



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
10/24/02
Item #9



REVISED MEMORANDUM

Changes noted in red typeface and/or bold typeface

DATE: ~~September 19~~ **October 17, 2002**
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Michael Ma, Supervisor *Ma*
Development Review Division
Michael Ma, Supervisor
Planning Department Staff
FROM: Mary Beth O'Quinn, Site Plan Review *mboq*
(301) 495-1322

REVIEW TYPE: Site Plan Review concurrent with Preliminary Plan Review
APPLYING FOR: Approval of 12 townhouses 2.2 acres
PROJECT NAME: **Green Hills**
CASE #: 8-02033
REVIEW BASIS: Sec. 59-D-3, Zoning Ordinance: Site Plan required in the RT-6 Zone

ZONE: RT-6
LOCATION: Ridge Road, 800' north of Tralee Terrace, 900' south of Valley Park Drive
MASTER PLAN: Damascus
APPLICANT: Allen Roy Builders, Inc.
FILING DATE: June 28, 2002
HEARING DATE: ~~September 26~~ **October 24, 2002**

STAFF RECOMMENDATION: Approval of ~~11~~ 12 townhouses on 2.2 net acres, subject to the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A
2. Stormwater Management
Conditions of MCDPS stormwater management concept approval dated June 3, 2002. Final design of the stormwater management pond shall be submitted to

Environmental Planning and Parks Planning staff for review and comment prior to MCDPS approval.

3. Transportation For Signature Set, provide verification for improvements along frontage of Ridge Road, including curb and gutter, and sidewalks, if appropriate, in coordination with the State Highway Administration. Improvements shall be completed before the occupancy of the 8th residential unit.
4. Forest Conservation
Prior to recording of plat and DPS issuance of sediment and erosion control permit, the Final Forest Conservation Plan shall be approved by MNCPPC staff and satisfy the following conditions:
 - a. Include tree protection measures along the limits of disturbance and a sediment and erosion control plan that is consistent with the forest conservation plan;
 - b. Provision of an arborist's report at signature set for significant tree save outside of the environmental buffer;
 - c. Show methods and locations for tree protection;
 - d. Landscaping and planting for storm water management facilities subject to staff review in coordination with DPS, prior to signature set; show location of stormwater facility outfalls from pond away from forest preservation or other environmentally sensitive areas;
 - e. Category I Conservation Easements to be placed over Parcel A, including forest-save areas and environmental buffer; record plats to reflect delineation of a Category I Conservation easement which includes the stream/wetland buffers and forest conservation areas, as shown on the site plan and landscape plan;
 - f. Final erosion and sediment control plans shall be submitted to Environmental Planning staff for review and comment prior to approval by MCDPS;
 - g. Decks: no decks shall be allowed for Units 1-4; locate deck structures out of the stream valley buffer for the remaining units adjacent to the conservation easement area;
 - h. The Final Forest Conservation Plan must be bonded prior to issuance of the sediment and erosion control permit;
 - i. **Lower the finished floor levels of these residential units to the following elevation levels to further mitigate noise from Ridge Road traffic:**
Unit #1: 732 feet
Unit #2: 731 feet
Unit #3: 730 feet
Unit #4: 729 feet;
 - J. Forest Conservation Plans, Site and Landscape Plans shall contain a note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
5. Signature Set
Site, landscape/lighting, forest conservation areas, and sediment and erosion control plans subject to review by staff prior to signature set. Prior to signature approval of the site/landscape plans, the Applicant shall provide the following additional information or revisions to the plans:

- a. **Site Plan** Show all easements, LODs, PUEs, PIEs, Forest Conservation boundaries and square footage, on-site and off-site forestation, dimensions and placement of sidewalks, pedestrian paths, high priority forest, and storm water facility parcels, heights of any retaining walls. Site Plans shall also contain the development program inspection schedule.
- b. ~~**Site Design**~~
Compatibility
- ~~i. Delete Lot 5 to allow adequate area for the stormwater management facility, permit acceptable vehicular turning radius at end driveways, and to attain adequate noise mitigation in outdoor areas. Shift Units 6-12 to allow better fit for stormwater facility. Shift Unit 4 forward by two feet to increase the area of the back yard and provide more space for landscaping at the east façade;~~
- ii. ~~Shift Units 1-4 approximately 20 feet to the east to allow construction of the house foundations at a lower land elevation, to enlarge the berm along Ridge Road, and to provide effective placement of noise walls for mitigation of existing noise levels; Convert interior parking for Unit 5 to a one-car garage and decrease the parking pad/driveway to one lane or 10 feet in width.~~
- c. **Site Construction**
- i. Provide detail drawings for all retaining walls; all retaining walls shall be constructed of masonry materials, subject to review by staff prior to signature set; retaining walls to be limited to 8 feet in height.
- d. **Site Circulation**
- i. **Pedestrian/Bicycle Trails** Show an 8-foot wide paved trail, according to M-NCPPC technical standards and specifications, within Parcel B adjacent to the subject property to provide access to Magruder Branch Stream Valley Park hiker/biker trail. Trail alignment to be coordinated with M-NCPPC staff;
- ii. **Storm water facility access** Specify materials and dimensions for the storm water facility access lane or shared access points; indicate appropriate easement on plan for facility access, subject to review and approval by DPS, M-NCPPC Parks and Site Plan staff.
- e. **Landscape and Lighting**
- i. Provide specifications for all lighting, including mounting height and details, fixture housing, wattage;
- ii. Provide detailed planting plan for the berm area to substantially screen both sides of the noise walls along Ridge Road;
- iii. Provide ornamental trees for each of the islands between the driveways for Units 6-12;
- iv. Provide additional shade trees with understory planting at the parking area along the south property line;

- v. Provide signage for public access trails and conservation areas; include details for signage.

5. **Agreements for the Use of the Storm Water Management Parcel**

Prior to the recordation of plats, the easement for Applicant and/or HOA use of a portion of Parcel B (Plat Book 173, Plat Number 19453) for service access to the Storm Water Management Parcel shall be recorded in the land records. If Parcel B is dedicated to MNCPPC prior to that time, an agreement between the Applicant/HOA and MNCPPC shall be executed to delineate use of Parcel B for same purposes.

6. 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:
 - i. 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;
 - ii. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development;
 - iii. Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
 - iv. Coordination of each section of the development and roads;
 - v. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features;
 - vi. Site Plan Enforcement Agreement to include conditions of Applicant's use of the MNCPPC trail for service access to the storm water management parcel, including the maintenance and repair of the trail related to the SWM facility;
- b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
- c. No clearing or grading prior to M-NCPPC approval of signature set of plans.

SUMMARY OF ISSUES ADDRESSED AT SITE PLAN:

During the course of site plan review, staff and the Applicant studied alternatives for mitigation of the noise levels generated by traffic on Ridge Road. Compatibility of the number of housing units and siting of the homes were considered with respect to the noise issues, adjacent development, adequate internal vehicular dimensions, and preservation of the Magruder Branch Stream Valley Park.

During the additional period of review since the hearing deferral September 26, 2002, staff and applicant pursued additional research into the disposition of the adjacent property connection to MacGruder Park known as "Parcel B." The preliminary plan and site plan reviews for the adjacent parcel provided for the optional dedication of this property to MNCPPC. Further discussion with the owner of Parcel B, Elm Street Development achieved an agreement between the applicant and Elm Street for use of this parcel (previously not granted), and the anticipated dedication of Parcel B to MNCPPC.

This agreement allows the applicant the satisfactory use of Parcel B for Storm Water Management facility access and service. Under this arrangement, staff supports the conditions of this access, with an additional conditions for recording the easement (See Condition #5). With the access issue solved, adequate spacing and landscaping will provide an acceptable level of site compatibility without the previous recommendation to shift or remove housing units.

ISSUES EXTANT AT THE TIME OF STAFF REPORT

Compatible Building Locations: **Achieving Acceptable Outdoor Noise Levels, Usable Open Space**

APPLICANT POSITION: House locations as proposed.

STAFF POSITION: ~~The limited area of the site, its irregular shape, and unusual access conditions impose substantial difficulty in achieving an environment of adequate compatibility. This may be observed acutely in the relationship between the proposed houses and the character of Ridge Road as a major transportation artery. The siting and orientation of the houses on the slope exposes the yards to the excessive noise levels from the heavy stream of traffic and compromises the quality and usefulness of the outdoor space. Relocation of the houses at a lower grade on the slope will achieve a greater level of mitigation, and enhance the outdoor public areas of the site.~~

The new easement agreement to access the Storm Water Management Facility from the adjacent Parcel B allows

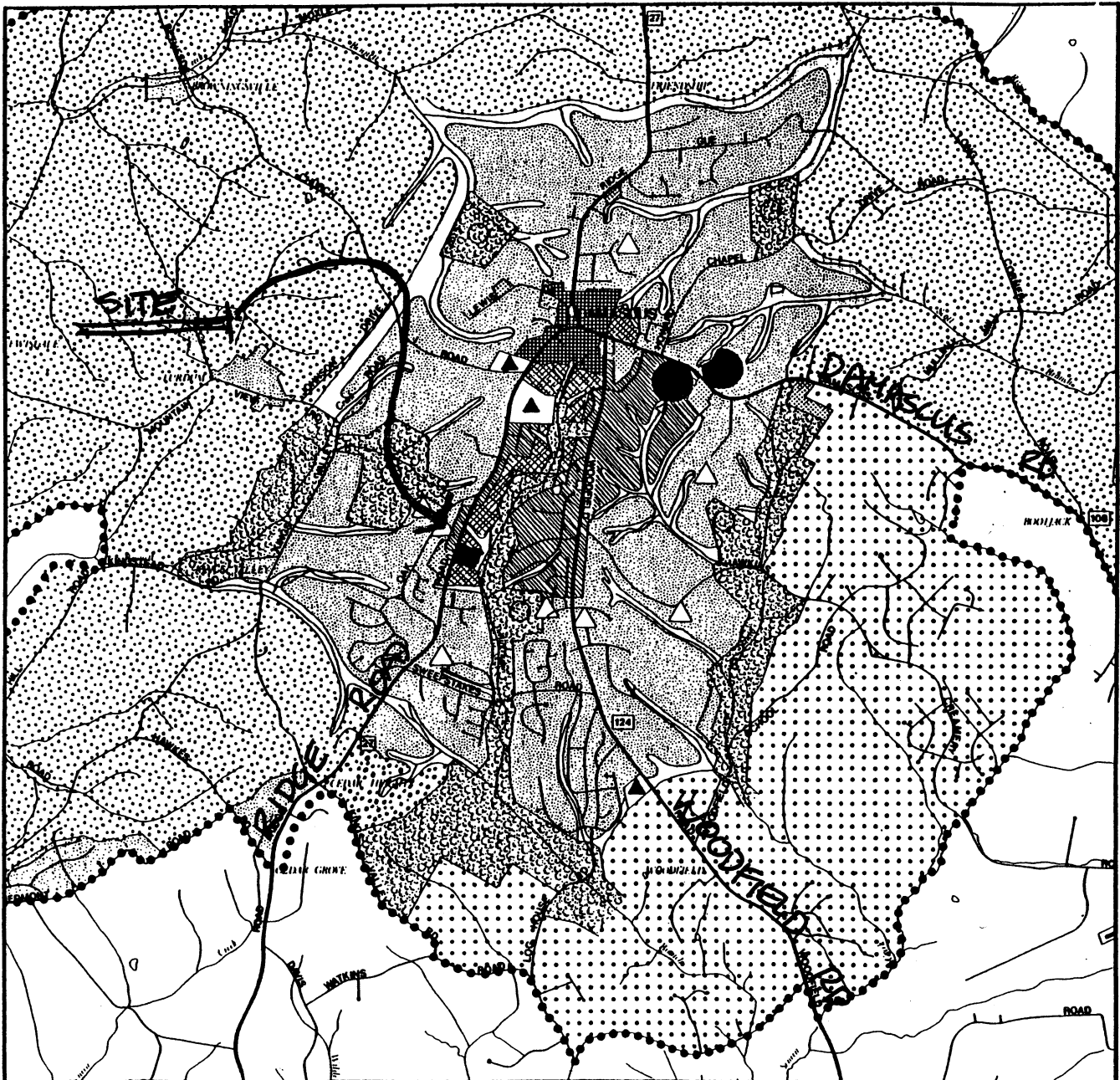
sufficient space and landscaping to achieve adequate compatibility as per the applicant's original proposal. The applicant further proposes to lower the finished floor level of Units 1-4 to mitigate noise, and provide more usable rear yard space. Shifting the Unit 4 slightly forward increases the space for screening and landscaping.

Staff recommends approval with the changes proposed by the applicant.

PROJECT DESCRIPTION: Surrounding Vicinity

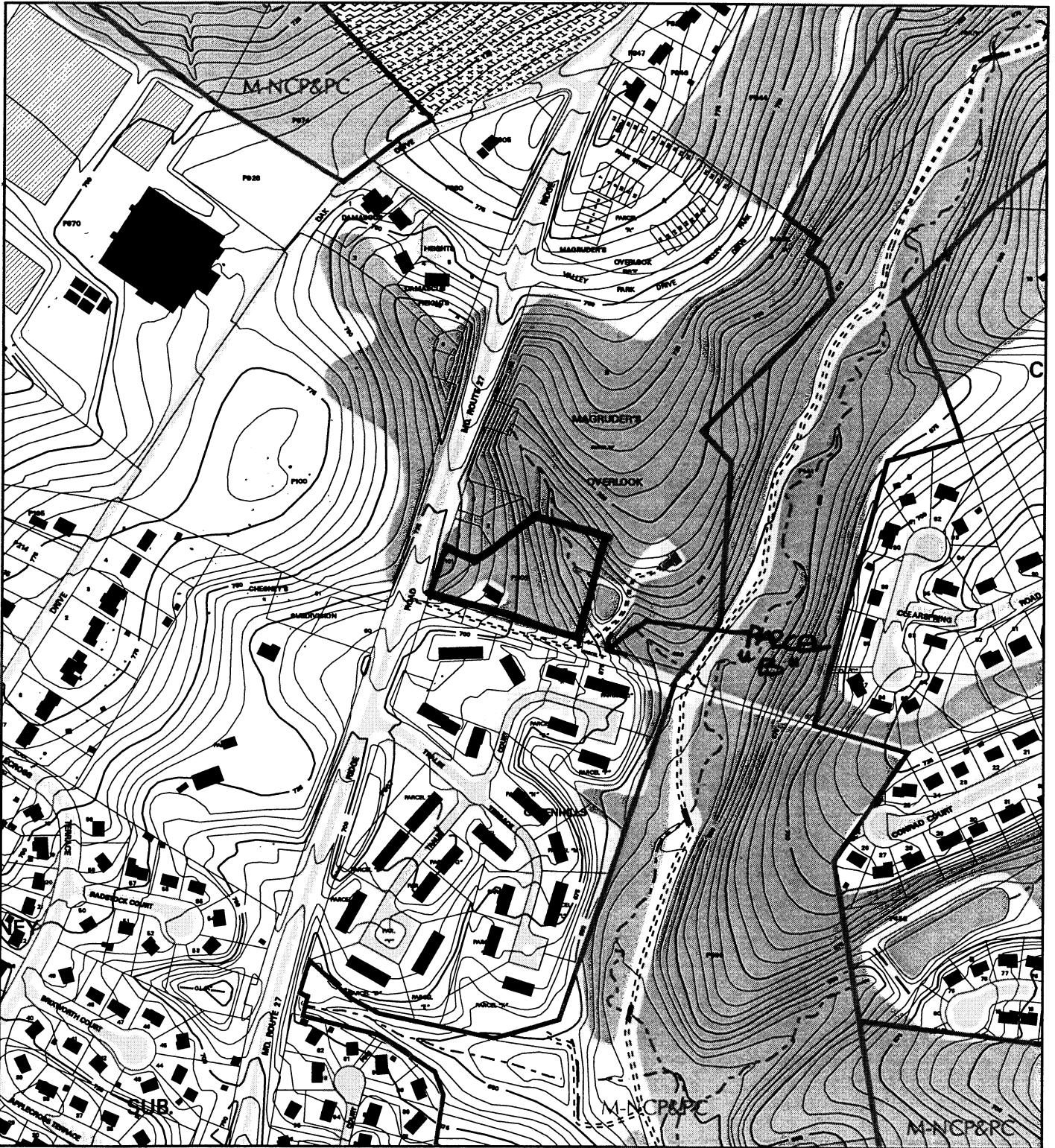
The site is located about one mile south of the Damascus Town Center at the intersection of Ridge Road and Main Street (MD 108), which functions as the commercial center for northern Montgomery and Western Howard County.

Ridge Road (Route 27), an arterial road, accommodates significant north-south travel from Howard, Carroll, and Frederick Counties to employment centers along the I-270 Corridor. Ridge Road offers limited Ride-On Bus Service.



VICINITY MAP FOR

GREEN HILLS (8-02033)



Map compiled on July 03, 2002 at 3:00 PM | Site located on base sheet no - 235NW10

NOTICE

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Research & Technology Center



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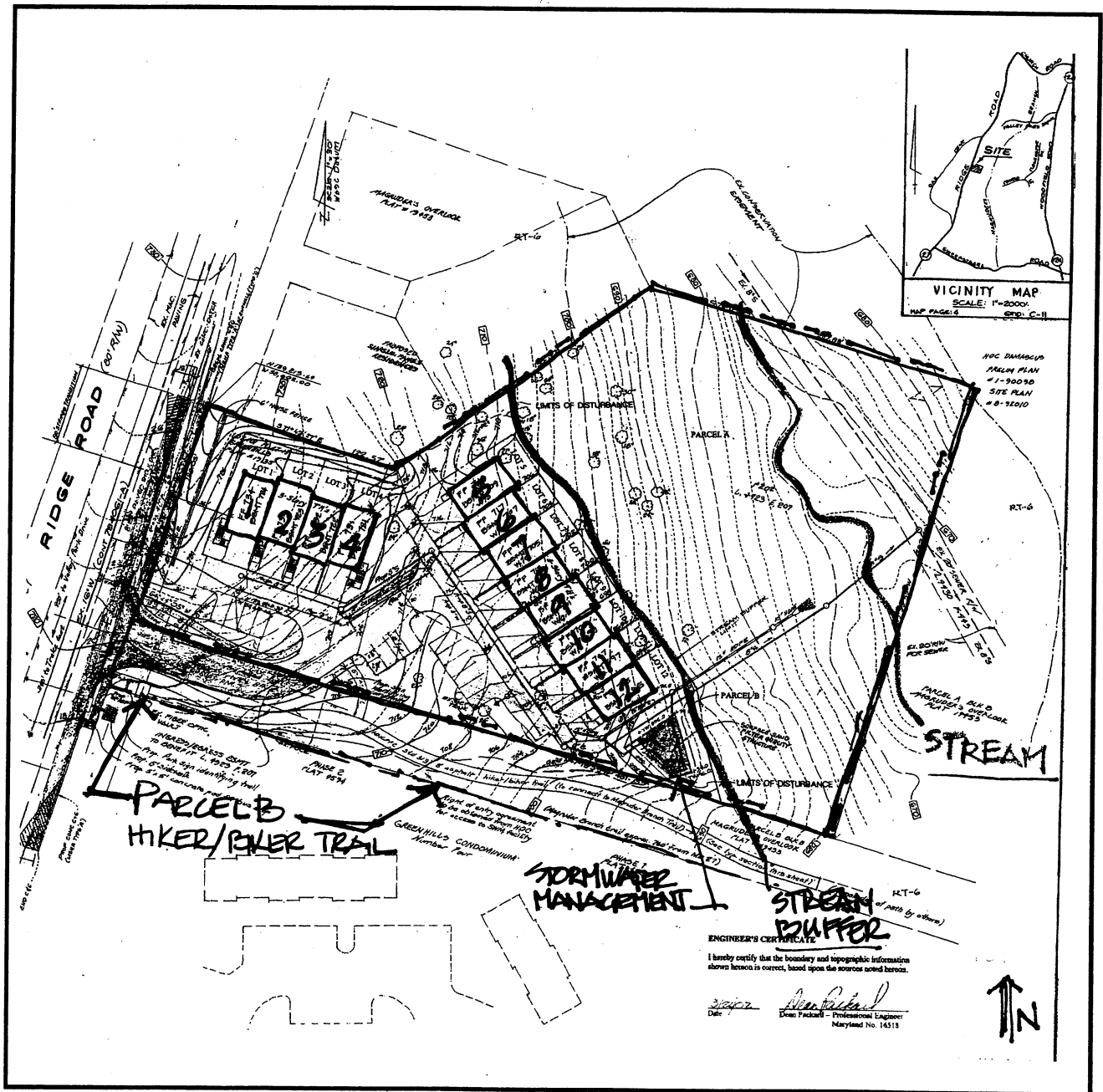
PROJECT DESCRIPTION: Site Description

The property consists of approximately 2.2 acres located in the Magruder Branch watershed with frontage on Route 27 (Ridge Road). Currently, there is an existing single-family house reached by a gravel road that borders the southern property line. The stream, an Order 1 Tributary of the Magruder Branch of the Great Seneca Creek runs through the northeast corner of the site. Both sides of the stream valley are wooded with significant forestation. The slopes are moderately steep, 15% to 25% and greater in places. The southwest half of the site, proposed for the residential development, is moderately sloping, with its highest point adjacent to the road.

The soils over most of these slopes are severely erodible, especially within the stream buffer. The site is mostly forested in natural vegetation. The forest is a very good quality Chestnut Oak, White Oak and Hickory woods with other associated hardwood species. Partial clearing has been performed within the southwest section of the site, where the natural grades would better support the proposed development.

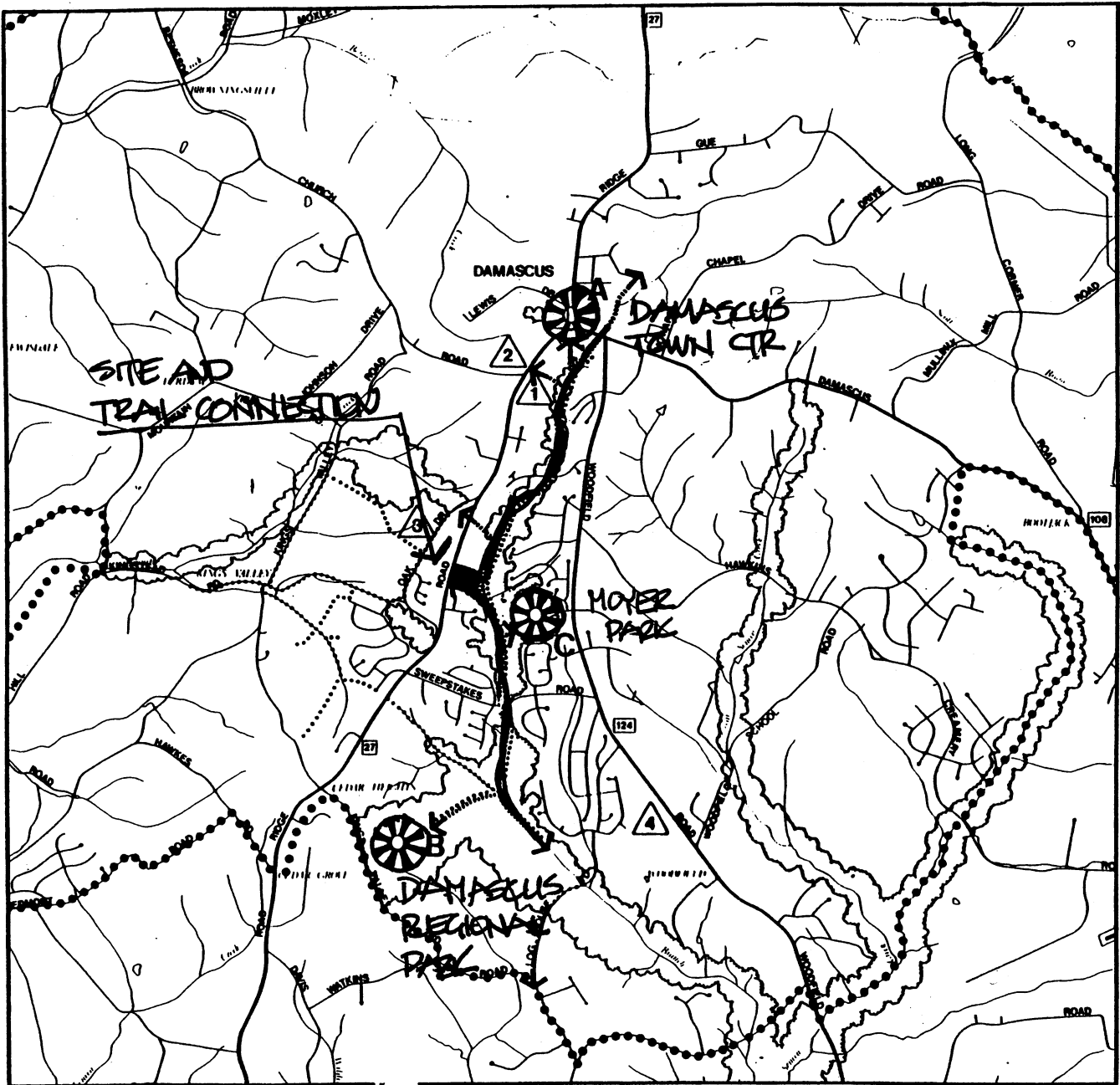
PROJECT DESCRIPTION: Proposal

The plan features two lines of townhouses that form a wide L-shape arrangement of houses that face a central open space. This center, visible from the entry off Ridge Road, offers a landscaped island with visitor parking. The houses themselves are composed of a line of 4 houses orientated upon the higher slope, with its side to Ridge Road; the back line of 8 units that are oriented against facing the entry with unit rear toward the stream buffer. The houses form a small, intimate enclave that is visually secluded, and takes advantage of the surrounding natural forestation. The proposal includes a 40-foot linear Parcel B adjacent to the south property that will offer a hiker/biker trail connection to the Magruder Branch Stream Valley Park.



ANALYSIS: Conformance to Master Plan

The proposal conforms to the Damascus Master Plan (1985) in its recommendations for land use and the provision of pedestrian and bicycle connections to the Magruder Branch Stream Valley Park. This trail makes possible the inclusion of recreation facilities provided in the nearby Moyer Road Park.



ANALYSIS: Conformance to Zoning Regulation

Project name	Green Hills	
Site Plan 8-02033	RT-6 Zone	
PROJECT DATA TABLE		
<u>Development Standard</u>	<u>Permitted/Reqd</u>	<u>Proposed</u>
Gross Lot Area (ac)	20,000 sf	2.2 acres
Density of Development	13 units	12 units
Green Space %		
Building Coverage	35%	10.30%
Impervious Area%	50,747 sf [50%]	75,106 sf [74%]
Lot Width		
Building Height	35 feet max	35 feet max
Setbacks (lf)		
Front	25 feet min	35 feet min
Side	10 feet	26 feet
Rear	20 feet	30 feet
Detached dwelling property	30 feet	30 feet
Parking		
Standard	2 spaces/du	3.2 spaces/du

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.*
2. *The Site Plan meets all of the requirements of the zone in which it is located.*
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.*

a. Location of Buildings

The four houses at the entrance sit upon the sloping topography, and feature a sidewise orientation that provide the greatest level of noise abatement, while the placement of the housing at the back, offers units with direct access to the stream buffer park, and attractive, visually stimulating views

~~Staff recommends the deletion of one unit from the rear line of houses along the stream buffer for two reasons: first, the elimination of Unit #5 will allow the group of four houses on the hill at the entrance to shift downwards, increasing the effectiveness of noise abatement measures, second, the rear grouping of houses may be slightly shifted northward to provide adequate vehicular access to the stormwater facility and additional useful pedestrian access on site to the stream buffer recreation area.~~

See explanation on pages 5-6.

b. Open Spaces

The two groups of houses are efficiently placed, and provide adequate, safe open spaces and views of the stream valley.

c. Landscaping and Lighting

The landscaping and lighting is adequate, safe, and efficient. The natural features of the stream valley and the natural forestation of the site provide the predominant landscaping. The parking areas and fronts of houses are planted with attractive clusters of maples, oaks, hollies and cypress, with a selection of ornamental trees.

Staff recommends that the lighting be delineated and further refined at signature set to ensure the compatibility of lighting levels at the stream buffer.

d. Recreation

The proposal is exempt from recreation requirement because there are fewer than 25 houses. However, its proximity to the Magruder Branch Stream Valley Park and the trails through the stream valley offers access to the Moyer Road Park with additional recreational amenities.

e. Vehicular and Pedestrian Circulation

Vehicular and pedestrian circulation is adequate, safe, and efficient. The vehicular circulation system consists of a general L-shape drive serving the house fronts with garage fronts. The driveways are supplemented with three small areas for visitor parking. Pedestrian circulation is provided by means of a sidewalk from Ridge Road and by the MNCPPC hiker/biker trail which parallels the property line at the south and connects directly to the Magruder Park stream valley.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The proposed housing is compatible with the adjacent townhouse development on Tralee Terrace. The angled arrangement of the two lines of houses forms a complementary relationship between the new houses themselves and the existing surrounding development.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation and Chapter 17 regarding Water Resource Protection.*

The plan includes preservation of 2.39 acres in the stream valleys (0.22 acres off site preservation on adjacent property) and provision of 0.69 acres of on-site reforestation planting. The forest conservation areas will be protected by Category I conservation easement.

10/17/2002 13:58 FAX 703 734 0322

Elm Street

002

FROM :

FAX NO. :

Oct. 17 2002 11:50AM P2

October 17, 2002

Jim Unger
Allen Roy Builders
P.O. Box 118
Clarksburg, MD 20871-9998

Re: Green Hills Site Plan #8-02033

Dear Jim:

This is to confirm that you have the right to utilize the area of Parcel B adjacent to your property along MD 27 for access to your proposed storm water management facility. Our understanding is that you will be constructing a trail for the Parks Department within Parcel B, adjacent to your property, and the Parks Department has agreed to allow this trail to be utilized for access to the storm water management facility. We agree to provide an easement to your for access purposes subject to specific, detail conditions we may find appropriate.

Sincerely,



Tom Marshall
Elm Street Development

Cc: Marybeth O'Quinn
Doug Powell

 Maryland Department of Assessments and Taxation MONTGOMERY COUNTY Real Property Data Search	Go Back View Map New Search
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Account Identifier: District - 12 Account Number - 03065343

Owner Information

Owner Name: MACGRUDER PARK LC	Use: RESIDENTIAL
Mailing Address: 6820 ELM ST STE 200 MC LEAN VA 22101-6001	Principal Residence: NO
	Deed Reference: 1) /21434/ 514 2)

Location & Structure Information

Premises Address RIDGE RD DAMASCUS 20872	Zoning RT	Legal Description PAR B MAGRUDER'S OVERLOOK
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Map	Grid	Parcel	Subdivision	Section	Block	Lot	Group	Plat No:	19453
FX31			1		B		80	Plat Ref:	

Special Tax Areas	Town Ad Valorem Tax Class	42
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Primary Structure Built	Enclosed Area	Property Land Area	County Use
0000		29,745.00 SF	910

Stories	Basement	Type	Exterior
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Value Information

	Base Value	Value As Of 01/01/2001	Phase-In Assessments As Of 07/01/2002	As Of 07/01/2003
Land:	7,430	7,430		
Improvements:	0	0	7,430	7,430
Total:	7,430	7,430	0	0
Preferential Land:	0	0		

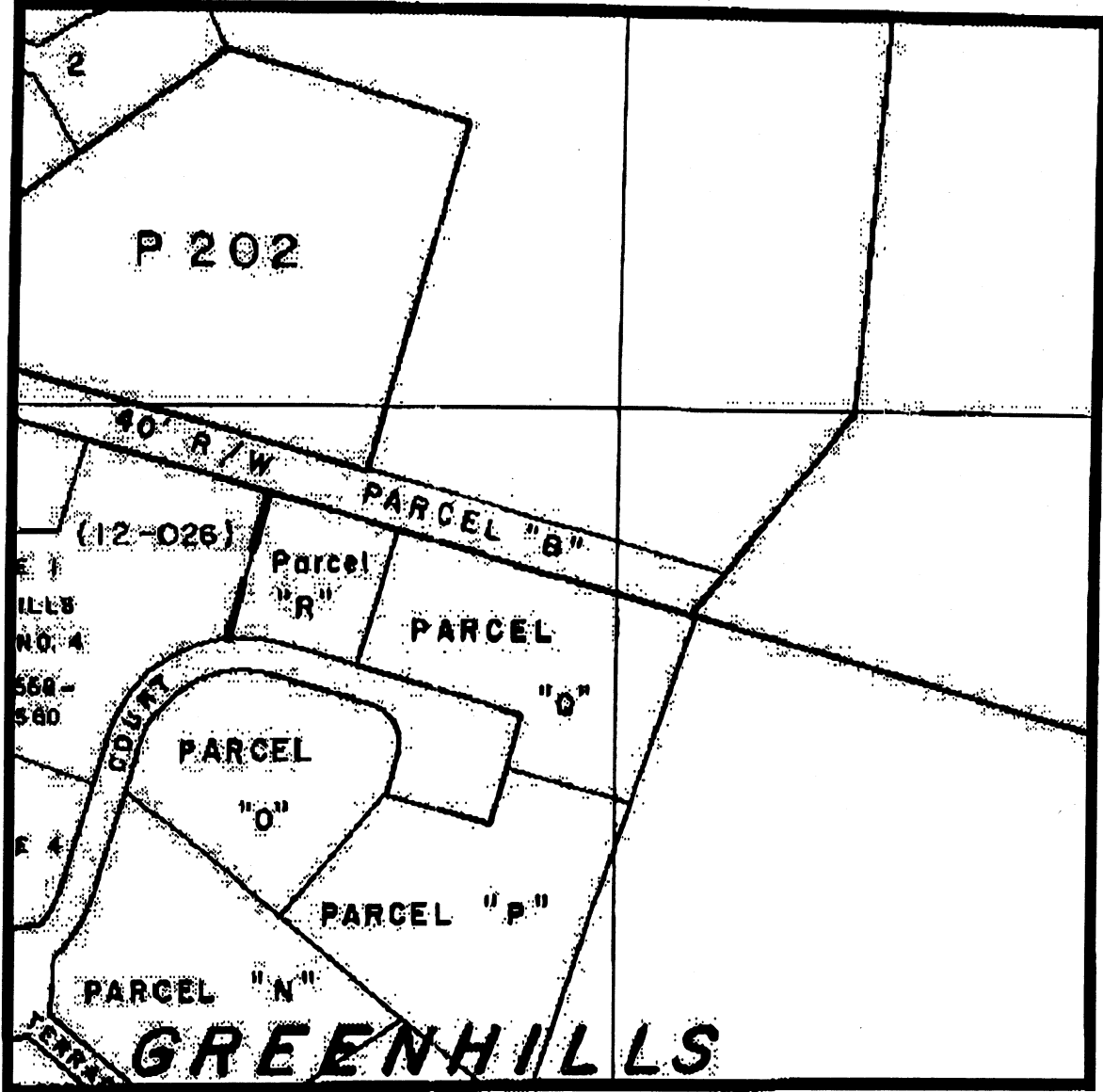
Transfer Information

Seller: HOUSING OPP COMM OF MONTG CO	Date: 07/16/2002	Price: \$2,390,000
Type: MULT ACCTS ARMS-LENGTH	Deed1: /21434/ 514	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:
Seller:	Date:	Price:
Type:	Deed1:	Deed2:

Exemption Information

	<p>Maryland Department of Assessments and Taxation MONTGOMERY COUNTY Real Property Data Search</p>	<p>Go Back View Map New Search</p>
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District - 12 Account Number - 03065343



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