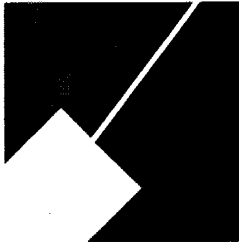


M-NCPPC



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 # 11
7/28/05**



MEMORANDUM

DATE: July 22, 2005

TO: Montgomery County Planning Board

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

Catherine Conlon, Supervisor *CAC*
Development Review Division

FROM: Richard A. Weaver, Coordinator (301) 495-4544 *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Preliminary Plan Approval for 19 dwelling units

PROJECT NAME: Lyttonsville

CASE NO. 1-05086

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

ZONE: RT-15

LOCATION: On the west side of Albert Stewart Lane, 180 feet northwest of Kansas
Avenue

MASTER PLAN: North and West Silver Spring

APPLICANT: Charles Black Companies

ENGINEER: Macris, Hendricks and Glascock

HEARING DATE: July 28, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 19 single family attached (townhouse) units.
- 2) No clearing, grading, or recording of plats prior to site plan signature set approval.
- 3) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 4) A landscape and lighting plan to be submitted with Site Plan.
- 5) Compliance with the conditions of approval of the preliminary forest conservation plan prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit, as appropriate. The final forest conservation plan submitted with site plan must include landscaping, forestation, and/or invasive management with supplemental planting as part of a comprehensive package for steep slope stabilization.
- 6) At site plan, applicant must demonstrate in concept form to the satisfaction of County Department of Permitting Services that structurally stable fill with a plantable soil surface layer can be created on this site. Failure to demonstrate the capacity to create stable soil and slope conditions may result in loss of unit(s) at site plan.
- 7) At site plan, submit a comprehensive package to demonstrate stable soil conditions for the uses proposed on the site. A plan for stabilization of steep slope areas shall provide for a sustainable, stable slope suitable for planting and supporting native trees, shrubs, and ground cover. Replanting of this area shall provide a landscape screen for visual compatibility between the residential and the surrounding industrial uses.
- 8) Compliance with the conditions of the MCDPS stormwater management approval dated July 13, 2005.
- 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) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas.
- 11) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat(s).
- 12) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 2.45-acre undeveloped property located within the North and West Silver Spring Planning Area boundaries. The property is located on the east side of Albert Stewart Lane, approximately 180 feet north and west of its intersection with Kansas Avenue. (see Attachment A). The property is zoned RT-15. Zoning around the property is as follows: R-60 to the east, R-20 to the south and I-1 to the west and north.

There is an open stormwater channel running between the northwest property line and the adjoining industrial property. There is a significant slope on the northwest property line, with the stormwater channel at the base of the slope. The property is currently vacant and entirely

covered with moderate priority upland forest, predominantly ashes and oaks. The forest is of good quality but has a large number of invasives.

RELATIONSHIP TO THE NORTH AND WEST SILVER SPRING MASTER PLAN

The proposed preliminary plan is consistent with the recommendations of the 2000 North and West Silver Spring Master Plan, which makes specific recommendations for this property. (See attachment B) The master plan refers to this property as the "Triad property" and recommended a rezoning from the R-H zone (for multi-family, high rise residential) to RT-15, as it is now zoned. The master plan also supported access to the site via the existing frontage on Albert Stewart Lane to allow greater flexibility in layout. The master plan recommends a landscape buffer along the northern and western boundaries of the property adjacent to single family residences. The plan is in compliance with the recommendations of the master plan.

PROJECT DESCRIPTION

This applicant proposes to create a residential community with 19 townhouse dwelling units. (see Attachment C). Access to the property is to the aforementioned Albert Stewart Lane via a private street. Stormwater is to be accommodated in subsurface vaults and released after treatment into the swale on the northern boundary. Given the high density recommended for the site most of the forest on the property will be cleared. Requirements for forest conservation will be met off-site. Landscaping is required to buffer adjacent single family residential units; an area to accommodate tree planting is provided on the preliminary plan. Details of the landscaping, as well as the number and location of units, slope stabilization, sidewalks and compatibility, will be reviewed at the Site Plan stage.

TRANSPORTATION:

The private street and sidewalk system will provide safe and adequate access for vehicles and pedestrians. The applicant has submitted a traffic statement and staff concurs that the proposed development will generate 10 trips in the morning and 16 trips in the afternoon weekday peak hours. Since projected peak hour trips are fewer than 30 trips, a Local Area Transportation Review (LATR) is not required.

ENVIRONMENTAL:

Forest Conservation

There are 2.45 acres of forest on the property with many specimen trees. Due to the surrounding uses, the forest is isolated from other forest stands. The applicant is proposing to clear all 2.45 acres for this development and provide 1.47 acres of reforestation off-site. There is no priority planting area on-site that can be used to meet this requirement. While it may be possible to identify some areas where trees can be saved during the site plan process, it is unlikely that these areas will be large enough to count towards the required reforestation. It may be possible for some on-site reforestation to coincide with the slope stabilization.

Environmental Guidelines

This site does not include any streams, wetlands, or floodplains, and there are no environmental buffers on the property. However, Environmental Planning is concerned about the steep slope on the northwest side of the property. This slope is long, greater than 40' in some locations, and steep, over 70% in some locations. The soil is poorly consolidated and contains large quantities of debris. Given these factors and the presence of the open stormwater channel at the base, staff feels it is more important to stabilize this slope than preserve the current forest. The exact method and design will be determined during the site plan process and will need to meet DPS criteria.

CONCLUSION:

Preliminary Plan #1-05086, Lyttonsville, conforms to the North and West Silver Spring 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 – Mater Plan Excerpt
- Attachment C – Preliminary Plan