



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item # _____
September 6, 2007



MEMORANDUM

DATE: June 22, 2007

TO: Montgomery County Planning Board

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

FROM: Dolores M. Kinney, Senior Planner (301) 495-1321 *DK*
Development Review Division

REVIEW TYPE: Preliminary Plan Amendment

APPLYING FOR: Reconfiguration of Two previously-approved one-family detached residential lots

PROJECT NAME: Kwan Property

CASE #: 120060770A

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Located on the west side of Dufief Mill Road, approximately 250 north of the intersection with Flint Grove Lane

MASTER PLAN: Potomac

APPLICANT: Jung-Chang & H. T. Kwan

ENGINEER: Apex Engineering

FILING DATE: May 2, 2007

HEARING DATE: September 6, 2007

STAFF RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan amendment is limited to two (2) residential lots for the construction of two (2) one-family detached dwelling units.
- 2) Compliance with conditions of MCDPWT letter dated July 16, 2007, unless otherwise amended.
- 3) Compliance with the conditions of the MCDPS stormwater management approval dated June 2, 2006.
- 4) Compliance with the tree save plan received by Environmental Planning on September 21, 2006.
- 5) Other necessary easements.

SITE DESCRIPTION:

Part of Parcel A (“Subject Property”) is located in the Muddy Branch Watershed on the west side of Dufief Mill Road, approximately 250 feet north of the intersection with Flint Grove Lane (Attachment A). Surrounded by one-family residential dwellings, the Subject Property contains 1.10 acres and is zoned R-200. There is a dwelling which currently exists on the Subject Property. There are no forests or streams identified on the site.

PROJECT DESCRIPTION:

This is an amendment to the previously approved preliminary plan of subdivision which reconfigures the boundary between two (2) lots for the construction of two (2) one-family detached dwelling units, one of which already exists (Attachment B). The original preliminary plan was approved by the Planning Board in November, 2006. During the subsequent review of the record plat, it was discovered that one of the approved lots did not meet the minimum 100-foot lot width requirement of the R-200 zone. This amendment proposes to modify the lot line to provide adequate width, which will comply with the requirement of the zone. Attachment B1 depicts the previously approved and proposed lot configurations. The solid black line shows the previous lot configuration and the red dashed line shows the proposed lot configuration.

Access to the site will be directly from Dufief Mill Road via private driveways. The proposed lots will be served by public water and public sewer.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Potomac Master Plan did not specifically address the Subject Property but highlighted parcels recommended for changes in use and/or density. The master plan supports the retention and reconfirmation of existing zoning for all developed,

underdeveloped, and undeveloped land in the subregion, except for those sites recommended for change. The Subject Property is located in North Potomac in the Potomac Master Plan Area and is not identified for change in use or density. The proposed preliminary plan is consistent with the master plan because it retains the one-family detached zoning.

Transportation

Local Area Transportation Review

The proposed development will generate less than 30 peak hour trips. Therefore, no Local Area Transportation Review (LATR) is required. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Environment

Environmental Guidelines

The Subject Property is in the Muddy Branch watershed, but contains no streams or environmentally sensitive areas and is not subject to the Planning Board's Environmental Guidelines.

Forest Conservation

The subject site qualifies for an exemption from submitting a forest conservation plan under section 22A-5(s) of the Montgomery County code, because it is less than 1.5 acres in size with no existing forest. An exemption to submit a forest conservation plan was granted on July 27, 2005 with the requirement that the applicant prepare a tree save plan.

The tree save plan proposes removal of eight large trees, only one of which is in good condition. The one good-condition tree is in the location of the proposed dwelling. Other trees to be removed are in poor to fair condition and are located either within the Dufief Mill Road right-of-way, in the public utility easement, or in the line of the proposed driveway. The tree save plan includes the retention of eight other large trees located around the existing house, along the property line to the north, and to the front of the proposed house. The Applicant proposes extraordinary measures to limit damage to the critical root zones of retained trees, such as, aeration and root protection matting under the driveway. The proposed tree save plan has been determined to be acceptable.

Stormwater Management

On June 2, 2006, the MCDPS Stormwater Management Section approved the stormwater management concept for the project, which includes drywells, appropriate grading, vegetation stabilization and drainage.

Compliance with the Subdivision Regulations and Zoning Ordinance

Staff's review of Preliminary Plan #120060770, Kwan Property, indicates that the plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the proposed lot as demonstrated on the Data Table shown in Table 1. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision, and with this amendment, the proposed lot meets minimum width requirements. Staff has also reviewed the preliminary plan for compliance with the requirements of the R-200 zone and finds that it now meets regulations as specified in the Zoning Ordinance. Building height is limited to 50 feet and will be verified by the Montgomery County Department of Permitting Services upon review of the building permit application.

Community Outreach

This plan submittal pre-dated any requirements for a pre-submission meeting with neighboring residents, however, written notice was given by the applicant and staff of the plan submittal and the public hearing. As of the date of this report, no citizen correspondence has been received.

CONCLUSION:

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the R-200 zone

Attachments

- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Agency Correspondence

TABLE 1**Preliminary Plan Data Table and Checklist**

Plan Name: Kwan Property Amendment				
Plan Number: 120070020				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: 2 one-family detached dwelling units				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 s. f.	21,564 s. f. is minimum proposed	<i>Dma</i>	July 31, 2007
Lot Width	100 ft.	Must meet minimum ¹	<i>Dma</i>	July 31, 2007
Lot Frontage	25 ft.	Must meet minimum ¹	<i>Dma</i>	July 31, 2007
Setbacks				
Front	40 ft. Min.	Must meet minimum ¹	<i>Dma</i>	July 31, 2007
Side	12 ft. Min./25 ft. total	Must meet minimum ¹	<i>Dma</i>	July 31, 2007
Rear	20 ft. Min.	Must meet minimum ¹	<i>Dma</i>	July 31, 2007
Height	50 feet Max.	May not exceed maximum	<i>Dma</i>	July 31, 2007
Maximum d.u./acre per Zoning	2 dwelling units	2 dwelling units	<i>Dma</i>	July 31, 2007
Site Plan Req'd?	No	No	<i>Dma</i>	July 31, 2007
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes		<i>Dma</i>	July 31, 2007
Road dedication and frontage improvements	Yes		DPWT	July 16, 2007
Environmental Guidelines	Yes		Environmental memo	June 18, 2007
Forest Conservation	Yes		Environmental memo	June 18, 2007
Master Plan Compliance	Yes		<i>Dma</i>	July 31, 2007
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes		DPS memo	June 2, 2006
Water and Sewer (WSSC)	Yes		WSSC memo	May 29, 2007
Local Area Traffic Review	N/A		Transportation Planning	June 11, 2007
Fire and Rescue	Yes		MCDFRS memo	June 18, 2007

¹ As determined by MCDPS at the time of building permit.

KWAN PROPERTY (12006077A)



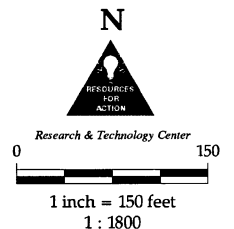
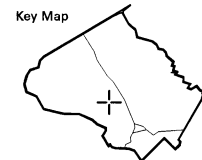
Map compiled on June 01, 2007 at 3:01 PM | Site located on base sheet no - 219NW11

NOTICE

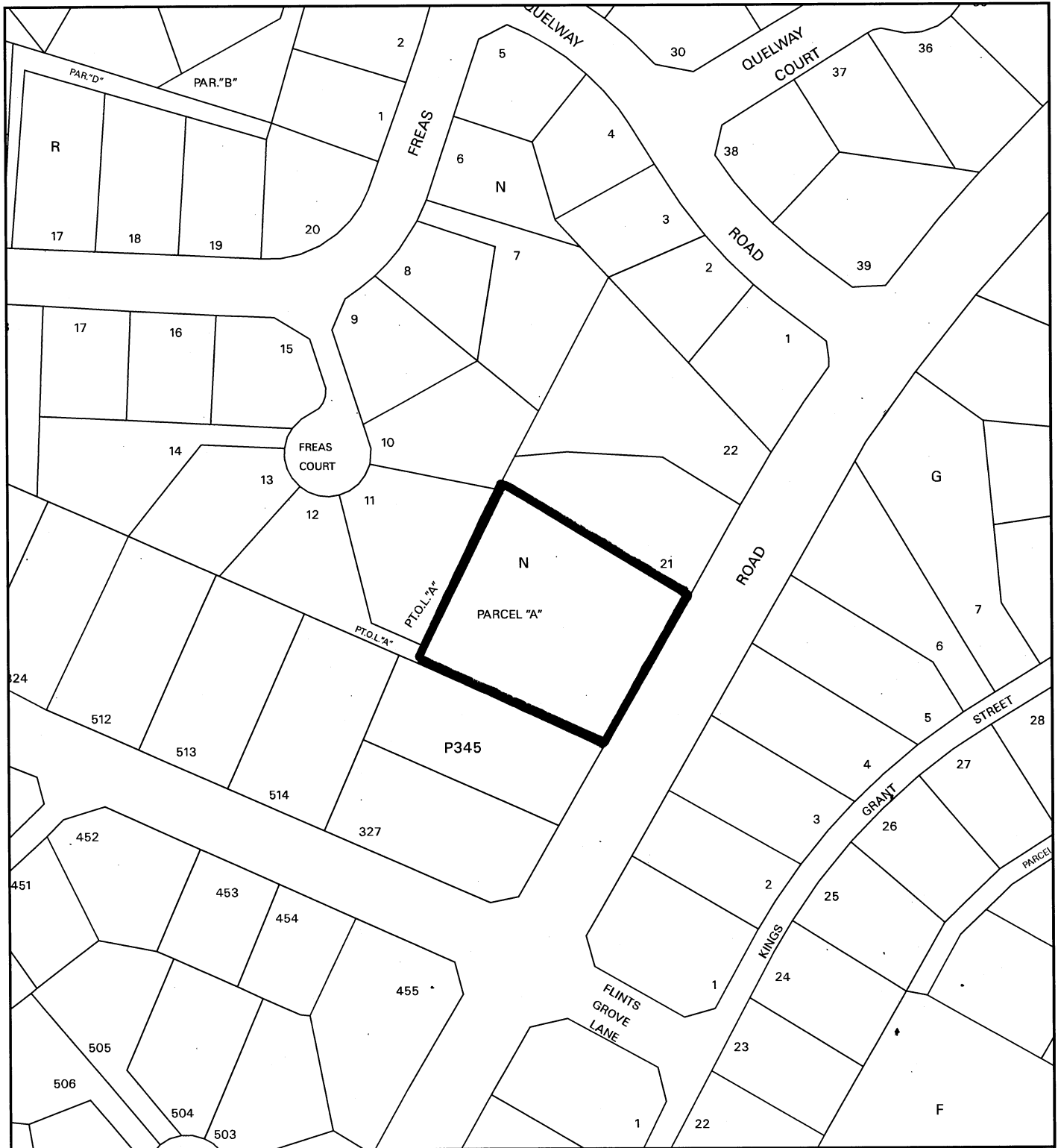
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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric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

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



KWAN PROPERTY (12006077A)



Map compiled on August 01, 2007 at 4:19 PM | Site located on base sheet no - 219NW11

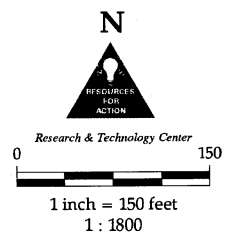
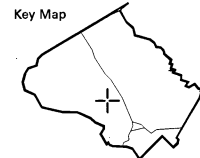
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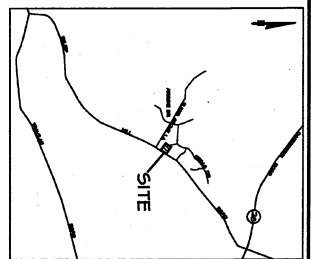
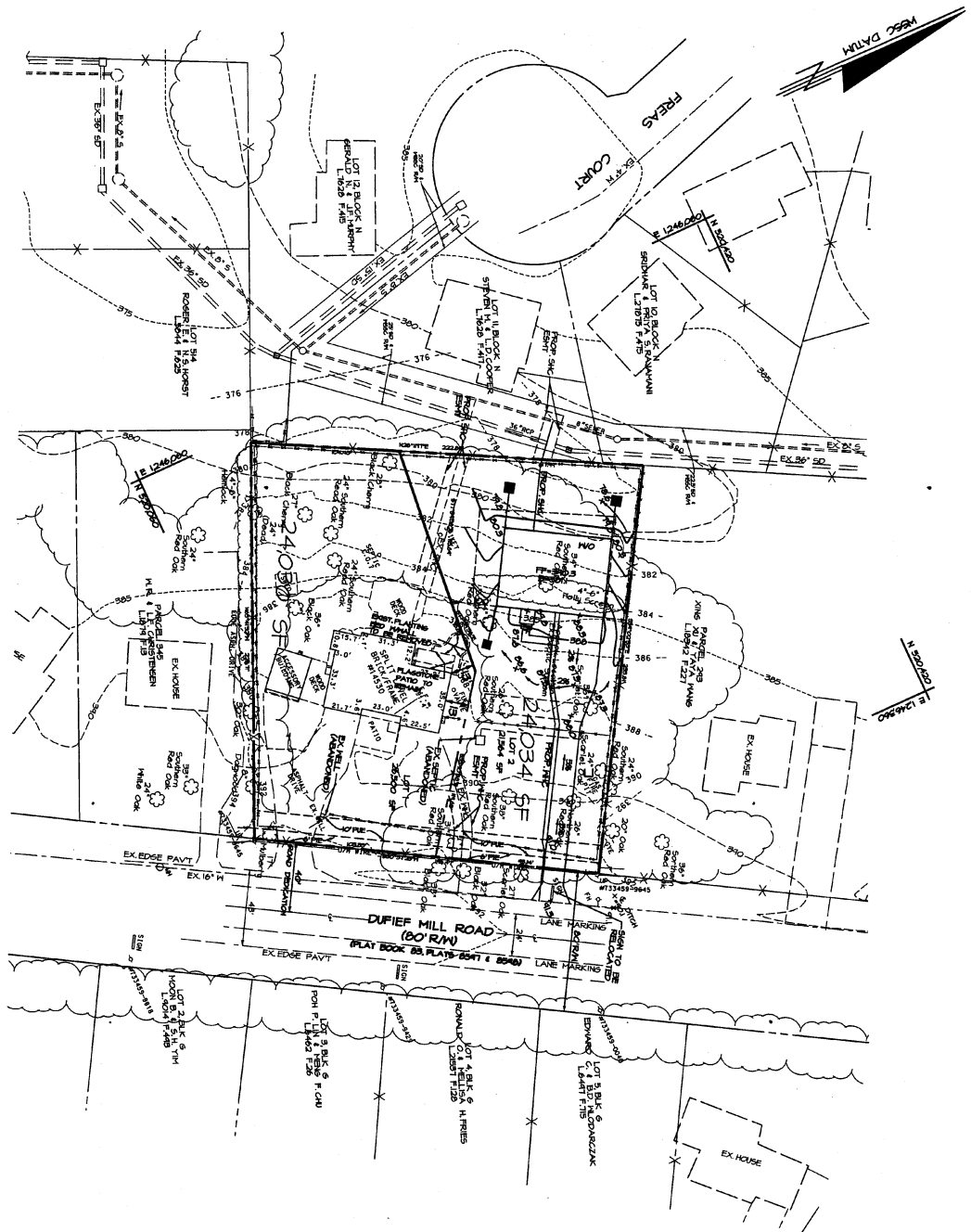
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MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
 8787 Georgia Avenue - Silver Spring, Maryland 20910-3760





GENERAL NOTES:

1. THE SUBJECT PROPERTY IS SHOWN AS PARCEL A ON TAX MAP RE. IS THE TOTAL SITE AREA IS 110 AC.
2. EXISTING ZONING IS R-2000.
3. BOUNDARY INFORMATION IS FROM FIELD SURVEY BY APX ENGINEERING MAY 2005.
4. HYDROLOGIC INFORMATION IS FROM A FIELD SURVEY BY APX ENGINEERING MAY 2005.
5. THERE ARE NO WATERS OF THE UNITED STATES OR WETLANDS ON THE SITE.
6. THERE IS NO 100 YEAR FLOODPLAIN ON THIS SITE.
7. EXISTING TREES WITH A DBH OF 24" AND GREATER HAVE BEEN FIELD SURVEYED.
8. THE RECORD WAS SUBMITTED APRIL 8, 2005 (420538).
9. ACCORDING TO THE LOCATIONAL PLANS A HISTORY OF HISTORICAL SITES IN HONTSBURGER COUNTY, THERE IS NO HISTORICAL USE OR HISTORICAL SIGNIFICANCE TO THIS PROPERTY.
10. THE SITE IS WITHIN THE NEBOT BRANCH WATERSHED WHICH IS A USE CLASS I/1.

11. CURRENT OWNERS: JING-CHANG & H.T. KWAN
12. THERE ARE 2 SINGLE FAMILY LOTS PROPOSED (EXISTING RESIDENCE TO REMAIN/PROPOSED)
13. DEVELOPMENT STANDARD:
 MAXIMUM LOT AREA: 20,000 SF
 MINIMUM LOT AREA: 10,000 SF
 AT FRONT BUILDING LINE: 60' (MIN)
 25' MIN. OF BOTH SIDES
 REAR YARD: 50'
14. EXISTING WATER AND SEWER CAPABILITY IS H-1 AND S-1.
15. THIS PROJECT SHALL BE DEVELOPED IN ONE PHASE.
16. PERFO, COCKAY, VENTON, AND W&C ARE THE PUBLIC UTILITY COMPANIES THAT WILL PROVIDE SERVICE TO THIS SITE.
17. REDWALK FEE IS IN LIEU.
18. RECORD PLAT TO REFLECT SIGNAL OF ACCESS ALONG DUFIEF HILL ROAD EXCEPT DRIVEWAYS.
19. THE PURPOSE OF THIS PRELIMINARY PLAN AMENDMENT IS TO CREATE A LOT/LOT HEIGHT AT THE FRONT OF THE PROPOSED HOUSE ON LOT 2 THIS PLAN AND/OR PRELIMINARY PLAN # 100000770.

OWNER / SURVEYOR CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARY IS FROM A TRUSTED PLAT OR FROM A FIELD SURVEY BY APX ENGINEERING MAY 2005. I HAVE BEEN ADVISED THAT THIS PRELIMINARY PLAN AMENDMENT DOES NOT CONFLICT WITH ANY OTHER PRELIMINARY PLAN AMENDMENT OR WITH CHAPTER 50 OF THE HONTSBURGER COUNTY CODE. I HAVE BEEN ADVISED THAT THIS PRELIMINARY PLAN AMENDMENT DOES NOT CONFLICT WITH ANY OTHER PRELIMINARY PLAN AMENDMENT OR WITH CHAPTER 50 OF THE HONTSBURGER COUNTY CODE. I HAVE BEEN ADVISED THAT THIS PRELIMINARY PLAN AMENDMENT DOES NOT CONFLICT WITH ANY OTHER PRELIMINARY PLAN AMENDMENT OR WITH CHAPTER 50 OF THE HONTSBURGER COUNTY CODE.

OWNER:
JING-CHANG & H.T. KWAN
 14530 DUFIEF MILL ROAD,
 GAITHERSBURG, MD 20878

1820 GREENBURY WAY SUITE 200
 ROCKVILLE, MD 20850-2022
 301-417-0200 FAX 301-417-0474

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	APRIL 2006

SCALE: 1"=30'
 JOB NO: 150214

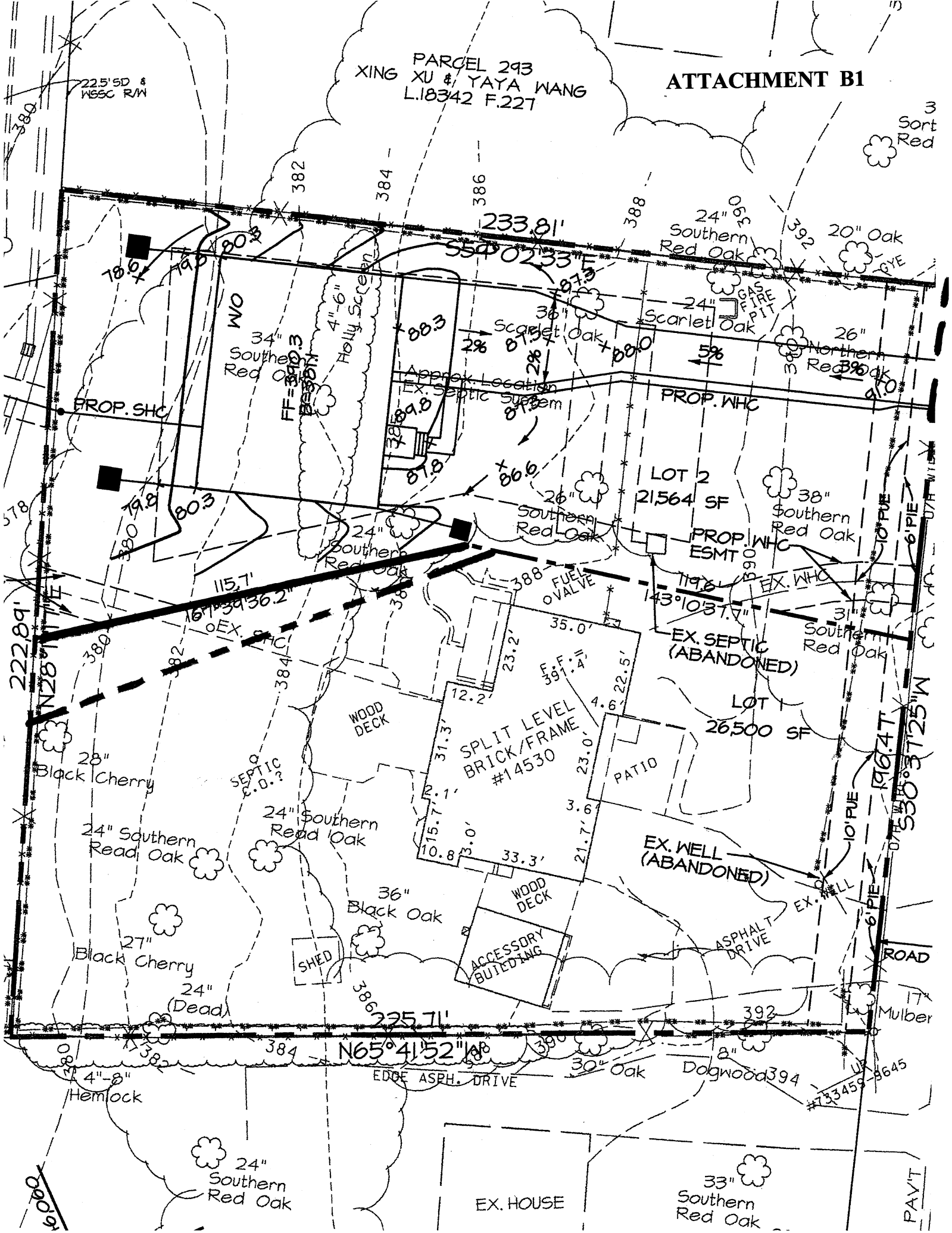


AMENDED
 PRELIMINARY PLAN

AMENDED PRELIMINARY PLAN
KWAN PROPERTY
 PARCEL A, BLOCK N

ATTACHMENT B1

PARCEL 293
XING XU & YAYA WANG
L18342 F.227



3
Sort
Red

17
Mulber

PAVT

AGENCY CORRESPONDENCE



DK

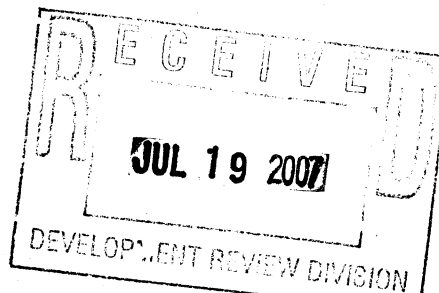
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett
County Executive

Arthur Holmes, Jr.
Director

July 16, 2007

Ms. Catherine Conlon, Subdivision Supervisor
Development Review Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760



RE: Preliminary Plan #1-2006077A
Kwan Property, Amended

Dear Ms. Conlon:

We have completed our review of the amended preliminary plan dated 05/02/07. This plan was reviewed by the Development Review Committee at its meeting on 06/18/07. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to DPS in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. All comments of our detailed review letter on preliminary plan 1-06077 dated 04/20/2006 and also the subsequent letter dated 10/30/2006 remain in effect unless specifically changed below.
2. We have reviewed downstream storm drain adequacy analysis and found it acceptable.
3. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at sam.farhadi@montgomerycountymd.gov or (240) 777-6000.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Farhadi".

Sam Farhadi, P.E.
Development Review Group
Traffic Engineering and Operations Section
Division Of Operations

Division of Operations

Ms. Catherine Conlon
Preliminary Plan No. 1-2006077A
Date July 16, 2007
Page 2

m:/subdivision/farhas01/preliminary plans/1-2006077A, Kwan Property_amendment .doc

Enclosures (1)

cc: Jung-Chang & H. T. Kwan
Mary Fertig, Apex Engineering
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Sarah Navid; DPS RWPPR
Shahriar Etemadi; M-NCPPC TP
Gregory Leck, DPWT TEOS
Preliminary Plan Folder
Preliminary Plans Note Book



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: KWAN PROPERTY Preliminary Plan Number: 1-

Street Name: DUFIEF MILL ROAD Master Plan Road Classification: A-32

Posted Speed Limit: 35 mph

Street/Driveway #1 (PROP. DRIVEWAY #1) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>450'</u>	<u>✓</u>	Right _____	_____
Left <u>700'</u>	<u>✓</u>	Left _____	_____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

BY: CDB
 ASH 12/05/05

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature: [Signature]
 189 PROFESSIONAL ENGINEER
 MONTGOMERY COUNTY, MARYLAND
 No. 18971 REGISTERED

Date: 12/14/05

PLS/P.E. MD Reg. No.

Montgomery County Review:	
<input checked="" type="checkbox"/>	Approved
<input type="checkbox"/>	Disapproved:
By:	<u>SF</u>
Date:	<u>2/16/07</u>