

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

ITEM # 8

MEMORANDUM

DATE: January 4, 2002
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief
Development Review Division
FROM: Larry Ponsford AIA AICP
Planning Department Staff
(301) 495-4576



REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 69 single-family dwellings on 32.6 acres, including 9 MPDU's
PROJECT NAME: Westphal/Blalock Property
CASE #: 8-02015
REVIEW BASIS: Sec. 59-D-3, M. C. Zoning Ordinance

ZONE: R-200
LOCATION: Hoyles Mill Road, 7,000 feet west of Schaeffer Road
MASTER PLAN: Germantown
APPLICANT: Rocky Gorge Enterprises
FILING DATE: October 16, 2001
HEARING DATE: January 10, 2002

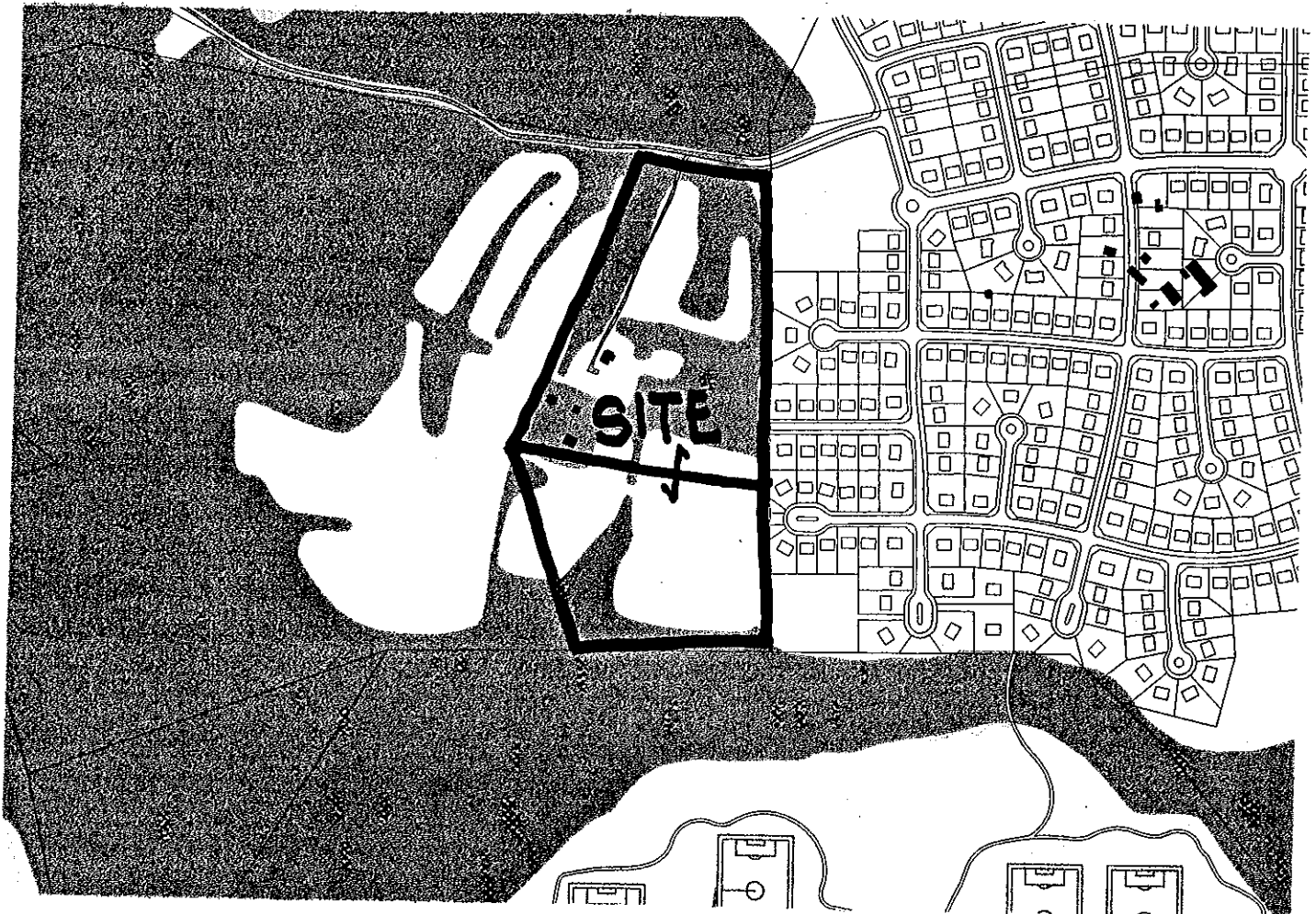
STAFF RECOMMENDATION: Approval of 69 single family dwellings, including 9 MPDU's, on 32.6 acres, with the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A
2. Provide public access easements over HOA land to connect natural surface paths to parkland to the west and south; show paths on plats of adjacent lots and on sales/marketing documents, and phase construction of paths adjacent to homes to coincide with construction of those homes
3. Consider dedication of any remaining natural open space adjacent to existing parkland
4. Widen the proposed connecting link from Hoyles Mill to Bubbling Spring to eighteen feet
5. Show how Bubbling Spring can connect through to Kings Crossing on Signature Set
6. All PUE's to be ten feet in width.
7. Impervious surfaces for the entire site plan are limited to a maximum of 20.36 percent, as previously approved for Preliminary Plan 1-01001
8. The developer must submit an impervious report to M-NCPPC immediately upon M-NCPPC's issuance of the 30th building permit. Thereafter, the applicant must submit impervious reports on the first of each month, or more frequently if requested by M-NCPPC until all properties are constructed. The impervious report must identify the impervious surfaces and square footage for the impervious areas for each lot. Impervious surfaces include buildings, driveways, sidewalks, lead walks, porches, patios, entrance/exit steps, welled exits, and any building feature that is 2 feet or less from the ground. In addition, the

impervious report must include surveyed 'as-builts', with dimensions for each impervious surface (building, walkway, driveway, etc.) so that submitted impervious calculations can be verified by M-NCPPC. No new building permits will be issued for the first five business days after the receipt of the imperviousness report.

9. The developer must provide 7 lots/units in reservation. Building permits for these homes will be issued last and only when M-NCPPC determines that the 20.36 percent impervious limit for this site plan will not be exceeded. The 7 lots/units will be in a "Conditionally Approved" status, with final approval of each lot contingent upon compliance of the lot with imperviousness limits. The designated lots are to be shown on the Signature Set, and the choice of lots is subject to staff approval
10. Provide note on plats which will preclude widening of driveways by subsequent homeowners
11. Swap locations of multi-age play area and lot 7, regrade parcel C to blend with new play area site, provide new path eastward off-site on a 25-ft easement on an HOA parcel adjacent to relocated lot 7
12. Provide tree protection for the specimen tree on parcel C to correspond to August 13 memo on this subject from Development Review Division Enforcement personnel
13. Place landscaped islands in culs-de sacs
14. Significantly increase landscaping at SWM pond on parcel B, per MCDPS guidelines
15. Re-position street trees at 50-foot intervals; integrate pattern of street lighting with this interval
16. Introduce screen planting along Kings Crossing boundary property line
17. Introduce a landscape screen along the rear property line of the MPDUs
18. Set up a design framework for landscaping between the SFD's rear yards

PROJECT DESCRIPTION: Surrounding Vicinity



PROJECT DESCRIPTION: Site Description

Site and Surrounding Area Map/NRI

(UNAVAILABLE AT TIME OF PRINTING;
TO BE DISTRIBUTED AT HEARING)

PROJECT DESCRIPTION: Proposal

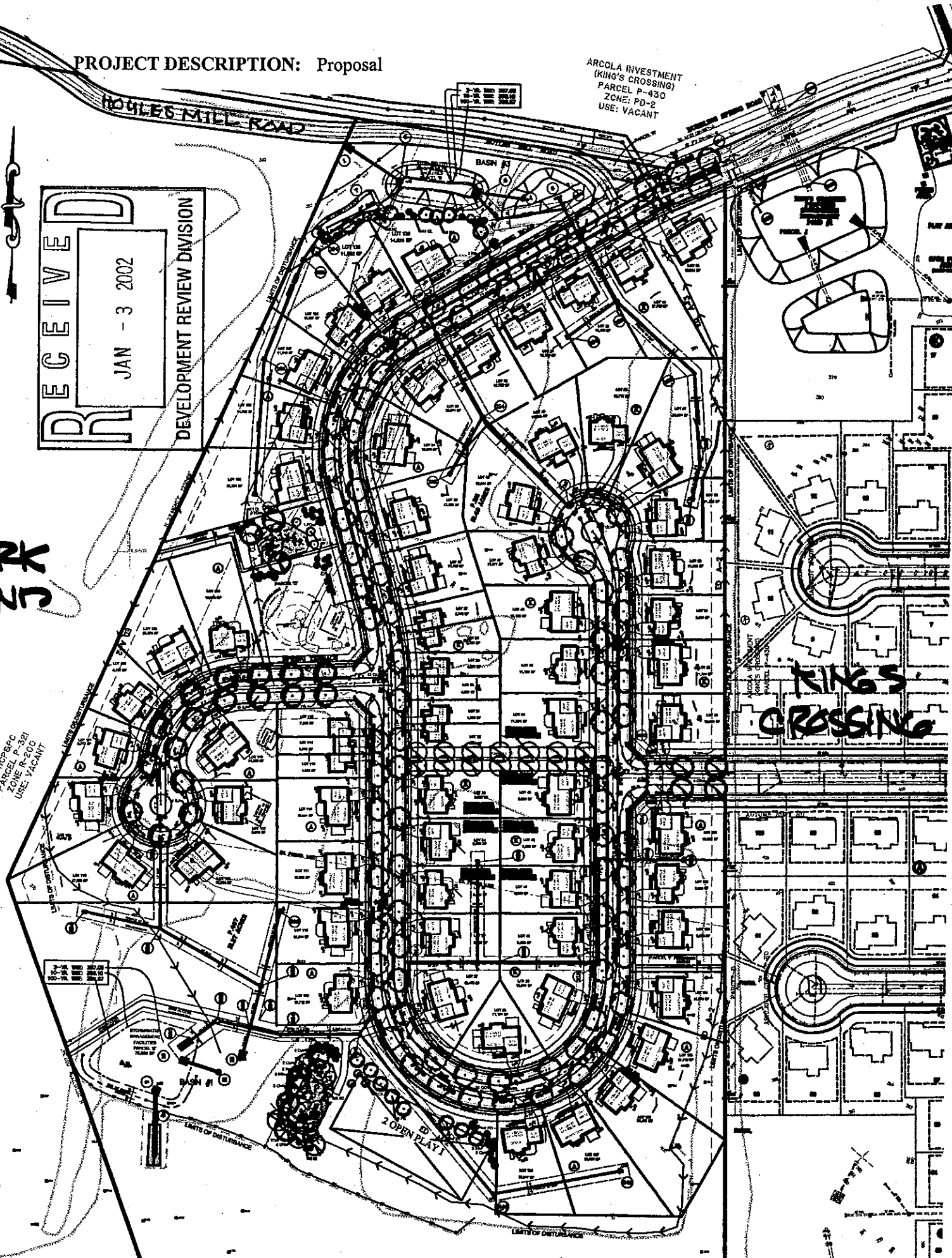
ARCOLA INVESTMENT
(KING'S CROSSING)
PARCEL P-430
ZONE: PD-2
USE: VACANT

RECEIVED
JAN - 3 2002
DEVELOPMENT REVIEW DIVISION

ARCOLA

KING'S CROSSING

M-100-88-PC
PARCEL P-521
ZONE R-20G
USE: VACANT



2 OPEN PLAY

LIMIT OF DISTURBANCE

100' 0" 100' 0" 100' 0" 100' 0"

PROJECT DESCRIPTION: Prior Approvals

On May 17, 2001 Preliminary Plan #1-01001 was approved by the Board for 75 du, a waiver of the Germantown Master Plan Impervious Guidelines and approval of 24 of the 75 du under the FY2000 AGP Alternative Review Procedures for Limited Residential Development. The conditions of that approval are found attached in Appendices B, C and D.

ANALYSIS: Conformance to Master Plan

The subject site is part of the MP area designated KI-2 reconfirmed for R-200 zoning or PD-2, which would reduce imperviousness and improve the unit type mix. The area is subject to stringent environmental mitigation measures. See Appendices E and F for details.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

Development Standard	Permitted/ Required	Proposed
Gross Lot Area (ac.):		32.6
Net Lot Area (ac.):		28.3
Density (dwellings/acre):	2.44	2.4
Dwelling Units:		
One-family detached		60
Duplex		6
Triplex		3
TOTAL	79	69
Moderately-priced DU's included (12.5%)	9	9
Lot area for SFD	6000	8777
for duplex/triplex	3500	3640
Green Space (sf per attached du):	2000	2000
Impervious Area (%):	20.36	20.36*
*See condition #8 above		
Building Height (ft.):	3 flrs/40 ft	3 flrs/40 ft
Setbacks (ft.):		
Front yard	25	28
Side yard		8
Rear yard	20	20

RECREATION CALCULATIONS:

	Tots	Child- ren	Teens	Adults	Seniors
Demand Points					
For 60 SFD II units	7.8	20.4	15.0	63.6	6.60
For 9 SFD III units	1.26	1.71	2.07	11.43	1.17
Demand total	9.82	22.11	17.07	75.03	7.77
Supply Points					
<u>On-Site Facilities:</u>					
Multi-age area (2)	9(18)	11(22)	3(6)	7(14)	1(2)
Open Play Area I (2)	6(12)	9(18)	12(24)	30(60)	2(4)
Tot Lot	9	2		4	1
On-Site Total	39	42	30	78	7

FINDINGS for Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required. N.A.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*
4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*
5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

APPENDIX

- A. Standard conditions dated October 10, 1995

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Streets tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets.
 - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development.
 - 3) Landscaping associated with each building shall be completed as construction of each facility is completed.
 - 4) Pedestrian pathways associated with each facility shall be completed as construction of each building is completed.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
 - 6) Coordination of construction of each section of the development and roads.
 - 7) Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Undisturbed stream buffers
 - b. Limits of disturbance.
 - c. Methods and locations of tree protection.
 - d. Forest Conservation areas.
 - e. Relocation of stormwater facility outfalls from pond away from forest preservation or other environmentally sensitive areas.
 - f. Conditions of DPS Stormwater Management Concept approval letter
 - g. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - h. The development program inspection schedule.
 - i. Streets trees
 - j. Location of outfalls away from tree preservation areas.
3. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Date Mailed: July 5, 2001

Action: Approved Staff Recommendation
Motion of Comm. Bryant, seconded by
Comm. Perdue with a vote of 4-0;
Comms. Bryant, Holmes, Perdue and
Wellington voting in favor
Comm. Holmes temporarily absent

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-01001

NAME OF PLAN: WESTFALL/BLALOCK PROPERTY

On 07/14/01, ROCKY GORGE ENTERPRISES submitted an application for the approval of a preliminary plan of subdivision of property in the R-200 zone. The application proposed to create 75 lots (65 Single Family Detached Dwelling Units and 10 Single Family Attached Dwelling Units) on 32.6253 acres of land. The application was designated Preliminary Plan 1-01001. On 05/17/01, Preliminary Plan 1-01001 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-01001 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-01001.

Approval of Seventy-Five (75) Dwelling Units, Including a Waiver from the Germantown Master Plan Impervious Guidelines and Approval of Twenty-Four (24) of the Seventy Five (75) Dwelling Units Under the FY 2000 Annual Growth Policy Alternative Review Procedures for Limited Residential Development of the FY 2001 Annual Growth Policy (AGP), and subject to the following conditions:

- (1) Compliance with the conditions of the Environmental Planning Division memo dated, May 11, 2001, as follows:
 - Approval of the applicant's request for a waiver from the Germantown Master Plan's 20 percent site imperviousness guideline for new development in the KI-2 analysis area
 - Prior to recording of initial plat, applicant to enter into an agreement with the Planning Board to limit impervious surfaces to no more than 20.36 percent, as shown on the preliminary plan
 - Prior to MCPB release of building permits, applicant to demonstrate conformance to impervious surface limits as shown on the approved plan.
 - Compliance with the conditions of approval for the preliminary forest conservation plan. The final forest conservation plan must be approved prior to the recording of plats or MCDPS issuance of sediment and erosion control permits, as appropriate. Conditions include, but are not limited to:

(B)

- a. At final FCP, provide an adequate undisturbed buffer around the southern population of spring avens (watchlist species)
 - b. Proposed reforestation areas on lots that do not abut common open space or parkland should be relocated
 - c. Proposed reforestation areas on lots should be at least 50 feet wide and located at least 35 feet from houses
 - d. Offsite reforestation area to be determined prior to recording of plats
- (2) Wetlands, wetland buffers, and forest save and planting areas to be placed in Category I conservation easements. Easements to be reflected on record plats
 - (3) Prior to the receipt of building permits applicant to provide payment of the Development Approval Payment to the Montgomery County Department of Finance for Twenty-Four 24 dwelling units as required by the FY 2001 AGP and County law
 - (4) All road rights-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Germantown Master Plan, and to the design standards imposed by all applicable road codes.
 - (5) All roads rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Germantown Master Plan
 - (6) Compliance with the conditions of MCDPS stormwater management approval dated, December 21, 2000
 - (7) Access and improvements as required to be approved by MCDPWT prior to recording of plats
 - (8) Number and location of dwelling units to be reviewed and approved at site plan stage
 - (9) No clearing, grading or recording of lots prior to site plan approval
 - (10) Provide a minimum of ten (10) MPDU's, dependent on condition 7 above
 - (11) Provide details of trail connection through the site to South Germantown Park
 - (12) Demonstrate tree save plan
 - (13) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning board opinion. Prior to this date, a final record plat must be recorded fro all property delineated on the approved preliminary plan, or a request for an extension must be filed
 - (14) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
 - (15) Necessary easements

3



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Albert J. Genetti, Jr., P.E.
Director

May 11, 2001

Mr. A. Malcolm Shaneman, Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 1-01001
Westfall - Blalock

Dear Mr. Shaneman:

We have completed our review of the preliminary plan dated April 2000. We recommend approval of the plan subject to the following comments:

1. Necessary dedication for future widening of Hoyles Mill Road in accordance with the master plan.
2. Full width dedication and construction of all interior public streets. Use revised standard 210.05 for open section tertiary roads with sidewalk and street trees.
3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
4. The ten year Q is not shown for the outfall of the proposed storm water pond along Hoyles Mill Road. This outfall is proposed to end in rip rap aimed directly at the (rustic) road. Prior to site plan, provide this office with details of the quantity and velocity of flow and any necessary mitigation required to protect Hoyles Mill Road.
5. A Public Improvements Easement may be necessary along "Street A", 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.

Division of Traffic and Parking Services

101 Monroe Street, 11th Floor • Rockville, Maryland 20850-2589 • 240-777-2190 • FAX 240-777-2080



Mr. A. Malcolm Shaneman
Preliminary Plan No. 1-01001
May 11, 2001
page two

6. Grade establishments for all new public streets and/or pedestrian paths must be approved prior to submission of the record plat.
7. Provide pedestrian connections between lots to the existing Kings Crossing Subdivision (Ashleigh Green and Harvest Moon Roads).
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. At a minimum, easements will be needed across lot 39 and Parcel A.
9. Hoyles Mill Road, west of the subdivision is classified as an "Exceptional Rustic Road" under Section 49-78 of the Montgomery County Code. As such, every effort must be made to preserve the significant features within the right of way of that roadway. Special attention will need to be given to the tie-in of the new subdivision road and the Rustic Road. Please coordinate with Sarah Navid of MCDPS on this issue.
10. Tree removal/trimming along existing public rights of way is to be coordinated with the State Forester's Office of the Maryland Department of Natural Resources. They may be contacted at (301) 854-6060.
11. On the site plan, clearly delineate the access and parking for the townhouses.
12. Record plat to reflect denial of access along Hoyles Mill Road, except at the designated tie-in.
13. 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 unless the applicant is able to obtain a waiver from the Montgomery County Planning Board to delete sidewalk(s) on a tertiary classification roadway.
14. The owner will be required to submit a recorded covenant for the operation and maintenance of private 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.
15. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Tony Ricchiuti of our Division of Traffic and Parking Services at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.

Mr. A. Malcolm Shaneman
Preliminary Plan No. 1-01001
May 11, 2001
page three

16. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
17. Trees in the County rights of way - species and spacing to be in accordance with the applicable MCDPWT 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.
18. Provide driveway apron(s) to serve all proposed storm water management facilities.
19. 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, shoulders, sidewalks and handicap ramps, side drainage ditches and appurtenances, and street trees along Street "A".
 - B. Street grading, paving, shoulders, sidewalks and handicap ramps, side drainage ditches and appurtenances, and street trees along the transition portion of Hoyles Mill Road. A portion of the road to the east may need to be reconstructed to match existing or required construction by others.

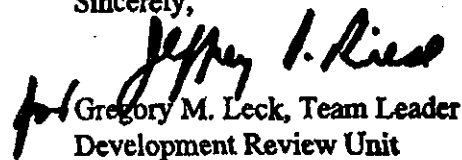
* **NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
 - C. Grading and paving of paths as noted above.
 - D. Remove the temporary turnaround at the end of Autumn Rust Road.
 - E. Construct a cul-de-sac at the end of Street "A".
 - F. Additional road improvements may be required as a result of a review of the traffic study required by the Planning Board staff.
 - G. Enclosed storm drainage and/or engineered channel (in accordance with the MCDPWT Storm Drain Design Criteria) within all drainage easements.
 - H. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

Mr. A. Malcolm Shaneman
Preliminary Plan No. 1-01001
May 11, 2001
page four

- I. Erosion and sediment control measures as required by Section 50-35(i) 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 Montgomery County Department of Permitting Services (MCDPS) 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 MCDPS.
- J. Developer shall ensure final and proper completion and installation of all utility lines underground, for all new road construction.
- K. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDPWT Division of Traffic and Parking Services.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please call Mr. Jeffrey Riese on (240) 777-2190.

Sincerely,


Gregory M. Leck, Team Leader
Development Review Unit

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Enclosures (1)

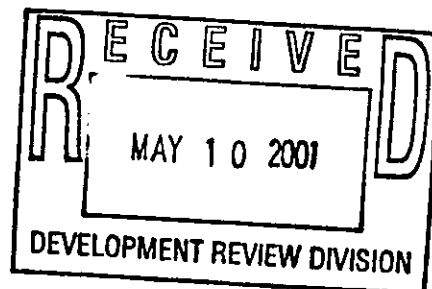
cc: James R. Crawford, AICP; Dewberry & Davis
Fred Tamani; Rocky Gorge Enterprises
Joseph Y. Cheung; MCDPS Subdivision Development
Christina Contreras; MCDPS Subdivision Development
Anthony Ricchuiti; MCDPWT, Traffic & Parking Services





THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



May 10, 2001

MEMORANDUM

TO: Malcolm Shaneman, Coordinator
Development Review Division

VIA: Ronald C. Welke, Coordinator *RW*
Transportation Planning

FROM: Ki H. Kim, Planner *KNK*
Transportation Planning

SUBJECT: Preliminary Plan No. 1-01001
Westfall/Blalock Property
Germantown West Policy Area

This memorandum is Transportation Planning staff's adequate public facilities (APF) review of the subject preliminary plan under the Alternative Review Procedure for Limited Residential Development provision since the site is located in a policy area, which has limited staging ceiling capacity.

RECOMMENDATIONS

Transportation Planning staff recommends the following conditions as part of the APF test for transportation requirements related to approval of this preliminary plan:

1. Limit the preliminary plan to 75 dwelling units (65 single-family detached units and 10 townhouse attached units).
2. For 25 dwelling units, satisfy the APF test by paying the Development Approval Payment (DAP) under the Alternative Review Procedure for Limited Residential Development provision of the FY01 Annual Growth Policy (AGP). The APF test includes:
 - a. Policy Area Review: There is limited capacity available for housing units (50 dwelling units) as of March 31, 2001 in the Germantown West Policy Area. Since there is not sufficient capacity available to accommodate full

development of the proposed 75 dwelling units, site-generated traffic for 25 dwelling units has to be mitigated. The applicant is satisfying policy area review by paying the DAP under the *FY 01 Annual Growth Policy* staging ceiling capacity for 25 dwelling units.

- b. Local Area Transportation Review: A traffic study (to analyze the traffic impact at nearby intersections) is required since the proposed land use generates more than 50 total peak-hour trips during the weekday morning peak period (7:00 to 9:00 a.m.) and the evening peak period (4:00 to 6:00 p.m.).

DISCUSSION

Summary of Local Area Transportation Review

The critical lane volume (CLV) impacts of the proposed development on critical intersections in the vicinity of the site were analyzed and are summarized in Table I.

Table I

Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour						
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 117/ MD 118	768	690	1075	1285	1086	1314
MD 117/ Schaeffer Road	711	537	1065	840	913	892
MD 117/ Hopkins Road	880	692	1255	1155	1255	1155
MD 117/ Richter Farm Road	766	702	1071	721	1071	721

As shown in the above table, the four intersections analyzed are currently operating at acceptable CLVs (below 1,525) and this acceptable level will continue for the background and total development conditions.

Conclusion

Staff concludes that the subject preliminary plan satisfies the APFO requirements since all nearby intersections are anticipated to operate an acceptable CLV. The applicant is satisfying policy area review for 25 dwelling units by paying the DAP under the *FY 01 Annual Growth Policy* staging ceiling capacity.

KHK:cmd





May 11, 2001

MEMORANDUM

TO: Malcolm Shaneman, Development Review Division

FROM: Candy Bunnag, Environmental Planning, *CB*
County-wide Planning Division

SUBJECT: Westfall/Blalock Property, Preliminary Plan No. 1-01001

RECOMMENDATIONS

Staff recommends approval of the preliminary plan with the following conditions:

1. Approval of the applicant's request for a waiver from the Germantown Master Plan's 20 percent site imperviousness guideline for new development in the KI-2 analysis area.
2. Prior to record plat, applicant to enter into an agreement with the Planning Board to limit impervious surfaces to no more than 20.36 percent, as shown on the preliminary plan.
3. Prior to release of building permits, applicant to demonstrate conformance to impervious surface limits as shown on the site plan. Any modifications to the plan which increase site imperviousness may require Planning Board action.
4. Compliance with the conditions of approval for the preliminary forest conservation plan. The final forest conservation plan must be approved prior to the recording of plats or MCDPS issuance of sediment and erosion control permits, as appropriate. Conditions include, but are not limited to:
 - a. At final FCP, provide an adequate undisturbed buffer around the southern population of spring avens (watchlist species).
 - b. Proposed reforestation areas on lots that do not abut common open space or parkland should be relocated.

- c. Proposed reforestation areas on lots should be at least 50 feet wide and located at least 35 feet from houses.
 - d. Offsite reforestation area to be determined prior to recording of plats.
5. Wetlands, wetland buffers, and forest save and planting areas to be placed in Category I conservation easements. Easements to be shown on record plats.

DISCUSSION

Property Description

The 32.6-acre property lies within the Use III (natural trout waters) portion of the Little Seneca Creek watershed. An existing house and three old outbuildings are located on the property. Three forest stands, rows of trees, remnants of an old orchard or nursery, and fields also occur on the property. A small wetland and buffers for offsite wetlands lie partly on the southern end of the property. There are no on-site streams. The nearest stream is a tributary of Little Seneca Creek, which lies about 250 to 300 feet from the southern property line within M-NCPPC parkland.

Two plant species identified by the Maryland Department of Natural Resources as watchlist species are found on this site: two small colonies of spring avens (*Geum vernum*) and two individual shingle oak (*Quercus imbricaria*). A state watch list species is one that is uncommon in Maryland, but not to the degree that it is actively tracked by DNR.

Adjacent to the southern property line, in the stream valley within M-NCPPC parkland, is a population of northern prickly-ash, a shrub that is listed as an endangered species by Md. DNR. (A state-endangered species is one whose continued existence as a viable component of Maryland's flora or fauna is determined to be in jeopardy.

Conformance to Master Plan

The property lies within the KI-2 analysis area of the Germantown Master Plan. The master plan recommends that "development in this Analysis Area will be subject to special environmental protection measures." The master plan recognizes that this part of Little Seneca Creek stream system has very high water quality and that new development in this analysis area should incorporate extraordinary measures to protect the stream system. The recommended measures include a 20 percent site imperviousness limit, minimum 150 foot stream buffer, and stringent stormwater management and sediment and erosion control measures.

The proposed preliminary plan shows a 20.36 percent site imperviousness, which is 0.36 percent, or 5116 square feet, over the master plan guideline of 20 percent. The applicant has requested a waiver for the imperviousness over 20 percent. Staff supports the waiver for this preliminary plan because of the following reasons:

- The Germantown Master Plan (page 128) recommends that sidewalks be constructed on at least one side of roadways. In 1992, after the adoption of the master plan, new sidewalk legislation was put in place. This legislation generally requires sidewalks on both sides of roadways in single-family detached residential subdivisions where lot sizes are less than 25,000 square feet. If the proposed preliminary plan includes sidewalks on only one side of the proposed road and the two cul-de-sacs (following master plan assumptions), the imperviousness is 20 percent. The additional 0.34 percent imperviousness is due to the placement of sidewalks on both sides of the proposed road, which was not taken into account at the time the 20 percent imperviousness guideline was established by the master plan.
- Two large subdivisions, Kings Crossing and King/Hargett (Hoyles Mill Village), in the KI-2 analysis area were granted waivers from the master plan's 20 percent site imperviousness guideline. In each case, the waiver was granted because the requirement for sidewalks on both sides of roadways was not in place when the master plan established the 20 percent imperviousness guideline. And in each case, the excess imperviousness was due to the additional sidewalk required by the sidewalk legislation.

The small wetland area and its associated buffer, on-site buffer for offsite wetlands, and most of the southern forest stand are proposed to be in undisturbed, common open space. This undisturbed open space also includes one of the two on-site populations of the state-watchlist spring avens and an acceptable buffer from the off-site population of the state-endangered northern prickly ash. Staff recommends these undisturbed areas be placed in Category I conservation easements.

It should be noted that the two shingle oaks (watchlist species) on the property cannot be saved with the proposed preliminary plan. The part of the site where the oaks are found is proposed to have significant grading.

Forest Conservation Plan

The preliminary forest conservation plan proposes to preserve 2.5 acres of forest and reforest 9.9 acres. Some of the reforestation is proposed to occur on the site. Staff recommends that proposed reforestation areas that are on lots, but are not adjacent to either common open space or parkland should be relocated. Most of the reforestation will occur off-site.

TABLE 12

KINGSVIEW VILLAGE: LAND USE AND ZONING RECOMMENDATIONS

ANALYSIS AREA NO.	1974 RECOMMENDED LAND USE; EXISTING DEVELOPMENT; & EXISTING ZONING	ACREAGE	MASTER PLAN RECOMMENDED LAND USE & RECOMMENDED ZONING BASE/OPTIONAL	POTENTIAL UNITS BASED ON RECOMMENDED ZONING BASE/OPTIONAL ¹	NET TDR'S OVER BASE	COMMENTS
KI-1	Residential (2 units per acre); Undeveloped R-200	171	Residential; R-200 (136 acres) and R-200/TDR (35 acres)	342/657 units	315	Density limited to 11 units per acres on R-200/TDR portion
KI-2	Residential (2, 3, 4, 5, 15, and 28 units per acre) and Village Center; Scattered Single-Family Residential; Otherwise Undeveloped; R-200	771	Residential; R-200 or PD-2	1,342 units	—	Development subject to stringent environmental mitigation measures (See Appendix D)
KI-3	Residential (2 and 3 units per acre); Undeveloped; R-200	132	Residential; R-200/TDR	264/465 units including MPDU's	132	Dwelling units limited to 465 units including MPDU's
KI-4	Residential (2 and 11 units per acre); Undeveloped; R-200	73	Residential; R-200/TDR	146/292 units	146	Density limited to four units per acre
KI-5	Senior High School; Undeveloped; R-200	30	Recreation and/or school	—	—	Village Center; public recreation, village center commercial, and multi-family residential
KI-6	Employment; Undeveloped; I-1	24	Employment; I-1 (11 acres) and R-200 (13 acres)	—	—	Area recommended for R-200 is suitable for office use and buffer if issues of compatibility can be met
KI-A	Residential; Undeveloped; R-90 (23 acres) and RT-6 (15 acres)	38	Residential; R-90 (23 acres) and RT-6 (15 acres)/PD-15 (38 acres)	230 units including MPDU's	—	Area currently has 230 recorded townhouse lots
KI-B	Railroad Right-of-way; R-200	21	Employment; I-3 (0.25 FAR)	—	—	

¹ Unless otherwise noted, the number of potential dwelling units indicated are the maximum permissible, without the density increase for providing Moderately Priced Dwelling Units (MPDU's). Any subdivision of 50 or more units must include 12.5 percent MPDU's, in which case a density increase of up to 20 percent and optional development standards and unit types are permitted. The number of dwelling units also does not reflect cluster densities.

The northern portion of the property is recommended for single-family detached residential development and to retain its R-200 zoning. The southern portion of the property (35 acres) is recommended for garden apartment development under the R-200/TDR Zone. It is recommended for a density level of 11 in order to permit all of the units to be multi-family.

This analysis area is in service categories W-4 and S-4 (service between three to six years) of the *Comprehensive 10-Year Water Supply and Sewerage System Plan*. These categories are recommended to be changed to W-3 and S-3 (service within two years) since the property should be developed concurrently with the adjacent portions of Manchester Farms Subdivision (formerly Germantown Estates). This area is tributary to the sewage pumping station which will serve Manchester Farm.

Analysis Area KI-2

Analysis Area KI-2 is a large area (771 acres) bounded by Clopper Road, Schaeffer Road, and the greenbelt park. Under the 1974 *Master Plan* this Area has been in Stage Four of the Germantown Staging Plan. (Refer to Implementation Chapter.) Therefore, it has not been rezoned in conformance with the Land Use recommendations of the 1974 *Master Plan* and remains zoned R-200. All of the area is in agricultural use. Three tributaries of Little Seneca Creek drain the area.

The entire Analysis Area is recommended to retain its R-200 zoning classification and is appropriate for rezoning to the PD-2 Zone with a density limit of approximately 1.74 units per acre, excluding MPDU's. The purpose of the PD-2 Zone is to enable garden apartments to be used to meet the MPDU requirement instead of townhouses. For example, the dwelling unit mix on the 417 acre King's Crossing area is recommended to be 725 single-family detached units and 110 garden apartments. The use of garden apartments will produce less impervious surface than townhouses on a per-unit basis, which would be beneficial in this environmentally sensitive area. The use of garden apartments instead of townhouses will also improve the mix of housing types in Germantown.

This area drains to a section of Little Seneca Creek, a Class IV (Recreational Trout Waters) stream as defined by the State's Water Use Classification system. (See Appendix C.) The existing water quality in this section is considered to be very high as indicated by its potential for supporting a naturally reproducing trout population. Development in this Analysis Area will be subject to special environmental protection measures. (See Appendix D.)

The *Locational Atlas and Index of Historic Sites* identifies five historic resources in this Area: The Richter/King Farmhouse (Atlas Site #19/15), the Richter/

King Farm (Atlas Site #19/16), and the Snyder/King Barn #2 (Atlas Site #19/24) are not recommended for inclusion in the *Master Plan for Historic Preservation* by the Historic Preservation Commission or this Plan.

The Leaman Farmhouse (Atlas Site #19/17-1) was recommended for placement on the *Master Plan for Historic Preservation* by the Historic Preservation Commission and the Planning Board, but this decision was not confirmed by the Council.

The Henry Musser Farm (Atlas Site #19/14) was recommended by the Historic Preservation Commission for historic designation, but the Planning Board did not concur with this evaluation and does not recommend it for *Master Plan* inclusion. The Council concurred with the Planning Board's recommendation.

For more detailed information on, and analysis of these sites, refer to the Historic Resources chapter of this Plan and to Appendix L.

The development of Proposed Road A-297 from Schaeffer Road to Clopper Road and the widening of Hoyles Mill Road create significant environmental issues. The principal impacts of extending arterial roads into the Little Seneca Basin include: additional increase in stormwater runoff; generation of large quantities of pollutants, particularly toxic metals; and the generation of large quantities of sediment. The negative impacts can be diminished if the following mitigation measures are incorporated in the planning, design, construction, and maintenance of the roadway:

- If at all possible, the direct discharge of concentrated roadway runoff to the receiving streams, especially via long pipes or concrete conduits, or over non-vegetated surfaces is to be avoided. For both water quantity and quality reasons, it is recommended that runoff should be conveyed through grass swales 200 feet or more in length leading to a safe outfall. Curb and gutter drainage should be completely avoided to reduce the volume of concentrated pollutant-laden runoff.
- Because of the negative water quality impacts associated with "first flush" runoff, water quality measures such as stone-filled infiltration trenches should be incorporated into roadway design.
- All runoff from the road should be safely conveyed and outfalled. Outfall structures should be designed to dissipate runoff to non-erosive levels. Where appropriate, velocity reduction-dissipating devices such as "plunge pools" and level spreaders should be incorporated into drainage system design.
- All clearing and grading activities shall strictly adhere to the U.S. Soil Conservation Services (SCS) guidelines pertaining to erosion and sediment control. Phased clearing and grading is strongly recommended. Furthermore, all

sediment traps should be designed to maximize trapping efficiency. The use of so-called "super traps," sediment traps which have storage capacities far exceeding those required by the SCS, is strongly recommended. The use of sediment basins, which are more costly but have a much higher trapping efficiency than sediment traps or "super traps," should be seriously considered. All erosion and sediment control measures are to be properly and expeditiously employed and maintained. Disturbed areas which will be left exposed to erosive forces for more than 30 days should be seeded and mulched in accordance with SCS guidelines.

- If possible, the use of fine sands and road salts during winter operations should be minimized, as these materials significantly increase the suspended and dissolved solids loads on receiving waters.
- All storm drainage and erosion/sediment control plans are to be reviewed and approved by the Planning Board's Environmental Planning Division as well as by the Parks Department.

The adherence to these measures may add additional cost to the construction and maintenance of the roadway.

Special guidelines for development in this Analysis Area are provided in the Environmental chapter and Appendix D.

Subdivision plan review should assure that roadways connecting to Proposed Road A-297 in this area are aligned along the ridges and that new stream channel crossings do not occur. An elementary school and a local park are recommended to be located in this Area near the intersection of Proposed Road A-297 and Schaeffer Road.

Analysis Area KI-3

Analysis Area KI-3 contains 132 undeveloped acres at the southwest corner of Kingsview Village. It is bordered by Schaeffer Road to the north, MD 118 to the south, and South Germantown Regional Park on the west. Areas recommended for future residential development lie to the east and across both adjacent roads.

This Analysis Area is appropriate for single-family detached residential development. It is recommended to be rezoned to R-200/TDR at a density level of three units per acre. In response to environmental and compatibility issues the total number of units, including MPDU's should be limited to 465. Unless the Planning Board finds otherwise for environmental reasons, no more than 20 percent of the units should be single-family attached.

Stormwater management outfalls should enter the Great Seneca Creek Basin.

Analysis Area KI-4

Analysis Area KI-4 is an undeveloped 73-acre area zoned R-200 in conformance with the recommendations of the 1974 *Master Plan*. This area is located west of Clopper Road between Schaeffer Road and MD 118 and adjoins the Kingsview Knolls single-family detached subdivision. It lies in an area near existing and future single-family residential units.

This Master Plan recommends this area for primarily single-family detached residences. This Analysis Area is recommended for the R-200/TDR Zone at a density level of four units per acre. Unless the Planning Board finds otherwise for environmental reasons, no more than 20 percent of the units constructed on this property should be single-family attached.

This Analysis Area is located in the Great Seneca Creek Watershed. The sewage flows and stormwater flows from this Analysis Area should all be directed into that watershed.

Analysis Area KI-5

This 30-acre Analysis Area is located at the northern corner of the intersection of Clopper Road and a relocated MD 118. Existing townhouses and single-family detached homes border the area to the east and recorded lots for quadruplex residential units are across Kingsview Road to the north. It is zoned R-200 in conformance with the 1974 *Master Plan*. It was acquired in the early 1970's by Montgomery County Public Schools for a senior high school; MCPS is not certain at this point in time whether this site will be needed for a school site.

This excellent, highly visible site should remain in County ownership and developed as a community recreation center to serve west Germantown. The design should ensure that, if a school is needed in this area in the future, it can also be built on this site and certain recreation facilities shared.

Analysis Area KI-6

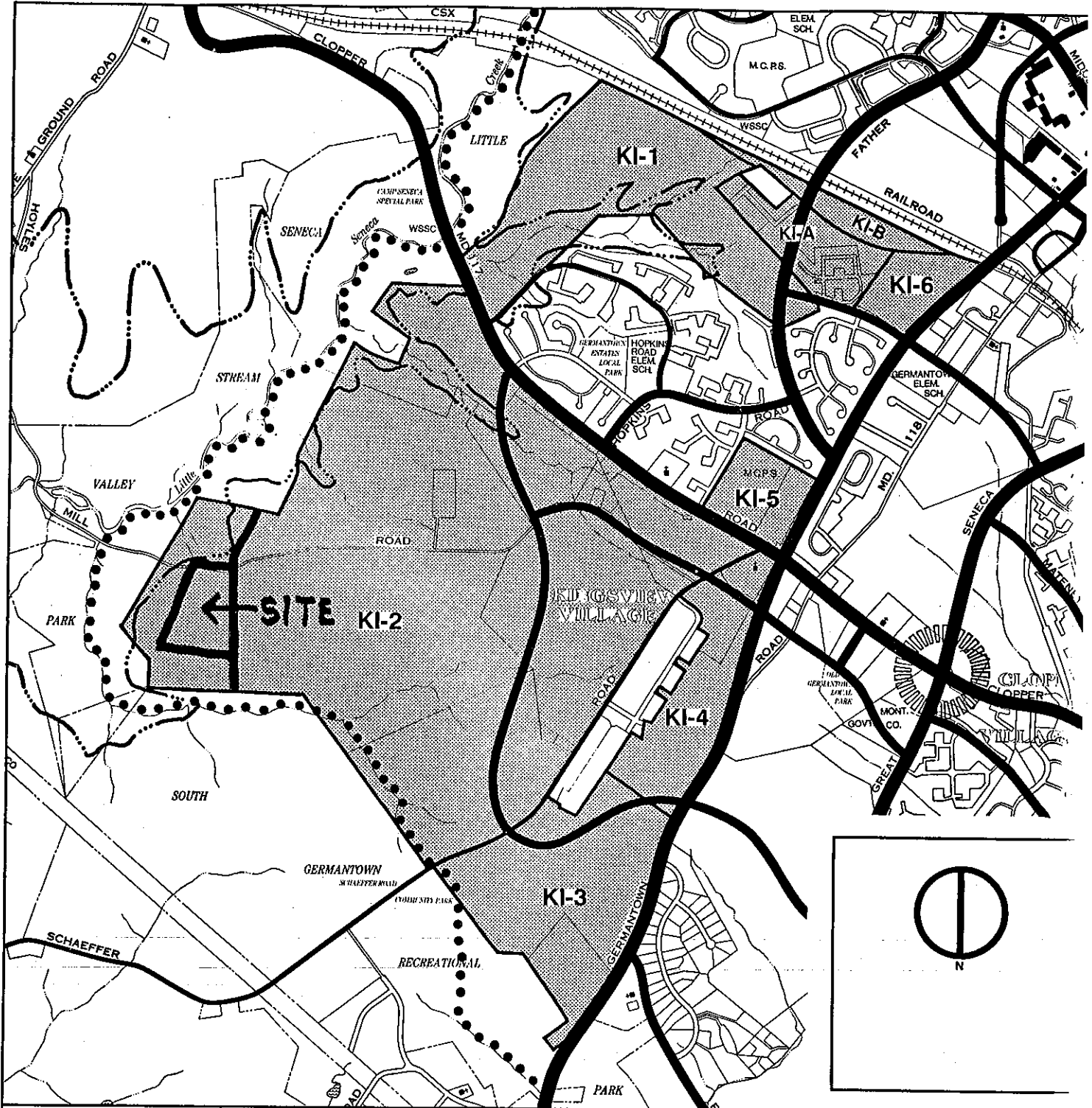
This undeveloped 24-acre analysis area is zoned I-1 for light industrial use, in conformance with the recommendations of the 1974 *Master Plan*. It is located north of relocated MD 118 between the railroad tracks and proposed Road A-254 (Mateney Road).

This property is the only industrially zoned area on the west side of the railroad. It is bordered on one side by existing single-family detached homes and townhouses. On another side are recorded townhouse lots. The uses permitted in the I-1 Zone are not compatible with a residential community.

Given the proximity of existing and approved single-family residential uses, this Plan recommends that compatibility with the adjacent residential areas be achieved in the following manner:

F

Figure 21



Kingsview Village: Analysis Areas