



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item # 3
MCPB
December 4, 2003

MEMORANDUM

DATE: November 26, 2003
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
Michael Ma, Supervisor *Ma*
Development Review Division
FROM: Wynn E. Witthans, RLA, AICP *W*
Planning Department Staff
(301) 495-4584
REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 6 townhouses on 24,733.8 square feet
PROJECT NAME: Towns at Rosedale Park
CASE #: 8-04007
REVIEW BASIS: Div. 59-D-3, Montgomery County Zoning Ordinance for Site Plan
ZONE: RT-12.5
LOCATION: Chestnut Street 180 feet east of Wisconsin Avenue or MD Route 355.
MASTER PLAN: Bethesda/Chevy Chase and Vicinity
APPLICANT: Magruder/Reed Communities, LLC
FILING DATE: September 23, 2003
HEARING DATE: December 4, 2003



SITE PLAN

STAFF RECOMMENDATION: Approval of 6 townhouses on 20,000.4 square feet with the following conditions:

1. The Planning Board approves a waiver of the following:
 - a. Zoning Ordinance Section 59-C-1.732 (a) - Reduction of a 30 foot setback from detached dwelling
 - b. Zoning Ordinance Section 59-C-1.732 (a) - Reduction of a 10 foot side setback from any adjoining lot that is not a detached dwelling

2. Lighting and Landscaping Plan

The applicant shall supply staff with a fully defined lighting plan (photometric point to point analysis, type of fixture and proposed wattage) for the townhouse parking and front yard area. The lighting plan shall not provide glare or light trespass to adjacent residential uses.

3. Environmental Planning

- a. Compliance with the conditions of approval for the final forest conservation plan. The applicant must satisfy all conditions of the forest conservation plan prior to recording of plat(s).
- b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.

4. Division of Permitting Services

- a. SWM Memo - Conditions of DPS Stormwater Management Concept approval letter dated June 4, 2003.
- b. Streets and Paving Memo (from Sarah Navid)

5. Signature Set Documentation

A. Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents for review and approval prior to release 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) Landscaping associated with each unit shall be completed as construction of each unit is completed.
- 3) Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed.

B. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for M-NCPPC technical staff review prior to approval by Montgomery County Department of Permitting Services (DPS):

- a. Limits of disturbance.
- b. The development program inspection schedule and Site Plan Opinion.
- c. Streets trees 50 feet on center along all public streets.

- C. No clearing or grading prior to M-NCPPC approval of signature set of plans.

SITE PLAN REVIEW ISSUES

I. ISSUES

The issues associated with this case were identified and addressed in the rezoning review of the case. The staff proposes the Planning Board approve the waivers of the sideyard setbacks as discussed in the zoning case opinion, attached and discussed in the "Conformance to Development Standards" portion of this report.

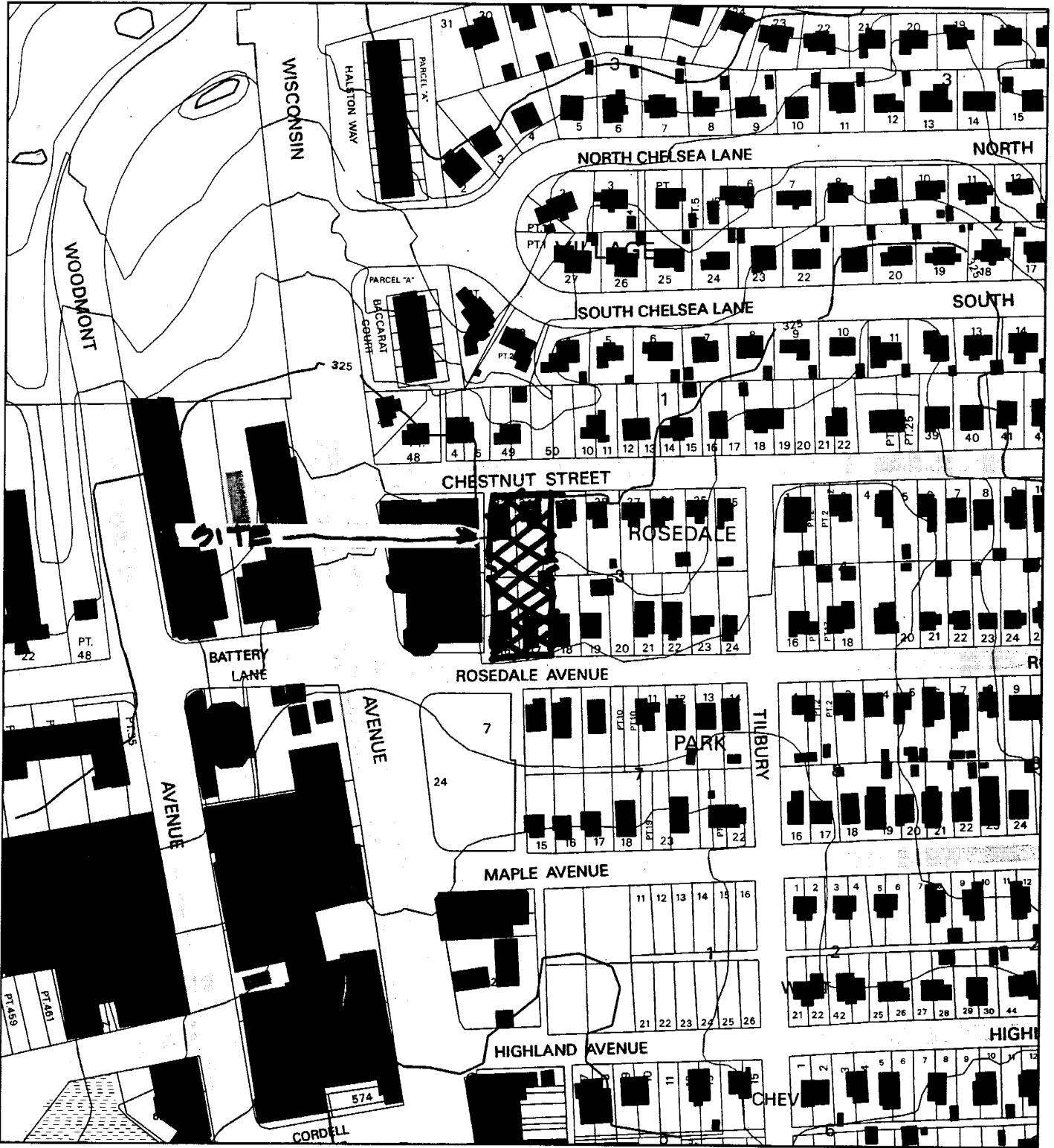
Staff has not received any communication from adjacent citizens nor from the civic associations regarding this case at the time of publication of this case. The "Summary of Testimony" from the zoning hearing that summarizes the adjacent owner's testimony is attached.

PROJECT DESCRIPTION: Site Description

The subject property is rectangular in shape and is comprised of four lots that have been under common ownership and utilized as rental housing for three of the lots. The fourth lot is vacant. A portion of two of the lots along Rosedale Avenue has been developed as an off site amenity for the adjacent Rosedale Apartments. The site had recently been rezoned from R-60 to RT-12.5 via zoning case G-797.

The site is adjacent to the East Bethesda neighborhood to the north, east and south of the site. West of the site is a public alley that connects Chestnut and Rosedale streets. Beyond the alley are commercial buildings.

TOWNS AT ROSEDALE PARK (8-04007)



Map compiled on October 08, 2003 at 1:08 PM | Site located on base sheet no - 210NW05

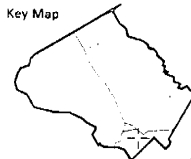
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Key Map



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Research & Technology Center



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TOWNS AT ROSEDALE PARK (8-04007)



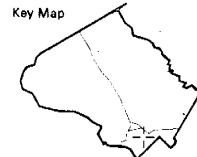
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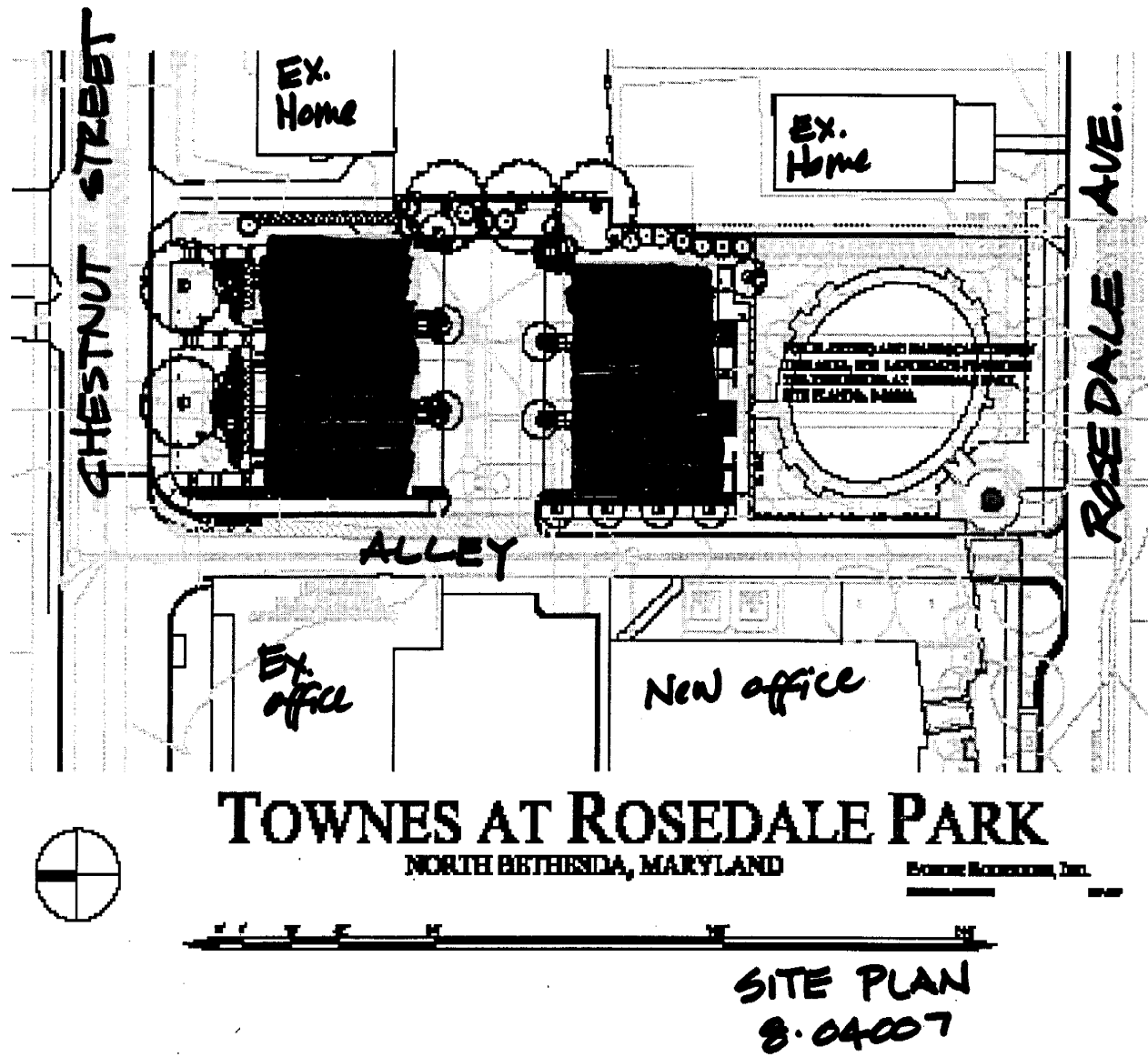


PROJECT DESCRIPTION: Proposal

The project proposes 6 townhouses in two groups of three, facing either Chestnut Street or the park at Rosedale Avenue. The units are served from a one- and two- way alley to the west. The parking alley is screened from adjacent residential back yards via a 6-foot wooden fence to the east.

Pedestrian access is provided to the front of each unit and along the north-south alley on the east side. A public sidewalk is provided along the curb of the Chestnut Street frontage.

Landscaping includes street trees, front entry planting and side yard screen planting. Low-level lighting is provided within the front and rear yards of the townhouses.



PROJECT DESCRIPTION: Prior Approvals

This applicant has been preceded by a re-zoning change from the R-60 and CT zones to the RT-12.5 zone. The Opinion for the Board of Appeals and the District Council and the corresponding recorded covenants are attached for review. The development table below demonstrates the conformance of the proposed site plan with the previous approvals.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE –
RT-12.5 zone and Schematic Development Plan for Zoning Case

Development Standard	Allowed/Required per Zone	Schematic Development Plan	Proposed with Site Plan
Limit Uses		Townhouse/Home Occupation w/ No Impact	Townhouse/Home Occupation w/ No Impact
Green Area (Min)	50%	57%	
Building Coverage (Max)	35%	26% (5,220 sf.)	25.47% (5,095 sf.)
Building Height (Max)	35 ft.	35 ft.	35 ft.
Building Setback from Street (Min)	25 ft.	25 ft.	25 ft.
Building Setback to adjacent Detached Units (Lot) (Min)*	30 ft.*	10 ft and 4'2" But only approvable with Site Plan Review	10 ft and 4ft.2"*
Building Setback to rear lot	20 ft.	20 ft.	20 ft.
Building Footprint	N/a	As shown on Schematic Development Plan	As shown on Schematic Development Plan
Architectural Elements	N/a	Per sketch: Brick veneer; non-wood siding; architectural elements; number of windows per Exhibit 'C' or 'D'	Per sketch: Brick veneer; non-wood siding; architectural elements; number of windows per Exhibit 'C' or 'D'

*Per section 59-C-1.732 (a) the sideyard setback for the RT-12.5 zone "From any detached dwelling lot or land classified in a one-family, detached, residential zone" is 30 feet except as allowed by footnote #1, as follows:

“Unless a more desirable form of development can be demonstrated by the applicant to the satisfaction of the Planning Board using the street, side and rear lot line setbacks as provided in this section.”

The review of the re-zoning case and the site plan reveal that the setbacks proposed do allow for a more desirable form of development. The townhouse units’ ability to serve as a transition between the commercial uses along Wisconsin Avenue and the residential neighborhood is highly desirable for neighborhood protection and compatibility. The units themselves and the proposed landscaping, lighting and fence will provide the necessary buffer intended with the 30-foot setback. The 10- foot setback adjacent to the property is consistent with the 8 foot setback required in the adjacent R-60 zone.

ANALYSIS: Conformance to Master Plan

Sector Plan Compliance

The proposed site is located in the 1994 Bethesda CBD Sector Plan area. The site is comprised of four lots that are zoned R-T 12.5 (residential townhouse).

The Sector Plan designates the area to the east of the CBD boundary and north of East West Highway as the East Bethesda Transition Area. The intent of this area is to provide a transition between the single-family houses of East Bethesda and the Central Business District. The Sector Plan’s intent is to provide long-term stability in the transition area and preserve the existing single-family residential neighborhood.

The stated objectives of the Plan for this area are:

1. Ensure the stability of the land uses in the transition area to preserve East Bethesda as a single-family residential neighborhood.
2. Provide parking to serve the needs of the adjacent commercial establishments. Keep overflow parking and cut-through traffic from having an undesirable impact on the East Bethesda neighborhood.
3. Provide low-density housing.

Staff finds that the proposed site plan is in keeping with the intent of the Sector Plan. The proposal will provide 6 single-family attached houses and a public park on the subject site. The new single-family residences will greatly enhance the stability of the area and improve the condition of the existing four lots. The six townhouses will provide appropriate transition in scale and character between the commercial and office development along Wisconsin Avenue and the single-family detached residences to the east. The townhouses overlooking the park will provide for more security and surveillance for the park.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved Schematic Development Plan G-797.*
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.*

a. Buildings

Buildings are arranged to maintain a consistent street frontage along Chestnut Street and provide a side yard frontage to the adjacent side yards of the neighborhood. The mass and scale of the townhouses provide a transition from the more intense land development along MD Route 355 to the west of the site to the less intense development within the R-60 single family detached homes to the east of the site. The rear alleys are adequately sized to allow for maneuvering and access to the rear garages. The building setbacks allow for landscaping and buffering between the proposed and existing homes.

b. Open Spaces

The proposed stormwater management concept for the above-mentioned site is acceptable. The concept consists of a partial onsite water quality control via a water quality storm drain unit and a partial waiver of on-site water quality control.

c. Landscaping and Lighting

The landscaping is adequate and attractive and will provide an attractive frontage to the units as viewed from adjacent streets and homes. The plants used as buffers will transition the height of the buildings to the adjacent homes.

The proposed lighting plan will include compatible light levels with no glare or light trespass beyond the boundaries of the proposed site plan. A revised submittal is needed.

d. Recreation

The project size is below the required threshold for provision of recreation facilities for a site plan. However, the project is adjacent to a small park provided as an amenity for the adjacent apartments. The park will provide a sitting and open space play opportunity for the residents of this proposal as well as the surrounding community.

e. Vehicular and Pedestrian Circulation

The vehicular access to the townhouses is provided in a safe and efficient manner with a direct access to the adjacent western alley. The alley will be widened and traffic patterns will be altered to prevent cut-through movements and to better allow one-way traffic patterns. The access to the driveways will be two-way from Chestnut to the alley and one-way towards Rosedale south of the alley.

The walk system provides a continuous pedestrian connection through the site to the two adjacent streets – Chestnut and Rosedale. The walks also connect to the park at Rosedale Avenue for the use of these and other residents in this neighborhood.

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

The proposed townhouses are compatible with surroundings in providing a transitional element between the existing and proposed commercial uses. They provide transitional building height; use of outdoor areas and density. The building locations are aligned with the existing buildings to maintain consistent street frontage. The architectural details will be residential in scope and of high quality detailing to be an attractive part of the neighborhood.

Buffers provided with a six-foot wooden screen fence and landscaping will screen the proposed parking in the rear of the townhouses from the existing rear yards of the adjacent neighborhood. The lighting plan will light pedestrian areas safely but will not be incompatible with the adjacent residents.

The activity associated with the proposed residential and no-impact home occupation use will not cause any negative effect on adjacent residential and office uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The site is exempt from Forest Conservation requirements due to an approved Preliminary Plan of Subdivision due to the small size of the project. In the review process, the staff concurred with the applicant to remove a pin oak along the Chestnut Road frontage due to its deterioration and its location.

APPENDIX

- A. Correspondence referenced in report
- B. Documentation of relevant prior action or approval – Board of Appeals, District Council and recorded covenants to reflect earlier approvals.

G:ASPSTAFF_8-04007