



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

**MCPB**  
**Item #**  
**12/06/07**



**MEMORANDUM**

**DATE:** November 21, 2007

**TO:** Montgomery County Planning Board

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

**FROM:** *NB*  
Neil Braunstein, Planner Coordinator (301-495-4532)  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** Four lots for four semi-detached dwelling units

**PROJECT NAME:** Greenhills

**CASE #:** 120061200

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** R-T 12.5

**LOCATION:** Located in the southeast quadrant of the intersection of Ridge Road (MD 27) and Tralee Terrace

**MASTER PLAN:** Damascus

**APPLICANT:** David H. Saah

**ENGINEER:** Raymond Norris

**FILING DATE:** May 19, 2006

**HEARING DATE:** December 6, 2007

**RECOMMENDATION:** Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to four lots for four semi-detached dwelling units.
- 2) The record plat must reflect a public use and access easement over all private streets and adjacent sidewalks.
- 3) The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 4) The record plat must show necessary easements.
- 5) The applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated April 19, 2007.
- 6) The applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated November 7, 2006, unless otherwise amended.
- 7) The applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat(s).
- 8) The applicant must have a registered engineer certify to MCDPS and the homeowners Association that the private street and associated parking area has been designed to the structural standards of a tertiary street, in accordance with Section 50-25(h) of the Subdivision Regulations. After construction, the applicant must certify that all construction complies with the design.
- 9) The applicant must implement exterior and interior noise mitigation measures in accordance with the recommendations made in the noise report entitled "Traffic Noise Analysis – Greenhills Block A – Montgomery County Maryland" by Phoenix Noise and Vibration, dated April 19, 2007. The recommendations include the following:
  - a. The applicant must construct a noise wall or an acoustically-effective fence in the approximate location depicted in the report. The top elevation of the barrier must reach a minimum elevation of six feet above the maximum finished elevation of the area protected.
  - b. At the time of building permit, an acoustical engineer must certify through building shell analysis that interior noise levels will not exceed 45 DBA Ldn.
  - c. The builder must construct the buildings in accordance with these acoustical recommendations, with any changes affecting acoustical performance approved by the acoustical engineer, with a copy to MNCPPC staff.
  - d. The certification and builder acceptance letter must be provided to MNCPPC Environmental planning staff before building permits are approved.
- 10) No clearing, grading or recording of plats prior to certified site plan approval.
- 11) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 12) 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 resolution.

## SITE DESCRIPTION

The subject property, pictured below and in Attachment A (Vicinity Map), is a 0.45 acre unplatted parcel located in the southeast quadrant of the intersection of Ridge Road (MD 27) and Tralee Terrace. The site is located within the Residential Townhouse 12.5 (R-T 12.5) zone. The property is undeveloped, and no structures exist on it. The site is surrounded by townhouse dwellings in the R-T 12.5 zone to the south and east, one-family residences in the R-150 zone to the southwest, a church in the R-200 zone to the west, and one-family residences in the R-200 zone to the northwest.

The subject property is located within the Magruder Branch subwatershed, which is in the Great Seneca Creek watershed. There are no existing forests, floodplains, streams, wetlands, or environmentally sensitive areas on the property.



## PROJECT DESCRIPTION

The applicant proposes to subdivide the existing parcel into four 1,590 square-foot lots for four semi-detached dwellings. In addition, the remaining area of the property will be located within a common homeowners association parcel. Access to the proposed dwellings is from a proposed private street from Tralee Terrace. Parking is provided by garages at the rear of each dwelling and four spaces for public parking. The dwellings will be served by public water and public sewer systems.



(Attachment B – proposed plan)

## **ANALYSIS AND FINDINGS**

### **Master Plan Compliance**

The Damascus Master Plan does not specifically address the subject property. The master plan recommends retention of existing zoning throughout the master plan area in the absence of a specific recommendation for change on a particular property. Thus, in the case of the subject property, the master plan calls for retention of the existing R-T 12.5 zoning. The proposed subdivision complies with the recommendations adopted in the master plan in that it proposes semi-detached residential development consistent with surrounding development patterns and the current zoning designation.

### **Public Facilities**

#### **Roads and 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. Access to the proposed lots will be from a proposed private street intersecting with Tralee Terrace. Pedestrian access will be provided by a proposed sidewalk on Tralee Terrace. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate.

#### **Other Public Facilities and Services**

Public facilities and services are available and will be adequate to serve the proposed development. The Property will be served by public water and sewer systems. 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 according to the Growth Policy resolution currently in effect and will be adequate to serve the Property. Electrical and telecommunications services are also available to serve the Property.

### **Environment**

There are no existing forests, floodplains, streams, wetlands, or environmentally sensitive areas on the site. The property was granted a forest conservation exemption under Section 22A-5(r) of the Forest Conservation Law (small property exemption) because it is less than one acre in size. No tree save plan is required.

The property is located adjacent to and above Ridge Road (MD 27). Based on projected noise levels, both exterior and interior noise mitigation is warranted. The goal of the noise mitigation is to achieve 60 dBA Ldn at sensitive exterior locations in this area. Staff supports the recommendations in the noise report entitled "Traffic Noise Analysis – Greenhills Block A –

Montgomery County Maryland” by Phoenix Noise and Vibration, dated April 19, 2007, and has added these recommendations to the recommended conditions to assure their full implementation.

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on April 19, 2007. The stormwater management concept includes porous concrete and dry wells for water quality control and recharge. Channel protection is not required because the one-year post-development peak discharge is less than two cubic feet per second.

### **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 lots were reviewed for compliance with the dimensional requirements for the R-T 12.5 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, setbacks, building coverage, and green area 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.

### **Lot Frontage on a Private Street**

Section 50-29(a)(2) of the Subdivision Regulations requires “...that individually recorded lots shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road.” The four duplex units will be on individually recorded lots, and will front onto a private street. Therefore, if the Planning Board approves the preliminary plan, it must also find that the proposed private street has acquired the status of a public road. This finding must be based upon the proposed road being fully accessible to the public; accessible to fire and rescue vehicles, as needed; and designed to minimum public road standards, except for right-of-way and pavement widths.

In the case of this subdivision, it is staff’s opinion that the proposed street which provides frontage to the proposed individually recorded duplex lots can meet the minimum standards necessary to make the finding that it has the status of a public road. These standards, as previously applied by staff, include 20-foot pavement width, 25-foot turning radii, an appropriate circulation pattern, and an appropriate paving cross-section. The road will also be placed within an easement that ensures it remains fully accessible to the public.

### **Citizen Correspondence and Issues**

This plan submittal pre-dated any requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan

submittal and the public hearing date. As of the date of this report, no citizen letters have been received.

## **CONCLUSION**

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Damascus 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 – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

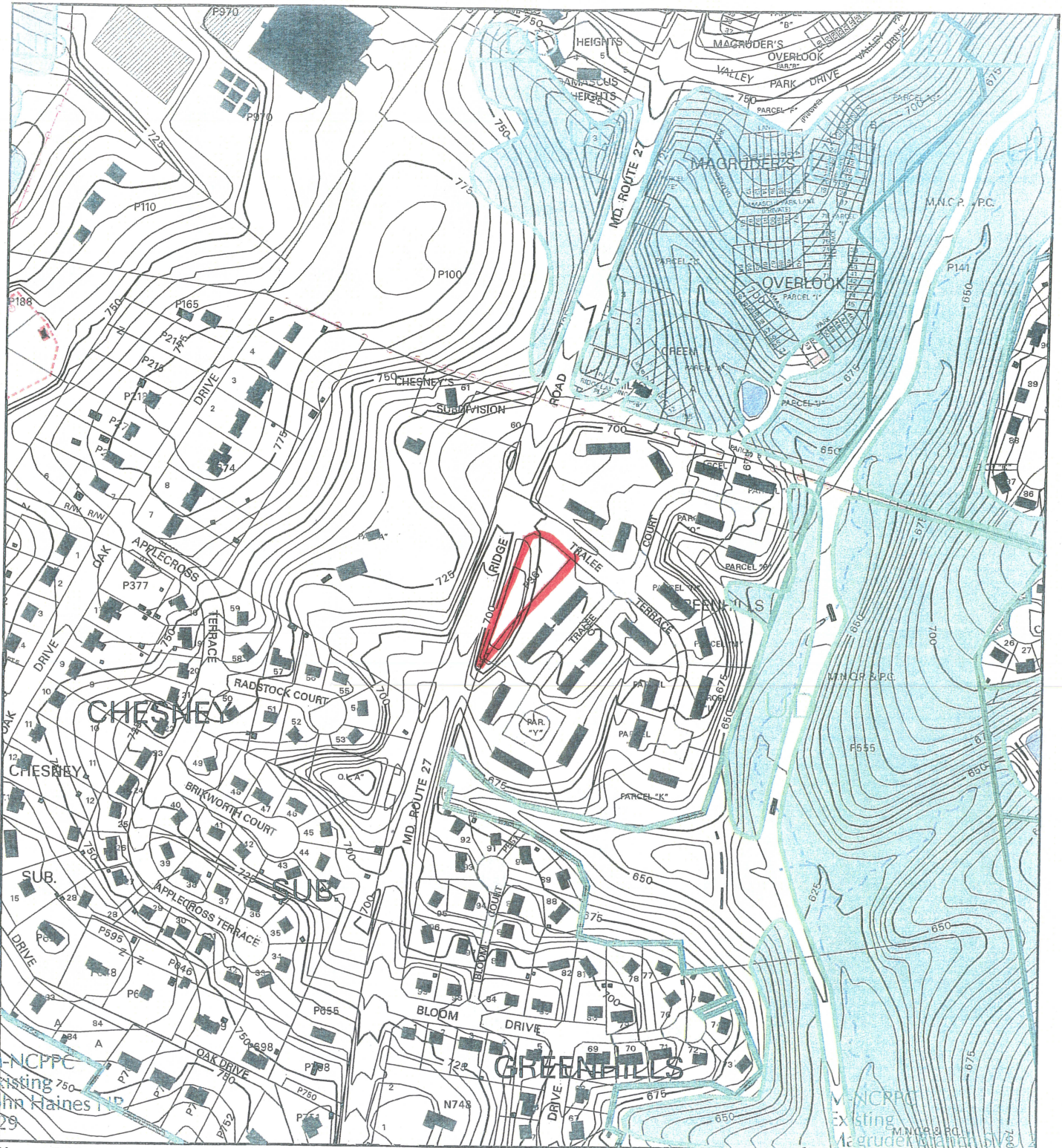
<b>Plan Name: Greenhills</b>				
<b>Plan Number: 120061200</b>				
<b>Zoning: R-T 12.5</b>				
<b># of Lots: 4</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: Residential</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval by the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	Not Specified <sup>1</sup>	1,590 sq. ft. min.	MB	11/21/07
Lot Width	Not Specified <sup>1</sup>	26 ft. min.	MB	11/21/07
Lot Frontage	Not Specified <sup>1</sup>	N/a	MB	11/21/07
Setbacks				
Front	25 ft. Min.	Must meet minimum <sup>2</sup>	MB	11/21/07
Side	10 ft. Min.	Must meet minimum <sup>2</sup>	MB	11/21/07
Rear	20 ft. Min.	Must meet minimum <sup>2</sup>	MB	11/21/07
Height	35 ft. Max.	May not exceed maximum <sup>2</sup>	MB	11/21/07
Max building coverage	35%	May not exceed maximum <sup>2</sup>	MB	
Min green area	50%	72% min.	MB	
Max Resid'l d.u. per Zoning	5	4	MB	11/21/07
MPDUs	N/a		MB	11/21/07
TDRs	N/a		MB	11/21/07
Site Plan Req'd?	Yes		MB	11/21/07
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street	No		MB	11/21/07
Road dedication and frontage improvements	Yes		Agency letter	11/7/06
Environmental Guidelines	N/a		Staff memo	5/25/07
Forest Conservation	Exempt		Staff memo	5/25/07
Master Plan Compliance	Yes		Staff memo	11/8/06
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management	Yes		Agency letter	4/19/07
Water and Sewer (WSSC)	Yes		Agency comments	11/6/06
Well and Septic	N/a		MB	11/21/07
Local Area Traffic Review	N/a		Staff memo	11/6/06
Fire and Rescue	Yes		Agency letter	11/26/07

<sup>1</sup> Development Standards will be established by Site Plan approved pursuant to Section 59-D-3 of the Zoning Ordinance.

<sup>2</sup> As determined by MCDPS at the time of building permit.



## GREENHILLS (120061200)



Map compiled on June 09, 2006 at 8:56 AM | Site located on base sheet no. - 235NW10

## 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  
0 400

1 inch = 400 feet  
1 : 4800







DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
County Executive

Arthur Holmes, Jr.  
Director

November 7, 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 #1-20061200  
Green Hills (Revised)

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 10/05/06. An older version of this plan was reviewed by the Development Review Committee at its meeting on 11/06/06. 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. All comments of our detailed review letter on this preliminary plan dated 06/23/2006 remain in effect unless specifically changed below.
2. In accordance with Section 50-35(n) of the Montgomery County Code, we recommend the Montgomery County Planning Board require the applicant to construct sidewalk along Tralee Terrace to connect with Tralee Court sidewalk and also along site frontage on Ridge Road.
3. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.  
This includes improving bus stop at northbound Ridge Road, nearside of Tralee Terrace and constructing 11' wide x 8' deep concrete pad at bus stop with 5' wide sidewalk connections to Tralee Terrace and adding a County bus stop bench.



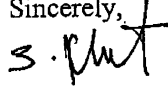
Division of Operations

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. 1-20061200  
Date November 7, 2006  
Page 2

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](mailto: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/ 1-20061200, Green Hills\_revised.doc

Enclosures ()

cc: David Saah  
Raymond Norris, Maddox Engineering  
Joseph Y. Cheung; 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





DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
*County Executive*

Arthur Holmes, Jr.  
*Director*

June 23, 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 #1-20061200  
Green Hills Property

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 05/18/06. This plan was reviewed by the Development Review Committee at its meeting on 06/19/06. 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. Right of way dedication for Ridge Road in accordance with the Master Plan and as necessary for Tralee Terrace.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Size storm drain easement(s) prior to record plat. No fences will be allowed within the storm drain easement(s) without a revocable permit from the Department of Permitting Services and a recorded Maintenance and Liability Agreement.
4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
5. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.



Division of Operations

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

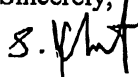
Ms. Catherine Conlon  
Preliminary Plan No. 1-20061200  
Date June 23, 2006  
Page 2

6. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
7. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided along the site frontage.
8. Access and improvements along Ridge Road (MD 27) as required by the Maryland State Highway Administration.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
10. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
11. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
12. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
13. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - A. Construct four (4) foot wide concrete sidewalk along the site frontage.
  - B. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - C. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
    - A.
  - D. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20061200  
Date June 23, 2006  
Page 3

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](mailto: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/ 1-20061200, Green Hills.doc

Enclosures (1)

cc: David Saah  
Raymond Norris, Maddox 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





DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

April 19, 2007

Ms. Caryn Williams  
Maddox Engineering  
100 Park Avenue  
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request  
for Greenhills  
Preliminary Plan #: 120061200  
SM File #: 226226  
Tract Size/Zone: .63 ac. /RT-12.5  
Total Concept Area: .63ac.  
Lots/Block:  
Parcel(s): 367  
Watershed: Great Seneca Creek

Dear Ms. Williams:

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 recharge via the use of porous concrete and 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 **conditions** 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. The design plans need to incorporate specifications for pervious concrete pavement that are acceptable to the National Ready Mix Concrete Association.

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/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 Blair Lough at 240-777-6335.

Sincerely,



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

RRB:dm

cc: C. Conlon  
S. Federline  
SM File # 226226

QN - : Acres:  
QL - : Acres:  
Recharge is/is not provided