

M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

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**MCPB**  
**Agenda Item # 10**  
**Date: 10/27/05**

**MEMORANDUM**



**DATE:** October 21, 2005

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief  
Development Review Division

Cathy Conlon, Supervisor *CAC*  
Development Review Division

**FROM:** Richard Weaver, Planner Coordinator *RW*  
Development Review Division

Taslina Alam, Planning Technician  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision  
**APPLYING FOR:** Approval for One (1) Residential Lot

**PROJECT NAME:** Rock Creek Palisades  
**CASE #:** 120050990 (formerly 1-05099)  
**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** R-60  
**LOCATION:** On the south side of Wexford Drive, approximately 200 feet west of Connecticut Avenue (Route 185)

**MASTER PLAN:** Kensington/Wheaton Master Plan  
**APPLICANT:** Overton Homes, LLC  
**FILING DATE:** May 16, 2005  
**HEARING DATE:** October 27, 2005

**STAFF RECOMMENDATION:** Approval, pursuant to Section 50, Montgomery County Subdivision Regulations subject to the following conditions:

- 1) Approval under this preliminary plan is limited to one (1) single family detached dwelling unit.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all the following conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits, including final tree protection plan for onsite trees in accord with limit of disturbance as shown on approved PFCP. Final sediment control plan must be consistent with limits of disturbance as shown on final tree protection plan.
- 3) 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.
- 4) Record plat to provide for dedication of 50 feet of right-of-way for Wexford Drive.
- 5) Compliance with the conditions of the MCDPWT approval letter dated October 2, 2005, prior to recordation of plat.
- 6) Prior to the recordation of plat, the owner will be required to furnish DPWT with a recorded covenant, whereby said owner agrees to pay a pro-rata share for the future construction or reconstruction of Wexford Drive, whether built as a Montgomery County project or by private developer under permit, prior to DPS approval of the record plat. The deed reference for this document is be provided on the record plat.
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval letter dated June 10, 2005.
- 8) Other necessary easements.

**SITE DESCRIPTION:**

The subject property is located on the south side of Wexford Drive approximately 200 feet west of Connecticut Avenue (Route 185) and is located in the Kensington/Wheaton Master Plan area. The property is comprised of 0.5195 acres, is zoned R-60 (see Attachment A) and is served by public water and sewer.

The subject property is located within the Lower Rock Creek Watershed (Use Classification I-P). There is a shed existing on the site. Approximately 0.48 acres of the 0.51-acre property is forested with numerous specimen trees. There is an existing stream

buffer on the site that is related to an off-site stream located in the median of Wexford Drive.

### **PROJECT DESCRIPTION:**

The applicant is requesting to plat the existing part of an outlot into one residential lot for one single-family unit.. (Attachment B). The proposal will create a 22,629 square foot lot. Access will be provided via a driveway from Wexford Drive. Existing water and sewer lines are located in Wexford Drive and will be brought onto the site in close proximity to the driveway.

Two significant areas of tree save will be preserved on the property. Special attention was given to the driveway turnaround location that saved additional trees located in the stream valley buffer.

### **TRANSPORTATION**

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians. A traffic study was not required for the property because of the small number of trips that will be generated by the proposed house. DPWT has required that the applicant enter into an agreement to pay a proportionate share of future improvements to Wexford Drive. Condition number 6 addresses this concern.

### **ENVIRONMENTAL**

#### Forest Conservation

The site contains 0.42 acres (18,300 square feet) of forest over the 0.52-acre (22,629 square foot) lot area. Approximately 0.23 acre (10,300 square feet) will be saved in the front and rear yard area of the lot. Due to the presence of the environmental buffer in the front, a Category I easement is recommended. A category II tree save easement is recommended in the rear of the lot to protect three large specimen scarlet oak trees. Unavoidable and minimized encroachment into an unforested section of the environmental buffer for driveway and utilities has been offset with a comparable area of protected forest area contiguous to the buffer.

### **ANALYSIS:**

Staff's review of Preliminary Plan #120050990 (formerly 1-05099), Rock Creek Palisades, indicates that the plan conforms to the recommendations of the Kensington/Wheaton Master Plan (Attachment C). The master plan specifically recommends that the most appropriate form of development for this parcel would be as either a single-family residence or as an extension to either of the two adjoining special exception uses which are an elderly housing project and a private swim club. The Plan

recommends that if the property develops without combining with other properties, it is appropriate for a single family residence that could access Wexford Drive. The proposed preliminary plan is consistent with the master plan goal to maintain the areas single-family residential character.

Staff also believes that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public water and sewer will be adequate to support and service the proposed lot. Staff further finds that the size, width, shape, and orientation of the proposed and future lots are appropriate for the location of the subdivision.

**CONCLUSION:**

Staff finds that Preliminary Plan #120050990 (formerly 1-05099), Rock Creek Palisades, conforms to the Kensington/Wheaton Master Plan and meets all necessary requirements of the Subdivision Regulations. The lot is also in conformance with Chapter 59, the Montgomery County Zoning Ordinance as illustrated on the preliminary plan checklist. As such, Staff recommends approval of the preliminary plan.

**ATTACHMENTS:**

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Master Plan Excerpt
Attachment D	Agency letters

Preliminary Plan Data Table and Checklist

<b>Plan Name: Rock Creek Palisades</b>				
<b>Plan Number: 120050990 (formerly 1-05099)</b>				
<b>Zoning: R-60</b>				
<b># of Lots: 1</b>				
<b># of Outlots: None</b>				
<b>Dev. Type: Single Family</b>				
<b>PLAN DATA</b>	<b>Required/Permitted</b>	<b>Provided</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	6,000 sq.ft.	22,629 sq.ft. proposed		10/21/05
Lot Width	60ft.	Must meet minimum		10/21/05
Lot Frontage	25ft.	Must meet minimum		10/21/05
Setbacks				
Front	25ft. Min.	Must meet minimum		10/21/05
Side	8ft. Min./18 ft. total	Must meet minimum		10/21/05
Rear	20ft. Min.	Must meet minimum		10/21/05
Height	35ft. Max.	May not exceed maximum		10/21/05
Max Resid'l d.u. per Zoning	3 d.u. (based on total area)	1 d.u. Proposed		10/21/05
MPDUs	N/A			
TDRs	N/A			
Site Plan Req'd?	No			
<b>FINDINGS</b>				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes	Yes		10/21/05
Road dedication and frontage improvements	Dedication	Yes		10/21/05
Environmental Guidelines	Yes	Yes	Environmental memo	10/20/05
Forest Conservation	Yes	Yes	Environmental memo	10/20/05
Master Plan Compliance	(check)Yes	Yes		10/21/05
Other				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes	Yes	Agency memo	6/10/05
Water and Sewer (WSSC)	Yes	Yes	Agency comments	6/20/05
Local Area Traffic Review	Not required	N/A		
Fire and Rescue	No comments <sup>1</sup>			

<sup>1</sup> Per Section 50-35(c) of the Subdivision Regulations, each agency to which a plan is referred has 30 days to return recommendations. If a recommendation is not made within the 30-day review period by any agency to whom referred, the plan is deemed to be approved by the agency.