



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

MCPB
Item #
10/25/07



MEMORANDUM

DATE: October 12, 2007

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 1 lot for 1 one-family detached dwelling unit

PROJECT NAME: Needwood Knolls

CASE #: 120080010

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: On Muncaster Mill Road, 60 feet North of Needwood Road

MASTER PLAN: Upper Rock Creek

APPLICANT: Erika Velasquez

ENGINEER: T.E.S. Consultant

FILING DATE: July 17, 2007

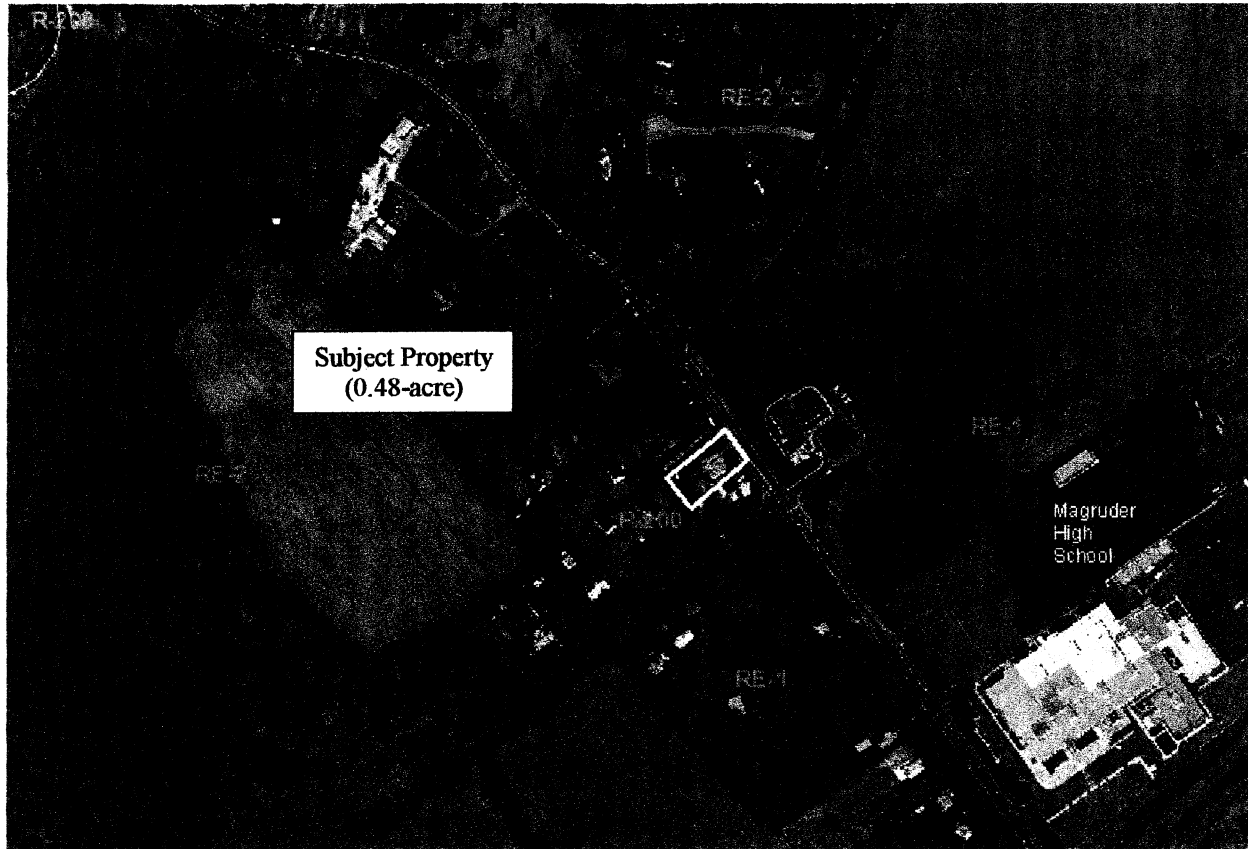
HEARING DATE: October 25, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 1 lot for 1 one-family residential dwelling unit.
- 2) The record plat must provide for right-of-way dedication of 40 feet from the centerline for Muncaster Mill Road.
- 3) The applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated September 11, 2007, unless otherwise amended.
- 4) The applicant must comply with the conditions of the State Highway Administration (SHA) letter dated September 7, 2007, unless otherwise amended.
- 5) The applicant must satisfy provisions for access and improvements as required by SHA prior to their issuance of an access permit.
- 6) 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.
- 7) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION

The subject property "Subject Property" or "Property", pictured on the following page and in Attachment A (Vicinity Map), is located at 6004 Muncaster Mill Road, 60 feet north of Needwood Road in the Upper Rock Creek Master Plan area. The Property is currently an unrecorded parcel, 0.48-acre in size. The property is zoned R-200 and is surrounded by property zoned R-200 on the south, west and north. Property across Muncaster Mill Road to the east is zoned RE-1. The site is currently vacant as a result of a previous house fire. The Subject Property is located within the Upper Rock Creek Mainstem Watershed, but not within a Special Protection Area. No significant environmental features are present on the site.



PROJECT DESCRIPTION

The applicant proposes to record 1 lot in order to accommodate a one-family detached residential dwelling unit. The proposed lot is 20,191 square feet, after proper dedication for Muncaster Mill Road is made. Access to the site is proposed from Muncaster Mill Road.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Upper Rock Creek Master Plan does not specifically identify the subject property but does make general recommendations regarding zoning and land use. The plan recommends that R-200 zoning be maintained. The proposed subdivision complies with the recommendations adopted in the Master Plan in that the plan proposes residential use in compliance with the standards of the R-200 zone.

Roads and Transportation

The proposed lots do 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. Muncaster Mill Road is an arterial road, requiring 80 feet of right-of-way. The applicant proposes to dedicate additional right-of-way to provide 40 feet from the centerline as required. The Subject Property is located along the Alternative Route for the Intercounty Connector (ICC) bikepath. The applicant is not required, however, to construct a portion of the path because of the small amount of frontage along Muncaster Mill Road and because the plan includes only 1 replacement dwelling unit. A driveway with an apron along the Property frontage is proposed to serve the lot. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public and private improvements.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling unit. The Property will be served by public sewer and water. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services, are currently operating within the standards set by the Growth Policy Resolution currently in effect. Gas, electrical and telecommunications services are also available to serve the Property.

Environment

Environmental Guidelines

There are no environmentally sensitive areas on the subject property and, as a result, the Environmental Guidelines are not applicable.

Forest Conservation

The plan is exempt from the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law) because the Property qualifies as a "Small Property", where activity occurring on a tract less than or equal to 1 acre in size will not result in the clearing of more than 30,000 square feet of existing forest, or any specimen or champion trees, and reforestation requirements would be less than 10,000 square feet.

Stormwater Management

The MCDPS Stormwater Management Section did not require a formal stormwater management concept for this preliminary plan.

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 lots 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-200 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.

Citizen Correspondence and Issues

The applicant notified adjacent and confronting property owners and civic associations of the preliminary plan submission made to MNCPPC and provided copies of the plan, as required. Staff sent notice of the public hearing to these parties. No citizen concerns have been brought to the attention of MNCPPC staff as of the date of this report.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and complies with the recommendations of the Upper Rock Creek Master Plan. Access and public facilities will be adequate to serve the proposed lot, 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

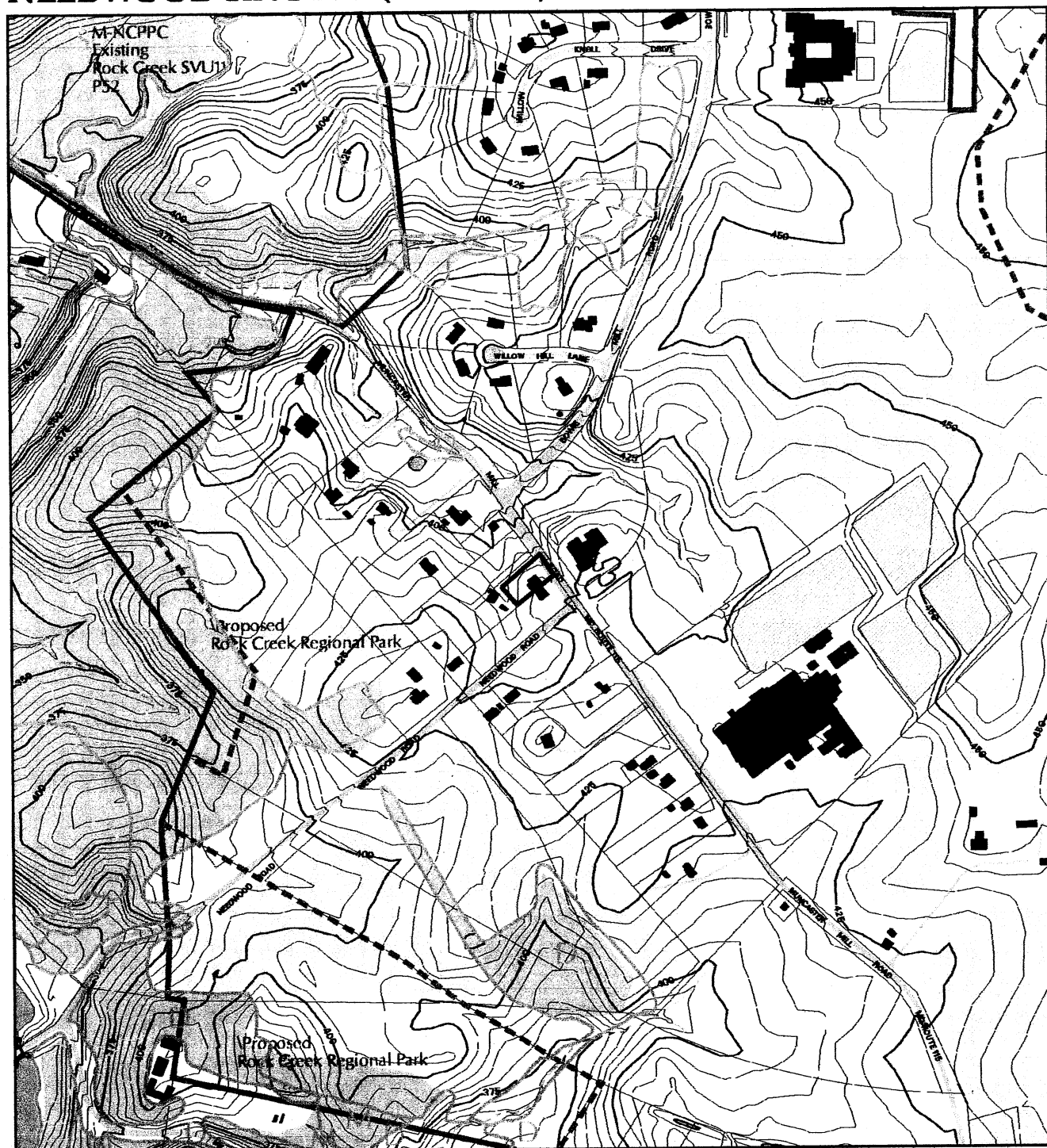
Attachment A – Vicinity Development Map
Attachment B – Proposed Development Plan
Attachment C – Agency Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Needwood Knolls				
Plan Number: 120080010				
Zoning: R-200				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: Standard				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	20,191 sq. ft. is minimum proposed	EG	10/11/07
Lot Width	100 ft.	107 ft. is minimum proposed	EG	10/11/07
Lot Frontage	25 ft.	107 ft. is minimum proposed	EG	10/11/07
Setbacks				
Front	40 ft. Min.	Must meet minimum ¹	EG	10/11/07
Side	12 ft. Min./25 ft. total	Must meet minimum ¹	EG	10/11/07
Rear	30 ft. Min.	Must meet minimum ¹	EG	10/11/07
Height	50 ft. Max.	May not exceed maximum ¹	EG	10/11/07
Max Resid'l d.u. or Comm'l s.f. per Zoning	1 d.u.	1 d.u.	EG	10/11/07
MPDUs	No		EG	10/11/07
TDRs	No		EG	10/11/07
Site Plan Req'd?	No		EG	10/11/07
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	EG		10/11/07
Road dedication and frontage improvements	Yes	DPWT and SHA Agency letters		9/11/07 9/7/07
Environmental Guidelines	Exempt	Staff memo		9/10/07
Forest Conservation	Exempt	Staff memo		9/10/07
Master Plan Compliance	Yes	EG		10/11/07
Other (i.e., parks, historic preservation)				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Exempt	Agency comments		9/10/07
Water and Sewer (WSSC)	Yes	Agency comments		9/10/07
10-yr Water and Sewer Plan Compliance	Yes	Agency comments		9/10/07
Well and Septic	N/a	EG		10/11/07
Local Area Traffic Review	N/a	EG		10/11/07
Fire and Rescue	Yes	Agency comments		10/5/07
Other (i.e., schools)				

¹ As determined by MCDPS at the time of building permit.

NEEDWOOD KNOLLS (120080010)



Map compiled on August 16, 2007 at 12:50 PM | Site located on base sheet no - 223NW06

NOTICE

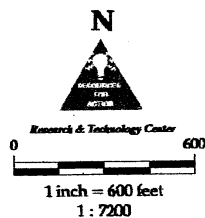
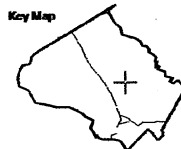
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

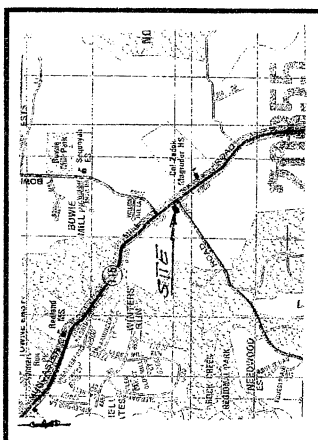
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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
3782 Georgia Avenue Silver Spring, Maryland 20910-3760

Key Map





VICINITY MAP

SCALE: 1" = 2000

NOTES:

- 1- THIS PROPERTY IS ZONED R-200
- 2- THE MONTGOMERY COUNTY FOREST CONSERVATION LAW OF 1992 DOES NOT APPLY TO THIS LOT BY SECTION 22A-4 OF THE MONTGOMERY COUNTY CODE.
- 3- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS, AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAN, SITE PROJECT PLAN, OR OTHER PLAN, ALLOWING DEVELOPMENT OF THIS PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD ARE INTENDED TO SURVIVE AND NOT BE SUPERSEDED BY ANY RECORDS OF THIS PLAN, UNLESS EXPRESSLY CONTAINED THEREIN. THE PLANS APPROVED BY THE PLANNING BOARD FOR ANY SUCH PLAN ARE MAINTAINED BY THE PLANNING BOARD AND AVAILABLE FOR PUBLIC REVIEW DURING NORMAL BUSINESS HOURS.
- 4- THIS PLAN IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THIS OWNERSHIP AND USE, NOR EVERY MATTER RESTRICTING THE OWNERSHIP AND USE OF THE PROPERTY. THIS PLAN IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO DEPICT OR NOTE ALL MATTERS AFFECTING TITLE.
- 5- A FORMAL STORMWATER MANAGEMENT CONCEPT WAS NOT REQUIRED BY MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES.

TAX ACCOUNT # 02320764

Development Standards (R-200, Residential, one family)

	Required/Permitted	Proposed for Approval
Lot Area (59-C-1.323(a))	20,191 sq. ft. min.	20,191 sq. ft. (min.)
Setback From Street (59-C-1.323(a))	40 ft. min.	40 ft.*
Yard Requirements (59-C-1.323(a)(1))		
- Side:	12 ft. (25' loted)	12 ft. min.
- Rear:	30 ft.	30 ft. min.
Lot Width at Building Line:	100 ft.	100 ft. min.
Lot Width at Street	25 ft.	107 ft.±
Lot Coverage (59-C-1.329)	25% max.	25% max.

* subject to established building line

Area Tabulation

Gross Track Area (GTA)	=	20,731 sq. ft. OR 0.476 Ac.±
Dedication to Public Use	=	540 sq. ft. OR 0.0124 Ac.±
Net Track Area	=	20,191 sq. ft. OR 0.464 Ac.±

PRELIMINARY SUBDIVISION PLAN
LOT 6

NEEDWOOD KNOLLS

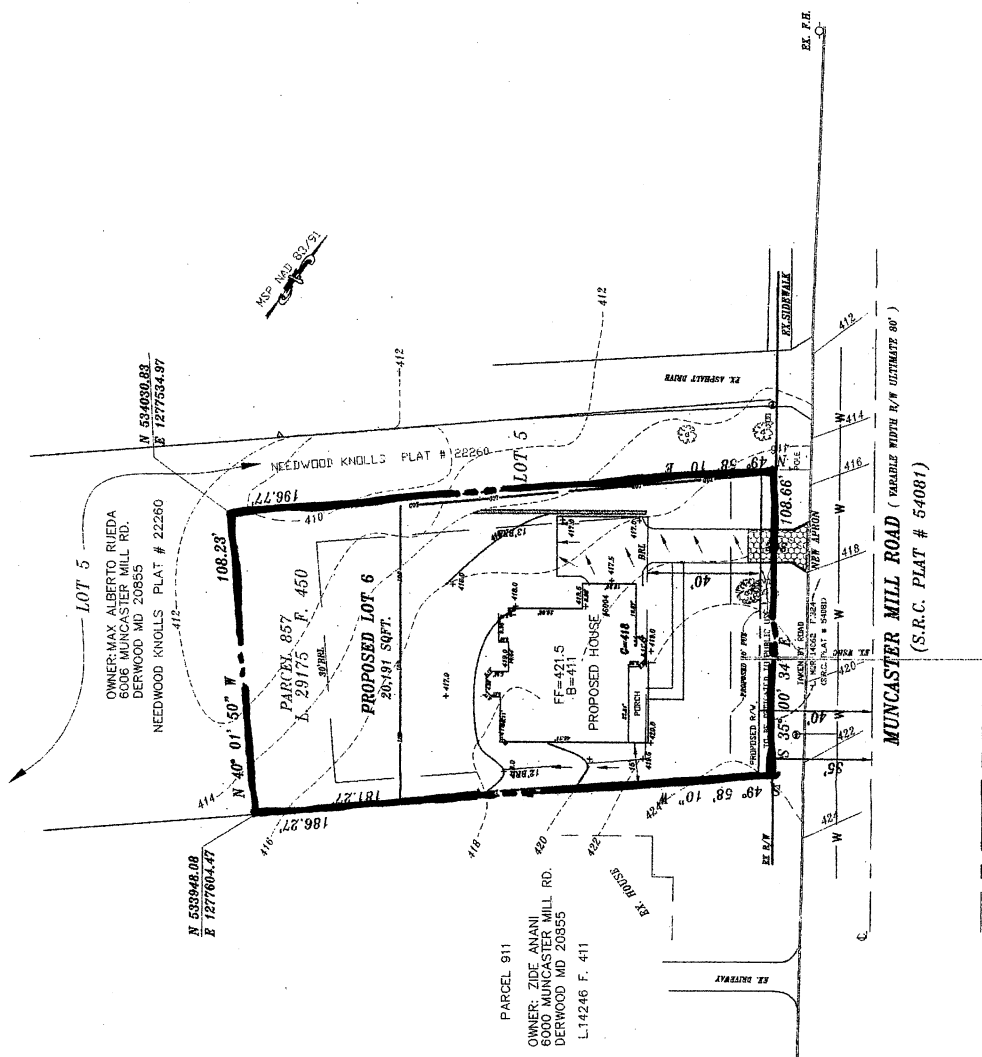
4TH ELECTION DISTRICT

MONTGOMERY COUNTY - MARYLAND



Proj. Mgr.	Designer
Date	Scale
10/09/07	1" = 30'
Project No.	Sheet
10123	1 OF 1
SILVER SPRING, MD 20914	
TEL(301) 515 1514 FAX(301) 516 5589	

NO.	DATE	DESCRIPTION
1	10-1-07	F.H. LOCATION ADDED
2	10-5-07	BRL ADDED
3	10-5-07	EX. WSHC ADDED
4	10-5-07	EX. DRWY FOR PARCEL 911 ADDED



SURVEYOR'S CERTIFICATE

OWNER: OXBRIDGE DEVELOPMENT
800 JEFFERSON PLAZA # 406
ROCKVILLE, MD. 20852

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS CORRECT; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED BY THE FOLLOWING CONVEYANCE AS RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND: ALL OF THE LAND CONVEYED BY ENKA VELASQUEZ BY DEED DATED 31 DAY OF JANUARY, 2005 AND RECORDED IN LIBER 29175 FOLIO 450.

M. N. Pasha
MD. REG. # 11049
DATE 10/9/07

OWNER/DEVELOPER

ENKA VELASQUEZ
6004 MUNCASTER MILL RD
DERWOOD, MD. 20855

Martin O'Malley, *Governor*
 Anthony G. Brown, *Lt. Governor*



John D. Porcari, *Secretary*
 Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

September 7, 2007

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
 Needwood Knolls
 File No: 1-20080020
 MD 115 (Muncaster Mill Road)
 Mile Point: 2.84

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the preliminary plan application for the proposed Needwood Knolls development. We offer the following comments:

- The site includes 1 residential development that proposes a new concrete driveway apron on MD 115 (Muncaster Mill Road).
- An access permit for one (1) residential driveway will be required from our District 3 office. Please contact the District 3 Utilities –Assistant District Engineer, Mr. Augustine Rebish, at 301-513-7350 for permitting requirements.
- Truncations (right of way flares) and right-of-way dedications need to be in accordance with the Master Plan of Highways. SHA will require that right-of-way dedications and changes to access controls be platted to SHA standards. These plats must be submitted in hard copy format for review, checking and final issuance. Please contact Mr. Daniel Andrews of the Plats and Surveys Division @ 410-545-8860 for additional information. For questions regarding the plat review process, please E-mail Mr. Andrews at dandrews@sha.state.md.us.
- Please provide a sight distance evaluation for the proposed driveway entrance. The evaluation form is provided for your use. Please complete the form and have it signed and sealed by a licensed professional engineer for our review.
- The project falls within the limits of the proposed ICC alignment. We have forwarded a copy of the plan to our ICC review team for any comments. Please allow 30 days for them to complete their review.

My telephone number/toll-free number is _____

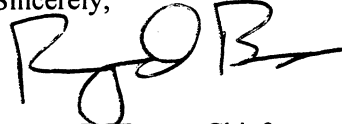
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

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

Ms. Catherine Conlon
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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.

Sincerely,



for

Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb/jab

Encl: Sight Distance Evaluation Form

cc: Ms. Erika Velasquez / 6004 Muncaster Mill Road, Derwood, MD 20855
Mr. Najib Roshan / TES Consultant, LLC / P.O. Box 10123, Silver Spring, MD 20914
Mr. Richard Weaver / M-NCPPC
Mr. Sam Farhadi / Montgomery County DPW&T
Mr. John Webster / Wilson T. Ballard Co.
Mr. Jeff Wentz *sent via e-mail*
Ms. Kate Mazzara *sent via e-mail*
Mr. Augustine Rebish *sent via email*
Mr. Dan Andrews *sent via email*
Mr. Shawn Burnett *sent via email*

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MC DIV OPERATIONS

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DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

September 11, 2007

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 #1-20080010
Needwood Knolls

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 07/15/07. This plan was reviewed by the Development Review Committee at its meeting on 09/10/07. 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. Necessary dedication for Muncaster Mill Road in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. In accordance with Section 50-35(n) of the Montgomery County Code, we recommend the Montgomery County Planning Board require the applicant to construct an eight (8) feet wide bike path along the site frontage connecting to the existing sidewalk.
4. Access and improvements along Muncaster Mill Road (MD 115) as required by the Maryland State Highway Administration.

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.

Division of Operations

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

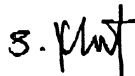
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MC DIV OPERATIONS

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Ms. Catherine Conlon
Preliminary Plan No. 1-20080010
Date September 11, 2007
Page 2

Sincerely,



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

m:/subdivision/farhas01/preliminary plans/ 1-20080010, Needwood Knolls.doc

Enclosures ()

cc: Erika Velasquez
Najib Roshan, TES Consulting
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Raymond Burns, MSHA
Preliminary Plan Folder
Preliminary Plans Note Book