

DISCUSSION

Site Location, Access, Circulation, and Parking

The site is located on the western side of Georgia Avenue (US 29) north of Noyes Drive. The proposed development includes 23 town homes and three single-family residences. Access for the proposed development is via Noyes Drive between Georgia Avenue to the east and First Street to the west. All parking for the development will be provided on site. Internal site circulation is provided via private streets serving individual garages and fifteen surface parking spaces.

Local Area Transportation Review

The development is not anticipated to generate more than 30 peak hour trips and is therefore not required to submit a traffic study in order to satisfy the requirements of LATR. No significant impact to the adjacent transportation infrastructure is anticipated as a result of this development.

Master Plan Roadways and Bikeways

Georgia Avenue (MD 97) is classified as a major highway of 120 feet right-of-way width. In the vicinity of the site, Georgia Avenue has six travel lanes divided by a center median. Noyes Drive is a residential street of 60 feet of right-of-way. First Street is a residential street of 60 feet of right-of-way. There are no planned or signed bicycle facilities within the vicinity of the proposed development.

Pedestrian Access

On-site observations indicate that several neighborhood residents and visitors cross Georgia Avenue at Noyes Drive to attend services at a local faith institution. To facilitate crossing at this location, the development will lengthen the center median and install a marked pedestrian crosswalk at the intersection of Noyes Drive with Georgia Avenue, with the support of the SHA. The existing sidewalks along Georgia Avenue will be reconstructed and integrated into the development as The Americans for Disabilities Act compliant pedestrian paths within and across the site.

SAJ:gw

mno to Kronenberg re Woodside Courts



DEPARTMENT OF PUBLIC WORKS
AND TRANSPORTATION

Douglas M. Duncan
County Executive

Arthur Holmes, Jr.
Director

November 29, 2005

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 #1-05061
Woodside Courts

Dear Ms. Conlon:

We have completed our review of the unsigned preliminary plan dated December 2004. This plan was reviewed by the Development Review Committee at its meeting on January 31, 2005. 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 MCDPS 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. Necessary dedication for future widening of Noyes Drive in accordance with the master plan. Provide standard right-of-way truncations on the northwest and southwest corners of the intersection of Noyes Drive and Georgia Avenue (MD 97).
2. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
3. Provide a transit amenity at the bus stop on Noyes Drive: an advertising bus shelter with real-time signs and radiant heaters. Coordinate implementation of this amenity with Mr. Jeff Dunckel of our Division of Transit Services. Mr. Dunckel may be contacted at 240-777-5800.



Division of Operations

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878
240/777-6000, TTY 240/777-6013, FAX 240/777-6030

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4. The stormwater management system needs to be located outside the Public Utilities Easement (PUE). The applicant may want to consider locating the PUEs within the private street system.
5. We did not receive complete analyses of the capacity of the downstream public storm system and the impact of the post-development runoff on that system. As a result, we are unable to offer comments on the need for possible improvements to that system by this applicant.

Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to submit this study, with computations, for review and approval by DPS. Analyze the capacity of the existing downstream public storm drain system and the impact of the post-development ten (10) year storm runoff on same. If the proposed subdivision drains to an existing closed section street, include spread computations in the impact analysis.

6. The sight distance information is incomplete; the applicant needs to address the residential driveways off of Noyes Drive. Prior to approval of the record plat by DPS, submit a completed, executed and sealed DPWT Sight Distances Evaluation certification form, for the existing and proposed driveway(s), for review and approval by DPS.
7. Private common driveways and private streets shall be determined through the subdivision process as part of the Planning Board's approval of a preliminary plan. The composition, typical section, horizontal alignment, profile, and drainage characteristics of private common driveways and private streets, beyond the public right-of-way, shall be approved by the Planning Board during their review of the preliminary plan.
8. The proposed private streets must be sufficiently wide to accommodate two-way vehicular traffic. Private streets are to be designed to allow an SU-30 truck to circulate without crossing the centerline nor the curbline.
9. The owner will be required to submit a recorded covenant for the operation and maintenance of private streets, storm drain systems, and/or open space areas prior to DPS approval of the record plat. The deed reference for this document is to be provided on the record plat.

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10. Access and improvements along Georgia Avenue (MD 97) as required by the Maryland State Highway Administration. We recommend that the sidewalks on Georgia Avenue be set back from the road by a sufficient width green panel.
11. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
12. If the proposed development will alter any existing street lights, signing, and/or pavement markings, please contact Mr. Fred Lees of our Traffic Control and Lighting Engineering Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
13. If the proposed development will alter or impact any existing County maintained transportation system management component (i.e., traffic signals, signal poles, handboxes, surveillance cameras, etc.) or communication component (i.e., traffic signal interconnect, fiber optic lines, etc.), please contact Mr. Bruce Mangum of our Traffic Management Team at (240) 777-6000 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
14. Trees in the County rights of way - species and spacing to be in accordance with the applicable MCDPWT standards. A tree planting permit is required from the Maryland Department of Natural Resources, State Forester's Office [(301) 854-6060], to plant trees within the public right of way.
15. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - A. On Noyes Drive between Georgia Avenue (MD 97) and the proposed private streets, widen the existing pavement to thirty-six (36) feet. East of the proposed private streets, taper the pavement width to twenty-six (26) feet. Throughout the entire site frontage on both sides of Noyes Drive, construct curbs and gutters, planting strip with street trees, and four (4) foot wide concrete sidewalks.

* **NOTE: the Public Utilities Easement is to be graded on a side slope not to exceed 4:1.**
 - B. Improvements to the existing public storm drainage system, if necessitated by the previously mentioned outstanding storm drain study. If the improvements are to be maintained by Montgomery County, they will need to be designed and constructed in accordance with the DPWT Storm Drain Design Criteria.
 - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

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- D. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- E. Developer shall provide street lights along Noyes Drive in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Sam Farhadi at 240-777-6000 or sam.farhadi@montgomerycountymd.gov or (240) 777-2190.

Sincerely,



Gregory M. Leck, Manager
Traffic Safety Investigations and Planning Team
Traffic Engineering and Operations Section

m:/subd/APS/1-05061 Woodside Courts, AST, gml revs

cc: George Myers; Noyes Lane LLC
Kevin Foster; Gutschick, Little & Weber, P.A.
Robert Dalrymple; Linowes and Blocker LLP
Raymond Burns; MSHA EAPD
Jeff Dunckel; DPWT DTS
Joseph Y. Cheung; DPS RWPPR
Christina Contreras; DPS RWPPR
Shahriar Etemadi; MNCPPC

04-104



Robert L. Ehrlich, Jr., *Governor*
Michael S. Steele, *Lt. Governor*

Robert L. Flanagan, *Secretary*
Neil J. Pedersen, *Administrator*

Maryland Department of Transportation

November 4, 2005

Mr. Kevin Foster
Gutschick Little & Weber (GLW)
3909 National Drive
Suite 250
Burtonsville, Maryland 20866

Re: Montgomery County
Woodside Courts
MD 97 @ Noyes Drive
File No. 8-06003
Mile Post: 0.58

Dear Mr. Foster:

Thank you for the opportunity to review the Woodside Courts Site, Landscape and Lighting Plan. The State Highway Administration (SHA) has coordinated safety enhancements, including the marked crosswalk at this location with the congregants of the Orthodox Synagogue located on the northeast quadrant of the intersection. SHA's District #3 Traffic Engineering Office offers the following comments:

A background of those improvements are as follows:

- March of 2002 we were contacted by a congregant, Mr. Chanoch Kanovsky, of the Ahavas Torah Orthodox Synagogue to evaluate pedestrian safety. Our study at that time revealed a significant number of congregants of the Synagogue walk to Shabbat services on Friday nights and Saturday mornings. At that time we proceeded to mark a pedestrian crossing across MD 97 and install advance pedestrian crossing signs.
- In October of 2003 the Third District Police conducted an enforcement event at the crosswalk that issued tickets and warnings to drivers to raise awareness of the State Law to Stop for Pedestrians at all crosswalks. We continually monitored the situation and suggested in-roadway lights, a new technology, for the crossing to the congregants. With appreciation of our continued efforts the constituent, on behalf of the congregation, declined because the orthodox congregants cannot operate or activate any mechanical device on the Sabbath.

RECEIVED

NOV 08 2005

GUTSCHICK, LITTLE & WEBER, P.A.

My telephone number/toll-free number is _____
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone: 410.545.0300 • www.marylandroads.com

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- This past year we completed a work order to install the legend, "PED X-ING" in each of the approaching lanes and re-hatch the crossing. In addition a citizen has contacted the SHA Landscape division to jointly install an aesthetic median planting with the community at the crossing. At this time we believe the community is scheduled to conduct the planting in the Fall 2005.

The additional left turns to and from the proposed development may occupy the same portion of the median break. These movements may possibly conflict with one another and or obstruct one another from an adequate line of sight of oncoming traffic. The intersection will continue to be monitored to see if the addition of left turns would result in a crash pattern.

At this time we have the following comments on the site plan (please see attached mark-up):

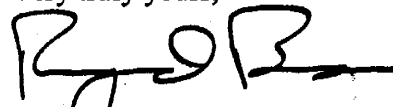
- Illustrate the existing crosswalk and curb ramps at the intersection.
- Please modify the reference of two lanes of travel to three.
- Provide a marked crosswalk (or other ornamental crossing) across the west leg of Noyes Drive. All curb ramps should be installed with a detectable warning surface.
- Provide dual accessible curb ramps on the northwest corner of MD 97 and Noyes Drive to facilitate the crossing of MD 97.
- Provide a connection on the northwest quadrant to incorporate the existing bus stop.
- Provide a concrete median refuge area by extending the median nose through the crosswalk. The median should account for left turning radii from Noyes Drive on the west leg and left turns from the mainline.
- The refuge area should be coordinated with the proposed median planting proposed by the community.

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Proposed access is from a County Road (Noyes Drive) and is subject to the permit process and requirements of Montgomery County. The developer must apply for a permit from SHA's District #3 Utility Office for the proposed sidewalk, etc within MD 97 rights-of-way. Please contact Mr. Augustine Rebish at 301-513-7350 for the permitting requirements.

If you have any questions, please contact Ray Burns at 410-545-5592 or John Borkowski at 410-545-5595. You may also e-mail Ray at rburns1@sha.state.md.us or John at jborkowski@sha.state.md.us.

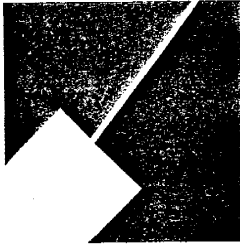
Very truly yours,



f.r Steven D. Foster, Chief
Engineering Access Permits Division

SDF/rbb
Attachment -- Marked-up Plan

cc: Mr. Richard Weaver, Maryland National Capital Park and Planning Commission, 8787 Georgia Avenue, Silver Spring MD 20910-3760
Ms. Cathy Conlon, Acting Supervisor Development Review Subdivision Division, Maryland National Capital Park and Planning Commission 8787 Georgia Avenue, Silver Spring MD 20910-3760
Mr. Darrell Mobley *sent via e-mail*
Mr. Augustine Rebish *sent via e-mail*
Mr. Lee Starkloff *sent via e-mail*



November 16, 2005

MEMORANDUM

TO: Cathy Conlon, Subdivision Supervisor
Development Review Division

Robert Kronenberg, RLA, OPlanner Coordinator
Development Review Division

FROM: Glenn Kreger, Team Leader, Silver Spring/Takoma Park Team *GK*
Community-Based Planning Division

Miguel Iraola, ASLA, Planner Coordinator *MI*
Community-Based Planning Division

SUBJECT: Preliminary Plan #1-05061 and Site Plan # 8-06003
Woodside Courts

The Community-Based Planning staff has reviewed the above referenced Preliminary Plan and Site Plan for conformance with the *North and West Silver Spring Master Plan* (Approved August 2000). The subject property is located on the west side of Georgia Avenue at Noyes Drive in Silver Spring. Community-Based Planning recommends approval of the proposed Preliminary Plan and Site Plan with a recommendation that the County approve the requested MPDU waiver.

ZONING AND LAND USE:

The 116,900 square foot (2.68 acres) subject property is zoned RT-12.5 per Local Plan Amendment G-817. The permitted residential density for the proposed site is 55 dwelling units. The proposed 26-unit development is comprised of 23 townhomes and 3 single family detached homes. The proposed residential building types are permitted under the RT-12.5 Zone. The development yield has been limited in accordance with the development plan approved by the County Council per zoning case G-817 in order to protect historically significant buildings and preserve specimen trees.

MASTER PLAN STREET RIGHT-OF-WAYS:

The Master Plan recommends a street right-of-way of 120 feet for Georgia Avenue. Staff recommends a right-of-way dedication equal to 60 feet measured from the centerline of the existing street.

MASTER PLAN GUIDANCE FOR TOWNHOME DEVELOPMENT:

The Master Plan provides guidance for townhome development along Georgia Avenue. The Plan suggests that townhome development be limited to the blocks along Georgia Avenue. Buildings should front on Georgia Avenue and the ends of buildings should have an appearance as fronts rather than blank facades. The Plan further suggests that the minimum front yard setback be 25 feet on Georgia Avenue. Vehicular access should be minimized on Georgia Avenue and attractive streetscaping with sidewalks be provided. Parking and garage access should be oriented to the rear of buildings and sufficiently screened from adjoining properties. The proposed development complies with the Master Plan guidance for townhome development on Georgia Avenue.

COMMUNITY OUTREACH:

The applicant has made significant outreach efforts to the property owners most affected by this proposal and in particular, those represented by the Woodside Civic Association. The applicant has met numerous times with the Woodside Civic Association, including a special meeting conducted prior to the filing of the proposed site plan. The applicant has coordinated with the neighborhood and the Department of Permitting Services regarding off-site sidewalk improvements and with adjoining property owners regarding tree protection. We understand that there was also a neighborhood meeting to discuss fencing and sidewalk improvements.

MODERATELY PRICED DWELLING UNITS (MPDUs)

After the development plan for this property was approved by the County Council as part of the rezoning to RT-12.5, the MPDU requirement was changed to apply to projects with 20 or more dwelling units. Since the proposed Woodside Courts project includes a total of 26 units, the new MPDU law would apply to this project. Pursuant to Section 25A-5(d), the applicant has requested a waiver of the MPDU requirement for this property.

We find that the number of units in the proposed project is well below the potential yield permitted by the zone (see above). The actual density in the proposed project was constrained in order to facilitate historic preservation, preserve specimen trees, and ensure neighborhood compatibility. The achievable density could not be increased without a formal amendment to the development plan approved by the County Council and such an amendment would be contrary to these policy goals. Community-Based Planning therefore finds that achieving a density bonus would not allow environmental and historic preservation goals to be accomplished and would result in reduced neighborhood compatibility. We recommend that the Planning Board support a waiver of the new MPDU requirement for projects exceeding twenty units.

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WSSC Comments on Items for January 31, 2005, Development Review Committee Meeting

| File Number | Project Name | Comments |
|-------------|--------------|----------|
|-------------|--------------|----------|

1-05061 Woodside Courts

Water and sewer line extensions are required. Spacing is too close as shown – move units away from water and sewer lines. There should be at least 15’ clearance between building and any water or sewer line. A minimum 10’ separation of water and sewer lines is required. Water or sewer lines should not be placed under specialty sidewalks (pavers), stairs, or retaining walls. Rights of way for water and sewer lines will need to be granted, free of utilities. Abandonment of existing connections, which are not planned for reuse, is required to follow WSSC procedures.

Unless otherwise noted, all extensions require Requests for Hydraulic Planning Analysis and need to follow the System Expansion Permit (SEP) Process. Contact WSSC’s Development Services Center (301-206-8650) or visit the Development Services on WSSC’s web-site (www.wsscwater.com) for information on requesting a Hydraulic Planning Analysis and additional requirements for extensions. Contact WSSC’s Permit Services (301-206-4003) for information on service connections and on-site system reviews.



**MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED MANAGEMENT DIVISION**

Rockville Center - 255 Rockville Pike, Suite 120 - Rockville, Maryland 20850-4166
Telephone No. 240-777-7700 - FAX No. 240-777-7715

**SUBDIVISION PLAN REVIEW: MNCPPC Development Review Committee (DRC)
Comprehensive Water Supply and Sewerage Systems Plan Issues**

MNCPPC File Number: **1-05061**

DRC Meeting Date: **01/31/2005**

Subdivision Plan Name: **Woodside Courts**

Proposed Development: **23 TH**

2 SFH TBD, 3 SFH to be retained, 3 new SFH to be built

Watershed: **Sligo Creek**

Zoning: **RMX1/TDR**

Planning Area:

Site Area: **2.6 acres**

Location: **Georgia Ave**

Engineer: **Gutschick Little & Weber 301-421-4024**

Water Supply and Sewerage Systems (as specified on the subject subdivision plan or plan application)

Proposed Water Supply:

Proposed Wastewater Disposal:

Community (public) WATER system

Community (public) SEWER system

Existing Service Area Categories: Water: **W - 1**

Sewer: **S - 1**

Water/Sewer Plan Map Amendment:

Water Supply Comments:

Sewerage System Comments:

Yes; the water supply system is consistent with the existing water service area category

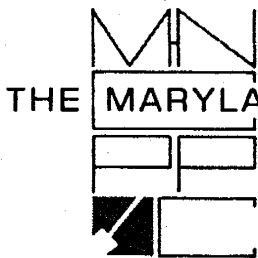
Yes; the sewerage system is consistent with the existing sewer service area category

***Additional Comments:**

No comments.

Prepared by: **Sjanashek**

Date prepared: **01/25/2004**



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

February 13, 2006

MEMORANDUM

TO: Cathy Conlon, Supervisor
Development Review Division

FROM: Michele Oaks, Senior Planner
Historic Preservation Section

VIA: Gwen Wright, Supervisor
Historic Preservation Section

SUBJECT: Preliminary Plan # 1-05013, Site Plan # 8-06003
Woodside Courts
Locational Atlas #36/04, Woodside Historic District

On June 8, 2005, the Historic Preservation Commission approved a Historic Area Work Permit (HAWP), which included the demolition of two bungalows (9008 Georgia Avenue and 9012 Georgia Avenue) and the relocation of one turn-of-the-century house (8918 Georgia Avenue.) The approval also included the renovation of the relocated house, renovation of two, other turn-of-the-century houses (8922 Georgia Avenue and 1403 Noyes - which will not be moved), and approves the construction of 23 new townhouses within this Locational Atlas Historic District.

Historic Preservation staff has reviewed the proposed preliminary and site plans and these plans, as presented, concur with the Historic Preservation Commission's HAWP approval.

If you have any additional questions, please do not hesitate to contact me at 301-563-3400.



FIRE MARSHAL COMMENTS

DATE: 2-14-06
TO: PLANNING BOARD, MONTGOMERY COUNTY
VIA:
FROM: CAPTAIN JOHN FEISSNER 240.777.2436
RE: APPROVAL OF ~ *WOODSIDE COURTS*

1. PLAN APPROVED.

- a. Review based only upon information contained on the plan submitted 2-14-06. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
- b. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

Please note : Plan approved based on Fire code modification M-2006-227.