



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

MCPB No. 16-013  
Site Plan No. 820160010  
Sandy Spring Townhomes  
Date of Hearing: March 24, 2016

OCT 17 2018

**CORRECTED RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on July 28, 2015, Tyler Nichols ("Applicant") filed an application for approval of a site plan for 19 one family attached (townhouse) units on 2.31 acres of CRN 0.75, C-0.25, R-0.75, H-45 zoned-land, located on the south side of Olney-Sandy Spring Road, approximately 250 feet west of the intersection with Meeting House Road ("Subject Property"), in the Rural East Policy Area and the Sandy Spring Rural Village Plan ("Master Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820160010, Sandy Spring Townhomes ("Site Plan" 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 March 11, 2016, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 24, 2016, the Planning Board held a public hearing at which it heard testimony and received evidence 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 Site Plan No. 820160010 for 19 one family attached (townhome) dwellings on the Subject Property, subject to the following conditions:<sup>1</sup>

<sup>1</sup> 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.

Approved as to  
Legal Sufficiency

*Christina Sowat* 10/3/18

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## **Conformance with Previous Approvals & Agreements**

### **1. Preliminary Plan Conformance**

The Applicant must comply with the conditions of approval for Preliminary Plan No. 120160030.

## **Environment**

### **2. Forest Conservation & Tree Save**

The Applicant must comply with the conditions of the Final Forest Conservation Plan No. 820160010:

- a) The Final Forest Conservation Plan must be consistent with the Sediment Control Plan.
- b) The Applicant will be required to mitigate for the loss of non-forest specimen trees by planting 15, three-inch caliper native shade trees.
- c) Prior to any clearing or grading occurring on Site, a Certificate of Compliance for the mitigation of 0.95 acres must be recorded in the land records office.
- d) Required Site inspections by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations must occur.
- e) Tree save measures not specified on the Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- f) Mitigation for the loss of additional specimen trees may be required by the M-NCPPC forest conservation inspector if specimen trees do not survive the construction process.

### **3. Noise Attenuation**

- a) Prior to approval of the Certified Site Plan, the Applicant must provide a noise analysis delineating the 60 dBA Ldn noise contour from Olney-Sandy Spring Road.
- b) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that:
  - i. The building shell for residential dwelling units is designed to meet the projected 60 dBA Ldn noise contour and is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- c) Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.

- d) For all residential dwelling units to be constructed within a projected 60 dBA Ldn noise contour, the Applicant must disclose in writing to all prospective purchasers that those units are impacted by transportation noise.

## **Public Use Space, Facilities and Amenities**

### **4. Public Use Space, Facilities, and Amenities**

- a. The Applicant must provide a minimum of 21,165 square feet of Common Open Space (24% of net lot area) on-site.
- b. Before the issuance of Use and Occupancy certificates for the 15<sup>th</sup> dwelling unit, all Common Open Space areas on the Subject Property must be completed, including:
  - i. Final surface treatment for the emergency vehicle turn-around plaza;
  - ii. Installation of the pergola, benches, seat wall and landscape boulders;
  - iii. Installation of all shown landscaping in the Common Open Space areas; and
  - iv. Construction of the ornamental metal fence around the open space

### **5. Maintenance of Public Amenities**

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to benches, seat wall, pergola, light fixtures, landscape boulders, landscaping, the emergency vehicle turn-around plaza, ornamental metal fence and brick piers, and pedestrian foot bridge.

## **Transportation & Circulation**

### **6. Transportation**

- a) The Applicant must construct the private internal street(s) to applicable Montgomery County tertiary structural and design standards 2001.01: Tertiary Residential Street Modified, from the MCDOT Road Code, as determined by the Preliminary Plan, and must construct all sidewalks, both on and off the Subject Property, to applicable ADA standards. Before the release of bond or surety, the Applicant must provide DPS Zoning and Site Plan Enforcement Staff with certification from a licensed civil engineer that all streets and sidewalks have been built to the above standards.

### **7. Pedestrian & Bicycle Circulation**

- a) All internal sidewalks and pedestrian paths must be a minimum of five feet wide.
- b) The Applicant must construct a four-foot wide pedestrian access path connecting with an on-site sidewalk to the Sandy Spring Village community

to the south as shown on the Site Plan. A public access easement must be shown on the record plat.

## Site Plan

### 8. Site Design

a) The exterior architectural character, proportion, materials, and articulation on lots 2-7 must be substantially similar to the schematic elevations shown on Sheets ARCH-820160010, and PERSPECTIVE-820160010, as determined by M-NCPPC Staff. Specifically, the Applicant must provide at a minimum the following building elements:

a. Lots 2 – 7

- i. Maximum building height of 36 feet as measured by MCDPS.
- ii. All unit's fronts must include some masonry elements including the façade below the elevation of the finished front entry floor (water table).
- iii. All front and side facades shall use either masonry, wood or simulated wood plank material for siding and trim subject to staff approval.
- iv. The units shall incorporate details such as horizontal banding to visually break up the front facades.
- v. Each unit's roof area shall be articulated with either dormers or gables.
- vi. Units 2 and 7 shall be stepped back a minimum of 2 feet behind units 3-6.
- vii. Lots 3-6 shall have a covered porch with columns.
- viii. The front door locations for the units on lots 3 and 4, and lots 5 and 6 shall be paired as shown on the schematic.
- ix. The front steps shall be side turned for at least half of their height as shown on the schematic.
- x. A landscaping area must be provided in front of the foundation and side turns steps.

b. Lots 2, 7, and 8

- i. All unit's sides must include some masonry elements including the façade below the elevation of the finished front entry floor. All side facades shall use either wood or simulated wood plank material for the siding and trim subject to staff approval. The side materials and finishes shall match those used on the unit's fronts.
- ii. The façade above the elevation of the first floor finished floor shall be sided with a hardy/cement plank siding.
- iii. Provide a minimum of eight windows or alternative architectural features providing the impression of a window on the side wall.

- iv. Side walls must provide a minimum of one of the following architectural elements: a three dimensional element such as bay windows, a variation of wall planes or a hipped roof with dormers, or must provide a double wide window or non-functioning French door.
- v. Trim and banding similar to that shown on the schematic shall be provided between the top of the top finished floor and the bottom of the attic.

9. Landscaping

- a) The Applicant must install the site elements as shown on the landscape plans submitted to MNCPPC or an equivalent.
- b) The Applicant must install the plantings shown on the landscape plans submitted to M-NCPPC. Any variation in plant species or quantity requires approval of M-NCPPC Staff.

10. Lighting

- a) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from a qualified professional that the lighting plans conform to the Illuminating Engineering Society of North America (IESNA) standards for residential development.
- b) All onsite down-lights must have full cut-off fixtures.
- c) Illumination levels must not exceed 0.5 footcandles (fc) at any property line abutting county roads and residential properties.
- d) 90 degree shields shall be provided for the two light fixtures closest to the southern Site boundary.
- e) The light pole height must not exceed 14 feet including the mounting base.

11. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit or sediment and erosion control permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to: plant material; on-site lighting; site furniture; mailbox pad sites; seating walls; fences; railings; private streets; paths; specialty pavement treatments; and any other associated improvements. The surety must be posted before issuance of the any building permit, or sediment control permit, and will be tied to the development program.

- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by inspection and potential reduction of the surety.
- d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets.

12. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

13. Certified Site Plan

Before approval of the Certified Site Plan, the following revisions must be made and/or information provided subject to Staff review and approval:

- a) All on-site sidewalks must be a minimum of 5 feet wide
- b) Where all sidewalks end at any street the Applicant must show the provision of ADA accessible ramps.
- c) Include the stormwater management concept approval letter, development program, and Site Plan Resolution on the approval or cover sheet(s).
- d) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before any land disturbance."
- e) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Maryland State Highway Administration."
- f) Modify data table to reflect development standards approved by the Planning Board.
- g) Revise the site data table to reflect the maximum building height for lots 2-7, as shown on the Site Plan, as 36 feet maximum.
- h) Ensure consistency of all details and layout between Site and Landscape plans.
- i) Add a note to the landscaping plan that a landscaping area will be provided in front of the side-turned stairs on lots 2-7.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Sandy Spring Townhomes, 820160010, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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:

1. *The development satisfies any previous approval that applies to the site.*

The Site Plan conforms to the conditions of Preliminary Plan No. 120160030.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

There are no binding elements from any development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

The zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Development Standards

The Subject Property is approximately 2.3 acres and zoned CRN 0.75 C-0.25 R-0.75 H-45. The Site Plan is being developed under the standard method of development. The following table shows the project's conformance to the development standards of the zone including the development standards of Section 4.5 Commercial/Residential Zone, and Section 6.2 Parking.

<b>Section 4.5 Zoning Data Table: CRN 0.75 C-0.25 R-0.75 H-45</b>		
<b>Standard</b>	<b>Required</b>	<b>Provided</b>
<b>Site</b>		
Common Open Space, Site >10,000 sq. ft.	10%, 8,416 sq. ft.	24%, 21,165 sq. ft.
<b>Lot and Density</b>		
Lot Area	800 sq. ft.	2,300 sq. ft
Lot width at front building line	12'	24'
CRN Density Max (mapped)	C-0.25, R-0.75	C- 0.00, R-0.63
<b>Placement</b>		

Front Setback	5'	18'
Side Street Setback	5'	N/A
Side Setback, abutting AG, RR, Residential Detached or Residential Town Zones	4'	22'
Side Setback, abutting other Zones	N/A	31'
Side Setback, end unit	2'	4' 2'
Side Setback, between lot and site boundary	4'	10'
Rear setback, abutting AG, RR, Residential Detached or Residential Town Zones	10'	19'
Rear setback, Abutting other Zones	10'	N/A
Rear Setback, alley	4'	N/A
Rear Setback between lot and site boundary	5'	15'
Front Setback (BTA)	15'	19**
Building in BTA	70%	0%*
Side Street Setback	N/A	N/A
<b>Height</b>		
Principal Building	45'	Lots 8-20, 40' Lots 2-7, 36'
<b>Form</b>		
Units permitted per row	12	6
Entrance facing street or open space	required	provided
Blank Wall, front, max	35'	35' or less
Blank wall, side/rear, max	35'	35' or less
<b>Section 6.2 Parking</b>		
Vehicle Spaces (2 per DU)	38	45

\*see Modification of Build-To-Area

***Modification of Build-To-Area***

The Site Plan places the structures on lots 2-7 setback 19 feet from the front property line. The maximum setback that establishes the build-to-area in the CRN Zone is 15 feet for townhouse units. However, section 4.5.3.C.3.b allows the Planning Board to modify this requirement during site plan review. The Planning Board must find that the site plan: (1) deviates from the Build-to-Area requirements only to the extent necessary to



accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible space such as streets, sidewalks, and parks.

For the Subject Property, the Master Plan includes a specific recommendation for the Village Core that encourages variations in the build-to-area along MD 108 to create a vibrant streetscape with room for a sidewalk and trees. The Master Plan also seeks to protect the Historic District buildings with a seamless fit in quality and character. Staff and the Applicant also believe it's important for this Site Plan to provide setbacks consistent with those of the historic buildings to the east to keep the townhouse units from dominating the streetscape and to protect the existing mature canopy trees located in the right-of-way for MD 108. The Planning Board finds that allowing the townhouse units to be located at 19 feet from the front property line rather than 15 feet is the minimum necessary to protect the vegetation along MD 108 and to be consistent with the historic buildings to the east. The Planning Board also finds the development adequately engages the publicly accessible sidewalk along MD 108 by providing a four-foot tall decorative fence, retaining existing large trees along the right-of-way, and by keeping the building elevations active with a mix of covered and uncovered front porches.

b. General Requirements

i. *Site Access*

The access to the Subject Property is adequate for 19 one-family attached dwellings. Vehicle and pedestrian access to the Site is provided in two locations, one will be through an existing private driveway with direct access to MD 108 that will be upgraded into a shared private street, located between the Subject Property and the Sandy Spring Bank to the east. The other location is a connection to Meeting House Road through the commercial office property located to the east. There are two additional pedestrian only accesses; one located in the north-western portion of the Subject Property that will provide a lead in sidewalk from the sidewalk along MD 108 into the open space and to the sidewalks internal to the Site. The Site Plan also proposes a pedestrian connection from the Subject Property to the neighboring residential development to the south and west. Driveways to all units are no more than 18 feet wide and access private streets rather than public streets.

ii. *Parking, Queuing, and Loading*

The Site Plan provides adequate parking to serve the development. Vehicle Parking in the CRN Zone outside of a reduced parking area has a minimum of 2 spaces per single-family dwelling unit, which will be provided by way of an integrated two car garage for each unit. An additional seven parking spaces are provided in the center of the Subject Property for visitor parking. Many of the units will also have driveways 18 or more feet in length which provides the opportunity to park vehicles on the private driveways. The Site Plan also proposes eight parking spaces in the southeastern portion of the Subject Property that is necessary replacement parking being lost on the Subject Property that was originally built for the adjacent office development.

iii. *Open Space and Recreation*

The Site Plan provides for more than the required amount of Common Open Space; the type of open space required when constructing townhouse building type dwellings. Common Open Space is intended for recreational use by residents and visitors and should be located centralized locations bordered by buildings or roads, or located to take advantage of existing natural features. Applicants must provide a minimum of 10% of the Site as Common Open Space, and at least 50% of the total Common Open Space should be in one contiguous space. The Site Plan identifies 24% (21,165 sq. ft.) of the total Site as Common Open Space, which is located into two areas. The first area is an approximately 10,799 sq. ft. area (51% of the total) in the southern portion of the Subject Property that includes a pedestrian connection to the adjacent residential properties, small grass areas and two landscaped biofiltration features. The second area is in the northwestern corner of the Subject Property, will be approximately 10,365 sq. ft. in size (49% of the total), and is designed as a more formal community gathering ("Community Green"). The Community Green includes a decorative patio that co-functions as an emergency vehicle turnaround, seating walls, benches, a lawn area, decorative 'play' boulders, a pergola, and extensive landscaping. The location of this Community Green was an important recommendation in the Master Plan to provide a communal gathering space and to enhance the green entryway into Sandy Spring. Although not central to the Subject Property or adjacent to a major natural feature, the Community Green is adjacent to a stand of trees which were protected, and is located in a place that provides better access to the greater Sandy Spring community.

The Site Plan is building only 19 one-family attached units, and the Montgomery County Recreation Guidelines of 1992 exempt developments of fewer than 25 one-family units from following the point-measured recreation guidelines. The recreation guidelines however do require that some sort of usable common open space be provided on the Site. As described above, the Site Plan provides adequate Common Open Space including the passive and active amenities of the Community Green.

iv. *General Landscaping and Outdoor Lighting*

The Site Plan meets the standards for the provision of landscaping and outdoor lighting as required by Division 6.4. An important part of the landscaping for the Subject Property is the protection of the existing trees located along and within the right-of-way for MD 108, and in the Community Green in the northwestern portion of the Site. These trees protect the green gateway into Sandy Spring, and provide shade for the Community Green. Supplemental plantings of canopy trees, flowering understory trees and shrubs enhance and frame the Community Green and soften the edges of the decorative patio/emergency vehicle turn-around. Additional tree plantings and landscaping is provided along the western and southern Site boundaries. Trees will line the private streets helping to frame the street and provide shade on the hard surfaces.

The lighting plans serve the dual purpose of providing safety and providing decorative interest. Lighting is being provided with decorative fixtures mounted at 14 feet tall along the private streets and walkways to illuminate the vehicle and primary pedestrian environment. Lighting in the Community Green is designed at a more pedestrian scale with a mix of 14 foot, and four-foot tall fixtures to provide general lighting to the decorative patio and pedestrian walkway, and wall mounted lighting under the seating wall to provide visual interest. The light levels at the Subject Property boundary adjacent to residential areas are at or under the 0.5 footcandle maximum allowed, and special light blocking shields are provided in the light fixtures closest to the adjacent residential properties to control light spillage and glare.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on April 3, 2015. The Site Plan will meet stormwater management requirements through the use of micro-biofiltration facilities and a bioswale.

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law. The Subject Property has 0.75 acres of existing forest which is being cleared. The Forest Conservation Plan worksheet generates a 0.95-acre off-site mitigation requirement which will be met through purchased credits in an off-site forest bank.

The Subject Property is subject to the tree variance law. A tree variance was reviewed as part of Preliminary Forest Conservation Plan No. 120160030 which identified the request to impact 12 trees and remove 10 trees with a diameter at breast height at or greater than 30 inches ("Impacted Trees"). There are no new impacts proposed to these Impacted Trees that were not shown on the Preliminary Forest Conservation Plan, therefore the variance request still stands.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

i. *Parking and circulation*

The Site Plan provides for safe and well integrated parking and circulation patterns on the Site. The Subject Property has two points of vehicle access, a primary access to MD 108 that exists now for the neighboring Sandy Spring Bank which will be improved as part of this Site Plan, and a secondary access through adjacent commercial property to Meetinghouse Road. Access to all of the units will be through private streets, built to a modified tertiary standard, and the Site Plan provides for an emergency vehicle turn-around that is being installed with a decorative treatment, making it an amenity in the Community Green. An existing sidewalk along the Site frontage with MD 108 will remain, and the Site Plan provides sidewalks along one side of the private street that eventually connects to the neighboring Sandy Spring Village community to the southwest. Each of the dwelling units will have an integral two car garage, plus room for additional parking on the individual driveways. A seven space visitor parking area is located in a central location to the Site and an additional eight spaces are being provided in the southeastern portion of the Site which are intended for the adjacent commercial uses located to the east.

ii. *Building massing, open space, and site amenities*

The Site Plan provides safe and integrated building massing, open space locations and site amenities. The 19 one-family attached units are being developed as five rows of townhouse units. Two of the townhouse rows, each three units in length, will be built with their fronts on MD 108. The other three townhouse rows are located behind the six units along MD 108, and are aligned perpendicular to MD 108. The placement of the six units directly on MD 108 helps to activate the street and create the urban street environment envisioned in the Master Plan, and the 15-foot space provided between the two rows help break up the building mass and create a scale more compatible with the existing buildings in the Village Core. The row of units in the westernmost portion of the site have a back to back relationship with off-site townhome units, and the remaining two rows of units have their sides relating to the back of the existing development to the south. The layout is an efficient design that minimizes street paving and provides room for landscaping, stormwater management and common open space areas. The units that will be built on lots 2-6 are height limited to 36 feet and are required to meet architectural conditions including providing some amount of masonry treatments and either roof gables or dormers. From the street the units will appear 2½ stories tall, taking advantage of the slight change in grade between the unit fronts and backs, allowing for a full 3 story building height and integral garage, in the rear. The sides of the units on lots 2, 7 and 8 must adhere to specific architectural details that provide multiple windows and uses similar façade treatments as those used on the unit front to help activate and frame the Community Green area.

The dwelling units also meet all of the height and setback compatibility requirements detailed in Section 59.4.8.B of the Zoning Ordinance. Section 59.4.1.8.A.1.b provides the specific guidance for setback compatibility when proposing townhouse units in a CR Zone, which requires minimum side and rear setbacks that are equivalent to the side setback, abutting all other zones, and rear setback, abutting all other zones. For the townhouse unit type in a CR zone, there is no required side setback and has a required minimum 10-foot rear setback from the Site boundary. The rear setbacks are 22 feet at their closest point on lots 9 and 11, and the side setbacks are 19 feet at their closest point on lot 20.

Section 59.4.1.8.B.2.a requires height compatibility between developments by not allowing any structure to protrude above a 45-degree angular plane projecting over the Subject Property, measured from a height equal to the height allowed for a detached house in the abutting zone, at the setbacks required for setback compatibility. The detached dwelling height maximum for the neighboring zone is 35 feet, and the setback compatibility for the side lot is

0 feet and the rear lot is 10 feet. Therefore, in the rear, the 45-degree angular plane of height would begin 35 feet high and 10 feet setback from the Site boundary. The approved unit heights will not protrude above this angular plane of height.

The Open Spaces on the Subject Property are divided between general open space, and Common Open Space. The Site Plan identifies two areas of Common Open Space; (1) the Community Green in the northwestern portion of the Site, and (2) an area in the southwestern portion of the Site which includes a mix of landscaped stormwater management facilities and lawn areas, and has a pedestrian path connecting the Subject Property with the adjacent property. Both of these spaces are accessible to all the units within the Site, and are accessible to the general public through sidewalk and trail connections. The Community Green is framed with buildings on two sides, and has a decorative fence and landscaping on the other two to complete the creation of a green room. The landscaped stormwater management area is more informal, but provides places for residents to walk around in grass areas, enjoying the flowering shrubs and ornamental trees that will be planted.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Site Plan is in substantial conformance with the recommendations of the Sandy Spring Rural Village Master Plan. The Subject Property is located in the Village Core Neighborhood of the Master Plan, and is part of the western gateway of Sandy Spring. The Master Plan recommendations are meant to protect the rural village character of Sandy Spring “by enhancing the existing gateway and reinforcing the distinctions between the rural village and adjacent residential neighborhoods.” The Master Plan provides both Village Core wide and Subject Property Specific recommendations for design, Planning, Land Use and Buildings.

The Village Core recommendations in the Master Plan include new developments should include a mix of residential and commercial uses, provide open spaces for gathering, reinforce the edge of the Master Plan area with medium density residential uses, provide opportunities for shared parking and encourage various housing opportunities. The Master Plan also encourages varying building heights up to three stories high, with articulated elevations and active fronts, that fit into the character and historic context. Architectural elements should include providing porches, stoops, bay windows, dormers, awnings and pitched roofs. There is also a specific recommendation for providing a small developer provided green space on the Site. The Site Plan meets these village core recommendations with a residential townhouse development of 19 one-family attached dwelling units,

providing common open space along MD 108 that is accessible to the public, and constructing the dwelling units on lots 2-7 to have their building fronts facing the road, the units divided between two separate rows of townhomes to reduce their mass, and locating their garages in the rear. There will be a variation in building heights between the units along MD 108 which will appear only 2 ½ stories tall with a maximum height of 36 feet, to the units further back on the Site which will be up to 40 feet high with a full three stories above grade. The dwellings are designed with pitched roofs, and will include many of the architectural elements desired by the Master Plan including porches or stoops, dormers and gable ends

The Master Plan also has specific recommendations for the Subject Property, identified as property 3, located on page 28 of the Master Plan. The Master Plan recommends up to 24 townhouses on this Site, with the option of a small amount of commercial uses to allow a residential project with ample transition to the adjacent residential properties to the west and south. Additional detailed recommendations build on the neighborhood wide recommendations and include support for single-family attached homes up to 45 feet in height, setbacks from MD 108 similar to that of the existing townhomes, a tree canopy goal of 40% and special tree plantings. The Site Plan proposes constructing the 19 attached dwelling units that are three stories high, with varying building heights ranging from 36 feet along MD 108 to up to 40 feet on the rest of the Subject Property. The primary common open space is located in the northwestern portion of the Subject Property, provides for the required community open space, and enables the unit on lot 8 to be set back from MD 108 similar to the adjacent Sandy Spring Village community to the west. East of this open space, units front closer to the road to establish the village development pattern, and are a similar setback from the road as the existing structures in the Historic District. The open space also protects a cluster of existing trees closest to the road, which maintains the existing green gateway into Sandy Spring. The Applicant has certified that based on the retained tree canopy, plus the landscaping that the Site will achieve a tree canopy coverage in 20 years of approximately 44.6%.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The Subject Property is subject to the adequate public facility findings of Preliminary Plan No. 120160030, which makes all of the applicable adequate public facility findings.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Site Plan is compatible with existing adjacent development. The Applicant has coordinated with the neighboring two commercial property owners to upgrade an existing access into a functioning private street, and providing on-site parking that will be shared with a neighboring office use. The building placement on lots 2-7 also start to form a street wall, and are set back similarly to the neighboring bank to the east. The layout of the Site Plan townhome units is compatible with the existing townhomes to the south because there is a substantial space below units 12 and 15 from the Subject Property boundary and the existing units to the south that includes landscaped stormwater management facilities. The shown building setbacks for lots 8-12 and lot 20 are also exceeding the CRN Zone's minimum and meet the height compatibility requirements of Section 59.4.1.8.B.2.a of the Zoning Code.

BE IT FURTHER RESOLVED that this Resolution 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 § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 17 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 original mailing date, or, if the appeal relates to the corrected portions of this Resolution, within thirty days of the date of this Corrected 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 Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, October 11, 2018, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board