
**MEMORANDUM**

DATE: July 16, 2004  
 TO: Montgomery County Planning Board  
 VIA: Richard Hawthorne, Acting Chief *RCH*  
 Development Review Division  
 FROM: Michael Ma, Supervisor *ma*  
 Development Review Division  
 (301) 495-4523



REVIEW TYPE: **Site Plan Review**  
 CASE #: **8-04026**  
 PROJECT NAME: **Giancola Quarry**  
 APPLYING FOR: Approval of 15 one-family detached homes and 15 townhouses, including 18 Transfer Development Rights

ZONE: R-200/TDR-8  
 LOCATION: In the northeastern quadrant of the intersection of River Road (MD 190) and Old Seven Locks Roads  
 MASTER PLAN: Potomac Subregion  
 APPLICANT: Giancola Quarry  
 FILING DATE: March 2, 2004  
 HEARING DATE: July 22, 2004

---

**STAFF RECOMMENDATION:** Approval of 15 one-family detached homes and 15 townhouses, including 18 Transfer Development Rights (TDRs), with the following conditions:

1. Transportation

- a. Total development under the subject site plan is limited to 30 dwelling units (15 townhouses and 15 one-family detached).
- b. The applicant shall provide the physical intersection improvement as shown on the approved site plan to accommodate safe passenger car U-turn movements from westbound on River Road at Seven Locks Road. This improvement shall be completed prior to occupancy of the second dwelling unit.
- c. The applicant shall construct one right-in right-out entrance driveway on River Road, and an eight-foot-wide shared use path (Class I bikeway) along River Road from the entrance driveway westward to Seven Locks Road as shown on the site plan, subject to State Highway Administration's review and approval.

2. Environmental Planning

The proposed development shall comply with all conditions for final forest conservation plan approval. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (DPS) issuance of sediment and erosion control permits.

- a. Compliance with the conditions of the final forest conservation plan. The applicant shall satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits.
- b. Record plat to reflect a Category I conservation easement over all areas of stream buffers and forest conservation.
- c. The applicant shall first obtain a building permit, issued by MCDPS, for excavation and fill placement. The construction, excavation and fill placement activities will be subject to special inspection/complex structures provisions of the building code.
- d. Certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the unmitigated 65 dBA Ldn noise contour, is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification from the acoustical engineer shall be reviewed and approved by M-NCPPC Environmental Planning staff prior to issuance of building permits. Any changes to the building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and Environmental Planning staff prior to their implementation.
- e. Applicant shall conduct an outdoor-to-indoor noise analysis of constructed units to ensure the 45 dBA Ldn interior noise level is achieved within the unmitigated 65 dBA Ldn contour. Copies of the noise analysis shall be submitted to Environmental Planning staff prior to occupancy of the residential units.
- f. For all residential dwelling units to be constructed within the 65 dBA Ldn unmitigated noise contour, the applicant/developer/builder shall disclose in writing to all prospective purchasers that those homes are impacted by existing and future highway noise. Such notification shall be accomplished by inclusion of this information in all sales contracts, on display within any sales related office(s), as well as in Homeowner Association Documents, and by inclusion on all subdivision and site plans, and with all Deeds of Conveyance.

3. Transfer Development Rights (TDRs)

Prior to recording of plat, the applicant shall provide verification that 18 TDRs have been acquired for the proposed development.

4. Department of Permitting Services

The proposed development is subject to Stormwater Management Concept approval conditions dated April 9, 2004.

5. Site Plan Enforcement Agreement

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

Development Program to include a phasing schedule as follows:

- a. Street trees shall be planted as street construction is completed.
- b. Trees along the internal driveways shall be planted as the driveway is completed, but no later than six months after completion of the units adjacent to those driveways.
- c. The proposed bikeway, pedestrian pathways, recreation facilities, and landscaping around recreation facilities shall be completed prior to issuance of 26<sup>th</sup> building permit.
- d. Clearing and grading to correspond to the construction phasing, to minimize soil erosion.
- e. Coordination of each section of the development and roads.
- f. Phasing of stormwater management, sediment/erosion control, recreation, forestation, community paths, or other features.

6. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

7. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Limits of disturbance.
- b. Methods and locations of tree protection.
- c. Forest Conservation areas.
- d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- e. The development inspection schedule and Site Plan Opinion.
- f. TDR and recreation facility calculations.
- g. The intersection improvement on River Road at Seven Locks Road as required by M-NCPPC Transportation Planning staff.
- h. Provide street trees along the River Road frontage, subject to State Highway Administration approval.
- i. Show 20-foot minimum setback for rear yards and 5-foot minimum setback for decks.
- j. Details of the proposed sidewalks, driveways, retaining walls, and brick piers.
- k. Correct property boundary of adjacent Parcel 610.
- l. Location of privacy fence.
- m. Detail and location of the fence around the proposed open play area.

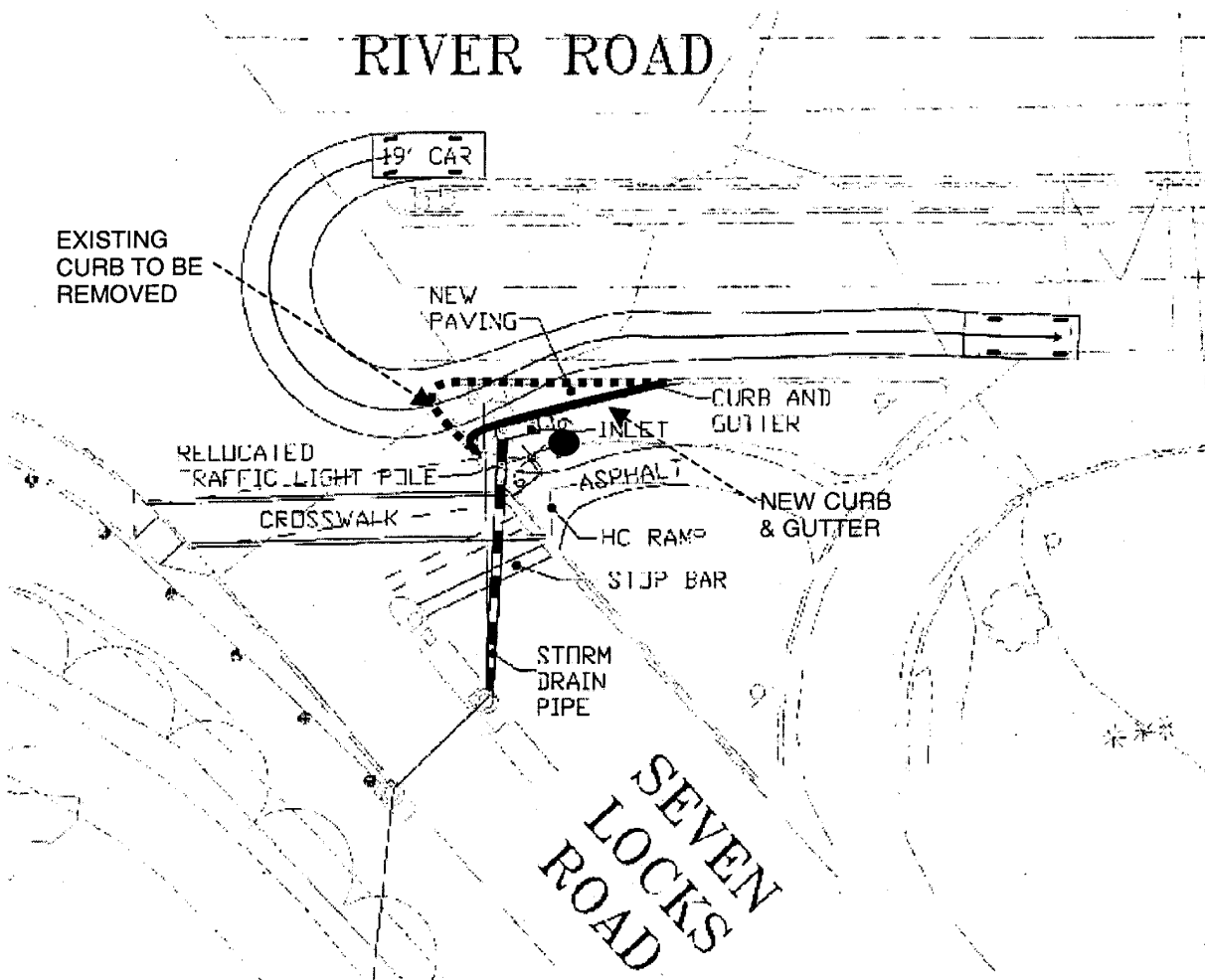
## SITE PLAN REVIEW ISSUES

### Intersection Improvement at River Road (MD 190) and Seven Locks Road

During the Planning Board's review of the preliminary plan, there was an issue raised by the citizens regarding the existing geometric conditions at the intersection of River Road and Seven Locks Road to accommodate U-turn movements safely from westbound River Road (see vicinity and site maps on pages 6 and 7).

#### Applicant's Proposal

In order to address this issue, the applicant proposed the intersection improvement as shown on the drawing below. The improvement will modify the traffic island in the southeastern quadrant of the intersection, including relocating a traffic signal pole, at a cost estimated to be between \$90,000 and \$100,000. This improvement will provide an adequate turning radius for the safe U-turn movement of passenger cars.

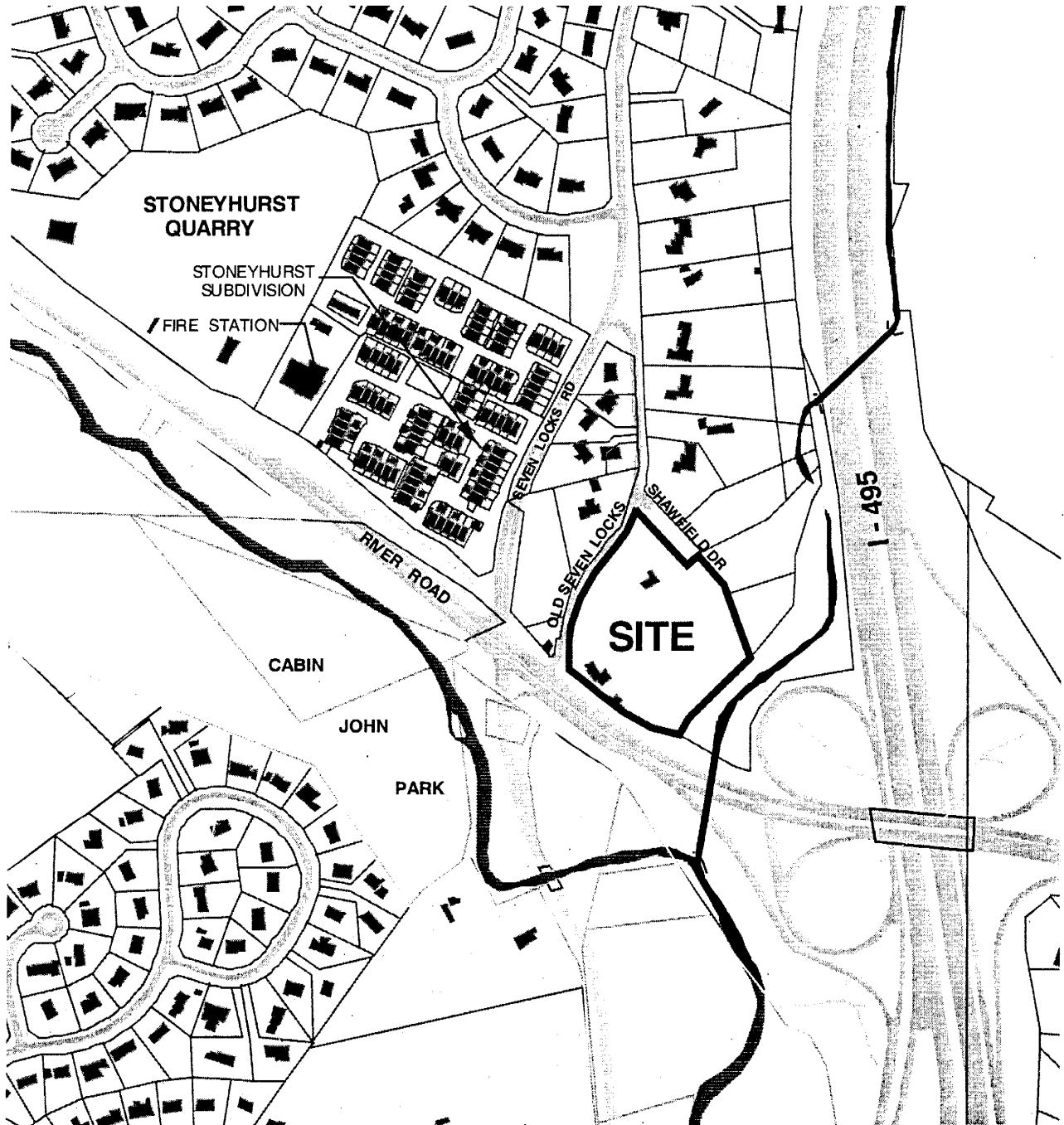


### Staff Analysis

Based on the traffic evaluation submitted by the applicant's traffic consultant, the amount of truck traffic associated with the proposed residential development, totaling up to five trucks per day, will be significantly less than the amount of the truck traffic associated with the current quarry activities. One observation of the existing truck activity showed 17 trucks during a one-hour period in the morning. Thus, staff finds that construction of the intersection improvement proposed by the applicant in connection with the subject site plan is adequate to address this traffic safety issue associated with westbound U-turn movements on River Road at Seven Locks Road.

**PROJECT DESCRIPTION:** Site Vicinity

The subject property is located in the northwestern quadrant of the interchange of I-495 and River Road (MD 190). It is bounded by Old Seven Locks Road on the west, Shawfield Drive on the northeast corner and R-200 zoned residential properties to the north. On the west side of new Seven Locks Road is Stoneyhurst townhouse development. The Magruder Blacksmith and Stoneyhurst historic sites are located across Old Seven Locks Road from the southwestern corner of the site. Across River Road to the south and west is Cabin John Park.



**PROJECT DESCRIPTION:** Site Description

The property consists of 6.02 acres of R-200/TDR zoned land. It is currently used as an active quarry. The site includes the quarry, associated buildings, storage facilities, a truck scale, and discarded mining equipment and vehicles. The quarry contains excavated areas in excess of 70 feet. The excavated areas are part of the past and active quarry operations.

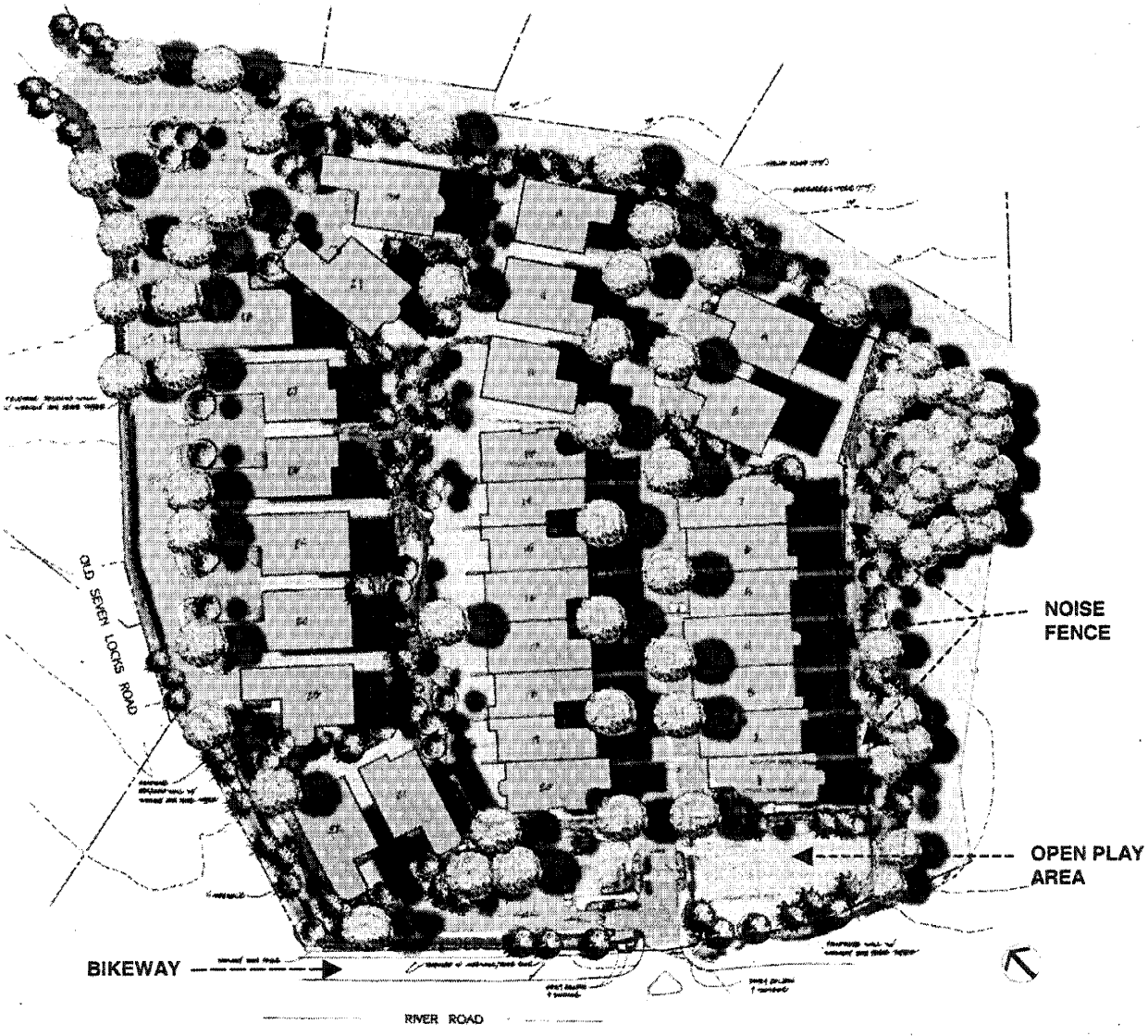
The site drains to the Thomas Branch and Cabin Branch stream, both Use I streams. Both streams are within the Cabin John watershed. The site includes a stream buffer but the streams are not physically located on the property. The forest is located entirely outside of the stream valley buffer and upland to the quarry operations. Large trees, but not significant trees are growing in the mining spoils found in various locations on the site, including the stream buffer.



**PROJECT DESCRIPTION:** Proposal

The plan proposes a total of 30 dwelling units (15 one-family detached and 15 townhouses). River Road is the access point for 22 units and Old Seven Locks Road/Shawfield Drive provide access for 8 units. The proposed recreation facilities for the units include an open play area near the entrance off River road and two picnic/sitting areas in the common open space areas. A six to seven-foot-high noise fence will be provided along the back of the lots near the east property line to mitigate noise from the Capital Beltway (I-495) and River Road.

An eight-foot-wide shared use path (Class I bikeway) along River Road from the entrance driveway westward to Seven Locks Road will be provided. Internal sidewalks will also be provided to facilitate pedestrian circulation throughout the development. The existing traffic island in the southeastern quadrant of the intersection of River Road and Seven Locks Road will be improved, including relocating a traffic signal pole, to provide an adequate turning radius for the safe U-turn movement of passenger cars.





**PROJECT DESCRIPTION:** Prior Approvals

Preliminary Plan 1-04021 for Giancola Quarry was approved by the Planning Board with conditions on April 15, 2004. A copy of Planning Board opinion is attached.

**ANALYSIS:** Conformance to Development Standards

PROJECT DATA TABLE (R-200/TDR-8 Zone)

Development Standard	Permitted/ Required	Proposed
Min. Tract Area (ac.):		6.02
Density of Development (d.u./ac.)	8	4.98
Number of Dwelling Unit		
Detached unit (min.)	5 (15%)	15
Attached unit		<u>15</u>
Total	48	30
Building Setbacks (ft.)		
from street		15
rear yard		20
side yard		5
Deck Setback (ft.)		5
Green Area (%)	40	63
Building Height (ft.):		50
Parking Spaces		
Detached units	30	47
Attached units	30	30
Visitor		<u>6</u>
Total		83

RECREATION CALCULATIONS

	Tots	Children	Teens	Adults	Seniors
Demand Points					
For 15 detached units and 15 attached units	4.7	6.2		6.2	38.4 3.0
Supply Points					
Open Play Area II (1)	3.0	4.0		4.0	10.0 1.0
Picnic/sitting (2)	2.0	2.0		3.0	10.0 4.0
Pedestrian System	0.5	1.2		1.2	17.3 1.4
Natural Area	<u>0.0</u>	<u>0.3</u>		<u>0.6</u>	<u>3.8</u> <u>0.2</u>
Total Supply Points	5.5	7.5		8.8	41.1 6.5
% of demand met on-site	117.5	122.6		143.8	107.1 216.7

TRANSFER DEVELOPMENT RIGHTS CALCULATION

Base density (2 d.u./ac for R-200)   2 x 6.02 = 12  
 Required TDRs                           30 d.u. - 12 d.u = 18

## ANALYSIS:

### Conformance to Master Plan

The 4.87-acre Giancola Quarry was rezoned from the R-200 zone to the R-200/TDR-8 zone by Sectional Map Amendment, following the recommendations of the 2002 Approved and Adopted Potomac Subregion Master Plan. The property is bordered to the north by single family detached housing in the Seven Locks Hill subdivision, to the east by I-495, to the south by River Road and Cabin John Park, and to the west by Old Seven Locks Road and the Magruder Blacksmith and Stoneyhurst historic sites.

The adjoining Parcel 616 is under the same ownership as the quarry and is zoned R-200. It comprises 0.64 acres for a total tract area of 5.31 acres. As part of the abandonment of Old Seven Locks road, a portion of the right-of-way (9,380 square feet) has reverted to the site's owner.

The Potomac Subregion Master Plan recommended a maximum of 40 townhouses for the property and that Parcel 616 be retained as a forest conservation area. The Plan also recommended that River Road remain the primary access point.

The submitted site plan depicts a total of 30 units (15 one-family detached homes and 15 townhouses). River Road is the access point for 22 units and Old Seven Locks Road/Shawfield Drive provides access for 8 units. Parcel 616 is retained for forest conservation. The Community-Based Planning Division finds, therefore, that the site plan is in conformance with the Master Plan.

### Local Area Transportation Review

The subject preliminary plan is not subject to Local Area Transportation Review since the proposed 30 dwelling units generate less than 50 total weekday trips during the peak hour of the morning (6:30 a.m. to 9:30 a.m.) and evening (4:00 p.m. to 7:00 p.m.) peak periods of adjacent roadway traffic.

### Structural Fill

In order to prepare the site for residential development the applicant must fill the site with appropriate material, compact the material and test the fill to ensure the proper compaction percentage is achieved. The applicant indicates the material will be imported from Virginia and placed in the site in accordance with DPS requirements for complex structures. To ensure the structures are constructed and suitable for residential development, Environmental Planning requests a condition requiring the applicant to obtain a building permit for special inspection/complex structures provisions of the building code.

### Environmental Guidelines

A natural resource inventory/forest stand delineation (NRI/FSD) was prepared for this site. Environmental Planning staff initially approved the NRI/FSD in November 2003. The November 2003 NRI/FSD showed the stream buffer extending into the site because of the presence of a Federal Emergency Management Agency (FEMA) 100-year floodplain. The floodplain is created by the change in topographical conditions caused by the quarrying operations and when the

culvert underneath River Road constricts Thomas Branch. This condition only occurs during intense storm events and when there is sufficient storm water runoff causing the stream to overflow its banks and flood into the quarry.

The applicant worked diligently and was able to convince FEMA that the floodplain was created by a backwater condition and that the reclamation operations required for the site would eliminate the flooding internal to the site. FEMA agreed to removal the floodplain from the site. The NRI/FSD was re-certified in March 2004 with the floodplain and stream buffer greatly reduced.

The only permanent structures to be constructed in the stream buffer are necessary stormwater management conveyances. The reclamation plan will require the removal of mining spoil piles that are located in the stream buffer. Removal of the spoils is necessary and will require the removal of some trees, but not any forest.

#### Forest Conservation

The applicant is utilizing an optional method of development for this site and therefore must meet the appropriate threshold on site. The 6-acre site includes 0.7 acres of existing forest. Since the site includes less existing forest than the afforestation threshold the applicant must reforest to the afforestation threshold and preserve all existing forest. The applicant is proposing to retain the existing 0.7-acre forest onsite and plant an additional 0.2-acres of forest. This will be sufficient to meet the afforestation threshold and the planting requirements for the site. The forest planting will occur in the stream buffer but will not be sufficient to reforest the entire stream buffer.

#### Noise

A traffic noise impact analysis was conducted for the subject property and revealed that the site is impacted from noise from the Capital Beltway/I-495 and River Road MD 190. Based on the plan for residential units the rear yards for lots 1-9, 19, 20, and 22 will have an unmitigated noise impact of more than 60 dBA Ldn.

A noise fence of 6 to 7 feet in height will reduce the exterior noise levels below the 60 dBA Ldn at 5 feet above the ground level. The noise barrier will not be of sufficient height to protect those portions of the residential units above the noise wall from motor vehicle noise. In order to achieve the 45 dBA Ldn interior noise criteria the upper floors of the residential units will have rely entirely upon acoustical treatment. The noise report indicates that specific architectural building features were not developed in sufficient detail and is unable to determine if the 45 Ldn dBA noise level can be achieved. Therefore, Environmental Planning requests a condition that requires the noise consultant to review the architectural features of the residential units and determine if the interior noise criteria will be achieved. If the acoustical engineer finds that the design features do not achieve the desired interior noise levels, the building design must be modified to achieve those levels.

**FINDINGS:** For Site Plan Review

1. *The Site Plan is consistent with an approved development plan or a project plan for the optional method of development if required.*

An approved development plan or a project plan is not required for the subject development.

2. *The Site Plan meets all of the requirements of the zone in which it is located.*

The Site Plan meets all of the requirements of the R-200/TDR-8 zone as demonstrated in the 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 plan proposes a total of 30 dwelling units, including 15 one-family detached and 15 townhouses. The units are distributed along the two internal driveways perpendicularly to River Road. Most of the proposed units back up to open space areas. A six to seven-foot-high noise fence will be provided along the back of the lots near the east property line to mitigate noise from the Capital Beltway (I-495) and River Road.

- b. Open Spaces

The plan proposed 3.8 acres of open space, or 63 percent of the property, between units and along the perimeter of the property. The open space along with existing trees will provide screening between the proposed development and the Capital Beltway. The proposed open play area and picnic/sitting areas are also located in the open spaces.

The proposed stormwater management concept consists of (1) on-site channel protection measures via underground storage; (2) on-site water quality control via stormfilter and a water quality inlet pretreatment.

- c. Landscaping and Lighting

The proposed landscaping on the site consists of a mix of shade, evergreen and flowering trees along the internal driveways, around the central open space and recreational facilities, and along the road frontage. The proposed lighting plan shows street lights along the internal driveways and near the common parking area. The lighting poles are 12 feet in height. The lighting level is between 0.4 and 0.0 footcandle at the property line.

d. Recreation

Recreation demand is satisfied as shown in the recreation calculations table above. The proposed recreation facilities, including picnic/sitting areas, an open play area, and a bikeway along the River Road frontage. Sections of pathways will be provided to connect these facilities with individual homes.

e. Vehicular and Pedestrian Circulation

Access points to the site are to be provided from River Road (MD 190) as a "right-in right-out" and from Old Seven Locks Road. The existing traffic island in the southeastern quadrant of the intersection of River Road and Seven Locks Road will be improved, including relocating a traffic signal pole, to provide an adequate turning radius for the safe U-turn movement of passenger cars.

An eight-foot-wide shared use path (Class I bikeway) along River Road from the entrance driveway westward to Seven Locks Road will be provided. Internal sidewalks will also be provided to facilitate pedestrian circulation throughout the development.

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

The proposed residential development includes both one-family detached and attached units. They are compatible with the adjacent houses in use, scale and dwelling types. Across River Road from the site is Cabin John Park, which will provide off-site recreational opportunities for the future residents.

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

The applicant is utilizing an optional method of development for this site and therefore must meet the appropriate threshold on site. The 6-acre site includes 0.7 acres of existing forest. Since the site includes less existing forest than the afforestation threshold the applicant must reforest to the afforestation threshold and preserve all existing forest. The applicant is proposing to retain the existing 0.7-acre forest onsite and plant an additional 0.2-acres of forest. This will be sufficient to meet the afforestation threshold and the planting requirements for the site.

## APPENDIX

A. Planning Board opinion for Preliminary Plan 1-04021.

**Date Mailed: April 27, 2004**

**Action:** Approved Staff Recommendation  
**Motion** of Comm. Perdue, seconded by  
Comm. Robinson with a vote of 5-0;  
Comms. Berlage, Bryant, Perdue,  
Robinson and Wellington voting in favor

## **MONTGOMERY COUNTY PLANNING BOARD**

### **OPINION**

Preliminary Plan 1-04021

NAME OF PLAN: GIANCOLA QUARRY

On 09/15/03, GIANCOLA QUARRY submitted an application for the approval of a preliminary plan of subdivision of property in the R-200/TDR-8 zone. The application proposed to create 30 lots on 5 acres of land. The application was designated Preliminary Plan 1-04021. On 04/15/04, Preliminary Plan 1-04021 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form, attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-04021 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-04021.

Approval, including a waiver pursuant to Section 59C-1.395, percentage of one family detached dwelling units required, and an abandonment of a portion Shawfield Drive, subject to the following conditions:

- 1) 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
- 2) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 3) The applicant must first obtain a building permit, issued by Montgomery County Department of Permitting Services, for excavation and fill placement. The construction, excavation and fill placement activities will be subject to special inspection/complex structures provisions of the building code.
- 4) The applicant must insure that the adjoining properties are protected from damage in accordance with the provisions of the Montgomery County Code, and that appropriate notices have been sent to the adjoining property owners
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval dated January 26, 2004, and as revised April 9, 2004

- 6) Access to this property is subject to the "Rules and Regulations" of the State Highway Administration with a permit issued (1) one street connection, (typical right-in right-out standard attached) and property frontage improvements. Improvements shall include, but not limited to, an 8 foot bikepath, located from new Seven Locks Road easterly to the beltway ramp (I-495) (to the extent right of way is available), landscaping, stormdrain construction, acceleration lane and deceleration lane
- 7) The term "denied access" is to be placed on the final record plat along the property that abuts River Road (MD 190), except at the approved entrance.
- 8) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 9) Final design and improvements to the intersection of Old Seven Locks Road, Shawfield Drive and the site access road is to be approved by MCDPW&T. Any improvements to the right of way are the responsibility of the applicant
- 10) Prior to recording of plat(s) Planning Board approval of frontage waiver resolution
- 11) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- 12) Final number, location and orientation of the dwelling units to be reviewed at site plan
- 13) No clearing, grading or recording of plats prior to site plan approval. Site plan enforcement agreements to be approved prior to recording of plats
- 14) Prior to recording of plat submit verification that a minimum of 17 TDR's, dependent on condition # 12 above, have been recorded for the project
- 15) 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
- 16) At the time of site plan, applicant to investigate the U-turn movements for trucks on River Road
- 17) Other necessary easements