



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

MCPB

Item #

9/20/07



MEMORANDUM

DATE: August 31, 2007

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RKX*
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: Thirteen (13) lots to construct 13 one-family dwelling units using the R-200/TDR optional method of development.

PROJECT NAME: Strawberry Knoll

CASE #: 120061220

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200/TDR-4

LOCATION: On the east side of Strawberry Knoll Road, opposite the intersection with Quail Valley Boulevard

MASTER PLAN: Gaithersburg and Vicinity

APPLICANT: Memon Enterprises, L.L.C.

ENGINEER: Maddox Engineers & Surveyors, Inc.

FILING DATE: May 26, 2006

HEARING DATE: September 20, 2007

RECOMMENDATION: Approval of thirteen (13) lots, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 13 lots for 13 one family detached 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.
- 3) Record Plat shall reflect all areas under Homeowners Association control and specifically identify stormwater management parcels.
- 4) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan.
- 5) 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.
- 6) The record plat(s) must reflect serialization and liber/folio reference for all TDRs utilized by the development.
- 7) The record plat must reflect a Category I conservation easement over all areas of stream valley buffers and forest conservation areas.
- 8) The applicant shall comply with the conditions of the MCDPS stormwater management approval dated May 9, 2007.
- 9) The applicant shall comply with the conditions of the MCDPWT approval dated June 26, 2007, unless otherwise amended.
- 10) The record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant must provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 11) No clearing, grading or recording of plat(s) prior to certified site plan approval.
- 12) Final approval of the number and location of dwelling units, site circulation, and sidewalks will be determined at site plan. Sidewalk connection from Traxell Way to Strawberry Knoll Road to be investigated at the time of Site Plan.
- 13) Final number of TDR's as per condition # 1 above to be determined at the time of site plan.
- 14) 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.
- 15) Other necessary easements will be included on the record plat.

I. SITE DESCRIPTION

The 4.11-acre property "Subject Property" or "Property" is zoned R-200 with a TDR-4 overlay and is located on the east side of Strawberry Knoll Road, opposite the intersection with Quail Valley Boulevard in the Gaithersburg and Vicinity Master Plan area. The property is currently occupied by two one family residences. There are no streams on the Property,

however; there is an off-site stream (Use I-P) adjacent to the eastern boundary. A portion of the stream valley buffer (0.53 acres) for this stream is located on the Property. There is no forest on the site.

Adjacent uses are all residential with one family attached development to the north and west, and one family detached dwellings to the south and east. The aforementioned stream is contained within MNCPPC Property along the eastern border.

(Attachment A- Vicinity Map)

II. PROJECT DESCRIPTION

The applicant proposes to remove the two existing houses and create thirteen lots ranging in size from 6,050 square feet to 16,950 square feet. Access to nine of the thirteen lots is proposed via an extension of Traxwell Way that will terminate on the property as a cul-de-sac. Four of the lots will have direct access to Strawberry Knoll Road. Community water and sewer will be provided to the homes. A homeowner's association parcel is to be located on the eastern edge of the site and will include the stream valley buffer and reforestation planting area required by the forest conservation plan.

The project is zoned R-200/TDR; the Gaithersburg and Vicinity Master Plan recommends this property as a TDR receiving area with a density of 4 units per acre. Therefore, under Section 59-C-1.395 of the Montgomery County Zoning Ordinance "Zoning Ordinance" the plan can develop using the R-60 MPDU standards which allows lots as small as 6,000 square feet (Sec. 59-C-1.625). When using TDR's, Section 59-C-1.393(b) of the Zoning Ordinance requires that a development must include at least two-thirds of the number of TDR's permitted to be transferred to the property. For this 4.11 acre Property, the maximum number of lots permitted under the base R-200 zoning classification is 8. Utilizing the TDR-4 designation, the maximum number of lots permitted is 16. The difference between the base yield and the TDR yield is, therefore; 8, meaning that 8 TDR's is the maximum number that are permitted to be transferred to the site. Two-thirds of 8 equals 4.8, or 5 TDR's that must be used on this site. This application proposes that 5 TDR's will be used to achieve the requested lot yield of 13.

(Attachment B – Proposed Development Plan)

III. ANALYSIS AND FINDINGS

A. Master Plan Compliance

The Gaithersburg and Vicinity Master Plan does not make specific recommendations of the type of development that is appropriate on the Subject Property other than to specify this Property as suitable for TDR development at the density of 4 units per acre. 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 along Traxell Way.

B. Adequate Public Facilities

Roads and Public Transportation Facilities

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. A traffic statement was submitted and accepted by staff.

The subdivision will rely on the Traxell Road cul-de-sac for access to Strawberry Knoll Road. Traxell Road, a tertiary street, will be adequate to serve all of the existing and proposed units on it. New sidewalks will be built on both sides of the new road to connect to those that already exist. Pedestrian access can be adequately accommodated with the proposed sidewalk connections, however; an additional sidewalk linkage may be desirable from some point along the newly constructed portion of Traxell Road to Strawberry Knoll Road. The decision to locate a sidewalk somewhere through the new subdivision out to Strawberry Knoll Road should be studied at Site Plan to evaluate compatibility with respect to adjacent homes and new homes.

Overlength Cul-de-Sac

The application proposes the completion of Traxell Way as a cul-de-sac that exceeds 500 feet in length, which is defined in the Subdivision regulations as “overlength”. Pursuant to Section 50-26(d) of the Subdivision Regulations, the Planning Board must find justification for use of an overlength cul-de-sac based on the property’s shape, size, topography, large lot size, or the improved street alignment. Traxell Way is an existing improved street that will be continued on to the site for its primary access.

Staff considered how Traxell Way could be looped through the Property and back out to Strawberry Knoll Road to avoid a cul-de-sac. DPWT advised that, in recognition that Strawberry Knoll Road is a primary residential street, the preferred intersection from a safety perspective would be for Traxell Way to align with Quail Valley Boulevard. However, this alignment is not possible because the applicant does not have control of the property (Lot 3, Strawberry Knoll) needed to make this connection at this location. The alternative was to push the intersection to the north where Traxell Way would intersect Strawberry Knoll Road north of Quail Valley Road. According to MMCDPWT road design criteria, the distance of separation between two intersecting streets on a primary residential street must be 100 feet from curb return to curb return. For this project, it was not possible to accommodate this spacing requirement and the review agencies could not support an additional intersection with Strawberry Knoll Road. The minimal intersection separation distances are necessary to avoid unsafe traffic conditions.

The cul-de-sac has been reviewed for emergency access and approved by the Department of Fire and Rescue Services. The cul-de-sac does not preclude subdivision of any surrounding properties. The existing road patterns in the surrounding area dictate that the cul-de-sac is the appropriate method to serve the Subject Property and will result in an improved street alignment. Staff supports the overlength cul-de-sac.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed units. Public sewer and water service are available to the Property. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has 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. All other local utilities such as, electrical and telecommunications services are also available to serve the Property.

C. Environment

Forest Conservation

There is no forest on-site. Planting requirements of 0.62 acres will be met within the stream valley buffer on the Property.

Environmental Buffers

The site includes the previously discussed environmental (stream valley) buffer. The buffer, and reforestation areas, will be protected by a Category I easement as required by condition #7.

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-60 Zone using the MPDU standards (Sec. 59-C-1.625) 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 any 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 and homeowners associations. The plan was also correctly noticed for public hearing.

Staff has been in contact with the Meadowvale Estates H.O.A. to keep them informed of the progress of the plan. No specific comments on the plan were received from this or any other group.

CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Gaithersburg and Vicinity 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

Plan Name: Strawberry Knoll				
Plan Number: 120061220				
Zoning: R-200/TDR				
# of Lots: 13				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard¹	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	4,000 sq. ft.	6,050 s.f is minimum proposed	RW	9/7/07
Lot Width		Est. by site plan	RW	9/7/07
Lot Frontage	25 ft.	Must meet minimum	RW	9/7/07
Setbacks				9/7/07
Front	20 ft. Min.	Must meet minimum	RW	9/7/07
Side	Must meet adjacent zone	Must meet minimum	RW	9/7/07
Rear	Must meet adjacent zone	Must meet minimum	RW	9/7/07
Height	40 feet or as specified in Sec. 59-C-1.626	May not exceed maximum	RW	9/7/07
Max Resid'l d.u. per Zoning	25 dwelling units	13 dwelling units	RW	9/7/07
MPDUs	No			9/7/07
TDRs	Yes			9/7/07
Site Plan Req'd?	Yes			9/7/07
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		RW	9/7/07
Road dedication and frontage improvements	Yes		RW	9/7/07
Environmental Guidelines	Yes		Staff memo	3/15/07
Forest Conservation	Yes		Staff memo	3/15/07
Master Plan Compliance	Yes		RW	9/7/07
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency letter	5/9/07
Water and Sewer (WSSC)	Yes		Agency Comments	6/19/06
Fire and Rescue	Yes		Agency Letter	6/19/06
Local Area Traffic Review	N/A			

¹ TDR development may use R-60MPDU standards

STRAWBERRY KNOLL (120061220)

Attachment "A"



Map compiled on June 09, 2006 at 9:13 AM | Site located on base sheet no - 225NW09

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

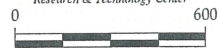
Key Map



N



Research & Technology Center



1 inch = 600 feet
1 : 7200

Attachment "B"

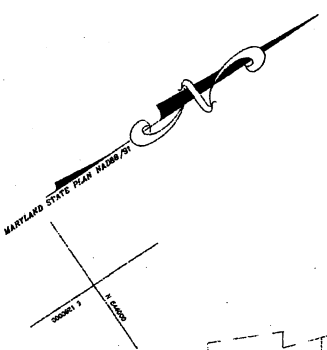
STRAWBERRY KNOLL ROAD
(100' WIDE R/W)

RAIL VALLEY BOULEVARD

LEGEND

- 1. LOT 1
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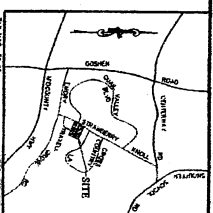
GRAPHIC SCALE



TRAXELL WAY
(50' WIDE)

PARCEL A

VICINITY MAP
SCALE: 1" = 100'



GENERAL NOTES

1. THE PROPERTY IS LOCATED IN THE CITY OF ROCKVILLE, MARYLAND, AND IS SUBJECT TO THE CITY OF ROCKVILLE ZONING ORDINANCES, WHICH REQUIRE THAT THE PROPERTY BE USED FOR RESIDENTIAL PURPOSES.
2. THE PROPERTY IS LOCATED IN THE CITY OF ROCKVILLE, MARYLAND, AND IS SUBJECT TO THE CITY OF ROCKVILLE ZONING ORDINANCES, WHICH REQUIRE THAT THE PROPERTY BE USED FOR RESIDENTIAL PURPOSES.
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11. THE PROPERTY IS LOCATED IN THE CITY OF ROCKVILLE, MARYLAND, AND IS SUBJECT TO THE CITY OF ROCKVILLE ZONING ORDINANCES, WHICH REQUIRE THAT THE PROPERTY BE USED FOR RESIDENTIAL PURPOSES.
12. THE PROPERTY IS LOCATED IN THE CITY OF ROCKVILLE, MARYLAND, AND IS SUBJECT TO THE CITY OF ROCKVILLE ZONING ORDINANCES, WHICH REQUIRE THAT THE PROPERTY BE USED FOR RESIDENTIAL PURPOSES.

ENGINEER'S CERTIFICATION

I, the undersigned, being a duly licensed Professional Engineer in the State of Maryland, do hereby certify that the foregoing is a true and correct copy of the original survey and plan as the same appear in my files.

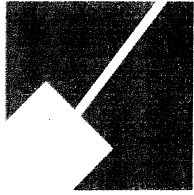
APPLICANTS
MADDUX ENGINEERS & SURVEYORS, INC.
100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2890
(301) 782-9001

DATE	REVISION
1. 07-01-00	ADDITIONAL FIELD-NON TOPOGRAPHY
2. 05-22-00	REVISE LOT LAYOUT & OPEN SPACE
DATE	BY
JULY 2001	J.A.B.
SHEET	1 OF 1

LOTS 1 THROUGH 13
AND PARCEL A
STRAWBERRY KNOLL
ELECTION DISTRICT NO. 9
MONTGOMERY COUNTY, MARYLAND

PRELIMINARY
PLAN

MADDUX
INCORPORATED
ENGINEERS • SURVEYORS
100 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2890
(301) 782-9001



**THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION**

Department of Park & Planning, Montgomery County, Maryland
8787 Georgia Avenue, Silver Spring, Maryland 20910

MEMORANDUM

TO: Cathy Conlon, Supervisor, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning

FROM: Josh Penn, Environmental Planning

DATE: May 17, 2007

SUBJECT: Preliminary Plan: #120061220 – Strawberry Knoll

The Environmental Planning staff has reviewed the preliminary plan referenced above. Staff recommends approval of the preliminary plan of subdivision with the following conditions:

1) Compliance with all conditions of approval of the preliminary forest conservation plan per Environmental Planning memo and plan signed March 31, 2006. 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.

- 1- Submittal of financial security to M-NCPPC prior to clearing or grading.
- 2- Required site inspections by M-NCPPC enforcement staff per Section 110 of the Forest Conservation Regulations.
- 3- Maintenance and management agreement to be reviewed and approved by M-NCPPC staff prior to first inspection of planted areas.

2) Record plat of subdivision shall reflect a Category I forest conservation easement over all protected forest and environmental buffer areas as shown on the PFCP.

DISCUSSION

The Strawberry Knoll property is a 4.11-acre site northeast of the intersection of Emory Grove Road and Strawberry Knoll. The site is in the Use I Great Seneca Creek watershed. There is a stream immediately offsite along the eastern property boundary. There is 0.53 acres of Stream Valley Buffer on-site. There is no forest onsite. The property is zoned R-200/TDR-4.

Environmental Guidelines

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) #4-06186 was approved on April 3, 2006. The NRI/FSD identifies the environmental constraints on the subject property. The 4.11-acre site has one stream immediately along the eastern boundary and no forest.

Forest Conservation

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. The applicant will meet the afforestation threshold by planting 0.62 acres of forest on the property within the Stream valley Buffer. This forest will be permanently protected by a Category I forest conservation easement.

STAFF RECOMMENDATION

Environmental Planning staff recommends approval of the preliminary plan of subdivision and the preliminary forest conservation plan. The plan complies with Section 22A of the Montgomery County Code and the M-NCPPC Environmental Guidelines.