



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

**MCPB**  
**Item #**  
**09/17/09**



**MEMORANDUM**

**DATE:** September 4, 2009

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief *pk*  
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:** 13 lots for 13 one-family detached dwelling units and two outlots

**PROJECT NAME:** Kensington Heights

**CASE #:** 120080250

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

**ZONE:** R-60

**LOCATION:** On the south side of University Boulevard, 220 feet east of Hobson Street.

**MASTER PLAN:** Kensington/Wheaton

**APPLICANT:** Sterling Mehring

**ENGINEER:** CAS Engineering

**FILING DATE:** March 13, 2008

**HEARING DATE:** September 17, 2009

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

- 1) Approval under this preliminary plan is limited to 13 lots for 13 one-family detached dwelling units and two outlots.
- 2) 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.
- 3) The applicant must satisfy the Policy Area Mobility Review (PAMR) requirement by mitigating two trips (10% of the 16 new trips expected from the site) within the peak hour of weekday evening peak period. The applicant must secure approval of the proposed mitigation measures and the timing for implementing the PAMR project from M-NCPPC and Montgomery County Department of Transportation (MCDOT) prior to recordation of plat.
- 4) The applicant must dedicate and the record plat must show dedication of approximately 11,500 square feet of right-of-way for a 50-foot wide (as measured from the opposite right-of-way line) extension of the right-of-way for Moore Lane and approximately 5,650 square feet of right of way for a 50-foot wide (as measured from the opposite right-of-way line) extension of the right-of-way for Decatur Avenue.
- 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. Moore Lane and Decatur Avenue must be constructed to tertiary residential street standards.
- 6) The applicant must construct sidewalks as shown on the preliminary plan as follows:
  - a. Reconstruct the sidewalk along the property frontage on University Boulevard to be six feet wide, located two feet from the property line and including a landscape panel with street trees between the curb and the sidewalk.
  - b. Construct a five-foot-wide sidewalk on the north side of the proposed Moore Lane extension.
  - c. Construct a five-foot-wide sidewalk on the north side of the proposed Decatur Avenue extension.
  - d. Construct a five-foot-wide sidewalk on the east side of Hobson Street between Decatur Avenue and Moore Lane.
  - e. Provide at-grade sidewalk crossings of the driveways on Moore Lane and Decatur Avenue.
- 7) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 8) The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 9) The applicant must comply with the conditions of the MCDPS stormwater management approval dated May 21, 2009. These conditions may be amended by MCDPS, provided the amendments do not conflict with other conditions of the preliminary plan approval.

- 10) The applicant must comply with the conditions of the MCDOT letter dated August 19, 2009. These conditions may be amended by MCDOT, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 11) The applicant must comply with the conditions of the MDSHA letter dated April 18, 2008. These conditions may be amended by MDSHA, provided the amendments do not conflict with other conditions of the preliminary plan approval.
- 12) The applicant must satisfy provisions for access and improvements as required by MCDOT prior to recordation of plat(s).
- 13) The record plat must show all necessary easements.
- 14) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.

### **SITE DESCRIPTION**

The subject property, shown below and in Attachment A, consists of one part of a lot measuring approximately 2.62 acres and one lot measuring approximately 19,200 square feet. The total area of the subject property is 3.06 acres. The site is located on the south side of University Boulevard, 220 feet east of Hobson Street. The zoning on the property is R-60. The site is currently undeveloped. Surrounding properties to the south, east, and west are developed with one-family detached dwellings in the R-60 zone. Surrounding properties north of the subject property are developed with multi-family dwellings in the R-20 zone.

The subject property is located within the Lower Rock Creek watershed. There are 1.86 acres of forest on the site. There are no stream buffers, wetlands, or other environmentally sensitive features on the site.





## PROJECT DESCRIPTION

The applicant proposes to resubdivide the subject property into 13 lots for 13 one-family detached dwellings. The lots will range in size from 6,404 to 10,768 square feet. The proposal includes an extension of Moore Lane from its current terminus at the subject property's western boundary, through the property to a hammerhead turnaround at the eastern boundary; and an extension of Decatur Avenue from its current terminus at the intersection of Stella Court, along the southern property boundary to Hobson Street. Approximately 11,500 square feet of the subject property will be dedicated for right-of-way for the extension of Moore Lane and approximately 5,650 square feet of the subject property will be dedicated for right-of-way for the extension of Decatur Avenue. Three lots will front on University Boulevard, six on a proposed extension of Moore Lane, and four on Decatur Avenue, including its proposed extension. The lots fronting on University Boulevard will have driveway access from the extension of Moore Lane. The majority of lots will be accessed by individual driveways, but four lots on Moore Lane will share a single driveway and two lots on Decatur Avenue will share another driveway. A 15,800 square-foot stormwater management parcel (which will contain an underground stormwater management structure) is proposed in the northeast quadrant of the intersection of Hobson Street and Decatur Avenue. Two outlots are proposed, each of which will be one foot wide. These are intended to be transferred to the adjacent property to the east in the event that it is subdivided in the future. The long narrow strips are needed for the adjacent property to reach a width of 120 feet – the minimum width of two lots in the R-60 zone.

(Attachment B – proposed plan)

## **ANALYSIS AND FINDINGS**

### **Master Plan Compliance**

The Kensington/Wheaton Master Plan recommends that the subject property be developed with one-family detached dwellings, as proposed in this application. Further, the Master Plan recommends no access be provided from University Boulevard. Rather, the Master Plan recommends that access to the property be provided from Moore Lane, as is proposed. The proposed subdivision substantially conforms to the Master Plan in that it proposes one-family detached dwellings with access from Moore Lane and other interior neighborhood streets.

### **Public Facilities**

#### **Roads and Transportation Facilities**

The site is expected to generate 14 and 16 peak hour trips during the weekday morning and evening peak periods respectively. Therefore, the applicant is not required to submit a traffic study because the proposed site will generate less than 30 peak hour trips, the minimum required trips to trigger Local Area Transportation Review.

The site is located within the Kensington/Wheaton Policy Area, and, therefore, 10% of the site's new trips must be mitigated to meet the requirements of Policy Area Mobility Review (PAMR). The applicant has not yet submitted a proposal to mitigate these trips, but staff is recommending a condition that requires the applicant to submit their proposed mitigation measures for M-NCPPC and MCDOT staff approval prior to recordation of any plat(s).

Vehicular access to the proposed lots will be provided by individual and/or shared driveways from the proposed extensions of Moore Lane and Decatur Avenue. Pedestrian access will be provided by proposed sidewalks on Moore Lane, Decatur Avenue, and Hobson Street. The existing sidewalk on University Boulevard is proposed to be reconstructed to be six feet wide.

Proposed vehicle and pedestrian access for the subdivision 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 public sewer. 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 police stations, firehouses, schools, and health services are operating according

to the Growth Policy resolution currently in effect and will be adequate to serve the property. The Application is not within a school moratorium area, and a school facilities payment is not required. Electrical, telecommunications, and natural gas services are also available to serve the subject property.

### **Environment**

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

The site contains 1.86 acres of existing forest. All on-site forest is proposed to be cleared to accommodate the proposed subdivision. The total reforestation and afforestation requirement is 1.7 acres, which will be provided off-site.

The MCDPS Stormwater Management Section approved the stormwater management concept on May 21, 2009. The stormwater management concept includes on-site channel protection, overbank flood protection and extreme flood measures via underground storage; on-site water quality control via underground filters, drywells, and a curb inlet biofiltration structure; and on-site recharge via drywells. The underground stormwater management facility will drain into a proposed stormdrain pipe that will be installed in the Hobson Street right-of-way and will connect to an existing stormdrain pipe at the intersection of Hobson Street and Mc Comas Avenue. The stormwater management concept includes measures beyond what is required by regulations in response to runoff concerns from adjacent property owners. The concept is designed to reduce existing runoff conditions.

### **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, including the requirements for resubdivision as discussed below. 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 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 attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

### **Conformance with Section 50-29(b)(2)**

#### **A. Statutory Review Criteria**

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:



Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

## **B. Neighborhood Delineation**

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 64 lots (Attachment C). The neighborhood includes lots in the R-60 zone on University Boulevard, Hobson Street, Moore Lane, Decatur Avenue, Stella Court, and Devin Place. All the lots share several common access points from surrounding streets. The designated neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

## **C. Analysis**

### Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated neighborhood. The proposed lots are of the same character with respect to the resubdivision criteria as other lots within the defined neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-29(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

#### **Frontage:**

In a neighborhood of 64 lots, lot frontages range from 25 feet to 211 feet. Thirty-nine of the lots have frontages of less than 60 feet, eleven lots have frontages between 60 and 100 feet, and the remaining fourteen lots have frontages of 100 feet or more. One proposed lot has a frontage of 31 feet, and the remaining twelve proposed lots have frontages between 61 and 75 feet. The 31-foot frontage is a result of the configuration of Decatur Avenue, which curves away from proposed Lot 13, providing space for an intervening wedge of a separately owned property. Although proposed Lot 13 is near the low end of the range with respect to frontage, there are three existing lots in the neighborhood with narrower frontages. The narrow frontage will not be visually apparent from the public right-of-way because the shared driveway access for this lot will be located on the adjacent lot, giving the appearance of wider frontage. **The proposed lots will be of the same character as existing lots in the neighborhood with respect to lot frontage.**

#### **Alignment:**

Fifty-three of the sixty-four existing lots in the neighborhood are perpendicular in alignment, one is radial, and the remaining ten are corner lots. The 13 proposed lots are

perpendicular in alignment. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

**Size:**

The lots in the delineated neighborhood range from 5,000 square feet to 20,987 square feet. Thirty of the lots are smaller than 6,000 square feet, 26 are between 6,000 and 10,000 square feet, and eight are between 10,000 and 20,987 square feet. Twelve of the proposed lots are between 6,400 and 8,500 square feet and one proposed lot is 10,796 square feet. **The proposed lot sizes are in character with the size of existing lots in the neighborhood.**

**Shape:**

Thirty-seven of the existing lots in the neighborhood are rectangular, ten are irregularly shaped, three are pipestem lots, 13 are trapezoidal, and one is triangular in shape. Nine of the proposed lots are rectangular and the remaining four lots are generally rectangular in shape. **The shapes of the proposed lots will be in character with shapes of the existing lots.**

**Width:**

The lots in the delineated neighborhood range from 34 feet to 137 feet in width. Thirty-five of the lots have widths of less than 60 feet, 14 lots have widths between 60 and 80 feet, and the remaining 15 lots have widths of more than 80 feet. Four proposed lots will have widths of 60 feet and the remaining nine lots will widths between 73 and 75 feet. **The proposed lots will be in character with existing lots in the neighborhood with respect to width.**

**Area:**

The lots in the delineated neighborhood range from 962 square feet to 10,309 square feet in buildable area. Twenty-one of the lots have a buildable area less than 2,000 square feet, 37 are between 2,000 and 4,000 square feet, and six are between 4,000 and 10,309 square feet. Eleven of the proposed lots have a buildable area between 2,000 and 4,000 square feet and two of the proposed lots have a buildable area between 4,000 and 6,000 square feet. **The proposed lots will be of the same character as other lots in the neighborhood with respect to buildable area.**

**Suitability for Residential Use:** The existing and the proposed lots are zoned residential and the land is suitable for residential use.

**Citizen Correspondence and Issues**

The applicant conducted a pre-submission community meeting on December 15, 2007. At the meeting, citizens raised aesthetic and safety concerns regarding the proposed storm water management pond to be located at the intersection of Hobson Street and Decatur Avenue. The developer addressed these concerns by altering the stormwater management concept to include an underground stormwater facility instead of the above-ground pond. Written notice was also given by the applicant and staff of the plan submittal and the public hearing date. Written notice



of the application and an updated copy of the plan was provided in March 2009, one year after the application was filed. As of the date of this report, no citizen letters have been received.

## **CONCLUSION**

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the two proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and comply with the recommendations of the Kensington/Wheaton 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 – Resubdivision Neighborhood Map

Attachment D – Resubdivision Data Table

Attachment E – Agency Correspondence Referenced in Conditions

Table 1: Preliminary Plan Data Table and Checklist

<b>Plan Name: Kensington Heights</b>				
<b>Plan Number: 120080250</b>				
<b>Zoning: R-60</b>				
<b># of Lots: 13</b>				
<b># of Outlots: 2</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	6,000 sq. ft.	6,404 sq. ft. minimum	NB	9/4/09
Lot Width	60 ft.	60 ft. minimum	NB	9/4/09
Lot Frontage	25 ft.	31 ft. minimum	NB	9/4/09
Setbacks				
Front	25 ft. Min.	Must meet minimum <sup>1</sup>	NB	9/4/09
Side	8 ft. Min./18 ft. total	Must meet minimum <sup>1</sup>	NB	9/4/09
Rear	20 ft. Min.	Must meet minimum <sup>1</sup>	NB	9/4/09
Height	35 ft. Max.	May not exceed maximum <sup>1</sup>	NB	9/4/09
Max Resid'l d.u. per Zoning	22	13	NB	9/4/09
MPDUs	N/a		NB	9/4/09
TDRs	N/a		NB	9/4/09
Site Plan Req'd?	No		NB	9/4/09
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street		Yes	NB	9/4/09
Road dedication and frontage improvements		Yes	Agency letter	8/19/09
Environmental Guidelines		Yes	Staff memo	4/21/08
Forest Conservation		Yes	Staff memo	4/21/08
Master Plan Compliance		Yes	Staff memo	8/25/09
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management		Yes	Agency letter	5/21/09
Water and Sewer (WSSC)		Yes	Agency comments	4/21/08
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	4/21/08
Well and Septic		N/a	Agency letter	4/21/08
Local Area Traffic Review		N/a	Staff memo	4/21/08
Policy Area Mobility Review		Yes	Staff memo	4/21/08
Transportation Management Agreement		No	Staff memo	4/21/08
School Cluster in Moratorium?		No	NB	9/4/09
School Facilities Payment		No	NB	9/4/09
Fire and Rescue		Yes	Agency letter	8/1/08

<sup>1</sup> As determined by MCDPS at the time of building permit.



# KENSINGTON HEIGHTS (120080250)



Map compiled on March 13, 2008 at 4:55 PM | Site located on base sheet no - 214NW03

### NOTICE

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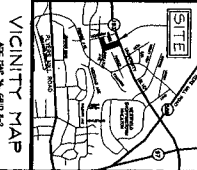
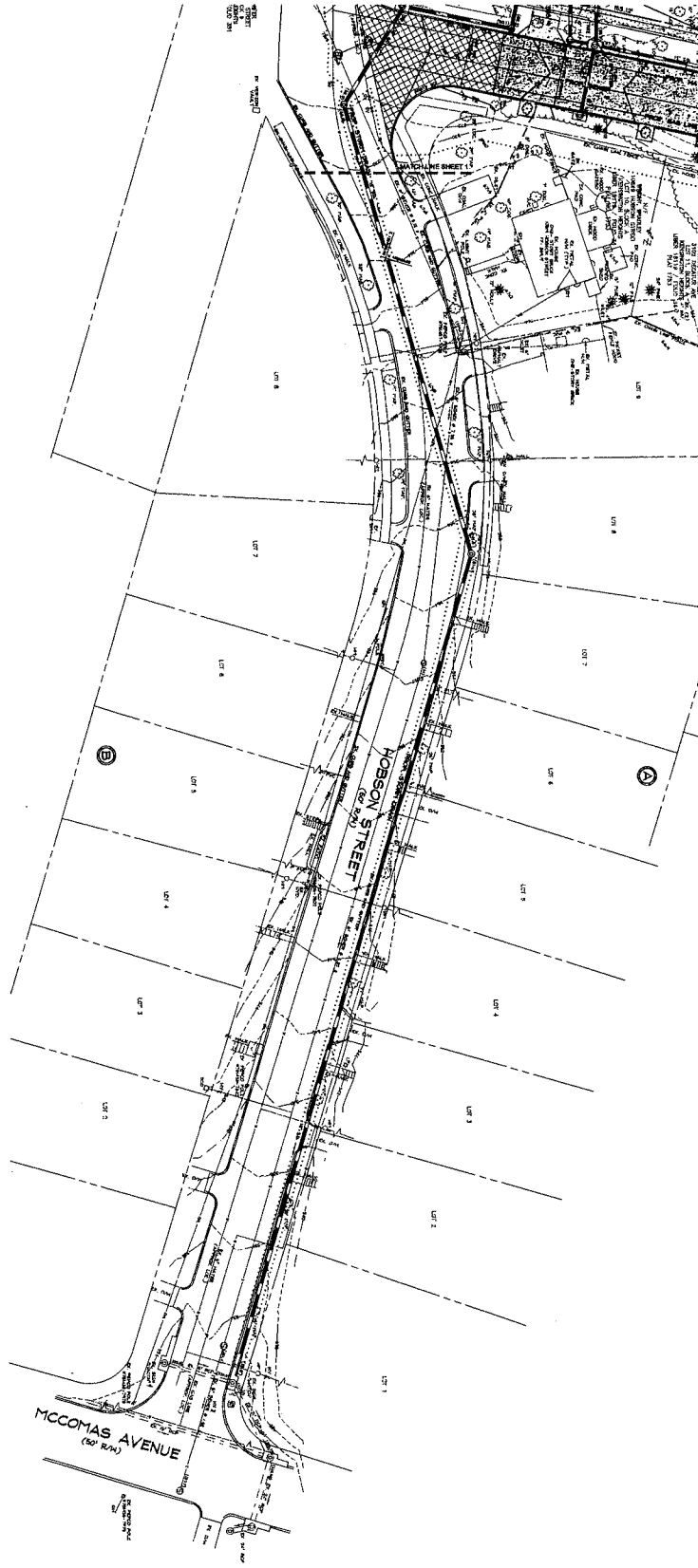
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14,400 scale aerial photography using stereo photogrammetric methods.

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









3114 W. UNIVERSITY BOULEVARD  
 & 10901 HOBSON STREET  
 PROPOSED LOTS 1-13  
 KENSINGTON HEIGHTS  
 PRELIMINARY PLAN

APPLICANT  
 CDS ENGINEERING, LLC  
 100 WEST RIDGEVILLE BOULEVARD, SUITE 101, MOUNTAIN VIEW, MARYLAND 21771  
 (301) 607-8031 FAX (301) 607-8045

3114 W. UNIVERSITY BOULEVARD  
 10901 HOBSON STREET  
 PROPOSED LOTS 1-13

LIBER 33451 / FOLIO 643  
**KENSINGTON HEIGHTS**  
 WHEATON (18TH) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
 PRELIMINARY PLAN

DATE	BY	REVISION
07/23/08	CDS	INITIAL SUBMITTAL TO PL-PC/PC
08/05/08	CDS	2ND SUBMITTAL TO PL-PC/PC
08/24/08	CDS	REVISED PER PNC COMMENTS
09/08/08	JAR	REVISED PER PC/PC/PC COMMENTS
09/10/08	DCL	REVISED PER PC/PC/PC COMMENTS
09/10/08	JAR	REVISED PER PC/PC/PC & PNC/PC COMMENTS

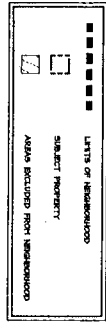
PROJECT	DATE
06-081C	10/2007
CDS	CDS
SCALE	APPROVAL
1"=20'	CAS

**CAS ENGINEERING**  
 CIVIL - SURVEYING - LAND PLANNING  
 A DIVISION OF CAS ENTERPRISES, INC.  
 100 West Ridgeville Boulevard, Suite 101, Mount Airy, Maryland 21771  
 DC Metro (301) 607-8031 FAX (301) 607-8045



**GENERAL NOTES**

- 1) WATER CATCHER - 1
- 2) BOUNDARY INFORMATION BASED ON AVAILABLE RECORDS.
- 3) PROPERTY SHOWN ON TAX MAP NO. 561, PT. LOT 49, AND LOT 46.
- 4) PROPERTY SHOWN ON INDEX MAP SHEET 24 IN Q2.
- 5) PROPERTY SHOWN ON MONTGOMERY COUNTY SOLID SURVEY MAP NO. 24.
- 6) PROPERTY SHOWN ON THE FEDERAL HIGHWAY CONVEYANCE MAP.
- 7) FLOOD ZONE "X" PER FEDERAL HIGHWAY CONVEYANCE MAP.
- 8) SITE IS LOCATED IN THE LOWER RACE CREEK WATERSHED.
- 9) LOCAL PLANNING INCLUDES:
  - a) LOCAL PLANNING COMMISSION MEMORANDUM
  - b) LOCAL PLANNING COMMISSION MEETING MINUTES
  - c) LOCAL PLANNING COMMISSION MEETING AGENDA
  - d) LOCAL PLANNING COMMISSION MEETING RECORDS



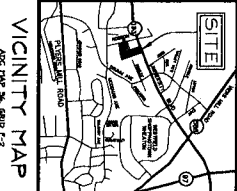
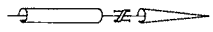
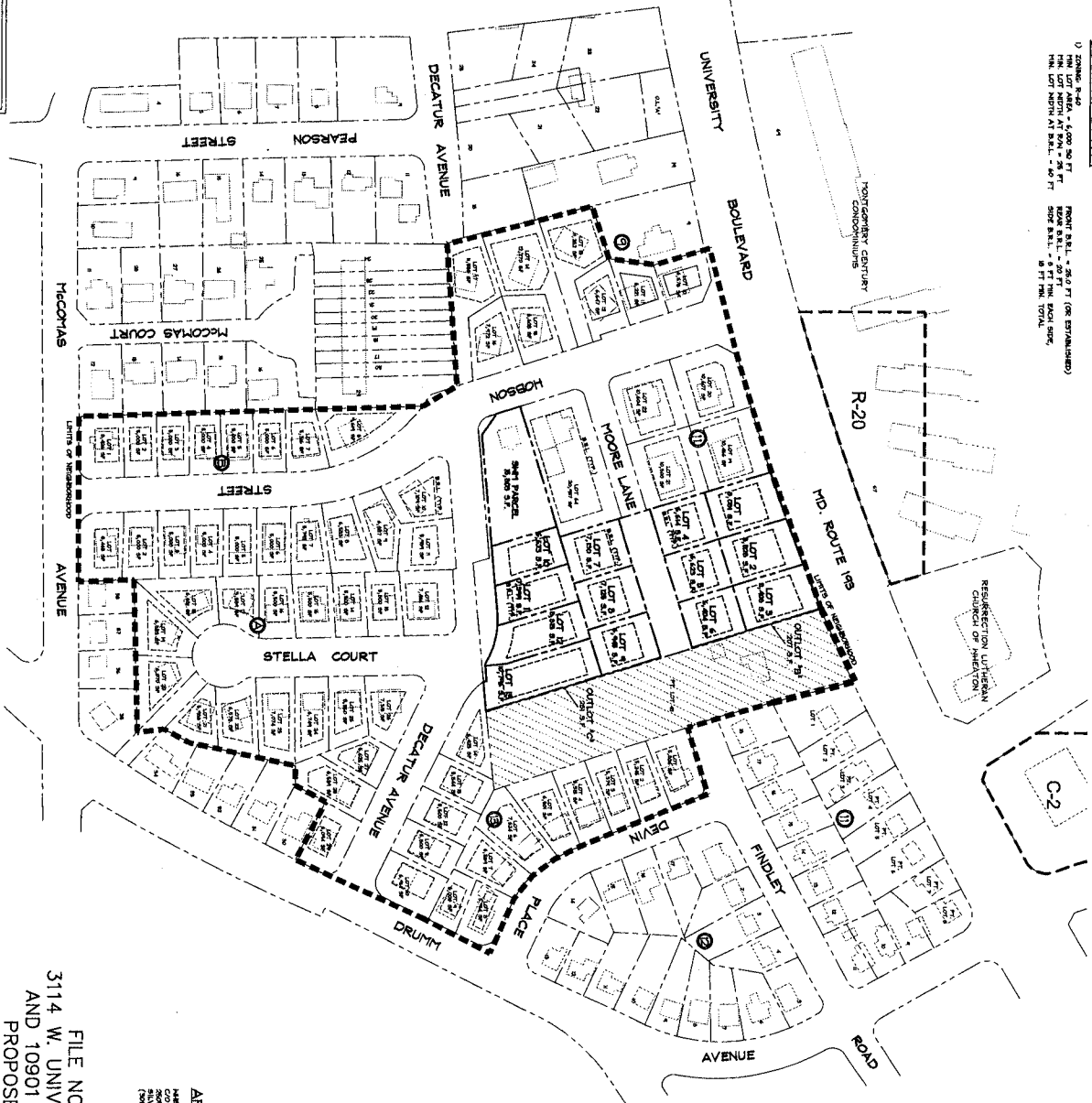
**ZONING DATA**

- 1) ZONING: R-40
- 2) FRONT SETBACK - 5.00 FT (OR ESTABLISHED)
- 3) SIDE SETBACK - 5.00 FT (OR ESTABLISHED)
- 4) REAR SETBACK - 5.00 FT (OR ESTABLISHED)
- 5) TOTAL SETBACK - 15.00 FT (OR ESTABLISHED)
- 6) TOTAL LOT AREA - 80 FT
- 7) TOTAL FRONT YARD - 80 FT
- 8) TOTAL SIDE YARD - 80 FT
- 9) TOTAL REAR YARD - 80 FT
- 10) TOTAL SETBACK - 80 FT

**NOTES**

- 1) BUILDING RESTRICTIONS ARE BASED ON RECORDS OF RECORDS ONLY. PARTS OF LOTS AND PARCELS ARE EXCLUDED FROM RESTRICTIONS CRITERIA.
- 2) EXISTING UTILITIES ARE SHOWN FOR INFORMATION ONLY AND ARE NOT TO BE CONSIDERED AS PART OF THE PROJECT.

NOTE: THIS NEIGHBORHOOD MAP IS FOR GRAPHICAL REPRESENTATION ONLY. ALL LOT STATISTICS TAKEN FROM AVAILABLE RECORDS PLATS.



FILE NO. 120080250  
 3114 W. UNIVERSITY BOULEVARD  
 AND 10901 HOBSON STREET  
 PROPOSED LOTS 1-13  
 KENSINGTON HEIGHTS  
 NEIGHBORHOOD MAP

**APPLICANT**  
 MONTGOMERY LAND MANAGEMENT, LLC  
 10000 W. UNIVERSITY BOULEVARD  
 SUITE 100  
 WASHINGTON, DC 20044  
 (703) 555-3000

3114 W. UNIVERSITY BLVD.  
 10901 HOBSON STREET  
 PROPOSED LOTS 1-13

LIBER 33451 / FOLIO 643  
**KENSINGTON HEIGHTS**  
 WHEATON (18TH) ELECTION DISTRICT  
 MONTGOMERY COUNTY, MARYLAND  
**NEIGHBORHOOD MAP**



DATE	BY	REVISION	PROJECT	DATE
1/29/07	CDS	INITIAL SUBMISSION TO PI-NCPIC	06-081C	11/2007
06/24/04	JAR	REVISED TO REFLECT IS LOT LAYOUT	CDS	ENGINEERING
			1" = 80'	APPROVAL
				CAS

M-NCP&PC # 120080250  
 PROPOSED LOTS 1-13  
 KENSINGTON HEIGHTS

Job No. 04-081C

Comparable Lot Data Table (Sorted in descending order by lot size)

Lot #	Block	Frontage	Alignment	Lot Size	Lot Shape	Lot Width	Buildable Area
9	13	50	perpendicular	5,000	rectangular	50	1,342
5	B	50	perpendicular	5,000	rectangular	50	1,559
4	B	50	perpendicular	5,000	rectangular	50	1,585
3	B	50	perpendicular	5,000	rectangular	50	1,592
6	B	50	perpendicular	5,000	rectangular	50	1,635
2	B	50	perpendicular	5,000	rectangular	50	1,669
3	A	50	perpendicular	5,000	rectangular	50	1,828
5	A	50	perpendicular	5,000	rectangular	50	1,960
4	A	50	perpendicular	5,000	rectangular	50	1,987
6	A	50	perpendicular	5,000	rectangular	50	2,063
2	A	50	perpendicular	5,000	rectangular	50	2,141
2	13	50	perpendicular	5,245	rectangular	50	2,067
7	B	56	perpendicular	5,316	irregular	61	1,886
3	13	50	perpendicular	5,379	rectangular	50	2,150
14	A	55	perpendicular	5,500	rectangular	55	1,733
16	A	55	perpendicular	5,500	rectangular	55	1,868
13	A	55	perpendicular	5,500	rectangular	55	1,963
12	13	55	perpendicular	5,500	rectangular	55	2,081
15	A	55	perpendicular	5,500	rectangular	55	2,318
11	13	55	perpendicular	5,500	rectangular	55	2,363
4	13	50	perpendicular	5,513	rectangular	50	2,515
13	13	56	perpendicular	5,544	rectangular	56	2,380
25	A	50	perpendicular	5,560	trapezoidal	50	2,315
17	A	70	perpendicular	5,589	irregular	65	1,547
27	A	71	perpendicular	5,625	trapezoidal	71	1,179
7	A	50	perpendicular	5,793	rectangular	50	2,213
1	13	99	perpendicular	5,836	rectangular	60	1,892
8	13	100	corner	5,914	rectangular	60	962
21	A	31	perpendicular	5,988	trapezoidal	34	1,687
11	A	80	perpendicular	5,989	rectangular	78	2,252
20	A	32	perpendicular	6,070	trapezoidal	44	2,372
29	A	103	corner	6,094	rectangular	103	1,685
11	9	62	perpendicular	6,221	trapezoidal	62	2,355
9	A	50	perpendicular	6,337	irregular	51	2,692
6	-	73	perpendicular	6,404	rectangular	73	2,355
14	13	130	perpendicular	6,423	triangular	104	2,104
8	A	50	perpendicular	6,533	trapezoidal	53	2,787
19	A	37	perpendicular	6,533	trapezoidal	50	2,659
7	13	44	perpendicular	6,539	trapezoidal	51	2,653
28	A	55	perpendicular	6,539	irregular	55	2,911
10	9	85	corner	6,578	rectangular	82	2,016
22	A	64	perpendicular	6,578	irregular	62	2,633
15	9	62	perpendicular	6,603	trapezoidal	62	2,576
4	-	75	perpendicular	6,614	rectangular	75	2,462
5	-	75	perpendicular	6,623	rectangular	75	2,462
10	-	61	perpendicular	6,623	rectangular	60	2,731
12	9	69	perpendicular	6,647	irregular	62	2,612
24	A	55	perpendicular	6,749	trapezoidal	55	2,592
5	13	44	perpendicular	6,801	trapezoidal	46	2,853
18	A	39	perpendicular	6,831	trapezoidal	58	2,522
10	13	100	corner	6,914	rectangular	70	1,207
9	-	73	perpendicular	6,945	rectangular	73	2,759

Lot #	Block	Frontage	Alignment	Lot Size	Lot Shape	Lot Width	Buildable Area
23	A	55	perpendicular	7,074	rectangular	55	3,341
10	A	107	corner	7,109	irregular	106	2,139
8	-	75	perpendicular	7,131	rectangular	75	2,853
7	-	75	perpendicular	7,131	rectangular	75	2,853
26	A	111	corner	7,315	irregular	91	2,136
11	-	69	perpendicular	7,399	rectangular	60	3,251
12	A	99	corner	7,486	rectangular	100	2,643
6	13	44	perpendicular	7,624	irregular	54	3,606
16	9	87	perpendicular	7,972	trapezoidal	83	3,176
12	-	69	perpendicular	8,062	rectangular	60	4,103
1	-	75	perpendicular	8,081	rectangular	75	2,040
2	-	75	perpendicular	8,328	rectangular	75	2,173
3	-	74	perpendicular	8,408	rectangular	73	2,307
1	B	100	perpendicular	8,426	rectangular	85	1,876
1	A	100	perpendicular	8,463	rectangular	86	2,181
8	B	179	radial	9,619	irregular	137	3,507
19	11	105	perpendicular	10,466	rectangular	105	4,623
21	11	105	perpendicular	10,500	rectangular	105	4,586
22	11	107	corner	10,604	rectangular	107	4,368
20	11	103	corner	10,607	rectangular	103	4,997
13	-	31	perpendicular	10,796	rectangular	60	5,422
13	9	25	perpendicular	11,282	pipestem	60	3,972
17	9	26	perpendicular	11,558	pipestem	60	3,923
14	9	25	perpendicular	12,270	pipestem	60	6,018
64	-	211	corner	20,987	rectangular	100	10,309

1. Lot statistics taken from available record plats and MNCPPC digital Tax Maps
2. Parts of lots and parcels were not included.
3. Longest front property line used for frontage calculation on corner lots
4. 25' Front BRL (per R-60 Zone) assumed for buildable area calculations.



Attachment E

DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

May 21, 2009

Carla Reid  
Director

MAY 22 2009

Mr. James P. King, P.E.  
CAS Engineering  
108 West Ridgeville Boulevard, Suite 101  
Mount Airy, MD 21771

Re: Stormwater Management **CONCEPT** Request  
for Kensington Heights  
Preliminary Plan #: 120080250  
SM File #: 232489  
Tract Size/Zone: 3.06  
Total Concept Area: 3.21  
Lots/Block: Pt 43 & 65  
Watershed: Lower Rock Creek

Dear Mr. King:

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 channel protection, overbank flood protection and extreme flood measures via under ground storage; on-site water quality control via under ground proprietary filters, drywells, and a proprietary curb inlet biofiltration structures; and, onsite recharge via drywells.

The following **items** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
5. There will be two proprietary filters. One will be designed as "volume based". The other will be designed as a "flow through" structure.
6. You must treat a minimum of 25% of the roads with the curb inlet biofiltration structures. If adjustments need to be made with the size of the structures so that they fit the road section better, you may need to increase the number of structures. Please coordinate the choices of trees<sup>1</sup> or shrubs with MCDOT and DPS at the time of detailed design.
7. Provide a copy of the landscape plan.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



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

RRB:dm CN232489 Kensington Heights.DWK

cc: C. Conlon  
M. Pfefferle  
SM File # 232489

QN -Onsite; Acres: 3.21  
QL - Onsite; Acres: 3.21  
Recharge is provided





DEPARTMENT OF TRANSPORTATION

Isiah Leggett  
*County Executive*

Arthur Holmes, Jr.  
*Director*

August 19, 2009

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 #1-20080250  
Kensington Heights

Dear Ms. Conlon:

We have completed our review of the revised preliminary plan dated June 8, 2009. This preliminary plan was reviewed by the Development Review Committee at its meeting on April 21, 2008. 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 University Boulevard in accordance with the Master Plan and along Moore Lane, Decatur Ave and Hobson Street as necessary.
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. 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.
4. 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.
5. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.

Division of Traffic Engineering and Operations

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100 Edison Park Drive, 4th Floor • Gaithersburg, Maryland 20878  
Customer Service 240-777-6000 • Main Office 240-777-2190 • TTY 240-777-6013 • FAX 240-777-2080  
trafficops@montgomerycountymd.gov

6. The supplemental Storm Drain Capacity and Impact Analyses dated June 26, 2009 show that the first downstream inlet on Decatur Avenue does not intercept (the required minimum) 70% of the post-development ten (10) year storm runoff. Pipe capacity and spread calculations indicate the those elements of the system are acceptable. At this time - based on the information received to date - we are requiring the existing Decatur Avenue 10-foot long inlet be replaced with a 20-foot long inlet to achieve adequate efficiency. We have agreed to amend this comment if a further downstream study confirms the existing system will function satisfactorily under the post-development flow conditions.
7. 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. Also homeowners' documents to establish each driveway user's (property owner's) rights & responsibilities with respect to use, maintenance, & liability of the common driveway.
8. 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 site frontage on existing public streets according to associated DOT standard street section unless the applicant is able to obtain a waiver from the appropriate government agency.
9. Access and improvements along West University Boulevard (MD 193) as required by the Maryland State Highway Administration.  
  
We recommend the applicant relocate the existing sidewalk along the University Boulevard site frontage behind a proper green panel.
10. 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.
11. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
13. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operation Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. Trees in the County rights of way - species and spacing to be in accordance with the applicable DOT standards. Tree planting within the public right of way must be coordinated with Mr. Brett Linkletter with our Division of Highway Services, Tree Maintenance Unit. Mr. Linkletter may be contacted at (301) 840-2283.

14. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Transportation Systems Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
15. 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. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, enclosed storm drainage and appurtenances, and street trees along the extension of Moore Lane per closed section tertiary roadway standard (MC-210.02), ending in a temporary turnaround (MC-223.01). Mill and overlay may be required in the vicinity of the proposed connection to existing Moore Lane.
  - B. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, enclosed storm drainage and appurtenances, and street trees along Decatur Avenue connection per closed section secondary roadway standard (MC-211.01). Mill and overlay may be required within the cross-hatched areas near the intersections with Hobson Street and Stella Court.
  - C. Construct the extension of the enclosed storm drain system within the Hobson Street right-of-way, between Decatur Avenue and the existing system near McComas Avenue, per the storm drain study. Replace the existing ten foot long curb opening inlet on Decatur Avenue (near its intersection with Drumm Avenue) with a twenty foot long curb opening inlet. These improvements will need to be designed and constructed in accordance with the MCDOT 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.
  - H. Developer shall provide street lights along West University Boulevard (MD 193), Moore Lane, and Decatur Avenue site frontages in accordance with the specifications, requirements, and standards prescribed by the Division of Traffic Engineering and Operations.

Ms. Catherine Conlon  
Preliminary Plan No. 120080250  
August 19, 2009  
Page 4

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact David Adams at (240) 777-2197.

Sincerely,



Gregory M. Leck, Manager  
Development Review Team

M:/subdivision/DCA/prelim letters/120080250, Kensington Heights, gml revs.doc

cc: Sterling Mehring; Wheaton Land Investment, LLC  
Jeffrey A. Robertson; CAS Engineering  
Shahriar Etemadi; M-NCPPC TPD  
Corren Giles, MSHA EAPD  
Joseph Y. Cheung; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Henry Emery; DPS RWPPR  
Brett Linkletter; DOT DHS  
Dan Sanayi; DOT DTEO  
Bruce Mangum; DTO DTEO  
David Adams; DOT DTEP  
Preliminary Plan Folder  
Preliminary Plans Note Book



Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor

State Highway  
Administration

John D. Porcari, Secretary  
Neil J. Pedersen, Administrator

Maryland Department of Transportation

April 18, 2008

Ms. Catherine Conlon  
Supervisor, Development Review  
Subdivision Division  
Maryland National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

Re: Montgomery County  
Kensington Heights  
File #: 1-20080250  
MD 193 (West University Blvd.)  
Mile Post: 0.65

Dear Ms. Conlon:

The State Highway Administration (SHA) appreciates the opportunity to review the preliminary plan application for the Kensington Heights development. We offer the following comments:

- Proposed access is to a County-maintained road and is subject to the permit process and requirements of the Montgomery County Department of Public Works and Transportation.
- SHA will require that right-of-way dedications/donations be platted to SHA standards. The plats must be revised to say denial of access to MD 193 for the 3 adjacent lots. These plats must be submitted in hard copy format for review, checking and final issuance. Please contact Mr. Daniel Andrews, Assistant Division Chief, Plats and Surveys Division at (410) 545-8860 or via email at [dandrews@sha.state.md.us](mailto:dandrews@sha.state.md.us) for more information and any questions regarding the plat review process. Additionally, please contact Mr. Paul Lednak, Chief, District 3 Right of Way at (301) 513-7470 for information regarding the deed process.

If you have any questions or require additional information, please contact Ms. Corren V. Giles at (410) 545-5595, toll free at (800) 876-4742, or via email at [cgiles@sha.state.md.us](mailto:cgiles@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief  
Engineering Access Permits Division

SDF/cvg

Cc: Ms. Caroline Serafinas / CAS Engineering / 108 W. Ridgeville Boulevard, Suite 101, Mount Airy, Maryland 21771  
Mr. Shahriar Etemadi / M-NCPPC  
Mr. Sam Farhadi / Montgomery County DPW&T  
Mr. Jeff Wentz *sent via e-mail*

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · [www.marylandroads.com](http://www.marylandroads.com)