

MEMO via email

Date: January 7, 2013

To: Mark Nelis, Bowman Consulting (Chris Mohn)

From: Patrick Sullivan, Zoning Administrator

Re: Catoctin Creek Apartments rezoning and comprehensive plan applications

An additional review of your rezoning and comprehensive plan amendment applications for Catoctin Creek Apartments has been completed. Please note that the submission is now complete.

The Town's comments are included with each checklist item and are noted on the separate attachment.

The submission will now be distributed to the various state, county and town agencies for substantive review. All the necessary review material will be distributed by Friday the 11th of January. The deadline for comments will be February 22, 2013. Agencies may ask for additional time if they are not able to complete the review by the deadline. Reasonable requests will be considered. Following staff review of the agency comments a public hearing before the Planning Commission will be scheduled.

Mailing Address:

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TO: Patrick Sullivan
FROM: Tracey Shiflett (**Comments of 1/2/13 in blue bold**)
Dale Lehnig (PW comments added October 31, 2012, shown in red italics)
Dale Lehnig (PW comments added December 27, 2012, shown in red bold)
P Sullivan (Comments added 1/7/13, shown in green bold)
Date: October 23, 2012
SUBJECT: Review of Catoctin Creek Apartment Submission for completeness

The application for this project is ~~incomplete~~ **complete**. ~~Deficiencies are noted below.~~

- A plan, at a scale of not less than one inch equals 100 feet.
Complete
- A vicinity map at a scale of not less than one inch equals 2,000 feet.
Complete
- A statement which confirms the ownership of the subject property, and the nature of the applicant's interest in same.
Ownership is shown on the plans, but "Nature of the applicant's interest" is not.
Complete.
- Existing topography with a maximum contour interval of five feet and a statement indicating whether it is air survey or field run.
Topography is shown, but no indication on whether or not it was a field or air survey.
Complete.
- Proposed topography with a maximum contour interval of five feet
Not shown on the plans.
Complete.
- Scale and north arrow, with north, to the extent feasible, oriented to the top of all drawings.
Complete.
- The approximate location and arrangement of all proposed structures and uses to include the maximum height in feet of all structures, and a graphic depiction of the structures and their relationship to property boundaries.
Complete.
- Architectural elevations of all structures.
Incomplete. Only building "5" and clubhouse elevations have been submitted.
There appear to be at least 5 building elevation variations. Only two building elevations have been submitted
Incomplete, Additional elevations not submitted. Additional elevations shall be made available at a later date. For the purposes of the check list this item is considered complete.

- The approximate delineation of all proposed landscaped areas.
Complete.
- The proposed exterior and interior traffic circulation plan including streets and pedestrian, bike paths, bus stops and the location of all trails required by the adopted comprehensive plan.
No interior traffic circulation or trail plan submitted.
Complete.
- A traffic impact analysis, and location of proposed connection to public roadway(s)
No traffic impact analysis submitted. Connection to Hirst Road shown on the plan.
Complete, TIA submitted.
- All proposed open space areas and the approximate location of all proposed community and public facilities.
Complete.
- A schedule showing the number of parking spaces provided and the number required.
Complete
- Any proposed improvements to the public right(s)-of-way and delineation of the existing centerline of all streets abutting the property, including dimensions from the existing centerline to the edge of the pavement and the edge of the right-of-way.
Deferred to public works for comment. *Incomplete. Dimension to existing centerline to edge of pavement not shown. Proposed improvements to Hirst Road are dependent on the findings in the Traffic Impact Analysis, which has not been completed.*
12/27/12 Complete
- Approximate delineation of any floodplain designated by the Federal Insurance Administration, U.S. Geological Survey or the Federal Emergency Management Agency (FEMA).
Complete.
- Approximate delineation of any wetlands.
Complete.
- A delineation of existing vegetation, to include existing vegetation to be preserved.
Complete.
- Approximate location and estimated size of all proposed storm water management facilities and a statement as to the type of facility proposed.
Deferred to public works for comment. *Incomplete. Plans show a location, but dimensions (including depth) and discharge location are not shown. Submittal should include a basis for the proposed size of the SWM/BMP facility.*
12/27/12 Incomplete. Did not include a basis for the proposed size of the SWM/BMP facility. Plans show contours and capacity but the depth of water anticipated for that capacity is not shown. Information shall be made available at a later date. For the purposes of the check list this item is complete.
- The location of all existing utilities and easements.
Deferred to public works for comment. *The Town does not have access to the ALTA survey that was performed, so we cannot comment on whether the plans show all existing utilities and easements. To our knowledge, all existing Town utilities and easements on the property have been shown.*
12/27/12 No further comment.
- A delineation of those general areas that have scenic assets or natural features deserving of protection and preservation, and a statement of how much will be accomplished.
A tree preservation area has been designated on the plan; however, no statement on how much will be accomplished.
Complete.

- Approximate delineation of any grave, object or structure marking a place of burial if known, and a statement indicating how the proposed development will impact the burial site.
Complete. Statement on plan indicates no known burial sites on the property.
- A statement explaining the relationship of the planned development to the adopted comprehensive plan for the town.
Not submitted.
Complete.
- A statement or graphic presentation of how adjacent and neighboring properties shall be protected from any adverse effects prompted by the proposed development, to include vehicular access plans, proposed measures of screening, and dimensions of all peripheral yards that will be provided.
Incomplete. Only vehicle access to the site submitted.
Complete.
- A graphic presentation setting forth the maximum number of dwelling units proposed, to include the density calculations based on the provisions of article 4, section 12, those units obtained by bonus provisions, and a breakdown of the approximate number of units by type.
Complete.
- A statement or graphic presentation of the open space calculations based on the provisions of article 4, section 12.
Complete.
- A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards, or if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for moderation. If the proposal includes the request for a waiver of the yard regulations for yards abutting certain principal arterial highways and railroad tracks, a study showing projected noise impacts, proposed mitigation measures and effectiveness of such measures shall be submitted.
Complete.
- A statement or graphic representation of those special amenities that shall be provided within the planned development.
Complete.
- Show the 100' stream buffer and 25' forested area (article 14)
Incomplete. There is no delineation of the stream scar on which the 100' stream buffer is based on. The 25' forested area is not shown.
Complete.
- Approximate water demand and sewer generated
Deferred to public works for comment. *Incomplete. No approximate water demand or sewer usage has been submitted.*
12/27/12 Complete.
- Proposed connection locations to town water and sewer and layout of proposed sanitary sewer and water facilities
Deferred to public works for comment. *Proposed connection locations are shown on the plans. Additional information regarding usage/flows and analysis of the information will be needed prior to approval of the connection locations. Connection locations are also dependent on the acquisition of easements by the applicant. Final design of on-site water and sewer is subject to review in accordance with Town requirements.*

12/27/12 As stated previously, additional information will be needed before final approval of connection location. (can be during the design phase)

- A statement setting forth the proposed approximate development schedule.
Not submitted.
Complete.

Comprehensive Plan Amendment (CPAM) & Rezoning Application.

The application for the CPAM and Rezoning are incomplete. Deficiencies are noted below.

- CPAM application requires a statement of support that states the purpose and nature of the request and how it will better serve the community than the current Comprehensive Plan does.
Not submitted. Incomplete.

Complete

Owner signatures. **Complete.**

The applications state that Nusbaum is the owner yet Rixey is signing as the owner along with Nusbaum. The concept plans list Rixey as the owner and Nusbaum as the applicant.

- For both applications please provide a short statement that details both Rixey and Nusbaum's interest in the property.
- On page three of the rezoning application please note who is signing by printing the name next to the signature.
- Please provide printed names under owner signature on both pages of the CPAM application.