



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

MCPB
Item #
2/14/08



MEMORANDUM

DATE: February 1, 2008

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: 10 lots for 10 one-family detached dwelling units

PROJECT NAME: Rolling Acres
CASE #: 120060300
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-90/TDR
LOCATION: The southwest quadrant of Old Columbia Pike and Carters Grove Drive
MASTER PLAN: Fairland

APPLICANT: Jamaal Homes, Inc.
ENGINEER: Maddox Engineers & Surveyors, Inc.

FILING DATE: August 30, 2005
HEARING DATE: February 14, 2008

RECOMMENDATION: Approval subject to the following conditions:

- 1). Approval under this preliminary plan is limited to 10 lots for 10 one-family detached residential dwelling units, including purchase of a minimum of 2 Transferable Development Rights (TDRs).
- 2) The record plat(s) must reflect serialization and liber/folio reference for all TDRs utilized by the development.
- 3) The applicant must comply with the conditions of approval for the preliminary forest conservation plan. The applicant must 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.
- 4) The record plat must provide for dedication along the property frontage to provide 40 feet of right-of-way from the centerline of Old Columbia Pike.
- 5) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated January 10, 2007.
- 7) The applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated August 15, 2006 unless otherwise amended.
- 8) The applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat(s) or by Maryland State Highway Administration (MDSHA), as appropriate, prior to issuance of access permits.
- 9) No clearing, grading or recording of plats prior to certified site plan approval.
- 10) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 11) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff.
- 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.
- 13) Other necessary easements.

SITE DESCRIPTION (Attachment A – Vicinity Map)

The subject property "Property" or "Subject Property" consists of 2.23 acres in the R-90/TDR zone and is currently an unrecorded parcel. The Property is located in the southwest quadrant of the intersection of Old Columbia Pike and Carters Grove Drive. A one-family detached dwelling unit, swimming pool and accessory buildings are currently located on the site. The Subject Property is adjacent to apartments zoned RH on the south and to a subdivision zoned R-90/TDR on the north and west. Property across Old Columbia Pike is zoned OM and contains the Seventh Day Adventist Headquarters, a small office building and a park and ride lot. The site is located in the Paint Branch watershed (Use Class III-P). There are no streams, wetlands or forest on-site.



PROJECT DESCRIPTION (Attachment B – Proposed Plan)

The applicant proposes to remove the existing dwelling unit, pool and outbuildings currently on the site in order to create a subdivision of 10 lots for 10 one-family detached residential dwelling units. The proposed lots range from 4,208 square feet to 7,119 square feet in size. Lots less than the 9,000 square foot R-90 standard are permissible since the applicant proposes to develop the Property under the optional method using TDRs. The use of TDRs makes it possible to use the R-60/MPDU standards for lot size, as outlined in Section 59-C-1.395 of the Zoning Ordinance. Under R-60/MPDU standards, the minimum lot size is 4,000 square feet. Access to the 10 lots is proposed from Old Columbia Pike via Conley Court, a tertiary residential street ending in a cul-de-sac. Fifty feet of right-of-way as well as a 5-foot sidewalk is required for Conley Court. The applicant must also dedicate forty feet of right-of-way, as shown on the preliminary plan, from the centerline of Old Columbia Pike.

ANALYSIS AND FINDINGS

Master Plan Compliance (Attachment C – Master Plan Compliance)

The subject site is one of the last remaining TDR receiving areas in eastern Montgomery County. It is located within the Rolling Acres Neighborhood identified in the 1997 *Approved*

and Adopted Fairland Master Plan. This residential neighborhood contains 124 detached units, 400 apartments, 144 townhouses, a church and historic house.

Previous master plans established the TDR zone and density. The 1991 Trip Reduction Amendment to the 1981 Eastern Montgomery County Master Plan set the TDR density at 4.6 units per acre, one TDR above the R-90 base density of 3.6 units per acre. The 1997 Master Plan confirmed the existing R-90/TDR zoning and left in place the 1991 TDR densities. The Plan encouraged new development to maximize detached housing in order to provide more housing options in a master plan area where two-thirds of the existing units were attached units or apartments, as is the case in the Rolling Acres Neighborhood.

The applicant is proposing 10 lots for 10 one-family detached residential dwelling units. Two lots are a result of TDR use. The applicant is using the R-60 MPDU development standards for lot size, and setbacks will be determined at site plan per PD zone standards, as permitted under the R-90/TDR zone optional method of development standards. The unit type and density are compatible with the adjoining community. The proposal is in conformance with the 1997 Master Plan in that it uses TDRs and provides one-family detached residential housing.

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. The application preceded the PAMR requirements that are pertinent to applications submitted after January 1, 2007.

Vehicle circulation is to be accommodated from Old Columbia Pike onto Conley Court. The new intersection is to be right-in, right-out only. A sidewalk located along the Old Columbia Pike frontage of the Subject Property and along the north side of Conley Court is proposed to accommodate pedestrians. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling units. The lots will be served by public water and sewer. The application meets the Montgomery County Fire and Rescue Service requirements for fire and rescue vehicle access. 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. The preliminary plan application was submitted August 30, 2005 and, therefore, is not subject to the 2007-2009 Growth Policy. Furthermore, the Subject Property is not within a school moratorium area and is not subject to a School Facilities Payment.

Environment

Environmental Guidelines

The Subject Property does not contain any environmentally sensitive areas. As a result, the Environmental Guidelines are not applicable.

Forest Conservation

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. Under Section 22A-12 of the Montgomery County Forest Conservation Law, properties must retain, plant or mitigate a minimum threshold level on-site. The applicant proposes to meet this requirement by planting street trees on-site, totaling 0.31 acres of planting. The plan meets all applicable requirements of the county Forest Conservation Law.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on January 10, 2007 which includes on-site water quality control and on-site recharge via construction of a bio-filter. A waiver of on-site channel protection requirements was granted due to the existing Rolling Acres Regional Pond in close proximity.

Compliance with the Subdivision Regulations and Zoning Ordinance (Attachment D – Agency Correspondence)

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. 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 under the optional method R-90/TDR standards for lot size and setbacks, which in this case allows for use of R-60/MPDU and PD standards, as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in these zones. 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. This application preceded the requirement for pre-submission meetings that is currently in effect. 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 lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Fairland 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

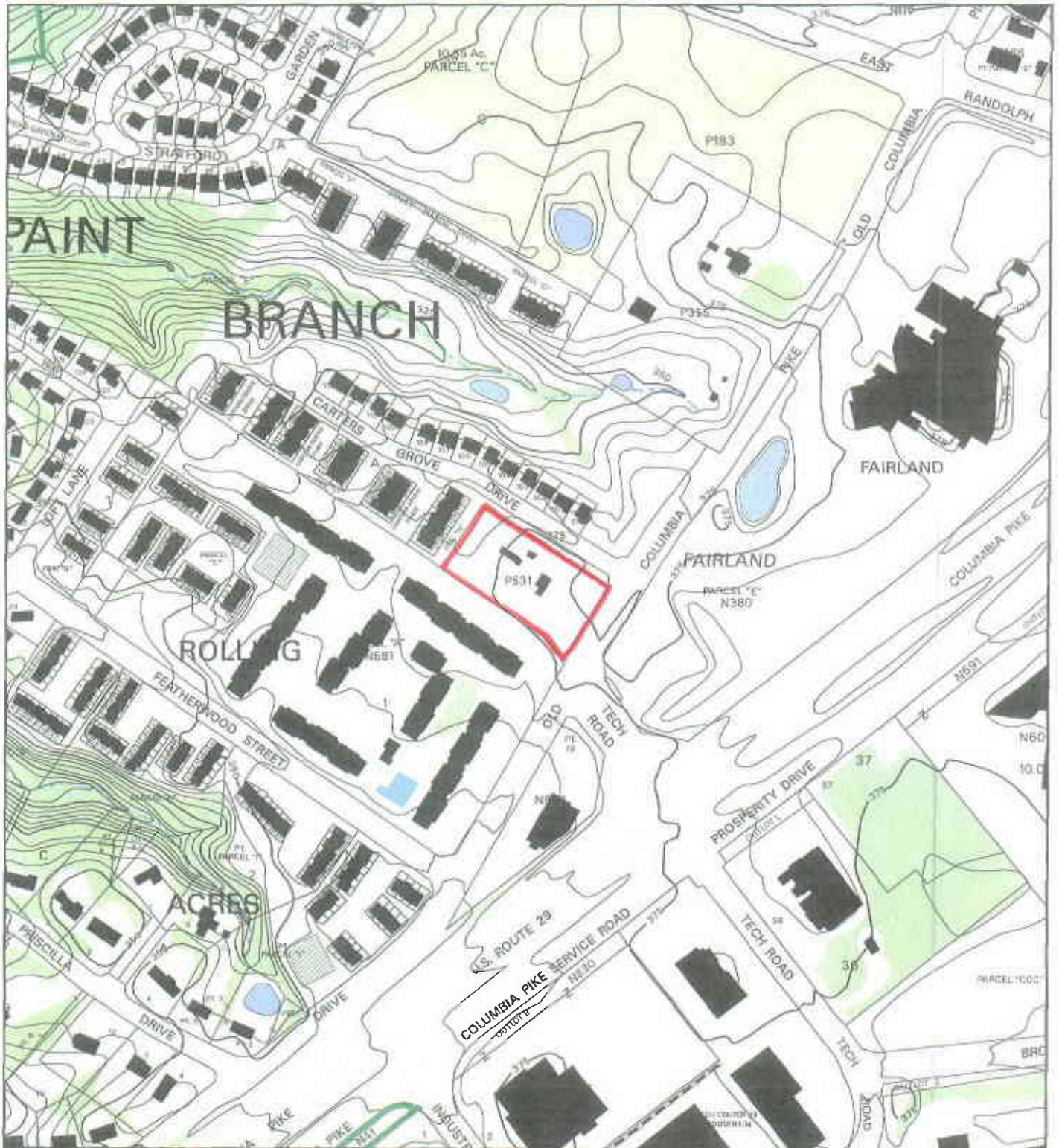
- Attachment A – Vicinity Development Map
- Attachment B – Proposed Development Plan
- Attachment C – Master Plan Compliance
- Attachment D – Agency Correspondence

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Rolling Acres				
Plan Number: 120060300				
Zoning: R-90/TDR				
# of Lots: 10				
# of Outlots: 0				
Dev. Type: Optional Method				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	4,000 sq. ft.	4,208 sq. ft. is minimum proposed	EG	1/29/08
Lot Width	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Lot Frontage	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Setbacks				
Front	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Side	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Rear	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Height	Determined at Site Plan	Must conform to site plan	EG	1/29/08
Max Resid'l d.u. or Comm'l s.f. per Zoning	4.6 units per acre	4.6 units per acre	EG	1/29/08
Green Area	35% Minimum	Must meet minimum	EG	1/29/08
TDRs	2	2	EG	1/29/08
Site Plan Req'd?	Yes		EG	1/29/08
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	EG	1/29/08
Road dedication and frontage improvements		Yes	Agency letter	8/15/06
Environmental Guidelines		N/a	Staff memo	8/6/07
Forest Conservation		Yes	Staff memo	8/6/07
Master Plan Compliance		Yes	Staff memo	1/23/08
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency letter	1/10/07
Water and Sewer (WSSC)		N/a	EG	1/29/08
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	
Local Area Traffic Review		N/a	Staff memo	8/14/06
Policy Area Mobility Review		N/a	Staff memo	8/14/06
Transportation Management Agreement		No	Staff memo	8/14/06
School Cluster in Moratorium?		No	EG	1/29/08
School Facilities Payment		No	EG	1/29/08
Fire and Rescue		Yes	EG	1/29/08
Other (i.e., schools)				

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

ROLLING ACRES, BLOCK 2 (1-06030)



Map compiled on October 03, 2005 at 9:47 AM | Site located on base sheet no - 216NE02

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.

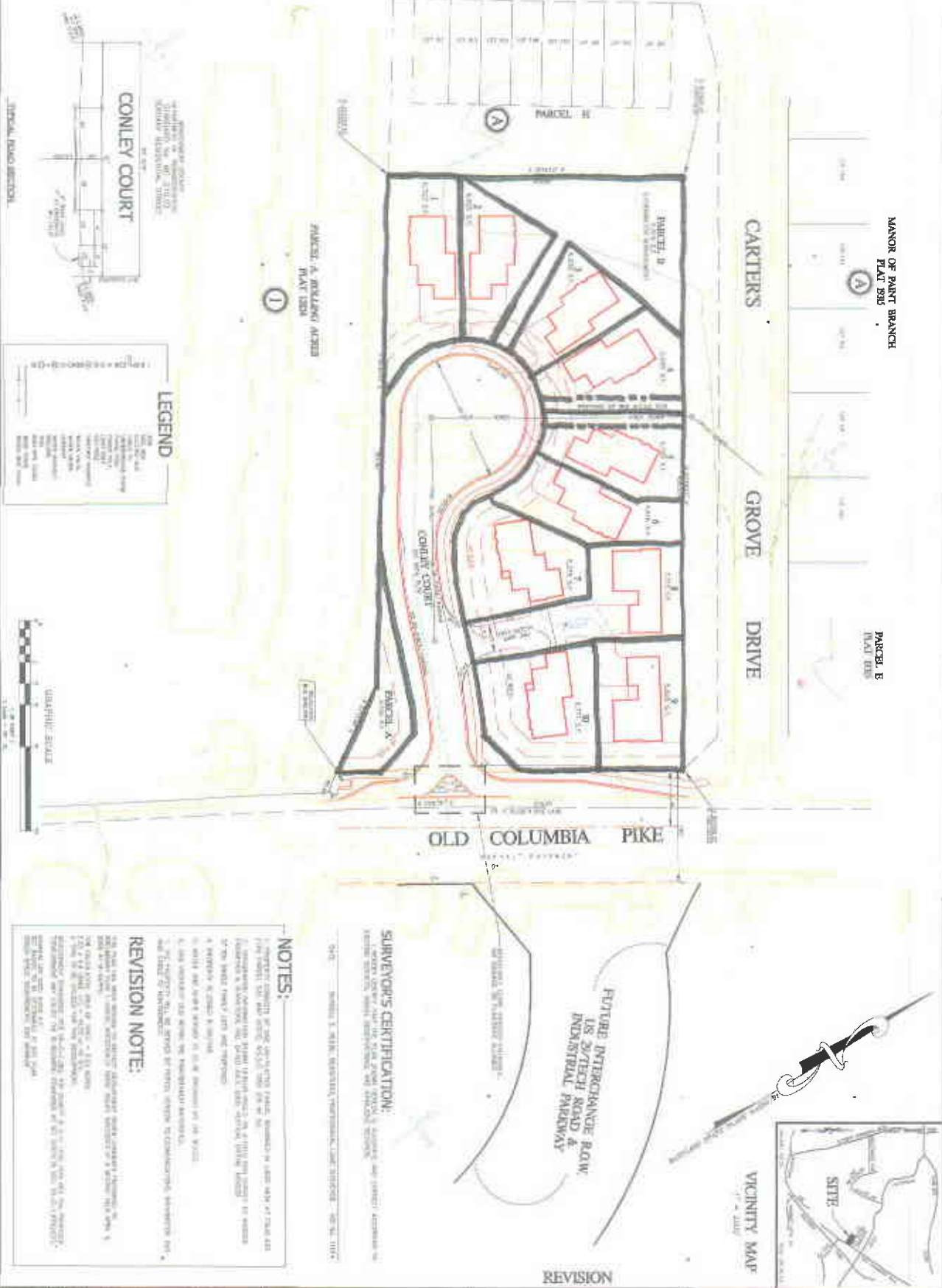
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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



1 inch = 400 feet
1 : 4800

MANOR OF PAINT BRANCH
PLAT 1935



OLD COLUMBIA PIKE

CARTERS DRIVE

GROVE DRIVE

CONLEY COURT

MANOR OF PAINT BRANCH
PLAT 1935

PARCEL B
PLAT 1935

LEGEND

LOT BOUNDARIES	1/8" = 10'
STREET BOUNDARIES	1/8" = 20'
UTILITIES	1/8" = 100'
EXISTING BUILDINGS	AS SHOWN
PROPOSED BUILDINGS	AS SHOWN
PROPOSED DRIVEWAYS	AS SHOWN
PROPOSED PARKING	AS SHOWN
PROPOSED DRIVEWAY	AS SHOWN
PROPOSED DRIVEWAY	AS SHOWN
PROPOSED DRIVEWAY	AS SHOWN
PROPOSED DRIVEWAY	AS SHOWN

REVISION

US STATE ROAD & INDUSTRIAL PARKWAY



VICINITY MAP

NOTES:

1. ALL LOTS SHALL BE CONVEYED TO THE BUYER WITH A C-URVEYOR'S CERTIFICATE OF TITLE.

2. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

3. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

4. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

5. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

6. THE BUYER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

SURVEYOR'S CERTIFICATION:

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original record and that the same is a true and correct copy of the original record.

REVISION NOTE:

1. REVISION NOTE: TO CORRECT THE MISSING DIMENSIONS AND ADJUST THE LOTS TO BE EQUAL IN AREA TO THE ORIGINAL PLAN.

NO.	DATE	DESCRIPTION
1	04/11/2011	ISSUED FOR PUBLIC COMMENT
2	05/11/2011	REVISION NOTE: TO CORRECT THE MISSING DIMENSIONS AND ADJUST THE LOTS TO BE EQUAL IN AREA TO THE ORIGINAL PLAN.
3	06/11/2011	ISSUED FOR PUBLIC COMMENT
4	07/11/2011	ISSUED FOR PUBLIC COMMENT
5	08/11/2011	ISSUED FOR PUBLIC COMMENT
6	09/11/2011	ISSUED FOR PUBLIC COMMENT
7	10/11/2011	ISSUED FOR PUBLIC COMMENT
8	11/11/2011	ISSUED FOR PUBLIC COMMENT
9	12/11/2011	ISSUED FOR PUBLIC COMMENT
10	01/11/2012	ISSUED FOR PUBLIC COMMENT
11	02/11/2012	ISSUED FOR PUBLIC COMMENT
12	03/11/2012	ISSUED FOR PUBLIC COMMENT
13	04/11/2012	ISSUED FOR PUBLIC COMMENT
14	05/11/2012	ISSUED FOR PUBLIC COMMENT
15	06/11/2012	ISSUED FOR PUBLIC COMMENT
16	07/11/2012	ISSUED FOR PUBLIC COMMENT
17	08/11/2012	ISSUED FOR PUBLIC COMMENT
18	09/11/2012	ISSUED FOR PUBLIC COMMENT
19	10/11/2012	ISSUED FOR PUBLIC COMMENT
20	11/11/2012	ISSUED FOR PUBLIC COMMENT
21	12/11/2012	ISSUED FOR PUBLIC COMMENT

LOT 1-10 AND PARCELS A & B
BLOCK 2
ROLLING ACRES
5TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

PRELIMINARY
SUBDIVISION PLAN
1-06030

MADDOX
ENGINEERS & SURVEYORS
106 PARK AVENUE
ROCKVILLE, MARYLAND 20850-2850
(301) 782-9001



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

January 30, 2008

MEMORANDUM

TO: Erin Grayson, Planner
Development Review Division

FROM: Piera Weiss, Planner *PW*
Eastern County Team, Community-Based Planning Division

SUBJECT: Preliminary Plan 1-2006030, Rolling Acres

Staff Recommendation: Approval

Background:

The subject site is one of the last TDR receiving areas in eastern county. It is located within the Rolling Acres Neighborhood identified in the 1997 *Approved and Adopted Fairland Master Plan* (See Attachment). The neighborhood is located at the intersection of Old Columbia Pike and East Randolph Road. This residential neighborhood contains 124 detached units, 400 apartments, 144 townhouses, a historic house and a church. Across Old Columbia Pike is the Seventh Day Adventist Headquarters, a small office building and a park and ride lot.

The subject site is adjacent to apartments (RH Zone) on the south and on the north and west to a R-90/TDR zoned subdivision built in the early 1990s (Site Plan 8-91032).

Previous master plans established the TDR zone and density. The 1991 Trip Reduction Amendment to the 1981 Eastern Montgomery County Master Plan set the TDR density at 4.6 units per acre, one TDR above the R-90 base zone density of 3.6 per acre. The 1981 Plan established the R-90/TDR zoning. Staff notes that although the adjoining community is zoned R-90/TDR, it was built without TDRs under the MPDU standards, which allows a maximum of 4.39 units per acre. The development density is 3.3 units per acre and there are 96 detached and 96 attached units. The unit mix conforms to MPDU standard of a maximum 50/50 percentage of attached and detached units.

The 1997 Master Plan confirmed the existing R-90/TDR zoning and left in place the 1991 TDR densities. The Plan encouraged new development to maximize detached housing in order to provide more housing options in a master plan area where two-thirds of the existing units were attached units or apartments, as is the case in the Rolling Acres Neighborhood.

The applicant is proposing single family detached lots, of which two lots are TDRs. The applicant is using the R-60 MPDU development standards as permitted by the R-90/TDR zone. The unit type and density are compatible with the adjoining community.

The proposal is in conformance with the 1997 Master Plan in that it uses TDRs and provides detached housing. Staff recommends approval.



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

January 10, 2007

Reginald Jetter
Acting Director

Mr. Raymond Norris
Maddox Engineers & Surveyors, Inc.
100 Park Avenue
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request
for Rolling Acres
Preliminary Plan #: 1-06030
SM File #: 220413
Tract Size/Zone: 2.23 acres / R-90 / TDR
Total Concept Area: 2.23 acres
Lots/Block: N/A
Parcel(s): P531
Watershed: Paint Branch

Dear Mr. Norris:

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 a waiver of onsite channel protection requirements due to the existing Rolling Acres Regional Pond and on-site water quality control and onsite recharge via construction of a Bio Filter.

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. Formal approval of the waiver of the open section roadway requirement must be obtained prior to submission of detailed plans for review. If plans are submitted prior to approval of the waiver they will be returned to the engineer with no review.

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 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 Mark Etheridge at 240-777-6338.

Sincerely,



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

RRB:dm mce

cc: C. Conlon
S. Federline
SM File # 220413

QN -SW; Acres: 2.23
QL - ON; Acres: 2.23
Recharge is provided



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

August 15, 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 #1-20060300
Rolling Acres- Retake

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 07/14/06. This plan was reviewed by the Development Review Committee at its meeting on 08/14/06. 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 review letter on preliminary plan 1-06030 dated 01/13/2006 remain in effect unless specifically *changed below*.
2. Show/label all existing planimetric and topographic details specifically existing rights of way on both sides and easements on the preliminary plan.
3. Necessary dedication for Old Columbia Pike in accordance with the Master Plan.
4. Full width dedication and construction of Conley Court as a tertiary residential roadway ending in a cul-de-sac.
5. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
6. We did not receive conceptual road profiles for the new public streets. As a result, we are unable to offer any comments at this point.
7. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to obtain the approval of grade establishments for new public streets from DPS.
8. 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.*



Division of Operations

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

9. A Public Improvements Easement may be necessary along Old Columbia Pike, in order to accommodate the required Sidewalk construction. Prior to submission of the record plat, the applicant's consultant will need to determine if there is sufficient right of way to permit this Sidewalk construction. If not, the applicant will need to either dedicate additional right of way or execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide.
10. Coordinate with Maryland Highway Administration for the proposed interchange of Columbia Pike (MD 29) and Tech Road.
11. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread and inlet efficiency computations in the impact analysis.
12. The plan should provide horizontal alignment for Conley Court which satisfies the design speed.
13. Prior to approval of the record plat by the Department of Permitting Services, submit an updated, completed, executed and sealed DPWT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for our review and approval.
14. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
15. Record plat to reflect denial of access along Old Columbia Pike except for Conley Court.
16. Waiver from the Montgomery County Planning Board for a reduction in the minimum intersection spacing along an arterial (or major) classification roadway. Please note that MCDPWT supports this waiver only if the subdivision entrance functions as a right in-right out only.
17. 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.
18. 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 on both sides of the proposed public streets and along the site frontage unless the applicant is able to obtain a waiver from the appropriate government agency.
19. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
20. Geometrics for the intersection of Conley Court and Old Columbia Pike will be reviewed by the

Department of Permitting Services as part of their review of the building permit application. Included in that review will be the design of any necessary left turn storage lanes and/or acceleration/deceleration lanes. We advise the applicant to submit their traffic volume data to the DPS Right-of-Way Permitting and Plan Review Section (in advance of their building permit applications) to verify their intersection improvement requirements and the acceptability of their design.

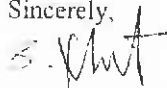
21. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
22. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control 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.
23. 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.
24. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
25. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
26. Provide driveway access for the stormwater management facilities per associated DPS guidelines.
27. Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:
 - A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Conley Court.
 - B. Improvements required at the intersection of Conley Court and Old Columbia Pike as mentioned in item number 20 above.
 - C. Construct five (5) foot wide concrete sidewalk along the site frontage on Old Columbia Pike.
 - D. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
 - E. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
 - F. 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.
 - G. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.

Ms. Catherine Conlon
Preliminary Plan No. 1-20060300
Date August 15, 2006
Page 4

- H. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

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

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
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Enclosures ()

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Preliminary Plan Folder
Preliminary Plans Note Book