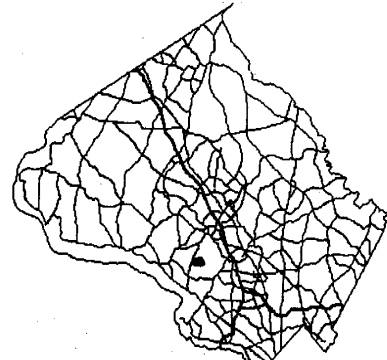


MEMORANDUM

DATE: February 26, 2004
TO: Montgomery County Planning Board
VIA: Joe R. Davis, Chief *JRD*
 Michael Ma, Supervisor
 Development Review Division
FROM: Wynn E. Witthans, AICP, RLAW *W*
 Planning Department Staff
 (301) 495-4584
REVIEW TYPE: Final Water Quality Plan and Site Plan Review
APPLYING FOR: Approval of 11 single family detached units on 28.55 acres
PROJECT NAME: Potomac Preserve
CASE #: 8-04020
REVIEW BASIS: Div. 59-D-3, Montgomery County Zoning Ordinance for Site Plan
 Section 19-64 for Final Water Quality Inventory
ZONE: RE-2C
LOCATION: East Side of Piney Meetinghouse Road, 500 feet south of Boswell Lane
MASTER PLAN: Potomac Subregion Master Plan Area
APPLICANT: Piney Meetinghouse Investments
FILING DATE: January 14, 2004
HEARING DATE: March 4, 2004



SITE PLAN

STAFF RECOMMENDATION: Approval of 11 single family detached units on 28.55 acres with the following conditions:

1. Approval of Waivers

The Planning Board approves waivers for: Section 59-C-1.532 to reduce the minimum area of development from 50 acres to 28.55 acres so to preserve additional environmental features; and Section 59-C-1.527 to allow lots within this subdivision on a private street to front a cul de sac in the RE-2C zone where there is adequate

setback, access, preservation of environmental features and drainage as demonstrated in the site plan design.

2. Landscape and Lighting Plan

- a. The buffer planting adjacent to Piney Meetinghouse Road shall include additional evergreen plant material to provide a more effective screen.
- b. A lighting plan shall be provided for staff review prior to signature set. The lighting plan shall conform to IESNA guidelines and shall provide for minimum pedestrian safety on the streets and not allow for light glare or off-site or skyward trespass.

3. Environmental Planning

- a. Approval of Water Quality Inventory for Site Plan # 8-04020 per DPS memo of January 8, 2004.
- b. 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).
- c. SWM waiver of open section streets within Special Protection Areas
- d. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.

4. Parks Department

- a. Applicant to establish a 25 foot wide Public Use Trail Easement through Parcel "A" from the terminus of Tanager Lane to Piney Meetinghouse Road across from the Piney Meetinghouse Serpentine Barrens Conservation Park. Exact location to be coordinated with M-NCPPC staff.
- b. Applicant to construct with the easement a 4-foot wide natural surface trail along an alignments to be coordinated with M-NCPPC staff. Easement and trail to be adequately identified and signed.
- c. Applicant to work M-NCPPC staff to determine whether any portion of Parcel A is appropriate for parkland dedication to preserve high quality vegetation and/or aquatic resources.

5. Division of Permitting Services

- e. SWM Memo - Conditions of DPS Stormwater Management Final Water Quality approval letter dated January 8, 2004.

6. 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) Community-wide pedestrian pathways must be completed prior to seventy percent occupancy of each phase of the development.
- b. Phasing of dedications, stormwater management, sediment/erosion control, forestation, community paths, or other features as required.
- 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. Methods and locations of tree protection.
 - c. Forest Conservation areas..
 - d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - e. The development program inspection schedule and Site Plan Opinion.
 - f. Conservation easement boundary to allow path construction and easement.
 - g. Streets trees 40 feet on center along all public streets.
- C. Site plan to include note indicating no clearing or grading prior to M-NCPPC approval of signature set of plans.

PROJECT DESCRIPTION: Site Description

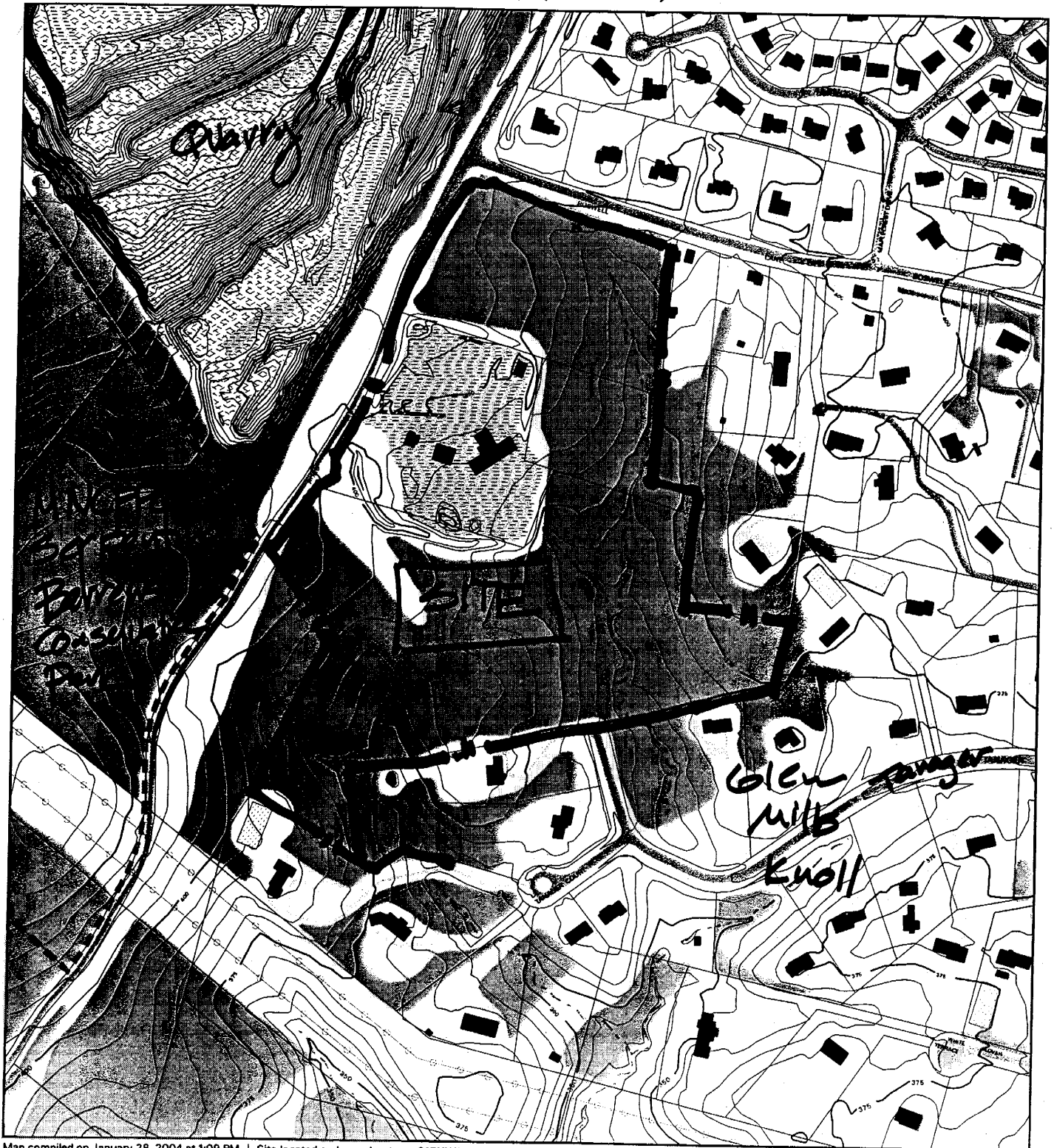
Adjacent Land Uses

The Potomac Preserve site is comprised of two RE-2C zoned properties located at the southeast quadrant of Piney Meetinghouse Road and Boswell Lane. The site confronts the I-2 zoned Rockville Crushed Stone quarry on the west and is one parcel removed from the RE-1 zoned land north of Boswell Lane. Properties to the east and south are zoned RE-2 and are in the Glen Mill Knolls Subdivision. The Preserve property is comprised of three parcels, Parcels 525 and 560 (Fling property, approximately 9 acres) and Parcel 684 (PMH Joint Venture, approximately 20 acres).

The property is located in the western tributary of the Piney Branch watershed, which is restricted from access to community sewer service by the County Council's Restricted Access Policy. Parcel 525 is a legal non-conforming commercial lumberyard that is bereft of vegetation, has spilled over into adjacent parcels and has mulch piles that leach into stream waters. Parcel 684 is bisected by the West Piney Branch and is almost entirely forested. The Preserve property is located on the eastern edge of the serpentinite outcrop and contains riparian forest with rare plants. Environmentally, the lumberyard is a degraded site.

WSSC approval of sewer service is pending, but WSSC staff has raised no technical or policy issues during review of this application. Conditions of the sewer category have been satisfied thus allowing the site to gain access to Public sewer service.

POTOMAC PRESERVE (1-04050) (8-04020)



Map compiled on January 28, 2004 at 1:09 PM | Site located on base sheet no - 217NW11

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map



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Research & Technology Center

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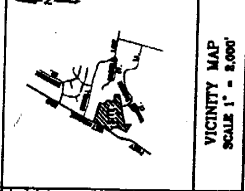
PROJECT DESCRIPTION: Proposal

The site plan proposes 11 single-family lots that are surrounded by forested open space that is the basis of the cluster. There is a sole access point to the subdivision that has a widened median with recreation sitting area and garden in the center. Two path connections (one for equestrian and pedestrian use) and a SWM access road make connections from the street to the open spaces, east, to the rear of the property. The horse/pedestrian path will be a link from Tanager Lane to the M-NCPPC Serpentine Barrens Conservation Park on the opposite side of Piney Meetinghouse Road. A sidewalk will be built along the Piney Meetinghouse Road frontage. Storm water management facilities are in place to the east and are accessed from a service road off of Piney Meetinghouse Road with a dedicated entrance through the open space parcel.

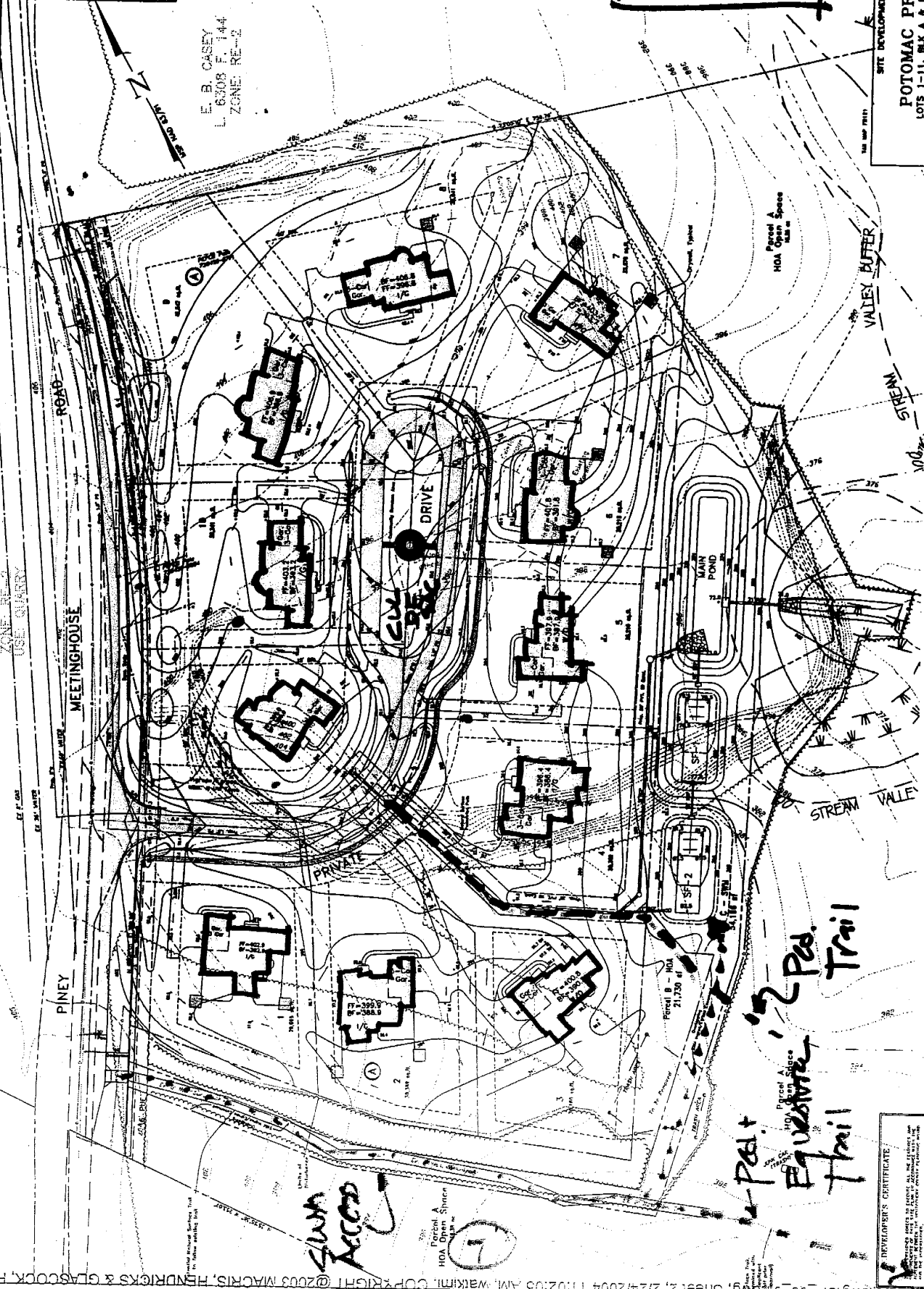
SITE PLAN 8-04020

POTOMAC PRESERVE
 LOTS 1-11, BLK A & PARCELS A & B
 ROCKVILLE 4TH ELECTION DISTRICT - MONTGOMERY COUNTY
MHG
 McNamee, Hendricks & Glasscock, P.A.
 10000 Rockville Pike, Suite 200
 Rockville, MD 20850
 Tel: 301-981-1100
 Fax: 301-981-1101
 www.mhg.com

NO.	DATE	DESCRIPTION
1	8/11/2004	PRELIMINARY
2	8/11/2004	REVISED
3	8/11/2004	REVISED
4	8/11/2004	REVISED
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49	8/11/2004	REVISED
50	8/11/2004	REVISED

VICINITY MAP
 SCALE 1" = 8,000'


E. B. CASEY
 L. 6308 F. 144
 ZONE: RE-2



DEVELOPER'S CERTIFICATE
 I, the undersigned, certify that the information contained herein is true and correct to the best of my knowledge and belief.

Ped. Trail
 Equestrian Trail
 Ped. Trail

SWM
 ACCO

Parcel A
 HOA Green Space

PROJECT DESCRIPTION: Prior Approvals

On February 26, 2004, the Montgomery County Planning Board approved Preliminary Plan 1-04050.

ANALYSIS: Conformance to Development Standards

PROJECT DATA TABLE

RE-2 C Zone Development Standards for Site Plan #8-04020

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Provided</u>
59-C-1.523 Useable Area	n/a	28.55
59-C-1.532 Minimum Area of Development	50 Acres*	28.55 acres*
59-C-1.533 Density of Development	.4 du/ac = 11 dus	11 dwelling units
59-C-1.534 Setback from Street	40 ft. Min	50 ft. Min.
59-C-1.535 Min. Lot Area	25,000 sf.	25,000 sf.
Min. Lot Width	25 ft.	25 ft.
Setback from Lot Lines	15 ft.	15 ft.
Rear Yard Setback @ boundary	50 ft.	50 ft.

* Requested waivers from Planning Board -

Per Section 59-C-1.532 - to waive minimum area of development -

Per Potomac Subregion Master Plan, October 2001.

Per Section 59-C-1.527 - To allow for lots fronting on cul de sacs in the RE-2C zone.

Staff recommends that the Planning Board consider approval of the requested waivers. The first waiver is introduced in the Master Plan that recommends reducing the minimum lot size to allow this project to develop and preserve the environmental features. Other development options would severely limit preservation of environmental features. The second waiver allows for the cul-de-sac design feature that provides an attractive neighborhood gathering-place and amenity. The function of the turnaround is still present with the cul-de-sac as shown and it should be allowed.

ANALYSIS: Conformance to Master Plan

Sustaining the environment was the pre-eminent policy determinant of the 2002 Approved and Adopted Potomac Subregion Master Plan, and the following was recommended for this site as the sole exception to the West Piney Branch Restricted Access Policy to achieve a net environmental gain for the area:

- Rezoning to RE-2C.
- One application for all three parcels with lots limited to the lumberyard parcel and the disturbed edges of the other two.
- A small residential cluster development eliminating a very degraded commercial site of approximately seven acres.
- Preservation through a Conservation Easement of approximately 22 acres of riparian forest with rare plants.
- Public sewer service to require use of cluster option.
- WSSC approval of pressure sewer feasibility. Pumping to be to Piney Meetinghouse Road and north to Boswell Lane.
- Planning Board waiver of 50-acre minimum tract for RE-2C Zone if all conditions are met.

WSSC approval of sewer service is pending, but WSSC staff has raised no technical or policy issues during review of this application.

The preliminary plan and site plan conform to the language in the Approved and Adopted Potomac Sub-region Master Plan. Approval is recommended with inclusion of a waiver of the 50-acre minimum tract for the RE-2C Zone.

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. 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

The proposed housing orients to the street so to form a cohesive neighborhood and will provide for optimal access and visibility for each unit. All units are oriented internally to the site and the rear yards that are visible from adjacent streets will be screened with berms and landscaping.

b. Open Spaces

The site is within the Special Protection Area for the Piney Branch SPA. The site is below the threshold for imperviousness (below 8%) thus it does not require a Final Water Quality Plan. A Final Water Quality Inventory will be used instead and this has been approved by DPS on January 8, 2004. Access has been provided to the SWM ponds per DPS staff comments.

c. Landscaping and Lighting

Landscaping for the site will provide shade for the internal and adjacent streets, screening of back yards from views of motorists on adjacent streets and they will provide an attractive focus to the cul-de-sac in the center of the neighborhood. The landscaping will provide an attractive appearance to the project.

The proposed lighting plan will include minimum levels of light for the street within the project. The proposed lights will conform to IESNA guidelines and will not provide disturbance to off site neighborhoods.

d. Recreation

The Recreation Guidelines do not apply to this case as the amounts of units are below the minimum threshold for affected projects.

e. Vehicular and Pedestrian Circulation

The street connections to the site are in accordance with the approved Preliminary Plan, and the layout provides direct access to each home and a single intersection to the adjacent street.

A public use trail easement with nature surface will be provided through the project to allow for pedestrian and equestrian access through the site to connect to the Serpentine Barrens Park on the opposite side of Piney Meetinghouse Road from the project.

Public sidewalk is provided along the frontage of the site to connect to future sidewalks along Piney Meetinghouse road.

An internal path connection from the internal street to the forested area and a separate from the SWM pond access will provide linkages to the open space as required in a cluster subdivision.

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

The buildings are located in such a way that they conform to the patterns of housing in the area and cause no detrimental impact on adjacent housing projects.

The activity associated with the proposed residential will not cause any negative effect on the adjacent residential uses.

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

The Plan conforms by saving 11.47 acres on site and no planting requirements are necessary.

APPENDIX

A. Correspondence as referenced in report.