

MEMORANDUM

DATE: February 18, 2005

TO: Montgomery County Planning Board

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

FROM: Richard Weaver, Planner Coordinator (301) 495-4544 *RAW*

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Preliminary plan of Subdivision for one lot for sixteen (16) town house condominium units

PROJECT NAME: Alpine Forest

CASE #: 1-04097A

REVIEW BASIS: Chapter 50, The Montgomery County Subdivision Regulations

ZONE: R-30

LOCATION: Located on the east and west sides of Dogwood Drive, approximately 200 feet north of Shady Knoll Drive.

MASTER PLAN: Fairland

APPLICANT: Dogwood Apartment, L.L.C.

HEARING DATE: February 24, 2005

STAFF RECOMMENDATION: Approval to amend the previous conditions of approval as follows:

- 1) Approval under this preliminary plan is limited to sixteen (16) town house condominium units. ~~eighteen (18) single family attached dwelling units.~~

- 2) Compliance with the conditions of approval of the Transportation Planning letter date November 17, 2004. (**Attachment 1**)
- 3) 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.
- 4) Record plat to reflect common ingress/egress and utility easement over all shared driveways.
- 5) Record plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated September 8, 2004.
- 7) Compliance with conditions of MCDPWT letter dated November 12, 2004 unless otherwise amended.
- 8) ~~Final number and location of units to be determined as Site Plan.~~
- 9) ~~Location of trails, sidewalks, and recreational facilities to be determined at Site Plan.~~
- 10) The adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 11) Other necessary easements.

PREVIOUS PLANNING BOARD ACTION:

This application was originally brought before the Planning Board for public hearing on December 2, 2004. At that time, staff indicated that the project was to accommodate fee simple town homes on individual lots. It was also assumed by staff at the December 2, 2004 public hearing that the project would require Site Plan approval pursuant to Section 59-D of the Zoning Ordinance. The Planning Board approved the application for eighteen units on eighteen lots with conditions.

The proposal actually was, and still is, requesting town house condominiums which are to be located on a single lot and platted under a condominium regime. Site Plan will not be required for this development. Since the time of the original approval, more details of grading and utility line placement have demonstrated that only 16 units can be accommodated on the Subject Property. The conditions cited above reflect the corrections needed to approve this application.

SITE DESCRIPTION:

The Subject Property consists of two parcels totaling 2.2 acres in the R-30 zone located on the east and west side of Dogwood Drive. (See Attachment A) The Aspen Forest II condominiums, immediately to the south of this property, are also zoned R-30 and were subdivided in 1983. The property is traversed by what is to be the right-of-way for the extension of Sheffield Manor Drive that will be connected to Dogwood Drive.

PROJECT DESCRIPTION:

This application requests to subdivide the parcel into one lot and an outlot. The lot will accommodate 16 town house condominium units. (See attachment B) The project will share the existing stormwater management pond located on the adjacent Aspen Forest II site. Access to the 16 units will be via a private drive off Sheffield Manor Drive. The applicant will be required to dedicate and construct the remaining segment of Sheffield Manor Drive which will complete the connection to Dogwood Drive. Additional requirements to satisfy the Policy Area Transportation Review are outlined in the attached Transportation Planning memorandum attached to this report.

ANALYSIS

Chapter 50, the Subdivision Regulations

This application has been reviewed for compliance with Chapter 50, the Subdivision Regulations. It meets all applicable sections of Chapter 50, including but not limited to: the forest conservation law (Chapter 22A), adequate access, protection of environmentally sensitive features, approved stormwater management plan, and adequate water and sewer supply. In addition, staff has determined that with the conditions cited in the Transportation Planning memorandum the project can mitigate the additional trips that it generates.

Chapter 59, the Zoning Ordinance

Staff has also reviewed the application for compliance with the dimensional requirements for R-30 zoned land as specified in the Zoning Ordinance. The lot as proposed meets all the dimensional requirements for area, frontage, width, and setbacks in that zone.

Master Plan

The project is consistent with the R-30 zone recommended in the 1997 Fairland Master Plan.

CONCLUSION:

The lot as proposed meets all minimum requirements as established in the Subdivision Regulations and the Zoning Ordinance. Staff recommends approval of the application for sixteen units on one lot with the conditions cited above.

Attachments

Attachment A Vicinity Map

Attachment B Preliminary Plan