



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

MCPB
Item #
1/4/07



MEMORANDUM

DATE: December 11, 2006

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Catherine Conlon, Supervisor *CAC*
Development Review Division

FROM: Erin Grayson (301-495-4598) *EG*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Creation of 1 lot to accommodate 1 one-family dwelling unit and accessory buildings

PROJECT NAME: Smoot's Addition to Chevy Chase
CASE #: 120070060
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-60
LOCATION: 7401 Brookville Road on the southeast corner of Brookville Road and Windsor Place

MASTER PLAN: Bethesda-Chevy Chase

APPLICANT: Thomas Monahan
ENGINEER: CAS Engineering

FILING DATE: August 7, 2006
HEARING DATE: January 4, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one residential lot for one one-family detached dwelling unit and accessory buildings.
- 2) The applicant shall submit a final Tree Save Plan, for staff review and approval, that proposes specific measures and recommendations to save trees shown on the Preliminary Tree Save Plan dated November 16, 2006, prior to any demolition, clearing or grading of the site. An ISA certified arborist must prepare the final Tree Save Plan, with particular focus on the following areas:
 - a) Recommendations and proper methods for the saving and removal of trees consistent with the Montgomery County Historic Preservation Commission (HPC)-approved Historic Area Work Permit, including trees atop the existing retaining wall on the southern property line going east from Brookville Road.
 - b) Recommendations and proper methods for eradication of bamboo stand in the southwestern corner of the property. A written proffer shall be made to extend the bamboo eradication effort onto the adjoining lot to the south.
 - c) Guidance for revisions to the proposed grading and the proposed Limit of Disturbance (LOD) to better protect healthy trees.
 - d) Final sediment control plan must be consistent with final LOD as approved by MNCPPC staff.
 - e) All inspections as required by Section 110 of the Forest Conservation regulations.
- 3) The applicant shall dedicate 5 feet of right-of-way along Brookville Road for a total of 35 feet from the centerline, as shown on the approved preliminary plan.
- 4) The applicant shall construct a 4 foot-wide path in the right-of-way along the property frontage on Brookville Road, from Windsor Place to the historic pillars. The exact location of the path shall be determined prior to construction by a field meeting between the applicant and appropriate transportation and environmental planning staff.
- 5) Record plat to reflect the historic setting designated by the HPC and any other requirements of the HPC.
- 6) Record plat to note, "vehicular access denied" behind the historic pillars marking the existing driveway entrance from Brookville Road.
- 7) Compliance with the conditions of the MCDPS stormwater management approval letter dated August 24, 2006, unless otherwise amended.
- 8) Compliance with conditions of MCDPWT letter dated August 30, 2006, unless otherwise amended.
- 9) Access and improvements, as required, to be approved by the Town of Chevy Chase prior to recordation of plat(s).
- 10) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 11) Other necessary easements.

SITE DESCRIPTION

The subject property, pictured below and in Attachment A (Vicinity Map), is a 1.27-acre unrecorded parcel (P379) located in the southeast quadrant of the intersection of Brookville Road and Windsor Place in Section 5 of Chevy Chase. The property is zoned R-60 and is served by public water and sewer. The site is surrounded by existing, developed R-60 zoned residential lots to the north, west, south and east. A historic one-family house and carriage house currently exist on the property as well as a swimming pool. The historic home is known as End Lane/Bradshaw House. The property is in the Rock Creek watershed. There are no streams, wetlands, floodplains, environmental buffers or forest onsite, but specimen trees are located on the property.



PROJECT DESCRIPTION

The applicant proposes to create a recorded lot and retain, remodel and enlarge the existing dwelling unit. The applicant intends to convert the carriage house into a garage, remove the existing pool and construct a new pool and guesthouse. Access to the home and associated buildings is proposed via a gravel driveway from Windsor Place. The existing driveway, which provides access to the property from Brookville Road, is to be removed while the historic pillars located at the driveway entrance are to remain.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Bethesda-Chevy Chase Master Plan, adopted in 1990, does not specifically identify the subject property. As part of an on-going, comprehensive review of Chevy Chase following completion of the master plan, the property was added to the locational atlas of historic resources in 1999. The property is identified as Master Plan/Site #35/73 (End Lane/Bradshaw House). As a result, the historic site is subject to further procedural requirements of the Historic Preservation Ordinance, implemented by the Montgomery County Historic Preservation Commission (HPC).

On February 8, 2006, the HPC reviewed the application submitted by the applicant for a Historic Area Work Permit (#409319). The application for the proposed improvements shown on the preliminary plan was approved by the HPC, subject to any necessary approval by related government agencies. The proposed subdivision complies with the recommendations adopted in the Master Plan in that the historic features of the property will be enhanced through new residential use.

Transportation

The proposed lot does not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review. The property is a corner lot with frontage on Brookville Road and Windsor Place. Any access and improvements on Windsor Place are subject to the authority of the Town of Chevy Chase. The applicant proposes to remove the existing driveway apron from Brookville Road and construct a new driveway with access from Windsor Place.

The applicant proposes to dedicate 5 feet of right-of-way for Brookville Road. Pedestrian access along the Brookville Road frontage is necessary because Brookville Road is a primary residential road and a bus route. Staff recommends construction by the applicant of a 4 foot-wide path, rather than a standard sidewalk, in order to increase safety and preserve the specimen trees and historic pillars along the Brookville Road frontage. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Environment

The site does not contain any environmentally sensitive areas and is exempt from the county Forest Conservation Law per 4-06112E as a result of the size of the property. A tree save plan is required and subject to approval conditions.

The 130 trees on the site were inventoried in May 2006 with size and commentary as to health and shape. A rough "Tree Survey Plan" was submitted from Judy Hanks-Henn, LA (dated 11/2005) with recommendations for trees to save and remove, followed by a "Tree Save Plan" from CAS Engineering (dated 11/16/06) showing rough LOD's and preliminary grading which is not consistent with standard tree save practice. The proposed condition addresses the need for a final Tree Save Plan developed by an ISA Certified Arborist to address the many

detailed tree save issues requiring such expertise. This effort should be coordinated with the Historic Preservation Commission's approval for this site.

The proposed stormwater management plan includes on-site water quality control and onsite recharge via nonstructural methods. The MCDPS Stormwater Management Section approved the stormwater management concept for the project on August 24, 2006.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lot and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the R-60 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan (see Attachment D).

Citizen Correspondence and Issues

On August 8, 2006, CAS Engineering, on behalf of the applicant, as well as MNCPPC notified adjacent and confronting property owners of the submitted application. One letter was received on September 20, 2006, from Nancy and Mark Silverman expressing concern and interest in the proposed plan. Staff contacted the Silverman's at the number provided in order to answer any questions prior to the date of this report. Based on that conversation and the lack of any other citizen correspondence, citizen concerns have been adequately addressed by the proposed plan.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance, and complies with the recommendations of the Bethesda-Chevy Chase Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

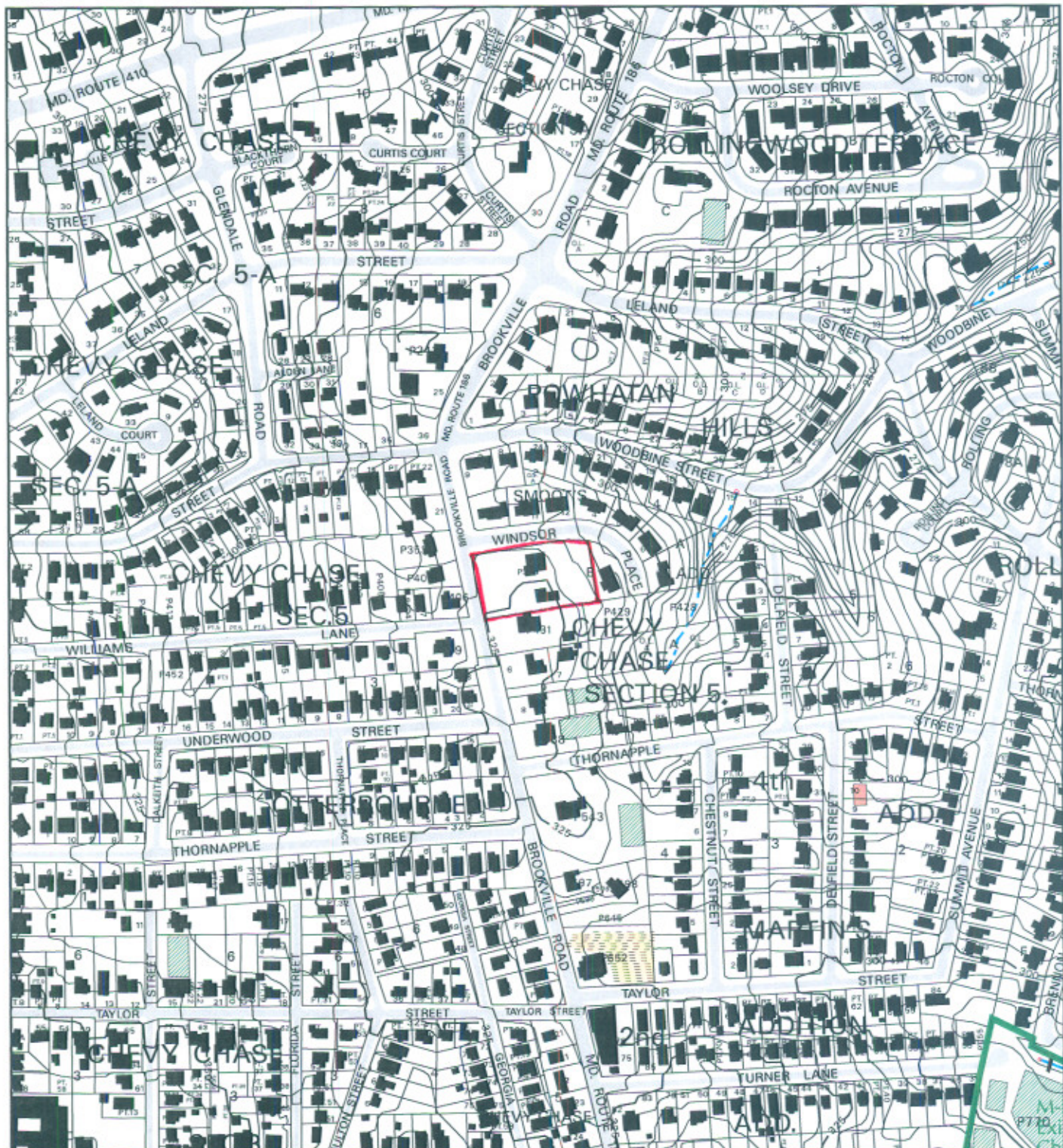
Attachments

- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – Citizen Correspondence
- Attachment D – Agency Correspondence Referenced in Conditions

TABLE 1: Plan Checklist and Data Table

Plan Name: Smoot's Addition to Chevy Chase				
Plan Number: 120070060				
Zoning: R-60				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq. ft.	51,819 sq. ft.	EH	12/15/06
Lot Width	60 ft.	Must meet minimum	EH	12/15/06
Lot Frontage	25 ft.	Must meet minimum	EH	12/15/06
Setbacks				
Front	25 ft. Min.	Must meet minimum	EH	12/15/06
Side	8 ft. Min./18 ft. total	Must meet minimum	EH	12/15/06
Rear	20 ft. Min.	Must meet minimum	EH	12/15/06
Side- Accessory Building, Corner Lot	25 ft. Min.	Must meet minimum	EH	12/15/06
Height Max.	35 ft. Max.	May not exceed maximum	EH	12/15/06
Resid'l d.u. per Zoning	8 dwelling units	1 dwelling unit	EH	12/15/06
Max. Building Coverage	35%	16%	EH	12/15/06
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		EH	12/15/06
Road dedication and frontage improvements	Yes		SHA, DPWT Agency letters	8/28/06 8/30/06
Environmental Guidelines	Yes		Staff memo	12/11/06
Forest Conservation	N/A		Staff memo	1/31/06
Master Plan Compliance	Yes			
Historic Preservation	Yes		HPC memo	2/9/06
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency letter	8/24/06
Water and Sewer (WSSC)	Yes		Agency Comments	8/28/06
Well and Septic	N/A			
Local Area Traffic Review	N/A		Staff memo	8/28/06
Fire and Rescue	Yes		Agency letter	9/11/06
Other (parks, schools, etc.)				

SMOOT'S ADD TO CHEVY CHASE (120070060)



Map compiled on August 17, 2006 at 1:13 PM | Site located on base sheet no. - 209NW03

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



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Research & Technology Center

0 400

1 inch = 400 feet
1 : 4800

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ZONING DATA

[illegible]

LEGEND

- [illegible]

NOTE

MISS UTILITY

The addition of Cu^{2+} ions, which function as a catalyst for the reaction, can speed up the reaction. The reaction is also sensitive to the concentration of the reactants. The reaction is first order in Cu^{2+} ions and first order in H_2O_2 . The reaction is zero order in H^+ ions. The reaction is also sensitive to the concentration of the products. The reaction is first order in H_2O and first order in O_2 . The reaction is also sensitive to the concentration of the reactants. The reaction is first order in Cu^{2+} ions and first order in H_2O_2 . The reaction is zero order in H^+ ions. The reaction is also sensitive to the concentration of the products. The reaction is first order in H_2O and first order in O_2 .

ENGINEER'S CERTIFICATE

Received
 Capt A. S. Shaffer
 10/1/1911


SITE / ZONING DATA

[illegible]

OWNERS

APPLICANT

7401 BROOKVILLE ROAD
PROPOSED LOT 2, BLOCK B
SMOOT'S ADDITION TO CHEVY CHASE SECTION 5
PRELIMINARY PLAN

7401 BROOKVILLE ROAD
PROPOSED LOT 2, BLOCK B

SMOOT'S ADDITION TO CHEVY CHASE SECTION 5

PRELIMINARY PLAN

10/19	BY	Self-study
10/20/21	BY	PHOTOCOPYING, DISTRIBUTION, OR REPRODUCTION

[illegible]

100

	Region	Year
	Asia	1990-2000

	05-081	08/2007
	EXPENSES	EXPENSES
	FBI	FBI

[illegible]

	10	10
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Nancy & Mark Silverman
7404 Brookville Road
Chevy Chase, MD 20815
301.656.4894



September 20, 2006

Via U.S. MAIL

Development Review Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: **7401 Brookville Smoot's Addition to Chevy Chase**

Dear Development Review Division:

I recently received a notice of application regarding a preliminary subdivision plan to be considered by the Montgomery County Planning Board, Preliminary Plan 1-20070060. As a neighbor of an adjacent and confronting property, I would like to express my concern and interest in this matter and request that I be informed of all subsequent developments

Thank you for your help if you have any questions please feel free to call me at the number listed above.

Sincerely,

A handwritten signature in cursive script that reads "Mark".

Mark J. Silverman



HISTORIC PRESERVATION COMMISSION

Douglas M. Duncan
County Executive

Julia O'Malley
Chairperson

Date: 2/9/2006

MEMORANDUM

TO: Robert Hubbard, Director
Department of Permitting Services

FROM: Michele Oaks, Senior Planner 
Historic Preservation Section
Maryland-National Capital Park & Planning Commission

SUBJECT: Historic Area Work Permit #409319, Major additions, landscape alterations, tree removal
& guest house construction

The Montgomery County Historic Preservation Commission (HPC) has reviewed the attached application for a Historic Area Work Permit (HAWP). This application was Approved at the 2/8/2006 meeting.

The HPC staff has reviewed and stamped the attached construction drawings.

THE BUILDING PERMIT FOR THIS PROJECT SHALL BE ISSUED AND CONDITIONAL UPON ADHERENCE TO THE ABOVE APPROVED HISTORIC AREA WORK PERMIT (HAWP) AND MAY REQUIRE APPROVAL BY DPS OR ANOTHER TOWN GOVERNMENT AGENCY BEFORE WORK CAN COMMENCE.

Applicant: Sharon and Tom Monohan (Chryssa Wolf, Agent)

Address: 7401 Brookville Road, Chevy Chase (Master Plan Site #35/73, End Lane/Bradshaw House)

This HAWP approval is subject to the general condition that the applicant will obtain all other applicable Montgomery County or local government agency permits. After the issuance of these permits the applicant must contact this Historic Preservation Office if any changes to the approved plan are made.





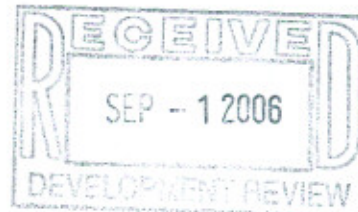
DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

August 30, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan #1-20070060
Smoot's Addition to
Chevy Chase Section 5

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 08/04/06. This plan was reviewed by the Development Review Committee at its meeting on 08/28/06. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Show/label all existing planimetric and topographic details specifically storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways as well as existing rights of way on both sides and easements on the preliminary plan.
2. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.
3. Access and improvements along Brookville Road (MD 186) as required by the Maryland State Highway Administration.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

Ms. Catherine Conlon
Preliminary Plan No. 1-20070060
Date August 30, 2006
Page 2

4. Access and improvements along Windsor Place as required by the Town of Chevy Chase.
5. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070060, Smoot add to Chevy Chase Sec 5.doc

Enclosures ()

cc: Thomas Monahan
Chryssa Wolfe, Hanlon Design-Build
Eric Tidd, CAS Engineering
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Raymond Burns, MSHA
Preliminary Plan Folder
Preliminary Plans Note Book

Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

August 28, 2006

Ms. Catherine Conlon
Supervisor, Development Review
Subdivision Division
Maryland National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Re: Montgomery County
Smoot's Addition to
Chevy Chase, Section 5
File #: 1-20070060
MD 186 - General

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the preliminary plan application for Smoot's Addition to Chevy Chase, Section 5. We offer the following comments:

- Right-of-way dedications need to be in accordance with the Master Plan of Highways. SHA will require that the right-of-way dedications be platted using SHA standards. These plats must be submitted in hard copy format for review and final issuance. Please contact Mr. Dan Andrews of the Plats and Surveys Division at 410-545-8975 for additional information. You may also e-mail Mr. Andrews at dandrews@sha.state.md.us.
- Proposed access to this site is from a County-maintained road and is subject to the permit process and requirements of the Montgomery County Department of Public Works and Transportation.

If you have any questions or require additional information, please contact Raymond Burns at 410-545-5592 or by using our toll free number in Maryland only at 1-800-876-4742.

Very truly yours,

for Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb/jab

cc: Mr. Thomas Monahan / 17 Oxford Street, Chevy Chase, MD 20815
Mr. Eric Tidd / CAS Engineering / 108 W. Ridgeville Blvd., Suite 101, Mt Airy, MD 21771
Mr. Richard Weaver / M-NCPPC
Mr. Shahriar Etemadi / M-NCPPC
Mr. Sam Farhadi / Montgomery County DPW&T
Mr. Jeff Wentz sent via e-mail
Ms. Kate Mazzara sent via e-mail
Mr. Ted Beeghly sent via e-mail
Mr. Dan Andrews sent via e-mail

My telephone number/toll-free number is _____

Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com



DEPARTMENT OF PERMITTING SERVICES

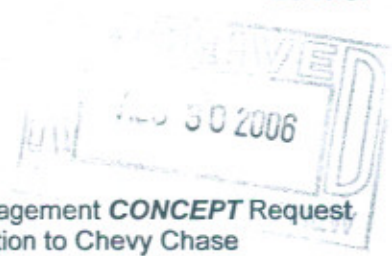
Douglas M. Duncan
County Executive

August 24, 2006

Robert C. Hubbard
Director

Mr. Eric B. Tidd
CAS Engineering
108 West Ridgeville Boulevard, Suite 101
Mount Airy, MD 21771

Re: Stormwater Management **CONCEPT** Request
for Smoot's Addition to Chevy Chase
SM File #: 227378
Tract Size/Zone: 1.27 acres/R-60
Total Concept Area: 1.27 acres
Parcel(s): 379
Watershed: Lower Rock Creek



Dear Mr. Tidd:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and onsite recharge via nonstructural methods. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following items will need to be addressed **during/prior** to the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.

This list may not be all-inclusive and may change based on available information at the time.

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

This 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 stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.



If you have any questions regarding these actions, please feel free to contact Nadine Vurdelja Piontka at 240-777-6334.

Sincerely,



Richard R. Brush, Manager
Water Resources Section
Division of Land Development Services

RRB:dm CN227378

cc: C. Conlon ✓
S. Federline
SM File # 227378

QN -onsite; Acres: 1.27
QL - onsite; Acres: 1.27
Recharge is provided