



MONTGOMERY COUNTY PLANNING DEPARTMENT

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item #

6/28/07



MEMORANDUM

DATE: June 18, 2007

TO: Montgomery County Planning Board

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

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

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Ten (10) lots to construct ten (10) one-family dwelling units using the R-200 cluster method of development.

PROJECT NAME: Meadowvale Property
CASE #: 120060280

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200
LOCATION: At the southern terminus of Bell Tower Drive
MASTER PLAN: Gaithersburg and Vicinity

APPLICANT: K2 Development, Inc..
ENGINEER: Macris, Hendricks & Glascock

FILING DATE: August 29, 2005
HEARING DATE: July 5, 2007

RECOMMENDATION: Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to ten (10) lots for ten (10) residential dwelling units.
- 2) The proposed development must comply with the conditions of the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 3) Record Plat shall reflect all areas under Homeowners Association control and specifically identify stormwater management parcels.
- 4) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Master Plan unless otherwise designated on the preliminary plan.
- 5) The applicant must construct all road improvements within the rights-of-way shown on the approved preliminary plan to the full width mandated by the master plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 6) The applicant must comply with the conditions of the MCDPS stormwater management approval dated December 7, 2006.
- 7) The applicant must comply with the conditions of the MCDPWT letter dated March 7, 2007.
- 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 will be included on the record plat.

I. SITE DESCRIPTION (Attachment A- Vicinity Map)

The 5.17-acre property "Subject Property" or "Property" is zoned R-200 and is located at the end of existing Bell Tower Road near the intersection of Cross Country Road and Strawberry Knoll Road, in Gaithersburg. It is identified as Parcel 54 on Tax Map GT13. Currently, there is one existing house, numerous sheds, and a garage on the Property. The site is relatively flat, dropping only twelve feet in elevation from its high point in the northeast corner to the lowest elevation in the southeast corner. There are no streams, wetlands, floodplains, or environmental buffers on the Subject Property, nor is there any forest. The entire Property is within the Great Seneca Creek watershed, a Use I-P watershed.

The Property is an infill piece that is surrounded by residential uses. To the north is the Flower Hill subdivision that developed under the R-200/TDR-4 method. Another portion of the Flower Hill subdivision to the east developed under the R-200 cluster method. To the south and west is the Meadowvale subdivision that developed using the R-90 cluster method. The Property is located at the stub of Bell Tower Drive, which was constructed as part of the Flower Hill Subdivision to the north and was terminated with the intent to be completed south to Cross Country Lane when the Subject Property developed. Bell Tower Drive is a secondary residential

road. The entrance road to the MNCPPC Nike Park abuts the Property to the east and provides access to the Park from Snouffer School Road.

II. PROJECT DESCRIPTION (Attachment B – Proposed Preliminary Plan)

The applicant proposes to remove the existing one-family house and create ten (10) lots ranging in size from 10,087 square feet to 20,236 square feet using the R-200 cluster method of development. The R-200 cluster method requires a 10,000 square foot minimum lot size. Access to the lots will be from Bell Tower Drive, which the developer will be required to complete as a secondary residential street through the site to connect to Cross Country Lane, also a secondary street. The plan clusters the homes along Bell Tower Drive and leaves open space to the north and east sides of the Property that will be used to meet forest conservation and stormwater management requirements. The plan also shows a pathway connection along the southern border from the newly constructed portion of Bell Tower Drive to the Nike Park entrance road for use by the general public. The paved path will also be used for maintenance access to the stormwater management pond, which is located in the Southeastern corner of the site.

To address compatibility, the Zoning Ordinance establishes a 40-foot rear yard setback for R-200 cluster subdivisions when the rear yards of proposed lots abut the boundary of the subdivision. This is evident on Lots 2-7 whose rear yard setbacks abut lots in the Meadowvale subdivision to the west. The expanded setbacks provided for deep rear yards on the proposed plan.

III. ANALYSIS AND FINDINGS

A. Master Plan Compliance

The 1985 Gaithersburg and Vicinity Master Plan recommended that the property receive a R-90/TDR-5 designation with 18 to 25 units anticipated. A subsequent SMA did not carry forward this recommendation and the R-200 TDR is shown as the approved zoning for the Property. The Master Plan contains three objectives that apply to the proposed preliminary plan:

- Provide a sense of community identity for both existing and future residents;
- Increase the County's total housing stock and concurrently provide an appropriate mix of affordable housing;
- Provide receiving areas for TDR's to implement the County's Agricultural Preservation program.

To provide a sense of community identity it was important that Bell Tower Drive be completed as a secondary residential street, including sidewalks on both sides, to provide for the necessary continuity between this development and the existing subdivisions surrounding it. The pathway connection to the Nike Park access road was also important to staff to help integrate this development into the community. The plan satisfies this master plan goal.

The master plan goal to increase the County's housing stock and concurrently provide affordable housing cannot completely be applied to the Subject Property. The site is too small to

achieve the number of units that would meet the threshold for affordable housing units. It does, however, increase the County's housing stock with lots that are compatible with surrounding lots patterns. The initial plan submitted to staff had 15 units and anticipated the use of TDR's to achieve that density. Issues arose with lot layout and the tightness of the development that resulted from that many units being built on this Property using TDR's. At just over five acres, it was determined to be a difficult site to achieve any meaningful TDR density at the two-thirds required ratio. The plans were revised, as presented to the Planning Board, to be more consistent with the existing Flower Hill R-200 cluster development to the east and with the Meadowvale R-90 cluster development to the south and west. Staff finds the development to satisfy the Master Plan goals that can truly be applied to the Plan.

B. 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. The construction of Bell Tower Drive as a secondary street with sidewalks on both sides is consistent with master plan guidance and will provided for safe and adequate pedestrian and vehicular access.

C. Environment

Environmental Buffers

Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) for the subject site on July 26, 2005. As mentioned above, there are no environmentally sensitive areas (stream buffers, streams, wetlands, or floodplains) on the subject site.

Forest Conservation

There is no existing forest on the subject site. Since the applicant is proposing an optional method (cluster) of development, the preliminary plan of subdivision and the forest conservation plan must comply with Section 22A-12(f) of the Montgomery County Code. This section requires the application to meet the appropriate threshold on site, which is the afforestation threshold. Under a standard method plan the applicant would not be required to plant onsite and the forest planting requirements could be met elsewhere in the County. The applicant will meet the on-site planting requirement by afforesting 1.12 acres o Parcel A, as shown on the Plan. This exceeds the minimum requirement by 0.34 acres and complies with Chapter 22A, the Montgomery County Forest Conservation Law.

Cluster Justification

Since the applicant is proposing to develop the property as a cluster development, an environmental justification is required. The use of cluster must provide an environmental benefit that could not otherwise be achieved using the standard method of development. The applicant has successfully demonstrated that the use of cluster on this Property does in fact provide

additional opportunities to afforest the Property, and in a location that tends to benefit the general public.

To achieve the cluster, the preliminary plan shows lots close to the minimum lot size of 10,000 square feet. The average lot size is approximately 10,825 square feet when the panhandle lot 3 is not included and 11,767 square feet when it is included in the average lot size. By minimizing the lot sizes, open space is available outside of the proposed lots for forest planting. For this Plan, the use of the cluster provision allows the applicant to exceed the minimum planting area required by 0.34 acres.

The location of the afforestation area is important to the justification for cluster. The Nike Park access road is contiguous to the property and makes a bend at the eastern Property edge. The current view along the Nike Park access road from Snouffer School Road to the Park is generally of rear yards of existing homes. By using the cluster method of development on the Subject Property, rear yards can be moved away from the access road and the open space is an opportunity to create a green viewshed for Park users. By afforesting Parcel A at this location, i.e., at the bend in the road, staff's thought is that the views coming to and from the Park will be enhanced by the forested open space area as one looks down the road towards the bend and off into the open space. For the reasons stated above, staff supports the Plan finding that there is an environmental benefit that can be achieved with the use of the cluster development option.

D. Compliance with the Subdivision Regulations and Zoning Ordinance

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 as required under Section 50-29 of the Montgomery County Subdivision Regulations. The lots were reviewed for compliance with the dimensional requirements for the R-200 (cluster) zone, (Sec. 59-C-1.5) as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, and width in that zone. A summary of this review is included in Table 1. The application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan. Staff, therefore, finds the plan in compliance with both the Zoning Ordinance and Subdivision Regulations.

E. Citizen Correspondence and Issues (Attachment C – Citizen Correspondence)

This application was submitted prior to the requirement for applicants to hold pre-submission meeting with interested citizens. At the time of submission, the plan was mailed out to all adjacent and confronting property owners and local Civic Associations in compliance with the established Rules of Procedure. The plan was also correctly noticed for public hearing as per the Rules of Procedure. Staff to date has received no correspondence on the Plan.

IV. CONCLUSION

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Gaithersburg and Vicinity

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 which have recommended approval of the plan. Approval of the application with the conditions specified above is recommended.

Attachments

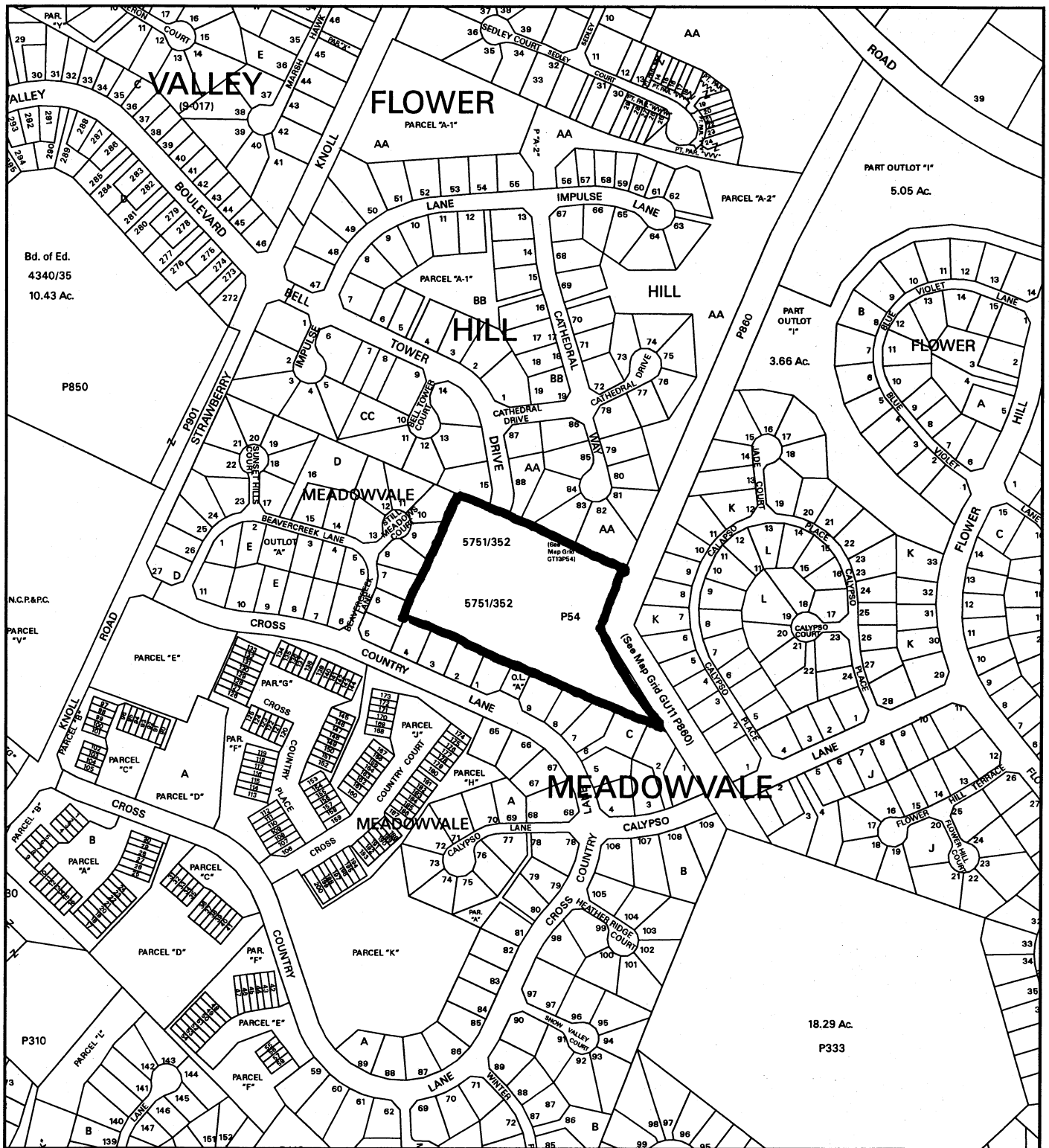
Attachment A – Vicinity Map

Attachment B – Proposed Development Plan

Plan Name: Meadowvale				
Plan Number: 120060280				
Zoning: R-200 (cluster method)				
# of Lots: 10				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	10,000 sq. ft.	10,087 s.f is minimum proposed	RW	6/22/07
Lot Width	None.			6/22/07
Lot Frontage	25 ft.	25 ft. is minimum proposed	RW	6/22/07
Setbacks				6/22/07
Front	10ft. Min.	Must meet minimum	RW	6/22/07
Side	10 ft or not less than adjacent zone..	Must meet minimum	RW	6/22/07
Rear	10 ft. or 40 ft. from subdivision boundary.	Must meet minimum	RW	6/22/07
Height	50 feet	May not exceed maximum	RW	6/22/07
Max Resid'l d.u. per Zoning	11 dwelling units	10 dwelling units	RW	6/22/07
MPDUs	No			
TDRs	No			
Site Plan Req'd?	No			
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		RW	6/22/07
Road dedication and frontage improvements	Yes		Agency letter	3/7/07
Environmental Guidelines	No		RW	6/22/07
Forest Conservation	Yes		Staff memo	6/12/07
Master Plan Compliance	Yes		RW	6/22/07
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		Agency letter	12/7/06
Water and Sewer (WSSC)	Yes		Agency Comments	12/29/06
Fire and Rescue	Yes		RW	6/22/07
Local Area Traffic Review	N/A			

MEADOWVALE (1-06028)

Attachment "A"



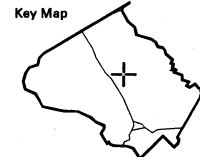
Map compiled on September 19, 2005 at 10:22 AM | Site located on base sheet no - 226NW08

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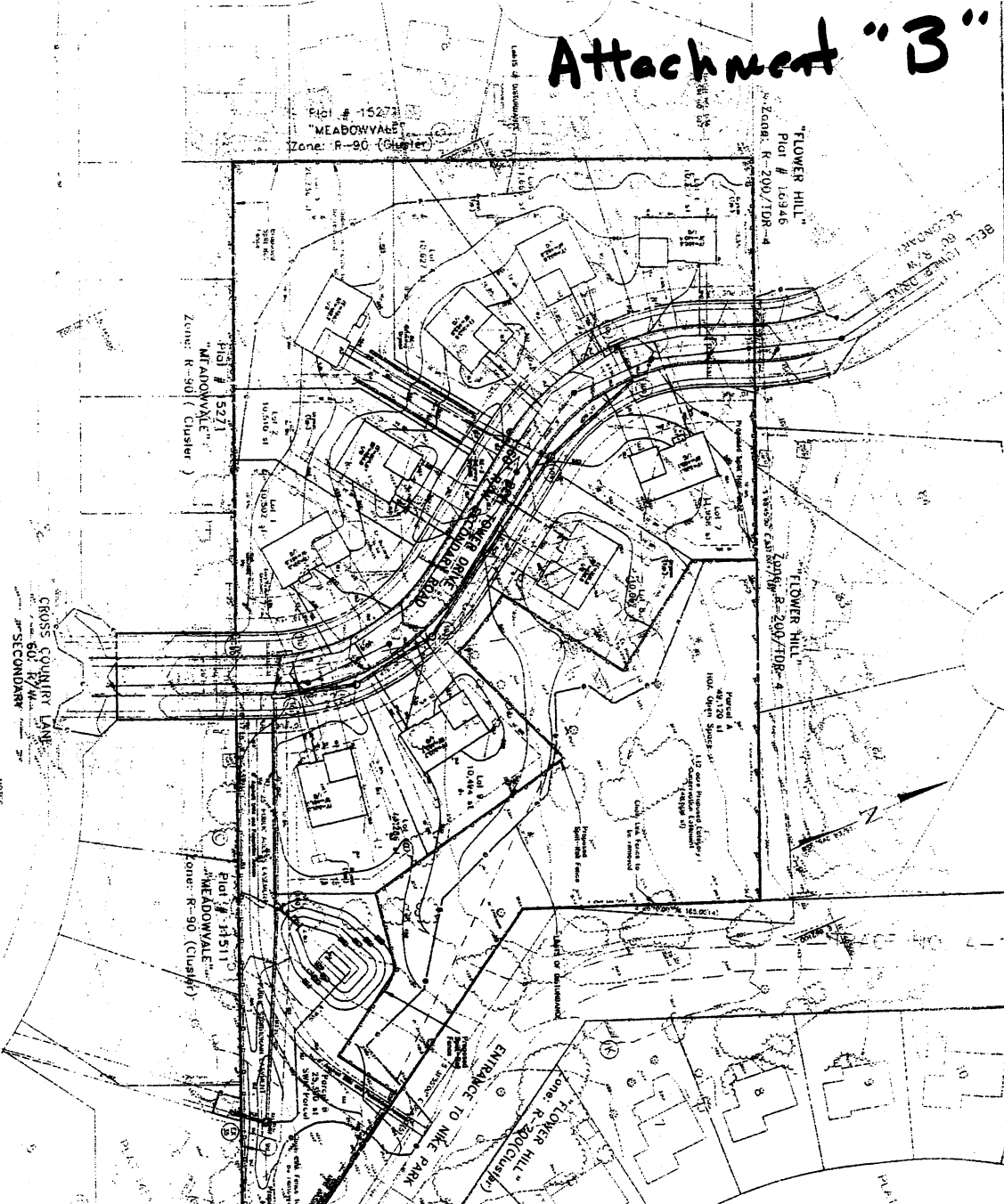
Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

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



Attachment "B"

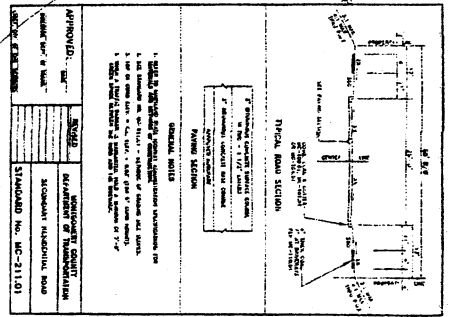
L. W. HARRIS & SONS, INC.
 201 N. WEST STREET, BALTIMORE, MD 21201
 TEL: 777-1234
 FAX: 777-5678
 PREPARED FOR:



- NOTES**
1. All dimensions are in feet unless otherwise noted.
 2. All areas are in square feet unless otherwise noted.
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 19. All areas are in square feet unless otherwise noted.
 20. All areas are in square feet unless otherwise noted.

PREPARED FOR:
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MEADOWVALE 3800 FRONT ROAD

ADJACENT PROPERTY	OWNER	ACRES	APPROXIMATE VALUE
Lot 1	MEADOWVALE	2.00	\$1,000,000
Lot 2	MEADOWVALE	2.00	\$1,000,000
Lot 3	MEADOWVALE	2.00	\$1,000,000
Lot 4	MEADOWVALE	2.00	\$1,000,000
Lot 5	MEADOWVALE	2.00	\$1,000,000
Lot 6	MEADOWVALE	2.00	\$1,000,000
Lot 7	MEADOWVALE	2.00	\$1,000,000
Lot 8	MEADOWVALE	2.00	\$1,000,000
Lot 9	MEADOWVALE	2.00	\$1,000,000
Lot 10	MEADOWVALE	2.00	\$1,000,000
Lot 11	MEADOWVALE	2.00	\$1,000,000

MEADOWVALE 3800 FRONT ROAD
 Total Area: 22.00 acres
 Total Value: \$11,000,000
 Projected Value: \$11,000,000
 Projected ROI: 10.0%
 Projected Cash Flow: \$1,100,000
 Projected Net Income: \$1,100,000
 Projected Payback Period: 10.0 years