



MEMORANDUM

DATE: December 9, 2004

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, *RK*
Development Review Division

FROM: Catherine Conlon, Acting Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision
APPLYING FOR: Preliminary Plan Approval for 26 dwelling units

PROJECT NAME: Roberts Landing
CASE NO. 1-04105
REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations
and Chapter 59, the Zoning Ordinance

ZONE: R-200
LOCATION: On the north side of Turkey Foot Road approximately 125 feet west of
Jones Lane
MASTER PLAN: Potomac

APPLICANT: Classic Community Corporation
ENGINEER: Gutschick, Little & Weber, P.A.

HEARING DATE: December 16, 2004

Staff Recommendation: Approval, including a waiver pursuant to §50-26(h)(3) to permit sidewalk on only one side of proposed public roads (extension of Talley Lane, Public Road "A" and Public Road "B"), and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 26 dwelling units.

- 2) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Potomac Master Plan unless otherwise designated on the preliminary plan.
- 3) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Potomac Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 4) The applicant shall extend the sidewalk offsite on one side of existing Talley Lane to Jones Lane and provide a pedestrian connection between the lots located on the Turkey Foot Road driveway to the proposed Road "B" cul-de-sac.
- 5) Compliance with the conditions of approval for the preliminary forest conservation plan, including the requirement that permanent split rail fence be installed along the conservation easement boundary on proposed Lot 33. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 6) Compliance with the conditions of the MCDPS stormwater management approval dated October 5, 2004.
- 7) Compliance with conditions of MCDPS (Health Dept.) septic approval dated November 26, 2004.
- 8) Record plat to reflect a Category I easement over all stream valley buffers and forest conservation areas which are not dedicated to M-NCPPC as parkland.
- 9) Record plat to reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant shall provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.
- 10) Applicant to dedicate proposed Parcel F to M-NCPPC for stream valley parkland. Dedicated parkland to be transferred by time of record plat, free of trash and unnatural debris, and the boundaries and corners marked and identified to delineate between parkland and private property. Design and location of boundary markers and signs to be approved by M-NCPPC staff.
- 11) Applicant to provide adequate 15' wide Public Use Trail Easements, as indicated on the preliminary plan, for public access from the community to the dedicated parkland and natural surface trails therein. Applicant to construct within the easements, a 4' wide natural surface trail, including adequate signage to identify the trail and easement for public use.
- 12) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 13) Record Plat to reflect all areas under Homeowners Association ownership and all stormwater management areas.
- 14) Compliance with conditions of MCDPWT letter dated, November 5, 2004 unless otherwise amended.
- 15) Applicant to install temporary traffic calming measures during the construction period at the entrance to the subject site. Applicant shall also request permission from MCDPS to install temporary traffic calming measures on existing Talley Lane during the construction period to control speed of construction vehicles.

- 16) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 17) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 78.47-acre property located within the Potomac Master Plan boundaries. The property is located on the north side of Turkey Foot Road (designated a rustic road) approximately 125 feet west of Jones Lane (see Attachments A&B). The property is zoned R-200 and is served by public water, but not sewer. The site abuts existing R-200 zoned residential development on the east and west, and larger lots on the north. Existing Talley Lane will be extended into the site from the east to serve the proposed units.

The property is within the Muddy Branch watershed, a Use I-P watershed. A tributary stream to Muddy Branch flows along the western property boundary. The current land cover and uses include open land, forest, two existing farm ponds, and two residential structures. The existing residential structures will be removed. The site contains 27 acres of forest, minimal wetlands, and 13 acres of environmental buffer.

RELATIONSHIP TO THE POTOMAC MASTER PLAN

The subject property is located within an area identified as the Darnestown Triangle which is formed by MD 28, Turkey Foot Road, and Jones Lane. Although the Master Plan recommended RE-1 zoning for the subject property, final action on the plan included the retention of the R-200 zone. The plan did not recommend extension of the sewer envelope to include this property. As a consequence, the proposed development, as limited by the availability of septic, is in character with an RE-1 development in that all but two lots are greater than 1 acre in size. The Master Plan also recommended acquisition, through dedication, of the western stream valley portion of this property, which the proposed plan includes.

PROJECT DESCRIPTION

This application proposes to create a residential community which includes 26 dwelling units with a possibility that additional units will be added if septic approvals are granted (see Attachment C). The units will be one family detached houses. The plan preserves the stream valley and environmentally sensitive areas. Safe and adequate access for vehicles and pedestrians will be provided by the proposed extension of existing Talley Lane and the internal vehicular and sidewalk system.

TRANSPORTATION:

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians. A traffic study was not required for the property because the application was filed before July 1, 2004. Local Area Transportation Review is satisfied by the fact that the proposed housing units generate fewer than 50 peak-hour trips. A waiver of

sidewalks on one side of the proposed reduced-width tertiary roads is being recommended. This will help reduce the overall level of impervious surfaces on the property. Staff finds that sidewalk on one side of the road is acceptable because pedestrians will be able to safely use the roadway to access the sidewalks.

ENVIRONMENTAL:

The subject site includes 27 acres of forest, minimal wetlands, and 13 acres of environmental buffer. There are steep slopes (> 25%) on the property and highly erodible soils. The steep slopes and highly erodible slopes are hydraulically connected to Waters of the United States and are included in the environmental buffers. The plan protects all environmentally sensitive areas in the proposed conservation easements.

The forest conservation plan indicates that the applicant will meet the conservation threshold onsite and meet all forest conservation requirements through the retention of existing forest.

CITIZEN CORRESPONDENCE:

Two letters have been received from area Homeowners Associations regarding the proposed plan as of the date of this staff memo. The letters are generally in support of the application. Concerns raised include minimizing construction impacts, maximizing lot sizes and the location of the construction access for the site.

The adjacent Tally Ho homeowners have requested that construction access to this site be limited to the existing driveway on Turkey Foot Road. Staff and other permitting agencies believe that such access is not an acceptable alternative. The road is a designated rustic road and staff believes the construction entrance could do irreparable damage to the existing tree line. In addition, the driveway would have to be widened and improved as it crosses an existing stream and steep slopes. Staff does not support disturbance of environmentally sensitive areas. Finally, the applicant believes that bringing a construction road from this location would impact the proposed septic field locations for the lots.

With regard to impacts during construction, the applicant has agreed to modify the final grading plan where possible, and work with staff as part of pre-construction inspections, to adjust final grades and locations of proposed homes along the northern property boundary to limit the loss of the existing row of trees. In addition, the applicant has been required to apply to MCDPS for permission to install temporary traffic calming devices on existing Talley Lane. Staff has had conversations with MCDPWT staff which indicate that such permission would not be unreasonably withheld given the existing neighborhood's concerns.

CONCLUSION:

Staff finds that the proposed plan complies with the requirements of Chapter 50, the Subdivision Regulations and recommends approval with the specified conditions.

Attachments:

Attachment A – Site Features Map

Attachment B – Vicinity Map

Attachment C – Preliminary Plan

Attachment D – Citizen Correspondence