



Site Plan No. 820070140: Toll I - Cabin Branch Neighborhood

Staff Report Date 4-8-13

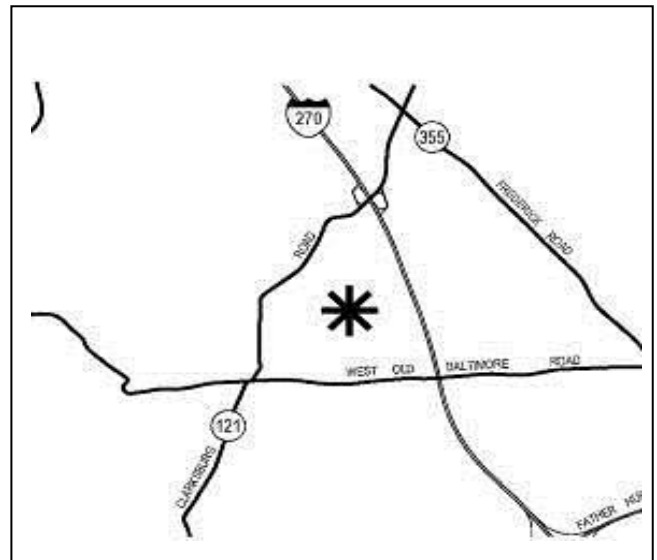
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Description

Site Plans for Toll I and II: Cabin Branch Neighborhood

***A. Site Plan No. 820070140: Toll I - Cabin Branch Neighborhood (Includes a Water Quality Plan and Forest Conservation Plan)**
 Located adjacent to the intersection of West Old Baltimore Road and Broadway Avenue, 435 dwelling units (including 239 single-family detached units, 68 single-family attached units, 128 multi-family dwelling units), 80.73 acres, MXPB and RMX-1/TDR-3 Zones, Clarksburg Master Plan
Staff recommendation: approval with conditions
Applicants: Toll Brothers, Inc. with Winchester Homes, Inc. and - Cabin Branch Management, LLC.
Date Submitted: February 13, 2007

***B. Site Plan No. 820100030: Toll II-Cabin Branch Neighborhood (Includes a Water Quality Plan and Forest Conservation Plan)**
 Located adjacent to the intersection of MD 121 and West Old Baltimore Road, 168 dwelling units (128 single-family detached units, and 40 single-family attached units), 46.35 acres, RMX-1/TDR-3 Zone, Clarksburg Master Plan
Staff recommendation: approval with conditions
Applicants: Toll Brothers, Inc. with Winchester Homes, Inc. and Cabin Branch Management, LLC.
Date Submitted: December 23, 2009



Summary

The Applicants submitted for approval site plans (Toll I and II) under Section 59-D-3 of the Zoning Ordinance. The sites are part of the 535 acre Cabin Branch Neighborhood with 1,886 dwelling units, 2,420,000 square feet of commercial space, and 500 senior housing units. The Site Plans include:

- Consistency with the approved Development Plan, Preliminary Plan, and Infrastructure Plan.
- Provision for an additional 3.97 acres of green space to be provided on the remaining portions of the MXPB tract prior to approval of any record plats.
- Consistency with conditions 1 and 14(c) of the Infrastructure Site Plan 82005015B, the Water Quality Plan and Forest Conservation Plan consistent for the overall Cabin Branch Neighborhood are being amended by these Site Plans.
- Toll I in the MXPB and RMX/TDR-3 Zones: 435 dwelling units including 160 TDRs, 66 MPDUs, a community center and pool, public and private streets, residential blocks, formal green space, play facilities, public open spaces, and a stream buffer park.
- Toll II in the RMX/TDR-3 Zone: 168 dwelling units including 63 TDRs, 11 MPDUs, a community center and pool, public and private streets, residential blocks, formal green space, play facilities, public open spaces, and a stream buffer park.

In response to the recent stormwater management policy changes from the Department of Permitting Services, the Applicant has requested review of the Site Plan before May 4, 2013.

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ATTACHMENTS

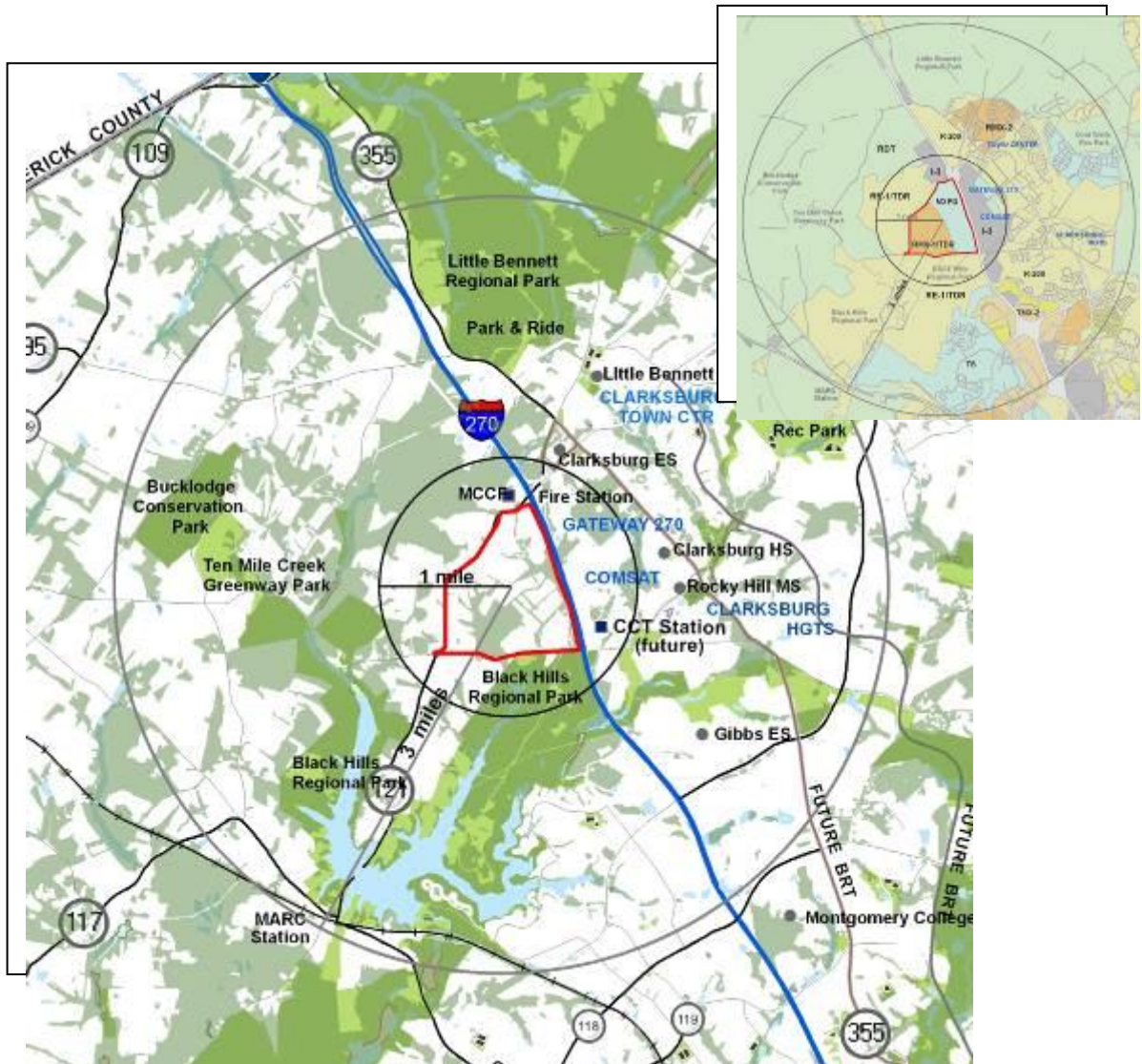
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INTRODUCTION

Area and Vicinity

Vicinity and Surrounding Neighborhood

The Cabin Branch Neighborhood rests at the confluence of richly contrasting elements that form the ecology and economy of Montgomery County: the I-270 Technology Corridor, the Agricultural Reserve, Black Hills and Little Bennett Regional Parks and existing and proposed transitways. To the south lies large-lot suburban residential development (RE-1/TDR, R-200/TDR), and further south is Gaithersburg and the Shady Grove Life Sciences Center (LSC). The Clarksburg Town Center (RMX-2) lies to the northwest, surrounded by residential zoning. The subject neighborhood lies almost equidistant from the two regional parks. The natural assets of the general area, as well as the Cabin Branch site itself, fit snugly between farmland (RDT) to the west and the highway to the east, featuring steep slopes that are connected hydraulically to the Waters of the United States, the headwaters. The area is designated a Special Protection Area because of its identification as a sole source aquifer. The central position of the Cabin Branch tract, posed between high-volume interstate traffic with employment intensity (I-3) and the bucolic, heavily forested parks, flanked by rolling, working farmland highlights the unique opportunity to mediate within the Cabin Branch neighborhood itself, these diverse elements: the built and unbuilt, science and nature, and local and regional influences.

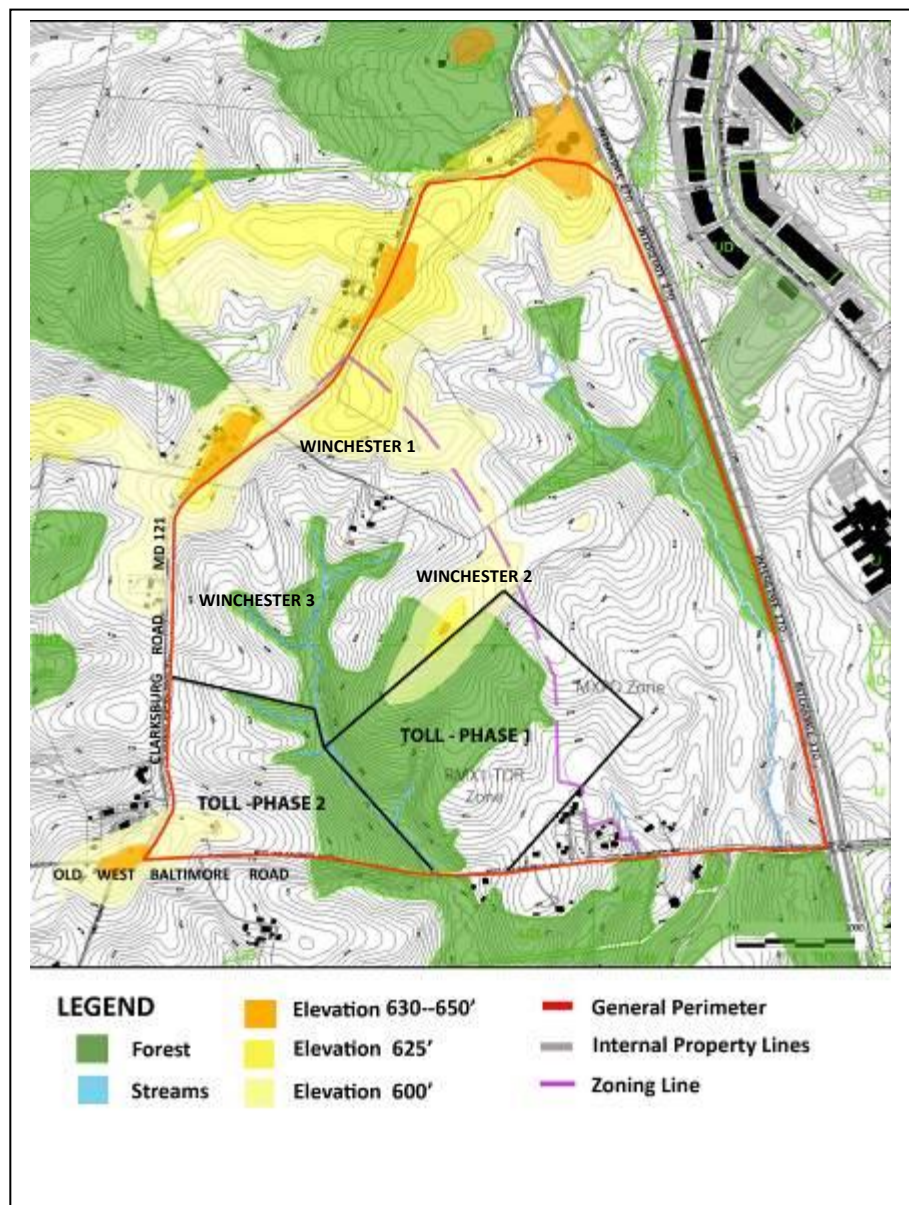


Site Description

The natural elements inherent to the Cabin Branch tract give pause to considerations of development, and further, to the remarkable vision of the Master Plan in identifying the unique future role of the site for employment, housing, and the preservation of the local aquifer that supports extensive forestation. The striking organic land form demands a thorough understanding of the topography and hydrology that, in turn, create challenge and opportunity both, in the application of a built environment. This triangular canvas, is rendered as a three-dimensional sculpture shaped reflexively by the two stream valleys that reach deeply into the site from the Black Hills, almost touching, yet restrained by an emergent linear topography that rises between them. This spine (600' elevation), carries northward from the tract's center at a nearly consistent elevation, forming, not coincidentally, the foundation for the main roadway before rising, tying into the ridge that forms the highest site elevations (625-650'). From the center point southward, the grade drops dramatically, to elevation 475' at the frontage of Old West Baltimore Road.

This prevailing ridge marks the north and western boundaries of the site, and Clarksburg Road. Thus, it is the ridge, and its inverse relation to the stream valleys, that provide the stable soils suitable to road construction.

Not coincidentally, this central ridge provides the foundation for the main street of the development as well as the zoning line marking the MXP zone to the east and the RMX-TDR1 zone to the west. Each side of the tract features a stream valley that hugs the central ridge, and frames the pattern of solid and void that becomes a signature element of this plan. Note the overlay of the Winchester 1 Site Plan boundaries and the topographic elevations.



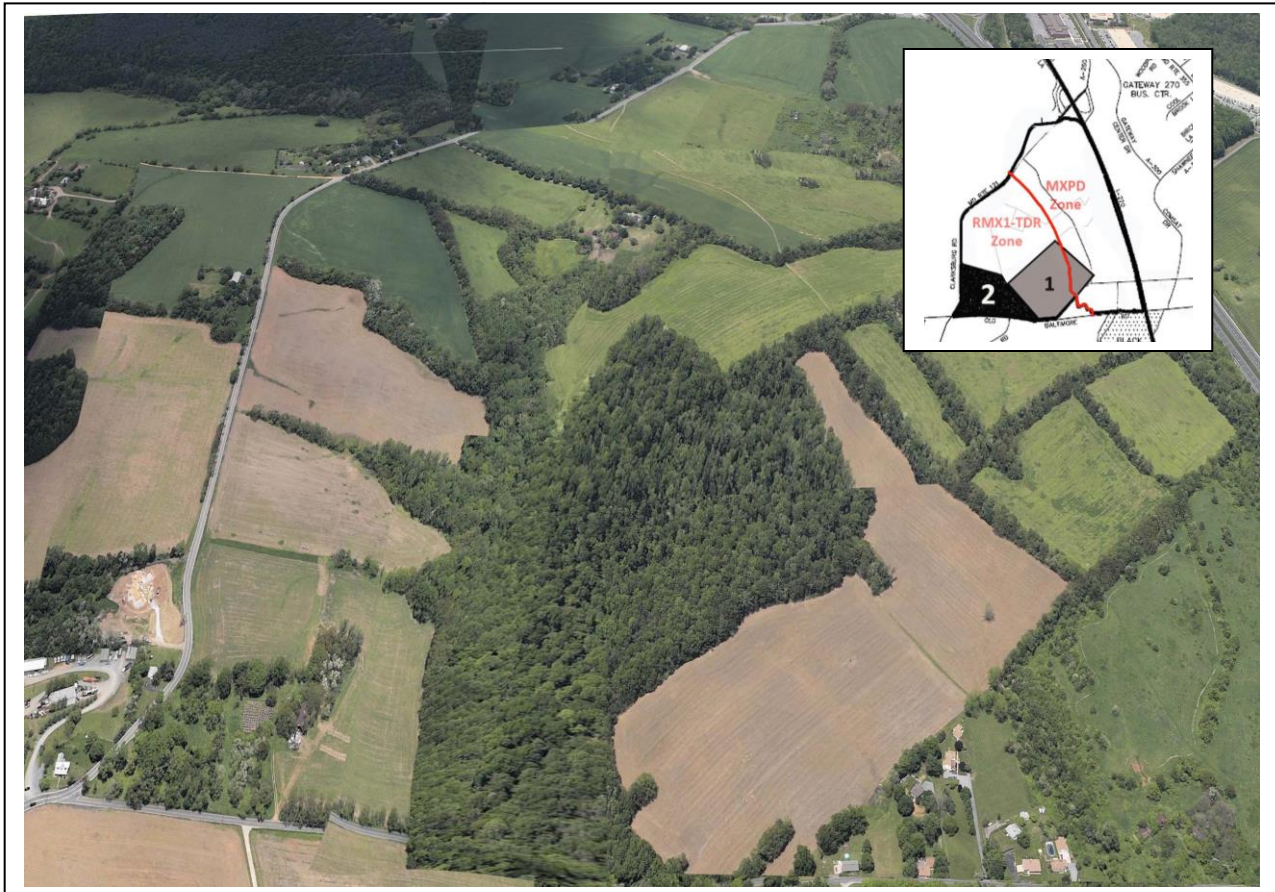
SUMMARY TOLL 1

The Applicants, Toll Brothers, Inc., Winchester Homes, Inc. and Cabin Branch Management LLC have applied under Site Plan Review to construct 437 new residences on a portion of its property, under the Cabin Branch Toll Brothers Phase One Site Plan. The subject property comprises 80.73 acres, zoned MXPB and RMX-1/TDR3, and sited within the larger Cabin Branch tract of 535.04 acres under multiple owners. The plan proposes a highly articulated neighborhood form, characterized by a dense mix of housing types that, in its striking natural setting, preserves two stream valleys, and promises to realize the goals of the Clarksburg Master Plan.



SUMMARY TOLL 2

The Applicants, Toll Brothers, Inc., Winchester Homes, Inc. and Cabin Branch Management LLC have applied under Site Plan Review to construct 168 new residences on a portion of its property, under the Cabin Branch Toll Brothers Phase 2 Site Plan. The subject property comprises 46.35 acres, zoned RMX1-/TDR3, and is sited within the larger Cabin Branch tract of 535.04 acres that are under multiple owners. The plan proposes 168 dwelling units (128 detached units and 40 attached units) in small blocks characterized by a varied mix of unit types in a remarkable natural setting.



The Toll 2 plan represents completion of residential development on the Cabin Branch West Side. The plan extends the pattern of the adjoining Winchester III plan, employing larger houses, yet forming noticeable individual enclaves within the neighborhood of small blocks.

REVISIONS TO TOLL 1 AND TOLL 2 APPLICATIONS

Both Toll 1 and Toll 2 site plan applications have been recently revised from their original submissions, Toll 1 in 2007 and Toll 2 in 2009. Transfer of land area from Toll 2 to Toll 1 under boundaries redrawn with the revised submission has reduced the acreage from 108.56 acre to 46.35 acres, and the number of housing units from 317 to 168 units. Toll 1 increased in area from 51.15 acres to 80.73 acres, with an accompanying unit yield increased from 248 to 435. The total number of dwelling units in the combined site plans increased from 565 to 603 units (6.9%).

CABIN BRANCH RESIDENTIAL SITE PLANS



The figure ground illustrates the overall form for the residential sections of the Cabin Branch Neighborhood. The commercial section, on the east side of the MXPD Zone awaits Development. The housing pattern defines the blocks while the formal open spaces organize the public realm and provide critical connection to the preserved Stream Valley Park.

CABIN BRANCH INFRASTRUCTURE AND SITE PLANS



TOLL 1 RECOMMENDATION & CONDITIONS: Site Plan No. 820010140

Staff recommends approval of Site Plan and Water Quality Plan, Cabin Branch Neighborhood Toll Site Plan, 820070140, subject to the following conditions, based on the drawing submittals dated February 28, 2013. All site development elements, details and specifications are required except as modified by these conditions:

Conformance with Previous Approvals

1. Development Plan Conformance

- a. Comply with the binding elements, general notes, and the development program as shown on the Certified Land Use Plan of the Development Plan Amendment G-806, Exhibit 67(g), and dated September 9, 2003;
- b. Comply with the conditions and binding elements adopted in *Opinion 15-326*, Zoning Ordinance Amendment approved by the District Council, September 9, 2003.

2. Preliminary Plan Conformance

Comply with the conditions of approval for Preliminary Plan Amendment 12003110B, *MCPB Resolution No. 08-117*, dated October 6, 2008, as amended.

3. Infrastructure Site Plan

Comply with conditions of approval of:

- a. Infrastructure Site Plan, 820050150, as set forth in the MCPB Resolution No. 07-131, dated July 19, 2007;
- b. Plan Amendment(s): 820050150A, set forth in Resolution 08-68, dated June 9, 2008;
- c. Plan Amendment 820050150B, set forth in Resolution No. 11-124, dated March 7, 2012;
- d. Administrative Site Plan Amendment 82005015C, approved on November 27, 2012.
- e. Any further amendments to the Infrastructure Site Plan, including such amendments as may be implemented through other site plans for Cabin Branch.

4. Cabin Branch Design Guidelines for Site Plan Review

- a. Comply with the Cabin Branch Design Guidelines for Site Plan Review (“Design Guidelines”) as referenced in the letter from KTGy, Inc., dated February 27, 2013;
- b. Submit with building permit applications for each Development Program Phase an approval from the Town Architect stating that the proposed buildings, within that phase, are in conformance with the certified site plan and with design specifications of the Guidelines;
- c. Submit to the Director of Planning (or designee) architectural plan construction documents from which Applicant will submit individual building permit applications for each Development Program Phase, for Design Guidelines conformance review;
- d. Submissions will be granted automatic approval after 10 days, unless Applicant is notified that the submission does not comply.

Density

5. Housing and Major Amenities

- a. Provide within the 12.88 acres in the MXPD Zone: 190 residential units, including 62 one-family attached units of which 4 units are Moderately Priced Dwelling Units and 128 multi-family (2-over-2) units of which 62 units are Moderately Priced Dwelling Units (MPDUs);

- b. Provide within the 67.85 acres in the RMX/TDR-1 Zone, 245 residential units, comprised of 239 one-family detached units, and 6 are one-family attached units and 160 Transfer Development Rights (TDRs).

Transportation

6. Transportation and Transit Services

- a. Prior to issuance of the first building permit, applicant provide a program for notifying residents regularly of the road construction schedule, access limitations, and arrangements to limit the impact of any access limitations to area roads, businesses, and residences.
- b. Prior to the first occupancy permit applicant must develop a website to provide Transit Services Plan showing location of bus stops, ride-share locations, and information kiosks; maintain a rideshare bulletin board, accessible to all residents and employees at Cabin Branch;
- c. Prior to the 100th occupancy permit, applicant must establish a carpool, vanpool, and bike-matching program for all residents and employees at the Cabin Branch site by delineating locations and services as part of the Transit Services Plan;
- d. Prior to issuance of each occupancy permit for office buildings and the Community Center, applicant must install permanent transit information kiosks and display areas in all office buildings and community centers with bus route (and the future Corridor Cities Transitway) schedules. The location and design of transit information stations must be coordinated with the Department of Transportation Commuter Services.
- e. Provide bike racks, located at the public green spaces, in accordance with the Development Program and as acceptable to M-NCPPC Staff, timing to be determined at the time of Certified Site Plan; bicycle parking must be provided at a at a bicycle-to-auto ratio of 1:20, using the number of on-street parking spaces and the surface lot spaces that serve the Local Park.

7. Montgomery County Department of Permitting Services (DPS)

Comply with the recommendations of Montgomery County Department of Permitting Services, incorporated as a Planning Board condition.

8. Montgomery County Fire and Rescue Service

Comply with the recommendations of Montgomery County Fire and Rescue Services Access and Parking Plan, dated March 21, 2013, incorporated as a Planning Board condition.

9. Infrastructure Site Plan

In accordance with Condition 4(e), above, the following changes must be made to the Infrastructure Site Plan (820050150, 820050150A, 820050150B):

- a. Road Improvements to West Old Baltimore Road, Clarksburg Road (MD121): The updated Infrastructure Site Plan shall address road improvements and impacts of West Old Baltimore Road (A-7), Clarksburg Road (MD 121) on environmental aspects, storm water management, adjoining residential properties, and access to Black Hills Regional Park. The Infrastructure Plan must reference current MD State Highway Administration design and construction drawings for MD 121 and its interchange, and all road improvements associated with the Cabin Branch Neighborhood.
- b. Green Area: The Applicant shall produce under the Infrastructure Site Plan amendment *Cabin Branch Neighborhood Development Green Area Reconciliation* for Planning Board review, performing a comprehensive survey and audit of all green area within the Cabin

Branch tract. Applicant must demonstrate that an additional 3.97 acres of green area required under the subject site plan is provided and resolved within the Infrastructure Site Plan amendment. No Plats shall be issued for the Toll Site Plan until Planning Board approval of the Infrastructure Site Plan Amendment.

- c. Community Center and Pool, Community Green: The applicant must provide, under the Infrastructure Site Plan amendment, the following drawings addressing the design:
- i. Site Plan Drawings that include the public amenities and their context:
 - a. Measured site plan at 1:30 scale showing the entire Block V containing the Community Center site and pool as well as a portion of the Block Y from the Community Center up to and including lots 43 and 50; show the street right-of-ways, PUEs, PIEs, infrastructure, grading; show lot lines and housing footprints, setbacks;
 - b. Site detail drawings at 1/16" = 1';
 - c. Site Sections: transverse and longitudinal site sections including the entire block and surrounding streets;
 - d. Site Elevations at 1:30 showing the entire pool, all of the public areas, building façades from both adjoining public streets within the context of the adjoining housing.
 - ii. Architectural Drawings:

Provide architectural building plans, sections, and elevations (1/16" = 1') showing the following: ingress and egress, circulation and services, public rooms, dimensions, details and specifications, materials, furnishings and fixtures; provide transverse and longitudinal building sections; provide the architectural program of requirements.
 - i. Landscape and Lighting:
 - a. Landscape plan at 1:30 feet;
 - b. Landscape detail drawings showing grading, furnishings and fixtures, lighting lead walks, retaining walls showing top and bottom elevations, and seating wall thickness, materials, planting (size, spacing, proposed species and alternate species); provide details and dimensions for fencing, furnishings, fixtures with the entire Community Center block;
 - c. Comprehensive lighting schedule keyed to the plan; fixture performance specifications.

10. Maintenance Responsibility

The Applicant, its successors, assignees, and/or the successor HOA shall be responsible for maintaining community-wide amenity features such as HOA playgrounds, HOA open spaces, retaining walls, parking facilities, streetscape elements and natural features.

Sustainable Design

11. Energy Efficiency

- a. At the time of issuance of building permits, provide information demonstrating, for one-family detached residential units, means by which to achieve Energy Star rating under the national energy performance rating system or the prevailing energy code in enforcement in the county at time of permitting.
- b. Provide two power feeds with meters for an electric car-charging station locating one at Community Center parking bay and the other near a major public green space.

Transferable Development Rights (TDRs)

12. Acquisition and Recordation

- a. Provide verification, prior to recording of each residential plat for the Toll 1 site plan, that the numbers of TDRs relevant to that plat have been acquired. The serial number for each TDR acquired must be shown on its respective record plat.
- b. Purchase 160 TDRs under the Toll 1 site plan for the development proposed.

Moderately Priced Dwelling Units (MPDUs)

13. Location and Phasing of MPDUs

- a. Provide 66 MPDUs on site within the boundaries of the Cabin Branch Toll I site plan, (15.0 % of total number of units in Phase 1), consistent with Chapter 25A, and in accordance with the letter from the Department of Housing and Community Affairs (“DHCA”) to the applicant, dated February 5, 2013. The minimum number of units for Toll I site plan required is 55 MPDUs (12.5%); the additional 11 units are credited toward the Toll 2 site plan.
- b. Execute the MPDU Agreement -to-Build prior to issuance of the first building permit.

Parks

14. Dedication of Land to M-NCPPC Parks Department

- a. Prior to record plat, dedicate by deed and convey to M-NCPPC the agreed upon area of contiguous land that is located between the proposed residential lots and the unnamed western fork of Cabin Branch. Precise, detailed boundaries of the dedication to be acceptable to M-NCPPC Department of Parks staff; the area may be refined or modified prior to certified site plan without the necessity of amending the site plan or preliminary plan; land must be conveyed free of trash and unnatural debris; park boundaries staked and signed to distinguish from private properties;
- b. Construct natural surface trails on dedicated parkland and throughout the community to connect residential areas, open spaces and parkland together in an accessible, pedestrian friendly manner. Applicant to work with M-NCPPC Department of Parks staff prior to Certified Site Plan to establish exact locations of needed trails in order to provide recreational opportunities to the communities within the subdivision and Cabin Branch community. Trails within parkland to be constructed to park standards and specifications after procurement by Applicant of appropriate park permit. Appropriate signage and any bridges, as determined by Department of Parks staff to be necessary, to be provided by Applicant and constructed to park standards and specification and shown on the certified Site Plan.
- c. No retaining walls or stormwater management ponds or facilities to be located on dedicated and conveyed parkland.

15. Common Open Space Covenant

- a. Reference Common Open Space Covenant recorded at Liber 28045 Folio 578 (“Covenant”) on the record plat of subdivision and in the recorded HOA documents.

Development Program

16. Development Program Requirements

The Applicant must construct the proposed development in accordance with a development program to be approved by M-NCPPC staff prior to the approval of the Certified Site Plan.

Phasing

a. Housing

- i. Block AL must be completed as a whole within the first phase of construction in order to make the MPDUs available as soon as possible. :
- ii. Phase 1 of the Toll 1 Site Plan must include Block S, Block T, Block AL, Block V and the Community Green with Lots 45-49.
- iii. Sequencing for Phase 2, Phase 3 and Phase 4 may be flexible, with sections interchanged, subject to staff review and approval.

b. Streetscape

- i. Street lamps and sidewalks for public streets, private streets and alleys must be installed within six months after street construction is completed.
- ii. Street tree planting must be completed no later than six months after completion of the residential units or park and school facilities adjacent or adjoining the subject streets.

c. Local Recreational Facilities

- i. Prior to issuance of the 126th building permit, the recreation facilities in Phase I must be complete. These include the Community Green, Dovekie Lawn, Seneca Ellipse, and the Fulmer Green (located within Block AH), integral sitting and picnic areas, a tot lot, bicycle racks, and the bicycle system paths within this phase. Each Phase I Local Recreational Facility shall be completed as the homes on that block are completed, and in no event later than issuance of 70 percent of building permits for the units in Phase I, with the exception of the Seneca Ellipse (see condition (b)(iv), below), the Fulmer Steps, and the Community Center and Pool and the Community Green (condition (c)(iii), below). Landscaping and lighting associated with the Recreation Facilities must be installed no later than six months after the completion of those facilities.
- ii. Prior to issuance of the 218th permit, the recreation facilities in Phase II shall be complete. These include Moorhen Mews and the Trailhead connection. Each Phase II Local Recreational Facility shall be completed as the homes on that clock are completed, and in no event later than issuance of 70 percent of building permits for the units in Phase II. Landscaping and lighting associated with the Recreation Facilities must be installed no later than six months after the completion of those facilities or the next planting season. The Moorhen Mews must progress with the construction of the adjacent residential units and be completed no later than six months after completion of the landscaping and lighting associated with the adjacent units or the next planting season.
- iii. Prior to the issuance of the 218th building permit, the recreation facilities in Phase III shall be complete. These include the Fulmer Steps with their connection to the Winchester II Commons, the Block X Green, and the Trailhead connection within the west side of Block Y. Each Phase III Local Recreational Facility shall be completed as the homes on that clock are completed, and in no event later than issuance of 70 percent of building permits for the units in Phase III. The recreation facilities in Phase I include integral sitting and picnic areas, bicycle racks, and the bicycle system paths within this phase. Landscaping and lighting associated with the Recreation Facilities must be installed no later than six months after the

completion of those facilities or the next planting season. The Fulmer Steps must progress with the construction of the adjacent residential units and be completed no later than six months after completion of the landscaping and lighting associated with the adjacent units or the next planting season.

- iv. The Seneca Ellipse Recreational Facility, located within Phase I must progress with the construction of the multi-family units, and the multi-age playground must be completely installed no later than the issuance of 50 percent of building permits for the multifamily units on Block AL.

d. Community-Wide Recreational Facilities

These conditions apply to the Cabin Branch neighborhood as a whole of which this site plan is a part:

- i. The school site and Local Park must be rough graded prior to the issuance of the 440th building permit for the entire Cabin Branch development consistent with the Infrastructure Site Plan approval, Resolution 07-131.
- ii. The community entrance features located at Old West Baltimore Road and Broadway Avenue as well as the open space located at shall be constructed prior to issuance of the 440th building permit, subject to permit approval by DOT and/or DPS.
- iii. In accordance with the Infrastructure Site Plan approval, a building permit must be obtained for the community center and pool prior to issuance of the 650th residential building permit (regardless of applicant or phase).
- iv. The M-NCPPC Local Park, including all facilities and amenities and parking facilities shall be constructed prior to the issuance of the 650th residential building permit (regardless of applicant or phase).
- v. The Local Park and MCPS sites must be rough graded prior to the 440th building permit of the Cabin Branch Neighborhood that includes Site Plans 820070140 and 82010030, according to the approved Sediment and Erosion Control Plans and the Forest Conservation Plan.

e. General Covenant

- i. The Development Program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.
- ii. On-site amenities associated with each block, including but not limited to, sidewalks, pathways, furnishings such as benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- iii. On-site landscaping and lighting associated with the construction of private roads and common areas shall be installed no later than six months after the completion of those roads and common areas.

f. Clearing and Grading

Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan and the Certified Site Plan, except as specified in the conditions of approval for the Infrastructure Site Plan.

17. Surety

Prior to issuance of the first building permit within each relevant phase of development, the Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The Applicant must provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety shall include plant material, on-site lighting, recreational facilities, site furniture, entrance piers, retaining walls, and private roads within the relevant phase of the development.
- c. Prior to issuance of the first building permit, the Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
- d. Bond/surety shall be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.
- e. The surety must include Seneca Ellipse, Dovekie Lawn, Moorhen Mews, Fulmer Street Steps and Green, Community Center, Community Center Pool, Community Green, Stilt Street Trailhead, Moorhen Mews Trailhead, but should not include the school or Local Park site, areas within public ROW or SWM pond easements, or improvements on residential lots.

Environment

18. Forest Conservation

- a. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
- b. All off-site reforestation must occur within the Clarksburg Special Protection Area unless otherwise specifically approved by the Planning Board.
- c. The implementation of the project's forest conservation mitigation requirements which includes forest retention, onsite and offsite afforestation, reforestation and landscape credit, may be phased. The phasing of the total forest conservation mitigation must be proportionate to either the area proposed for disturbance relative to the total project size or the amount of density for each stage relative to the total project density, whichever is greater. The phasing triggers, forest conservation mitigation type, amount of mitigation, and disturbance areas are to be defined on the Final Forest Conservation Plan and revised as needed with subsequent Site Plans. Conservation easements may be recorded using a metes and bounds description and sketch if preceding recordation of plats, provided the recording information for the conservation easement is referenced and the easement line is shown on subsequent record plats.

19. Stormwater Management/Final Water Quality Plan

- a. The development is subject to a Final Water Quality approval conditions dated December 9, 2009 and reconfirmed on March 14, 2013 unless amended and approved by the Montgomery County Department of Permitting Services – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan or the final Forest Conservation Plan approved with the Infrastructure Site Plan.
- b. Reforestation of the stream buffer is to begin in the first planting season after the issuance of the first grading permit by the Montgomery County Department of Permitting Services (MCDPS) and pursuant to the phasing set forth in the Final Forest Conservation Plan.

20. Noise

Limit the acceptable noise levels to a maximum 65 LdN for residential rear yards, per Montgomery County Guidelines.

Certified Site Plan

21. Requirements

- a. General Information
 - i. Site Plan Resolution;
 - ii. Development Program, inspection Schedule;
 - iii. Detailed Phasing Plan showing phasing lines consistent with the Development Program;
 - iv. Definitive lot sizes, with building envelope setbacks labeled;
 - v. Remove the following notes from the Cover Sheet and any/all drawing sheets:
 - a. *Lot sizes are subject to minor modifications at the time of record plat review but will remain generally consistent with the site plan and shall comply with the stated min/max development standards.*
 - b. *In addition to the garage serving the primary residence, the following uses may be added to the garage in the following zones: Carriage House-MXPD Zone, Guest House-RMX1/TDR Zone*
- b. Environmental Elements
 - i. Limits of Disturbance
 - ii. Undisturbed stream buffers, except where approved outfalls are located
 - iii. Methods and locations of tree protections
 - iv. Forest Conservation easement areas;
 - v. Note stating that M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
 - vi. Environmental setting protection for the historic resource or site.
 - vi. Verify the maximum building coverage for each lot and document the remaining available on-lot green space.

Certified Site Plan: Specific Site Design

22. Residential Blocks and Streets, Housing & Site Design

Show the following revisions on the certified Site Plan:

- a. Block S
 - i. Shift Unit 55 westward toward Broadway to match the building line established by Units 56-64, or use a bay window or oriel; utilize a finished masonry material and provide fenestration on the wall facing Broadway; extend the building wall to screen the driveway apron from view on Broadway;
 - ii. Shift Unit 64 northward to the lot line in order to continue the building line established by Units 1, 30 and 31, or use a bay window or oriel.
- b. Block T:
 - i. Match the north building line of attached Units 36-40 on the east side of Dovekie Lawn with the north building line of Units 48-51 on the west side of Dovekie Lawn by using narrower lots or eliminating a unit;
 - ii. Realign slightly Units 26-28, the stick of attached units adjoining the east side of Dovekie Lawn, so that the unit facades are parallel to the corresponding units on the east side of the Lawn (Units 48-51).
- c. Block V and Block Y:
 - i. Provide a curved seat wall for the Community Green, extending the wall from the Stilt Street setback to the Fulmer Avenue setback, breaking the wall between Unit 46 and Unit 47; provide a continuation of the curved seat wall on the south side of Fulmer Street, ending at the sidewalk that provides access to Community Center Parking; the seat wall should be

- constructed of masonry, with stone facing and limestone cap with a shape and slope suitable for sitting;
- ii. Provide a more uniform building line along the west side of Broadway: Shift Units 19, 20, 21, 22 and 23 westward by at least five feet;
- iii. Provide porch architecture for Unit 24, by aligning the porch deck and roofline with the Broadway building line established by Units 25-28.
- d. Block W
 - a. Lots 29-31: Delete the redundant sidewalk in front of Lots 29-31;
 - b. Lot 31: stagger the building line by shifting Unit 31 southward toward Godwit Street by the length of the porch on the proposed adjacent housing unit.
- e. Block X
 - i. Lots 55: Flip the unit to align the garage with that of Unit 62.
- f. Block Y
 - i. Revise the design for the Fulmer Steps to provide a seating area at the highest elevation landing (shown at 96⁷ on the plan); retaining walls must be field stone landscape walls;
 - ii. Tie-in the retaining wall along the rear of Lots 41-44 to the foundation side elevation wall of Lot 40;
 - iii. All rear yard fencing used for Lots 24-34, 41-44, 45-49, 50-52, 59-67, 58-77 must be constructed of uniform materials featuring 24"-30" field stone base;
 - iv. The side elevation walls of Lots 37, 40, 53, 56 shall be constructed using stone materials; in the case of Lot 37, 40, the retaining walls adjoining must be tied-into the structure's foundation; fencing and screening of driveways for Lots 37,40, 53, 56 must be constructed using landscape fieldstone;
 - v. Lot 59: Shift housing unit northward: flip the housing unit or provide an entry drive shared with Lots 56-58;
 - vi. Delete Lot 77; provide a finished stone faced façade for the end housing unit, use stone-faced, planted terracing to transition the slope to the Pond; provide adequate spacing between the three retaining walls to allow generous planting visible from Old West Baltimore Road and Fulmer Avenue;
 - vii. Delete Lot 24.
- g. Block AI
 - i. Lot 1: Use alternate unit type, matching unit on Lot 1 with Unit on Lot 9 (detached garage); Shift garage on Lot 9 southward and westward; to create staggered building line on Fulmer Avenue frontage (Lots 12, 11, 10, 9, 1);
 - ii. Lot 31: Flip the housing unit on Lot 31 to allow the garage to provide a staggered building line between Lot 30 and Lot 31.
- h. Block AK
 - i. HOA Parcel fronting Lots 36-40, along Broadway street frontage: As proposed for Cabin Branch Neighborhood monument signage: provide a series of lighted, planted terraces, stone-faced to coordinate with the Seneca Ellipse; provide details for signage
 - ii. Lot 18, Lot 19: Delete the optional house addition shown for each lot on the plans; alternatively, provide a small HOA parcel with a bike rack to serve the cyclists using the Broadway bike path; provide benches; alternatively, provide transportation kiosk, neighborhood information kiosk, or a bus shelter, subject to DOT review and approval.
- i. Block AL

Provide the following revisions to the design of retaining walls that adjoin the Seneca Ellipse and Little Seneca Parkway street frontage:

- i. Tie the retaining wall into the building foundation of Unit 120, and extend the wall to the rear building line of the multi-family Unit 51/52; utilize the wall as the screen wall and reinforced vehicular barrier for Private Street AL3;
- ii. Tie the retaining wall into the building foundation of Unit 112, and extend the wall to the rear building line of the multi-family Unit 103/104; utilize the wall as the screen wall and reinforced vehicular barrier for Private Street AL1;
- iii. Match the materials to the stone terrace walls that support the Seneca Ellipse.
- j. Block AM:
 - i. Provide a uniform building line along the east side of Broadway by using the same building type, preferably attached multi-family units; align buildings perpendicular to the street frontage;
 - ii. Provide a finished building sidewall using finished masonry and fenestration on the southern-most unit (Unit 1) facing the Cabin Branch entry and for the east end unit facing Little Seneca Parkway;
 - iv. Locate the entry drive for Block AM south of the southern-most unit; provide a built masonry terrace for decorative plantings to provide a finished transition to the storm water facility sited along the road frontage;
 - v. Provide uniform screen wall along between Units 8/9 and 10/11 to screen view of the internal drive aisle from Little Seneca Parkway; match the stone facing on the retaining walls on the north side of the Parkway.

23. High Visibility Lots Treatment

Provide enhanced architectural treatments such as stone/brick walls, seat walls, architectural fences, and landscaping to all lots proposed for treatment by the Town Architect with particular treatment for those lots listed below. All lot treatments are subject to review and approval of M-NCPPC Staff prior to Certified Site Plan:

- a. Block S: Lot 64, Lot 55: Provide an architectural screen for Lot 64 driveway using materials compatible with unit architecture;
- b. Block V, Lot 10, 12: Use stone materials for the screen wall(s) visible from the Community Center and the Pool areas;
- c. Block V, Lot 14, 28: Use a stone screen wall (matching the Community Center seat wall) to screen the parking alley south of the Community Center and the rear yards of Lot 38 and 14; the wall may be placed along the sidewalk connecting Broadway with Fulmer Avenue;
- d. Block V: Lot 24: Use porch architecture to mediate the residual lot angle at Broadway and Harrier Way; extend the porch materials to provide fencing for the driveway between Lot 24 and Lot 25;
- e. Block AL: Provide screen walls for alleys AL1 and AL3 constructed with a stone base contiguous with the retaining wall tie-ins;
- f. Block AM: Lots 1-10, Lot 11, Lot 22-23; Use field stone facing or similar architectural treatment for the end units; use stone fencing for the screen wall facing Little Seneca Parkway.

Landscape and Lighting Design

24. General Landscape Design

- a. Provide street tree planting at a minimum 40 feet on center and a maximum spacing of 50 feet on center, except where physical site limitations do not allow for the spacing. Any deviation from standards must be approved by MCDOT;
- b. Provide planting plan for typical multi-family units specific to that unit type.

25. Block Specific Landscape Design

Provide the following landscaping, subject to review and approval by site plan amendment:

a. Block S:

- i. Provide landscape screening within Parcel G to screen Parcel F driveway from the view on Broadway;

b. Block T

- i. Provide brick banding along the curved sidewalk that traverses Dovekie Lawn;
- ii. Provide contrasting ornamental trees to line the outside edge of the curved sidewalk traversing Dovekie Lawn, breaking the line where Parcel B adjoins the sidewalk; provide a cluster of three ornamental trees within Parcel B;
- iii. Align the sidewalk between Units 56-57 to continue directly from the curved sidewalk extending from Dovekie Lawn, continuing the brick banding up to the Broadway sidewalk;
- iv. Provide landscaping within the wedge-shaped space between Units 56-57 to accentuate the continuation of the walk;
- v. Provide two backed benches.

c. Block W

Provide small ornamental trees within the HOA parcel adjoining Lot 31 at the Godwit Street frontage.

d. Block X

Provide ornamental trees to match 14(d)(i) in the following locations: on the north side of Lot 61 near the garage; on the west side of Lot 62; on the west side of Lot 55.

e. Block V and Y

- i. Delete the four Zelkova proposed for the interior of the Community Green; Replace with a cluster of ornamental trees or smaller shade tree such as River Birch, Linden near the truncation line; provide a matching cluster of trees at the Community Center entrance and within the parking island to unify the two spaces;
- ii. The sidewalks within the Community Green and the Community Center should consist of special paving, such as field stone compatible with the seat wall (see Condition 11(c)); the special paving treatment should be provided for pedestrian traffic areas within the Community Center entrance, parking area and the sidewalk that adjoins the Community Center traversing the block between Fulmer Street and Broadway;
- iii. Provide a decorative lighting fixture within the Community Green and at the end of the seat wall outside the Community Center egress point;
- iv. Provide two clusters of contrasting ornamental trees at the northwest and northeast edges of the pool area;
- v. Provide a landscape plan for the eastern "point" of the open space slope between Stilt Street and Fulmer Street: an architectural focal point with tightly spaced arc ensemble of varied coniferous with deciduous trees to screen the back of Lots 44, 45-48, 50;
- vi. Revise the street tree spacing on Fulmer Avenue to provide view of the stream buffer at Lot 76-77 (see above: Condition 11(g)(vii)).

f. Block AH

- i. Fulmer Open Play Area: remove two street trees in front of Lot 23 at the intersection of Dovekie and Moorhen; replace with a cluster of contrasting ornamental trees planted in the HOA space fronting Lot 23;
- ii. Replace the proposed Zelkova within the Open Play Area with two clusters of contrasting ornamental trees at the two west points of the triangle; provide a bench;

- g. Block AK: Moorhen Mews
 - i. Provide two decorative lighting fixtures for each of the three Moorhen Mews areas; provide backed benches for the facing seating areas within the Mews interiors;
 - ii. Provide a landscaping plan for Parcel D; include a cluster of three ornamental, subject to utility allowance.
- h. Block AL: The Seneca Ellipse:
 - i. Locate the multi-age play equipment with upper quadrants of the Ellipse; demarcate the fall zone by creating an “ellipse within the Ellipse” using landscaping and ground materials; provide equipment as conditioned below (Condition 15);
 - ii. Provide a separate Open Play Area, also elliptical in shape, marked by distinctive landscaping that includes shade trees and seasonal plantings;
 - iii. Provide groupings of shade trees with contrasting ornamental trees at each of the four squinches (corners) on the outside of the Ellipse; break the line of shade trees surrounding the Ellipse at each corner, allowing views of the contrasting ornamental trees;
 - iv. Provide ground cover for the slope between Little Seneca Parkway and the first retaining wall and provide a ball stop at the north edge of the sidewalk at the property line on the Seneca Parkway street frontage;
 - v. Provide special paving for the sidewalk that defines the Ellipse; provide stone faced retaining walls, with a slope and cap suitable for sitting;
 - vi. Provide special paving for the Fire Access Drive with pedestrian pathways laid in special paving compatible with the Ellipse sidewalk.
- i. Block AM and AK
 - i. Provide for Parcel B, a comprehensive landscape plan along the entire east side of Broadway from Old West Baltimore Road to Little Seneca Parkway;
 - ii. Provide at the RMX1/TDR and the R-200 Zoning Line: screening for the existing(R-200) adjoining residential lots; trees should be a mixture of at least two coniferous species and one deciduous species;
 - iii. Provide at the perimeter of Pond 2, a comprehensive landscape plan for:
 - a. The entire west Broadway frontage from Old West Baltimore Road to and including the south frontage of Fulmer Avenue; provide plantings for the retaining wall terraces containing Pond 2;
 - b. The West Old Baltimore Road frontage.

26. Lighting and Power

- a. Provide an comprehensive lighting plan for the entire site plan area showing the location and type of each fixture and referencing the lighting schedule by plan symbols;
- b. Provide a lighting plan for each height) for each of the public open spaces and for the two trailheads; use decorative lighting fixtures at a maximum 14-feet mounted height. (See landscape comments for specific locations.) Identify lighting fixture location and type by symbols on the landscape plans keyed to the lighting schedule.
 - i. Provide decorative lighting fixtures with photometric lighting levels for each of the public open space areas: Dovekie Lawn, Seneca Ellipse, the Community Green, Moorhen Mews, Fulmer Street Steps (green and path landings);
 - ii. Provide power supply for Dovekie Lawn and the Seneca Ellipse to serve community events;
 - iii. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties;
 - iv. Illumination levels shall not exceed 0.5 foot-candles (fc) at any property line abutting county roads or adjacent residential properties.

- c. Provide a comprehensive lighting schedule showing: each fixture type, specifications and details, mounted height, wattage, cut-off shield housing; all light fixtures shall be full cut-off fixtures.
- d. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- e. Provide Illumination levels that do not exceed 0.5 foot-candles (fc) at any property line abutting MD Route 121 and those abutting Old West Baltimore Road, and offsite residential properties.
- f. Identify lighting proposed for the public right-of-way; reference light fixtures by type on the landscape plans.

Recreation Facilities, Pedestrian and Bicycle Amenities

27. Comply with M-NCPPC Recreation Guidelines for all applicable proposed recreational facilities and demonstrate conformance for each facility with respect to size, grading, setbacks, location and targeted age group, as follows:

- a. Provide the following facilities for Toll 1 Site Plan:
 - i. Dovekie Lawn Tot Lot and Open Play Area;
 - ii. Multi-Age Play Set at Seneca Ellipse;
 - iii. Fulmer Green Open Play Area;
 - iv. Seneca Ellipse Multi-Age Play and Open Play Area;
 - v. Community Green Open Lawn;
 - vi. Sitting-Picnic Areas (15);
 - vii. Pedestrian System;
 - viii. Bicycle System and Parking;
 - ix. Natural Areas;
 - x. Nature Trails;
 - xi. The Community Center: Swimming Pools, Wading Pools, Indoor Community Space.
- b. Dovekie Lawn:
 - i. Relocate the ensemble of Multi-age Play Equipment shown within Dovekie Lawn (Block T) to the Seneca Ellipse (Block AL);
 - ii. Provide five single pieces of play structures for Block T, Parcel B, or Parcel E,: select from Kompan Galaxy Solitaires Series such as Spica, Spica Junior, Moments, Vega, Orbits, Argo, Stellanova, Starsurfer to allow 5 activities such as jumping, spinning, gathering, balancing, and rocking. Install the equipment within a mulch cover, marking the area edges with ground planting; provide two benches and a decorative lighting fixture at the northeast corner of Parcel B ;
 - iii. Provide two backed benches facing Dovekie Lawn in front of Units 49, 50.
- c. Seneca Ellipse:
Provide an elliptical area for Multi-age Play within the upper portion of the Seneca Ellipse to accommodate 10 activities; the play equipment may be installed across the upper portion of the Ellipse within separated islands to allow siting for footings that accommodate the underground stormwater management facility; Provide a multi-element ensemble, Kompan Galaxy Series (either Kuma, Adara, Altair) supplemented by pieces such as Orbits as needed to provide for 10 activities; utilize M-NCPPC Parks Department installation standards.
- d. Bicycle Facilities:
Provide an 8-foot wide bicycle path (asphalt) off-street, within the public right-of-way as shown on the Toll 1 and Toll 2 Green space/Overall Plan Exhibit, in the following locations:
 - i. West side of Fulmer Avenue, between Stilt Street at the north and Broadway at the south;

- ii. West side of Broadway, from the north side of the Little Seneca Parkway round-about, along the west side of Fulmer Avenue, extending to West Old Baltimore Road;
 - iii. North side of West Old Baltimore Road between Broadway and Clarksburg Road (MD121), a portion of which is contained within the Toll-2 street frontage;
 - iv. North side of Little Seneca Parkway;
 - v. East side of Cabin Branch Avenue;
 - vi. Provide a Public Improvements Easement (PIE) for all paths not located with the public right-of-way.
- e. Provide bicycle racks within each of the areas of public open space: Seneca Ellipse, Dovekie Lawn, Moorhen Mews, the Community Green, the Community Center, Fulmer Avenue Steps and at each trailhead;
 - f. Provide a bike path signage plan subject to DOT review and approval.

PROJECT DESCRIPTION

The Proposed Plan: TOLL 1

Planning and design for a project on the scale of Cabin Branch has proven to be an extensive multidisciplinary effort. Precision engineering, civil, geo-technical, electrical, mechanical, transportation and environmental, with architecture, urban design, and landscape architecture are essential to the development of a site so challenging in terms of program, existing conditions, environmental constraints, and potential market forces. The infrastructure necessary to “insert” an urban-style community into such a protected setting forces design that exploits every inch of space, negotiating every turn at tight tolerances to achieve workable, functioning utilities. Contrasted with the huge, largely unseen (underground) infrastructure are the aesthetic surroundings that create the humane environment envisioned by the Clarksburg Master Plan.





Description of the Project

The applicant, Toll Brothers, Inc., proposes to build a tight, densely-clustered development that fits precisely with the site plans previously approved under Winchester Phase 1 and Phase 2. The plan features a variety of housing types and block shapes, interlaced with a flowing chain of formal parks and open space, well-defined in form.

This “infill site plan” follows the rationalist street pattern, determined by the Infrastructure Site Plan in 2008, and completes the block envelopes, using variation in form and scale to provide a range of housing types, integrated public open

spaces, and selectively set the Community Center to its functional, social and aesthetic advantage.

The plan intricately fits into the prevailing pattern, at times at the detail level of lot-to-lot and house-to-house. The plan creates five distinct enclaves within the Toll I neighborhood, each oriented to its public amenity or open space: The Community Center, Fulmer Steps, Dovekie Lawn, The Ellipse, and Moorhen Mews.

These enclaves relate to the whole of the Toll 1 plan in the way that the Toll plan relates to Cabin Branch: the pieces form the whole, which in turn, depends upon its fragments. It is the connections between the formal open spaces that “knit” the whole into a single fabric. Likewise the block articulation, through building line

Site design for Toll I demands a “custom fit” into the pattern established with the Winchester plans—as seen above in the saw-tooth edges, lot-to-lot and house-to-house precision. Organized for the most part along the Broadway axis, the



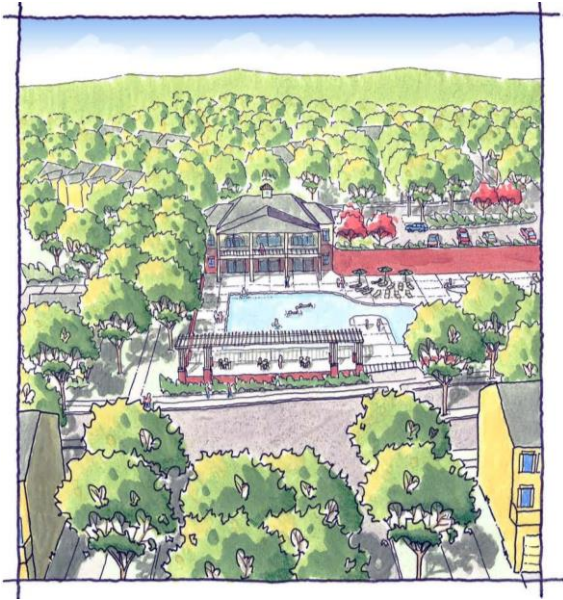
layout negotiates the grid shift imposed by the arterial's bend. In doing so, the extension of the adjoining pattern is loosened in a departure from the dominant geometry, lending spatial variation along with the fluidity to shape form and create views. In turn, the block west is compressed, to open a connection to the Fulmer Steps and circumscribe the setting for the Community Center. with the strong integration of Skimmer Street, whose 30-foot rise from Cabin Branch Avenue, terminates with the placement of the Community Center, directly on axis, at the highest elevation point in the Cabin Branch Neighborhood.

The Community Center



The role of the Community Center, at the heart of the neighborhood—socially and geographically is realized in its siting. Situated at the tract's midpoint, the building oversees the system of boulevards, Broadway and Fulmer Avenue claiming the high point, where the building's height and architectural program collaborate in turning the slope to strategic and visual advantage.





Current site plan review (2013) focused on the siting of the Community Center. The building footprint, bold in its move to the Skimmer Street axis, enriches form and character in multiple ways: firstly, it places the two-story structure at the topographical crown. This siting sets Skimmer as unique among the transverses—the crossing is halted, visually and physically, by the built form, in contrast to each of the sequential boulevards that extend their grasp to natural or outdoor amenities. The concentration of housing units around the complex further refines its setting, marking by striking relief, the open space of the pool on its east side and the Community Green on the west. The firm, curved building line that shapes the Green in turn references the Development Plan’s recommendation.



The design as developed during the 2013 Site Plan Review shows the convergence of streets and views, and the importance of place for the Community Center.

The envelope reads as a public good, providing handicapped parking at the entrance and parking within the block interior. Further, Block Y fills entirely as residential, reflexively influencing Fulmer Green, that,

in the “warp” of its building line channels view and access of The Commons in its climb of the Fulmer slope.

Building and street form together underline the importance of the program, while the building location (and its section!) function as the lynchpin of Cabin Branch as a whole, explaining the grid shift—knitting together the mini-neighborhoods, providing referential scale and rapport with the other major amenities—and, ultimately holding in place the built and natural environments.

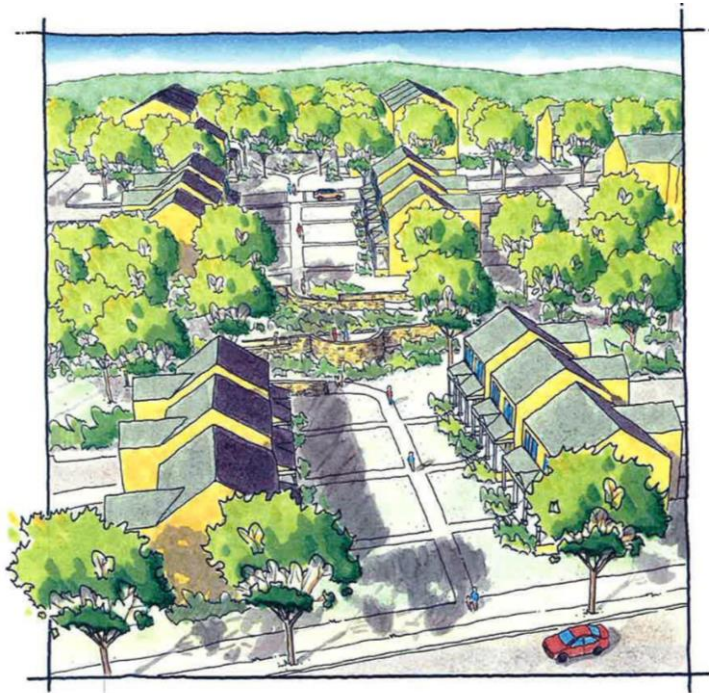
Formal Green Spaces

The appearance of a large formal green at each of the major boulevards, the North and South Lawns at Skimmer Street, Dovekie Lawn on Dovekie Avenue, and the Ellipse on Little Seneca Parkway continue the fundamental pattern from the northern blocks, proportioning the figure ground, while supplying secondary pathways through the block interiors that enrich the pedestrian experience and modulate the buildings and space to the human scale.



The Fulmer Green rises from the unexpected diversion of the street wall whose curve engages the Fulmer Steps mews. This small-scale “block-within-a-block” employs fronting narrow houses turned perpendicularly to frame the mews as it climbs 20 feet to connect to The Commons. The center of the slope supports a generous landing with seating. The Fulmer Green also connects eastward to Dovekie Lawn and southward along Moorhen Street, which in turn intersects with Moorhen Mews.





Rendering showing the Fulmer Steps

Little Seneca Parkway provides street frontage to Shaw Park, The Ellipse and the entry to Moorhen Mews. The tri-partite series of linked mews modulates building coverage of the three housing blocks, and in the continuation of the boulevard axis, orients the residential units inward as the grade rises to Stream Valley Park.

In contrast, the Ellipse is the most imposing of the community's formal greens. Its well-proportioned size and form complement the high density of the block. The four-story multifamily units form the tight block perimeter, with townhouses on the interior stepping down on the sides to touch the edges of the central space.

This linear building scale modulation assists in solving the challenges of access, street frontage, and program space to resolve the 30-foot drop in grade from Dovekie Avenue to Little Seneca Parkway. It is the series of curved terraces at the north and south arcs of the Ellipse that introduce the structural and spatial solution--- providing a human-scale experience along the street, introducing a finished masonry vocabulary tied into the building foundations, offering feasible pedestrian access, and achieving abundant, gently-graded playground space.

Finally, the spatial layout of Dovekie Lawn uses landscaping materials and play equipment pieces in geometric fashion to inform the public space. The sidewalks converge to mark Broadway's angle of inflection and indicate the orientation of the newly imposed grid and its geometry



Dovekie Lawn, as conditioned

Architectural Design

The handling of texture, scale and proportions are critical to the reading of housing in an urban setting. Variation in materials, façade relief that interprets scale, and proportions that relate, but not copy, housing form set the lot-to-lot, block-to-block, and section-to-section relationships. In this way, an urban fabric evolves, where the incremental is appreciated as is the large sweep.

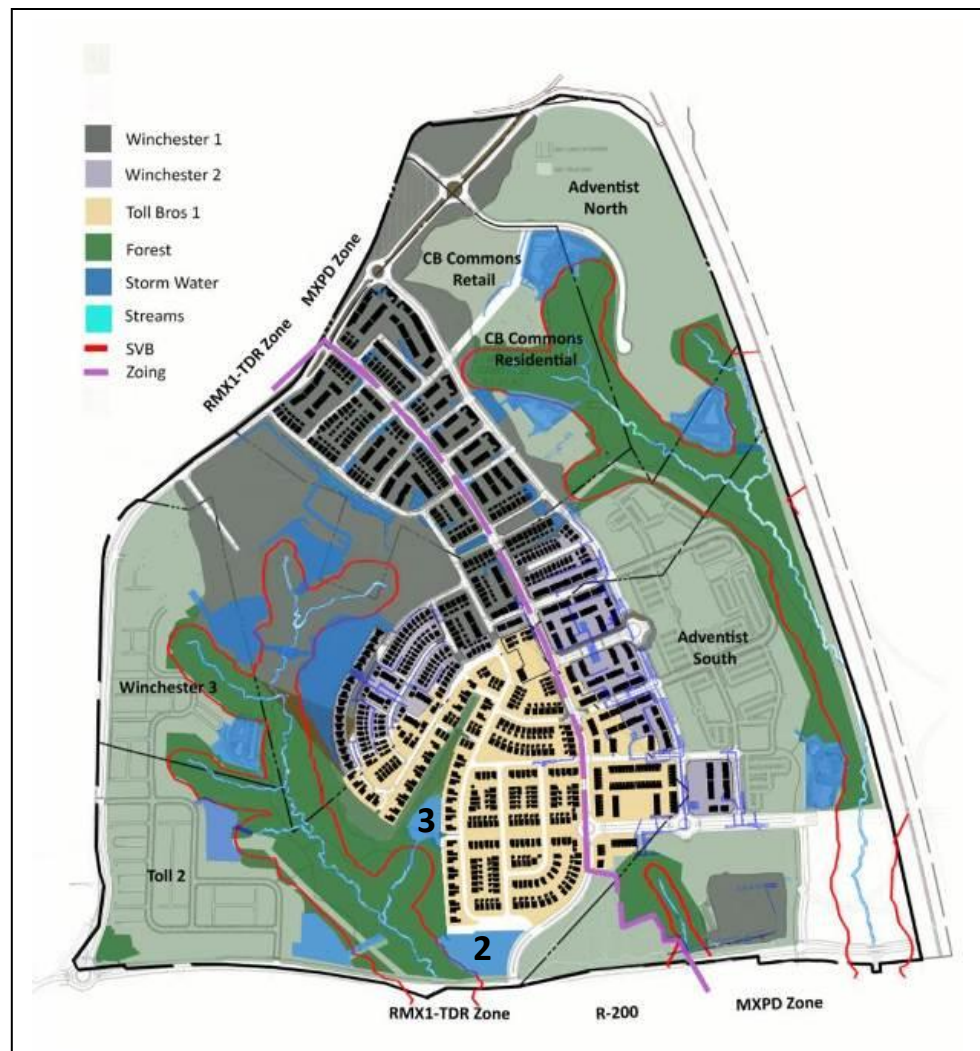
The requirement, through previous Site Plan approvals, for the Applicant’s development of Design Guidelines under the auspices of a Town Architect promises to guide this process as streets are detailed and constructed. The Architect will review individual units, and their placement within each block, and make recommendations regarding the effective street wall with respect to façade materials, porches and windows, building height, finished floor levels, and exterior architectural details. The applicant’s decision to provide an ample number of unit types, with numerous detail selections, offers the opportunity to achieve variety and similarity, with consistency and surprise, all elements to be realized in the in context of a city residential street. The treatment of the side yards will be critical with respect to privacy and noise attenuation on the narrowest lots, requiring the Town Architect’s review of side walls, construction materials, and exterior spaces.

Most of the detached housing (82%) features rear-loaded garages accessed through private alleys. Front loaded garages are designed with side-entry garages to allow for residential fenestration facing the street frontage. Townhouses are proposed in 18’, 22’ and 24’ width units, that permits more customized siting and the ability to achieve the close fit-in-field required, particularly at those points where the Toll and the Winchester properties adjoin. See the Appendix for library of architectural illustrations of unit types.

Schematic Site Plan and Infrastructure: Winchester 1, 2 and Toll 1

The extents of the infrastructure foundation may be seen in the above illustration. Note the careful underlay of the stormwater management facilities, block-to-block and street by street.

The tract features numerous, stormwater ponds distributed throughout the site, that surround the edges of the stream buffers. The inter-laced elements cross property parcels and development phases. Toll 1 site plan contains SWM Ponds 2 and Pond 3.



FINDINGS TOLL PHASE 1 820070140

1. *The Site Plan conforms to all non-illustrative elements of a development or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

The entire Cabin Branch development is comprised of approximately 535 acres, including the Subject Property. Zoning Application G-806 reclassified the eastern half, approximately 283.5 acres of the Cabin Branch tract, from the RE-1/TDR, RMX-1/TDR and I-3 Zones to the MXPDP Zone. G-806 included 12.88 acres of the Toll 1 Site Plan, and did not include the Toll plan application's remaining area of 67.85 acres, which maintained the existing RMX-1/TDR Zone. However, because the entire Cabin Branch tract was comprehensively planned as a single community, the Development Plan, including the Land Use Plan and other graphical exhibits, showed the entire Cabin Branch tract including the Subject Property.

Therefore, the Site Plan conforms to all non-illustrative elements and binding elements of the Zoning Application G-806 approved by the District Council on September 9, 2003 (Resolution No. 15-326) to the extent that it applies to the Subject Property and, therefore, this Site Plan. The discussion below indicates how this Site Plan conforms to binding elements 1 and 4, which apply to the entire Cabin Branch tract. Binding elements 2, 3, 5, 6, 7, 8, and 9 are applicable to the 12.88 acres of land within Toll Site Plan that is zoned MXPDP.

Binding Element No. 1 of the Development Plan G-806 (set forth below for reference) refers to the total number of TDRs and MPDUs required for the entire 535-acre Cabin Branch development. This Site Plan will provide a portion towards the total required TDRs and MPDUs. Although the number of TDRs and MPDUs are not evenly distributed among the different development phases and site plans within Cabin Branch, the ultimate 535-acre Cabin Branch development will meet the total requirement.

Binding Element No. 1: Transfer Development Rights and Moderately Priced Dwelling Units

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

The 635 TDRs initially required for the overall Cabin Branch development assumed a maximum density, mix and number of MPDUs for the RMX-1/TDR portion of the property and the total number of units. Because the TDRs are proportional to the number of MPDUs provided, they have

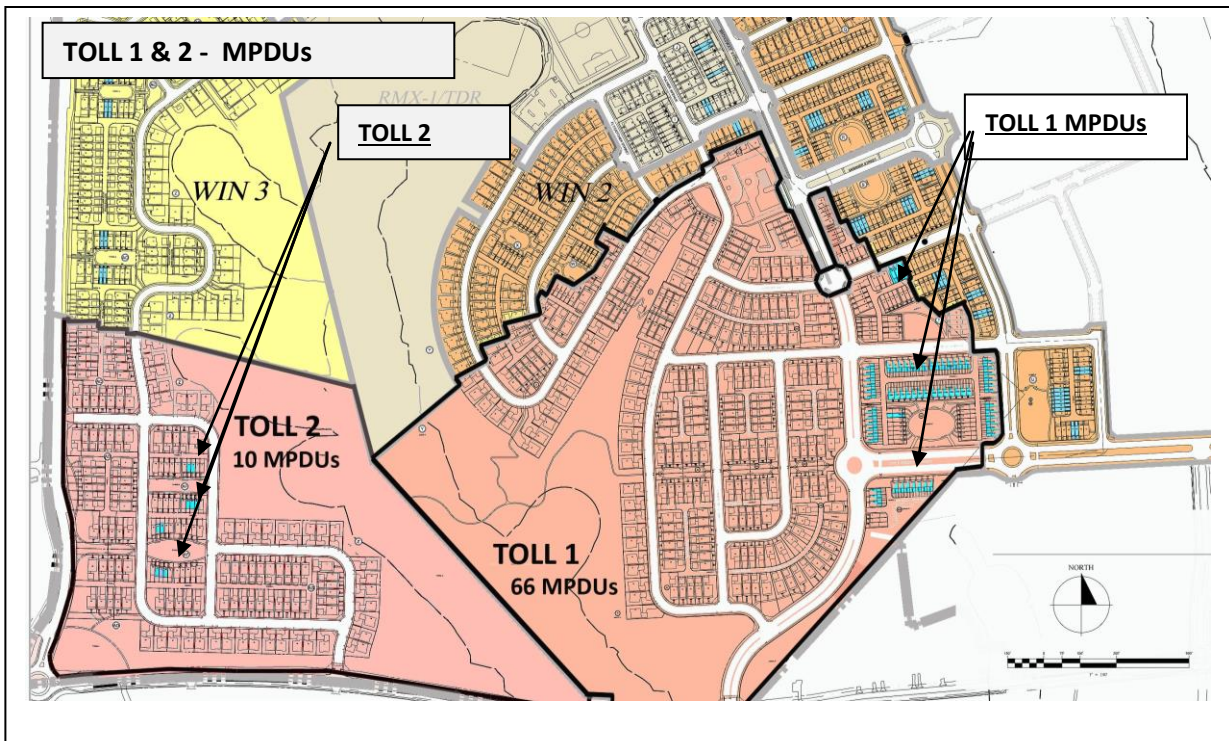
been recalculated to account for an increase in MPDUs with Preliminary Plan 12003110B. Thus, the Cabin Branch was approved for an overall 609 TDRs, 236 MPDUs, 1886 residential units, and 500 senior units.

Moderately Priced Dwelling Units

The Toll Brothers portion of the Cabin Branch Neighborhood Development is comprised of two site plans, representing five separate phases. Collectively, the two Toll site plans will provide 12.5% of the total number of residential units: 76 MPDUs of 605 total units. (See table below). This Site Plan, Toll Site Plan, provides 15% MPDUs, providing a portion of the expected units provided by the Toll Phase 2 plan. Because Toll Site Plan is planned for the initial phase of construction, this will hasten the provision of MPDUs for occupancy of affordable units. DHCA has provided approval for the location, distribution and phasing of the MPDUs for the Toll phases of development.

Toll Development	D.U. proposed	MPDUs Required	MPDUs proposed
Phase I	435	55	66
Phase II	168	21	10
Total	603	76	76

MPDU UNITS		MXPD (1)	ZONE	RMX1/TDR Zone (1)	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0		0	0
	WINCHESTER PHASE 1 (#82006029A)	53		17	70
	WINCHESTER PHASE 2 (#820110080)	39		2	41
	WINCHESTER PHASE 3 (#820120150)	0		10	10
	TOLL BROTHERS PHASE 1 (#820070140)	66		0	66
	TOLL BROTHERS PHASE 2 (#820100030)	0		10	10
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	15		0	15
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	0		0	0
	ADVENTIST PHASE 1 (#820060350)	0		0	0
	ADVENTIST (FUTURE)	TBD		0	TBD
PARTIAL SUBTOTAL		173		39	212
PRELIMINARY PLAN	AMENDMENT (#12003110B)	N/A		N/A	236



Transfer Development Rights

The number of TDRs provided is 160, which conforms to the calculations approved with the Development Plan and Preliminary Plan. The calculations allocated the total number of TDRs for the entire Cabin Branch development (609) amongst the different property owners based on the number of units provided on each property.

This Site Plan includes 435 units, which is 26.60% of the total number of units for the two Toll Phases Winchester, (including Concordia), Gosnell and Adventist properties (1699 total units). When this percentage is applied to the total TDR requirement for this group of properties (609 TDRs), it results in 160 TDRs (26.2% x 609 = 160) required for the Site Plan. The table below tracks the cumulative number of TDRs approved for the entire Cabin Branch tract against the cap established by the Development Plan and Preliminary Plan 12003110B.

TDRS		MXPD (1)	ZONE	RMX1/TDR Zone (1)	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0		0	0
	WINCHESTER PHASE 1 (#82006029A)	0		132	132
	WINCHESTER PHASE 2 (#820110080)	0		102	102
	WINCHESTER PHASE 3 (#820120150)	0		56	56
	TOLL BROTHERS PHASE 1 (#820070140)	0		160	160
	TOLL BROTHERS PHASE 2 (#820100030)	0		63	63
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	0		0	0
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	0		0	0
	ADVENTIST PHASE 1 (#820060350)	0		0	0
	ADVENTIST (FUTURE)	0		0	TBD
PARTIAL SUBTOTAL	0		513	513	
PRELIMINARY PLAN	PRELIMINARY PLAN (#12003110B)	N/A		N/A	609

Binding Element 4: Street Network

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

The Applicant has provided a network of public streets in a grid pattern that defines scaled blocks typical of neo-traditional style of development. The street network is patterned to negotiate significant grades, accommodate underground infrastructure, and create a cohesive relationship with public and private uses in the Cabin Branch neighborhood. The public streets are consistent with the Master Plan and hierarchy defined in the Development Plan.

The G-806 Development Plan for Cabin Branch contains these binding elements that apply to the MXPDP portion of the Toll Site Plan:

2. *The Site Plan meets all of the requirements of the MXPDP and RMX-1/TDR zones.*

The Site Plan meets all the requirements of the RMX-1/TDR Zone under the standard method of development. According to Sec. 59-C-10.2.1, standard method projects in the RMX-1/TDR Zones “must occur in accordance with the development methods, standards and special regulations of the R-200/TDR zone, as contained in 59-C-1.331, 59-C-1.332 and 59-C-1.39.” The Site Plan uses the development standards under the latter section (59-C-1.39, Special regulations for optional method development using TDRs), which enable densities consistent with the Master Plan recommendations for this site. The Master Plan recommends a range of 5 to 7 dwelling units per acre (p.65), and the Site Plan proposes an average 3.66 dwelling units per acre. The Site Plan establishes the minimum setbacks, building restriction lines, and maximum building heights as permitted by the zone.

The Site Plan meets all of the requirements of the MXPDP Zone, as conditioned. The Site Plan establishes the minimum setbacks building restriction lines, maximum building heights and coverage requirements. The Site Plan complies with Site Area, Residential Density and Green Area requirements, as conditioned.

With regard to the Green Area, in the RMX1-TDR zone, the green area required is 23.75 acres (35%); the plan proposed provides 28.87 acres, surplus of 5.12 acres. With respect to the MXPDP zone, the plan is required to provide 6.45 acres (50%), the plan proposes 2.48 acres of green space (a 3.97 acre deficit). Per Condition # 18, no plats will be issued until Planning Board approval of the Infrastructure Site Plan Green Area Reconciliation.

Local Map Amendment G-806 and Preliminary Plan No. 12003110B established limits on certain development standards for the entire Cabin Branch. These include density, MPDUs, TDRs, retail, and employment. As a result, the Site Plan meets these development standards as part of a cumulative total for Cabin Branch. The tables below tract the cumulative total acreages, number of units, and MPDUs approved by the various site plans within the overall Cabin Branch development against the cap established by Preliminary Plan No. 12003110B.

Overall Cabin Branch Development Data

SITE AREA - ACRES		MXPD	ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	GOSNELL (#820060240) APPROVED 9/29/2010	7.24		0	7.24
	WATER TOWER MR (#08001) APPROVED 4/3/2008	1.487		0	1.487
	WINCHESTER PHASE 1 (#82006029A)	56.92		84.99	141.91
	WINCHESTER PHASE 2 (#820110080)	25.1		13.1	38.2
	WINCHESTER PHASE 3 (#820120150)	0		36.96	36.96
	TOLL BROTHERS PHASE 1 (#820070140)	12.88		67.85	80.73
	TOLL BROTHERS PHASE 2 (#820100030)	0		46.35	46.35
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	29.49		0	29.49
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	12.06		0	12.06
	ADVENTIST PHASE 1 (#820060350)	34.77		0	34.77
	ADVENTIST (FUTURE)	TBD		0	TBD
ADVENTIST SENIOR UNITS (FUTURE)	TBD		0	TBD	
INFRASTRUCTURE	SITE PLAN (#82005015A) APPROVED 9/17/2007	283.50		251.54	535.04
INFRASTR. AMEND	SITE PLAN (#82005015A) APPROVED 9/17/2008	284.50		252.54	536.04
PRELIMINARY	SUBDIVISION PLAN (12003110B) APPROVED 10/6/2008	283.50		251.54	535.04

RESIDENTIAL DENSITY - DWELLING UNITS		MXPD	ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0		0	0
	WINCHESTER PHASE 1 (#82006029A)	232		208	440
	WINCHESTER PHASE 2 (#820110080)	234		107	341
	WINCHESTER PHASE 3 (#820120150)	0		185	185
	TOLL BROTHERS PHASE 1 (#820070140)	190		245	435
	TOLL BROTHERS PHASE 2 (#820100030)	0		168	168
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	128		0	128
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	0		0	0
	ADVENTIST PHASE 1 (#820060350)	0		0	0
	ADVENTIST (FUTURE)	TBD		0	TBD
	PARTIAL SUBTOTAL	784		913	1697
PRELIMINARY PLAN	PRELIMINARY PLAN (#12003110B)	1026(1)		860(1)	1886

a. Off-Site Amenities and Features

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

As conditioned, the proposed plan conforms to the binding elements for off-site amenities and features. Thresholds for amenities and public facilities are as follows:

100th Building Permit: School site must be dedicated.

440th Building Permit: School site and Local Park must be rough graded, according to standards of MCPS and the Parks Department, respectively; Community Entrance features must be constructed.

650th Building Permit: Community center and pool building permit obtained. Local Park must be constructed (or concurrent with the adjacent homes, if first).

b. Trip Reduction Measures

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

Trip reduction goals were established during the preliminary plan approval. The Planning Board's approval of the Infrastructure Site Plan established the road hierarchy that accommodates underground utilities and stormwater management facilities. The plan proposed fulfills the transportation management goals iterated in the Preliminary Plan and the Infrastructure Site Plan. Specific street design, addressed within the subject site plan review, established the public parking supply, including the Local Park surface lot (60 spaces), and on-street parking (MXPD: 92 spaces, RMX: 233 spaces) throughout the Winchester I site plan, as approved by the Fire and Rescue Service.

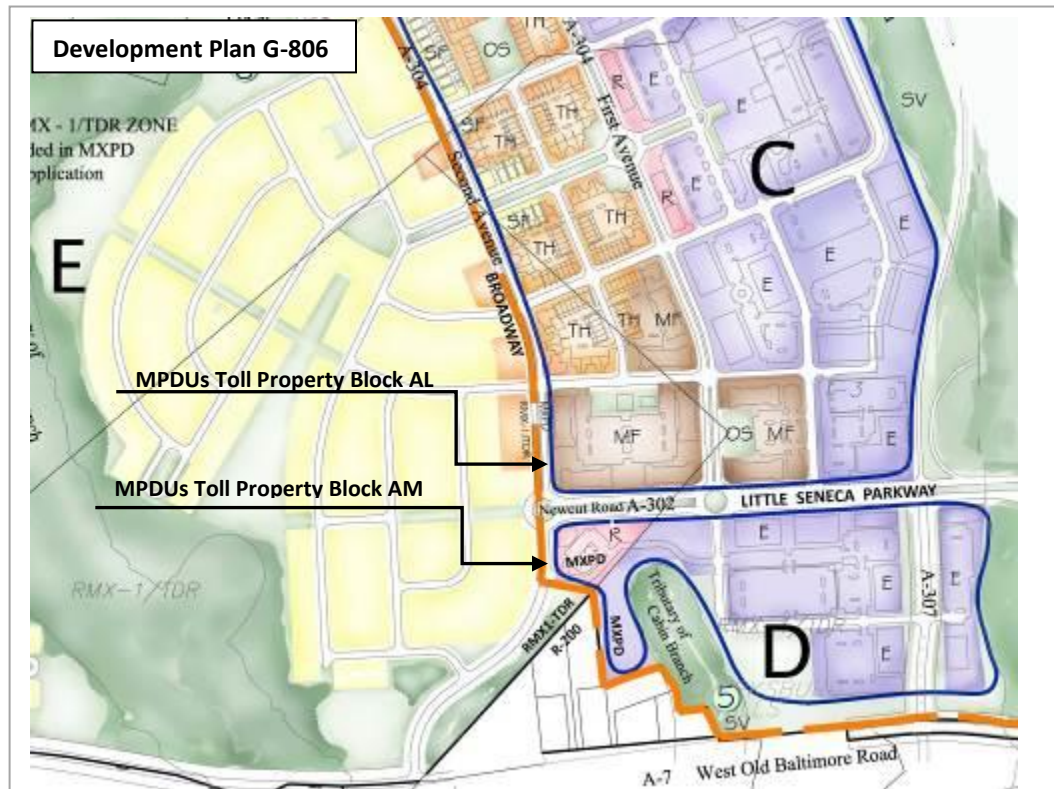
c. Street Network

Addressed above, see page 32.

d. Area D Street Network

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

Area D comprises the land located between Little Seneca Parkway (A-302, formerly Newcut Road), Broadway (A-304, formerly Second Avenue) and West Old Baltimore Road, at the southern boundary of the Cabin Branch tract. The phasing approved under Preliminary Plan 2003100B places Little Seneca Parkway (A302) within Road Phase 2.1, the second internal street to be constructed. The housing proposed under Toll Site Plan for Block AL on the north side of Little Seneca Parkway (Area C in the Development Plan) is largely multi-family units (2-over-2 units). This unit type promises a robust massing with a strong, street front building line on the north, finely articulated by the 3-story attached housing that flanks a central, terraced Ellipse, one of the major public amenities.

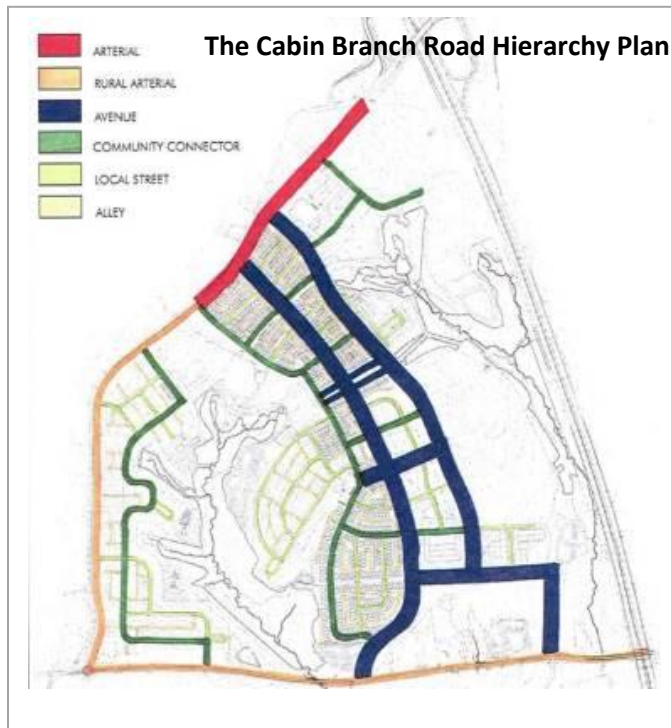


The southern aspect of Little Seneca Parkway (Block AM, Area D under the Development Plan) is challenged in its response to its northern counterpart, primarily by its designation as retail under the Development Plan. It will require sensitive and thoughtful design to achieve block and building design that responds in scale, massing and materials to the context set with the multi-family units.

The Toll Site Plan area includes a small fragment within Area D. Zoned MXPDP, the parcel will be bounded on its north by Little Seneca Parkway, on the west by Broadway, at its curving entry point. Although the Development Plan envisions retail for the entire Area D, the Toll 1 Site Plan proposes attached family housing, multi-family units to anchor this critical corner. The use of taller units (2-over-2's) imparts contextual cohesion between the blocks, north and south, across Little Seneca Parkway while articulating the contrast in character between Broadway's west side (RMX1-TDR) that features detached single family homes and the boulevard's east side that encompasses the largest concentration of attached and multi-family homes. This instance of dialogue in scale, density, materials and massing represents the variety envisioned for the Cabin Branch Neighborhood, as outlined in the Master Plan and the Development Plan.

e. Street Character

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



The Road Hierarchy Plan, shown above, as part of the Preliminary Plan, established the framework, not only for transportation functions, but more importantly, for the neighborhood character, set the block pattern. It was critical to the development of the figure ground, scale and texture of individual blocks. The resulting linear routes, both the dominant longitudinals and their subordinate transverses, provide appropriately scaled pedestrian experiences that connect directly to the numerous public amenities located throughout the site.

f. Special Roads

A-307 will be designed as an open section arterial road with wide green edges to provide a gateway to Black Hill Regional Park, subject to M-NCPPC and DPWT

approvals. The rural character of West Old Baltimore Road will be maintained by minimizing environmental impacts and providing generous green edges.

A-307 has been designed as an open-section 80-foot-wide arterial road with green edges that line up with the entrance to Black Hill Regional Park. West Old Baltimore Road was not reviewed with the Infrastructure Plan nor the subject site plan, in terms of impact to adjacent properties, including Black Hill Regional Park. The road is proposed as a two-lane arterial roadway with changes to vertical and horizontal alignment. The Applicant is required to submit a limited amendment and alternatives analysis to address impacts to adjacent properties including alignment, necessary easements, well and septic, clearing and grading, park boundaries, sight distance and a no-build option.

g. Service/Public Uses

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

This binding element does not apply to the subject site plan.

h. On-street Parking

Applicants will include on-street parking on streets adjacent to retail facilities.

See above, 1.C, *Trip Reduction Measures*, for discussion of residential areas on-street parking. The retail section of Cabin Branch (Area A on the Development Plan) is not included in the subject application.

SITE PLAN ANALYSIS AND FINDINGS


- 2. The Site Plan meets all of the requirements of the RMX/TDR-1 zone and the MXPB zones and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan, as conditioned, meets the requirements of the MXPB and RMX-1/TDR Zones as demonstrated in the project Data Tables shown below. The site plan establishes the minimum setbacks and building restriction lines, maximum building heights and coverage requirements in terms of lot area, open space and green space for the respective zones. Green Area provided within the RMX1-TDR3 Zone for the Toll Site Plan exceeds the requirements of the zone. In the MXPB Zone, the development standard, based on gross area, for the zone requires 50% green area for residential areas and 40% green area for commercial areas. Following the approved site plans for Winchester I and Winchester II, the site plan area provides 2.5 acres of green area of 6.45 acres required, drawing on the 69.2-acre stream valley preserved under Preliminary Plan 12003110B. Condition No. 18 restricts the issuance of records plats until Planning Board approval of the Infrastructure Site Plan Amendment that includes green area reconciliation.

Cabin Branch Neighborhood: MXPDP Site Plan Areas: Winchester 1, Winchester 2, Toll 1



Toll Site Plan: MXP Zone Development Standards: Lot and Tract Area, Residential Density

<p>MXPD ZONE Development Standards Toll Phase 1 Site Plan 820070140</p>					
<p>GOVERNING STANDARD</p>					PROPOSED
MXPD ZONE	DEVELOPMENT DATA STANDARD METHOD		MXPD STD.	PRELIM. PLAN ¹	TOLL - PHASE 1
§59-C-7.51	LOT AND TRACT AREA	min.			
	GROSS TRACT AREA		20 ac.		12.88 ac.
	NET AREA FOR RESIDENTIAL USE -ac.			N/A	5.73 ac.
	NET AREA FOR RESIDENTIAL USE -(SF)			N/A	(249,599 SF)
	DEDICATION - PUBLIC ROADS- ac.			N/A	3.59 ac.
	DEDICATION - PRIVATE ROADS- ac.			N/A	1.06 ac.
	DEDICATION - PUBLIC HOA AREAS - ac.			N/A	2.5 ac.
	NET AREA FOR COMMERCIAL USE			N/A	N/A
§59-C-7.53	RESIDENTIAL DENSITY				
§59-C-7.5(a)(4)	RESIDENTIAL EXCLUSIVE AREA LIMITATIONS	max.	40% TRACT	N/A	N/A
§59-C-7.53(a)	RESIDENTIAL DENSITY IN RESIDENTIAL AREA	max.	44 DU/ac.	10.5 DU/ac. (1)	14.67± DU/ac.
TOTAL NUMBER DWELLING DU THIS APPLICATION					190 DU
	DWELLING DU THIS APPLICATION AS % OF TOTAL 1,886			N/A	10.1% ± (190 DU/1886 DU)
	ONE-FAMILY ATTACHED (TH) 33%				
ONE-FAMILY ATTACHED (TH) THIS APPLICATION					62 DU
	ONE-FAMILY ATTACHED DU/ac.			N/A	4.80 DU/ac. ± (62 DU/12.9 ac.)
	ONE-FAMILY ATTACHED % OF ALL DU THIS APPLICATION			N/A	3.3% ± (62 DU/1886 DU)
	MULTI-FAMILY (MF) 67%				
MULTI-FAMILY UNITS THIS APPLICATION					128 DU
	MULTI-FAMILY ATTACHED DU/ac.			N/A	9.92 DU/ac. ± (128 DU/12.9 ac.)
	ONE-FAMILY ATTACHED % OF ALL DU THIS APPLICATION			N/A	6.79% ± (128 DU/1886 DU)

Toll Site Plan: MXP Zone Development Standards: Setbacks, Building Height, Parking, Public Uses

§59-C-7.55	SETBACKS	min.			
	FROM RESIDENTIAL ZONING OTHER THAN ONE-FAMILY DETACHED BUILDINGS (2)	min.	100 FEET	N/A	N/A
	ONE-FAMILY ATTACHED (TH)				
	FRONT	min.		10'	10'
	REAR	min.		0'	
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
	MULTI-FAMILY ATTACHED (MF)				
	FRONT	min.		10'	10'
	REAR	min.		0'	0'
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
§59-C-7.55(c)	BUILDING HEIGHT (3)	max.			
	HEIGHT TO SETBACK RATIO (8)	min.	1.00 : 1.00	N/A	N/A
	RESIDENTIAL STRUCTURES- FEET	max.		N/A	50 FEET (3)
	RESIDENTIAL STRUCTURES- STORIES	max.		4 STORIES max.	4 STORIES (3)
§59-C-7.58	PARKING OFF-STREET/ON-STREET §59-E (6)				
§59-E-2.2	SIZE	min.	8.5' x 18'		8.5' x 18'
§59-E-3.7	PARKING - ONE-FAMILY ATTACHED PER DU	min.	2 /DU= 124		172 SPACES ± (4)
	PARKING - MULTI-FAMILY ATTACHED PER DU	min.	2 /DU= 256		256 SPACES ± (4)
	PARKING - OFF STREET - TOTAL TOLL I			N/A	428 SPACES ± (4)
	PARKING - ON STREET [SEE MCFRS PLAN (5)]			N/A	27 SPACES± (5)
	PARKING - BIKES			N/A	8 SPACES ±
§59-C-7.57	PUBLIC FACILITIES & UTILITIES FOR THIS SITE PLAN				
	PUBLIC USE SPACE/AMENITIES - HOA CONTROLLED			N/A	2.5 ac. ±
	PUBLIC USE - STREAM VALLEY PARK DEDICATION			N/A	N/A
	PUBLIC USE - MNCPPC			N/A	N/A

(1) DENSITY MUST NOT EXCEED MASTER PLAN RECOMMENDATIONS AS DELINEATED IN THE DEVELOPMENT PLAN. PER APPROVED PRELIMINARY PLAN 12003110B AND SUBJECT TO CHANGE PER CONDITION #21 WHICH STATES "FINAL APPROVAL OF THE NUMBER AND LOCATIONS OF THE BUILDINGS, DWELLING DU, ON-SITE PARKING, SITE CIRCULATION, SIDEWALKS AND BIKE PATHS WILL BE DETERMINED AT SITE PLAN."

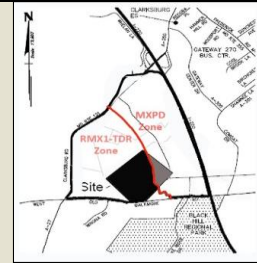
(2) PER SECTION 59-C-7.55 (A) "NO BUILDINGS OTHER THAN ONE-FAMILY DETACHED DWELLINGS SHALL BE CONSTRUCTED WITHIN 100 FEET OF ADJOINING PROPERTY THAT IS DEVELOPED WITH ONE-FAMILY DETACHED HOMES UNLESS THE DISTRICT COUNCIL FINDS THAT TOPOGRAPHICAL FEATURES PERMIT A LESSER SETBACK. IN ALL OTHER SITUATIONS, SETBACKS FROM ADJOINING PROPERTIES MAY BE LESS THAN 100 FEET, WITH THE MINIMUM SETBACK DETERMINED AS PART OF THE DEVELOPMENT PLAN REVIEW." AND (C) "NO BUILDING SHALL BE CONSTRUCTED TO A HEIGHT GREATER THAN ITS DISTANCE FROM ANY ADJOINING PROPERTY RECOMMENDED FOR RESIDENTIAL ZONING AND LAND USE ON THE APPLICABLE MASTER OR SECTOR PLAN, UNLESS THE DISTRICT COUNCIL FINDS THAT APPROVAL OF A WAIVER OF THIS REQUIREMENT WILL NOT ADVERSELY AFFECT ADJACENT PROPERTY."

(3) BUILDING HEIGHTS AS DEFINED BY THE ZONING ORDINANCE (SEC. 59-A-2.1) WILL BE DETERMINED AT TIME OF BUILDING PERMIT. FINAL BUILDING HEIGHTS WILL CONFORM TO THE REQUIREMENTS SET FORTH IN THE PRELIMINARY AND DEVELOPMENT PLANS, AND WILL NOT BE HIGHER THAN THE MAXIMUM HEIGHT NOTED ABOVE.

(4) OFF STREET PARKING= 24- 2 CAR GARAGE TOWNHOUSES= 48GARAGE SPACES + 48 TANDEM SPACES. 38- 1 CAR GARAGE TOWNHOUSES=38 GARAGE SPACES + 38 TANDEM SPACES. 256 MULTI-FAMILY ATTACHED DU=256 GARAGE AND TANDEM SPACES.

(5) PUBLIC ON-STREET PARKING IS BEING PROVIDED IN ADDITION TO THE PARKING THAT IS REQUIRED BY SECTION 59-E OF THE ZONING ORDINANCE. SEE THE FIRE AND RESCUE PLAN FOR TOTAL ON-STREET PARKING SPACES PROVIDED.

RMX-1/TDR-3 ZONE Development Standards
Toll Phase 1 Site Plan 820070140



GOVERNING STANDARD

		REQUIRED			PROPOSED
RMX-1 /TDR-3 ZONE	DEVELOPMENT DATA STANDARD METHOD	RMX1/ TDR-3	MASTER PLAN ZONING	PRELIMINARY PLAN (1)	TOLL - PHASE 1
§59-C-1.39	LOT AND TRACT AREA				
	GROSS TRACT AREA		251.8 ac		67.85 ac.
	NET AREA FOR RESIDENTIAL USE -ac.				26.24 ac.
	NET AREA FOR RESIDENTIAL USE -(SF)				(1,143,014 SF
	DEDICATION - PUBLIC ROADS- ac.				11.04 ac.
	DEDICATION - PRIVATE ROADS- ac.				2.09 ac.
	DEDICATION - PUBLIC USE - ac. (HOA & PARKS)				28.48 ac.
§59-C-1.332 & §59-C-1.395	RESIDENTIAL DENSITY (1)				
	No. DWELLING DUS FOR SITE > 30 ac.		3 OR GREATER DWELLING DUS	3.22 DU/ac.	3.66± DU/ac.
As Conditioned	DWELLING DUS THIS APPLICATION				245 DU
As Conditioned	DUS THIS APPLICATION AS % OF TOTAL				13.1% ± (245 DUS/1886 DUS)
As Conditioned	ONE-FAMILY DETACHED				239 DU
	ONE-FAMILY DETACHED DU/ac.				3.55 DU/ac. ± (239 DUS/67.85 ac.)
	ONE-FAMILY DETACHED % OF ALL DUS THIS APPLICATION				97.6% ± (239 DUS/247 DUs)
As Conditioned	ONE-FAMILY ATTACHED (TH)				6 DU
	ONE-FAMILY ATTACHED DU/ac.				0.09 DU/ac. ± (6 DUS/67.85 ac.)
	ONE-FAMILY ATTACHED % OF ALL DUS THIS APPLICATION				2.4% ± (6 DUS/245 DUs)

Toll Site Plan RMX-1/TDR 3 Zone Standards

§59-C-1.394(b) SETBACKS		min.			
	1-FAMILY DETACHED & ATTACHED (TH)				
	FRONT	min.		10'	10'
	REAR	min.		0'	0'
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
	ONE-FAMILY ATTACHED (TH)				
	FRONT	min.		10'	10'
	REAR	min.		0'	0'
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
§59-C-1.395 BUILDING HEIGHT (1) (3)		MAX.			
	MAIN BUILDING - FT	MAX.		N/A	50 FT MAX. (3)
	MAIN BUILDING - STORIES	MAX.		4 STORIES MAX. †	4 STORIES MAX. (3)

§59-E OFF-STREET PARKING PER §59-E					
§59-E-2.2	SIZE	min.	8.5' x 18'		8.5' x 18'
§59-E-3.7	PARKING - ONE-FAMILY DETACHED PER	min.	2 /DU= 482		580 SPACES ± (4)
	PARKING - ONE-FAMILY ATTACHED PER	min.	2 /DU= 12		16 SPACES ± (4)
	GENERAL PARKING				
	PARKING - OFF STREET			N/A	594 SPACES ± (4)
	PARKING - ON STREET		SEE FIRE & RESCUE PLAN (5)	N/A	174 SPACES± (5)
	BIKE PARKING			N/A	14 SPACES±
	COMMUNITY CENTER				
	CC PARKING OFF STREET				27 SPACES± (8)
	CC Handicapped				2 SPACES
	CC PARKING - ON STREET				472 SPACES± (8)
	CC PARKING - BIKES			N/A	4 SPACES ±
PUBLIC USE AND AMENITIES					
	PUBLIC USE SPACE/AMENITIES - HOA CONTROLLED				Not provided
	PUBLIC USE - STREAM VALLEY PARK DEDICATION				Not provided
	PUBLIC USE - MNCPPC				Not provided

Notes – Development Data Table RMX-1/TDR

(1) SECTION 59-C-10.2.1 STANDARD METHOD OF DEVELOPMENT REGULATIONS. RMX1/TDU ZONE: STANDARD METHOD PROJECTS IN THESE ZONES MUST OCCUR IN ACCORDANCE WITH THE DEVELOPMENT METHODS, STANDARDS, AND SPECIAL REGULATIONS OF THE R-200/TDU ZONE AS CONTAINED IN 59-C-1.331, 59-C-1.332 & 59-C-1.39. THE MAXIMUM DENSITY WITH THE USE OF TDUS IS 11 DWELLING DUS PER ACRE. THE LAND USES ALLOWED ARE THOSE USES ALLOWED IN THE R-200/TDU ZONE. DEVELOPMENT UNDER THIS METHOD MUST COMPLY WITH DENSITY, NUMERICAL LIMITATIONS, AND OTHER GUIDELINES CONTAINED IN THE APPLICABLE MASTER OR SECTOR PLAN APPROVED BY THE DISTRICT COUNCIL. PER APPROVED PRELIMINARY PLAN 12003110B AND SUBJECT TO CHANGE PER CONDITION #21 WHICH STATES "FINAL APPROVAL OF THE NUMBER AND LOCATIONS OF THE BUILDINGS, DWELLING DUS, ON-SITE PARKING, SITE CIRCULATION, SIDEWALKS AND BIKE PATHS WILL BE DETERMINED AT SITE PLAN."
(2) N/A
(3) BUILDING HEIGHTS AS DEFINED BY THE ZONING ORDINANCE (SEC. 59-A-2.1) WILL BE DETERMINED AT TIME OF BUILDING PERMIT. FINAL BUILDING HEIGHTS WILL CONFORM TO THE REQUIREMENTS SET FORTH IN THE PRELIMINARY AND DEVELOPMENT PLANS, AND WILL NOT BE HIGHER THAN THE MAXIMUM HEIGHT NOTED ABOVE.
(4) OFF STREET PARKING= 2- 2 CAR GARAGE TOWNHOUSES= 4 GARAGE SPACES + 4 TANDEM SPACES. 4- 1 CAR GARAGE TOWNHOUSES= 4 GARAGE SPACES + 4 TANDEM SPACES. 239 ONE-FAMILY DETACHED DUS= 478 GARAGE SPACES + 80 TANDEM SPACES FOR THE FRONT LOADED DUS.
(5) PUBLIC ON-STREET PARKING IS BEING PROVIDED IN ADDITION TO THE PARKING THAT IS REQUIRED BY SECTION 59-E OF THE ZONING ORDINANCE. SEE THE FIRE AND RESCUE PLAN FOR TOTAL ON-STREET PARKING SPACES PROVIDED.
(8) The full design of the Community Center and Pool, the major public open spaces and public parking will be reviewed in an additional Site Plan application

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

a. Buildings and Structures

Finding: The locations of buildings and structures are adequate, safe, and efficient.

Analysis:

General Form

The development form established by the Road Hierarchy Plan, under Preliminary Plan, and refined through the Infrastructure Site Plan, defines the block pattern, and forms the basis of the neighborhood texture, broadly grained in the retail and commercial areas, and varied, yet finely grained for the residential lots that largely comprise this site plan. This site plan, as with Winchester phases, features buildings that hold the street firmly, rigidly in some places, creating a defined building line that shapes the street view, organizes the public realm, and provides direct pedestrian and vehicular axes, north and south, east and west. The pattern is further refined by variation in lots sizes augmented by an ensemble of housing types offering a range of footprints, widths, and exterior architecture—elements critical to achieving spatial variety at the density level proposed. This is achieved at the cost of tightly spaced houses, and creates closely-knit blocks that rely critically on the public realm, the scale and furnishings of the streets, and more importantly, the proximity and quality of the public use space.

Further complexity in the siting of housing blocks is met with grading and slope issues, challenging the placement of underground utilities and stormwater management into the desired “tapestry.” It is an iterative process, back-and-forth, engineering and architecture, function and aesthetics, that procures a solution for a site such as Cabin Branch. The challenge is finding a housing solution from the repertoire of American production housing, suitable for insertion into the topography of rolling hills without resorting to expansive, intrusive grading to

achieve desired densities. It is a problem that begs for a small-scale, incremental approach, one not typically present in the large-scale developer’s armamentarium.

Pattern and Figure Ground

The Toll Site Plan site design fills a critical role in building the Master Plan and completing this long-planned neighborhood. As the “missing” piece, this particular site plan, as a whole, performs as “infill,” inserted between portions of the two Winchester plans—at times fitting lot-to-lot and house-to-house. The difficulty of fitting a logical, compatible form into such setting cannot be underestimated—especially so for this site area that assumes the grid shift, accommodates multi-family housing, articulates the transition in housing type across zones, all while negotiating a 50-foot drop in grade north-to-south and a 60 foot rise east-to-west.

Building form proposed clearly achieves its intent with this site plan: the relationship between solid and void realizes the integrity of the plan: the whole is the sum of the parts and the parts comprise the whole. Strong building lines clearly identify open spaces which, in turn, impart stature to the buildings themselves. The placement, proportion, and shape of the formal greens convey a sense of fluidity and connection between blocks – guiding the multi-level, three-dimensional dialogue that passes across zones, housing types, building character, and activity.

These settings contribute an unusual organic character—as though evolved over time—that influences the aesthetic experience of the spatial sequence. This is thoughtfully revealed in the way that the building line and landscape of Dovekie Lawn explain, visually, the grid shift. Likewise, its counterpart on the west, the Fulmer Green “pushes” the building line aside to reveal the topographic rise to the Fulmer Steps leading to The Commons.



Dovekie Avenue: Dovekie Lawn, the Fulmer Green, Fulmer Steps, The Commons, Stream Valley Park

The two stream buffers, east and west, are linked transversely by a series of landscaped boulevards, each punctuated by a unique programmatic terminus – that is, a major community amenity. This pattern repeats sequentially, with the Broadway crossings stepping down the slope southward, almost as terraces themselves. Discernible variation in the crossings—its size, shape, street wall articulation, materials, axis—becomes fully realized upon arrival at each crossing’s planned focus point: unique architecture or a bountiful natural setting.



Little Seneca Parkway showing connection Shaw Park, The Ellipse, Moorhen Mews, Stream Valley Park

The Community Center

The Community Center in function and location represents the heart of the Cabin Branch Community. The quality of the full design and detailing of the center, its pool, the fronting green space, and the adjoining housing is critical to its visual, functional, and social role within the neighborhood. This site plan resolved the foundational schematic design for building location, and spatial envelope pertaining to the Community Center. The building location is adequate, safe, and efficient.

Because the Community Center is a joint Winchester-Toll responsibility, Condition No. xx requires that the Community Center and its immediate environs, including Block V, be addressed in full detail through the Infrastructure Site Plan Amendment that will include roads and green area as well.

Multi-Family Housing

The Development Plan recommends the greatest density of housing on the “East Side,” (MXPDP), specifying the blocks and location for multi-family units --- within **Block AL**, as shown above. The solidity of the figure ground, that is, the extent of building coverage, limits the opportunity to introduce a soft-angle change in grade. Hence, retaining walls become the means by which to achieve the desired density. The relationship between solid and void is resolved through the design of the Seneca Ellipse whose treatment mediates a 30-foot rise from the Little Seneca Parkway street frontage to its northern edge.

Schematic design developed during plan review proposes a series of curved, stepped terraces that work to scale the slope in human-scaled increment, allowing a visual reading of the space and human placement within. The scheme allows a



functionally flat middle ground at the ellipse center, culminating at paved terrace (also a fire access lane) that anchors the formal space as a visual and functional datum at the highest level grade.

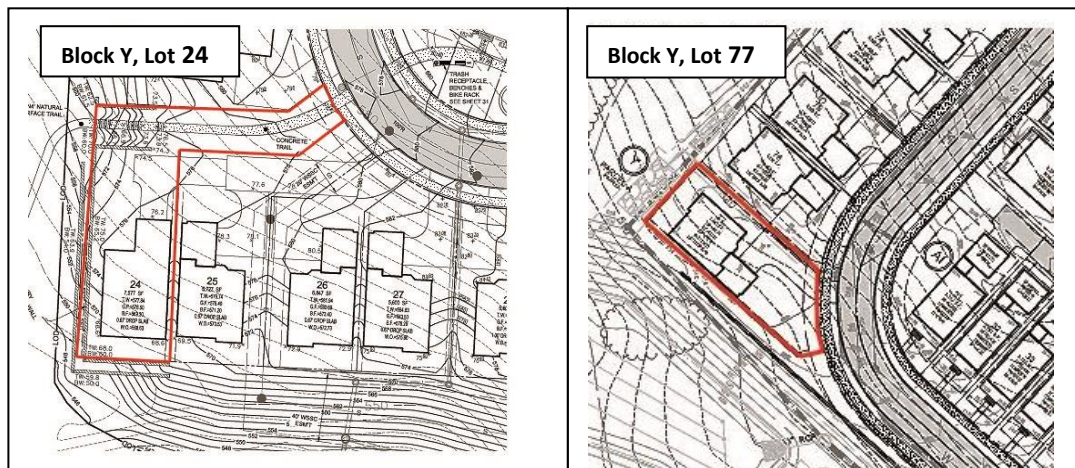
Although the Ellipse comprises the largest of the formal spaces, the relationship between the buildings and their open space is quite exacting – arising from the need to tie-in retaining walls to building foundations, providing code-compliant level interior alleys that are elevated above street grade, all while creating a unified street facade that integrates the two housing types and creates a potential for future compatibility with the future development of Area D across Little Seneca Parkway, as required by the Development Plan conditions.

Master Plan Housing Mix

This plan application achieves the Master Plan recommendation for unit mix: 45% minimum one-family detached, 35-45% one-family attached; the proposal offers 56% detached units and 44% attached and multi-family units.

Conditions

Staff recommends the deletion of two lots from the site plan: one-family detached units located within Block Y (Lot 24, Lot 77).



Lot 24, as proposed, features excessive grading, two retaining walls (one of which is located within the lot), and inclusion of the public trailhead within the residential lot lines. A condition requires deletion of Lot 24 to allow reduction to the size and length of retaining walls, decrease disturbance to the natural environment and to increase pedestrian safety for the trailhead by eliminating pedestrian/vehicular conflict.

Lot 77, as proposed, adjoins Stormwater Pond 2 and one of its retaining walls, (500 feet in length, 20 feet in height). A condition requires deletion of Lot 77 to allow reduction of the length and height of retaining walls, minimize disturbance to the natural environment, introduce a more gradual slope that provides safer conditions for the bicycle route at the road curve, and to increase the visual compatibility of the development as seen from Old West Baltimore Road.

b. Open Spaces

The strength of the plan with respect to overall open space can be observed in the dramatic contrast between the “built and unbuilt,” and the strategic, connective links between the wide,

organic stream buffers and formal, tailored parks. Within the frame created by the two stream valleys dense blocks of housing are relieved by a linked series of tailored spaces that serve, quite effectively, to organize the public realm, rationalize housing form, mediate the dialogue between housing and street, and create a navigable system for recreation.

Little Seneca Parkway, the boulevard that terminates with the Community Center that oversees the entire neighborhood and forms the connection between the East Side and the West Side, and knits together the neighborhoods of attached, detached and multifamily housing. The strategic placement the Community Center, of the open spaces and amenities serve to anchor the relationship between solid and void, create public destinations, provide effective site navigation, and offer a large variety of activity, both active and passive.

Large formal green spaces effectively shape the public realm within the dense housing blocks on the East Side. The Dovekie Lawn, in particular, resolves the grid shift as an urban open space solution – mediating the residual “wedges” that arise from Broadway’s bend. This trapezoidal lawn

c. Landscaping and Lighting is adequate, safe and efficient

The schematic design of landscaping and lighting for the Toll Site Plan is adequate safe and efficient.

The overall Streetscape Plan indicates the landscaping proposed for each of the public rights-of-way. Landscaping for the public streets, private streets and alleys is adequate, safe and efficient. The plan proposes typical foundation and tree plantings for individual lots. As proposed, the lot plantings are adequate, safe and efficient. A condition requires additional information for multi-family condominium lot plantings.

Landscaping and lighting consists of a varying treatment within the public rights-of-way, as outlined in the Cabin Branch Design Guidelines. As conditioned, staff recommends that power supplies, lighting and furnishings be provided to support public events, such as concerts and films, for the major public spaces, Seneca Ellipse and Dovekie Lawn.

High quality landscape and lighting design is critical to the daily lives of the future residents of Cabin Branch, especially so for the dense blocks of attached and multi-family housing. At the time of this report, schematic design addressed the shape, grading, and large scale plantings for the public streets and amenity spaces, which is found to be adequate, safe and efficient.



d. Recreation Facilities are adequate, safe and efficient



The recreation amenities, as conditioned, are adequate, safe and efficient. The open green space provides attractive and safe play areas that are well-proportioned and well-programmed to the density levels of the blocks in which they are contained. For example, Block AL provides The Ellipse, to serve the high density of multi-family units that include MPDUs. This space, the largest of all the open spaces within the Cabin Branch neighborhood, (as conditioned) will feature a large, gently graded open play area and a full playground of Kompan equipment that will serve large numbers of children in a range of ages.

Likewise, the Dovekie Lawn provides a generous open play area for the attached housing that surrounds it. This area will provide, (as conditioned) in addition to open space, a tot lot of Kompan single element equipment, within the northeast portion of the space (Parcel B, Parcel E), carefully sited to respect the function of the underground stormwater facility.

The primary source of recreation amenity is comprised of the Community Center and Pool. The center will include a social pool, a lap pool, and a wading pool, along with indoor community space for a variety of activities. The Community Green facing the entrance provides open play areas.

The plan features two trailed connections to the Stream Valley Park, abundant natural areas, nature trails, and bicycle and pedestrian systems. The M-NCPPC Local Park, to be dedicated and constructed under the Winchester Phase 1 Plan and within a short walk, will

e. Vehicular and Pedestrian circulation is adequate, safe and efficient throughout the entire site.

The primary access points to the site are from multiple locations along MD 121 (Clarksburg Road), West Old Baltimore Road and future Little Seneca Parkway (A-302). The State Highway Administration proposed intersection improvements at I-270 with Clarksburg Road and Little Seneca Parkway. Two roundabouts are proposed on Clarksburg Road at the first intersection (Street A) that provides primary access to the Gosnell tract to the north, and Adventist Healthcare and the retail section to the south.

The second roundabout on Clarksburg Road is located at the intersection with 1st Avenue (Cabin Branch Avenue), which is the primary route to the retail center and a major spine within the community that connects to Little Seneca Parkway. Two internal roundabouts are proposed on Little Seneca Parkway at the intersections with 1st and 2nd Avenues.

Broadway (Second Avenue) is an arterial road and is the primary spine within the community that connects Clarksburg Road and West Old Baltimore Road. Two additional important access points to the site include Street G (Bryne Park Drive), which follows the eastern boundary of the school and park site and Street Z, which is the primary access to the school. Street Z also provides access to a future residential portion of the development that includes primarily one-family detached and attached housing.

The overall Cabin Branch neighborhood will contain an eight-foot-wide shared use path (Class I bikeway) on the external boundaries of the site, including the north side of West Old Baltimore Road, that connects and continues to the east side to connect with the bike paths for the Summerfield Crossing (8-03034) and Martens (8-02039) developments. The bike path on West Old Baltimore Road connects with the bike path on the east side of Clarksburg Road (MD 121). This path terminates at the future interchange for I-270. Internally, the 8-foot-wide bike path follows Street Z on the west side of the proposed school site, and bi-furcates the school and park site to connect with the alignment on Street G. The path follows the west side of Street G and H and the north side of Street P to finally connect to the proposed bike path on Little Seneca Parkway.

Five-foot-wide internal sidewalks will also be provided for all of the public streets to facilitate pedestrian circulation throughout the development.

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

The residential structures and uses in this Site Plan are compatible with other uses and site plans, and with existing and proposed adjacent development. The proposed residential uses include single-family detached units, townhouses, and multiple-family (two-over-two) dwelling units. All units are located over 400 feet from West Old Baltimore Road to create a transition from lower density residential uses to the more intense development in the Cabin Branch neighborhood. Lower density single-family detached units along West Old Baltimore Road consistent with the Master Plan recommendations and preliminary plan approval. The combination of the type of unit (single-family detached), setback and building heights less than 50 feet along West Old Baltimore Road will provide compatibility with the adjacent, existing and proposed low density development.

Compatibility within Cabin Branch Neighborhood is provided in the Site Plan through the design and placement of new buildings, streets and open spaces. The two-over-two buildings are located internal to the Site Plan adjacent to significant green space. The club house and pool are located near the center of the development to minimize walking distances to the facility from all areas of the development. A green space is also located adjacent to the club house and pool to provide compatibility. Significant views into the stream valley have been established. The open spaces provide a variety of multi-use play areas, green areas, and forest conservation areas. High visibility lots, identified and coordinated with the Town Architect, will have special architectural treatment and materials at intersections. The fronts of the MPDUs will be designed and finished with architectural elements comparable to those found on other similar units.

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

Forest Conservation Plan

The proposed Site Plan meets all requirements of Chapter 22A regarding forest conservation as described in the following paragraphs.

Forest Conservation Plan (applied to entire Cabin Branch Development, including Toll Brothers I)

Consistent with conditions 1 and 14(c) of the Infrastructure Site Plan (82005015B), the Final Forest Conservation Plan (FCP) for the overall Cabin Branch Development is being amended through this Site Plan. The Infrastructure Site Plan is amended with each individual site plan as stated in conditions 1 and 14-c).

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

The FCP includes six worksheets separated by zones or land use: MXPB-Employment, RMX-1/TDR, MXPB-Residential, Water Tower Storage Facility, Linthicum West, and "offsite Area A". Each individual site plan application is submitted with final grading and design, the FCP and the worksheets associated with that particular site plan will be updated to reflect final design and grading details. The FCP indicates that the individual applicants for each site plan area must meet the forest conservation worksheet requirements through a combination of on-site forest retention, on-site planting of unforested stream buffers, landscape credit, and off-site planting within the Clarksburg SPA.

Under the M-NCPPC implementation of the SPA regulations, the Environmental Guidelines require accelerated reforestation of the SPA stream buffers and that any unforested portions of the stream buffer be afforested above and beyond the standard forest conservation requirements. Since the Cabin Branch Development includes land both in and out of the SPA and the tributaries drain to a common water body, staff recommends the treatment of the planting requirements as if the entire development is located within the Clarksburg SPA. Therefore, conditions 1 and 14 of the Infrastructure Site Plan (82005015B) require the Applicant to plant the stream buffers in accordance with the FCP including the Planting Phasing Plan. The Applicant must provide a five-year maintenance period for all planting areas credited toward meeting the forest conservation plan worksheet requirements. The Phasing Plan required and was designed to establish easements and forest planting for the entire Cabin Branch project, while taking into consideration that it will be a multi-year phased development with multiple site plans for individual portions of the development. The Phasing Plan considered how each individual site plan area would address forest conservation in terms of the size (proportion) of the site plan project and the percentage of total units to the entire development.

Amendments to the FCP have been approved with site plans approved for Gosnell (820060240), Winchester Phase I (820060290 and 82006029A), Winchester Phase II (820110080), Winchester Phase III (820120150), and amendments to the Infrastructure Site Plan (82005015A, B and C).

Forest Conservation Plan for Toll Brothers Phase I Site Plan:

The amendment required for the Toll Brothers Phase I site plan requires revisions to 15 sheets (1, 3, 4, 32, 40-43, 46- 48, 55- 57, and 62) of the approved FCP (820050150). These pages are attached to this Staff Report. The Toll Brothers Phase I site plan area has 44.0 acres of existing forest and is clearing 30.8 acres as part of this site plan. This update or revision to the FCP is consistent with the originally approved FCP. Staff has reviewed all the FCP revisions for final design of Toll Brother Phase I and recommends approval of the changes to the FCP.

Final Water Quality Plan and Environmental Guidelines

The proposed Site Plan meets all requirements of Chapter 19 regarding water resource protection and any other applicable law as described in the following paragraphs. As part of the requirements of the Special Protection Area (SPA) Law, a SPA Water Quality Plan should be reviewed in conjunction with a Preliminary Plan of subdivision or Site Plan. Under the provision of the law, the Department of Permitting Services and the Planning Board have different responsibilities in the review of a water quality plan. In conjunction with planning staff, MCDPS has reviewed and approved the technical elements of the water quantity and quality control facilities including engineering and design. The Planning Board's responsibility is to determine if SPA forest conservation planting requirements, environmental buffer protection, and site imperviousness limits have been addressed or satisfied.

Final Water Quality Plan including Environmental Guidelines for the Protection of Streams, Buffers, Wetlands, Floodplains, and Seeps (applicable to entire Cabin Branch Development, including Toll Brothers I):

The NRI/FSD for the various properties, which make up the Cabin Branch Development, are included in the FCP and were used to identify the environmental buffers, including wetlands, wetland buffers, floodplains, streams and stream buffers and can be expanded to include steep slopes. As part of the Environmental Guidelines, the unforested stream buffer within the SPA must be reforested. The Applicant will place forest conservation easements on the environmental buffers, and all forest planting and retention areas.

Final Water Quality Plan including Environmental Guidelines Related Solely to the Site Plan for Toll Brothers I:

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

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

▪ Environmental Guidelines and Protection of Seeps, Springs and Wetlands

One of the performance goals for the final Water Quality Plan for this site is to protect springs, seeps, and wetlands. The M-NCPPC's responsibility is to protect environmental

elements through the delineation of stream and wetland buffers. Conservation easements are recommended over all streams and wetlands identified on the appropriate approved NRI/FSD.

This Site contains 44.0-acres of forest, 0.98 acres of wetlands, 2.6 acres of floodplain, 9.6 acres of stream valley buffer, and one perennial stream.

The Toll Brothers Phase I site plan requires certain stormwater management (SWM) related encroachments into the stream buffers to meet stringent Maryland Department of the Environment (MDE) design criteria for the safe conveyance of discharge which were adopted with the Winchester III Site Plan (820120150). Additionally, the Applicant has shown some temporary grading impacts to areas of unforested Environmental Buffers, as part of the FCP and WQP all of the Environmental Buffers not restricted by other easements, such as WSSC easements will be reforested.

This Site Plan is in compliance with the Environmental Guidelines and has no forested environmental buffer impacts beyond what is required for the pond outfalls and safe conveyance of discharge. All areas of environmental buffers that are not required for the pond outfalls and safe conveyance of discharge or other utility easements will be placed into Category I conservation easements and forested.

- **Site Imperviousness** - There are no impervious limitations within this portion of the Clarksburg SPA; however, the Special Protection Area regulations allow the M-NCPPC to review imperviousness and to work with the Applicant to reduce imperviousness. As part of the Preliminary Water Quality Plan for the Cabin Branch Development a goal of less than 45% imperviousness was established. This Site Plan indicates an impervious level of approximately 42% with approximately 34 acres of impervious surface and is therefore consistent with the approved preliminary/final water quality plan estimates. The Cabin Branch Development is on course to remain below an aggregate level of 45% imperviousness.

Montgomery County Department of Permitting Services (MCDPS) Special Protection Area Review Elements - In acting on a preliminary or final water quality plan the DPS Director has lead agency responsibility for:

- i. Performance goals or criteria for the approved best management practices;
 - ii. Best management practices monitoring plan;
 - iii. Stormwater management concept plan;
 - iv. Erosion and sediment control concept plan; and
 - iv. Any other element of the plan for which the Department has primary lead agency design, review, and approval responsibility.
- **Site Performance Goals** - As part of the final water quality plan, several site performance goals have been achieved to date that were established for the Cabin Branch Development:
 1. Protect the streams and aquatic habitat.
 2. Maintain the natural onsite stream channels.
 3. Minimize storm flow run off increases.
 4. Identify and protect stream banks prone to erosion and slumping.
 5. Minimize increases in ambient water temperatures.
 6. Minimize sediment loading.
 7. Maintain stream base flows.
 8. Protect springs, seeps, and wetlands.
 9. Minimize nutrient loadings.

10. Control insecticides, pesticides, and toxic substances.

▪ **Stormwater Management and Erosion and Sediment Control**

To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs). Four extended detention dry ponds will provide stormwater quantity control. These facilities are designed with a maximum retention time of 12 hours for the one-year storm. Stormwater quality control is provided via a treatment train consisting of recharge structures, surface sand filters in series, structural water quality inlets and vegetated buffer filtering. Since open section roads will not be feasible for the majority of the site, additional water quality volume treatment will be provided in surface sand filters. This will be accomplished by sizing these structures to treat the entire drainage area regardless of the treatment being provided for the upland areas. Areas intended for vehicular use will be pretreated prior to entering any water quality filtering structures. Recharge is to be provided below the outlet pipe of all proposed (non-structural) water quality structures where groundwater or bedrock is not encountered. Redundant sediment control facilities are required during construction of the site. This means upland sediment traps will drain to secondary traps downgrade.

MCDPS conditionally approved the elements of the final water quality plan under their purview on December 9, 2009 and reconfirmed on March 14, 2013.

Staff recommends the Planning Board find that the SPA Final Water Quality Plan for Toll Brothers Phase I conforms to the Environmental Guidelines, adequately protects the sensitive features on the Property, and maintains impervious levels consistent with the original approvals.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements.

CONCLUSION

Staff concludes that development of the Winchester I Site Plan, the land use plan, the site and landscape plans, the public facilities and amenities and recreational facilities proposed, are in substantial conformance with the recommendations of the Clarksburg Master Plan, the Development Plan and the Montgomery County Zoning Ordinance.

TOLL 2 RECOMMENDATIONS & CONDITIONS: Site Plan No. 820100030

Staff recommends approval of Site Plan and Water Quality Plan, Cabin Branch Neighborhood Toll Site Plan, 820100030, subject to the following conditions, based on the drawing submittals dated February 28, 2013. All site development elements, details and specifications are required except as modified by these conditions:

Conformance with Previous Approvals

1. Development Plan Conformance

- a. Comply with the binding elements, general notes, and the development program as shown on the Certified Land Use Plan of the Development Plan Amendment G-806, Exhibit 67(g), and dated September 9, 2003;
- b. Comply with the conditions and binding elements adopted in *Opinion 15-326*, Zoning Ordinance Amendment approved by the District Council, September 9, 2003.

2. Preliminary Plan Conformance

Comply with the conditions of approval for Preliminary Plan Amendment 12003110B, *MCPB Resolution No. 08-117*, dated October 6, 2008, as amended.

3. Infrastructure Site Plan

Comply with conditions of approval of:

- a. Infrastructure Site Plan, 820050150, as set forth in the MCPB Resolution No. 07-131, dated July 19, 2007;
- b. Plan Amendment(s): 820050150A, set forth in Resolution 08-68, dated June 9, 2008;
- c. Plan Amendment 820050150B, set forth in Resolution No. 11-124, dated March 7, 2012;
- d. Administrative Site Plan Amendment 82005015C, approved on November 27, 2012.
- e. Any further amendments to the Infrastructure Site Plan, including such amendments as may be implemented through other site plans for Cabin Branch.

4. Cabin Branch Design Guidelines for Site Plan Review

- a. Comply with the Cabin Branch Design Guidelines for Site Plan Review (“Design Guidelines”) as referenced in the letter from KTGy, Inc., dated February 27, 2013;
- b. Submit with building permit applications for each Development Program Phase an approval from the Town Architect stating that the proposed buildings, within that phase, are in conformance with the certified site plan and with design specifications of the Guidelines;
- c. Submit to the Director of Planning (or designee) architectural plan construction documents from which Applicant will submit individual building permit applications for each Development Program Phase, for Design Guidelines conformance review;
- d. Submissions will be granted automatic approval after 10 days, unless Applicant is notified that the submission does not comply.

Density

5. Housing and Major Amenities

- a. Provide within the 46.35 acres in the RMX/TDR-1 Zone, 168 residential units, comprised of 128 one-family detached units, and 40 are one-family attached units of which 10 units are MPDUs, and 63 Transfer Development Rights (TDRs).

Transportation

6. Transportation and Transit Services

- a. Prior to issuance of the first building permit, applicant provide a program for notifying residents regularly of the road construction schedule, access limitations, and arrangements to limit the impact of any access limitations to area roads, businesses, and residences.
- b. Prior to the first occupancy permit applicant must develop a website to provide Transit Services Plan showing location of bus stops, ride-share locations, and information kiosks; maintain a rideshare bulletin board, accessible to all residents and employees at Cabin Branch;
- c. Prior to the 100th occupancy permit, applicant must establish a carpool, vanpool, and bike-matching program for all residents and employees at the Cabin Branch site by delineating locations and services as part of the Transit Services Plan;
- d. Prior to issuance of each occupancy permit for office buildings and the Community Center, applicant must install permanent transit information kiosks and display areas in all office buildings and community centers with bus route (and the future Corridor Cities Transitway) schedules. The location and design of transit information stations must be coordinated with the Department of Transportation Commuter Services.
- e. Provide bike racks, located at the public green spaces, in accordance with the Development Program and as acceptable to MNCPPC Staff, timing to be determined at the time of Certified Site Plan; bicycle parking must be provided at a at a bicycle-to-auto ratio of 1:20, using the number of on-street parking spaces and the surface lot spaces that serve the Local Park.

7. Montgomery County Department of Permitting Services (DPS)

Comply with the recommendations of Montgomery County Department of Permitting Services, incorporated as a Planning Board condition.

8. Montgomery County Fire and Rescue Service

Comply with the recommendations of Montgomery County Fire and Rescue Services Access and Parking Plan, dated March 21, 2013, incorporated as a Planning Board condition.

9. Infrastructure Site Plan

In accordance with Condition 4(e), above, the following changes must be made to the Infrastructure Site Plan (820050150, 820050150A, 820050150B):

- a. Road Improvements to West Old Baltimore Road, Clarksburg Road (MD121): The updated Infrastructure Site Plan shall address road improvements and impacts of West Old Baltimore Road (A-7), Clarksburg Road (MD 121) on environmental aspects, storm water management, adjoining residential properties, and access to Black Hills Regional Park. The Infrastructure Plan must reference current MD State Highway Administration design and construction drawings for MD 121 and its interchange, and all road improvements associated with the Cabin Branch Neighborhood.
- b. Green Area: The Applicant shall produce under the Infrastructure Site Plan amendment *Cabin Branch Neighborhood Development Green Area Reconciliation* for Planning Board review, performing a comprehensive survey and audit of all green area within the Cabin Branch tract. Applicant must demonstrate that an additional 3.97 acres of green area required under the subject site plan is provided and resolved within the Infrastructure Site Plan amendment. No Plats shall be issued for the Toll Site Plan until Planning Board approval of the Infrastructure Site Plan Amendment.
- c. Community Center and Pool, Community Green: The applicant must provide, under the Infrastructure Site Plan amendment, the following drawings addressing the design:

- i. Site Plan Drawings that include the public amenities and their context:
 - a. Measured site plan at 1:30 scale showing the entire Block V containing the Community Center site and pool as well as a portion of the Block Y from the Community Center up to and including lots 43 and 50; show the street right-of-ways, PUEs, PIEs, infrastructure, grading; show lot lines and housing footprints, setbacks;
 - b. Site detail drawings at 1/16" = 1';
 - c. Site Sections: transverse and longitudinal site sections including the entire block and surrounding streets;
 - d. Site Elevations at 1:30 showing the entire pool, all of the public areas, building façades from both adjoining public streets within the context of the adjoining housing.
- ii. Architectural Drawings:
Provide architectural building plans, sections, and elevations (1/16" = 1') showing the following: ingress and egress, circulation and services, public rooms, dimensions, details and specifications, materials, furnishings and fixtures; provide transverse and longitudinal building sections; provide the architectural program of requirements.
- i. Landscape and Lighting:
 - a. Landscape plan at 1:30 feet;
 - b. Landscape detail drawings showing grading, furnishings and fixtures, lighting lead walks, retaining walls showing top and bottom elevations, and seating wall thickness, materials, planting (size, spacing, proposed species and alternate species); provide details and dimensions for fencing, furnishings, fixtures with the entire Community Center block;
 - c. Comprehensive lighting schedule keyed to the plan; fixture performance specifications.
- d. Public Art
Provide information, photographs and drawings for the public art throughout the Cabin Branch Neighborhood, including sculpture for Mountain View Park and Tribute Parkway.

10. Maintenance Responsibility

The Applicant, its successors, assignees, and/or the successor HOA shall be responsible for maintaining community-wide amenity features such as HOA playgrounds, HOA open spaces, retaining walls, parking facilities, streetscape elements and natural features.

Sustainable Design

11. Energy Efficiency

- a. At the time of issuance of building permits, provide information demonstrating, for one-family detached residential units, means by which to achieve Energy Star rating under the national energy performance rating system or the prevailing energy code in enforcement in the county at time of permitting.
- b. Provide one power feeds with meters for an electric car-charging station locating one near a major public green space.

Transferable Development Rights (TDRs)

12. Acquisition and Recordation

- a. Provide verification, prior to recording of each residential plat for the Toll 1 site plan, that the numbers of TDRs relevant to that plat have been acquired. The serial number for each TDR acquired must be shown on its respective record plat.
- b. Purchase 63 TDRs under the Toll 1 site plan for the development proposed.

Moderately Priced Dwelling Units (MPDUs)

13. Location and Phasing of MPDUs

- a. Provide 10 MPDUs on site within the boundaries of the Cabin Branch Toll II site plan, (6.0 % of total number of units in Phase 2), consistent with Chapter 25A, and in accordance with the letter from the Department of Housing and Community Affairs (“DHCA”) to the applicant, dated February 5, 2013. The minimum number of units for Toll I site plan required is 21 MPDUs (12.5%); the additional 11 units are provided under the Toll 1 site plan.
- b. Execute the MPDU Agreement -to-Build prior to issuance of the first building permit.

Parks

14. Dedication of Land to M-NCPPC Parks Department

- a. Prior to record plat, dedicate by deed and convey to M-NCPPC the agreed upon area of contiguous land that is located between the proposed residential lots and the unnamed western fork of Cabin Branch. Precise, detailed boundaries of the dedication to be acceptable to M-NCPPC Department of Parks staff; the area may be refined or modified prior to certified site plan without the necessity of amending the site plan or preliminary plan; land must be conveyed free of trash and unnatural debris; park boundaries staked and signed to distinguish from private properties;
- b. Construct natural surface trails on dedicated parkland and throughout the community to connect residential areas, open spaces and parkland together in an accessible, pedestrian friendly manner. Applicant to work with M-NCPPC Department of Parks staff prior to Certified Site Plan to establish exact locations of needed trails in order to provide recreational opportunities to the communities within the subdivision and Cabin Branch community. Trails within parkland to be constructed to park standards and specifications after procurement by Applicant of appropriate park permit. Appropriate signage and any bridges, as determined by Department of Parks staff to be necessary, to be provided by Applicant and constructed to park standards and specification and shown on the certified Site Plan.
- c. No retaining walls or stormwater management ponds or facilities to be located on dedicated and conveyed parkland.

15. Common Open Space Covenant

- a. Reference Common Open Space Covenant recorded at Liber 28045 Folio 578 (“Covenant”) on the record plat of subdivision and in the recorded HOA documents.

Development Program

16. Development Program Requirements

The Applicant must construct the proposed development in accordance with a development program to be approved by M-NCPPC staff prior to the approval of the Certified Site Plan.

Phasing

- a. **Housing**
 - i. Phase 1 of the Toll Site Plan must include the entirety of Block AF including Lots 36-45, and excepting Lots 46-50;
 - ii. Sequencing for Phase 2 may be flexible, with sections interchanged, subject to staff review and approval.
- b. **Streetscape**

- i. Street lamps and sidewalks for public streets, private streets and alleys must be installed within six months after street construction is completed.
 - ii. Street tree planting must be completed no later than six months after completion of the residential units or park and school facilities adjacent or adjoining the subject streets.
- c. Local Recreational Facilities
- i. Prior to issuance of the 65th building permit, the recreation facilities in Phase I must be complete. These include the Terrace (Parcel B, Block AF) and Gull Green (Parcel D, Block AF), integral sitting and picnic areas, bicycle racks, and the bicycle system paths within this phase. Each Phase I Local Recreational Facility shall be completed as the homes on that block are completed, and in no event later than issuance of 70 percent of building permits for the units in Phase I. Landscaping and lighting associated with the Recreation Facilities must be installed no later than six months after the completion of those facilities or the next planting season. The Terrace and Gull Green each must progress with the construction of their adjacent residential units and be completed no later than six months after completion of the landscaping and lighting associated with the adjacent units or within the next planting season.
 - ii. Prior to issuance of the 118th building permit, the recreation facilities in Phase II shall be complete. These include Mountain View Park (Parcel C, Block AD), the Overlook (Block Z) and the trailhead located between Lots 53-54. Each Phase II Local Recreational Facility shall be completed as the homes on that block are completed, and in no event later than issuance of 70 percent of building permits for the units in Phase II. Landscaping and lighting associated with the Recreation Facilities must be installed no later than six months after the completion of those facilities or the next planting season. Mountain View Park and the Overlook must each progress with the construction of the adjacent residential units and be completed no later than six months after completion of the landscaping and lighting associated with the adjacent units or the next planting season.
- d. Community-Wide Recreational Facilities
 These conditions apply to the Cabin Branch neighborhood as a whole of which this site plan is a part:
- i. The school site and Local Park must be rough graded prior to the issuance of the 440th building permit for the entire Cabin Branch development consistent with the Infrastructure Site Plan approval, Resolution 07-131.
 - ii. The community entrance features located at Old West Baltimore Road and Broadway Avenue as well as the open space located at shall be constructed prior to issuance of the 440th building permit, subject to permit approval by DOT and/or DPS.
 - iii. In accordance with the Infrastructure Site Plan approval, a building permit must be obtained for the community center and pool prior to issuance of the 650th residential building permit (regardless of applicant or phase).
 - iv. The M-NCPPC Local Park, including all facilities and amenities and parking facilities shall be constructed prior to the issuance of the 650th residential building permit (regardless of applicant or phase).
 - v. The Local Park and MCPS sites must be rough graded prior to the 440th building permit of the Cabin Branch Neighborhood that includes Site Plans 820070140 and 82010030, according to the approved Sediment and Erosion Control Plans and the Forest Conservation Plan.
- e. General Covenant
- i. The Development Program must provide phasing of dedications, stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

- ii. On-site amenities associated with each block, including but not limited to, sidewalks, pathways, furnishings such as benches, trash receptacles, and bicycle facilities must be installed prior to release of any building occupancy permit.
- iii. On-site landscaping and lighting associated with the construction of private roads and common areas shall be installed no later than six months after the completion of those roads and common areas.
- f. Clearing and Grading
Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan and the Certified Site Plan, except as specified in the conditions of approval for the Infrastructure Site Plan.

17. Surety

Prior to issuance of the first building permit within each relevant phase of development, the Applicant must provide a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The Applicant must provide a cost estimate of the materials and facilities, which, upon staff approval, will establish the initial surety amount.
- b. The amount of the bond or surety shall include plant material, on-site lighting, recreational facilities, site furniture, entrance piers, retaining walls, and private roads within the relevant phase of the development.
- c. Prior to issuance of the first building permit, the Applicant must enter into a Site Plan Surety & Maintenance Agreement with the Planning Board in a form approved by the Office of General Counsel that outlines the responsibilities of the Applicant and incorporates the cost estimate.
- d. Bond/surety shall be tied to the development program, and completion of plantings and installation of particular materials and facilities covered by the surety for each phase of development will be followed by inspection and reduction of the surety.
- e. The surety must include Seneca Ellipse, Dovekie Lawn, Moorhen Mews, Fulmer Street Steps and Green, Community Center, Community Center Pool, Community Green, Stilt Street Trailhead, Moorhen Mews Trailhead, but should not include the school or Local Park site, areas within public ROW or SWM pond easements, or improvements on residential lots.

Environment

18. Forest Conservation

- a. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
- b. All off-site reforestation must occur within the Clarksburg Special Protection Area unless otherwise specifically approved by the Planning Board.
- c. The implementation of the project's forest conservation mitigation requirements which includes forest retention, onsite and offsite afforestation, reforestation and landscape credit, may be phased. The phasing of the total forest conservation mitigation must be proportionate to either the area proposed for disturbance relative to the total project size or the amount of density for each stage relative to the total project density, whichever is greater. The phasing triggers, forest conservation mitigation type, amount of mitigation, and disturbance areas are to be defined on the Final Forest Conservation Plan and revised as needed with subsequent Site Plans. Conservation easements may be recorded using a metes and bounds description and sketch if preceding recordation of plats, provided the recording information for the conservation easement is referenced and the easement line is shown on subsequent record plats.

19. Noise

Limit the acceptable noise levels to a maximum 65 LdN for residential rear yards, per Montgomery County Guidelines.

Certified Site Plan

20. Requirements

a. General Information

- i. Site Plan Resolution;
- ii. Development Program, inspection Schedule;
- iii. Detailed Phasing Plan showing phasing lines consistent with the Development Program;
- iv. Definitive lot sizes, with building envelope setbacks labeled;
- v. Remove the following notes from the Cover Sheet and any/all drawing sheets:
 - a. *Lot sizes are subject to minor modifications at the time of record plat review but will remain generally consistent with the site plan and shall comply with the stated min/max development standards.*
 - b. *In addition to the garage serving the primary residence, the following uses may be added to the garage in the following zones: Carriage House-MXPD Zone, Guest House-RMX1/TDR Zone*

b. Environmental Elements

- i. Limits of Disturbance
- ii. Undisturbed stream buffers, except where approved outfalls are located
- iii. Methods and locations of tree protections
- iv. Forest Conservation easement areas;
- v. Note stating that M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading;
- vi. Environmental setting protection for the historic resource or site.
- vi. Verify the maximum building coverage for each lot and document the remaining available on-lot green space.

Certified Site Plan: Specific Site Design

The following conditions must be shown on the certified Site Plan, and are subject to approval by staff prior to certified Site Plan.

21. Residential Blocks and Streets, Housing & Site Design

Show the following revisions on the certified Site Plan:

a. Block AD

- i. Lots 14-19: Stagger the building line in greater increments (almost porch-depth). Shift Unit 14 forward toward Clarksburg Road, and step each successive unit back in increments (15, 16, 17, 18, 19);
- ii. Lot 29, Lot 30: Shift building line (side of unit) forward toward Clarksburg Road, so that Unit 29 building line is almost a porch-depth distance back from the front facade of Unit 19; match street front building lines for Unit 29 and Unit 30;

b. Block AF:

- i. Reduce the height of the retaining wall(s) adjoining Gull Green (Parcel D) and The Terrace (Parcel B) to less than 30 inches;
- ii. Show the entire block envelope on one sheet, with dimensions of the block, setbacks, open space; dimensions of the open space with respect to building facet-to-building face, sidewalk-to-sidewalk;

- iii. Lot 26, Lot 35 Lot, Lot 36, Lot 45 : Show a forward building shift toward the Green to better enclose the far ends of the open space, approximately 8 feet +/-; step back the intervening units proportionately; match Unit 26 and 35 building lines; match Unit 36, 45 building lines;
 - iv. Show stair and landing within the south wall facing Gull Green; provide a depth of 8 feet for the central landing terrace to be located front of Units 40-42;
 - v. Shift northward the central seating area (two benches) located in front of Unit 30 by placement the seating area on the north side of the sidewalk; provide an HOA easement on the front of Lot 30 to accommodate the shift;
- c. Block Z:
- i. Lots 37-40: Orient unit street facades parallel to the units shown across Woodcock Way (987-92); stagger the building lines by pairs, stepping back (eastward) 37-38, 39-40;
 - ii. Lot 41: orient to face Jaeger Road, consistent with the grid; set Unit 41-42 as a pair; or, alternatively, employ a different unit type to allow this shift in orientation;
 - iii. Lot 53: Maintain a 10-foot setback from the east lot line as shown; no building addition, shed or element will be permitted within the visible side yard to allow adequate views of the stream valley and trailhead;
 - iv. Lot 54: Maintain a 10-foot setback from the north lot line as shown; no building addition, shed or element will be permitted within the visible side yard to allow adequate views of the stream valley and trailhead.

22. High Visibility Lots Treatment

Show enhanced architectural treatments such as stone/brick walls, seat walls, architectural fences, and landscaping to all lots proposed for treatment by the Town Architect with particular treatment for those lots listed below. All lot treatments are subject to review and approval of MNCPPC Staff prior to Certified Site Plan:

- a. Block AD: Lot 29, Lot 30: Provide special facade treatment using a three-dimensional element such as a wrapping porch, bay or oriel window;
- b. Block AD, Lots 35-48, Lots 58-60: Provide uniform fencing for the rear yards for each of these lots visible from West Old Baltimore Road; use stone materials, such as a stone base and columns, consistent with Cabin Branch monument signage;
- c. Block AD, Lot 20: Provide a low (seat) stone wall backed by coniferous trees to screen King Eider Alley from view of Clarksburg Road; align the screen walls facing Clarksburg Road;
- d. Block AD, Lot 29-30: Provide a low (seat) stone wall backed by coniferous trees to screen Gannet Alley from view of Clarksburg Road; align the screen walls facing Clarksburg Road;
- e. Block Z, Lots 45-53, Lot 60: Show uniform fencing for the rear yards for each of these lots visible from West Old Baltimore Road; use stone materials, such as a stone base and columns, consistent with Cabin Branch monument signage;
- f. Block Z, Lots 53-54: Show uniform fencing for the side yards visible from the trailhead; use stone materials for base and columns, consistent with Cabin Branch monument signage;
- g. Block Z, Lot 41: Show architectural treatment or a public amenity for Lot 41 street corner;
- h. Block AC: Show a finished masonry wall to screen the Alley AC3 from view of Clarksburg Road; tie wall into the monument signage adjoining Lot 99;
- i. Block AD: Show a finished masonry wall to screen the Alley AD1 from view of Clarksburg Road; tie wall into the monument signage adjoining Lot 1;

23. General Landscape Design

- a. Show street tree planting at a minimum 40 feet on center and a maximum spacing of 50 feet on center, except where physical site limitations do not allow for the spacing. Any deviation from standards must be approved by MCDOT;

- b. Show planting plan for typical multi-family units specific to that unit type.
- c. Show a comprehensive landscape, lighting, and monument signage plan to address the road frontage of Clarksburg Road and West Old Baltimore Road;
- d. Show an opening in the street tree spacing on Jaegar Road to the stream valley park;
- e. Show two clusters of colorful ornamental trees at the within the trailhead area.

25. Block Specific Landscape Design

Show the following landscaping, subject to review and approval by site plan amendment:

- a. Block AD:
 - i. Show special landscape treatment for the corner of Lot 41.
- b. Block AF
 - i. Show special paving for the Terrace (Parcel D) stair landing located in front of Units 40-42;
 - ii. Show banding of special paving at the perimeter(s) of the seating areas within Gull Green (Parcel D), the Terrace (Parcel B) and the Overlook;
 - iii. Show a finished stone masonry for the retaining wall(s) and stairs and landing associated with Gull Green and the Terrace (Parcel B);
 - iv. Show a finished stone masonry for the retaining wall(s) and stairs associated with the Terrace (Parcel B) and the Overlook.

26. Lighting and Power

- a. Show a comprehensive lighting plan for the entire site plan area showing the location and type of each fixture and referencing the lighting schedule by plan symbols;
- b. Show a lighting plan for each height) for each of the public open spaces and for the two trailheads; use decorative lighting fixtures at a maximum 14-foot mounted height. (See landscape comments for specific locations.) Identify lighting fixture location and type by symbols on the landscape plans keyed to the lighting schedule.
 - i. Show decorative lighting fixtures with photometric lighting levels for each of the public open space areas: Gull Green, The Terrace (Parcel B), Mountain View Park,
 - ii. Show power supply for Mountain View Park, Gull Green and the Terrace to serve community events;
 - iii. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties;
 - iv. Illumination levels shall not exceed 0.5 foot-candles (fc) at any property line abutting county roads or adjacent residential properties.
- c. Show a comprehensive lighting schedule showing: each fixture type, specifications and details, mounted height, wattage, cut-off shield housing; all light fixtures shall be cut-off fixtures.
- d. Deflectors must be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- e. Show illumination levels that do not exceed 0.5 foot-candles (fc) at any property line abutting MD Route 121 and those abutting Old West Baltimore Road, and offsite residential properties.
- f. Identify lighting proposed for the public right-of-way; reference light fixtures by type on the landscape plans.

Recreation Facilities, Pedestrian and Bicycle Amenities

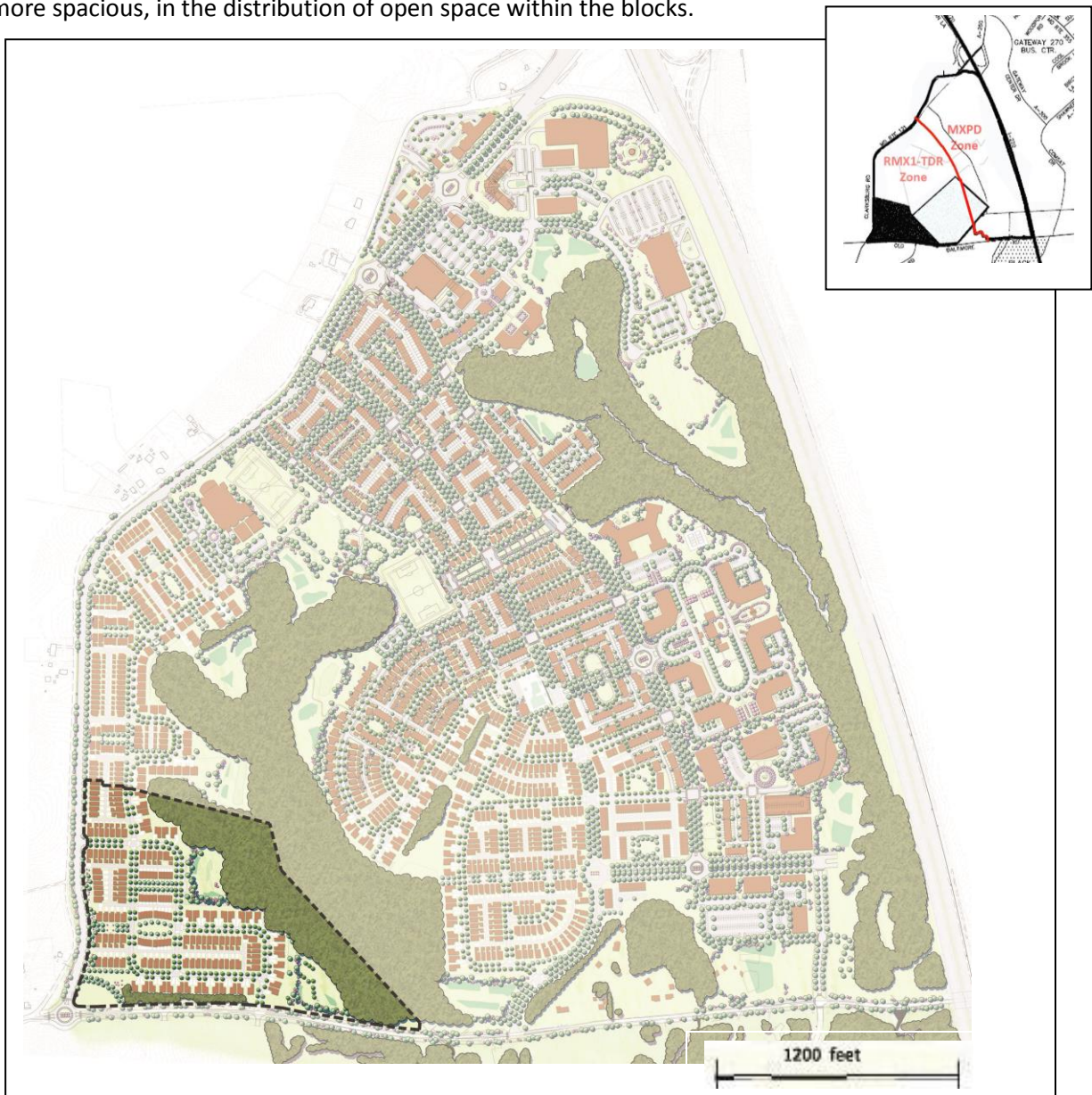
- 27. Comply with M-NCPPC Recreation Guidelines for all applicable proposed recreational facilities and demonstrate conformance for each facility with respect to size, grading, setbacks, location and targeted age group, as follows:
 - a. Show the following facilities for Toll I Site Plan:

- i. Mountain View Park;
 - ii. Gull Green;
 - iii. The Terrace;
 - iv. The Outlook;
 - v. Sitting-Picnic Areas (11);
 - vi. Pedestrian System;
 - vii. Bicycle System and Parking;
 - viii. Natural Areas;
 - ix. Nature Trails;
- b. Mountain View Park
- i. Entry features: Show a formal entrance to the Park from Woodcock Way: provide stone-faced, curved seat walls to identify the park entry and to provide visual separation of the park from Lot 34 and Lot 35; show walls extend into the grade; (revise the currently shown sidewalk pattern) and continue the curve as special paving for the pathways; provide special paving between the entry walls;
 - ii. Show five single pieces of play structures to satisfy tot lot requirements: select from Kompan Galaxy Solitaires Series such as Spica, Spica Junior, Moments, Vega, Orbits, Argo, Stellanova, Starsurfer to allow 5 activities such as jumping, spinning, gathering, balancing, and rocking. Install the equipment within a mulch cover, marking the area edges with ground planting; provide two benches and a decorative lighting fixture in the north part of the park near Lots 30-32;
 - iii. Show final grading and sidewalk/bike path dimensions and separation from the roadways on the site plan, upon approval of the Infrastructure Site Plan amendment; show a fence at park perimeter adjoining the roadways if necessary for safety.
- c. Bicycle Facilities:
- Show an 8-foot wide bicycle path (asphalt) off-street, within the public right-of-way as shown on the Toll 1 and Toll 2 Green space/Overall Plan Exhibit, in the following locations:
- i. East side of Clarkburg Road (MD121) along the entire Toll property frontage;
 - ii. North side of West Old Baltimore Road between Clarksburg Road (MD11) and Broadway;
 - iii. Show a Public Improvements Easement (PIE) for all paths not located in the public ROW.
- d. Show bicycle racks within each of the areas of public open space: Gull Green, The Terrace, the Overlook, Mountain View Park, and at each trailhead;
- e. Show a bike path signage plan subject to DOT review and approval.

TOLL 2 PROPOSAL

The “West Side” of Cabin Branch, zoned entirely RMX1-TDR3, represents an exclusively residential section of the planned neighborhood development. The overall form, set against the stream valley, creates, despite its interior of tightly spaced housing, a secluded setting bucolic in nature, that is distinct from its counterpart on the East Side. Smaller, separate, restricted in buildable area because of extensions of the larger stream valley, the linear stretch of land finds its only connection to the “East Side,” in terms of built form, vis-a-vis the Elementary School at the tract’s northern boundary. The Stream Valley Park, under conservation easement, preserves the existing forest to a large degree, and limits intervention to the hiker trail system.

The West Side and its relationship to Clarksburg Road and the character of the adjoining Ten Mile Creek area point to a lesser density than that planned for the East Side, and as a result, larger lot sizes. Toll 2, as well as Winchester 3 that adjoins the property on the north, feature a predominant housing pattern that respects the articulated block form of the East Side, but, in its restricted land bay depth, becomes more spacious, in the distribution of open space within the blocks.



Description of the Project



The Toll 2 site plan represents the fifth and final phase of exclusively residential development within the Cabin Branch neighborhood. Occupying the tract's southwest corner, the property is bounded on its west by Clarksburg Road (MD 121) and on the south by West Old Baltimore Road. Its northern edge adjoins the recently approved Winchester III plan, and shares in claiming the contiguous area of stream valley that largely dominates the tract's "West Side." The eastern boundary parallels the stream itself that lies almost equidistant between the Toll 1 and Toll 2 plan boundaries. The site's high point at the road intersection represents one of the three highest elevations in the Cabin Branch tract.

Form

The plan is developed according to the site's building area shape, that is, an "L," in which the two legs are joined by a compelling void, Mountain View Park. Each limb of the "L" orients its housing for maximum yield, length-wise for the most part.

The dialogue of figure ground, particularly on the eastern edge, assumes a language influenced by the stream valley. In fact, its close attachment, the starkness of its slopes, the density and quality of its forest, impose a three-way

Overlook at Jaeger Road



conversation contrasted by subtle gradations of the built, the formal “unbuilt” open spaces, and the wild, natural world of the stream valley. Inserted retaining walls contain Pond 8, permits feasible residential grading and provide the structural support that lends the opportunity to tie the formal space to the stream buffer using the Jaeger Road Overlook.



On the west side, the measure of the housing absorbs the inherited curve of Clarksburg Road, the building line responding reflexively with deeper, staggered setbacks, larger lots, and a slightly looser pattern. The sole exception is the main entry in which the houses, *enfilade*, hug the road tightly, and form a descending structural gateway by means of stepped massing and integrated materials. The facade rhythm directs passage to the forest view before continuing through the sequence of small blocks, “rooms.”

The housing set along West Old Baltimore Road, the property’s southern edge, is similarly set back from the street, albeit in a consistent measure, exposing house backs and yards to the street. Here, the front-loaded garage unit is employed in pairs rendering a larger massing scale than other road frontages within Cabin Branch. However, this housing scale is mediated by the placement of the two “L” legs, and the treatment of the “joint,” that is, the corner or intersection at Clarksburg Road and West Old Baltimore Road as a void. Here, a naturalistic park, the largest of all of Cabin Branch’s planned open spaces occupies the highest elevation of the property (el. 600) at the intersection. This elevation point is matched only by that of the Community Center and the stretch of rising grade near the elementary school.

This siting for a is indeed inspired, offering a view of Sugarloaf Mountain, providing a sense of shelter to the housing enclaves set below, giving a commanding sense of scale that relates the natural and built worlds, and bestowing a shared sense of purpose that references the history of the land. The proposed program for the generously sized park includes selected play equipment that will be placed to functional and aesthetic advantage, allowing for safe and efficient use. A large sculpture suitable for climbing will be installed near the high topographic point as a public art piece and play piece.

Formal Green Spaces

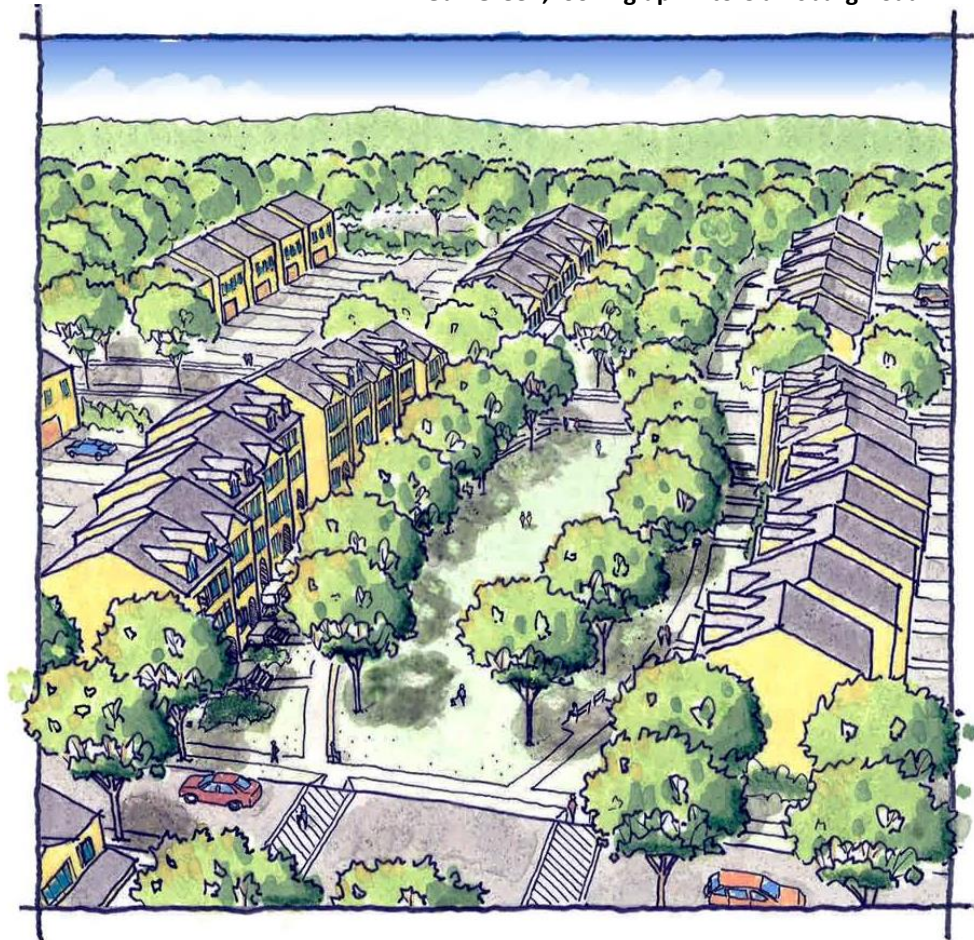
The site plan integrates formal green spaces at well-spaced intervals. Each space organizes the buildings in a logical way, providing relief, highlighting facade treatment, channeling views of the streets and the forest, while serving to negotiate the grade (along with specific unit types), and hold underground utilities and storm water vaults. That such spaces of quality, intimate in scale, building incrementally in grade and massing, can be crafted amidst tight engineering tolerances is a credit to the planning and design brought forth in this site plan its companion.



The formal green spaces featured in this site plan are oriented east-west, dependent on tightly inscribed land area available for building and the desire to connect those spaces to the forested stream buffer. There are three major open green spaces within the plan: Terrace and its Overlook, Gull Green, and Mountain View Park. Each derives its own character from its surrounding housing fabric, yet manages to relate to the larger area as well – the stream buffer, Black Hills Regional Park, the Linthicum property.

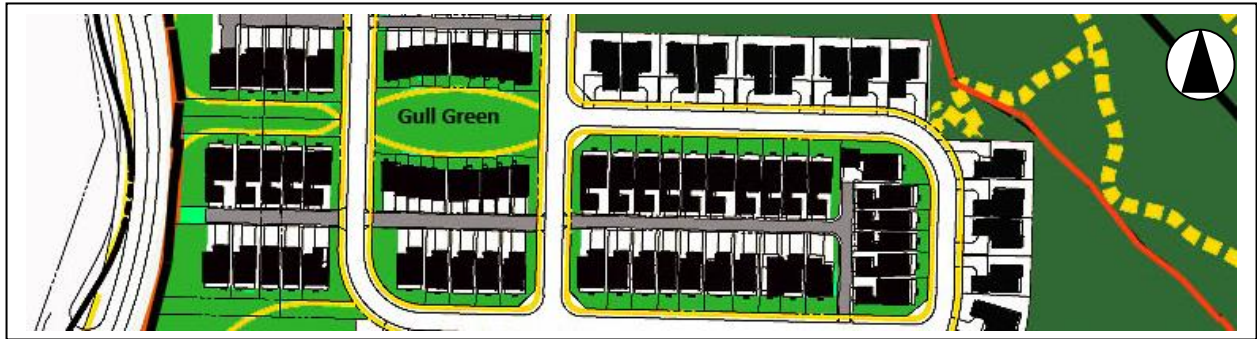
Gull Green, in particular, seeks to integrate solid and void – the curve inscribed by the stepped back facades imparts importance to those facades, while the steps that intervene provide an intermediary terrace that mediates the scale and separation of public and private space. This is a public space that promises optimal access, yet, “contained” by the building walls, offers safe, and adequate, visible and efficient open play space.

Gull Green, looking uphill to Clarksburg Road.



The unique character of Gull Green may be seen in its shape and in its placement. It is as part of a sequence of spaces, that its role is empowered in the public realm. As approached from Clarksburg Road, the Green is glimpsed from the narrower Mews, by a descending grade that arrives within the larger, curved space of the Green. There, the viewer experiences a place shaped by stepped back facades that in setting opposing curves, draws a distinctive character of containment, safe and accessible, that invites residents and visitors within. Yet, from this safe place can be seen, on axis, the public street and sidewalks that continue the descent to the Stream Valley Park trailhead. This

transition from space to space, from street to forest, creates the thread of connectivity both physical and visual that informs the fabric of Cabin Branch and creates its identity as a neighborhood.



The Terrace, while similar in size and orientation to Gull Green, is, however, defined by three “street” walls. Here, the approach is from either side, not on axis – resulting in a different character, one in which views and access become channeled exclusively to the stream valley, with the Overlook providing the terminus. The Terrace provides the view while the Gull Green sequence provides the access to Stream Valley Park. Both are supplied with on-street parking.

Mountain View Park, discussed above, forms the third major public open space. Interestingly, it is its topography and placement that will lend identity and activity to this space. With the high point of elevation at the intersection corner, the slope itself will lend character and use to the space – i.e., lots of hill rolling, while the future sculpture is intended as a robust stone shape suitable for climbing. The perimeters adjoining the residential lots will need particular treatment that separates public and private, while providing attractive views of shared, natural space.

Architectural Design

The requirement, through previous Site Plan approvals, for the Applicant’s development of Design Guidelines under the auspices of a Town Architect promises to guide this process as streets are detailed and constructed. The Architect will review individual units, and their placement within each block, and make recommendations regarding the effective street wall with respect to façade materials, porches and windows, building height, finished floor levels, and exterior architectural details.

The applicant’s decision to provide an ample number of unit types, with numerous detail selections, offers the opportunity to achieve variety and similarity, and, most importantly, tailor the unit fit in this site with unforgiving tolerances.



Townhouses are proposed in 18’, 22’ and 24’ width units, that permits more customized siting and the ability to achieve the close fit-in-field required, particularly at those points where the Toll and the Winchester properties adjoin. One-family homes are proposed as rear-loaded in 24’, 30’ and 36’ width units, while front loaded (typically paired) models are offered in 36’ width. All units offer off-street parking. See Appendix for library of Architectural Illustratives.

FINDINGS TOLL PHASE 2: Site Plan No. 820100030

The Site Plan conforms to all non-illustrative elements of a development or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.

The entire Cabin Branch development is comprised of approximately 535 acres, including the Subject Property. Zoning Application G-806 reclassified the eastern half, approximately 283.5 acres of the Cabin Branch tract, from the RE-1/TDR, RMX-1/TDR and I-3 Zones to the MXPDP Zone. G-806 did not include the Subject Property of 46.35 acres, which maintained the existing RMX-1/TDR Zone. However, because the entire Cabin Branch tract was comprehensively planned as a single community, the Development Plan, including the Land Use Plan and other graphical exhibits, showed the entire Cabin Branch tract including the Subject Property.

Therefore, the Site Plan conforms to all non-illustrative elements and binding elements of the Zoning Application G-806 approved by the District Council on September 9, 2003 (Resolution No. 15-326) to the extent that it applies to the Subject Property and, therefore, this Site Plan. The discussion below indicates how this Site Plan conforms to binding elements 1 and 4, which apply to the entire tract. Binding elements 2, 3, 5, 6, 7, 8, and 9 are not applicable to this Site Plan.

Binding Element No. 1: Transfer Development Rights and Moderately Priced Dwelling Units

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

Binding element 1 of the Development Plan G-806 (set forth below for reference) refers to the total number of TDRs and MPDUs required for the entire 535-acre Cabin Branch development. This Site Plan will provide a portion towards the total required TDRs and MPDUs. Although the number of TDRs and MPDUs are not evenly distributed among the different development phases and site plans within Cabin Branch, the ultimate 535-acre Cabin Branch development will meet the total requirement.

The 635 TDRs initially required for the overall Cabin Branch development assumed a maximum density, mix and number of MPDUs for the RMX-1/TDR portion of the property and the total number of units. Because the TDRs are proportional to the number of MPDUs provided, they have

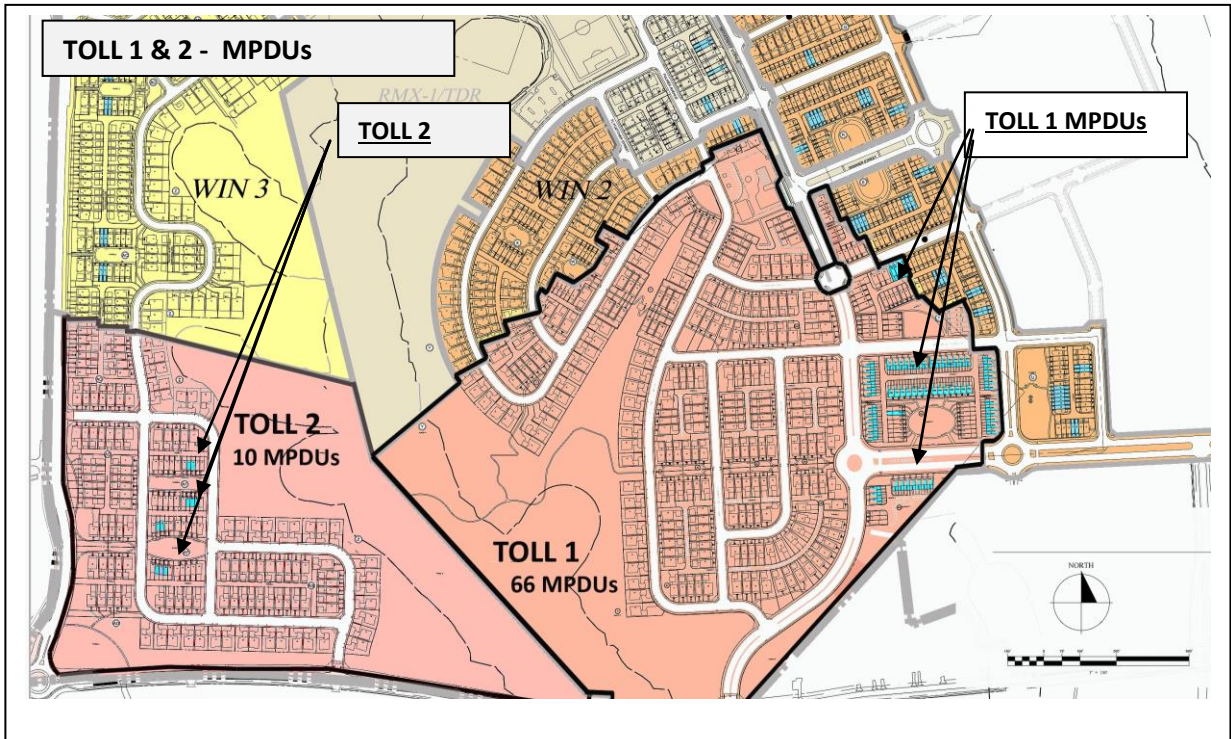
been recalculated to account for an increase in MPDUs with Preliminary Plan 12003110B. Thus, the Cabin Branch was approved for an overall 609 TDRs, 236 MPDUs, 1886 residential units, and 500 senior units.

Moderately Priced Dwelling Units

The Toll Brothers portion of the Cabin Branch Neighborhood Development is comprised of two site plans, representing five separate phases. Collectively, the two Toll site plans will provide 12.5% of the total number of residential units: 76 MPDUs of 605 total units. (See table below). This Site Plan, for Phase 2, provides 6% MPDUs, while Phase 1 provides 15%, assuming a portion of the expected units required by the Toll Phase 2 plan. Because Toll Site Plan Phase 1 is planned for the initial phase of construction, this will hasten the provision of MPDUs for occupancy of affordable units. DHCA has provided approval for the location, distribution and phasing of the MPDUs for the Toll phases of development.

Toll Development	DU. proposed	MPDUs Required	MPDUs proposed
Phase I	435	55	66
Phase II	168	21	10
Total	603	76	76

MPDU UNITS		MXPD ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0	0	0
	WINCHESTER PHASE 1 (#82006029A)	53	17	70
	WINCHESTER PHASE 2 (#820110080)	39	2	41
	WINCHESTER PHASE 3 (#820120150)	0	10	10
	TOLL BROTHERS PHASE 1 (#820070140)	66	0	66
	TOLL BROTHERS PHASE 2 (#820100030)	0	10	10
	CABIN BRANCH COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	15	0	15
	CABIN BRANCH COMMONS -(CONCORDIA RETAIL) (#820060300)	0	0	0
	ADVENTIST PHASE 1 (#820060350)	0	0	0
	ADVENTIST (FUTURE)	TBD	0	TBD
PARTIAL SUBTOTAL	173	39	212	
PRELIMINARY PLAN	PRELIMINARY PLAN (#12003110B) (236 UNITS= 12.5% * 1886 UNITS)	N/A	N/A	236



Transfer Development Rights

The number of TDRs provided is 63, which conforms to the calculations approved with the Development Plan and Preliminary Plan. The calculations allocated the total number of TDRs for the entire Cabin Branch development (609) amongst the different property owners based on the number of units provided on each property. This Site Plan includes 168 units, which is 9.80% of the total number of units for the two Toll Phases Winchester, (including Concordia), Gosnell and Adventist properties (1699 total units). When this percentage is applied to the total TDR requirement for this group of properties (609 TDRs), it results in 63 TDRs (9.80% x 609 = 63) required for the Site Plan. The table below tracts the cumulative number of TDRs approved for the entire Cabin Branch tract against the cap established by the Development Plan and Preliminary Plan 12003110B.

TDRS		MXPD ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0	0	0
	WINCHESTER PHASE 1 (#82006029A)	0	132	132
	WINCHESTER PHASE 2 (#820110080)	0	102	102
	WINCHESTER PHASE 3 (#820120150)	0	56	56
	TOLL BROTHERS PHASE 1 (#820070140)	0	162	162
	TOLL BROTHERS PHASE 2 (#820100030)	0	63	63
	CABIN BRANCH COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	0	0	0
	CABIN BRANCH COMMONS -(CONCORDIA RETAIL) (#820060300)	0	0	0
	ADVENTIST PHASE 1 (#820060350)	0	0	0
	ADVENTIST (FUTURE)	0	0	TBD
PARTIAL SUBTOTAL	0	515	515	
PRELIMINARY PLAN	PRELIMINARY PLAN (#12003110B)	N/A	N/A	609

Binding Element 4: Street Network

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

The Applicant has provided a network of public streets in a grid pattern that defines scaled blocks typical of neo-traditional style of development. The street network is patterned to negotiate significant grades, accommodate underground infrastructure, and create a cohesive relationship with public and private uses in the Cabin Branch neighborhood. The public streets are consistent with the Master Plan and hierarchy defined in the Development Plan.

1. *The Site Plan meets all of the requirements of the RMX-1/TDR zones.*

The Site Plan meets all the requirements of the RMX-1/TDR Zone under the standard method of development. According to Sec. 59-C-10.2.1, standard method projects in the RMX-1/TDR Zones “must occur in accordance with the development methods, standards and special regulations of the R-200/TDR zone, as contained in 59-C-1.331, 59-C-1.332 and 59-C-1.39.” The Site Plan uses the development standards under the latter section (59-C-1.39, Special regulations for optional method development using TDRs), which enable densities consistent with the Master Plan recommendations for this site. The Master Plan recommends a range of 2 to 4 dwelling units per acre (p.65), and the Site Plan proposes an average 3.62 dwelling units per acre. The Site Plan establishes the minimum setbacks, building restriction lines, and maximum building heights as permitted by the zone.

With regard to the Green Area, in the RMX1-TDR zone, the green area required is 16.22 acres (35%); the plan proposed provides 23.71 acres, surplus of 7.49 acres. Per Condition # 18, no plats will be issued until Planning Board approval of the Infrastructure Site Plan Green Area Reconciliation.

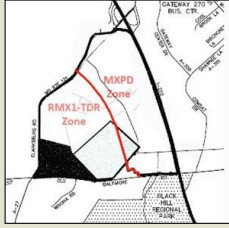
Local Map Amendment G-806 and Preliminary Plan No. 12003110B established limits on certain development standards for the entire Cabin Branch. These include density, MPDUs, TDRs, retail, employment. As a result, the Site Plan meets these development standards as part of a cumulative total for Cabin Branch. The tables below tract the cumulative total acreages, number of units, MPDUs approved by the various site plans within the overall Cabin Branch development against the cap established by Preliminary Plan No. 12003110B.

The Site Plan meets the compatibility requirements of Sec 59-C-7.15(b), which states that “No building can be constructed to a height greater than its distance from such adjoining land [one-family detached zone]”. The Subject Property adjoins RE-1/TDR-2 zoned land on the west side across from Clarksburg Road (MD 121). Because the zoning line follows the old alignment of MD 121, the building setback shown from the RE-1/TDR-2 land is at least 100 feet, which validates the maximum building height proposed at 50 feet. The proposed residential uses are allowed in the RMX-1/TDR Zone and the Site Plan meets the purpose of the zone by contributing residential uses to the overall mixed use community of the Cabin Branch Project. As demonstrated in the Data Table below, the project meets all of the applicable requirements of the RMX-1/TDR Zone under the standard method of development.

Overall Cabin Branch Development Data

SITE AREA - ACRES		MXPD	ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	GOSNELL (#820060240) APPROVED 9/29/2010	7.24		0	7.24
	WATER TOWER MR (#08001) APPROVED 4/3/2008	1.487		0	1.487
	WINCHESTER PHASE 1 (#82006029A)	56.92		84.99	141.91
	WINCHESTER PHASE 2 (#820110080)	25.1		13.1	38.2
	WINCHESTER PHASE 3 (#820120150)	0		36.96	36.96
	TOLL BROTHERS PHASE 1 (#820070140)	12.88		67.85	80.73
	TOLL BROTHERS PHASE 2 (#820100030)	0		46.35	46.35
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	29.49		0	29.49
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	12.06		0	12.06
	ADVENTIST PHASE 1 (#820060350)	34.77		0	34.77
	ADVENTIST (FUTURE)	TBD		0	TBD
	ADVENTIST SENIOR UNITS (FUTURE)	TBD		0	TBD
	INFRASTRUCTURE	SITE PLAN (#82005015A) APPROVED 9/17/2007	283.50		251.54
INFRASTR. AMEND	SITE PLAN (#82005015A) APPROVED 9/17/2008	284.50		252.54	536.04
PRELIMINARY	SUBDIVISION PLAN (12003110B) APPROVED 10/6/2008	283.50		251.54	535.04
RESIDENTIAL DENSITY - DWELLING UNITS		MXPD	ZONE	RMX1/TDR Zone	TOTAL
SITE PLANS	SMTM (GOSNELL) (#820060240) APPROVED 9/29/10	0		0	0
	WINCHESTER PHASE 1 (#82006029A)	232		208	440
	WINCHESTER PHASE 2 (#820110080)	234		107	341
	WINCHESTER PHASE 3 (#820120150)	0		185	185
	TOLL BROTHERS PHASE 1 (#820070140)	190		245	435
	TOLL BROTHERS PHASE 2 (#820100030)	0		168	168
	CB COMMONS- (CONCORDIA RESIDENTIAL) (#820060180)	128		0	128
	CB COMMONS -(CONCORDIA RETAIL) (#820060300)	0		0	0
	ADVENTIST PHASE 1 (#820060350)	0		0	0
	ADVENTIST (FUTURE)	TBD		0	TBD
	PARTIAL SUBTOTAL	784		913	1697
PRELIMINARY PLAN	PRELIMINARY PLAN (#12003110B)	1026(1)		860(1)	1886

Toll 2 Site Plan 820100030: RMX1-TDR3
Development Standards: Lot-Tract Area, Residential Density, Setbacks

<p>RMX-1/TDR-3 ZONE Development Standards Toll Phase 2 Site Plan 820100030</p>					
		<p>GOVERNING STANDARD</p>			
		<p>REQUIRED</p>			<p>PROPOSED</p>
<p>RMX-1/TDR-3 ZONE</p>	<p>DEVELOPMENT DATA STANDARD METHOD</p>	<p>RMX1/ TDR-3</p>	<p>MASTER PLAN</p>	<p>PRELIMINARY PLAN (1)</p>	<p>TOLL - PHASE 2</p>
<p>§59-C-1.39</p>	<p>LOT AND TRACT AREA</p>				
	<p>GROSS TRACT AREA</p>		<p>251.8 ACRES±†</p>		<p>46.35 ACRES</p>
	<p>NET AREA FOR RESIDENTIAL USE -ac.</p>				<p>16.46 ACRES</p>
	<p>NET AREA FOR RESIDENTIAL USE -(SF)</p>				<p>(716,997 SF)</p>
	<p>DEDICATION - PUBLIC ROADS- ac.</p>				<p>4.97 ACRES</p>
	<p>DEDICATION - PRIVATE ROADS- ac.</p>				<p>1.21 ACRES</p>
	<p>DEDICATION - PUBLIC USE - ac. (HOA & PARKS)</p>				<p>23.71 ACRES</p>
<p>§59-C-1.332 & §59-C-1.395</p>	<p>RESIDENTIAL DENSITY (1)</p>				
	<p>No. DWELLING DUS FOR SITE > 30 ac.</p>		<p>3 OR GREATER DWELLING DUS</p>	<p>3.22 DU/ACRE† (1)</p>	<p>3.62 DU/ACRE</p>
	<p>DWELLING DUS THIS APPLICATION</p>			<p>NA</p>	<p>168 DU</p>
	<p>DUS THIS APPLICATION AS % OF TOTAL</p>			<p>NA</p>	<p>8.9% (168 UNITS/1886 UNITS)</p>
	<p>ONE-FAMILY DETACHED</p>			<p>NA</p>	<p>128 DU</p>
	<p>ONE-FAMILY DETACHED DU/ac.</p>			<p>NA</p>	<p>2.76 DU/AC (128 UNITS/46.35 ACRES)</p>
	<p>ONE-FAMILY DETACHED % OF ALL DUS THIS APPLICATION</p>			<p>NA</p>	<p>76.2% ± (128 UNITS/168 units)</p>
	<p>ONE-FAMILY ATTACHED (TH)</p>			<p>NA</p>	<p>40 du</p>
	<p>ONE-FAMILY ATTACHED DU/ac.</p>			<p>NA</p>	<p>0.86 DU/AC (40 UNITS/46.35 ACRES)</p>
	<p>ONE-FAMILY ATTACHED % OF ALL DUS THIS APPLICATION</p>			<p>NA</p>	<p>23.8% ± (40 UNITS/168 units)</p>

Toll 2 Site Plan 820100030 RMX-1/TDR 3 Zone Standards

§59-C-1.394(b) SETBACKS		min.			
	1-FAMILY DETACHED & ATTACHED (TH)				
	FRONT	min.		10'	10'
	REAR	min.		0'	0'
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
	ONE-FAMILY ATTACHED (TH)				
	FRONT	min.		10'	10'
	REAR	min.		0'	0'
	SIDE (STREET SIDE)	min.		10'	10'
	SIDE (INTERIOR LOT)	min.		3'	3'
	SIDE (ALLEY)	min.		3'	3'
	R/W TRUNCATION	min.		0'	0'
§59-C-1.395 BUILDING HEIGHT (1) (3)		MAX.			
	MAIN BUILDING - FT	MAX.		N/A	50 FT MAX. (3)
	MAIN BUILDING - STORIES	MAX.		4 STORIES MAX. †	4 STORIES MAX. (3)

§59-E OFF-STREET PARKING PER §59-E					
§59-E-2.2	SIZE	MIN.	8.5' x 18'		8.5' x 18'
§59-E-3.7	PARKING 1-FAMILY DETACH PER DU	MIN.	2 /DU= 256		408 SPACES ± (4)
	PARKING - 1-FAMILY ATTACH PER DU	MIN.	2 /DU= 80		120 SPACES ± (4)
	GENERAL PARKING				
	PARKING - OFF STREET			N/A	528 SPACES ± (4)
	PARKING - ON STREET		SEE FIRE & RESCUE PLAN (5)	N/A	105 SPACES± (5)
	CC PARKING - BIKES			N/A	8 SPACES ± ▲

- (1) SECTION 59-C-10.2.1 STANDARD METHOD OF DEVELOPMENT REGULATIONS. RMX1/TDU ZONE: STANDARD METHOD PROJECTS IN THESE ZONES MUST OCCUR IN ACCORDANCE WITH THE DEVELOPMENT METHODS, STANDARDS, AND SPECIAL REGULATIONS OF THE R-200/TDU ZONE AS CONTAINED IN 59-C-1.331, 59-C-1.332 & 59-C-1.39. THE MAXIMUM DENSITY WITH THE USE OF TDUS IS 11 DWELLING DUS PER ACRE. THE LAND USES ALLOWED ARE THOSE USES ALLOWED IN THE R-200/TDU ZONE. DEVELOPMENT UNDER THIS METHOD MUST COMPLY WITH DENSITY, NUMERICAL LIMITATIONS, AND OTHER GUIDELINES CONTAINED IN THE APPLICABLE MASTER OR SECTOR PLAN APPROVED BY THE DISTRICT COUNCIL. PER APPROVED PRELIMINARY PLAN 12003110B AND SUBJECT TO CHANGE PER CONDITION #21 WHICH STATES "FINAL APPROVAL OF THE NUMBER AND LOCATIONS OF THE BUILDINGS, DWELLING DUS, ON-SITE PARKING, SITE CIRCULATION, SIDEWALKS AND BIKE PATHS WILL BE DETERMINED AT SITE PLAN."
- (2) N/A
- (3) BUILDING HEIGHTS AS DEFINED BY THE ZONING ORDINANCE (SEC. 59-A-2.1) WILL BE DETERMINED AT TIME OF BUILDING PERMIT. FINAL BUILDING HEIGHTS WILL CONFORM TO THE REQUIREMENTS SET FORTH IN THE PRELIMINARY AND DEVELOPMENT PLANS, AND WILL NOT BE HIGHER THAN THE MAXIMUM HEIGHT NOTED ABOVE.
- (4) OFF STREET PARKING= 20- 2 CAR GARAGE TOWNHOUSES= 40 GARAGE SPACES + 40 TANDEM SPACES. 20- 1 CAR GARAGE TOWNHOUSES= 20 GARAGE SPACES + 20 TANDEM SPACES. 128 ONE-FAMILY DETACHED UNITS= 256 GARAGE SPACES + 152 TANDEM SPACES FOR THE FRONT LOADED UNITS.
- (5) PUBLIC ON-STREET PARKING IS BEING PROVIDED IN ADDITION TO THE PARKING THAT IS REQUIRED BY SECTION 59-E OF THE ZONING ORDINANCE. SEE THE FIRE AND RESCUE PLAN FOR TOTAL ON-STREET PARKING SPACES PROVIDED.

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

a. ***Buildings and Structures***

Finding: The locations of buildings and structures are adequate, safe, and efficient.

General Form

The street pattern initiated with the Road Hierarchy Plan and refined through the Infrastructure Site Plan sets the general block pattern, and forms the basis of the , neighborhood scale and texture. This site plan, as with Winchester III, creates building lines that follow the street -- which, absorbing the curve of Clarksburg Road, imparts a looser, reflexive style with occasional staggered setbacks. Meanwhile, the interior blocks adhere to a tight geometry, with attached houses and narrow lots, in contrast to the more loosely oriented, larger lots that set the edges along West Old Baltimore and Clarksburg Roads. In this way, the edges relate to the larger context and soften the transition to more the more rural setting surroundings.



The clear definition of blocks, the navigable street pattern, lines of sight, and the relationship between the buildings creates an efficient pattern housing with building locations that are safe and adequate.

Pattern and Figure Ground

The Toll Site Plan site design fills in the last residential piece of Cabin Branch. The modest scale and breadth of housing on the "West Side" reads in contrast to the more intensive footprint on the "East Side." The narrow band of buildable area -- lying between the stream valley and Clarksburg Road -- lends itself to a rhythm that is variable, slightly less predictable, and well suited for the neighborhood perimeter that faces Linthicum and Black Hills Regional Park.

Housing Types

The site plan utilizes a number of housing types that well serve the plan with respect to neighborhood quality, varied character, unit size, the handling of topography and fine-tuning the architecture to achieve unique public spaces, such as Gull Green. The Toll plan offers attached housing (18', 22', and 24'), detached housing as rear loaded (both integral garage and separate structures) and a 36' front loaded, street facade-oriented unit. These product types support site planning that responds to the site and context with almost custom "fit," that creates in the long term, high-quality housing for future neighborhoods. See Appendix for images of Toll housing types used in this plan.

Master Plan Housing Mix

The Master Plan recommends 45% minimum one-family detached, 35-45% one-family attached. This application provides 24% attached housing and 76% one-family housing, meeting the Master Plan goals while compensating for the concentration of attached housing approved in the earlier phases.

b. *Open Spaces*

The fitting of the planned open space responds to the style and character of the housing blocks. The tightly spaced housing blocks are set around formal, symmetric open spaces: The Terrace and Gull Green. Here the housing and lawns work efficiently to resolve the grading and open views to the stream valley. The Terrace, steps down the grade in increments, to the Overlook, its terminus a sitting area perched on the edge of the stream.

Gull Green, tailored in a symmetric oval and treating the grade, reaches up to Clarksburg Road by the Mews, while providing a focused connection on Jaeger Road directly to the Trailhead downhill to the east. Gull Green, by its central location, connectivity, and distinctive character, along with its varying counterpart, The Terrace, forms the heart of this site plan, offering finished open spaces that are generous in size, efficient in access and essential to the housing by which they are defined. The enclosed nature of the spaces, the line-of-sight views, small-scale streets, and the compact blocks offer intimate, safe, easily seen streets and play areas that are efficient, generous in space, and efficient in their placement.

c. *Landscaping and Lighting is adequate, safe and efficient*

The schematic design of landscaping and lighting for the Toll Site Plan is adequate safe and efficient. The overall Streetscape Plan indicates the landscaping proposed for each of the public rights-of-way. Landscaping for the public streets, private streets and alleys is adequate, safe and efficient. As proposed, the lot plantings are adequate, safe and efficient. Landscaping and lighting consists of a varying treatment within the public rights-of-way, as outlined in the Cabin Branch Design Guidelines. The plan proposes typical foundation and tree plantings for individual lots.

Planting for the community open spaces is generally proposed as shade trees that accent the perimeter of the spaces. A condition addresses the further design of Mountain View Park to determine the optimal placement of play equipment, provide separation of public and private space between the park and the adjoining residential lots, and to allow full park design with the public art sculpture.

Staff has conditioned the creation and refinement of a comprehensive landscape plan for the edges of the site plan, to address the signage, lighting and planting for the land areas adjoining Clarksburg Road and West Old Baltimore Road. As conditioned, staff recommends that power supply, decorative lighting and furnishings be provided to support public events, such as concerts, and community events.

High quality landscape and lighting design is critical to the daily lives of the future residents of Cabin Branch, especially so for the dense blocks of attached and multi-family housing. At the time of this report, schematic design addressed the shape, grading, and large scale plantings for the public streets and amenity spaces, which is found to be adequate, safe and efficient.

d. *Recreation Facilities are adequate, safe and efficient*

The recreation amenities, as conditioned, are adequate, safe and efficient. The open green space provides attractive and safe play areas that are well-proportioned and well-programmed to the density levels of the blocks in which they are contained. For example, This space, the

largest of all the open spaces within the Cabin Branch neighborhood, (as conditioned) will feature a large, gently graded open play area and a full playground of Kompan equipment that will serve large numbers of children in a range of ages.

Likewise, Gull Green provides a generous open play area for the attached housing by it encloses. This area will provide safe, contained open space, easily and efficiently accessible, and in full view from all of the surrounding houses. Staff recommends further reduction in the retaining walls on the south aspect, to mediate the scale to a better degree and provide a deeper terrace for sitting.

Likewise the Terrace provides a similar open space; enclosed on three sides by closely spaced detached housing and attached units, the space is convenient, safe and efficient, and meets the size requirements for recreational open space, as does Gull Green. The lawn panels that step down the grade do so at a gentle drop of 12-18 inches, safe for all age groups to negotiate, while offering an unusual sequence of spaces for creative play.

The plan features one trail connections to the Stream Valley Park, abundant natural areas, nature trails, and bicycle and pedestrian systems. The MNCPPC Local Park, to be dedicated and constructed under the Winchester Phase 1 Plan and within a short walk, will

e. Vehicular and Pedestrian circulation is adequate, safe and efficient throughout the entire site.

There are two primary access points to the site, one from Clarksburg Road (MD 121) and one from West Old Baltimore Road. The road organization follows the Infrastructure Site Plan (2007) quite closely, reorienting one of the internal blocks, but otherwise keeping to the approved plan.

The entrance from Clarksburg Road is highly articulated, with units tightly hugging the road way. The entry is easily identifiable by the assertion of its prominent building footprints. The units fronting the road feature monument signage tie-ins with an articulated in stone. In contrast, the entry from West Old Baltimore Road, is more bucolic, the proposal features housing units set back a distance of approximately 80 feet from the existing road pavement. The Cabin Branch bike path is planned to follow Clarksburg Road on its east side (along the Cabin Branch frontage) and continue onto the north frontage of West Old Baltimore Road.

These road alignments and improvements and their impacts on the adjoining properties and the Black Hills Regional Park as pertaining to this site plan will be addressed through an amendment to the Infrastructure Site Plan as conditioned by staff.

The internal, reduced width roads are organized as two loops, also referencing the “L-shape” of the buildable area, each loop forming one leg. The roads, as are the blocks, are well proportioned, and work well with the rhythm of the housing facades, with intervening green spaces that enliven the roads and provide adequate, safe and efficient pedestrian crossings, placed at points of important visual axes, with opportunity to access the natural and recreational amenities of the neighborhood. Interestingly, Jaeger Road directly adjoins the forest (and Pond 8), and with the Terrace Overlook, provides a generous view, with ample on-street parking.

Five-foot-wide internal sidewalks will also be provided for all of the public streets to facilitate pedestrian circulation throughout the development.

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

The residential structures and uses in this Site Plan are compatible with other uses and site plans, and with the existing and proposed adjacent development. The proposed residential uses include single-family detached units and townhouses. This variety of unit types is consistent with the Master Plan recommendations and the preliminary plan approval. A compatible transition to the rural character of MD 121 and West Old Baltimore is achieved with a landscaped setback, the variety of units fronting on MD 121 and West Old Baltimore Road, and the large open space located at the intersection of West Old Baltimore Road and MD 121. The buildings heights along MD 121 and West Old Baltimore Road will also be less than 50 feet and greater than the setback from MD 121 to establish compatibility.

Compatibility within Cabin Branch Neighborhood is provided in the Site Plan through the design and placement of new buildings, streets and public spaces. Significant views into the stream valley have been established. The open spaces provide a variety of multi-use play areas, and green areas. The buildings located at high visibility intersections will have special architectural treatment and materials. The fronts of the MPDUs will be designed and finished with architectural elements comparable to those found on other similar attached units within the site.

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

Forest Conservation Plan

The proposed Site Plan meets all requirements of Chapter 22A regarding forest conservation as described in the following paragraphs.

Forest Conservation Plan (applicable to the entire Cabin Branch Development, including Toll Brothers II):

Consistent with conditions 1 and 14(c) of the Infrastructure Site Plan (82005015B), the Final Forest Conservation Plan (FCP) for the overall Cabin Branch Development is being amended through this Site Plan. The Infrastructure Site Plan is amended with each individual site plan as stated in conditions 1 and 14-c).

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

The FCP includes six worksheets separated by zones or land use: MXPB-Employment, RMX-1/TDR, MXPB-Residential, Water Tower Storage Facility, Linthicum West, and "offsite Area A". Each individual site plan application is submitted with final grading and design, the FCP and the worksheets associated with that particular site plan will be updated to reflect final design and grading details. The FCP indicates that the individual applicants for each site plan area must meet the forest conservation worksheet requirements through a combination of on-site forest retention,

on-site planting of unforested stream buffers, landscape credit, and off-site planting within the Clarksburg SPA.

Under the M-NCPPC implementation of the SPA regulations, the Environmental Guidelines require accelerated reforestation of the SPA stream buffers and that any unforested portions of the stream buffer be afforested above and beyond the standard forest conservation requirements. Since the Cabin Branch Development includes land both in and out of the SPA and the tributaries drain to a common water body, Staff recommends the treatment of the planting requirements as if the entire development is located within the Clarksburg SPA. Therefore, conditions 1 and 14 of the Infrastructure Site Plan (82005015B) require the Applicant to plant the stream buffers in accordance with the FCP including the Planting Phasing Plan. The Applicant must provide a five-year maintenance period for all planting areas credited toward meeting the forest conservation plan worksheet requirements.

The Phasing Plan required and was designed to establish easements and forest planting for the entire Cabin Branch project, while taking into consideration that it will be a multi-year phased development with multiple site plans for individual portions of the development. The Phasing Plan considered how each individual site plan area would address forest conservation in terms of the size (proportion) of the site plan project and the percentage of total units to the entire development.

Amendments to the FCP have been approved with the site plans approved for Gosnell (820060240), Winchester Phase I (820060290 and 82006029A), Winchester Phase II (820110080), Winchester Phase III (820120150), and amendments to the Infrastructure Site Plan (82005015A, B and C).

Forest Conservation Plan for Toll Brothers II Site Plan:

The amendment required for the Toll Brothers Phase II site plan requires revisions to 10 sheets (1, 3, 4, 37, 38, 50-53, and 62) of the approved FCP (820050150). These pages are attached to this Staff Report.

The Toll Brothers Phase II site plan area has 15.4 acres of existing forest and is clearing 8.7 acres as part of this site plan. This update or revision to the FCP is consistent with the originally approved FCP.

Staff has reviewed all the FCP revisions accommodate final design of Toll Brother Phase II and recommends approval of the changes to the FCP.

Final Water Quality Plan

The proposed Site Plan meets all requirements of Chapter 19 regarding water resource protection and any other applicable law as described in the following paragraphs. As part of the requirements of the SPA Law, a SPA Water Quality Plan should be reviewed in conjunction with a Preliminary Plan of subdivision or Site Plan. Under the provision of the law, the MCDPS and the Planning Board have different responsibilities in the review of a water quality plan.

In conjunction with planning staff, MCDPS has reviewed and approved the technical elements of the water quantity and quality control facilities including engineering and design. The Planning

Board's responsibility is to determine if SPA forest conservation planting requirements, environmental buffer protection, and site imperviousness limits have been addressed or satisfied.

Final Water Quality Plan for the Protection of Streams, Buffers, Wetlands, Floodplains, and Seeps (applicable to entire Cabin Branch Development, including Toll Brothers II):

The NRI/FSDs for the various properties, which make up the Cabin Branch Development, are included in the FCP and were used to identify the environmental buffers, including wetlands, wetland buffers, floodplains, streams and stream buffers and can be expanded to include steep slopes. As part of the Environmental Guidelines, the unforested stream buffer within the SPA must be reforested. The Applicant will place forest conservation easements on the environmental buffers, and all forest planting and retention areas.

Final Water Quality Plan Related Solely to the Toll Brothers II Site Plan:

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

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

- **Environmental Guidelines and Protection of Seeps, Springs and Wetlands** - One of the performance goals for the final Water Quality Plan for this site is to protect springs, seeps, and wetlands. The M-NCPPC's responsibility is to protect environmental elements through the delineation of stream and wetland buffers. Conservation easements are recommended over all streams and wetlands identified on the appropriate approved NRI/FSD.

This Site contains 15.4 acres of forest, 0.11 acres of wetlands, 0.96 acres of floodplain, 11.8 acres of stream valley buffer, and one perennial stream.

The Toll Brothers Phase II site plan requires certain stormwater management (SWM) related encroachments into the stream buffers to meet stringent Maryland Department of the Environment (MDE) design criteria for the safe conveyance of discharge which were adopted with the Winchester III Site Plan (820120150). Additionally, the Applicant has shown some temporary grading impacts to areas of unforested Environmental Buffers, as part of the FCP and WQP all of the Environmental Buffers not restricted by other easements, such as WSSC easements will be reforested.

This Site Plan is in compliance with the Environmental Guidelines and has no forested environmental buffer impacts beyond what is required for the pond outfalls and safe conveyance of discharge. All areas of environmental buffers that are not required for the pond outfalls and safe conveyance of discharge or other utility easements will be placed into Category I conservation easements and forested.

- **Site Imperviousness** - There are no impervious limitations within this portion of the Clarksburg SPA; however, the Special Protection Area regulations allow the M-NCPPC to review imperviousness and to work with the Applicant to reduce imperviousness. As part of the

Preliminary Water Quality Plan for the Cabin Branch Development a goal of less than 45% imperviousness was established.

This Site Plan indicates an impervious level of approximately 31% with approximately 14.25 acres of impervious surface and is therefore consistent with the approved preliminary/final water quality plan estimates. The Cabin Branch Development is on course to remain below an aggregate level of 45% imperviousness.

County Department of Permitting Services (DPS) Special Protection Area Review Elements - In acting on a preliminary or final water quality plan the DPS Director has lead agency responsibility for:

- i. Performance goals or criteria for the approved best management practices;
- ii. Best management practices monitoring plan;
- iii. Stormwater management concept plan;
- iv. Erosion and sediment control concept plan; and
- v. Any other element of the plan for which the Department has primary lead agency design, review, and approval responsibility.

▪ **Site Performance Goals** - As part of the final water quality plan, several site performance goals have been achieved to date that were established for the Cabin Branch Development:

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

▪ **Stormwater Management and Erosion and Sediment Control** - To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs). Two extended detention dry ponds will provide stormwater quantity control. These facilities are designed with a maximum retention time of 12 hours for the one-year storm. Stormwater quality control is provided via a treatment train consisting of recharge structures, surface sand filters in series, structural water quality inlets and vegetated buffer filtering. Since open section roads will not be feasible for the majority of the site, additional water quality volume treatment will be provided in surface sand filters. This will be accomplished by sizing these structures to treat the entire drainage area regardless of the treatment being provided for the upland areas. Areas intended for vehicular use will be pretreated prior to entering any water quality filtering structures. Recharge is to be provided below the outlet pipe of all proposed (non-structural) water quality structures where groundwater or bedrock is not encountered. Redundant sediment control facilities are required during construction of the site. This means upland sediment traps will drain to secondary traps downgrade.

MCDPS conditionally approved the elements of the final water quality plan under their purview on September 10, 2010 and reconfirmed on March 4, 2013.

Staff recommends the Planning Board finds that the SPA Final Water Quality Plan for Toll Brothers Phase I conforms to the Environmental Guidelines, adequately protects the sensitive features on the Property, and maintains impervious levels consistent with the original approvals.

COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing, and submission meeting requirements.

CONCLUSION

Staff concludes that development of the Winchester I Site Plan, the land use plan, the site and landscape plans, the public facilities and amenities and recreational facilities proposed, are in substantial conformance with the recommendations of the Clarksburg Master Plan, the Development Plan and the Montgomery County Zoning Ordinance.

March 10, 2008

Mr. Robert Kronenberg, Site Plan Supervisor
Development Review Division
The Maryland-National Capital
Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 1-03110A
Site Plan No. 8-20050150
Cabin Branch Subdivision

West Old Baltimore Road

Dear Mr. Kronenberg:

We have completed our review of the August 13, 2007 "Limited Amendment to the Infrastructure Site Plan – Alternative Designs for West Old Baltimore Road from Interstate 270 to Broadway Avenue" notebook prepared by Loiederman Soltesz Associates, Inc. (LSA) on behalf of the Cabin Branch development team. Proposals in that document were amended in subsequent iterations and finalized in the March 7, 2008 Site Plan submission package. This letter also addresses improvements between Clarksburg Road (MD 121) and Broadway Avenue.

In reviewing the most recent submissions, we carefully considered the comments of some of the nearby residents of the Clarksburg Hills community, as outlined in Mr. John Cook's February 2, 2008 letter to Ms. Nellie Maskal and you. That letter urged the no build approach; if that option was not acceptable, then it requested minimal changes to this road. Since this section of West Old Baltimore Road is classified as an arterial roadway in the 1994 Approved and Adopted Clarksburg Master Plan, we do not believe the no build (nor the previously suggested cul-de-sac) option is appropriate.

We note the existence of the 1965 record plat (no. 7746) which created Lots 1-5 of the Clarksburg Hills subdivision. That record plat dedicated right-of-way forty (40) feet from the centerline and granted forty (40) foot wide slope easements onto those lots. From the information shown on the LSA plans, it appears that existing wells and/or septic systems for several of those lots intrude into the slope easements; they will need to be relocated if physically impacted by these improvements.

Mr. Robert Kronenberg
West Old Baltimore Road Improvements
March 10, 2008
Page 2

We commend the applicants for their efforts to implement reasonable measures to improve the traffic safety and operations along West Old Baltimore Road while reducing the impacts on the adjacent properties - particularly in the section between Broadway and Kittiwake Avenues. The main typical section proposed for this road will provide:

- 11' wide travel lanes
- 10' wide shoulders (first 4' paved full depth asphalt for bike compatibility)
- side ditches, randomly spaced street trees, streetlights, and traffic signal conduit
- grass shelf on the north side of the right-of-way with 8' wide paved shared use path (path will not be provided in the section between Broadway and Kittiwake Avenues - it will be located along Broadway Avenue, Little Seneca Parkway, and Kittiwake Avenue within the development)
- 5' wide sidewalk on the south side of the right-of-way
- relocation of existing affected utilities

The proposed typical sections improve the existing roadway, satisfy the residents desire to minimize the cross-section width of the improvements on the adjacent properties, provide for multi-modal use, an eight (8) foot wide shared use path on the north side (excepting the section between Broadway and Kittiwake Avenues), and provide a five (5) foot wide sidewalk along the south side of the road.

We support approval of the modified typical section at the three major roadway culverts - to minimize the length of in-stream construction and environmental impact.

In addition, pavement widenings (for auxiliary turn lanes) and boxed traffic signal conduit will be provided at the intersections with Broadway Avenue and Kittiwake Avenue/entrance to the Black Hills Regional Park. The proposed profile modifications will result in an 8% maximum grade, approximately a 35 mph design speed, improve sight distances at the public entrance to Black Hills Regional Park and the residential driveways, and generally reduce the steepness of the existing grades.

With respect to the improvements on West Old Baltimore Road between Clarksburg Road (MD 121) and Broadway Avenue, we realize that the preliminary plan for the Linthicum Property (no. 1-05003) was previously reviewed and conditionally approved by this Department and the Planning Board using a different DPWT design standard (no. MC-213.04). For sake of continuity, we now recommend the Planning Board and the applicants pursue construction of the current LSA proposed typical section, widened at the intersections to provide auxiliary turn lanes. Entrances and intersections to the Cabin Branch and Linthicum projects should align opposite one another, provide adequate sight distances, and facilitate safe pedestrian crossings. The shared use path should also be constructed between Clarksburg Road (MD 121) and Broadway Avenue.

Mr. Robert Kronenberg
West Old Baltimore Road Improvements
March 10, 2008
Page 3

We believe these improvements are fair, reasonable, improve traffic operations and safety, and minimize the impact on most of the adjacent residences. We support their approval. Please call or e-mail me if you have any questions regarding these comments.

Sincerely,

Gregory M. Leck, Manager
Development Review Group
Traffic Engineering and Operations Section

M:\sub\gml\docs\pp\8-20050150, Cabin Branch - West Old Baltimore Rd imp.s.doc

cc: Richard Weaver; M-NCPPC Development Review
Shahriar Etemadi; M-NCPPC Transportation Planning
Steve Federline; M-NPPC Environmental Planning
Nellie Maskal; M-NCPPC Community Based Planning
Doug Powell; M-NCPPC Parks
John Cook; Clarksburg Hills subdivision
Kathy Mitchell; Clarksburg Ombudsperson
Mike Conley; Cabin Branch Development Team
Stan Aldridge; Cabin Branch Development Team
Bob Harris; Holland & Knight
John Brundage; Loiderman Soltesz Associates, Inc.
Irene Carrato; Loiderman Soltesz Associates, Inc.
Charles Linthicum; the Linthicum family
Gary Unterberg; Rodgers Consulting, Inc.
Roger Hayden, II; Pasternak & Fidis, P.C.
Jody Kline; Miller, Miller & Canby
Joseph Cheung; DPS Right-of-Way Permitting & Plan Review
Sarah Navid; DPS Right-of-Way Permitting & Plan Review
Leo Galanko; DPS Water Resources
Edgar Gonzalez; DPWT Director's Office
Bob Simpson; DPWT Director's Office
Gail Tait-Nouri; DPWT Design/Facility Planning
Emil Wolanin; DPWT Traffic Engineering & Operations
Bruce Mangum; DPWT Traffic Engineering & Operations
Fred Lees; DPWT Traffic Engineering & Operations
Seifu Kerse; DPWT Traffic Engineering & Operations
Sam Farhadi; DPWT Traffic Engineering & Operations
David Adams; DPWT Traffic Engineering & Operations

CABIN BRANCH MANAGEMENT, LLC

c/o Winchester Homes Inc.
6905 Rockledge Drive, Suite 800
Bethesda, Maryland 20817
Tel (301) 803-4800
Toll Free: (800) 527-8558
Fax (301) 803-4929

March 8, 2013

Mr. John Carter
Ms. Marybeth O'Quinn
MNCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

**Re: Cabin Branch- Toll Brothers Phase 1 Site Plan &
Cabin Branch- Toll Brothers Phase 2 Site Plan
Clarksburg, Maryland**

We hereby authorize John Harris of Toll MD X Limited Partnership to execute the Site Plan and all affiliated applications for the Cabin Branch- Toll Brothers Phase 1 Site Plan and the Cabin Branch- Toll Brothers Phase 2 Site Plan, on behalf of Cabin Branch Management, LLC c/o Winchester Homes, Inc.

Should you have any questions or comments, please do not hesitate to call Michael Conley or Sylke Knuppel at 301-803-4800.

By: 

Name: Michael J Conley c/o Winchester Homes, Inc.

CABIN BRANCH MANAGEMENT, LLC

c/o Winchester Homes Inc.
6905 Rockledge Drive, Suite 800
Bethesda, Maryland 20817
Tel (301) 803-4800
Toll Free: (800) 527-8558
Fax (301) 803-4929

March 8, 2013

Mr. John Carter
Ms. Marybeth O'Quinn
MNCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

**Re: Cabin Branch- Toll Brothers Phase 1 Site Plan &
Cabin Branch- Toll Brothers Phase 2 Site Plan
Clarksburg, Maryland**

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Should you have any questions or comments, please do not hesitate to call Michael Conley or Sylke Knuppel at 301-803-4800.

By: 

Name: Michael J Conley c/o Winchester Homes, Inc.

CABIN BRANCH, TOLL BROTHERS PHASE 1

TRAFFIC ORDER 03-13-2013

Parking is as shown on Sheet 3 of 12 Fire Access and Emergency Parking Plan.

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

Limits of "No Parking Any Time" Regulations on streets in Toll Brothers Phase 1, Cabin Branch

Subdivision are:

S.M.C. 43 3/21/13

1. Stilt Street between Lot 18, Block Y and Fulmer Avenue, no parking on the south side.
2. Stilt Street, from 20' west of the crosswalk adjacent to Lot 56, Block X to 20' east of the same crosswalk, no parking on the north side.
3. Stilt Street, from 35' west of the intersection with Godwit Street to 20' east of the crosswalk adjacent to Parcel E, Block W, no parking on the north side.
4. Stilt Street, from 35' west of the intersection with Merlin Alley to 35' east of the same intersection no parking on the north side.
5. Stilt Street, from 35' west of the intersection with Flycatcher Street to 35' east of the same intersection, no parking on the north side.
6. Stilt Street, 35' west of the intersection with Fulmer Avenue, no parking on the north side.
7. Godwit Street, no parking on the east side.
8. Godwit Street, from 35' north of the southern intersection with Chimney Swift Alley to the intersection with Stilt Street, no parking on the west side.
9. Fulmer Avenue, north of Lot 77, Block Y, no parking on the west side.
10. Fulmer Avenue, east of Lot 31 Block AI no parking on the north side.
11. Fulmer Avenue, from Petrel Place to 5' south of the northern driveway entrance to the clubhouse, no parking on the east side.
12. Fulmer Avenue, from 5' north of the southern driveway entrance to the clubhouse to Lot 15 Block V, no parking on the east side.
13. Fulmer Avenue, from 35' north of the intersection with Harrier Way, to 35' south of the intersection with Yellowthroat Alley, no parking on the east side.
14. Fulmer Avenue, from 35' north of the intersection with Dovekie Avenue to 35' south of the same intersection, no parking on the east side.
15. Fulmer Avenue, for 50' in front of Lot 9 Block AI, no parking on the east side.
16. Fulmer Avenue, from 20' north of the crosswalk at the park area to 20 feet south of the same crosswalk, no parking on the east side.
17. Fulmer Avenue, from 30' north of the fire hydrant adjacent to Lot 30 Block AI, no parking on the east side.
18. Fulmer Avenue From 20' west of the crosswalk adjacent to Moorhen Street to 20' east of the crosswalk on the east side of the intersection with Moorhen Street, no parking on the south side.
19. Fulmer Avenue, 35' from the intersection with Broadway Avenue, no parking on the south side.
20. Harrier Way, between Fulmer Avenue and Broadway Avenue, no parking on the south side.

21. Harrier Way, from the intersections with Fulmer Avenue to 35' east of the intersection with Gannet Alley, no parking on the north side.
22. Harrier Way, from Lott 22 Block V, to Broadway Avenue, no parking on the north side
23. Harrier Way, from Broadway Avenue to 35' east of Broadway Avenue, no parking on the north or south side.
24. Dovekie Avenue, between Fulmer Avenue and 35' east of the western intersection with Kingbird Alley, no parking on the south side.
25. Dovekie Avenue, from 30' west of the fire hydrant adjacent to Lot 17/18, Block AL, to Cabin Branch Avenue, no parking on the south side.
26. Dovekie Avenue, 35' from intersections with Fulmer Avenue, no parking on the north side.
27. Dovekie Avenue, from 20' west of the crosswalk west of Moorhen Street, to 20' east of the crosswalk east of Moorhen Street, no parking on the north side.
28. Dovekie Avenue, from 30' east of the fire hydrant adjacent to Lot 20, Block AH, to 20' east of the crosswalk east of Limpkin Lane, no parking on the north side.
29. Dovekie Avenue, from 35' west of Broadway Avenue to 35' east of Crossbill Alley and Kingbird Alley, no parking north side.
30. Moorhen Street, no parking on the east side.
31. Moorhen Street from Dovekie Avenue to 35' south of the northern intersection with Scoter Alley no parking on the west side.
32. On the west side of Moorhen Street from 35' north of the southern intersection with Scoter Alley to 35' south of the same intersection.
33. Moorhen Street, from 20' north of the crosswalk to 20' south of the crosswalk, no parking on the west side.
34. Moorhen Street, from 35' north of the intersection with King Rail Alley to the intersection with Fulmer Avenue, no parking on the west side.
35. On the west side of Limpkin Lane.
36. On the north side of Limpkin Lane.
37. Limpkin Lane, from Dovekie Avenue to 35' from the northern intersection with Junco Alley, no parking on the east side.
38. Limpkin Lane from 35' north of the southern intersection with Junco Alley to 35' south of the same intersection, no parking on the east side.
39. Limpkin Lane, From 20' north of the crosswalk at the park area to 20' south of the crosswalk, no parking on the east side.
40. Limpkin Lane from 35' north of the southern intersection with Waterthrush Alley to 35' south of the same intersection, no parking on the east side.
41. Limpkin Lane from 30' east of the fire hydrant adjacent to Lot 30, Block AK, to the intersection with Moorhen Street, no parking on the south side.
42. Little Seneca Parkway, no parking on either side.
43. Broadway Avenue, no parking on the east side.
44. Broadway Avenue, 35' north and south of the intersection with Harrier Way, no parking on the west side.

45. Broadway Avenue, 35' north and south of the intersection with Dovekie Avenue, no parking on the west side.
46. Broadway Avenue, from 20' north of the crosswalk, north of the traffic circle intersection with Little Seneca Parkway, to 20' south of the crosswalk, south of the traffic circle intersection with Little Seneca Parkway, no parking on the west side.
47. Broadway Avenue, from 30' north of the fire hydrant adjacent to Lot 46, Block AK to 30' south of the fire hydrant, no parking on the west side.
48. Broadway Avenue, 35' north and south of the intersection with Fulmer Avenue, no parking on the west side.
49. Broadway Avenue, south of the intersection with Fulmer Avenue, no parking on the west side.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

February 5, 2013

Richard Y. Nelson, Jr.
Director

Ms. Marybeth Quinn
Area 1 Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Cabin Branch Toll 1 and 2
Site Plan Nos. 820070140 and 820100030

Dear Ms. Quinn:

The Department of Housing and Community Affairs (DHCA) has met with the applicant to discuss DHCA's Development Review Committee (DRC) comments and the revisions to the above Site Plans. The applicant is currently proposing to provide 4 MPDU townhouses and 62 two-over-two condominium MPDUs in Phase 1 and 10 MPDU townhouses in Phase 2.

DHCA does not generally encourage large concentrations of MPDUs in condominiums when other housing types are also available, and also prefers that MPDUs be dispersed throughout a development. However, the applicant has noted several constraints, including the high proportion of single-family detached units required on the Toll property. The applicant has also cited several mitigating factors: 1) the MPDU townhouses will be the same size as market townhouses in the development; 2) the MPDU two-over-twos will be even larger than the MPDU townhouses, and will include garages; 3) the MPDUs will be indistinguishable from the market units; 4) the MPDU two-over-twos will be in close proximity to the retail and community centers; and 5) the MPDU locations will be in compliance with MPDU staging requirements of Chapter 25A.

Given the above factors, DHCA does not object to the applicant's proposed Site Plans.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Tom Mateya, Director of Land Development, Toll Brothers Inc.
Scott C. Wallace, Partner, Linowes and Blocher LLP
Jalal Greene, Chief, Division of Housing, DHCA
Christopher J. Anderson, Manager, Single Family Housing Programs, DHCA

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Division of Housing

Moderately Priced
Dwelling Unit
FAX 240-777-3709

Housing Development
& Loan Programs
FAX 240-777-3691

Landlord-Tenant Affairs
FAX 240-777-3691

Licensing & Registration Unit
240-777-3666
FAX 240-777-3699

100 Maryland Avenue, 4th Floor • Rockville, Maryland 20850 • 240-777-3600 • www.montgomerycountymd.gov/dhca



CABIN BRANCH, TOLL BROTHERS PHASE 2, TRAFFIC ORDER 03-05-2013

Parking is as shown on Sheet 3 of 6 Fire Access and Emergency Parking Plan

Review based only upon information contained on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.

Limits of "No Parking Any Time" Regulations on streets in Toll Brothers Phase 2, Cabin Branch

Subdivision are:

1. Woodcock Way North of Jaeger Road, no parking on the east side.
2. Woodcock Way, from 35' north of the intersection with Pipistrelle Alley to the northern intersection with Jaeger Road, no parking on the west side.
3. Woodcock Way, south of northern intersection with Jaeger Road, no parking on the west side.
4. Woodcock Way, no parking on the south side.
5. Woodcock Way, from the northern intersection with Jaeger Road to 35' south of the intersection with Pipit Alley, no parking on the east side.
6. Woodcock Way, from 35' north of the intersection with Gallinule Alley to 35' south of the same intersection, no parking on the east side.
7. Woodcock Way, from 35' north of the intersection with Shrike Alley to 30' south of the proposed fire hydrant adjacent to Lot 50, block AF, no parking on the east side.
8. Woodcock Way, from 35' west of the southern intersection with Jaeger Road to 35' east of the same intersection, no parking on the north side.
9. Woodcock Way, from 35' west of intersection with Redhead Alley to the intersection with Gull Street, no parking on the north side.
10. Jaeger Road, between the intersection with Clarksburg Road and Pipit Alley, no parking on the north side.
11. Jaeger Road, from 100' north of the fire hydrant adjacent to Lot 5, Block AF, to the southern intersection with Woodcock Way, no parking on the west side.
12. Jaeger Road, from 35' north of the intersection with Gull Street to the intersection with Woodcock Way, no parking on the east side.
13. Jaeger Road, from Clarksburg Road to 35' east of the intersection with Clarksburg Road, no parking on the south side.
14. Jaeger Road, from 35' west of the intersection with woodcock Way to 35' east of the intersection same intersection, no parking on the south side.
15. Gull Street, no parking on the east side.
16. Gull Street, no parking on the north side.
17. Gull Street, from Jaeger Road to 35' east of the intersection with Jaeger Road, no parking on the south side.
18. Gull Street, from 30' west of the fire hydrant adjacent to Lot 11, block AG to 30' east of the hydrant, no parking on the south side.
19. Gull Street, from 35' north of the intersection with Woodcock Way to 35' south of the same intersection, no parking on the west side.
20. Gull Street, from 35' north of the intersection with West Old Baltimore Road to the intersection, no parking on the west side.

3/21/13

SMC 43



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

March 14, 2013

Mr. Philip Wagner, P.E.
Rodgers Consulting
19847 Century Blvd., Suite 200
Germantown, Maryland 20874

Re: **Reconfirmed Final Water Quality Plan
and Stormwater Management Concept
for Cabin Branch Toll-1**
SM File #: 230864
Tract Size: 80.73 acres
Zone: MXP, RMX1/TDR
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wagner:

Based on a review by the Department of Permitting Services, the previously approved Final Water Quality Plan (FWQP) and the stormwater management concept for the above mentioned site is conditionally reconfirmed. This reconfirmation is for the elements of the Final Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or stream buffer encroachments.

Site Description: The overall site is bounded by West Old Baltimore Road, Clarksburg Road and I-270 and this portion is approximately 80.73 acres. This reconfirmation is due primarily to a redistribution of site area between phases and lot/building orientation changes. The overall stormwater management approach will remain unchanged. This area is partially within the Little Seneca Creek Watershed that is a designated Special Protection Area. This proposal is for a mixed use residential development.

Stormwater Management: Channel protection measures for this site will be provided via four extended detention dry ponds. These structures will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. Quality control will be provided via a treatment train that consists of recharge structures, surface sand filters in series, bioswales, infiltration trenches and structural water quality inlets (both filtering and flow through). Since open section roads will not be feasible for the majority of the site, additional water quality volume will be provided in the proposed end of outfall large surface sand filters. This will be done by sizing these structures to treat the entire drainage area regardless of the upland area that is already providing full treatment. Areas that are intended for vehicular use are to be pretreated prior to entering any water quality filtering structures. Recharge is to be provided both upland throughout the development and below the outlet pipe of all of the proposed surface sand filters where groundwater or bedrock is not encountered.

Philip Wagner
March 13, 2013
Page 2

All of the requirements on the previously approved Final Water Quality Plan/Stormwater management concept are still applicable including Sediment Control requirements, Performance Goals and Monitoring requirements.

Conditions of Approval: The following conditions must be addressed in submission of the detailed sediment control/stormwater management plan. All of the conditions not addressed from previous approvals are still applicable. This list may not be all inclusive and may change based on available information at the time of the subsequent plan reviews:

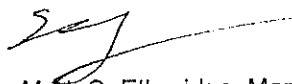
1. Soil borings and infiltration testing must be provided at each of the proposed recharge and infiltration locations.
2. It appears that infiltration may not be feasible at location 2009 and 2013 due to depth below existing grade (-10' and -18'). The use of a bioswale appears to be feasible and will be acceptable at these locations.
3. Provide clear access for all Stormwater management structures. Stormwater management easements are not to be on private lots unless specifically approved and documented prior to plan approval.
4. Direct as much runoff as possible from lots 19-25, Block Y to proposed Pond #3 or grade these lots to sheet flow to the adjacent buffer.
5. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
6. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is **not required**.

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

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

Sincerely,



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

MCE:img:CN230864

cc: R. Kronenberg (MNCPPC-DR)
J. Penn (MNCPPC-ED)
L. Galanko
SM File # 230864

Qn: on-site 80.73 ac
Ql: on-site 80.73 ac.
Recharge provided



FIRE MARSHAL COMMENTS

DATE: 21-Mar-13
TO: Gary Unterberg
Rodgers Consulting, Inc.
FROM: Marie LaBaw
RE: Cabin Branch Toll-1
820070140

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **21-Mar-13**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

KTGY Group, Inc.
Architecture+Planning
8605 Westwood Ctr. Dr., Ste. 300
Vienna, VA 22182

703-992-6116
703-992-6428 fax
ktgy.com



February 27, 2013

Mr. Tom Mateya

Director of Land Development

Toll Brother Inc.

7164 Columbia Gateway Drive, #230

Columbia, MD 21046

Dear Tom,

As required under the provisions of the Cabin Branch “Design Guidelines For Site Plan Review” document, we have reviewed the submitted Site Plans dated February 20, 2013 for Cabin Branch, Toll Brothers Phase 1. The Site Plans reflect the changes that we have reviewed and discussed during previous work sessions. We find that the application items to be consistent with the above mentioned Design Guidelines and recommend and support approval by the Montgomery County Planning Board.

Sincerely,

A handwritten signature in black ink that reads 'Smita Anand'. The signature is written in a cursive, flowing style.

Smita Anand,

Town Architect

Principal

KTGY Group

MEMORANDUM

March 25, 2013

TO: Mary Beth O'Quinn, Area 3, Planning Department

FROM: Doug Powell, Plan Review Coordinator, Park Planning and Stewardship Division,
Department of Parks

SUBJECT: Cabin Branch Toll I Site Plan #820070140 and
Cabin Branch Toll II Site Plan #820100030

Department of Parks staff supports approval of the Applicant's Site Plan with the Conditions as set forth below:

CONDITIONS OF APPROVAL

Department of Parks, Park Planning and Stewardship Division would therefore request the following Conditions of Approval:

- Applicant to convey to M-NCPPC, in fee simple, the agreed area of contiguous land that is located between the proposed residential lots and the unnamed western fork of Cabin Branch. Precise, detailed boundaries of the dedication to be acceptable to M-NCPPC, Department of Parks staff, and area may be refined or modified prior to certified site plan without the necessity of amending the site plan or preliminary plan. Dedicated land to be used for stream valley parkland. Parkland to be conveyed in fee simple by deed acceptable to M-NCPPC staff at time of record plat and conveyed free of trash and unnatural debris and park boundaries staked and signed to distinguish from private properties..
- Applicant to construct natural surface trails on dedicated parkland and throughout the community to connect residential areas, open spaces and parkland together in an accessible, pedestrian friendly manner. Applicant to work with M-NCPPC, Department of Parks staff prior to certified site plan approval to establish exact locations of needed trails in order to provide recreational opportunities to the communities within the subdivision and Cabin Branch community. Trails within parkland to be constructed to park standards and specifications after procurement by Applicant of appropriate park permit. Appropriate signage and any bridges, as determined by Department of Parks staff to be necessary, to be provided by Applicant and constructed to park standards and specification.
- No retaining walls or stormwater management ponds or facilities to be located on dedicated and conveyed parkland.



KCI Technologies
936 Ridgebrook Road
Sparks, MD 21152

Attn: Kevin Adelsberger

February 26, 2013

Re: Cabin Branch Toll 1 Site Plan No. 820070140 Public Utility Easement

Dear Kevin:

We've completed a review of the Proposed PUE Exhibit (Plan) dated February 26, 2013 for the Cabin Branch site plan application noted above, located at Clarksburg, MD in the southwest quadrant of the intersection of Interstate 270 and State Route 121 Clarksburg Road. Based on this review, we are reasonably confident that the proposed PUE Layout is adequate and can be utilized to obtain acceptable electrical layout for the subdivision. To accommodate the proposed PUE Exhibit, a services agreement will be required between Potomac Edison and the customer in advance of construction and at the developer's expense in order to deviate from the standard front lot construction per our MD Tariff and construction requirements. Provided this agreement is obtained with the customer, we accept the proposed plan for your submission to the county for approvals.

Potomac Edison will make every reasonable effort to route the electric facilities through the PUE; however, the company reserves the right to locate facilities outside the PUE if necessary to obtain an acceptable design. Potomac Edison will require its own standard easement of 10' to be granted in addition to (overlapping) the PUE for all electric facilities (5' easement where streetlights only are required). This easement must be kept free and clear of any obstructions such as trees, shrubs, buildings or other permanent structures.

Best regards,

A handwritten signature in blue ink that reads "Amanda Wang".

Potomac Edison

Cc: Tom Mateya, Toll Brothers
Cc: Gary Unterberg, RCI



KCI Technologies
936 Ridgebrook Road
Sparks, MD 21152

Attn: Kevin Adelsberger

February 26, 2013

Re: Cabin Branch Toll 2 Site Plan No. 820100030 Public Utility Easement

Dear Kevin:

We've completed a review of the Proposed PUE Exhibit (Plan) dated February 26, 2013 for the Cabin Branch site plan application noted above, located at Clarksburg, MD in the southwest quadrant of the intersection of Interstate 270 and State Route 121 Clarksburg Road. Based on this review, we are reasonably confident that the proposed PUE Layout is adequate and can be utilized to obtain acceptable electrical layout for the subdivision. To accommodate the proposed PUE Exhibit, a services agreement will be required between Potomac Edison and the customer in advance of construction and at the developer's expense in order to deviate from the standard front lot construction per our MD Tariff and construction requirements. Provided this agreement is obtained with the customer, we accept the proposed plan for your submission to the county for approvals.

Potomac Edison will make every reasonable effort to route the electric facilities through the PUE; however, the company reserves the right to locate facilities outside the PUE if necessary to obtain an acceptable design. Potomac Edison will require its own standard easement of 10' to be granted in addition to (overlapping) the PUE for all electric facilities (5' easement where streetlights only are required). This easement must be kept free and clear of any obstructions such as trees, shrubs, buildings or other permanent structures.

Best regards,

A handwritten signature in blue ink that reads "Heidi Wang".

Potomac Edison

Cc: Tom Mateya, Toll Brothers
Cc: Gary Unterberg, RCI

Washington Gas
6801 Industrial Road
Springfield, VA 22151

KCI Technologies
936 Ridgebrook Road
Sparks, MD 21152

Attn: Kevin Adelsberger

February 26, 2013

Re: Cabin Branch Toll 1 Site Plan No. 820070140 Public Utility Easement

Dear Kevin:

Washington Gas has reviewed of the Proposed PUE Exhibit (Plan) dated February 26, 2013 for the Cabin Branch site plan application noted above, located at Clarksburg, MD in the southwest quadrant at the intersection of Interstate 270 and State Route 121 Clarksburg Road. Based on this review, we are reasonably confident that the proposed PUE Layout is adequate and can be utilized to obtain acceptable natural gas service for the subdivision. This evaluation is based on a PUE Exhibit and utility layout information provided by the project team and our anticipated need for easements. It is not based on final engineering or final design. Additional specific easements may be required as our design progresses.

Based on the above information and stated limitations, it is our opinion that the current street and lot layout can be served by Washington Gas.

Best regards,

Washington Gas



Cc: Tom Mateya, Toll Brothers

Cc: Gary Unterberg, RCI

Washington Gas
6801 Industrial Road
Springfield, VA 22151

KCI Technologies
936 Ridgebrook Road
Sparks, MD 21152

Attn: Kevin Adelsberger

February 26, 2013

Re: Cabin Branch Toll 2 Site Plan No. 820100030 Public Utility Easement

Dear Kevin:

Washington Gas has reviewed of the Proposed PUE Exhibit (Plan) dated February 26, 2013 for the Cabin Branch site plan application noted above, located at Clarksburg, MD in the southwest quadrant at the intersection of Interstate 270 and State Route 121 Clarksburg Road. Based on this review, we are reasonably confident that the proposed PUE Layout is adequate and can be utilized to obtain acceptable natural gas service for the subdivision. This evaluation is based on a PUE Exhibit and utility layout information provided by the project team and our anticipated need for easements. It is not based on final engineering or final design. Additional specific easements may be required as our design progresses.

Based on the above information and stated limitations, it is our opinion that the current street and lot layout can be served by Washington Gas.

Best regards,


Washington Gas

Cc: Tom Mateya, Toll Brothers

Cc: Gary Unterberg, RCI



Isiah Leggett
County Executive

DEPARTMENT OF PERMITTING SERVICES
ZONING

Diane Jones
Director

To: Marybeth Quinn
From Laura Bradshaw, DPS Site Plan Enforcement Reviewer
MEMO: Re Cabin Branch Site Plan 820070140 -Toll I, 820100030 -Toll II
[15-Feb-13]

After reviewing the revised (partial) site plans that I received this week for Cabin Branch- Toll1 here are my comments. Assuming that the Certified Site Plan will include a landscaping and lighting plan containing all necessary details for planting, private roads, hardscaping, street furniture and playground equipment:

- Add a note that storm water management facilities will be reviewed and inspected by DPS Water Resources Section.
- Provide street parking plan, including the community center area identifying handicapped spaces and provide details for those spaces (i.e. signage and striping).
- Remove any language referencing carriage and guest house uses. (*As per ZTA 12-11, accessory dwelling units – attached or detached are meant to be places on lots 1 acre or larger except when a special exception is granted according to the standards found in 50-G. Other uses which would provide for sleeping and sanitation but NOT cooking and eating would be allowed.*)
- Provide for appropriate bike parking at community center.
- Add note* Building heights as defined by the Zoning Ordinance (Sec. 59-A2.1) will be determined at time of building permit. Final heights will conform to the requirements set forth in the Preliminary and Development Plan and will not be higher than the maximum height noted in the data table of the Certified Site Plan.
- Add note* All private roads will be built to the Tertiary Road Standards for Montgomery County.
- Add note* All buildings noted here are for conceptual purposes only and may change within the building restriction lines noted in the data table.



Toll 2 FWQP-DPS Apr 2013
RECEIVED
MAR 06 2013

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

March 4, 2013

Diane R. Schwartz Jones
Director

Mr. Philip Wagner, P.E.
Rodgers Consulting
19847 Century Blvd., Suite 200
Germantown, Maryland 20874

Re: **Reconfirmed** Final Water Quality Plan
and Stormwater Management Concept
for Cabin Branch Toll-2
SM File #: 236850
Tract Size: 46.35 acres
Zone: RMX1/TDR
Watershed: Little Seneca Creek

SPECIAL PROTECTION AREA

Dear Mr. Wagner:

Based on a review by the Department of Permitting Services, the previously approved Final Water Quality Plan (FWQP) and the stormwater management concept for the above mentioned site is conditionally reconfirmed. This reconfirmation is for the elements of the Final Water Quality Plan of which DPS has lead agency responsibility, and does not include limits on imperviousness or stream buffer encroachments.

Site Description: The overall site is bounded by West Old Baltimore Road, Clarksburg Road and I-270 and this portion is approximately 46.35 acres. This reconfirmation is due primarily to a redistribution of site area between phases and lot/building orientation changes. The overall stormwater management approach will remain unchanged. This area is partially within the Little Seneca Creek Watershed that is a designated Special Protection Area. This proposal is for a mixed use residential development.

Stormwater Management: Channel protection measures for this site will be provided via two extended detention dry ponds. These structures will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. Quality control will be provided via a treatment train that consists of recharge structures, surface sand filters in series, and structural water quality inlets (both filtering and flow through). Since open section roads will not be feasible for the majority of the site, additional water quality volume will be provided in the proposed end of outfall large surface sand filters. This will be done by sizing these structures to treat the entire drainage area regardless of the upland area that is already providing full treatment. Areas that are intended for vehicular use are to be pretreated prior to entering any water quality filtering structures. Recharge is to be provided both upland throughout the development and below the outlet pipe of all of the proposed surface sand filters where groundwater or bedrock is not encountered.

255 Rockville Pike, 2nd Floor • Rockville, Maryland 20850 • 240-777-6300 • 240-777-6256 TTY
www.montgomerycountymd.gov

Philip Wagner
March 2, 2013
Page 2

All of the requirements on the previously approved Final Water Quality Plan/Stormwater management concept are still applicable including Sediment Control requirements, Performance Goals and Monitoring requirements.

Conditions of Approval: The following conditions must be addressed in submission of the detailed sediment control/stormwater management plan. All of the conditions not addressed from previous approvals are still applicable. This list may not be all inclusive and may change based on available information at the time of the subsequent plan reviews:

1. Soil borings must be provided at each of the proposed recharge and infiltration locations.
2. It appears that infiltration will likely not be feasible at location 9018 due to depth below existing grade (-19'). If this is the case a bioswale in this location will be acceptable.
3. Stormwater management easements are not to be on private lots unless specifically approved and documented prior to plan approval.
4. A detailed review of the stormwater management computations will occur at the time of detailed plan review.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

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

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

Sincerely,



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

MCE:img:CN236850

cc: R. Kronenberg (MNCPPC-DR)
J. Penn (MNCPPC-ED)
L. Galanko
SM File # 236850

Qn: on-site 46.35 ac
Ql: on-site 46.35 ac
Recharge provided



FIRE MARSHAL COMMENTS

DATE: 05-Mar-13
TO: Gary Unterberg
Rodgers Consulting, Inc.
FROM: Marie LaBaw
RE: Cabin Branch - Toll 2
82010030

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **05-Mar-13**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

KTGY Group, Inc.
Architecture+Planning
8605 Westwood Ctr. Dr., Ste. 300
Vienna, VA 22182

703-992-6116
703-992-6428 fax
ktgy.com



February 27, 2013

Mr. Tom Mateya

Director of Land Development

Toll Brother Inc.

7164 Columbia Gateway Drive, #230

Columbia, MD 21046

Dear Tom,

As required under the provisions of the Cabin Branch “Design Guidelines For Site Plan Review” document, we have reviewed the submitted Site Plans dated February 22, 2013 for Cabin Branch, Toll Brothers Phase 2. The Site Plans reflect the changes that we have reviewed and discussed during previous work sessions. We find that the application items to be consistent with the above mentioned Design Guidelines and recommend and support approval by the Montgomery County Planning Board.

Sincerely,

A handwritten signature in black ink that reads 'Smita Anand'. The signature is written in a cursive, flowing style.

Smita Anand,

Town Architect

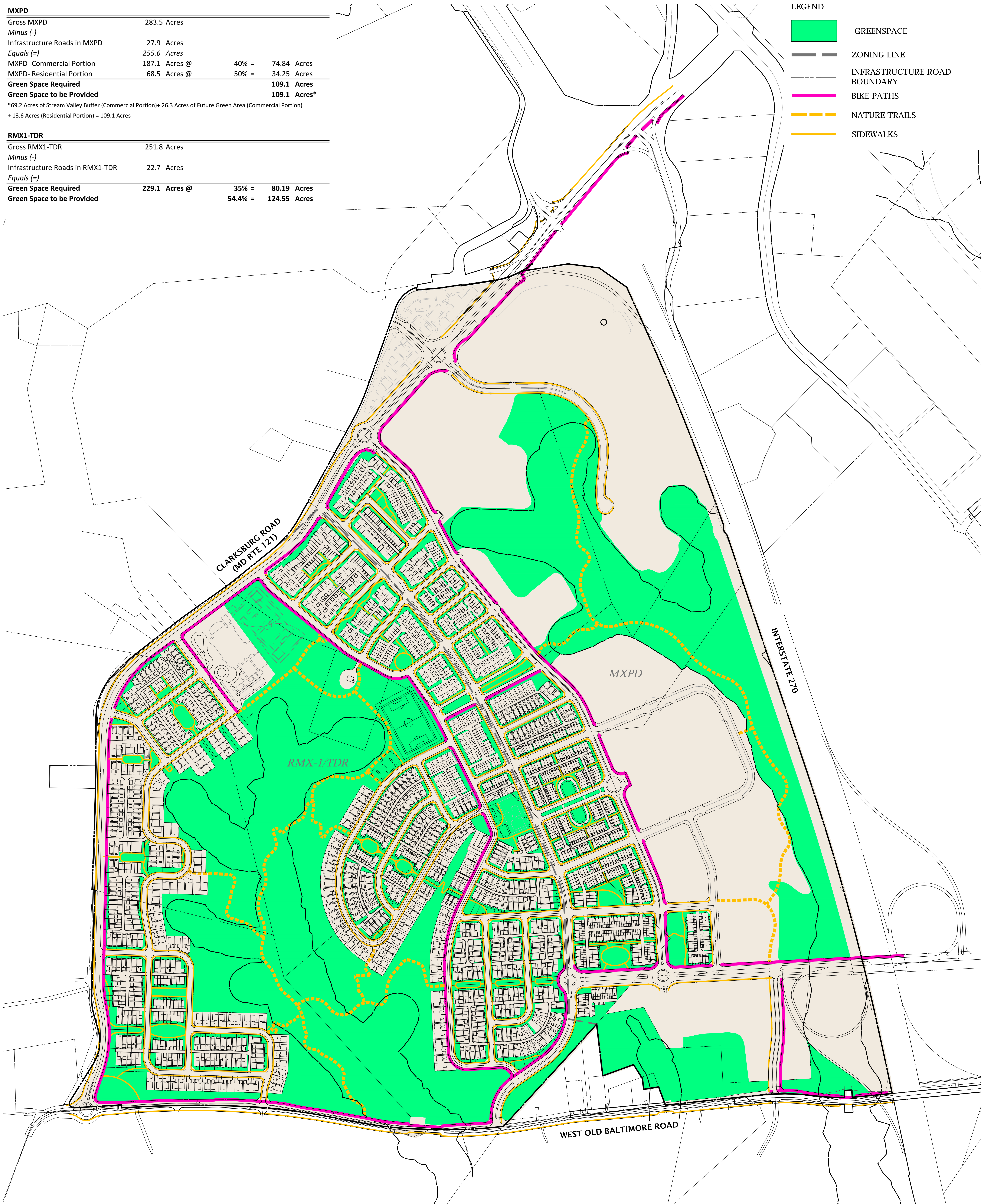
Principal

KTGY Group

MXPD			
Gross MXPD	283.5 Acres		
Minus (-)			
Infrastructure Roads in MXPD	27.9 Acres		
Equals (=)	255.6 Acres		
MXPD- Commercial Portion	187.1 Acres @	40% =	74.84 Acres
MXPD- Residential Portion	68.5 Acres @	50% =	34.25 Acres
Green Space Required			109.1 Acres
Green Space to be Provided			109.1 Acres*
*69.2 Acres of Stream Valley Buffer (Commercial Portion)+ 26.3 Acres of Future Green Area (Commercial Portion)			
+ 13.6 Acres (Residential Portion) = 109.1 Acres			

RMX1-TDR			
Gross RMX1-TDR	251.8 Acres		
Minus (-)			
Infrastructure Roads in RMX1-TDR	22.7 Acres		
Equals (=)			
Green Space Required	229.1 Acres @	35% =	80.19 Acres
Green Space to be Provided		54.4% =	124.55 Acres

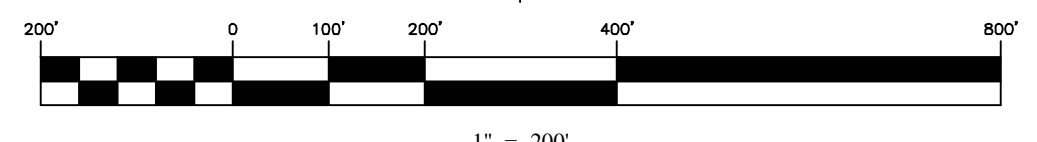
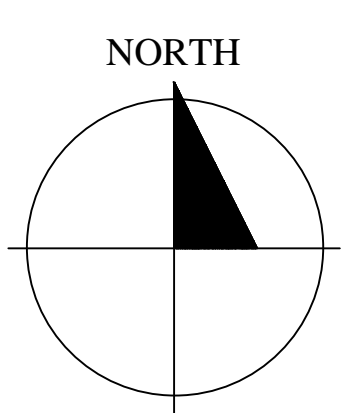
- LEGEND:**
- GREENSPACE
 - ZONING LINE
 - INFRASTRUCTURE ROAD BOUNDARY
 - BIKE PATHS
 - NATURE TRAILS
 - SIDEWALKS



GREEN AREA & TRAIL EXHIBIT

CABIN BRANCH

CLARKSBURG · MARYLAND



RODGERS
CONSULTING

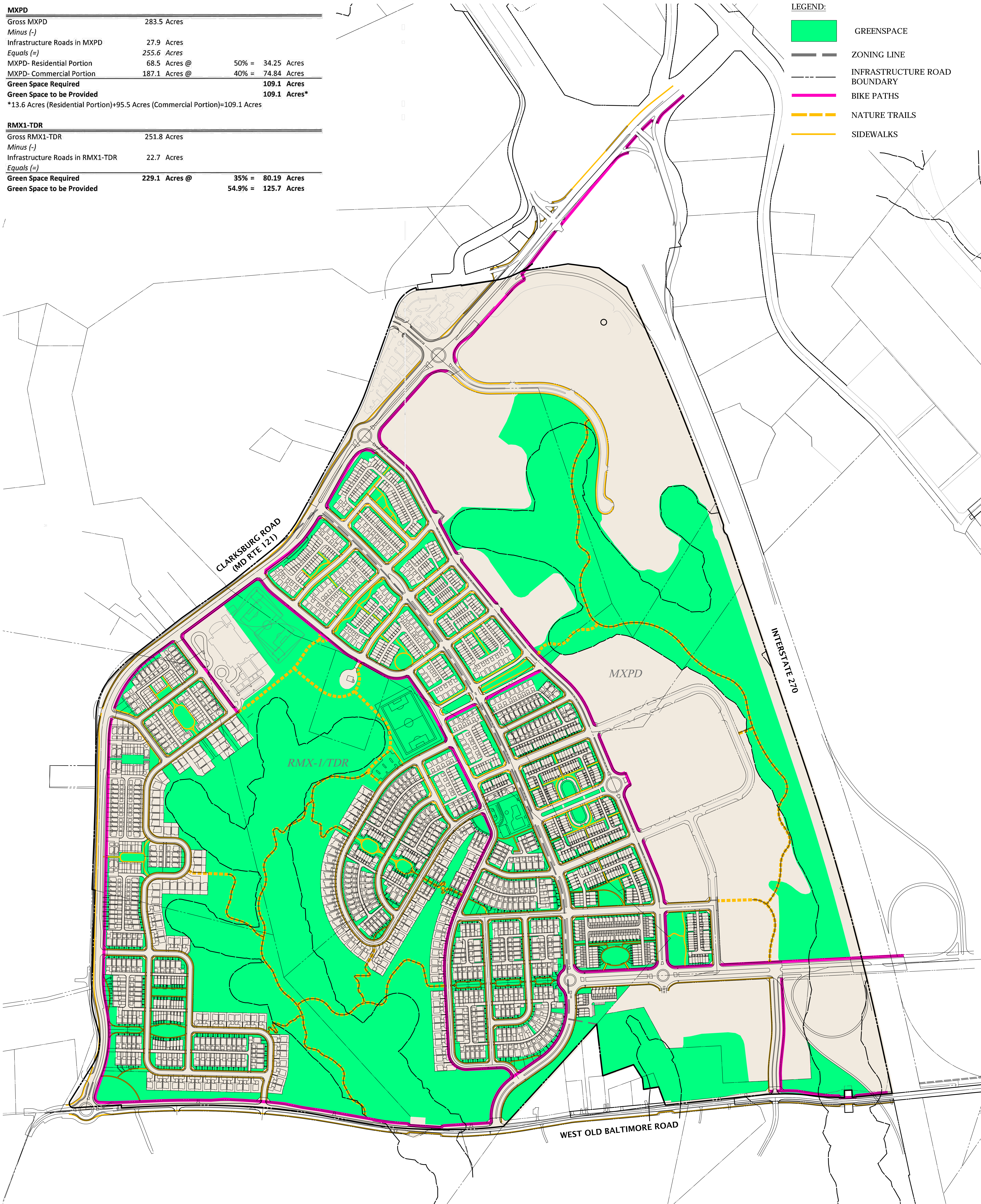
19847 Century Boulevard
Suite 200
Germantown, Maryland 20874
Ph: 301.948.4700 (Main)
Ph: 301.253.6609 (Frederick)
Fk: 301.948.6296
www.rodgers.com

Knowledge • Creativity • Enduring Values

MXPD			
Gross MXPD	283.5 Acres		
Minus (-)			
Infrastructure Roads in MXPD	27.9 Acres		
Equals (=)	255.6 Acres		
MXPD- Residential Portion	68.5 Acres @	50% =	34.25 Acres
MXPD- Commercial Portion	187.1 Acres @	40% =	74.84 Acres
Green Space Required			109.1 Acres
Green Space to be Provided			109.1 Acres*
*13.6 Acres (Residential Portion)+95.5 Acres (Commercial Portion)=109.1 Acres			

RMX1-TDR			
Gross RMX1-TDR	251.8 Acres		
Minus (-)			
Infrastructure Roads in RMX1-TDR	22.7 Acres		
Equals (=)			
Green Space Required	229.1 Acres @	35% =	80.19 Acres
Green Space to be Provided		54.9% =	125.7 Acres

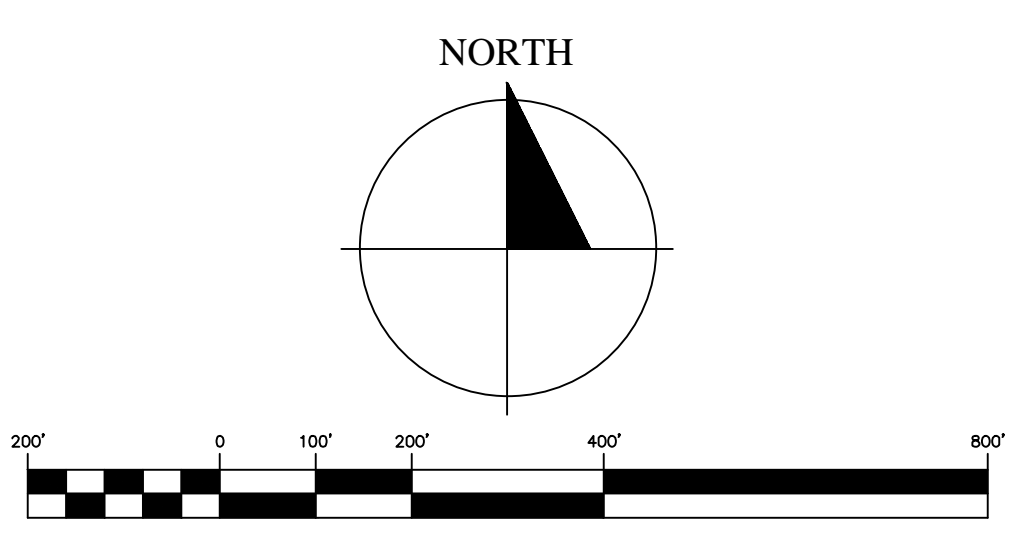
- LEGEND:
- GREENSPACE
 - ZONING LINE
 - INFRASTRUCTURE ROAD BOUNDARY
 - BIKE PATHS
 - NATURE TRAILS
 - SIDEWALKS



GREENSPACE & TRAIL EXHIBIT

CABIN BRANCH

CLARKSBURG · MARYLAND





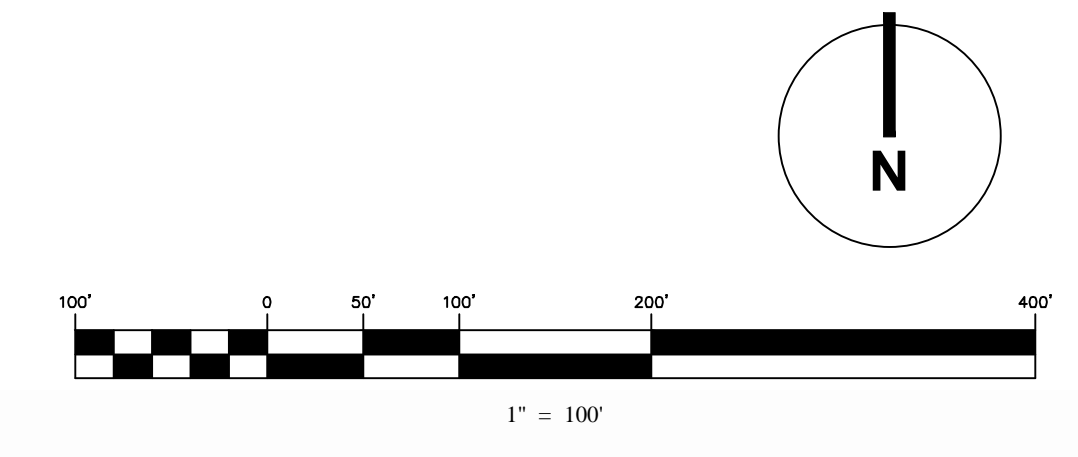
LEGEND

- HIGH VISIBILITY LOTS
- PROPOSED FENCE / LANDSCAPE BUFFER

CABIN BRANCH - TOLL BROTHERS PHASE I HIGH VISIBILITY LOTS

CLARKSBURG, MARYLAND

02.28.2013



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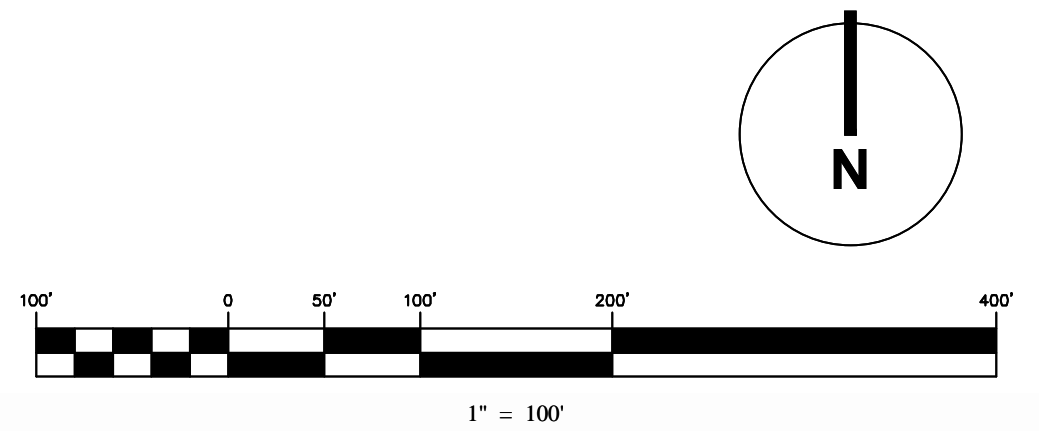
19847 Century Boulevard
 Suite 200
 Germantown, Maryland 20874
 Ph: 301.948.4700 (t/kam)
 Ph: 301.253.6609 (Frederick)
 Fx: 301.948.6256
 www.rodgers.com

N:\MD-Montgomery\Clarksburg Region\aug\Cabin Branch\Toll\Exhibits\High Visibility Lot Exhibit_TOLL.dwg High Vis Feb 28, 2013, 7:36pm



LEGEND

- HIGH VISIBILITY LOTS
- PROPOSED FENCE / LANDSCAPE BUFFER



CABIN BRANCH - TOLL BROTHERS PHASE II HIGH VISIBILITY LOTS

CLARKSBURG, MARYLAND

02.28.2013

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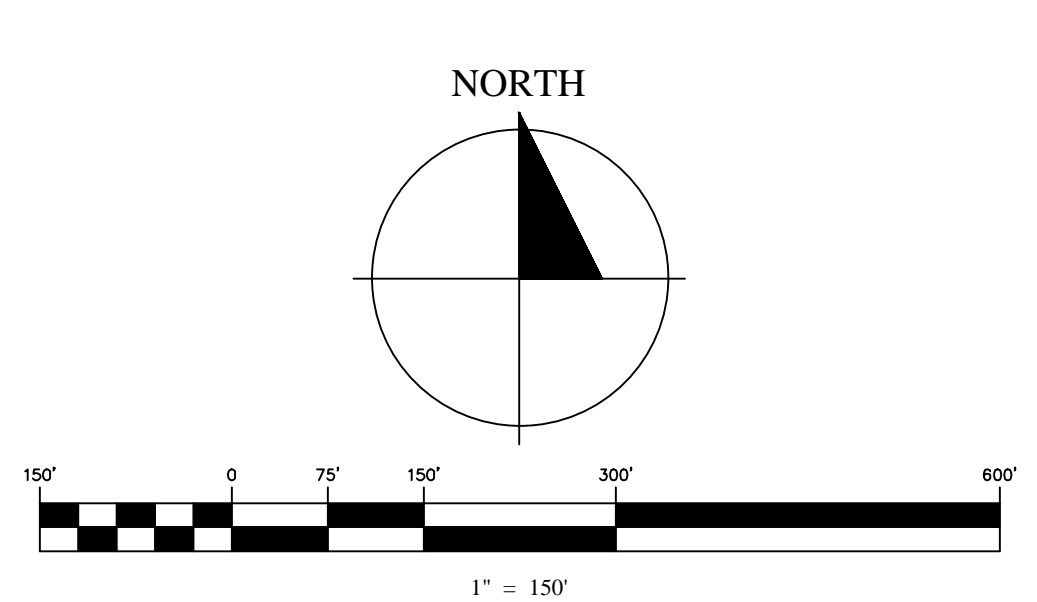
N:\MD-Montgomery\Clarksburg Region\dwg\Cabin Branch\Toll2\High Visibility Lot Exhibit_TOLL2.dwg High Vis Feb 28, 2013, 7:22pm



- LEGEND:**
- SINGLE FAMILY DETACHED
 - SINGLE FAMILY DETACHED WITH CARRIAGE HOUSE OR GUEST HOUSE
 - BOULEVARD TOWNHOUSE
 - TRADITIONAL MANOR TOWNHOUSE
 - LOFT MANOR TOWNHOUSE
 - 2/2 MULTIFAMILY
 - COMMUNITY CENTER
 - GREEN AREA, PARK & OPEN SPACE

LAND USE PLAN

NOTE:
THIS LAYOUT IS PRELIMINARY AND
SUBJECT TO CHANGE.



CABIN BRANCH

CLARKSBURG, MARYLAND

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N:\MD-Plantgomery\Clarksburg Region\ug\Cabin Branch\Working Dwg\Land Use\LandUse_Totl_2013-03-19.dwg PLOT File 1/31/2013 6:01pm

- LEGEND:**
- MODERATELY PRICED DWELLING UNIT (MPDU)
 - WINCHESTER- PHASE 1
 - WINCHESTER- PHASE 2
 - WINCHESTER- PHASE 3
 - TOLL BROTHERS- PHASE 1
 - TOLL BROTHERS- PHASE 2
 - ZONING LINE

Calculations:

Winchester- Phase 1
 439 UNITS X 12.5%= 55 MPDU Units Required
 70 MPDU Units Provided

Winchester- Phase 2
 341 UNITS X 12.5%= 43 MPDU Units Required
 41 MPDU Units Provided

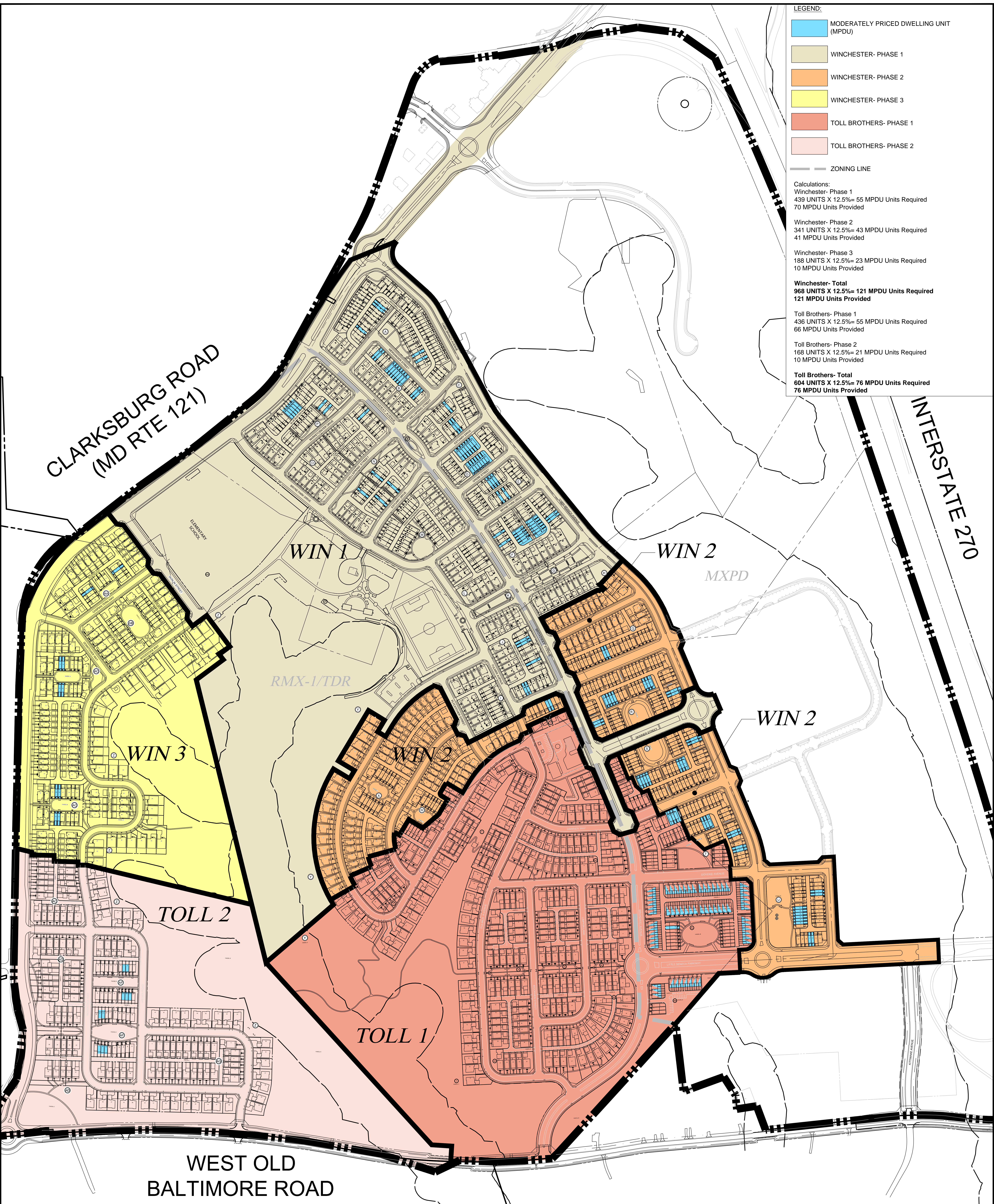
Winchester- Phase 3
 188 UNITS X 12.5%= 23 MPDU Units Required
 10 MPDU Units Provided

Winchester- Total
 968 UNITS X 12.5%= 121 MPDU Units Required
 121 MPDU Units Provided

Toll Brothers- Phase 1
 436 UNITS X 12.5%= 55 MPDU Units Required
 66 MPDU Units Provided

Toll Brothers- Phase 2
 168 UNITS X 12.5%= 21 MPDU Units Required
 10 MPDU Units Provided

Toll Brothers- Total
 604 UNITS X 12.5%= 76 MPDU Units Required
 76 MPDU Units Provided



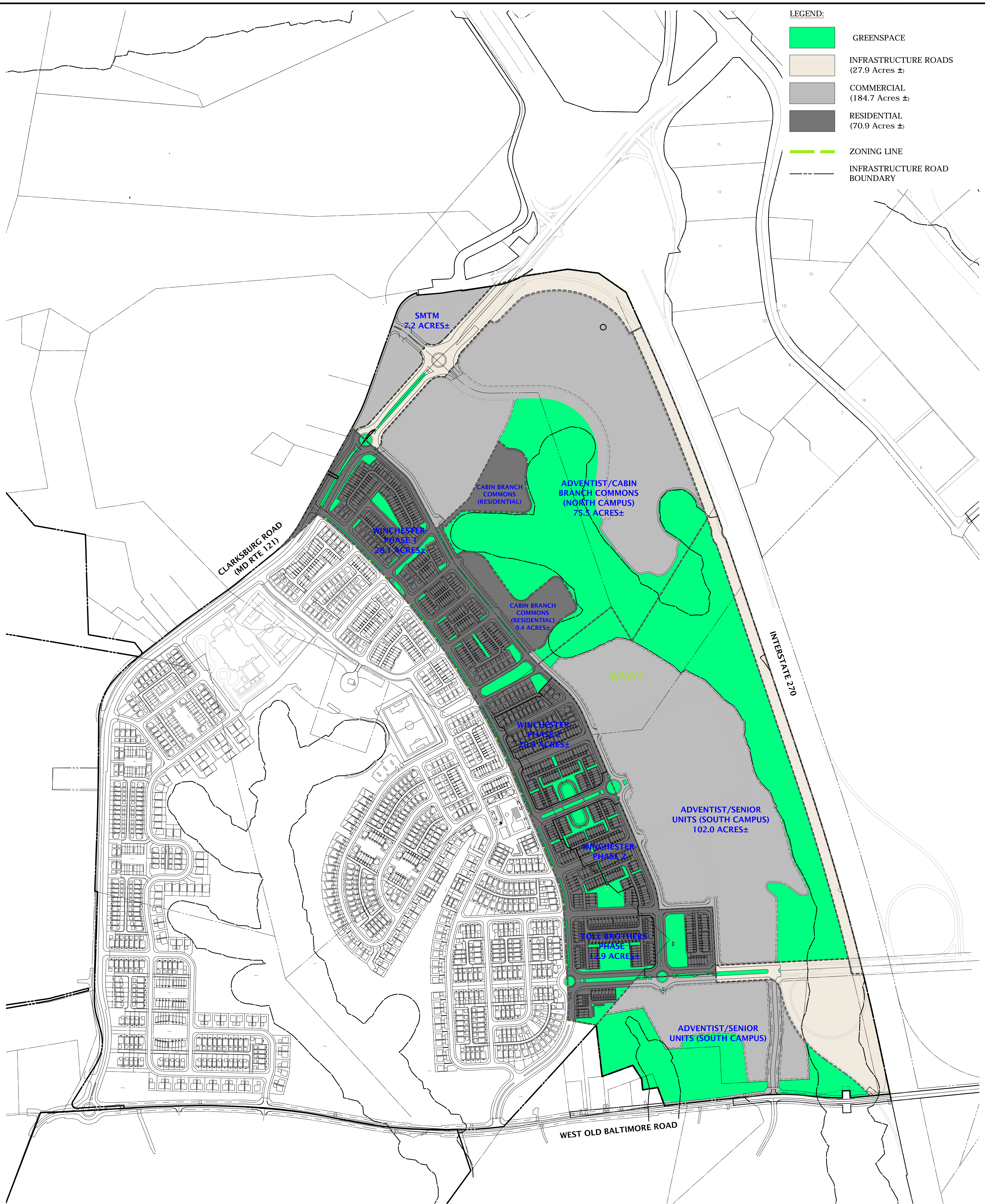
MODERATELY PRICED DWELLING UNIT (MPDU) EXHIBIT

CABIN BRANCH
 CLARKSBURG, MARYLAND

RODGERS CONSULTING
 19847 Century Boulevard
 Suite 200
 Germantown, Maryland 20874
 Ph: 301.948.6700 (Main)
 Ph: 301.253.6609 (Frederick)
 Fx: 301.948.6256
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N:\MD-Frontgomery\Clarksburg Region\Map\Cabin Branch\Toll\Exhibits\MPDU Exhibit_Combined_2013-02-28.dwg MPDU Feb 26, 2013, 7:34pm

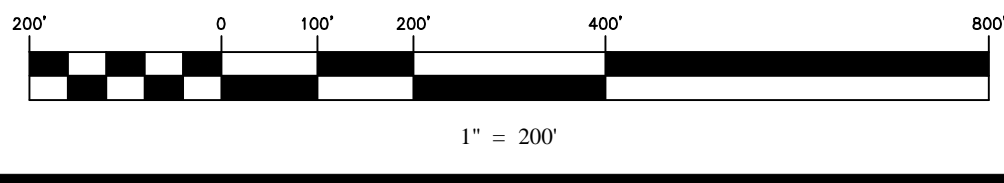
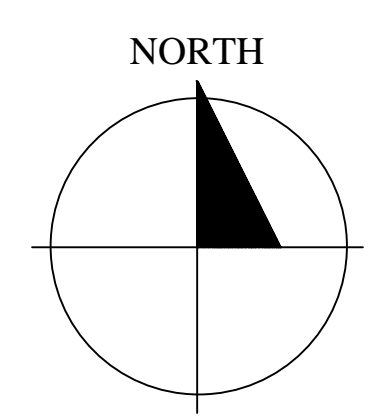
- LEGEND:**
- GREENSPACE
 - INFRASTRUCTURE ROADS
(27.9 Acres ±)
 - COMMERCIAL
(184.7 Acres ±)
 - RESIDENTIAL
(70.9 Acres ±)
 - ZONING LINE
 - INFRASTRUCTURE ROAD BOUNDARY



MXPD AREAS EXHIBIT
12/1/11
REVISED 03/13/13

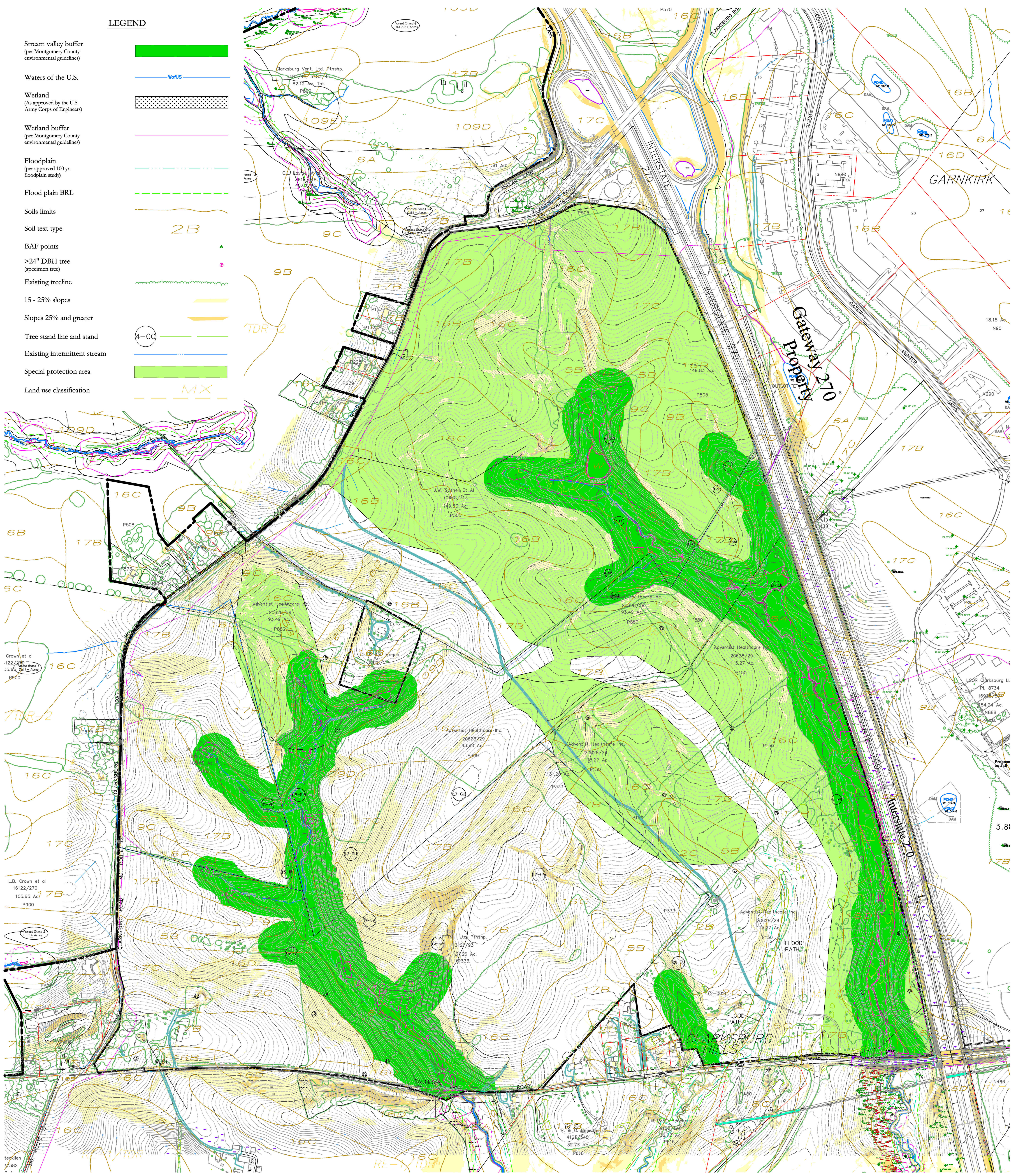
CABIN BRANCH
CLARKSBURG, MARYLAND

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LEGEND

- Stream valley buffer (per Montgomery County environmental guidelines)
- Waters of the U.S.
- Wetland (As approved by the U.S. Army Corps of Engineers)
- Wetland buffer (per Montgomery County environmental guidelines)
- Floodplain (per approved 100 yr. floodplain study)
- Flood plain BRL
- Soils limits
- Soil text type
- BAF points
- >24" DBH tree (specimen tree)
- Existing treeline
- 15 - 25% slopes
- Slopes 25% and greater
- Tree stand line and stand
- Existing intermittent stream
- Special protection area
- Land use classification



**NATURAL RESOURCE INVENTORY
COMPOSITE PLAN**

CABIN BRANCH
Clarksburg, Maryland

December, 2002

Note: This is a composite plan comprised of four separate approved NRI/FSD plans for Adventist HealthCare approved 2-11-02, #4-02010, Gosnell Property approved 11-6-01, #4-102008, Faller Property approved 11-13-01, #4-02009, and Winchester Homes Property approved 10-30-01, #4-02007.

RODGERS CONSULTING
9260 Gaither Road
Gaithersburg, MD 20877
301.948.4700
301.948.6256 (fax)
www.rodgers.com
Enhancing the value of land assets.

NORTH

1" = 200'

Revisions	Date

LEGEND

APPROVED

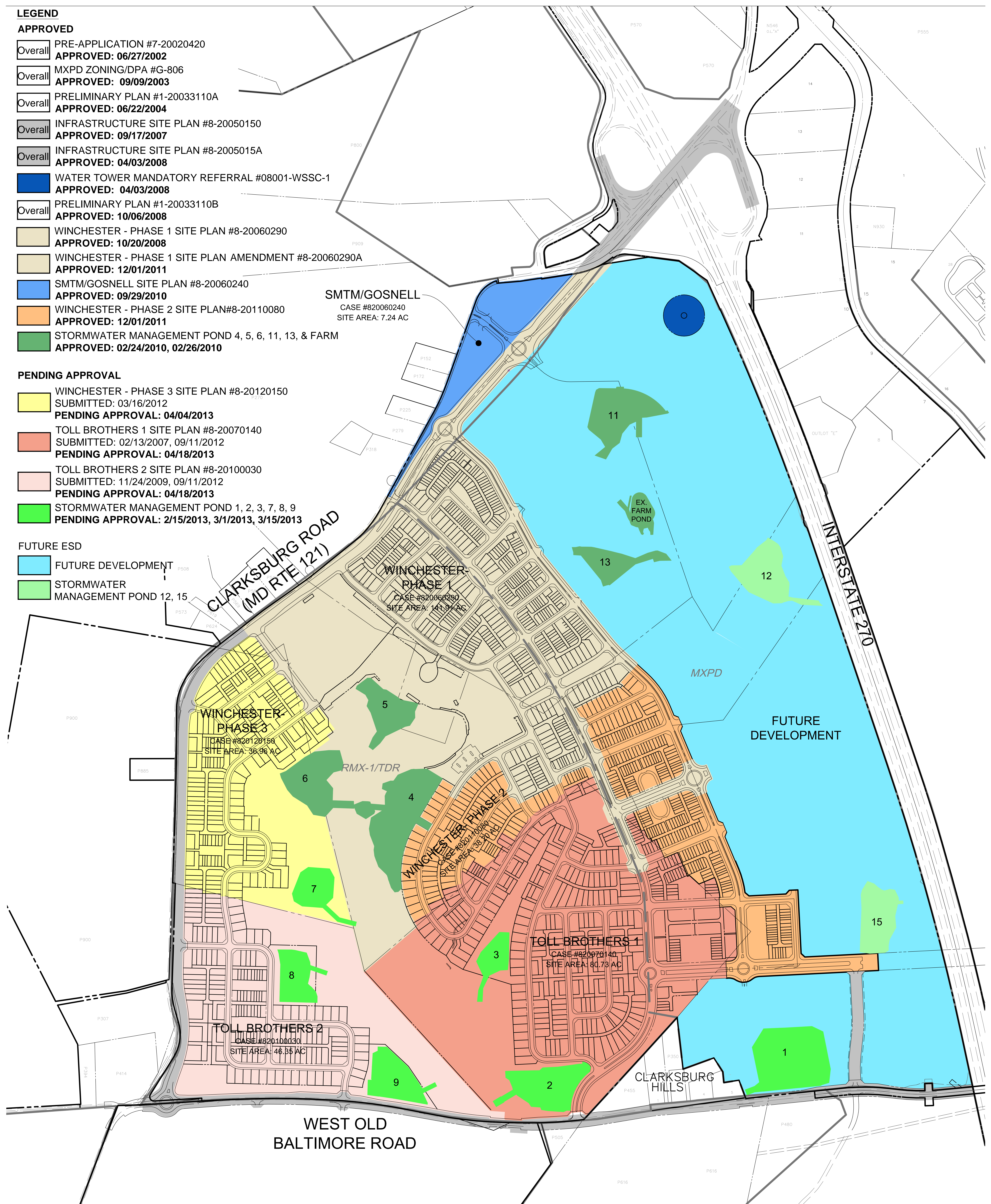
- Overall PRE-APPLICATION #7-20020420
APPROVED: 06/27/2002
- Overall MXPD ZONING/DPA #G-806
APPROVED: 09/09/2003
- Overall PRELIMINARY PLAN #1-20033110A
APPROVED: 06/22/2004
- Overall INFRASTRUCTURE SITE PLAN #8-20050150
APPROVED: 09/17/2007
- Overall INFRASTRUCTURE SITE PLAN #8-2005015A
APPROVED: 04/03/2008
- WATER TOWER MANDATORY REFERRAL #08001-WSSC-1
APPROVED: 04/03/2008
- Overall PRELIMINARY PLAN #1-20033110B
APPROVED: 10/06/2008
- WINCHESTER - PHASE 1 SITE PLAN #8-20060290
APPROVED: 10/20/2008
- WINCHESTER - PHASE 1 SITE PLAN AMENDMENT #8-20060290A
APPROVED: 12/01/2011
- SMTM/GOSNELL SITE PLAN #8-20060240
APPROVED: 09/29/2010
- WINCHESTER - PHASE 2 SITE PLAN #8-20110080
APPROVED: 12/01/2011
- STORMWATER MANAGEMENT POND 4, 5, 6, 11, 13, & FARM
APPROVED: 02/24/2010, 02/26/2010

PENDING APPROVAL

- WINCHESTER - PHASE 3 SITE PLAN #8-20120150
SUBMITTED: 03/16/2012
PENDING APPROVAL: 04/04/2013
- TOLL BROTHERS 1 SITE PLAN #8-20070140
SUBMITTED: 02/13/2007, 09/11/2012
PENDING APPROVAL: 04/18/2013
- TOLL BROTHERS 2 SITE PLAN #8-20100030
SUBMITTED: 11/24/2009, 09/11/2012
PENDING APPROVAL: 04/18/2013
- STORMWATER MANAGEMENT POND 1, 2, 3, 7, 8, 9
PENDING APPROVAL: 2/15/2013, 3/1/2013, 3/15/2013

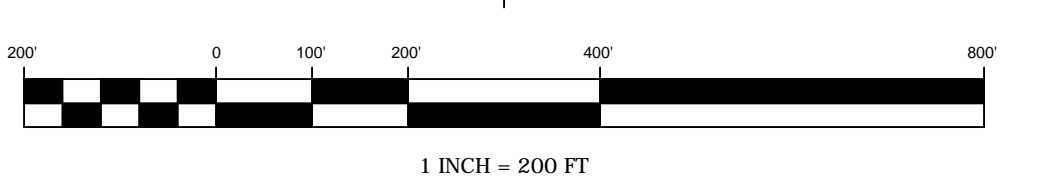
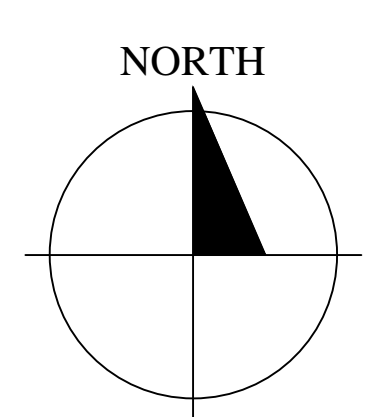
FUTURE ESD

- FUTURE DEVELOPMENT
- STORMWATER MANAGEMENT POND 12, 15



SITE PLAN & POND EXHIBIT
2/15/13

CABIN BRANCH
CLARKSBURG . MARYLAND



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www.rodgers.com
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N:\MD-Montgomery\Clarksbu Region\dev\Cabin Branch\Exhibits\Overall_Tracking\Pond & Site Plan Exhibit.dwg 36348 Feb 15, 2013, 2:19pm

CABIN BRANCH TDR ALLOCATION**Approved Development Plan Methodology****(Incorporated into Preliminary Plan and Infrastructure Site Plan)**

Total Units	1886
-Less MPDUs	-210
<u>Total Market Units</u>	<u>1676</u>

Base Density

403.1 ac RMX-1/TDR @ 2du/ac	=	806 units
(Original RMX-1/TDR area prior to rezoning)		
15 ac RE-1/TDR @ 1 du/ac	=	15 units
		821 units

<u>Market Density Above Base</u> (1676-821=855)	855 units
Less multifamily adjustment	-220 units
(1 TDR for 2 multifamily units = 439 ÷ 2 = 220)	
<u>Total TDRs</u>	<u>635</u>

TDR Adjustment for Increased Number of MPDUs (236 v. 210) at Infrastructure Site Plan

(26 additional MPDUs result in 26 fewer units requiring TDRs; no TDRs required for MPDUs)	
<u>Total TDRs</u>	<u>609</u>

TDR Allocation Among Properties

(Assuming 1886 units including 439 multifamily and 1447 single family, with 236 (235.75) MPDUs)

Gosnell, Adventist, Winchester (including Concordia)

Total Units	1261
-Less MPDUs (157.63)	-158
<u>Total Market Units</u>	<u>1103</u>

<u>Base Density</u>	573
---------------------	-----

<u>Market Density Above Base</u>	530
Less multifamily adjustment (306 ÷ 2 = 153)	-153
<u>Total TDRs</u>	<u>377**</u>

Toll Brothers

Total Units	625
-Less MPDUs (78.13)	-79
<u>Total Market Units</u>	<u>546</u>

<u>Base Density</u>	248
---------------------	-----

<u>Market Density Above Base</u>	298
-Less multifamily adjustment (133 ÷ 2 = 66)	-66
<u>Total TDRs</u>	<u>232</u>

*NOTE: Due to decimal rounding the total number of MPDUs and TDRs vary from the individual property allocations

CABIN BRANCH WIN 1 SITE PLAN TDR ALLOCATION

<u>Total Units</u>	440
Percent of Maximum dwelling Units (440-1261=34.89)	34.89%

Percentage applied to
 TDR requirement (34.89% x 377=131.53) = **132 TDRs required

CABIN BRANCH WIN 2 SITE PLAN TDR ALLOCATION

<u>Total Units</u>	341
Percent of Maximum dwelling Units (341-1261=27.04)	27.04%

Percentage applied to
 TDR requirement (27.04% x 377=101.94) = **102 TDRs required

CABIN BRANCH WIN 3 SITE PLAN TDR ALLOCATION

<u>Total Units</u>	185
Percent of Maximum dwelling Units (185-1261=14.67)	14.67%

Percentage applied to
 TDR requirement (14.67% x 377=55.30) = **56 TDRs required

CABIN BRANCH TOLL 1 & TOLL 2 SITE PLAN TDR ALLOCATION

<u>Total Units Toll 1 + Total Units Toll 2</u>	436 + 168= 604
Percent of Maximum dwelling Units (603-625=96.48)	96.48%

Percentage applied to
 TDR requirement (96.48% x 232=223.46) = **224 TDRs required

CABIN BRANCH - TOLL BROTHERS PHASE 1						
Recreational Requirements						
Demand						
	Factor	Tots D1	Children D2	Teens D3	Adults D4	Seniors D5
Number of units 436						
SFD III<7000 sf - (241 Units)	2.41	32	44	53	293	69
TH - (71 Units)	0.71	10	13	10	74	4
GARDEN - (124 Units)	1.24	14	18	15	151	20
SFD Demand Calculation		77.12	106.04	127.73	706.13	166.29
TH Demand Calculation		7.1	9.23	7.1	52.54	2.84
GARDEN Demand Calculation		17.36	22.32	18.6	187.24	24.8
Total Recreational demand		101.58	137.59	153.43	945.91	193.93
Required to provide 90% of demand	0.9	91.422	123.831	138.087	851.319	174.537
Supply						
Recreation Type		Tots D1	Children D2	Teens D3	Adults D4	Seniors D5
Tot Lot Supply Values - Dovekie Lawn						
Total Number of Tot Lots Provided	1	9	2	0	4	1
Tot Lot Total Supply Value		9	2	0	4	1
Multi-Age Play - Seneca Ellipse						
Total Number of Picnic / Sitting Areas Provided	1	1	1	1.5	5	2
Multi-Age Play Total Supply Value		9	11	3	7	1
Picnic / Sitting Area Supply Values						
Total Number of Picnic / Sitting Areas Provided	15	15	15	15	15	15
Picnic / Sitting Areas Total Supply Value		15	15	22.5	75	30
Open Play Area II Supply Values						
Total Number of Open Play Area I Provided	3	3	3	3	3	3
Open Play Area II Total Supply Value		9	12	12	30	3
Bike System Supply Values		0.05 x D1	0.10 x D2	0.15 x D3	0.15 x D4	0.10 x D5
Total Bike Systems Provided	1					
SFD III Bike System Provided	1	3.856	10.604	19.1595	105.9195	16.629
TH Bike System Provided	1	0.355	0.923	1.065	7.881	0.284
GARDEN Bike System Provided	1	0.868	2.232	2.79	28.086	2.48
Bike System Total Supply Value		5.079	13.759	23.0145	141.8865	19.393
Pedestrian System Supply Values		0.10 x D1	0.20 x D2	0.20 x D3	0.45 x D4	0.45 x D5
Total Pedestrian Systems Provided	1					
SFD III Pedestrian System Provided	1	7.712	21.208	25.546	317.7585	74.8305
TH Pedestrian System Provided	1	0.71	1.846	1.42	23.643	1.278
GARDEN Pedestrian System Provided	1	1.736	4.454	3.72	84.258	11.16
Pedestrian System Total Supply Value		10.158	27.518	30.686	425.6595	87.2685
Natural Areas Supply Values		0.00 x D1	0.05 x D2	0.10 x D3	0.10 x D4	0.05 x D5
Total Natural Areas Provided	1					
SFD III Natural Areas Provided	1	0	5.302	12.773	70.613	8.3145
TH Natural Areas Provided	1	0	0.4615	0.71	5.254	0.142
GARDEN Natural Areas Provided	1	0	1.116	1.86	18.724	1.24
Natural Areas Total Supply Value		0	6.8795	15.343	94.591	9.6965
Nature Trails Supply Values		0.05 x D1	0.10 x D2	0.15 x D3	0.15 x D4	0.15 x D5
Total Nature Trails Provided	1					
SFD III Nature Trails Provided	1	3.856	10.604	19.1595	105.9195	24.9435
TH Nature Trails Provided	1	0.355	0.923	1.065	7.881	0.426
GARDEN Nature Trails Provided	1	0.868	2.232	2.79	28.086	3.72
Nature Trails Total Supply Value		5.079	13.759	23.0145	141.8865	29.0895
Swimming Pool Supply Values		0.055 x D1	0.205 x D2	0.205 x D3	0.25 x D4	0.25 x D5
Total Swimming Pools Provided	2					
SFD III Swimming Pools Provided	2	8.4832	43.4764	52.3693	353.065	49.887
TH Swimming Pools Provided	2	0.781	3.7843	2.911	26.27	0.852
GARDEN Swimming Pools Provided	2	1.9096	9.1512	7.626	93.62	7.44
Swimming Pool Total Supply Value		11.1738	56.4119	62.9063	472.955	58.179
Wading Pool Supply Values		0.15 x D1	0.05 x D2	0.00 x D3	0.05x D4	0.05x D5
Total Wading Pools Provided	1					
SFD III Wading Pools Provided	1	11.568	5.302	0	35.3065	8.3145
TH Wading Pools Provided	1	1.065	0.4615	0	2.627	0.142
GARDEN Wading Pools Provided	1	2.604	1.116	0	9.362	1.24
Wading Pool Total Supply Value		15.237	6.8795	0	47.2955	9.6965
Indoor Community Space Supply Values		0.10 x D1	0.15 x D2	0.30 x D3	0.30x D4	0.40x D5
Total Indoor Community Spaces Provided	1					
SFD III Indoor Community Spaces Provided	1	7.712	15.906	38.319	211.839	66.516
TH Indoor Community Spaces Provided	1	0.71	1.3845	2.13	15.762	1.136
GARDEN Indoor Community Spaces Provided	1	1.736	3.348	5.58	56.172	9.92
Indoor Community Space Total Supply Value		10.158	20.6385	46.029	283.773	77.572
Total Supply Points		98.8848	185.8454	238.4933	1724.047	325.895
Total Demand Points Required		91.422	123.831	138.087	851.319	174.537
Regional Off-Site Supply- School Site						
Recreation Type		Tots	Children	Teens	Adults	Seniors
Softball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		2	15	15	30	2
Baseball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		2	15	15	30	2
Multi-Age Playground Supply Values						
Total Number of Tot Lots Provided	1	9	11	3	7	1
Supply Value		9	11	3	7	1
Total Off-Site Supply Points for School Site		13	41	33	67	5
35% of the Total Off-Site Supply Points		4.55	14.35	11.55	23.45	1.75
Regional Off-Site Supply- Local Park						
Recreation Type		Tots	Children	Teens	Adults	Seniors
Soccer Field- Regulation						
Total Number Provided	1	2	15	20	40	2
Supply Value		2	15	20	40	2
Tot Lot						
Total Number Provided	1	9	2	0	4	1
Supply Value		9	2	0	4	1
Play Lot						
Total Number of Tot Lots Provided	1	0	9	3	4	1
Supply Value		0	9	3	4	1
Sitting Area						
Total Number Provided	4	1	1	1.5	5	2
Supply Value		4	4	6	20	8
Picnic Area						
Total Number Provided	2	1	1	1.5	5	2
Supply Value		2	2	3	10	4
Open Play Area I						
Total Number of Tot Lots Provided	1	6	9	12	30	2
Supply Value		6	9	12	30	2
Total Off-Site Supply Points for Local Park		23	41	44	108	18
35% of the Total Off-Site Supply Points		8.05	14.35	15.4	37.8	6.3
Total On-Site & Off-Site Supply Points*		104.022	152.531	165.037	912.569	182.587
Total Demand Points Required		91.422	123.831	138.087	851.319	174.537

CABIN BRANCH - TOLL BROTHERS PHASE 2						
Recreational Requirements						
Demand						
	Factor	Tots D1	Children D2	Teens D3	Adults D4	Seniors D5
Number of units 168						
SFD III<7000 sf - (128 Units)	1.28	32	44	53	293	69
TH - (40 Units)	0.4	10	13	10	74	4
SFD Demand Calculation		40.96	56.32	67.84	375.04	88.32
TH Demand Calculation		4	5.2	4	29.6	1.6
Total Recreational demand		44.96	61.52	71.84	404.64	89.92
Required to provide 90% of demand	0.9	40.464	55.368	64.656	364.176	80.928
Supply						
Recreation Type		Tots D1	Children D2	Teens D3	Adults D4	Seniors D5
Tot Lot Supply Values						
Number of Tot Lots Provided	1	1	1	1	1	1
Supply Value		9	2	0	4	1
Picnic / Sitting Area Supply Values						
Total Number of Picnic / Sitting Areas Provided	11	11	11	11	11	11
Picnic / Sitting Areas Total Supply Value		11	11	16.5	55	22
Open Play Area I Supply Values						
Total Number of Open Play Area I Provided	2	2	2	2	2	2
Open Play Area I Total Supply Value		12	18	24	60	4
Bike System Supply Values						
Total Bike Systems Provided	1	0.05 x D1	0.10 x D2	0.15 x D3	0.15 x D4	0.10 x D5
SFD III Bike System Provided	1	2.048	5.632	10.176	56.256	8.832
TH Bike System Provided	1	0.2	0.52	0.6	4.44	0.16
Bike System Total Supply Value		2.248	6.152	10.776	60.696	8.992
Pedestrian System Supply Values						
Total Pedestrian Systems Provided	1	0.10 x D1	0.20 x D2	0.20 x D3	0.45 x D4	0.45 x D5
SFD III Pedestrian System Provided	1	4.096	11.264	13.568	168.768	39.744
TH Pedestrian System Provided	1	0.4	1.04	0.8	13.32	0.72
Pedestrian System Total Supply Value		4.496	12.304	14.368	182.088	40.464
Natural Areas Supply Values						
Total Natural Areas Provided	1	0.00 x D1	0.05 x D2	0.10 x D3	0.10 x D4	0.05 x D5
SFD III Natural Areas Provided	1	0	2.816	6.784	37.504	4.416
TH Natural Areas Provided	1	0	0.26	0.4	2.96	0.08
Natural Areas Total Supply Value		0	3.076	7.184	40.464	4.496
Nature Trails Supply Values						
Total Nature Trails Provided	1	0.05 x D1	0.10 x D2	0.15 x D3	0.15 x D4	0.15 x D5
SFD III Nature Trails Provided	1	2.048	5.632	10.176	56.256	13.248
TH Nature Trails Provided	1	0.2	0.52	0.6	4.44	0.24
Nature Trails Total Supply Value		2.248	6.152	10.776	60.696	13.488
Total Supply Points*		40.992	58.684	83.604	2008.4	94.44
Total Demand Points Required		40.464	55.368	64.656	364.176	80.928
Regional Off-Site Supply- School Site						
Recreation Type		Tots	Children	Teens	Adults	Seniors
Softball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		1	1	1	1	1
Baseball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		1	1	1	1	1
Multi-Age Playground Supply Values						
Total Number of Tot Lots Provided	1	9	11	3	7	1
Supply Value		1	1	1	1	1
Total Off-Site Supply Points for School Site		13	41	33	67	5
35% of the Total Off-Site Supply Points		4.55	14.35	11.55	23.45	1.75
Regional Off-Site Supply- School Site						
Recreation Type		Tots	Children	Teens	Adults	Seniors
Softball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		1	1	1	1	1
Baseball- Junior Supply Values						
Total Number Provided	1	2	15	15	30	2
Supply Value		1	1	1	1	1
Multi-Age Playground Supply Values						
Total Number of Tot Lots Provided	1	9	11	3	7	1
Supply Value		1	1	1	1	1
Total Off-Site Supply Points for School Site		13	41	33	67	5
35% of the Total Off-Site Supply Points		4.55	14.35	11.55	23.45	1.75
Regional Off-Site Supply- Community Center						
Recreation Type		Tots	Children	Teens	Adults	Seniors
Swimming Pool						
Total Swimming Pools Provided	1	0.05 x D1	0.20 x D2	0.20 x D3	0.25 x D4	0.15 x D5
SFD III Nature Trails Provided	1	0.3	1.8	2.4	7.5	0.3
TH Nature Trails Provided	1	0.1	0.4	0.4	0.5	0.3
Supply Value		0.4	2.2	2.8	8	0.6
Wading Pool						
Total Nature Trails Provided	1	0.15 x D1	0.05 x D2	0.00 x D3	0.05 x D4	0.05 x D5
SFD III Nature Trails Provided	1	0.9	0.45	0	1.5	0.1
TH Nature Trails Provided	1	0.3	0.1	0	0.1	0.1
Supply Value		1.2	0.55	0	1.6	0.2



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 Fax 301.495.1306

SITE PLAN APPLICATION

Initial Application Final Application Revised Application Amendment

M-NCPPC Staff Use Only			
File Number	8 20070140	Fee (attach worksheet)	_____
Date Application Received	_____	Fee Received by	_____
MCPB Hearing Date	_____	DRC Meeting Date	_____
Reviewer's Name	_____		

An application will not be accepted for review unless all required information and fees are provided. If an item requires more space, attach a separate sheet.

Site Plan Name : Cabin Branch, Toll Brothers- Phase 1 Acres 80.73 Sq.ft. 3,516,598

200 scale Base Map # 230NW14 Tax Map # EV22 Special Protection Area Clarksburg SPA

Property Tax Account Number(s) associated with the plan (8 digits)

A. 00022666 B. _____ C. _____ D. _____ E. _____
 F. _____ G. _____ H. _____ I. _____ J. _____

Location: (Complete either A or B)

A. On _____, _____ feet _____ of _____
Street Name (N,S,E,W etc.) Nearest Intersecting Street

B. NW quadrant, intersection of 1270 _____ and West Old Baltimore Road
(N,S,E,W etc.) Street Name Street Name

Subdivision Information: (Complete either C, if located within a recorded subdivision, or D)

C. Lot _____ Block _____ Subdivision _____

D. Parcel 333 Liber 34809 Folio 529; Parcel _____ Liber _____ Folio _____; Parcel _____ Liber _____ Folio _____

Applicant (Owner, Owner's Representative, or Contract Purchaser – check applicable; written verification required if not the owner.)

Toll MD X Limited Partnership Tom Mateya
Name Contact Person

7164 Columbia Gateway Drive, Suite 230
Street Address

Columbia MD 21046
City State Zip Code

(410) 872-9105 (410) 872-9141 tmateya@tollbrothersinc.com
Telephone Number ext. Fax Number E-mail

Owner (If Applicant is a representative or contract purchaser, list owner here)

Same as Applicant
Name Contact Person

Street Address

City State Zip Code

Telephone Number ext. Fax Number E-mail



Engineer or Surveyor

Rodgers Consulting, Inc.		Gary F. Unterberg	
<i>Name</i>		<i>Contact Person</i>	
19847 Century Boulevard, Suite 200			
<i>Street Address</i>			
Germantown		MD	20874
<i>City</i>		<i>State</i>	<i>Zip Code</i>
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<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Architect

Toll Brothers, Inc.		Tom Mateya	
<i>Name</i>		<i>Contact Person</i>	
7164 Columbia Gateway Drive, Suite 230			
<i>Street Address</i>			
Columbia		MD	21046
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(410) 872-9105	(410) 872-9141	tmateya@tollbrothersinc.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Landscape Architect

Rodgers Consulting, Inc.		Gary F. Unterberg	
<i>Name</i>		<i>Contact Person</i>	
19847 Century Boulevard, Suite 200			
<i>Street Address</i>			
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<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Attorney

Linowes & Blocher, LLP		Scott Wallace	
<i>Name</i>		<i>Contact Person</i>	
7200 Wisconsin Avenue, Suite 800			
<i>Street Address</i>			
Bethesda		MD	20814
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 961-5157	(301) 654-2801	bsears@linowes-law.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Development Information: (See attached Submission Requirements, section 5)

Method of Development: Standard Cluster MPDU TDRs, # 162 Optional

Attach separate sheet with TDR serial numbers (example 10-6222)

Zoning	Overlay Zone	Acres	Development Type Code	Existing/ Previously Approved Resid'l du/ Comm'l sl	Retained Resid'l du/ Comm'l sl	Proposed Resid'l du/ Comm'l sl	*	MPDU du	Other Affordable Housing du	Age Restricted Housing du	Senior Housing du	# of Lots	# of Out-lots
MXPD		12.88	TW	0	0	61		0	0	0	0	61	0
MXPD			GR	0	0	128		64	0	0	0	128	0
RMX1/TDR		67.85	SF	0	0	239		0	0	0	0	239	0
RMX1/TDR			TW	0	0	6		2	0	0	0	6	0
Total plan acres		80.73	Total Resid'l	0	0	434	1886	66	0	0	0	434	0
			Total Comm'l	0	0	0						0	0
* Maximum number of dwelling units (du) allowed by zoning ↑ (make only 1 entry per zone)													

Areas Dedicated to Public Use:

Road ROWs	Other ROWs	Schools	Parks	Other	Total
14.63	0.00	0.00	18.61	13.71	46.95

Supplementary Information:

Previous Plan Submittals: (enter information, if applicable)

Zoning case: _____ Date granted 09 / 09 / 2003 Case No. G - 806
 Approved Development Plan or _____ Date granted ____ / ____ / ____ Case No. DPA - _____
 Approved Schematic Development Plan: _____ Date granted ____ / ____ / ____ Case No. _____ - _____
 Special Exception: _____ Date granted ____ / ____ / ____ Case No. _____ - _____
 Variance: _____ Case No. A- _____
 NRI/FSD Name: Cabin Branch File Number 4- 2002009R
 Project Plan Name: _____ File Number 9- _____
 Pre-Application Name: _____ File Number 7- _____
 Preliminary Plan Name: Cabin Branch File Number 1- 2003110B
 Previously Approved Site Plan Name: Cabin Branch- Infrastructure Site Plan File Number 8- 2005015B
 Planning Board Resolution/Opinion Date: 03 / 07 / 2012

Status: Void Extended to (date) ____ / ____ / ____ Withdrawn Amended by this application

If resubdivision of record lots, enter M-NCPPC record plat book & page numbers: _____ - _____

Describe the nature of the amendment or revision, if applicable. (Note: This form applies only to full plan amendments.) Attached

Is this site plan being reviewed concurrently with? Project Plan 9 _____
 Site Plan 8 _____
 Preliminary Plan 1 _____

Has the applicant had any pre-submission meetings with M-NCPPC staff? Yes No
 Name of Staff: Mary Beth O'Quinn, John Carter Date of meeting(s): 07/20/12 (Submit minutes)
 Is this plan being reviewed as a "Green Tape" project for affordable housing? Yes No
 Is the property in the Locational Atlas and Index of Historic Sites? Yes No

Does this project use deed transfers from other properties, if yes, list the property ID Nos. Yes No

1. _____ 2. _____ 3. _____ 4. _____ 5. _____
6. _____ 7. _____ 8. _____ 9. _____ 10. _____

Is the property in the Master Plan for Historic Preservation? Yes No

Is the property in an incorporated municipality? Yes, _____ No

Is the property in a special taxing district? Yes, _____ No

Waiver(s) requested, if any Yes, _____ No

(Identify code section and address in the Statement of Justification) Justification attached

Legal restrictions on property not shown on plan, if any* (See Submission Requirements, section 4.17)

*MNCPPC does not enforce easements and any other private legal agreements.

Stormwater management concept plan approval date: 05/13/04

Electric service provided by: Allegheny Power BG&E PEPCO

Requested Waivers: (if any)

Parking Waiver

Zoning Ordinance Section 59-E- _____

Description of waiver request:

Other Waivers

Zoning Ordinance Section 59- _____

Description of waiver request:

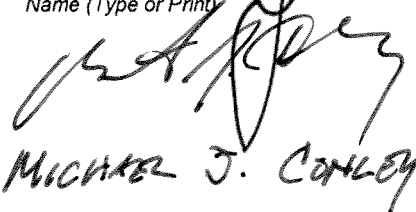
Applicant hereby certifies that he/she is the sole owner of the subject property, otherwise legally authorized to represent the owner(s) (written verification provided), or is a contract purchaser authorized to submit this application by the property owner (written verification provided). Applicant hereby acknowledges that the 60-day time allotted for review by the Planning Board, as set forth in Section 50-35(f) of the Subdivision Regulation, will not commence until final plan drawings and all supporting information necessary for a decision on the subject application is provided to the Montgomery County Department of Planning so that it can be referred to the appropriate agencies for final comment.

Signature of Applicant (Owner, Owner's Representative or Contract Purchaser)

 General Mgr. Chase Branch Mt. LLC 3-19-13
Signature Date

John Harris

Name (Type or Print)

 V.P. WINCHESTER HOMES, INC. 3-19-13
MICHAEL J. CONLEY

Checklist

See Submission Requirements for more details about the items below:

Initial Applications: submit only 2 copies of relevant items below

1. General Information

- 1.1 Complete application form and checklist.....
- 1.2 Complete fee schedule and worksheet.....
- 1.3 Short description of plan, including current conditions and what is being proposed. Description should include acreage of total site, coverage, number of square feet and/or units.....
- 1.4 Statement of Justification to support approval of the subject application and for waiver(s) or variance of zoning, subdivision or road code requirements necessary for plan to be approved, if any
- 1.5 Certificate of Compliance attesting that application conforms to all applicable federal, state and local laws and regulations.....

2. Outreach Information:

- 2.1 Notice List prepared in conformance with the Manual of Development Review Procedures on printer labels and paper copy of labels
- 2.2 Copy of the application notice letter
- 2.3 Pre-submission Meeting information, including:
 - 2.3.1 Affidavit with meeting time, date and location.....
 - 2.3.2 Copy of invitation letter
 - 2.3.3 List of meeting participants and copy of attendee sign-in sheet..
 - 2.3.4 Copy of meeting minutes.....
- 2.4 Site Posting Information, including:
 - 2.4.1 Notarized affidavit with location and date of sign posting.....
 - 2.4.2 Plan drawing with location of sign(s) (8"x11").....
 - 2.4.3 Photograph of posted sign with date stamp.....

3. Supporting Information and Drawings

- 3.1 Copy of proposed or approved Preliminary Plan and/or previous Site Plan and their opinions (59-D-3.21), Certified Development Plan, County Council resolutions for rezoning cases and Development Plans; Board of Appeals resolutions for Special Exceptions and variance, if applicable.....
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- 3.4 Executed covenants for Optional Method Zoning Application (59-H-2.54(d)), if applicable
- 3.5 Local Area Map, at 1" = 200', showing area within 1,000' of site....
 - a. Topography at five-foot contour intervals, including landfills.
 - b. All existing buildings and structures.
 - c. Highways, streets, and private roads including grades, median breaks, and curb cuts.
 - d. Master-planned ROWs and easements affecting the site.
 - e. Any natural features, e.g. rock outcroppings or scenic views not included in the NRI/FSD.

No. Copies	Engineer/Surveyor	M-NCPPC Staff
	Submitted or Waived By	Accepted or Not Accepted
1	Submitted	
1	Submitted	
2	Submitted	
12	Submitted	
2	Submitted	
2 sets of labels & 1 paper copy	Submitted	
2	Submitted	
1	Submitted	
1	Submitted	
1	Submitted	
1	Submitted	
	Submitted	
1	Submitted	
1	Submitted	
1	Submitted	
1	Submitted	
1	n/a	
1	n/a	
1	n/a	
1	Submitted	

- 3.6 Copy of approved Natural Resources Inventory/Forest Stand Delineation.....
- 3.7 Documents required by prior approval conditions (i.e. noise study, traffic study).....
- 3.8 PDF image of the proposed composite Site Plan and the composite Landscape/Lighting Plan; related approved Preliminary Plan and/or Development Plan; approved NRI/FSD if Preliminary Plan not required for this Site Plan application, Final FCP.....

4. Plan Drawings

- 4.1 Plan of proposed development titled "Site Plan", at 1" = 30', showing the following (unless waived by the Planning Director at time of application as being unnecessary because of the limited scope of the proposal) and addressing all conditions of prior approvals:.....
 - a. Vicinity Map, at 1" = 2,000' (shown on Site Plan)
 - b. The location, height, ground coverage and use of all structures
 - c. Data table showing proposed development data compared to requirements of the Zoning Ordinance, master plans, development plan, preliminary plan or supplementary plan, as applicable (see examples)
 - d. Table showing recreation facilities computations, including off-site facilities for which credit is sought (see example)
 - e. TDR,MPDU and Wokforce Housing calculations, if applicable (see example)
 - f. The location of all green areas, including recreational areas, natural feature preservation areas, community open space areas, and other open spaces
 - g. The location of all public schools, parks, and other community recreational facilities, indicating the location and use of all land to be dedicated to public use
 - h. The location and dimensions of all roads, streets, driveways, parking facilities, loading spaces with dumpster locations, points of access to surrounding streets, easements, pedestrian walks, bike and sidewalk connections to off-site network, proposed road sections for stream crossings including conveyance through section.
 - i. A grading plan
 - j. The location of all sewer, water, gas, electric, telephone, and storm drainage lines; all easements and rights-of-way, existing or proposed; all off-site utility connections and all utility structures (on a separate drawing if necessary)
 - k. Adjacent property information within 100'; including zoning, location, height and use of structures, and other site features
 - l. Applicant's signature block
 - m. Graphic scale
- 4.2 Site Plan composite sheet
- 4.3 A Landscape Plan, so titled, showing all man-made features (including storm drainage system and street light poles) and the location, height or caliper, and species of all plant material to be preserved, transplanted, or planted; including R.O.W. plantings and off-site plantings pursuant to Final Forest Conservation Plan ...

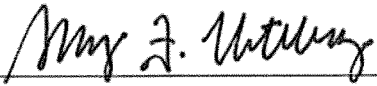
6	Submitted	
2	Submitted	
1	Submitted	
30	Submitted	
2	Submitted	
12	Submitted	

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- 4.5 Grading feasibility study of MCPS school sites to be dedicated, and certification of environmental acceptability
- 4.6 Final Forest Conservation Plan and Worksheet, including tree survey of 24" diameter and greater trees within 50' either side of the limit of disturbance or FCP Exemption letter.....
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- 4.8 Proposed Storm Drainage Area, so titled, at 1" = 30', and computations, if separate drawing.....
- 4.9 Proposed Sediment Control Plan, so titled, at 1" = 30', including tree protection measures, if separate drawing.....
- 4.10 Architectural schematic plans and elevations for buildings and structured parking, identifying height, general description, phasing and signage, as required by staff

7	Submitted	
2	n/a	
8	Submitted	
10	Submitted	
10	Submitted	
5	Submitted	
1 full size/11 x 17 size	Submitted	

The engineer or surveyor hereby certifies that all required information for the submission of a site plan has been included with this application.

Signature of Engineer/Surveyor


 Signature

11/8/12
 Date

Gary F. Unterberg
 Name (Type or Print)



6905 Rockledge Drive, Suite 800
Bethesda, Maryland 20817
Tel (301) 803-4800
Toll Free: (800) 527-8558
Fax (301) 803-4929

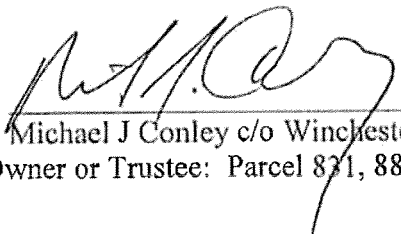
October 24, 2012

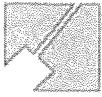
Mr. John Carter
Ms. Marybeth O'Quinn
MNCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

**Re: Cabin Branch- Toll Brothers Phase 1 Site Plan &
Cabin Branch- Toll Brothers Phase 2 Site Plan
Clarksburg, Maryland**

We hereby authorize John Harris of Toll MD X Limited Partnership to execute the Site Plan and all affiliated applications for the Cabin Branch- Toll Brothers Phase 1 Site Plan and the Cabin Branch- Toll Brothers Phase 2 Site Plan, on behalf of the title owners/trustees of the Winchester Homes, Inc. Properties at Cabin Branch.

Should you have any questions or comments, please do not hesitate to call Michael Conley or Sylke Knuppel at 301-803-4800.

By: 
Name: Michael J Conley c/o Winchester Homes, Inc.
Title Owner or Trustee: Parcel 831, 880, 889, 941



8787 Georgia Avenue
 Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4595
 Fax 301.495.1306

SITE PLAN APPLICATION

Initial Application Final Application Revised Application Amendment

M-NCPPC Staff Use Only			
File Number	8 20100030	Fee (attach worksheet)	_____
Date Application Received	_____	Fee Received by	_____
MCPB Hearing Date	_____	DRC Meeting Date	_____
Reviewer's Name	_____		

An application will not be accepted for review unless all required information and fees are provided. If an item requires more space, attach a separate sheet.

Site Plan Name : Cabin Branch, Toll Brothers- Phase 2 Acres 46.35 Sq.ft. 2,019,006

200 scale Base Map # 230NW14 Tax Map # EV22 Special Protection Area Clarksburg SPA

Property Tax Account Number(s) associated with the plan (8 digits)

A. 00022666 B. _____ C. _____ D. _____ E. _____
 F. _____ G. _____ H. _____ I. _____ J. _____

Location: (Complete either A or B)

A. On _____, _____ feet _____ of _____
Street Name (N,S,E,W etc.) Nearest Intersecting Street

B. NW quadrant, intersection of I 270 and West Old Baltimore Road
(N,S,E,W etc.) Street Name Street Name

Subdivision Information: (Complete either C, if located within a recorded subdivision, or D)

C. Lot _____ Block _____ Subdivision _____

D. Parcel 333 Liber 34809 Folio 529 ; Parcel _____ Liber _____ Folio _____ ; Parcel _____ Liber _____ Folio _____

Applicant (Owner, Owner's Representative, or Contract Purchaser – check applicable; written verification required if not the owner.)

Toll MD X Limited Partnership Tom Mateya
Name Contact Person

7164 Columbia Gateway Drive, Suite 230
Street Address

Columbia MD 21046
City State Zip Code

(410) 872-9105 (410) 872-9141 tmateya@tollbrothersinc.com
Telephone Number ext. Fax Number E-mail

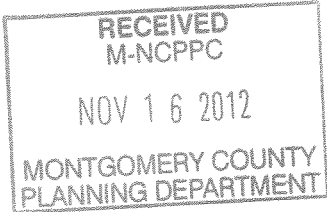
Owner (If Applicant Is a representative or contract purchaser, list owner here)

Same as Applicant
Name Contact Person

Street Address

City State Zip Code

Telephone Number ext. Fax Number E-mail



Engineer or Surveyor

Rodgers Consulting, Inc.		Gary F. Unterberg	
<i>Name</i>		<i>Contact Person</i>	
19847 Century Boulevard, Suite 200			
<i>Street Address</i>			
Germantown		MD	20874
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 948-4700	(301) 948-6256	gunterberg@rodgers.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Architect

Toll Brothers, Inc.		Tom Mateya	
<i>Name</i>		<i>Contact Person</i>	
7164 Columbia Gateway Drive, Suite 230			
<i>Street Address</i>			
Columbia		MD	21046
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(410) 872-9105	(410) 872-9141	tmateya@tollbrothersinc.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Landscape Architect

Rodgers Consulting, Inc.		Gary F. Unterberg	
<i>Name</i>		<i>Contact Person</i>	
19847 Century Boulevard, Suite 200			
<i>Street Address</i>			
Germantown		MD	20874
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 948-4700	(301) 948-6256	gunterberg@rodgers.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Attorney

Linowes & Blocher, LLP		Scott Wallace	
<i>Name</i>		<i>Contact Person</i>	
7200 Wisconsin Avenue, Suite 800			
<i>Street Address</i>			
Bethesda		MD	20814
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 961-5157	(301) 654-2801	bsears@linowes-law.com	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

Development Information: (See attached Submission Requirements, section 5)

Method of Development: Standard Cluster MPDU TDRs, # 162 Optional

Attach separate sheet with TDR serial numbers (example 10-6222)

Zoning	Overlay Zone	Acres	Development Type Code	Existing/Previously Approved Resid'l du/Comm'l sf	Retained Resid'l du/Comm'l sf	Proposed Resid'l du/Comm'l sf	*	MPDU du	Other Affordable Housing du	Age Restricted Housing du	Senior Housing du	# of Lots	# of Out-lots
RMX17	DR	46.35	SF	0	0	128		0	0	0	0	128	0
RMX17	DR		TW	0	0	40		10	0	0	0	40	0
Total plan acres		46.35	Total Resid'l	0	0	168	1886	10	0	0	0	168	0
			Total Comm'l	0	0	0						0	0

* Maximum number of dwelling units (du) allowed by zoning ↑ (make only 1 entry per zone)

Areas Dedicated to Public Use:

Road ROWs	Other ROWs	Schools	Parks	Other	Total
4.97	0.00	0.00	13.23	10.91	29.11

Supplementary Information:

Previous Plan Submittals: (enter information, if applicable)

Zoning case: _____ Date granted 09 / 09 / 2003 Case No. G - 806
 Approved Development Plan or _____ Date granted _____ Case No. DPA - _____
 Approved Schematic Development Plan: _____ Date granted _____ Case No. _____
 Special Exception: _____ Date granted _____ Case No. _____
 Variance: _____ Case No. A- _____
 NRI/FSD Name: Cabin Branch File Number 4- 2002009R
 Project Plan Name: _____ File Number 9- _____
 Pre-Application Name: _____ File Number 7- _____
 Preliminary Plan Name: Cabin Branch File Number 1- 2003110B
 Previously Approved Site Plan Name: Cabin Branch- Infrastructure Site Plan File Number 8- 2005015B
 Planning Board Resolution/Opinion Date: 03 / 07 / 2012

Status: Void Extended to (date) _____ / _____ / _____ Withdrawn Amended by this application

If resubdivision of record lots, enter M-NCPPC record plat book & page numbers: _____ - _____

Describe the nature of the amendment or revision, if applicable. (Note: This form applies only to full plan amendments.) Attached

Is this site plan being reviewed concurrently with? Project Plan 9 _____
 Site Plan 8 _____
 Preliminary Plan 1 _____

Has the applicant had any pre-submission meetings with M-NCPPC staff? Yes No
 Name of Staff: Mary Beth O'Quinn, John Carter Date of meeting(s): 07/20/12 (Submit minutes)
 Is this plan being reviewed as a "Green Tape" project for affordable housing? Yes No
 Is the property in the Locational Atlas and Index of Historic Sites? Yes No

Does this project use deed transfers from other properties, if yes, list the property ID Nos. Yes No

1. _____ 2. _____ 3. _____ 4. _____ 5. _____
6. _____ 7. _____ 8. _____ 9. _____ 10. _____

Is the property in the Master Plan for Historic Preservation? Yes No

Is the property in an incorporated municipality? Yes, _____ No

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Waiver(s) requested, if any Yes, _____ No

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Stormwater management concept plan approval date: 05/13/04

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Zoning Ordinance Section 59-E- _____

Description of wavier request:

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Signature of Applicant (Owner, Owner's Representative or Contract Purchaser)

General Mgr. CABIN BRANCH MORT. LLC 3-19-13
Signature Date

John Harris
Name (Type or Print)

V.P. WINCHESTER HOMES, INC. 3-19-13
MICHAEL J. CONLEY

Checklist

See Submission Requirements for more details about the items below:

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The engineer or surveyor hereby certifies that all required information for the submission of a site plan has been included with this application.

Signature of Engineer/Surveyor



 Signature

11/8/12

 Date

Gary F. Unterberg

 Name (Type or Print)



6905 Rockledge Drive, Suite 800
Bethesda, Maryland 20817
Tel (301) 803-4800
Toll Free: (800) 527-8558
Fax (301) 803-4929

October 24, 2012

Mr. John Carter
Ms. Marybeth O'Quinn
MNCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

**Re: Cabin Branch- Toll Brothers Phase 1 Site Plan &
Cabin Branch- Toll Brothers Phase 2 Site Plan
Clarksburg, Maryland**

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Should you have any questions or comments, please do not hesitate to call Michael Conley or Sylke Knuppel at 301-803-4800.

By: 

Name: Michael J Conley c/o Winchester Homes, Inc.
Title Owner or Trustee: Parcel 831, 880, 889, 941



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

OCT 6 2008

MCPB No. 08-117
Preliminary Plan No. 12003110B
Cabin Branch Amendment B
Date of Hearing: April 3, 2008

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION¹

WHEREAS, pursuant to Montgomery County Code Chapter 50, the Montgomery County Planning Board ("Planning Board" or "Board") is vested with the authority to review preliminary plan applications; and

WHEREAS, on July 2, 2004, Cabin Branch, LLC, ("Applicant"), filed an application to amend a previously approved preliminary plan of subdivision that was approved for 1,600 residential dwelling units, 1,538,000 square feet of commercial space and 500 dwelling units for senior housing to allow an additional 286 residential dwelling units and an additional 882,000 square feet of commercial space for a total of 1,886 residential dwelling units, 2,420,000 square feet of commercial space and 500 dwelling units for senior housing on 540 acres of land located on property generally bordered by MD Route 121 to the west and north, Interstate 270 to the east and West Old Baltimore Road to the south ("Property" or "Subject Property"), in the Clarksburg Planning Area ("Master Plan"); and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 12003110B, Cabin Branch Amendment B ("Preliminary Plan" or "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum ("Staff Report"), to the Planning Board, dated March 21, 2008, setting forth its analysis, and recommendation for approval of the Application, subject to certain conditions; and

DAC 9/19/08
Approved for legal sufficiency
M-NCPPC Office of General Counsel

¹ This Resolution constitutes the written opinion of the Board in this matter and satisfies any requirement under the Montgomery County Code for a written opinion.

WHEREAS, on April 3, 2008, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, the Planning Board held a public hearing ("Hearing") on the Application; and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the Hearing, the Planning Board approved the Application subject to certain conditions, on motion of Commissioner Bryant; seconded by Commissioner Robinson; with a vote of 3-0, Commissioners Bryant, Hanson, and Robinson voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan Amendment No. 12003110B, to allow 286 additional residential dwelling units and 886,000 square feet of additional commercial space on the Property, subject to the following conditions which supersede, in their entirety, any and all previously approved conditions of approval:

- 1) Applicant is bound by all binding elements for Local Map Amendment G-806.
- 2) Total development under this Application is limited to the following uses and density:
 - 1,886 residential dwelling units
 - 2,420,000 square feet of commercial space
 - 500 dwelling units of senior housing
- 3) The Applicant shall satisfy the following transportation improvements:

To satisfy Policy Area Transportation Review for the approved development under the original approval, the Applicant must:

- a. Construct, in accordance with the staging sequence referenced below, Newcut Road as a four-lane divided arterial roadway between West Old Baltimore Road and the eastern business district roadway parallel to I-270.
- b. Upgrade, in accordance with the staging sequence referenced below, West Old Baltimore Road to a two-lane arterial roadway standard between Broadway Avenue and Clarksburg Road (MD 121), as outlined in the Department of Public Works and Transportation's (now, Department of Transportation or "DOT") March 10, 2008, letter to M-NCPPC.

- c. Construct, in accordance with the staging sequence referenced below, two parallel, two-lane business district roadways between Newcut Road and MD 121 in lieu of a four-lane divided arterial roadway.
- d. Upgrade, in accordance with the staging sequence referenced below, MD 121 to an arterial roadway standard between West Old Baltimore Road and I-270 and upgrade the interchange ramps of MD 121 and I-270 that provides for six-lanes of traffic (both ways) on the MD 121 bridge over I-270.

To satisfy Local Area Transportation Review (LATR) for the total build out of development, the Applicant must also provide the following improvements:

- e. Construct, in accordance with the staging sequence referenced below, the following improvement at the MD 121/I-270 northbound on/off ramp:
 - Add a northbound left-turn lane to provide for dual left turn lanes.
 - Add a separate westbound left-turn lane.
 - Signalize the intersection.
 - Widen the Clarksburg Road bridge (MD 121) over I-270 to accommodate one additional through lane in each direction and a media island subject to SHA's requirements.
 - Add a westbound through lane on MD 121. This third westbound through lane would be dropped at the I-270 southbound loop ramp.
 - Add eastbound right-turn lane for I-270 northbound ramp.
 - Provide two lanes on the I-270 northbound ramp.
 - Provide non-automobile transportation amenities which include 2 LED traffic signals, 2 bus shelters, 1 super bus shelter, (defined as a larger than standard bus shelter with heating and lighting), and 3 bike lockers subject to approval by DPWT. If any of the non-auto amenities described here are not acceptable to DPWT, the Applicant must provide other improvements (at the discretion of M-NCPPC-Transportation Planning staff) equal to mitigating the same level of traffic to pass LATR.

- f. Construct, in accordance with the staging sequence referenced below, the following improvements at the MD 121/I-270 southbound on/off ramp:
- Add a westbound through lane.
 - Signalize the intersection.
 - Add an eastbound lane to southbound on-ramp I-270.
- g. Construct, in accordance with the staging sequence referenced below, the following improvements along the MD 121 frontage:
- Six-lane roadway section from the I-270 southbound on/off ramp intersection to the first site entrance (Street "A"/Whelan Lane). The entrance would include a two-lane roundabout with right-turn bypass lanes to add and drop the third lane for Clarksburg Road.
 - Four-lane roadway between Street "A"/Whelan Lane and First Avenue.
 - Two-lane section from First Avenue to West Old Baltimore Road and roundabout at West Old Baltimore Road at this intersection.

The preceding roadway improvements (3a through 3g) must be constructed in accordance with the sequence described in the Cabin Branch Roadway Improvement Phasing Table and associated Diagram dated March 20, 2008 (see Attachment to this Resolution). Construction of all roadway improvements tied to each phase must be complete and open to traffic prior to the issuance of any building permit for the next phase of development.

- h. Construct the following improvements at the MD 121/Gateway Center Drive intersection:
- Reconfigure the existing intersection to provide two lanes for through movement to, and from, the east.

This improvement must be complete and open to traffic prior to the issuance of building permits for the 1400th residential unit (not including the 500 senior housing units) and for more than 1,500,000 square feet of commercial space.

i. Construct the following improvements at the Stringtown Road Extended/
Gateway Center Drive intersection:

- Widen eastbound Stringtown Road Extended to provide dual left-turn lanes.
- Convert a southbound Gateway Center Drive through/right lane in to a through lane and construct a free right turn lane with a channelized median.

These improvements must be complete and open to traffic prior to the issuance of building permits for the 1400th residential unit (not including the 500 senior housing units) and for more than 1,500,000 square feet of commercial space.

j. Construct or participate on a pro rata share in the following improvements at the MD 121/Frederick Road (MD 355) intersection:

- Re-stripe northbound MD 355 to convert from a through-right and a right-turn lane to a through-left and a right-turn lane.
- Modify the traffic signal to meet the requirements of SHA traffic operation with new lane configuration.

These improvements must be complete and open to traffic prior to the issuance of building permits for the 1400th residential unit (not including the 500 senior housing units) and for more than 1,500,000 square feet of commercial space.

k. Construct or participate on a pro rata share in the following improvements at the MD 355/West Old Baltimore Road intersection:

- Widen eastbound approach of West Old Baltimore Road to provide for a separate right-turn lane
- Widen the northbound approach of MD 355 to provide for a separate left-turn lane and a three-lane section on MD 355 between West Old Baltimore Road and Brink Road.
- Widen southbound approach of MD 355 to provide separate right-turn lane at West Old Baltimore Road.

These improvements must be complete and open to traffic prior to the issuance of building permits for the 1400th residential unit (not including the 500 senior housing units) and for more than 1,500,000 square feet of commercial space.

- I. Construct or participate on a pro rata share in the following improvement to MD 355 at Brink Road.
 - Widen MD 355 south of Brink Road to a four-lane divided section to join the existing four-lane section at Willstone Manor Lane.

This improvement shall be complete and open to traffic before the issuance of 1400th residential building permit and for more than 570,000 square feet of commercial space.

- m. Prior to the issuance of 1,256 residential building permits (not including the 500 units of senior housing), widen the MD 121 northbound off-ramp to 2 lanes. Should the construction of a grade separated interchange at Newcut Road/I-270 be funded in the Maryland Consolidated Transportation Program by the time that the Applicant has obtained bids for the widening of the northbound off-ramp, the Applicant shall then transfer to SHA a sum equal to the actual bid cost of construction for the northbound off-ramp improvement for use in construction of the Newcut Road/I-270 interchange and such contribution shall be considered as having met the Applicant's obligation for such improvement.
 - n. If any of the road improvements identified in the above paragraphs either are now, or become obligations of other projects, applicants of other projects may participate in the joint funding of such improvements. The basis of participation on a pro rata share is the sum of total peak hour trips generated by the subject development over the sum of total peak hour trips generated by all developments required by the Planning Board to participate in the construction of the particular improvement.
- 4) Prior to certification of the initial site plan, the Applicant, M-NCPPC Transportation Planning staff, and DPWT staff shall consider mutually acceptable trip reduction measures. The parking ratios for non-residential uses in the Cabin Branch Community will also be determined at the time of Site Plan review considering the trip reduction goals.
 - 5) All road rights-of-way shown on the approved preliminary plan must be dedicated, by the Applicant, to the full width shown in the Adopted June 1994, Clarksburg Master Plan unless otherwise designated on the preliminary plan.

- 6) All road right-of ways shown on the approved preliminary plan must be constructed, by the Applicant, to the full width mandated by the Clarksburg Master Plan, and to the design standards imposed by all applicable road codes unless modified by DOT or the Montgomery County Department of Permitting Services ("DPS").
- 7) The Applicant must comply with the conditions of approval for the preliminary forest conservation plan including: reforestation of the stream buffers starting in the first growing season after DPS issuance of the initial sediment control permit; and a 5-year maintenance period for all planted areas. Final forest conservation plan(s) to be approved at the time of site plan(s). The Applicant must satisfy all conditions prior to recording of plat(s) or DPS issuance of sediment and erosion control permits.
- 8) Record plat to reflect a Category I easement over all areas of forest conservation and stream valley buffers.
- 9) Record plat to reflect common ingress/egress and utility easements over all shared roadways and driveways.
- 10) Record plat to reflect to the Board of Education, dedication of an elementary school site as shown on the approved preliminary plan or as modified by Infrastructure Plan or Site Plans. Applicant to grade the site to elevations that are acceptable to MCPS and construct any retaining walls as are necessary to support the program requirements of an elementary school facility. The bounds of the school parcel shall exclude any retaining walls.
- 11) Applicant to convey to M-NCPPC, in fee simple, the agreed area of contiguous land that is located between the proposed elementary school site and proposed Fulmer Avenue (Street H), Bryne Park Drive and Stilt Street (Street J) and continuing south along the Little Seneca Tributary to West Old Baltimore Road. The northern portion of the conveyed land must include at least 10 acres of contiguous land that is suitable for active recreation uses divided only by the historic home (including circular driveway) which is to be dedicated to the HOA or other party acceptable to M-NCPPC staff. Parkland must be conveyed prior to recordation of plat for that particular land area and conveyed free of trash and unnatural debris. Park boundaries must be staked and signed to distinguish from private properties.
- 12) At the time of individual site plan review, the Applicant must work with M-NCPPC staff to finalize and clearly delineate the exact park dedication boundaries that are acceptable to Parks Department staff. Park boundaries

shall be easy to identify, manage, sign and shall be clearly distinguishable from HOA property and private property.

- 13) No retaining walls or stormwater management ponds or facilities to be located on dedicated parkland.
- 14) Within the conveyed local park acreage, Applicant to provide, at Applicant's expense, the following active recreational facilities and amenities:
 - At least one (1) adult sized soccer field,
 - one (1) multi-age playground acceptable to M-NCPPC staff,
 - an open grass play area as prescribed below
 - a picnic area with two (2) shelters,
 - eight (8) foot minimum width hard surface trails within the park to serve the various facilities, except ten (10) feet wide where needed for maintenance access,
 - one drinking fountain,
 - park signage,
 - information kiosks,
 - a portable restroom pad and enclosure as determined by staff,
 - appropriate fencing for safety purposes along any retaining wall or steep slopes (as acceptable to M-NCPPC staff),
 - park landscaping,
 - Local park parking for at least 120 cars, including at least 60 spaces on the conveyed parkland. Parallel parking spaces along the park side of the adjacent roads should be appropriately striped and marked to delineate the individual parking spaces available for park users.

Park conveyance and facility layout to be substantially as set forth on the approved Infrastructure Plan, with final details of park design, engineering, grading and layout to be determined in coordination with, and acceptable to, M-NCPPC park staff prior to individual certified site plan approval. Facilities to be constructed to park standards and specifications after procurement by Applicant of appropriate park permit. Copies of applicable standards and specifications will be provided to Applicant by time of certified site plan approval.

- 15) The open grass play area adjacent to the historic house to include some relatively flat area(s) that is suitable for informal ball-type play. The final grading plan must incorporate this flat play area and be acceptable to M-NCPPC Parks Department staff.

- 16) Applicant to construct hard surface and natural surface trails on conveyed parkland and throughout the community to connect open spaces, elementary school and parkland together in an accessible, pedestrian friendly manner. Applicant to work with M-NCPPC staff prior to certified site plan approval to establish exact locations of needed trails in order to provide recreational opportunities to the communities and businesses within the subdivision. The trails within parkland must be constructed to park standards and specifications.
- 17) Compliance with the DPS conditions of approval of the Preliminary Water Quality Plan and stormwater management concept letter dated, May 13, 2004.
- 18) Compliance with conditions of approval of DOT letter dated, May 14, 2004 and March 9, 2008 unless otherwise amended by DOT.
- 19) Access and improvement along Clarksburg Road (MD 121) and I-270 as required by the State Highway Administration ("SHA").
- 20) Clearing and grading on-site must be in accordance with the Infrastructure Site Plan; no recordation of plats prior to approval of certified site plan.
- 21) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 22) No encroachment into stream buffers for stormwater management or sediment control facilities, except for necessary outfalls and temporary sediment control facilities in unforested buffers, without prior approval by the Planning Board.
- 23) Applicant to work with M-NCPPC staff before individual site plan approvals to reduce onsite cut and fill from that shown on the preliminary plan, and minimize the height of retaining walls wherever possible.
- 24) Maintenance of common open space facilities, including retaining walls and historic structure to be addressed prior to approval of any and all subsequent site plan approvals.
- 25) A landscape and lighting plan must be submitted as part all future site plan applications for review and approval by M-NCPPC staff.
- 26) Staging sequence of development shall be revised as follows:

The Preliminary Plan will remain valid for one hundred and twenty one (121) months from the date of mailing of the Planning Board Resolution for this Planning Board action. Record plats must be recorded based on the following staging sequence:

- Stage I (expires 31 months from the date of mailing of the Planning Board Resolution): 420 dwelling units, 125 senior housing units and 380,000 square feet commercial.
- Stage II (expires 61 months from the date of mailing of the Planning Board Resolution): 404 dwelling units, 250 senior housing units and 380,000 square feet commercial.
- Stage III (expires 91 months from the date of mailing of the Planning Board Resolution): 388 dwelling units, 125 senior housing units and 380,000 square feet commercial.
- Stage IV (expires 121 months from the date of mailing of the Planning Board Resolution): All remaining development.

Prior to the expiration period, the final record plat for all remaining lots within each phase must be recorded, or a request for an extension must be filed.

- 27) The Adequate Public Facility review for the Preliminary Plan will remain valid for one hundred and twenty one (121) months from the date of mailing of the Planning Board Resolution.
- 28) TDRs must be recorded in accordance with Section 59-C-10.3.132 and 59C-10.3.133 of the Montgomery County Zoning Ordinance.
- 29) Other necessary easements must be shown on the record plats.

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of Staff, which the Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

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

The subject 540-acre property is located within the Cabin Branch Neighborhood of the 1994 Clarksburg Master Plan Area. The Master Plan states that the opportunity to provide a transit-oriented residential neighborhood is one of the most important public policy objectives. In summary, the Master Plan objectives are as follows:

- Provide a mix of uses including employment.
- Encourage an employment pattern that is supportive of I-270 as a high-technology corridor.
- Create a transit-oriented land use pattern.
- Maximize access to the proposed open space system.
- Provide a suitable transition to the rural/open space character south of West Old Baltimore Road towards Boyds.
- Provide an interconnected roadway system.
- Create a strong neighborhood focal point by concentrating public and retail uses in the same general area.
- Place special emphasis on protection of the west fork of Cabin Branch because of its high water quality and tree cover.

The Cabin Branch Neighborhood is the only portion of the western side of I-270 that is proposed for significant residential development. Most of the development in the Cabin Branch Neighborhood is recommended to occur on the Subject Property. The Master Plan states the recommended mix of uses for this neighborhood as follows:

Residential	1,950 dwelling units plus MPDU units
Employment	2.4 million square feet
Public Uses	Places of worship, childcare, community building, elementary school, and park

This Application envisions a comprehensively planned, mixed-use, transit-oriented and pedestrian-friendly community consistent with the goals of the Clarksburg Master Plan. The Board notes that further refinement of the site design along MD 121 and West Old Baltimore Road should occur at time of individual site plan review to insure compatibility of the proposed project with the surrounding Ten Mile Creek and Boyds communities.

The Planning Board finds that the proposed conceptual development as shown on the Preliminary Plan drawing is in conformance with the goals and objectives of the Clarksburg Master Plan.

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

The proposed lots generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the Application has been reviewed pursuant to the Local Area Transportation Review ("LATR") guidelines established in the Annual Growth Policy. A complete, updated, traffic study for this amended plan was reviewed by M-NCPPC, Transportation Planning staff, DOT, and SHA. The developer(s) of the project are required to construct and/or participate in numerous local and regional projects to meet the requirements of the LATR review. The transportation projects discussed in the Staff Report and required by the conditions of approval combine to meet the LATR requirements and are staged in a controlled sequence. The transportation projects also specify certain sidewalks, bikepaths, and shared use paths that will meet the pedestrian circulation requirements for the project. The Planning Board finds that the transportation projects will satisfy the LATR requirements; both vehicular and pedestrian access and circulation requirements are met through the conditions of approval.

Other public facilities and services are available and will be adequate to serve the proposed units. Public sewer and water service are available to the Property as testified to by MCDEP staff at the Hearing. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Property has appropriate access for fire and rescue vehicles. The Applicant is required to dedicate a school site to the Montgomery County Public Schools to address the future school needs of the Application. Other public facilities and services such as police stations, firehouses and health services are currently operating within the standards set by the Growth Policy resolution currently in effect. All other local utilities such as, electrical and telecommunications services are also available to serve the Property.

3. *The size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.*

Access and public facilities will be adequate to support the proposed lots and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision. The lots were reviewed for compliance with the dimensional requirements for the RMX-1/TDR and MXP zones as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of whom have recommended approval of the Plan.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A.*

The Planning Board had previously approved a preliminary forest conservation plan that considered the total development of the entire site. A final forest conservation plan was approved with the Infrastructure Plan. The forest conservation plan proposes removal of 58.97 acres of forest and retention of 71.58 acres. The developers will be required to plant 58.32 acres of forest to meet the requirements of the Montgomery County Forest Conservation Law under Chapter 22A of the Montgomery County Code. Since this is an optional method of development, the developers will be required to meet all forest conservation requirements on the Subject Property as shown on the final forest conservation plan.

Under the M-NCPPC's implementation of the Special Protection Area ("SPA") regulations, the Environmental Guidelines require accelerated reforestation of stream buffers within SPAs. Approximately 243 acres of the 540-acre site are within the Clarksburg SPA. Those portions of the site that drain to Cabin Branch, a Use I-P waterway, are not in the SPA except for two pods that were included because of the potential for groundwater contamination. The Cabin Branch tributary and the tributary immediately abutting and parallel to I-270, both drain to Little Seneca Lake. Since the property includes land both in and out of the SPA and the tributaries drain to a common water body, the Planning Board required that the planting requirements be treated as if the entire site were located within the Clarksburg SPA. Therefore, the Planning Board requires that the Applicant plant the stream buffers after DPS approval of the first sediment control/grading permit and that the Applicant provide a five-year maintenance period for all planting areas credited toward the forest conservation plan.

The Planning Board finds that the Application complies with the requirement of Chapter 22A.

5. *The Application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the DPS that the Stormwater Management Concept Plan and SPA Water Quality Plan meet DPS's standards.*

A water quality plan is required for this development as part of the SPA regulations. Under the SPA law, DPS and the Planning Board have different responsibilities in the review of the water quality plan. DPS has reviewed and conditionally approved the elements of the final water quality plan under its purview. The Planning Board is responsible for determining if the site

imperviousness, environmental guidelines for SPAs, and forest conservation requirements have been satisfied. The Board finds that as conditioned the preliminary water quality plan meets the applicable requirements and should be approved.

6. *Other issues.*

The Planning Board heard testimony from three interested speakers at the Hearing. The first was Jim Clifford, Esq., representing the interests of the Miller family who reside on the south side of West Old Baltimore Road, and immediately adjacent to the Subject Property. Mr. Clifford spoke to the potential need for the Miller family home and property to be acquired for the future improvements to West Old Baltimore Road. He testified that the Miller family understood that their property was not needed for improvements to West Old Baltimore Road and had recently made \$80,000 in improvements to the home. More recently, the Millers learned that, due to wetland permitting issues for the nearby stream, the road will need to be expanded onto the Miller property and the house will need to be demolished. While not adamantly opposed to the development, Mr. Clifford asked on behalf of the Miller family that the Planning Board provide some assurance as to when the house and property would need to be acquired so that the Miller family could do some estate planning for the aged matriarch of the family.

The Planning Board also heard testimony from Greg Leck of DOT, who suggested that the improvements to West Old Baltimore Road were developer dependent. The developers and the Miller family would have to negotiate a purchase price for the required property. If such a settlement could not be achieved, only then would the developer be able to approach the County for a request to condemn the needed property. In response to this concern the Applicant's counsel indicated that the Applicant would be in contact with Mr. Clifford to start the negotiation process. The condemnation of the Millers home is beyond the scope of this proceeding.

The Planning Board also heard testimony from a Jim Cook, a resident on West Old Baltimore Road, who had a number of concerns with the Preliminary Plan. The first concern was with the phasing of the road improvements. Mr. Cook generally supported the phasing schedule that was tied to issuance of building permits, but expressed his belief that the improvements to West Old Baltimore Road and MD 355 were required too late in the development process. Mr. Cook was concerned that the intersection was already failing according to the LATR guidelines and that the improvement to this intersection should be accelerated in the phasing schedule since the development will add even more traffic prior to improvements to the intersection.

The Applicant's counsel argued that the Applicant's obligations under the current Plan include more stringent conditions of approval for this intersection, above those recommended in the original approval for the Application (12003110A). He pointed out that these include additional improvements to the intersection and a requirement that they be completed by issuance of the 1400th building permit which was not specified in the original condition language. In response to query by the Board, Staff concurred with the Applicant's representative that the staging for traffic improvements for this intersection and all other roadways included in the Application will satisfy the LATR requirements in a timely manner. Based on this discussion and the details of the LATR review, the Board finds that the proposed staging for traffic improvements is appropriate.

Mr. Cook was also concerned about the park trail connections from the development to the Black Hill Regional Park. He suggested that the specifics of the connections should be fully developed within the context of the Preliminary Plan, not at site plan as the conditions of approval stipulate. The Board elected to retain the language of the conditions as proposed.

Mr. Cook generally supported the condition of approval that requires developer funds to be diverted to the I-270/Newcut Road interchange should this project be included in the Capital Improvements Program in a timely manner, but worried that the funds might be diverted to the MD 121 interchange instead. Staff responded that the proposed language will ensure the funds are applied correctly and the Board elected to retain the proposed condition of approval.

Mr. Cook also expressed concern that the future Homeowners Association for Cabin Branch may be unfairly saddled with cumbersome maintenance costs for the retaining walls planned within the Cabin Branch community. Staff stated that they shared these concerns and will continue to work to reduce the heights of retaining walls as part of the individual site plan reviews. The Planning Board agreed that site plan is the appropriate time to further address this concern.

Mr. Cook finally expressed concern about the inclusion of "two-over-two" units as single family, attached units in the unit count mix for the overall development. His concern was that by defining these units as single family attached, it would allow additional multi-family units to be built. This concern was echoed by Kathy Hulley, President of the Clarksburg Civic Association. Staff, however, testified that the Zoning Ordinance allows two-over-two units to be classified as single family attached if there is appropriate usable open "yard" space for each unit, which must be the case in this instance. The Board was satisfied that application of the Zoning Ordinance standards as part of the site

plan review will prevent the unit mix of multi-family and single family attached from being skewed.

Ms. Hulley also agreed with Mr. Cook's concern about future HOA retaining wall maintenance costs and additionally expressed her own concerns about the look of the shopping center and the commercial center planned as part of the Application. It may be appropriate to address these issues as part of site plan review, but not in the context of a preliminary plan review. Ms. Hulley also took issue with the potential design of the water tower planned for the Cabin Branch community, a mandatory referral issue.

Finally, Ms. Hulley questioned the viability of the Limited Liability Corporation, Cabin Branch, LLC, the lead developer responsible for the infrastructure required for the Property, and who, if anyone, would be responsible should it fail as an entity. Her fear was that the HOA would ultimately become responsible for completion of the infrastructure.

In response to Planning Board query about this concern and the Board's ability to address it as part of a plan review, Legal staff advised that the Board's responsibility was to ensure that infrastructure be in place prior to, or commensurate with, development which the phasing schedule conditions require. The Applicant's counsel opined that while this concern may not be within the purview of the Planning Board, the Board's conditions of approval run with the land, not with individual developers. In the event of an unlikely failure of the LLC, or any of the individual developers, anyone who wished to develop on the Cabin Branch property would be subject to the same conditions of approval. The Applicant's counsel further argued that the LLC contains prominent members of the development community and are well capitalized. Based on this discussion, the Board is satisfied that while there is no guarantee of the LLC's survival, the conditions of approval of this Application will remain effective.

BE IT FURTHER RESOLVED, that the date of this Resolution is OCT - 6 2008 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a Resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Robinson, seconded by Commissioner Cryor, with Commissioners Hanson, Robinson, and Cryor, present and voting in favor of the motion, and Commissioners Alfandre and Presley abstaining, at its regular meeting held on Thursday September 25, 2008, in Silver Spring, Maryland.

A handwritten signature in cursive script, appearing to read "Royce Hanson", written over a horizontal line.

Royce Hanson, Chairman
Montgomery County Planning Board

**Cabin Branch On-Site Road Improvement Phasing Schedule
3/20/08**

Approved Phasing 12003110A	Proposed Phasing 12003110B	Improvement(s)	Approved Development 12003110A	Proposed Development 12003110B
1.1		2nd Avenue (A-304 West) - from MD 121 to Street Q. 2-lane business district road	210 units 190,000 s.f.	
1.2		MD 121 – from Street Z to the I-270 interchange, 2-lane to 4-lane to 6-lane	210 units 125 Senior units 190,000 s.f.	
1.3		MD 121/I270 interchange and bridge improvements	210 units 125 Senior units 190,000 s.f.	
1.4	2.1	2 nd Ave (A-304 West) - Street Q to W. Old Balt. Rd., 2-lane business district road Newcut Rd. (A-302) – from 2 nd Ave to 1 st Ave, 4-lane divided road	194 units 125 Senior units 190,000 s.f.	57 units 101,250 s.f.
1.5	2.2	1 st Ave (A-304 East) – from MD 121 to Street I, 2-lane business district road	194 units 190,000 s.f.	57 units 101,250 s.f.
1.6	2.3	1 st Ave (A-304 East) – from Street I to Newcut Rd. (A-302), 2-lane business district road	194 units 125 Senior units 190,000 s.f.	57 units 101,250 s.f.
1.7	2.4	MD 121 – from W. Old Balt. Rd. to Street Z, 2-lane arterial	194 units 190,000 s.f.	57 units 101,250 s.f.
1.8	2.5	W. Old Balt. Rd. (A-7) – MD 121 to Newcut Rd., upgrade to 2-lane arterial	194 units 208,000 s.f.	57 units 101,250 s.f.
	2.6	Non-automobile transportation amenities		58 units 101,250 s.f.

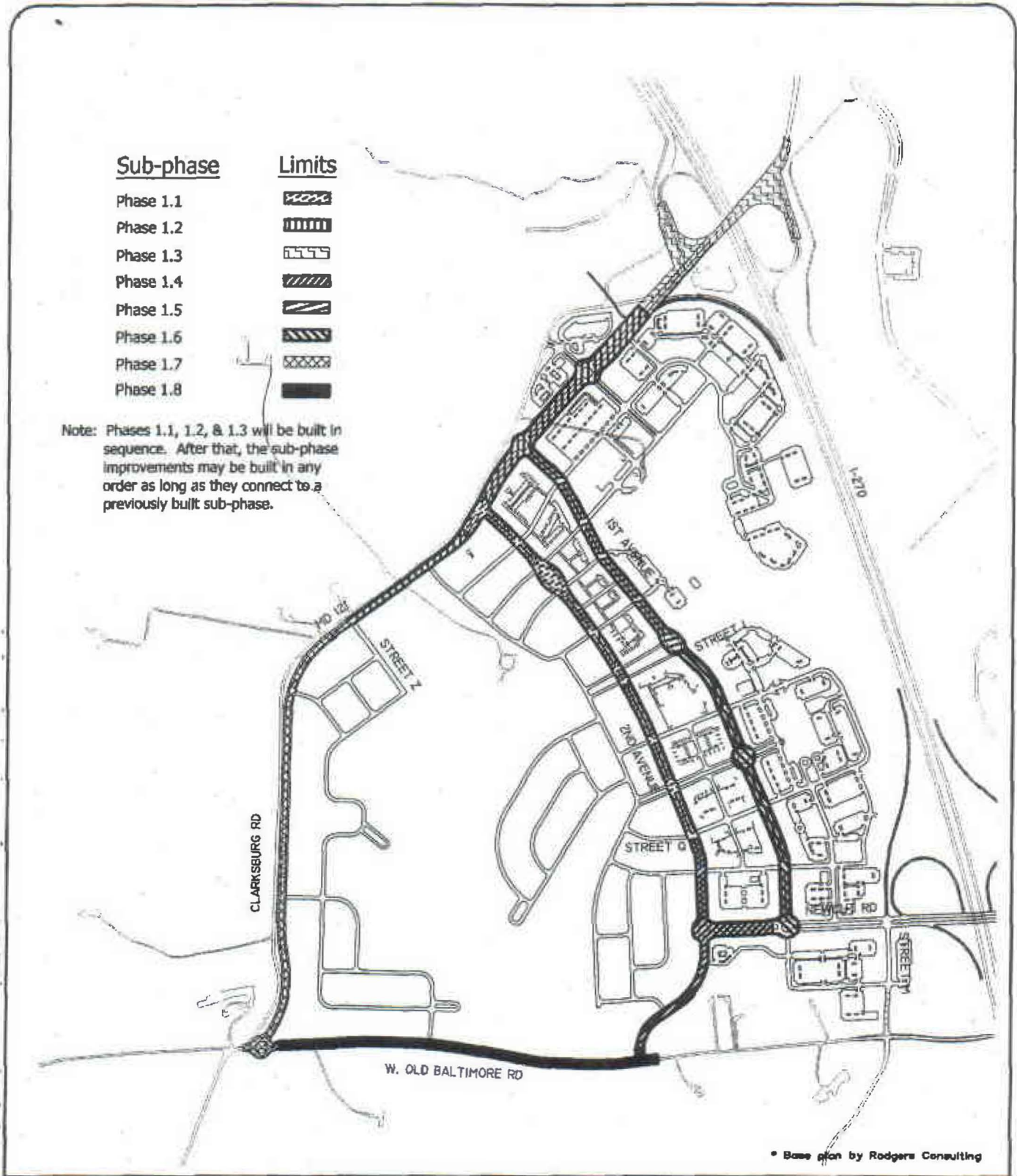


Figure 1
Phase 1 Policy Area Improvement Sub-phasing



SEP 19 2007



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

MCPB No. 07-131
Site Plan No. 820050150
Project Name: Cabin Branch Infrastructure and Roads Only Site Plan
Date of Hearing: June 14, 2007

MONTGOMERY COUNTY PLANNING BOARD
RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on November 4, 2004, FFTM1, Limited Partnership, Winchester Homes, Inc., King Farm Partnership, Concordia Group and Adventist Healthcare, Inc. ("Applicant"), filed an application for approval of a final water quality plan for the infrastructure components of site plan No. 820050150 ("Final Water Quality Plan") and an Infrastructure and Roads Only Site Plan to accommodate 1,886 residential dwelling units, 500 senior units and 2,436,000 square feet of retail and employment, including 635 Transfer Development Rights (TDRs), and 236 Moderately Priced Dwelling Units (MPDUs) ("Site Plan" or "Plan") on 535.04 acres of RMX-1/MXPD-zoned land, located in the northwestern quadrant of the intersection of Interstate 270 and West Old Baltimore Road ("Property" or "Subject Property"); and

WHEREAS, Applicant's Site Plan application was designated Site Plan No. 820050150, Cabin Branch Infrastructure and Roads Only Site Plan (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated June 1, 2007, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staffs of other governmental agencies, on June 14, 2007, the Planning Board held a public hearing on the Application (the "Hearing"); and

APPROVED AS TO LEGAL SUFFICIENCY
[Signature] 8/31/07
MONTGOMERY COUNTY LEGAL DEPARTMENT

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on June 14, 2007 the Planning Board approved the Final Water Quality Plan and the Infrastructure and Roads Only Site Plan subject to conditions on the motion of Commissioner Perdue; seconded by Commissioner Robinson; with a vote of 4-0, Commissioners Hanson, Wellington, Perdue and Robinson voting in favor of the motion.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 19, the Montgomery County Planning Board approved Final Water Quality Plan No. 820050150 for the infrastructure components of Site Plan No. 820050150 subject to the following conditions:

1. Reforestation of the stream buffer is to begin in the first planting season after the issuance of the first grading permit by the Montgomery County Department of Permitting Services (DPS).
2. A five-year maintenance period shall be required for all planted areas credited toward meeting the requirements of the forest conservation plan.
3. No encroachment into stream buffers for stormwater management facilities or sediment control facilities is allowed without permission of the Planning Board, except for necessary outfalls and temporary sediment control facilities in non-forested portions of the stream buffers. If at later stages of stormwater review and design it is determined that the stormwater management facility is not properly sized and must be enlarged to accommodate the proposed drainage areas, the applicant will have to find additional space outside the stream buffer. This may require the reconfiguration of layouts and loss of developable area.
4. Conformance to the conditions as stated in the DPS letter dated February 22, 2007 approving the elements of the SPA water quality plan under its purview.
5. Amendments to the forest conservation plan must be submitted and approved by the Planning Board with all future site plans, mandatory referrals, and special exceptions prior to any clearing and grading.
6. All on site environmental buffers/stream buffers must be planted prior to any off-site forest planting or before off-site forest conservation credits can be applied to meet the overall planting requirements of this forest conservation plan.
7. A Final Water Quality Plan for each detailed site plan must be submitted, which may amend the Final Water Quality Plan approval for the Infrastructure Plan.

This Final Water Quality Plan does not approve the elements in the detailed site plans.

BE IT FURTHER RESOLVED that all design components as described in the letter from the Montgomery County Department of Permitting Services dated February 22, 2007, including the Stormwater Management Concept shall be required except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES the Infrastructure and Roads Only Site Plan No. 820050150 to accommodate 1,886 residential dwelling units, 500 senior units and 2,436,000 square feet of retail and employment, including 635 Transfer Development Rights (TDRs), and 236 Moderately Priced Dwelling Units (MPDUs), on 535.04 acres subject to the following conditions:

1. Development Plan Conformance
The proposed development shall comply with the binding elements listed in Local Map Amendment G-806 and the associated Development Plan.
2. Preliminary Plan
The proposed development shall comply with the conditions of approval for Preliminary Plan 12003110A (formerly 1-03110A) as listed in the Planning Board opinion dated June 22, 2004.
3. Site Design
 - a. Each detailed site plan application shall be reviewed and evaluated for the specific uses proposed to create the proper design character appropriate for the type of development. Within the basic framework established by the major roads approved by this Infrastructure Plan and required by the Preliminary Plan Adequate Public Facilities approval, (Maryland Route 121, Cabin Branch Parkway, Broadway Street, West Old Baltimore Road between Maryland 121 and Broadway Street, and Little Seneca Parkway [aka Newcut Extended]), other streets within the grid system may be modified at the request of Staff or the Planning Board during the review of the detailed site plans to include location, urban design elements, such as street walls, street alignment, unifying architectural treatments, pedestrian friendly environments and landscape treatments.
 - b. The Applicant shall retain a town architect to oversee the design characteristics of Cabin Branch, including review of architectural treatments for individual residential units and commercial building design and layout. The architect shall be a registered architect with experience in town planning, and shall develop design guidelines to provide for thematic consistency of

architectural design for Cabin Branch. These will include but are not limited to architectural form, relationship to the street, pedestrian walkability and a focus on public space.

- c. Design guidelines shall be submitted and approved by the Planning Board with the first detailed site plan, and shall be binding upon the developer and builder.

4. Amendments

- a. Any major changes to the Infrastructure Plan, such as increased height of retaining walls, significant grading impacts, relocation of public roads and utilities or modifications to the streetscape elements, will require an amendment to the Plan and be reviewed by the Planning Board.
- b. Provide documentation of any minor changes to the Infrastructure Plan with each site plan application. An as-built Infrastructure Plan will need to be provided with the last site plan application to document all of the minor changes.

5. Streetscape

- a. The Applicant shall provide a consistent streetscape, including streetlights and street trees on the primary public roads, such as 1st and 2nd Avenue, MD 121 and Tribute Parkway. The street trees on these streets shall be spaced a minimum of 30 feet—on center and street lighting should be provided to accentuate the streetscape.
- b. The Applicant shall incorporate the Thematic Landscape and Lighting Plan into the future detailed site plans for street trees, spacing type of light fixtures, planting treatments within alleys, medians and streets.

6. Pedestrian Circulation

Provide an 8-foot wide asphalt bike path on the south and east side of MD 121, west side of 2nd Avenue (Broadway Street) and on the south/west side of Streets G and H, northeast side of Street Z, adjacent to the proposed school site, south side of Street P, east side of Street M and FF and the north side of West Old Baltimore Road, or as directed by staff in subsequent site plans.

7. Recreation Facilities

- a. Provide a Local Park site to include the facilities as described in condition 8 below.
- b. Remove the community facility (pool/clubhouse) from the future Park site and relocate the facility to a more centralized location convenient to the residents

and overall community. The location of the pool/clubhouse shall be identified with the first residential detailed site plan.

- d. Provide the community-wide open space and a trail system of the minimum recreational concept for the overall Cabin Branch development. The exact locations, dimensions and sizes of these facilities will be determined with the corresponding site plan.
- e. Each detailed site plan application shall update the overall recreational concept to provide for individual facilities and a cumulative reporting of the community-wide facilities within the Cabin Branch development.

8. M-NCPPC Park Facility

The applicant shall comply with the following conditions of approval from M-NCPPC-Park Planning and Research Analysis in the memorandum dated May 18, 2007:

- a. Applicant to dedicate to M-NCPPC the agreed upon area of contiguous land that is located between the proposed elementary school site and proposed Fulmer Avenue (Street H), Bryne Park Drive and Stilt Street (Street J) and continuing south along the Little Seneca Tributary to Old Baltimore Road. The northern portion of the dedicated land that is suitable for active recreation is to be at least 10 acres of contiguous usable land divided only by the historic home (including circular driveway) that is to be dedicated to the HOA or other party acceptable to M-NCPPC staff. Parkland to be conveyed by time of record plat and conveyed free of trash and unnatural debris and park boundaries staked and signed to distinguish from private properties.
- b. Within the dedicated local park acreage, Applicant to provide, at Applicants expense, the park's most needed active recreational facilities and amenities to include at least one (1) adult sized soccer field, multi-age playgrounds acceptable to M-NCPPC staff, a picnic area with 2 shelters, 8' minimum width hard surface trails within the park to serve the various facilities (10'-wide where needed for maintenance access), a drinking fountain, park signage and information kiosks, portable restroom pad and enclosure, appropriate fencing for safety purposes along the retaining wall (acceptable to M-NCPPC staff), park landscaping, and local park parking for at least 120 cars, including at least 60 spaces on the dedicated parkland. The area where the softball field was shown on the Preliminary Plan (area north of the historic house) must be graded and seeded to provide an open play field. The size and grading will be coordinated with the Parks Department. Parallel parking spaces along the park side of the adjacent roads should be appropriately striped and marked to delineate the individual parking spaces available for park users. Park dedication and facility layout to be substantially as set forth on the attached

Park Site Exhibit, with final details of park design, engineering, grading and layout to be determined in coordination with, and acceptable to, M-NCPPC park staff prior to certified site plan approval. Facilities to be constructed to park standards and specifications after procurement by Applicant of appropriate park permit. Copies of applicable standards and specifications will be provided to Applicant by time of certified site plan approval.

- c. No retaining walls or stormwater management ponds or facilities to be located on dedicated parkland.
 - d. Applicant to construct hard surface and natural surface trails on dedicated parkland and throughout the community to connect open spaces, the elementary school and parkland together in an accessible, pedestrian friendly manner. Applicant to work with M-NCPPC staff prior to certified site plan approval to establish exact locations of needed trails in order to provide recreational opportunities for the communities and businesses within the subdivision. Trails within parkland to be constructed to park standards and specifications.
9. Maintenance Responsibility
The Applicant, its successors/assignees, and/or the successor HOA shall be responsible for maintaining community-wide amenity features such as HOA playgrounds, HOA open spaces, retaining walls, parking facilities, streetscape elements and natural features.
10. Transfer Development Rights (TDRs)
Prior to recording of each plat, the applicant shall provide verification that the numbers of TDRs relevant to that plat have been acquired. Applicant shall maintain a continuing calculation with each Site Plan, reflecting the number and type of approved dwelling units and the proportional number of associated TDRs under the formula established in the Development Plan and Preliminary Plan.
11. Moderately Priced Dwelling Units (MPDUs)
The applicant shall comply with the following conditions of approval from the Department of Housing and Community Affairs in the memorandum dated April 25, 2007:
- a. The proposed development shall provide (12.5 percent) MPDUs (of the total number of dwelling units) on-site.
 - b. The Applicant will be required to provide an overall map of the location and number of MPDUs in the Cabin Branch community and a cumulative reporting with each detailed site plan.

12. School Site

The Applicant shall comply with the conditions of approval from the Montgomery County Public Schools in the memorandum dated March 22, 2007.

13. Transportation

The applicant shall comply with the following conditions of approval from M-NCPPC-Transportation Planning in the memorandum dated May 31, 2007:

- a. The applicant must comply with the current and future State Highway Administration (SHA) and Department of Public Works and Transportation (DPWT) regulations and with the letters of support from SHA and DPWT attached hereto.
- b. The road improvements set forth in the Road Improvement Phasing Plan approved as part of the Phase I Preliminary Plan shall be open to traffic before building permits for the subsequent sub phase of development may be issued.
- c. The applicant must either obtain a waiver from DPWT to allow street trees in a panel less than six feet wide or make adjustments to their plan in order to provide for a minimum of six foot wide planting areas.
- d. The applicant must provide at least one handicapped-accessible crosswalk for pedestrians and bicyclists crossings between the adjacent land uses.
- e. The applicant must design all roundabout in accordance to FHWA/SHA guidelines.
- f. *The applicant must provide minimum curb return radii of 30' on arterials, 25' on commercial/industrial, primary and secondary roads, 20' on tertiary roads and 15" on alleys, adjusted as necessary for local conditions such as trucks and school buses.*
- g. The applicant must identify and obtain waivers from the Planning Board for horizontal curves that are less than minimum standard.
- h. Within 60 days of approval of the Infrastructure Site Plan, Applicant will prepare and submit a limited amendment to the Infrastructure Site Plan to provide for an Alternatives Analysis for that portion of West Old Baltimore Road between I-270 and Broadway Street, including a possible no-build option, for review and approval by the Planning Board, based on review by DPWT, M-NCPPC Staff and residents along West Old Baltimore Road. Based upon this analysis, Staff will provide a recommendation for approval by the Planning Board for the design parameters and construction of this portion

of West Old Baltimore Road. The alternatives analysis shall study the following: a) vertical and horizontal alignment/typical sections; b) extent of easements necessary outside the right-of-way; c) potential impacts to existing septic systems, wells and structures; d) clearing and grading impacts; e) park impacts; f) location of the bike path; g) auxiliary turn lanes and traffic controls; h) sight distances; and i) the no-build option.

- i. The applicant must provide a pedestrian connection between the intersection of Streets O and J to the intersection of Streets T and H.

14. Forest Conservation

The applicant shall comply with the following conditions of approval from M-NCPPC-Environmental Planning in the memorandum dated May 22, 2007 and with the conditions of approval as specified in the Final Water Quality approval:

- a. The proposed development shall comply with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits. No clearing or grading is permitted with the infrastructure plan.
- b. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.

15. Historic Preservation

The proposed development is subject to the following conditions of approval from the Historic Preservation Commission dated December 22, 2006:

- a. Parking lots will not be constructed within the environmental setting of the historic resource.
- b. The circular drive around the historic house will be maintained in gravel.
- c. Any tree 6' in diameter (DBH) or larger proposed to be removed within the environmental setting of the historic site will require approval by the Historic Preservation Commission.
- d. The proposed changes within the 5-acre environmental setting (i.e. new construction, grading changes, tree removal, fence installation, retaining walls and alterations to the historic house) will require review and approval through the Historic Area Work Permit process (HAWP).
- e. The environmental setting of the historic resource remains the original boundaries of Parcel 747, which is 5.31 acres in size.

- f. The installation of activity lighting on the ball fields is prohibited.
 - g. The applicant will remove non-historic elements and rehabilitate the exterior of the house. The applicant will receive approval from the HPC for applicable projects.
16. Fire and Rescue
The proposed development is subject to the conditions of approval from the Montgomery County Fire and Rescue Service dated March 7, 2007.
17. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated May 13, 2004, unless amended by the Department of Permitting Services.
18. Common Open Space Covenant
Record plat of subdivision shall reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to M-NCPPC staff during the detailed site plan process to insure that Applicant's recorded Homeowners Association Documents are incorporated by reference in the Covenant.
19. Development Program
Applicant shall construct the proposed development in accordance with a Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of the certified site plan. A development program for each detailed site plan shall include a phasing schedule to incorporate the following site plan elements: street tree planting, community-wide pedestrian pathways and recreation facilities, other pedestrian pathways and seating areas, clearing and grading, necessary roads and phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.

The Development Program for the Infrastructure Plan shall include a phasing schedule as follows:

- a. Phasing of MPDUs.
- b. Grading and timing for the construction of the Local Park.
- c. Prior to the release of the 650th residential building permit, the Applicant shall obtain a building permit for the community pool and center.

20. Clearing and Grading

The following may proceed upon approval of the Infrastructure Site Plan, Sediment and Erosion Control Plans and Forest Conservation Plan: a) clearing and mass grading for the roads being approved by this Infrastructure Plan and the local park and school site; b) installation of temporary sediment and erosion control devices; c) the installation of the trunkline sewer (DA 3326); and d) the installation of the water main along Maryland Route 121. No construction of roads, buildings or retaining walls may proceed until subsequent certified Site Plan approvals for each individual Site Plan. Notwithstanding the above, clearing and grading activities, with the exception of the water and sewer projects, may not be permitted beyond the limits of disturbance submitted as part of the current site plans for Nos. 820060180, 820060240, 820060290, 820060300, 820060350 and 820070140.

21. Certified Site Plan

Prior to certified site plan approval of Infrastructure and Roads Only Plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program and Site Plan Resolution.
- b. Undisturbed stream buffers.
- c. Limits of disturbance.
- d. Methods and locations of tree protection.
- e. Forest Conservation easement areas.
- f. MPDU, TDR, and recreation facility concept.
- g. Location of outfalls away from tree preservation areas.
- h. Environmental setting protecting the historic resource or site.

BE IT FURTHER RESOLVED that all site development elements as shown on Cabin Branch Infrastructure and Roads Only Site and Landscape Plan drawings stamped by the M-NCPPC on April 16, 2007, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that, having given full consideration to the recommendations and findings of its Staff, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

If amended in accordance with recommended conditions, the proposed development is consistent with the approved Development Plan (G-806) in land use, density, location, and building height and development guidelines.

The nine binding elements from Development Plan G-806 are listed numerically and in italics, followed by the Planning Board finding:

a. *Transferable Development Rights and Moderately Priced Dwelling Units*

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

The 635 Transferable Development Rights will be provided for the portion of property zoned RMX-1/TDR. The number of MPDUs provided is in excess of the binding element by 26 for a maximum of 236 MPDUs.

b. *Off-Site Amenities and Features*

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

This binding element does not apply to the Infrastructure Plan since development standards and actual units are not proposed at this time. The Applicant is permitted to grade in accordance with Condition No. 20 which is consistent with this binding element.

c. *Trip Reduction Measures*

At the time of Preliminary Plan of Subdivision, the Applicant, M-NCPPC Transportation Planning staff, and Department of Public Works and Transportation (DPWT) staff will consider mutually acceptable trip reductions

measures. The parking ratios for non-residential uses in the Cabin Branch Community will be determined at Site Plan, considering trip reduction goals.

Trip reduction goals were established during the preliminary plan approval and will be further analyzed at the first development site plan phase. The parking ratios for the non-residential uses will be determined during the first site plan for that type of development. Trip reduction goals will be considered during that review and will be consistent with the proposed uses.

d. Street Network

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

The Applicant has provided a network of public streets in a grid pattern that is familiar to the neo-traditional type of development. The street network is patterned to develop a cohesive relationship with the variety of uses proposed in the Cabin Branch neighborhood. The public streets proposed are consistent with the Master Plan and hierarchy defined in the Development Plan.

e. Area D Street Network

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

Area D, between future A-302 (Newcut Road), Second Avenue and West Old Baltimore Road will be reviewed in more detail when the site plan for this portion of the site is submitted. This area will be further analyzed as part of the limited amendment required by Condition No. 13(h) to address impacts to the adjacent properties along this section of West Old Baltimore Road.

f. Street Character

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

The public streets have been designed to foster a pedestrian friendly environment, where possible, and to promote active streets that interact with the streetscape plan.

g. Special Roads

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

A-307 has been designed as an open-section 80-foot-wide arterial road with green edges that line up with the entrance to Black Hill Regional Park. West Old Baltimore Road was not reviewed with the Infrastructure Plan in terms of impact to adjacent properties, including Black Hill Regional Park, but will be reviewed as a limited amendment. The road is proposed as a two-lane arterial roadway with changes to vertical and horizontal alignment. The Applicant is required to submit a limited amendment and alternatives analysis in accordance with Condition No. 13(h) to address impacts to adjacent properties including alignment, necessary easements, well and septic, clearing and grading, park boundaries, sight distance and a no-build option.

h. Service/Public Uses

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

This binding element does not apply to the Infrastructure Plan.

i. On-street Parking

Applicants will include on-street parking on streets adjacent to retail facilities.

On-street parking has been incorporated into many of the public streets and will be further analyzed with each development site plan application.

2. *The Site Plan meets all of the requirements of the MXPB and RMX-1/TDR zones and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The Site Plan meets all of the applicable requirements of the MXPB and RMX-1/TDR Zones as demonstrated in the project Data Table shown below. No development information is required or being provided with the Infrastructure and Roads Only Site Plan for numbers and types of units, setbacks, building height, green area and number of parking spaces. The first development site plan will

establish the number and types of units, the minimum setbacks and building restriction lines, maximum building heights and coverage requirements in terms of lot area, open space and green space for the respective zones.

Requirements of the MXP/DMX-1/TDR zones

The Staff Report contains a data table that lists the Zoning Ordinance required development standards and the developments standards proposed for approval. The Board finds, based on the aforementioned data table, and other evidence and testimony of record, that the Application meets all of the applicable requirements of the MXP/DMX-1/TDR Zones. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table

Development Standards Approved by the
 Planning Board and Binding on the Applicant

Total Tract Area:	535.04 Acres	
Zoning:	RMX-1/TDR (251.54 acres)	
	MXP/DMX (283.50 acres)	
Public Water System Category:	W-3	
Public Sewer System Category:	W-3	
Max. Density of Development:	1,886 residential dwelling units, 500 senior units and 2,436,000 square feet of non-residential ¹	
Unit Mix Required by the Clarksburg Master Plan:	One-family detached	45-55%
	One-family attached	35-45%
	Multi-family	10-20%

No development information is required or being provided with the Infrastructure and Roads Only Site Plan for numbers and types of units, setbacks, building height, green area and number of parking spaces. All of these elements of the site plan will be established and reviewed during each development site plan submittal.

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

¹ The Development Plan (Local Map Amendment G-806) approved 1,676 market rate and 210 Moderately Priced Dwelling Units (total 1,886); however, the Preliminary Plan (12003110A) only approved 1,600 residential dwelling units, 1,538,000 square feet of non-residential and 500 elderly housing units. Phase II of the Preliminary Plan has been submitted for review to increase the total number of residential dwelling units to 1,886 and 2,436,000 square feet of non-residential. Phase II has not been approved.

a. Buildings and Structures

No buildings have been proposed with the Infrastructure and Roads Only Site Plan. Each development site plan will show the location of each building and structure. The historic building (#13/24) remains as a dominant structure in the center of the overall site that bifurcates the proposed park.

Retaining walls have been shown on the Infrastructure site plan and minimized to the extent possible to address grading concerns with the preliminary plan approval. A retaining wall exhibit was submitted and reviewed with the Infrastructure and Roads Only Site Plan. The retaining walls on the west side of the park property have decreased in height from 50 feet to three tiered, 30-foot-tall retaining walls at the highest point since the time of preliminary plan approval. The series of walls are expansive but have been minimized to the extent possible for safety and efficiency of the grading on the site. At the hearing, the Applicant agreed to further minimize the series of retaining walls in the park site area by grading and seeding the area north of the historic house to provide for an open play field.

b. Open Spaces

The plan proposes a significant amount of open space, which consists primarily of stream buffers, stormwater management facilities and the proposed park and school sites. The future site plans will have to provide the required green area consistent with the requirements of the RMX-1/TDR Zone and previous development plan and preliminary plan approvals. The future site plans will provide updated open space and green space calculations, which will consist of areas between the units and along the perimeter of the property, in addition to the green area network of stream valleys, stormwater management facility areas, and park and school site field areas.

c. Landscaping and Lighting

The proposed landscaping and lighting consists of a varying treatment within the public rights-of-way, as outlined in the Thematic Street and Park Character guidelines ("Thematic Plan") presented by the Applicant. All of the agencies have had an opportunity to review the placement, types and species and spacing of the street trees to avoid conflicts in the design phase and during construction. The Thematic Plan also identifies the type of plant material appropriate within the medians and roundabouts, as well as acceptable lighting and accent material for crosswalks and sidewalks.

However, the exact species and location of street trees will be identified with each development site plan, and will stress the character of the species and spacing associated with the particular use.

d. Recreation Facilities

The overall recreation facilities have been incorporated into the park and school site that include ball fields, playgrounds, picnic shelters and pathways. In addition to the programmed facilities, the development will provide for natural features such as the stream valleys with integrated trails. Recreation facilities are based upon a calculation of the number and type of unit provided within the development, as well as community facilities offered by the Applicant.

Each development site plan that includes residential development will need to be updated to show compliance with the M-NCPPC Recreation Guidelines and overall facilities guidelines for the Cabin Branch Development.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is adequate, safe and efficient throughout the entire site.

The primary access points to the site are from multiple locations along MD 121 (Clarksburg Road), West Old Baltimore Road and future Little Seneca Parkway (A-302). The state is proposing intersection improvements at I-270 with Clarksburg Road and Little Seneca Parkway. Two roundabouts are proposed on Clarksburg Road at the first intersection (Street A) that provides primary access to the Gosnell tract to the north, and Adventist Healthcare and the retail section to the south. The second roundabout on Clarksburg Road is located at the intersection with 1st Avenue (Cabin Branch Avenue), which is the primary route to the retail center and a major spine within the community that connects to Little Seneca Parkway. Two internal roundabouts are proposed on Little Seneca Parkway at the intersections with 1st and 2nd Avenues.

Second Avenue is an arterial road and is the primary spine within the community that connects Clarksburg Road and West Old Baltimore Road. Two additional important access points to the site include Street G (Bryne Park Drive), which follows the eastern boundary of the school and park site and Street Z, which is the primary access to the school. Street Z also provides access to a future residential portion of the development that includes primarily one-family detached and attached housing.

The overall Cabin Branch neighborhood will contain an eight-foot-wide shared use path (Class I bikeway) on the external boundaries of the site, including the north side of West Old Baltimore Road, that connects and continues to the east side to connect with the bike paths for the Summerfield Crossing (8-03034) and Martens (8-02039) developments. The bike path on West Old Baltimore Road connects with the bike path on the east side of Clarksburg Road (MD 121). This path terminates at the future interchange for I-270. Internally, the 8-foot-wide bike path follows Street Z on the west side of the proposed school site, and bifurcates the school and park site to connect with the alignment on Street G. The path follows the west side of Street G and H and the north side of Street P to finally connect to the proposed bike path on Little Seneca Parkway.

Five-foot-wide internal sidewalks will also be provided for all of the public streets to facilitate pedestrian circulation throughout the development.

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

No structures or uses are proposed with this application, with the exception of retaining walls. However, the infrastructure and internal grid system establishes the pattern of uses based upon location, importance of road network, location of natural resources and proposed uses identified as part of the approved preliminary and site plans. Each structure and use for the subsequent development site plan applications will be evaluated for compatibility with the existing and proposed adjacent development.

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

- a. Forest Conservation

The applicant, Cabin Branch LLC, has submitted a final forest conservation plan with the Infrastructure and Roads Only Site Plan. This plan will be the guide for all future development site plans, special exceptions, and mandatory referrals. The development shown on the forest conservation plan is conceptual in nature and is being refined with individual development site plans. Therefore, the applicant must amend the forest conservation plan with each future development site plan to properly depict the forest conservation plan including the final grades, infrastructure, lot layouts, and building locations.

The applicant is proposing to remove 64.77 acres of forest, retain 65.03 acres of forest and plant 73.21 acres of forest. The applicant will plant 36.77 acres of forest on site. Part of the property is developed using an optional method of development. Section 22A-12(f) of the forest conservation law requires properties developed under an optional method of development to meet certain forest retention requirements on site. The forest conservation plan indicates that the applicant will meet the conservation threshold onsite and that they will meet all planting requirements through a combination of onsite forest retention, onsite planting of unforested stream buffers, and landscape credit.

Under M-NCPPC's implementation of the Special Protection Area regulations, the Environmental Guidelines require accelerated reforestation of stream buffers within SPAs. Since the property includes land both in and out of the SPA and the tributaries drain to a common water body, the planting requirements will be treated as if the entire site were located within the Clarksburg SPA. Therefore, the Planning Board has required the forest conservation plan to include planting in the stream buffers after DPS approval of the first sediment control/grading permit and that the applicant provide a five-year maintenance period for all planting areas credited toward the forest conservation plan. In addition, the applicant is required to plant all onsite planting areas prior to being allowed to use offsite mitigation credits. Since the property is within the Clarksburg Special Protection Area, all off site reforestation areas should be directed to planting unforested areas within the SPA.

b. Tree Save

Environmental Planning staff previously requested the applicant to preserve a 68-inch diameter at breast height (dbh) sycamore tree that is located outside of the stream buffer and is in good condition. Staff first requested preservation prior to the rezoning case. The tree has a circumference of 213 inches, which is 85 percent of the County champion sycamore tree.

There is a condition of approval of the preliminary water quality plan requiring the applicant to *"minimize the amount of fill used throughout the site to reduce the loss of groundwater hydrology supporting the headwater wetlands, and to better preserve the hydrology necessary for existing vegetation in stream buffers. After minimization has been conducted, opportunities shall be examined at site plan to retain the 68-inch dbh specimen sycamore tree and reduce the need for extensive retaining walls"*. The applicant has worked to minimize amount of fill but has not adequately addressed this condition.

The applicant submitted "Sycamore Tree Removal Study" in June 2006 but has not updated that submission. The plan submitted in 2006 shows the tree in a stormwater management facility. The infrastructure site plan shows the tree in a median between a parking lot and a roadway. Therefore, a new study is required that reflects the layout on the infrastructure plan. This revised study should be reviewed concurrently with the appropriate development site plan.

c. Environmental Guidelines

The NRI/FSDs for the various properties included in this Site Plan identified the environmental buffers. Environmental buffers include wetlands and wetland buffers, floodplains, and streams and stream buffers. As part of the *Environmental Guidelines*, the stream buffer must be reforested. Where trees do not currently exist in the stream buffers, the applicant will plant new forests. The applicant will place forest conservation easements on the environmental buffers and all forest retention areas.

d. Stream Buffer Encroachments

The only encroachments into the environmental buffers associated with this plan are necessary stormwater management conveyances, some utilities, natural surface trails, widening of West Old Baltimore Road, and construction of A-302 (Little Seneca Parkway)/I-270 Interchange.

e. Protection of Seeps, Springs and Wetlands

One of the performance goals for this final water quality plan is to protect springs, seeps, and wetlands. The applicant has not provided DPS with sufficient information to determine what impacts deep cuts and fill areas will have on groundwater recharge and stream base nor does Environmental Planning believe sufficient information is submitted to protect springs, seeps and wetlands. Condition No. 2 of the May 13, 2004 DPS approval of the preliminary water quality plan requires the applicant to "*Provide a geotechnical study/evaluation of the potential effect that the proposed deep cut and fill areas will have on groundwater recharge and stream base flow.*" DPS is responsible for determining and ensuring the performance goals are achieved. It is M-NCPPC's responsibility to protect seeps, springs, and wetlands through the delineation of stream and wetland buffers.

The applicant has not addressed Condition No. 2 of DPS' approval of the preliminary water quality and this is reflected by Condition No. 2 of the DPS February 22, 2007 approval of the final water quality plan which

states "Additional geotechnical study and evaluation will need to be done to determine the feasibility of groundwater recharge at the proposed locations. It is likely that groundwater will be encountered below some of the end of lines sand filters. In this case additional upland recharge areas will be required. This may affect lot yield. Note that extra recharge volume was required in the Preliminary Water Quality Plan approved (150% of MDE requirement) due to the lack of open section roads and deep cuts and fills that are proposed." The Planning Board incorporates the Environmental Planning memorandum dated May 22, 2007 requiring the applicant to address this comment prior to the approval of individual development site plans while there is still opportunity to provide the upland recharge.

g. Site Imperviousness

There are no impervious limitations within the Clarksburg SPA; however, the Special Protection Area regulations allow M-NCPPC to review imperviousness and to work with the applicant to reduce imperviousness. The estimated impervious amount proposed for the entire site is less than 45 percent. The impervious amount will be refined with the submission and approval of individual development site plans. Impervious data is not available for sites of this size and mixture of units and square foot of commercial/office space.

h. Site Performance Goals

As part of the final water quality plan approved with this Application, several site performance goals were established for the project:

1. Protect the streams and aquatic habitat.
2. Maintain the nature of onsite stream channels.
3. Maintain stream base flows.
4. Identify and protect stream banks prone to erosion and slumping.
5. Minimize storm flow runoff increases.
6. Minimize increases in ambient water temperatures.
7. Protect springs, seeps, and wetlands.
8. Minimize sediment loading.
9. Minimize nutrient loadings.
10. Control insecticides, pesticides, and toxic substances.

i. Stormwater Management

To help meet these performance goals, the stormwater management plan requires water quality control and quantity control to be provided through an extensive system of linked best management practices (BMPs).

Thirteen extended detention dry ponds will provide stormwater quantity control. These facilities are designed with a maximum retention time of 12 hours for the one-year storm. Stormwater quality control is provided via a treatment train consisting of recharge structures, surface sand filters, bio-filtration structures, dry swales, structural water quality inlets and vegetated buffer filtering.

Redundant sediment control facilities are required during construction of the site. This means upland sediment traps will drain to secondary traps downgrade. DPS will not allow silt fences as only perimeter control.

The proposed stormwater management concept and preliminary water quality plan consists of on-site channel protection measures via thirteen extended detention dry ponds. These structures will provide channel protection volume for the one-year storm with a maximum detention time of 12 hours per state standards. Quality control will be provided via a treatment train that consists of recharge structures, surface sand filter (in series), biofiltration structures, dry swales structural water quality inlets (both filtering and flow-through) and vegetated buffer filtering. Since open-section roads will not be feasible for the majority of the site, additional water quality volume will be provided in the proposed end of outfall large surface sand filters.

BE IT FURTHER RESOLVED, that this resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this resolution is SEP 19 2007 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

At its regular meeting, held on Thursday, September 6, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on motion of Commissioner Robinson, seconded by

MCPB No. 07-131
Site Plan No. 820050150
Cabin Branch Infrastructure and Roads Only Site Plan
Page 22

Commissioner Bryant, with Commissioners Hanson, Bryant, and Robinson voting in favor, and Commissioners Cryor and Lynch abstaining, **ADOPTED** the above Resolution, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 820050150- Cabin Branch Infrastructure and Roads Only Site Plan.



Royce Hanson, Chairman
Montgomery County Planning Board



MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 11-124

Site Plan No. 82005015B

Project Name: Clarksburg Infrastructure Site Plan for the Cabin Branch Neighborhood

Hearing Date: 12/01/2011

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on June 14, 2007, the Planning Board approved Site Plan No. 820050150 (MCPB Resolution 07-131) for a final water quality plan for the infrastructure components of Site Plan No. 820050150 and an Infrastructure and Roads Only Site Plan to accommodate 1,886 residential dwelling units, 500 senior units and 2,436,000 square feet of retail and employment, including 635 Transfer Development Rights (TDRs), and 236 Moderately Priced Dwelling Units (MPDUs) on 535.04 acres of RMX-1/MXPD-zoned land; and

WHEREAS, on April 3, 2008, the Planning Board approved Site Plan No. 82005015A (MCPB Resolution 08-68) for an Amendment of the Infrastructure and Roads Only Site Plan for the design and cross section of West Old Baltimore Road; and

WHEREAS, on September 7, 2011, Cabin Branch Management, LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82005015B, Clarksburg Infrastructure Site Plan for the Cabin Branch Neighborhood (the "Amendment") for approval of the following modifications:

1. Revision of the following conditions as underlined.

WATER QUALITY PLAN CONDITION (82005015)

1. Reforestation of the stream buffer is to begin in the first planting season after the issuance of the first grading permit by the Montgomery County Department of Permitting Services (MCDPS) and pursuant to the phasing set forth in the Final Forest Conservation Plan.

Approved as to
Legal Sufficiency:

Christina Sonent 2/15/12

8787 Georgia Avenue, Suite 200, Silver Spring, Maryland 20910

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INFRASTRUCTURE SITE PLAN CONDITIONS (82005015)

14. Forest Conservation

The Applicant must comply with the following conditions of approval from M-NCPPC Staff in the memoranda dated May 22, 2007, except as amended herein, and with the conditions of approval as specified in the Final Water Quality approval:

- a. The proposed development shall comply with the conditions of the Final Forest Conservation Plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services issuance of sediment and erosion control permits. With the exception of clearing and grading activities allowed in Condition 20, no clearing or grading is permitted with the infrastructure plan.
 - b. Record plat of subdivision shall reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
 - c. The implementation of the project's forest conservation mitigation requirements which includes forest retention, onsite and offsite afforestation, reforestation and landscape credit, may be phased. The phasing of the total forest conservation mitigation must be proportionate to either the area proposed for disturbance relative to the total project size or the amount of density for each stage relative to the total project density, whichever is greater. The phasing triggers, forest conservation mitigation type, amount of mitigation, and disturbance areas are to be defined on the Final Forest Conservation Plan and revised as needed with subsequent Site Plans. Conservation easements may be recorded using a metes and bounds description and sketch if preceding recordation of plats, provided the recording information for the conservation easement is referenced and the easement line is shown on subsequent record plats.
20. Clearing and Grading

The following may proceed upon approval of the Infrastructure Site Plan, Sediment and Erosion Control Plans and Final Forest Conservation Plan:

- a) clearing and mass grading for the roads being approved by this Infrastructure Plan and the local park and school site; b) installation of temporary sediment and erosion control devices; c) the installation of the trunkline sewer (DA 3326); d) the installation of the water main along

Maryland Route 121; and e) the construction associated with the existing farm pond and stream restoration project. No construction of roads, buildings or retaining walls may proceed until subsequent certified Site Plan approvals for each individual Site Plan. Notwithstanding the above, clearing and grading activities, with the exception of the water and sewer projects, may not be permitted beyond the limits of disturbance submitted as part of the current Site Plans for Nos. 820060180, 820060240, 820060290, 820060300, 820060350 and 820070140.

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated November 18, 2011, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on December 1, 2011, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on December 1, 2011, the Planning Board approved the Amendment subject to conditions on the motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, with a vote of 5-0, Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves the Site Plan No. 82005015B; and

BE IT FURTHER RESOLVED, that the Planning Board finds that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED that all site development elements as shown on Clarksburg Infrastructure Site Plan for the Cabin Branch Neighborhood drawings stamped by M-NCPPC on May 11, 2009, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is MAR 7 2012 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Anderson voting in favor of the motion, with Commissioner Presley abstaining, and with Commissioner Dreyfuss absent, at its regular meeting held on Thursday, February 23, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board

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