



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

COPY

MCPB
 Item ____
 April 26, 2007



MEMORANDUM

DATE: April 12, 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 Parcels 58, 114

PROJECT NAME: Germantown Estates

CASE #: 120060970

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: CT

LOCATION: Located at the southeast quadrant of the intersection of
 Germantown Road (MD 118) and Clopper Road (MD 117)

MASTER PLAN: Germantown

APPLICANT: Cornerstone Land, LLC

ENGINEER: PG Associates, Inc.

FILING DATE: March 24, 2006

HEARING DATE: April 26, 2007

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 is limited to 15,600 square feet of office use.
- 2) Compliance with the conditions of the MCDPS stormwater management approval dated December 21, 2006.
- 3) Compliance with conditions of MCDPWT letter dated May 18, 2006, unless otherwise amended.
- 4) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 5) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff.
- 6) Final approval of the location of building, on-site parking, site circulation, and sidewalks, will be determined at site plan.
- 7) No clearing, grading or recording of plats prior to certified site plan approval.
- 8) 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.
- 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 plats.

SITE DESCRIPTION:

Adjacent to townhomes on the north, the Subject Property, identified as Parcels 58 and 114 (“Subject Property”), is located at the southeast quadrant of the intersection of Germantown Road (MD 118) and Clopper Road (MD 117) in the Great Seneca Creek Watershed (Attachment A). The property contains 0.96 acres (41,881 s.f.) and is zoned C-T. The property contains no forests, streams or stream valley buffers.

PROJECT DESCRIPTION:

This is an application to subdivide the Subject Property into one (1) recorded parcel for the construction of a two-story, 15,600 square foot office building. Access to the proposed lot will be directly from Liberty Mill Road. The Subject Property is exempt from Forest Conservation, and no tree save plan is required. The property will be served by public water and public sewer.

ANALYSIS AND FINDINGS

Master Plan Compliance

The Germantown Master Plan identified the Subject Property in the Clopper Village (CL-A) Analysis Area. The plan confirms that the area is appropriate for transitional uses under the C-T (Commercial Transition) Zone. The preliminary plan complies with the goals of the master plan in that it proposes a low intensity office use that is appropriate as a transitional use with the adjacent one-family attached dwellings.

Transportation

Site Access and Vehicular/Pedestrian Circulation

Access to the site is proposed from Liberty Mill Road. Liberty Road is a secondary residential roadway. A five-foot sidewalk exists along Liberty Mill Road and the plan proposes sidewalks within the site.

Local Area Transportation Area Review

The Applicant submitted a traffic study required as part of the Local Area Transportation Review. Three local intersections were identified as critical intersections that would be affected by the proposed development. These were examined to determine whether they meet the applicable congestion standard of 1,450 Critical Lane Volume (CLV) for the Germantown West Policy Area. The morning and evening peak hour traffic condition was analyzed for impact of the proposed development. The result of CLV calculation is shown in the following table.

Intersection Capacity Analysis with CLV Under Various Development Schemes During the Peak Hour						
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
MD 117/MD 118	1,044	1,361	1,093	1,387	1,094	1,389
MD 117/Liberty Mill Road	851	637	922	700	924	719
MD 117/Kingsview Village Avenue	944	943	1,018	1,018	1,019	1,020

As shown in the above table, all existing intersections analyzed are currently operating at acceptable CLVs (below 1,450) and this acceptable level will continue for the total future development condition (the background traffic plus traffic from the site) during the weekday AM and PM peak hours.

Environment

The property contains no environmentally sensitive features and is exempt from forest conservation plan requirements.

Stormwater Management

On December 21, 2006, the MCDPS Stormwater Management Section approved the project's stormwater management concept which includes vegetation stabilization, the submission of stormwater management computations and an engineered sediment control plan 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. Access and public facilities will be adequate to support the proposed lot and use. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lot was reviewed for compliance with the dimensional requirements for the C-T zone as specified in the Zoning Ordinance. The lot as proposed will meet 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.

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, one (1) citizen letter was received from Ravi Parkhie, an agent for The Management Group, which represents the Germantown Estates Homeowners Association. The homeowners association requested a traffic study for the installation of a light at the intersection of Liberty Mill Road and Clopper Road (MD 117) as part of the approval of the construction of the office building.

As previously stated, a traffic study was submitted by the applicant. However, it did not include an analysis of the need for a traffic light. Therefore, since Clopper Road is a state maintained road, the request to evaluate the intersection for a traffic light has been forwarded to the State Highway Administration.

CONCLUSION:

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the C-T Master Plan. Access and public facilities will be adequate to serve the proposed lot, 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.

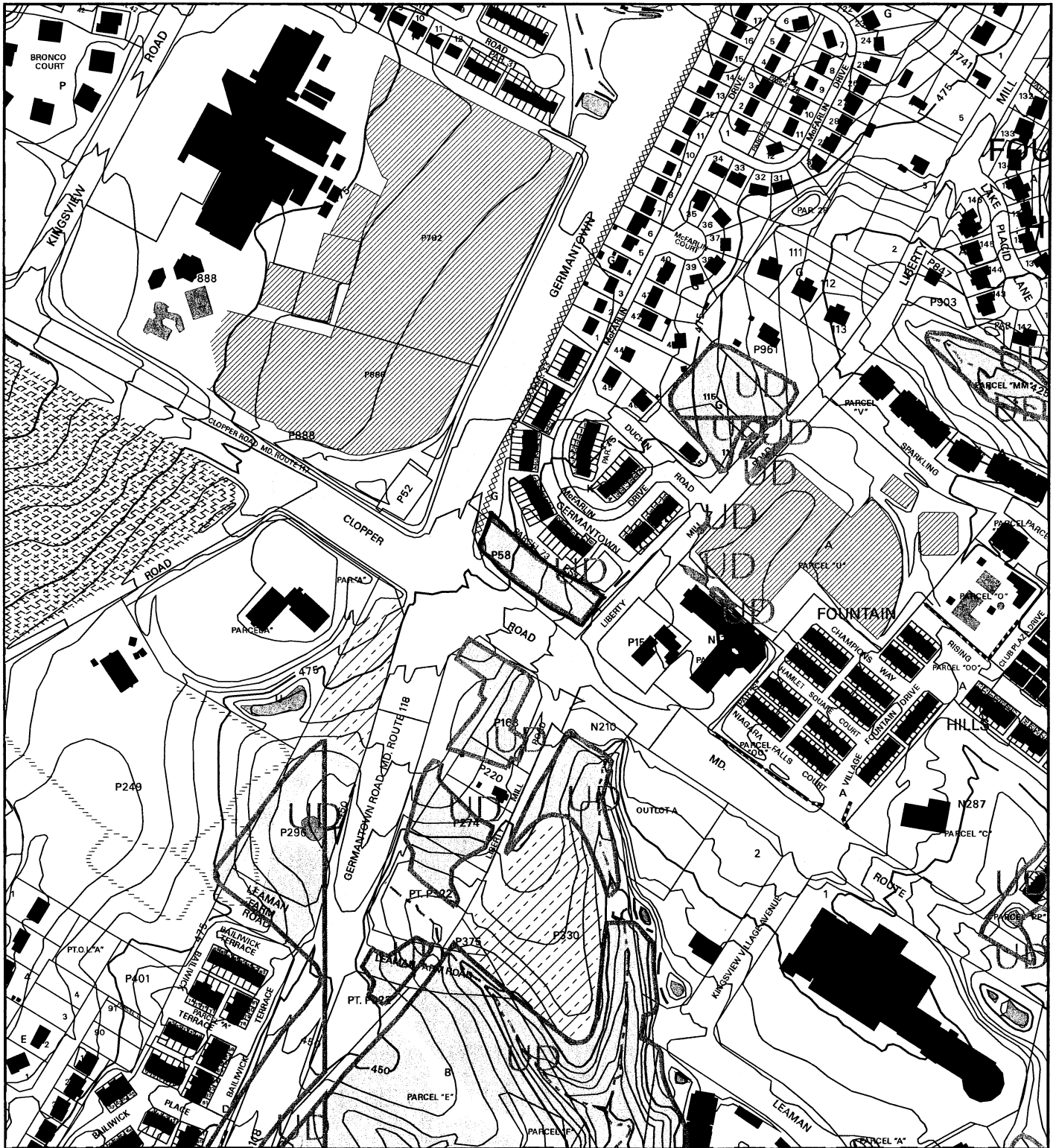
ATTACHMENTS:

Attachment A	Vicinity Map
Attachment B	Preliminary Plan
Attachment C	Correspondence

Preliminary Plan Data Table and Checklist

Plan Name: Germatown Estates				
Plan Number: 120060970 (Formerly 1-06097)				
Zoning: C-T				
# of Lots: 1				
# of Outlots: 0				
Dev. Type: 15,600 square foot office building				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval on the Preliminary Plan	Verified	Date
Minimum Lot Area	Not Specified	41, 881 sq.ft. is minimum proposed	<i>Dm</i>	February 5, 2006
Lot Width	Not Specified	113 feet	<i>Dm</i>	February 5, 2006
Lot Frontage	100 ft,	Must meet minimum	<i>Dm</i>	February 5, 2006
Setbacks				
Front	10 ft. Min.	Must meet minimum	<i>Dm</i>	February 5, 2006
Side	15 ft. Min	Must meet minimum	<i>Dm</i>	February 5, 2006
Rear	30ft. Min.	Must meet minimum	<i>Dm</i>	February 5, 2006
Height	35 ft. Max.	May not exceed maximum	<i>Dm</i>	February 5, 2006
Max FAR per Zoning	0.5	0.37	<i>Dm</i>	February 5, 2006
Site Plan Req'd?	Yes	Yes	<i>Dm</i>	February 5, 2006
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	Yes	<i>Dm</i>	February 5, 2006
Road dedication and frontage improvements	Dedication	Yes	DPWT/ SHA	May 18, 2006/ June 20, 2006
Environmental Guidelines	Yes	Yes	ENVIRONMENTAL PLANNING	April 21, 2006
Forest Conservation	Yes	Yes	ENVIRONMENTAL PLANNING	April 21, 2006
Master Plan Compliance	Yes	Yes	<i>Dm</i>	April 21, 2006
Other				
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Yes	DPS	Dec. 21, 2006
Water and Sewer (WSSC)	Yes	Yes	WSSC	April 24, 2006
Local Area Traffic Review	Yes	Yes	TRANSPORTATION PLANNING	March 8, 2007
Fire and Rescue	Yes	Yes	MCDFRS	February 1, 2007

GERMANTOWN ESTATES (120060970)



Map compiled on April 17, 2006 at 4:19 PM | Site located on base sheet no - 225NW13

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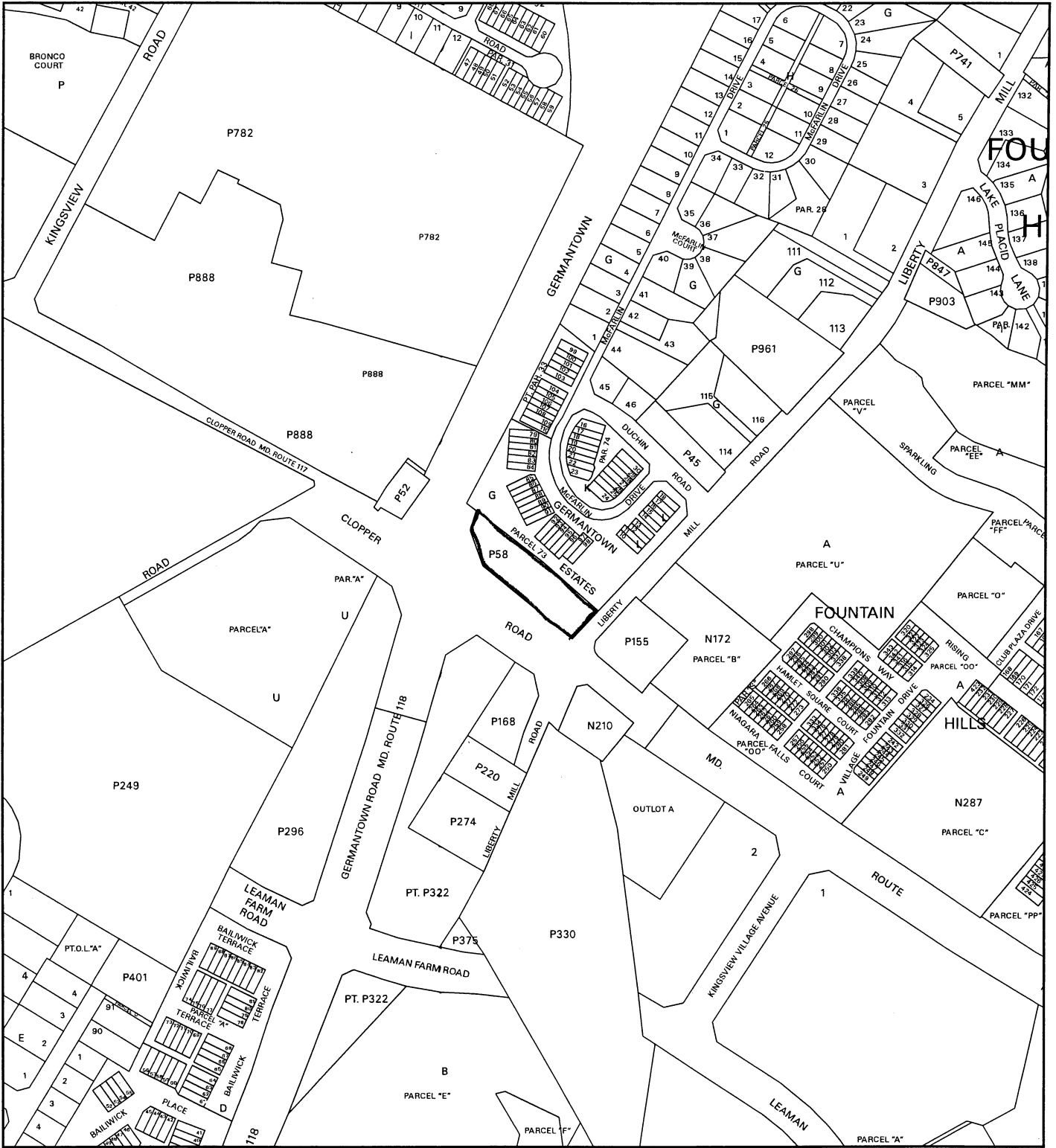
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1 inch = 400 feet
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GERMANTOWN ESTATES (120060970)



Map compiled on April 17, 2006 at 4:41 PM | Site located on base sheet no - 225NW13

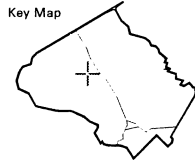
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Key Map



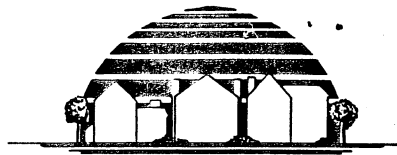
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Research & Technology Center



1 inch = 400 feet
1 : 4800



The Management Group
Associates, Inc.

— A FULL SERVICE PROFESSIONAL PROPERTY MANAGEMENT COMPANY —

May 2, 2006

Montgomery County Department
Of Park and Planning
Maryland National Capital Park
And Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Re: File # 120060970
(1-Two Story Office Building)

Dear Planning Board Officer:

I am writing to you on behalf of the Germantown Estates Homeowners Association regarding their concern of future traffic problems should the proposed 2-story office building be built at the corner of Liberty Mill Road and Clopper Road. The Association is requesting a traffic study regarding the installation of a light at the intersection of Liberty Mill Road and Clopper Road as part of the approval of the construction of the office building.

Several accidents have already taken place at this intersection and the community feels that the addition of the office building will create more traffic safety hazards for the residents of the community.

You may respond to me via e-mail at rparkhie@tmgainc.com. If you have any questions or wish to speak to me in person you may contact me at my office at 301-948-6666, ext. 134

Sincerely,

Ravi M. Parkhie, Agent for
Germantown Estates HOA

RMP/ep
GE: II.1.6, II.e

