

MCPB

Item No.: 6

Date: 12/13/2018

Courts of Clarksburg: Preliminary Plan Amendment No. 12015006A

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Staff Report Date: 11/30/2018

Description:

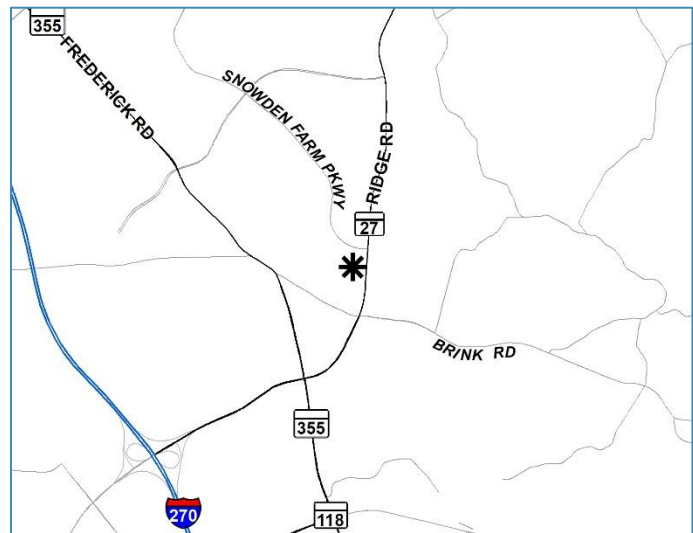
Request to change a condition of approval that currently limits the release of the 76th building permit based on the completion of access to Brink Road to instead limit it to the 91st building permit. Located on 54.32 acres of land zoned PRC at the northwest intersection of Ridge Road and Brink Road in Clarksburg. Master Plan: 1994 *Clarksburg Master Plan & Hyattstown Special Study Area*.

Recommendation: Approval with conditions

Applicant: Pulte Home Corporation

Application acceptance date: October 8, 2018

Review Basis: Chapter 50, Chapter 59



Summary

- The Applicant requests a preliminary plan amendment to change a condition of approval of the original preliminary plan that limits the release of the 76th building permit based on the completion of access to Brink Road. The Applicant would like to change this limit to the 91st building permit.
- The Application was reviewed under the standards and procedures of the Property's zoning on October 29, 2014.
- With the recommended conditions, the Application complies with all applicable requirements of Chapter 50, Subdivision of Land and the development standards of the PRC Zone of the Montgomery County Zoning Ordinance.
- Staff has received no correspondence in support of or in opposition to the Application.

SECTION 1: RECOMMENDATIONS & CONDITIONS

Staff recommends approval of Preliminary Plan Amendment 12015006A subject to the following revised condition. All previously approved plans, findings, and conditions of approvals remain in full force and effect, except as modified herein by the following condition:

Condition No. 8 of Preliminary Plan No. 120150060 is modified as follows:

8. Prior to the issuance of the 91st residential building permit for those units between Brink Road and Snowden Farm Parkway, both points of access to Brink Road and Snowden Farm Parkway must be complete and accepted for maintenance by MCDOT.
 - a. The Applicant must construct left turn lanes on eastbound and westbound Snowden Farm Parkway as shown on the Preliminary Plan prior to access to Snowden Farm Parkway being accepted for maintenance by MCDOT.
 - b. The Applicant must construct the frontage improvements on Brink Road as shown on the Preliminary Plan prior to access to Brink Road being accepted for maintenance by MCDOT.

SECTION 2: SITE LOCATION AND HISTORY

A. Location and Vicinity

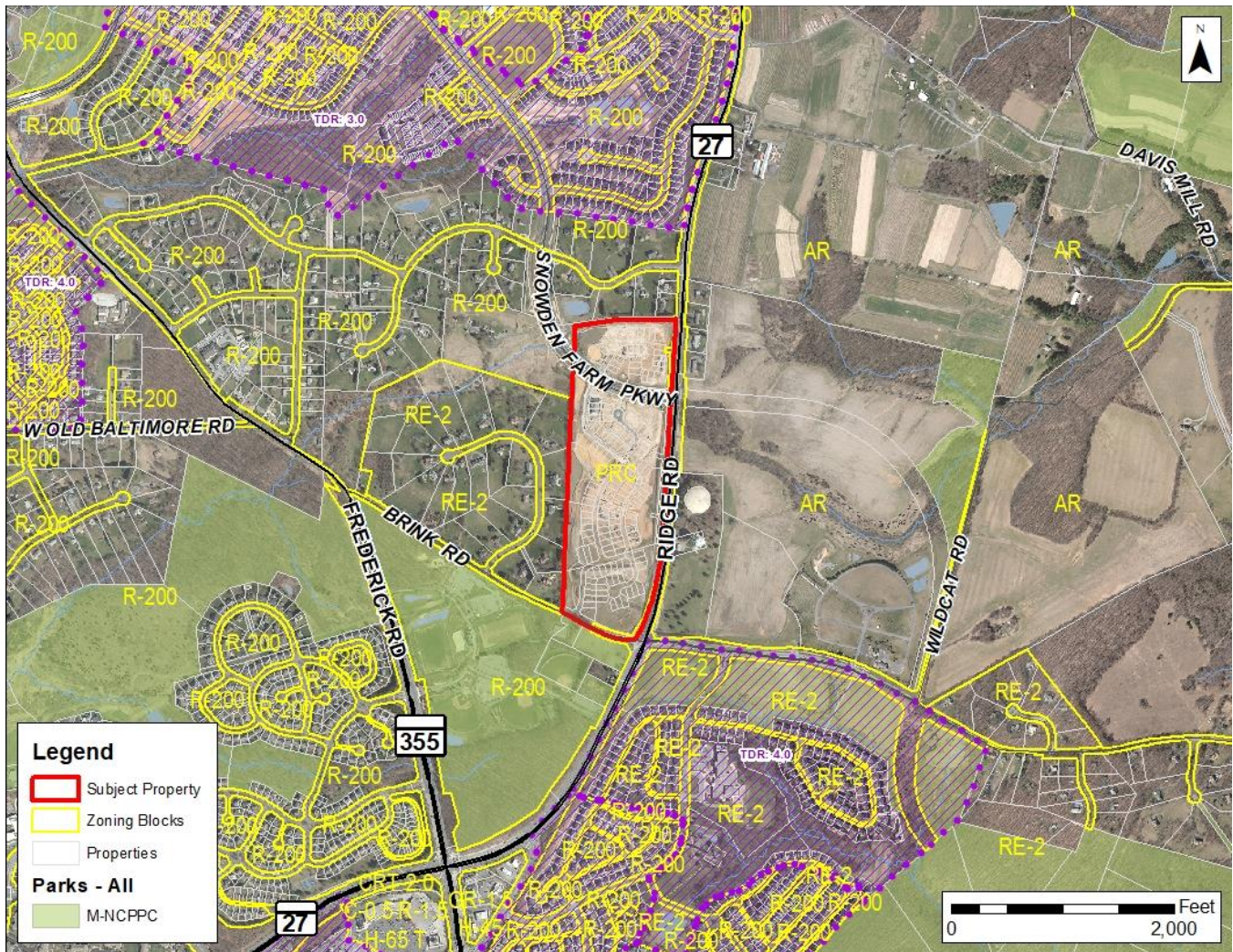


Figure 1. Vicinity of the Property showing zoning and nearby parks. The Property is zoned Planned Retirement Community (PRC). (2017 aerial.)

The site is located in the northwest quadrant of the intersection of Ridge Road (MD 27) and Brink Road in Clarksburg (Figure 1) ("Property"). The Property is zoned Planned Retirement Community (PRC).

B. Site Description

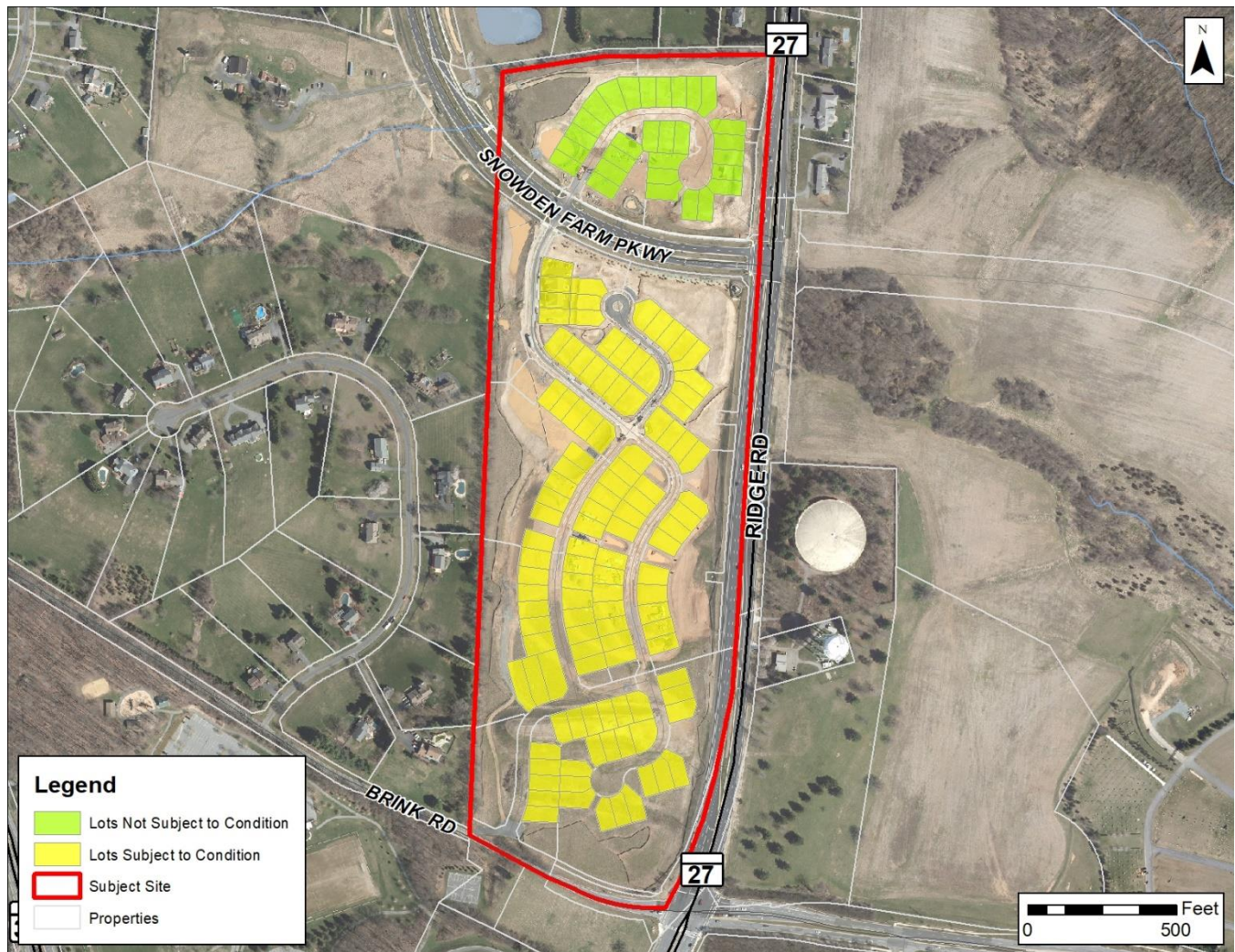


Figure 2. 2017 aerial view of Property. The proposed modification to Condition #8 only affects the 111 lots between Snowden Farm Parkway and Brink Road (shown in yellow).

The Property totals 54.32 acres. Over half of the homes have been built. Figure 2 shows the lots in two groups: 29 lots north of Snowden Farm Parkway and 111 lots between Snowden Farm Parkway and Brink Road. These latter 111 lots are subject to the condition of approval being amended; only 75 of these 111 homes could be built under original Condition #8 prior to the completion of the Brink Road access.

As of the date of this report, 62 residential building permits have been released for the area between Snowden Farm Parkway and Brink Road. 50 of these units have been completed (including the 3 model units), and 12 have not received a final inspection. A further 5 permits were recently filed and are pending release by the Montgomery County Department of Permitting Services ("MCDPS"). This totals 67 of the original 75 allowed permits prior to the completion of the access.

C. Plan Approval History

1. Zoning Case

The Property was rezoned from RE-2 to PRC with zoning case G-881 on June 11, 2013 (District Council Resolution No. 17-780). The Development Plan associated with G-881 has a variety of binding elements. The binding elements allow for a maximum of 140 lots with an allowed housing mix of up to 15% attached single-family houses and a minimum of 85% detached single-family houses. All units are required to be age-restricted for individuals 50 years of age and up with exceptions made for disabled relatives and other eligible people according to Section 59-C-7.44 of the Zoning Ordinance. All units are limited to a maximum height of 35 feet. The Applicant is also required to provide 250-330 parking spaces onsite as well as a community center. The final binding element is an impervious surface limit of 28% based on a net acreage of 49.4 acres.

2. Preliminary Plan Approval

Preliminary Plan 120150060 was approved via resolution dated September 14, 2015 as corrected on January 29, 2016 (MCPB No. 15-95). The Preliminary Plan approved 140 lots for 140 one-family detached units and one 2,800-square-foot community center building.

3. Site Plan Approval

Site Plan 820150030 was approved via resolution dated September 14, 2015 (MCPB No. 15-97). The Site Plan approved 140 age-restricted one-family detached units including 12.5 percent MPDUs (18 units).

SECTION 3: PROPOSAL

Don Hughes, on behalf of Pulte Home Corporation (“Applicant”), requests approval of a Preliminary Plan Amendment (“Application” or “Amendment”) to change a condition of approval limiting the release of the 76th building permit based on the completion of access to Brink Road. The Applicant would like to change this limit to allow 90 building permits to be released prior to completing this access instead of 75. The original condition of approval reads:

8. Prior to the issuance of the 76th residential building permit for those units between Brink Road and Snowden Farm Parkway, both points of access to Brink Road and Snowden Farm Parkway must be complete and accepted for maintenance by MCDOT.
 - a. The Applicant must construct left turn lanes on eastbound and westbound Snowden Farm Parkway as shown on the Preliminary Plan prior to any access being approved by the MCDOT.
 - b. The Applicant must construct the frontage improvements on Brink Road as shown on the Preliminary Plan prior to any access being approved by MCDOT.

According to the Applicant’s statement, item “a” above has been satisfied (access to Snowden Farm Parkway), but the improvements required in item “b” (access to Brink Road) were significantly delayed by an unforeseen gas line relocation issue. After resolving the issue surrounding this gas line along Brink Road, work on the frontage improvements commenced September 8, 2018. At the time of

Application submittal, the Applicant did not foresee acceptance for maintenance by the Montgomery County Department of Transportation (“MCDOT”) for at least 3 months. Recent weather delays have pushed this a little more into the future, so this Amendment will allow the Applicant to complete up to 15 additional houses before both access points have been completed.

The Applicant further requested clarification to the language in item “b” regarding what was meant by the access being “approved by MCDOT.” We have revised the language in the condition subsections to “accepted for maintenance” to be consistent with the language in the main condition.

Staff proposes modifying Condition No. 8 as underlined below:

8. Prior to the issuance of the 91st residential building permit for those units between Brink Road and Snowden Farm Parkway, both points of access to Brink Road and Snowden Farm Parkway must be complete and accepted for maintenance by MCDOT.
 - a. The Applicant must construct left turn lanes on eastbound and westbound Snowden Farm Parkway as shown on the Preliminary Plan prior to access to Snowden Farm Parkway being accepted for maintenance by MCDOT.
 - b. The Applicant must construct the frontage improvements on Brink Road as shown on the Preliminary Plan prior to access to Brink Road being accepted for maintenance by MCDOT.

SECTION 4: ANALYSIS AND FINDINGS

The proposed Amendment does not alter the original intent of the preliminary plan approved for the Property. All findings of Preliminary Plan No. 120150060 remain in full force and effect except as modified by the findings below.

Finding #2: Public Facilities—Roads and Transportation Facilities

In Figure 3, Streets B and D connect Snowden Farm Parkway with Brink Road and allow for two access points for the development. The language in Planning Board Resolution MCPB No. 15-95 makes a somewhat erroneous statement (emphasis added):

All internal streets are tertiary roads. Section 49-31.n of the Montgomery County Code *limits the number of units on a tertiary road to 75*. Therefore, Condition #8 of the Preliminary Plan prohibits issuance of the building permit for the 76th unit (located between Snowden Farm Parkway and Brink Road) until access to both Brink Road and Snowden Farm Parkway is completed and accepted for maintenance by MCDOT.

However, the County Code does not limit the number of units on a tertiary road to 75 as stated in the resolution. The actual wording of Section 49-31.n of the Montgomery County Code (“Streets and Roads”) is as follows:

Sec. 49-31. Classification of roads.

(n) A Tertiary Residential Street is a road meant to provide direct access to a residential development with 75 or fewer dwelling units. A Tertiary Residential Street must not be built unless the Planning Board allows its use when the Board approves a preliminary subdivision plan or site plan.

The Staff Report and Planning Board Resolution for Preliminary Plan No. 120150060 found that the tertiary road classification *limits* the number of units to 75. However, a closer reading of the road



Figure 3. Illustrative rendering of Site Plan.

classification above indicates that it is merely the *intention* of the classification (the road is *meant to* provide access to that number of units). Nothing in the classification limits the number of units to 75 other than the fact that only the Planning Board can approve a tertiary classification. The Applicant will eventually complete both access points for the neighborhood, so the completed street network will contain two access points for 111 units, or roughly 56 units served by each access point. Furthermore, the required access may be completed before residents move into the requested 15 additional units. MCDPS Fire Department Access and Water Supply Section does not object to this change as long as there are *no more than 100 units occupied* prior to acceptance of both access points. MCDOT also supports the revised condition. Staff finds that temporarily allowing an additional 15 units to access Snowden Farm Parkway for the few months needed to complete both connections meets the finding for adequate, safe, and efficient circulation.

Staff also supports modifying the condition of approval to make it clear that the completed access for each road must be “accepted for maintenance” by MCDOT, not “approved” as was written in the original condition.

SECTION 5: CITIZEN CORRESPONDENCE

As of the date of this report, Staff has not received any comments from the public regarding the Application.

SECTION 6: CONCLUSION

The Application satisfies all applicable requirements for approval of a preliminary plan amendment as specified in the Montgomery County Subdivision Ordinance.

Based on the foregoing analysis, Staff recommends Approval of Preliminary Plan Amendment 12015006A, subject to the revised condition listed at the beginning of this report.

Attachments

- A. Preliminary Plan 120150060 MCPB Resolution No. 15-95



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL ALCAPITAL PARK AND PLANNING COMMISSION

Agenda Date:
Consent Agenda Item No.

December 22, 2015

MEMORANDUM

TO: Montgomery County Planning Board

FROM: Gwen Wright, Planning Director *Gwen Wright*

VIA: Rich Weaver, Supervisor, Area 3
Ryan Sigworth AICP, Area 3, Senior Planner

Re: Correction of Resolution for Preliminary Plan No. 120150060, MCPB No. 15-95 Courts at Clarksburg

Attached is a redlined version of the Resolution for Preliminary Plan No. 120150060, MCPB No. 15-95 Courts at Clarksburg. The Resolution was mailed out to all parties of record on September 14, 2015. Corrections to this resolution have become necessary due to discrepancies found within the plan set regarding one section of sidewalk during the certification process. Ultimately, this requires corrections to the conditions regarding road cross sections in order to match the staff report and presentation presented to the Planning Board.

The corrections made are as follows:

- 1.) Page 3, Condition No. 6e corrects the end point where this particular road cross section shall be implemented. It also corrects the referenced MCDOT standard from the modified standard to the unmodified standard to this particular road cross section.
- 2.) Page 3, Condition No. 6g adds a new sub-condition which was inadvertently left off the original resolution. The sub-condition more completely details the road cross section of one segment of Street D that had been inadequately described.

Staff is requesting the Planning Board's approval so that the corrected resolution can be mailed out to all parties of record.



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

JAN 29 2016

MCPB No. 15-95
Preliminary Plan No. 120150060
The Courts at Clarksburg
Date of Hearing: July 30, 2015

CORRECTED RESOLUTION

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

WHEREAS, on October 6, 2014, Windridge Farms LLC ("Applicant"), filed an application for approval of a preliminary plan of subdivision of property that would create one hundred and forty (140) lots on 54.32 acres of land in the PRC zone, located on the west side of Ridge Road/MD-27, north of Brink Road ("Subject Property"), in the Clarksburg Policy Area, *1994 Clarksburg Master Plan & Hyattstown Special Study Area* ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120150060, The Courts of Clarksburg ("Preliminary 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 July 17, 2015, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 30, 2015, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on July 30, 2015 the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Fani-Gonzalez seconded by Commissioner Wells-Harley with a vote of 4-0; Commissioners Anderson, Fani-Gonzalez, Presley, and Wells-Harley voting in favor and Commissioner Dreyfuss being absent.

NOW, THEREFORE, BE IT RESOLVED THAT, the Planning Board approves Preliminary Plan No. 120150060 to create one hundred and forty (140) lots on the

Approved as to
Legal Sufficiency

Christina Smith 12/30/15
8787 Georgia Avenue, Silver Spring, Maryland 20910
M-NCPPC Legal Department
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Subject Property, subject to the following conditions:¹

1. This Preliminary Plan is limited to one hundred and forty (140) lots for one hundred and forty (140) age-restricted residential homes and one 2,800 square foot community center support building.
2. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated May 22, 2015 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
3. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
4. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Services ("MCFRS") approval dated July 1, 2015 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the approval. These recommendations may be amended by MCFRS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. The Planning Board accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in a letter dated April 22, 2015 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the approval. These recommendations may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Applicant must dedicate and show on the record plat the rights-of-way for the following roads as well as construct the roads to the design standards specified below:
 - a. Road A with a minimum of 44 feet of right-of-way from the cul-de-sac on Road A to Snowden Farm Parkway. Road A must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.

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.

- b. Road B with a minimum of 44 feet of right-of-way from Snowden Farm Parkway to the cul-de-sac on Road B. Road B must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - c. Road C with a minimum of 44 feet of right-of-way from the cul-de-sac on Road C to Road D. Road C must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - d. Road D with a minimum of 50 feet of right-of-way from Road B to Road C. Road D must be constructed to MCDOT Road Code Standard MC-2001.02: Tertiary Residential Street Modified as shown on the Preliminary Plan.
 - e. Road D with a minimum of 44 feet of right-of-way from the western edge of Lot 20, as shown on the Preliminary Plan, to Brink Road. Road D must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street ~~Modified as shown on the Preliminary Plan~~.
 - f. Brink Road with a minimum of 57.5 feet of right-of-way from the future centerline of Brink from Ridge Road along the entire frontage of the Applicant's site. Brink Road must be constructed to MCDOT Road Code Standard MC-2004.16: Suburban Divided Arterial Modified as shown on the Preliminary Plan.
 - g. Road D with a minimum of 44 feet of right-of-way from the western edge of Lot 20, as shown on the Preliminary Plan, to the intersection of Road C. Road D must be constructed to MCDOT Road Code Standard MC-2001.01: Tertiary Residential Street Modified as shown on the Preliminary Plan.
7. The Applicant must provide an engineering assessment demonstrating the appropriateness of removing the split phasing at Brink Road and Ridge Road (MD 27) to MCDOT and MDSHA in order to meet their Adequate Public Facilities test. This must be done by the Applicant at such time as the Brink Road/Ridge Road intersection improvement is constructed.
8. Prior to the issuance of the 76th residential building permit for those units between Brink Road and Snowden Farm Parkway, both points of access to Brink Road and Snowden Farm Parkway must be complete and accepted for maintenance by MCDOT.
- a. The Applicant must construct left turn lanes on eastbound and westbound Snowden Farm Parkway as shown on the Preliminary Plan prior to any access being approved by the MCDOT.
 - b. The Applicant must construct the frontage improvements on Brink Road as shown on the Preliminary Plan prior to any access being approved by MCDOT.

9. The Applicant must construct a 10-foot shared use path on the west side of Ridge Road from Snowden Farm Parkway (A-305) to the northern property line as shown on the Preliminary Plan unless a retaining wall is necessary and will not be approved by the Maryland State Highway Administration (SHA) to be located in the SHA right-of-way in which event an 8-foot shared use path will be constructed.
10. The Applicant must satisfy the Adequate Public Facilities – Transportation Policy Area Review (TPAR) test by making a TPAR payment, equal to 25% of the applicable development impact tax, to the Montgomery County Department of Permitting Services at the time of 1st building permit.
11. The certified Preliminary Plan must contain the following note:

“Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permits. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.”
12. Record plat must show all necessary easements.
13. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.
14. Prior to Certified Preliminary Plan, the Applicant must address Eplans markups including minor clarifications and corrections to the plan drawings.

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 Preliminary Plan substantially conforms to the Master Plan.*

The issue of Master Plan conformance was largely determined during zoning case G-881. The Planning Board concludes that the preferred way to support the overall objectives of the 1994 Clarksburg Master Plan is to allow a density in the

Brink Road Transitional area of two to four dwelling units per acre. However, this density could not be completely implemented because of the inability to provide sewer service for all areas of the Brink Road Transition area, including the Subject Property. The approved Application has a density of 2.6 dwelling units per acre, well within the preferred range specified for the overall Transition area. In the review of Application, the Planning Board concludes that the density proposed by the Applicant is consistent with the goals of the Master Plan, now that public sewer service can be provided for the Subject Property.

Because the Preliminary Plan remains substantially unchanged from the Development Plan approved with zoning case G-881, the Preliminary Plan substantially complies with the 1994 Clarksburg Master Plan.

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

Roads and Transportation Facilities

The development will require a full movement intersection for vehicular access on the portion of the future Snowden Farm Parkway that bisects the Property. This intersection was not shown in the Mandatory Referral (MR2010814) for Snowden Farm Parkway when reviewed by the Planning Board or when the zoning case was presented to the Planning Board on December 10, 2010. The Applicant has worked with the party responsible for constructing the extension of Snowden Farm Parkway to modify the design to include the necessary intersection. The intersection will require left turn lanes on both eastbound and westbound Snowden Farm Parkway to make left turns into the proposed development from each side of Snowden Farm Parkway.

A second point of vehicular access (intersection) is required on Brink Road and it will also be a full movement access. Other significant improvements to Brink Road are required to be completed by the developer of Black Hills (formerly Crystal Rock, Preliminary Plan No. 120120210), as a condition of their approval. That developer must construct a second westbound through-lane on Brink Road at Ridge Road. The two westbound through-lanes will transition to one westbound lane along the Subject Property's frontage. The Applicant must participate in this intersection improvement as a condition of approval of this development in order to complete Brink Road (A-36) along the Subject Property frontage. The Master Plan requires two lanes in the westbound direction along the entirety of the Subject Property frontage on Brink Road. The development will have no direct vehicular access to Ridge Road.

All internal streets are tertiary roads. Section 49-31.n of the Montgomery County Code limits the number of units on a tertiary road to 75. Therefore, Condition #8 of the Preliminary Plan prohibits issuance of the building permit for the 76th unit

(located between Snowden Farm Parkway and Brink Road) until access to both Brink Road and Snowden Farm Parkway is completed and accepted for maintenance by MCDOT.

The Master Plan indicates a desire line for bicycle facilities on Brink Road from MD 355 to the future Mid-County Highway (M-83) while the Master Plan of Bikeways indicates a shared roadway (SR-62) from MD 355 to Damascus Road. Brink Road has a posted speed of 40 miles per hour with no shoulders. Given the speed and design of the road the Planning Board accepted the Staff's recommendation to require the Applicant to construct an alternative 8-foot shared use path along their frontage of Brink Road that will tie into the 8-foot shared use path being constructed on Ridge Road. There is room to expand this path to 10-feet wide if needed; however, because this Property is in the Clarksburg Special Protection Area where impervious surfaces should be limited, an 8-foot shared use path is acceptable. Additionally, the shared use path being constructed on Ridge Road, as part of the road widening, are 8-feet wide, as are the existing paths on Ridge Road south of Brink Road.

In addition to the road improvements to Ridge Road and Snowden Farm Parkway, the Clarksburg Town Center developer is constructing 8-foot shared use paths on the west side of Ridge Road and the south side of Snowden Farm Parkway. To increase the pedestrian and bicycle access to these shared use paths, a series of hard surface and natural surface paths will be constructed within the development to connect to these paths. These path connections will reduce the distance a person needs to walk or bike and promote alternative forms of transportation to destinations in Clarksburg and Germantown.

Vehicular parking for the development is provided in garages and driveways associated with each unit. Each garage will accommodate two vehicles and most of the driveways will necessarily accommodate two cars. Seventeen additional on-street, guest parking spaces have been dispersed throughout the Subject Property in groupings of two or more spaces. The Clubhouse has seven additional surface parking spaces.

Montgomery County Ride-On Route 79 provides bus service along Ridge Road (MD27). The route connects Clarksburg Town Center to the Shady Grove Metrorail Station via Skylark Road, Ridge Road, and I-270 Monday through Friday with service every 30 minutes. The route operates in the southbound direction during the morning peak period and the northbound direction during the afternoon peak period. The closest bus stop is at Apple Orchard Way, which is about one third of a mile to the north of the Subject Property. At this time, taking transit, based on the bus stop locations and service availability, would be very limited, if non-existent. As roads are constructed and density increases, there could be the possibility of looking at bus service expansions; however, this would

be need to be done by Montgomery County Ride-On assuming sufficient funds are available to expand the route.

Adequate Public Facilities Review (APF)

As conditioned, the Preliminary Plan satisfies the LATR and TPAR requirements of the Adequate Public Facilities (APF) review. The peak-hour trip generation estimated for the development was based on trip generation rates included in the *ITE Trip Generation Manual, 9th Edition* for Senior Adult Housing –Detached (ITE-251). The development would generate a total of 54 new peak-hour trips during the weekday morning peak hour and 58 new peak-hour trips during the weekday evening peak hour. The Clubhouse is meant to support the residential units of the Subject Application; therefore, no trips have been assigned to this use.

Local Area Transportation Review (LATR)

A traffic study dated February 4, 2015 (revised March 3, 2015), was submitted to determine the impact of the development on the area transportation system. Four local intersections were identified as critical intersections for analysis to determine whether they meet the applicable congestion standard. One of the intersections, Brink Road & proposed Street D (Site Access), is a future intersection that would only exist with the development. The intersections are located in the Clarksburg Policy Area with a Critical Lane Volume (CLV) standard of 1,425. The development's trips were added to the existing and the background traffic (approved but unbuilt developments) to determine the total future traffic. The total future traffic was assigned to the critical intersections to evaluate the total future CLVs. Two of the intersections will operate at acceptable conditions under the background development condition and total future condition with the approved use on the Subject Property. Two intersections will exceed the CLV standard.

The intersection of MD 27 & Skylark Road exceeds the CLV standard in the background condition and was identified and included in the analysis because Snowden Farm Parkway, which is south of, and closer to the Subject Property, is not currently constructed. The Applicant included the Snowden Farm Parkway extension in their analysis since the road is scheduled to be constructed in the very near future. Once Snowden Farm Parkway is open, any traffic associated with the Subject Property would use Snowden Farm (and not Skylark Road) to head towards the Clarksburg Town Center. Hence, no future trips from the Subject Property were assigned to use the Skylark Road/Ridge Road intersection to access the Town Center. Since the development is not sending any additional trips through this intersection under the future condition, they do not need to mitigate the failing condition of the intersection, which is caused entirely by the background traffic from other approved developments.

The intersection of MD 27 and Brink Road exceeds the CLV standard in the background condition and is made slightly worse by the Subject Property. To remedy this failing condition, the Applicant has shown that the failing condition can be mitigated by adjusting the traffic signal to remove the "split phasing" for the Brink Road approaches to MD 27. The Applicant is required to work with the Montgomery County Department of Transportation to implement this improvement when this intersection is being improved in the near future.

The Applicant was allowed to include the improvement associated with the Snowden Farm Parkway extension since they have provided right-of-way for its construction. The Applicant was also allowed to include the Brink Road/Ridge Road intersection improvement as they will be participating in the cost associated with this improvement.

Local Area Transportation Review (LATR)

The Property is located in the Clarksburg Policy Area. According to the 2012-2016 Subdivision Staging Policy (SSP), the Clarksburg Policy Area is inadequate under the transit test; therefore, a TPAR payment of 25% of the General District Transportation Impact Tax is required. The timing and amount of the payment will be in accordance with that set in Chapter 52 of the Montgomery County Code.

Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the approved lots. The Property is located in the W-1/S-1 water and sewer service categories. As such, the Applicant will extend public water and sewer infrastructure to serve all the lots in the subdivision. The Application was also reviewed by the Montgomery County Fire Marshal's office, and was approved on July 1, 2015. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the FY 2016 SSP. The Application is for age-restricted housing in the PRC zone and is, therefore, exempt for the School Facilities Payment Test.

Adequate Public Facilities Conclusion

The Planning Board finds the proposed accesses to the Subject Property, as shown on the Preliminary Plan, to be adequate to serve the traffic generated by the development. The Planning Board also finds that the internal and external pedestrian circulation and walkways as shown on the Preliminary Plan will provide adequate movement of pedestrian traffic and bicycle traffic.

3. *The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated.*

This Application has been reviewed for compliance with the Montgomery County Code Chapter 50, the Subdivision Regulations and is found to meet all applicable sections. The Application demonstrates compliance with required setbacks for all structures, parking, stormwater management, access, and necessary right-of-way dedications in the Zoning Ordinance, Subdivision Regulations, and applicable Master Plans. Therefore, the lot size, width, shape and orientation are found to be appropriate for the location of the subdivision and for the intended use given the recommendations of the Master Plan.

The lots were reviewed for compliance with the dimensional requirements for the PRC zone as specified in the Zoning Ordinance. The lots will meet all the dimensional requirements for area, frontage, width, and open space, and future dwellings can meet setbacks required in that zone.

4. *All stormwater management requirements shall be met as provided in Chapter 19, article II, title "stormwater management", Section 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Final Water Quality Plan meets applicable standards.

5. The Board approves over-length cul-de-sacs on Street A and Street C as shown on the Preliminary Plan in accordance with Section 50-26(b) of the Subdivision Regulations.

The cul-de-sac on Street A is approximately 750 in length and the cul-de-sac on Street C is approximately 550 feet in length. Street A cannot be extended as a through street to the west or north since this is land not owned by the Applicant and the land has little subdivision potential that would allow the roads to be extended. The Planning Board accepted the Staff analysis that determined that if the cul-de-sac were intersected with either Ridge Road or Snowden Farm Parkway, intersection spacing would not meet standards. Furthermore, the elevation of Ridge Road is significantly higher than Street A, thus making a road connection impractical due to the steep grades that would be required. Street C is slightly more than 500 feet long which is the over-length cul-de-sac limit; however Street C cannot connect to Snowden Farm Parkway or Ridge Road due to intersection spacing. Additionally, connecting Street C to Street B at another point north of the community center would create sight distance issues and intersection spacing issues. The Board determined that there is sufficient reason to approve cul-de-sacs that are greater than 500 feet in length for this Application.

BE IT FURTHER RESOLVED, that this Preliminary Plan will remain valid for 85 months from its initiation date (as defined in Montgomery County Code Section 50-

35(h)), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

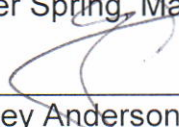
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is SEP 14 2015 (which is the date that this Resolution is mailed to all parties of record); and

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 Commissioner Fani-González, seconded by Commissioner Presley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, January 7, 2016, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board