



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

**MCPB**  
**Item #**  
**7/26/07**



**MEMORANDUM**

**DATE:** July 13, 2007

**TO:** Montgomery County Planning Board

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

**FROM:** <sup>*MB*</sup> Neil Braunstein, Planner Coordinator (301-495-4532)  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** 15 lots for 15 one-family detached dwelling units

**PROJECT NAME:** Damascus Smart-Miner

**CASE #:** 120070340

**REVIEW BASIS:** Chapter 50, Montgomery County Subdivision Regulations

**ZONE:** RNC-TDR 1

**LOCATION:** Located on the south side of Bethesda Church Road, 500 feet west of Ridge Road (MD 27)

**MASTER PLAN:** Damascus

**APPLICANT:** JR 15 Lot LLC

**ENGINEER:** Macris, Hendricks & Glascock

**FILING DATE:** November 1, 2006

**HEARING DATE:** July 26, 2007

**RECOMMENDATION:** Approval subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 15 lots for 15 one-family detached dwelling units.
- 2) The record plat must reflect serialization and liber/folio reference for all TDRs utilized by the development.
- 3) The applicant must comply with all conditions of the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permits, as applicable.
- 4) Prior to certification of the preliminary plan, the applicant must amend the data table on the plan to correctly show the minimum lot area and minimum rural open space area proposed by the preliminary plan.
- 5) No clearing, grading or recording of plats prior to certified site plan approval.
- 6) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
- 7) The final number of TDRs, as per Conditions 1 and 2 above, will be determined at the time of site plan.
- 8) The applicant must construct all private streets to the widths shown on the preliminary plan. The streets must be built to the structural standards of a tertiary road, as specified in Section 50-25(h) of the Subdivision Regulations.
- 9) The applicant must dedicate approximately 7,394 square feet of land to the State of Maryland for the right-of-way for Ridge Road (MD 27) along the property frontage, as shown on the preliminary plan. The dedication must provide a 100-foot-wide right-of-way, as measured from the opposite right-of-way line.
- 10) The applicant must comply with the conditions of the MCDPS stormwater management approval dated May 4, 2007.
- 11) The applicant must comply with the conditions of the MCDPWT letter dated December 1, 2006, unless otherwise amended.
- 12) The applicant must satisfy provisions for access and improvements as required by MCDPWT prior to recordation of plat(s).
- 13) The record plat must reflect denial of access along Ridge Road (MD 27), and along Bethesda Church Road except for the interior private street.
- 14) The record plat must reflect common ingress/egress and utility easements over all shared driveways.
- 15) The record plat must reflect a public use and access easement over all private streets and adjacent sidewalks.
- 16) The record plat must reflect all areas under Homeowners Association ownership and specifically identify stormwater management parcels.
- 17) The record plat must have the following note: "The land contained hereon is within an approved cluster development, and subdivision or resubdivision is not permitted after the property is developed."
- 18) The record plat must reference the Common Open Space Covenant recorded at Liber 28045 Folio 578 ("Covenant"). Applicant must provide verification to Commission staff prior to release of final building permit that Applicant's recorded HOA Documents incorporate by reference the Covenant.

- 19) The record plat must show necessary easements.
- 20) 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.

## SITE DESCRIPTION

The subject property, shown below and in Attachment A, is a 15.53 acre unplatted parcel in the RNC zone. The property is located on the south side of Bethesda Church Road, 500 feet west of Ridge Road (MD 27). The site is currently undeveloped.

Surrounding land uses include a public elementary school and one-family residences in the RE-2C to the north of the site, one family residential uses in the RE-2C to the south of the site, a public high school in the R-200 zone to the east of the site, and agricultural uses in the RDT zone and one-family residences in the RE-2C zone to the west of the site.

The property is located within the Little Bennett Creek watershed (classified as Use III in this area). The headwaters of Little Bennett Creek are on the property, and the creek flows across the lower half of the property, exiting near the southwest corner. Most of the property is being farmed, but the western and southern edges of the property are forested.





## **PROJECT DESCRIPTION**

The application proposes to create 15 one-family residential lots. In addition, the subdivision includes two common open space parcels, one stormwater management parcel, one rural open space parcel, and one private street parcel. A proposed private street will provide access to the subdivision. Four lots that front onto Bethesda Church Road (proposed Lots 1-4) will be accessed by a shared private driveway from the proposed private street. The remainder of the lots will be accessed directly from the proposed private street. The subdivision uses the optional cluster method of development, with lots clustered in the northern portion of the property, near Bethesda Church Road. Sixty-seven percent of the site will be retained as rural open space, which meets the 65% minimum open space required by the Zoning Ordinance. The rural open space area will primarily contain existing forest and reforestation areas, but will also include stormwater management facilities. The subdivision will be served by public water and sewer.

(Attachment B – proposed plan)

## **ANALYSIS AND FINDINGS**

### **Master Plan Compliance**

According to the Damascus Master Plan, the subject property is located within a neighborhood transition area. The purpose of the neighborhood transition areas is to capture additional growth through the use of cluster design methods and to establish a strong edge between the town and rural areas. The majority of additional growth will be achieved through the use of transferable development rights (TDRs). The subject property is a designated receiving area for TDRs in the Damascus Master Plan. With respect to community planning, the master plan offers the following recommendations for cluster development in neighborhood transition areas:

- Design to allow views of protected open space and vistas of surrounding rural areas.
- Create a defined “edge” clearly separating the developed neighborhood from the rural open space that is preserved.
- Provide internal and external connections for easy non-vehicular access using trails, sidewalks, and bicycle paths.
- Replicate the scale, design, and pattern of historic small town residential neighborhoods.
- Locate a minimum of three-fourths of the lots in the clustered, small lot portion of the development unless the Planning Board finds that fewer clustered lots would better implement the goals of the master plan.

During the master plan process, the subject property was described and evaluated in conjunction with the adjacent properties to the rear (Rice/Conway). The Master Plan referred to these properties as the Smart/Miner/Rice/Conway properties. Assembly of these properties was anticipated at the time of development. This assembly has not occurred, and therefore the



Smart/Miner properties, containing 15.53 acres and the subject of this preliminary plan, will be developed separately from the Rice/Conway properties. Nonetheless, recommendations for development of these properties are valid for the smaller Smart/Miner tract. To that end, the plan states:

The modification in density is appropriate because the properties are in close proximity to the Town Center, schools, and institutional uses. Residents will be able to walk to these community uses. The modification [in zoning] would allow smaller lot clustering (with community water and sewer) on this approximately 50-acre site. The site has frontage west of Ridge Road on Bethesda Church Road, directly across from Damascus Elementary School and along Ridge Road to the south. The property contains a headwater tributary of Little Bennett Creek. Its proximity to the Town Center and the ability to access sewer in Ridge Road make this area a suitable location for clustered development with measures to protect environmental features and the headwaters of Little Bennett Creek.

Additionally, the master plan states that if the optional method of development is used the following densities are permitted:

Optional Method: RNC-0.4, with community sewer if TDRs are not used  
RNC- 1.0, with community sewer service if TDRs are used to secure the additional density.

Thus the entire Smart/Miner/Rice/Conway tract has the potential for 10 to 61 dwelling units (including MPDU bonus and 40 TDRs).

The applicant is using the optional method of development under the RNC zone and community sewer service with transfer development rights (TDRs) to secure the additional density. Under the optional method, the applicant is purchasing the maximum number of TDRs allowed (nine) and thus proposing the maximum number of lots allowed (15) on the subject site.

The preliminary plan proposes development using the clustering method to achieve smaller lot sizes and accommodate additional growth through the use of TDRs. By using smaller lots, the proposed lot pattern has created an edge by separating the developed portion of the site from the proposed rural open space. As shown on the submitted plan, the rural open space will be preserved at the rear of the site and along a portion of Ridge Road. This design will maintain the views into this rural open space from Ridge Road. A sidewalk exists along most of the site's frontage on Bethesda Church Road. As part of the subdivision process, the applicant will be required to complete this sidewalk, thereby ensuring a sidewalk along the entire length of the site. The sidewalk along Bethesda Church Road provides non-vehicular connections to the surrounding area for future residents of this site.

The proposed subdivision will repeat the scale and pattern found in small town residential neighborhoods, such as small lots, dwelling units close together, narrower streets, and sidewalks.

The applicant has proposed 15 lots for this site. The minimum lot size in the RNC zone using the optional method of development is 4,000 square feet. The applicant proposes 11 lots between 7,651 square feet and 12,000 square feet and four lots of more than 12,000 square feet. This complies with the master plan recommendation that ¾ of the lots be located in the small lot portion of the clustered subdivision.

Finally, the RNC zone requires a minimum of 65%, and up to 85%, of the tract area for rural open space. The applicant has increased the amount of rural open space being provided to 67% from a previous submittal that indicated 65% of tract area.

The proposed subdivision complies with the recommendations adopted 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. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

### **Lots Fronting on Private Street**

Section 59-C-9.574(f) of the Zoning Ordinance allows the use of private streets in the Rural Neighborhood Cluster zone if the Planning Board finds that the private street provides safe and adequate access, has sufficient width to accommodate the proposed dwelling units, will better advance the goal of preserving rural open space and rural character than would a public road, and has proper drainage.

Staff recommends that the Planning Board make the findings to allow use of the proposed private street. As shown on the proposed preliminary plan, the proposed private street will have 20-foot-wide paving within a 40-foot-wide private right-of-way, which is sufficient to provide safe and adequate access to the proposed lots. The private street will also provide safe pedestrian access in lieu of sidewalks because the street will carry low traffic volumes, allowing pedestrians to safely walk on the street. Rural open space and character are better preserved than would be the case with a public street because the standard 50-foot-wide right-of-way for a public tertiary street would reduce the amount of open space preserved by the subdivision and would be out of character with the surrounding rural area. Finally, with respect to drainage, the applicant received approval from MCDPS for a stormwater management concept, indicating that the subdivision, including the private street, will properly drain to proposed stormwater management facilities.

## **Environment**

### **Environmental Guidelines**

The Natural Resource Inventory/Forest Stand Delineation (NRI/FSD #4-06272) for this site was approved on October 11, 2006. The NRI/FSD identifies the environmental constraints and forest resources on the subject property. There are 2.52-acres of forest, 0.09-acres of wetlands, and two streams on the site. Both streams are the uppermost headwaters of Little Bennett Creek. This project is in compliance with the Environmental Guidelines.

All of the environmentally sensitive areas and environmental buffers on-site, as defined by the approved NRI/FSD, will be placed into a Category I Conservation Easement.

### **Forest Conservation**

The applicant submitted a preliminary forest conservation plan as part of the preliminary plan of subdivision. Under Forest Conservation Section 22A-12 of the Montgomery County Code, 0.89 acres of the subject property must be planted. The applicant proposes to meet this requirement by planting within the unforested buffer.

The applicant proposes to plant an additional 0.63-acres of environmental buffers to help ensure protection of the headwaters of Little Bennett Creek. The total amount of forest planting on-site will be 1.52 acres. This, in addition to 2.37 acres of forest retention and 0.02 acres of tree save, brings the total amount of Category I Conservation Easement on-site to 3.91-acres.

The plan meets all applicable requirements of the county Forest Conservation Law.

### **Stormwater Management**

The MCDPS Stormwater Management Section approved a stormwater management concept for the project on January 22, 2007, which includes on-site channel protection measures through the use of a dry pond. On site water quality control and on-site recharge are provided through the use of surface sand filters and nonstructural measures.

## **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 lots and uses. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision.

The lots were reviewed for compliance with the dimensional requirements for the RNC-TDR 1 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. The subdivision meets the requirement that at least 65% of the site be retained as rural open space by setting aside 67.4% of the site in proposed Parcel A and proposed Parcel D, which will also contain



stormwater management facilities. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

### **Citizen Correspondence and Issues**

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 date. As of the date of this report, no citizen letters have 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 Damascus 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 whom 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 – Agency Correspondence Referenced in the Conditions

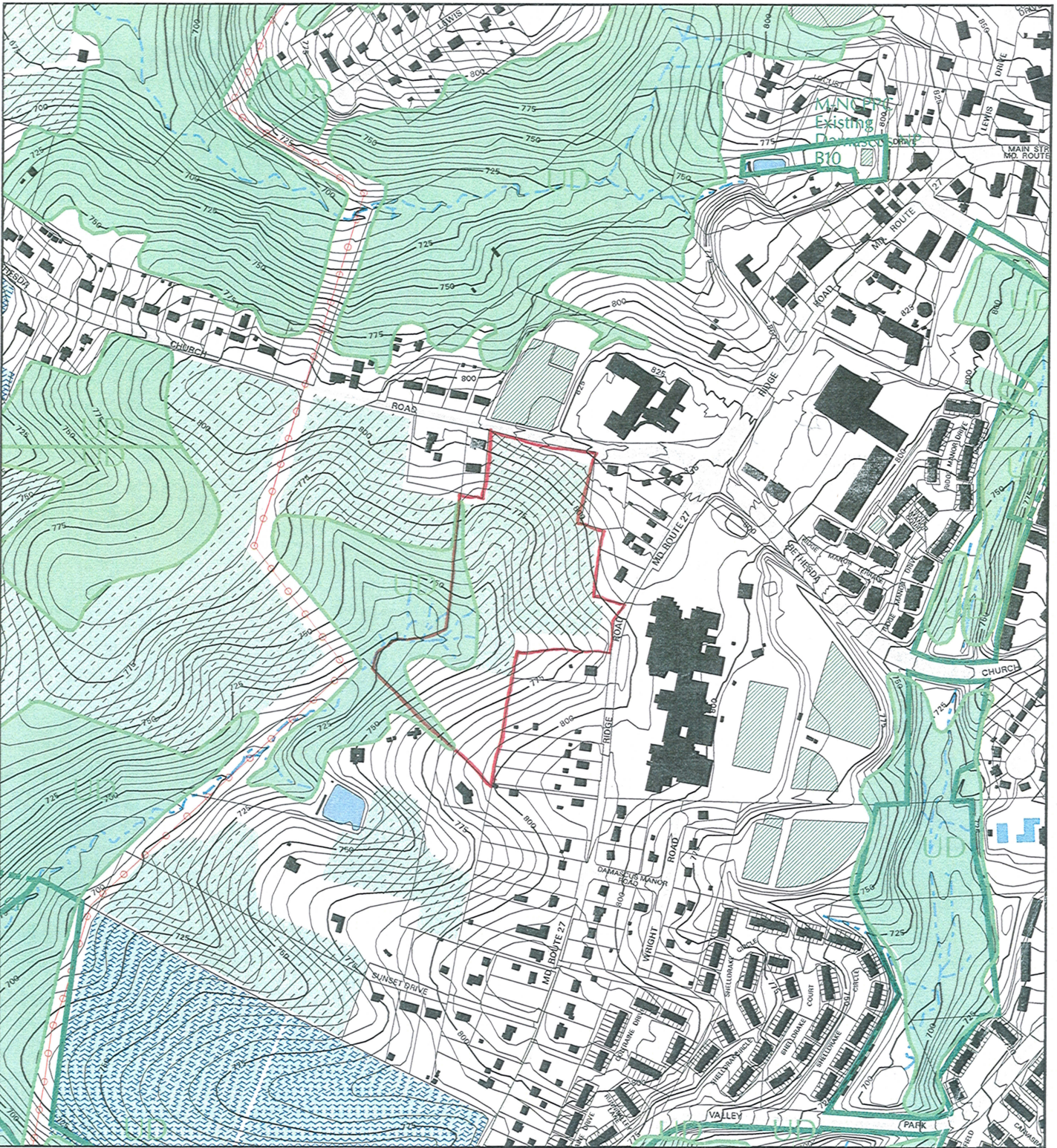
Table 1: Preliminary Plan Data Table and Checklist

<b>Plan Name: Damascus Smart-Miner</b>				
<b>Plan Number: 120070340</b>				
<b>Zoning: RNC-TDR 1</b>				
<b># of Lots: 15</b>				
<b># of Outlots: 0</b>				
<b>Dev. Type: Residential</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval by the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	4,000 sq. ft.	7,651 sq. ft. minimum	NB	7/13/07
Lot Width	Not Specified	50 ft. minimum	NB	7/13/07
Lot Frontage	25 ft.	25 ft. minimum	NB	7/13/07
Setbacks				
Front	15 ft. Min.	Must meet minimum <sup>1</sup>	NB	7/13/07
Side	8 ft. Min.	Must meet minimum <sup>1</sup>	NB	7/13/07
Rear	30 ft. Min.	Must meet minimum <sup>1</sup>	NB	7/13/07
Height	35 ft. Max.	May not exceed maximum <sup>1</sup>	NB	7/13/07
Max Resid'l d.u. per Zoning	15	15	NB	7/13/07
Open Space	65% Min.	67.4% minimum	NB	
MPDUs	N/a		NB	7/13/07
TDRs	6 Min.	9	NB	7/13/07
Site Plan Req'd?	Yes		NB	7/13/07
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street		No	NB	7/13/07
Road dedication and frontage improvements		Yes	Agency letter	12/1/06
Environmental Guidelines		Yes	Staff memo	7/5/07
Forest Conservation		Yes	Staff memo	7/5/07
Master Plan Compliance		Yes	Staff memo	7/10/07
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management		Yes	Agency letter	5/4/07
Water and Sewer (WSSC)		Yes	Agency comments	11/6/06
10-yr Water and Sewer Plan Compliance		Yes	Agency comments	11/6/06
Well and Septic		N/a	Agency comments	11/6/06
Local Area Traffic Review		N/a	NB	7/13/07
Fire and Rescue		Yes	Agency letter	6/28/07

<sup>1</sup> As determined by MCDPS at the time of building permit.



# DAMASCUS SMART-MINER (120070340)



Map compiled on November 09, 2006 at 1:52 PM | Site located on base sheet no - 236NW10

### 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

Key Map



N

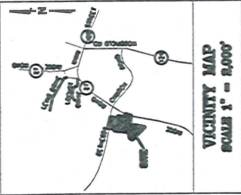


Research & Technology Center



1 inch = 600 feet  
1 : 7200





VICINITY MAP  
SCALE 1" = 4000'



**SITE DATA TABLE**

The property is zoned RDT-1.  
The proposed use is residential.  
This site is within the Damascus Historic Plus Area, Planning Area 11.  
The Gross Tract Area is 676,372 sq. ft. or 15.53 acres.  
The Net Tract Area is 668,978 sq. ft. or 15.36 acres.  
The number of proposed lots is 15 with 5 parcels.  
The property's storm water and sewer category is W6 with a portion of W1 and S-6.  
Application is currently applying for W3 and S-3 reviews.  
Site to be developed in a single phase.

PROPOSED USE: RDT-1 (Optimal Mixed)  
(Chapter 55-2-5.7.1)

Required/Permitted	Proposed
Density of Development	97 dw/acre
Min. Area of Development	10 acres
Min. lot area	4,000 sq. ft.
Min. setback from street	15 ft.
Yard Encroachment	8 ft. (if provided)
Side Yard	8 ft. (if provided)
Side-Four that allows a lot not developed under optional method of this section.	8 ft.
Signage to be required for the building, see provided that no sign is more than 30 ft.	25 ft.
Min. lot width at street	35 ft.
Max. building height	35 ft.
Min. lot coverage	35%
Rural Open Space	65% min.

AREA TABULATION  
Gross Tract Area (GTA): 676,372 sq. ft. or 15.53 acres  
Street Dedication: Ridge Road, 2,304 sq. ft. or 0.17 acres  
Net Tract Area: 668,978 sq. ft. or 15.36 acres  
H.O.A. Open Space Parcel A: 361,546 sq. ft.  
H.O.A. Common Open Space Parcel B: 2,793 sq. ft.  
SWA Facility and Access Parcel C: 82,236 sq. ft.  
H.O.A. Private Drive Parcel E: 27,538 sq. ft.

RURAL OPEN SPACE CALCULATIONS  
Parcel A: 361,546 sq. ft. + Parcel D: 82,236 sq. ft. = 443,782 sq. ft.  
443,782 sq. ft. / 0.668,978 sq. ft. = 67.87 Rural Open Space

**DENSITY TABULATION**

Net Tract Area	= 668,978 sq. ft. or 15.36 acres
Rural Density RNC 4	= 6 d/ha
15.36 acres * 4 d/ha	= 61.44 d/ha
TDR 1 Density	= 15 d/ha (0.97 d/acre)
15.36 acres * 15 d/ha	= 230.4 d/ha
200 Requirement (15-67-66)	= 6 TDRs min. req. TDRs to be purchased
10.0 d/ha * 15.36 acres	(0.775 d/acre)
Other density 225 TDR Req.	= 154 d/ha (0.98 d/acre)

- GENERAL NOTES**
- Boundary from boundary survey by Meier, Henrichs, & Glasscock, P.A. completed December 21, 2006.
  - 2' contour topography from Meier, Henrichs, & Glasscock, P.A. completed November 24, 2006.
  - The site shown is Lark Run/Creek Tributary. The portion of the Lark Run/Creek Tributary designated as Class III-P waters by the state of Maryland. There is no mapped BR/PCP or FEMA 100 year floodplain on the site.
  - 0.09 acres of forested wetlands exist on the site. A stream begins on-site with two branches that merge into one.
  - The subject property is not within a Special Protection Area.
  - H.O.A. parcels to be maintained by H.O.A., with Parcel A to be maintained in accordance with a Category 1 Conservation Easement where applicable.
  - A Natural Resources Inventory Map/Forest Stand Delineation Plan has been submitted to MS/DCPC, Environmental Planning Division, reference #4-6072, approved on October 11, 2006.
  - Utilities serving this site include:  
Water - Annapolis WSP  
Sewer - Annapolis WSP  
Communications - Verizon  
Electric - Potomac Electric Power  
Gas - WGL

- This plan is not for construction purposes.
- Property lines and areas are subject to adjustment at final plat completion.
- Existing SHA Stormwater Management Facility to be abandoned at final record plat.
- Builder, architect and other professional representations. Final building location and grading to be completed at building permit.



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**PRELIMINARY PLAN OF SUBDIVISION**  
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**MHG**  
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**10TH ELECTION DISTRICT - MONTGOMERY COUNTY - MARYLAND**  
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**DAVASCUS SURVEY - 2008**  
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**MEIER, HENRICHS & GLASSCOCK, P.A.**  
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DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett  
County Executive

Carla Reid Joyner  
Director

May 4, 2007

Mr. Pearce Wroe  
Macris, Hendricks, and Glascock, P.A.  
9220 Wightman Road  
Montgomery Village, MD 20886

Re: Stormwater Management **CONCEPT** Request  
for Damascus Smart-Miner *120070340*  
Preliminary Plan #: Pending  
SM File #: 229176  
Tract Size/Zone: 15.5/RNC-TDR  
Total Concept Area: 15.5ac  
Lots/Block: 15 Proposed  
Parcel(s): P088  
Watershed: Little Bennett Creek

Dear Mr. Wroe:

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 channel protection measures via the use of a dry pond. On-site water quality control and onsite recharge are provided via the use of surface sand filters and non structural measures.

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. Structural pre treatment is required prior to sand filter # 1.
5. The maintenance easement for the existing sand filter must be terminated prior to removal of the structure.

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 Thomas Weadon at 240-777-6309.

Sincerely,



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

RRB:dm CN 229176

cc: C. Conlon  
S. Federline  
SM File # 229176

QN - On Site; Acres: 15.5ac  
QL - On Site; Acres: 15.5ac  
Recharge is provided





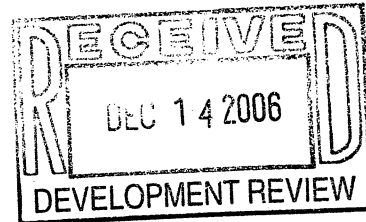
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION

Isiah Leggett  
County Executive

Arthur Holmes, Jr.  
Director

December 1, 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 #1-20070340  
Damascus Smart-Miner

Dear Ms. Conlon:

We have completed our review of the preliminary plan dated 10/31/06. This plan was reviewed by the Development Review Committee at its meeting on 11/20/06. 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/label all existing planimetric and topographic details specifically paving, driveways adjacent and opposite the site as well as existing rights of way on both sides and easements on the preliminary plan.
2. Necessary dedication for Ridge Road in accordance with the Master Plan.
3. Dedicate the necessary right of way per Master Plan and improve Bethesda Church Road to arterial roadway standards along the site frontage.
4. Full width dedication (including truncations) and construction of the interior public street per open section tertiary residential roadway standards terminating in a standard cul-de-sac.
5. Grant necessary slope and drainage easements. Slope easements are to be determined by study or set at the building restriction line.
6. Prior to approval of the record plat by the Department of Permitting Services (DPS), the applicant's consultant will need to obtain the approval of grade establishments for new public streets from DPS.

**Division of Operations**

101 Orchard Ridge Drive, 2nd Floor • Gaithersburg, Maryland 20878  
240-777-6000 • 240-777-6013 TTY • 240-777-6030 FAX  
[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)

7. A Public Improvements Easement may be necessary along interior public street, in order to accommodate the required sidewalk construction. Prior to submission of the record plat, the applicant's consultant will need to determine if there is sufficient right of way to permit this sidewalk construction. If not, the applicant will need to either dedicate additional right of way or execute a Declaration of Public Improvements Easement document. That document is to be recorded in the Land Records of Montgomery County, with the liber and folio referenced on the record plat. Unless otherwise noted, the Public Improvements Easement is to be a minimum width of ten (10) feet with the overlapping Public Utilities Easement being no less than twenty (20) feet wide.
8. The sight distances study has been accepted. A copy of the accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
9. Record plat to reflect a reciprocal ingress, egress, and public utilities easement to serve the lots accessed by each common driveway.
10. Record plat to reflect denial of access along Bethesda Church Road except for the interior public street and Ridge Road.
11. Waiver from the Montgomery County Planning Board for lot(s) on a private right of way.
12. 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.
13. In accordance with Section 49-35(e) of the Montgomery County Code, sidewalks are required to serve the proposed subdivision. Sidewalks are to be provided on both sides of the proposed public street and along the site frontage according to associated DPWT standard street sections unless the applicant is able to obtain a waiver from the appropriate government agency.
14. The proposed private street 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 curblin.
15. 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 MCDPS approval of the record plat. The deed reference for this document is to be provided on the record plat.
16. Access and improvements along Ridge Road (MD 27) as required by the Maryland State Highway Administration.
17. Geometrics for the intersection of interior public street and Bethesda Church Road will be reviewed by the Department of Permitting Services as part of their review of the building permit application. Included in that review will be the design of any necessary left turn storage lanes and/or acceleration/deceleration lanes. We advise the applicant to submit their traffic volume data to the DPS Right-of-Way Permitting and Plan Review Section (in advance of their building

permit applications) to verify their intersection improvement requirements and the acceptability of their design.

18. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
19. 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.
20. 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.
21. Please coordinate with DPWT division of Transit Services about their requirements and project impacts on their network.
22. Please coordinate with Department of Fire and Rescue about their requirements for emergency vehicle access.
23. Provide driveway access for the stormwater management facilities per associated DPS guidelines.
24. Public Improvements Agreement (PIA) will be an acceptable method of ensuring construction of the required public improvements within the County right of way. The PIA details will be determined at the record plat stage. The PIA will include, but not necessarily be limited to, the following improvements:
  - A. Street grading, paving, curbs and gutters, sidewalks and handicap ramps, storm drainage and appurtenances, and street trees along Bethesda Church Road per item #3 above.
  - B. Street grading, paving, shoulders, sidewalks and handicap ramps, side drainage ditches and appurtenances, and street trees along interior the public street per item #4 above.
  - C. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
  - 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 ensure final and proper completion and installation of all utility lines underground, for all new road construction.

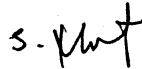


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- F. Developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the Traffic Engineering and Operations Section.

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  
Development Review Group  
Traffic Engineering and Operations Section  
Division of Operations

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Enclosures (1)

cc: Carter Wilson, JR 15 Lot LLC  
Hans Baumann, Macris, Hendricks & Glascock  
Joseph Y. Cheung; DPS RWPPR  
Sarah Navid; DPS RWPPR  
Shahriar Etemadi; M-NCPPC TP  
Gregory Leck, DPWT TEOS  
Raymond Burns, MSHA  
Preliminary Plan Folder  
Preliminary Plans Note Book