



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
ITEM #6
1/13/05



MEMORANDUM

DATE: January 6, 2005

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision
APPLYING FOR: Preliminary Plan Approval for 69 dwelling units

PROJECT NAME: Leaman Farm
CASE NO. 1-04060
REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations
and Chapter 59, the Zoning Ordinance

ZONE: R-200
LOCATION: In the southwest quadrant of the intersection of Clopper Road (MD 117)
and Schaeffer Road
MASTER PLAN: Germantown

APPLICANT: Elm Street Development
ENGINEER: Gutschick, Little & Weber, P.A.

HEARING DATE: January 13, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 69 dwelling units.
- 2) No clearing, grading, or recording of plats prior to site plan approval.

- 3) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan.
- 4) Total impervious surfaces associated with development of the preliminary plan shall not exceed 20 percent (255,261 square feet) of the tract area.
- 5) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 6) Applicant to construct a permanent split rail fence at the rear of proposed lots 14 through 20 to protect the afforestation area.
- 7) Applicant to prepare and submit a noise analysis, as part of the site plan submission, indicating the location of existing 60 and 65 Ldn dBA noise contours, 20-year future noise contours, and methods to minimize exterior and interior noise levels if the noise analysis determines a need for mitigation.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated January 3, 2005.
- 9) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Germantown Master Plan unless otherwise designated on the preliminary plan.
- 10) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the 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.
- 11) Applicant shall construct an eight-foot bike path along Clopper Road (MD 117) and Leaman Farm Road, and a five-foot sidewalk along Schaeffer Road, as shown on the preliminary plan.
- 12) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 13) 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.
- 14) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 15) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 16) Compliance with conditions of MCDPWT letter dated, November 16, 2004 unless otherwise amended.
- 17) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat(s).
- 18) Access and improvements, as required, to be approved by MDSHA prior to issuance of access permits.
- 19) The term "denied access" is to be placed on the final record plat along the property that abuts MD 117. Access to existing lot 21 shall remain as it currently exists until such time as the property is redeveloped. All new access shall be via the new internal public road.
- 20) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 29.3-acre undeveloped property located within the Germantown Master Plan boundaries. The property is located in the southwest quadrant of the intersection of Clopper Road (MD 117) and Schaeffer Road (see Attachment A). The property is zoned R-200. Existing improvements on the property include a farmhouse, several outbuildings, and a cellular communications tower.

The site lies within the KI-2 analysis area identified in the Germantown Master Plan. The site drains to Little Seneca Creek, a Use III-P (natural trout waters) watershed in this section, via a tributary stream flowing along the northeastern property boundary. The current land cover includes agricultural field and forest. The site contains 2.2 acres of forest and numerous specimen-size and significant trees within the environmental buffer area.

RELATIONSHIP TO THE 1994 CLARKSBURG MASTER PLAN

The Germantown Master Plan (1989) designates this property for residential development within the KI-2 analysis area. The Plan identifies special environmental treatment for land area covered by KI-2 in order to protect stream quality. This property represents nearly the last uncommitted parcel within KI-2.

Staff worked closely with the developer to create a residential identity along the frontage of Schaeffer Road that will be consistent with the existing Kingsview Knolls neighborhood and new construction in Kings Crossing and Woodcliffe Park subdivisions. The essential element of this image is single-family detached units that face Schaeffer Road and, for the most part, receive access from Schaeffer Road (see Attachment B).

PROJECT DESCRIPTION

This application proposes to create a residential community with 69 dwelling units, including 10 Moderately Priced Dwelling Units (MPDU's) (see Attachment C). The units will be a combination of one-family detached houses, townhouses, and two-over-two townhouses. The plan preserves the stream valley and environmentally sensitive areas. Safe and adequate access for vehicles and pedestrians will be provided by the existing and proposed vehicular and sidewalk system. Site plan review pursuant to §59-D-3 is required for this project.

TRANSPORTATION:

Local Area Transportation Review (LATR)

Three local intersections were identified as critical intersections for analysis to determine whether they meet the applicable congestion standard of 1,450 Critical Lane Volume (CLV) for the Germantown West Policy Area. The proposed development's trips were added to the existing and the background traffic (trips generated from approved but unbuilt developments) to

determine the total future traffic. The total future traffic was assigned to the critical intersections to determine the total future CLVs. All intersections analyzed (MD 117/MD 118, MD 117/Schaeffer Road, and MD 117/Hopkins Road) are currently operating at acceptable CLVs during both the morning and evening peak hours and these acceptable traffic conditions are projected to be maintained under the background and total development conditions.

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians, and satisfies the APF requirements since all nearby intersections are anticipated to operate within the acceptable congestion standard under the LATR.

ENVIRONMENTAL:

Forest Conservation

There are 2.2-acres of existing forest on the property. The developer is proposing to utilize an optional method of development and therefore must comply with Section 22A-12(f) of the Forest Conservation Law. This section requires developers utilizing optional method standards of development to either retain, or plant, a certain percentage of forest onsite. For this particular plan, the appropriate threshold is the afforestation threshold.

The plan is proposing the removal of less than 0.1 acres of forest for the construction of a necessary stormwater outfall and to plant 2.1-acres of forest. The applicant will reforest a portion of the unforested stream buffer until the afforestation threshold is met. This planting will not result in the entire reforestation of the stream buffer but it is sufficient to meet the minimum requirements of the forest conservation law.

Environmental Guidelines

The site includes stream buffers and wetlands which will be protected by Category I conservation easements. The proposed stormwater management facilities are designed to provide groundwater recharge and surface water for the wetlands. The existing farmhouse is partially within the stream buffer as is the yard area toward Clopper Road. As long as the existing house remains, the applicant will not be required to include this area in the conservation easement. If the existing farmhouse is replaced on the lot, any new house must be located entirely outside the buffer and accessed via driveway from the newly created internal street. As noted on the preliminary plan, all impervious surfaces in the stream buffer would be required to be removed, and a conservation easement would be required to be placed over the entire stream buffer, if the lot containing the existing house is redeveloped.

Site Imperviousness

The subject property is located in Germantown within the KI-2 analysis area identified in the Germantown Master Plan. This analysis area is subject to special environmental protection measures because of the high sensitivity and high water quality conditions of the portion of Little Seneca Creek stream to which it drains. The special environmental protection measures recommended by the master plan are set forth in Appendix D of the master plan. These

measures include an imperviousness cap of 20 percent. Proposed condition #4 ensures compliance with the master plan by restricting the amount of impervious surfaces in the Leaman Farm tract to 255,261 square feet.

CONCLUSION:

Preliminary Plan #1-04060, Leaman Farm, conforms to the Germantown Master Plan and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan, subject to the conditions included above.

Attachments:

Attachment A – Site Vicinity Map

Attachment B – Aerial Photo Demonstrating Neighborhood Character

Attachment B – Preliminary Plan