



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

**MCPB**  
**Item \_\_\_\_\_**  
**April 26, 2007**



**MEMORANDUM**

**DATE:** February 5, 2007

**TO:** Montgomery County Planning Board

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

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

**REVIEW TYPE:** Preliminary Plan Review

**APPLYING FOR:** Subdivision of Parcel 991

**PROJECT NAME:** Bea-Kay Acres

**CASE #:** 120060500

**REVIEW BASIS:** Chapter 50-29(b)(2), Montgomery County Subdivision Regulations

**ZONE:** R-90

**LOCATION:** Located on the southwest quadrant of the intersection with Fairland Road and Partridge Drive

**MASTER PLAN:** White Oak

**APPLICANT:** 919 Fairland, LLC

**ENGINEER:** PG Associates

**FILING DATE:** October 21, 2005

**HEARING DATE:** April 26, 2007

**STAFF RECOMMENDATION:** Approval, pursuant to Chapter 50-29(b)(2) of the Montgomery County Subdivision Regulations, and subject to the following conditions:

- 1) Limit the preliminary plan to four (4) one-family detached residential lots.
- 2) The builder will comply with all acoustical performance recommendations from the Henning Associates Report (“Fairland Road Traffic Noise Study”) dated September 22, 2006:
  - a) Prior to the release of the first building permit, an acoustical consultant will provide a detailed analysis of the final building shell for each new house type to determine exactly what modifications are necessary to achieve an interior noise level of no greater than 45 dBA, Ldn.
  - b) Prior to release of the first building permit, the builder must enter into a binding agreement to construct noise mitigation measures in accordance with the recommendations of the Henning Associates Report.
- 3) A tree planting plan for proposed Lot 1 to create a visual screen near Fairland Road for the existing house must be submitted for M-NCPPC Environmental Planning Staff review and approval prior to the pre-construction meeting for the subdivision.
- 4) Tree planting on Lot 1, required as part of the tree save and planting plan, must be done no later than the first planting season after the Department of Permitting Services final inspection signoff of the sediment and erosion control plan.
- 5) The applicant must 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.
- 6) The applicant must provide access and improvements as required by MCDPWT prior to recordation of plat(s).
- 7) The applicant must comply with the conditions of the MCDPWT letter dated May 30, 2006, unless otherwise amended.
- 8) The applicant must comply with the conditions of approval of the MCDPS stormwater management approval dated January 30, 2007.
- 9) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 10) Other necessary easements must be shown on the record plat.

**SITE DESCRIPTION:**

The Subject Property, identified as Parcel 991 and Outlot A, Block B, Bea Kay Acres (“Subject Property”), is located in the southwest quadrant of the intersection of Fairland Road and Partridge Drive (Attachment A). Surrounded by one-family residential development, it is located in the Paint Branch Watershed. The property contains 1.02 acres and is zoned R-90. The property contains no forests, streams or stream valley buffers.

## **PROJECT DESCRIPTION:**

This is an application to subdivide the Subject Property, which includes a recorded outlot, into four (4) residential lots for the construction of four (4) one-family detached dwelling units. Since the development includes a previously recorded outlot, this preliminary plan constitutes a resubdivision. One dwelling currently exists on the property, and will remain. Access to the proposed lots will be directly from Fairland Road, Bea-Kay Drive and Partridge Drive. The Subject Property is exempt from Forest Conservation, and a tree save plan is not required.

## **ANALYSIS AND FINDINGS**

### **Master Plan Compliance**

The Subject Property is located in the White Oak Master Plan Area. The plan did not specifically address the Subject Property but did provide general guidance and recommendations for development patterns and density. The master plan ensures protecting and strengthening positive attributes and encouraging development that will enhance the community's function, sense of place, and identity. The preliminary plan complies with the master plan goal in that it proposes residential development that will contribute to the vibrant living environment envisioned in the master plan.

### **Transportation**

The proposed lots do not generate 30 or more vehicle trips during the morning or evening peak-hours. Therefore, the application is not subject to Local Area Transportation Review.

### **Environment**

The Subject Property has frontage on Fairland Road, which generates traffic related noise. The traffic noise study submitted by the Applicant projects traffic noise to range from about 63 dBA, Ldn to 69 dBA, Ldn on the proposed lots closest to Fairland Road. These projected noise levels exceed the transportation noise guideline level of 60 dBA, Ldn for outdoor use areas for new residential lots in this part of the county. Compliance with the noise consultant's traffic noise study, which includes construction of a noise barrier on the proposed Lot 2, is critical to providing an acceptable noise environment for the outdoor use areas. The recommended building shell analysis and construction to meet the interior noise level guideline of 45 dBA, Ldn is also required to provide an acceptable interior noise environment for the proposed residential units.

For the existing house on Lot 1, staff also recommends landscaping using existing and planted trees near Fairland Road to provide a visual screen from traffic on Fairland Road.

## Stormwater Management

On January 30, 2007, the MCDPS Stormwater Management Section approved the project's stormwater management concept which includes topsoiling and infiltration trenches for water quality control.

## Compliance with the Subdivision Regulations and Zoning Ordinance

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections as further discussed below. Access and public facilities will be adequate to support the proposed lots and uses. The proposed size, width, shape and orientation of the lots are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the R-90 zone as specified in the Zoning Ordinance. The lots as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of who have recommended approval of the plan.

### **Section 50-29 (a) (1)**

Pursuant to Section 50-29(a)(1) of the Subdivision Regulations, the Lot size, width, shape and orientation shall be appropriate for the location of the subdivision taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated in order to be approved by the Board.

The proposed Lots 3 and 4 will be oriented with a two (2) to one (1) lot-to-lot relationship with the existing Lot 1, on the south side of Bea-Kay Drive. Although this type of orientation is not typical within the neighborhood, it does exist at the southern end of the delineated neighborhood. In Block A, Lots 13, 14 and 15 on the southeastern side of Partridge Drive, there is a three (3) to one (1) lot-to-lot relationship to Lot 3 on the northwestern side of Partridge Drive. Additionally, this is a neighborhood already in transition. Larger lots were recorded in excess of the underlying R-90 zone standards on Partridge Drive, but it seems likely that additional resubdivisions will occur over time given that most of the neighborhood is recorded pursuant to the standards of the R-90 zone. Therefore, Staff finds that the proposed orientation of the lots is appropriate for the subdivision.

### **Conformance with Section 50-29(b)(2)**

#### **A. Statutory Review Criteria**

In order to approve an application for resubdivision, the Planning Board must find that the proposed lot complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

## **B. Neighborhood Delineation**

In administering the Resubdivision section, the Planning Board must determine the appropriate “neighborhood” for evaluating the application. The applicant has proposed a neighborhood of 32 lots for analysis purposes. The neighborhood extends north to Fairland Road, south and southwest to East Randolph and east, one block past Partridge Drive (Attachment C). Staff is of the opinion that the applicant’s neighborhood delineation is appropriate because it provides an adequate sample that exemplifies the lot and development pattern of the area. The applicant has provided a tabular summary of the area based on the resubdivision criteria, which is included in the Attachment D.

## **C. Analysis**

### **Comparison of the Character of Proposed Lots to Existing**

In performing the analysis, Staff applied the resubdivision criteria to the delineated neighborhood. Based on the analysis, Staff finds that the proposed resubdivision will be of the same character as the existing lots in the neighborhood. As set forth below, the attached tabular (Attachment D) summary and graphical documentation support this conclusion:

**Frontage:** In a neighborhood of 32 lots, lot frontages range from 64 feet to 199 feet. The proposed lots will have frontages which range from 75 feet to 122 feet. **As such, Staff finds that the proposed lots will be consistent in character with other lots in the neighborhood with respect to frontage.**

**Area:** The existing lots in the neighborhood range in buildable area from 2,500 square feet to 11,681 square feet. The proposed lots will be 3,245 square feet, 3,540 square feet, 4,190 and 5,620 square feet in area. **The proposed resubdivision will be in character with the existing lots in the neighborhood with respect to area.**

**Lot Size:** The lot sizes in the delineated neighborhood range from 9,319 square feet to 24,109 square feet. The proposed lot sizes will range from 10,180 square feet, 10,250 square feet, 10,321 square feet and 13,537 square feet. **Therefore, Staff finds the lot sizes of the proposed lots to be of the same character as the existing lots in the neighborhood.**

**Lot Width:** The lot widths in the existing neighborhood range from 75 feet to 187 feet. The proposed lots will have minimum widths of 81 feet, 85 feet, 96 feet, and 109 feet. **As such, Staff finds that the proposed resubdivision will be of the same character as the other existing lots in the neighborhood as it pertains to lot width.**

**Shape:** There are 24 irregular lots, two (2) square lots and six (6) rectangular lots in the neighborhood. The proposed resubdivision will create one (1) rectangular lot and three (3) irregular lots. **Staff finds that the proposed lots will be of the same character as the existing lots in the neighborhood as it pertains to shape.**

**Alignment:** There are four (4) corner lots, ten (10) radial lots and 18 perpendicular lots in the neighborhood. The proposed resubdivision will create two (2) corner lots and two (2) perpendicular lots. **Staff finds that the proposed subdivision will be consistent in character with the existing lots in the neighborhood as it pertains to alignment.**

**Residential Use:** The proposed lots are suitable for residential use.

### **Citizen Correspondence and Issue**

This plan submittal pre-dated new 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**

Section 50-29(b)(2) of the Subdivision Regulations specifies seven criteria with which resubdivided lots must comply. They are street frontage, alignment, size, shape, width, area and suitability for residential use within the existing block, neighborhood or subdivision. As set forth above, the four proposed lots are of the same character as the existing lots in the defined neighborhood with respect to each of the resubdivision criteria, and therefore, comply with Section 50-29(b)(2) of the Subdivision Regulations. The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the White Oak Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of which have

recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

**Attachments**

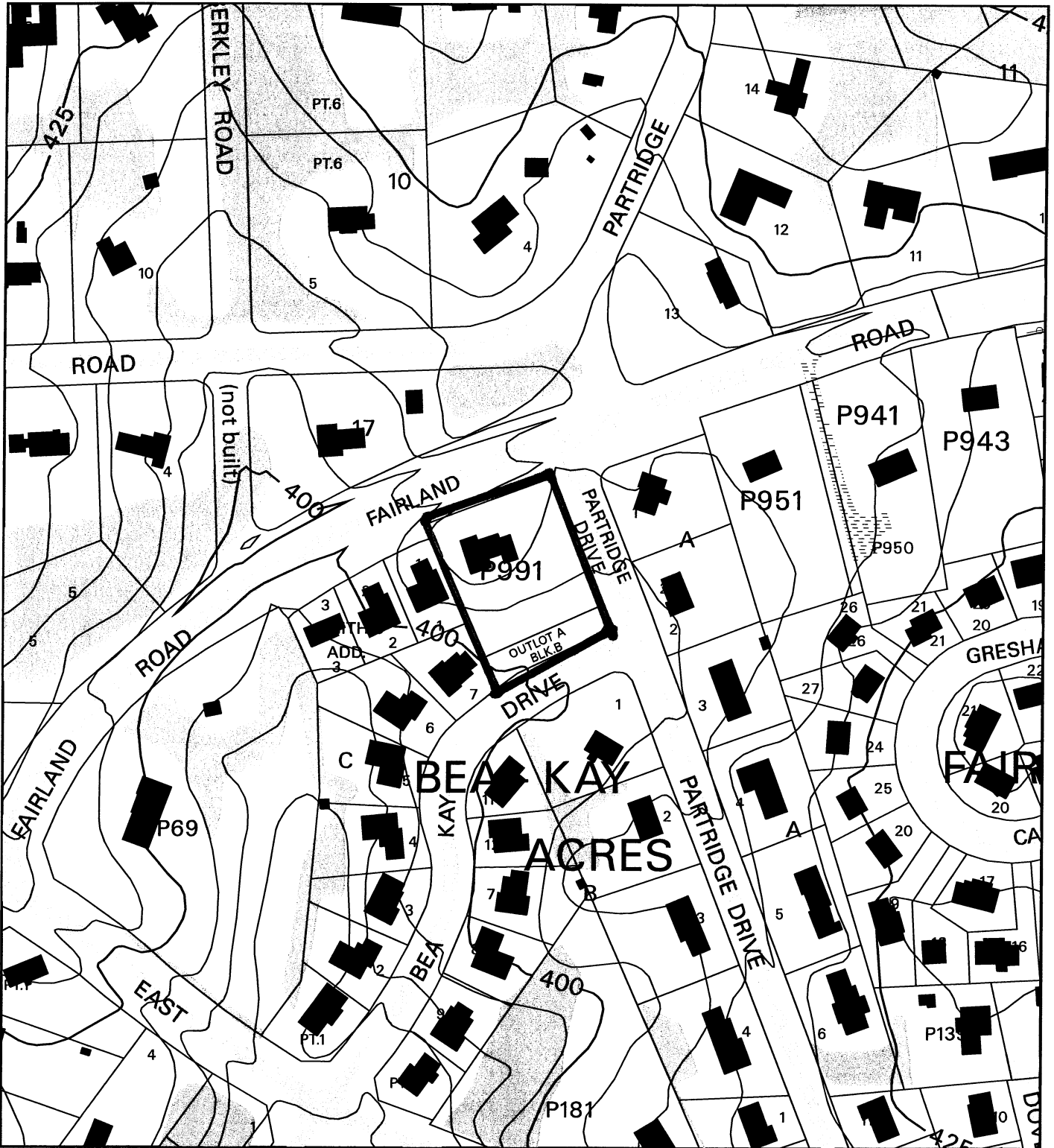
- Attachment A Vicinity Development Map
- Attachment B Proposed Development Plan
- Attachment C Neighborhood Delineation Map
- Attachment D Tabular Summary
- Attachment E Correspondence

# TABLE I

## Preliminary Plan Data Table and Checklist

| Plan Name: Bea-Kay Acres                           |                                       |   |                    |                  |
|--|---------------------------------------|---|--------------------|------------------|
| Plan Number: 120060500                             |                                       |   |                    |                  |
| Zoning: R-90                                       |                                       |   |                    |                  |
| # of Lots: 4                                       |                                       |   |                    |                  |
| # of Outlots: 0                                    |                                       |   |                    |                  |
| Dev. Type: four one-family detached dwelling units |                                       |   |                    |                  |
| PLAN DATA  | Zoning Ordinance Development Standard | Proposed for Approval on the Preliminary Plan | Verified           | Date             |
| Minimum Lot Area                                   | 9,000 sq.ft.                          | 9,736 sq.ft. is minimum proposed              | <i>DMW</i>         | February 6, 2007 |
| Lot Width  | 75 ft.                                | Must meet minimum                             | <i>DMW</i>         | February 6, 2007 |
| Lot Frontage                                       | 25 ft.                                | Must meet minimum                             | <i>DMW</i>         | February 6, 2007 |
| Setbacks   |                                       |   |                    |                  |
| Front  | 30 ft. Min.                           | Must meet minimum                             | <i>DMW</i>         | February 6, 2007 |
| Side   | 8 ft. Min.25 / ft. total              | Must meet minimum                             | <i>DMW</i>         | February 6, 2007 |
| Rear   | 25 ft. Min.                           | Must meet minimum                             | <i>DMW</i>         | February 6, 2007 |
| Height   | 35 ft. Max.                           | May not exceed maximum                        | <i>DMW</i>         | February 6, 2007 |
| Max Resid'l d.u. or Comm'l s.f. per Zoning         | 4 dwelling units                      | 4 dwelling units                              | <i>DMW</i>         | February 6, 2007 |
| Site Plan Req'd?                                   | No                                    | No  |                    | February 6, 2007 |
| <b>FINDINGS</b>                                    |                                       |   |                    |                  |
| <i>SUBDIVISION</i>                                 |                                       |   |                    |                  |
| Lot frontage on Public Street                      | Yes                                   |   | <i>DMW</i>         | February 6, 2007 |
| Road dedication and frontage improvements          | Yes                                   |   | DPWT               | January 30, 2007 |
| Environmental Guidelines                           | Yes                                   |   | Environmental Memo | December 7, 2006 |
| Forest Conservation                                | Yes                                   |   | Environmental Memo | December 7, 2006 |
| Master Plan Compliance                             | Yes                                   |   | <i>DMW</i>         | February 6, 2007 |
| <i>ADEQUATE PUBLIC FACILITIES</i>                  |                                       |   |                    |                  |
| Stormwater Management                              | Yes                                   |   | DPS                | January 30, 2007 |
| Water and Sewer (WSSC)                             | Yes                                   |   | WSSC Memo          | January 30, 2007 |
| Local Area Traffic Review                          | N/A                                   |   |                    |                  |
| Fire and Rescue                                    | Yes                                   |   | MCDRFS             | January 14, 2007 |





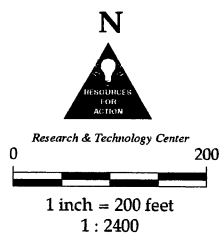
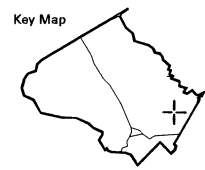
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NOTICE

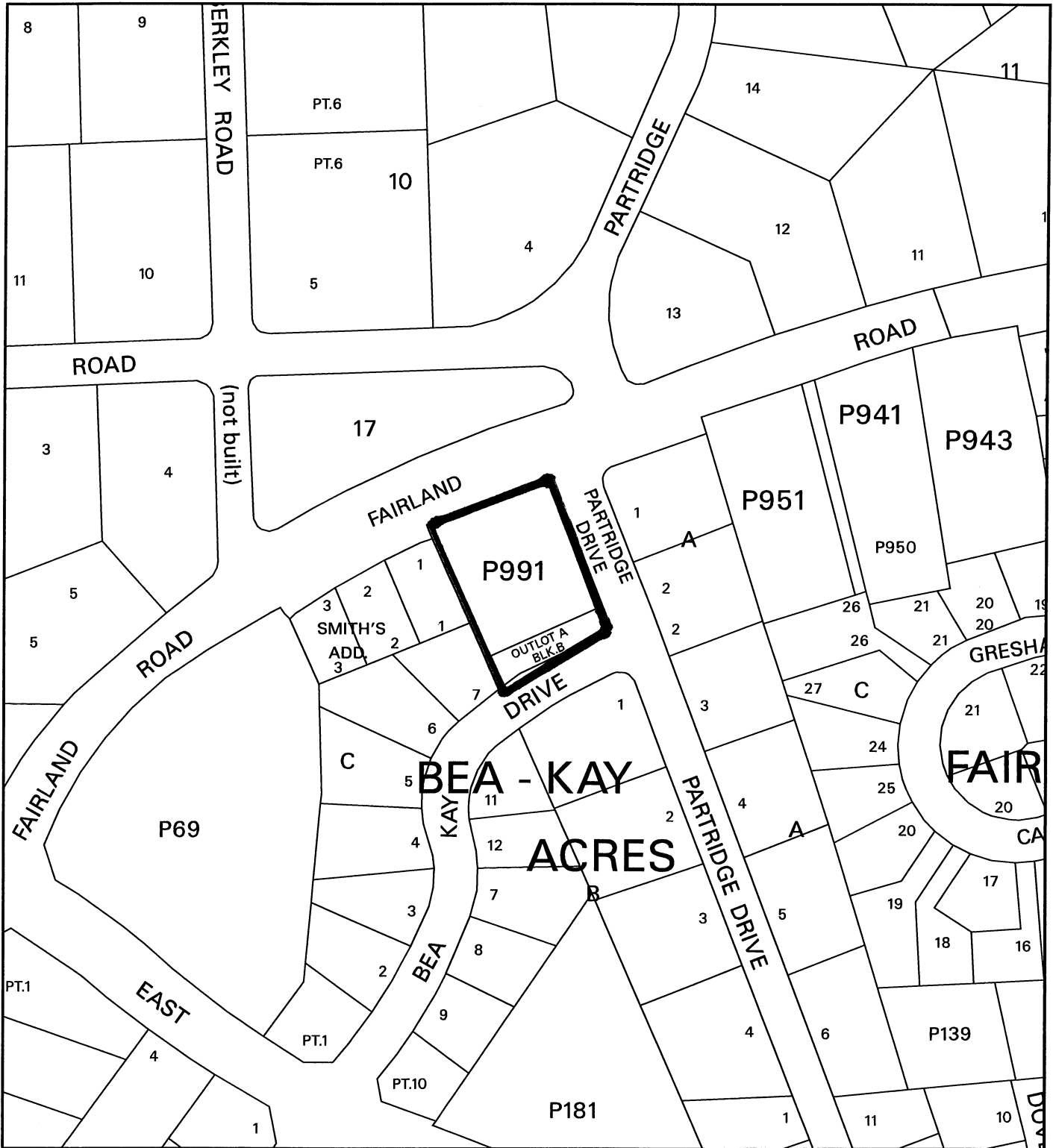
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# BEA-KAY ACRES (120060500)



Map compiled on November 09, 2005 at 11:43 AM | Site located on base sheet no - 218NE01

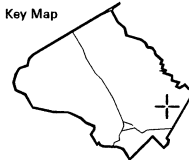
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Key Map



N

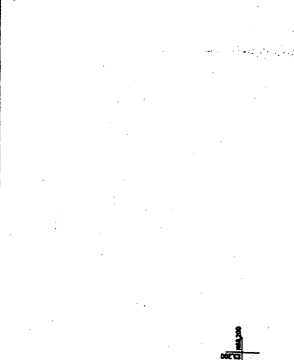


1 inch = 200 feet  
1 : 2400

|        |                                       |
|--------|---------------------------------------|
| DATE   | REVISIONS                             |
| 1/1/78 | DR Rev. per M.H.M.C.                  |
| 1/1/78 | DR Rev. grading, add notes, add owner |

P.G. ASSOCIATES, INC.  
 CIVIL ENGINEERS & SURVEYORS & LAND PLANNERS  
 932 HUNTERFORD DRIVE, SUITE 4B  
 ROCKVILLE, MARYLAND 20850  
 PHONE (301) 309-1361

PRELIMINARY PLAN  
 BEA-KAY ACRES  
 PARCEL 941  
 LIBER 30236 FOLIO 568  
 COLLETSVILLE ELECTION DISTRICT NO. 5  
 HONOLULU COUNTY, HAWAII



- GENERAL NOTES**
1. THE PLAN IS WITHIN THE PARCEL AND WATER PLAN
  2. THE PLAN IS SUBJECT TO ALL ORDINANCES AND PLATS
  3. EXISTING ZONE - R-1
  4. THE PLAN IS SUBJECT TO ALL ORDINANCES AND PLATS
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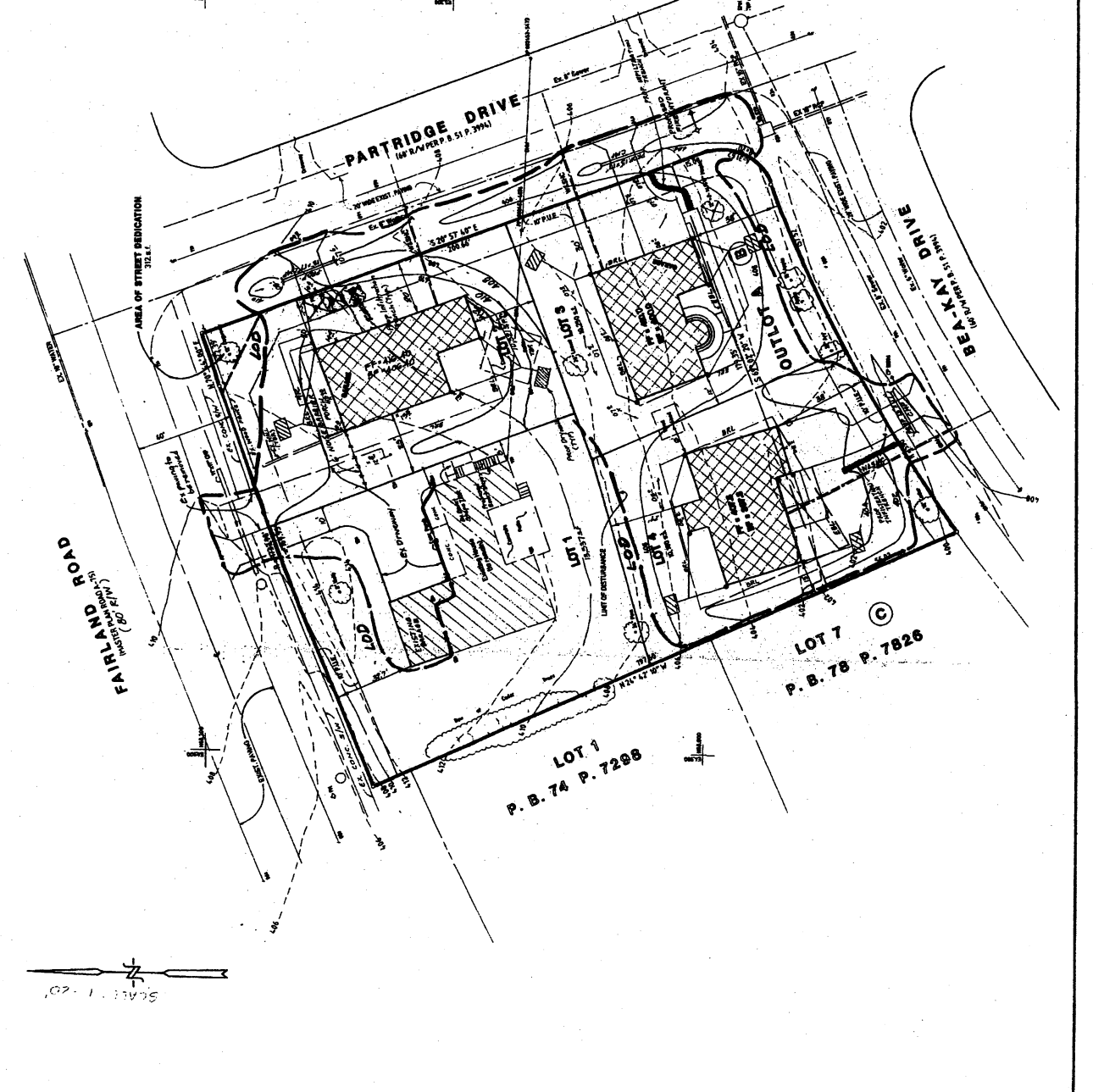
**ATTACHMENT B**

**ESTABLISHED BUILDING LINE**

**PARKING ROAD:**  
 LOT 1 - 30.0'  
 LOT 2 - 30.0'  
 LOT 3 - 30.0'  
 LOT 4 - 30.0'  
 LOT 5 - 30.0'  
 LOT 6 - 30.0'  
 LOT 7 - 30.0'  
 LOT 8 - 30.0'  
 LOT 9 - 30.0'

**BEA-KAY DRIVE:**  
 LOT 1 - 30.0'  
 LOT 2 - 30.0'  
 LOT 3 - 30.0'  
 LOT 4 - 30.0'  
 LOT 5 - 30.0'  
 LOT 6 - 30.0'  
 LOT 7 - 30.0'  
 LOT 8 - 30.0'  
 LOT 9 - 30.0'

**PARTRIDGE DRIVE:**  
 NO BBL



SCALE: 1" = 20'

LOT 1  
 P. B. 74 P. 7298

LOT 7  
 P. B. 78 P. 7826

APPROVED: [Signature]  
 DATE: 1/1/78



Map compiled on February 08, 2007 at 4:06 PM | Site located on base sheet no - 217NE01

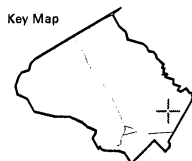
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Key Map



N



Research & Technology Center



1 inch = 300 feet  
1 : 3600

| BEA-KAY ACRES   |       |          |               |        |             |         |        |
|---|-------|----------|---------------|--------|-------------|---------|--------|
| LOT   | BLOCK | FRONTAGE | ALIGNMENT     | AREA   | SHAPE       | WIDTH   | SIZE   |
| 11  | B     | 158      | Radial        | 2,500  | Irregular   | 120     | 9,847  |
| 13  | A     | 68       | Radial        | 2,731  | Irregular   | 80      | 10,119 |
| 14  | A     | 69       | Perpendicular | 2,761  | Irregular   | 80      | 9,345  |
| 5   | C     | 64       | Radial        | 2,975  | Irregular   | 78      | 15,185 |
| 2   | C     | 105      | Radial        | 2,988  | Irregular   | 100     | 12,051 |
| 15  | A     | 78/113   | Corner        | 3,237  | Rectangular | 70/100  | 13,119 |
| 3   |       | 82       | Perpendicular | 3,250  | Rectangular | 82      | 9,319  |
| 8   | B     | 87       | Perpendicular | 3,274  | Irregular   | 91      | 10,929 |
| 9   | B     | 91       | Perpendicular | 3,279  | Irregular   | 96      | 10,929 |
| 12  | A     | 80       | Perpendicular | 3,409  | Irregular   | 84      | 9,927  |
| 12  | B     | 71       | Perpendicular | 3,500  | Irregular   | 75      | 10,411 |
| 11  | A     | 106      | Perpendicular | 3,719  | Irregular   | 85      | 10,602 |
| 2   |       | 76       | Perpendicular | 3,750  | Irregular   | 76      | 9,499  |
| 2   | A     | 84       | Perpendicular | 3,776  | Irregular   | 84      | 10,416 |
| 7   | C     | 72       | Perpendicular | 4,200  | Irregular   | 78      | 10,736 |
| 4   | C     | 91       | Perpendicular | 4,305  | Irregular   | 88      | 14,780 |
| 3   | A     | 147/199  | Corner        | 4,307  | Irregular   | 108/135 | 14,395 |
| 1   |       | 76       | Perpendicular | 4,500  | Rectangular | 76      | 9,892  |
| 3   | C     | 95       | Radial        | 4,707  | Irregular   | 82      | 11,487 |
| 6   | C     | 64       | Radial        | 5,200  | Irregular   | 75      | 15,101 |
| 1   | A     | 70       | Perpendicular | 5,265  | Square      | 80      | 11,857 |
| 7   | B     | 64       | Radial        | 5,511  | Irregular   | 75      | 13,102 |
| 1   | A     | 131/153  | Corner        | 8,100  | Irregular   | 95/120  | 21,640 |
| 3   | A     | 148      | Perpendicular | 8,250  | Irregular   | 148     | 20,897 |
| 4   | A     | 160      | Perpendicular | 8,400  | Rectangular | 160     | 21,101 |
| 6   | A     | 178      | Radial        | 8,609  | Irregular   | 187     | 21,572 |
| 5   | A     | 170      | Perpendicular | 8,831  | Rectangular | 170     | 20,726 |
| 2   | A     | 134      | Perpendicular | 9,350  | Irregular   | 134     | 20,062 |
| 1   | B     | 146/169  | Corner        | 9,900  | Rectangular | 120/141 | 24,109 |
| 2   | B     | 141      | Perpendicular | 11,000 | Square      | 141     | 22,376 |
| 4   | B     | 191      | Radial        | 11,331 | Irregular   | 182     | 23,627 |
| 3   | B     | 156      | Radial        | 11,681 | Irregular   | 156     | 23,241 |
| <b>PROPOSED LOTS</b>  |       |          |               |        |             |         |        |
| 1   |       | 111      | Perpendicular | 5,620  | Irregular   | 109     | 13,537 |
| 2   |       | 75/122   | Corner        | 4,190  | Irregular   | 81/125  | 10,321 |
| 3   |       | 88/101   | Corner        | 3,245  | Irregular   | 96/105  | 10,250 |
| 4   |       | 85       | Perpendicular | 3,540  | Rectangular | 85      | 10,180 |
| *Note: Shape descriptions other than square, rectangular, are otherwise deemed irregular. |       |          |               |        |             |         |        |
| Alignment descriptions are either perpendicular, corner, or radial                        |       |          |               |        |             |         |        |

**CORRESPONDENCE**

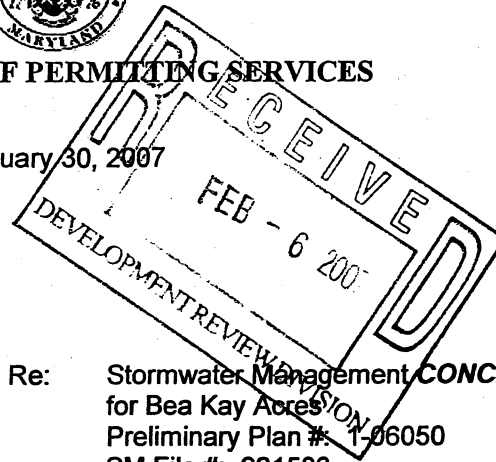


DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

January 30, 2007

Reginald Jetter  
Acting Director



Mr. Dean Packard  
P.G. Associates, Inc.  
932 Hungerford Drive, Suite 4B  
Rockville, MD 20850

Re: Stormwater Management **CONCEPT** Request  
for Bea Kay Acres  
Preliminary Plan #: 1-06050  
SM File #: 221586  
Tract Size/Zone: 1.02 acres / R-90  
Total Concept Area: 1.02 acres  
Lots/Block: Outlot A, Block C  
Parcel(s): P991  
Watershed: Paint Branch

Dear Mr. Packard:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and onsite recharge via nonstructural methods. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following items will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. All driveways must be constructed to drain to recharge trenches as shown on the approved stormwater concept plan.
5. Stormwater management for the existing house on Lot 1 will not be addressed at this time. If redevelopment occurs on Lot 1 in future, stormwater management will have to be addressed at that time.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not** required.

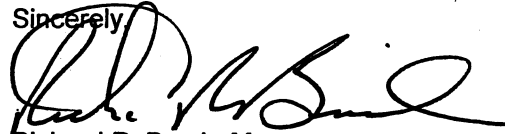
This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mark Etheridge at 240-777-6338.

Sincerely,



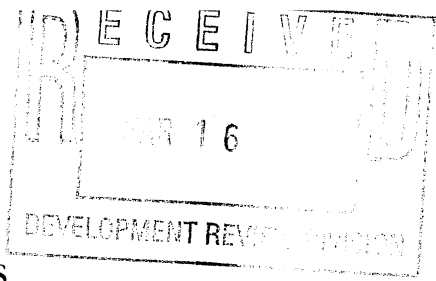
Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm mce

cc: C. Conlon  
S. Federline  
SM File # 221586

QN -On; Acres: 1  
QL - On; Acres: 1  
Recharge is provided





DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION

Douglas M. Duncan  
*County Executive*

Arthur Holmes, Jr.  
*Director*

February 27, 2006

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 #1-20060500  
Bea-Kay Acres

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 9/20/2005. This plan was reviewed by the Development Review Committee at its meeting on 11/21/05. 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. Show all existing planimetric and topographic details specifically paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways as well as existing rights of way and easements on the preliminary plan.
  2. Necessary right of way dedication for Fairland Road, Partridge Drive and Bea-Kay Drive in accordance with the master plan as well as standard truncation at both corners of the aforementioned streets.
  3. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
  4. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
  5. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.



Division of Operations

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

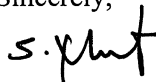
6. We did not receive complete analyses of the capacity of the downstream public storm system(s) and the impact of the post-development runoff on the system(s). As a result, we are unable to offer comments on the need for possible improvements to the system(s) by this applicant. Prior to approval of 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 and inlet efficiency computations in the impact analysis.
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. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision.
9. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
10. 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.
11. Trees in the County rights of way - species and spacing to be in accordance with the applicable DPWT 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.
12. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
  - A. Construct five (4) foot wide concrete sidewalk along the site frontage.
  - 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.

Ms. Catherine Conlon  
Preliminary Plan No. 1-20060500  
Date February 27, 2006  
Page 3

- 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 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 me at [sam.farhadi@montgomerycountymd.gov](mailto:sam.farhadi@montgomerycountymd.gov) or (240) 777-6000.

Sincerely,



Sam Farhadi, P.E., Senior Planning Specialist  
Traffic Safety Investigations and Planning Team  
Traffic Engineering and Operations Section

m:/subdivision/farhas01/preliminary plans/1-20060500, Bea-Kay Acres .doc

Enclosures (3)

cc: Dick Witmer, Witmer and Associates  
Cliff Burke, 919 Fairland  
Joseph Y. Cheung; DPS RWPPR  
Christina Contreras; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Gregory Leck, DPWT TEOS