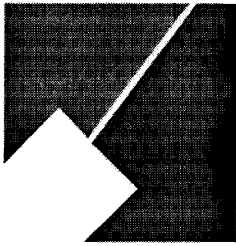


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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

MCPB
February 17, 2005
Item # 5

MEMORANDUM

DATE: February 11, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
Catherine Conlon, Acting Supervisor *CC*
Development Review Division

FROM: Dolores Kinney, Senior Planner *DK*
Development Review

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Subdivision

PROJECT NAME: Damascus Hills

CASE #: 1-04080

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RE-2C and RC

LOCATION: Located on the south side of Damascus Road, approximately 2,000 feet east of Howard Chapel Drive

MASTER PLAN: Damascus and Vicinity

APPLICANT: Roy Stanley

HEARING DATE: February 17, 2005

STAFF RECOMMENDATION: Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, including a waiver of Section 50-26(h)(3) to permit sidewalk on one side only of proposed private street and subject to the following conditions:

- 1) Approval under this preliminary plan is limited 29 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) Record plat to reflect Category I conservation easement over all environmental buffers and preserved forest.
- 4) Dedication to M-NCPPC of the 12.3 acre open space parcel located south of the proposed entrance road. Property to be conveyed at time of record plat and to be free of trash and unnatural debris. Property corners to be staked and signed to distinguish parkland from private properties. Applicant to install a sign to identify the parkland where it abuts the public street.
- 5) Dedication to M-NCPPC of the open space parcel located at the southwest corner of the development lying adjacent to current parkland. Property to be conveyed at time of record plat and to be free of trash and unnatural debris. Property corners to be staked and signed to distinguish parkland from private properties.
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval October 7, 2004.
- 7) Compliance with conditions of MCDPWT letter dated, February 9, 2005 unless otherwise amended.
- 8) Compliance with conditions of MCDPS (Health Dept.) septic approval dated December 1, 2004.
- 9) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 10) Dedicate right-of-way to provide a 60-foot width from the centerline of Damascus Road.
- 11) Dedicate a 60-foot wide right-of-way, a 26-foot wide pavement section, and four-foot sidewalks on both sides according to Montgomery County Department of Public Works and Transportation (MCDPWT) Open Section Secondary Residential Road Standards for both Damascus Hills, and Bonnie Brook Lanes.
- 12) Provide public street connection to adjacent parcels labeled "future phase" by extending Damascus Hills Lane dedication, and improvements from Damascus Road to past Lots 17 B, 18B and 19B.
- 13) Provide a hammerhead terminus at the end of Damascus Hills, and Bonnie Brook Lanes.
- 14) Provide internal street connections, and lead-in sidewalks from Damascus Hills Lane to the First Baptist Church of Damascus, (preliminary plan #1-97058).
- 15) The private street shall have a pavement width of a least 20 feet wide, and shall have a four-foot sidewalk adjacent to a six-foot landscaping panel on one side.
- 16) Provide a minimum eight-foot (recommended ten-foot) wide shared-use trail, and easement to connect the private street to Bonnie Brook Lane.
- 17) Provide a covenant for operation and maintenance of private streets, and pedestrian trails.
- 18) Provide access easements for common driveways.
- 19) Provide Public Improvement Easements (PIE), and Public Improvement Agreements (PIA), along internal streets, as required by MCDPWT.

- 20) Other necessary easements.

SITE DESCRIPTION:

The subject property, identified as Parcels 333, 444, 468 and 688 (Subject Property), is located on the south side of Damascus Road, approximately 2,000 feet east of Howard Chapel Drive (Attachment A). The Subject Property contains 146.36 acres and is zoned RE-2C and RC. The property is developed with a one-family detached dwelling unit which will remain.

PROJECT DESCRIPTION:

This is a preliminary plan application to create 29 residential lots and 2 outlots for the construction of 29 one-family detached dwelling units, one of which is an existing dwelling which will remain (Attachment B). The Subject Property contains a stream and associated stream valley buffer.

TRANSPORTATION:

Frontage on a private road

The proposed lots will have frontage and will be accessed from a private cul-de-sac. The zoning ordinance, in Section 59-C-1.34.1 provides that:

“In the RE-2 zone, lots may front on a private cul-de-sac if the Planning Board finds, as part of the subdivision plan approval process, that the private cul-de-sac:

1. Provides safe and adequate access;
2. Has sufficient width to accommodate the dwelling units proposed;
3. Will better protect significant environmental features on and off site than would a public road; and
4. Has proper drainage.”

Provides safe and adequate access. The private street shown follows a mostly straight alignment. The street provides access to and from a proposed secondary roadway (Damascus Hills Lane) that connects with MD 108.

Has sufficient width to accommodate the dwelling units proposed. The plan shows a width of at least 16’ for the proposed private street. This is adequate given the length of the street (1,600’ +) relative to the number of lots proposed (just 11 lots and two adjacent parcels).

Will better protect significant environmental features on and off site than would a public road. The use of the private street is more sensitive to the environmental setting of the historic resource (George Gue Barn) located on proposed lot 16B. The portion of the street that passes by lot 16B and the barn follows the same alignment as the currently existing farm access road. The use of the private street also requires much less

impervious paving and site disturbance than would a public street and/or multiple common-use driveways.

Has proper drainage. Drainage from the paved areas shown has been considered as part of the overall Stormwater Management Concept for the site (approved by MCDPS). In addition, adequate space adjacent to the proposed private street is available for control and management of storm drainage from the street.

Staff believes that the criteria for frontage of lots on a private cul-de-sac are met for the proposed plan and recommends approval.

Over-length cul-de-sac

The roadway design for the property includes the creation of two cul-de-sac roads which will be greater than 500 feet in length: the road extending south from MD 108; and the extension of existing Bonny Brook Lane onto this site. Per Section 50-26(d) of the Montgomery County Code, a cul-de-sac road should be no longer than 500 feet unless a greater length is justified by reason of property shape, size, topography, large lot size, or improved street alignment.

Staff believes that the shape of the property and the fact that the proposed street alignments provide protection of environmentally sensitive areas and the setting for historic resources justifies design of these over-length roadways. If roadway loops or connections were required for these roads, sensitive environmental areas would be impacted by stream and wetland crossings.

Sidewalk Waiver

Per their letter of February 11, 2005 (Attachment C), the applicant has requested a waiver of the requirement to provide a sidewalk on both sides of the planned private roadway, which is being built to tertiary street standards. Per Section 50-26(h) of the Subdivision Regulations, sidewalks are required on both sides of a tertiary road unless the Board finds that pedestrians will be able to safely use the roadway.

Staff agrees with the justification provided by the applicant for a sidewalk on only one side of the proposed private road. Further, staff believes that pedestrians will be able to safely cross the roadway to access the planned sidewalk. Staff therefore recommends approval of the sidewalk waiver.

ENVIRONMENTAL:

Forest Conservation

There is 52.4-acres of existing forest on the property. The development is proposing to utilize an optional method of development and therefore must comply with Section 22A-12(f) of the Montgomery County code. This section of the code requires developments utilizing an optional method of development to either retain or plant a

certain percentage of forest onsite. For this particular plan, the appropriate threshold is the conservation threshold.

The plan is proposing the removal of less than 9 acres of forest. The applicant will meet the forest conservation requirements through the retention of 43.4 acres of existing forest. Part of this existing forest is land dedicated to M-NCPPC in 2002. The land dedicated to M-NCPPC and the land where the single families units are located was previously submitted and reviewed by staff as one pre-preliminary plan. The land dedicated to M-NCPPC was not part of a previously approved plan, nor was any forest conservation credit previously attributed to the land dedicated.

Environmental Guidelines

Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) 4-98120 was approved on October 19, 2004. The NRI/FSD identifies the environmental constraints on the subject property and areas of forest. The site includes stream buffers and wetlands. These areas will be protected by Category I forest conservation easements. The applicant is proposing no encroachment into the stream buffers.

CONCLUSION:

Staff finds that Preliminary Plan #1-04080, Damascus Hills, conforms to the Damascus and Vicinity Master Plan and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan, subject to the above conditions.

ATTACHMENTS:

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| Attachment A | Vicinity Map |
| Attachment B | Preliminary Plan |
| Attachment C | Sidewalk Waiver Request |