

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

Item # 7
MCPB
5/27/04

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MEMORANDUM

DATE: May 21, 2004
TO: Montgomery County Planning Board
VIA: Rick Hawthorne, Acting Chief *RCH*
Michael Ma, Supervisor *Ma*
Development Review Division
FROM: Wynn Witthans, RLA, AICP *WW*
Planning Department Staff
(301) 495-4584
REVIEW TYPE: Site Plan Review
APPLYING FOR: Approval of 11 townhouses on 2.03 acres
PROJECT NAME: Buckingham Terrace
CASE #: 8-04021
REVIEW BASIS: Div. 59-D-3, Montgomery County Zoning Ordinance for Site Plan
ZONE: RT-15/R-60
LOCATION: On University Boulevard, approximately 600 feet north of Buckingham Drive
MASTER PLAN: East Silver Spring
APPLICANT: Hemingway Homes, LLC; c/o Rick Cantor
FILING DATE: February 4, 2004
HEARING DATE: May 27, 2004



SITE PLAN

STAFF RECOMMENDATION: Approval of 11 townhouses on 2.03 acres of RT-15 and R-60 with the following conditions:

1. Lighting and Landscaping Plan
 - a. Street trees to be 40 -45 ft on center adjacent to University Boulevard.

The site plan shall conform to the conditions of the DPS Stormwater Management Concept approval letter dated January 23, 2004.

4. Signature Set Documentation

Submit a Site Plan Enforcement Agreement, Development Review Program and Homeowner Association Documents] for review and approval prior to release of the signature set as follows:

Development Program to include a phasing schedule as follows:

- 1) Parking lot shade tree planting must progress as construction is completed, but no later than six months after completion of the units adjacent to the parking lot.
 - 2) Community-wide pedestrian pathways and recreation facilities must be completed prior to occupancy of the development.
 - 3) Landscaping associated with each parking lot and buildings shall be completed prior to occupancy.
 - 4) Pedestrian pathways and seating areas shall be completed prior to occupancy.
 - 5) Noise attenuation design to be completed and accepted by M-NCPPC technical staff prior to release of signature set. Post construction noise evaluation to be done prior to occupancy.
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion Control plans to include for M-NCPPC technical staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
- a. Undisturbed stream buffers as shown.
 - b. Limits of disturbance.
 - c. Methods and locations of tree protection.
 - d. Forest Conservation areas.
 - e. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
 - f. The development program inspection schedule and Site Plan Opinion.
 - g. Conservation easement boundary.
 - h. Streets trees 40 to 45 feet on center along University Boulevard.
3. No clearing or grading prior to M-NCPPC approval of signature set of plans.

SITE PLAN REVIEW ISSUES

I. ISSUE

The project was submitted with fewer units and a different unit type than allowed in the recently approved Schematic Development Plan for zoning case G-805. The re-zoning case changed the zoning from R-60 to RT-15 for front 34,302 sf parcel of the 2.08 total site. The units were changed from 17 back to back units to 11 fee simple townhouse units.

Applicant Position

The applicant believes the units are improved and reduce the intensity of the development and that the application is within the approval of the zoning case. The applicant sought concurrence from the Director of the Office of Zoning and Administrative Hearings and received it via a letter dated April 27, 2004, attached.

Staff Recommendation

Staff concurs with the opinion that the plans conform to the SDP and recommends the Planning Board review this report and find it acceptable for approval.

II. ISSUE

A letter was received from adjacent citizens with concerns regarding: keeping vehicular circulation outside of the adjacent neighborhood, environmental studies for run-off and tree preservation, traffic concerns.

Staff responded to the adjacent citizen's questions, many of the items were already addressed per our usual review requirements.

III. ISSUE

The site plan submittal was improved during the review process. The applicant: developed more appropriate landscaping design; added a path from the townhouses to the adjacent neighborhood to allow the future townhouse residents direct access to the neighborhood and its school and recreational facilities; a gazebo was added to conform to the Schematic Development Plan; the pedestrian systems were fully developed; the screening of the rear yards was designed; on-site lighting was improved.

Staff finds the application to have few unresolved issues at the time of this report.

PROJECT DESCRIPTION: Site and Vicinity Description

The site consists of 2 parcels, the parcel closest to University Boulevard recently re-zoned to RT-15, the second parcel remains zoned at R-60. The site is currently wooded with mature forest with an existing house that will be removed for the new construction. A ravine extends through the site from east to west and connects to a drain inlet adjacent to the western edge of the property.

Adjacent the site to the south is a Korean Community Center – a senior housing facility; to the north is the Jezreel Baptist Church parking lot and lawn area; to the east is the Buckingham Terrace subdivision with three single family detached houses immediately adjacent to the property.

PROJECT DESCRIPTION: Proposal

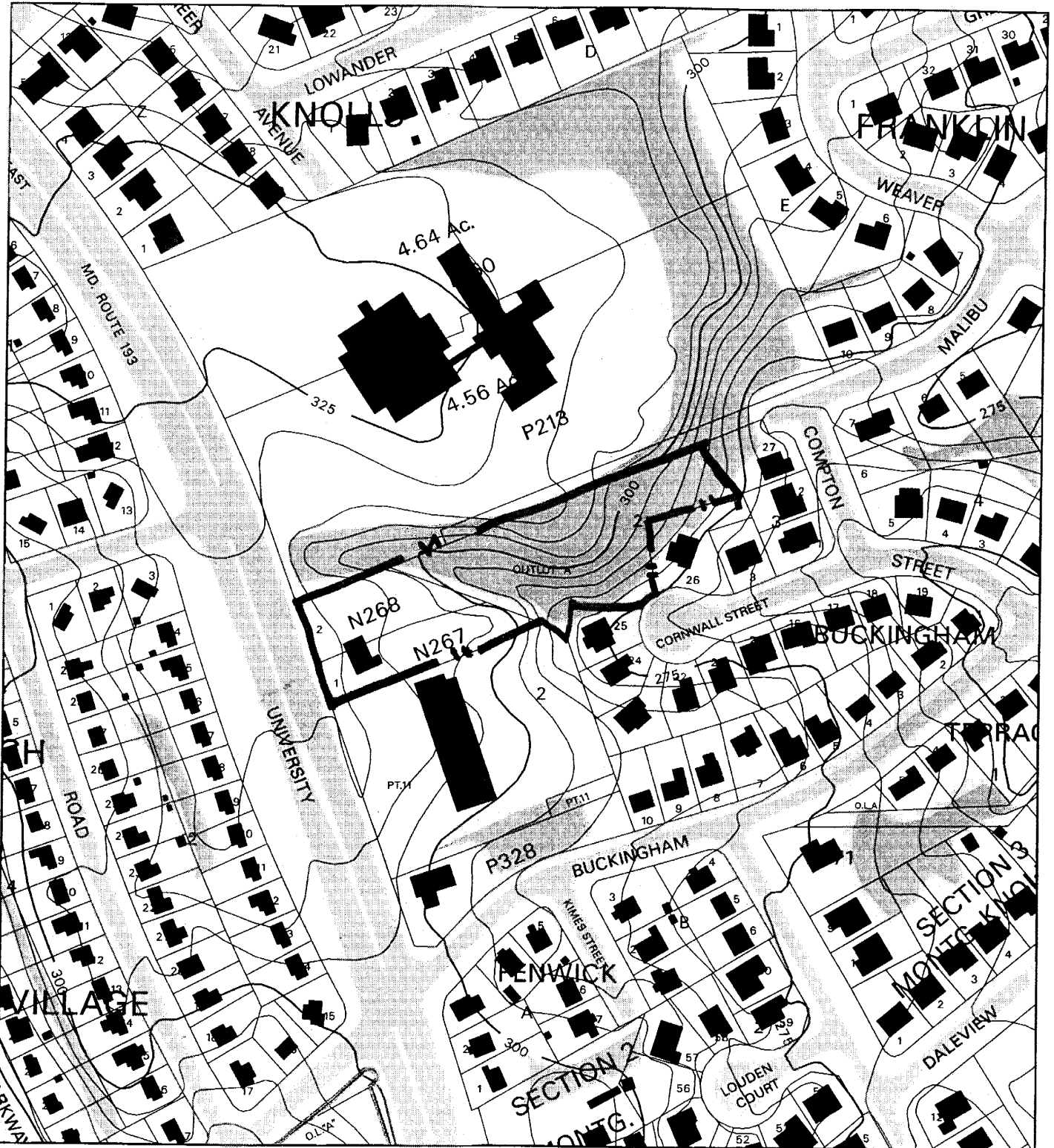
The proposal includes eleven townhomes in two groups, seven units have front integral garages and the four remaining units will use adjacent surface parking. The units are proposed to be perpendicular to University Boulevard. Proposed screening for the backs of the units will include a six-foot wooden fence and tall evergreen landscaping. The fence closest to University Boulevard will have noise attenuation qualities. Shade trees will be located adjacent to University Boulevard. Existing trees along the perimeter of the property will be removed because of their declining health and their (unstable) proximity to new development.

Landscaping will include the aforementioned street trees along University Boulevard and street trees along the internal driveway. Evergreen screening and shade trees are placed within the parking lot and behind the units. The retaining wall will include landscaped hedges and the applicant has proposed a detailed landscape plan for the foundation planting of the units. A gazebo has been placed adjacent to internal sidewalks for use of the new residents.

Vehicular access is solely from University Boulevard. A sidewalk along University Boulevard will accommodate pedestrian circulation. Within the site, internal walks and a wood chip path will provide access to the adjacent neighborhood.

Lighting has been provided with a 100-watt metal halide lamp on a 13-foot pole. Staff further recommends that a fourth light be added closer to the townhouses without garages.

BUCKINGHAM TERRACE (8-04021)



Map compiled on February 25, 2004 at 1:31 PM | Site located on base sheet no - 211NE01

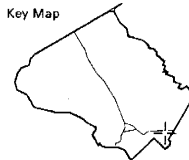
NOTICE

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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.

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Key Map



N



Research & Technology Center 200



1 inch = 200 feet
1 : 2400

GENERAL NOTES

1. BOUNDARY - LOTS 1 & 2, P 56 P 4751 HERBERT HERRON SURVY OUTLOT A PER 100 P 18170 BUCKINGHAM TERRACE
2. TOPOGRAPHY - MNCPC AERIAL
3. ADC MAP 37, GRID E 7
4. W 99C 200' SHEET 21 NE 1
5. PUBLIC WATER & SEWER AVAILABLE CATEGORY W-1, S-1
6. WATER SHED - NORTHWEST BRANCH, CLASS I
7. TAX MAP # 37 G 1
8. EXISTING HOUSE ON LOTS 1 & 2 TO BE DEMOLISHED
9. SWAP EXISTING EASEMENT AREA BETWEEN LOTS 1 & 2 OUTLOT SO NET BSHY AREA IS EQUAL TO BEFORE.
10. EXISTING ZONING - (LOTS 1 & 2) R 60

*AS MODIFIED THE NET AREA OF THE REZONING REQUEST REMAINS THE SAME AS THE AREA OF LOTS 1 & 2 OR 34,508 sq. ft.

PROPOSED ZONING - (LOTS 1 & 2) RT 15

EXISTING ZONING - (OUTLOT A) R 60

RT 15 ZONE (LOTS 1 & 2) - 34,302 / 135.60 x 1/5 = 11 UNITS ALLOWED - 20 UNITS PROVIDED - 11 UNITS, TOWN HOUSES PROVIDED - 22 SPACES, 9 (IN GARAGES), 15 (IN PARKING LOT)

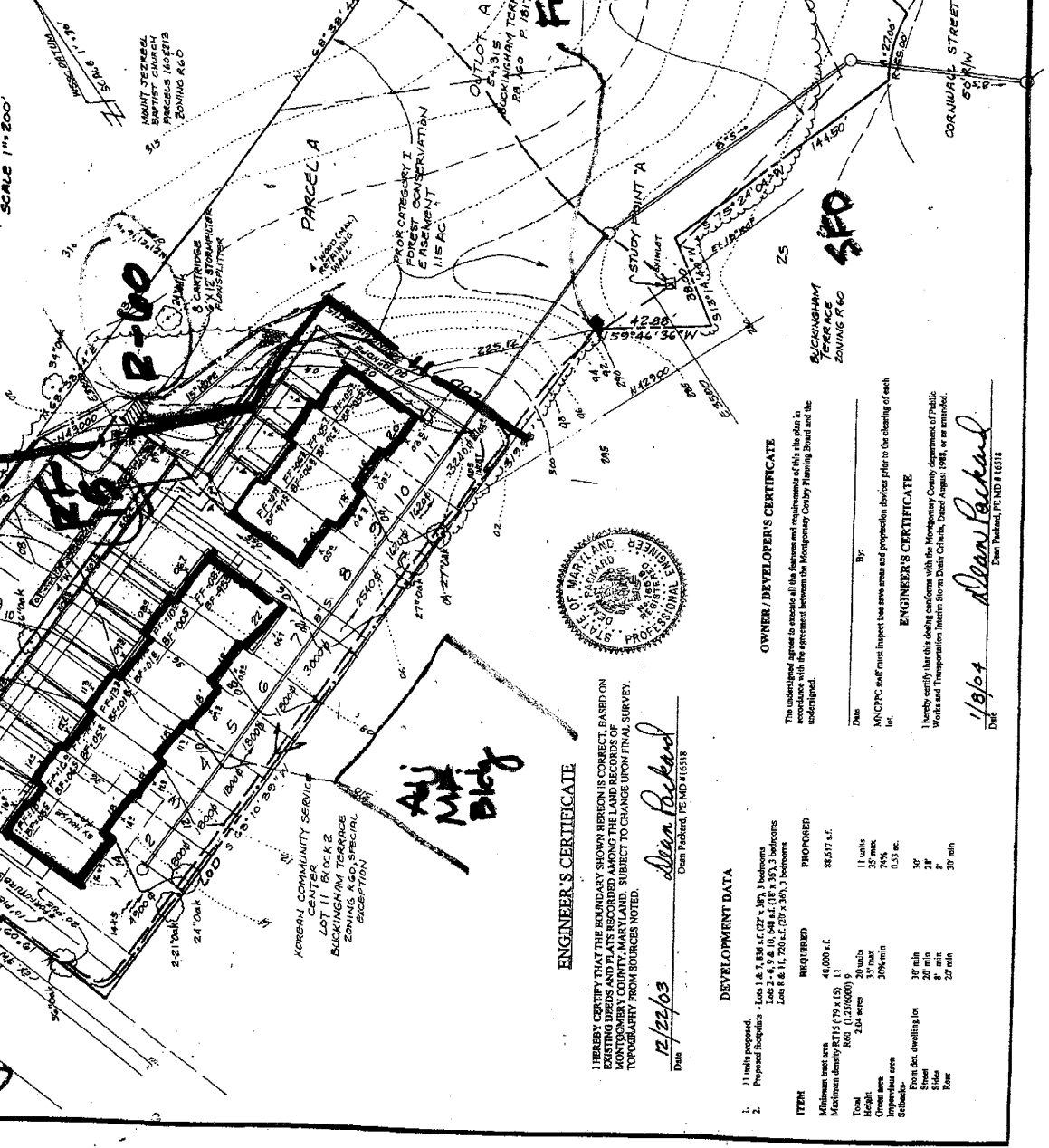
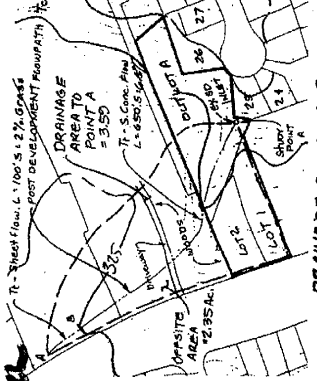
SOILS ON THIS SITE IS GAYLA - HYDROLOGIC SOIL GROUP: B

11. DENSITY CALCULATIONS - R 60 ZONE (OUTLOT A) - 54,345 / 6,000 = 9 UNITS RT 15 ZONE (LOTS 1 & 2) - 34,302 / 135.60 x 1/5 = 11 UNITS ALLOWED - 20 UNITS PROVIDED - 11 UNITS, TOWN HOUSES PROVIDED - 22 SPACES, 9 (IN GARAGES), 15 (IN PARKING LOT)
12. PERMITS REQUIRED / PROVIDED - 22 SPACES, 9 (IN GARAGES), 15 (IN PARKING LOT)
13. UTILTY COMPANIES: ELECTRIC - POTOMAC Edison TELEPHONE - VERIZON GAS - MARYLAND GAS CATV - CABLE TV MONTGOMERY WATER & SEWER - WSSC
14. NR / FSD #4-0328
15. PURPOSE - REZONE THIS FRONT AREA AS RT 15 LEAVE THE REAR AREA (OUTLOT A) AS R 60. COMBINE THE DENSITY OF BOTH PARCELS TO DEVELOP AND REZONE A CATEGORY W-1, S-1 CONSERVATION EASEMENT ACROSS 1.21 AC. IN THE REAR OF THE PROPERTY.
16. BUILDING HEIGHT - 35 MAX.

P.G. ASSOCIATES, INC.
CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS
351-A HUNTERDOME DRIVE
ROCKFORD, ILL. 60087
PHONE (312) 505-1511

BUCKINGHAM TERRACE
SITING PLAN
LOT 1 & 2 HERBERT HERRON SURVY AND OUTLOT A BUCKINGHAM TERRACE
WASHINGTON COUNTY, MARYLAND
WATCHDOG DISTRICT NO. 13

SCALE	1" = 30'
DATE	12/22/03
BY	Dean Packard
PROJECT	BUCKINGHAM TERRACE
SHEET NO.	1
TOTAL SHEETS	1



Baptist Church
Lawn
Play lot



ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARY SHOWN HEREON IS CORRECT, BASED ON THE RECORDS OF THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND, SUBJECT TO CHANGE UPON FINAL SURVEY. TOPOGRAPHY FROM SOURCES NOTED.

12/22/03
Dean Packard
Dean Packard, P.E. MD 118518

DEVELOPMENT DATA

1. 11 units proposed.	11 units
2. Proposed floorplans	30 max
Lot 1 & 2, 846 s.f. (27' x 31'), 1 bedroom	200 sq ft
Lot 2 & 3, 1,048 s.f. (18' x 58'), 2 bedrooms	200 sq ft
Lot 4 & 5, 1,700 s.f. (25' x 68'), 3 bedrooms	200 sq ft
Minimum total area	46,000 s.f.
Minimum density RT 15 (79 x 15)	11 units
R 60 (1,215/6000) 9	30 max
2.04 acres	200 sq ft
Green space	30'
Impervious area	20' min
Schedule	20' min
Street loc. dwelling loc	30'
Street	20' min
Rear	20' min

OWNER / DEVELOPER'S CERTIFICATE

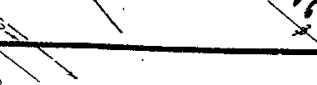
The undersigned agrees to execute all the documents and requirements of this plan in accordance with the agreement between the Montgomery County Planning Board and the undersigned.

DATE: _____ BY: _____
MNCPC staff must inspect base area and properties prior to the clearing of each lot.

ENGINEER'S CERTIFICATE

I hereby certify that this plan conforms with the Montgomery County Department of Public Works and Transportation Urban Storm Water Criteria, dated August 1988, or as amended.

1/8/04
Dean Packard
Dean Packard, P.E. MD 118518



ANALYSIS: Conformance to Development Standards RT-15 Zone

PROJECT DATA TABLE

Development Standard	Permitted/ Required	Proposed
Lot Area (sf./ac.):	40, 000 sf.	88,617s.f./2.03 ac. RT-15: 34,302 sf/.787 ac R-60: 54,315 sf/1.25 ac
Density (dwelling/acre):	15 du/acre	15 x .787 = 11 du
Dwelling Units: Townhouse	11*	11
Max Bldg Height	35 ft	35 ft
Max Bldg Coverage	35 %(31,016 sf)	8.6 % (7,648 sf)
Min Green area	55%* (48,739 sf)	58% (51,400 sf) (From FCP)
Setbacks (ft.):		
To adj. Detached units in SFD zone	20 ft. *	32 ft +/-
To University Blvd	28 ft.*	28 ft.
One Side end unit	30 ft	250 ft.
Parking:		
Total 2/du	22	15 surface <u>18 in garage THs</u> 33 spaces

No Moderately-Priced Dwelling Units are included; the unit count doesn't meet the threshold.

* As required in the Binding Elements of SDP G-805

ANALYSIS: Conformance to Schematic Development Plan G-805

The plan conforms to the Schematic Development Plan as demonstrated in the site plan data table above and the Opinion of the SDP attached. The plan conforms to the opinion by including: number of units below the number approved as stated in the "Issues" section of this report; creation of a Category One Forest Conservation easement over the wooded portions of the property, screening for the ends of the units, tract size of 88,617 sf., maximum of 18 units on site, 28 foot setbacks to University Boulevard, 55 % of lot as green area, setback to nearest SFD use 20 ft, and noise mitigation submitted for Preliminary Plan review.

ANALYSIS: Conformance to Master Plan

The proposed development generally complies with the Approved and Adopted 2000 East Silver Spring Master Plan that recommends that development preserve existing neighborhood character, encourage neighborhood reinvestment and provide a greater range of housing types. The introduction of townhouses helps to stabilize the housing in this area and provides for beneficial development of a parcel difficult to develop due to its surrounding land uses and individual topography.

FINDINGS: For Site Plan Review

1. *The Site Plan is consistent with an approved schematic development plan G-805as established for the zoning case.*
2. *The Site Plan meets all of the requirements of the zone in which it is located. See project Data Table above.*
3. *The location of the building and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Buildings

The buildings are arranged to provide an efficient and desirable utilization of a wooded parcel with significant topographical constraints. The units' perpendicular location to University Boulevard provides privacy for the individual units and an efficient staging area for the vehicle circulation, away from view and travel immediately off of University Boulevard. The fences, noise attenuation and landscaping will create a harmonious relationship between the units and University Boulevard and adjacent multifamily and single family detached residences.

b. Open Spaces

The storm water management concept consists of on-site water quality control via a 'Storm Filter.' Channel protection volume isn't required because the one-year post development peak discharge is less than or equal to 2.0cfs.

The units adjacent to University Boulevard require architectural treatment to mitigate the noise from traffic. The applicant will prepare a noise analysis that will recommend architectural mitigation in the building and fence to protect the end units. The noise analysis will be prepared by the applicant after Planning Board review due to consultant constraints. Staff analysis and recommendation for abatement will be reviewed and enforced by staff to conform to Planning Board Guidelines for noise attenuation.

Existing drainage problems within the site affecting off-site neighbors have been reviewed by DPS .

c. Landscaping and Lighting

The landscaping will create buffers, shade and attractive pedestrian areas for the new residents. The plan proposes foundation planting adjacent the front loaded driveways and at the entries of the units that creates a more attractive front entry for individual units and the entire project. The gazebo is placed at the end of the parking area near the wooded area for an attractive setting and optimal access.

The proposed lighting plan, as described earlier, will include lights that will not shine onto adjacent properties and will provide adequate pedestrian level lights for the parking areas.

d. Recreation

Recreation is not required for a project of this size. The gazebo and pedestrian connection to the existing neighborhood provides for exercise and walking opportunities.

e. Vehicular and Pedestrian Circulation

The driveway intersection with University Boulevard is in accordance with the proposed Preliminary Plan.

Pedestrian paths provide for the needs of the residents to connect to the adjacent University Boulevard and the transit there and to the adjacent neighborhood with recreation and school sites.

4. *Each structure and use is compatible with other uses and other Site Plans and with existing and proposed adjacent development.*

The buildings proposed are compatible to adjacent development via the setbacks, screening and orientation of units. The parking lot is adequately screened towards adjacent development via setback and planted evergreen screen. The lights have been selected with cut off features and lower wattage to preclude a nuisance on or off site .The preservation of vegetation along the eastern portion of the site maintain a compatible relationship to adjacent existing homes.

The activity associated with the proposed residential use will not cause any negative effect on adjacent residential uses.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The Plan conforms to the FCP by saving 1.18 acres of forest on site.

APPENDIX

- A. Correspondence referenced in report.
- B. Documentation of relevant prior action or approval.