



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

MCPB
Item #
5/22/08



MEMORANDUM

DATE: May 9, 2008

TO: Montgomery County Planning Board

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

FROM: Richard A. Weaver, Planner Coordinator (301-495-4544) *RAW*
Development Review Division

REVIEW TYPE: Preliminary Plan of Subdivision

APPLYING FOR: Two lots for two one-family detached dwelling units

PROJECT NAME: Layhill View

CASE #: 120061080

REVIEW BASIS: Chapter 50, Montgomery County Subdivision Regulations

ZONE: R-200

LOCATION: Located at the southern terminus of Alderton Road

MASTER PLAN: Kensington-Wheaton

APPLICANT: Roderick Loss

ENGINEER: PG Associates

FILING DATE: April 21, 2006

HEARING DATE: May 22, 2008

RECOMMENDATION: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to two lots for two one-family detached dwelling units
- 2) The applicant must comply with the conditions of the Montgomery County Department of Permitting Services (MCDPS) stormwater management approval dated December 24, 2007.
- 3) The applicant must comply with the conditions of the Montgomery County Department of Public Works and Transportation (MCDPWT) letter dated June 2, 2006, unless otherwise amended. This letter includes a requirement to record a covenant to fund a pro-rata share for the construction of Alderton Road.
- 4) No plat shall be recorded until such a time that Alderton Road right-of-way is dedicated, adjacent to the Property, by the development at Indian Spring (120061080).
- 5) The record plat must show necessary easements.
- 6) 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 resolution.

SITE DESCRIPTION

The subject property, "Subject Property" or "Property", shown below is an unplatted parcel measuring 44,903 square feet within the R-200 zone. The Property is located at the southern terminus of Alderton Road abutting the Indian Spring Country Club property to the south and east. The site is currently developed with one, one-family residence, which is to be removed. Properties surrounding the site to the north and northeast are developed with one-family detached residences in the R-200 zone. Property to the west are developed with one-family detached homes, zoned R-90. Currently, the property to the south and immediately to the east of the Subject Property is zoned R-90 and is occupied by the Indian Spring Clubhouse and golf course which is now closed. A development for 773 one-family attached and detached homes for the Indian Spring Property has received preliminary and site plan approvals.

The site is located within the Northwest Branch watershed, a Use IV-P stream. No sensitive environmental features exist on the site. There is no forest on the property and the property is exempt from the Forest Conservation Law. (4-06264E)

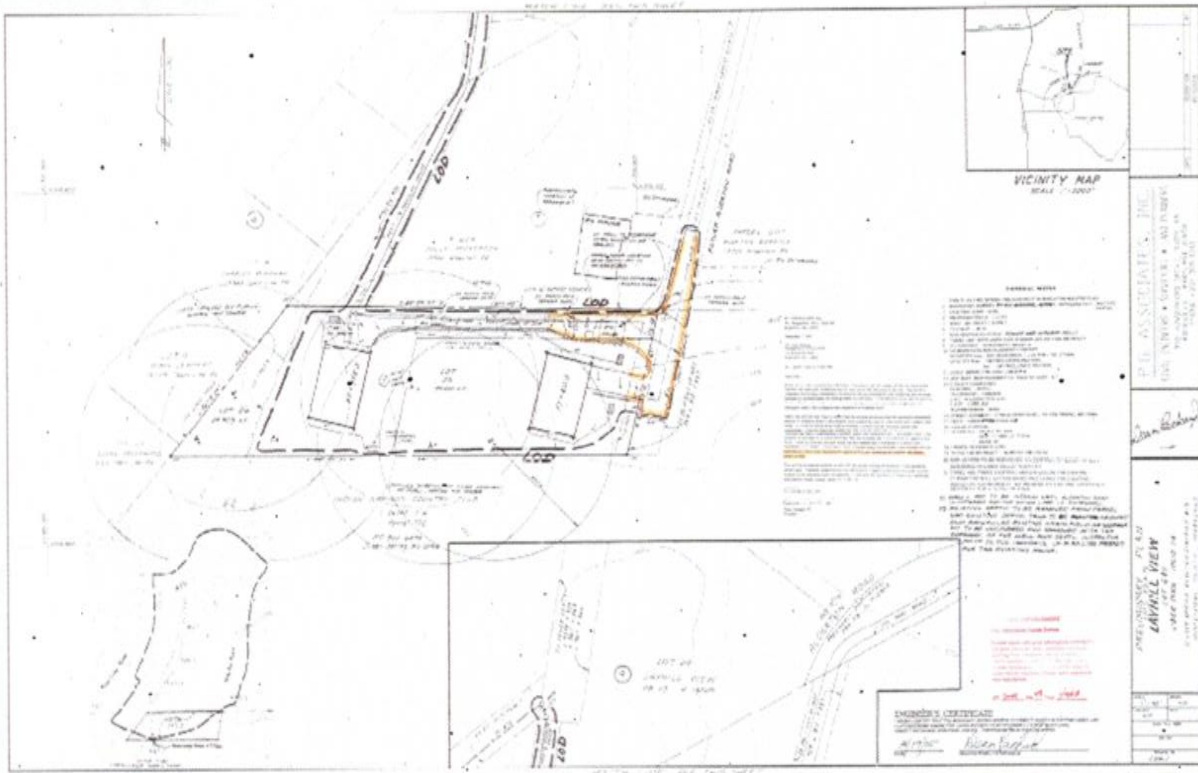


PROJECT DESCRIPTION

The applicant proposes to create two one-family residential lots (shown below), 20,000 square feet and 24,903 square feet in size. Because the Property is rectangular in shape with the narrow end on the future street, the applicant has proposed one conventional lot and a pipestem lot to the rear of the conventional lot. A shared private driveway that extends from the publicly dedicated portion of Alderton Road to the north will provide access to both lots. The driveway currently provides access to 3 homes including the existing home on the Subject Property. The driveway is within a 25-foot wide, deeded ingress/egress easement that is recorded in the Montgomery County land records. This easement is envisioned to become part of the future right-of-way for an extension of existing Alderton Road as a through street that runs from the Indian Spring development to Bel Pre Road to the north. The future right-of-way alignment of Alderton Road will abut the Subject Property to the east. The approved Indian Spring preliminary plan approval contained the following condition;

Dedicate a right of way for Alderton Road to stub out at the northern edge of Subject Property. If MCPS acts upon a reserved school site at this location, Applicant shall construct Alderton Road perpendicular to the Indian Spring Access Road as a secondary residential street. The right-of-way shall be aligned such that it provides connection and frontage for proposed lots in the adjacent Layhill View preliminary plan application (Plan No. 120061080).

The Indian Spring property development is, therefore, required to dedicate Alderton Road so that it will provide the necessary public right-of-way frontage for this application. Staff has provided a condition in this staff report that would restrict recordation of the two proposed lots in this application until such at time that this portion of Alderton Road right-of-way is recorded.



ANALYSIS AND FINDINGS

Master Plan Compliance

The Kensington-Wheaton Master Plan does not specifically identify the Subject Property. The master plan recommends retention of existing zoning throughout the master plan area in the absence of a specific recommendation for change on a particular property. Thus, in the case of the Subject Property, the master plan calls for retention of the existing R-200 zoning. In the Land Use and Zoning section of the plan, the Property and surrounding development is identified as suitable for one-family detached housing. The proposed subdivision complies with the recommendations adopted in the Kensington Wheaton Master Plan in that it proposes one-family detached housing consistent with the current density of the neighborhood and the current zoning designation.

Public Facilities

Roads and Transportation Facilities

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. This application was submitted prior to January 1, 2007 and is not subject to the 2007-2009 Growth Policy so Policy Area Mobility Review is not required. In any case, the proposed lots do not generate more than three new vehicle trips during the morning or evening peak-hours.

Proposed access to the lots will be via a private driveway to Alderton Road. Proposed vehicle and pedestrian access for the subdivision will be safe and adequate with the proposed public improvements.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by private wells and public sewer systems. The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services, such as schools, police stations, firehouses and health services are operating according to the Growth Policy resolution currently in effect and will be adequate to serve the property. Electrical and telecommunications services are also available to serve the Property.

Environment

The site does not include any environmentally sensitive features and has no forest. It is exempt from the Forest Conservation Law.

Stormwater Management

The MCDPS Stormwater Management Section approved the stormwater management concept for the project on December 24, 2007. The stormwater management concept includes on-site water quality control and recharge via drywells for the rooftop area and the use of pervious concrete for the driveways. Channel protection is not required because the one-year post-development peak discharge is less than two cubic feet per second.

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 including 50-29A which speaks to the appropriateness of lots. The proposed lots will be modestly larger than the adjacent lots to the west and those that have been approved for the Indian Spring property to the south and east. Staff also notes that there are three pipestem lots immediately north of the Subject Property on Alderton Lane. The orientation of these lots is similar to that

proposed in this application. Staff finds that 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 R-200 zone as specified in the Zoning Ordinance. The proposed lots 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 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 Kensington-Wheaton 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.

Table 1: Preliminary Plan Data Table and Checklist

Plan Name: Layhill View				
Plan Number: 120061080				
Zoning: R-200				
# of Lots: 2				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Zoning Ordinance Development Standard	Proposed for Approval by the Preliminary Plan	Verified	Date
Minimum Lot Area	20,000 sq. ft.	20,000 sq. ft. minimum	RW	5/9/08
Lot Width	100 ft.	102 ft. minimum	RW	5/9/08
Lot Frontage	25 ft.	25 ft. minimum	RW	5/9/08
Setbacks				5/9/08
Front	40 ft. Min.	Must meet minimum ¹	RW	5/9/08
Side	12 ft. Min./ 25 ft. total	Must meet minimum ¹	RW	5/9/08
Rear	30 ft. Min.	Must meet minimum ¹	RW	5/9/08
Height	35 ft. Max.	May not exceed maximum ¹	RW	5/9/08
Max Resid'l d.u. per Zoning	2	2	RW	5/9/08
MPDUs	N/a		RW	5/9/08
TDRs	N/a		RW	5/9/08
Site Plan Req'd?	No		RW	5/9/08
FINDINGS				
SUBDIVISION				
Lot frontage on Public Street	Yes	RW		5/9/08
Road dedication and frontage improvements	Yes	Agency letter		6/2/06
Environmental Guidelines	N/a	Staff memo		
Forest Conservation	Exempt	Staff memo		2/21/08
Master Plan Compliance	Yes	RW		5/9/08
ADEQUATE PUBLIC FACILITIES				
Stormwater Management	Yes	Agency letter		12/24/07
Water and Sewer (WSSC)	Yes	Agency comments		6/2/06
10-yr Water and Sewer Plan Compliance	Yes	Agency comments		6/2/06
Local Area Traffic Review	N/a, De Minimus	RW		5/9/08
Policy Area Mobility Review	N/a, De Minimus	RW		5/9/08
Transportation Management Agreement	N/a	RW		
School Cluster in Moratorium?	Yes	RW		5/9/08
School Facilities Payment	No, not subject	RW		5/9/08
Fire and Rescue	Yes	Agency letter		

¹ As determined by MCDPS at the time of building permit.