff recognizes MDE's issuance of the Water Quality Certification for the disturbance associated with the proposed Decoverly Drive stream crossing. The Shady Grove Area Master Plan recommends this road extension, recognizing the necessity for resulting stream crossing. Preliminary Plan review addressed minimizing the width of the road crossing and ROW to the greatest possible extent. The Applicant is required to obtain a wetland permit for the extension of Decoverly Drive and any other construction within the wetlands. It should be noted that the wetlands are somewhat narrower at the point of the crossing, and that the engineering method proposed anticipates employing a culvert design which will retain as much of the stream's natural character as possible. Staff has included a condition for the further review of materials and dimensions for all retaining walls proposed for the culvert.

The plan proposes to retain 2.34 acres of forest, in conformance with the requirements of the Forest Conservation Law. Total reforestation and afforestation required is 1.9 acres. Staff recommends that the planting be supplied in the stream buffer rather than off site to enhance the existing forest. Staff has also required that the applicant develop and implement an Invasive Species Management Plan.

Transportation staff analyses, both for the Special Exception, and for this site plan, show that all existing intersections are currently operating at acceptable Critical Lane Volume(s) during morning and evening peak hours and that these acceptable traffic

II. Noticing for Special Exception S-2597

Staff received one additional comment regarding noticing procedures from one of the community members who expressed concerns about environmental and traffic issues. The specific question addressed, however, NOT the noticing for the Site Plan application, but the noticing procedure for Special Exceptions (SE).

Applicant's Proposal: The applicant's attorney spoke directly with the citizen during the course of a community meeting on September 22, 2004, arranged by Avalon Bay to present the Site Plan to the neighboring residents. The applicant's attorney described the citizen's (also the Key West Condo Association president) note that she had not received a mailed notice for the Special Exception. The applicant attributes this to the fact that the Board of Appeals records as of the SE date listed a different person (past president) as the Association president, and that the notices were mailed to the previous president and the management company, based on the information available. The applicant's attorney states that it is the responsibility of the condo association and HOA to update the Board of Appeals and Planning Board address records.

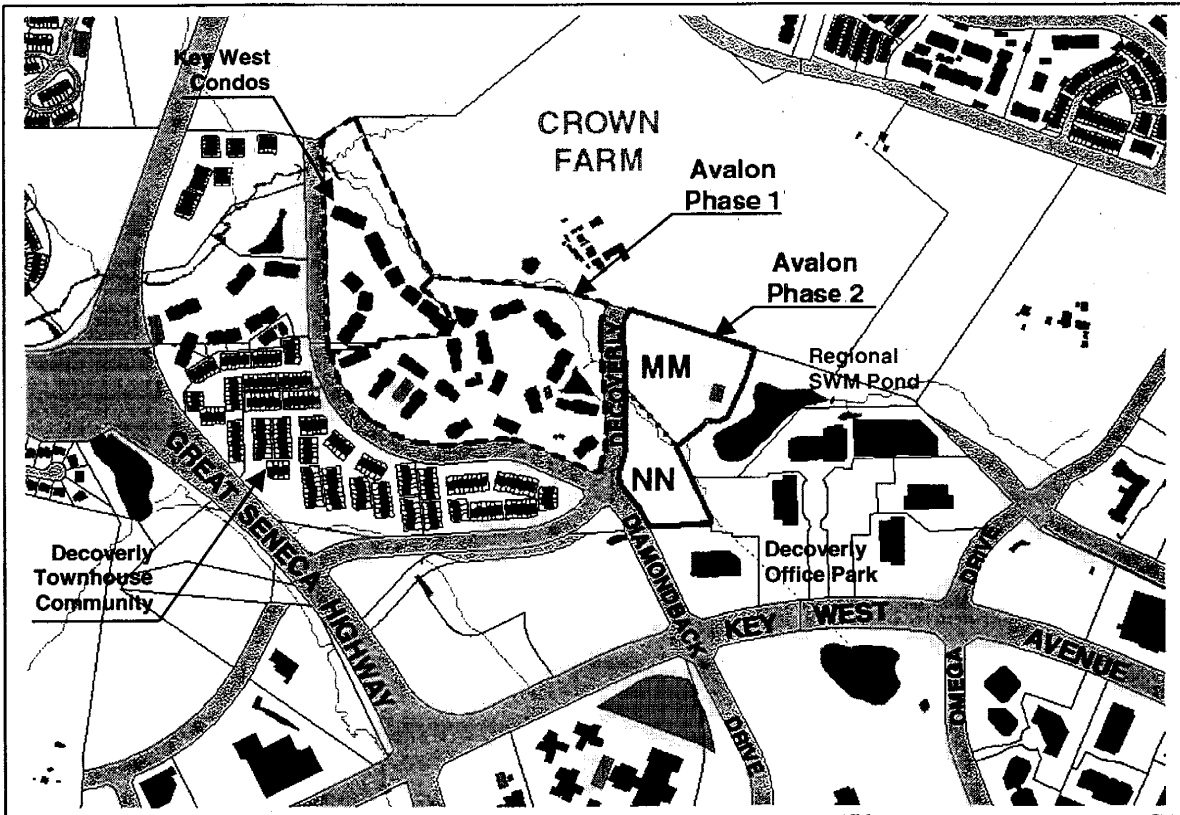
Community Position One community member expressed concern to MNCPPC staff about the noticing for Special Exceptions in September 2004.

Staff Analysis/Position Staff, after speaking with the community member, contacted the applicant and requested that he/she immediately check the Adjoining Property Owners list of names and addresses. Staff further requested other MNCPPC to verify the geographic radius used for notifying Home Owners Associations and Civic Associations for regulatory items. Finally, staff requested the applicant to contact the surrounding residential communities and offer to meet with the communities regarding the proposed development. The applicant met with three various groups and/or representatives: Key West Condo Association, September 22, 2004; Decoverly I Homeowners Association Representative, October 7, 2004; and, Decoverly I HOA, October 12, 2004.

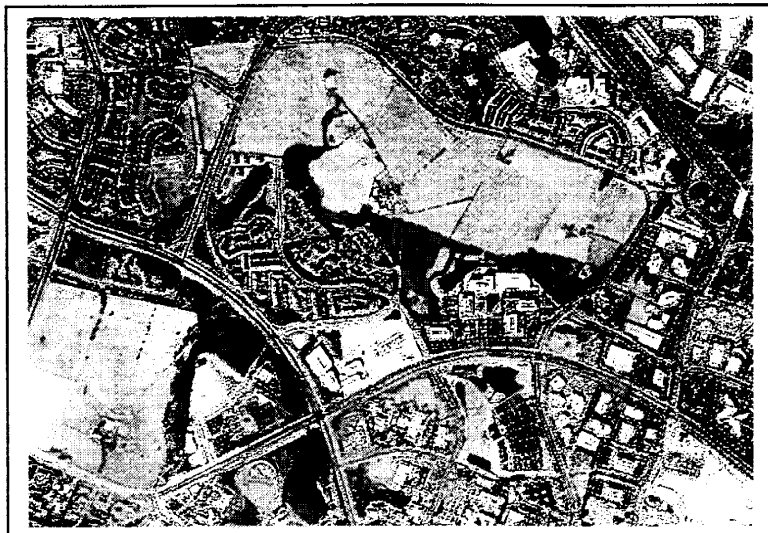
The applicant reported to staff on the topics of discussion and the concerns expressed by the surrounding residents. A number of inquiries addressed the provisions for Productivity Housing Units, issues about Avalon Bay's management of the Shady Grove Gables Apartments (Phase I), questions about the Corridor Cities Transitway, and various maintenance issues associated with upkeep of the existing site. As of the date of publication of this report, staff has received no further community contact.

PROJECT DESCRIPTION: Site Vicinity

The subject property (Parcel MM and Parcel NN) is located in the northeast quadrant of the intersection of Diamondback Drive and Decoverly Drive, Gaithersburg. The surrounding neighborhood is encompassed by Key West Avenue on the south, Omega Drive to the east, Great Seneca Highway on the west and the undeveloped Crown Farm on the north (R-200 and R-60 (TDR Zones)). Decoverly Office Park (O-M Zone), which adjoins the property on the east and south, is comprised of 6 buildings (including the NASDAQ Facility). The multifamily housing sited on the west side of Decoverly Road (Site Plan 8-88015A) consist of 528 units: Key West Condominiums (160 units) and Shady Grove Gable, 368 rental apartments owned and managed by Avalon Bay Communities, Inc, as the "Avalon Phase 1 Apartments." The proposed plan, Avalon at Decoverly, will comprise "Phase 2."



The significant expanse of the undeveloped Crown Farm is seen adjoining the property on its northern boundary. The existing Shady Grove Gable Apartments are seen outlined in red on the left. To the right is the bow tie shaped land area that comprises "Phase 2."



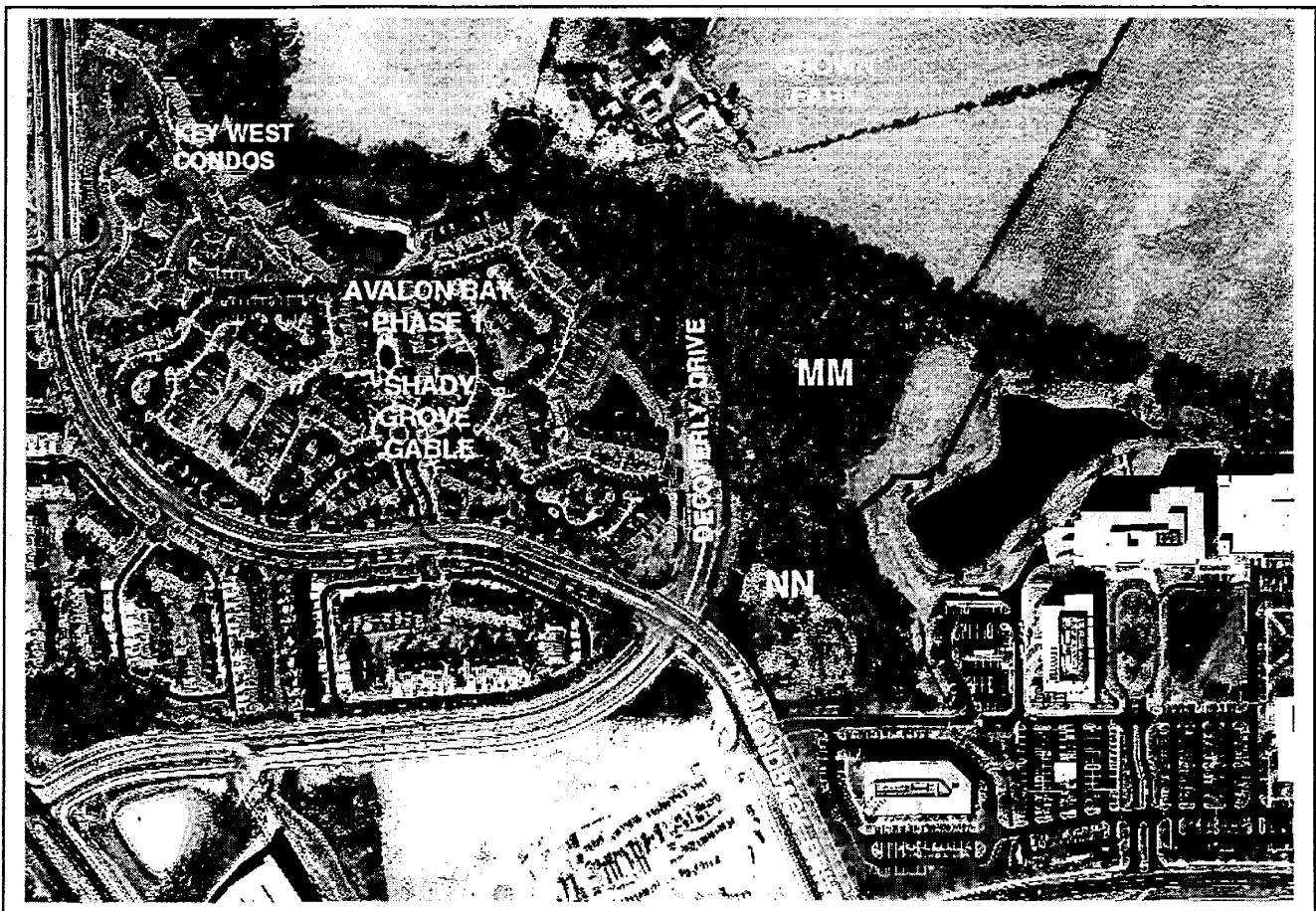
PROJECT DESCRIPTION: Site Description

This location is approximately 500 feet north of the intersection of Diamondback Drive and Key West Avenue (MD28). The property is comprised of two recorded parcels (**Parcel MM** and **Parcel NN**), which form a areas that in plan resembles a “bow-tie” shaped land area of 10.81 acres, the 6.86-acre Parcel MM on the north; and 3.95-acre Parcel NN on the south. The site provides approximately 250 of frontage on Diamondback Drive and 900 feet of frontage on Decoverly Drive.

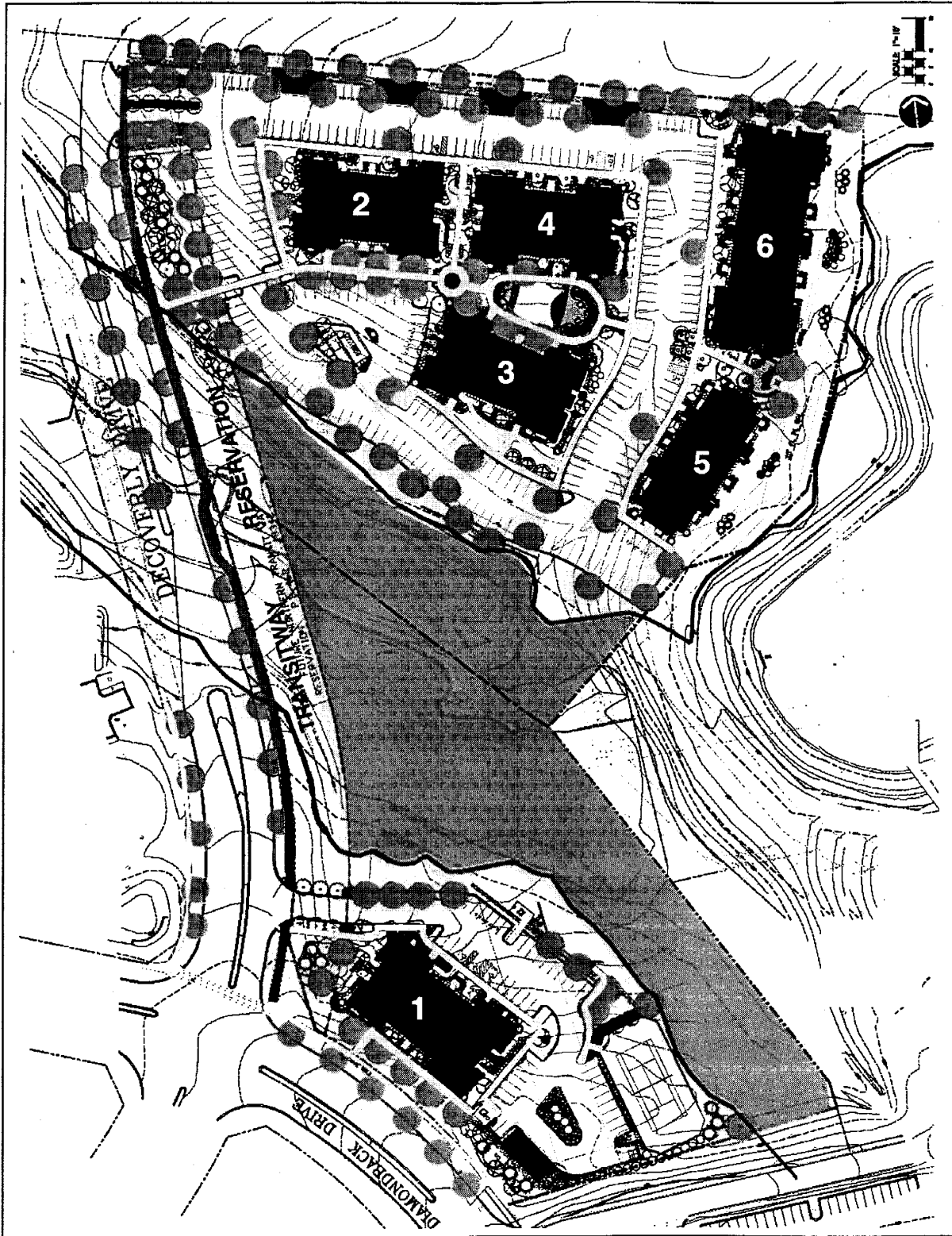
The site environmental features include a substantial wooded area of 7.85 acres of forest found in three distinct tree stands and 1.6 acres of wetlands. The forests consist of hardwoods such as Tulip Poplar, Black Locust, Black Cherry, and Red Maple in the stream valley buffers.

The Natural Resources Inventory/Forest Stand Delineation drawings identify a 100-foot stream valley buffer on either side of the perennial stream, a small tributary to the Shady Branch Stream, which bisects the property, roughly coincident to the common boundary of Parcel MM and Parcel NN. The stream connects to the Key West Regional Stormwater Management facility sited between the property and the Decoverly Office Park.

The site’s topography corresponds to its plan form, that is, with grade elevations of about 436 feet at both ends of the “bow-tie” which drop somewhat steeply to the center “knot,” the 406 foot elevation point the defines the stream bed, surrounded by 1.6 acres of wetlands.



PROJECT DESCRIPTION: Proposal



The plan for Avalon at Decoverly. The majority of development is located within Parcel MM to the north. The five buildings are sited to preserve the stream buffer, accommodate the Corridor City Transitway Reservation, and to offer attractive views of formal landscaping and natural forests. Building I, located on Parcel NN, is sited to define the street edge of Diamondback Drive, while preserving the stream buffer as well. The stream buffers are shown in red, the streambed in blue; pedestrian circulation is shown in yellow; the bike path is shown in orange, along Decoverly Drive.

Supply of Productivity Housing Units

Avalon at Decoverly ("Avalon Phase 2") will provide 196 multifamily rental units within the Shady Grove Study Area Master Plan. Of these, 35% or 69 units will be Productivity Housing Units, intended to serve families or individuals who demonstrate income at or below 75% area median income. The six buildings are designed to generously accommodate a mixture of unit sizes and types, with the PHUs distributed evenly among the buildings according to a unit type mix that matches exactly the mix of market rate rental units offered. [See also: *ANALYSIS: Affordable Housing*, page 17]

Pedestrian Access

The proposed design offers clear and efficient pedestrian access within the development itself, and with the surrounding public streets, including Decoverly Drive and Diamondback Drive. Formal north-south pedestrian connections are not proposed across the stream valley buffer to protect sensitive wetlands areas. The conservation areas are open for passive recreation, however.

The 8-foot sidewalk/bike path with street trees along the east side of Decoverly Drive offers an adequate, safe, and efficient connection between the two parts of the development and to the bus stops further south. In addition, extension of this bike path/sidewalk northward will provide connection to community facilities, including a public school planned for the Crown Farm tract and the future Corridor Cities Transitway station. It should be noted that the 50-foot Transitway reservation has been placed along the west property boundary of the site, adjoining the Decoverly Drive right-of-way, per the Master Plan recommendation.

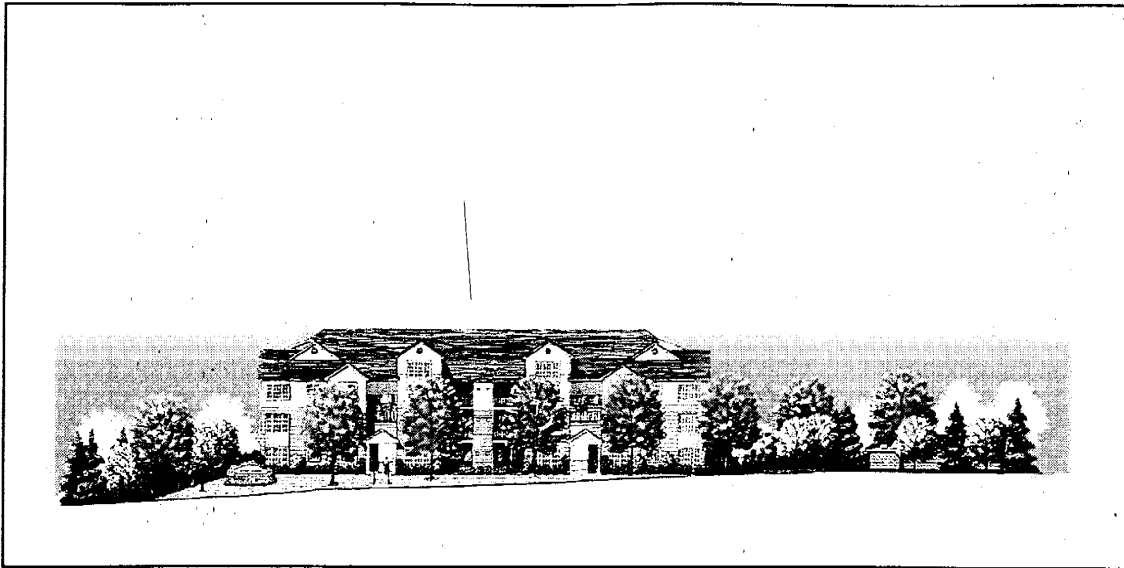
Staff has included several conditions that recommend the addition of striped crosswalks within the parking areas to enhance the visibility and safety of pedestrians.

Vehicular Access

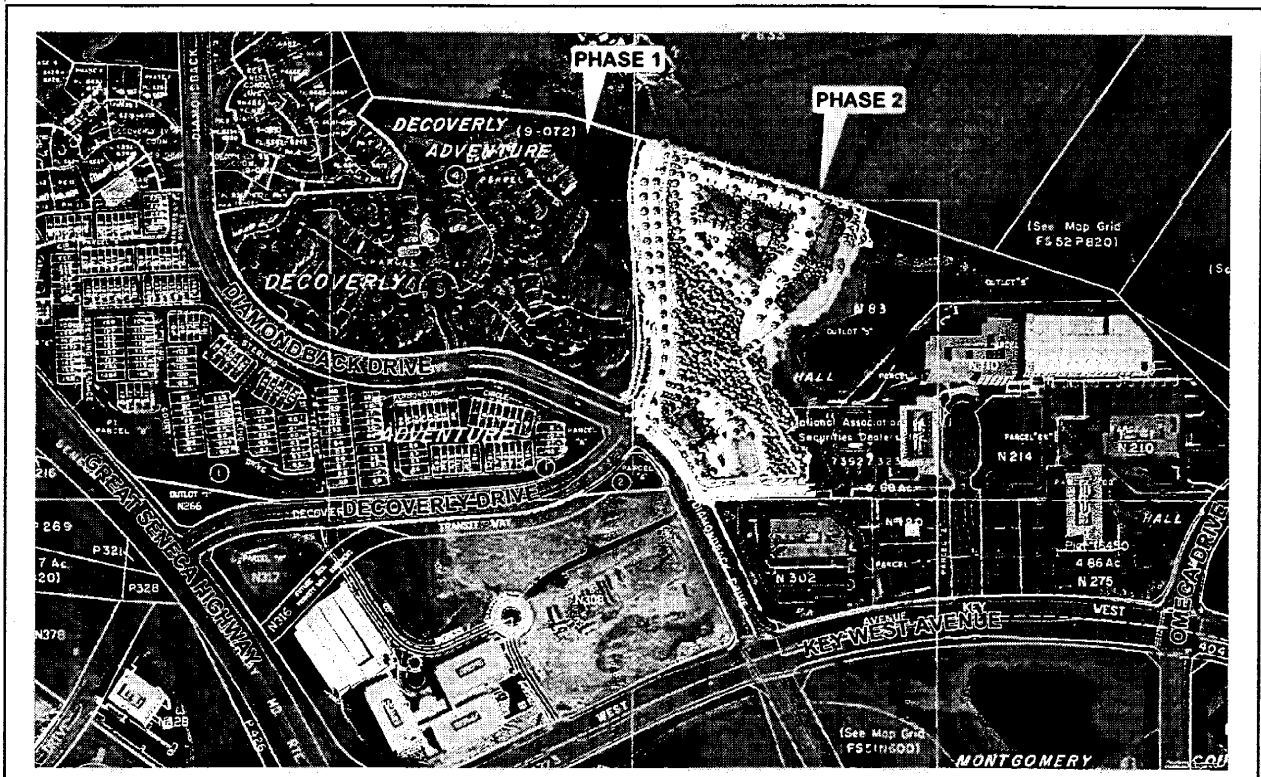
Each portion of the development, Parcel MM and Parcel NN has a dedicated vehicular entrance from Decoverly Drive. The entrance as proposed for Parcel MM, serving Buildings 1-5 features a 60-foot lead driveway with planted median separating ingress and egress traffic. As proposed the driveway provides adequate, safe and efficient passage for vehicles and accommodates the safe passage for pedestrians.

Vehicular access to Parcel NN is accommodated by a lead driveway more than 120 feet in length. This driveway, flanked by shade trees and one sidewalk proposes safe, adequate and efficient passage for vehicles and pedestrians.

Staff recommends that the applicant submit for review plan revisions for the driveway entrances that will be necessary to accommodate the construction of the Transitway.

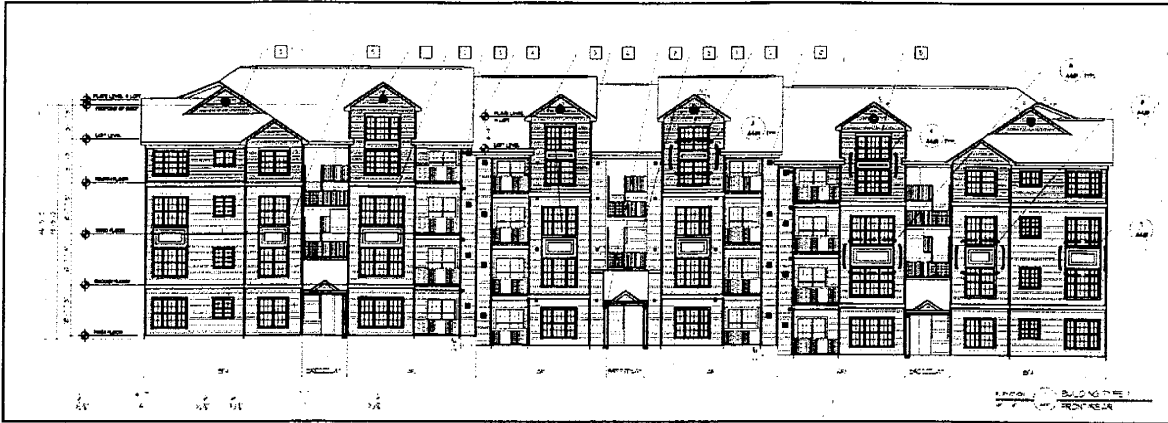


Site Elevation showing building façade from Diamondback Drive.



Aerial photograph with inserted rendering showing Phase 2, Avalon at Discoverly Housing. The proposal features six multifamily buildings within the northern land parcel and one multifamily building facing Diamondback Drive. The stream valley, to be preserved by a Forest Conservation Easement, bisects the site at its mid-point. The placement of the buildings allows an effective view of the streambed from the Discoverly Drive, which will serve the future development within the Crown Farm.

[Note: scales vary]



Building 6,
Parcel MM, facing the stream valley and the landscaped SWM pond.
The building contains 48 apartments, including 9 one-bedroom PHUs. [Building Type I]



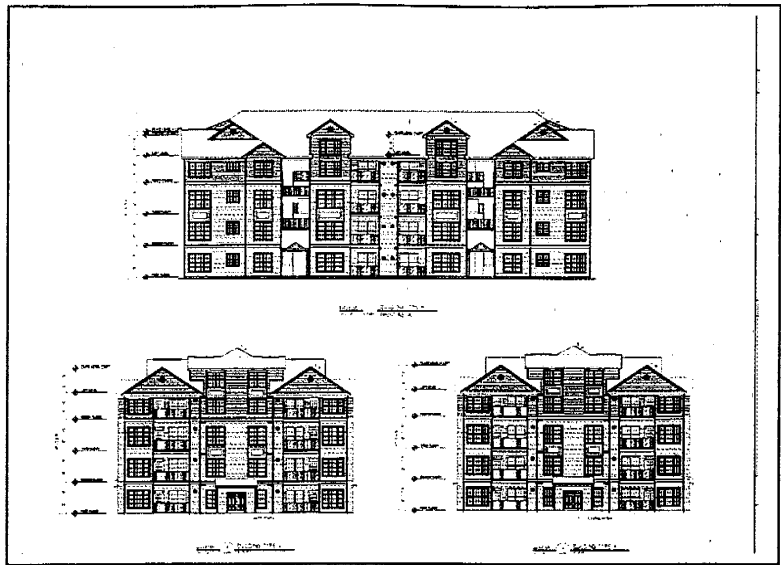
Building 5,
Parcel MM, facing the stream valley and the landscaped SWM pond.
The building contains 32 apartments, including 16 two-bedroom PHUs. [Building Type II]



Building 4,
Parcel MM, behind Building 2.
The building contains 28 apartments, including 14 one-bedroom PHUs.
[Building Type III]

Building 2,
Parcel MM, closest to Decoverly Drive.
The building contains 28 apartments, including 14 one-bedroom PHUs.
[Building Type III]

Building 3, Parcel MM, facing the stream valley buffer.
The building contains 32 apartments, including 8 two-bedroom PHUs.
 [Building Type IV]



Building 1, Parcel NN facing Diamondback Road. The building contains 28 apartment units, including 8 two-bedroom PHUs.
 [Building Type IV-a]