



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

MCPB No. 18-034
Preliminary Plan No. 12017008A
Willow Manor at Fairland
Date of Hearing: May 3, 2018

MAY 08 2018

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on July 31, 2017, the Planning Board, by Resolution MCPB No. 17-070, approved Preliminary Plan No. 120170080, creating one lot for 116 senior adult apartment building dwelling units on 15.93 acres of land in the R-30 zone, located at 3300 Briggs Chaney Road ("Subject Property"), in the Fairland/Colesville Policy Area and *1997 Fairland Master Plan* ("Master Plan") area; and

WHEREAS, on February 21, 2018, KD Companies, Inc. ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to increase the dwelling unit count from 116 to 121 senior adult apartment building dwelling units and revise the Adequate Public Facilities test on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12017008A, Willow Manor at Fairland ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated April 20, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on May 3, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12017008A to increase the dwelling unit count from 116 to 121

Approved as to
Legal Sufficiency:

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senior adult apartment building dwelling units and revise the Adequate Public Facilities test by modifying the following conditions:¹

- 1) This approval is limited to one (1) lot for 121 senior adult apartment building dwelling units including a minimum of 13.2% MPDU's on the Property that also contains the existing East County Regional Services Center ("ECRSC"), East County Community Recreation Center ("ECCRC"), and Park and Ride facility.
- 6) Prior to recordation of any plat, Site Plan No. 82017005A must be certified by M-NCPPC Staff.
- 10) The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of this Planning Board Resolution.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan, and all findings not specifically addressed remain in effect.

2. *Public facilities will be adequate to support and service the area of the approved subdivision.*

Roads and Transportation Facilities

Vehicular Site Access Point

Access to the Subject Property, which is shared with the Eastern Montgomery Regional Services Center, the East County Community Center, and the Briggs Chaney Park and Ride lot, has not changed and is still located off both Robey Road and Gateshead Manor Way.

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

The Applicant is not required to dedicate any additional right-of-way or build any additional bicycle facilities within the public right-of-way because all the adjacent roads have the sufficient master planned right-of-way and bicycle facilities are as planned within the right-of-way.

Public Transit Service

Several bus routes service the Subject Property. These buses provide transit service to seniors living in this housing who may or may not have access to a vehicle.

In 2020, the Subject Property is scheduled to encompass a BRT station for the Route 29 corridor. Residents will also have access to this new transportation service and any other changes to bus services that result.

Pedestrian and Bicycle Facilities

The Application maintains a 5-foot wide lead-in sidewalk from Robey Road and the combination of proposed and existing sidewalks within the site provide sufficient interior connections to other streets adjacent to the Subject Property and other uses within the site. Robey Road, Briggs Chaney Road, and Gateshead Manor Way all have sidewalks with green panels along the Subject Property frontage, and Robey Road and Briggs Chaney Road have existing shared use paths on the opposite side of the street from the Subject Property.

Local Area Transportation Review (LATR)

The Application is subject to the 2016-2020 Subdivision Staging Policy (SSP) and the 2016-2020 Local Area Transportation Review (LATR) Guidelines. Since the previously approved 116 senior adult housing units have not existed for 12 years, the LATR Guidelines state that the approved 116 units must be examined for transportation adequacy with the five additional units that are a part of this amendment application.

Trip generation for the project was developed using ITE's 10th Edition Trip Generation Manual and the LATR Guidelines trip adjustment factors. The proposed 121 units are categorized as Senior Adult Housing – Attached (ITE-252) and would generate 24 morning and 31 evening peak hour vehicle trips. Using the LATR adjustment factors, these vehicular trips convert to 37 morning and 48 evening peak hour person trips. Since the project generates less than 50 peak hour person trips in either the morning or evening peak hours, further traffic analysis in the form a Traffic Impact Study is not needed.

Other Public Facilities and Services

Other public facilities and services are still available and will be adequate to serve the proposed dwelling units and existing facilities. The Preliminary Plan proposes that all dwellings units will be served by public water and sewer. Other telecommunications and utility companies reviewed the Preliminary Plan and found that the Subject Property can be adequately served. The Preliminary Plan was previously reviewed and

approved by the MCDPS, Fire Department Access and Water Supply Section under Preliminary Plan No. 120170080 who have determined that the Application is adequate. The Amendment does not change the fire access plan. Other public services such as police and health services are currently operating within the standards set by the Subdivision Staging Policy currently in effect. The Application is for senior adult housing in the R-30 zone and is, therefore, exempt from the School Facilities Payment Test.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

As part of the conditions of Preliminary Plan #120170080 to be certified, the Preliminary Plan Amendment has received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on August 9, 2017. The Application continues to meet stormwater management goals through the use of micro-biofiltration.


BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 08 2018 (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).

* * * * *

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 Vice Chair Dreyfuss, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, May 3, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board