

VILLAGE AT CABIN BRANCH, PHASE 2

SITE PLAN NO. 82020015A



Description

Amendment to add Phase 2 with 125 multi-family dwelling units and 12,900 SF daycare facility on 8.4 acres, and to revise Phase 1 by decreasing the retail uses on Little Seneca Parkway to 6,000 SF.

NO. 82020015A

COMPLETED: 12-3-2021

MCPB

Item No. 7

2425 Reddie Drive

Floor 14

Wheaton, MD 20902



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LOCATION

Located at the southeast quadrant of the intersection of Cabin Branch Avenue and Little Seneca Parkway

MASTER PLAN / ZONE

1994 Clarksburg Master Plan & Hyattstown Special

Study Area / Reviewed under the MXPD zone

PROPERTY SIZE

8.4 acres

APPLICATION

Village at Cabin Branch, Phase 2

ACCEPTANCE DATE

May 17, 2021

REVIEW BASIS

Chapter 59, 22A



Summary

- Staff recommends approval of the Site Plan, including the Final Forest Conservation Plan, and a Final Water Quality Plan.
- This Site Plan simultaneously amends the Cabin Branch Infrastructure Plan No. 820050150 (and subsequent amendments) for Forest Conservation purposes.
- As conditioned, the Site Plan conforms to the Cabin Branch Design Guidelines.
- The Site Plan proposes 125 affordable age-restricted multi-family rental units, which will provide a minimum of 25% MPDUs for Phases 1 and 2 of the Village at Cabin Branch development that has a cumulative total of 500 age-restricted dwelling units.
- The Applicant will construct the portion of Lakeridge Drive, extending south from the intersection of Petrel Street and Little Seneca Parkway, to Black Hills Regional Park, along the east side of the Subject Property.
- The Applicant will construct a 10-foot-wide asphalt shared-use-path along the Lake Ridge Drive and Little Seneca Parkway frontages.
- Correspondence was received on December 3, 2021 in support of the Application.

SECTION 1

RECOMMENDATION AND CONDITIONS

SITE PLAN NO. 82020015A: Staff recommends approval of Site Plan 82020015A. The development must comply with all binding elements of County Council Resolution No. 17-1002, approving Development Plan Amendment DPA 13-02 dated February 4, 2014, conditions of approval for Preliminary Plan No. 12003110D, and conditions of approval for Infrastructure Site Plan No. 82005015A, including any amendments thereto. All previously approved conditions related to this development remain in full force and effect except as modified by this Application (underlined denotes additional language, strikethrough denotes deletion).

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.¹

Modified Conditions

Density, Height, and Housing

1. Density

- a) The Phase 1 Site Plan is limited to a maximum of 375 age-restricted dwelling units, with 240 single-family attached units and 135 multi-family units, and up to ~~16,000~~ 10,000 square feet of non-residential uses on 61.54 acres.
- b) The Phase 2 Site Plan is limited to one multi-family building with a maximum of 125 age-restricted dwelling units and up to 12,900 square feet of daycare uses on 8.4 acres.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated May 22, 2020, and as revised in its letter dated December 2, 2021, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The Phases 1 and 2 of the development must provide 12.5 ~~25~~ percent MPDUs or MCDHCA - approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan. As permitted in Section 25A-5(l) of the County Code, the applicant will provide an alternative payment to DHCA in lieu of providing MPDUs in the age-restricted units or arrange with DHCA for the provision of affordable senior units elsewhere in the Planning Area.
- b) Before issuance of any building permit for any residential unit(s) in either Phase 1 or Phase 2, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

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.

4. Cabin Branch Design Guidelines

- b) The Applicant must submit to the M-NCPPC Staff with building permit applications for each phase of the development program, an approval from the Cabin Branch Town Architect stating that the approved buildings within that phase are in conformance with specifications of the Design Guidelines.
- d) The Planning Board accepts the recommendations of the Cabin Branch Town Architect in its letter dated June 29, 2021 for Phase 2.

Open Space, Facilities, and Amenities

6. Green Area, Facilities, and Amenities

- a) The Applicant must provide a minimum of ~~33~~ 34 acres of Green Area on-site, as shown on the Certified Site Plan.
- f) Phase 2:
 - i. Prior to issuance of the Use and Occupancy certificate that includes the 60th dwelling unit in the multi-family building for Phase 2, the Applicant must complete the resident lounge, screening room, and multi-purpose lobby area within the multi-family building for Phase 2.
 - ii. Prior to issuance of the last Use and Occupancy certificate for the multi-family building for Phase 2, the Applicant must complete the open grass area, including the picnic and seating area.

8. Recreation Facilities

- d) Phase 2:
 - i. The Applicant must provide the minimum required recreation facilities for Phase 2 as defined by the Recreation Guidelines and as listed on the Certified Site Plan which must include but not be limited to: a pedestrian/connection trail system, one open grass area (large), one resident lounge, one screening room, one multi-purpose lobby area, and one picnic and seating area.
 - ii. The Applicant must show on the Certified Site Plan details for the required subgrade and drainage system (if required) for all major recreational facilities for Phase 2, including but not limited to the pedestrian/connection trail system, one open grass area (large), one resident lounge, one screening room, one multi-purpose lobby area, and one picnic and seating area.

9. Maintenance of Public Amenities

For Phase 2, the Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the pedestrian/connection trail system, one open grass area (large), and one picnic and seating area.

10. Site Design

- d) Prior to issuance of the commercial building permit on Little Seneca Parkway, the Applicant must submit an administrative site plan amendment for approval of detailed architectural plans for the commercial building on Little Seneca Parkway.

Environment

13. Water Quality

The Applicant must comply with the conditions of approval for the Final Water Quality Plan including:

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its Revised Preliminary and Final Water Quality Plan and Stormwater Management Concept letter dated July 13, 2020 September 1, 2021, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) Impervious surfaces are limited to no more than ~~43.0%~~ 44.0% of the Subject Property within the Clarksburg Special Protection Area as shown on the Impervious Surface Plan dated September 14, 2021 of the approved Final Water Quality Plan.

Transportation and Circulation

16. Pedestrian & Bicycle Circulation

The Applicant must provide the following pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operation:

- c) Prior to the release of the use and occupancy permit for the daycare facility in Phase 2, a 10-ft wide asphalt shared-use path (SUP) must be constructed along the west frontage of Lake Ridge Drive from Little Seneca Parkway to West Old Baltimore Rd. This SUP shall connect to the approved path to be constructed along Little Seneca Parkway as well as to any facility along the north side of West Old Baltimore Rd.
- d) Prior to the release of the building permit for the daycare facility in Phase 2, a natural surface trail must be constructed from the terminus of the Phase 1 trail at Little Seneca Parkway, continue parallel to proposed Lakeridge Dr., and terminate at West Old Baltimore Road. The trail must be shown on the Certified Site Plan and the final alignment shall be approved by M-NCPPC Staff.
- e) Prior to the release of the use and occupancy permit for the multi-family building in Phase 2, a 10-ft wide asphalt shared-use path (SUP) must be constructed along the frontage on the south side of Little Seneca Parkway, from Lakeridge Drive and extending to the west end of the Application frontage past the proposed non-residential building, as shown on the Certified Site Plan.
 - i. The applicant must construct bikeable 10-ft. wide crossings to include curb cuts and ramps at the Little Seneca Parkway / Cabin Branch Avenue intersection on the west, south, and east legs of the intersection to connect to existing shared use paths.
 - ii. The applicant must construct a bikeable 10-ft. wide crossing at the Little Seneca Parkway / Lake Ridge Drive intersection to include curb cuts and ramps on the south and west legs of the intersection.

18. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letters dated June 15, 2020 and November 19, 2021, and hereby incorporates them as conditions of

approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of ~~Preliminary Site~~ Plan approval.

19. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- d) The cost estimate must include applicable Phase 2 Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees, SUP, natural surface trail, and streetlights. The surety must be posted before issuance of any building permit for the development and will be tied to the development program.

20. 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.

- c) Prior to the release of the first Use and Occupancy permit for the multi-family building on Little Seneca Parkway in Phase 2, the Applicant must obtain a Use and Occupancy permit for the daycare facility on Little Seneca Parkway.

21. 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) Include the stormwater management concept approval letter, other agency approval letters, including Fire Access Plan, development program, and Site Plan resolution on the approval or cover sheet(s).
- i) Illustrate bikeable 10-ft. wide crossings at the Little Seneca Parkway / Cabin Branch Avenue intersection on the west, south, and east legs.
- j) Illustrate bikeable 10-ft. wide crossing of the southern leg of the Little Seneca Parkway / Lake Ridge Drive intersection.
- k) Provide a recreation amenity exhibit labeling and identifying all the onsite and offsite recreational facilities provided.

New Conditions

22. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated August 5, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the

recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

- b) Prior to the release of the building permit for the daycare facility, the Applicant must construct Lake Ridge Drive from Little Seneca Parkway to West Old Baltimore Rd with MCDOT approval.

SECTION 2

SITE LOCATION AND DESCRIPTION

Site Location and Vicinity

The Village at Cabin Branch development is located within the greater existing Cabin Branch neighborhood and is composed of two distinct phases. Phase 1 encompasses 61.54 acres, is located along the east side of Cabin Branch Avenue and extends approximately from the intersection with Little Seneca Parkway to just beyond the intersection with Petrel Street. The Subject Property is located within Phase 2, which encompasses 8.4 acres of land that is located south of the intersection of Cabin Branch Avenue and Little Seneca Parkway and covers part of P150 on Tax Map EV342 ("Property or Subject Property") (Figure 1). The two phases that constitute the Village at Cabin Branch provide a cumulative total of 69.94 acres of land. The remainder of the parcels not shown for development are mostly Category I Conservation Easement recorded by previous site plan approvals, and some developable land available in the southern and southwestern portion of P150. The Property is currently zoned CRT-0.5, C-0.25, R-0.25, H-130T, but is being reviewed under the MXPD zone because it is eligible for grandfathering pursuant to Section 59.7.7.1.B.1 of the Zoning Ordinance.



Figure 1 – Property Boundary

The Subject Property is approximately 545 acres in size, and is bounded to the east by I-270, the north and west by Clarksburg Road, and the south by West Old Baltimore Road (Figure 2). Immediately north of the Property in Cabin Branch is a stream valley and forest conservation area, with the Cabin Branch Premium Outlets on the other side, which were approved by Site Plan 820140160 in December 2014. West of the Property, on the opposite side of Cabin Branch Avenue, are a mix of one family attached and detached dwellings that are part of the Winchester Phase I and Phase II development approvals. South of the Property is undeveloped land along West Old Baltimore Road. East of the Property generally is I-270, with the Comsat property located on the opposite side of the interstate. All of the land in Cabin Branch east of Broadway Avenue is zoned CRT-0.5, C-0.25, R-0.25, H-130T, which was formerly zoned MXPDP, and all the land west of Broadway Avenue is zoned CRT-0.5, C-0.25, R-0.25, H-65T/TDR-0.39, which was previously zoned RMX1/TDR (Figure 3). South of West Old Baltimore Road is the top of Black Hill Regional Park, including the park's main entrance. Across I-270 and beyond the Comsat property are other recent developments implemented as part of the Clarksburg Master Plan, and north of Clarksburg Road is the County correctional facility and the headwaters of the Ten Mile Creek watershed.



Figure 2 – Vicinity Map

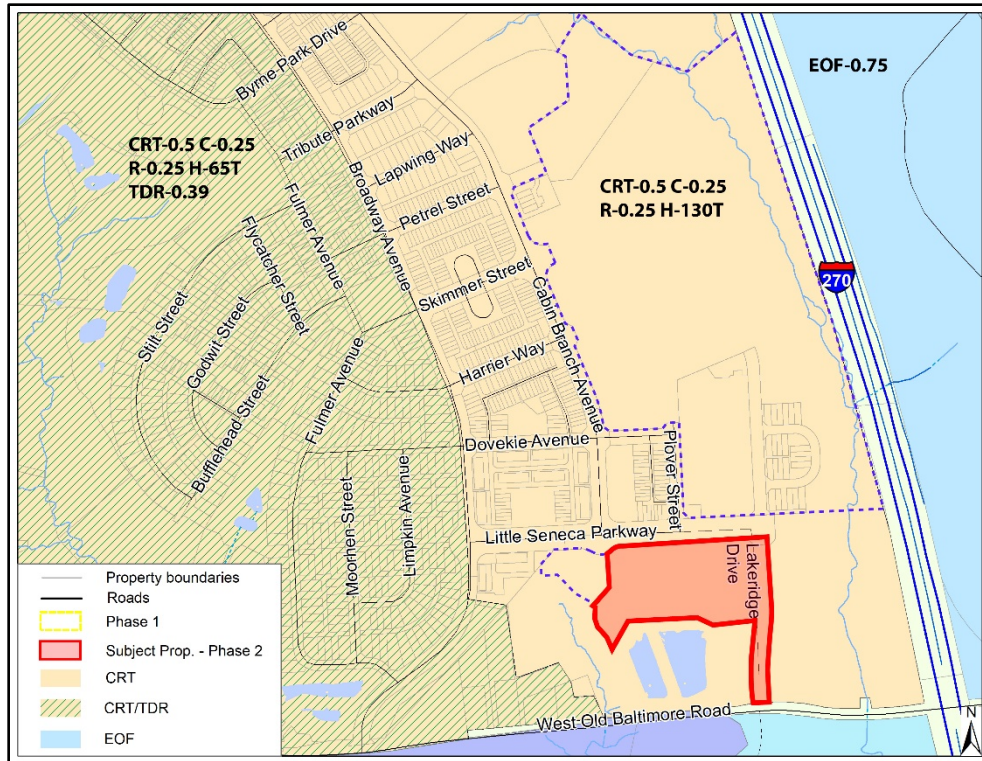


Figure 3 – Current Zoning

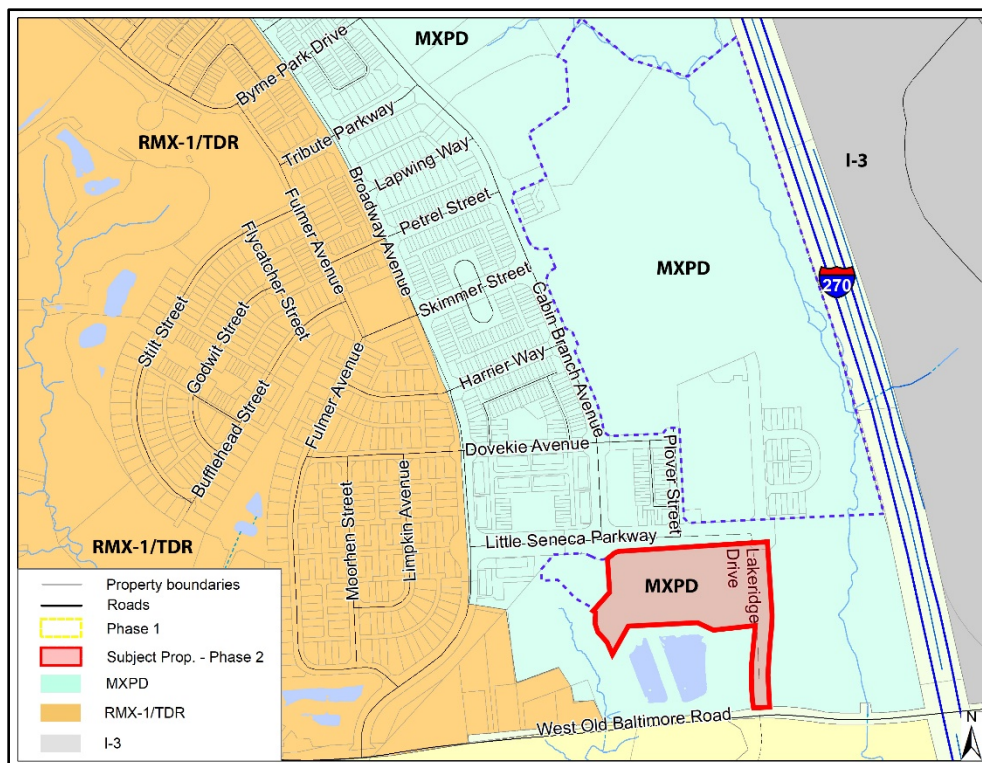


Figure 4 – Previous Zoning

Site Analysis

The Subject Property is located to the southwest and southeast of the intersection of Cabin Branch Avenue and Little Seneca Parkway. The Property is partially rough graded and is planned for age-restricted housing and a daycare facility. Additionally, there is an existing steep-sided stream valley along the eastern edge of the Property, separating the developable land and I-270. Little Seneca Parkway extends across the front of the Subject Property, which was built by previous development within the Cabin Branch neighborhood. There are no identified rare, threatened, or endangered species on the Property, and no identified wetland or 100-year floodplain.

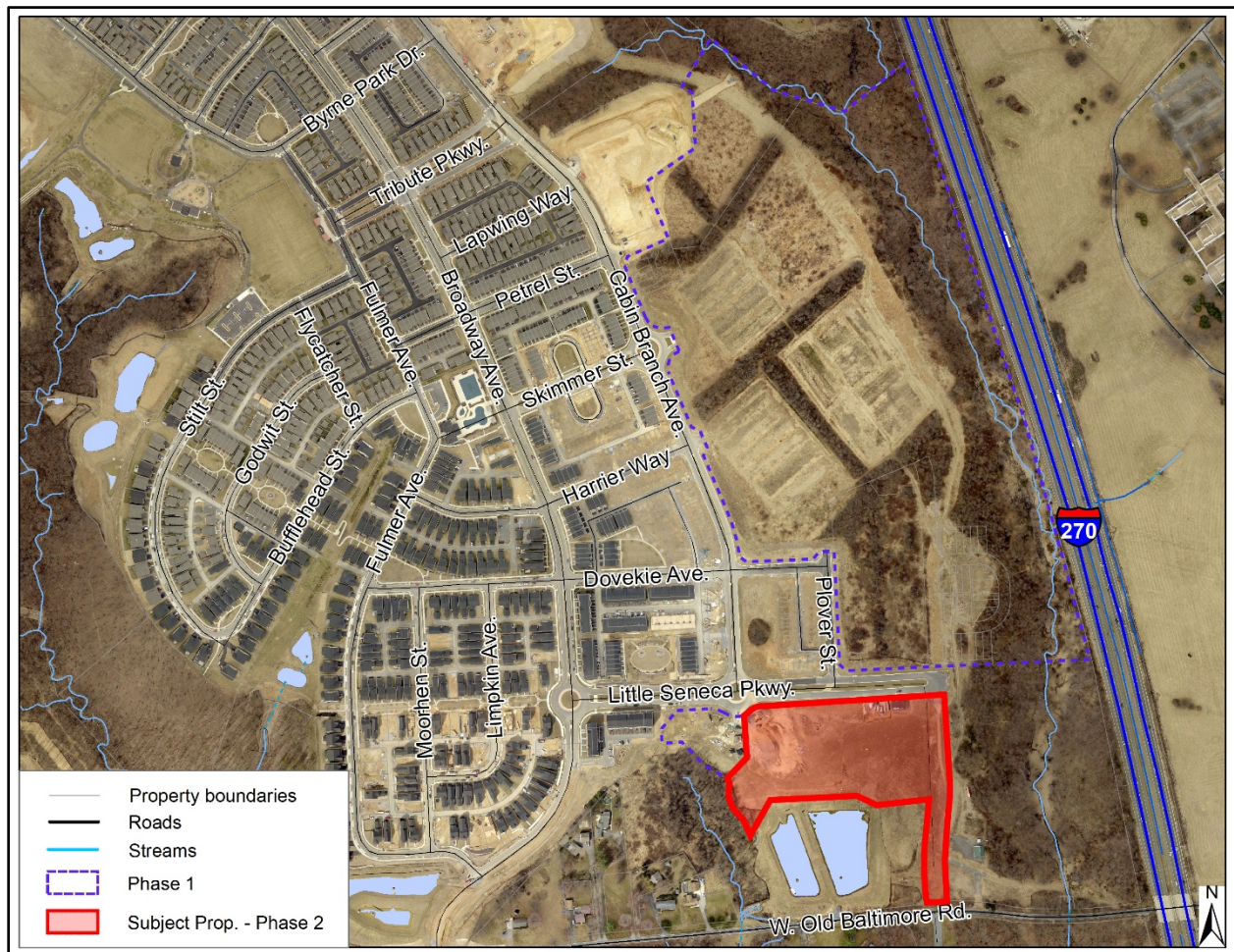


Figure 5 – Aerial Map of Subject Property

SECTION 3

APPLICATIONS AND PROPOSAL

Previous Regulatory Approvals

The Cabin Branch neighborhood has a long history of previous development approvals. The full history is available in Attachment F, which summarizes each approval by type, resolution date and a short description of what was approved. The following is more detail on the applicable Zoning Case, the Preliminary Plan, the DPA, and the Infrastructure Site Plan.

Zoning Case History

LMA G-806

The Cabin Branch neighborhood, which the current Site Plan Application is a part of, was the subject of Local Map Amendment (LMA) No. G-806. The LMA was approved in 2003 by Resolution No. 15-326, for a total mixed-use development of 535 acres. The LMA retained approximately 250 acres of existing RMX-1/TDR zoned land and rezoned 283.5 acres of RE-1/TDR-2, RMX-1/TDR, and I-3 zoned land to the MXPDP zone. The rezoning to MXPDP was to allow for a mix of office, retail, residential, and public uses, consistent with the Master Plan vision for the Cabin Branch neighborhood. The accompanying Development Plan broke the MXPDP portion of the Neighborhood into four development areas (A, B, C and D), setting allowed uses and maximum densities within each area. Development area E was the remaining RMX-1/TDR area which would be all lower density residential.

Total development uses for the MXPDP zone were ultimately approved for 2,420,000 square feet of non-residential/employment use including approximately 120,000 square feet of retail and 2,300,000 square feet of office, 1,139 dwelling units, 500 age-restricted dwelling units, and 75,000 square feet of public use. The Development Plan associated with LMA G-806 anticipated the retail in two areas, one north of Clarksburg Road, and a second neighborhood center located near the center of the Neighborhood. The office employment uses would be all along the eastern part of the MXPDP zoned area closest to I-270. The multi-family residential areas were proposed primarily along the east side of Cabin Branch Avenue near the middle of the Neighborhood, with other possible locations in the northern and southern ends of the Neighborhood.

DPA 13-02

A Development Plan Amendment (DPA) No. 13-02 for the Premium Outlets was approved by Resolution No. 17-1002 on February 4, 2014, to increase allowed retail uses to a total of 484,000 square feet to accommodate a major retail center (Figure 6). The previous employment use contemplated for development Area A was medical/hospital which was deemed improbable to occur with the Certificate of Need granted to, and recent construction of, Holy Cross Hospital in Germantown. The DPA considered the approximately 450,000 square feet of retail needed for the major retail center as a source of employment and reduced the amount of remaining office uses within the Neighborhood to 1,935,000 square feet. The amount and location of retail services for the remaining development was consistent with the original approval and anticipated ancillary and service retail an amenity to the Cabin Branch neighborhood. No other substantial changes were made to the Development Plan by DPA 13-02.

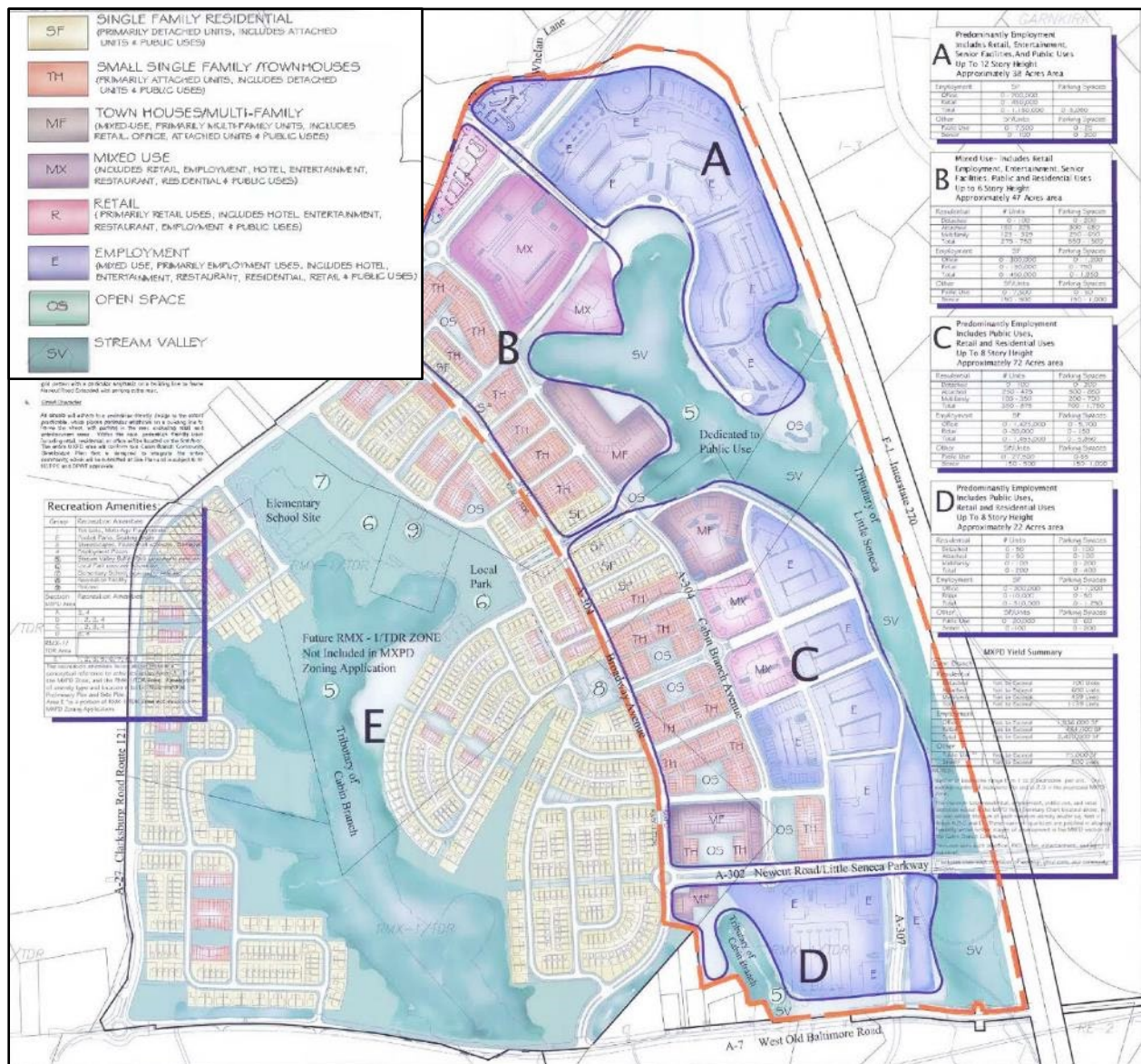


Figure 6 – DPA 13-02

Preliminary Plans

120031100 & 12003110A

The Preliminary Plan for Cabin Branch, No. 120031100 (“Preliminary Plan”), was first submitted in June 2003. However, before it was acted on, amendment No. 12003110A was submitted in September 2003. The A amendment was adopted by resolution dated June 22, 2004 and approved a development with up to 1,600 dwelling units, 500 age-restricted housing units, 1,538,000 square feet of commercial uses, including the necessary Adequate Public Facility (APF) reviews. The Preliminary Plan and its A amendment also approved the general road layout, consistent with LMA G-806. The Preliminary Plan did not lay out the final network of roads or lots, and the subsequent Site Plan approvals, including an Infrastructure Site Plan, have instead been used to

work out these details more typical of a Preliminary Plan. The APF validity from the Preliminary Plan was extended by Amendment D to February of 2030 and is utilized for the proposed residential units.

12003110B & 12003110C

Preliminary Plan B amendment was approved by resolution dated October 6, 2008, increasing the total residential and commercial density allowed in the Cabin Branch neighborhood to 1,886 residential units, and 2.4 million square feet of commercial.

Preliminary Plan Amendment C (Premium Outlets) was approved by resolution dated December 23, 2014, and it modified the transportation APF approvals to specifically increase retail uses from 120,000 square feet to 484,000 square feet, and to reduce office uses from 2.3 million square feet down to 1.96 million square feet. The APF validity period remained unchanged by this amendment.

12003110D

Preliminary Plan D amendment was approved on July 17, 2019. The amendment extended the Plan validity by 3 years for each of the 4 phases of the plan and extended the APFO validity by 10.5 years to February 17, 2030.

Table 1 - Approved Staged Development Validity Period

Stage	Approved Development	Original Plan Validity Expiration	Current Expiration
Stage I	420 dwelling units 125 age-restricted housing units 380,000 square feet commercial	05/6/2011	08/17/2022
Stage II	404 dwelling units 250 age-restricted housing units 380,000 square feet commercial	11/06/2013	02/17/2025
Stage III	388 dwelling units 125 age-restricted housing units 380,000 square feet commercial	05/6/2016	08/17/2027
Stage IV	All Remaining Development	11/06/2018	02/17/2030

[Site Plans](#)

INFRASTRUCTURE SITE PLAN 820050150 AND AMENDMENTS

The Cabin Branch community has an infrastructure Site Plan, first designated as No. 820050150 (“Infrastructure Site Plan”), which has been amended at least seven times. The Infrastructure Site Plan covers the entire Cabin Branch Neighborhood and includes the details on the roads, schools, parks, utilities, and the forest conservation. It has allowed the various different developments within the greater Cabin Branch neighborhood to coordinate and pre-construct the necessary shared infrastructure improvements. As Site Plans are submitted and approved, they automatically update the Infrastructure Site Plan to include any changes to roads, stormwater and forest conservation necessary to accommodate the developments. The listed amendments A – G of the Infrastructure Site Plan are all amendments to the Infrastructure Site Plan independent of any particular Site Plan approval. The original Infrastructure Site Plan also identified Winchester Homes as the master developer for Cabin Branch, understanding that multiple site plans would emerge over the decades.

ALL OTHER CABIN BRANCH SITE PLANS

There have been nine previously approved Site Plans in Cabin Branch, including three separate phases of Winchester Homes, two phases of Toll Brothers, The Premium Outlets, Cabin Branch Multi-family, the Gosnell property, and the Village at Cabin Branch. Each have implemented another portion of Cabin Branch under the overall development approvals of the LMA and the Preliminary Plan. The Village at Cabin Branch site plan was the most recent approval within the Cabin Branch development.

SITE PLAN 820180060

In 2018, the Planning Board approved Site Plan No. 820180060 (MCPB No. 18-021), which included a final water quality plan for the construction of 272 multi-family residential dwelling units. The dwelling units were in two buildings on two lots, along the east side of Cabin Branch Avenue on 9.92 acres of CRT-0.5, C-0.25, R-0.25, H-130T zoned-land, but reviewed under the former MXP zone. The Site Plan provided a minimum of 25% of the units as MPDUs and allowed the Applicant to take advantage of Bill 36-17, which exempted the development from impact taxes. The Site Plan also proposed the purchase of a total of 48 TDRs. Elements of the Infrastructure Site Plan were amended and incorporated into the Infrastructure Site Plan.

SITE PLAN 820200150

In 2020, the Planning Board approved the Village at Cabin Branch, Phase 1, Site Plan No. 820200150 (MCPB No. 20-076), which included a final water quality plan for the construction of 375 age-restricted residential dwelling units, comprised of 135 multi-family and 240 townhouses, and up to 16,000 square feet of non-residential space along the east side of Cabin Branch Avenue and the southwest corner of Little Seneca Parkway on 61.54 acres of CRT-0.5, C-0.25, R-0.25, H-130T zoned-land, but reviewed under the former MXP zone. The Site Plan proposed an alternative payment to DHCA in lieu of providing the minimum 12.5% MPDUs within the age-restricted units. The Site Plan did not propose to provide any TDRs. Elements of the Infrastructure Site Plan were amended and incorporated into the Infrastructure Site Plan.

Proposal

[Site Plan 82020015A](#)

A new Site Plan Application, No. 82020015A, Village at Cabin Branch, Phase 2 (“Site Plan” or “Application”) was submitted on May 17, 2021, to add Phase 2 with 125 multi-family dwelling units and 12,900 SF daycare facility on 8.4 acres, and to revise Phase 1 by decreasing the retail uses on Little Seneca Parkway to 6,000 SF. The Site Plan proposes 125 age-restricted multi-family rental units which will provide a minimum of 25% MPDUs for Phases 1 and 2 of the Village at Cabin Branch development that has a cumulative total of 500 age-restricted dwelling units. The Site Plan is not proposing to provide any TDRs, because the age-restricted dwelling units are considered a service/public use which does not require TDRs. . With this Application, elements of the Infrastructure Site Plan are being amended, and as described above, will automatically be part of the Infrastructure Site Plan.



Figure 7 – Rendered Overall Site Plan, Phase 1 (No. 820200150) and Phase 2 (No. 82020015A)



Figure 8 – Rendered Proposed Site Plan No. 82020015A

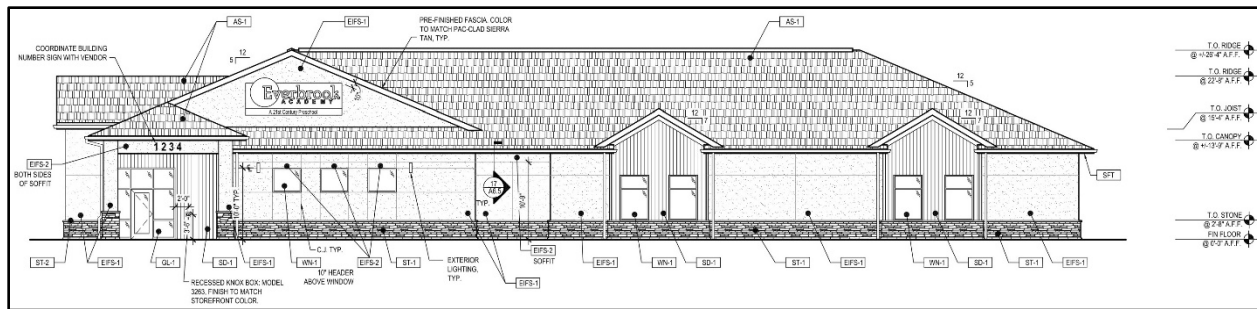
BUILDING DESIGN AND LAYOUT

The 125 age-restricted dwelling units are located within a single multi-family building that is four-stories in height. The architectural character of the multi-family building is similar in articulation, materiality, and roof configuration to the previously approved multi-family buildings in Phase 1 (Site Plan No. 820200150). The building facades are a mix of lap siding and stone, punctuated with windows. The architectural character wraps around the other facades and wings of the multi-family building (Figure 9). The roofline of each building is predominantly composed of hipped and gable roofs, with minor hips at select locations. The multi-family building is oriented with the long façade of the building extending parallel to Little Seneca Parkway and creating a front to the public realm of the street and sidewalk. The primary entrances for the multi-family building are provided from the north façade along Little Seneca Parkway side and from the south façade facing the rear parking lot. There is a trash and maintenance area located along the west façade of the building that is adequately screened from view. The east façade of the building faces out to a landscape area with a sidewalk and seating area. The multi-family building is connected to the existing Cabin Branch neighborhood and the greater age-restricted development with public sidewalks along Little Seneca Parkway and Cabin Branch Avenue. Vehicular access is from the roundabout on Little Seneca Parkway. The parking is provided at the rear of the building, with dedicated surface parking areas.

The 12,900 square foot daycare facility is located at the southwest intersection of Little Seneca Parkway and Lakeridge Drive. The daycare facility is a single-story L-shaped building that is oriented with one of the long façades to the east along Lakeridge Drive, providing frontage and the main entrance along the public realm of the street and sidewalk. The other long façade of the building is oriented to the south facing towards the parking area. The interior portion of the L-shaped building provides a playground facility and necessary outdoor space for children's recreation within a fenced in area. The architecture of the building reflects some of the architectural character, articulation, and materiality that is present within the 125-unit multi-family building located due west (Figure 10). The roof configuration of the building is primarily composed of two gables with minor hipped areas at select locations. The Site Plan proposes a future 6,000 square foot non-residential building and pad at the location of the previously approved 12,000 square foot non-residential building located southwest of the intersection of Cabin Branch Avenue and Little Seneca Parkway, per Site Plan No. 820200150. The daycare facility and non-residential building are also connected to the existing Cabin Branch neighborhood and the greater age-restricted development with public sidewalks along Little Seneca Parkway, Cabin Branch Avenue, and Lakeridge Drive. Vehicular access for the daycare facility is from Lakeridge Drive, with dedicated surface parking located behind the building. Vehicular access for the future non-residential building is also from the roundabout on Little Seneca Parkway, and dedicated surface parking is provided to the side and rear. For all buildings within the Site Plan, the utilities, trash areas, and building HVAC units are located primarily on the back side of the building or on the roof, where they are shielded from public view.



Figure 9 – Character Elevation along Little Seneca Parkway, Senior Multi-family Housing



ACCESS AND CIRCULATION

All existing and proposed roads with this Application will be public streets built to public road standards. The Subject Property accesses Little Seneca Parkway between Broadway Avenue in the west and Plover Street / Lakeridge Drive in the east. The Site Plan will extend Lakeridge Drive from Little Seneca Parkway to West Old Baltimore Road connecting to the existing portion of Lakeridge Drive, which serves as the entrance to Black Hill Regional Park. A shared use path will be constructed along this frontage to serve both bicyclists and pedestrians (see Figure 12 below). Additionally, a natural surface trail will be extended from the termination of the Phase 1 trailhead on the northeast corner of the Lakeridge Drive / Little Seneca Parkway intersection and connect to West Old Baltimore Road opposite the existing Fieldcrest Spur trailhead for Black Hill Park.

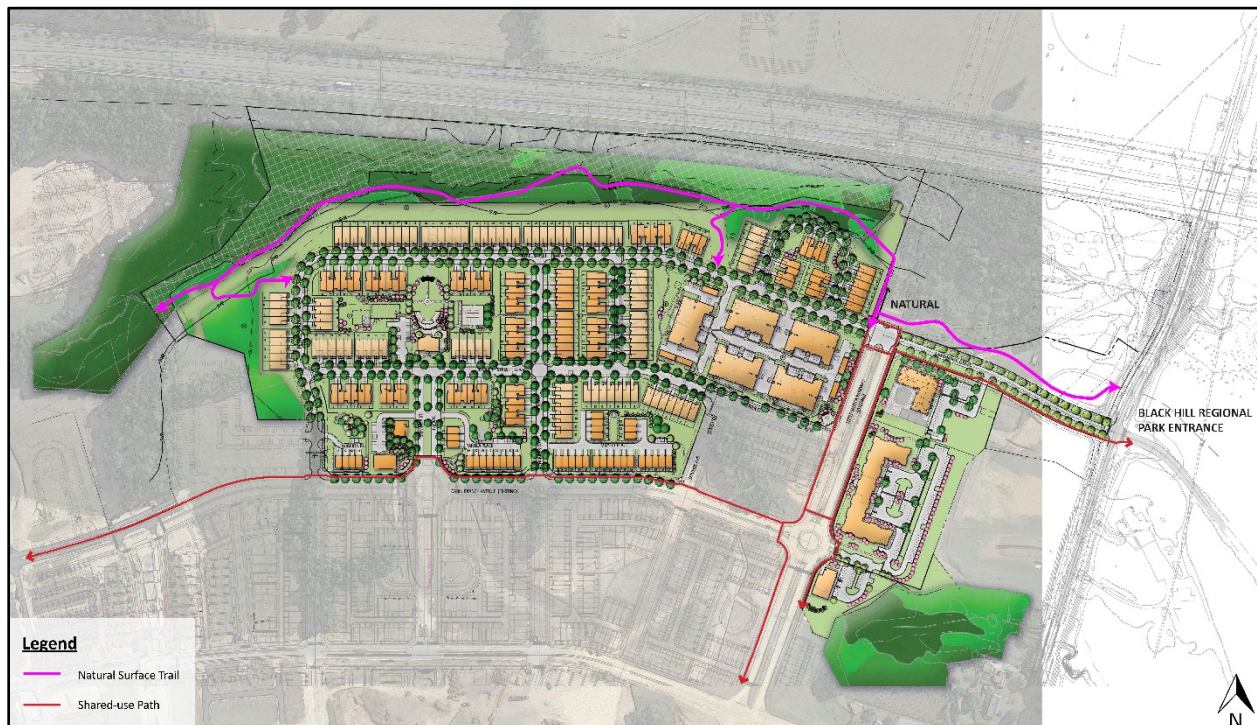


Figure 12 – Bike Facilities and Trail Connections

OPEN SPACE, AMENITIES AND ENVIRONMENT

The Subject Property is located within the southern portion of the developable part of Parcel 150 within the larger Cabin Branch Neighborhood, which contains large amounts of open space, forest, and environmental buffer areas. This Site Plan is an expansion and continuation of the Village at Cabin Branch Phase 1 development, and the proposed age-restricted dwelling units and daycare facility would be able to make use of the open space, amenities, and environment provided within the Phase 1 approval (Site Plan No 820200150). The intersection of Little Seneca Parkway and Cabin Branch Avenue provide the formal entrance to the multi-family building and the future non-residential building, while Little Seneca Parkway and Lakeridge Drive provide the formal entrance to the daycare facility. Both buildings have dedicated drop-off areas and surface parking provided at the rear of the buildings. The multi-family building has a public plaza and front entrance that faces out towards Little Seneca Parkway, which is connected by a lead walk to the sidewalk. The daycare facility provides a front entrance off Lakeridge Drive and is also connected by a lead walk to the sidewalk. The Site Plan proposes open space and seating areas between the multi-family building and daycare facility, which are accessed by a sidewalk extending from the sidewalk at Little Seneca Parkway to the sidewalk connecting the parking areas behind both building. The daycare provides an enclosed play area and playground for children at the facility. Most proposed open space areas will be connected by public walkways, sidewalks, and trails. The remainder of open space, that is located to the east of the development, is to remain as forest.

Included with this Site Plan are Final Forest Conservation Plan drawings and an amendment to the Final Water Quality Plan. These documents will update the Infrastructure Site Plan to include the limits of disturbance for the proposed development and an update to the running total for the forest conservation worksheets. While there is no Category I Conservation Easement on the Subject Property, surrounding the Phase 1 development to the north and east is forested stream valley in Category I Conservation Easement.

SECTION 4

ANALYSIS AND FINDINGS

Findings – Chapter 59 D 3.4(C)

The Site Plan is being reviewed under the MXP zone in the zoning ordinance in effect on October 29, 2014, citing an exemption under Section 59.7.7.1.B.1 of the current zoning ordinance. The exemption in part states that *an Applicant may proceed through any other required application or step in the process within the time allowed by law or plan approval, under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.* This Site Plan is implementing a Preliminary Plan and an LMA that were both approved under the old MXP zone located in the October 29, 2014 zoning ordinance, therefore qualifying for the above stated exemption.

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.*

As conditioned, the Site Plan is consistent with the Development Plan for the Cabin Branch Neighborhood, adopted by LMA G-806 on September 9, 2003, and as amended by DPA 13-02 by County Council Resolution No. 17-1002 on February 4, 2014. Included on the Development Plan are a list of 11 binding elements, a series of four tables showing the acceptable range of development within the four development areas of the MXP zone, and a MXP zone yield summary for total amount of development allowed within the MXP portion of the Cabin Branch neighborhood. The Development Plan envisioned an integrated community with residential and non-residential development, built proportionately with the pace of the Cabin Branch neighborhood. The Development Plan drawing also created an illustrative Neighborhood layout and proposed land uses across the Neighborhood (Figure 6). The proposed multi-family, daycare, and retail buildings are in areas identified on this illustrative map as appropriate for multi-family development.

Binding Elements

Of the 11 binding elements, numbers 1, 4, 6, and 8 are pertinent to the development and approval of this Site Plan Application. The remaining binding elements are Cabin Branch wide elements including providing off-site infrastructure, trip reduction, master planned roads, street parking and limits on office and retail uses. The pertinent binding elements are paraphrased below along with how this Site Plan adheres to them. A full list of all the Binding Elements in their full text can be found in Attachment E.

1. *Transferable Development Rights and Moderately Priced Dwelling Units:*

The total Cabin Branch Neighborhood, if built to its full residential density, will require a minimum of 210 MPDUs and up to 635 TDRs, assuming a total development of 1,886 units, of which 1,676 are market rate units and 210 are MPDUs which are deducted from providing TDR's.

The Site Plan is proposing 125 affordable age-restricted multi-family rental units, which will provide a minimum of 25% MPDUs for Phase 1 and Phase 2 which will have a cumulative total of 500 age-restricted dwelling units. Within the overall Cabin Branch development, the cumulative total number of MPDUs is 265 and the total number of TDRs purchased is 562 out of the total 575, as per the previous site plan approval for Site Plan No. 820200150. The Site Plan will bring the total number of MPDUs to 390 for the overall Cabin Branch development and is not proposing to provide any TDRs with this Application because the age-restricted dwelling units are considered a service/public use which does not require TDRs. The remaining balance of 13 TDRs corresponds to the remaining balance of units not yet approved by a site plan for the overall Cabin Branch development.

4. *Street Network:*

A network of public streets shall be provided, that may be supplemented by private streets, in a grid pattern that promoted interconnectivity. The public streets shall be any master planned street and any residential or business streets needed to form blocks that are substantially similar to the street system shown on the Development Plan.

The Phase 1 approval (Site Plan No. 820200150) provided a network of public streets that adhere to the existing character of a traditional gridded pedestrian-focused neighborhood and are consistent with the established 2003 DPA, the 2005 Infrastructure Plan, and the Cabin Branch Community Streetscape Plan. This Application includes only the construction of Lakeridge Drive as a public

road extension starting at its intersection with Little Seneca Parkway and extending southwards. Lakeridge Drive provides interconnectivity with the Phase 1 approval, connects with West Old Baltimore Road, and provides direct access to Black Hills Regional Park. The Site Plan area is bordered and accessed primarily along the north by the already existing Little Seneca Parkway, a 4-lane boulevard, which was constructed by others and has already been fully dedicated and constructed to public standards.

Little Seneca Parkway currently terminates just west of the I-270 right-of-way. The crossing and interchange of Little Seneca Parkway and I-270 is master planned; however, to date no plans have been pursued by MDSHA, MCDOT, or Planning to support construction. In correspondence with SHA, dated September 14, 2021, SHA states that there is no timetable to start the design work on the proposed interchange at Little Seneca Parkway and I-270, and the current MDOTSHA I-495 and I-270 Managed Lanes study only extends to I-370 (Attachment M). Despite this, the Phase 1 and Phase 2 development provides room for a possible interchange, if ever desired.

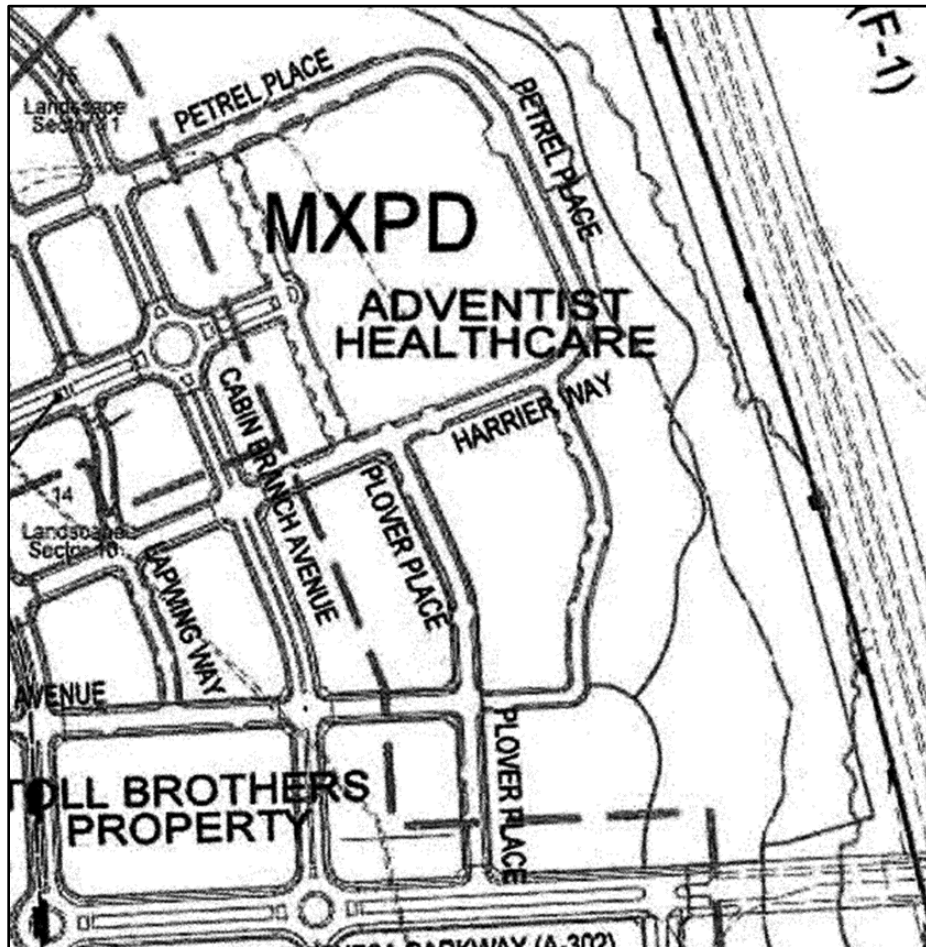


Figure 13 - 2005 Infrastructure Plan for the MXPD Area / Subject Property

6. *Street Character:*

All streets will adhere to a pedestrian-friendly design to the extent practicable, with an emphasis on a building line to frame the street, and parking in the rear. Within the core, pedestrian friendly uses

including retail, residential, or office will be located on the first floor. The entire MXPDP area will conform to a Cabin Branch Community Streetscape Plan designed to integrate the entire community.

As conditioned, the Site Plan substantially conforms to the street character requirements of the binding elements, including a pedestrian-friendly design. The overall layout maintains the pedestrian-focused character of the Development Plan and integrates well with the Cabin Branch community. The pedestrian-scaled street grid is extended to this Site Plan and includes 5-foot-wide sidewalks with internal pedestrian paths to provide cross connectivity for pedestrian circulation. Streets have been provided with adequate greenspace within the right-of-way to accommodate street trees. The proposed multi-family and daycare buildings directly face out to their respective streets, creating an edge and streetscape by placing the long façade parallel to the street.

The two buildings' typologies make use of massing, articulation, and design elements such as suitable landscaping and street-level entrances to activate street frontage. Parking for the different buildings is also primarily located to the side or rear of the structures. Any areas where parking is visible, would be screened, landscaped, and placed behind the front building line to remove any impacts to the street character. All these design and placement approaches serve to minimize impacts to the streetscape, while also reinforcing and enhancing the overall street character.

8. *Service / Public Uses:*

Service/public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.

The Site Plan proposes a total of 125 age-restricted dwelling units within a single multi-family residential building, which combined with Phase 1 fulfills the cap of 500 age-restricted dwelling unit maximum as allocated by the DPA. The targeted demographic for the Site Plan is envisioned to be active seniors. This also complies with the MXPDP zone yield.

Development Range Tables

The Development Plan divides the MXPDP portion of Cabin Branch into four distinct areas, labeled A, B, C, and D, and includes a range of allowed densities for each land use within each area (Figure 6).

The Phase 1 approval for the Village at Cabin Branch development (Site Plan No. 820200150) is located within Areas C and D. This Site Plan includes Phase 2 with a total of 125 age-restricted multi-family rental units, 12,900 square foot daycare facility, and revisions to Phase 1 reducing non-residential space within Area D along Little Seneca Parkway to 6,000 square feet. The Phase 2 area is zoned as MXPDP and located south of New Cut Road/Little Seneca Parkway, east of Broadway Avenue, north of West Old Baltimore Road, and bordered to the east by stream valley. Area D's table provides a range of age-restricted dwellings between 0 and 100, retail between 0 to 10,000 square feet, and office between 0 to 300,000 square feet of space. The office and retail allocations have a cumulative total for non-residential space of 0 to 310,000 square feet of space. Phase 1 and Phase 2 propose a cumulative total of up to 18,900 square feet of non-residential space along Little Seneca Parkway, which is well within the range for Area D. As conditioned, the construction of the non-residential buildings in both Phases 1 and 2 are tied to the release of residential

building permits to ensure the timely delivery of the commercial uses. The trigger for the 6,000 square foot commercial pad site along Little Seneca Parkway is being maintained at the 204th building permit for townhouses. The trigger for the new daycare facility is the first Use and Occupancy permit for the adjacent multi-family building in Phase 2, which will ensure that the construction of the daycare facility will be completed before the multi-family building.

Additionally, the Site Plan proposes 125 age-restricted rental MPDU units within Area D. The Site Plan is a joint project covering both Areas C and D, which provide a combined range of 0 – 500 senior dwelling units and 0 to 350 multi-family dwelling units. Phase 1 and Phase 2 will meet the cap of 500 total senior dwelling units and provide a cumulative total of 260 multi-family dwelling units, leaving 90 multi-family units for future development. Therefore, the proposed uses fall within the allowed range of densities for Areas C and D.

The DPA and the Master Plan originally envisioned a lot more office and retail within Areas C and D. This part of the Cabin Branch development was planned to be the employment center for both Cabin Branch and Clarksburg. The Master Plan originally envisioned up to 2.4 million square feet of non-residential development for these areas. While the DPA provided flexibility for development by allocating between 0 and 1,765,000 square feet of combined office and retail space, it was always presumed that there would be some substantial non-residential development within Areas C and D in the future. The current state of the office market is that there is not much being developed at this time in the Germantown and Clarksburg area. Given the current state of the office market within the region, the residential building permit triggers being placed on the commercial uses provide additional assurances for their timely delivery.

[MXPDP zone yield summary](#)

Also included on the Development Plan is a total yield for each land use type in all of the MXPDP area. A maximum of 500 units may be age-restricted within Cabin Branch, based in part on Master Plan recommendations. With the approval of this Site Plan, the age-restricted unit total for Cabin Branch will be 500, fulfilling the maximum number of age-restricted units for the greater Cabin Branch development.

2. *The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan is not subject to an urban renewal plan approved under Chapter 56.

The Subject Property is 8.4 acres in size and is located in the MXPDP zone, contained under Section 59-C-7.5 of the zoning ordinance. The objective and purpose of the zone is to allow implementation of comprehensively planned, multi-use centers away from central business districts or transit, and to implement Master Plan recommendations in a more flexible manner. The MXPDP zone was established as part of an LMA, which found the MXPDP zone to be the best way to implement the recommendations of the Clarksburg Master Plan. The proposed age-restricted use was a part of the original LMA approval which dealt with many of the applicability and use requirements of Section 59-C-7.51 and 59-C-7.52 including the gross tract area for Cabin Branch, and the intensity and location of residential. The following data table, Table 2, provides a summary of the quantifiable development standards required by the MXPDP zone and that are provided by this Site Plan, including the parking requirements under Section 59-E. The parking requirements shown in Table 2 are based on the requirements of the old zoning ordinance.

Table 2 – Zoning Data Table

MXPD Zone, 59-C-7.5			
<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Provided (Phases 1 and 2)</u>
59-C-7.51			
Minimum Area	20 acres		283.5 acres ² MXPD
Gross Tract Area			69.94 acres
Net Area for Residential			25.77 acres
Net Area for Non-residential			4.39 acres
Dedication for Public Roads			9.98 acres
Private Road Parcels			0.83 acres
HOA Parcels			28.97 acres
59-C-7.53			
Maximum Permitted Residential Development (Age-Restricted)		150 - 500 units ⁴	500 units ³
SF Attached Units Front-load (202) & Rear-load (38)		250 - 425 units ⁴	240 units (approved)
Multi-family Units		100 - 350 units ⁴	135 units (approved)

²The Subject Property for Phase 2 is only 8.40 acres of a comprehensively planned community totaling 283.5 acres.

³The percentage of MPDUs was calculated based on the aggregated total of 500 residential dwelling units.

⁴The maximum densities noted in the DPA under the MXPD Yield Summary Chart do not reflect the sum of each maximum density within Areas A, B, C, and D. The quantities listed are provided to allow for flexibility for development within the Cabin Branch Community.

MXP Zone, 59-C-7.5			
<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Provided (Phases 1 and 2)</u>
5 MF Bldgs. w/ 27 units = 135 units			
Multi-family MPDU Units 1 MF Bldg. w/ 125 units = 125 units	63 units	100 - 350 units ⁴	125 units
Min. MPDUs Provided per Section 59-C-7.53(b) ⁵	12.5%		25%
59-C-7.54			
Maximum Permitted Non-residential		0 - 310,000 SF	22,900 SF
Skimmer Street (Square Feet)			4,000 SF (approved)
Little Seneca Parkway (Square Feet)			6,000 SF
Little Seneca Parkway - Daycare Facility (Square Feet)			12,900 SF
59-C-7.55			
Max. Building Height (Feet / Floors)			
SFA Residential Units	50'-0" (4 Floors)		45'-0" (2 Floors)
MF Residential Units	8 Floors Max.	8 Floors Max.	70'-0" (4 Floors)

⁵ At least 12.5% of the total units in this phase of the development are required to be Moderately Priced Dwelling Units (MPDUs). All proposed MPDUs are to be located within the rental building, consisting of at least 25% of the units in Phase 1 and Phase 2.

MXPD Zone, 59-C-7.5			
<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Provided (Phases 1 and 2)</u>
Non-residential	8 Floors Max.	8 Floors Max.	50'-0" (2 Floors)
Min. Setbacks			
SFA Residential Units			
Front Setback	TBD at Site Plan		0'-0"
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
MF Residential Units			
Front Setback	TBD at Site Plan		0'-0"
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
Non-residential Buildings			
Front Setback	TBD at Site Plan		0'-0"

MXPDP Zone, 59-C-7.5			
<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Provided (Phases 1 and 2)</u>
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
Right-of-Way Truncations	TBD at Site Plan		25'-0"
Interstate 270	200'-0"		200'-0"
59-C-7.56			
Minimum Green Area			
MXPDP total	120.98 acres		161.96 acres
40% of Non-residential Area	83.10 acres		142.70 acre
50% of Residential Area	37.88 acres		19.26 acres ⁶
Provided by Site Plan	34.54 acres (49.4%)		34.70 acres (49.6%)
40% of Non-residential Area (4.39 Acres of Gross)	1.76 acres		1.70 acre
50% of Residential Area	32.78 acres		33.00 acres

⁶ Total Green Area for the MXPDP zone exceeds the requirements. Excess green area is provided on non-residential site plan portions of the Property, and less green area in residential site plan areas. Major components of Green Area are the shared stream valleys and forest areas.

MXPD Zone, 59-C-7.5			
<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Provided (Phases 1 and 2)</u>
(65.55 Acres of Gross)			
59-E-3.7 Parking			
MF MPDU Units (125) – Block ‘J’	82 sp./unit type		130 sp. ⁷
1 Bedroom - 0.625 sp./unit (76)	48 sp.		
2 Bedroom - 0.75 sp./unit (45)	34 sp.		
Non-residential on Little Seneca Pkwy 5 sp. / 1,000 SF = 5 * (6,000/1,000)	30 sp.		30 sp.
Daycare Facility on Little Seneca Pkwy 3 sp. / 1,000 SF = 3 * (12,900/1,000)	39 sp.		40 sp.
Bike Parking 1 sp. / 20 park sp. = 1 * (56/4)	3 sp.		4 sp.

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

Location of Buildings and Structures

As conditioned, the location of buildings and structures is adequate, safe, and efficient. The multi-family, daycare, and future non-residential buildings are positioned to provide a high level of activation along the existing and new public streets, which is a requirement of the Cabin Branch Design Guidelines and the MXPD zone. The buildings are positioned such that the long façades run parallel to the streets that they front, providing opportunities to frame the street, create an articulated edge to the street, and to provide direct access from grade level to the sidewalks. The multi-family building provides a front to existing Little Seneca Parkway and creates an urban edge to reinforce the existing character of the street, sidewalk, and public realm of Little Seneca Parkway. The daycare facility provides a front along the new extension of Lakeridge

⁷ At the MPDU multi-family housing area in Phase 2, the total of 130 spaces includes 3 parallel parking spaces located along the entry road directly adjacent to the multi-family building (127 surface parking spaces plus 3 parallel parking spaces).

Drive, which also helps to create an urban edge to the streetscape and public realm of Lakeridge Drive. Both buildings have well-articulated façades and roof configurations to provide visual interest along the exterior streets and parking areas, while still providing ample space along public sidewalks to incorporate a green panel with street trees.

The proposed multi-family building is four stories in height and will provide 125 age-restricted MPDU rental units for the Village at Cabin Branch development. The building is located on the south edge of Little Seneca Parkway is also located southwest of the previously approved cluster of five multi-family buildings (Site Plan No. 820200150) that are located in between existing Plover Street, the alignment of Petrel Street, and bounded by Little Seneca Parkway. The proposed multi-family building is oriented with the primary entrance to the central lobby located at the rear of the building from the parking areas, while a secondary front entrance is provided on the front façade facing out to Little Seneca Parkway. Both entrances provide direct connections to the central lobby so that the main access to the building is safe, adequate, and efficient to provide access to the fronting street and sidewalk system. This will improve pedestrian access to/from the multi-family building and promote walkability. Overall, the proposed multi-family building is well articulated on the façades and the roof to provide visual interest along the streets it fronts.

The proposed daycare facility is a 12,900 square foot single-story building that is located at the southwest intersection of existing Little Seneca Parkway and proposed Lakeridge Drive. The daycare facility incorporates much of the same architectural character, articulation, and materials as the previously approved clubhouse (Site Plan No. 820200150) to the north and the proposed multi-family residential building located to the west. This Site Plan amendment proposes to reduce the square footage of the previously approved non-residential building, located at the southwest corner of Cabin Branch Avenue and Little Seneca Parkway, from 12,000 square feet to 6,000 square feet and leave it as a commercial pad site. The proposed daycare facility provides 12,900 square feet of non-residential space and the future 6,000 square foot non-residential building will increase the amount of non-residential space being provided within the Village at Cabin Branch. The multi-family, daycare, and future non-residential buildings are easily reachable by existing and new sidewalks that run along Little Seneca Parkway, Cabin Branch Avenue, and Lakeridge Drive. The proposed buildings are located within a walkable area and provide much needed affordable housing, childcare, and future non-residential space for the community. The building placements are primarily close to the street, enabling parking to be set to the side and rear of the buildings which is also a requirement of the Cabin Branch Design Guidelines.

Development of this Site Plan does require the minor use of retaining walls around the storm water management facilities provided at the rear parking area located behind the proposed multi-family building. The retaining walls range in height from four to six feet in height, when measured from the lowest grade at the bottom of the storm water management facilities to the top of the wall. The heights are within the range of one to two feet above grade when viewed from the parking located closest to the multi-family building and increase to the range of three to four feet when viewed from the parking located farthest from the building. The retaining walls would not be readily visible to residents or visitors within the development, as the locations and grading are focused predominantly in enclosing the storm water management facilities. The largest perceptible impact with the retaining walls is the need for stairs, due to the grade change, between the two parking fields. Overall, these walls are not inconsistent with other walls in the Cabin Branch development and are necessary because of the terrain and adjacent environmental features.

Location of Open Spaces, Landscaping and Recreation Facilities

Open Spaces and Green Area

The location of the open spaces is adequate, safe, and efficient. The open space requirement for the MXP zone is Green Area, and the zoning code requires 50% Green Area in residential areas and 40% Green Area in commercial areas. In the Cabin Branch neighborhood, Green Area is averaged across the entire MXP zone portion of the Cabin Branch Neighborhood. This Site Plan exceeds the required amount of Green Area within the Property tract, as does the greater neighborhood for the Green Area requirements. The entirety of Cabin Branch requires 120.98 acres of Green Area, which includes 83.10 acres for 40% of non-residential area and 37.88 acres for 50% of residential area. The implementation of this Site Plan will provide approximately 161.96 acres of Green Area, which includes 142.70 acres for 40% of non-residential area and 19.26 acres for 50% of residential area, when the neighborhood finishes developing. The primary open spaces for the Village at Cabin Branch are provided with the Phase 1 approval (Site Plan No. 820200150) and include the Central Park, urban plazas, pocket parks, seating areas, and the bird and pollinator gardens. The Site Plan amendment provides an open space area with seating, landscaping, and a walkway in between the multi-family residential building and the daycare facility. The primary Green Area is located within the more environmentally constrained land to the east of the Subject Property and includes existing Category I Conservation Easements. There is also available open space from the setbacks between the different buildings, streets, and areas along the pedestrian walkways and sidewalks, all of which provide locations for landscaping and greenery that is consistent with the definition of Green Area.

Recreation Facilities

The location and quantity of provided recreation facilities is adequate, safe, and efficient. Construction of 125 new dwelling units requires the Site Plan to meet the 2017 approved and adopted Recreation Guidelines. Consistent with the Guidelines, the Site Plan supplied recreation amenities to meet the recreation demand. Table 3, below, illustrates the amount of recreation demand the Site Plan generates.

Table 3

Code	Housing Type	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
TH	Townhouses and Single-Family attached	0	0	0	0	0	0	0
Hi-Rise	Multiple-Family, 5 stories or more	0	0	0	0	0	0	0
SFD	Single-Family Detached	0	0	0	0	0	0	0
Mid-Rise	Multiple-Family, 4 stories or less	125	20	28.75	22.5	88.75	60	10
Total Demand Points =		125	20	28.75	22.5	88.75	60	10

To satisfy the recreation demand, the Applicant has proposed both indoor and outdoor recreation amenities, as shown below in Table 4. The distribution of these facilities is split between the multi-family building, daycare facility, open space, and pedestrian walkways and sidewalks, providing all future residents immediate access to amenities. All residents will have access to all amenities.

Table 4

Proposed Onsite Recreation Facilities and their Supply Points								
Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	10.00%	2.2	6.33	3.71	14.64	9.9	1.1
Open Grass Area Lawn - Large (10,000 sf)	1	10.00%	6.6	9.9	16.5	22	16.5	6.6
Resident Lounge	1	0%	0	2	5	10	8	7
Screening Room	1	0%	0	2	6	7	7	2
Multi-Purpose Lobby Area	1	0%	0	0	2	3	3	2
Picnic/Seating	2	10.00%	2.2	2.2	3.3	6.6	6.6	6.6
Total Onsite Supply Points=			11	22.43	36.51	63.24	51	25.3

Table 5, below, demonstrates that the proposed Site Plan is eligible to claim the maximum 35% of Total Demand Points from existing offsite park facilities within the existing Cabin Branch neighborhood and Village at Cabin Branch development (Site Plan No. 820200150). The amenities being counted are a playground, tot lot, amphitheater, picnic and seating areas, natural areas, and walking trails within Clarkmont Local Park and Cabin Branch Stream Valley Park.

Table 5

Existing Offsite Park Facilities and their Supply Points							
Park Facility	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
Amphitheater	1	2	5	4	4	6	6
Medium Lawn	1	3	4	9	9	9	3
Meadow (Natural Area)	1	1	1.44	2.25	8.88	6	0.5
Playground, Multi-age (Teen-friendly)	1	9	11	3	2	4	2
Tot Lot Play Area, Ages 2-5	1	9	2	2	3	3	3
Woodland	1	1	1.44	2.25	8.88	6	0.5
Large Lawn	2	12	18	30	40	30	12
Total Offsite Supply Points:		37	42.88	52.5	75.75	64	27
35% of Total Offsite Supply Points:		12.95	15.01	18.38	26.51	22.4	9.45
Max Allowed Pts (35% of Total Demand Pts):		7	10.06	7.88	31.06	21	3.5
Actual Assigned Offsite Supply Pts:		7	10.06	7.88	26.51	21	3.5

Table 6, below, demonstrates that the proposed recreation supply both onsite and offsite is adequate to meet the recreation demand, therefore the recreation facilities provided are adequate for this Site Plan.

Table 6

Results: Demand, Supply & Adequacy					
Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	20	7	11	18	Adequate
Children	28.75	10.06	22.43	32.49	Adequate
Teens	22.5	7.88	36.51	44.39	Adequate
Young Adults	88.75	26.51	63.24	89.75	Adequate
Adults	60	21	51	72	Adequate
Seniors	10	3.5	25.3	28.8	Adequate

Landscaping and Lighting

The location and quantity of the proposed landscaping is adequate, safe, and efficient on the Subject Property. The Site Plan is proposing landscaping to serve multiple purposes, including screening and canopy cover in-and-around streets and parking facilities, landscaping around amenity areas, and landscaping adjacent to all proposed buildings. The proposed buildings have plantings around the perimeter of the buildings, including shrubs and ornamental grasses, helping to soften the edges of the buildings. The Site Plan includes an entrance plaza and dedicated seating areas that incorporate a wide palette of plant materials that are appropriate with groundcover, shrubs, ornamental grasses, and ornamental trees to provide inviting and comfortable public open spaces, while also providing respite from public streets. Much of the proposed landscaping is typical of the existing residential dwellings within the greater Cabin Branch neighborhood.

Most of the parking is reduced from view by placement at the rear of the buildings, however locations where parking would be visible, landscape screening is used to screen and soften the visual impact. Additionally, any trash enclosures, retaining walls, and other site-related structures are also screened through planting and grading to minimize visual impacts to the streetscapes and public realm. The outdoor amenities are enclosed with extensive shrubs, evergreen and understory trees to hide the presence of parked cars. Larger canopy trees will grow to provide adequate shade during the summer months in these amenity areas. The Site Plan is providing landscaping in and around parking lot areas as required Section 59-E-2.7 of the zoning ordinance and has provided the adequate plantings between parking and a right-of-way and will meet and exceed the minimum parking lot landscape area of 5%. The landscaping located around the perimeter of the parking will greatly add to the greenery and canopy cover.

The lighting provided with this Application is safe, adequate and efficient for ensuring good nighttime visibility within the parking lot and open space areas without negatively impacting surrounding residential dwellings. The proposed lighting for the Site Plan is a combination of free-standing poles, bollards with fixtures, recessed luminaires mounted on walls and steps, and pedestrian-scale posts that provide for broad illumination for all public spaces, parking, and areas that might have security concerns. In general, the light poles are provided for all of the street and parking lighting, while the bollards, luminaires, and pedestrian-scale light posts are provided for accenting and evenly lighting the public open spaces.

Pedestrian and Vehicular Circulation

As conditioned, the location and design of the pedestrian circulation on the Subject Property is adequate, safe, and efficient. Overall, the bicycle and pedestrian circulation for the Subject Property extends existing and proposed networks along Cabin Branch Avenue, Plover Street, Petrel Street / Lakeridge Drive and Little Seneca Parkway, providing connections to the greater Cabin Branch neighborhood and amenities. All public streets have continuous sidewalks on both sides of the street with connecting lead walkways to all proposed structures, providing adequate and efficient access between the street, parking, amenity areas, and the building entrances within the Subject Property.

As conditioned, a continuous 10 foot-wide shared use path will be constructed along the frontage on Little Seneca Parkway and will integrate with an approved shared use path on Cabin Branch Avenue as well as a proposed 10 foot-wide shared use path to be constructed by the Applicant on the east side of Lake Ridge

Drive. This section will provide bike and pedestrian access to the greater Cabin Branch community from West Old Baltimore Road to the south as well as direct access to Black Hill Regional Park.

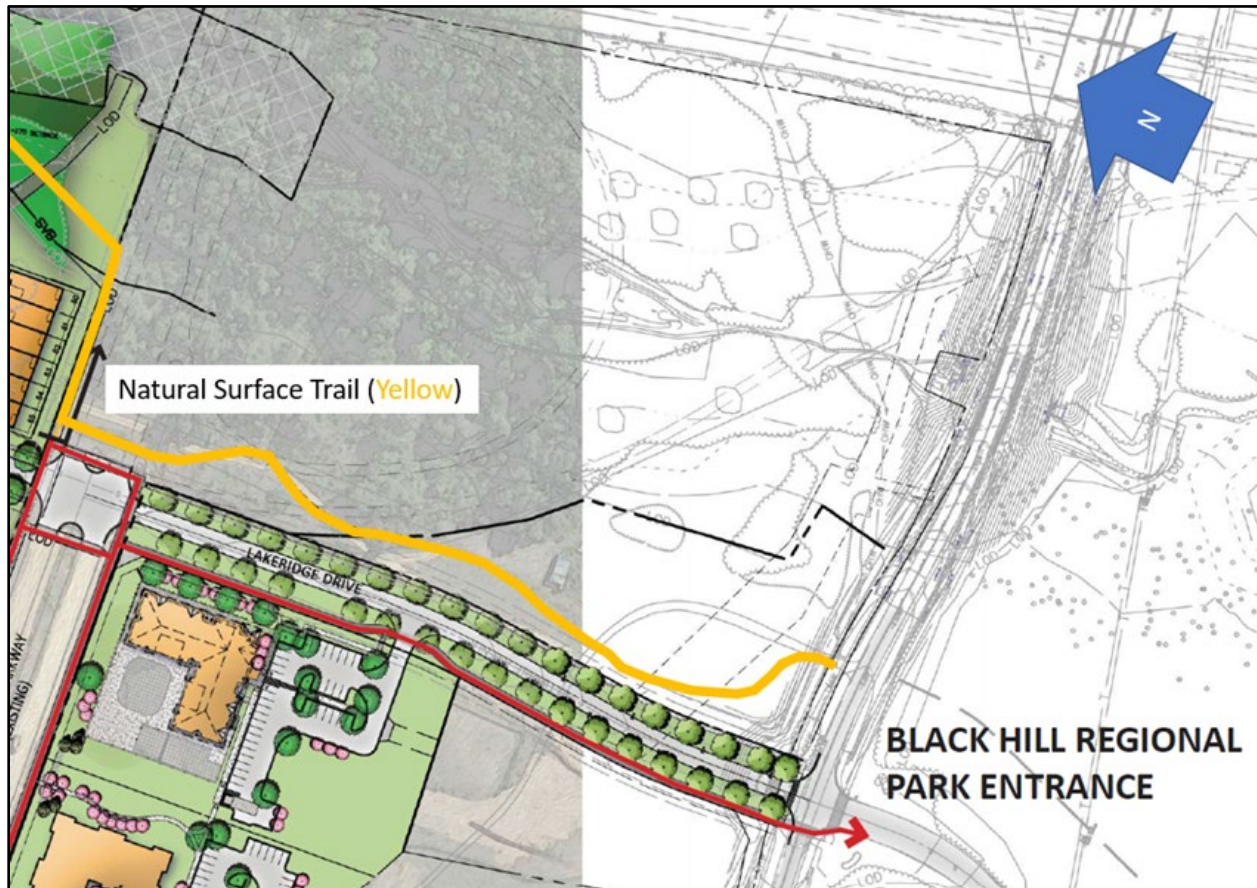


Figure 14 – Natural Surface Trail

A natural surface trail (Figure 14) will be extended from the termination of the Phase 1 trailhead on the northeast corner of the Lakeridge Drive / Little Seneca Parkway intersection to connect to West Old Baltimore Road, running through remaining forested area. This will provide a continuous trail connection from the existing Clarksburg Premium Outlets to the existing Fieldcrest Spur trailhead for Black Hill Regional Park (Figure 12).

Vehicle Circulation

The location and design of vehicle circulation on the Subject Property is adequate, safe, and efficient. The Subject Property is connected to the larger Cabin Branch community by a network of public streets. Access to the Subject Property is primarily from existing Little Seneca Parkway (Non-residential building and multifamily building) as well as the proposed extension of Lakeridge Drive (day care center). This extension will connect previously approved Petrel Street to the north of Little Seneca Drive to existing Lakeridge Drive on the south side of West Old Baltimore Road. This extension will be constructed to a modified primary street standard and will provide a second southern connection for the greater Cabin Branch community to West Old Baltimore Road as well as a direct connection to Black Hill Regional Park. All parking will be provided off street in surface lots in the rear of structures as viewed from Little Seneca Parkway. The

proposed configuration for the public streets creates a safe, adequate, and efficient movement for vehicles within the Subject Property.

A major highway interchange is proposed by the Clarksburg Master Plan between Little Seneca Parkway and Interstate 270 immediately to the east of the Subject Property. Space for this facility has been proposed to remain undeveloped by the Phase 1 Site Plan (820050150) application which outlined the overall Cabin Branch infrastructure improvements. Subsequent plans and amendments following that approval, including this Application, retain the area bounded by Little Seneca Parkway to the north, I-270 to the east, Lakeridge Drive to the west, and West Old Baltimore Road to the south as undeveloped space that may be used for the interchange. To date, no plans for this interchange have been pursued by SHA, MCDOT, or the Planning Department; this Application will continue to maintain this area as undeveloped in conformance with earlier approved plans and in support of the long-term implementation as envisioned by the Clarksburg Master Plan.

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

The proposed use and structures are compatible with other uses, site plans, existing, and proposed development on adjacent properties. The multi-family, daycare facility, and non-residential building proposed on this Site Plan are all part of a larger planned Cabin Branch Neighborhood that has been the subject of an LMA and a single Preliminary Plan. North of the Site Plan boundary is the already approved Village at Cabin Branch development, while east of the Site Plan boundary is stream valley and forest conservation. South of the Site Plan boundary is undeveloped land that is within the same MXPD zone and planned for other housing and employment uses, while west of the Site Plan boundary is the existing greater Cabin Branch neighborhood. The Subject Property will include 125 age-restricted multi-family units oriented along Little Seneca Parkway, providing compatibility with the previously approved multi-family buildings within the Phase 1 approval (Site Plan No. 820200150) and located to the northeast across Little Seneca Parkway. The orientation and site design for the multi-family building serves to reinforce Section VII - Multi-family Guidelines from the Cabin Branch Design Guidelines. The design of the proposed multi-family, daycare, and non-residential building with direct ground level access, foundation landscaping, building façades with fenestration and roof articulation, and street trees all help to integrate the proposed development with the existing residents. The Site Plan is also starting the extension of Lakeridge Drive, from Little Seneca Parkway and extending south to West Old Baltimore Road. When extended, Lakeridge Drive will help integrate this Site Plan with the existing and future phases of the Cabin Branch Neighborhood as well as connect residents with Black Hills Regional Park.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable laws.*

As part of the requirements of the Special Protection Area (“SPA”) Law, a SPA Water Quality Plan was reviewed in conjunction with the Site Plan. Under Section 19-65 of the Montgomery County Code, the Montgomery County Department of Permitting Services (“MCDPS”) and the Planning Board have different responsibilities in the review of a Water Quality Plan.

In conjunction with planning staff, MCDPS has reviewed and approved the technical elements of the water quantity and quality control facilities including engineering and design. The Planning Board's responsibility is to determine if SPA forest conservation planting requirements, environmental buffer protection, and site imperviousness limits have been addressed or satisfied. Planning staff finds that the proposed plan meets all requirements of Chapter 22A regarding forest conservation and Chapter 19 regarding water resource protection and any other applicable law.

WATER QUALITY PLAN

Clarksburg Special Protection Area Water Quality Plan

The majority of the Subject Property is located within the Clarksburg SPA and is therefore required to obtain approval of a Water Quality Plan for those areas of the Application within the Clarksburg SPA under Section 19-62 of the Montgomery County Code.

MCDPS has reviewed and conditionally approved the elements of the Final Water Quality Plan under its purview. The Planning Board must determine if SPA forest conservation and planting requirements, environmental buffer protection, and limits on impervious surfaces have been satisfied. Sec. 19-65(a)(2)(A) of the Montgomery County Code states that:

"In acting on a preliminary or final water quality plan, the Planning Board has lead agency responsibility for:

- (i) Conformity with all policies in the Planning Board's Environmental Guidelines which apply to special protection areas;*
- (ii) Conformity with any policy or requirement for special protection areas, including limits on impervious area, in a land use plan, watershed plan, or the Comprehensive Water Supply and Sewer System Plan; and*
- (iii) Any other element of the plan in which the Planning Board has lead agency design, review, and approval responsibility."*

A Preliminary Water Quality Plan (G-957) was approved by Planning Board Resolution dated July 24, 2015 during the review of the re-zoning of the Property, which included a Development Plan. The Final Water Quality Plan was submitted as part of this current Application and proposes to protect the areas of environmental buffers, existing remaining forest, and planted forest in Category I Conservation Easements.

MCDPS Special Protection Area Review Elements

In a letter dated September 1, 2021, (Attachment J) MCDPS has found the Revised Preliminary and Final Water Quality Plan for this site plan to be acceptable for their portion of the Final Water Quality Plan under its purview. The Revised Preliminary and Final Water Quality Plan proposes to meet the required stormwater management goals via a combination of micro-bioretenment, bioswales, water quality inlets with storage vaults and downstream sand filters with a dry pond.

Planning Board Special Protection Area Review Elements

Following is an analysis of the Planning Board's responsibilities in the review of the Final Water Quality Plan. Staff recommends approval of the elements of the SPA Water Quality under its purview.

1. *Priority Forest Conservation Areas*

The Application meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law. The Final Forest Conservation Plan was submitted with this Application which will amend the overall Final Forest Conservation Plan ("OFCP") for the Cabin Branch development.

2. *SPA Environmental Buffer Protection*

The Application proposes no additional disturbance within the stream valley buffer ("SVB") for the stream at the rear of the Subject Property that has not already been accounted for in the OFCP for the Cabin Branch development.

3. *Impervious Surfaces*

There are no impervious limitations within this portion of the Clarksburg SPA; however, the Clarksburg SPA Regulations allow M-NCPPC to review imperviousness and to work with the Applicant to reduce impervious surfaces. As part of the Preliminary Water Quality Plan for the Cabin Branch Development under the Cabin Branch – Infrastructure Site Plan (Plan No. 820050150), an overall goal of less than 45% imperviousness was established by the Planning Board (MCPB Resolution No. 07-131).

The Site Impervious Area Plan for this Application indicates an impervious level of approximately 51.2% for the Subject Property (Table 6). The impervious surfaces are comprised of roadways, sidewalks, stoops, driveways, walls and buildings. The impervious level for both phases 1 and 2 of the Village at Cabin Branch is approximately 44% and the overall impervious level for the Cabin Branch development, including this Application, is approximately 44.67% and continues to be on track to meet the targeted goal of 45%.

Table 7: Imperviousness Calculations for the Village at Cabin Branch

Village at Cabin Branch	Tract Area	Impervious Surface Area	Percent Imperviousness
Phase 1: 820200150	2,680,767 sq. ft. (61.54 acres)	1,157,912 sq. ft. (26.58 acres)	43.2%
Phase 2: 82020015A	353,527 sq. ft. (8.12 acres)	181,210 sq. ft. (4.16 acres)	51.2%
TOTAL	3,034,294 sq. ft. (69.66 acres)	1,339,122 sq. ft. (30.74 acres)	44.0%

FOREST CONSERVATION PLAN

Final Forest Conservation Plan

Consistent with conditions 1 and 14(c) of the Resolution for the Cabin Branch - Infrastructure Site Plan Amendment No. 82005015B (MCPB Resolution No. 11-124), the OFCP for the overall Cabin Branch Development is being amended through this Application. The Cabin Branch - Infrastructure Site Plan is amended with each individual site plan as stated in conditions 1 and 14(c) to show the approved development for each area of Cabin Branch.

The entire 535-acre Cabin Branch Development has an OFCP which was approved with the Cabin Branch - Infrastructure Site Plan. The OFCP was designed to allow for the grading and installation of roads, utilities, and public amenities such as school and park sites. The intent of having one OFCP was to ensure that as this multi-year project developed, portions would not be left uncovered by an individual Forest Conservation Plan and the whole project would remain in compliance with the Montgomery County Forest Conservation Law.

The OFCP includes six worksheets separated by zones or land use: MXPB-Employment, RMX-1/TDR, MXPB-Residential, Water Tower Storage Facility, Linthicum West, and “offsite Area A”. Each individual site plan application is submitted with final grading and design, the OFCP and the worksheets associated with that particular site plan will be updated to reflect final design and grading details. The OFCP indicates that the individual applicants for each site plan area must meet the forest conservation worksheet requirements through a combination of on-site forest retention, on-site planting of unforested stream buffers, landscape credit, and off-site planting within the Clarksburg SPA. This Site Plan application does not alter the associated OFCP worksheets and therefore meets the requirements that are already in place on the approved OFCP.

Under the M-NCPPC implementation of the Clarksburg SPA Regulations, the Environmental Guidelines require accelerated reforestation of the SPA stream buffers and that any unforested portions of the stream buffer be afforested above and beyond the standard forest conservation requirements. Since the overall Cabin Branch Development includes land both in and out of the SPA and the tributaries drain to a common water body, the Planning Board approved the treatment of the planting requirements as if the entire development is located within the Clarksburg SPA (MCPB Resolution No. 07-131). Therefore, conditions 1 and 14 of the Cabin Branch - Infrastructure Site Plan (82005015B) require the Applicant to plant the stream buffers in accordance with the overall FFCP including the Planting Phasing Plan. The Applicant of the overall development, Cabin Branch Management, LLC, must provide a five-year maintenance period for all planting areas credited toward meeting the forest conservation plan worksheet requirements. Amendments to the FFCP have been approved with each of the site plans approved and amendments, to date, to the Cabin Branch - Infrastructure Site Plan (82005015A through 82005015G).

The FFCP submitted for this Application conforms to the requirements established by the OFCP and meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law and is in compliance with the Montgomery County Planning Department’s Environmental Guidelines. This Application does not alter any of the existing forest conservation requirements for the overall Cabin Branch Development site established under the Cabin Branch - Infrastructure FFCP, Plan Number 820050150 or subsequent amendments. The responsibility for meeting the Forest Conservation requirements for this Application falls

to Cabin Branch Management, LLC. This Application proposes the removal of 0.46 acres of forest, 1.50 acres of forest saved and the reforestation of 3.97 acres. The overall Cabin Branch – Infrastructure FFCP will be updated to reflect this information.

SECTION 5

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. Correspondence was received from the community on December 3, 2021, in support of the Application (Attachment N).

SECTION 6

CONCLUSION

The Application meets all requirements established in the Zoning Ordinance in effect on October 29, 2014. The Site Plan conforms to the binding elements of the LMA and DPA, meets the requirements of the MXP zone, and meets all other necessary Site Plan findings. The Site Plan was reviewed by other county agencies, all of which have recommended approval of the Site Plan. Lastly, the Application is consistent with all previous approvals and is in compliance with Chapters 19 and 22A, therefore, Staff recommends the approval of the Final Water Quality Plan and the Final Forest Conservation Plan with the conditions specified above.

Attachments

Attachment A - MCPB Resolution No. 20-076

Attachment B - Site Plan Composite

Attachment C - Final Forest Conservation Plan Composite

Attachment D - Development Plan

Attachment E - Binding Elements of DPA

Attachment F - Cabin Branch Tracking

Attachment G - MC Fire and Rescue Approval

Attachment H - MCDPS ROW Permitting

Attachment I - DHCA Letter

Attachment J - SWM and WQP Letter

Attachment K - Town Architect

Attachment L - Statement of Justification

Attachment M – SHA Correspondence

Attachment N – Community Correspondence



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 20-076
 Site Plan No. 820200150
 Village at Cabin Branch
 Date of Hearing: July 30, 2020

SEP 23 2020

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, under Section 59-7.7.1.B.1, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014; and

WHEREAS, on March 11, 2020, Classic Group, LLC ("Applicant") filed an application for approval of a site plan for 375 age-restricted units, comprised of 135 multi-family and 240 townhouses, and up to 16,000 square feet of non-residential space on 61.54 acres of MXPD zoned-land, located at the northeast quadrant of the intersection with Cabin Branch Avenue and Little Seneca Parkway ("Subject Property"), in the Clarksburg Policy Area and the 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* ("Master Plan") area; and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820200150, Village at Cabin Branch ("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 July 17, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 30, 2020, 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, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote as certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820200150 for 375 age-restricted units, comprised of 135 multi-family and 240 townhouses, and up to 16,000 square feet of non-residential space, the Subject Property, subject to the following conditions:¹

The development must comply with all binding elements of County Council Resolution No. 17-1002, approving Development Plan Amendment DPA 13-02 dated February 4, 2014, conditions of approval for Preliminary Plan No. 12003110C, and conditions of approval for Infrastructure Site Plan No. 820050150, or as amended.

Density, Height, and Housing

1. Density

The Site Plan is limited to a maximum of 375 age-restricted dwelling units, with 240 single-family attached units and 135 multi-family units, and up to 16,000 square feet of non-residential uses.

2. Building Height

- a) The maximum height of the multi-family buildings must not exceed 70 feet as measured from the building measuring point, as illustrated on the Certified Site Plan.
- b) The maximum height of the townhouse buildings must not exceed 45 feet as measured from the building measuring point, as illustrated on the Certified Site Plan.
- c) The maximum height of the non-residential buildings must not exceed 50 feet as measured from the building measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated May 22, 2020 and incorporates it as a condition of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

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.

- a) The development must provide 12.5 percent MPDUs or MCDHCA - approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan. As permitted in Section 25A-5(l) of the County Code, the Applicant will provide an alternative payment to DHCA in lieu of providing MPDUs in the age-restricted units or arrange with DHCA for the provision of affordable senior units elsewhere in the Planning Area.

4. Cabin Branch Design Guidelines

- a) The development must comply with the Cabin Branch Design Guidelines for Site Plan Review ("Design Guidelines") dated March 2, 2018.
- b) The Applicant must submit to the M-NCPPC Staff with building permit applications for each phase of the development program, an approval from the Town Architect stating that the approved buildings within that phase are in conformance with specifications of the Design Guidelines.
- c) The Planning Board accepts the recommendations of the Cabin Branch Town Architect in its letters dated February 13, 2019 and April 24, 2019, with the revisions for the multi-family building as required under condition #10.

5. Occupancy Provisions

- a) All residential units must be Age-Restricted (restricted to persons who are fifty-five (55) years of age or older), as defined by Section 59.1.4.2. of the Zoning Ordinance.
- b) Prior to Certified Site Plan:
 - i. The Applicant must submit to Staff a covenant with the Planning Board reflecting the age restriction in a form approved by the M-NCPPC Office of General Counsel;
 - ii. The covenant must be recorded in and among the Land Records of Montgomery County prior to record plat; and
- c) The Book/Page reference must be included on the record plat.

Open Space, Facilities, and Amenities

6. Green Area, Facilities, and Amenities

- a) The Applicant must provide a minimum of 33 acres of Green Area on-site, as shown on the Certified Site Plan.
- b) Before release of the 204th building permit (the 85th percentile building permit for townhouses), the Use and Occupancy certificate must be issued for the clubhouse, fitness building, and all associated recreational facilities and open spaces must be completed.
- c) Within 6 months after completion of a given row of townhouses on a given block as identified in the record plat, the public green area and amenities adjacent to those townhouses must be completed.

- d) Within 6 months after the issuance of final Use and Occupancy certificates for the multi-family development, all public green areas and amenities on the associated block must be completed.
- e) Within 6 months after the issuance of Use and Occupancy certificates for each non-residential building, all public green areas and amenities on the associated block must be completed.
- f) Prior to the release of the 120th building permit (the 50th percentile building permit for townhouses), a natural surface trail shall be constructed to the rear (east) within the limits of the Subject Property, running parallel to I-270 that provides connections to the Cabin Branch Premium Outlets and Little Seneca Parkway. The trail must be shown on the Certified Site Plan and the final alignment shall be approved by M-NCPPC Staff.

7. Common Open Space Covenant

The record plat must reference the Common Open Space Covenant recorded at Book 28045 Page 578 (Covenant).

8. Recreation Facilities

- a) Before Certified Site Plan approval, the Applicant must meet the square footage requirements for all the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
- b) The Applicant must provide the minimum required recreation facilities as defined by the Recreation Guidelines and as listed on the Certified Site Plan: one woodland natural area and forested buffer, one urban plaza (entry plaza and monument), four picnic and seating areas, one courtyard, one central park (or neighborhood green), a dog run, three open grass areas (urban, small, and large), that incorporate three bird and pollinator gardens, a community garden, a bocce court, two pickleball courts, a community clubhouse (including a resident lounge), a pedestrian/connection trail system, and one fitness building.
- c) The Applicant must show on the Certified Site Plan details for the required subgrade and drainage system (if required) for all major recreational facilities, including but not limited to the woodland natural area, entry and urban plazas, picnic and seating areas, courtyards, bird and pollinator gardens, central park area, open grass areas, community gardens, bocce courts, pickleball courts, central clubhouse, pedestrian/connection trail system, resident lounge, and fitness building.

9. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the woodland natural area, entry and urban plazas, picnic and seating areas, courtyards, bird and pollinator gardens,

central park area, open grass areas, community gardens, bocce courts, pickleball courts, central clubhouse, pedestrian/connection trail system, resident lounge, and fitness building.

Site Plan

10. Site Design

- a) The Applicant must update the exterior building elevations such that the entrances facing the public street and sidewalk system appear and function as ~~provide~~ the main access to the multi-family buildings. The updated elevations must be shown on the Certified Site Plan, as approved by M-NCPPC Staff. ~~fronting the abutting public street and sidewalk system, as shown in Staff's sketch in the Staff Report. The main access must be directly connected to the central elevator lobby without doors or physical barriers.~~
- b) The access door to the trash room and utility rooms on the exterior façade of the multi-family buildings must be screened from ~~relocated away from the building façade facing the public street,~~ consistent with the Cabin Branch Design Guidelines.
- c) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations on the submitted architectural drawings, as determined by M-NCPPC Staff. The entry porticos for the multi-family buildings must be provided as shown on the updated ~~submitted~~ drawings.

11. Lighting

- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the tract boundary line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

Environment

12. Forest Conservation and Tree Save

The Applicant must comply with the conditions of approval for the Amended Final Forest Conservation Plan ("FFCP"), plan number 820200150, specifically including sheets 1, 26, 27, 28, 29, 30, 31, 43, 44, and 46 of the Final Forest Conservation Plan, Plan No. 820050150, and Variance request approved as part of this Site Plan, including:

- a) Prior to plan set certification by M-NCPPC the Applicant must address all outstanding Staff comments on the FFCP and update all effected sheets of the original FFCP under Cabin Branch – Infrastructure Site Plan No. 820050150.
- b) The limits of disturbance ("LOD") shown on the Final Sediment Control Plan must be consistent with the final LOD shown on the approved amended FFCP.
- c) The Applicant must have all required site inspections performed by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- d) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

13. Water Quality

The Applicant must comply with the conditions of approval for the Final Water Quality Plan including:

- a) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its Final Water Quality Plan and Stormwater Management Concept letter dated July 13, 2020 and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) Impervious surfaces are limited to no more than 43.0% of the Subject Property within the Clarksburg Special Protection Area.

14. Noise Attenuation

The Applicant must comply with the conditions of approval for noise mitigation including:

- a) The Planning Board grants a waiver under Section 2.2.2(2) of the 1983 Staff Guidelines for the Consideration of Transportation Noise ("Noise Guidelines") allowing exterior open space noise levels up to 70 dBA Ldn.
- b) Prior to the issuance of the first above grade building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that:
 - i. The installation of the noise mitigation techniques to attenuate the current noise levels to no more than 70 dBA Ldn for the exterior ground level living spaces on Lots 6-9, Lots 10-53, and Lots 54-65 in Block A, Lots 1-12 in Block B, Lots 1 and Lots 27-48 in Block C, Lots 1 and 23 in Block D, and Lot 1 in Block E are adequate.
 - ii. The building shell for residential dwelling units affected by exterior noise levels projected at or above 70 dBA Ldn, Lots 6-9, Lots 10-53, and Lots 54-65 in Block A, Lots 1-12 in Block B, Lots 1 and Lots 27-48 in Block C, Lots 1 and 23 in Block D, and Lot 1 in Block E will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- c) Before the final inspection for any residential unit on Lots 6-9 and 10-53 in Block A, Lots 54-65 in Block B, Lots 1 and 27-48 in Block C, Lots 1 and 23 in Block D, and Lot 1 in Block E, the Applicant must certify to M-NCPPC and MCDPS/Zoning and Site Plan Enforcement Staff that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- d) If any changes occur to the Site Plan which affect the validity of the noise analysis dated May 20, 2020, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- e) For all residential unit on Lots 6-9 and 10-53 in Block A, Lots 54-65 in Block B, Lots 1 and 27-48 in Block C, Lots 1 and 23 in Block D, and Lot 1 in Block E, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise greater than 65 dBA Ldn. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all certified subdivision and site plans.

Transportation and Circulation

15. Private Roads / Alleys

The Applicant must provide Private Alleys 1.1, 2, 3.1, 3.2, and 3.3, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private

utility systems and other necessary improvements as required by the Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:

- a) The record plat must show all Private Roads / Alleys in a separate parcel. If there are structures above or below the Private Road, the record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
- b) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
- c) Private Alleys 1.1, 2, 3.1, 3.2, and 3.3. are to be constructed to the standards of an alley (MC-200.01), except as modified by the Site Plan.
- d) Prior to issuance of the first above ground building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS/Zoning and Site Plan Enforcement Division, certification by a professional engineer licensed in the State of Maryland that the Private Roads / Alleys have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- e) Prior to the release of the Site Plan Surety Bond, the Applicant must provide certification to M-NCPPC Staff, with copy to the MCDPS/Zoning and Site Plan Enforcement Staff, from a professional engineer licensed in the State of Maryland that all the private streets, alleys and associated sidewalks and shared use pathways have been built according to the requirements of Condition 15.d.

16. Pedestrian & Bicycle Circulation

The Applicant must provide the following pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operation:

- a) Prior to the release of the 50th townhouse building permit, an 8-ft wide asphalt shared-use path (SUP) is to be constructed along the east side of Cabin Branch Avenue, continuing from the exiting path to the north of Petrel St. to the south to Little Seneca Parkway. A bikeable crossing of Little Seneca Parkway shall

be built on the eastern leg of the intersection to connect the shared use path to the south east corner.

- b) Prior to the release of the 180th townhouse building permit, an 8-ft wide asphalt shared-use path (SUP) is to be constructed along the frontage with Little Seneca Parkway for the non-residential building identified on Sheet 15 of the Site Plan. This SUP shall connect to the approved path to the west of the Subject Property, as seen on Sheet 15, and continue across the southern leg of Cabin Branch Ave to connect to the segment of SUP identified in the previous condition 16.a.

17. Validity

The Adequate Public Facility Review (APF) will remain valid until February 17, 2030, consistent with the current APF validity period as approved by MCPB Approval No. 19-080 for Cabin Branch Preliminary Plan No. 12003110D, which this Site Plan is utilizing.

18. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated June 15, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.

19. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, 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-D-3.5(d) 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 private lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private road construction and associated infrastructure (sidewalks, private utilities, private paths, and private bikeways onsite). The surety must be posted before issuance of any above ground building permit or Sediment and Erosion 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 for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

20. 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.

- a) Prior to the release of the 168th building permit (70th percentile permit for townhouses), the Applicant must obtain a Use and Occupancy permit for the smaller non-residential building on Skimmer Street.
- b) Prior to the release of the 204th building permit (85th percentile permit for townhouses), the Applicant must obtain a Use and Occupancy permit for the larger non-residential building on Little Seneca Parkway.

21. 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) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) 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 Department of Permitting Services."
- d) Provide the standard landscape plan notes that planting in stormwater management areas are subject to final approval by MCDPS Water Resources staff.
- e) Modify data table to reflect development standards approved by the Planning Board.
- f) Ensure consistency of all details and layout between Site and Landscape plans.
- g) Add a note to the Site Plan stating that "An on-site pre-construction meeting is required to be set up with the Department of Permitting Services (DPS), Zoning & Site Plan Enforcement Division before any building construction activity occurs on-site. The owner or his designee who has signature authority, and general contractor must attend the pre-construction meeting with the DPS Site Plan Enforcement inspector. A copy of the Certified Site Plan is required to be on-site at all times."
- h) Update the multi-family buildings to reflect revised elevations and access per Staff approval.~~and trash and utility rooms as conditioned.~~

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 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 is consistent with the Development Plan for the Cabin Branch Neighborhood, adopted by LMA G-806 on September 9, 2003, and as amended by Development Plan Amendment No. 13-02 ("DPA"), approved by County Council Resolution No. 17-1002 on February 4, 2014. Included on the Development Plan are a list of 11 binding elements, a series of four tables showing the acceptable range of development within the four development areas of the MXP zone, and an MXP zone yield summary for total amount of development allowed within the MXP portion of the Cabin Branch neighborhood. The Development Plan drawing also created an illustrative neighborhood layout and approved land uses across the neighborhood. The approved age-restricted townhouse, multi-family, and retail buildings are in areas identified on this illustrative map as appropriate for multi-family development.

Binding Elements

Of the 11 binding elements, numbers 1, 4, 6, and 8 are pertinent to the approved Site Plan. The remaining binding elements are Cabin Branch wide elements including providing off-site infrastructure, trip reduction, master planned roads, street parking and limits on office and retail uses. The pertinent binding elements are paraphrased below along with how this Site Plan adheres to them.

1. Transferable Development Rights and Moderately Priced Dwelling Units

The total Cabin Branch Neighborhood, if built to its full residential density, will require a minimum of 210 MPDUs and up to 635 TDRs, assuming a total development of 1886 units, of which 1,676 are market rate units and 210 are MPDUs which are deducted from providing TDR's.

The approved age-restricted dwelling units will be for sale units versus rental units. As such, the Applicant for this Site Plan is proposing an alternative payment to DHCA in lieu of providing the minimum 12.5%

MPDUs within the age-restricted units consistent with Section 25A-5(l). Within the overall Cabin Branch development, the cumulative total number of MPDUs is 265 and the total number of TDRs purchased is 562 out of the total 575, as per the previous site plan approval for Site Plan No. 820180060. The Site Plan is not providing any TDRs. The remaining balance of 13 TDR's corresponds to the remaining balance of units not yet approved by a site plan for the overall Cabin Branch development.

4. *Street Network*

A network of public streets shall be provided, that may be supplemented by private streets, in a grid pattern that promoted interconnectivity. The public streets shall be any Master Plan street and any residential or business streets needed to form blocks that are substantially similar to the street system shown on the Development Plan.

A network of public streets is provided adhering to the existing character of a traditional gridded pedestrian-focused neighborhood consistent with the established 2003 DPA, the 2005 Infrastructure Plan and the Cabin Branch Community Streetscape Plan. The streets within the approved Site Plan are designated to be public except for alleyways and limited, non-connecting sections of street which are approved to be private. Most public streets would be extensions of already existing streets, except for Street A and Street B. The Site Plan area is bordered and accessed primarily along the west by the already existing Cabin Branch Avenue and to the south by Little Seneca Parkway, both 4-lane boulevards, which were constructed by others and have already been fully dedicated and constructed to public standards. Little Seneca Parkway currently terminates just west of the I-270 right-of-way. The crossing and interchange of Little Seneca Parkway and I-270 is a planned CIP project, though it has yet to receive funding.

Internally, the gridded network established in earlier plan approvals, particularly the 2005 Infrastructure Site Plan, is carried forward. Petrel street will serve as the perimeter road along the north and east for the development, running roughly in an inverted 'L' shape from Cabin Branch Ave in the north to Little Seneca Parkway in the south. Plover Street will provide additional north / south connectivity internal to the Subject Property, connecting from Petrel Street in the north to Little Seneca Parkway in the south. Along the west side of the Subject Property, Petrel Street, Skimmer Street, and Harrier Way will be extended and intersect with the extension of Plover Street. Skimmer Street will be constructed as a 2-lane boulevard and will serve as a monumental entrance to the community, terminating at Plover Street in front of the approved

clubhouse. Street A and Street B will be the only new streets within the Site Plan area that are not extensions of existing streets and will provide access to the approved townhouse units.

6. *Street Character*

All streets will adhere to a pedestrian-friendly design to the extent practicable, which places emphasis on a building line to frame the street, and parking in the rear. Within the core, pedestrian friendly uses including retail, residential, or office will be located on the first floor. The entire MXPD area will conform to a Cabin Branch Community Streetscape Plan designed to integrate the entire community.

The Site Plan is substantially conforming to the street character requirements of the binding elements. The street network will adhere to a pedestrian-friendly design. The overall layout maintains the pedestrian-focused character of the Development Plan and integrates well with the Cabin Branch community. The pedestrian-scaled street grid is extended to this Site Plan and includes continuous 5-foot wide sidewalks internal to the site along with ample internal pedestrian paths to provide additional cross connectivity for pedestrian circulation, particularly in the vicinity of the communal space around the central clubhouse. Streets have been provided with adequate greenspace within the right-of-way to accommodate street trees.

The approved townhouse, clubhouse, fitness, and non-residential buildings directly face out to their respective streets, thus creating an edge and streetscape by placing the long façade parallel to the street. The multi-family buildings also face out to the street, with the long façades placed parallel to the street, however the main lobby for the building is located and accessed from the rear façade. The rear façades for the multi-family buildings all face out to the parking areas. The main lobby, for each building, can only be accessed from the street by using one of two secondary entrances and hallways. These entrances indirectly connect with the lobby, resulting in a very diminished orientation and relationship with the streetscape. As conditioned, the Planning Board finds that the main access to the multi-family buildings, fronting the abutting public street and sidewalk system, appear and function as the main access to the buildings. ~~be directly connected to the central elevator lobby without doors or physical barriers.~~ Furthermore, the Planning Board finds that the access door to the trash room and utility rooms on the exterior façade of the multi-family buildings must be screened from ~~relocated away from the building façade facing~~ the public street. Lastly, the Planning Board finds that the exterior

architectural character, proportion, materials, articulation, and entry porticos be substantially similar to the updated schematic elevations on the submitted architectural drawings.

All the different buildings' typologies make use of massing, articulation, and design elements such as suitable landscaping and street-level entrances to activate street frontage. Parking for the different buildings is also primarily located to the side or rear of the structures, except for the front-loaded townhouses. The front-loaded townhouses provide ample driveway space to park vehicles out of designated pedestrian walkways and sidewalks, while the entrances are paired to provide adequate space for trees and plantings. Any areas where parking is visible, would be screened, landscaped, and placed behind the front building line to remove any impacts to the street character. All these design and placement approaches serve to minimize impacts to the streetscape, while also reinforcing and enhancing the overall street character.

8. *Service Public Uses:* Service/public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.

The Site Plan approved a cumulative total of 375 age-restricted dwelling units, with 240 townhouses and 135 units as condominiums located within five multi-family residential buildings, which falls well below the cap of 500 age-restricted units maximum allocated by the DPA. The targeted demographic for the Site Plan is envisioned to be active seniors. The difference between the DPA maximum and the approved units results in 125 units. This also complies with the MXPDP zone yield.

Development Range Tables

The Development Plan divides the MXPDP portion of Cabin Branch into four distinct areas, labeled A, B, C, and D, and includes a range of allowed densities for each land use within each area.

The Subject Property is split between area C and area D, with the age-restricted units, clubhouse, fitness building, non-residential building located in area C, and an additional non-residential building located in area D. Area C includes the MXPDP zoned area and encompasses either side of Cabin Branch Avenue from Tribute Parkway south to New Cut Road/Little Seneca Parkway. Area C's table provides a range of age-restricted dwellings between 150 and 500, retail between 0 to 30,000 square feet, and office between 0 to 1,425,000 square feet of space. The office and retail allocations have a cumulative total for non-residential space of 0

to 1,455,000 square feet of space. The Site Plan approved 375 age-restricted units and up to 4,000 square feet of non-residential space within Area C, leaving 1,451,000 square feet of non-residential space. Area D is located south of New Cut Road/Little Seneca Parkway, west of Broadway Avenue, north of West Old Baltimore Road, and bordered to the east by stream valley. Area D's table provides a range of 0 to 300,000 square feet of space for office and 0 to 10,000 square feet of space for retail. The office and retail allocation have a cumulative total of 0 to 310,000 square feet for non-residential space. At present, Area D is not supporting any office or retail. The Site Plan approved up to 12,000 square feet of non-residential space along Little Seneca Parkway, leaving 0 to 298,00 square feet of non-residential space and well within the range for Area D. The Site Plan approved a total of 375 age-restricted units and up to 16,000 square feet of non-residential space within Areas C and D. Therefore, the approved uses fall within the allowed range of densities for both Areas C and D.

The DPA and the Master Plan originally envisioned a lot more office and retail within Areas C and D. This part of the Cabin Branch development was planned to be the employment center for both Cabin Branch and Clarksburg. The Master Plan originally envisioned up to 2.4 million square feet of non-residential development for these areas. While the DPA provided some flexibility for development by allocating between 0 and 1,765,000 square feet of combined office and retail space, it was always with the presumption that there would be some substantial non-residential development within Areas C and D in the future. The current state of the office market is that there is not much being developed at this time, for example the COMSAT property has not been developed and Germantown has a large number of approved, yet unbuilt office opportunities. While this approved Site Plan includes primarily residential uses, given the current state of the office market and the amount of development occurring within the region, this Application does meet the DPA allocations for density within Areas C and D.

MXPD zone yield summary

Also included on the Development Plan is a total yield for each land use type in all of the MXPD area. A maximum of 500 units may be age-restricted within Cabin Branch, based in part on Master Plan recommendations. With this approved Site Plan, the age-restricted unit total for Cabin Branch will be 375, leaving room for up to 125 additional age-restricted units in the future.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan is not subject to an urban renewal plan approved under Chapter 56.

The Subject Property is 61.54 acres in size and located in the MXPB zone, contained under Section 59-C-7.5 of the zoning ordinance. The objective and purpose of the zone is to allow implementation of comprehensively planned, multi-use centers away from central business districts or transit, and to implement Master Plan recommendations in a more flexible manner. The MXPB zone was established as part of an LMA, which found the MXPB zone to be the best way to implement the recommendations of the Clarksburg Master Plan. The approved age-restricted use was a part of the original LMA approval which dealt with many of the applicability and use requirements of Section 59-C-7.51 and 59-C-7.52 including the gross tract area for Cabin Branch, and the intensity and location of residential. The following provides a summary of the quantifiable development standards required by the MXPB zone and that are provided by this Site Plan, including the parking requirements under Section 59-E. The parking requirements are based on the requirements of the old zoning ordinance.

Zoning Data Table, MXPB Zone

<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Approved</u>
59-C-7.51			
Minimum Area	20 acres		283.5 acres ² MXPB
Gross Tract Area			61.54 acres
Net Area for Residential			20.8 acres
Net Area for Non-residential			1.18 acres
Dedication for Public Roads			8.38 acres
Private Road Parcels			1.76 acres
HOA Parcels			29.42 acres
59-C-7.53			
Maximum Permitted Residential Development (Age-Restricted)		150 - 500 units ³	375 units
SF Attached Units - Front-load (202) & Rear-load (38)		250 - 425 units ³	240 units
Multi-family Units - 5 MF Bldgs. w/ 27 units = 135 units		100 - 350 units ³	135 units
59-C-7.54			

² The Subject Property is only 61.54 acres of a comprehensively planned community totaling 283.5 acres.

³ The maximum densities noted in the DPA under the MXPB Yield Summary Chart do not reflect the sum of each maximum density within Areas A, B, C, and D. The quantities listed are provided to allow for flexibility for development within the Cabin Branch Community.

<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Approved</u>
Maximum Permitted Non-residential		0 - 30,000 SF	16,000 SF
Skimmer Street (Square Feet)			4,000 SF
Little Seneca Parkway (Square Feet)			12,000 SF
59-C-7.55			
Max. Building Height and Floors			
SFA Residential Units (Height and Floors)	50'-0" and 4 Floors		45'-0" and 2 Floors
MF Residential Units (Height and Floors)	8 Floors Max.	8 Floors Max.	70'-0" and 4 Floors
Non-residential	8 Floors Max.	8 Floors Max.	50'-0" and 2 Floors
Min. Setbacks			
SFA Residential Units			
Front Setback	TBD at Site Plan		0'-0"
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
MF Residential Units			
Front Setback	TBD at Site Plan		0'-0"
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
Non-residential Buildings			
Front Setback	TBD at Site Plan		0'-0"

<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Approved</u>
Rear Setback	TBD at Site Plan		0'-0"
Side Setback (lot)	TBD at Site Plan		4'-0"
Side Setback (street)	TBD at Site Plan		4'-0"
Side Setback (alley)	TBD at Site Plan		4'-0"
Right-of-Way Truncations	TBD at Site Plan		25'-0"
Interstate 270	200'-0"		200'-0"
59-C-7.56			
Minimum Green Area			
MXPD total	120.98 acres		161.96 acres
40% of Non-residential Area	83.10 acres		142.70 acre
50% of Residential Area	37.88 acres		19.26 acres ⁴
Provided by Site Plan	30.57 acres		33.00 acres (54%)
40% of Non-residential Area (2.09 Acres of Gross)	0.84 acres		1.00 acre
50% of Residential Area (59.45 Acres of Gross)	29.73 acres		32.00 acres
59-E-3.7 Parking			
Total Residential Units (375)	712 sp.		712 sp.
SFA Front-Load Units (202)	2.0/DU = 404 sp.		404 sp.
SFA Rear-Load Units (38)	2.0/DU = 76 sp.		76 sp.
Multifamily Units (135)	232 sp./unit type		232 sp. ⁵
1 Bedroom - 1.25 space/unit (5)	7 sp.		
2 Bedroom - 1.50 space/unit (70)	105 sp.		
3 Bedroom - 2.00 space/unit (60)	120 sp.		

⁴ Total Green Area for the MXPD zone exceeds the requirements. Excess green area is provided on non-residential site plan portions of the Property, and less green area in residential site plan areas. Major components of Green Area are the shared stream valleys and forest areas.

⁵ At the multi-family housing area, each of the 5 multi-family building provides 22 internal garage spaces (110 spaces), each of the 5 carriage garages provides an additional 5 spaces (25 spaces), 14 surface parking spaces, and 83 unit-specific parking spaces. The total number of multi-family spaces is calculated by 149 spaces plus the 83 unit-specific spaces for a cumulative total of 232 spaces.

<u>Development Standard</u>	<u>Required</u>	<u>DPA</u>	<u>Approved</u>
Non-residential on Skimmer Street 5 sp. / 1,000 SF = 5 * (4,000/1,000)	20 sp.		22 sp.
Non-residential on Little Seneca Pkwy 3 sp. / 1,000 SF = 3 * (12,000/1,000)	36 sp.		39 sp.
Bike Parking 1 sp. / 20 park sp. = 1 * (56/4)	3 sp.		4 sp.
On-Street Parking (Residential) ⁶			72 sp.
On-Street Parking (Clubhouse)			21 sp.

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. Buildings and Structures

The location of buildings and structures is adequate, safe, and efficient. The townhouses are positioned to provide a high level of activation along the existing and new public streets, which is a requirement of the Cabin Branch Design Guidelines and the MXPDP zone. The buildings are positioned such that the long facades run parallel to the streets that they front, thus providing opportunities to frame the street, create an articulated edge to the street, and to also have most units easily accessible from grade level with access to the sidewalks. The rear-loaded townhouses are primarily located along existing Cabin Branch Avenue and create an urban edge to reinforce the existing character of Cabin Branch Avenue. The front-loaded units are more numerous and distributed through the Subject Property. The units are well articulated on the facades and the roof to provide visual interest along the interior streets, while still providing ample room to park a car outside of the public sidewalks and incorporate a green panel with street trees.

The clubhouse and fitness building are located along Skimmer Street, which is designed as the formal entrance to the development. There is a pad site for a smaller non-residential building of 4,000 SF located due west of the fitness building on Skimmer Street and Cabin Branch Avenue, providing opportunity for future non-residential development for the neighborhood. There is a larger non-residential building of 12,000 SF located at the southwest corner of Cabin Branch Avenue and Little Seneca

⁶ On-street parallel parking on public roads is subject to MCDOT and DPS-ROW review and approval at ROW permit. On-street parallel parking is not being counted towards parking requirements.

Parkway. The larger non-residential building is accessed via the roundabout at the intersection, with the building placement mostly parallel to Little Seneca Parkway. The non-residential buildings are easily reachable by existing and new sidewalk that run along Skimmer Street, Little Seneca Parkway, and Cabin Branch Avenue. The fitness building is located on the north side of Skimmer Street and is articulated with similar detail to the clubhouse. Both non-residential buildings are located within a walkable area and provides much needed neighborhood retail and non-residential space for the community. The clubhouse incorporates the same architectural character and articulation as the townhouses and is located as the eastern-most terminus of Skimmer Street. The building placements are primarily close to the street, enabling parking to be set to the side and rear of the buildings which is also a requirement of the Cabin Branch Design Guidelines.

The five multi-family buildings are located within a large cluster arrangement in between existing Plover Street, the new alignment of Petrel Street, and bounded on the south by Little Seneca Parkway. The multi-family buildings are oriented with an ~~the primary~~ entrance to the central lobby being located at the interior of the cluster, facing the parking areas, and two entrances facing ~~and not~~ the public realm of the streetscapes. The parking for the five multi-family buildings is internalized within the cluster. As conditioned, the Planning Board finds that the entrances facing the public street and sidewalk system appear and function as the main access to the multi-family buildings, such ~~be directly connected to the central elevator lobby without doors or physical barriers, so~~ that the main access to the buildings have safe, adequate and efficient access to the fronting street and sidewalk system. This will improve pedestrian access to/from the multi-family buildings and promote walkability.

The north edge of the multi-family cluster is connected to a series of winding pedestrian walkways, stormwater management areas, and the backyards of eleven townhouses that line Street A. Additionally, each multi-family building is connected to the surrounding sidewalks along Plover Street and Petrel Street by lead walkways. The walkways access two ~~secondary~~ entrances that internally connect to the central lobby and ~~diminishing the orientation to the public realm. The Planning Board finds that these two entrances~~ serve as the main access to the multi-family buildings. ~~by directly connecting with the central elevator lobby.~~ Additionally, the Planning Board finds that the access door to the trash ~~room~~ and utility rooms on ~~be relocated away from~~ the exterior building façade must be screened from ~~that faces~~ the public street to be consistent with the Cabin Branch Design Guidelines. ~~While there are a series of~~

~~screen walls, which hide some of the building infrastructure and service doors, the reconfiguration of the trash and utility rooms would remove the need to include them on the façades that face the public streetscapes.~~ Lastly, the Planning Board finds that the exterior architectural character, proportion, materials, articulation, and entry porticos be substantially similar with the schematic elevations on the updated ~~submitted~~ architectural drawings. Overall, the multi-family buildings are well articulated on the façades and the roof to provide visual interest along the streets they front.

Development of this approved Site Plan does require the use of retaining walls to create usable grade within the developable area while minimizing impacts to the adjacent forest and stream buffers. The high visibility retaining walls have an enhanced level of articulation and materiality due to their visible prominence within the Subject Property. The enhancements serve to soften the impact, while visually connecting the retaining walls to the architecture and site design. Walls are located through the Subject Property, without a concentration within any one area. The walls approach eight to ten feet in height at a few locations, however the retaining walls generally range within two to six feet in overall height. The clubhouse has a retaining wall located to the south that approaches ten feet in height, however the grading to the east and west diminishes the height to around three to four feet in height. The fitness building has a retaining wall located to the northeast of the parking lot that also approaches ten feet in height. The height at this location is limited to an area that would not be readily visible to residents or visitors within the development, as the grading to the west diminishes the height down to one foot and to east down to five feet in height. The townhouses, located off Alley 3.1, have a retaining wall located at the southeast corner that reaches ten feet in height at a limited corner area. The retaining wall is located at an area that has very low visibility and the grading diminishes the height of the wall to approximately four feet to the north and down to approximately one foot to the west. The retaining walls located along Cabin Branch Avenue and the shared-use path, near the formal entrance on Skimmer Street for the Subject Property, are broken up in a manner that provides access by stairs to the rear-loaded townhouses. Furthermore, the retaining walls are reduced in height to visibly emphasize the lead walkways leading up to the front door of each unit. Overall, these walls are not inconsistent with other walls in the Cabin Branch development and are necessary because of the terrain and adjacent environmental features.

b. Open Spaces

The location of the open spaces is adequate, safe, and efficient. The open space requirement for the MXP zone is Green Area, and the zoning code requires 50% Green Area in residential areas and 40% Green Area in commercial areas. In the Cabin Branch neighborhood, Green Area is averaged across the entire MXP zone portion of the Cabin Branch Neighborhood. This Site Plan exceeds the required amount of Green Area within the Property tract, as does the greater neighborhood for the Green Area requirements. The entirety of Cabin Branch requires 120.98 acres of Green Area, and with the implementation of this Site Plan the Green Area will be approximately 161.96 acres when the neighborhood finishes developing. The primary open spaces are located throughout the Subject Property with the inclusion of the Central Park, plazas, pocket parks, seating areas, and the bird and pollinator gardens. The primary Green Area is located within the more environmentally constrained land to the east of the Subject Property and includes existing Category I Conservation Easements. There is also available open space from the setbacks between the different buildings, streets, and areas along the pedestrian walkways and sidewalks, all of which provide locations for landscaping and greenery that is consistent with the definition of Green Area. The Site Plan also provides for additional areas of private open space, which would be intended for use by the residents and their invited guests. These amenity areas are divided equally throughout the different housing units.

c. Landscaping and Lighting

The location and quantity of the approved landscaping is adequate, safe, and efficient on the Subject Property. The Site Plan is approved with landscaping to serve multiple purposes, including screening and canopy cover in-and-around streets and parking facilities, landscaping around amenity areas, and landscaping adjacent to all approved buildings. All approved buildings have extensive foundation plantings, including shrubs and ornamental grasses, helping to soften the edges of the buildings. The Site Plan includes a number of public plazas, seating areas, and pocket parks that incorporate a wide palette of plant materials that are appropriate with groundcover, shrubs, ornamental grasses, and ornamental trees to provide inviting and comfortable public open spaces, while also providing respite from public streets. Additionally, the Site Plan also includes several bird and pollinator gardens that are located adjacent to the public plazas, seating areas, and pocket parks. The inclusion of these strongly helps to promote bio-diversity and native Maryland plants within the overall Cabin Branch neighborhood. The center of the Site Plan boundary includes a Central Park space that includes community gardens. The layout and landscaping for this space is formal but accentuated with

the same diverse plant palette as the other public open spaces found throughout the approved development. Much of the approved landscaping is typical of the existing residential dwellings within the greater Cabin Branch neighborhood.

Most of the parking is reduced from view by placement at the rear of the buildings, however locations where parking would be visible is addressed by landscaping that screens and softens the visual impact. Additionally, any trash enclosures, retaining walls, and other site-related structures are also screened through planting and grading to minimize visual impacts to the streetscapes and public realm. The outdoor amenities are enclosed with extensive shrubs, evergreen and understory trees to hide the presence of parked cars. Larger canopy trees will grow to provide adequate shade during the summer months in these amenity areas. The Site Plan is providing landscaping in and around parking lot areas as required by Section 59-E-2.7 of the zoning ordinance and has provided the adequate plantings between parking and a right-of-way and will meet and exceed the minimum parking lot landscape area of 5%. The landscaping located around the perimeter of the parking will greatly add to the greenery and canopy cover.

The lighting provided with this Application is safe, adequate and efficient for ensuring good nighttime visibility within the parking lot and open space areas without negatively impacting surrounding residential dwellings. The approved lighting for the Site Plan is a combination of free-standing poles, bollards with fixtures, recessed luminaires mounted on walls and steps, and pedestrian-scale posts that provide for broad illumination for all public spaces, parking, and areas that might have security concerns. In general, the light poles are provided for all the street and parking lighting, while the bollards, luminaires, and pedestrian-scale light posts are provided for accenting and evenly lighting the public open spaces.

d. Recreation Facilities

The location and quantity of provided recreation facilities is adequate, safe, and efficient. Construction of 375 new dwelling units requires the Site Plan to meet the 2017 approved and adopted Recreation Guidelines. Consistent with the Guidelines, the Site Plan supplied recreation amenities to meet the recreation demand. To satisfy the recreation demand, the Applicant provided numerous indoor and outdoor recreation amenities. The distribution of these facilities is split between the clubhouse, fitness building, open space, and pedestrian walkways and sidewalks, providing all future residents immediate access to amenities. The Planning Board

requested the Applicant provide a natural surface trail along the rear (east side) of the Subject Property, run parallel to I-270 and providing ultimate connections to the Cabin Branch Premium Outlets and Little Seneca Parkway. All residents will have access to all amenities regardless of whether they live in a townhouse or multi-family unit. The clubhouse and central park would be the most centralized spaces for community recreation space and outdoor activities. The Applicant claimed the maximum 35% of Total Demand Points from existing offsite park facilities within the existing Cabin Branch neighborhood. The amenities being counted are a playground, picnic area, soccer field, and walking trails within Clarkmont Local Park and Cabin Branch Stream Valley Park. The approved recreation supply, both onsite and offsite, is adequate to meet the recreation demand, therefore the recreation facilities provided are adequate.

e. Vehicular and Pedestrian Circulation

Pedestrian Circulation

The location and design of the pedestrian circulation on the Subject Property is adequate, safe, and efficient. All public streets have continuous sidewalks on both sides of the street with connecting lead walkways to the townhouse and non-residential buildings, providing adequate and efficient access between the parking, amenity areas, and the building entrances within the Subject Property. The multi-family buildings front the internal parking bay and drive aisles, opposite to the public street and sidewalk system. These buildings, as approved, are connected to the sidewalk network by lead walkways. As conditioned, the walkways provide access for two separate main entrances that only indirectly connect internally with the central lobby. ~~The central lobby for each of the buildings faces out to the parking area, placing the primary entrance for each building at the rear and discontinuous from the public realm of streets and sidewalks.~~ The Planning Board conditioned that these buildings provide a clear front with direct, main access from on the public street network, which provides the most adequate and efficient access to the buildings for pedestrians and promotes walkability amongst the residents and visitors of this community.

Overall, the circulation for the Subject Property includes the existing public sidewalks along Cabin Branch Avenue and Dovekie Avenue, which provide connections to the greater Cabin Branch Neighborhood and amenities. There are additional pedestrian walkways located throughout the Subject Property that serve to link and connect the recreational amenities, open spaces, and Green Areas to residents and visitors. Four bike parking spaces have been provided near the clubhouse. Lastly, an 8'-0" wide shared-use

path will be provided along the frontage of Cabin Branch Avenue as well as the frontage with Little Seneca Parkway, which will connect with the existing shared use path on Cabin Branch Ave and provide connectivity beyond the Subject Property.

Vehicle Circulation

The location and design of vehicle circulation on the Subject Property is adequate, safe, and efficient. The Subject Property is connected to the larger Cabin Branch community by a network of public streets. As elsewhere in Cabin Branch, this network takes the form of a more traditional pedestrian-focused street grid. Access to the Subject Property is primarily from existing Cabin Branch Avenue and existing Little Seneca Parkway. Petrel Street, Skimmer Street, and Harrier Way are all approved to be extended to the east, beyond Cabin Branch Avenue, to provide direct access to the Subject Property. Additionally, Plover Street is approved to be extended to the north from Little Seneca Parkway to terminate at the extension of Plover Street. This extension would also create intersections at Skimmer Street and Harrier Way, while the intersection with Dovekie Avenue already exists. Petrel Street is also approved to continue to the east and make an approximately 90-degree bend and extend south in order to intersect with Little Seneca Parkway. The extension of Harrier Way would continue beyond Plover Street and ultimately intersect with Petrel Street, while the only additional streets that would intersect with Petrel Street would be Street A and Street B. The approved configuration for the public streets creates a safe, adequate, and efficient movement for vehicles within the Subject Property. The parking for the front-loaded townhouses is accommodated by driveways located off public streets, while the parking for the rear-loaded townhouses is located at the rear of the units and is accessed by public alleys, with additional surface parking. The parking for the multi-family buildings is accommodated by both internal and external garages located at the rear of each building, along with additional surface parking. Ultimately, as many as 93 additional on-street parallel parking spaces along Plover Street and Petrel Street, in front of dwellings could be implemented by MCDOT, DPS-ROW, and Fire and Rescue Services after Site Plan approval. The internal design of the street and block layout is also adequate for access by fire and rescue services. SWM facilities are to be incorporated outside the ROW of all streets but will be accommodated in adjacent publicly accessible and maintainable parcels.

Justification of Curbs and Gutters

The approved Site Plan has curbs and gutters along all roads and alleys shown on the Site Plan. Chapter 49.33.1 limits the use of curbs and gutters in an environmentally sensitive watershed area; the Subject Property is both within a Class IV Little Seneca Creek Watershed and the Clarksburg Special Protection Area. The Director of Permitting Services may allow installation of curb and gutter following comments from the Planning Board if:

(A) *installing curbs and gutters will not significantly degrade water quality in the area;*

The Applicant has obtained approval for a Preliminary Water Quality Plan, which includes curbs and gutters on the streets. The approval of the PWQP indicates that the water quality is still adequate with the curbs and gutters and will not significantly degrade water quality in the area. Additionally, the Subject Property meets all necessary stormwater management requirements.

(B) *curbs and gutters are necessary for vehicular or pedestrian safety or the proper grading or maintenance of the road, or to reduce the environmental impact of the road on any park, forest, or wetland*

Curbs and gutters provide vertical separation between pedestrians and vehicles, and with the addition of a tree panel and street trees, provide the necessary safety in the pedestrian realm for this project. Furthermore, the approved closed-section road allows for shortened driveway lengths to reduce imperviousness when compared to an open section road and generally supports a more compact road network that reduces impervious surface.

The Planning Board supports the use of curbs and gutters shown on the Site Plan.

LATR

Table 7 - Approved, Built, and Remaining Development

	Residential (Units)	Age- Restricted Housing (Units)	Commercial (Square Feet Ground Floor Area)
Total Approved	1,886	500	2,420,000
Built	879	0	437,000
Approved	0	375	16,000

Remaining Development	1,007	125	1,967,000
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The Subject Property is contained within the confines of the larger Cabin Branch development; Preliminary Plan 12003110D extended the APFO finding validity by 10.5 years to February 17, 2030 for all of Cabin Branch. Therefore, this Site Plan is approved under the approved and valid APFO allowance, with the approved 375 units of age-restricted housing draw from the previously approved 500 units of age-restricted housing. The Site Plan will therefore not contribute any net new trips and is exempt from additional LATR review.

Waiver of 50.4.3.E.2 - Reduction of Right-of-Way Width

This waiver request is to reduce the right-of-way width to 44 feet for two interior streets, Street 'A' and Street 'B'. Chapter 49.32.d.5 provides requirements for the construction of County roads and includes minimum ROW dimensions. Streets 'A' and 'B' are to be designated tertiary streets, for which the minimum ROW is 50 feet. These streets are designed to conform with MCDOT standard street section MC-2001.01, with the modification to add sidewalks on both sides; the unmodified standard illustrates sidewalk on only one side, despite providing the same amount of space on both sides of the road. 50.4.3.E.2.a.i provides findings required for the Board to approve a waiver of these requirements.

Street 'A' is an approximately 400-foot-long interior street that connects to Petrel and Plover public streets at both ends and will provide access to 23 townhomes. Street 'B' is an approximately 730-foot long loop that connects to Petrel Street on both ends and will serve 24 townhomes. Both streets only provide internal circulation and do not provide additional circulation beyond the Subject Property.

The Applicant, in the Waiver Request, offers that the reduction of the standard ROW will benefit the community by accommodating a more compact, and therefore more walkable, development structure in line with the DPA guidance. There is no impact to safety or long-term maintenance as the approved street sections conform to MCDOT standards, with the exception of adding sidewalks constructed to approved standards. Stormwater management, as with the remainder of the Subject Property, will be accommodated in accessible parcels outside the ROW.

Chapter 50.4.3.E.2.a.i states that "The Board may approve a narrower than standard road right-of- way if it meets minimum fire access

requirements and the Board finds that a narrower right-of-way is environmentally preferable, improves compatibility with adjoining properties, or allows better use of the tract under consideration.”

The approved 44-ft ROW for both Streets A and B have been reviewed and approved by Montgomery County Fire and Rescue Services and meet all fire access requirements. As mentioned, the more compact scale of these reduced-width ROWs supports a more compact, more walkable development pattern in support of the guidance from the DPA, which will allow a better use of the tract under consideration. Based on these findings, the Planning Board approves the waiver.

Waiver of 50.4.3.E.2.g – Horizontal Alignment

This waiver is to request a reduction of the minimum horizontal alignment for the curve in Petrel Street in the northeast corner of the Subject Property as found in Section 50.4.3.E.2.g. The Planning Board approves this waiver as per the findings detailed in this section.

Petrel street will serve as the perimeter road along the north and east for the development, running roughly in an inverted ‘L’ shape from Cabin Branch Ave in the north to Little Seneca Parkway in the south. The northeast corner is approved to be reduced from the required 150 ft. horizontal alignment for a secondary street to the 100 ft. standard for a tertiary street.

The Applicant in the Waiver Request requested that this reduction is necessary due to site topography and to support a more compact, more walkable development. The street is otherwise designed to conform to MCDOT standard street section MC-2002.02.

Horizontal alignment modification is not something the Board is granted authority under 50.4.3.E.4.c to modify, but the Board is allowed to modify any portion of Chapter 50 through a waiver in Section 50.9.3 if it makes the following findings:

1. *Due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

The vision of the Cabin Branch community is to create an urban mixed-use development, with as much of a pedestrian-focused grid street pattern as possible. Due to the topography of the site, it is difficult to achieve a street layout that will simultaneously meet the requirements of the street grid of the DPA, maintain an appropriate street grade for an aging community, and limit environmental impacts to existing forest and stream valleys without sharpening the alignment of this curve. Petrel Street is otherwise designed to conform to MCDOT standard street section MC-2002.02, which is based on a minimum speed of 25 MPH which can still be accommodated on within a 100-foot minimum turning radius. The Planning Board reviewed AASHTO's *A Policy on Geometric Design of Highways and Streets* (2011) and found that a 25 MPH street can accommodate a centerline turning radii of 100 ft and that the approved curve would accommodate the recommended 150 ft. sight distance for safe stopping. The public health, safety and welfare of the public is maintained.

2. *The intent of the requirement is still met;*

The intent of the minimum centerline turning radius is still met in matching the targeted posted speed of 25 mph. Travel through this curve will still be safe.

3. *The waiver is:*

- a. *The minimum necessary to provide relief from the requirements;*

Waiving the requirement of meeting the horizontal alignment standards of Chapter 50 for Street C is the minimum necessary to ensure the Application remains in compliance with Chapter 50 as well as the binding elements of the DPA. Any increase in the horizontal alignment would have a significant impact on sitewide grading, which would negatively impact the efficient use of the tract under consideration.

- b. *Consistent with the purposes and objectives of the General Plan;*

Granting this waiver would remain consistent with the General Plan. This waiver does not pose a safety risk and enhances the County's vision for Clarksburg and Cabin Branch community of creating a more walkable, urban community.

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

The approved use and structures are compatible with other uses, site plans, existing, and approved development on adjacent properties. The townhouse, multi-family, clubhouse, fitness, and non-residential buildings approved on this Site Plan are all part of a larger planned Cabin Branch Neighborhood that has been the subject of an LMA and a single Preliminary Plan. North and east of the Site Plan boundary is stream valley and forest conservation. South and west of the Site Plan boundary is undeveloped land that is within the same MXPDP zone and is planned for other housing and multi-story tall employment uses. The existing buildings located across the 80-foot wide right-of-way for Cabin Branch Avenue are one-family attached and detached dwellings that are also part of the MXPDP zoned part of the Cabin Branch Neighborhood. The Subject Property will include rear-loaded townhouses oriented along Cabin Branch Avenue, providing direct compatibility with the existing rear-loaded units opposite to the west across Cabin Branch Avenue. Furthermore, the orientation and site design for the townhouses serves to reinforce Section IX. One Family Guidelines from the Cabin Branch Design Guidelines. The design of the approved townhouse, multi-family, clubhouse, fitness, and non-residential buildings with direct ground level access, foundation landscaping, building façades with fenestration and roof articulation, and street trees all help to integrate the approved development with the existing residents. The MXPDP zone has a requirement in Section 59-C-7.55 that no uses other than one-family detached dwellings may be constructed closer than 100 feet from existing one-family detached dwellings. While this setback does not apply to the detached homes on Cabin Branch Avenue because the existing development shares the same LMA and Preliminary Plan as the approved buildings within the Site Plan boundary, the setback is still 120 feet. The Site Plan is also starting the extension of Petrel Street, Skimmer Street, and Harrier Way, across Cabin Branch Avenue to the east, and the extension of Plover Street to ultimately intersect with Petrel Street to the north, with Petrel Street ultimately curving and intersecting with Little Seneca Parkway to the south. When extended, these streets will help integrate this Site Plan with the existing and future phases of the Cabin Branch Neighborhood.

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

As part of the requirements of the Special Protection Area (“SPA”) Law, a SPA Water Quality Plan was reviewed in conjunction with the Site Plan. Under the provision of the law, the MCDPS and the Planning Board have different responsibilities in the review of a water quality plan.

In conjunction with planning staff, MCDPS has reviewed and approved the technical elements of the water quantity and quality control facilities including engineering and design. The Planning Board's responsibility is to determine if SPA forest conservation planting requirements, environmental buffer protection, and site imperviousness limits have been addressed or satisfied. The Planning Board finds that the approved plan meets all requirements of Chapter 22A regarding forest conservation and Chapter 19 regarding water resource protection and any other applicable law.

A. Water Quality Plan

Clarksburg Special Protection Area Water Quality Plan

The majority of the Subject Property is located within the Clarksburg SPA and is therefore required to obtain approval of a Water Quality Plan for those areas of the Application within the Clarksburg SPA under Section 19-62 of the Montgomery County Code.

A Preliminary Water Quality Plan (G-957) was approved by Planning Board Resolution dated July 24, 2015 during the review of the re-zoning of the Property, which included a Development Plan. The Final Water Quality Plan was submitted as part of this current Application and approved to protect the areas of environmental buffers, existing remaining forest, and planted forest in a Category I Conservation Easement.

MCDPS Special Protection Area Review Elements

MCDPS has established a set of performance goals that are to be met through the implementation of the Final Water Quality Plan which include:

1. Protect the streams and aquatic habitats.
2. Maintain the natural on-site stream channels.
3. Minimize storm flow run off increases.
4. Identify and protect stream banks prone to erosion and slumping.
5. Minimize increases to ambient water temperatures.
6. Minimize sediment loading.
7. Maintain stream base flows.
8. Protect springs, seeps and wetlands.
9. Minimize nutrient loading.
10. Control insecticides, pesticides and toxic substances.

In a letter dated July 13, 2020, MCDPS has found the Preliminary/Final Water Quality Plan for this Site Plan to be acceptable for their portion of the Final Water

Quality Plan under its purview including: 1) stormwater management facilities, 2) sediment and erosion control measures and 3) Best Management Practices (BMP) monitoring.

Planning Board Special Protection Area Review Elements

Following is an analysis of the Planning Board's responsibilities in the review of the Final Water Quality Plan. The Planning Board approves the elements of the SPA Water Quality under its purview.

1) Priority Forest Conservation Areas

The Application meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law. The Final Forest Conservation Plan ("FFCP") was submitted with this Application which will amend the overall FFCP for the Cabin Branch development.

2) SPA Environmental Buffer Protection

The Application included no additional disturbance within the stream valley buffer (SVB) for the stream at the rear of the Project Site that has not already been accounted for in the overall FFCP for the Cabin Branch development.

3) Impervious Surfaces

There are no impervious limitations within this portion of the Clarksburg SPA; however, the Clarksburg SPA Regulations allow the M-NCPPC to review imperviousness and to work with the Applicant to reduce imperviousness. As part of the Preliminary Water Quality Plan for the Cabin Branch Development under the Cabin Branch – Infrastructure Site Plan (Plan No. 820050150), an overall goal of less than 45% imperviousness was established by the Planning Board (MCPB Resolution No. 07-131).

This Site Plan indicates an impervious level of approximately 40% for the Subject Property (Table 8). The impervious surfaces are comprised of roadways, sidewalks, stoops, driveways, walls and buildings. The overall impervious level for the Cabin Branch development, including this Application, is approximately 44.22% and continues to be on track to meet the targeted goal of 45%.

Imperviousness Calculations for the Subject Property

Total Tract Area	Impervious Surface Area	Percent Imperviousness
2,680,682 sq. ft. (61.54 acres)	1,074,168 sq. ft. (24.66 acres)	40.0%

B. Forest Conservation Plan

Final Forest Conservation Plan

Consistent with conditions 1 and 14(c) of the Resolution for the Cabin Branch - Infrastructure Site Plan Amendment No. 82005015B (MCPB Resolution No. 11-124), the FFCP for the overall Cabin Branch Development is being amended through this Application. The Cabin Branch - Infrastructure Site Plan is amended with each individual site plan as stated in conditions 1 and 14(c) to show the approved development for each area of Cabin Branch.

The entire 535-acre Cabin Branch Development has an overall FFCP which was approved with the Cabin Branch - Infrastructure Site Plan. The overall FFCP was designed to allow for the grading and installation of roads, utilities, and public amenities such as school and park sites. The intent of having one FFCP was to ensure that as this multi-year project developed, portions would not be left uncovered by an individual FCP and the whole project would remain in compliance with the Montgomery County Forest Conservation Law.

The overall FFCP includes six worksheets separated by zones or land use: MXPD-Employment, RMX-1/TDR, MXPD-Residential, Water Tower Storage Facility, Linthicum West, and "offsite Area A". Each individual site plan application is submitted with final grading and design, the FFCP and the worksheets associated with that particular site plan will be updated to reflect final design and grading details. The FFCP indicates that the individual applicants for each site plan area must meet the forest conservation worksheet requirements through a combination of on-site forest retention, on-site planting of unforested stream buffers, landscape credit, and off-site planting within the Clarksburg SPA. This Site Plan application does not alter the associated FFCP worksheets and therefore meets the requirements that are already in place on the approved FFCP.

Under the M-NCPPC implementation of the Clarksburg SPA Regulations, the Environmental Guidelines require accelerated reforestation of the SPA stream buffers and that any unforested portions of the stream buffer be afforested above and beyond the standard forest conservation requirements. Since the overall Cabin Branch Development includes land both in and out of the SPA and the tributaries drain to a common water body, the Planning Board approved the treatment of the planting requirements as if the entire development is located

within the Clarksburg SPA (MCPB Resolution No. 07-131). Therefore, conditions 1 and 14 of the Cabin Branch - Infrastructure Site Plan (82005015B) require the Applicant to plant the stream buffers in accordance with the overall FFCP including the Planting Phasing Plan. The Applicant of the overall development, Cabin Branch Management, LLC, must provide a five-year maintenance period for all planting areas credited toward meeting the forest conservation plan worksheet requirements. Amendments to the FFCP have been approved with each of the site plans approved and amendments, to date, to the Cabin Branch - Infrastructure Site Plan (82005015A through 82005015G).

The FFCP submitted for this Application conforms to the requirements established by the original overall FFCP and meets the requirements of Chapter 22A, Montgomery County Forest Conservation Law. This Application does not alter any of the existing forest conservation requirements for the overall Cabin Branch Development site established under the Cabin Branch - Infrastructure FFCP, Plan Number 820050150 or subsequent amendments. The responsibility for meeting the Forest Conservation requirements for this Application falls to Cabin Branch Management, LLC. This Application approves the removal of 0.34 acres of forest and the reforestation of 5.67 acres. The overall Cabin Branch – Infrastructure FFCP will be updated with this Application.

Forest Conservation Tree Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees and other vegetation as high priority for retention and protection. The law requires that there be no impact to: trees that measure 30 inches or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to high priority vegetation, including disturbance to the critical root zone (“CRZ”) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. Development of the Property requires impact to trees identified as high priority for retention and protection, therefore, the Applicant has submitted a variance request for these impacts.

Variance Request

The Applicant submitted a variance request in a letter dated April 15, 2020 and revised on July 1, 2020. There are five specimen sized trees within the property boundary that will be impacted by construction.

Variance Trees to be Impacted

Tree Number	Species	DBH Inches	Percent Impact to CRZ	Status
184	Tulip Poplar (<i>Liriodendron tulipifera</i>)	32	3%	To be saved, but impacted
192	Tulip Poplar (<i>Liriodendron tulipifera</i>)	36	7%	To be saved, but impacted
202	Sycamore (<i>Plantus occidentalis</i>)	36	24%	To be saved, but impacted
203	Red Maple (<i>Acer rubrum</i>)	33	14%	To be saved, but impacted
204	Tulip Poplar (<i>Liriodendron tulipifera</i>)	48	1%	To be saved, but impacted

Unwarranted Hardship Basis

Per Section 22A-21(a), an applicant may request a variance from Chapter 22A if the applicant can demonstrate that enforcement of Chapter 22A would result in an unwarranted hardship. In this case, the Applicant is faced with having to impact five trees. M-NCPPC staff ("Staff") has determined that the impacts to these trees for construction are unavoidable. Trees 184 and 192 are located on the Subject Property on the northeastern and eastern side within the existing forest and Stream Valley Buffer. Both trees will be impacted by the WSSC approved alignment of the approved sewer line serving this portion of the Cabin Branch development. Each tree will only have minimal impacts to their respective CRZs. Trees 202 and 203 are located on the Subject Property in the southeast corner of the Site adjacent to the future alignment of Little Seneca Parkway and within the existing forest. Tree 204 is located within the right-of-way for the approved Little Seneca Parkway, but its CRZ extends onto the Subject Property. Trees 202, 203 and 204 will be impacted by the approved alignment of a SWM outfall.

The impacts to these five variance trees are the result of the requirements of other governmental agencies which has impacted the design of this Application. As a result, not being able to request a variance to impact these five trees would constitute an unwarranted hardship on this Applicant to develop this Site by forcing a new realignment of the approved sewer line and the SWM outfall. Therefore, the Planning Board finds that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. The Planning Board finds the following determinations

based upon the required findings in the review of the variance request and the Forest Conservation Plan:

Variance Findings

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the impact to these two trees are due to the location of the trees and the approved alignment of the approved sewer line serving this portion of the Cabin Branch development. Therefore, the Planning Board finds that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions and necessary alignment of the approved sewer line and SWM outfall serving this portion of the Cabin Branch development.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and is not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The specimen tree being slightly impacted are located within the stream valley buffer ("SVB") but will not be removed. Therefore, the Planning Board finds that the project will not violate State water quality standards or cause measurable degradation in water quality.

County Arborist's Recommendation on the Variance

In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on March 16, 2020 in the form of an ePlans tasking. The

County Arborist completed the ePlans tasking and recommended approval of the variance request on April 28, 2020.

Variance Recommendation

The Planning Board approves the variance request.

C. Noise Guidelines

The Environmental section of the 1993 General Plan Refinement for Montgomery County contains multiple objectives directing the Planning Board to protect future residents and workers from unacceptable noise levels. The 1983 Staff Guidelines for the Consideration of Transportation Noise ("Noise Guidelines") contain strategies for mitigating the impact of transportation noise on new residential development. The Noise Guidelines Map 2-1 shows the Subject Property in the 60 dBA Ldn maximum exterior noise level area which is based on the suburban nature of development in Germantown in 1983. The Area of Application Table 2-1 of the Noise Guidelines however references that areas that are urban, adjacent to freeways, major highways or corridor areas are more appropriately reviewed with a 65 dBA Ldn guideline. The Applicant has submitted a noise analysis, performed by Phoenix Noise and Vibrations, LLC dated May 20, 2020, and has requested the Site Plan be reviewed using the 65 dBA Ldn guidance as the baseline because the Property is adjacent to I-270, a major commuter highway. The 65 dBA Ldn is a more realistic value for maximum exterior noise levels given the changes that have occurred in the Washington Metropolitan Area and the Clarksburg area since 1983.

The future noise projections for anticipated noise in 20 years shows that the eastern third of the Subject Property will be over 65 dBA Ldn, and the eastern most residential units closer to I-270 are projected to be over 70 dBA Ldn along with a number of additional lots are projected to be over 65 dBA Ldn. In order to mitigate for the projected noise levels and to bring those noise levels down to 65 dBA Ldn for the exterior spaces of the development it would require the installation of noise walls along the eastern most residential unit to be anywhere from 10-feet up to 14-feet in height. The Applicant looked at various mitigation techniques, however the topography of the property mostly sitting slightly higher than the noise source makes it difficult to do effective noise mitigation.

The Applicant's approved mitigation for noise impacts includes construction of approximately 1,800 linear feet of noise wall ranging in height from 6-feet up to 9-feet 6-inches along the eastern most property line behind Lots 10-53 in Block A and Lots 54-65 in Block B. DPS has requested that a gap be installed along the bottom of the approved sound wall to allow for the overland flow of water from the adjoining lots to flow into the bioswale structure on the far side of the noise wall. This gap will be approximately 4-inches to 6-inches in height running along the

bottom of the wall at ground level from support pier to support pier of the wall structure. This will increase the wall height to approximately 9-feet 6-inches. This gap will not increase the level of noise impacting the residential units since there will be a berm on the far side of the bioswale that is 12-inches higher than the ground level at the noise wall blocking any noise. The sound wall is located along the rear property lines for each of these lots. For most of the lots, the sound wall is approximately 25 to 30 feet from the rear wall of the residential structures. However, in the case of Lots 44-49, Block A the noise wall is approximately 15 feet from the rear wall of the residential structures and is 9-feet 6-inches high. However, the above-mentioned lots and some outdoor spaces are still impacted with noise levels above 65 dBA Ldn. The Applicant's noise analysis also discusses interior space mitigation of noise, and while certain units closest to the interstate would not be able to open windows without creating noise exposure, construction techniques can allow interior spaces with windows closed to be at or below 45 dBA Ldn, which is consistent with the Noise Guidelines.

The Noise Guidelines Section 2.2.2 allows the Board to waive part or all of the guidelines *if use of all feasible exterior attenuation measures cannot protect noise sensitive rooms on upper floors or outdoor patio areas, or if exterior attenuation is not feasible. Exterior noise attenuation measures may be infeasible due to economics, aesthetics, or site-related constraints of size, shape, or topography.* The Applicant contends they have done everything that is feasible to attenuate for noise impacts to the Property, given the size of I-270 and the topographical constraints. In order to bring the noise levels down to below 65 dBA Ldn, the Applicant would need to add an additional 5-feet to the approved noise walls bringing the height of the walls up to between 10 to 14 feet thereby increasing undesirable aesthetic and economic impacts. The Planning Board supports the mitigation approved by the Applicant as the best possible given the constraints and approves the waiver to the Noise Guidelines under Section 2.2.2(2) of the Noise Guidelines allowing a higher exterior noise level and to accept the findings of the provided noise analysis. The waiver does not affect the requirement that the interior noise levels for the residential structures must be attenuated to 45 dBA Ldn or less.

The noise analysis identifies both ground level impacts and upper level impacts. The ground level and upper level impacts effect Lots 6-9 and 10-53 in Block A, Lots 54-65 in Block B, Lots 1 and 27-48 in Block C, Lots 1 and 23 in Block D, and Lot 1 in Block E. Since the noise in the outdoor space for these units may not be fully mitigated, the Planning Board finds that the sales contracts for these units and other documents must disclose to the potential buyers that these unit's outdoor spaces are impacted by noise. The approved homes in this development have yet to be designed. After the houses have been designed for the impacted lots, a noise impact analysis for each residence will need to be performed and mitigation requirements will need to be provided for each of those homes in order

to achieve interior noise levels that will not exceed 45 dBA Ldn. Since the units on these approved lots are located within the noise impacted area identified on the 2020 noise analysis, the Planning Board finds that an engineer that specializes in acoustical treatments certify that the building shell for these units is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn and that the Applicant/developer/builder certify that they will construct the noise impacted units in accordance with the recommendations of an engineer that specializes in acoustical treatments.

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-D-3.8; 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 _____ (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 Fani-González, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, September 10, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

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Bethesda, MD 20814

THE VILLAGE AT CABIN BRANCH

PHASE 2

SITE PLAN AMENDMENT

MNCPPC #82020015A

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** SP-19	Detailed Site Plan
** SP-20	Detailed Site Plan
** SP-21	Detailed Site Plan

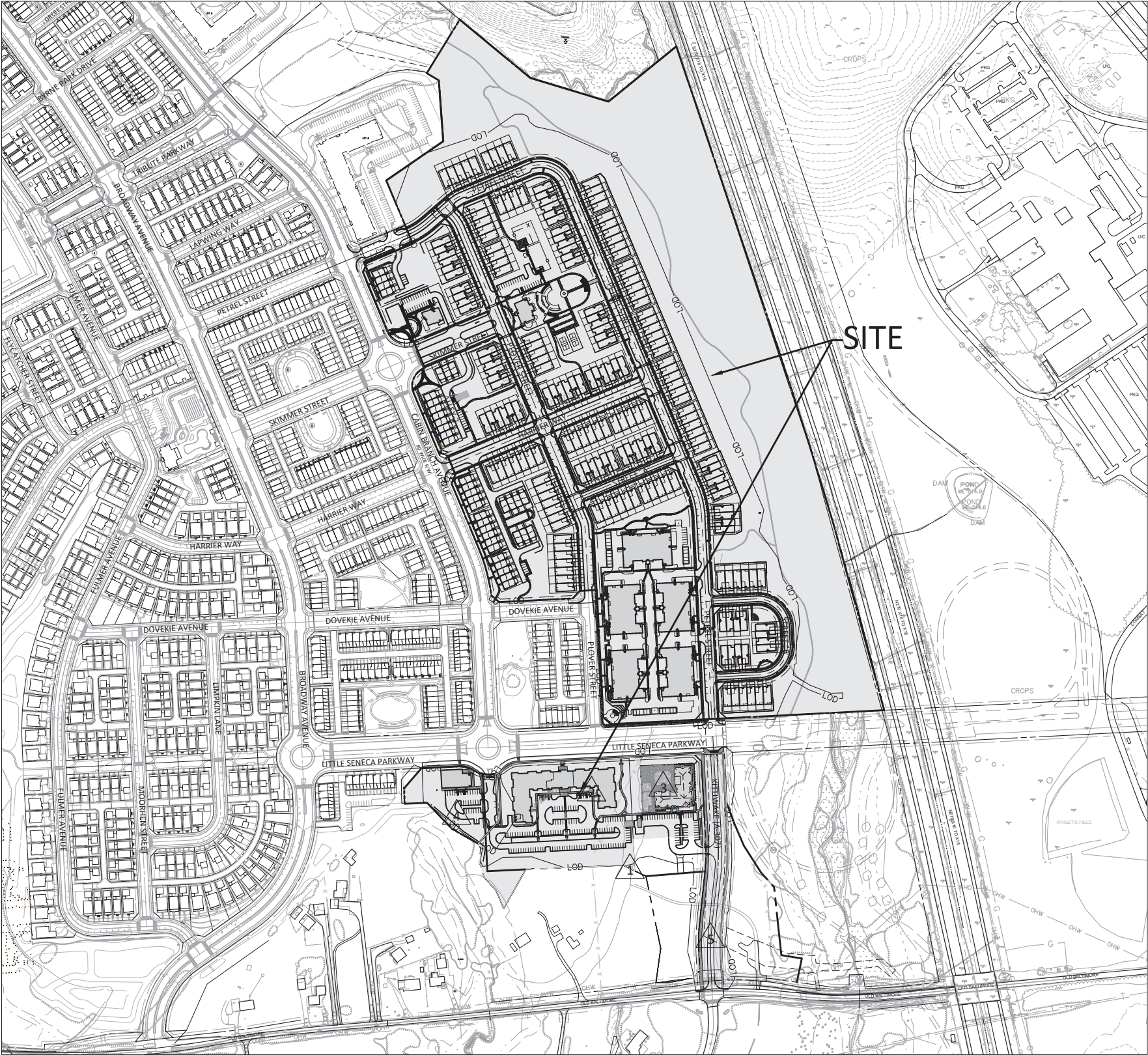
* FCP Sheet 1	Coversheet
** FCP Sheet 2E	Plan Approvals
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PM-05	30 Scale Photometric Plan
PM-06	30 Scale Photometric Plan
PM-07	30 Scale Photometric Plan
PM-08	30 Scale Photometric Plan
PM-09	30 Scale Photometric Plan
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A-3	Architectural Elevations - Front Loaded 24' Villas
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** AS-1.0	Playground Layout
** AS-2.0	Playground Details

* Denotes amended sheet
** Denotes new sheet per this amendment



GENERAL NOTES

- THE SUBJECT PROPERTIES ARE LOCATED ON TAX ASSESSMENT MAP NO. EV23 AND EV33.
- TAX ACCOUNT NUMBERS ASSOCIATED WITH THIS PLAN ARE:
I. 02-00016905
II. 02-00016916
- THE HORIZONTAL DATUM IS BASED ON MARYLAND STATE PLANE (NAD-83).
- THE VERTICAL DATUM IS NGVD29.
- BASED ON AN EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP 24031C0160D, EFFECTIVE DATE SEPTEMBER 29, 2006, THE SUBJECT PROPERTIES ARE LOCATED ON PANEL NUMBER 24031C0160D. FLOOD INSURANCE RATE MAP 24031C0160D CONTAINS THE FOLLOWING NOTE IN REFERENCE TO PANEL NUMBER 24031C0160D: "PANEL NOT PRINTED - NO SPECIAL FLOOD HAZARD AREAS". THE 100 YEAR FLOODPLAIN SHOWN HEREON IS BASED ON A STUDY BY RODGERS CONSULTING, INC., DATED MARCH 26, 2002 (FLOODPLAIN APPLICATION NUMBER 204747).
- THE SUBJECT PROPERTY IS CURRENTLY ZONED CRT-0.5, C-0.25, R-0.25, H-130T, HOWEVER THIS PROJECT WILL UTILIZE SECTION 7.7.1.B.1 OF THE NEW ZONING ORDINANCE AND WILL BE DEVELOPED UNDER THE MXPD ZONE.
- THIS SITE IS LOCATED IN THE LITTLE SENECA CREEK WATERSHED.
- THERE ARE WETLANDS AND WATERS OF THE UNITED STATES LOCATED ON THE SUBJECT PROPERTY.
- THIS PLAN AMENDS THE OVERALL FOREST CONSERVATION PLAN FOR THE ENTIRE PROPERTY 820150150.
- THE PROJECT IS PROPOSED TO BE SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
- CHANGES TO THIS PLAN, SUBSEQUENT TO THE APPROVAL OF THE CERTIFIED SITE PLAN WILL FOLLOW AMENDMENT PROCEDURES UNDER SECTION 59-D-3.
- MNCPPC STAFF MUST INSPECT ALL TREE-SAVE AREAS AND PROTECTION DEVICES BEFORE ANY LAND DISTURBANCE.
- 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 MCDOT.
- AN ON-SITE PRE-CONSTRUCTION MEETING IS REQUIRED TO BE SET UP WITH THE DEPARTMENT OF PERMITTING SERVICES (DPS), ZONING & SITE PLAN ENFORCEMENT DIVISION BEFORE ANY BUILDING CONSTRUCTION ACTIVITY OCCURS ON-SITE. THE OWNER OR HIS DESIGNEE WHO HAS SIGNATURE AUTHORITY, AND GENERAL CONTRACTOR MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE DPS SITE PLAN ENFORCEMENT INSPECTOR. A COPY OF THE CERTIFIED SITE PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE A SITE PLAN INSPECTION WITH DPS, ZONING & SITE PLAN ENFORCEMENT DIVISION, PLEASE CONTACT BRIAN KEELER, SUPERVISOR AT 240-581-4485.

SITE PLAN AMENDMENT

- 1 INCREASE TRACT AREA BY APPROXIMATELY 8.9 ACRES.
- 2 ADDITIONAL 125 MULTI-FAMILY AFFORDABLE SENIOR UNITS IN ONE BUILDING
- 3 12,900 SF PRIVATE SCHOOL
- 4 RETAIL PARCEL AT LITTLE SENECA REVISED BACK TO A COMMERCIAL PAD
- 5 COMPLETION OF KITTIWAKE ROAD CONNECTION TO EXISTING WEST OLD BALTIMORE ROAD



SCALE: 1" = 200'

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE SITE PLAN APPROVAL NO. 82020015A INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.

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PHONE: 301.913.0404
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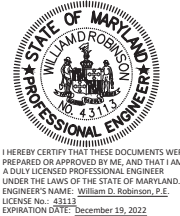
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REVISIONS	DATE

PROFESSIONAL SEAL



THE VILLAGE AT
CABIN BRANCH
6TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 231NW 13 & 14
TAX MAP: EV 562 & FV-122
MNCPPC
#82020015A

COVER SHEET

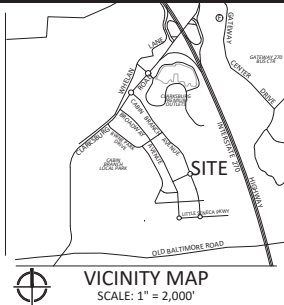
DRAWN BY: SG
DESIGNED BY: RC
DATE ISSUED: JAN 2021
Vika
PROJECT VM50192G
DRAWING
NO.

SHEET NO. SP-1

CABIN BRANCH

CLARKSBURG, MARYLAND

FINAL FOREST CONSERVATION PLAN



VKA
VKA MARYLAND, LLC
20251 Century Blvd., Suite 400
Germantown, MD 20874
301.916.4100 | vka.com
Our Site Set on the Future.

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ROBERT HARRIS

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* AMENDED SHEET
** NEW SHEET

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27 30 SCALE PLAN	WIN 2, VILLAGE AT CABIN BRANCH
28 30 SCALE PLAN	INFRA C AMEND, G AMEND, VILLAGE AT CABIN BRANCH
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32 30 SCALE PLAN	WIN 1, WIN 2, TOLL 1
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38 30 SCALE PLAN	WIN 3, TOLL 1, D AMEND
39 30 SCALE PLAN	WIN 1, WIN 3
40 30 SCALE PLAN	WIN 1, WIN 2, TOLL 1
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*44 30 SCALE PLAN	WIN 2, INFRA C AMEND, E AMEND, G AMEND, VILLAGE AT CABIN BRANCH
*45 30 SCALE PLAN	INFRA C AMEND, E AMEND
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55 30 SCALE PLAN	TOLL 1
56 30 SCALE PLAN	POND 2, TOLL 1, D AMEND, E AMEND, G AMEND
57 30 SCALE PLAN	TOLL 1, D AMEND, CPO AMEND, G AMEND
*58 30 SCALE PLAN	WIN 1, INFRA C AMEND, D AMEND, E AMEND, CPO AMEND, G AMEND, VILLAGE AT CABIN BRANCH
59 30 SCALE PLAN	INFRA C AMEND, D AMEND, G AMEND
60 PLANTING DETAILS AND NOTES	OVERALL
60A DETAILS AND NOTES	OVERALL
61 SIGNIFICANT TREE DETAILS	OVERALL
62 FC TRACKING DETAILS	OVERALL
*63 FC PLANTING DETAILS	OVERALL, VILLAGE AT CABIN BRANCH
*63A FC PHASING PLAN	OVERALL, VILLAGE AT CABIN BRANCH

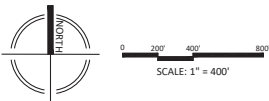
See Sheet 62 for detailed tracking information

Any construction activity, grading or forest modifications on adjacent property per the Infrastructure Site Plan approved in 2008 or subsequent revisions per the conditions of approval, is subject to the property owner consent in conjunction with appropriate Montgomery County, MNCPPC, or Maryland State Highway permits and/or authorization to proceed with construction.



LOCATION MAP

SCALE: 1" = 400'



M-NCPPC SITE PLAN # 82020015A
M-NCPPC SITE PLAN # 82020015B
M-NCPPC SITE PLAN # 820200150
M-NCPPC SITE PLAN # 82018006A
M-NCPPC SITE PLAN # 820180060
M-NCPPC SITE PLAN # 820140160
M-NCPPC SITE PLAN # 820120150
M-NCPPC SITE PLAN # 820110080
M-NCPPC SITE PLAN # 820100030

M-NCPPC SITE PLAN # 820070140
M-NCPPC SITE PLAN # 82006029A
M-NCPPC SITE PLAN # 820060240
M-NCPPC SITE PLAN # 82005015G
M-NCPPC SITE PLAN # 82005015F
M-NCPPC SITE PLAN # 82005015E
M-NCPPC SITE PLAN # 82005015D
M-NCPPC SITE PLAN # 82005015C
M-NCPPC SITE PLAN # 82005015B
M-NCPPC SITE PLAN # 820050150

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE APPROVED FINAL FOREST CONSERVATION PLAN NO. 82020015A INCLUDING FINANCIAL BONDING, FOREST PLANTING, MAINTENANCE, AND ALL OTHER APPLICABLE AGREEMENTS.

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BETHESDA, MD 20814
PHONE: 301.913.0404
SIGNATURE: _____

Marion E. Bundens
Maryland DNR Qualified Professional
Maryland Forest Conservation
Act of 1991

Date: _____

THE INFORMATION, DATA AND CONTENT OF THESE DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO VKA MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE REPRODUCED, COPIED, COPIED, DISTRICTLY COPIED, REPRODUCED OR USED FOR ANY PURPOSE, IN ANY FORM, WITHOUT THE WRITTEN PERMISSION OF VKA MARYLAND, LLC. VIOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES.

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DRAWN BY: SDG
DESIGNED BY: MB
DATE ISSUED: 04/15/2023
VKA PROJECT VM50192G
DRAWING NO. FCP 82020015A

SHEET NO. FF-CP-1 (SHEET 1)



BINDING ELEMENTS

- Transferable Development Rights and Moderately Priced Dwelling Units**
The property that is the subject of this application (283.5 acres) is part of a larger, mixed-use community planned for 535 acres shown on the Development Plan, of which the Applicants are also owners. The portion of the property not being rezoned MXP, is zoned RMX-1/TDR and will require the purchase of Transferable Development Rights (TDRs) for the development planned by Applicants. Based on calculations developed with M-MCPC staff, the total Master Plan residential density for the 535-acre community is 1,676 market rate units plus 210 Moderately Priced Dwelling Units. Assuming this density and the mix of unit types called for in the Master Plan for the entire Cabin Branch Neighborhood (including a maximum of 20% multifamily), the 535-acre project will require 635 TDRs. The Preliminary Plan of Subdivision application(s) for the MXP area and the remaining RMX-1/TDR area shall require the purchase of TDRs in conformance with this calculation.
- Off-site Amenities and Features**
By the time of issuance of building permits for the 100th dwelling unit in the Cabin Branch Community, which consists of the larger, mixed-use community of 535 acres shown on the Development Plan, the Applicants will dedicate the sites shown on the Development Plan for an elementary school, a local park and a recreation facility. The school site will be rough-graded at a time determined at the earliest Preliminary Plan of Subdivision application for the Cabin Branch Community, subject to Montgomery County Public School approval.
- Trip Reduction Measures**
At the time of Preliminary Plan of Subdivision, the Applicants, M-MCPC, Transportation Planning staff, and Department of Public Works and Transportation (DPWT) staff will consider mutually acceptable trip reductions measures. The parking ratios for non-residential uses in the Cabin Branch Community will be determined at Site Plan, considering trip reduction goals.
- Street Network**
A network of public streets shall be provided, supplemented by private streets, in a grid pattern that promotes interconnectivity. Public streets will consist of Master Plan streets and additional business and residential streets to form blocks that with the exception of Area D defined on the Development Plan, are substantially similar to the street system shown in the Road Hierarchy Plan of the Development Plan and that are subject to MNCPPC and DPWT approvals.
- Area D Street Network**
Area D will be designed with a public or private street connecting First Avenue (Route A-304) and Newcut Road (Route A-302) in a grid pattern with a particular emphasis on a building line to frame Newcut Road Extended, with parking in the rear.
- Street Character**
All streets will adhere to a pedestrian-friendly design to the extent practicable, which places particular emphasis on a building line to frame the street, with parking in the rear, excluding retail and entertainment uses. Within the core, pedestrian friendly uses including retail, residential, or office will be located on the first floor. The entire MXP area will conform to a Cabin Branch Community Streetscape Plan that is designed to integrate the entire community, which will be submitted at Site Plan and is subject to MNCPPC and DPWT approvals.

- Special Roads**
A-307 will be designed as an open section arterial road with wide green edges to provide a gateway to Black Hill Regional Park, subject to MNCPPC and DPWT approvals. The rural character of West Old Baltimore Road will be maintained by minimizing environmental impacts and providing generous green edges.
- Service/Public Uses**
Service/Public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.
- On-street Parking**
Applicants will include on-street parking on streets adjacent to retail facilities. (Excluding MD Route 121, Wellspring Street and Goldeneye Avenue.)
- No single retail store will have a gross floor area that is greater than 50,000 square feet, which will be a condition of site plan approval and will be referenced on the Certified Site Plan.
- The retail uses located in Area C will be neighborhood retail.

RE-1/TDR

Recreation Amenities:

Group	Recreation Amenities
1	Tot-Lots, Multi-Age Playgrounds
2	Pocket Parks, Seating
3	Streetscapes, Pedestrian walkways, Bikesways
4	Employment Plaza
5	Stream Valley Buffer Park (dedicated to public use)
6	Local Park (dedicated to public use)
7	Elementary School (dedicated to public use)
8	Recreation Facility
9	Historic
Section	Recreation Amenities
MXP Area	A, 3, 4
B	1, 2, 3, 4
C	1, 2, 3, 4
D	5, 6, 4
RMX-1/TDR Area	E, 1, 2, 3, 5, 6, 7, 8, 9

The recreation amenities listed above provide a conceptual reference to activities within Areas A, B, C, D, E of the MXP Zone, and the RMX-1/TDR Zone. The final location of amenity type and location to be determined at Preliminary Plan and Site Plan. Area E is a portion of RMX-1/TDR Zone not included in MXP Zoning Application.

Future RMX - 1/TDR ZONE
Not Included in MXP
Zoning Application

- SF** SINGLE FAMILY RESIDENTIAL (PRIMARY DETACHED UNITS, INCLUDES ATTACHED UNITS & PUBLIC USES)
- TH** SMALL SINGLE FAMILY /TOWNHOUSES (PRIMARY ATTACHED UNITS, INCLUDES DETACHED UNITS & PUBLIC USES)
- MF** TOWN HOUSES/MULTI-FAMILY (MIXED-USE, PRIMARY MULTI-FAMILY UNITS, INCLUDES RETAIL, OFFICE, ATTACHED UNITS & PUBLIC USES)
- MX** MIXED USE (INCLUDES RETAIL, EMPLOYMENT, HOTEL, ENTERTAINMENT, RESTAURANT, RESIDENTIAL & PUBLIC USES)
- R** RETAIL (PRIMARY RETAIL USES, INCLUDES HOTEL, ENTERTAINMENT, RESTAURANT, EMPLOYMENT & PUBLIC USES)
- E** EMPLOYMENT (MIXED USE, PRIMARY EMPLOYMENT USES, INCLUDES HOTEL, ENTERTAINMENT, RESTAURANT, RESIDENTIAL, RETAIL & PUBLIC USES)
- OS** OPEN SPACE
- SV** STREAM VALLEY
- BUILDING / PARKING AREAS**
- RAW DEDICATION**
- MXP REZONING LINE**
- AREA SECTION (MIXED USE DIVISION AREAS)**

PHASING KEY



DEVELOPMENT PROGRAM

- Subject to further refinement during the Preliminary Plan of Subdivision and Site Plan stages, and to proposed road improvements and related staging capacity, the anticipated sequence of construction within the MXP area will be as follows:
- mass grading of site;
 - installation of common elements (water and sewer lines, public utilities, storm drain, stormwater management, sediment control and primary road access, including related sidewalks and pathways);
 - fine grading of initial development area (expected to be in Area A, B and C);
 - construction of initial employment and retail facilities in Area A & B;
 - construction of parks and open space areas in Area B & C;
 - construction of initial employment and retail in Area C;
 - construction of additional structures, recreational facilities, transportation facilities and open space in all Areas.
- Other areas outside of the MXP area which is the subject of the rezoning but part of the Cabin Branch Community, will be coordinated with the phasing of development in the MXP area.

GENERAL NOTES

- The development plan depicts the overall concept for the orderly and staged development of Cabin Branch, a large scale, mixed use community made up of several interdependent neighborhoods. This development plan depicts that element of the Cabin Branch Community that is to be developed in accordance with provisions of the Zoning Ordinance applicable to the MXP Zone. It is anticipated that revisions to the development plan may become necessary as the entire Cabin Branch Community evolves. This development plan reflects the proposed Community as it is presently envisioned.
- Densities, heights, and the mix of uses are as specified in the appropriate table for Areas A, B, C, & D. Building and parking locations will be approximately as shown. Specific building locations, footprints, parking locations and other design details will be refined and finalized during subsequent subdivision and site plan proceedings.
- The total area to be rezoned MXP is 283.5 Acres including Adventist property 142.8 ac, Faller property 13.0 ac, and Gossnell property 127.7 ac.
- The maximum residential density shall not exceed 44 dwelling units per acre for residential areas shown on the development plan. Where residential development is proposed to be located within a proposed commercial area, the maximum residential density for such areas shall not exceed 75 dwelling units per acre.

Area	# Units	Residential Acres	Units Per Acre
A	0	Varies	Varies
B	275 - 750	32.8 ac	8.4 - 23.0
C	350 - 875	36.0 ac	9.7 - 24.3
D	0 - 300	12.8 ac	0 - 23.4
Subtotal	625 - 1,925	82.6 ac	8.2 - 24.1
Total	1138	283.5 ac	4.0

*Note: Residential Density may vary based on distribution, mix of uses, and internal/adjacent open space.

DPA 13-02

LAND USE PLAN OF THE DEVELOPMENT PLAN

CABIN BRANCH Clarksburg, Maryland

May, 2013

Figure I

ATTACHMENT D

A Predominantly Employment Includes Retail, Entertainment, Senior Facilities, And Public Uses Up To 12 Story Height Approximately 38 Acres Area

Employment	SF	Parking Spaces
Office	0 - 700,000	0 - 1,000
Retail	0 - 450,000	0 - 5,050
Total	0 - 1,150,000	0 - 6,050
Other	SF/Units	Parking Spaces
Public Use	0 - 7,500	0 - 25
Senior	0 - 100	0 - 200

B Mixed Use- Includes Retail Employment, Entertainment, Senior Facilities, Public and Residential Uses Up To 6 Story Height Approximately 47 Acres area

Residential	# Units	Parking Spaces
Detached	0 - 100	0 - 200
Attached	150 - 325	300 - 650
Multifamily	125 - 325	250 - 650
Total	275 - 750	550 - 1,500
Employment	SF	Parking Spaces
Office	0 - 300,000	0 - 1,200
Retail	0 - 150,000	0 - 750
Total	0 - 450,000	0 - 1,950
Other	SF/Units	Parking Spaces
Public Use	0 - 7,500	0 - 50
Senior	150 - 500	150 - 1,000

C Predominantly Employment Includes Public Uses, Retail and Residential Uses Up To 8 Story Height Approximately 72 Acres area

Residential	# Units	Parking Spaces
Detached	0 - 100	0 - 200
Attached	250 - 425	500 - 850
Multifamily	100 - 350	200 - 700
Total	350 - 875	700 - 1,750
Employment	SF	Parking Spaces
Office	0 - 1,425,000	0 - 5,700
Retail	0 - 30,000	0 - 150
Total	0 - 1,455,000	0 - 5,850
Other	SF/Units	Parking Spaces
Public Use	0 - 27,500	0 - 95
Senior	150 - 500	150 - 1,000

D Predominantly Employment Includes Public Uses, Retail and Residential Uses Up To 8 Story Height Approximately 22 Acres area

Residential	# Units	Parking Spaces
Detached	0 - 50	0 - 100
Attached	0 - 50	0 - 100
Multifamily	0 - 100	0 - 200
Total	0 - 200	0 - 400
Employment	SF	Parking Spaces
Office	0 - 300,000	0 - 1,200
Retail	0 - 10,000	0 - 50
Total	0 - 310,000	0 - 1,250
Other	SF/Units	Parking Spaces
Public Use	0 - 20,000	0 - 60
Senior	0 - 100	0 - 200

MXP Yield Summary

Cabin Branch	Residential	Employment	Other
Detached	Not to Exceed	100 Units	
Attached	Not to Exceed	600 Units	
Multifamily	Not to Exceed	439 Units	
Total	Not to Exceed	1,139 Units	
Office	Not to Exceed	1,936,000 SF	
Retail	Not to Exceed	484,000 SF	
Total	Not to Exceed	2,420,000 SF	
Public Use	Not to Exceed	75,000 SF	
Senior	Not to Exceed	500 Units	

- NOTES:**
- Number of bedrooms range from 1 to 3 bedrooms per unit. The average number of bedrooms per unit is 2.5 in the proposed MXP Zone.
- The maximum total residential, employment, public use, and retail densities noted in the MXP Yield Summary Chart located above, in no way reflect the sum of each maximum density and/or sq. feet in Areas A, B, C and D. These maximum quantities are justified in allowing flexibility within further stages of development at the MXP section of the Cabin Branch Community.
- *Includes uses such as office, R&D, hotel, entertainment, and industrial.
- **Includes uses such as offices of worship, child care, and community building.

NOTES CONTINUED:

- Develop a commercial/industrial density in the mixed use planned development zone that should be compatible with any gross floor area or floor area ratio recommended in the master plan. The maximum density shall not exceed a floor area ratio of 0.75.
 - Current Commercial/Industrial Yields are as follows:
- | Area | Total SF | Employment Acres | Floor Area Ratio |
|---------------------|---------------|------------------|------------------|
| A | 0 - 1,100,000 | 14.4 ac | 0.081 |
| B | 0 - 450,000 | 14.4 ac | 0.071 |
| C | 0 - 1,455,000 | 36.0 ac | 0.082 |
| D | 0 - 310,000 | 20.8 ac | 0.034 |
| Subtotal | 0 - 3,315,000 | 108.2 ac | Varies |
| Residential Acreage | | 69.8 ac | |
| RAW Acreage | | 104.8 ac | |
| Total | | 283.5 ac | 0.20 |
- *Note: Employment density may vary based on distribution, mix of uses, and internal/adjacent open space.
- *Note: Not to exceed 2,420,000 SF.
- The maximum population proposed is approximately 3,800 people.
 - The amount of green area required for the residential portion of a mixed-use planned development shall be no less than 50 percent of the total area shown for residential use. The maximum green space requirement for the commercial/industrial portion of a mixed-use planned development shall be 40 percent of the total area devoted to commercial/industrial uses.
 - The maximum total residential, employment, public use, and retail densities are noted in the MXP Yield Summary Chart located above. These numbers in no way reflect the sum of each maximum density and/or sq. feet in Areas A, B, C and D. These maximum quantities are justified in allowing flexibility within further stages of development in the MXP section of the Cabin Branch Community.
 - Rights of way for the following Master Plan roads will be dedicated as required at Preliminary Plan of subdivision:
 - A-27 Maryland Route 121
 - A-307 First Avenue and Second Avenue
 - A-304 Newcut Road / Little Seneca Parkway
 - A-302 Newcut Road / Little Seneca Parkway
 - F-1 I-270 RW # Newcut Road Interchange RW to be placed in reservation
 - Off-street parking shall be provided in accordance with the requirements of article 59-E.
 - On-street parking shall be provided on master plan roads A-304 (First Avenue and Second Avenue) and local roads.
 - Section E is a portion of RMX-1/TDR Zone that is not included in MXP Zoning Application.
 - The property, including the open space, will be subject to the site plan review. At the time of site plan review the owner on behalf of itself, or its successors and assigns, will enter into a Site Plan Review Agreement providing for perpetual maintenance of open space areas and other areas used for recreational, common or quasi-public purposes.
 - Preliminary Water Quality Plan for Cabin Branch SM File # 207133, was approved by Montgomery County Department of Permitting Services by letter dated June 4, 2003.
 - Designates potential SWM features. The final location and type of stormwater management facilities will comply with all applicable regulations and will be specified on the Final Water Quality Plan at the time of site plan.

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS CERTIFICATION

THIS IS A TRUE COPY OF THE DEVELOPMENT PLAN (EXHIBIT NUMBER 1326) APPROVED BY THE DISTRICT COUNCIL ON February 14, 2014, BY RESOLUTION NUMBER 17-1002, IN APPLICATION NUMBER DPA 13-02.

HEARING EXAMINER: Lynn A. Robinson
DATE: 2/12/2014

RODGERS CONSULTING
Knowledge • Creativity • Enduring Values

19847 Century Boulevard
Suite 200
Germantown, Maryland 20874
Ph: 301.948.4700 (Main)
Ph: 301.253.6609 (Frederick)
Ph: 301.948.6256
www.rodgers.com

APPENDIX (Binding Elements)

BINDING ELEMENTS

1. Transferable Development Rights and Moderately Priced Dwelling Units

The property that is the subject of this application (283.5 acres) is part of a larger, mixed-use community planned for 535 acres shown on the Development Plan, of which the Applicants are also owners. The portion of the property not being rezoned MXPB, is zoned RMX-1/TDR and will require the purchase of Transferable Development Rights (TDR's) for the development planned by Applicants. Based on calculations developed with M-MCPPC staff, the total Master Plan residential density for the 535-acre community is 1,676 market rate units plus 210 Moderately Priced Dwelling Units. Assuming this density and the mix of unit types called for in the Master Plan for the entire Cabin Branch Neighborhood (including a maximum of 20% multifamily) the 535-acre project will require 635 TDR's. The Preliminary Plan of Subdivision application(s) for the MXPB area and the remaining RMX-1/TDR area shall require the purchase of TDR's in conformance with this calculation.

2. Off-site Amenities and Features

By the time of issuance of building permits for the 100th dwelling unit in the Cabin Branch Community, which consists of the larger, mixed-use community of 535 acres shown on the Development Plan, the Applicants will dedicate the sites shown on the Development Plan for an elementary school, a local park and a recreation facility. The school site will be rough-graded at a time determined at the earliest Preliminary Plan of Subdivision application for the Cabin Branch Community, subject to Montgomery County Public School approval.

3. Trip Reduction Measures

At the time of Preliminary Plan of Subdivision, the Applicants, M-MCPPC Transportation Planning staff, and Department of Public Works and Transportation (DPWT) staff will consider mutually acceptable trip reductions measures. The parking ratios for non-residential uses in the Cabin Branch Community will be determined at Site Plan, considering trip reduction goals.

4. Street Network

A network of public streets shall be provided, supplemented by private streets, in a grid pattern that promotes interconnectivity. Public streets will consist of Master Plan streets and additional business and residential streets to form blocks that, with the exception of Area D defined on the Development Plan, are substantially similar to the street system shown in the Road Hierarchy Plan of the Development Plan and that are subject to MNCPPC and DPWT approvals.

5. Area D Street Network

Area D will be designed with a public or private street connecting First Avenue (Route A-304) and Newcut Road (Route A-302) in a grid pattern with a particular emphasis on a building line to frame Newcut Road Extended, with parking in the rear.

6. Street Character

All streets will adhere to a pedestrian-friendly design to the extent practicable, which places particular emphasis on a building line to frame the street, with parking in the rear, excluding retail and entertainment uses. Within the core, pedestrian friendly uses including retail, residential, or office will be located on the first floor. The entire MXPB area will conform to a Cabin Branch Community Streetscape Plan that is designed to integrate the entire community, which will be submitted at Site Plan and is subject to M-NCPPC and DPWT approvals.

7. Special Roads

A-307 will be designed as an open section arterial road with wide green edges to provide a gateway to Black Hill Regional Park, subject to M-NCPPC and DPWT approvals. The rural character of West Old Baltimore Road will be maintained by minimizing environmental impacts and providing generous green edges.

8. Service/Public Uses

Service/Public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care, or continuing care.

9. On-street Parking

Applicants will include on-street parking on streets adjacent to retail facilities. (Excluding MD Route 121, Wellspring Street and Goldeneye Avenue.)

10. No single retail store will have a gross floor area that is greater than 50,000 square feet, which will be a condition of site plan approval and will be referenced on the Certified Site Plan.

11. The retail uses located in Area C will be neighborhood retail.

Case No.	Opinion	Type of Plan	Uses Approved	Status
G-806	9/9/2003	Local Map Amendment w/ PWQP	Rezoned 283.5 acres to MXPD. Development Plan 535 acres to allow 1,886 dwelling units, 2,240,000 sf. of commercial and 500 senior housing units.	Approved
DPA 13-02	2/4/2014	Development Plan Amendment	Modified G-806 to split commercial uses to specifically allow up to 484,000 sq. ft. of retail and 1,936,000 sq. ft. of office.	Approved
Preliminary Plans				
120031100 & 12003110A	6/22/2004	Preliminary Plan w/ PWQP	1,600 dwelling units, 500 senior housing units, 1,538,000 sf. commercial space, transportation improvements, LATR review, road construction phasing on 535 acres of land.	Approved
12003110B	10/6/2008	Preliminary Plan w/ PWQP (based on previous approvals)	1,886 dwelling units (including MPDUs), 2,420,000 sf. commercial space, 500 senior housing units.	Approved
12003110C	12/23/2014	Preliminary Plan Amendment w/ PWQP	Modified APF to increase retail from 120,000 sq. ft. to 484,000 sq. ft., and to decrease office from 2.3 million sq. ft. to 1.96 million sq. ft.	Approved
12003110D	7/17/2019	Preliminary Plan Amendment	Extend validity period for the Preliminary Plan and APF.	Approved
Associated Mandatory Referrals				
08001-WSSC-1	3/24/2008	Mandatory Referral – Water Storage Tank	750,000 gallon storage tank (24-hour operation), intended to serve approximately 15,000 people in the 760A Zone by year 2020.	Approved
MR2014049	6/2/2014	Mandatory Referral	Preliminary/Final Water Quality Plan and Forest Conservation Plan associated with the construction of MD 121 & I-270.	Approved

Case No.	Opinion	Type of Plan	Uses Approved	Status
SITE PLANS				
820050150	09/19/2007	Infrastructure Site Plan w/ FWQP	Roads only. Density per 12003110B, maximum 635 TDRs, 236 MPDUs, 28.32 acres green space, public water and sewer (W-3), Master Plan Unit Mix, 2,436,000 sf. retail and employment.	Approved
82005015A	6/9/2008	Infrastructure Site Plan Amendment	Modifications to the conditions of approval and roadway cross-section of Old Baltimore Road.	Approved
82005015B	3/7/2012	Infrastructure Site Plan Amendment	Revisions to FCP, SMW and FWQP.	Approved
82005015C	11/27/2012	Infrastructure Site Plan Amendment	Revisions to FCP, SMW and FWQP.	Approved
82005015D	5/2/2013	Infrastructure Site Plan Amendment	Modifications to Grading Plan, additional turn lane and additional pavement removed.	Approved
82005015E	6/2/2014	Infrastructure Site Plan Amendment	Revisions to the FCP (category I easements and mitigation project.	Approved
82005015F	9/23/2014	Infrastructure Site Plan Amendment	Revisions to the FCP including adjustments to the LOD.	Approved
82005015G	7/25/17	Infrastructure Site Plan Amendment	Revisions to the LOD and Category I Conservation easements for a new culvert and mitigation.	Approved
820060290	10/20/2008	Winchester I Site Plan w/ FWQP	428 dwelling units, including multi-family, attached and detached one-family homes, 64 MPDUs, 128 TDRs, 62.55 green space.	Approved

Case No.	Opinion	Type of Plan	Uses Approved	Status
82006029A & 820110080	7/11/2012	Winchester I & II Site Plan Amendment w/ FWQP	400 dwelling units in the MXPB and RMX-1/TDR Zones, 341 dwelling units in the MXPB and RMX-1/TDR Zones	Approved
820120150	4/4/2013	Winchester III Site Plan Amendment w/ FWQP	RMX-1/TDR zone w/ 185 dwelling units (including 10 MPDUs), consisting of 128 one-family detached and 57 one-family attached units using 56 TDRs.	Approved
82012015A	6/11/19	Winchester III Site Plan Amendment	Addition of ornamental & screen fencing, masonry walls & columns, and wood pergolas, Reconfigure landscaping, Removal of paving.	Approved
820060240	9/29/2010	Gosnell Property Site Plan w/ FWQP	Hotel, banks (employment), 87,500 sf (hotel) and 8,600 sf. (retail) auto-related uses w/ parking waiver.	Approved
82006024A	6/11/19	Gosnell Site Plan Amendment	Revise size and location of buildings, Modify mix of retail uses, reconfigure parking and on-site circulation	Approved
820070140	5/2/2013	Toll Brothers I & Site Plan w/ FWQP	435 dwelling units, including 239 one-family detached, 68 one-family attached and 128 multi-family units.	Approved
82007014A	11/9/2016	Toll Brothers I Amendment	Review for final design of the Dovekie Lawn and Seneca Ellipse Open Spaces, adjust lot lines and MPDU locations.	Approved
82007014B	3/29/2016	Toll Brothers I Amendment	Redesign of the community center including additional bicycle parking, new handicap parking and accessibility, and new architecture	Approved

Case No.	Opinion	Type of Plan	Uses Approved	Status
82007014C	2/25/2020	Toll Brothers I Amendment	Modifications and removal of fencing within selected lots and Block Y due to as-built conditions and final site grading.	Approved
820100030	5/2/2013	Toll Brothers II Site Plan w/ FWQP	RMX-1/TDR-3 Zone w/ 168 dwelling units (including 128 one-family detached and 40 one-family attached units) with 10 MPDUs using 63 TDRs on 46.35 acres.	Approved
82010003A	4/13/21	Toll Brothers II Site Plan Amendment	Remove required fencing and replace with landscaping at designated rear yards.	Approved
820140160	12/23/2014	Premium Outlets Site Plan	MXP development containing 450,000 square feet of retail and restaurant uses.	Approved
82014016A	4/25/16	Premium Outlets Admin Amendment	Revised grading, SWM, circulation and other minor changes to landscaping.	Approved
82014016B	6/3/18	Premium Outlets Admin Amendment	Removal of a median in the loop drive, improvements to hardscape and landscape materials, and adjustments to retaining walls.	Approved
820180060	4/13/18	Multi-Family W/ FWQP	272 Multi-family dwelling units in two buildings including 25% MPDUs	Approved
82018006A	4/10/19	Multi-Family Site Plan Amendment	Revised site grading, Elimination of a retaining wall.	Approved
82018006B	1/25/21	Multi-Family Site Plan Amendment	Relocation of lead walkway, Adjustments to retaining walls and elements for ADA accessibility, Modifications to landscaping.	Approved
820200150	9/23/20	Senior Housing and Commercial w/ FWQP	375 Age-restricted dwelling units, with 135 multi-family and 240 townhouses, and up to 16,000 square feet of non-residential space.	Approved



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 24-Jun-20
TO: Michael Goodman
VIKA, Inc
FROM: Marie LaBaw
RE: The Village at Cabin Branch
820200150

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **23-Jun-20** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** See Statement of Performance Based Design and Statement of Operations *****

***** 8/12/2020 Height restriction clarification *****

***** 11/19/2021 82020015A Site Plan Amendment *****

The VILLAGE AT CABIN BRANCH, DRAFT TRAFFIC ORDER, 82020015A

Little Seneca Parkway is an existing public road, ROW Permit #307507, which has an approved Signage & Marking Plan. This Site Plan Amendment for the Village at Cabin Branch does not propose any changes to this existing ROW improvements or signage and marking. You're adding new development, so the previous approval is relevant and may require changes. Submit it for review with this proposal.

Lakeridge Drive (formerly known as Kittiwake) is an approved public road connection between Little Seneca Parkway and West Old Baltimore Road with the Cabin Branch Infrastructure Site Plan. This Site Plan Amendment for the Village at Cabin Branch does propose a revision to that approved road section.

Parking is shown on Sheets F-1 thru F-3 of the Fire Access Plan.

Limits of "No Parking Any Time" Regulations on public streets adjacent to this site are:

1. Little Seneca Parkway, traveling East from 130 feet west of the roundabout at Cabin Branch Avenue, on the southern side continually to the intersection with Lakeridge Drive.
2. Lakeridge Drive, traveling south from the intersection of Little Seneca Parkway, on the western and eastern side continually to the intersection with West Old Baltimore Road.



MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Date: _____

Fire Lane Establishment Order

Pursuant to Section 22-33, Montgomery County Code, 1971, as amended, you are hereby notified that a Fire Lane has been established as described in this order. You are hereby ordered to post fire lane signs and paint curbs/pavement as identified below. When signs or paint work has been completed, this order will authorize the enforcement of this Fire Lane by appropriate police or fire officials. Compliance with this order must be achieved within 30 days of receipt when any of the following conditions are met:

- One or more structures addressed from the subject road are occupied;
- The road or accessway is available for use and at least one building permit for an address on the subject road has been issued; or
- The road or accessway is necessary fire department access.

LOCATION: Village at Cabin Branch Phase 2 - 9 acre property bounded by
Lakeridge Drive to the east, Little Seneca Parkway to the north and
West Old Baltimore to the south, located in Clarksburg MD 20841

Delineate all areas where indicated by signs and/or paint.

☒ **SIGNS** -- (See attached diagram for location of sign placement)



(Red letters on white background)

Signs must be posted so that it is not possible to park a vehicle without being in sight of a sign. Signs may be no further apart than 100 feet.

☒ **PAINT** -- (See attached diagram when painting is required)

Paint must be traffic yellow with lines of sufficient width to be readily identifiable/readable by motor vehicle operators.

Signature of Order Writer/I.D. #

Cc: Fire Code Enforcement Section
Attachment: Fire Lane Diagram

FIRE LANE ESTABLISHMENT FORM

BUILDING OR SUBDIVISION NAME: Village at Cabin Branch Phase 2FIRE LANE LOCATION/ADDRESS: 9 acre property bounded by Lakeridge Drive to the east, Little Seneca Parkway to the north and West Old Baltimore to the south

See attached drawing for designated fire lanes:

I have received the drawing and instructions for installing the designated fire lanes on property not owned by state or local government.

NAME AND TITLE OF PROPERTY REPRESENTATIVENAME: Steve Nardella TITLE: V.P. of OperationsSIGNATURE: PHONE: (301) 913-0404 DATE: 10/13/21

ADDRESS (where processed order will be mailed):

8120 Woodmont Avenue, Suite 300, Bethesda MD 20814, snardella@classicgroupmd.com-----
The designated fire lanes are the minimum necessary for fire/rescue access and are in accordance with Section 22-33 of the Fire Safety Code.

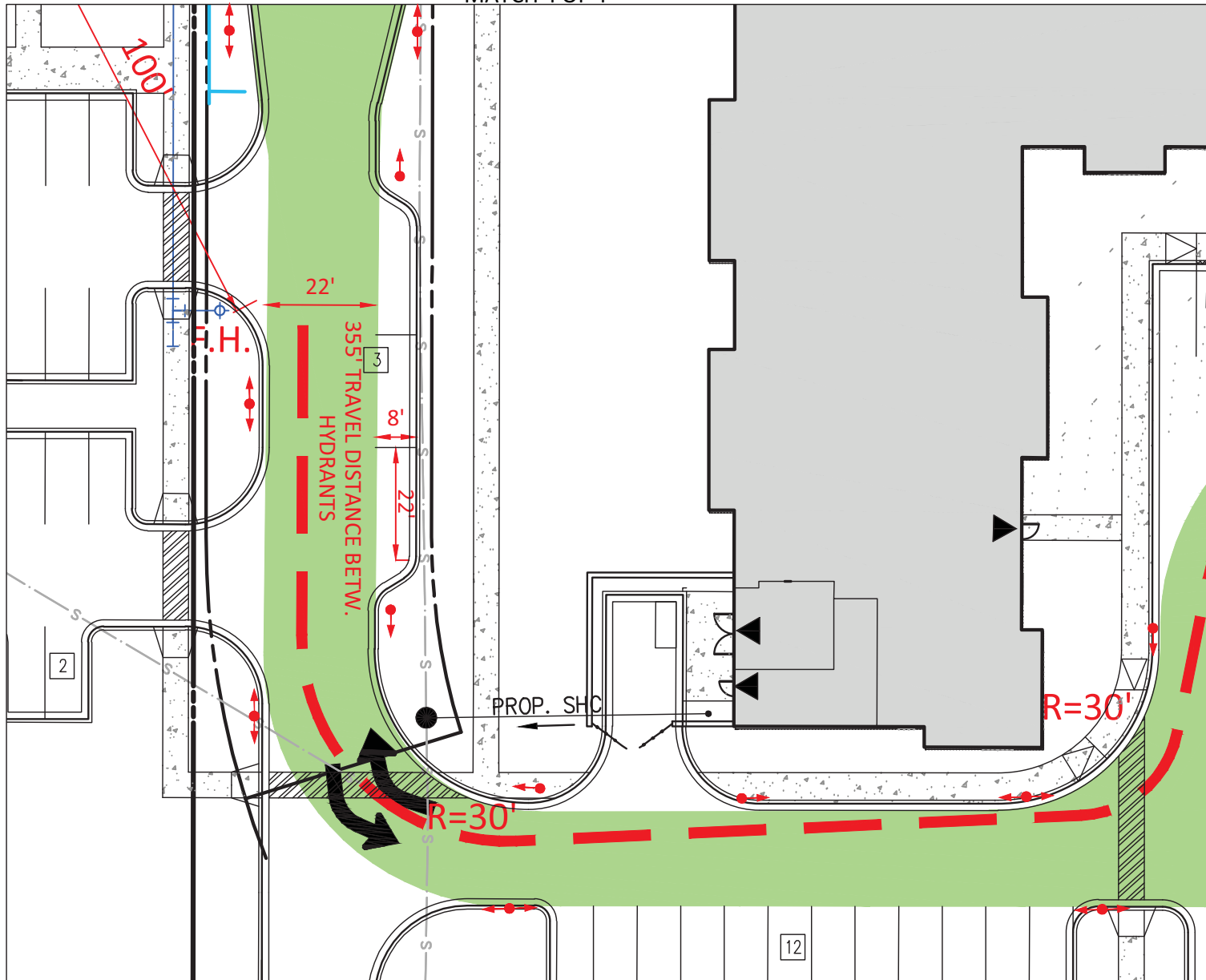
NAME: _____ SIGNATURE: _____

STA.#: _____ I.D.#: _____ DATE: _____

Comments: _____
-----Fire Lane Installed Per Order

NAME: _____ DATE: _____

MATCH 4 OF 4



MATCH 2 OF 3

LEGEND

- FIRE VEHICLE ACCESS PATH
- PROPOSED DOOR LOCATIONS
- FIRE HYDRANT
- PROPOSED WATER LINE
- FIRE LANE SIGN/DIRECTION

SCALE: 1"=30'

The Village at Cabin Branch

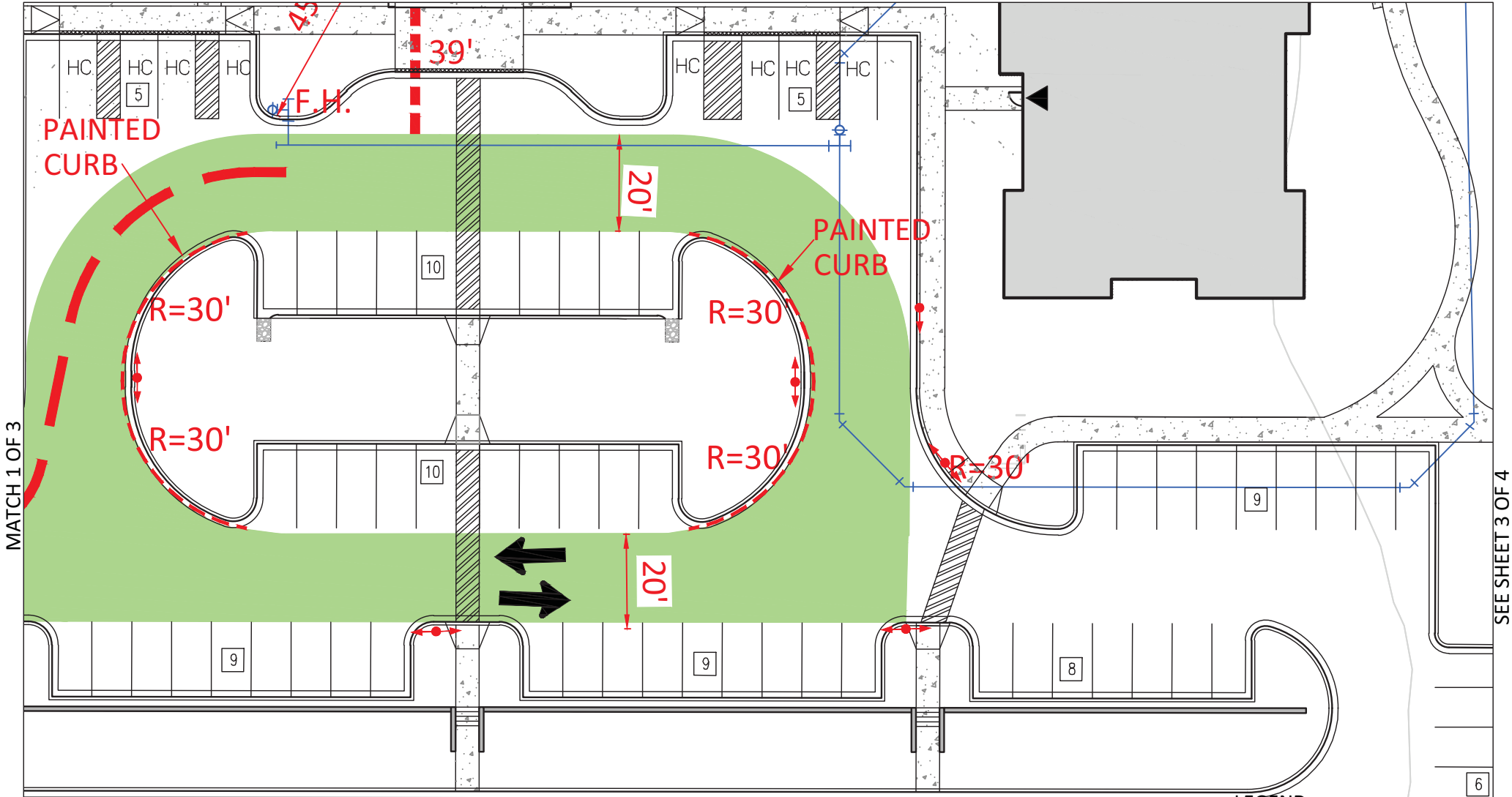
MONTGOMERY COUNTY, MARYLAND SUBMISSION: 8//2021
WSSC MAP: 2131NW13 & 14
TAX MAP: EV562 & FV122

FIRE LANE ESTABLISHMENT ORDER

PAGE 1 of 4



Vika MARYLAND, LLC ■
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
SURVEYORS ■ SUSTAINABLE DESIGN ■
20251 CENTURY BOULEVARD SUITE 400 ■
GERMANTOWN, MD 20874 ■
(301)916-4100 ■ FAX (301)916-2262 ■
WWW.VIKA.COM ■



MATCH 1 OF 3

SEE SHEET 3 OF 4

LEGEND

- FIRE VEHICLE ACCESS PATH
- PROPOSED DOOR LOCATIONS
- FIRE HYDRANT
- PROPOSED WATER LINE
- FIRE LANE SIGN/DIRECTION

SCALE: 1"=30'

The Village at Cabin Branch

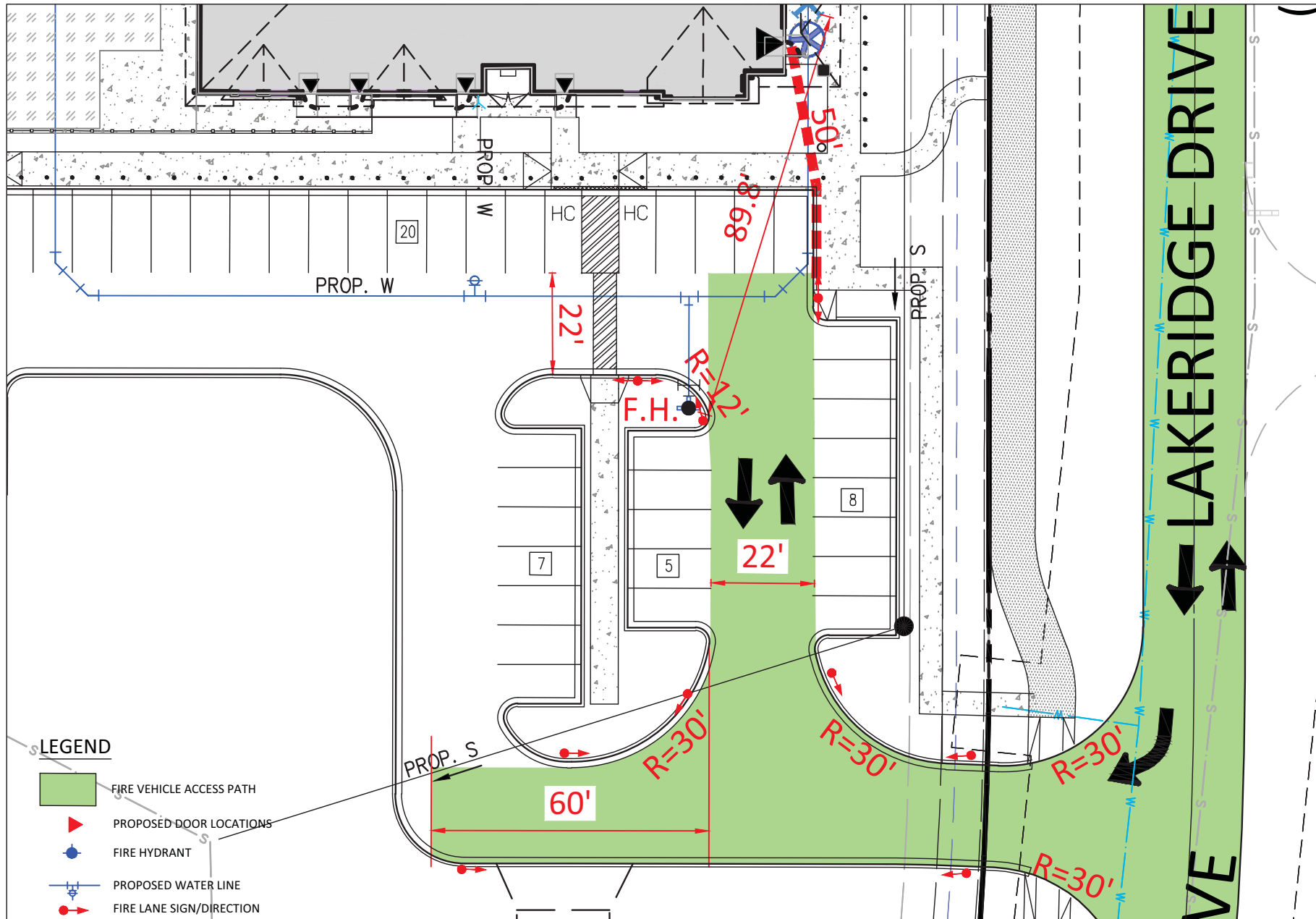
MONTGOMERY COUNTY, MARYLAND SUBMISSION: 8//2021
 WSSC MAP: 2131NW13 & 14
 TAX MAP: EV562 & FV122

FIRE LANE ESTABLISHMENT ORDER

PAGE 2 of 4



VIKA MARYLAND, LLC ■
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
 SURVEYORS ■ SUSTAINABLE DESIGN ■
 20251 CENTURY BOULEVARD SUITE 400 ■
 GERMANTOWN, MD 20874 ■
 (301)916-4100 ■ FAX (301)916-2262 ■
 WWW.VIKA.COM ■



SCALE: 1"=30'

The Village at Cabin Branch

MONTGOMERY COUNTY, MARYLAND
 WSSC MAP: 2131NW13 & 14
 TAX MAP: EV562 & FV122

SUBMISSION: 8//2021

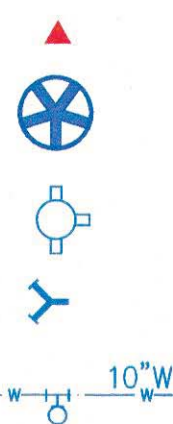
FIRE LANE ESTABLISHMENT ORDER

PAGE 3 of 4

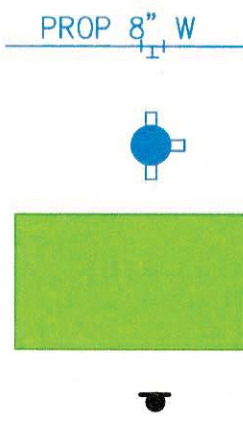


VIKA MARYLAND, LLC ■
 ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
 SURVEYORS ■ SUSTAINABLE DESIGN ■
 20251 CENTURY BOULEVARD SUITE 400 ■
 GERMANTOWN, MD 20874 ■
 (301)916-4100 ■ FAX (301)916-2262 ■
 WWW.VIKA.COM ■

LEGEND

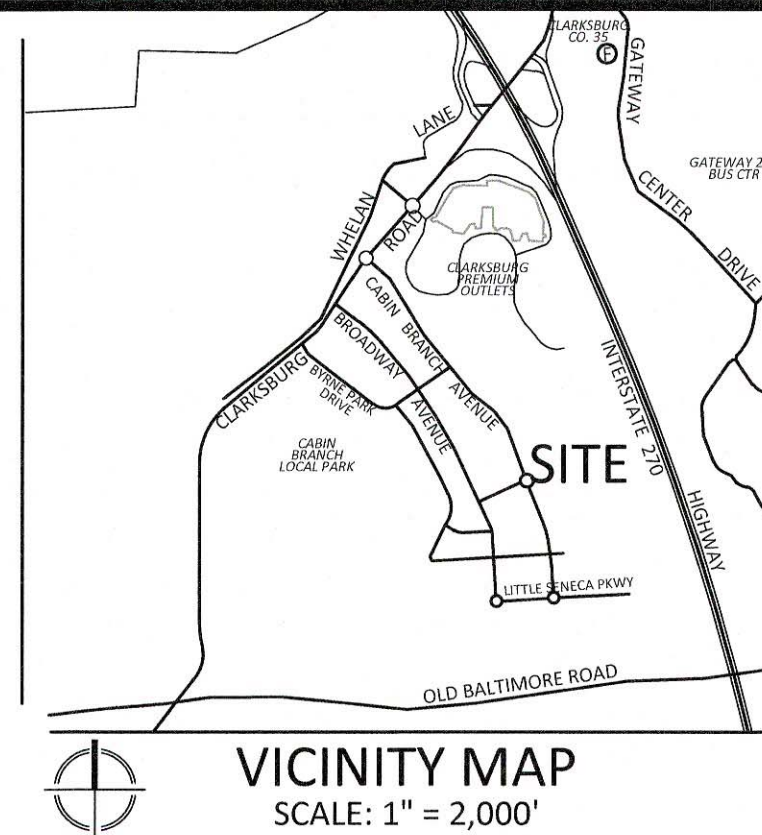
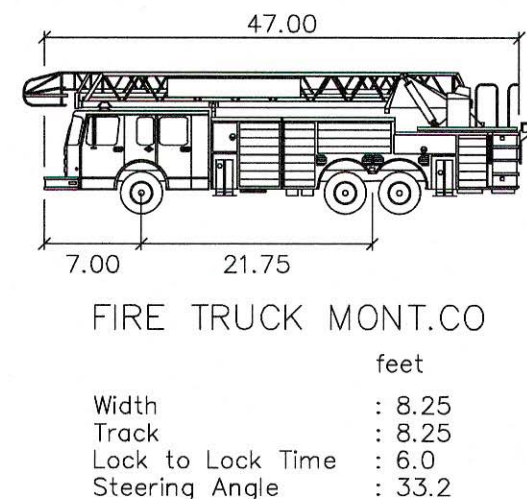


BUILDING ENTRY POINTS
INTENDED MAIN ENTRY POINTS
ON ADDRESS SIDE
EXISTING FIRE HYDRANT
FIRE DEPARTMENT CONNECTION
EXISTING WATER LINE
AND FITTINGS



PROPOSED WATER
PROPOSED FIRE HYDRANT
FIRE ACCESS PATH
TYP. FIRE LANE SIGN

FIRE ACCESS WALKABLE PATH
FIRE TRUCK MOVEMENT
HEIGHT RESTRICTED LOTS PER
MONTGOMERY COUNTY EXECUTIVE
REGULATION ER8-16
SECONDARY ACCESS WITHIN 50 FEET
(SEE ELEVATION ON SHEET F-3)



PREPARED FOR:
CLASSIC GROUP, LLC
8120 WOODMONT AVE
SUITE 300
BETHESDA, MARYLAND 20814
301.913.0404
CONTACT: STEVE NARDELLA
snardella@classicgroupmd.com

KIRBY DEVELOPMENT, LLC
56708 FURNACE AVENUE
ELKRIDGE, MD 21075
443.445.3744
CONTACT: JEFFREY C. KIRBY
jeff@kirbydev.com

PLANNER, CIVIL ENGINEER,
Vika Maryland, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
SYLKE KNUPPER, P.E.

LANDSCAPE ARCHITECT
Vika Maryland, LLC
20251 CENTURY BOULEVARD
SUITE 400
GERMANTOWN MD, 20874
301.916.4100
ROBERT TILSON, FASLA, PLA

ATTORNEY
LERCHE, EARLY & BREWER, CHTD.
7600 WISCONSIN AVE.
SUITE 700
BETHESDA, MD 20814
301.986.1300
ROBERT HARRIS

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

BY: SMC PM: 43 DATE: 1/19/2021
original 6/24/2020

* NOTE: SUBGRADE FOR ALL FIRE DEPARTMENT VEHICULAR ACCESS SURFACES SHALL MEET MINIMUM LOAD BEARING CAPACITY FOR MONTGOMERY COUNTY TERTIARY ROAD.

REVISIONS	DATE

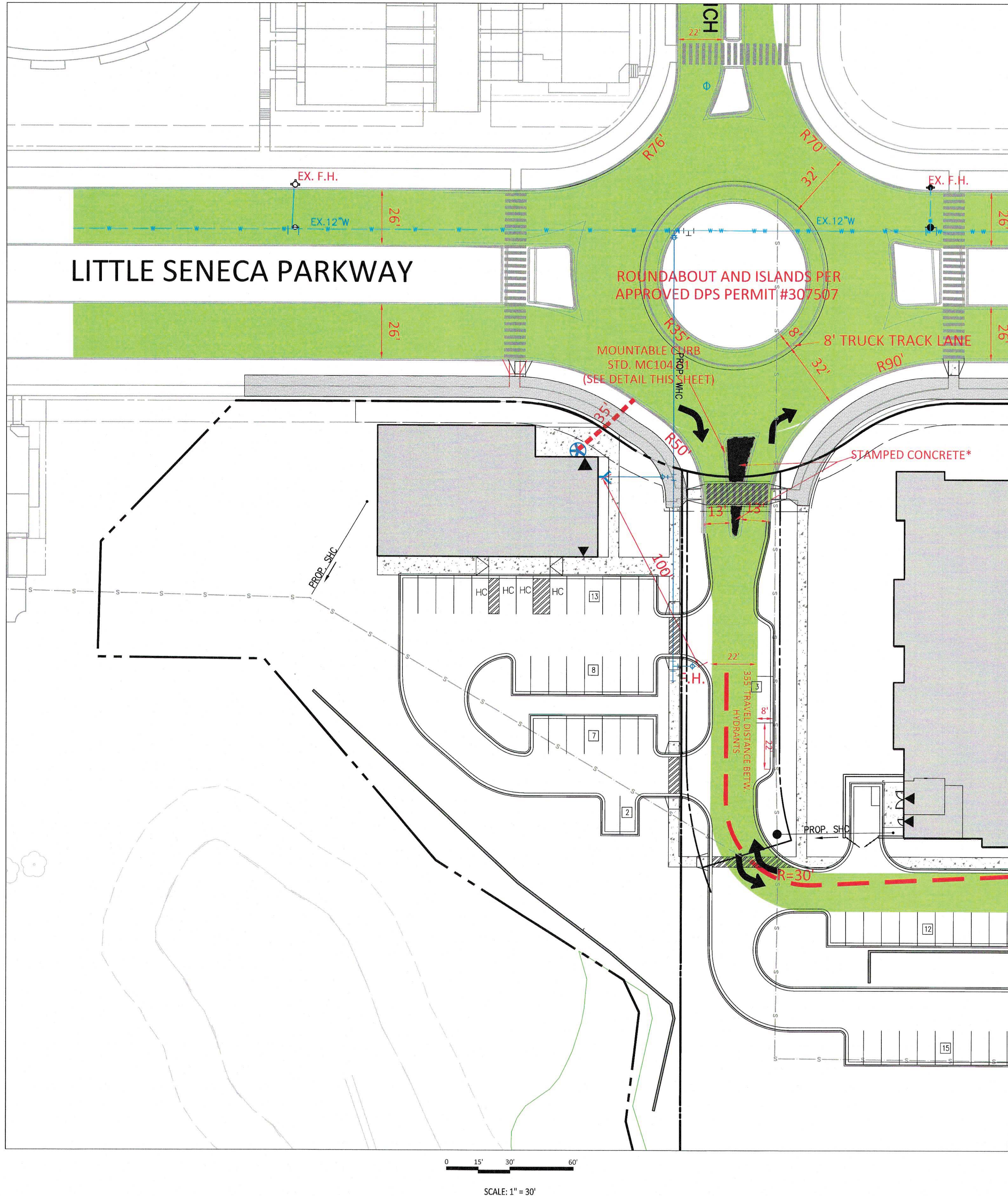
PROFESSIONAL SEAL



THE VILLAGE AT
CABIN BRANCH
6TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 231NW 13 & 14
TAX MAP: EV 562 & FV-122
MNCPPC
#82020015A

DETAILED
FIRE ACCESS
PLAN

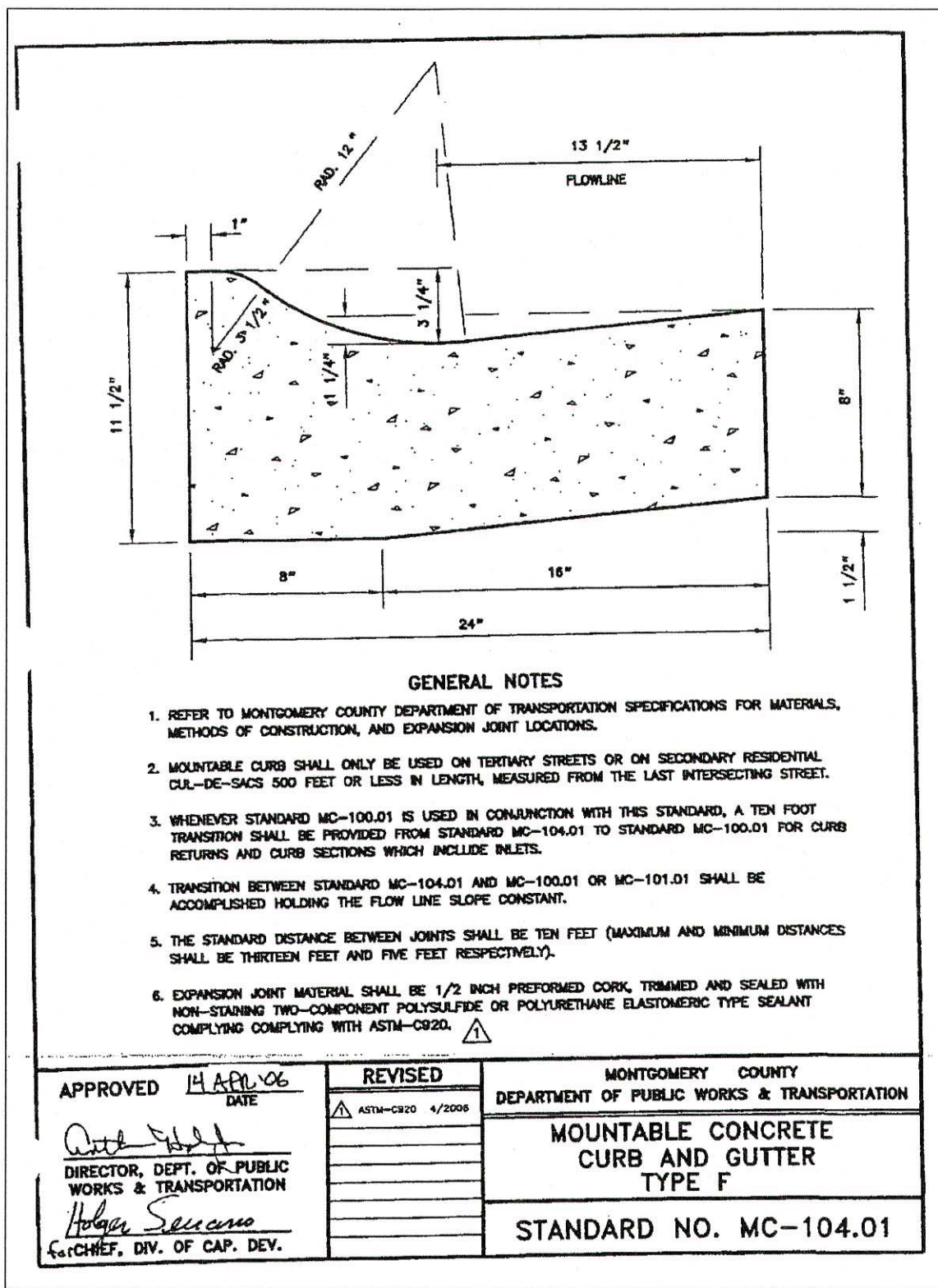
DRAWN BY: SG
DESIGNED BY: RC
DATE ISSUED: JAN 2021
Vika PROJECT: VM50192G
DRAWING NO.
SHEET NO. F-1



MATCHLINE SHEET F-2

SITE PLAN AMENDMENT

- 1 INCREASE TRACT AREA BY APPROXIMATELY 8.9 ACRES.
- 2 ADDITIONAL 125 MULTI-FAMILY AFFORDABLE SENIOR UNITS IN ONE BUILDING
- 3 12,900 SF PRIVATE SCHOOL
- 4 RETAIL PARCEL AT LITTLE SENECA REVISED BACK TO A COMMERCIAL PAD
- 5 COMPLETION OF KITTIWAKE ROAD CONNECTION TO EXISTING WEST OLD BALTIMORE ROAD



DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF THE SITE PLAN APPROVAL NO. 82020015A INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.

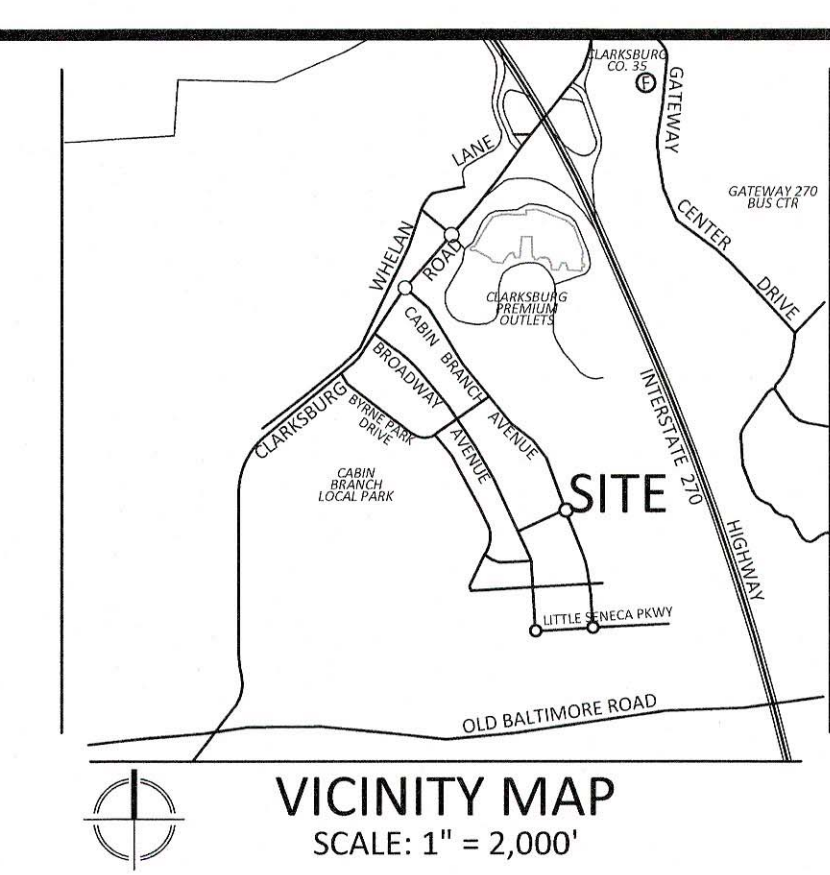
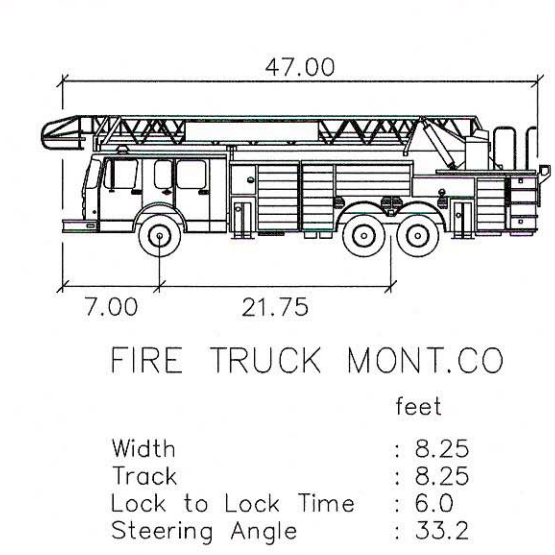
DEVELOPER'S NAME: CLASSIC GROUP, LLC
CONTACT PERSON: STEVE NARDELLA
ADDRESS: 8120 WOODMONT AVE. SUITE 300, BETHESDA MD, 20814
PHONE: 301.913.0404
SIGNATURE:

LEGEND

BUILDING ENTRY POINTS
INTENDED MAIN ENTRY POINTS ON ADDRESS SIDE
EXISTING FIRE HYDRANT
FIRE DEPARTMENT CONNECTION
EXISTING WATER LINE AND FITTINGS

PROPOSED WATER
PROPOSED FIRE HYDRANT
FIRE ACCESS PATH
TYP. FIRE LANE SIGN

FIRE ACCESS WALKABLE PATH
FIRE TRUCK MOVEMENT
HEIGHT RESTRICTED LOTS PER MONTGOMERY COUNTY EXECUTIVE REGULATION ER8-16
SECONDARY ACCESS WITHIN 50 FEET (SEE ELEVATION ON SHEET F-3)



Vika
ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
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FAX: (301) 916-2262
GERMANTOWN, MD. TYSONS, VA.

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301.913.0404
CONTACT: STEVE NARDELLA
snardella@classicgroupmd.com

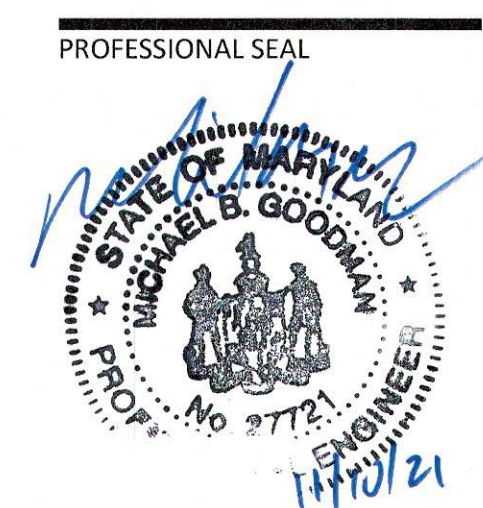
KIRBY DEVELOPMENT, LLC
56708 FURNACE AVENUE
ELKRIDGE, MD 21075
443.445.3744
CONTACT: JEFFREY C. KIRBY
jeff@kirbydev.com

PLANNER, CIVIL ENGINEER,
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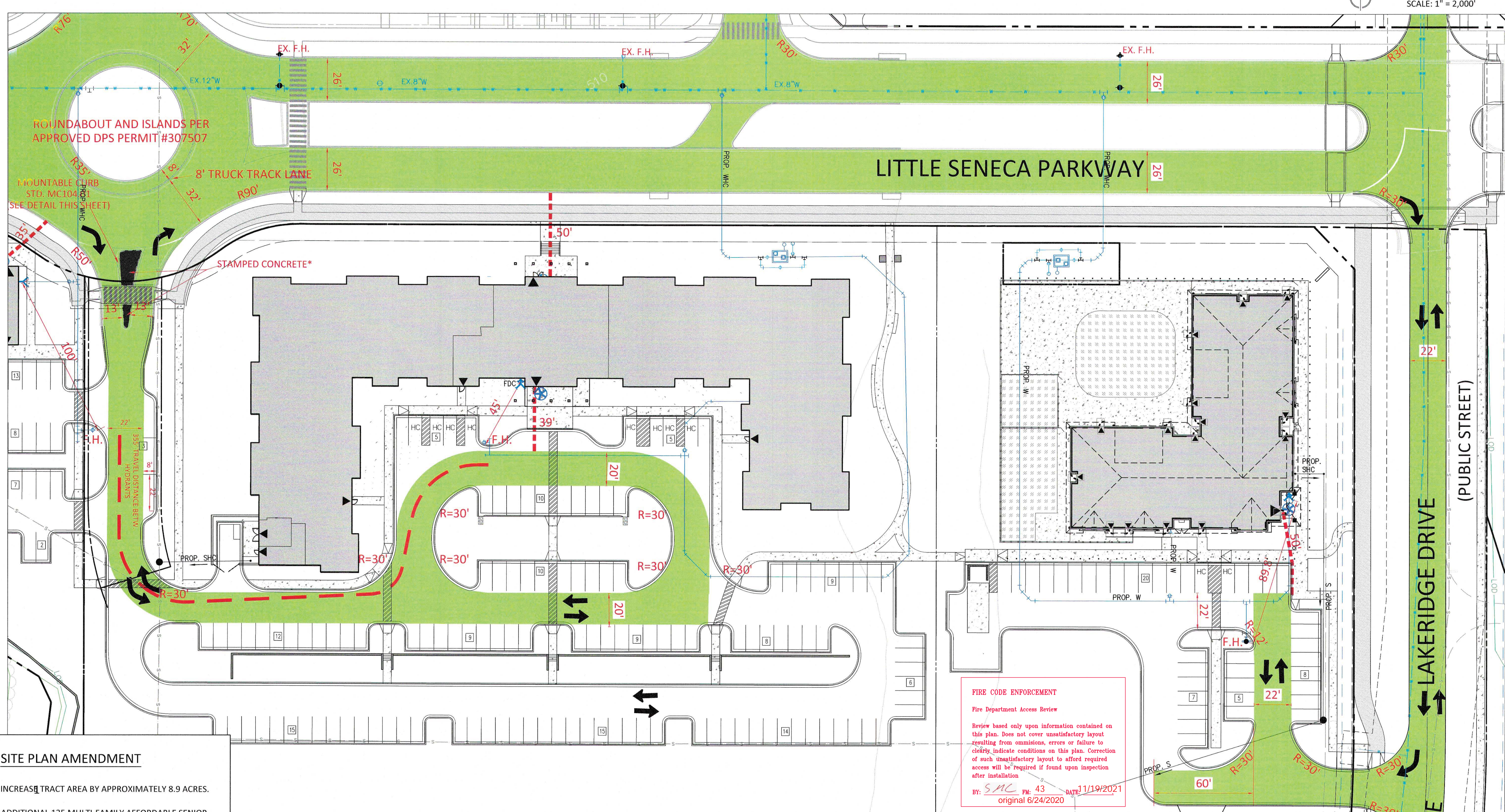


THE VILLAGE AT CABIN BRANCH
6TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 231NW 13 & 14
TAX MAP: EV 562 & FV-122
MNCPPC
#82020015A

DETAILED FIRE ACCESS PLAN

DRAWN BY: SG
DESIGNED BY: RC
DATE ISSUED: JAN 2021

Vika PROJECT VM50192G
DRAWING NO.
SHEET NO. F-2

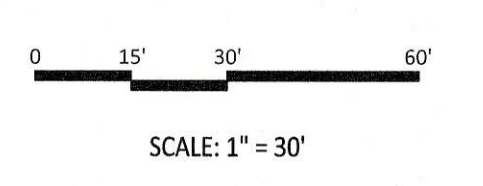


SEE SHEET F-1

SEE SHEET F-3

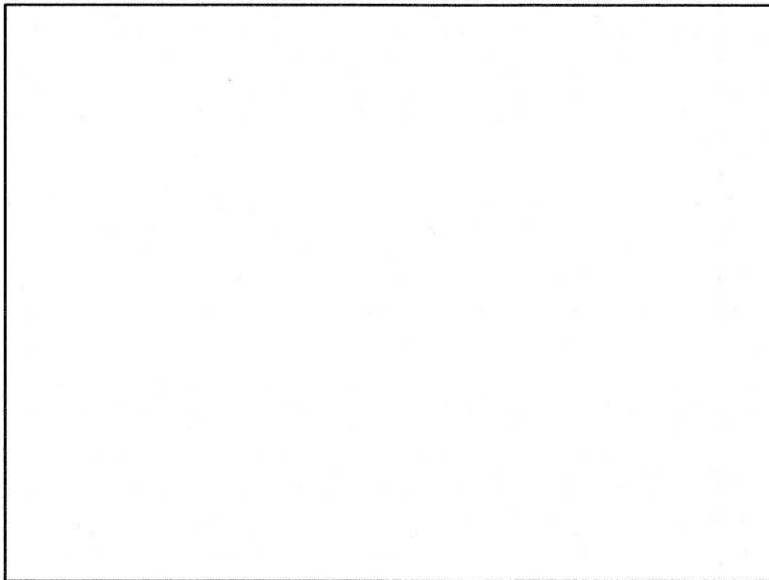
FIRE CODE ENFORCEMENT
Fire Department Access Review
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BY: S.M.C. PM: 43 DATE: 11/19/2021
original 6/24/2020

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 - 12,900 SF PRIVATE SCHOOL
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DEVELOPER'S NAME: CLASSIC GROUP, LLC
CONTACT PERSON: STEVE NARDELLA
ADDRESS: 8120 WOODMONT AVE. SUITE 300, BETHESDA MD, 20814
PHONE: 301.913.0404
SIGNATURE: _____



LEGEND

BUILDING ENTRY POINTS

INTENDED MAIN ENTRY POINTS
ON ADDRESS SIDE

EXISTING FIRE HYDRANT

FIRE DEPARTMENT CONNECTION

EXISTING WATER LINE
AND FITTINGS

PROP 8" W

PROPOSED FIRE HYDRANT

FIRE ACCESS PATH

TYP. FIRE LANE SIGN

FIRE ACCESS WALKABLE PATH

FIRE TRUCK MOVEMENT

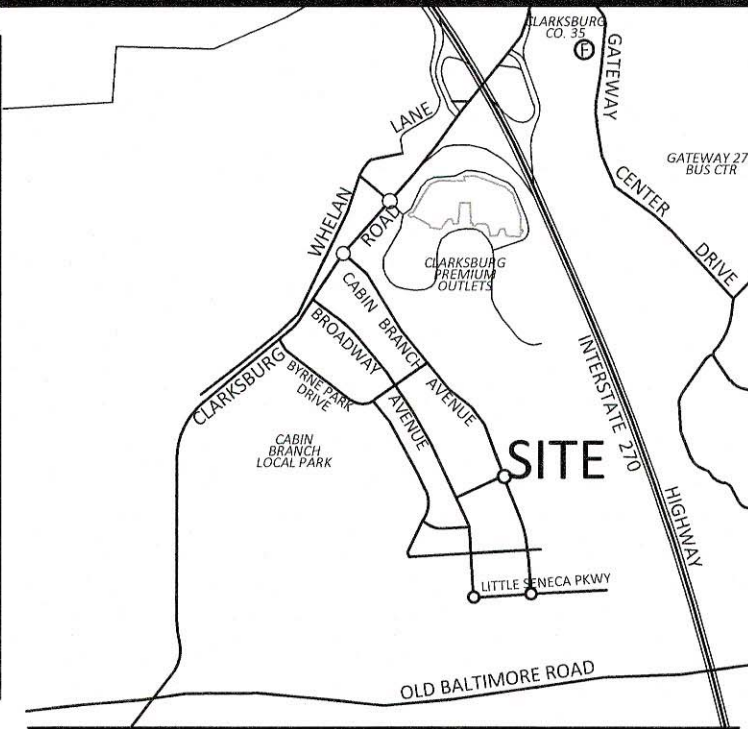
HEIGHT RESTRICTED LOTS PER
MONTGOMERY COUNTY EXECUTIVE
REGULATION ER8-16

SECONDARY ACCESS WITHIN 50 FEET
(SEE ELEVATION ON SHEET F-3)

SEE SHEET F-2



0 15' 30' 60'
SCALE: 1" = 30'



VICINITY MAP
SCALE: 1" = 2,000'

Vika

ENGINEERS PLANNERS
LANDSCAPE ARCHITECTS SURVEYORS
Vika Maryland, LLC
20251 CENTURY BOULEVARD SUITE #400
GERMANTOWN, MARYLAND 20874
PHONE: (301) 916-4100
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REVISIONS	DATE

FIRE CODE ENFORCEMENT

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original 6/24/2020



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CONTACT PERSON: STEVE NARDELLA

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PHONE: 301.913.0404

SIGNATURE: _____

**THE VILLAGE AT
CABIN BRANCH**
6TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 231NW 13 & 14
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**MNCPPC
#82020015A**

**DETAILED
FIRE ACCESS
PLAN**

DRAWN BY: SG
DESIGNED BY: RC
DATE ISSUED: JAN 2021
Vika PROJECT: VM50192G
DRAWING NO. _____
SHEET NO. **F-3**

DPS-ROW CONDITIONS OF APPROVAL**August 5, 2021****82020015A Village at Cabin Branch Phase 2**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files that were uploaded on/ dated “8/4/2021”.

The followings need to be addressed prior to the certification of site plan:

1. Access points on public roads:
 - a. Label the curb radii for access points. Ensure of the minimum curb radii that will accommodate the site traffic;
 - b. Provide truck turning movement for all (especially right turn) movements once item “a” above has been adequately addressed;
 - c. Provide pedestrian refuge island for crossing Little Seneca Pkwy.
2. Provide public sidewalk:
 - a. to ADA standards (minimum five feet wide) and label it accordingly;
 - b. ensure 1’ of maintenance strip has been provided;
 - c. ensure all handicap sidewalks/ ramps have receiving counterparts and are aligned with them;
 - d. Need dual ramps at intersections if crossing at both directions are planned;
 - e. Ensure public sidewalk is fully contained in ROW; provide PIE if necessary.
3. Proposed Lakeridge Drive:
 - a. Provide the street name on the detail site plan sheets;
 - b. Ensure it aligns with existing Petrel Street;
 - c. Ensure it is constructed to the ultimate cross section per preliminary plan.
4. Ensure all sight distance analysis for the existing and proposed driveways/ intersections meet the minimum requirements per road classifications.
5. Provide complete drainage area maps (with all contours labeled) and downstream analysis with profiles for our review.
6. Provide approved major species street trees at designated spacing; ensure all site features have been shown and required clearances have been provided.
7. Please clarify where collapsible bollard details pertain to.
8. All existing easements within the area to be dedicated as ROW are subject to subordination agreement.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

December 2, 2021

Mr. Jeffrey Server
Upcounty Planning
Montgomery County Planning Department
2425 Reedie Drive, 14th Floor
Wheaton, MD 20902

RE: Village at Cabin Branch
Site Plan No. 82020015A

Dear Mr. Server:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. The rental building will provide 125 Moderately Priced Dwelling Units (MPDUs) in accordance with Chapter 25A of the County Code and related regulations.

Site Plan 82020015A proposes to construct a 125-unit multi-family building that will consist of 100% MPDUs, in a largely single-family unit development. Section 25A-5(e)(4) of the Montgomery County Code requires that subdivisions with both single-family and multi-family dwelling units maintain the ratio of single-family MPDUs to the market-rate single-family units. That section of the Code allows the Director to waive that ratio requirement upon a finding that 1) offering more multi-family MPDUs in this development will advance the purpose of the County's housing policy and 2) the applicant is qualified to manage rental housing.

DHCA has determined that there is no need to maintain the ratio of market-rate and MPDU-rate single-family development for this project. Due to the senior restrictions in the single-family development, the for-sale units would otherwise be achieved through a payment in lieu of providing the units per the requirements of 25A-5(l). In addition, the senior housing management team proposed for this project has proven their qualifications in the senior housing market. The development of all MPDUs into the multi-family building will allow the MPDUs to be developed on-site.

Division of Housing

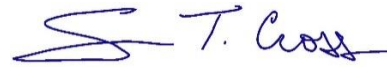
Affordable Housing

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca

Sincerely,

A handwritten signature in blue ink, appearing to read "S. T. Cross". The signature is fluid and cursive, with a large initial "S" and a distinct "T" and "Cross" following.

Somer Cross, Program Manager
Affordable Housing Programs Section

cc: Steve Nardella, Classic Group



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

September 1, 2021

Ms. Shannon Flickinger
VIKA Maryland, LLC
20251 Century Boulevard, Suite 400
Germantown, Maryland 20874

Re: **REVISED COMBINED PRELIMINARY AND FINAL WATER QUALITY PLAN/SITE DEVELOPMENT STORMWATER MANAGEMENT PLAN** for
The Villages at Cabin Branch
Preliminary Plan #: 1-20033110
SM File #: 285790
Tract Size/Zone: 69.66 acres/CRT-0.5,C-0.25
Total Concept Area: 69.66 acres
Lots/Block: N/A
Parcel(s): 150 and 645
Watershed: Little Seneca Cr. (Clarksburg SPA)

Dear Ms. Flickinger:

Based on a review by the Department of Permitting Services Review Staff, the **Revised** Preliminary and Final Water Quality Plan for the above-mentioned site is **acceptable**. The Revised Preliminary and Final Water Quality Plan proposes to meet required stormwater management goals via a combination of micro bioretention, bioswales, water quality inlets with storage vaults and downstream sand filters with a dry Pond. This approval is for elements of the Water Quality Plan of which DPS has lead agency responsibility and does not include limits on imperviousness or buffer encroachments.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage. **Note that all the previously required conditions from the 7/13/2020 approval letter still apply and both approval letter must appear on the plans:**

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. Provide safe and non-erosive conveyance of runoff to the proposed micro bioretention structures. All the downspouts and curb cuts needed for conveyance need to be clearly shown on the detailed plans.
3. The proposed bioswales must be designed per the MCDPS standards with the filter medium width not to exceed the bottom width of the swale.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. The use of super silt fence is acceptable alone for small disturbed areas however you should use it in combination with earth dikes and pipe slope drains to direct as much of the disturbed area as



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Ms. Shannon Flickinger
September 1, 2021
Page 2 of 2

possible to the existing multi cell sediment trap. Also, use caution in the area of the proposed retaining wall (West side Phase 2) to make sure there is enough room between the proposed wall work area and any nearby buffers so that sediment controls can be provided.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**. A Special Protection Area BMP monitoring fee will be required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The Preliminary and Final Water Quality Plan approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate Revised Preliminary and Final Water Quality Plan request shall be required.

If you have any questions regarding these actions, please feel free to contact Leo Galanko at 240-777-6242.

Sincerely,



Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: lmg

cc: N. Braunstein
SM File # 285790

ESD: Required/Provided (East) 60,607 cf / 40,441 cf, (West) 114,453 cf/78,562 cf
PE: Target/Achieved: (East) 1.50"/1.0", (West) 1.85"/ 1.31"
STRUCTURAL: 56,057 cf
WAIVED: 0 ac.



June 29, 2021

Jeffrey Server
Planner Coordinator, Area 3
Bethesda, MD 20814
P 301.495.4513
jeffrey.Server@Montgomeryplanning.org

RE: Village at Cabin Branch Phase II – Cabin Branch Town Architect

Hello Jeffrey,

We have review the Village at Cabin Branch Phase II against the requirements set forth in the Community Design Guidelines as the Cabin Branch Town Architect provided by Stephen Nardella & Classic Group, LLC. As the proposed site plan continues to be refined and progressed, our preliminary review of the submitted materials, to the best of our knowledge, conditionally meets the intent of the Cabin Branch Community Guidelines.

Thank you,

A handwritten signature in black ink that reads 'Smita Anand'.

Smita Anand
Principal
KTGY Group, Inc.

Date: 06.30.2021

Statement of Justification
Classic Group LLC Village at Cabin Branch – Phase II
Amendment to Site Plan Number 82020015A
April, 2021

I. Background

Cabin Branch is a planned community envisioned by the Clarksburg Master Plan which was adopted 27 years ago in 1994. The overall property is approximately 535 acres in size, bounded by I-270 on the east, Maryland Route 121 on the northwest, and West Old Baltimore Road on the south. The property is the subject of a Development Plan (LMA G-806) approved by the Montgomery County Council in 2003. The Development Plan was later amended in 2014 to accommodate the Clarksburg Outlet Center (DPA 13-02). The development was approved under the site's prior MXPD zoning but the property is now zoned CRT-0.5, C-0.25, R-0.25, H-130T. The Development Plan allows for up to 1,886 non-age restricted dwellings, 2.4 million sq. ft. of employment/retail and up to 500 units of senior housing. Following approval of the Development Plan, the Planning Board approved the Preliminary Plan of Subdivision (No.1- 03110A) for the uses approved in the Development Plan and later amended it in 2008 (No. 12003110B) to allow the full amount of development allowed by the Development Plan. These approvals included evaluation of the adequacy of public facilities including roads, schools and water/sewer, and compliance of the uses (including the senior housing) with the Zoning Ordinance, Master Plan and Development Plan. Following approval of the Preliminary Plan of Subdivision, the property owners have obtained approval of Site Plans for successive portions of the planned community. Most recently, the Planning Board approved Phase I of the senior housing (375 units) plus accessory retail.

Much of the approved housing has been built or is under construction, the outlet center has been built and the service retail/hotel uses are approved. The one initial element that had not proceeded was the senior housing component. Phase I of the senior ("Village at Cabin Branch" – Site Plan No. 820200150) was approved for 375 senior housing units and 16,000 sq. ft. of commercial space by Resolution dated September 23, 2020, at the southeast corner of the Cabin Branch community, east of Cabin Branch Avenue. The overall senior housing site consists of approximately 62 acres. This includes a component south of Little Seneca Parkway now being proposed for the remaining 125 senior units and 6,900 sq. ft. of additional service retail and educational uses. Both Phase I and Phase II will be restricted to at least one occupant 55 years of age or older with no school aged children. This restriction will be conditioned by a covenant recorded on the plats. Significantly, all of the senior units in Phase II which is the subject of this Amendment will be affordable units.

II. Senior Demand

The anticipated demand for senior housing included in the approved Development Plan and Preliminary Plan of Subdivision has only grown since those plans were approved more than 15 years ago. Recent projections anticipate that approximately 30% of the population and nearly 40% of the households in Montgomery County will be headed by residents 55 or older by 2023. By that time, the first phase of the project will be open and in full marketing and sales. The need for senior housing is both compelling and growing and is undisputed. Montgomery County has added a number of multifamily independent and assisted living projects as well as

nursing care facilities serving older residents, thereby adding to the existing stock of such units, but there has been virtually no recent production of "right sizing" active adult housing in new, active and socially connected communities, with living units designed as part of a planned community including walking paths, park amenities and other features. Leisure World is perhaps the only example in Montgomery County and it was built out decades ago. Other portions of the Greater Washington DC region have responded to these needs in ways Montgomery County has not. Examples include the Del Webb communities in Fredericksburg, Haymarket and Ashburn Virginia, Erickson communities in Ashburn, Springfield, and Lansdowne, Virginia and the Two Rivers community in Anne Arundel County. The limited supply of senior housing at MPDU affordability levels is even more noticeable. This amendment seeks to address that shortage with a multi-family rental building consisting of 100% affordable units.

There are extended benefits to the provision of such senior housing opportunities. Montgomery County is facing a critical housing shortage while at the same time many seniors are "over housed" in homes designed for family living. Many of these owners would be willing to move to attractive communities near their existing homes, their friends, and possibly their children, if they could find housing designed for senior living, organized in a comfortable, walkable environment, where amenities and other residents match their interests. Additionally, the County benefits in a major way in terms of taxes because of the income and property tax payments such residents generate with little to no public cost, given the absence of school requirements and low transportation demands. Cabin Branch is an ideal location given the pre-existing investment in public infrastructure (roads, water/sewer, paths, parks, amenities and

other services), the overall quality of the community and a surrounding population that includes likely buyers. Applicant is thrilled to see that even before the Amendment proceeds, they have received an increasing number of inquiries about the planned affordable senior units.

III. Classic Group Experience

Classic Group, LLC, is celebrating its 31st year in business and has completed many projects in the County and across the Baltimore-Washington Metro area as well as in Virginia. Its principals have over 40 years of experience in delivering large, master-planned communities that include active adult senior housing. Classic's current success is being achieved by delivering an exceptional resort styled active and socially connected community that includes both all aged market rate housing and active adult senior housing. Due to its scale at over 2,000 units, exceptional amenities, mix of housing choices and relative affordability, Two Rivers in Anne Arundel County has consistently been among the best-selling communities and Maryland as well as in the Greater Metro region. It has attracted buyers not only from Anne Arundel County and neighboring Baltimore, Howard, and Prince Georges County but also from Montgomery County as well given the absence of a similar project in Montgomery County. Two Rivers has also attracted many new residents moving from all over the Northeast and Mid-Atlantic states including NY, NJ, North and South Carolina and even Florida to name a few as buyers move back to be closer to children and grandchildren. They frequently bring other friend and family members along with them to live in the same neighborhood. Classic Group wants to serve that market in Montgomery County with Cabin Branch.

For Phase II of the Village at Cabin Branch, Classic has teamed up with J. Kirby Development, an experienced affordable senior housing operator in Montgomery County.

IV. Site Plan

The proposed Site Plan Amendment builds on Phase I of the inviting, walkable village for active seniors, functioning within the overall Cabin Branch community and as a component of the larger Clarksburg area. In terms of units, the Plan will add 125 multi-family rental units in a 4 story building fronting on Little Seneca Parkway. In addition to the 125 affordable senior units, this Amendment includes shifting the location of 12,000 sq. ft. of approved commercial space to build a 12,900 sq. ft. child daycare/school facility at the intersection of Little Seneca Parkway and proposed Lakeridge Drive (formerly planned to be named Kittiwake Avenue). This will serve up to 129 children up to the age of 12. A 6,000 sq. ft. commercial building also will be located at the southwest quadrant of the intersection of Little Seneca Parkway and Cabin Branch Avenue. This Lakeridge Drive extension will connect the project to Lakeridge Drive on the south side of West Old Baltimore Road, providing direct access to Black Hills Park. (As part of this application, Applicant will be seeking confirmation that this arterial road connection will be eligible for transportation impact tax credit). All three of the proposed additional buildings front on Little Seneca Parkway, helping to frame a walkable and bicycle friendly environment, connected to the rest of Cabin Branch and to the other senior housing in the first phase of the Village of Cabin Branch. The architecture of the multifamily building includes articulated façades with a variety of building materials and with direct access to the sidewalk along the Little Seneca Parkway and to the parking for the facility, located behind the building.

Generous landscaping will be located along the perimeter. The commercial/retail building will be one story tall, again with parking located behind it and with frontage on Little Seneca Parkway. It, too, will be landscaped consistently with the multifamily building. To the east, the educational building also will be one story, fronting on Little Seneca Parkway and Kittiwake Avenue, with vehicle access via Kittiwake. The playground facility will be located south and west of the building.

V. Outreach

Applicant has met with Park and Planning Staff and other agencies about both phases of the Village at Cabin Branch and also has met with the community. Through its outreach with the community, local residents have expressed encouragement for the addition of senior housing to Cabin Branch in the form proposed by Classic Group. They themselves see demand for senior units through their own family connections and are anxious to see Cabin Branch approach completion and finally to function as an integrated community. Finally, applicant has reviewed the proposed project with the Cabin Branch Town Architect designated to review site and architectural design features and elements within the context of and in accordance with the Cabin Branch Design Guidelines prepared by the Town Architect and approved by the Planning Board.

VI. Findings

A. Zoning Ordinance

The Site Plan is being reviewed under the MXPDP zone in the Zoning Ordinance in effect on October 29, 2014, under the exemption in Section 59.7.7.1.B.1. Although the property is

zoned CRT and could be reviewed under those standards, including the possibility of the Standard Method with Planning Board Site Plan approval for any variations, this application is being reviewed under the MXPDP zone standards. It is implementing a Preliminary Plan and an LMA that were both approved under the old MXPDP zone thereby qualifying for the exemption.

- 1. The site plan conforms with 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 is consistent with the Development Plan for the Cabin Branch neighborhood adopted by LMA G-806 on September 9, 2003 and as amended by DPA 13–02 by County Council Resolution No. 17–1002 on February 4, 2014.

Included in the Development Plan is a list of 11 binding elements, a series of four tables showing the acceptable range of development within the four development areas of the MXPDP zone, and a MXPDP zone yield summary for the total amount of development allowed within the MXPDP portion of the Cabin Branch neighborhood.

a. Binding Elements

Of the 11 Binding Elements, Nos. 1, 4, 6, and 8 are pertinent to this project. The remaining Binding Elements are Cabin Branch wide elements including providing

off-site infrastructure, trip production, master planned roads, street parking and limits on commercial retail uses which have been met by earlier phases. The pertinent Binding Elements are paraphrased below along with how this Site Plan adheres to them.

(1) Transferable Development Rights and Moderately Priced Dwelling Units

The total Cabin Branch neighborhood, if built to its full residential density, will require a minimum of 210 MPDUs and up to 635 TDR's, assuming a total development of 1,886 non-senior units. The senior housing is located in an area rezoned to the MXPDP zone from the I-3 zone and is not part of the TDR obligation applicable to the other parts of Cabin Branch.

The Site Plan will address MPDU requirements under Chapter 25A of the County Code. The senior housing units will be for sale units rather than rentals. Under Section 25A-5(l) the project is required to make a payment to the Housing Initiative Fund to meet its MPDU requirement.

(4) Street Network

A network of public streets shall be provided, that may be supplemented by private streets, in a grid pattern that promoted interconnectivity. The public streets shall be any master planned street in residential or business streets needed to form

blocks that are substantially similar to the street system shown on the Development Plan.

With the exception of the construction of Lakeridge Drive (formerly proposed as “Kittiwake Avenue,” there are no streets included in this Amendment. Applicant will be constructing Lakeridge Drive as a public road consistent with the Preliminary Plan and Infrastructure Site Plan for Cabin Branch.

(6) Street Character

All streets will adhere to a pedestrian friendly pedestrian-friendly design to the extent practicable which places emphasis on a building line to frame the street, and parking in the rear. Within the core, pedestrian friendly uses including retail, residential or office will be located on the first floor. The entire MXPDP area will conform to a Cabin Branch community streetscape plan designed to integrate the entire community.

The Site Plan conforms to street character requirements of the Binding Elements. Buildings frame the street with parking located either to the side or rear of structures, minimizing its impacts to the streetscape. While some parking is visible to the road, it is landscaped and set behind the front building line.

(8) Service Public Uses

Service/public uses may include up to 500 units for independent living for Senior Adults or persons with disabilities, assisted living, life care or continuing care.

This application is a direct response to the recognition from the first approval, that senior housing would be an appropriate use at Cabin Branch.

b. Development Range Tables

The Development Plan divides the MXPDP portion of Cabin Branch into four distinct areas, labeled A, B, C and D and includes a range of allowed intensities for each land use within each area. The subject development is located in Area D of the Development Plan. This area allows for a variety of possible uses including senior housing for up to 200 units (with a maximum total of 500) and each area accommodating retail and service uses. The proposed project is within the broad flexibility provided by these development ranges.

2. The Site Plan meets all of the requirements of the zone in which it is located, and where applicable, conforms to an urban renewal plan approved under Chapter 56.

The Site Plan is not subject to an urban renewal plan approved under Chapter 56. The subject property is approximately 62 acres in size and is located in the area previously zoned MXPDP. The objective and purpose of the zone is to allow implementation of comprehensively planned, multi-use centers away from central business districts or transit, and to implement master plan recommendations in a more flexible manner. Section 59–C–7.5 of the County's prior Zoning Ordinance makes it clear that the MXPDP zone is intended to provide a maximum of flexibility in comprehensive design and development to implement public plans and County policies as easily as possible. It provides very few standards, leaving to the Planning Board the determination of what is appropriate for a subject site. Although it allows all types of uses, it does not mandate any. The primary guideline for the Planning Board in the application of the MXPDP zone to particular properties and applications is the compatibility of the proposed project with existing or proposed uses in the vicinity. The subject Site Plan ensures just that. The MXPDP zone was mapped here as part of a LMA, which found the flexibility of MXPDP zone to be the best way to implement the recommendations of the Clarksburg Master Plan. The proposed senior use was specifically identified as part of the original LMA approval for this area of the site. The proposed project meets the development standards for the MXPDP zone including minimum area, tract area, minimum Green area, maximum building height, density and parking.

a. Location of Buildings and Structures

The location of buildings and structures is adequate, safe and efficient. The buildings are positioned to provide a high level of activation to the existing and proposed public street system while at the same time providing attractive and convenient housing arrangements for the future senior residents.

b. Location of Open Spaces, Landscaping and Recreation Facilities.

Open spaces and Green area

The location of the open space areas is safe, adequate and efficient. The open space requirement for the MXPDP zone is in the form of green area and The Zoning Code requires 50% green area in residential areas and 40% green area in commercial areas. In the Cabin Branch neighborhood, green area is averaged across the entire MXPDP zone portion of the Cabin Branch neighborhood. The entirety of Cabin Branch requires 120.98 acres of green area. With the implementation of this Site Plan, and with estimates for the remaining portion of the Cabin Branch project, green area will be approximately 162 acres when the neighborhood finishes developing. A portion of the green area and open space is located in the environmentally constrained land to the south and east of the project and includes existing Category I conservation easements. There is abundant green area throughout the project itself, some of which is in private lawn areas for individual units and other is in public areas.

c. Recreation Facilities

The location and quantity of provided recreation facilities is safe, adequate and efficient. Given that the subject development is part of the overall Village at Cabin Branch expressly designed for senior living, the amenities and recreation space have been designed specifically with those residents in mind. The application materials show how the facilities exceed the requirements for the senior residents and meet the requirements for all age groups other than tots and for the total combined requirement. These uses include extensive walking areas both within this component of Cabin Branch and connected to the greater Cabin Branch neighborhood. A recreation amenity center and gardens are located near the center of the senior housing and are specifically targeted for the senior residents. Beyond that, the Cabin Branch planned community itself has extensive recreation facilities including a public park, extensive playground areas for all ages, play fields, both natural and hard surface walking trails and other features that exceed recreation requirements. The project exceeds its recreation requirements.

d. Landscaping and Lighting

The location and quantity of the proposed landscaping and lighting is safe, adequate and efficient. The Site Plan is proposing landscaping to serve multiple purposes, including screening and canopy cover, landscaping around amenity areas and landscaping adjacent to the proposed buildings. Buildings will have foundation plantings, there will be street trees and other ornamental features. The Site Plan also includes landscaping in and around parking areas.

The lighting provided is safe, adequate and efficient for ensuring good nighttime visibility within the parking areas and open space areas, without negatively impacting surrounding residential dwellings.

e. Pedestrian and Vehicular Circulation

The location and design of the pedestrian circulation on the subject property is safe, adequate and efficient. There are sidewalks throughout the project, both along the streets and through open areas where topography permits and where pedestrian demand will occur and there are bicycles areas both within and connected to the project.

The location and design of vehicle circulation on the subject property is safe, adequate and efficient. Vehicular access to this phase will be through a driveway on the roundabout at Little Seneca Parkway and Cabin Branch Avenue and from Lakeridge Drive.

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

The proposed use and structures are compatible with other uses, Site Plans, existing and proposed development on adjacent properties. The project has been designed to be a vital component of the overall Cabin Branch development north and east of this development are stream valley and forest conservation areas, to the west is residential development of a nature compatible with that which is proposed here.

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

The Site Plan meets the requirements of Chapter 22A, Forest Conservation Law Chapter 19 Water Resource Protection. The site is subject to the Forest Conservation Ordinance and an approved Final Forest Conservation Plan ("FCP") for the entire Cabin Branch Project. The FCP has been amended several times. Applicant is seeking a further amendment to the approved FCP for this project, which proposes to restore any impacts to previously approved afforestation areas and forest retention areas. No net change in forest conservation is proposed with this plan.

No additional specimen trees are proposed to be removed with this Site Plan; however, the Critical Root Zones (CRZ) of two additional specimen trees will have three percent and seven percent impacts with this plan. The CRZ impacts to these two trees were minimized to the extent practical, and a Tree Variance Request is being submitted by Applicant in accordance with Section 22A-21 to allow for minimal CRZ impacts to these trees.

The subject property is located within the Clarksburg Special Protection Area therefore consistent with SPA law Section 19–62; the Water Quality Plan has been reviewed. The Site Plan incorporates micro-bioretenment facilities and permeable pavement to provide Environmental Site Design ("ESD") elements. A Sediment and

Erosion Control Plan will be prepared and submitted to DPS for approval prior to construction commencement.

VII. Moderately Priced Dwelling Units

Providing affordable senior housing typically creates challenges that are greater than the provision of non-age based MPDUs. Under Sections 25A–5(l) and 25A-5A, for-sale senior housing projects do not have to provide MPDUs given the challenges of meeting the economic and financial components of most senior housing projects. Rather, the developers of such projects make a payment to the County’s Housing Initiative Fund the County then has the challenge of finding suitable senior housing projects where the money can be invested to help offset the severe need for affordable senior housing. This project, however, works to address that challenge by providing the senior MPDUs within the project itself. This is done because Phase I is a for-sale component but Phase II will be 125 rental units, all of which will qualify as MPDUs meaning the Village at Cabin Branch will provide 25% MPDUs. Applicant is working with the Department of Housing and Community Affairs to document this effective approach to creating a significant number of affordable senior units.

Server, Jeffrey

From: Van Alstyne, Chris
Sent: Thursday, December 2, 2021 1:35 PM
To: Server, Jeffrey
Subject: FW: Village at Cabin Branch Ph. 2 - I-270 / Little Seneca Parkway Interchange

From: Kwesi Woodroffe <KWoodroffe@mdot.maryland.gov>
Sent: Tuesday, September 14, 2021 2:16 PM
To: Van Alstyne, Chris <chris.vanalstyne@montgomeryplanning.org>
Cc: David Schlie <DSchlie@mdot.maryland.gov>; Matt Baker <MBaker4@mdot.maryland.gov>
Subject: RE: Village at Cabin Branch Ph. 2 - I-270 / Little Seneca Parkway Interchange

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Chris,

The only info I have is that no design work has been done on the proposed interchange at Little Seneca Parkway in the last year. The current MDOT SHA I-495 and I-270 Managed Lanes study only extends to I-370. There is currently no timetable to begin the NEPA process further north.

Mr. Schlie or Mr. Baker may be able to provide more details. I will defer to them on any “official” statements from MDOT SHA.

Thanks, Kwesi

Kwesi Woodroffe
Regional Engineer
District 3 Access Management
MDOT State Highway Administration
KWoodroffe@mdot.maryland.gov

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December 3, 2021

Mr. Jeffrey Server
Planner Coordinator, Area 3
Montgomery County Planning Department
8787 Georgia Avenue,
Silver Spring, MD 20910
Jeffrey.Server@montgomeryplanning.org
o: 301.495.4513

Re: Village at Cabin Branch
Phase 2 Amendment Plan # 820200150A

Dear Mr. Server,

On behalf of Adventist Health Care, the property owner in the referenced case, and owners of adjacent property to this amendment application, we would like to offer our support of Classic Group, LLC's proposed project known as the Village at Cabin Branch Phase 2 that will be heard by the Montgomery County Planning Board on December 16, 2021.

Nearly 20 years ago, Adventist Health Care purchased the property as part of a strategic growth plan to bring additional health care facilities and services to Montgomery County. Unfortunately, we are unable to achieve required state approvals to build a hospital and associated support services at this location. For over fifteen 15 years we have been trying to sell the remaining property since it is a non-core asset in our mission to deliver faith based health care services.

The approval of Classic's phase 2 proposal and subsequent closing on that portion of the property will help release Adventist from ongoing financial burdens associated with the ownership of the property and allow us to deploy the capital to essential health care services.

The provision of moderately priced affordable senior housing at this location helps support the growing need of housing designed for an aging population in the county. We further support the inclusion of the private school/child day care facility that is being proposed. We intend to coordinate on site community health care related education and services that may include screenings, immunizations, health and wellness and other services for the residents through Adventist's community-based health care resources.

Thank you for your kind consideration.

A handwritten signature in black ink, appearing to read 'T. Forde'.

Terry Forde,
President & CEO, Adventist Health Care Inc.



