

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 George Avenue • S. of Spring, Maryland 20810-3780

Phase
MCPB
8/10/89
Item #21

August 2, 1989

MEMORANDUM

TO: Montgomery County Planning Board
FROM: Staff, Urban Design Division
SUBJECT: Site Plan Review #8-89061
Shady Grove Cable (Decoverly Phase III)
R-60/TDR-10 Zone
Near the Intersection of Decoverly Drive and Diamondback Drive
Gaithersburg

STAFF RECOMMENDATION

Staff recommends approval of Site Plan #8-89061 with the following conditions:

1. Submit a Site Plan Enforcement Agreement and Development Program;
2. Incorporate the following elements in the landscape plan:
 - a. Street trees along Diamondback Drive and Decoverly Drive;
 - b. Increase the street trees at each of the three entrances.
3. Provide an undisturbed stream buffer 100 feet wide for the northwestern corner of the site;
4. Revise the detailed erosion and sediment control plan to provide undisturbed stream buffers for the entire site.

LOCATION

The proposed development is located at the intersection of Decoverly Drive and Diamondback Drive near the Life Sciences Center in Gaithersburg. Vacant land in the R-60/TDR-10 zone forms the northern and eastern boundaries of the site. Phase I, II, and IV of the development form the western and southern boundaries of the site.

BACKGROUND

On October 13, 1988, Preliminary Plan #1-84026 was brought before the Montgomery County Planning Board for a public hearing. This preliminary plan was approved with the following conditions.

APPROVAL of 750 units only, subject to:

1. Full width dedication and construction of A-261 through limits of property (100' right-of-way)
2. Full width dedication and construction of A-284 (100' right-of-way) from M-90 through Oswald property. Dedication of A-284 north of Oswald property per Transportation Division
3. Dedication of M-90 (150' right-of-way)
4. Abandonment of DeCoverly Hall Road
5. Pro-rata participation in widening of Key West Avenue to 4 lanes between Shady Grove Road and Great Seneca Highway per 8/4/86 Transportation Division memo. Site Plan Enforcement Agreement to require that no more than 50 building permits be issued prior to road being under construction
6. Pro-rata participation in improvements to Shady Grove Road/Research Blvd. intersection per 8/4/86 Transportation Division memo
7. Conditions of DEP stormwater management approval
8. No clearing, grading or recording of lots prior to site plan approval by NCPB
9. Number and location of units to be determined at site plan
10. Waivers of minimum 15 percent SFD requirement, maximum 35 percent HF limit, and minimum 2/3 TDR requirement to be addressed at site plan. Applicant to prepare alternate plan to illustrate effect of waivers
11. Noise issues and stream buffers to be addressed at site plan
12. 112 MPDU's and 265 TDR's required subject to condition 9
13. Necessary easements
14. No more than 500 units can be recorded until Sen Eig Highway is under contract for construction

A site plan for Phase I of the development has also been approved, and a site plan for Phase II is pending.

EXISTING CONDITIONS

The property does not presently include any buildings. A small stream is located along the northern and eastern boundaries of the site. Existing lines are located along this small stream.

PROPOSED PLAN

The applicant proposes to construct 528 garden apartments as Phase III of a larger development. The status of the approvals by the Planning Board follows:

Entire development: Preliminary plan approved
 Phase I: 142 townhouses (site plan approved)
 Phase II: 58 back-to-back townhouses (site plan pending)
 Phase III: 528 garden apartments (proposed in this site plan)
 Phase IV: 160 townhouses (future site plan)

STAFF FINDINGS

Staff has reviewed the proposed site plan with respect to the following findings.

1. Requirements of the Zone

Staff finds that the proposed site plan is in conformance with the requirements of the TDR-10 zone as summarized in the following table:

SITE PLAN DATA TABLE

	<u>Required/Allowed</u>	<u>Provided</u>
Lot area	N/A	32.93 ac
Dwelling units		
a. apartments	N/A	368
b. condominiums	N/A	160
c. total	528	528*
Green area	40% min.	53%
Parking spaces	906	986

*Note: This percentage requirements for multi-family may be allowed upon a finding by the Planning Board that the proposed development is more compatible with adjacent development than that which would result to the standards in the TDR-10 zone.

Staff recommends approval of a waiver to construct 15% single-family detached units. Because the adjacent parcel is also located in the R-60/TDR-10 zone which will allow for multi-family units, staff finds that the development as proposed is more compatible than would be achieved with the single-family attached housing. Multi-family units are desirable to provide affordable housing near the Life Sciences Center. In addition, the proposed site plan provides for preservation of the stream and a decrease in the need to modify existing grades which would not be possible if single-family detached housing were included in the site plan.

2. Location of Buildings, Circulation, Open Spaces, and Landscaping

a. Location of Buildings

During the site plan process, the applicant provided several changes to the location of buildings that provided substantial improvement. The changes to the site plan include the following:

- o increasing the distance of buildings from the adjacent stream to reduce grading requirements and preserve additional trees
- o Improving the view of the project from Diamondback Drive by increasing the number of buildings with frontage and increasing the setback
- o improving the entrances into the development by revising the landscape plan and providing open space features near these entrances

b. Circulation

The vehicular circulation plan provides for three access points from this development to Diamondback Drive. Each of these access points will align with proposed driveways located across Diamondback Drive in accordance with the requirements of MCDOT.

The pedestrian circulation plan provides access from each dwelling unit to Diamondback Drive. In addition, access to each of the recreation areas will also be provided.

c. Open Space and Recreation

The open space and recreation plan is part of a system designed to serve the entire development. The components and timing of construction for the entire development follows.

SUMMARY TABLE: OPEN SPACE AND RECREATION
(888 Dwelling Units)

<u>Time of Completion</u>	<u>Open Space/Recreation Feature</u>
Phase I (approved)	<ul style="list-style-type: none"> o two open play areas o stream valley park
Phase II (pending)	<ul style="list-style-type: none"> o swimming pool to serve Phase I, II, & IV o small recreation area (tot lot) o small park area o stream valley park
Phase III (proposed in this site plan)	<ul style="list-style-type: none"> o lap pool and general swimming pool to serve Phase III o club house to serve Phase III, including racketsball court, party room, and fitness facility o grass play area/croquet court o tennis court o two small recreation areas (tot lots) o three larger open space areas o stream valley park
Phase IV (future)	<ul style="list-style-type: none"> o large open play area

- o small recreation area (tot loc)
- o stream valley park

The open space and recreation areas included in Phase III are in addition to the open spaces and passive recreation areas located within the setbacks between buildings, and the three required stormwater management ponds.

The width of the stream buffer should be increased to 100 feet (undisturbed) because of the steep slopes in this area. The sediment control traps must be located outside the stream buffer. Increasing the stream buffer will require relocation of units.

d. Landscaping Plan

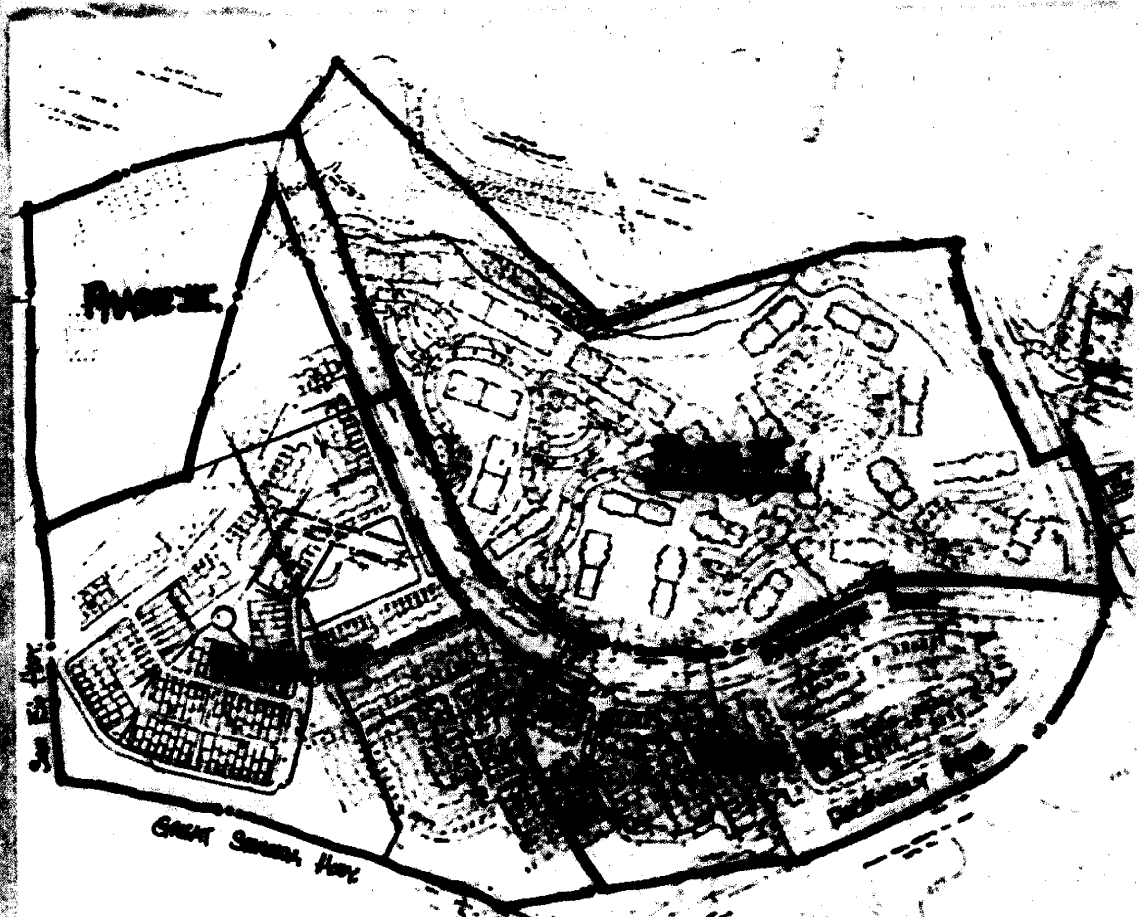
The applicant has carefully considered the landscape features for the site. Existing trees will be preserved along the small stream and near the adjacent property. Each of the vehicular entrances to the development will include special landscaping features. The parking lots include substantial landscaping in excess of the five percent required. Street trees located 45 feet on center must be provided along Diamondback Drive and Decoverly Drive adjacent to this development.

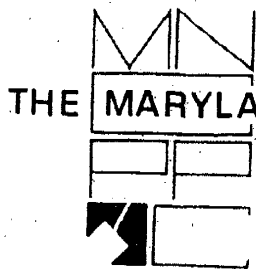
With the proposed modifications, staff finds that the location of buildings, circulation, open space, and landscaping are adequate, safe, and efficient.

3. Compatibility

Staff finds that the proposed site plan is compatible with existing and proposed adjacent development. The small stream and preservation area provides adequate setback from the adjacent parcel to achieve compatibility.

JC:ab/b:sp89041.jc





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

Discoverly
110-14

MONTGOMERY COUNTY PLANNING BOARD
OPINION

Site Plan Review #8-89041
Project: Shady Grove Gable
(Discoverly, Phase II)

Date Mailed: August 15, 1989

Action: (Motion was made by Commissioner Henry, seconded by Commissioner Floreen, with a vote of 4-0, Commissioners Bauman, Floreen, Henry, and Hewitt voting for and no Commissioner voting against. Commissioner Keeney was temporarily absent.)

On June 8, 1989, NV Properties submitted an application for the approval of a site plan for property in the R-60/TDR-10 zone. The application was designated Site Plan Review #8-89041.

On August 10, 1989, Site Plan Review #8-89041 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 on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the Site Plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

The Montgomery County Planning Board approves Site Plan Review #8-89041 as follows:

528 dwellings - multi-family

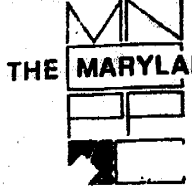
subject to the following conditions:

1. Submit a Site Plan Enforcement Agreement and Development Program.

2. Incorporate the following elements in the landscape plan:
 - a. Street trees along Diamondback Drive and DeCoverly Drive.
 - b. Increase the street trees at each of the three entrances.
3. Provide an undisturbed stream buffer 100 feet wide for the northwestern corner of the site.
4. Revise the detailed erosion and sediment control plan to provide undisturbed stream buffers for the entire site.
5. Provide a full-size basketball court and an additional tot lot subject to staff approval.

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Date of Mailing: November 19, 1990



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3780

Action: Approved Staff Recommendation with Modifications,
(Motion of Comm. Keeney, seconded by Comm. Henry, with a
vote of 5-0; Commissioners Keeney, Henry, Bauman, Floreen
and Hewitt voting in favor).

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-86026
NAME OF PLAN: DECOVERLY

On 02-06-86, SMART LTD. submitted an application for the approval of a preliminary plan of subdivision of property in the R60 zone. The application proposed to create 211 lots on 95.26 ACRES of land. The application was designated Preliminary Plan 1-86026. On 11-8-90, Preliminary Plan 1-86026 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 1-86026 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-86026, subject to the following conditions:

1. Full width dedication and construction of A-251 through limits of property (100' right-of-way)
2. Full width dedication and construction of A-284 (100' right-of-way) from Great Seneca Highway through Oswald property. Dedication of A-284 north of Oswald property per Transportation Div. memo
3. Dedication of Great Seneca Highway (150' right-of-way)
4. Abandonment of Decoverly Hall Road
5. Pro-rata participation in widening of Key West Avenue to four lanes between Shady Grove Road and Great Seneca Highway per 8/4/86 Transportation Division memo. Site plan enforcement agreement to require that no more than 50 building permits be issued prior to road being under construction

6. Pro-rata participation in improvements to Shady Grove Road/Research Blvd. intersection per 8/4/86 Transportation Division memo
7. Dedication of Sam Eig Highway (150' right-of-way) and Great Seneca Highway off-ramp per revised plan dated 9/21/89
8. Conditions of DEP stormwater management approval
9. No clearing, grading or recording of lots prior to site plan approval
10. Number and location of units to be determined at site plan
11. Waivers of minimum 15 percent single-family detached requirement, maximum of 35 percent multi-family limit and minimum 2/3 TDR requirement to be addressed at site plan. Applicant to prepare alternative plan to illustrate effect of waivers
12. Noise issues and stream buffer to be addressed at site plan
13. 122 MPDUs and 337 TDRs required subject to Condition #10
14. No more than 500 units can be recorded until Sam Eig Highway is under contract for construction
15. Necessary easements