

Montgomery Planning

**SANDY SPRING MEADOW: PRELIMINARY PLAN AMENDMENT NO. 11982180A,  
SITE PLAN AMENDMENT NO. 81982092A**

**SANDY SPRING MISSING MIDDLE PILOT PROJECT:  
PRELIMINARY PLAN NO. 120220050, SITE PLAN NO. 820220090**



## Description

Applications to remove lots and amend the approved maximum dwelling unit density, minimum green space and parking for an existing subdivision; and to create lots for a new subdivision with 18 new dwelling units, including a minimum of 25.7 percent MPDUs.

Nos. 11982180A, 81982092A,  
120220050, 820220090  
Completed: 4-17-2023

MCPB  
Item No. 8  
4-27-2023

Montgomery County  
Planning Board  
2425 Reedie Drive, Floor 14  
Wheaton, MD 20902

## Planning Staff

JPC

Jonathan Casey, Planner II, Upcounty, [Jonathan.Casey@montgomeryplanning.org](mailto:Jonathan.Casey@montgomeryplanning.org), 301-495-2162

PE

Phillip Estes, AICP, Planner III, Upcounty, [Phillip.Estes@montgomeryplanning.org](mailto:Phillip.Estes@montgomeryplanning.org), 301-495-2176

SP

Sandra Pereira, RLA, Supervisor, Upcounty, [Sandra.Pereira@montgomeryplanning.org](mailto:Sandra.Pereira@montgomeryplanning.org), 301-495-2186

Patrick Butler, AICP, Chief, Upcounty Planning, [Patrick.Butler@montgomeryplanning.org](mailto:Patrick.Butler@montgomeryplanning.org), 301-495-4561

### LOCATION/ADDRESS

In the northeast quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Skymeadow Way, approximately 450 feet east of Brooke Road

### MASTER PLAN

2015 *Sandy Spring Rural Village Plan*

### ZONE

R-60

### PROPERTY SIZE

3.27 acres

### APPLICANT

Housing and Opportunities Commission (HOC), RAD Development Corp.

### ACCEPTANCE DATES

June 15, 2022, August 9, 2022

### REVIEW BASIS

Chapters 22A, 50, 59



## Summary:

- Staff recommends approval with conditions of the Preliminary Plan Amendment 11982180A, Site Plan Amendment 81982092A, Preliminary Plan 120220050, Site Plan 820220090, and Preliminary/Final Forest Conservation Plan No. 120220050.
- Preliminary Plan Amendment 11982180A proposes to remove Parcel B and Lot Nos. 7 to 11, Block A from the Sandy Spring Meadow subdivision.
- Site Plan Amendment 81982092A proposes to reduce the overall density, green space, and parking for the Sandy Spring Meadow subdivision.
- Preliminary Plan 120220050 proposes to create three (3) new lots for 12 townhouse living units, four (4) lots for three (3) new duplexes (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, three open space parcels and one parcel for a shared private driveway.
- Site Plan 820220090 proposes to allow the development of 18 new dwelling units consisting of 12 townhouse living units and three (3) duplex (two-unit living) units, including 25.7 percent MPDUs. Eleven existing single-family detached units will remain and one (1) will be removed.
- A tree variance is requested to remove four (4) and impact three (3) protected trees. Staff supports the variance request.
- No community correspondence has been received.

## TABLE OF CONTENTS

EXECUTIVE SUMMARY .....	3
SECTION 1: RECOMMENDATIONS AND CONDITIONS .....	5
PRELIMINARY PLAN AMENDMENT NO. 11982180A (SANDY SPRING MEADOW) .....	5
PRELIMINARY PLAN NO. 120220050 (SANDY SPRING MISSING MIDDLE PILOT PROJECT).....	6
SITE PLAN AMENDMENT NO. 81982092A (SANDY SPRING MEADOW).....	10
SITE PLAN NO. 820220090 (SANDY SPRING MISSING MIDDLE PILOT PROJECT) .....	11
SECTION 2: SITE DESCRIPTION.....	16
VICINITY.....	16
PROPERTY DESCRIPTION.....	18
SECTION 3: PROJECT DESCRIPTION.....	20
PREVIOUS APPROVALS.....	20
PROPOSALS .....	21
SECTION 4: COMMUNITY OUTREACH .....	25
SECTION 5: FINDINGS AND ANALYSIS, PRELIMINARY PLAN .....	26
PRELIMINARY PLAN AMENDMENT NO. 11982180A .....	26
PRELIMINARY PLAN NO. 120220050 .....	26
SECTION 6: FINDINGS AND ANALYSIS, SITE PLAN.....	46
SITE PLAN AMENDMENT NO. 81982092A.....	46
SITE PLAN NO. 820220090.....	47
SECTION 7: CONCLUSION .....	57
ATTACHMENTS .....	57

## EXECUTIVE SUMMARY

The following Staff Report (“Staff Report”) provides a description, analysis and the necessary findings for Sandy Spring Meadow Preliminary Plan Amendment No. 11982180A, Sandy Spring Meadow Site Plan Amendment No. 81982092A, Sandy Spring Missing Middle Preliminary Plan No. 120220050, and Sandy Spring Missing Middle Site Plan No. 820220090 (“Applications”) (Attachments A and B).

The Housing and Opportunities Commission (HOC) (“Applicant”) submitted the Applications to remove lots and amend the approved maximum dwelling unit density, reduce the minimum green space and parking for an existing subdivision; and to create three (3) new lots for 12 townhouse living units, four (4) lots for (3) three new duplexes (two-unit living), eleven (11) lots for eleven (11) existing single-family detached dwelling units, three open space parcels, and one parcel for a shared private driveway.

Identified by the Applicant as a missing middle pilot project, this new infill housing development is consistent with the goals identified in the 2019 Missing Middle Housing study, Thrive Montgomery, and the ongoing Attainable Housing Strategies initiative. The proposal demonstrates how a creative mix of housing typology and configuration can be successfully integrated into an existing community of mostly single-family detached housing. Architecturally, the buildings reflect the form, scale and appearance of single-family homes while containing four (4) townhouse units or a duplex unit. With front porches, traditional architectural, sidewalk connections, ample landscaping, and hidden parking, the missing middle pilot project enhances the Sandy Spring Village Center, increases affordable housing, and provides a successful application of the missing middle housing concept.

### Sandy Spring Meadow Amendments

Preliminary Plan Amendment No. 11982180A would remove Parcel B and Lot Nos. 7 to 17, Block A from the existing Sandy Spring Meadow subdivision to allow the creation of new lots for the proposed Sandy Spring Missing Middle Pilot Project subdivision.

Site Plan Amendment No. 81982092A would reduce the overall density, green space, and parking for the Sandy Spring Meadow subdivision. A new half-court basketball court is also proposed.

### Sandy Spring Missing Middle Pilot Project

Preliminary Plan No. 120220050 would allow a new subdivision in order to create three (3) new lots for 12 townhouse living units, six (6) lots for (3) three new duplexes (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, three open space parcels and one parcel for a shared private driveway in the area.

Site Plan No. 820220090 would allow the development of 18 new dwelling units consisting of 12 townhouse living units and three (3) duplex (two-unit living) units, including 25.7 percent MPDUs using the MPDU Bonus/Optional Method of Development. The Applicant is receiving a 35 percent density

bonus for providing 25.7 percent MPDUs or MCDHCA-approved equivalent. Eleven existing single-family detached units will remain, and one single-family unit will be removed.

Staff recommends approval of the Applications, including a Preliminary and Final Forest Conservation Plan, with conditions, as indicated in Section 1 of this report.

Staff has received no community comments or correspondence.

## SECTION 1: RECOMMENDATIONS AND CONDITIONS

### PRELIMINARY PLAN AMENDMENT NO. 11982180A (SANDY SPRING MEADOW)

Staff recommends approval with conditions of the Preliminary Plan Amendment to remove Parcel B and Lot Nos. 7 to 17, Block A “Sandy Spring Meadow” from the original cluster subdivision application area and confirm that the remaining portion of the Preliminary Plan remains in conformance with the R-60 optional method (cluster) development standards. All site development elements shown on the latest electronic version of the Preliminary Plan No. 11982180A as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by adding the following conditions. The following conditions are in addition to all previous conditions, which remain in full force and effect:

#### **New Conditions**

#### GENERAL APPROVAL

1. This Preliminary Plan is limited to 49 lots for 49 existing dwelling units consisting of 30 (thirty) townhouses and 19 (nineteen) single-family detached units.

#### CERTIFIED PRELIMINARY PLAN AMENDMENT

2. Before submittal of the Certified Preliminary Plan Amendment, the Applicant must make the following changes:
  - a) Show resolutions and approval letters on the certified set
  - b) Include a copy of the Forest Conservation Plan titled “Preliminary Forest Conservation Plan” in the Preliminary Plan application folder, after addressing all outstanding comments in ePlans.

## PRELIMINARY PLAN NO. 120220050 (SANDY SPRING MISSING MIDDLE PILOT PROJECT)

Staff recommends approval with conditions of the Preliminary Plan No. 120220050 to create three (3) new lots for 12 townhouse living units, four (4) lots for three new duplexes (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, three open space parcels and one parcel for a shared private driveway. All site development elements shown on the latest electronic version of the Preliminary Plan No. 120220050 as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.

### GENERAL APPROVAL

1. This Preliminary Plan is limited to three (3) new lots for 12 townhouse living units, four (4) lots for three new duplexes (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, including a minimum of 27.5 percent MPDUs, three open space parcels, and one parcel for a shared private driveway parcel.
2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

### PLAN VALIDITY PERIOD

3. The Preliminary Plan Subdivision Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

### OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated March 16, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“SHA”) in its letter dated March 8, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated March 17, 2023, and incorporates them as

conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

9. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 6, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (“DHCA”), in its letter dated March 28, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### OTHER APPROVALS

11. Except clearing and grading associated with the demolition of building and paving, the Applicant must receive Staff certification of Site Plan No. 820220090 before submitting a record plat application or any clearing or grading on the Subject Property. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, sidewalks and shared pathway is determined through Site Plan review and approval.

#### ENVIRONMENT

12. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must record a Category I Conservation Easement over the 0.04-acre onsite forest planting area and the 0.76-acre offsite forest retention credit area as specified on the approved Final Forest Conservation Plan No. 820220090, as amended. The Category I Conservation Easements must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
13. The Applicant must plant the variance tree mitigation plantings on the Subject Property with a minimum size of three (3) caliper inches totaling thirty-six (36) caliper inches. Planting locations to be shown on the Final Forest Conservation Plan (“FFCP”).
14. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.

#### TRANSPORTATION

##### Existing Frontage Improvements

15. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:



- a) All land necessary to accommodate a minimum of thirty (30) feet from the existing pavement centerline along the Project Area frontage for Skymeadow Way from Olney Sandy Spring Road to a point 210 feet to the north of the intersection with Olney Sandy Spring Rd and all land necessary to accommodate a minimum of twenty-five (25) feet from the existing pavement centerline from that point to the northernmost property line for the Subject Property, as shown on the Certified Preliminary Plan.
  - b) All land necessary to accommodate a minimum of forty (40) feet from the existing pavement centerline along the Project Area frontage for Olney Sandy Spring Road.
16. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS, MCDOT, and SHA to ensure construction of a five-foot wide sidewalk along the property frontage on Skymeadow Way, and a ten-foot wide sidepath along the property frontage on Olney Sandy Spring Road.

#### Off-Site Improvements

17. Before final approval of any use and occupancy permit, the Applicant must construct a five-foot wide asphalt path through the community recreation space (Parcel H) to link the existing Skymeadow Way cul-de-sac to Branchwood Lane pursuant to MCDPS requirements.

#### Easements

18. The record plat must show necessary easements.
19. The record plat must reflect common ingress/egress and utility easements over all shared driveways on Parcel C.

#### Notes and Labels

20. The record plat must reflect all areas under common ownership.
21. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 (“Covenant”).

#### DEVELOPMENTS WITH MPDU’S

22. The final number of MPDUs as required by Condition 1 (one) above will be determined at the time of site plan approval.

#### CERTIFIED PRELIMINARY PLAN

23. The certified Preliminary Plan must contain the following notes:
- a. *Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
24. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and approval letters on the certified set.
- b) Include a copy of the Forest Conservation Plan titled “Preliminary Forest Conservation Plan” in the Preliminary Plan application folder, after addressing all outstanding comments in ePlans.

## SITE PLAN AMENDMENT NO. 81982092A (SANDY SPRING MEADOW)

Staff recommends approval of Site Plan Amendment No. 81982092A to reduce the density from a total of 60 dwelling units to 49 dwelling units, reduce the number of parking spaces from 120 to 98 spaces, reduce the approved green space from 223,600 square feet to 202,652 square feet, install a half-court basketball court, and confirm that the remaining portion of the Site Plan remains in conformance with the R-60 optional method (cluster) development standards. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.<sup>1</sup>

The following conditions, beginning at No. 5, are in addition to all other conditions, which remain in full force and effect:

### DENSITY

#### 5. Density

The Site Plan Amendment is limited to a maximum of 49 dwelling units consisting of 30 townhouse and 19 single-family detached units. The overall density is limited to 4.28 dwelling units per acre.

### OPEN SPACE, FACILITIES AND AMENITIES

#### 6. Common Open Space

The Applicant must provide a minimum of 202,652 square feet of green space on-site<sup>2</sup> and must clearly delineate the green space on the certified plan set.

### SITE PLAN

#### 7. Site Design

- a) The Site Plan Amendment must provide a minimum of 99 parking spaces, which includes 61 spaces for the townhouse units and 38 spaces for the single-family detached units.
- b) Modify data table to reflect development standards approved by the Planning Board.

---

<sup>1</sup> For the purposes 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.

<sup>2</sup> Pursuant to Section 59-C-1.524 of the 2004 Zoning Ordinance.

## SITE PLAN NO. 820220090 (SANDY SPRING MISSING MIDDLE PILOT PROJECT)

Staff recommends approval of Site Plan No. 820220090 for the construction of 18 dwelling units consisting of 12 townhouse units and six (6) duplex units. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.<sup>3</sup>

### DENSITY, HEIGHT & HOUSING

1. Density

The Site Plan is limited to a maximum of 18 units consisting of 12 (twelve) townhouse and six (6) duplex units. The overall density is limited to 9.8 dwelling units per acre.

2. Height

The development is limited to a maximum height of 40 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated March 28, 2023, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide a minimum of 25.7 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 35 percent density bonus for providing 25.7 percent MPDUs or MCDHCA-approved equivalent.
- c) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

### OPEN SPACE, FACILITIES AND AMENITIES

4. Common Open Space

Before the issuance of use and occupancy certificates for the residential development, all common space areas on the Project Area must be completed. Landscaping materials may be installed within six (6) months of occupancy or during the following growing season after the improvements are completed.

---

<sup>3</sup> For the purposes 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.

## ENVIRONMENT

### 5. Forest Conservation and Tree Save

- a) The Applicant must schedule the required site inspections by the M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- b) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan (“FFCP”). Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- c) The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
- d) Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must:
  - i. Install permanent conservation easement signage along the perimeter of the conservation easements as shown on the FCP, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
  - ii. Execute a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of the General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, and the offsite forest retention credit area meeting the requirements of the FCP. The MMA includes invasive species management control measures as deemed necessary by the M-NCPPC Forest Conservation Inspection Staff.
  - iii. Submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the 0.04 acres of new forest planting and for the mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the FCP.
  - iv. The Applicant must install the Afforestation as shown on the approved FCP, within the first planting season following the release of the first Sediment and Erosion Control Permit from the MCDPS for the Subject Property, or as directed by the M-NCPPC Forest Conservation Inspection Staff.
  - v. The Applicant must plant the variance tree mitigation plantings on the Project Area with a minimum size of three (3) caliper inches totaling 36 caliper inches as shown on the Final Forest Conservation Plan.

### 6. Noise Attenuation

- a) Before the issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 60 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.

- b) If any changes occur to the Preliminary Plan or Site Plan which affect the validity of the noise analysis dated August 31, 2022, 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.
- c) Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and the MCDPS that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- d) For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. 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 signature subdivision and site plans.

## TRANSPORTATION & CIRCULATION/ADEQUATE PUBLIC FACILITIES (APF)

### 7. Transportation

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Right-of-Way Section in its memo dated February 22, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

### 8. Pedestrian and Bicycle Circulation

The Applicant must provide at least one (1) short-term bicycle parking space.

### 9. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated March 6, 2023, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

## SITE PLAN

### 10. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
- c) The landscaping must be substantially similar to the drawings shown on the submitted landscape and lighting plans, as determined by M-NCPPC Staff.

11. Lighting

- a) Before 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 any proposed freestanding light fixture (outside of the public right-of-way) to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot 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.

12. Site Plan Surety and Maintenance Agreement

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

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to landscaping, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, private driveways and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development 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.

13. Development Program

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

#### 14. 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 the following notes:
  - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
  - ii. “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 Montgomery County Department of Permitting Services (MCDPS).”
  - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the MCDPS responsible for Certified Site Plan (CSP) conformance and compliance, upon approval of the CSP. The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with MCDPS CSP Staff. A copy of the approved CSP along with any subsequent amendments is required to be on-site at all times.”
- c) Include the approved MCDPS, Fire and Rescue Access plan in the Certified Site Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site Plan and Landscape Plan.
- f) Address all outstanding comments noted in ePlans on the Final Forest Conservation and title the plan “Final Forest Conservation Plan.”



## SECTION 2: SITE DESCRIPTION

### VICINITY

The Boundary of Applications is located on the northwest corner of Olney Sandy Spring Road (MD 108) and Skymeadow Way in the community of Sandy Spring, MD (Figure 1) (“Boundary of Applications” or “Boundary”).

The Boundary is within the Residential Neighborhood area of the 2015 *Sandy Spring Rural Village Plan* (“Master Plan”) and is located immediately to the east of the Village Core area identified in the Master Plan.

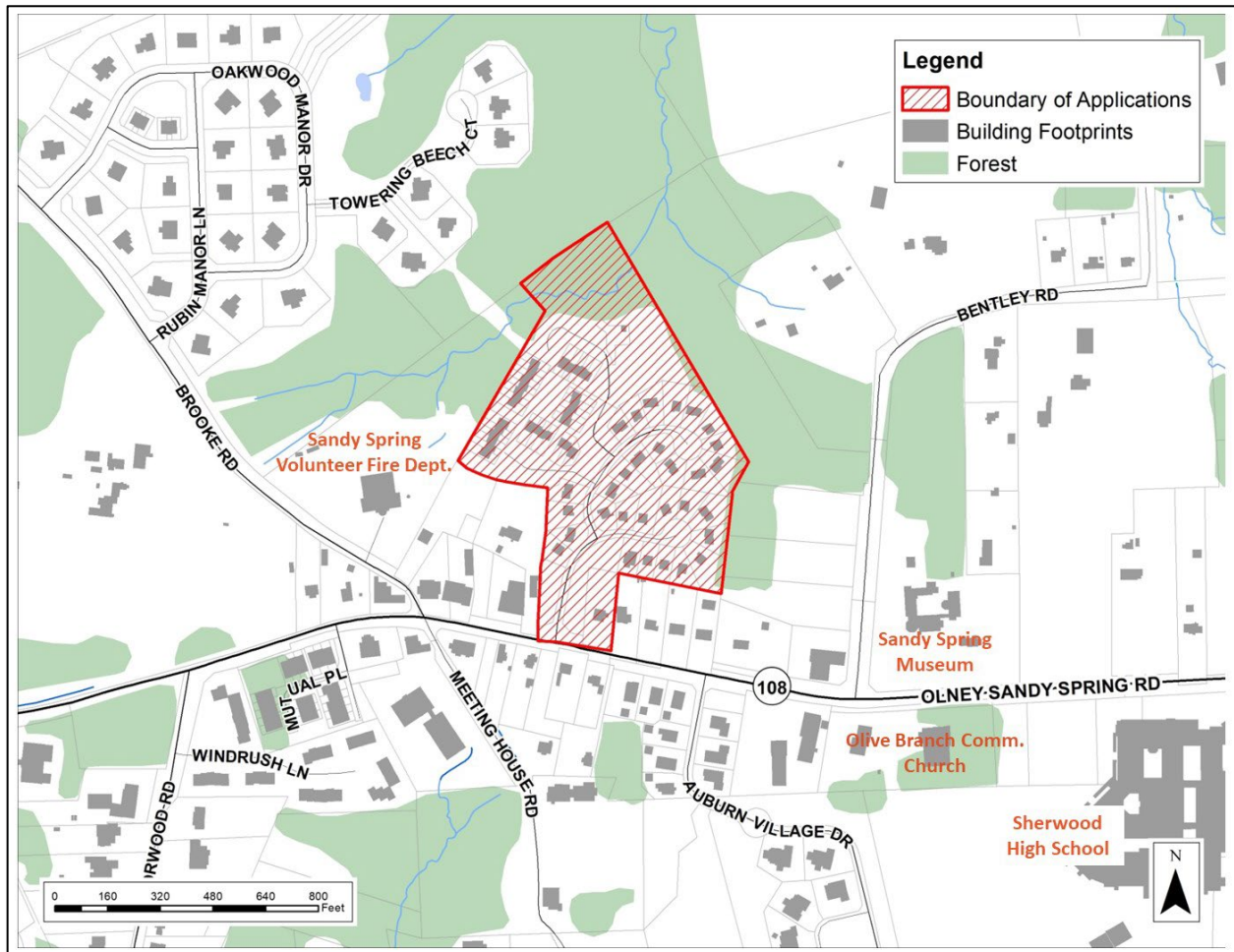


Figure 1 - Vicinity Map

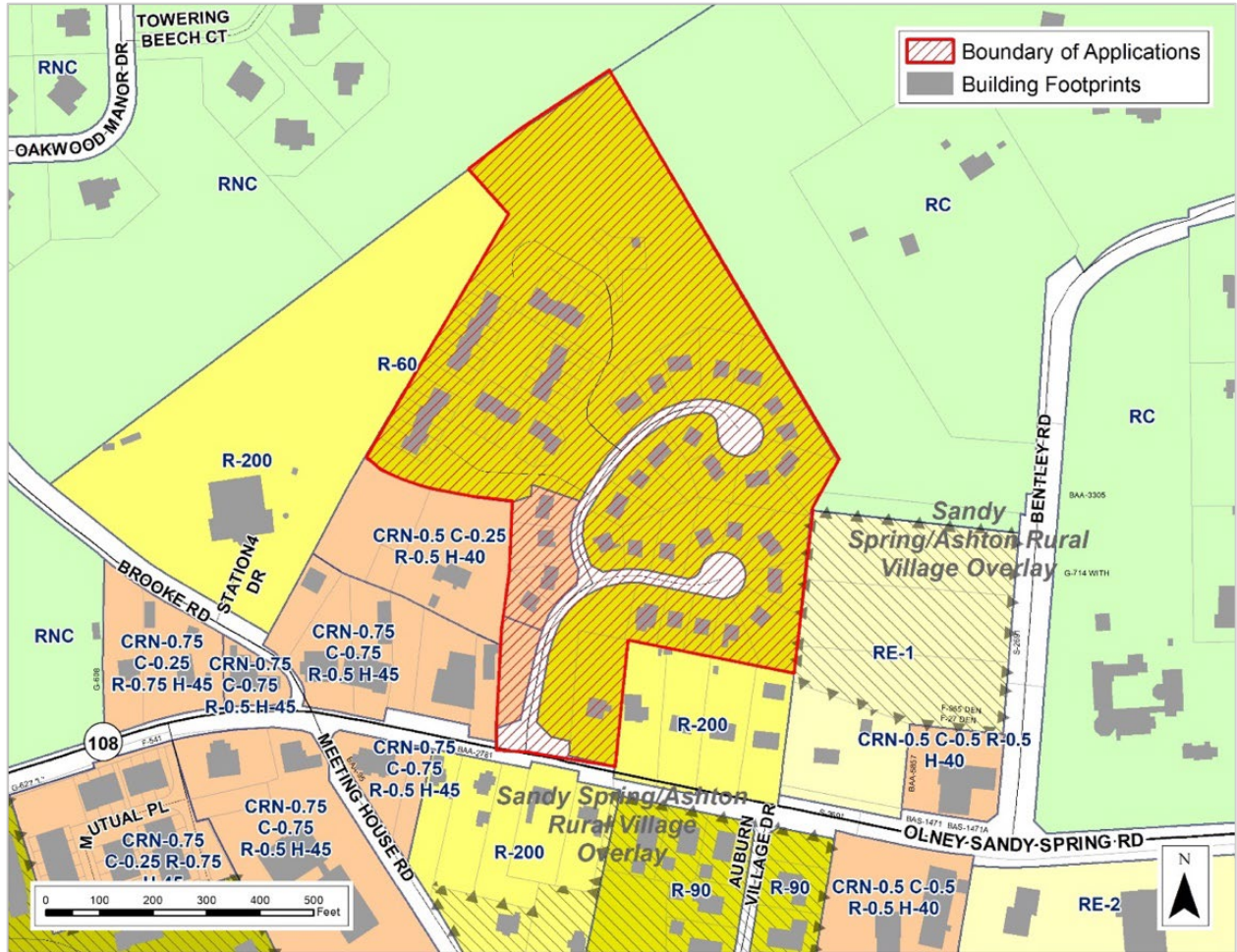


Figure 2 - Existing Zoning

Properties to the north are zoned Rural Cluster (RC) and Rural Neighborhood Cluster (RNC). Properties to the east are zoned Residential 200 (R-200), Residential Estate 1 (RE-1), and RC. To the south properties are zoned R-200 and Residential 90 (R-90). To the west, properties are zoned Commercial Residential Neighborhood (CRN), R-200, and RNC (Figure 2).

Land use to the north consists primarily of undeveloped forest land. To the east, land uses are single-family detached units and undeveloped forest land. To the south, land uses are a mix of single-family detached and attached units. To the west, land uses are Sherwood High School and general commercial uses located in the Village Core area.

## PROPERTY DESCRIPTION

The Amendment Area (Preliminary Plan No. 11982180A and Site Plan No. 81982092A) is irregularly shaped and contains approximately 14.22 acres of land in the Residential 60 (R-60) zone (“Amendment Area”). (See Figure 3, Figure 4)

The Project Area (Preliminary Plan No. 120220050 and Site Plan No. 820220090) is approximately 3.27 acres in the R-60 zone and is presently developed with 12 single-family detached units across 11 lots and two parcels (“Project Area”). (See Figure 3, Figure 4)

The Project Area is irregularly shaped with two noncontiguous areas of land separated by Skymeadow Way. The Project Area has approximately 73 feet of frontage on MD-108 and extends northward toward the terminus of both Skymeadow Way and Branchwood Lane. Vehicular access to the Amendment and Project Areas is from MD 108, Skymeadow Way, and Branchwood Lane.

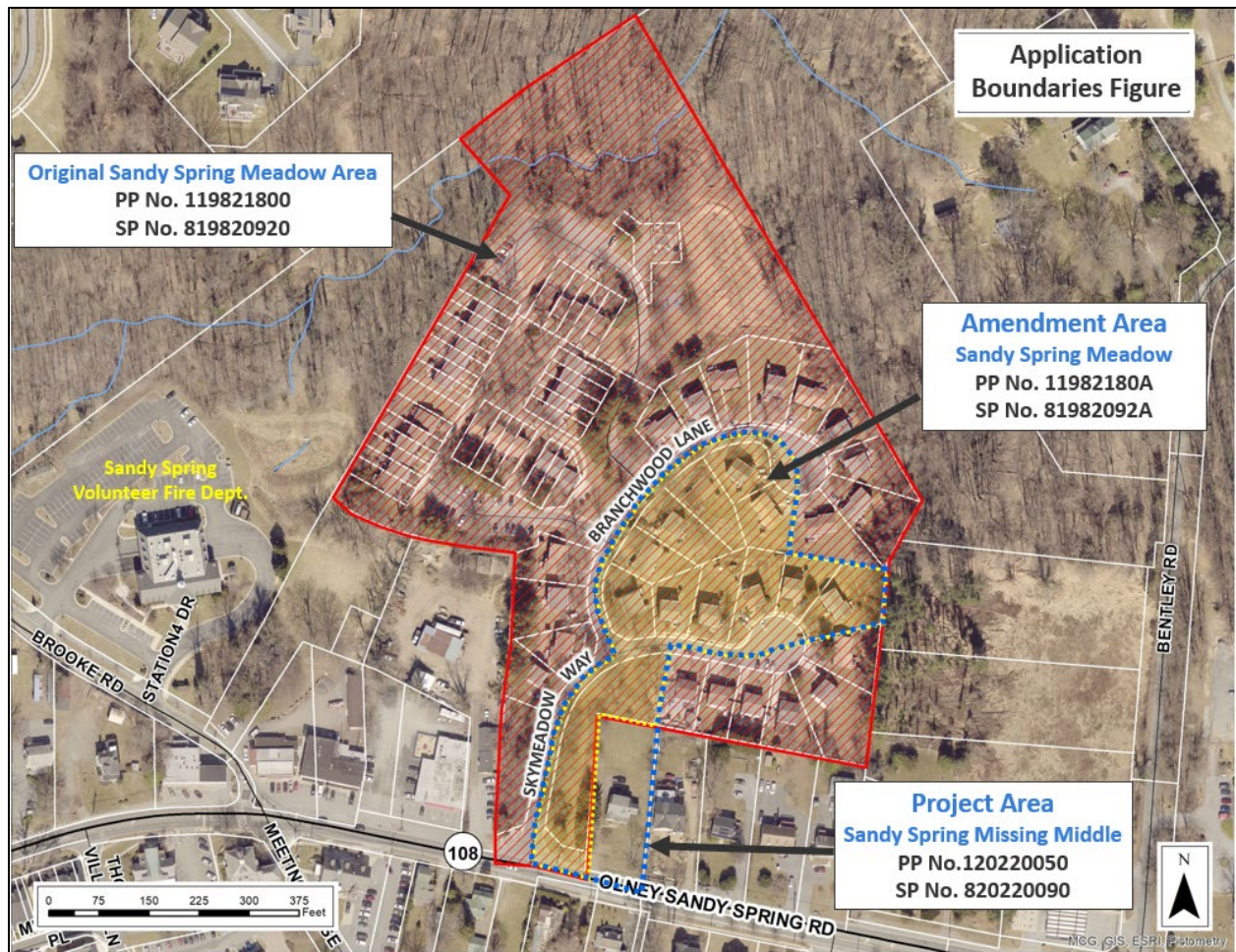


Figure 3 – Sandy Spring Meadow Preliminary Plan and Site Plan (red) with Amendment Area (yellow) and Project Area (blue)

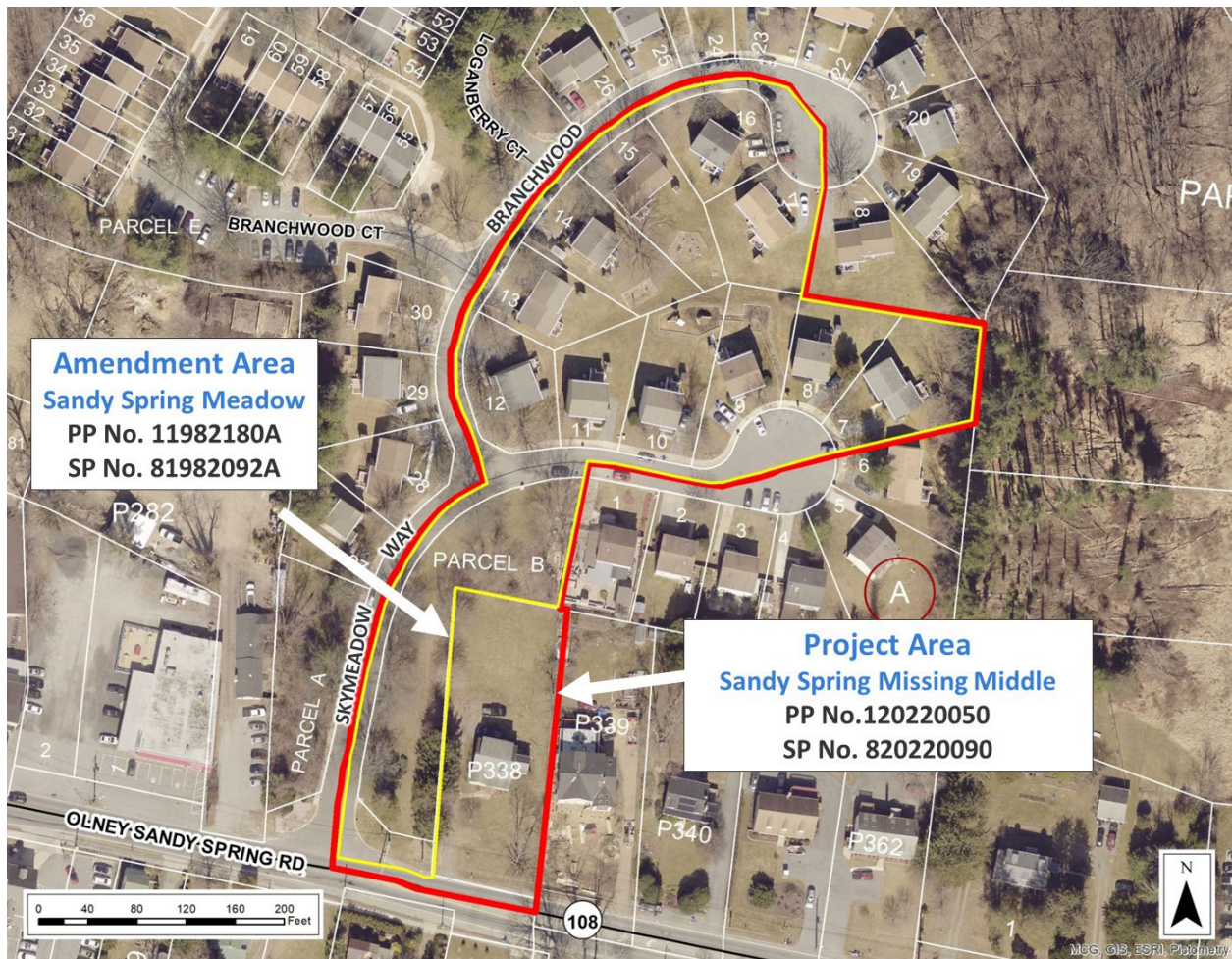


Figure 4 – Map showing the boundary of Amendment Area (yellow) and Project Area (red)

The Boundary is within the Lower Haulings River watershed, which is classified by the State of Maryland as Use Class IV-P waters. The Haulings River is a tributary to the Patuxent River. A portion of the Boundary is within the Patuxent River Primary Management Area (PMA), which is associated with a tributary to the Patuxent River located north of the Property. The Property is not located within a Special Protection Area (SPA).

There are no streams, wetlands, floodplain, stream buffers, forest, or highly erodible soils located on or immediately adjacent to the Boundary area; however, there are a few areas where slopes exceed 25 percent. The Boundary area does not contain any known rare, threatened, or endangered species, and no historic resources, burial sites, or cemeteries are known to exist in the Boundary area.

## SECTION 3: PROJECT DESCRIPTION

### PREVIOUS APPROVALS

#### *Preliminary Plan No. 119821800*

The original Preliminary Plan, Patterson Tract<sup>4</sup>, was approved on February 10, 1983, by Planning Board Opinion mailed on February 18, 1983 to create 60 lots on 14.22 acres of land to accommodate 30 townhouse units and 30 single-family detached units in the R-60 zone, under the Optional Method Cluster in the R-60 zone (Attachment C).

#### *Site Plan No. 819820920*

The original Site Plan was approved on April 28, 1983 by Planning Board Opinion for the construction of 60 MPDUs, which included 30 townhouses and 30 single-family detached units (Attachment D).

#### *Other Approvals*

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420220510 was approved on October 18, 2021 for the area incorporated in Preliminary Plan No. 120220050 and Site Plan No. 820220090 (Attachment E).

Forest Conservation Exemption No. 42022204E was approved on May 9, 2022, for Preliminary Plan Amendment No. 81982092A and Site Plan Amendment No. 11982180A (Attachment F).

---

<sup>4</sup> Patterson Tract was renamed the Sandy Spring Meadow subdivision during the record plat process.

---

## PROPOSALS

### PRELIMINARY PLAN AMENDMENT 11982180A, SITE PLAN AMENDMENT 81982092A

The Amendments consist of Preliminary Plan 11982180A and Site Plan No. 81982092A, which together comprise applications to remove Parcel B and Lot Nos. 7 to 17, Block A of the Sandy Spring Meadow Subdivision from the Preliminary Plan 119821800 (Figure 4), as recorded on Record Plat 14423 (Attachment G) and Record Plat 14424 (Attachment H); and to amend the approved maximum dwelling unit density, reduce the minimum green space and parking, and construct a new half-court basketball court (“Amendments”).

The purpose of the amendments is to subtract the land area from the Sandy Spring Meadow subdivision to allow the development of 18 new dwelling units with Preliminary Plan No. 120220050 and Site Plan No. 820220090 (Sandy Spring Missing Middle Pilot Project).

### PRELIMINARY PLAN NO. 120220050, SITE PLAN NO. 820220090

The Project consists of Preliminary Plan No. 120220050 and Site Plan No. 820220090 which together comprise an infill residential development consisting of three (3) new lots for 12 townhouse living units, four (4) lots for three (3) new duplexes (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, three open space parcels and one parcel for a shared private driveway, and on-site amenities (“Project”). The Project also provides a minimum of 25.7 percent MPDUs, (5) five units, across the two housing typologies, common open space and new trail connecting Skymeadow Way with Branchwood Lane. An existing dwelling unit at 617 Olney Sandy Spring Road will be removed. Eleven existing single-family detached dwelling units will remain, for a total of 29 dwelling units. (Figure 5, Figure 6)

Pursuant to Section 59-4.4.9.C.1.c of the Zoning Ordinance, since the Project proposes a minimum of 25.7% MPDUs, the Applicant has requested a 35% density bonus. The allowable base density in the R-60 Zone is 7.26 dwelling units per acre. With the proposed density bonus, the Project Area would have a maximum density of 9.8 dwelling units per acre.

The Project Area, within the W-1 water S-1 sewer service categories, is currently served by public water and sewer. Stormwater management goals will be met via pervious pavement and a micro-bioretenion facility, planter boxes, and bioswales.

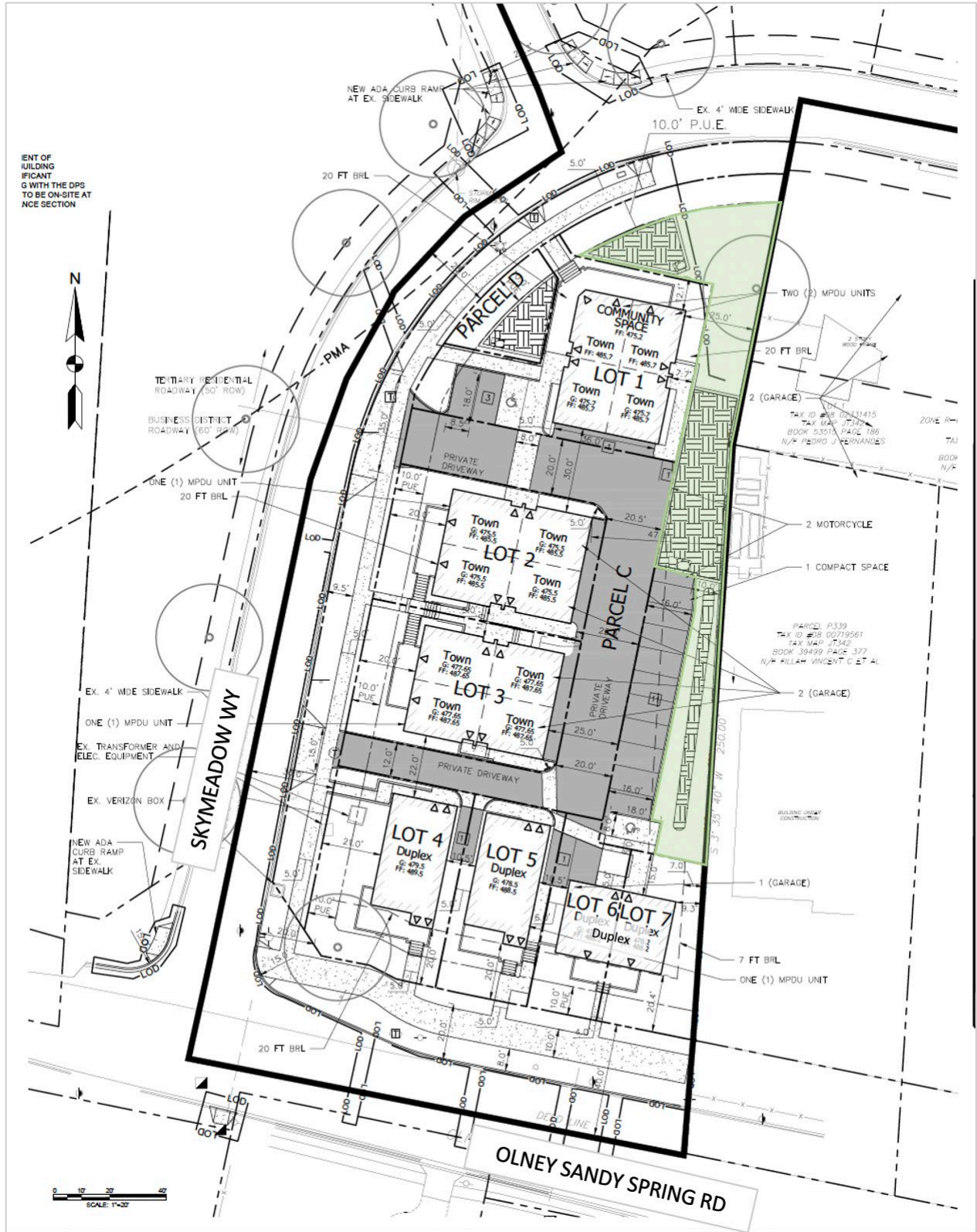


Figure 5 - Proposed Site Plan (southern portion) with 12 new townhouses and three (3) new duplex housing units

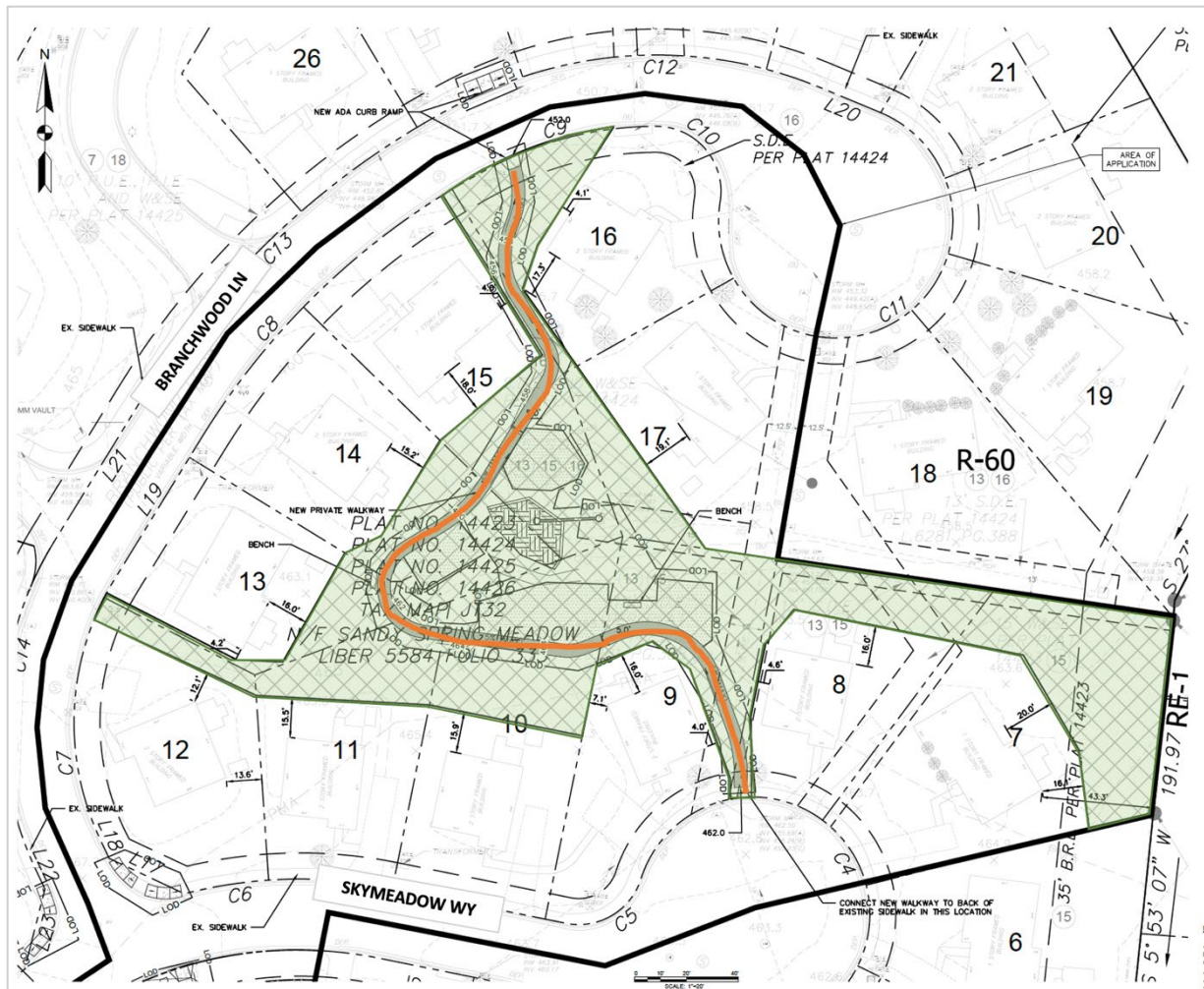


Figure 6 - Proposed Site Plan (northern portion) showing existing open space (green) and playground area, new trail between Skymeadow Way to Branchwood Lane, with 11 existing single-family detached units to remain.

### Open Space

The proposed open space is located in two areas (Figure 5, Figure 6). The southern area is 5,332 square feet and the northern area is 24,374 square feet. Proposed for the southern area is open areas, shade trees, landscaping, and three picnic/sitting areas. Both areas total 21 percent (29,706 square feet) of the total tract area as common open space. The northern portion is largely existing and provides playground equipment and open space play areas. To improve access to the northern areas, the Applicant proposes to provide a new hard surface trail connection from Skymeadow Way to Branchwood Lane. Additionally, the Project will provide an approximately 900 square foot community room on the first floor of the building located on Lot 1.



pe

## Transportation

The Project Area is accessed by MD 108 and Skymeadow Way. MD-108 operates as a two-lane country connector roadway. There are no existing bike facilities that serve the Property. Existing pedestrian infrastructure is limited to a sidewalk on the south side of Olney Sandy Spring Road. Metro operates the Z2 bus with a bus stop located approximately 500 feet to the east of the Project Area on Olney Sandy Spring Road. As conditioned, MD-108 will be improved with a 10-foot wide sidepath for bicycle and pedestrian use along the frontage of the Project Area.

Skymeadow Way is identified as a town center street, though it operates as a two-lane residential street. There is no existing bicycle or pedestrian infrastructure along Skymeadow Way. As conditioned, Skymeadow Way will be improved with a five-foot-wide sidewalk along the frontage of the Project Area.

## Environment

The Applications are subject to Chapter 22A, the Montgomery County Forest Conservation Law. A Preliminary and Final Forest Conservation Plan was submitted with the Preliminary Plan and Site Plan Applications and is discussed in more detail in the Analysis and Findings sections of this report. Forest Conservation Exemption No. 42022204E was approved on May 9, 2022, for Preliminary Plan Amendment No. 81982092A and Site Plan Amendment No. 11982180A. As conditioned, the Applications satisfy the requirements of Chapter 22A.

The Project is subject to M-NCPPC's Noise Guidelines for transportation related noise impacts, which is discussed in more detail in Section 5 (Analysis and Findings) of this Staff Report. As conditioned, the Project satisfies the Noise Guideline requirements.

## SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all application submittal, noticing, and sign posting requirements under Division 7.5 of the Zoning Ordinance. The required hearing notice sign was adequately posted at the Property. Written notice of the Application was mailed by the Applicant to all required parties.

A pre-submittal community meeting was held via Zoom on December 21, 2021 at 7:00 p.m. There were questions asked to clarify the MPDU provision and potential program participants, the price of units, the ownership structure, and the proposed open space. No significant concerns were raised. The Applicant's summary notes of the meeting can be reviewed in Attachment I.

As of published date of this Staff Report, no other community comments or correspondence have been received about the Applications.

## SECTION 5: FINDINGS AND ANALYSIS, PRELIMINARY PLAN

### PRELIMINARY PLAN AMENDMENT NO. 11982180A

Preliminary Plan Amendment No. 11982180A requests to remove 3.27 acres of land, including 11 lots and one parcel from the original preliminary plan area (Attachment J). The proposed Preliminary Plan Amendment does not propose any additional density or alter the intent of the previous findings, which remain applicable, except as modified below.

In general, further subdivision and reconfiguration of lots within subdivisions approved under the optional method, cluster provision, is strictly controlled. However, Section 4.3.L.2.e of the Subdivision Regulation provides the following language allowing the proposed amendment:

*e. future subdivision of land within the approved cluster subdivision that would result in the creation of additional lots is not permitted after the property is platted, except for amendments to cluster subdivisions that were approved prior to October 30, 2014 and that result in land being reviewed and approved as part of an Optional Method MPDU Development application with at least 25% moderately priced dwelling units (MPDUs), provided that the remaining portion of the cluster subdivision complies with all applicable development standards.*

Preliminary Plan No. 119821800 was approved and platted before October 30, 2014. The Preliminary Plan Amendment does not create additional lots increasing the originally approved density. The Preliminary Plan Amendment removes lots from the original approval area and incorporates them into Preliminary Plan No. 120220050, an Optional Method MPDU Development Application with over 25 percent MPDUs. The remaining portion of the Sandy Spring Meadow cluster subdivision was reviewed for conformance with the Subdivision Regulations and R-60 Optional Method of Development Cluster standards. The subdivision remains in conformance once the Amendment area is removed. An analysis of the development standards is provided in Table 5 of the Site Plan Section.

### ENVIRONMENT

On May 9<sup>th</sup>, 2022, a Forest Conservation Plan Exemption 42022204E under Chapter 22A was granted for the Amendments (Attachment F). The Application is in compliance with the Environmental Guidelines and all applicable requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

### PRELIMINARY PLAN NO. 120220050

The Preliminary Plan would create three (3) new lots for 12 townhouse living units, four (4) lots for three (3) new duplex units (two-unit living), 11 lots for eleven (11) existing single-family detached dwelling units, three open space parcels and one parcel for a shared private driveway (Attachment K).

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, and County agencies.

**1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.**

The Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape and orientation of the proposed lots are appropriate for the location of the subdivision and proposed townhouse, duplex and detached house building types, taking into account the R-60 zoning standards under the optional method of development (MPDU) and recommendations of the 2015 *Sandy Spring Rural Village Plan*.

Pursuant to Section 59.4.1.5, allowed building types in the R-60 zone include a detached house, duplex, and townhouse buildings. A detached house is a building containing one dwelling unit. A duplex is a building containing two (2) principal dwelling units. A townhouse is a building containing three (3) or more dwelling units each separated by a vertical wall.

Figure 7 shows the proposed lotting diagram for the existing and proposed dwelling units. Eleven existing detached house buildings will remain in place. The new unit mix consists of 12 townhouse units in three (3) buildings (Lots 1 to 3) and (6) duplex units in three (3) buildings (Lots 4 to 7):

- Lots 1, 2, and 3 include a back-to-back configured townhouse building, rather than the standard linear arrangement, for a total of 12 units.
- Lots 4 and 5 include a horizontally separated duplex building for a total of 4 units.
- Lots 6 and 7 include a vertically separated duplex building for a total of 2 units.

In this case, the MPDU Optional Method of Development requires site plan approval. Site Plan No. 820220090, which is under concurrent review, satisfies this requirement.

The lots were reviewed for compliance with the dimensional requirements for the R-60 zone, under the optional method cluster development, as specified in the Zoning Ordinance. As proposed, the lots meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in Table 5, Section 6 of the Staff Report.



Figure 7 - Preliminary Plan/Lotting Diagram

**2. The Preliminary Plan substantially conforms to the Master Plan.**

The Preliminary Plan substantially conforms to the recommendations within the 2015 *Sandy Spring Rural Village Plan*, as discussed below:

**LAND USE**

**Residential Neighborhood Area Recommendations (Land Use)**

*Support single-family detached and attached residential development.*

*Protect the single-family residential edge along MD 108.*

*Provide infill housing opportunities for all ages and income levels.*

The Applications were submitted by the Housing Opportunities Commission, which owns, leases, and operates affordable housing across the county. The Project Area provides a visible single-family residential edge along MD 180 as show in the architectural renderings of the units along the frontage (Figure 18). The infill Project provides a minimum 25.7% MPDUs. As such, the Project will provide

single-family attached units, protect the residential edge along MD 108, and provide infill opportunities for all ages and incomes.

Three buildings front MD 108 and protect the single-family residential edge of MD 108. The other three buildings front Skymeadow Way, creating strong presence along the residential edge. All the buildings have a residential scale consistent the surrounding area. The primary parking and services for the buildings are from an alley behind the buildings (Figure 8). The residential buildings are of an architectural style that blends in with the surrounding context. Specifically, the structures are two-stories in height, have front and/or side gables, and architectural elements such as front porches and dormer windows similar to many existing residences and generally characteristic of single-family detached and attached residential development.



Figure 8 - Plan showing alley access (private drive) to surface parking located behind buildings and in rear- or side-facing garages

### Residential Neighborhood Recommendations (Buildings)

*Site any new residential buildings in this area to be compatible with existing buildings.*

*Design new housing to be between one and three stories to match the heights of existing homes.*

The proposed residential buildings are compatible with other similar buildings in the area and are designed having no more than three stories in height. The residences along MD 108 and Skymeadow Way have front yards and building massing similar to the existing residences on both sides of MD 108. All buildings have front porches and front and/or side turned gables, and the buildings are between two- and three-stories in height.

### Residential Neighborhood Recommendations (Connections)

*Extend a shared-use path on the north side of MD 108 to connect to the Village Core.*

*Provide a planting strip of trees between the shared-use path and the road to buffer pedestrians and cyclists.*

*Plant street trees along both sides of the roadway to provide continuous shading.*

The Project provides a new 10-foot-wide shared use path along the MD 108 frontage and a planting strip will provide pedestrians and cyclists with a buffer from vehicular traffic. Because of utility lines in close proximity to the intersection of MD 108 and Skymeadow Way, shade trees are proposed on the property side of the sidepath, rather than the tree planting strip. This alternative planting will satisfy the intended recommendation of planted trees along roadways and provide for adequate, continuous shading at maturity.

### Residential Neighborhood Recommendation (Open Space)

*Provide compatibility with the setbacks of existing and proposed residences along MD 108.*

The development has three (3) residential buildings along MD 108. These buildings have setbacks similar to the existing residential on the south side of MD 108 and are, therefore, compatible with the setbacks of existing residences along MD 108.

### Specific Project Area Recommendations

*Protect the single-family residential edge along MD 108.*

*Provide housing for all ages and income levels.*

*Establish R-60 zoning for Parcel P338 to allow for a transition from the Village Core to the single-family residential along MD 108.*

*Develop at R-60 and R-200 densities.*

*Provide infill opportunities for additional residences through the subdivision process.*

*Maintain the northern forested edge of trees.*

The Project supports all the above recommendations. The development locates the duplexes along MD 108 which are closest in scale to the existing single-family detached dwellings along the road. This creative in-fill project of mostly duplex and townhouse building types provides a natural transition between the more intensely visioned village core to the west and the existing detached dwellings to the north and east (Figure 9). The entire project provides affordable housing for all ages. As discussed below in Subsection 4 (Forest Conservation Law), the development provides a forest conservation easement on the northern edge, thereby maintaining the northern forested edge of trees.



*Figure 9 – Vision rendering from the Master Plan showing the Boundary of Applications (black dashed line) and the location of proposed townhomes and duplex units (orange shading)*



## ENVIRONMENT AND NOISE GUIDELINES

The Environmental Section of the 1993 General Plan Refinement for Montgomery County contains multiple objectives to protect future residents from unacceptable noise levels. The *1983 Staff Guidelines for the Consideration of Transportation Noise Impacts In Land Use Planning and Development* (“Noise Guidelines”) contains strategies for mitigating the impact of transportation noise on new residential development. Per the Noise Guidelines, this Project Area is located within the 60 dBA Ldn noise zone, indicating that noise levels in the building’s outdoor activity areas should be maintained at 60 dBA Ldn. According to the Noise Guidelines, any residential building impacted by noise levels above 60 dBA Ldn must be evaluated to certify that the building structure will be capable of maintaining interior noise levels at 45 dBA Ldn.

The Applicant submitted a Noise Analysis dated August 31, 2022 (Attachment L) to examine traffic related noise generated from MD 108 in relation to the Subject Property. The Noise Analysis shows that a portion of the Project Area will be impacted by transportation noise levels greater than 60 dBA Ldn (Figure 10, Figure 11). The outdoor open space/recreation area is located outside of the noise impacted areas and will not require further analysis or mitigation. Five duplexes and two semi-detached duplexes will be exposed to transportation noise levels above 60 dBA Ldn, with a maximum noise impact of 69 dBA Ldn expected upon the facades of duplexes that directly face MD 108. These levels translate to interior noise levels in excess of the threshold of 45 dBA Ldn. As conditioned, further evaluation of the projected noise levels for interior spaces will be required. Mitigation through the use of varied construction materials may be necessary to provide adequate mitigation for indoor spaces impacted by transportation related noise.

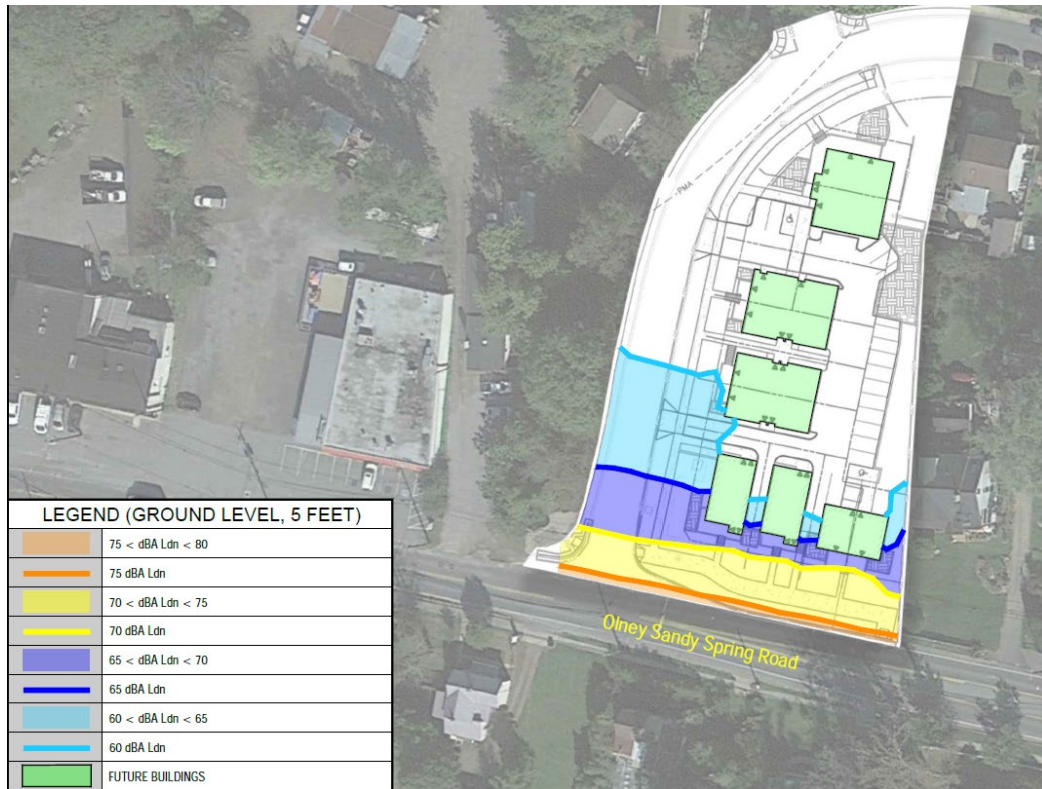


Figure 10 - Results of noise analysis at ground level

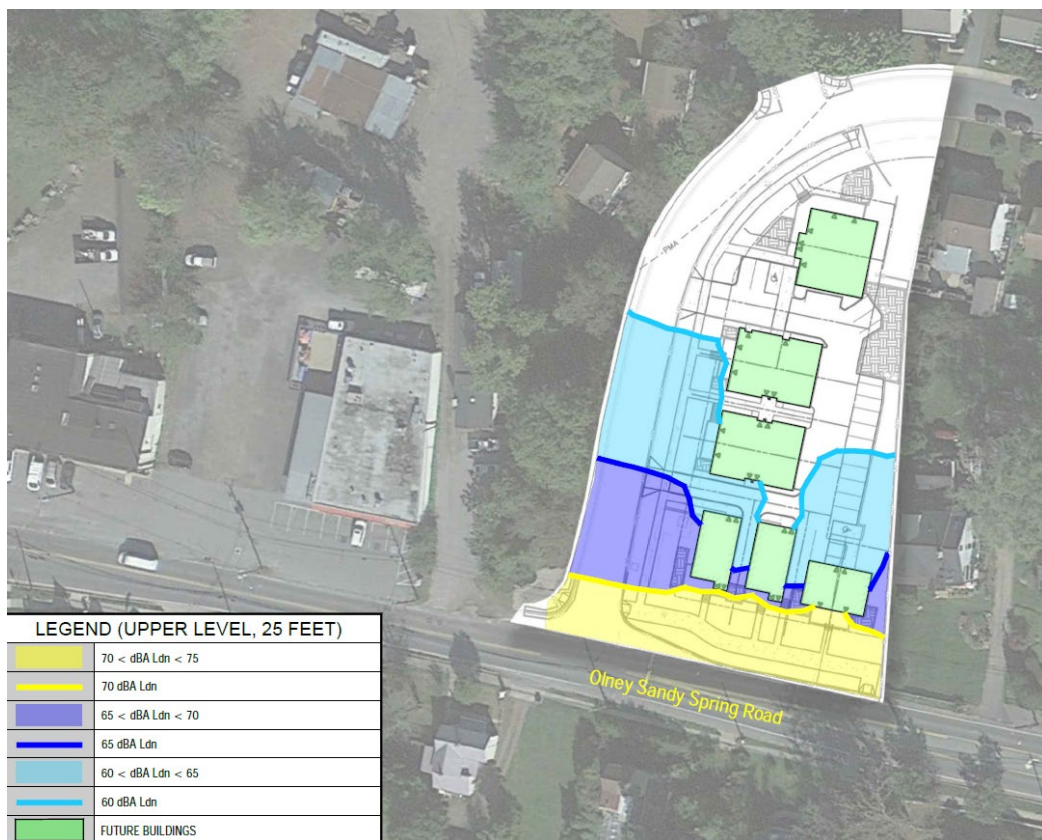


Figure 11 - Results of noise analysis at upper level (25 Feet)

## TRANSPORTATION

Olney Sandy Spring Road is identified as a Country Connector in the 2022 *Complete Streets Design Guide* with a recommended 80-foot right-of-way in the Master Plan. The Applicant will provide 40 feet of dedication as measured from the centerline of MD-108 in support of this recommendation. The 2018 *Bicycle Master Plan* recommends a 10-foot wide sidepath along the north side of the road. As conditioned, this facility will be constructed by the Applicant along the MD-108 frontage.

Skymeadow Way is identified as a town center street in the 2022 *Complete Streets Design Guide* with a recommended 60-foot right-of-way from the Master Plan. As conditioned, the Applicant will provide a minimum of thirty (30) feet from the existing pavement centerline along the Project Area frontage for Skymeadow Way from Olney Sandy Spring Road to a point 210 feet to the north of the intersection with Olney Sandy Spring Rd and all land necessary to accommodate a minimum of twenty-five (25) feet from the existing pavement centerline from that point to the northernmost property line for the Subject Property.

## MASTER PLANNED IMPROVEMENTS

### **3. Public facilities will be adequate to support and service the area of the subdivision.**

As conditioned, adequate public facilities exist to support and service the Project Area in accordance with Section 50.4.2.D of the Subdivision Regulations.

#### **a) Roads and other Transportation Facilities**

As conditioned, road and other transportation facilities are adequate to serve the Application.

As noted above, MD-108 operates as a two-lane Country Connector roadway. Existing pedestrian infrastructure is limited to sidewalk on the south side of the road. Metro operates the Z2 (Olney/Silver Spring Station) bus with a stop approximately 500 ft. to the east. Skymeadow Way is identified as a Town Center Street, though operates as a two-lane residential street. There is no existing bike or pedestrian infrastructure. MD-108 will be improved with a 10-ft wide sidepath for bicycle and pedestrian use along the frontage of the Subject Property. Skymeadow Way will be improved with a five-foot-wide sidewalk along the frontage of the Project Area.

#### **b) Local Area Transportation Review (LATR)**

The Applicant has satisfied the requirements of the LATR and the public transportation facilities are adequate for the Project. The Application proposes 17 net new single family detached units which will generate 16 and 19 net-new peak AM and PM person trips. The Application is exempt from additional LATR review; the 2020-2024 *Growth and Infrastructure Policy* only requires a transportation impact study for any project that is estimated to generate a net increase of 50 or more person trips in either the morning or evening peak hours.

**c) Schools**

The project is served by Sherwood Elementary School, William H. Farquhar Middle School and Sherwood High School. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

*Table 1 - Applicable FY2022 School Adequacy*

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Sherwood ES	519	531	102.3%	-12	No UPP	73	92	170
William H. Farquhar MS	800	696	87.0%	+104	No UPP	230	264	384
Sherwood HS	2,147	2,085	97.1%	+62	No UPP	242	492	814

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, Sherwood Elementary School, William H. Farquhar Middle School and Sherwood High School do not require any UPP as identified in Table 1. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

To calculate the number of students generated by the proposed amendment, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 17 single-family attached units that are not age-restricted, the Application is estimated to generate the following number of students based on the subject property’s location within a Turnover Impact Area:

*Table 2 - Estimated Student Enrollment Impacts*

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	17	0.225	3.825	0.123	2.091	0.159	2.703
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	17		3		2		2

As shown in Table 2, on average, this project is estimated to generate three elementary school students, two middle school students and two high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 1, therefore no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

**d) Other Public Facilities and Services**

Public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the Growth and Infrastructure Policy currently in effect. Other public facilities and services are available and are adequate to serve the proposed residential development.

The Washington Suburban Sanitary Commission has reviewed the Application and identified an eight (8) inch gravity sewer main and a 10-inch water main adjacent to the site that are available to serve the Project Area. The use of water and sewer is consistent the Project Area’s W-1 and S-1 service category.

The Application has been reviewed by the MCDPS Fire Department Access and Water Supply Section who determined that the Project Area has adequate access for fire and rescue vehicles by transmittal dated March 6, 2023.

Electric and telecommunications services as available and adequate to serve the proposed lots. Within the existing subdivision, there are existing easement 10-foot-wide overlapping public utility easements ("PUE"), water and sewer, and public improvement easements ("PIE") parallel to the existing road rights-of-way that currently service the existing subdivision. Where the Applicant is dedicating additional right-of-way for Skymeadow Way and Branchwood Lane, sidewalks will be constructed or reconstructed within the right-of-way and the PIE’s will be abandoned. New 10-foot wide PUE’s will be recorded parallel to the right-of-way to serve the new and existing dwellings.

Other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 Growth and Infrastructure Policy.

**4. All Forest Conservation Law, Chapter 22A requirements are satisfied.**

The Project Area is subject to the Montgomery Forest Conservation Law, Chapter 22A of the County Code, and requires a Forest Conservation Plan. Included with the Forest Conservation Plan is a request for a tree variance for impacts and removal of subject trees. The Preliminary Plan and Site Plan comply with the Montgomery County Environmental Guidelines and the Forest Conservation Law, as conditioned in the Staff Report and described below.

a) Natural Resource Inventory/Forest Stand Delineation

The Natural Resource Inventory/Forest Stand Delineation ("NRI/FSD") 420220510 for this Project Area was approved in October 2021 (Attachment F). The NRI/FSD identifies the environmental constraints and forest resources on the Subject Property. The NRI/FSD included 3.27 acres of land comprised of multiple recorded lots and one parcel located within the Lower Hawlings River watershed which is classified as Use Class IV-P waters by the State of Maryland. A portion of the Project Area is located within the Patuxent River Primary Management Area ("PMA"), which is associated with a tributary to the Patuxent River located north of the Property. The Project Area does not contain any forest;

however, there are 33 trees with a diameter at breast height (“DBH”) of 24 inches or more located on or immediately adjacent to the Project Area, 13 of these trees has a DBH greater than 30 inches. The Project Area does not contain any streams, wetlands, floodplain, stream buffers, or highly erodible soils. There are a few areas where slopes exceed 25 percent, primarily along Skymeadow Way and along the western property line. There are no documented rare, threatened, or endangered species on the Property.

#### b) Forest Conservation Plan

The Applicant has submitted a Preliminary and Final Forest Conservation Plan (“FCP”) with the current development plan applications for Preliminary Plan No. 120220050 and Site Plan No. 820220090 (Attachment M). The Applications satisfy the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and comply with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Project Area is zoned R-60 and is assigned a Land Use Category of High Density Residential (“HDR”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 15% and a conservation threshold of 20% of the Net Tract Area. The 2.77-acre net tract area for forest conservation purposes was determined by subtracting 0.50 acres of right-of-way that will not be disturbed as part of this Application from the 3.27-acre Project Area. There is no existing forest within the net tract area which results in an afforestation requirement of 0.42 acres. The Applicant proposes to meet the planting requirement by planting 0.04 acres of forest onsite and adjacent to an existing offsite Category I Conservation Easement. This 0.04 acres will add to the offsite forest and as conditioned, will be protected in a Category I Conservation Easement. The remaining 0.38-acre planting requirement will be met at a 2:1 ratio by protecting 0.76 acres of existing forest located offsite, in the northern portion of the Sandy Spring Meadow community, known as Parcel E, and currently owned by the Applicant. This forest is located within a stream buffer of a tributary to the Patuxent River, the same watershed as the Project Area, and is adjacent to existing protected forest. As conditioned, the Application must protect this forest with a Category I Conservation Easement (Figure 12)

Since this Application is being reviewed under the Optional Method of development in a one-family residential zone, it is subject to Section 22A-12(f) *Special provisions for minimum retention, reforestation and afforestation.* Section 22A-12(f)(1) *General. Any site developed in an agricultural and resource area, any planned unit development, any site developed under a cluster or other optional method of development in a one-family residential zone, and any waiver from a zoning requirement for environmental reasons, must include a minimum amount of forest on-site as part of meeting its total forest conservation requirement.*

Since this Project Area does not contain any forest, it is subject to Section 22A-12(f)(2)(D), and on-site afforestation must equal the applicable afforestation threshold, requiring the 0.42-acre afforestation

requirement to be met onsite. However, Section 22A-12(f)(3) states that if the Planning Board finds that this is not possible, the applicant must provide the maximum possible on-site, not including landscaping before meeting requirements offsite.

Given that this is an existing development with additional infill residential development, there is limited area to provide forest planting. The Applicant is meeting the maximum possible, a 0.04-acre portion of the afforestation requirement onsite as described above, in a location along the property boundary adjacent to an existing Category I Conservation Easement. There are no other appropriate forest planting areas on the Project Area, therefore, this provision of the Forest Conservation Law has been met and the remainder of the planting requirement may be met offsite.

Further, Section 22A-12(f)(4) of the Forest Conservation Law references the priorities and sequence for afforestation established in Section 22A-12(e) *Standards for reforestation and afforestation*.

Section 22A-12e(1)(A) *Preferred sequence* notes the “preferred sequence for afforestation and reforestation is, in general: on-site afforestation and reforestation; off-site afforestation or reforestation; enhancement of existing forest through on-site selective clearing, supplemental planting, or both; acquiring credit(s) from an off-site forest mitigation bank; paying fee-in-lieu; and landscaping with an approved plan.”

The Applicant requests a modification to the preferred sequence described above to allow a portion of the afforestation requirement to be met by protecting existing offsite forest under the following provision of the Forest Conservation Law:

*Section 22A-12e(1)(B) Governmental considerations. The sequence provided in subparagraph (A) of this paragraph may be modified for a specific project if the applicant demonstrates to the satisfaction of the Planning Board or the Planning Director, as the case may be, that a different sequence is necessary... to achieve the objectives of a master or sector plan or other County land use policies or to take advantage of opportunities to consolidate forest conservation efforts.*

In this case, the Applicant is a governmental agency which serves the affordable housing objectives of the County, and this Project will provide affordable housing at a location consistent with master plan and general plan recommendations. This Project aligns with the housing objectives of the new general plan, *Montgomery Thrive 2050*, as the Applicant is proposing this project to provide “missing middle” housing. In addition, page 29 of the *Sandy Spring Rural Village Master Plan (2015)*, recommends that “opportunities for additional infill housing should be permitted and encouraged. It specifically mentions the Sandy Spring Meadow subdivision providing additional homes “for all ages and incomes.” In addition, page 31 of the Master Plan includes the recommendation to “maintain the northern forested edge of trees” in the Sandy Spring Meadow’s subdivision.

The area of forest proposed for protection is outside the limits of the Project, so it is considered offsite; however, it is owned and controlled by the Applicant. This forest was not protected during the original approval of the Sandy Spring Meadow subdivision in 1983 because it pre-dated the Forest

Conservation Law of 1991. This forest is adjacent to two properties with existing conservation easements, is located within a stream buffer and the Patuxent River PMA, and allows the Application to help fulfill the objectives of the General Plan and the recommendations of the Master Plan.

The Applicant's proposal to provide 0.04 acres of the 0.42-acre forest planting requirement onsite and meet the remaining requirement 0.38-acre requirement by protecting 0.76 acres of offsite forest meets the requirements of the Forest Conservation Law.

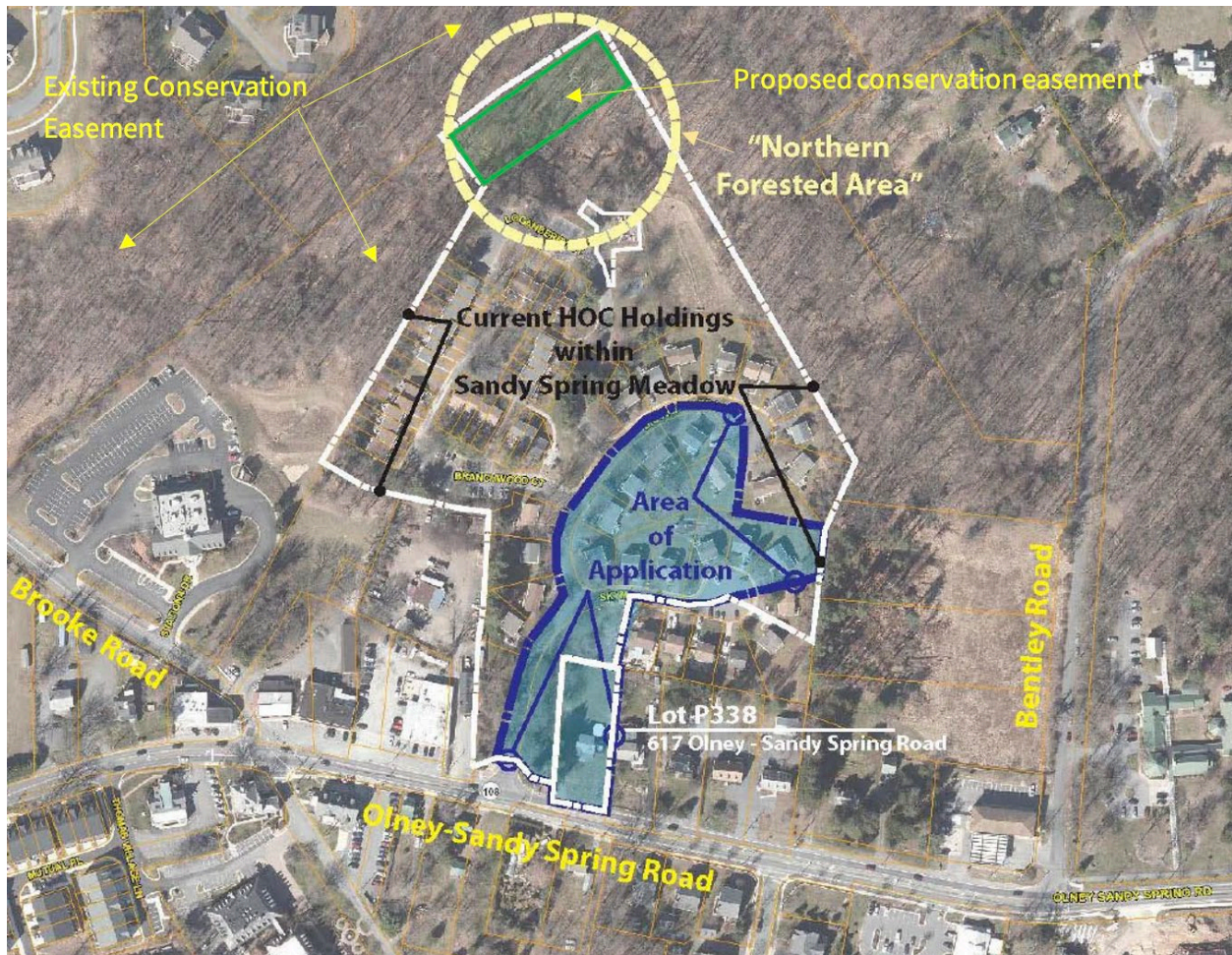


Figure 12 - Application area and "offsite" forest to be protected

### Forest Conservation Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. 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. The law requires 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.

Variance Request

The Applicant submitted a variance request in a letter dated February 21, 2023 (Attachment N). For this Application, the variance provision applies to all impacted trees that are 30 inches DBH and greater. The Applicant proposes to remove four and impact but retain three trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law (Table 3, Figure 13).

*Table 3 - Trees proposed for impact or removal*

Tree No.	Species	DBH (inches)	Quality	Proposed Disposition	CRZ Impact	Justification
1	Thuja species	36	Poor	Remove	66.6%	Poor quality, impacted by bikeway, PUE
2	Pin Oak	30	Fair/Good	Remove	48.4%	Poor quality due to disease, impacted by public improvements
3	Pin Oak	32.5	Good	Remove	45.4%	Poor to fair quality due to disease, impacted by public improvements
6	Silver Maple	MT	Good	Retain	31.3%	Partially impacted by sidewalk, project improvements.
9	Silver Maple	38	Good/Excellent	Retain	26.7%	Partially impacted by pedestrian path, stormwater management.
25	Pin Oak	34	Good	Retain	8.2%	Partially impacted by public improvements
27	Norway Maple	38	Poor	Remove	57.8%	Poor quality, invasive species, bikeway improvement

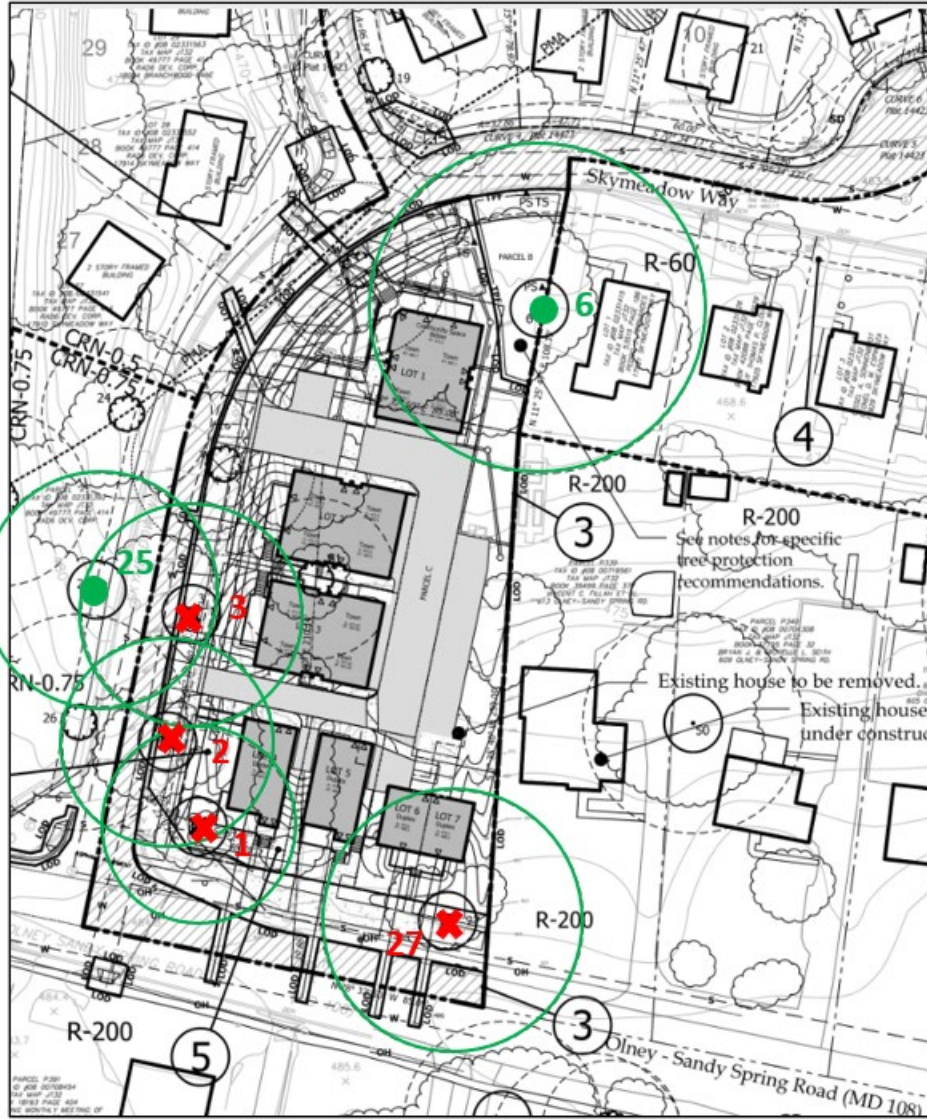


Figure 13 - Variance trees impacted (Trees 6, 25) and removed (Trees 1, 2, 3, 27)

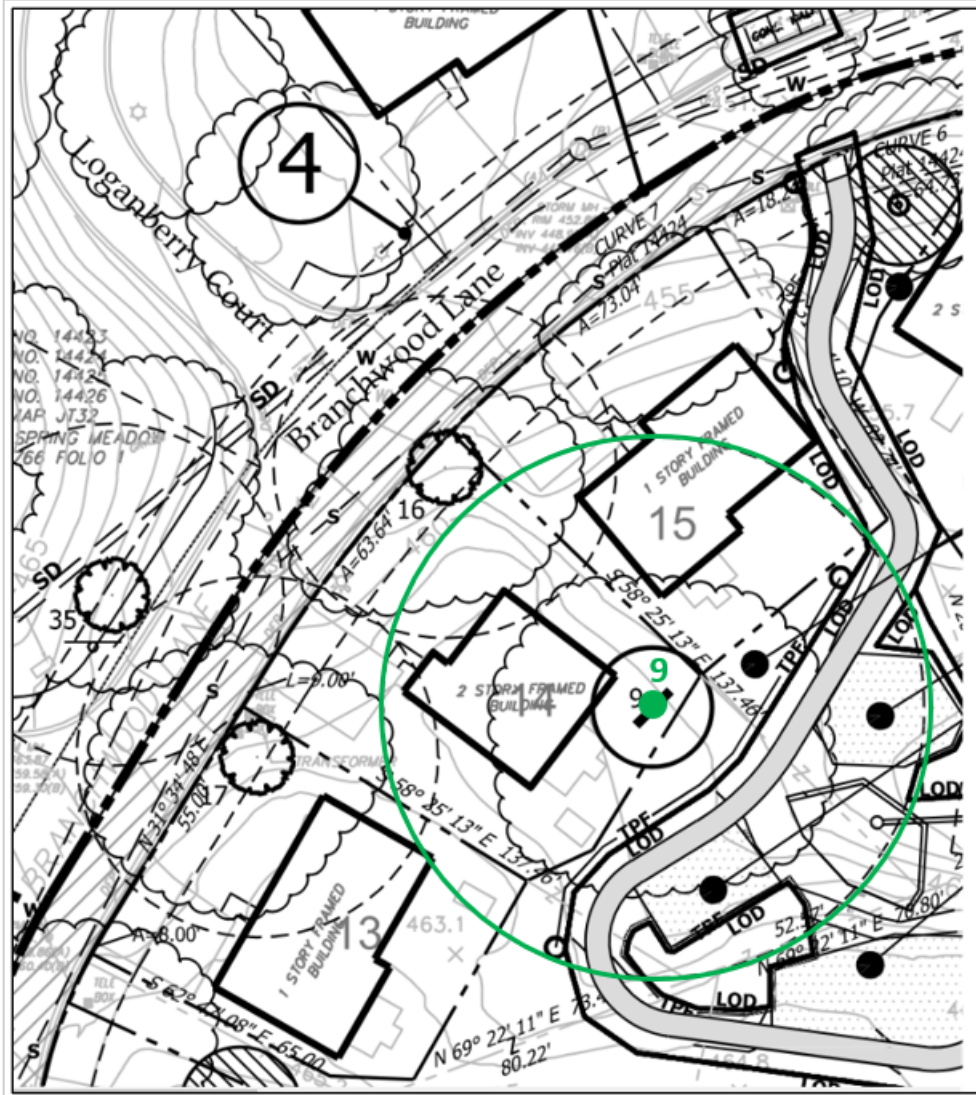


Figure 14 - Variance tree impacted (Tree 9)

Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be considered if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the existing site conditions, including the existing development to remain, necessary layout of the proposed new development on the Property, and development standards of the zone.

Tree Nos. 1, 2, 3, and 27 are located adjacent to the existing Sky Meadow Way and MD 108 and will be severely impacted by the proposed road, bikeway, sidewalk, and utility improvements, requiring their removal. Tree No. 25 is located adjacent to existing Sky Meadow Way and will be impacted by the same improvements but to a lesser extent, allowing retention of this tree with appropriate tree

protection measures during construction. Tree No. 6 will be impacted by the proposed building and sidewalk construction and Tree No. 9 will be impacted by the necessary stormwater management features and the proposed pedestrian path necessary to improve pedestrian connectivity within the community. These trees will also be retained through the use of appropriate tree protection measures.

The existing conditions including the existing development to remain, current access from MD 108 via existing Sky Meadow Way and the required roadway and other improvements have largely determined the limits of disturbance necessary to implement this project and implement the goals and recommendations of the General Plan and the Master Plan. The inability to remove and impact these trees would prohibit the ability of this site to be reasonably redeveloped and implement the goals of the General Plan and the Master Plan to provide affordable housing in this area. Therefore, there is a sufficient unwarranted hardship to justify a variance request because the Applicant would otherwise be denied the ability to redevelop the Project Area to provide much needed affordable house for which it is recommended.

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, in order for a variance to be granted.

#### Variance Findings

The following determinations are based on the required findings for granting of the requested variance:

- i. ***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 to the Applicant as the impact and removal of the specified trees is due to the development of the Project Area, location of the trees and necessary site design requirements. The impacted and removed Protected Trees are located within the developed area of the site that will be redeveloped and the right-of-way for MD 108 and Sky Meadow Way. Granting a variance to allow disturbance within the developable portion of the site is not unique to this Applicant. The granting of this variance is not a special privilege that would be denied to other applicants.

- ii. ***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, development standards of the zone, and necessary design requirements of this Application, including street frontage improvements, and conformance with the goals and recommendations of the General Plan and the Master Plan.

- iii. ***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 the proposed site design and layout of the Project Area, and not as a result of land or building use on a neighboring property.

- iv. ***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 proposed removed Protected Trees are not located within a stream buffer, wetland or Special Protection Area. The Application proposes mitigation by planting larger caliper trees on-site. These trees will replace water quality functions that may be lost by the removed trees. Therefore, the Application will not violate State water quality standards or cause measurable degradation in water quality.

#### Mitigation for Trees Subject to the Variance Provisions

There are four Protected Trees proposed for removal in this variance request and the Applicant is proposing to mitigate for the loss. The Application proposes to remove 136.5 caliper inches of Protected Trees that will be mitigated for at a rate that approximates the form and function of the trees being removed. These trees will be replaced at a ratio of approximately one (1) inch caliper for every four (4) inches removed using trees that are a minimum of three (3) caliper inches in size. This results in a total mitigation of 34.2 inches with the installation of twelve, three (3) inch caliper overstory trees native to the Piedmont Region of Maryland on the Project Area outside of any rights-of-way and outside of any utility easements. The mitigation trees planted on the Project Area will provide some immediate benefit, ultimately replacing the canopy lost by the removal of these trees. As conditioned, the mitigation trees are protected as part of a five (5) year maintenance and management agreement. Mitigation is not recommended for Protected Trees that are impacted but retained. The root systems of these trees will regenerate, and will continue to provide the benefits that they do today.

#### ***5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.***

The Application received an approved stormwater concept plan from the MCDPS, Water Resources Section on March 17, 2023 (Attachment O). The Application will meet stormwater management goals through the use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) using micro-bioretenion, planter boxes, and bioswales. The Project meets all requirements of Chapter 19.

#### ***6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.***

The Applicant has no actual notice or constructive notice of a burial site; and the Project Area is not included in the Montgomery County Cemetery Inventory.

**7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.**

There are no other applicable provisions that are specific to the Project Area or necessary for approval of the subdivision.

## SECTION 6: FINDINGS AND ANALYSIS, SITE PLAN

### SITE PLAN AMENDMENT NO. 81982092A

The Planning Board approved Site Plan No. 81982092 to create 60 MPDU units, consisting of 30 townhouse units and 30 single-family detached units in the Boundary area with conditions.

Site Plan Amendment 81982092A is a request to reduce the amount of useable land area, decrease the number of lots, reduce the minimum amount of green/open space, and reduce the minimum number of parking spaces, and add a new half-court basketball court for the Sandy Spring Meadow subdivision (Boundary Area). On May 9, 2022, Forest Conservation Exemption No. 42022204E was approved for Site Plan Amendment No. 81982092A, which exempts the Amendments from Chapter 22A (Forest Conservation). The proposed amendment remains in conformance with the R-60 Optional Method Cluster Development Standards. Proposed Site Plan Amendment No. 81982092A does not alter the intent of the previous findings, which remain applicable, except as modified below in Table 4.

*Table 4 - Site Plan No.81982092A, Data Table for R-60 Zone, Optional Method Cluster Development*

Development Standard	Permitted/Required	Approved	Proposed Amendment
Area (Minimum acres)	5 acres	14.18 acres	11.13 acres
Density (Maximum units/acre)	5 units/acre	4.23 units/acre	4.28 units/acre
Number of lots	Not applicable		
Townhouse		30	30 (No change)
Single-family detached		30	19
Total Units		60	49
Minimum Lot Size			No change to minimum lot size
Townhouse	1,200 SF	1,500 SF	
Single-family detached	3,000 SF	4,000 SF	
Parking Spaces (Minimum)			
Townhouse	60	61	61 (No change)
Single-family detached	38	60	38
Total Spaces	98	121	99
Open Space/Green Space (Minimum)	98,000 SF	223,560 SF	202,652 SF
Minimum Setbacks (ft.)			No change to setbacks
Front	20 ft.	As shown	
Rear	Determ. at Site Plan	15 ft. or as shown	
Side	Determ. at Site Plan	As shown	

**SITE PLAN NO. 820220090**

Pursuant to Section 59.4.4.2.A, Site Plan approval is required because the Applicant seeks an MPDU density bonus using the Optional Method of Development Standards in the R-60 zone (Section 59.4.4.9.C).

- 1. When reviewing an application, the approval findings apply only to the site covered by the application.**

The findings herein apply only to the Project Area.

- 2. To approve a Site Plan, the Planning Board must find that the proposed development:**
  - a) satisfies any previous approval that applies to the site;**

With the approved Preliminary Plan Amendment 11982180A and Site Plan Amendment 81982092A, no previous approvals are applicable to the site.

- b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;**

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;**

This section is not applicable as the Project Area's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d) satisfies applicable use standards, development standards, and general requirements under this Chapter;**

Pursuant to Sec. 59-3.1.6 (Use and Use Standards Table), the existing single-family detached units and the proposed duplex and townhouse units are permitted in the R-60 zone.

**Division 4.4.9.C R-60 Zone, Optional Method Development Standards**

*Table 5 - Site Plan Data Table for R-60 Zone, Optional Method, Section 59.4.4.9.C*

Development Standard	Permitted/ Required	Proposed/Provided
Tract Area	n/a	3.27 acres (142,442 SF)
Usable Area	3 acres	3.27 acres (142,442 SF)
Prior Dedication	n/a	0.56 acres (24,520SF)
Proposed Dedication	n/a	0.14 acres (6,084 SF)
Site Area	n/a	2.55 acres



Development Standard	Permitted/ Required	Proposed/Provided
Mapped Density R-60	7.26 units/acre 10.01 units/acre (with MPDU bonus)	8.84 units/acre
Total Mapped Density, Maximum	24 units 32 units (with MPDU bonus)	29 total units (11 existing units, 18 new units)
MPDU requirement	12.5 percent 3 units	27.5 percent 5 units
MPDU Bonus Density <sup>5</sup>	Varies	35%
Total Dwelling Units	32	11 single-family detached (existing) 3 duplexes and 12 townhouses 29 (DU's total)
Common Open Space (Minimum % of Usable Area)	20 percent (28,489 SF)	21 percent (29,706 SF)
Lot Area (Minimum)		
Detached House	3,000 SF	3,845 SF (Lot 8)
Duplex	1,500 SF	1,713 SF (Lot 6)
Townhouse	1,000 SF	3,593 SF (Lots 2, 3)
Lot Width at Front Building Line (Minimum)		
Detached House	Determined at Site Plan	46.6 feet (Lot 8)
Duplex	Determined at Site Plan	25.0 feet (Lot 6)
Townhouse	Determined at Site Plan	48.0 feet (Lots 2, 3)
Lot Width at Front Lot Line (Minimum)		
Detached House	25 feet	28.7 feet (Lot 8)
Duplex	25 feet	25.0 feet (Lots 5, 6, 10)
Townhouse	14 feet	34.0 feet (Lot 4)
Lot Coverage (Maximum)		
Detached House	60%	31.9% (Lot 13)
Duplex	60%	38.4% (Lot 5)
Townhouse	n/a	52.2% (Lots 2, 3)
Building Setback (Minimum)		
Front, Public Street	20 feet	20 feet
Front, Private Street Open Space	10 feet	n/a
Side Street, Adjoining Lot Fronts	20 feet	21 feet
Side Street, Adjoining Lot	15 feet	n/a
Side	Determ. at Site Plan	0 to 14.6 feet
Side, Abutting R-200	7 feet	9.3 feet
Side, Abutting R-60	8 feet	n/a

<sup>5</sup> Sec. 59-4.4.9.C.1.c Specifications for density, R-60 zone.

Development Standard	Permitted/ Required	Proposed/Provided
Rear, Lots 7 to 11, 13 to 17	Determ. at Site Plan	7.7 feet
Rear, Lots 1 to 11	Determ. at Site Plan	15.2 feet
Rear, Lot 12	Determ. at Site Plan	12.1 feet
Rear, Abutting RE-1	35 feet	42.8 feet
Rear, Abutting R-200	20 feet	25 feet
Rear, Abutting R-60	20 feet	25 feet
Parking Lot Landscaping (Minimum)	410 square feet	450 square feet
Building Height (Maximum)	40 feet	40 feet
Vehicle Parking (Minimum) <sup>6</sup>	31 spaces	31 spaces
Bicycle Parking (Minimum)	0 spaces	1 short-term space

i. **Division 4.7 Optional Method Public Benefits**

Not applicable. This Division is applicable to property zoned Commercial Residential (CR), Commercial Residential Town (CRT), Employment Office (EOF) or Life Sciences Center (LSC). The Project Area is zoned R-60.

ii. **Division 59-6 General Development Standards**

**(1) Division 6.1 Site Access**

Access and circulation are adequate to serve the Project Area. As discussed in the Preliminary Plan findings, site access will be accommodated from two access points along the east side of Skymeadow Way, connected together by a horseshoe-shaped driveway. All residential garages and parking facilities will access this proposed driveway. The Applicant will also construct a shared-use path along MD-108 and a new sidewalk along Skymeadow Way. Access to the existing single-family detached units is via Skymeadow Way and Branchwood Lane.

**(2) Division 6.2 Parking, Queuing and Loading**

As shown on the Site Plan, parking, queuing and loading areas are adequate to serve the site. As shown Table 5, parking spaces are adequate and meets all zoning requirements. Garage and surface parking is provided. Pursuant to Section 59-6.2.8.B1, off-street loading spaces are not required for single-family attached or detached dwelling units.

As shown on the landscaping plan and in Table 5, the parking lot landscaping and lighting is adequate for the surface parking lot area. The Application provides a minimum of five percent landscaping, an

<sup>6</sup> Per MPDU parking space reduction Sec. 59-6.2.3.1.2.b

average planting area of approximately 15 feet wide, five canopy trees planted at 30 feet center, and several understory trees within the planting strip. The canopy trees will satisfy 25 percent coverage at 25 years of growth. The screening hedge will have a minimum height of at least six (6) feet at maturity.

**(3) Division 6.3 Open Space and Recreation**

Because the Application is being reviewed under the R-60 MPDU Optional Method of Development (Sec. 59-4.4.9.C), the Project must provide at least 20 percent (28,489 square feet) common open space. As shown in Figure 15, the Application satisfies the open space requirements by providing 21 percent (29,706 square feet) of open space. The opens space will include two main areas which include landscaped and shaded areas, picnic and seating areas, open lawns, a playground and hard surface trail, which are connected by sidewalks and pedestrian routes.

The building on Lot 1 includes an approximate 900 square foot community room fronting an eight (8) foot wide front porch, which is centrally located and available for residents of the subdivision (Figure 16). The Applicant envisions the space will provide opportunities for covered outdoor seating on the porch, small gatherings, as well as an internet hub.

Pursuant to Section 59-6.3.9.C, the Recreation Guidelines are not applicable because the Project is not more than 19 new residential units. The existing residential units are served by existing open space and playground equipment.

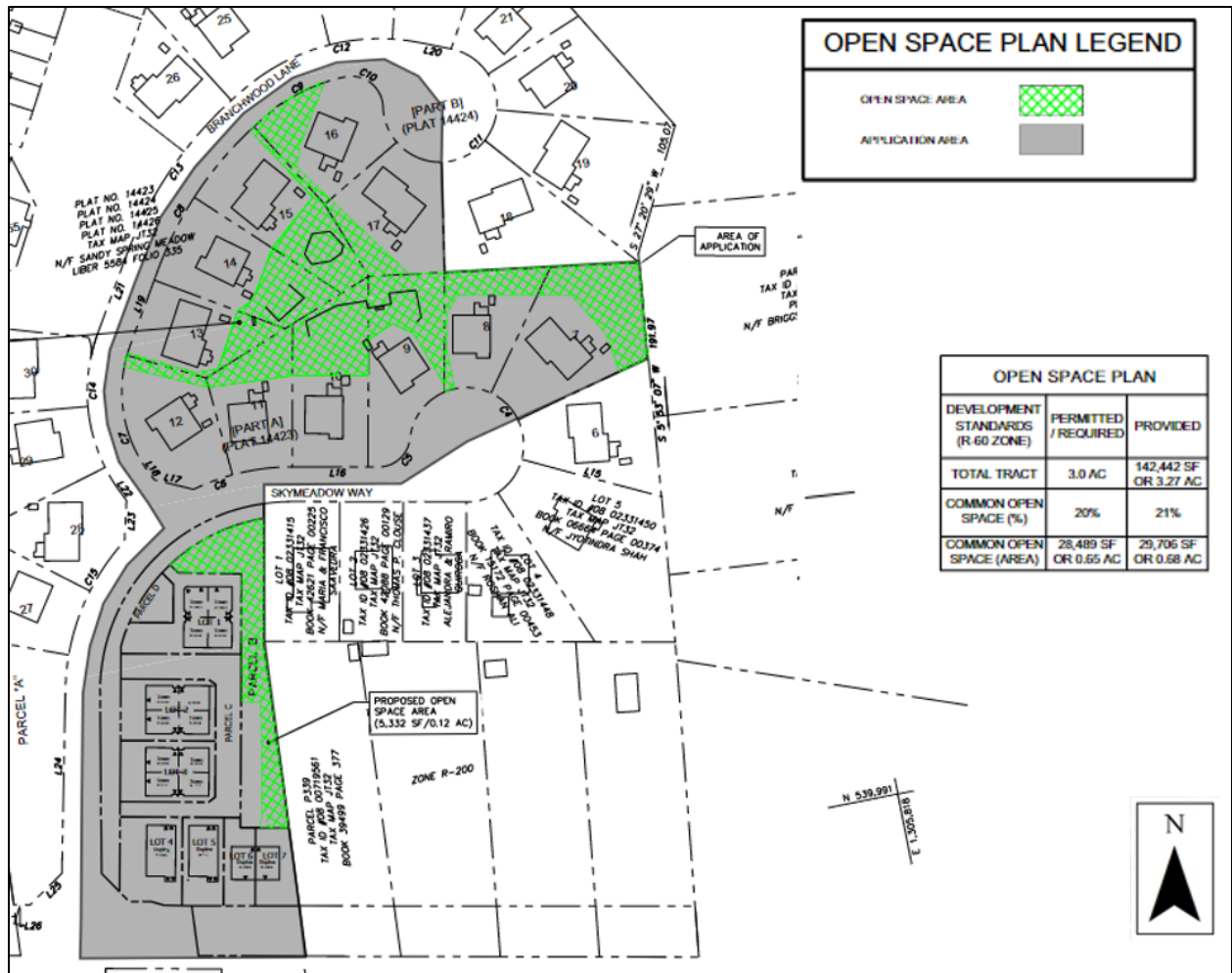


Figure 15 - Proposed open space shown shaded in green

**(4) Division 6.4 General Landscaping and Outdoor lighting**

As shown on the landscape and lighting plan, the Project satisfies the requirements of Division 6.4. The Project includes a variety of new landscaping and lighting throughout the site. Street trees are provided along MD-108 and Skymeadow Way to enhance the pedestrian environment, provide shade, and create an aesthetically pleasing presence along the roadways.

The Applicant will plant a variety of native trees and shrubs throughout the Project Area. To provide canopy shade trees along the street frontage, proposed are London Plane trees along Skymeadow Way and Willow Oaks along MD 108. Additional landscaping distributed across the Project Area includes other large deciduous trees, evergreen trees, understory trees for spring and fall colors, deciduous and evergreen shrubs, and ground cover.

**(5) Division 6.5 Screening**

Not applicable because the Application reviewed under the MPDU Optional Method of development. This Division is applicable only to the Standard Method of development.

**e) Satisfies the applicable requirements of:**

**i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and**

The Project satisfies the requirement of Chapter 19. DPS approved a Combined Stormwater Management Concept/ Site Development Stormwater Management Plan on March 17, 2023. The plan proposes to meet required stormwater management goals via a micro-bioretenion facility, planter boxes, and bioswales.

**ii. Chapter 22A, Forest Conservation.**

As discussed in the Preliminary Plan findings, the Project satisfies all requirements of Chapter 22A.

**f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;**

As discussed in the Preliminary Plan findings and in the Site Plan findings above, the Project provides safe, well-integrated parking, circulation patterns, open spaces, and site amenities. New buildings fronting on MD 108 and Skymeadow Way are rear loaded from a semi-circular driveway that is accessed from Skymeadow Way. One curb-cut is eliminated on MD 108 in favor of a continuous, new shared use path that will improve the pedestrian and bicycling experience. Also, the Project provides a new sidewalk along Skymeadow Way to allow for safe and efficient pedestrian circulation to the site and existing dwellings to the north.

As discussed in the Preliminary Plan findings, the Site Plan is consistent with the Master Plan vision and recommendations (Figure 16, Figure 17, and Figure 18). The building massing is consistent with the massing of single-family dwelling units. The Site Plan protects the single-family residential edge

along Olney-Sandy Spring Road by including a mix of duplex and townhouse dwelling units with a compatible residential form, massing, and architectural features. The buildings are oriented toward the public realm with rear or side loaded garage spaces from a private alley/driveway. Surface parking is located behind the buildings away from the public realm. As infill housing, the Site Plan creates a transition in density and height between the established single-family community in the vicinity and Village Core to the west. The Site Plan incorporates 28,810 square feet of centrally located common open space and a community room to enhance and improve the Project's amenities.



*Figure 16 – Rendering of four townhouse units and community room on first floor on Lots 1 and 2*



*Figure 17 - Rendering of front façade of four townhouse units on Lot 3*



*Figure 18 - Rendering of a duplex home on Lots 6 and 7*

- g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;***

As discussed in the Preliminary Plan findings for consistency with the Master Plan, the Project conforms with the recommendations of the Master Plan. There are no other specific guidelines applicable to the Site.

- h) will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;***



As discussed in the Preliminary Plan findings, the Project is served by adequate public facilities, including, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- i) on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and***

As discussed in the Preliminary Plan findings for consistency with the Master Plan, the proposed building types are compatible with regard to scale, massing and height with the existing development surrounding the Property. The building orientation and location in relation to MD-108 and Skymeadow Way are consistent with the existing pattern of development in the area.

- j) on a property in all other zones, is compatible with existing, approved or pending adjacent development.***

Not applicable. The Project Area is located in a Residential zone, as noted above.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.***

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable, the Project Area was not zoned C-1 or C-2 on October 29, 2014.

## SECTION 7: CONCLUSION

As conditioned, Preliminary Plan Amendment 11982180A, Preliminary Plan 120220050, Site Plan Amendment 81982092A, and Site Plan 820220090 each satisfy the findings under Section 59.7.3.4 and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2015 *Sandy Spring Rural Village Plan* and satisfy the findings of the Subdivision Regulations (Chapter 50). Therefore, Staff recommends approval of Preliminary Plan Amendment 11982180A, Preliminary Plan 120220050, Site Plan Amendment 81982092A, and Site Plan 820220090, subject to the conditions specified in this Staff Report.

## ATTACHMENTS

*Attachment A: Preliminary Plan Amendment No. 11982180A, Site Plan Amendment No. 81982092A*

*Attachment B: Preliminary Plan No. 120220050, Site Plan No. 820220090*

*Attachment C: Preliminary Plan No. 119821800*

*Attachment D: Site Plan No. 819820920*

*Attachment E: Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) No. 420220510*

*Attachment F: Forest Conservation Exemption*

*Attachment G: Record Plat 14423*

*Attachment H: Record Plat 14424*

*Attachment I: Pre-Submittal Meeting Notes*

*Attachment J: Existing Lotting Diagram*

*Attachment K: Proposed Lotting Diagram*

*Attachment L: Noise Analysis Report*

*Attachment M: Preliminary/Final Forest Conservation Plan*

*Attachment N: Tree Variance Request Letter*

*Attachment O: Approval Letters*