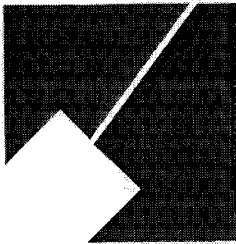


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

**MCPB
ITEM #2
2/17/05**



MEMORANDUM

DATE: February 10, 2005

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Preliminary Plan Approval for 6 dwelling units

PROJECT NAME: Hull Property

CASE NO. 1-05040

REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations
and Chapter 59, the Zoning Ordinance

ZONE: R-90

LOCATION: In the northeast quadrant of the intersection of East Randolph Road and
Fairland Road

MASTER PLAN: White Oak

APPLICANT: Design Tech

ENGINEER: Greenhome & O'Mara, Inc.

HEARING DATE: February 17, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited 6 dwelling units.

- 2) 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.
- 3) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Fairland Master Plan unless otherwise designated on the preliminary plan.
- 4) The applicant shall construct a 5' sidewalk, separated by a 7' lawn panel from the street edge or curb, along the property frontage on East Randolph Road and Fairland Road.
- 5) Applicant shall construct a six-foot high noise fence to be located within the southern side yard of proposed Lot 3 and to extend a minimum of 40 feet along the rear property line and 60 feet parallel to the front property line. Total length of noise fence to be a minimum of 180 feet. Design and details of noise fence to be reviewed and approved by M-NCPPC staff prior to approval of record plat.
- 6) Prior to issuance of building permits, applicant shall provide certification from an acoustical engineer that the building shells for residential dwelling units on lots 1-6 are designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn to M-NCPPC Environmental Planning staff for concurrence.
- 7) Prior to issuance of first building permit, the builder shall provide a signed commitment to construct the impacted units in accord with the acoustical design specification. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and M-NCPPC Environmental Planning staff prior to their implementation.
- 8) Record plat to note "vehicular access denied" along the East Randolph Road property frontage.
- 9) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 10) Record Plat shall reflect all areas under Homeowners Association and stormwater management parcels.
- 11) 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.
- 12) Compliance with the conditions of approval of the MCDPS stormwater management approval dated January 5, 2005.

- 13) Compliance with conditions of MCDPWT letter dated, February 8, 2005 unless otherwise amended.
- 14) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 15) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 3.17-acre property located in the northeast quadrant of the intersection of East Randolph Road and Fairland Road (see Attachment A & B). The property is zoned R-90 and is served by public water and sewer. The site abuts existing, developed R-90 zoned residential lots on the east boundary.

The property is within the Paint Branch watershed (Use Classification III-P), but not within the portion designated a Special Protection Area (SPA). A major drainage swale and its associated a 100-year floodplain is contained within an existing storm drain easement running along the eastern property boundary. This swale carries storm flows from this property, and properties to the east and north, to the existing Hollywood Branch tributary stream to the south. The property currently contains an existing residential dwelling which will be removed. The site contains several existing individual trees and tree stands, but no forest. There are no streams or wetlands.

PROJECT DESCRIPTION

This application proposes to create six residential lots containing six one-family detached dwelling units (see Attachment C). The plan preserves the existing storm drainage swale and associated floodplain within a separate parcel with an overlapping stormdrain easement. Vehicular access for the proposed dwellings will be via shared private driveways from Fairland Road. 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 of the small number of trips that will be generated by the proposed houses. The approval conditions include reconstruction of the sidewalks along the property frontage to provide setback from the road edges with a lawn panel and improve safety.

ENVIRONMENTAL

Forest Conservation

The property does not contain any existing forest, so the afforestation planting requirements of the forest conservation law apply. The applicant proposes to meet these requirements (15% of the net tract area, or 0.49 acres of forest planting) by planting off-site or purchase of off-site reforestation bank credits.

Noise Mitigation

A traffic noise study submitted by the applicant projects traffic noise impacts on the site that exceed the transportation noise guideline of 65 dBA, Ldn for residential uses along arterial roads. The study projects unmitigated noise levels to be as high as about 72 dBA, Ldn. The proposed plan showing the fronts of proposed houses facing East Randolph and Fairland Roads will help shield backyards from traffic noise. Staff recommends a noise fence along the eastern portion of Lot 3 to provide additional noise attenuation for the lot's backyard area. In addition, staff recommends that documentation is provided at the record plat and building permit stages that all proposed units will meet the interior noise guidelines of 45 dBA, Ldn. The proposed houses will be affected by excessive noise

CITIZEN CORRESPONDENCE

One letter was received from the president of the neighboring Crockett Lane Homeowners Association regarding the proposed plan as of the date of this staff memo (see Attachment D). Per their request, staff also met with representatives from the Tamarack Triangle Civic Association to discuss the proposed plan. Concerns raised by these citizens included traffic congestion and safety on Fairland Road, existing flooding and drainage problems, and inadequate parking area for site-generated guest traffic.

The Crockett Lane Homeowners Association is opposed to the construction of six dwelling units on the subject property because they feel that Fairland Road is already too congested by vehicle traffic, and that the driveways which will access Fairland Road will be unsafe. As discussed above, the vehicle trips generated by the proposed development did not warrant a traffic study, and Transportation Planning staff has determined that there is adequate capacity on the existing roads to support these trips. Transportation Planning and County Department of Public Works and Transportation (DPWT) staff have determined that access to this site must occur from Fairland Road. The proposed plan does not warrant construction of a public road to provide this access. Two shared driveways accessing Fairland Road have been shown on the proposed plan. DPWT has determined that the plan is acceptable provided the driveway closest to Randolph Road is located at least 200' from the intersection. Final location of the driveways, and the number of houses each will serve, will be determined by DPWT at the time of permitting.

The Tamarack Triangle Civic Association raised concerns that this development will worsen the flooding and erosion problems currently being experienced by existing homeowners who live along the onsite drainage swale and downstream along Hollywood Branch. These problems are the result of the cumulative amount of inadequately controlled stormwater runoff

from the overall drainage area, which passes through the subject property, rather than runoff from the property itself. The applicant is not required to address this offsite drainage, however, he has worked closely with the County's Department of Permitting Services (DPS) to design an onsite stormwater management plan which ensures that the proposed development will not make the existing conditions any worse. To accomplish this, runoff from the new development will be diverted to underground dry wells rather than the existing drainage swale. In addition, the applicant will be unclogging existing drainage inlets and improving the grading within the existing swale which will hopefully improve some of the existing flooding problems.

With regard to concerns about parking, the applicant has proposed to widen internal portions of the shared driveways to allow space for guest parking. The proposed dry wells have been designed to accept stormwater runoff from this extra hard surface.

CONCLUSION:

Staff finds that the proposed plan conforms to the White Oak Master Plan and meets all necessary requirements of Chapter 50, the Subdivision Regulations. Public facilities will be adequate to support and service the proposed subdivision. As such, staff recommends approval of the preliminary plan with the specified conditions.

Attachments:

- Attachment A – Site Features Map
- Attachment B – Vicinity Map
- Attachment C – Preliminary Plan
- Attachment D – Citizen Correspondence