
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

 THE MARYLAND-NATIONAL CAPITAL
 PARK AND PLANNING COMMISSION

 8787 Georgia Avenue
 Silver Spring, Maryland 20910-3760
 301-495-4500, www.mncppc.org

**MCPB
 ITEM #11
 12/23/04**
MEMORANDUM

DATE: December 17, 2004

TO: Montgomery County Planning Board

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

FROM: Catherine Conlon, Acting Supervisor (301-495-4542) *CC*
 Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision
APPLYING FOR: Nine (9) lots; nine (9) one-family detached dwelling units

PROJECT NAME: Seitz Property
CASE #: 1-04093
REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: RC
LOCATION: Located on the southwest side of New Hampshire Avenue (MD 650) approximately 1,200 feet south of Denit Estates Drive

MASTER PLAN: Olney

APPLICANT: Kings Square LLC
ENGINEER: Gutschick, Little and Weber P.A.

HEARING DATE: December 23, 2004



STAFF RECOMMENDATION: Approval, pursuant to Chapter 50 of the Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Approval under this preliminary plan limited to nine (9) one-family detached dwelling units.

- 2) 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.
- 3) Compliance with the conditions of approval of the MCDPS stormwater management approval dated October 15, 2004.
- 4) The environmental setting of the onsite historic resource is reduced to include Lots 3 and 4 only. Any new construction, demolition or landscape alterations on these lots require HPC approval prior to commencement. The building construction for Lot 4 must be reviewed by the HPC, but only in terms of its massing and how it impacts the environmental setting of the historic resource.
- 5) Applicant shall submit a landscape plan for a buffer to be planted along the common lot lines of Lots 2 and 4 to further help buffer the new construction from the historic resource for technical staff review and approval. The planting shall include a mix of deciduous and evergreen trees.
- 6) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Olney Master Plan unless otherwise designated on the preliminary plan.
- 7) The applicant shall construct all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Olney Master Plan and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition.
- 8) Compliance with conditions of MCDPWT letter dated, August 12, 2004 unless otherwise amended.
- 9) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 10) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 11) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation.
- 12) Compliance with conditions of MCDPS (Health Dept.) septic approval dated December 13, 2004.
- 13) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 14) Record Plat to reflect all stormwater management areas.
- 15) Other necessary easements.

SITE DESCRIPTION:

The subject property consists of a 48.81 acre parcel (Parcel 482) located on the southwest side of New Hampshire Avenue (MD 650), approximately 1,200 feet south of Denit Estates Drive (Attachments A&B). The property is within the Olney Master Plan boundary and is zoned RC.

The site lies within the Patuxent River watershed (Use Classification IV-P in this section) and is bisected by a tributary stream which drains to the Hawlings River. The current land cover and uses include open land, forest, an existing farm pond, fallow farm fields and one residential structure with out-buildings. The dwelling and out-buildings will remain. The site contains 17 acres of forest, 0.3 acres of wetlands, and 15.8 acres of environmental buffer.

PROJECT DESCRIPTION:

This is an application to subdivide the subject property into nine (9) lots, a parcel and an outlot (Attachment B). Most of the proposed lots are between 1.5 and 2 acres in size. The lot containing the existing structures will be a farmette containing 31.70 acres. Four of the lots will have access via private drives from the extension of existing Denit Estates Drive, and the remaining five lots will have shared access via a private drive from New Hampshire Avenue. Proposed Outlot A preserves area for a possible road access to adjacent undeveloped property.

The plan preserves the stream valley and environmentally sensitive areas. Safe and adequate access for vehicles and pedestrians will be provided by the proposed extension of existing Denit Estates Drive and the private driveways.

ANALYSIS AND FINDINGS FOR THE PRELIMINARY PLAN

Staff's review of Preliminary Plan #1-04093, Seitz Property, indicates that the plan conforms to the recommendations of the Olney Master Plan. The proposed preliminary plan is consistent with the master plan goal to maintain the area's residential character. Staff also finds that the proposed preliminary plan complies with Chapter 50 of the Montgomery County Code, Subdivision Regulations, in that public facilities will be adequate to support and service the area of the proposed subdivision. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision.

Transportation

The site does not warrant transportation Adequate Public Facilities (APF)/Local Area Transportation Review (LATR).

Environmental

The plan protects all environmentally sensitive areas in the proposed conservation easements. The site's forest conservation requirements, including the minimum onsite forest requirements for the cluster zone, will be met by the retention of all existing forest on the site.

The property falls within the Patuxent River Primary Management Area (PMA) and is subject to a 10% limit on impervious surface within the subdivision. The proposed plan includes approximately 4% impervious surface and meets this requirement.

Cluster Open Space

The proposed plan is developed under the RC zone which requires a minimum of 60 percent open space. The requirement is met on the proposed “farmette” lot which contains 31.70 acres, or 65 percent open space.

Legacy Open Space

This property is located in a target area for water quality in the Legacy Open Space Master Plan. The plan meets the Legacy program goals for stream and stream valley protection by placing all environmentally sensitive areas in conservation easement, and maintaining all associated forest.

Historic Preservation

The property contains a historic resource called the Far View House. The noteworthy collection of stone Federal era buildings, the Far View farmstead includes a dwelling, bank barn and slave quarters. The Historic Preservation Commission (HPC) reviewed this subdivision plan at its March 24, 2004 public hearing. At this meeting they supported a recommendation to the Planning Board which included proposed conditions 4 and 5, above.

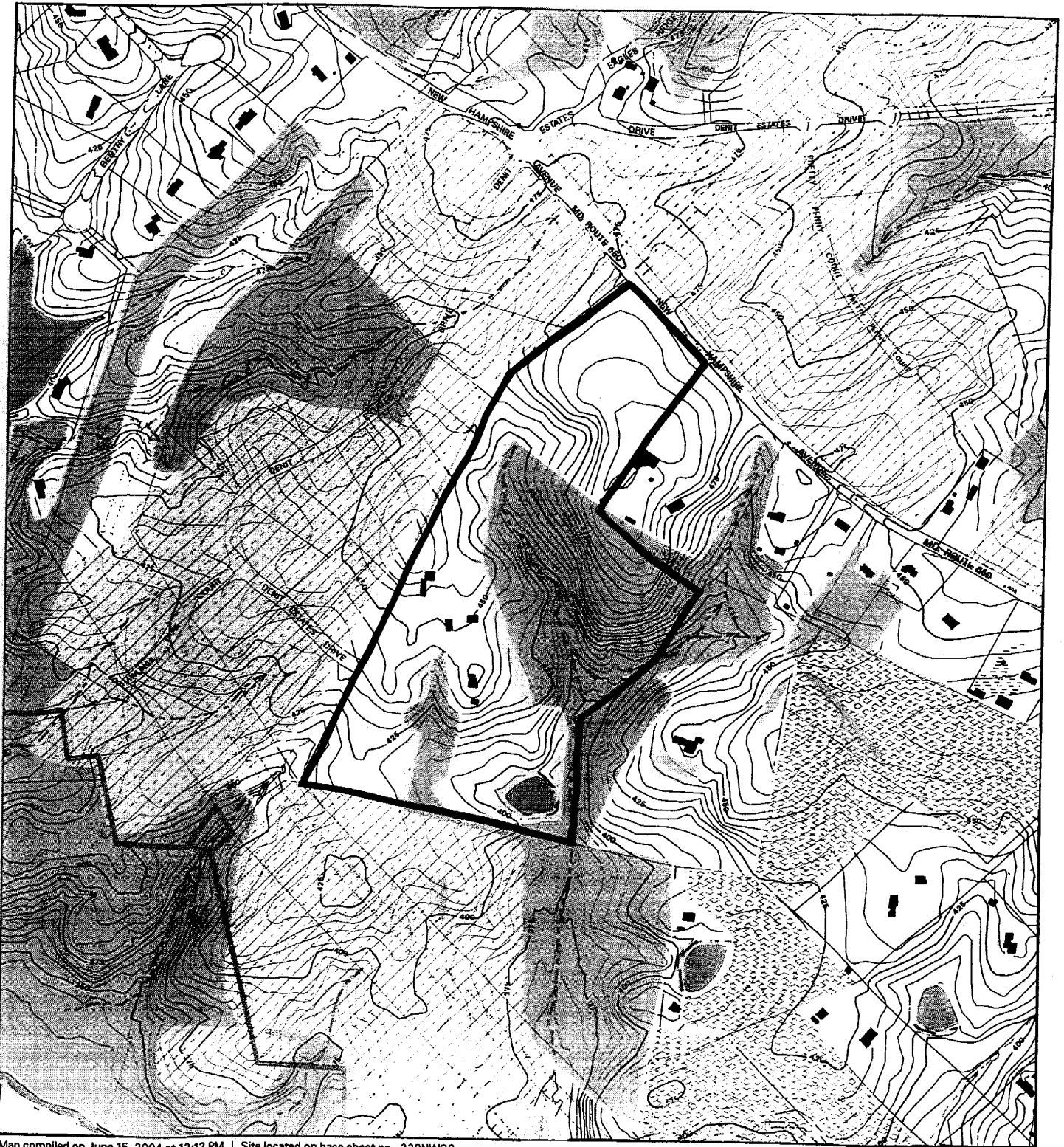
CONCLUSION

Preliminary Plan #1-04093, Seitz Property, conforms to the Olney Master Plan and meets all necessary requirements of the Subdivision Regulations. As such, Staff recommends approval of the preliminary plan subject to specified conditions.

ATTACHMENTS

- Attachment A – Site Features Map
- Attachment B – Vicinity Map
- Attachment C – Preliminary Plan

SEITZ PROPERTY (1-04093)



Map compiled on June 15, 2004 at 12:12 PM | Site located on base sheet no - 229NW02

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Key Map



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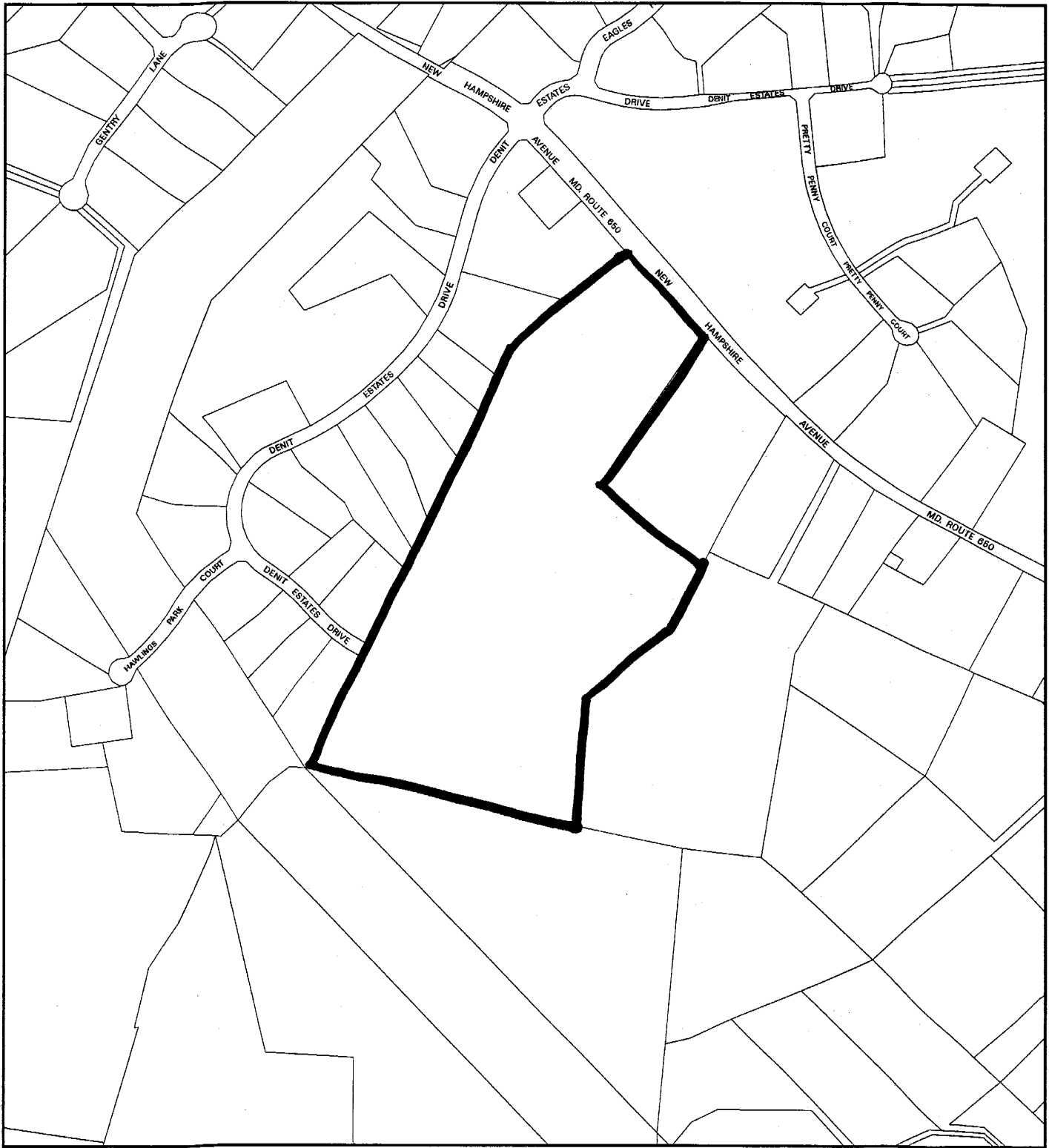


1 inch = 600 feet
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THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
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SEITZ PROPERTY (1-04093)



Map compiled on December 17, 2004 at 11:57 AM | Site located on base sheet no - 229NW02

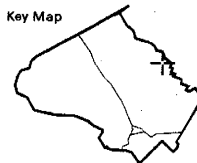
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