



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item #

5/17/07



MEMORANDUM

DATE: April 19, 2007

TO: Montgomery County Planning Board

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

FROM: Erin Grayson (301-495-4598) *EG*
Development Review Division

REVIEW TYPE: Preliminary Plan Review

APPLYING FOR: Resubdivision of Lot 12, Block 61

PROJECT NAME: White Property

CASE #: 120070160

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-60

LOCATION: The north side of Ritchie Avenue, 0 feet northwest of Geneva Avenue

MASTER PLAN: Takoma Park

APPLICANT: Stephanie White & Bruno Gomis

ENGINEER: Landmark Engineering, Inc.

FILING DATE: September 27, 2006

HEARING DATE: May 17, 2007

RECOMMENDATION: Approval subject to the following conditions:

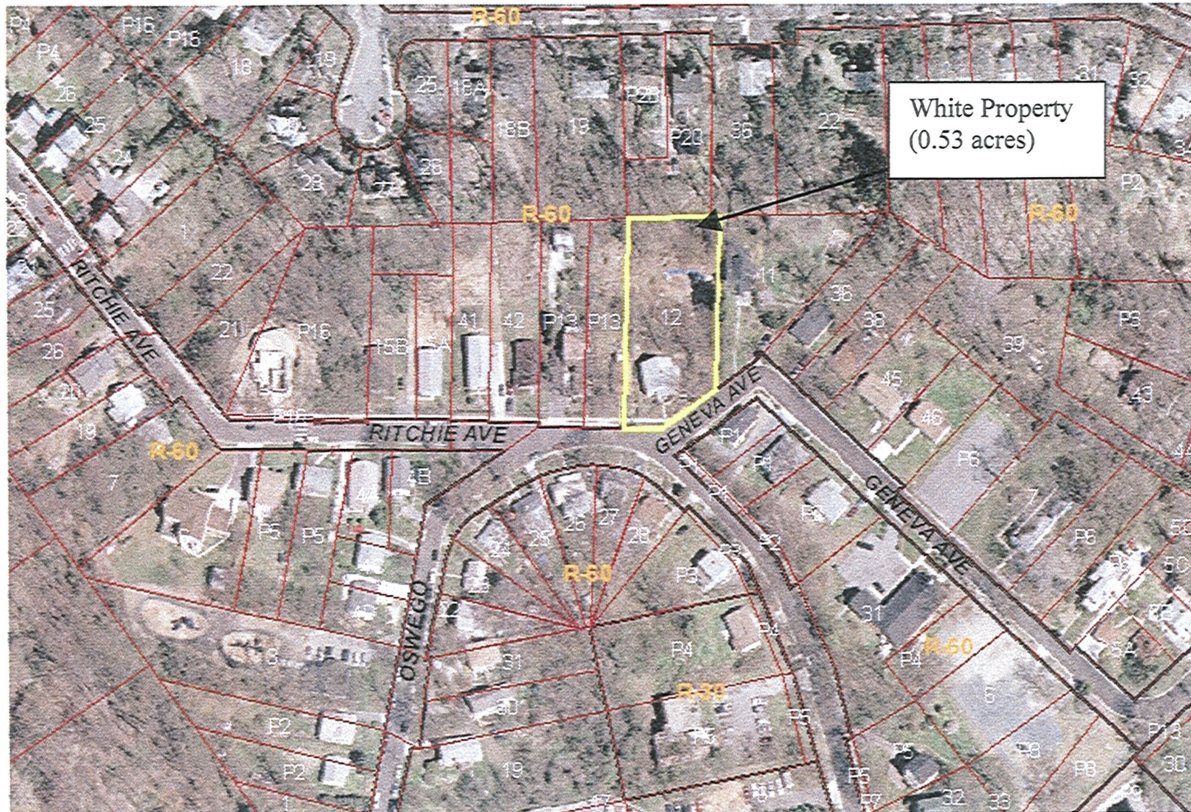
- 1) Approval under this preliminary plan is limited to 2 lots for 2 one-family detached residential dwelling units.
- 2) Record plat must reflect dedication of right-of-way for Ritchie and Geneva Avenues along Lot A to the existing timber retaining wall. The existing timber retaining wall must not be included in any right-of-way. Record plat to provide for dedication of 10 feet of right-of-way for Geneva Avenue along Lot B.
- 3) The applicant must retain the 39-inch white oak within the City of Takoma Park right-of-way. Sidewalk construction is not required within the Geneva Avenue right-of-way at this time.
- 4) The applicant must comply with the conditions of approval of the City of Takoma Park stormwater management approval dated August 24, 2006.
- 5) The applicant must abide by the Limit of Disturbance shown on the Preliminary Plan to protect steep slopes.
- 6) Prior to any demolition, clearing, or grading of the site, Takoma Park technical staff must approve a Final Tree Save Plan to protect trees outside the limit of disturbance shown on approved Preliminary Tree Save Plan and included in the staff memo dated April 19, 2007. An ISA Certified Arborist must prepare the Final Tree Save Plan, with particular focus on further evaluation of specimen Trees # 1 and #2, and all trees 6" and greater on adjoining lots.
 - a. The limit of disturbance on the Preliminary Tree Save Plan may be amended on the Final Tree Save Plan only with Takoma Park staff confirmation that trees identified for save can be equally protected through implementation of additional stress reduction measures as recommended by an ISA Certified Arborist.
 - b. Final sediment control plan must be consistent with final limit of disturbance as approved by Takoma Park staff.
 - c. The applicant must follow the City of Takoma Park's regulations involving tree protection bonds.
- 7) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 8) 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.
- 9) Other necessary easements must be shown on the record plat.

SITE DESCRIPTION

The White Property, pictured on the following page and in Attachment A (Vicinity Map), is located in the City of Takoma Park at the intersection of Ritchie Avenue and Geneva Avenue. The property is a recorded lot, 0.53 acres in size. The site is zoned R-60 and is surrounded by other developed lots in the R-60 zone containing one-family detached residential dwelling units. A one-family residential dwelling and gravel driveway currently exist on the property.

There is no forest onsite but 7 large or specimen trees are located on the subject property.

The site does not contain any streams, wetlands, environmental buffers or floodplains. The property lies within the Sligo Creek Watershed (Use Class I-P). Steep slopes ($\geq 25\%$) are located on the northern portion of the property and there are Brinklow soils (16D), which are considered highly erodible, on much of the property.



PROJECT DESCRIPTION

The applicant proposes to resubdivide Lot 12 to create Lots A and B. The existing one-family home is to remain on proposed Lot A, which is 11,862 square feet in size. Proposed Lot B contains 10,066 square feet. The existing gravel driveway will be located on Lot B with an ingress/egress easement to allow for continued access to the existing dwelling unit on Lot A. Access for Lot B is proposed via a driveway from Geneva Avenue. The limit of disturbance will not extend into the steep slopes on the northern portion of the property. The lots are to be served by public water and sewer.

(Attachment B – proposed plan)

ANALYSIS AND FINDINGS

Master Plan Compliance

The Takoma Park Master plan does not specifically identify the subject property but does make general recommendations regarding land use and neighborhood preservation. On page 28 of the plan, it is recommended that the city “retain the existing single-family detached character throughout most of Takoma Park, the existing mix and distribution of apartment uses, and the rights to develop existing properties and replace existing residential structures”. The proposed subdivision complies with the recommendations adopted in the Master Plan in that the single-family detached neighborhood character will remain and the property will be developed in a manner appropriate for the neighborhood.

Transportation

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review.

A sidewalk exists along the Ritchie Avenue frontage of the subject property. Extending the sidewalk along the Geneva Avenue frontage of Proposed Lot B is not being required by the City of Takoma Park, in order to save a specimen tree; however, pedestrians may safely use the roadway. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate.

Environment

The plan meets all applicable requirements for protection of environmentally sensitive areas. The plan is exempt from county Forest Conservation Law because there is no forest on-site. However, a Tree Save Plan was required to be submitted by the applicant at the time of preliminary plan submission.

1) Tree Save

The Preliminary Tree Save Plan, prepared and signed by an ISA-certified arborist, shows the location of large and specimen trees, as well as smaller trees on adjacent properties. There are 7 large or specimen trees onsite and this plan proposes to retain all 7. The critical root zones of two onsite trees (35” white oak, 39” white oak) will be significantly impacted by the proposed development. The applicant has proposed tree protection measures for these two trees, including root pruning. A mixed line of trees, including six Japanese false cypresses, are located east of the subject property on adjacent Lot 11. These trees will also be affected by the proposed construction. Two of these false cypresses are large (DBH ≥ 24 ”). Proposed construction may impact more than 40% of the critical root zones of these large evergreens, so the applicant has included tree protection measures such as root pruning and root protection matting during construction to minimize compaction. More tree protection measures may be required as part of the Final Tree Save Plan when further construction details are available. The preliminary Tree Save Plan has been found to be acceptable.

The City of Takoma Park has also reviewed Preliminary Tree Save Plan, per the requirements of their tree ordinance. The City also requires a more detailed Final Tree Save Plan that will be evaluated and approved by the City of Takoma Park’s arborist at the time of building permit, when all construction details are available.

2) Steep Slopes and Erodible Soils

There is an area of steep slopes ($\geq 25\%$) on the northern portion of the property and there are Brinklow soils (16D), which are considered highly erodible, on much of the property. Both steep slopes and highly erodible soils are considered environmentally-sensitive areas. Per Section 50-32(c), "Environmentally Sensitive Areas", the Board may restrict the subdivision of land to achieve the objectives of Chapter 22A and to protect such areas. While development does occur on slopes between 15 – 25% on this soil, the Limit of Disturbance is restricted so that no development will not occur on any slopes in excess of 25%. The proposed sediment control measures will adequately address construction elsewhere.

3) Stormwater Management

The stormwater management concept for the White Property was approved by the City of Takoma Park on August 24, 2006. On-site stormwater management measures include the use of drywells.

Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance. The application meets all applicable sections, including the requirements for resubdivision and review by the City of Takoma Park, as discussed below. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in the R-60 zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan (see Attachment F for agency correspondence). Access and public facilities will be adequate to support the proposed lots and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

1) Reduced Frontage

This preliminary plan creates a lot with less than 60 feet of street frontage in the R-60 zone. Pursuant to Section 59-B-5.2 of the Zoning Ordinance, "Resubdivision of R-60 lots" this is permitted under certain circumstances. The section states:

Any lot in the R-60 zone that had frontage of less than 180 feet or an area of less than 18,000 square feet before June 1, 1958, may be resubdivided into lots with frontage of not less than 50 feet and area of not less than 5,000 square feet if the majority of the recorded lots in the same block have frontages of less than 60 feet or areas of less than 6,000 square feet. The resubdivided lots (except outlots) are buildable lots.

The majority of recorded lots in the same block have frontages of less than 50 feet and are listed in Attachment C (Compliance with Sec. 59-B-5.2). The plan, therefore, meets the requirements of this section. Proposed Lot A will have 62.21 feet of frontage and contain 11,862 square feet. Proposed Lot B will have 52.45 feet of frontage and contain 10,066 square feet.

2) Conformance with City Council of Takoma Park

The City Council of Takoma Park recommended approval of the plan on April 23, 2007 with conditions. Resolution #2007-10 is included in Attachment E.

3) Conformance with Section 50-29(b)(2)

A. Statutory Review Criteria

In order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

B. Neighborhood Delineation

In administering Section 50-29(b)(2) of the Subdivision Regulations, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. In this instance, the Neighborhood selected by the applicant, and agreed to by staff, consists of 16 lots, excluding the subject property. The Neighborhood includes 5 recorded lots on Mississippi Avenue directly north of the subject property, and several lots that share frontage with the subject property on Ritchie and Geneva Avenues. The Neighborhood includes lots 18A, 18B, 19, 22, 36 on Mississippi Avenue, north of the subject property; lots 4A, 4B, Block 61 and lots 26-28, Block 60 across Ritchie Avenue; and lots 11, 15A, 15B, 36, 41, 42 Block 61 on the same side of Ritchie and Geneva Avenue as the subject property. The Neighborhood is appropriate because it contains adjacent and confronting lots, lots on the main travel-way to the subject property, and lots which may be visually impacted by the proposed development. All lots are recorded and zoned R-60. The designated Neighborhood provides an adequate sample of the lot and development pattern of the area. A tabular summary of the area based on the resubdivision criteria is included in Attachment D.

C. Analysis

Comparison of the Character of Proposed Lots to Existing

In performing the analysis, the above-noted resubdivision criteria were applied to the delineated Neighborhood. The proposed lots are of the same character with respect to the resubdivision criteria as other lots within the defined Neighborhood. Therefore, the proposed resubdivision complies with the criteria of Section 50-2(b)(2). As set forth below, the attached tabular summary and graphical documentation support this conclusion:

Frontage:

In a Neighborhood of 16 lots, lot frontages range from 46.3 feet to 117.3 feet (corner lot). The proposed lots fall within this range, at 62.2 feet and 52.45 feet. **As a result, the proposed lots will be of the same character as existing lots in the Neighborhood with respect to lot frontage.**

Alignment:

Fourteen lots in the proposed Neighborhood are perpendicular, 1 lot is askew and 1 lot is an askew corner lot. The 2 proposed lots are perpendicular and will, therefore, be in the same character as the majority of existing lots in the Neighborhood. **The proposed lots are of the same character as existing lots with respect to the alignment criterion.**

Size:

The lot sizes in the delineated Neighborhood range from 5,552 square feet to 22,200 square feet. Fifty percent of the lots in the Neighborhood are less than 10,000 square feet in size. The proposed lots are 11,862 square feet and 10,066 square feet. **The proposed lots do fall within the range and will be of the same character as existing lots in the Neighborhood with respect to size.**

Shape:

Seven of the 16 lots in the Neighborhood are rectangular, 4 are triangular, 3 are trapezoidal and 2 are irregular in regards to lot shape. **Both of the proposed lots are rectangular in shape and will, therefore, be in character with shapes of the existing lots.**

Width:

The lot widths at the front building restriction line in the Neighborhood range from 50 feet to 148.5 feet. Eight lots in the Neighborhood measure less than 58 feet in width. The proposed lots will have widths of 58.06 and 60.34 feet. **The proposed lots will be in character with existing lots in the Neighborhood with respect to width.**

Area:

In a Neighborhood of 16 lots, lot areas range from 1,045 square feet to 17,372 square feet in buildable area. The proposed lots have buildable areas of 5,987 and 4,479 square feet. **The proposed lots will be of the same character as other lots in the Neighborhood with respect to buildable area.**

Suitability for Residential Use: The existing and the proposed lots are zoned residential and the land is suitable for residential use.

Citizen Correspondence and Issues

Adjacent and confronting property owners were notified of the White Property preliminary plan submission to M-NCPPC on September 29, 2006. This application preceded the proposed requirements for pre-submission meetings prior to plan submissions. Staff has had numerous telephone conversations, regarding concerns of adjacent neighbors, which include stormwater management and tree preservation, and believe that the concerns have been addressed. The stormwater management plan was approved by the City of Takoma Park and neighbors were given the City Engineer's contact information to discuss stormwater management on the subject property in greater detail. No concerns regarding stormwater management have been brought to Staff's attention since. The adjacent neighbor whose trees will be impacted by construction was mailed a copy of the Preliminary Tree Save Plan. Extensive tree protection measures are included in the plan and any potential destruction of trees on adjacent properties is assessed by the City of Takoma Park's arborist, who can require that a bond amount be posted to cover the estimated cost of removal of the neighbor's tree(s) and the fair replacement costs.

CONCLUSION

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the two proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Takoma Park Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

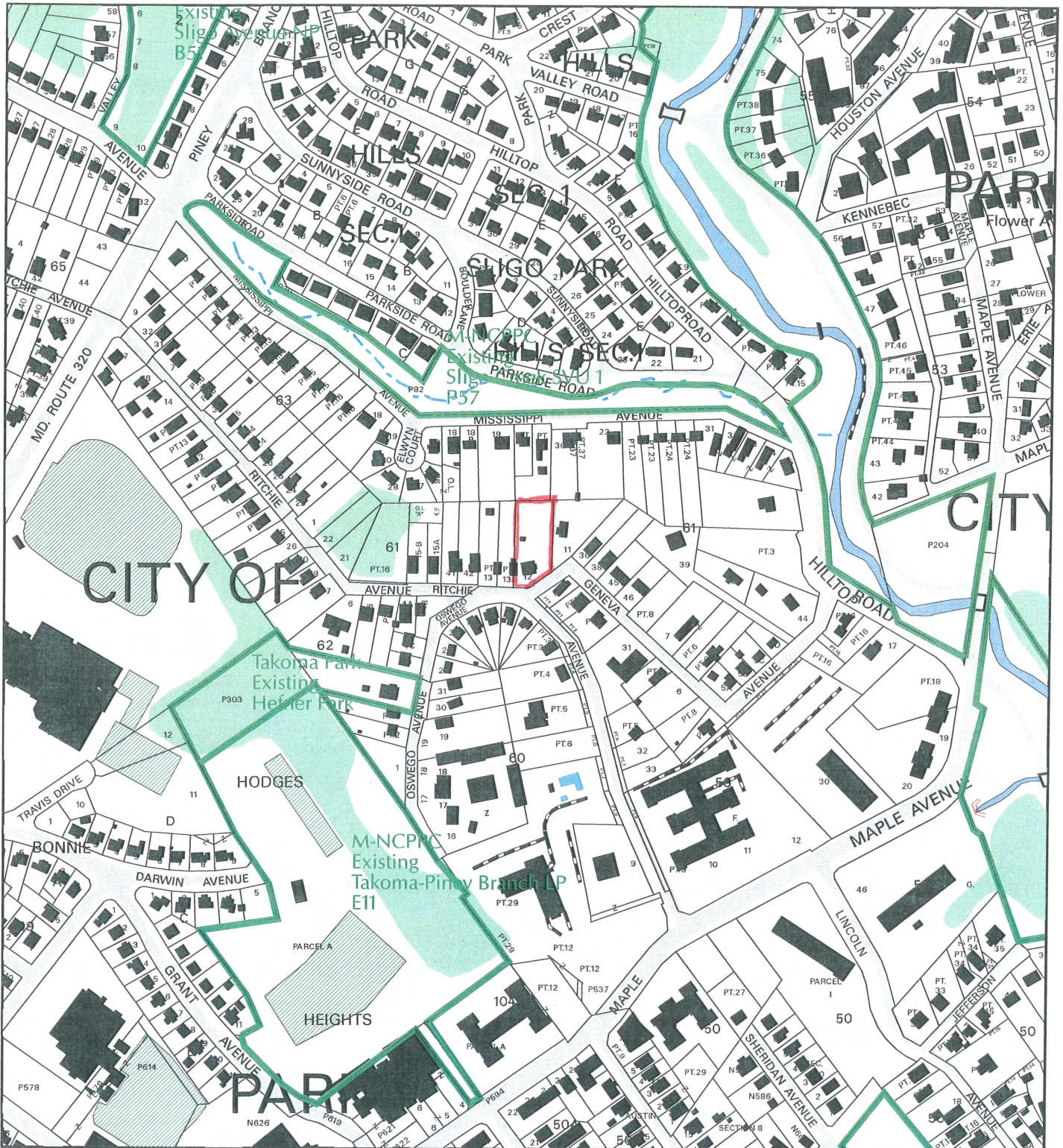
Attachments

Attachment A – Vicinity Map
Attachment B – Proposed Development Plan
Attachment C – Compliance with Sec. 59-B-5.2
Attachment D – Neighborhood Map & Data Table
Attachment E – City of Takoma Park Resolution
Attachment F – Agency Correspondence

TABLE 1: Plan Checklist and Data Table

Plan Name: White Property				
Plan Number: 120070160				
Zoning: R-60				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: Standard				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	6,000 sq. ft.	10,066 sq. ft. is min. proposed	ES	5/2/07
Lot Width	60 ft.	Must be at least 50' per Sec. 59-B-5.2	ES	5/2/07
Lot Frontage	25 ft.	Must meet minimum	ES	5/2/07
Setbacks				
Front	25 ft. Min.	Must meet minimum	ES	5/2/07
Side	8 ft. Min./ 18 ft. total	Must meet minimum	ES	5/2/07
Rear	20 ft. Min.	Must meet minimum	ES	5/2/07
Height	50 ft. Max.	May not exceed maximum	ES	5/2/07
Max Resid'l d.u. or Comm'l s.f. per Zoning	3 dwelling units	2 dwelling units	ES	5/2/07
MPDUs	No		ES	5/2/07
TDRs	No		ES	5/2/07
Site Plan Req'd?	No		ES	5/2/07
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		ES	5/2/07
Road dedication and frontage improvements	Yes		Agency letter	10/25/06
Environmental Guidelines	Yes		Staff memo	4/19/07
Forest Conservation	Exempt		Staff memo	4/19/07
Master Plan Compliance	Yes		ES	5/2/07
Other (open space, etc.)				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		City of Takoma Park letter	8/24/06
Water and Sewer (WSSC)	N/A		Agency Comments	10/23/06
Well and Septic	N/A			
Local Area Traffic Review	N/A		Staff memo	10/23/06
Fire and Rescue	Yes		Agency letter	3/20/07
Other (parks, schools, etc.)				

WHITE PROPERTY (120070160)



Map compiled on October 10, 2006 at 2:20 PM | Site located on base sheet no - 209NE01

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland - National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue - Silver Spring, Maryland 20910-3760

Key Map



Research & Technology Center

0 400

1 inch = 400 feet

1 : 4800

White Property
Project No. 0562

Check for compliance with Sec. 59-B-5.2. Resubdivision of R-60 lots.

Sec. 59-B-5.2. Resubdivision of R-60 lots.

Any Lot in the R-60 zone that had frontage of less than 180 feet or an area of less than 18,000 square feet before June 1 1958, may be resubdivided into lots with frontage of not less than 50 feet and an area of not less than 5,000 square feet if the majority of the recorded lots in the same block have frontages less than 60 feet or areas of less than 6,000 square feet. These resubdivided lots (except outlots) are buildable lots.

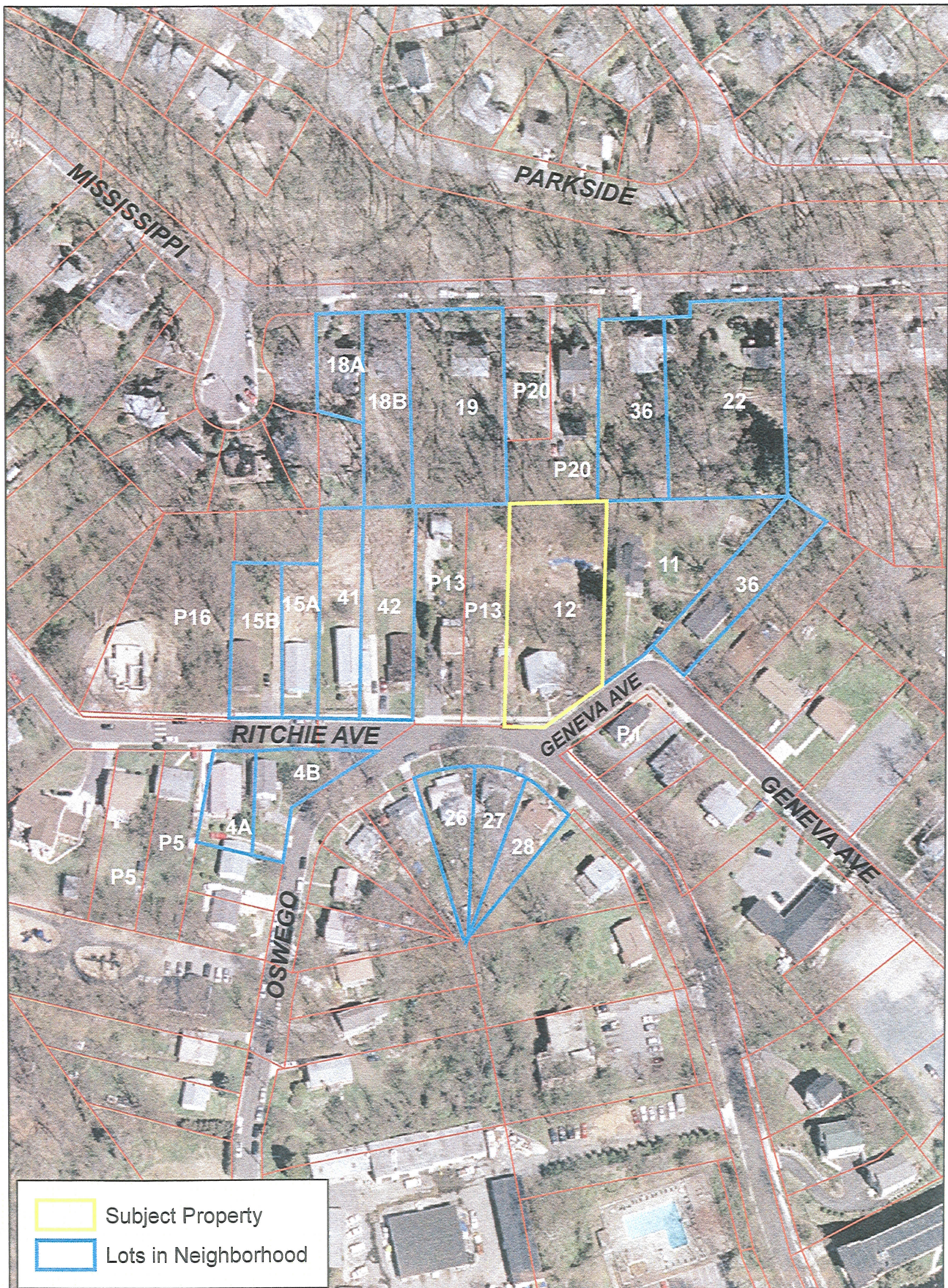
Recorded Lots Fronting on Richie Avenue

Lot #	Block	Frontage
9	63	41
32	63	50'
31	63	50'
7	63	75'
30	63	50'
26	63	50'
25	63	50'
24	63	50'
23	63	50
1	63	75'
22	63	50'
21	63	88'
15-A	61	50'
15-B	61	50'
41	61	50'
42	61	50'

Number of Lots with frontages less than 60' = 12
 Number of Subdivision Lots in Block = 16
 (Richie Avenue Frontage)

Percentage of Lots with less than 60' frontage = 75%

Neighborhood Map



Neighborhood Analysis For Proposed Resubdivision of Lot 12, Block 61
B.F. Gilbert's Addition to Takoma Park.

All Properties Currently Zoned R-60

Lot #/Block	Origin	Frontage	Alignment	Size (1)	Shape	Width (2)	Area (3)	Street Name
B.F. GILBERT'S ADDITION TO TAKOMA PARK								
18A/61	Resub	50'	Perpendicular	5,668	Trapezoidal	50'	2,715	MISSISSIPPI AVENUE
18B/61	Resub	50'	Perpendicular	10,715	Rectangular	50'	6,770	MISSISSIPPI AVENUE
19/61	Sub	100'	Perpendicular	20,650	Rectangular	100'	16,335	MISSISSIPPI AVENUE
36/61	Resub	75'	Perpendicular	16,378	Rectangular	75'	8,969	MISSISSIPPI AVENUE
22/61	Resub	130'	Perpendicular	25,740	Irregular	130'	17,372	MISSISSIPPI AVENUE
36/61	Resub	50'	Perpendicular	11,434	Trapezoidal	50'	7,338	GENEVA AVENUE
11/61	Sub	61.1'	Askew	22,200	Triangular	148.5'	16,749	GENEVA AVENUE
42/61	Resub	50.1'	Perpendicular	11,229	Rectangular	50.1'	7,182	RITCHIE AVENUE
41/61	Resub	50.1'	Perpendicular	11,905	Rectangular	50.1'	7,075	RITCHIE AVENUE
15A/61	Resub	50.1'	Perpendicular	8,511	Rectangular	50.1'	5,007	RITCHIE AVENUE
15B/61	Resub	50.1'	Perpendicular	8,511	Rectangular	50.1'	5,015	RITCHIE AVENUE
4A/62	Resub	46.26'	Perpendicular	5,015	Trapezoidal	50.3'	2,128	RITCHIE AVENUE
4B/62	Resub	94.5'/117.3'	Askew/ Corner	5,837	Irregular	79.4'/123'	1,045	OSWEGO AVENUE
26/60	Resub	66.8'	Perpendicular	7,056	Triangular	59.2'	3,837	RITCHIE AVENUE
27/60	Resub	63.6'	Perpendicular	5,938	Triangular	55.3'	2,983	RITCHIE AVENUE
28/60	Resub	64.8'	Perpendicular	5,552	Triangular	55.7'	2,669	RITCHIE AVENUE
PROPOSED SUBDIVISION LOTS								
LOT A	Resub	62.21'	Askew	11,862	Rectangular	58.06'	5,987	RITCHIE AVENUE
LOT B	Resub	52.45'	Askew	10,066	Rectangular	60.34'	4,479	RITCHIE AVENUE

Notes: (1) "Size" means the lot area as shown on the record plat.
(2) "Width" means the width of the lot at the established building line.
(3) "Area" means the computed building envelope area.

APR-26-2007 14:48

CITY OF TAKOMA PARK

301 270 456

ATTACHMENT E

Introduced by: Councilmember Seamens

**CITY OF TAKOMA PARK, MARYLAND
RESOLUTION 2007 -10**

**Resolution on the Proposed Subdivision of
99 Ritchie Avenue**

WHEREAS, Stephanie White, the owner of 99 Ritchie Avenue in Takoma Park, is proposing to subdivide her property into two separate parcels; and

WHEREAS, the Montgomery County Planning Board is responsible for the review and approval of all subdivision requests within the City of Takoma Park; and

WHEREAS, the Takoma Park City Council also reviews subdivision requests within the City of Takoma Park, and advises the Montgomery County Planning Board of additional information or City policies or positions when present; and

WHEREAS, the Council accepted public comment and considered the proposed subdivision on October 16, 2006.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Takoma Park, Maryland recommends approval of the subdivision of 99 Ritchie Avenue with the following conditions:

1. Retain the reduced right-of-way dedication at 99 Ritchie Avenue that includes the sidewalk but excludes the retaining wall.
2. Do not require the construction of a sidewalk on the new lot at this time and retain the 39-inch white oak in the City right-of-way.
3. Retain the proposed tree save plan with recommendations from the M-NCPPC Environmental Planner.


Adopted this ____ day of _____, 2007.




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

TO: Erin Grayson, Development Review

VIA: Stephen Federline, Supervisor, Environmental Planning 

FROM: Amy Lindsey, Environmental Planning 

DATE: April 19, 2007

SUBJECT: Preliminary Plan 120070180
White Property

RECOMMENDATION: Approval subject to the following conditions:

1. Prior to any demolition, clearing, or grading of the site, Takoma Park technical staff must approve a Final Tree Save Plan to protect trees outside the limit of disturbance shown on approved Preliminary Tree Save Plan and staff memo dated April 19, 2007. An ISA Certified Arborist must prepare the Final Tree Save Plan, with particular focus on further evaluation of specimen Trees # 1 and #2, and all trees 6" and greater on adjoining lots.
 - a. The limit of disturbance on the Preliminary Tree Save Plan may be amended on the Final Tree Save Plan only with Takoma Park staff confirmation that trees identified for save can be equally protected through implementation of additional stress reduction measures as recommended by an ISA Certified Arborist.
 - b. Final sediment control plan must be consistent with final limit of disturbance as approved by Takoma Park staff.
 - c. The applicant must follow the City of Takoma Park's regulations involving tree protection bonds.

BACKGROUND

The .53-acre property is located in the City of Takoma Park on Ritchie Avenue in the Takoma Park Master Plan area. All adjacent and confronting uses are single family residential. The property is currently developed with one residence. This plan proposes to subdivide the property into two new lots, maintaining the existing residence and building one new. There is no forest onsite but 7 large or specimen trees present. No streams or wetlands are onsite, nor any environmental buffer. Environmental Planning staff approved a Forest Conservation Exemption (4-06315E) on 06/22/2006. The property is within the Sligo Creek watershed; a Use 1/1P watershed.

Forest Conservation

There is no forest on-site and this property is exempt from submitting a Forest Conservation Plan. A Tree Save Plan was required to be submitted at time of Preliminary Plan.

Tree Save

The applicant has submitted a Preliminary Tree Save Plan, prepared and signed by an ISA-certified arborist that shows large and specimen trees, as well as smaller trees on the subject and adjacent properties. There are seven large or specimen trees onsite and this plan proposes to retain all seven. However, two of these trees (35" white oak, 39" white oak) will have well over 40% of their critical root zones impacted by the proposed development. The applicant has proposed tree protection measures for these two trees, including root pruning. More tree protection measures may be required as part of the Final Tree Save Plan when further construction details are available.

There is also a mixed line of trees, including six Japanese false cypresses, on the adjacent property that will be affected by the proposed construction. Two of these false cypresses are considered large (DBH $\geq 24"$). The proposed construction may impact more than 40% of the critical root zones of these large evergreens. The applicant has proposed tree protection measures including root pruning and using root protection matting during construction to minimize compaction. More tree protection measures may be required as part of the Final Tree Save Plan when further construction details are available.

The Final Tree Save Plan will be evaluated and approved by the City of Takoma Park's arborist at the time of building permit, with all construction details available. Because the City of Takoma Park has a tree ordinance and evaluates all construction activities for tree damage potential, it will allow for a more detailed plan to be developed with more stringent tree protection measures. If the City Arborist finds that the construction activity will affect tree on an adjacent property, the applicant will have to create a tree protection plan and post a bond as well. The bond amount is the estimated cost of removal of the neighbor's tree(s) and the fair replacement costs. The bond must be secured for two years. The City Arborist determines if a bond is necessary and the amount of the bond.

Environmental Buffers

The site does not include any streams, wetlands, or floodplains and there is no environmental buffer on the property.

Steep Slopes and Erodible Soils

There is an area of steep slopes ($\geq 25\%$) on the northern portion of the property and there are Brinklow soils (16D), which are considered highly erodible, on much of the property. While development does occur on slopes between 15 – 25% on this soil, the LOD is restricted so that no development will occur on these steep slopes.

10/25/06 WED 15:19 FAX 2407772080

TRAFFIC ENGR

002



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

October 25, 2006

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan #1-20070160
White Property

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 09/27/06. This plan was reviewed by the Development Review Committee at its meeting on 10/23/06. We recommend approval of the plan subject to the following comments:

- All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.
1. Access and improvements along Ritchie Ave and Geneva Ave as required by the Town of Takoma Park.
 2. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
 3. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,

Sam Farhadi, P.E., Senior Planning Specialist
Development Review Group
Traffic Engineering and Operations Section
Division of Operations

m:/subdivision/farhas01/preliminary plans/ 1-20070160, White Property.doc

Enclosures ()

cc: Stephanie White / Bruno Gomis
Charles T. Grimsley, Landmark Engineering
Joseph Y. Cheung; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



Division of Operations

WSSC Development Services - Conceptual Plan Review Comments
October 23, 2006 Development Review Committee Meeting

4. 1-20070160

WHITE PROPERTY

There is active water and sewer service for the existing house on proposed lot A.

A private 15 foot wide sewer connection right-of-way easement is required on proposed lot B to continue to serve proposed Lot A with the existing sewer connection and to maintain onsite pipeline.

An alternative would be to abandon the existing sewer connection and obtain a new sewer connection with onsite pipeline traversing on proposed lot A.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC's Development Services Center (301-206-8650) or visit the Development Services on WSSC's web-site (www.wssewater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC's Permit Services (301-206-4003) for information on service connections and on-site system reviews.



FIRE MARSHAL COMMENTS

DATE: MARCH 20, 2007
TO: CHARLES GRIMSLEY, LANDMARK
FROM: TYLER MOSMAN
RE: WHITE PROPERTY 1-20070160

PLAN APPROVED.

1. Review based only upon information contained on the plan submitted 03-20-07. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services

MNCPPC-MC

City of Takoma Park, Maryland

DEPARTMENT OF PUBLIC WORKS
TELEPHONE: 301-891-7633
FAX: 301-585-2405



31 OSWEGO AVENUE
TAKOMA PARK, MD 20912

August 24, 2006

Dennis Villanueva
Landmark Engineering, Inc.
6220 Executive Boulevard, Suite 110
Rockville, Maryland 20852

Re: White Property, Lot 12, Block 61

Dear Mr. Villanueva:

Your stormwater management concept plan for the above referenced project is deemed acceptable at this time. However, this concept approval is contingent upon a Tree Protection Plan approved by the City Arborist, and is based on the site plan and stormwater management concept plan issued on July 22, 2006 as signed and sealed by Landmark Engineering, Inc. on August 18, 2006.

Please note that a permit application must be filed with the City of Takoma Park and upon fulfilling the requirements, a permit obtained prior to any construction.

Sincerely,

Ali Khalilian, P.E.
City Engineer