



**Statement of Justification
Amalyn-Bethesda
Site Plan Amendment No. 120160290 and
Preliminary Plan Amendment No. 820170170**

I. Introduction

The Applicant, Toll Brothers Inc. (“Applicant”) proposes several minor revisions to the Amalyn Site Plan Amendment and Preliminary Plan Amendment (the “Amendments”) to accommodate the development of the 76-acre project, approved for 306 residential units (the “Project”).

II. Proposed Revision to Bring Preliminary Plan into Conformance with Approved Site Plan

The Applicant proposes certain revisions to the Preliminary Plan that were previously approved on the Site Plan, in order to bring the Preliminary Plan into conformance with the approved Site Plan. The Site Plan in this case was approved subsequent to the Preliminary Plan and in connection with the Site Plan, the Applicant made a number of revisions at Staff’s request. The subject amendments ensure consistency between both the Site Plan and the Preliminary Plan. These changes include the following:

- Lot line adjustments to relocate certain MPDU units into the rows of market rate townhouses in order to better disperse the MPDU units;
- Lot line adjustments to replace the townhouse units with single family units on the westernmost block of the subdivision;
- Replace private street Lane B with green space;
- Realign private street Lane C to private street 8;
- Eliminate alley running north/south adjacent to the lawn;
- Lot line adjustment/reconfigure lots around the lawn and eliminate part of private alley 10; and
- Lot line adjustment/reorient Lots 244 and 245.

In approving the Site Plan that reflects the above identified changes, the Planning Board determined that these changes are appropriate for the Project and consistent with the Master Plan.

III. Current Requested Revisions

The Applicant requests approval of the following additional minor revisions to the Preliminary Plan and Site Plan. These revisions do not alter the density or amount of open space associated with the Project or significantly alter the overall layout of the Project. Instead they reflect minor lot line adjustments, reconfiguration of green space and minor changes to hardscaping, as follows:

1. Elimination of the “Crescent” along Greyswood Road

The Applicant proposes the elimination of the crescent along Greyswood Road and the reorientation of Lots 5-10 so they front directly on Greyswood Road, similar to the other lots to the east (Lots 11-14) and west (Lots 1-4). This change will allow for a more uniformed Greyswood Road streetscape that creates a desired street edge and results in more useable open space. As shown on the proposed Amendment plans, Lots 5-10 will be resubdivided to Lots 15-20. Open green space, currently provided within the crescent with vehicular access on all sides, will be relocated to between Lots 19 and 20. The location of the green space is across from the Greyswood Road/Private Street 5 intersection, thus allowing for safe access. A stormwater management facility, currently located within the crescent will be located below the green space. Plantings and benches will be provided within the green space, along with a path along the eastern boundary that will connect to the perimeter trail. As part of the revisions to this area, the bench at the intersection of the connecting path and the perimeter trail will be eliminated. This change results in both more useable and desirable green area as well as a preferable urban design by relocating the houses closer to the street consistent with the other houses along Greyswood Road.

2. Hardscaping Revisions

The Applicant proposes to make limited revisions to certain hardscaped areas of the Project, as follows: 1. replace the special pavers on Private Street 5 and Lanes A, C and G with asphalt; 2. delineate the five foot wide pedestrian areas with pedestrian pavers along Lanes A and C; and 3. replace aggregate sidewalks with concrete sidewalks, except along Private Street 5 where pedestrian pavers will be provided.

The request for these revisions is driven by concern for the future financial obligations of the Project’s future homeowners’ association. In connection with the Applicant’s financial Reserve Study which evaluates the future maintenance costs that the homeowners’ association -- and thus the residents, will incur, the Applicant determined that the paving currently approved imposes a significant ongoing maintenance burden on the homeowners association. The Applicant proposes the noted limited revisions that will not change the nature or character of these areas.

3. Minor adjustment to alley grade

The Applicant requests a minor revision to the grade of specified alleys. The current grade of the alleys behind the townhouses with elevators is three percent. However, in order to increase the overall accessibility associated with these units, the Fair Housing Act requires that this slope be reduced to two percent. The Applicant has discussed this revision with the Department of Transportation which finds it acceptable.

4. Minor increase in gross floor area of pool house

A minor increase of less than 700 square feet is proposed for the clubhouse to accommodate the pool equipment. This proposal is driven strictly by operational concerns. Currently, the pool equipment storage is proposed for the lower level of the clubhouse. However, it was determined that this presented a major operational challenge, given that pool equipment weighing several hundred pounds would need to be moved from the cellar space to the outside twice a year. This minor increase in square footage will be indiscernible.

5. Imposition of Phasing Line

The Site Plan currently shows Phase 2 as a single phase. In order that the development of portions of Phase 2 may be advanced, the Applicant proposes adding a new phase line and delineating Phase 2 into Phase 2 A and 2B. This requested revision relates only to timing and does not reflect any substantive change to the approved plans.

All other aspects of the Preliminary Plan and Site Plan approvals will remain unchanged.

In support of the Preliminary Plan Amendment and Site Plan Amendment, we are submitting the following items in addition to this statement of explanation:

1. Filing fee;
2. Application;
3. Statement of Justification (this document);
4. Certificate of Compliance;
5. Adjoining and Confronting Property Owner and HOA/Civics Notice List;
6. Application Notice Letter (draft copy);
7. Signage Information;
8. Amended Plans;
9. Markup of Approved Plans;
10. Original Certified Plans and Resolution; and
11. Checklist.

The proposed modifications do not increase the height or density, change the use, decrease the open space, or alter any basic element of the previous approvals. Further, the revisions do not alter the conditions or findings of the original Preliminary Plan and Site Plan approvals. The proposed revisions are straightforward and we urge your support of the Amendments.

We look forward to working with Staff to obtain this approval and thank you in advance for your consideration regarding the Amendments.