



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

MCPB

Item #

5/17/07



MEMORANDUM

DATE: May 4, 2007

TO: Montgomery County Planning Board

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

FROM: Richard A. Weaver, Coordinator (301) 495-4544 *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Five (5) lots to construct five (5) one-family dwelling units using the R-200 standard method of development.

PROJECT NAME: Holly Oak Property

CASE #: 120070180

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Eastern terminus of Quaker Ridge Road

MASTER PLAN: North Bethesda -Garrett Park

APPLICANT: Chase Communities, Inc.

ENGINEER: Macris, Hendricks & Glascock

FILING DATE: October 3, 2006

HEARING DATE: May 17, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 5 lots for 5 residential dwelling units.
- 2) The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable. Conditions include:
- 3) Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to site plan approval
- 4) The Final Forest Conservation Plan must be prepared, signed and stamped by an ISA certified arborist and include tree protection measures for affected trees on adjacent properties, which may include restriction of limits of disturbance, root pruning, and other methods.
- 5) Record Plat shall reflect all areas under Homeowners Association control and specifically identify stormwater management parcels.
- 6) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 7) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 8) The applicant shall comply with the conditions of the MCDPS stormwater management approval dated August 22, 2006.
- 9) The record plat must reflect a common use and access easement over the private sidewalk and a 10 ft. PIE with an overlapping 20 ft. PUE contiguous to the right-of-way.
- 10) No clearing, grading or recording of plats prior to certified site plan approval.
- 11) Final approval of the number and location of dwelling units, sidewalks, and bikepaths will be determined at site plan.
- 12) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff.
- 13) 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.
- 14) Other necessary easements will be included on the record plat.

I. SITE DESCRIPTION

The 2.66-acre property "Subject Property" or "Property" is zoned R-200 and is located at the eastern terminus of Quaker Ridge Road, on the south side of Tilden Lane, in the North Bethesda/Garrett Park Master Plan area. The property is currently developed with one residence. All adjacent and confronting uses are single family residential, platted under the R-200 Cluster method of development.. There is no forest onsite, however, there are six large or specimen trees

on the Property. There are no streams, wetlands or environmental buffers. The Property is within the Cabin John Creek watershed; a Use 1-P watershed.

(Attachment A- Vicinity Map)

II. PROJECT DESCRIPTION

The applicant proposes to remove the existing one-family house and create five (5) lots ranging in size from 20,005 square feet to 20,235 square feet. Access to three of the five lots is proposed via an extension of Quaker Ridge Road, which will terminate on the property as a cul-de-sac. Two homes will have direct access to Tilden Lane with a shared driveway. Existing Quaker Ridge Road is built as a reduced width tertiary street with a 28-foot wide right-of-way; the applicant will dedicate and build the short remaining length of Quaker Ridge Road to those standards. Quaker Ridge Lane intersects with Hollow Tree Lane, which is also a reduced width tertiary street. Hollow Tree Lane provides the ultimate connection for the proposed subdivision to Tilden Lane. Because the preliminary plan proposes a reduced width tertiary street, it will require Site Plan review by the Planning Board.

(Attachment B – Proposed Development Plan)

III. ANALYSIS AND FINDINGS

A. Master Plan Compliance

The North Bethesda-Garrett Park Master Plan does not specifically identify the Subject Property. In the Land Use and Zoning section of the plan, the property and surrounding development is identified as suitable for one-family detached housing. The proposed subdivision complies with the recommendations adopted in the Master Plan in that it proposes one-family detached housing consistent with the current density of the neighborhood.

B. 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.

Sidewalks

The plan proposes a sidewalk connection from the proposed cul-de-sac bulb out to the existing sidewalk on Tilden Lane. The sidewalk from the cul-de-sac bulb will be located in a common use easement on private property (Lot 1) and will be maintained by the homeowner's association who will also be responsible for maintaining the area around the stormwater management pond.

The plan does not show a sidewalk around the cul-de-sac bulb. Staff is not supporting a sidewalk for the cul-de-sac bulb for a number of reasons. First, existing Quaker Ridge Road has no sidewalk and MCDPWT has no current sidewalk project for this road. Further, it is

questionable as to whether there is adequate PIE width to accommodate a sidewalk on Quaker Ridge Road since it is shared with a 10 ft. PUE. The 10-foot PUE may currently include existing WSSC, Verizon, PEPCO, Comcast and Washington Gas utilities. It is doubtful that a sidewalk would even be allowed within the 10-foot space on top of these buried utilities. Since Quaker Ridge Road is a relatively low volume road, ending in a cul-de-sac, staff believes that pedestrians can safely use the cul-de-sac pavement in lieu of a sidewalk. For these reasons, staff does not support a sidewalk around the cul-de-sac bulb within the proposed subdivision but recommends that an adequate PIE/PUE be shown on the plat to accommodate one in the future, should there be a decision by Montgomery County to build one. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the public improvements proposed by this plan

Reduced Width Tertiary Street

This application proposes continuation of a reduced width tertiary street. Section 50-26(h)(2) of the Subdivision Regulations states:

The standard right-of-way width of a tertiary street is fifty (50) feet. However, an applicant may voluntarily submit to site plan review and at that stage the Planning Board may approve a lesser width if it can be demonstrated that: (1) this lesser width is environmentally better, or (2) the limits on development at that site would not allow the applicant to achieve MPDU's under Chapter 25A on-site, and this lesser width either (3) improves compatibility with adjoining properties, or (4) allows better uses of the parcel under subdivision. In no case shall the right-of-way be less than twenty-seven (27) feet four (4) inches for two-way traffic and twenty-one (21) feet for one way traffic.

For this application, a reduced width tertiary street is the appropriate street cross section for the Planning Board to approve. Existing Quaker Ridge Road is built to reduced width tertiary street standards with 26 feet of pavement and a total right-of-way width of 28 feet. This plan proposes a short extension of Quaker Ridge Road that will terminate in a cul-de-sac. From a design and engineering perspective it would not make sense to build a standard tertiary street because the pavement widths would not be the same, and waivers by DPWT would need to be approved. Continuation of the reduced width tertiary would create a seamless transition of pavement.

To comply with Section 50-26(h)(2), the Board must find that there are environmental benefits or improved compatibility with adjoining properties that can be achieved with the reduced right-of-way width. The reduction allows the units to be pulled up closer to the street, which allows a deeper rear yard. This has the effect of pulling the grading for the house on lot 4 further away from a 30-inch dbh walnut tree on the lot. This tree was mentioned in a letter from an adjacent property owner who asked that it not be removed. The use of the reduced right-of-way provides further protection of this tree, which supports the justification that there will be an environmental benefit attributed to its use. The deeper back yards are also more compatible with the established rear yards in the neighborhood. For these reasons, staff is of the opinion that use of a reduced width tertiary street is justified for environmental and compatibility reasons.

C. Environment

Forest Conservation

There is no forest on-site. Planting requirements are 0.40-acres, to be met either by off-site planting or by payment of fee-in-lieu.

Tree Save

There are 6 large or specimen trees onsite. This plan proposes to remove five of these trees and protect one large tree. The critical root zones of all large or specimen trees on adjacent properties will be protected by restriction of the limits of disturbance. Smaller trees on adjacent properties will be protected by methods to be determined and shown on the Final Forest Conservation Plan.

Environmental Buffers

The site does not include any streams, wetlands, or floodplains and there is no environmental buffer on the property.

D. Compliance with the Subdivision Regulations and Zoning Ordinance

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 lots were reviewed for compliance with the dimensional requirements for the R-200 zone, (Sec. 59-C-1.5) as specified in the Zoning Ordinance. The lots 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 Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan

(Attachment C – Agency Correspondence).

E. Citizen Correspondence and Issues

This application was submitted prior to the requirement for applicants to hold pre-submission meeting with interested citizens. At the time of submission, the plan was mailed out to all adjacent and confronting property owners and local Civic Associations in compliance with the established Rules of Procedure. The plan was also correctly noticed for public hearing as per the Rules of Procedure.

One email from an adjacent property owner dated October 26, 2006 did request that a certain Walnut Tree be saved on the Subject Property. The tree in question will be saved.

(Attachment D – Citizen Correspondence)

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the North Bethesda-Garrett Park 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. Approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Map

Attachment B – Proposed Development Plan

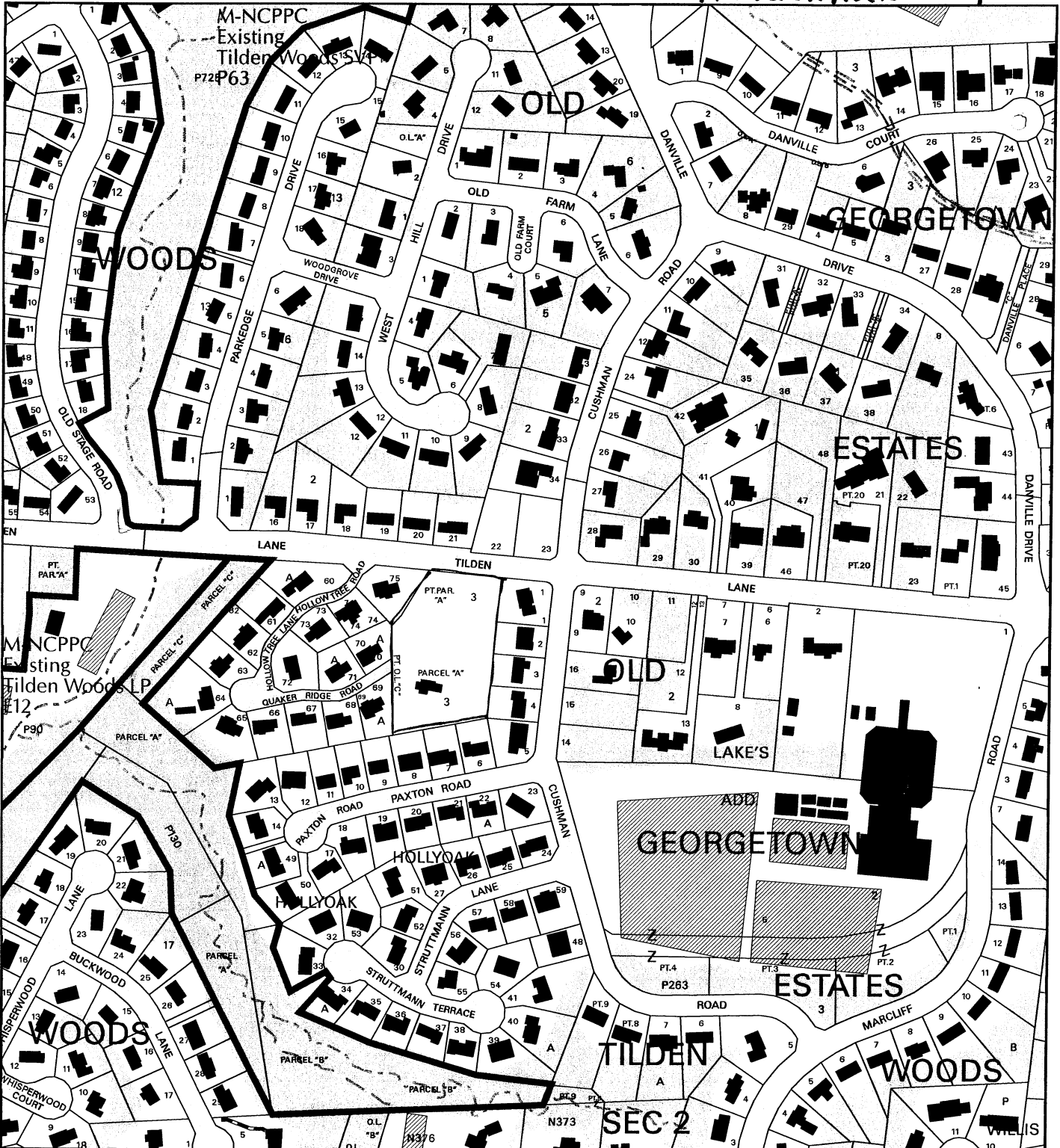
Attachment C – Agency Correspondence Referenced in Conditions

Attachment D - Citizen Correspondence

Plan Name: Holly Oak Property				
Plan Number: 120070180				
Zoning: R-200				
# of Lots: 5				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	20,005 s.f is minimum proposed	RW	5/4/07
Lot Width	100 ft.	Must meet minimum	RW	5/4/07
Lot Frontage	25 ft.	Must meet minimum	RW	5/4/07
Setbacks				
Front	40 ft. Min.	Must meet minimum	RW	5/4/07
Side	12 ft. Min./ 25 ft. total	Must meet minimum	RW	5/4/07
Rear	30- ft. Min.	Must meet minimum	RW	5/4/07
Height	50 feet	May not exceed maximum	RW	5/4/07
Max Resid'l d.u. per Zoning	5 dwelling units	5 dwelling units	RW	5/4/07
MPDUs	No			
TDRs	No			
Site Plan Req'd?	Yes			5/4/07
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		RW	5/4/07
Road dedication and frontage improvements	Yes		RW	5/4/07
Environmental Guidelines	No			3/15/07
Forest Conservation	Yes		Staff memo	3/15/07
Master Plan Compliance	Yes		RW	5/4/07
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency letter	10/20/06
Water and Sewer (WSSC)	Yes		Agency Comments	10/23/06
Fire and Rescue	Yes		Agency Letter	3/20/07
Local Area Traffic Review	N/A			

HOLLYOAK (120070180)

Attachment "A"



Map compiled on October 10, 2006 at 3:00 PM | Site located on base sheet no. 214NW06

NOTICE

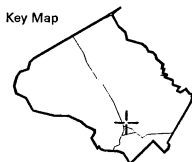
The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from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



N

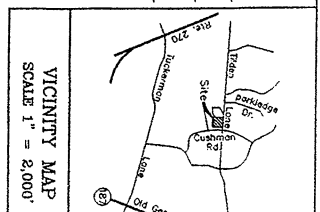


Research & Technology Center



1 inch = 400 feet
1 : 4800

HOLLYOAK
PLAT 13214



174 MAP 0051
 PRELIMINARY SUBDIVISION PLAN
 PROPOSED LOTS 1 - 5
HOLLYOAK
 PART OF PARCEL A & OUTLOT C
 4TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND

Marcis, Hendricks & Glascock, P.A.
 Engineers • Planners
 Landscape Architects • Surveyors
 1000 Wisconsin Road, Suite 120
 Montgomery Village, Maryland
 20886-4173
 Phone: 301/870-9940
 Fax: 301/844-0001
 www.mhga.com

Proj. No.	App.	Date	By
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05-00-05	S		S

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

Attachment "C"

MEMORANDUM

TO: Richard Weaver, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Amy Lindsey, Environmental Planning

DATE: March 15, 2007

SUBJECT: Preliminary Plan 120070180
Hollyoak

RECOMMENDATION: Approval subject to the following conditions:

1. The proposed development shall comply with the conditions of the preliminary forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits:
 - a. Approval of Final Forest Conservation Plan consistent with the approved Preliminary Forest Conservation Plan prior to any clearing, grading or demolition on the site.
 - b. The Final Forest Conservation Plan must be prepared, signed and stamped by an ISA certified arborist and include tree protection measures for affected trees on adjacent properties, which may include restriction of limits of disturbance, root pruning, and other methods.

BACKGROUND

The 2.66-acre property is located in Montgomery County on Tilden Road in the North Bethesda/Garrett Park Master Plan area. All adjacent and confronting uses are single family residential. The property is currently developed with one residence. This plan proposes to subdivide the property into five new lots, demolishing the existing residence. There is no forest onsite but 6 large or specimen trees present. No streams or wetlands are onsite, nor any environmental buffer. An NRI/FSD (4-07009) was approved by Environmental Planning staff on 9/11/2006. The property is within the Cabin John Creek watershed; a Use 1/1P watershed.

Forest Conservation

There is no forest on-site. Planting requirements are 0.40-acres, to be met either by off-site planting or by payment of fee-in-lieu.

Tree Save

There are 6 large or specimen trees onsite. This plan proposes to remove five of these trees and protect one large tree. The critical root zones of all large or specimen trees on adjacent properties will be protected by restriction of the limits of disturbance. Smaller trees on adjacent properties will be protected by methods to be determined and shown on the Final Forest Conservation Plan.

Environmental Buffers

The site does not include any streams, wetlands, or floodplains and there is no environmental buffer on the property.



DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan
County Executive

October 20, 2006

Robert C. Hubbard
Director

Mr. Pearce Wroe
Macris, Hendricks and Glascock, P.A.
9220 Wightman Road, Suite 120
Montgomery Village, Maryland 20886-1279

Re: Stormwater Management **CONCEPT** Request
for Hollyoak
Preliminary Plan #:
SM File #: 228598
Tract Size/Zone: 3.81 Acres
Total Concept Area: 3.81 Acres
Lots/Block: Proposed Lots 1 - 5
Parcel(s): Existing pA, part of outlot C
Watershed: Cabin John Creek

Dear Mr. Wroe:

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 via biofiltration for the street, Lot 5 and part of Lot 4. Rooftop and non-rooftop disconnect credit will be applied to the remainder of the site which will include the use of drywells and two stone trenches. Onsite recharge will be provided via a stone trench under the biofilter and the use of drywells. 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** 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.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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.

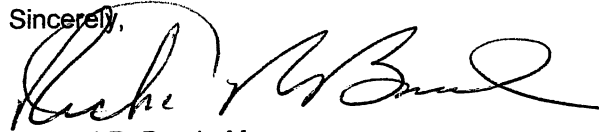
This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



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 Ellen Rader at 240-777-6336.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush", written over a circular stamp or seal.

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

RRB:dm CN228598.Hollyoak.EBR

cc: C. Conlon
S. Federline
SM File # 228598

QN –not required; Acres: 3.81
QL – on-site; Acres: 3.81
Recharge is provided

WSSC Development Services - Conceptual Plan Review Comments

October 23, 2006 Development Review Committee Meeting

1. 1-20070180

HOLLYOAK

Water and gravity sewer mainline extensions are required.

Show proposed water house connection locations for proposed Lots 1 & 2. It is not clear how lot 2 will be served with water.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.



FIRE MARSHAL COMMENTS

DATE: 3-20-07
TO: JIM GLASCOCK - MHG
FROM: TYLER MOSMAN
RE: HOLLYOAK

PLAN APPROVED.

1. Review based only upon information contained on the plan submitted **3-20-07**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services

Crampton, Pamela

Attachment "D"

From: Weaver, Richard
Sent: Thursday, October 26, 2006 11:58 AM
To: 'Russell Wright'; Crampton, Pamela
Cc: Fuster, Marco; Wigglesworth, David; Federline, Steve
Subject: RE: HollyOak (#120070180)

Mr. Wright,

That tree is actually a 30 inch diameter tree. That is the diameter of the trunk measured at breast height or about 3 to 4 feet above ground. Looking at the plan, it is likely that the tree can be saved. While staff cannot mandate that the tree be saved our Environmental Planning staff will suggest that all reasonable efforts be made to protect it. Thanks for expressing interest in the development process.

Richard A. Weaver
Coordinator
Development Review Division
MD-National Capital Park and Planning Commission

-----Original Message-----

From: Russell Wright [mailto:russ@gwu.edu]
Sent: Thursday, October 26, 2006 11:38 AM
To: Crampton, Pamela
Cc: Weaver, Richard; Fuster, Marco; Wigglesworth, David
Subject: Re: HollyOak (#120070180)

I live at 6609 Paxton Road. My property backs up to the proposed HollyOak development #120070180. On the Plat there is an error in the rear yard of Lot #4. The Walnut tree located there is at least 60 feet tall, not the 30 feet stated on the plat.

Please do not allow the developer to cut down that tree.

Thank you,

Russell G. Wright
6609 Paxton Road
Rockville, MD 20852

Russell G. Wright, Ed.D.
Coordinator, Master of Professional Studies - Middle Grades Science
GSEHD Room 408
George Washington University
301-806-7252

----- Original Message -----

From: "Crampton, Pamela" <pamela.crampton@mncppc-mc.org>
Date: Thursday, October 26, 2006 10:43 am
Subject: HollyOak (#120070180)
To: russ@gwu.edu
Cc: "Weaver, Richard" <Richard.Weaver@mncppc-mc.org>, "Fuster, Marco"

10/26/2006