



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

MCPB
Item #
11/13/08



MEMORANDUM

DATE: October 31, 2008

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

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

PROJECT NAME: Oakdale School Lot

CASE #: 120070630

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Located in the northeast quadrant of the intersection of Emory Lane and Cashell Road

MASTER PLAN: Olney

APPLICANT: Reuben Criscio

ENGINEER: WCG

FILING DATE: February 6, 2007

HEARING DATE: November 13, 2008

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one lot for one one-family detached dwelling unit.
- 2) The applicant must comply with the conditions of the approved tree save plan prior to any demolition, clearing, or grading on the subject property.
- 3) Prior to certification of the preliminary plan, the plan drawing must be revised to show reconstruction of the northeast quadrant of the intersection of Emory Lane and Cashell Road as per Road Code Standard No. MC-224-01 and construction of a handicapped-accessible ramp at the northeast quadrant of the intersection.
- 4) The applicant must construct all improvements within the rights-of-way shown on the approved preliminary plan.
- 5) The applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS), Wells and Septic Section approval dated September 18, 2008.
- 6) The applicant must provide stormwater management improvements consistent with the sediment control and stormwater management permit issued by MCDPS on January 27, 2006.
- 7) The applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated May 1, 2008, unless otherwise amended.
- 8) The applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat(s).
- 9) The applicant must dedicate and the record plat must show dedication of 40 feet of right-of-way for Cashell Road along the property frontage, as measured from the right-of-way centerline, as shown on the preliminary plan.
- 10) The record plat must provide for right-of-way truncation for the intersection of Emory Lane and Cashell Road.
- 11) The record plat must show other necessary easements.
- 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, shown below and in Attachment A, is a single unplatted parcel measuring 33,425 square feet in area. It is located within the R-200 zone, in the northeast quadrant of the intersection of Emory Lane and Cashell Road. The property is developed with a one-family detached dwelling, which will be removed and replaced with a new one-family detached dwelling. Surrounding properties on the north side of Emory Lane are primarily developed with one-family residences in the R-200 zone. An 80-acre property adjacent to the site on the north and east is largely undeveloped and contains an electrical substation. Surrounding properties on the south side of Emory Lane are developed with one-family residences in the RE-1 zone.

The site is located within the Rock Creek watershed. There are no forests, stream buffers, wetlands, or other environmentally sensitive features on the site.



PROJECT DESCRIPTION

The applicant proposes to create one lot from the existing unplatted parcel. The lot will accommodate one one-family dwelling, which will replace the existing one-family dwelling on the site. The lot will be 32,311 square feet in size. Access will be provided via a driveway from Emory Lane. The proposed residence will be served by public water and a private septic system.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Olney 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-200 zoning. The proposed

subdivision complies with the recommendations adopted in the Master Plan in that it proposes one-family residential development consistent with surrounding development patterns and the current zoning designation. Further, the proposed lot is nearly identical in size, shape, and orientation to the existing unplatted parcel, so the proposed subdivision will not alter the existing pattern of development or land use.

Public Facilities

Roads and Transportation Facilities

The proposed subdivision does 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. In addition, the proposed subdivision does not generate more than three new vehicle trips in the morning or evening peak hours. Therefore, the application is also not subject to Policy Area Mobility Review.

Access to the proposed lot will be via a driveway on Emory Lane. New sidewalks will be provided on the Emory Lane and Cashell Road frontages of the property, and a handicapped accessible ramp will be provided at the intersection. Proposed vehicle and pedestrian access for the site will be safe and adequate with the proposed public improvements.

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 a private septic system. 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 operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical, gas, and telecommunications services are also available to serve the Property.

Environment

The site does not contain any streams, wetlands, or floodplains, and there are no environmental buffers on the property. Environmental guidelines for protection of environmentally sensitive areas, therefore, are not applicable to this subdivision.

There is no forest on this property and this site is exempt from the Forest Conservation Law, as a small property. A Tree Save Plan has been prepared and submitted. The Tree Save Plan proposes to retain trees by the placement of tree protection measures.

The MCDPS Stormwater Management Section approved a sediment control and stormwater management permit on January 27, 2006. Stormwater management consists of water quality control and recharge via drywells. Channel protection is not required because the one-year post-development peak discharge is less than 2 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. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the R-200 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

Citizen Correspondence and Issues

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. Additional notice was recently given because the application was submitted over one year ago. As of the date of this report, no citizen letters have been received.

CONCLUSION

The proposed lot meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Olney Master Plan. Access and public facilities will be adequate to serve the proposed lot, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

Attachments

Attachment A – Vicinity Development Map

Attachment B – Proposed Development Plan

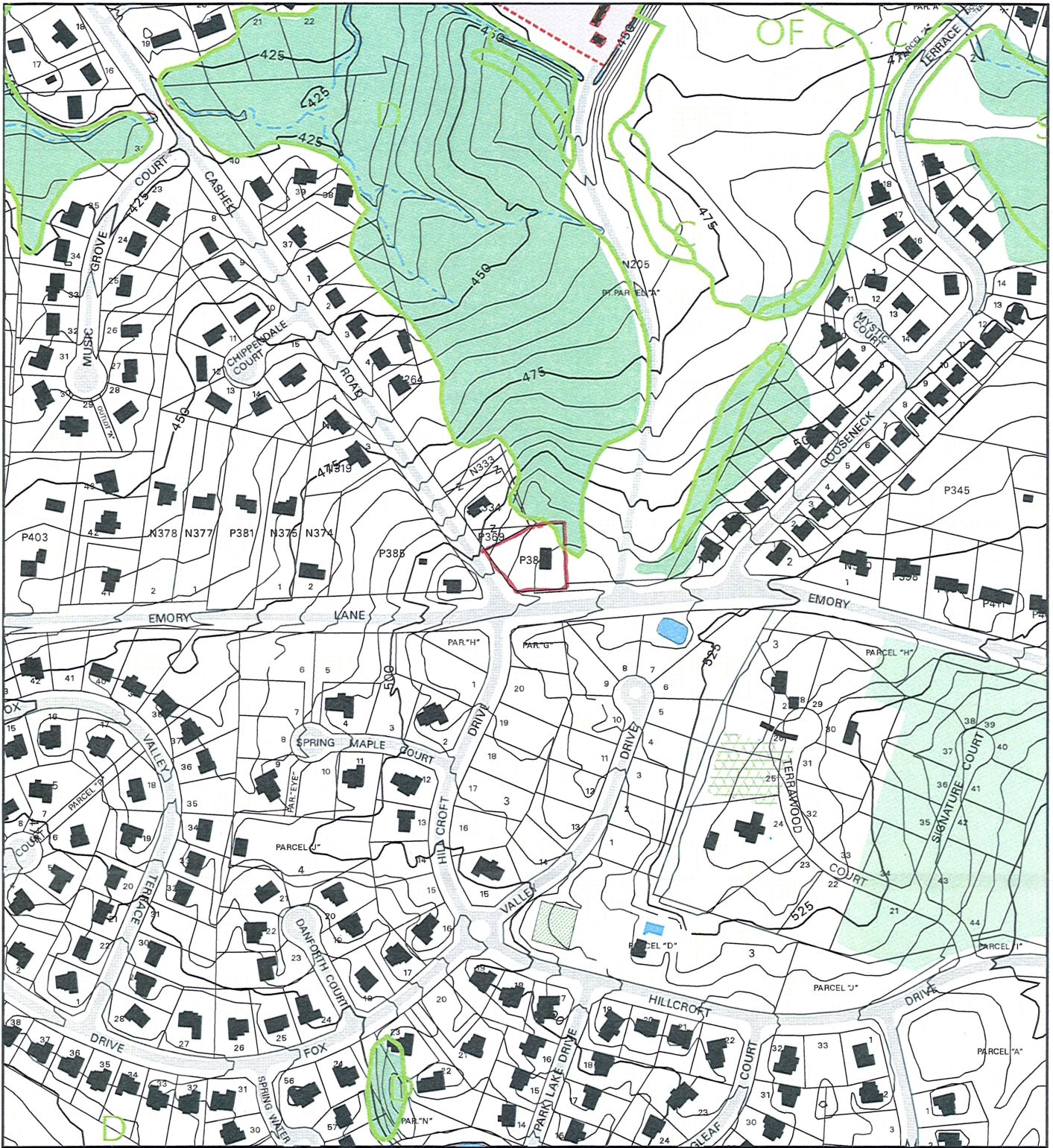
Attachment C – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Oakdale School Lot				
Plan Number: 120070630				
Zoning: R-200				
# of Lots: 1				
# of Outlots: N/A				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	32,311 sq. ft. minimum	NB	9/19/08
Lot Width	100 ft.	160 ft. minimum	NB	9/19/08
Lot Frontage	25 ft.	136 ft. minimum	NB	9/19/08
Setbacks				
Front	40 ft. Min.	Must meet minimum ¹	NB	9/19/08
Side	12 ft. Min./25 ft. total	Must meet minimum ¹	NB	9/19/08
Rear	30 ft. Min.	Must meet minimum ¹	NB	9/19/08
Height	50 ft. Max.	May not exceed maximum ¹	NB	9/19/08
Max Resid'l d.u. per Zoning	1	1	NB	9/19/08
MPDUs	N/a		NB	9/19/08
TDRs	N/a		NB	9/19/08
Site Plan Req'd?	No		NB	9/19/08
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street		Yes	NB	9/19/08
Road dedication and frontage improvements		Yes	Agency letter	5/1/08
Environmental Guidelines		N/a	NB	
Forest Conservation		Exempt	NB	
Master Plan Compliance		Yes	Staff comments	8/27/08
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management		Yes	Agency permit	1/9/06
Water and Sewer (WSSC)		Yes	Agency comments	4/16/07
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	4/16/07
Well and Septic		Yes	Agency letter	9/18/08
Local Area Traffic Review		N/a	Staff memo	4/16/07
Policy Area Mobility Review		N/a	Staff memo	4/16/07
Transportation Management Agreement		No	Staff memo	4/16/07
School Cluster in Moratorium?		No	NB	9/19/08
School Facilities Payment		No	NB	9/19/08
Fire and Rescue		Yes	Agency letter	1/4/08

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

OAKDALE SCHOOL LOT (120070630)



Map compiled on March 23, 2007 at 11:34 AM | Site located on base sheet no - 222NW04

NOTICE

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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

Key Map



Research & Technology Center

0 400

1 inch = 400 feet
1 : 4800



Attachment C

DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

May 1, 2008

Arthur Holmes, Jr.
Director

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 #1-20070630
Oakdale School Lot

Dear Ms. Conlon:

We have completed our review of the preliminary plan signed on 09/03/06. This plan was reviewed by the Development Review Committee at its meeting on April 16, 2007. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. Necessary dedication for Emory Lane and Cashell Road in accordance with the Master Plan.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Septic systems cannot be located within the right of way nor slope or drainage easements.
4. Perform the necessary adjustments so driveway aprons do not cross the property lines.
5. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
6. 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 frontages according to associated DPWT standard street sections unless the applicant is able to obtain a waiver from the appropriate government agency.
7. Revise the plan as necessary to meet the requirements of the Montgomery County Department of Permitting Services with regard to septic systems.
8. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
9. 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.

Division of Operations

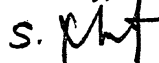
101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX
www.montgomerycountymd.gov

Ms. Catherine Conlon
Preliminary Plan No. 1-20070630
Date May 1, 2008
Page 2

10. 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.
11. Record plat to reflect denial of access along Cashell Road.
12. 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. Re-construct five (5) foot wide concrete sidewalks along the site frontages per item 6 above.
 - 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.
 - D. 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.
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070630, Oakdale School Lot.doc

Enclosures (1)

cc: Ruben Criscio
Andrew Husbands / Ken West, WCG LLC
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Henry Emery; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Carla Reid Joyner
Director

MEMORANDUM

September 18, 2008

TO: Cathy Conlon, Development Review,
Maryland National Capital Park and Planning Commission

FROM: Carla Reid, Director
Department of Permitting Services

SUBJECT: Status of Preliminary Plan: # 120070630,

Oakdale School Lot, P. 388

This is to notify you that the Well & Septic Section of MCDPS approved the plan received in this office on July 24, 2008.

Approved with the following reservations:

1. The record plat must be at the same scale as the preliminary plan, or submit an enlargement of the plat to match the preliminary plan.
2. Public water must be provided.
3. The existing water well must be sealed by a licensed well driller prior to the approval of any building permits.

If you have any questions, contact Gene von Gunten at (240) 777-6319.

cc:
Surveyor
File

RECEIVED
SEP 23 2008
DEVELOPMENT REVIEW