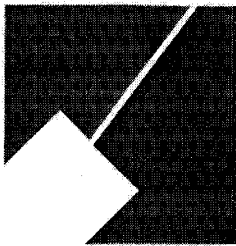


M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

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MCPB
9/9/04
Item #12

MEMORANDUM – Local Map Amendment

DATE: September 3, 2004

TO: Montgomery County Planning Board

VIA: Richard Hawthorne, Chief, Development Review Division *RH.*
Bill Barron, Team Leader, Eastern County

FROM: Carlton Gilbert, Zoning Supervisor, Development Review Division *CG.*
(301) 495-4576

SUBJECT: **Local Map Amendment No. G-821:** Tri-Capital Partners LLC, applicant, - reclassification of 2.0 acres of land from the R-60 Zone to the RT-8 Zone for up to sixteen townhouse units, located at 3961 Greencastle Road, Burtonsville – Fairland Master Plan

PUBLIC HEARING: September 27, 2004

STAFF RECOMMENDATION:

APPROVAL of Local Map Amendment No G-821 for the following reasons:

1. The application is consistent with the purpose clause and all applicable standards for the RT-8 Zone.
2. The application is in substantial conformance with the land use recommendations of the Fairland Master Plan, and will be compatible with the surrounding area.
3. The RT-8 zone is an appropriate and designated zone for the property and the rezoning request should be approved as requested.

INTRODUCTION

The applicant requests reclassification from the R-60 Zone (Residential, one-family) to the RT-8 Zone (Residential, townhouse) of 2.0 acres of land located on the west side of Greencastle Road near Burtonsville in the eastern portion of Montgomery County. The

property is identified as Lot 2 of Seibel's Subdivision. The applicant proposes to develop up to 16 townhomes on the property. Because the proposed project uses the standard method of development for local map amendments, Chapter 59-H-2.4 of the Montgomery County Code does not require the submission of a schematic development plan.

BACKGROUND

A. Description of Property

The subject property is located on the west side of Greencastle Road in the eastern portion of Montgomery County, Maryland, in the Fairland Master Plan area. The property (Lot 2) is irregular in shape although the main, usable, portion of the property is rectangular, measuring approximately 150 feet along Greencastle Road and 450 feet deep. The property is currently improved with one single-family dwelling, fronting on Greencastle Road and with driveway access to Greencastle Road. Other than the one dwelling, the property is unimproved and wooded. The rear portion of the property is steeply sloping toward the small stream that flows north to south, parallel to the western property line. That stream is an unnamed tributary to the Little Paint Branch. There is also a 100-year flood plain associated with that stream that impacts the rear of the property. The floodplain, steep slope areas and wooded stream valley will be preserved as a part of the Stream Valley Buffer associated with the rear portion of the site, as recommended by the Master Plan. The stream valley buffer is identified in the NRI/FSD.

B. Surrounding Area

The proposed RT-8 Zone is a floating zone. In a floating zone application, the evaluation of the zoning issues and compatibility requires delineation of the surrounding area. Staff defines the area as generally bounded by Greencastle Road and the Fairland Recreational Park on the east, Robey Road to the north, Sheffield Manor Drive to the west, and the Prince George's County line to the south. Greencastle Road divides the surrounding area into two distinctly separate land uses. On the east side of Greencastle Road lies the Fairland Recreational Park that is owned and operated by the M-NCPPC as open space and ball fields. On the west side of Greencastle Road and east of the tributary, the area surrounding the property is zoned and developed with high density residential land uses. The properties located on the west side of Greencastle Road within 1,500 feet of the subject property are zoned RT-8 or RT-10 (townhouses) or R-30 (multi-family residential) and are developed with townhomes, condominiums or garden apartments. **The subject property is the only remaining parcel of land on the west side of Greencastle that remains as a single-family detached residential zone.**

C. Intended Use and Approval Procedures

The proposed RT-8 zone would allow up to 16 townhomes on the 2.0 acre site. However, the rear portion of the site is encompassed within the Stream Valley Buffer (SVB) abutting the stream flowing through the rear western portion of the property. Since no development is permitted within the SVB and based on the densities achieved and approved on nearby RT-8 zoned properties over the past year, the actual development anticipated on the property will likely be less than the maximum number (16) of townhomes permitted for this site in the RT-8 Zone. The wooded area in the rear, within the SVB, will be protected with a Category 1 Forest Conservation Easement, permitting no activity or construction other than the sewer connection through it to the existing sewer line.

Following rezoning, additional steps will include the review and approval of a preliminary plan of subdivision and site plan by the Planning Board.

D. Zoning History

The property was subdivided as a single residential lot in 1957 as Lot 2 of Seibel's Subdivision. Seibel's Subdivision consisted of two 2-acre lots (Lot 1 and Lot 2). The Fairland Master Plan recommended the RT-8 Zone for Lots 1 and 2. Following adoption of the Master Plan, Sectional Map Amendment (SMA)G-747 was adopted in 1997 to implement the Master Plan. Lot 1 of Seibel's Subdivision, along with several other properties on the west side of Greencastle Road, were rezoned to the RT-8 Zone. The subject property (Lot 2) was not rezoned in that action. At that time, the M-NCPPC staff also desired to rezone Lot 2 to the RT-8 Zone, but the then property owner did not support this and it was not included in the SMA.

E. Master Plan Recommendation

The subject property is located in the Fairland Master Plan. The property is in the Greencastle/Briggs Chaney neighborhood and is identified as a part of Area 12 that consists of four parcels and a total of seven acres.

The Fairland Master Plan recommends the following:

- Suitable for a mix of detached and townhouse development; rezone from R-30 to R-60, suitable for townhouses, RT-8
- Provide connections to open space in adjacent properties to expand open space along tributaries to the Little Paint Branch.
- Incorporate stream buffer areas in open space.
- Require appropriate setbacks and noise mitigation along Greencastle Road.

Regarding compatibility, the proposed rezoning will fill in the only remaining parcel along the west side of Greencastle Road that is still zoned R-60. This will bring the entire western side of Greencastle Road in this vicinity into conformance with the

Master Plan recommendations. The west side of Greencastle Road is zoned for and developed with garden apartments, townhomes and condominiums. Therefore, additional townhomes in this area would be compatible with the existing development. Site plan review will be required following rezoning and site conditions will be subject to review at that time.

F. Public Facilities

1. Water and Sewer: There is an existing 12-inch sewer line in the stream valley that will provide adequate public sewer service to the homes proposed for the property.
2. Roadways: Greencastle Road, between US 29 to the northwest and the Prince Georges County Line to the southeast, is recommended as a four-lane Arterial (A-110), with a minimum right-of-way width of 80 feet. The Master Plan also recommends sidewalks and a Class I bikeway (PB-52) along Greencastle Road between Old Columbia Pike (to the west of US 29) and the Prince Georges County Line. (Note: The May 2004 Planning Board Draft of the *Countywide Bikeways Functional Master Plan* recommends for Greencastle Road, a Shared Use Path (SP-23) between Robey Road and the Prince Georges County Line to the east, and a Dual Bikeway (DB-11; existing) between Robey Road and US 29 to the west).
3. Schools: The subject property is located within the Greencastle Elementary School, Benjamin Banneker Middle School and Paint Branch High School service areas. Based on average yield factors for comparable housing units, the impact of the proposed development of 16 townhomes would generate approximately 4 elementary school students, 2 middle school students and 3 high school students. Based upon the school analysis called for in the FY 2005 AGP, the M-NCPPC staff reviewed the data prepared by MCPS and endorsed the findings that no school clusters have capacity limitations. The Planning Board, on June 17, 2004, adopted the staff's recommendations and found that all elementary, middle and high schools have adequate capacity for additional residential development. The student amounts above are very small and should pose no capacity issues. This will be evaluated at the time of subdivision.

ANALYSIS

A. Intent and Purpose of the Zone

The intent and purpose of the R-T Zone is found under Section 59-C-1.721 of the Zoning Ordinance and provides:

The purpose of the R-T Zone is to provide suitable sites for townhouses:

- (a) In sections of the County that are designated or appropriate for residential development at densities allowed in the R-T Zones; or*
- (b) In locations in the County where there is a need for buffer or transitional uses between commercial, industrial, or high-density apartment uses and low-density one-family uses.*

It is the intent of the R-T Zones to provide the maximum amount of freedom possible in the design of townhomes and their grouping and layout within the areas classified in that zone, to provide in such developments the amenities normally associated with less dense zoning categories, to permit the greatest possible amount of freedom in types of ownership of townhouses and townhouse developments, to prevent detrimental effects to the use or development to adjacent properties or the neighborhood and to promote the health, morals and welfare of the present and future inhabitants of the district and the County as a whole.

The subject property is both designated and appropriate for residential development at the density and zone requested. Therefore, the application meets section (a) of the Intent and Purpose. The property is designated as appropriate for townhouse development at eight units per acre in the Fairland Master Plan. In addition, the property is appropriate for such residential development because of the surrounding development and zoning. Properties to the north, south and west are zoned, developed, or approved for development, as townhouses and apartments at similar or higher densities. The proposed townhouse development will be compatible with adjacent uses and the neighborhood. At present, the existing single-family dwelling on the site is out of character with the area. The proposed development will provide an amenity normally associated with other townhome developments in the surrounding neighborhood by preserving a large portion of the property in permanent open space associated with the stream valley buffers in the rear of the property. Therefore, a significant portion of the site will remain open and wooded.

B. Development Standards

The design of the development will be finalized and approved by the Montgomery County Planning Board at the time of subdivision and Site Plan approval. The development standards and other criteria (i.e., row design) will be complied with at that time.

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Minimum Tract Area	20,000 sq. ft.	2.0 acres
Maximum Density du/ac	8 du/ac	8 du/ac
Building Coverage	35%	35% *
Green Area	50%	50% *
Parking	2/du	2/du *

* To be determined at Site Plan

Staff notes that at 2.0 acres, or 87,120 square feet, the subject property exceeds the minimum tract area and must meet or exceed all of the other development standards at the time of subdivision and Site Plan Review.

C. Transportation Issues

In the attached memorandum, the Transportation Planning staff provides the following comments to be part of the Planning Board's recommendations:

1. The rezoning request for the subject property is in conformance with the Fairland Master Plan.
2. APF issues, if any, related to the subject property will be addressed at the time of subdivision (Preliminary Plan).

D. Environmental Issues

In the attached memorandum, the Environmental Staff recommends approval of this request and provides the following comments for support of the application:

1. No impervious surfaces within, or encroachment into, the stream valley buffer.

Staff believes that the proposed RT-8 zoning is desirable as the most forest conservation requirements will preserve the floodplain, steep slope areas, and the wooded stream valley as part of the Stream Valley Buffer associated with the rear of the

property. The proposed townhouse development will allow a large portion of the site to remain in permanent open space and provide an amenity that is normally associated with less dense zoning categories.

Forest Conservation

An approved Natural Resource Inventory/Forest Stand Delineation was submitted with the application. This site is not exempt from Forest Conservation Law. The large area of forested stream valley buffer on the property will meet the site's forest conservation requirements. Approval of the Preliminary Forest Conservation Plan will occur at the Preliminary Plan of Subdivision phase.

E. Community Concerns

Two members of the Fairland Master Plan Citizens Advisory Committee have written letters in support of the proposed rezoning application.

F. Conclusion

As noted earlier in this report, the proposed local map amendment meets or exceeds the requirements of the Montgomery County Zoning Ordinance and the recommendations of the Fairland Master Plan, and will be compatible with the surrounding area. As such, the RT-8 zone is an appropriate and designated zone for the property and the rezoning request should be approved as requested.

ATTACHMENTS

1. .General and Specific Special Exception Provisions
2. Vicinity Map
3. Zoning Map
4. Site Plan
5. Plans of Level 1 and Level 2
6. Uses & Their Locations Within the Store (Fixture Plan)
7. .Conditions of Approval of site plan.
8. Site Plan Table "Analysis: Conformance to Development Standards"
9. Memorandum from Transportation Planning
10. Memorandum from Environmental Planning
11. Letter dated July 19, 2004 – Detailed Description of Ventilation System, Waste Disposal System , and Sound Attenuation Measures