

Justification for Private Roads Bloom Montgomery Village

USL2 MR Montgomery Village Business Trust (the “Applicant”) proposes that all of the planned roads associated with the Montgomery Village Golf Course development (the “Project”), with the exception of Stewartown Road extended, be classified as private streets. Accordingly, the Applicant requests that the proposed roads in Areas 1, 3, 4, 5 and 6 be private, as set on Attachment A. The establishment of private roads within these Areas is consistent with the vast majority of the roads within Montgomery Village.

Section 50-29(a)(2) of the Subdivision Regulations require that “[e]xcept as otherwise provided in the zoning ordinance, every lot shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road.” The Planning Board, however, retains the ability to waive this requirement.

The primary motivating factor for requesting private roads is to obtain the greatest flexibility in balancing all the competing interests and needs for access, utility placement and clearances, street trees and other tree requirements, as well as other landscaping, street lights, stormwater management practices, and parking. Private roads will relieve constraints inherent with public right-of-ways (what is allowed and/or required as well as relieve limitations of what is not allowed with the right-of-way). Providing ESD to the MEP is critical to both the County and the Applicant and private roads are essential to a successful ESD approach. As noted below, the private roads will have permanent public access easements placed on them and will be built to public standards.

Importantly, the private roads are intended to serve the individual areas of residential development. Given the proposed layout of the Project, the private roads are not needed for and nor will they be used to serve area circulation. Instead, the roads will be used for access to the residences within one of the five specified Areas.

I. Summary of Proposed Roads

As set forth in detail on Attachment B, the design details for the proposed private roads within each of the Areas of the Project only differ in terms of whether on-street parking is provided and whether sidewalks and/or shared use paths are on one or both sides. However, all of the private roads will have the following minimum standards:

- 10’ paved travel lanes
- Closed sections with curb & gutter
- Minimum of a 5’ sidewalk on one side
- Street tree planting and lighting

II. Justification

In order to allow the proposed roads as private roads, the Planning Board must find that the private roads effectively function as public roads and have the status of public roads in the following respects: 1) adequate access and fully accessible to the public; 2) accessible to fire and rescue vehicles; and 3) designed to the minimum public road standards, except for right-of-way and pavement widths. The Applicant proposes that the private roads will be placed within an easement that ensures full public accessibility.

For the reasons set forth below, the Applicant respectfully requests that the Planning Board support the proposed private road classification.

A. Proposal is Consistent with the Majority of Roads within Montgomery Village

The vast majority of roads within Montgomery Village are private roads. These roads were constructed as private roads and have operated as such since the establishment of Montgomery Village in the early 1960's, without issue. One of the stated purposes of the Montgomery Village Overlay Zone is to preserve the unique character of Montgomery Village and ensure a compatible relationship between new and existing development. Allowing private roads within the Project helps to ensure that the overall character of the Project will be compatible with the surrounding development.

B. Master Plan

The 2016 Montgomery Village Master Plan identifies the public road network within Montgomery Village. Tellingly, while the Project was a focal point of the Master Plan, there is no discussion about the roads that will serve the individual areas within the Project. The sole exception is Stewartown Road -- a road which is recognized as a significant connector. The Master Plan implicitly acknowledges that the other roads would indeed be private, consistent with the other internal roads within Montgomery Village. A primary goal of the Master Plan for individual neighborhoods is pedestrian and bicyclist circulation and connectivity, which the Project promotes through numerous sidewalks, trails, and a key shared-use path.

C. Roads will have the Status of Public Roads

1. Fully accessible to the public

The private roads will be fully accessible to the public. The roads will be identified within separate parcels and subject to a public access easement providing the public with unobstructed access at all times.

2. Accessible to fire and rescue vehicles

As noted above, the private roads will be fully accessible to the public. Moreover, all private roads have been designed to accommodate fire and rescue vehicles in terms of turning radii, load, width, and the ability to adequately access each lot and turn around within the neighborhood.

3. Construction Specifications Comply with the Minimum Public Road Standards

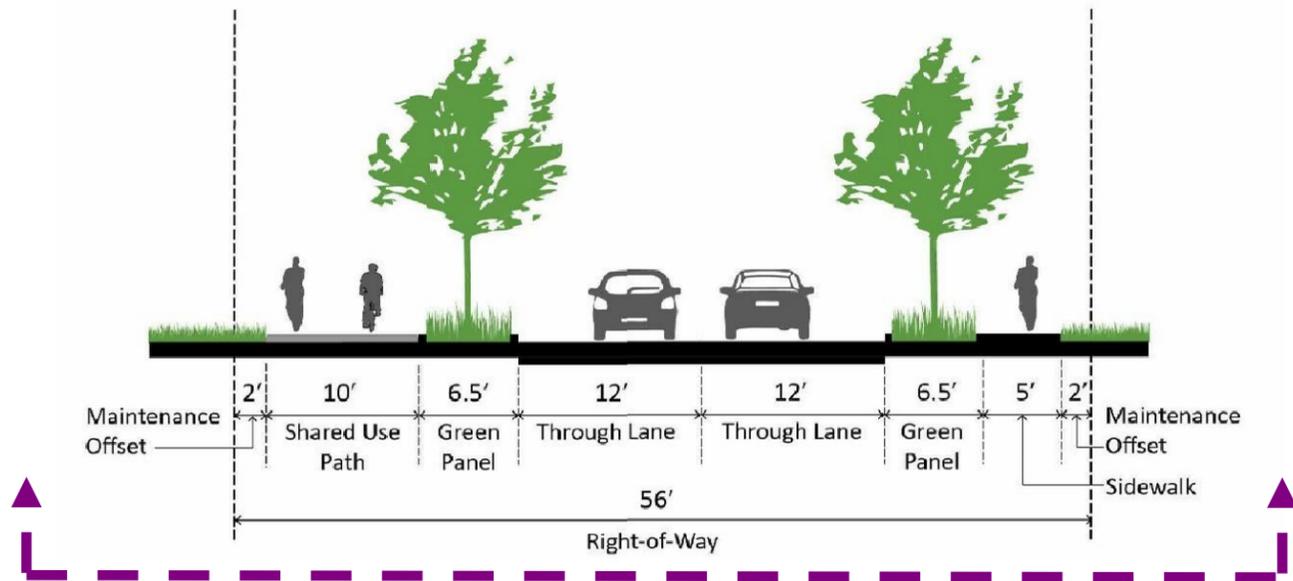
- a) Adequate turning radii are provided for passenger vehicles, service trucks, and fire and rescue vehicles.
- b) Appropriate paving cross section is provided to tertiary road standards with a 3" base over an approved subgrade and a 3" surface layer.
- c) Appropriate circulation and turnaround patterns allow access to every unit via front-loaded garages off of streets or rear-loaded garages off of an alley system.

D. Proposed Road Specifications Not Accommodated by Public Road Standards

For many of the same reasons the Applicant is requesting design exceptions for Stewartown Road, the character of the proposed private roads is meant to reflect the context of the community. Although the functionality of the existing private roads is demonstrably adequate, they were not built in accordance with every public road design standard. The proposed private roads include the following standards which cannot be accommodated by the public road standards:

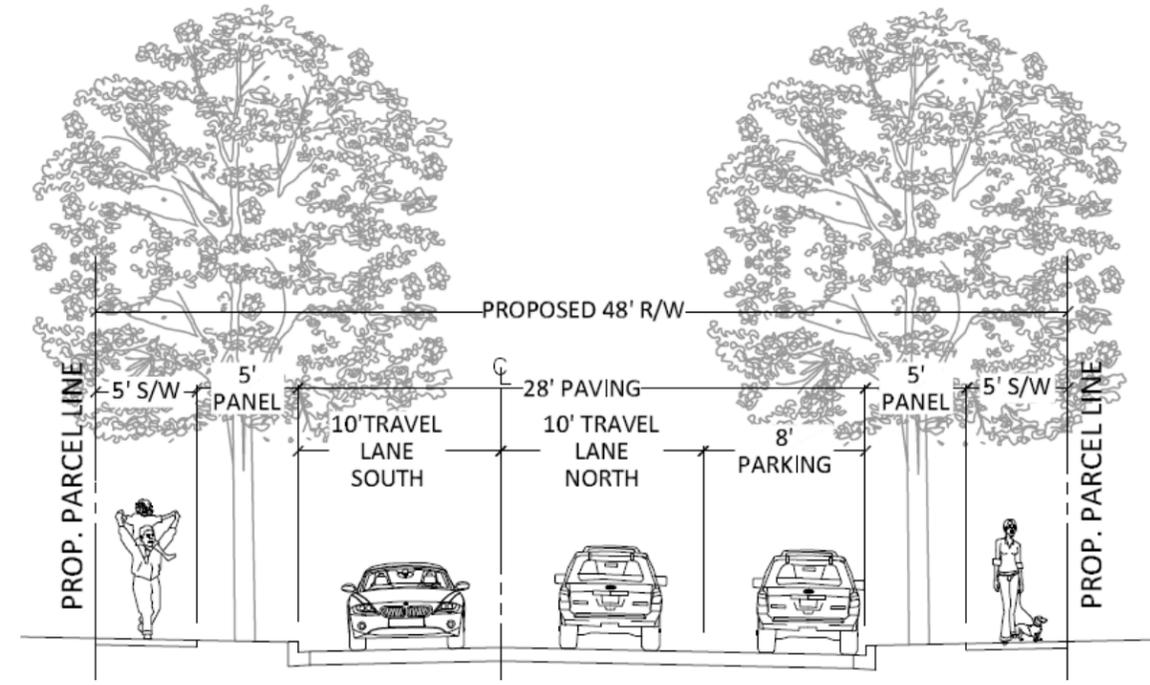
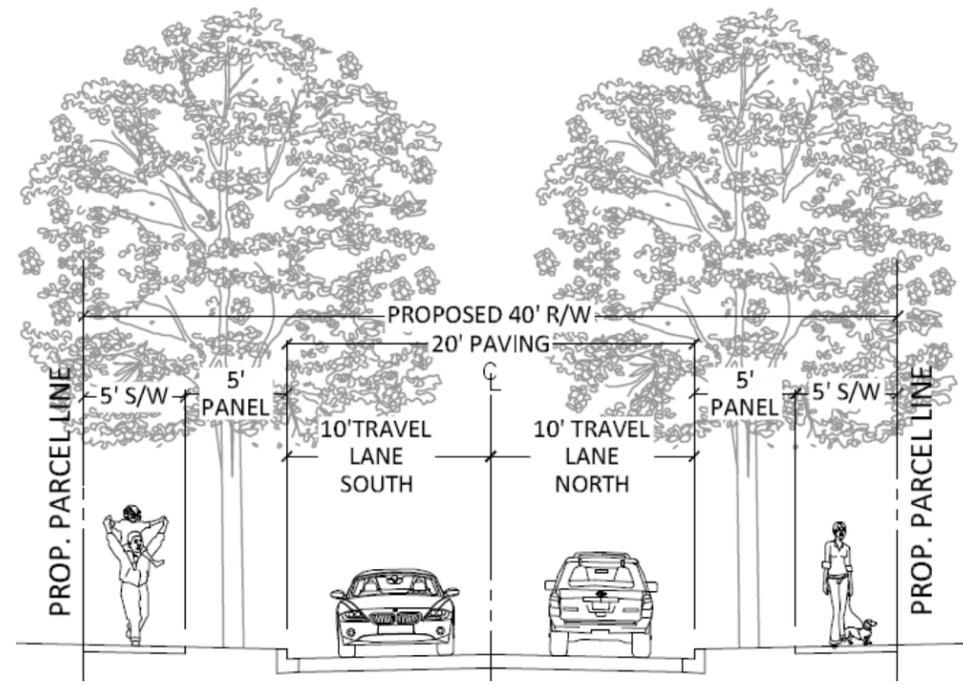
- Stormwater facilities and structures for private lots and parcels;
- Private utilities and easements for water, sewer, and "dry" utilities;
- Modifications to standard cross slopes to properly accommodate drainage areas;
- Tree spacing from the curb;
- Location and dimensioning of sidewalks; and
- 2' maintenance offset.

For all of these reasons, we request that the Planning Board approve the establishment of private roads in Areas 1, 3, 4, 5, and 6 of the Project. We appreciate your consideration of this request.



-  PUBLIC ROAD
-  PRIVATE STREET W/PARKING
-  PRIVATE STREET W/O PARKING

BLOOM MONTGOMERY VILLAGE



ROAD SECTIONS EXHIBIT

12/1/16 NTS
FOR ILLUSTRATIVE PURPOSES ONLY

