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MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 11-79
Site Plan No. 820110050
Project Name: Bowie Mill Property
Date of Hearing: September 15, 2011

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

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

WHEREAS, on January 20, 2011, Bowie Mill Road LLC ("Applicant") filed an application for approval of a Site Plan for 114 residential dwellings, including 57 one-family detached units and 57 one-family attached units, with 34 MPDUs and 34 Workforce Housing Units ("Site Plan" or "Plan") on 32.74 acres of PD-3-zoned land located at 18241 Bowie Mill Road opposite the intersection with Thornhurst Drive in the Olney Master Plan area ("Property" or "Subject Property"); and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820110050, Bowie Mill Property (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated September 2, 2011, setting forth its analysis of and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on September 15, 2011, the Planning Board held a public hearing on the Application (the "Hearing"); and

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

WHEREAS, on September 15, 2011, the Planning Board approved the Application subject to conditions on the motion of Commissioner Presley, seconded by

Approved as to
Legal Sufficiency:

8787 Georgia Avenue, N.W., Washington, D.C. 20010

Christina Sorrento 1/4/12
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Commissioner Anderson, with a vote of 5-0, Commissioners Anderson, Dreyfuss, Carrier, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820110050 for 114 residential dwellings including 57 one-family detached units and 57 one-family attached units, with 34 MPDUs and 34 Workforce Housing Units on 32.74 gross acres in the PD-3 zone, subject to the following conditions:

Conformance with Previous Approvals

1. Development Plan Conformance
The proposed development must comply with the binding elements of the development plan G-885.
2. Preliminary Plan Conformance
The proposed development must comply with the conditions of approval for Preliminary Plan No. 120110120, or as amended.

Environment

3. Forest Conservation & Tree Save
The proposed development must comply with the conditions of approval for the Final Forest Conservation Plan dated August 31, 2011. The Applicant must meet all conditions prior to the recording of a plat(s) or the issuance of sediment and erosion control permits by the Montgomery County Department of Permitting Services.
 - a) Trails within the conservation easement area must be natural surface materials.
 - b) Details of the proposed pedestrian footbridge across the stream must be approved by M-NCPPC Planning staff.
4. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated June 28, 2011 unless amended and approved by the Montgomery County Department of Permitting Services.

Parks, Open Space, and Recreation

5. Common Open Space Covenant

Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff prior to issuance of the 105th building permit that Applicant's recorded Homeowners Association Documents incorporate by reference the Covenant.

6. Recreation Facilities

- a) Meet the square footage requirements for all of the applicable proposed recreational elements and demonstrate that each element is in conformance with the approved M-NCPPC Recreation Guidelines.
- b) Provide the following recreation facilities: a tot lot, a play lot, 2 picnic/sitting areas, an open play area II, a half basketball/multi-purpose court II, a pedestrian system, a natural area, and nature trails.

Transportation & Circulation

7. Transportation

The development is limited to 114 residential units (57 one-family detached and 57 one-family attached units).

Density & Housing

8. Moderately Priced Dwelling Units (MPDUs)

- a) The development must provide 30 percent of the total number of units as MPDUs on-site, consistent with the requirements of Chapter 25A. The Applicant is receiving a 22 percent density bonus for providing more than 15 percent MPDUs on-site.
- b) The MPDU agreement to build shall be executed prior to the release of any building permits.
- c) All of the required MPDUs shall be provided on-site.

9. Workforce Housing (WFH)

- a) The development must provide 30 percent of the total number of units as WFH units on-site, consistent with the requirements of Chapter 25B, Article V.
- b) All of the required WFH units shall be provided on-site.

Site Plan

10. Site Design

Provide curb cuts at all handicap parking space aisles.

11. Compatibility/Architecture

- a) The fronts of the MPDUs must be designed and finished with architectural elements comparable to those found on other similar attached market rate units within the site.
- b) Provide architectural treatment that includes one or more of the following: box or bay window, minimum of two windows, shutters, and/or fireplace, on the side facades of high visibility corner lots. These include: Lots 1 and 42 (Block A); Lots 1, 5, 6, 12 (Block B); Lots 1, 10, 13, 18 (Block C); Lots 1, 5, 6, 11 (Block D). The details of the architectural treatments must be shown on the Certified Site Plan.

12. Landscaping

- a) Provide one additional street tree on the north side of Street B, adjacent to Lot 13, Block C.
- b) Provide three additional street trees on the south side of Street B, adjacent to the tot lot and amenity area.

13. Lighting

- a) The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for residential development.
- b) All on-site down-light fixtures must 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 footcandles (fc) at any property line abutting county roads and residential properties.
- e) The height of the light poles above grade shall not exceed 12 feet including the mounting base.

14. Landscape Surety

Provide a performance bond in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a) The amount of the surety shall include plant material, on-site lighting, recreational facilities, and site furniture within the relevant phase of development. Surety to be posted prior to issuance of first building permit within each relevant phase of development and shall be tied to the development program.
- b) Provide a cost estimate of the materials and facilities which, upon Staff approval, will establish the initial bond amount.
- c) Completion of plantings by phase to be followed by inspection and bond reduction. Inspection approval starts the one year maintenance period and bond release occurs at the expiration of the one year maintenance period.

- d) Provide a Site Plan Surety & Maintenance Agreement that outlines the responsibilities of the Applicant and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

15. Development Program

Construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a) Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- b) Street lamps and sidewalks must be installed within six months after street construction is completed. Street tree planting may wait until the next growing season.
- c) The development program must provide phasing for installation of on-site landscaping and lighting.
- d) Local recreational facilities and site elements must be completed prior to the following release of building permits:
 - 1) Phase I (southeast parcel consisting of 87 dwelling units):
 - i. The large open play area, seating area, and toilet lot located between Street B and the southeast property boundary must be installed prior to the issuance of the 60th building permit, which represents 70 percent of the 87 dwelling units in this phase.
 - ii. The landscaping for the open play area south of Lots 6-12, Block B, must be installed no later than 6 months after issuance of the last permit for these units.
 - iii. The landscaping for the pocket park including the trellis located in between Lots 28-41, Block A, must be installed no later than 6 months after issuance of the last permit for these units.
 - iv. Landscape screening in the rear of Lots 1-4 Block A, must be installed no later than 6 months after issuance of the building permit for each unit.
 - v. Landscape screening along the east side of proposed street A must be installed no later than 6 months after road construction.
 - vi. The sidewalk connection including seating area between Lots 8 and 9, Block A, from Public Street B to the Olney Square Citizen's Association sidewalk system must be installed prior to occupancy of either unit.
 - vii. The sidewalk connection between Lots 19 and 20, Block A, from Public Street B to the Olney Oaks HOA sidewalk system must be installed prior to occupancy of either unit.

- 2) Phase II (northwest parcel consisting of 27 dwelling units):
 - i. The recreation area including multi-age playground, half basketball court, and seating areas, located adjacent to the northern property boundary along Bowie Mill Road must be installed prior to the issuance of the 18th building permit, which represents 70 percent of the 27 dwelling units in this phase.
 - e) On-site amenities including, but not limited to, sidewalks, benches, picnic tables and trash receptacles, must be installed as construction of each recreational facility is completed.
 - f) Community-wide pedestrian pathways and recreation facilities, including trail over stream valley buffer, must be completed prior to issuance of the 105th building permit.
 - g) Provide each section of the development with necessary roads.
 - h) The development program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features, consistent with the phasing of the dwelling unit construction.

16. Certified Site Plan

Prior to approval of the Certified Site Plan the following revisions must be made and information provided subject to Staff review and approval:

- a) Include the final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and Site Plan Resolution on the approval or cover sheet.
- b) Add a note to the Site Plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c) Modify data table to reflect development standards enumerated in the Staff Report.
- d) Ensure consistency of all details and layout between Site Plan and landscape plan.

BE IT FURTHER RESOLVED, that all site development elements as shown on Bowie Mill Property drawings stamped by M-NCPPC on June 6, 2011, shall be required, except as modified by the above conditions of approval; and

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

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with*

an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.

The Site Plan conforms to all non-illustrative elements and binding elements of the Zoning Application G-885 approved by the County Council on September 21, 2010, with the Resolution No. 16-1481. The binding elements, as set forth below, limited the density of this site and established parameters for unit affordability, screening, unit type, and lot use/lot size.

BINDING ELEMENTS	
CATEGORY	BINDING ELEMENT
Density	There will be not more than 114 dwelling units constructed on the subject property.
Unit Affordability	At least one-half of the units to be constructed will be deemed affordable under the County's moderate priced dwelling unit and/or work force housing programs.
Screening	Landscape screening at the rear of proposed lots 1 through 4, Block A, and along the east side of proposed Street A (behind existing Lots 16-19, Block E, OLNEY SQUARE subdivision), will be provided. Details of such plantings (e.g., quantity, species, caliper, and spacing) shall be determined at the time of site plan review.
Unit Type	No dwelling units commonly known as "two over twos" will be permitted.
Lot Use / Lot Size	The dwelling units to be located on the perimeter of the subject site abutting single family detached homes on Darnell Drive and Daly Manor Place will all be single family detached units and the lot sizes will be approximately the same size as shown on the Development Plan. There may be open play area on the southern property line abutting existing Darnell Drive homes.

The Site Plan reflects the general layout and road network that was reviewed by the Planning Board and the District Council as part of the Development Plan approved with the rezoning of the Property.

The Site Plan conforms to these binding elements by proposing a maximum of 114 dwelling units; providing 59.6% of the units (or 68 units) as a combination of MPDUs and workforce housing units; screening the rear of proposed Lots 1 through 4, Block A, and along the east side of proposed Street A (as further discussed in the landscaping finding below); providing a unit type mix that

includes one-family detached units, one-family attached units and townhouse units, and excludes “two over twos”; and locating one-family detached units in comparable lot sizes as existing abutting lots along Darnell Drive and Daly Manor Place (as further discussed in the compatibility finding below).

2. *The Site Plan meets all of the requirements of the PD-3 zone and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the requirements of the Planned Development (PD) Zone and satisfies the design, housing, amenity, circulation and other purposes of the PD Zone. The project will provide a range of dwelling types consistent with the purpose of the zone. The development provides for a unified form of development at an overall density and mixture of unit types that is consistent with the recommendations in the Olney Master Plan. The proposed development also encourages preservation of the sensitive environmental resources existing on site and includes measures that are designed to enhance natural stormwater filtration and recharge. The design and layout of the proposed development also provides maximum social and community interaction through pedestrian and vehicular linkages, provides for the safety, convenience and amenity of residents, and assures compatibility with the surrounding residential land uses.

The site is zoned PD-3 consistent with Local Map Amendment G-885 approved by the County Council and specifically recommended in the 2005 Olney Master Plan. The PD-3 Zone allows the proposed residential uses. The density allowed in the PD-3 Zone is three dwelling units per acre, which is equivalent to a maximum base density of 98 units on the entire site. Under Subsection 59-C-7.14(c), the Applicant is entitled to a bonus density of 22% because it will provide more than 15% MPDUs onsite. As a result, the maximum density permitted for the site is 119 dwelling units, however, consistent with the binding elements, this project proposes a maximum of 114 dwellings units.

The PD-3 Zone contains setback requirements to ensure compatibility with existing uses adjacent to or in the vicinity of the site. Section 59-C-7.15 specifically states that only one-family detached homes may be constructed within 100 feet of any adjoining one-family detached zone. It also prohibits any buildings constructed to a height greater than its distance from such adjoining land. Because the Site Plan proposes a cluster of townhouses and attached units at the northwestern corner that are located within 100 feet of the adjoining R-200 zoned property, the Applicant is seeking a waiver of this setback requirement. Consistent with the waiver provisions in Section 59-C-7.15(c), the 100-foot setback may be waived if “the area master plan recommends other than a one-family detached use for the property immediately adjoining the area where the

waiver is to occur,” and “the immediately adjoining property will not be adversely affected by the waiver for present or future use.” The Planning Board grants the waiver because the property immediately adjoining this townhouse cluster to the west comprises a 250-foot wide PEPCO utility easement, and the property immediately to the north includes the 80-foot wide Bowie Mill Road right-of way. Both the easement and the right-of-way are designated in the Master Plan and not intended for one-family detached uses. None of these properties, either present or expected future uses will be adversely affected by the waiver.

Requirements of the PD-3 zone

The Staff Report contains a data table that lists the Zoning Ordinance required development standards and the development standards proposed for approval. The Board finds, based on the aforementioned data table, and other uncontested evidence and testimony of record, that the Application meets all of the applicable requirements of the PD-3 Zone. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table for the PD-3, Optional Method of Development

Development Standard	Approved by the Planning Board & Binding on the Applicant
Gross Tract Area (GTA)	32.74 acres
Density	
Max. Residential Density (du/acres) 59-C-7.14^(a)	3.48 (including 22% density bonus)
MPDUs (%)	30%
Max. Number of Dwelling Units	<u>114</u>
- Market Rate	(46)
- Workforce Housing	(34)
- MPDUs	(34)
Housing Mix (59-C-7.13)	
Min. one-family detached	50% (57 units)
Min. one-family attached/townhouses	50% (57 units)
Min. Setbacks	
Main Building (ft)	
Adjoining land zoned for one-family detached (59-C-7.15) ^(b)	47 ^(c)
From public street	0
- One-family detached	
- One-family attached	
Front yard	

- One-family detached	10
- One-family attached	10
Rear yard (opposite front door)	
- One-family detached Adjacent to property boundary	30
Not adjacent to property boundary	5
- One-family attached	15
Side yard	
- One-family detached	3
- One-family attached	0
Accessory Buildings (ft)	
Rear and side lot lines	
- Detached garages	5
- All other structures	5
Max. Building Height (feet)	
- One-family detached on the perimeter of the property (Lots 1-22, 42-25 Blk. A)	40 (2 stories)
- Remaining lots (one-family attached/detached)	45 (3 stories)
Min. Green Area	
(% of GTA) (59-C-7.16)	45% (14.7 acres)
Land Devoted to Public Use	
(59-C-7.17) (acres)	5.8
- MCDOT Public Roads	
Parking Spaces (59-E)	
Residential	<u>243</u>
- One-family detached	114 (2 sp/du)
- One-family attached	129 (2.26 sp/du)

^(a) Per Sec. 59-C-7.14(c), the maximum density may be increased to accommodate the construction of MPDUs and workforce housing units

^(b) Applicable to all buildings other than a one-family detached residence.

^(c) Consistent with the waiver provisions in Section 59-C-7.15(c), Staff supports a waiver of the normal 100 ft. setback for the townhouse cluster at the northwestern corner of the site.

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

a. Location of Buildings and Structures

The Board finds that the locations of the proposed buildings and structures are adequate, safe, and efficient. The Site Plan proposes 114 dwelling

units, consisting of 57 one-family detached units and 57 one-family attached/townhouse units. Development of the site is under a negotiated agreement with the County government, which commits the Applicant to provide 40% market-rate units, 30% MPDUs and 30% Workforce Housing (WFH) units. As a result, the proposal consists of 46 market rate units, 34 MPDUs and 34 WFH units. The units are located in two clusters separated by a forested stream valley. The location of the units adequately avoids environmentally sensitive areas and existing utility easements on the Property, and efficiently follows the proposed street layout.

The larger cluster with 87 units follows a well-connected street layout consisting of public roads and private drives. All one-family detached units are located in this cluster, and the majority are along the perimeter of the Property, which increases compatibility with adjacent one-family detached homes. Within the internal loop road (Street B), a mix of rear-loaded townhouse MPDUs and detached units adequately contributes to an enhanced pedestrian experience. A grouping of MPDUs and WFH attached units is located outside the loop road next to the stream valley buffer, which provides an adequate transition in unit types to the smaller cluster on the other side of the stream valley.

The smaller cluster with 27 townhouse/attached units is served by a private drive that connects two parking areas. Except for 5 WFH units with garages, all other units will be parked on joint parking areas. These townhouse rows are oriented inwards by being positioned perpendicularly and diagonally to Bowie Mill Road, which efficiently limits their presence and visibility from the road.

Citizens expressed concern at the Hearing regarding the location of all affordable housing units in the smaller cluster. After much deliberation, the Planning Board noted that the mix and location of the housing suited the site and design restraints and offered an integrated community. Due to the 60% affordable housing requirement for the development, all of the townhouse units on the site are affordable housing units. Since the smaller cluster could not successfully integrate single family detached homes, the design of the smaller cluster with all townhouse units was adequate and in line with the mix of housing provided throughout the development. The Planning Board further agreed that the Department of Housing and Community Affairs ("DHCA") is the lead agency to determine affordable housing unit mix and location and that the Board would defer to DHCA's decision.

The project proposes one monumental sign at each entrance to the development off Bowie Mill Road. The two signs proposed are similar in character although the one at the entrance of the larger cluster of units is larger in size than the one at the entrance of the smaller cluster, 4.5' in height by 15' in length vs. 4' in height by 10' in length, respectively. Both signs will have the name of the project, and similar materials including a stone base, brick facing, and stone capping. These monumental signs adequately identify the community and efficiently contribute to the sense of arrival.

b. Open Spaces

The Board finds that the open spaces provided are adequate, safe, and efficient. The Site Plan proposes to preserve the stream valley area and associated environmental features as an open space and amenity area with limited access, and to provide smaller open spaces and active recreation areas within the residential clusters and readily accessible. All open spaces are well connected through the proposed trail and sidewalk system.

The PD zone does not have an open space requirement; instead it has a minimum green area requirement of 30 percent of the gross tract area. The Site Plan meets the green area requirements by providing a combined total of 45 percent (or 14.7 acres) of green space. All green areas (including the active/passive areas) will be accessible to all residents of the development.

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 an adequate buffer and screening from the adjacent one-family detached community to the east and south of the proposed development, and from Bowie Mill Road. As discussed further in the compatibility finding below, the plant material in these areas includes mostly evergreen trees and shrubs.

Additionally, the landscaping provides canopy coverage and shade for parking areas, roads, and open spaces. A variety of trees line all the streets. Smaller plant material, such as herbaceous plants, evergreen and deciduous shrubs, and ornamental trees emphasize the entrance to the development and define amenity areas. The playground areas and open

play areas are enclosed by a variety of plant material that adds interest and delineates the spaces. The Planning Board requires coordination between the Staff and Applicant during the review of the certified site plan regarding the appropriate screening around the playground areas and open spaces to ensure adequate visibility for access and safety.

As proposed, the lighting consists of pole mounted light fixtures with a maximum height of 14 feet located on all public roads, on the private street serving the townhouse cluster at the northwestern corner of the Property, and the surface parking areas for the townhouses and attached units. However, the lighting will be reduced in height to 12 feet (as measured above grade), which is more residential in character and reduces visibility from adjacent properties and thus increases compatibility with the neighborhood. The lighting proposed will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. As conditioned, the lighting is adequate, safe and efficient.

d. Recreation Facilities

The Board finds that the recreation facilities are safe, adequate, and efficient. The recreation facilities provided include a tot lot, a play lot, 2 picnic/sitting areas, an open play area II, a half basketball/multi-purpose court II, a pedestrian system, and a natural area with nature trails between the two clusters of units. As demonstrated in the tables below, this development meets all the recreation requirements on-site through these 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 tots and children in both clusters of the development. Additionally, the site is within a half mile distance from the Olney Oaks Neighborhood Park which provides additional opportunities for recreation. It contains two multi-age playgrounds, picnic/seating area, 2 tennis courts, 2 basketball courts, and natural areas.

Demand

Housing Type	Number of Units	D1	D2	D3	D4	D5
		Tots 0 to 4	Children 5 to 11	Teens 12 to 17	Adults 18 to 64	Seniors 65+
SFD III (<7,000)	57	7.98	10.83	13.11	72.39	7.41
TH	57	9.69	12.54	10.26	73.53	3.99
		17.67	23.37	23.37	145.92	11.40

On-Site Supply

Recreation Facility	Quantity Provided	D1	D2	D3	D4	D5
		Tots 0 to 4	Children 5 to 11	Teens 12 to 17	Adults 18 to 64	Seniors 65+
Tot Lot	1	9.00	2.00	0.00	4.00	1.00
Play Lot	1	0.00	9.00	3.00	4.00	1.00
Picnic/Sitting	2	2.00	2.00	3.00	10.00	4.00
Open Play Area II	1	3.00	4.00	4.00	10.00	1.00
Half MP Court II	1	2.00	5.00	4.00	5.00	1.00
Pedestrian System	1	1.77	4.67	4.67	65.66	5.13
Nature Trails	1	0.88	2.34	3.51	21.89	1.71
Natural Areas	1	0.00	1.17	2.34	14.59	0.57
total:		18.65	30.18	24.52	135.14	15.41

Adequacy of Facilities	D1	D2	D3	D4	D5
a. Gross Total Supply	18.65	30.18	24.52	135.14	15.41
b. 35% of Total Supply	6.52	10.56	8.58	47.3	5.39
c. Max Off-Site Supply	0	0	0	0	0
d. Total Supply	18.65	30.18	24.52	135.14	15.41
e. 90% Demand	15.91	21.04	21.04	31.33	10.26
f. Adequate?	yes	yes	yes	yes	yes

e. Vehicular and Pedestrian Circulation

The pedestrian and vehicular circulation systems are safe, adequate, and efficient. Access to the site will be to Bowie Mill Road at two locations; one opposite existing Brightwood Road and the other opposite existing Thornhurst Drive. The access point opposite Brightwood Road will be a newly constructed private drive, with parking, to accommodate twenty-seven townhomes including nine MPDU's. The entrance opposite Brightwood Drive will accommodate the majority of the new development and will be a publically dedicated road connected to an internal network of public streets and private drives. The vehicular circulation efficiently directs traffic into and through the site with minimal impacts to sensitive environmental features and pedestrian circulation.

The project exceeds the parking requirement of 228 spaces (2 per unit) by providing 243 spaces. Additionally, the project shows public roads with a

pavement width of 28 feet which will accommodate approximately 78 spaces of on-street parallel parking subject to Montgomery County Department of Transportation and Fire Marshall's approval. Parking is accommodated on-lot for all detached units via garages and driveways, and a combination of on-lot and surface parking areas for the attached units. The surface parking areas include some areas of pervious pavement.

The pedestrian circulation system adequately and efficiently integrates this site into the surrounding area. A 5-foot wide sidewalk is provided along the Property's frontage on Bowie Mill Road and extends past the property line to Daly Manor. Additional connections and access to the surrounding area are provided along the southern and eastern property boundaries to the sidewalk system within the Olney Square Citizen's Association, Olney Oaks HOA and the Olney Oaks Neighborhood Park. During the hearing, the Applicant agreed to connect to the existing path and repave the path to each public street. Within the site, 5-foot wide sidewalks on both sides of all public streets facilitate pedestrian circulation and access to the various units, open spaces and amenities proposed. The Site Plan efficiently accommodates pedestrian circulation between the two clusters of units via a 5-foot wide natural surface trail through the stream valley buffer area.

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

The structures and uses proposed are compatible with other uses and site plans and with existing adjacent development. The location of the largest cluster of units away from Bowie Mill Road provides compatibility by limiting visibility of the proposed units, maintaining the character of the road, and preserving sensitive environmental resources.

The Site Plan addresses compatibility with the adjacent residential properties to the south and east along Darnell Drive and Daly Manor Place by locating one-family detached units along the perimeter of the Property in comparable lot sizes as existing, abutting lots. The front loaded unit type with backyards in the rear and garages in the front is also a comparable orientation to existing homes. Additionally, landscape screening with predominantly evergreen trees and a few deciduous trees and some shrubs for understory will enhance an existing tree edge while protecting the privacy of the existing homes. The screening is located at the rear of proposed Lots 1 through 4, Block A, and along the east side of proposed Street A (behind existing Lots 16-19, Block E, Olney Square subdivision).

The Site Plan provides compatibility of the 27-townhouse cluster closest to Bowie Mill Road through setbacks, unit orientation and proposed landscaping. These units are set back from the road a minimum of 80 feet, which allows adequate space for a landscape buffer. The Site Plan proposes evergreen trees along the Bowie Mill Road frontage and the PEPCO easement side, which will effectively screen and soften the townhouse units proposed as viewed from Bowie Mill Road.

Compatibility will be further enhanced through architectural treatments on the side facades of corner units and MPDUs front facades. The side facades of high visibility corner lots will include one or more of the following architectural design treatments: box or bay window, minimum of two windows, shutters, and/or fireplace. The fronts of the MPDUs will be designed and finished with architectural elements comparable to those typically found on other similar attached units within the site.

As discussed above, the PD Zone has setback requirements to ensure compatibility. The Applicant has requested a waiver of the 100-foot setback from adjoining land zoned one-family detached (i.e. R-200), located to the west and north of the project site. The reduced setback will not adversely affect the adjoining property because this land comprises a 250-foot wide PEPCO utility easement, and the 80-foot wide Bowie Mill Road right-of way. Both the easement and the right-of-way are designated in the Master Plan and not intended for one-family detached uses.

The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.

The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, and Chapter 19 regarding water resource protection. This site is subject to the County Forest Conservation Law. A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 420100430 was approved on November 17, 2009. The Preliminary Forest Conservation Plan (PFCP) was approved by the Planning Board as part of the rezoning case on June 23, 2010. Per Section 22A-21 of the Montgomery County Forest Conservation Law, a variance was granted as part of the PFCP approval.

The Applicant proposes to retain 5.94 acres of the 6.79 acres of existing forest and plant about 4.31 acres of forest within the currently unforested portions of the environmental buffer area that are not within the proposed road right-of-way. Although the onsite forest retention does not meet the conservation threshold, the Applicant is satisfying Chapter 22A by performing the onsite planting. The

proposed planting amount of 4.31 acres exceeds the required planting amount of 1.31 acres. The Applicant may use the additional forest planting as a forest mitigation bank if all banking requirements are met.

The proposed stormwater management concept approved on June 28, 2011, meets the required stormwater management goals by the use of environmentally sensitive design (ESD) measures to the maximum extent practicable. Treatment is provided by a combination of micro-scale practices, non-structural measures, porous pavement and structural measures.

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

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

BE IT FURTHER RESOLVED, that the date of this Resolution is JAN 19 2012 (which is the date that this Resolution is mailed to all parties of record); and

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

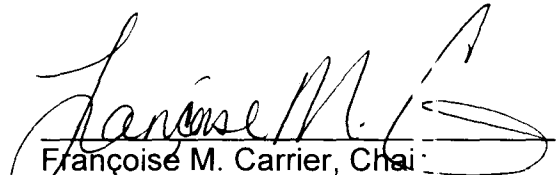
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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Dreyfuss, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor of the motion, and with Commissioner Presley

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abstaining, at its regular meeting held on Thursday, January 12, 2012, in Silver Spring, Maryland.



Françoise M. Carrier, Chair
Montgomery County Planning Board