

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760
301-495-4500, www.mncppc.org

**MCPB
ITEM #
12/8/05**



MEMORANDUM

DATE: November 29, 2005

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Development Review Division

FROM: Catherine Conlon, Supervisor (301-495-4542)
Development Review Division *CC*

REVIEW TYPE: Preliminary Plan of Subdivision
APPLYING FOR: Preliminary Plan Approval for 7 dwelling units

PROJECT NAME: Fari Estates
CASE NO. 120050120 (formerly 1-05012)
REVIEW BASIS: Pursuant to Chapter 50, the Subdivision Regulations
and Chapter 59, the Zoning Ordinance

ZONE: R-90
LOCATION: On East Randolph Road approximately 140 feet east of Burkhart Street

MASTER PLAN: White Oak

APPLICANT: Abdul Ghaffar
ENGINEER: Design Engineering Incorporated

FILING DATE: July 20, 2004
HEARING DATE: December 8, 2005

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 7 dwelling units.
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 3) The applicant shall dedicate all road rights-of-way shown on the approved preliminary plan to the full width mandated by the Fairland Master Plan unless otherwise designated on the preliminary plan.
- 4) The applicant shall reconstruct a 5' sidewalk, separated by a 8' lawn panel from the street edge or curb, along the property frontage on East Randolph Road.
- 5) Record plat shall reflect a Category One forest conservation easement over protected forest area on the western edge of the site as shown on the preliminary forest conservation plan. Areas of landscape credit on Lot #1 shall be placed in a Category Two (tree save) conservation easement.
- 6) Applicant shall construct a noise barrier along the frontage of Lots #6 and 7 to attenuate noise levels to no more than 60 dBA Ldn for the yard areas of these lots. The barrier must be constructed of a material which is demonstrated to be acoustically effective over time. Board on board wood fencing is not acceptable.
- 7) Prior to issuance of first building permit, the following confirmation of acoustical noise mitigation must be submitted to staff for its review and concurrence:
 - a) certification from an acoustical professional consistent with report entitled "Traffic Noise Analysis: FARI ESTATES" dated February 23, 2005, demonstrating the acoustical specifications needed in the building shell to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn; and
 - b) binding commitment from the Builder to construct in accordance with the acoustical specifications as required above. All changes in building materials (e.g., doors, windows, skylights) that may reduce the acoustical effectiveness of the building shell must be approved by the acoustical professional in advance of installation.
- 8) Record plat to note "vehicular access denied" along the East Randolph Road property frontage except in approved driveway locations.
- 9) Record plat to reflect common ingress/egress and utility easements over all shared driveways.
- 10) Compliance with the conditions of approval of the MCDPS stormwater management approval dated September 9, 2004.
- 11) Compliance with conditions of MCDPWT letter dated, November 23, 2005 unless otherwise amended.
- 12) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 13) Other necessary easements.

SITE DESCRIPTION and SURROUNDING AREA:

The subject property is a 2.8-acre unrecorded parcel (Parcel 235, L. 20986 F. 486) located on the south side of East Randolph Road approximately 140 feet east of Burkhart Street (Attachment A). The property is zoned R-90 and is served by public water and sewer. The site abuts existing, developed R-90 zoned residential lots and open space on the southern boundary.

The property is within the Paint Branch watershed (Use Classification III-P), but not within the portion designated a Special Protection Area (SPA). A tributary stream to Paint Branch begins in the southwest corner of this site and flows to the south. The stream buffer for this stream encompasses the southwest corner of the property. The property is currently undeveloped and contains 2.07 acres of existing forest.

PROJECT DESCRIPTION

This application proposes to create seven residential lots containing seven one-family detached dwelling units (Attachment B). The plan protects the existing stream valley buffer and associated forest. Vehicular access for the proposed dwellings will be via shared private driveways from East Randolph Road.

COMPLIANCE WITH WHITE OAK MASTER PLAN

The White Oak Master Plan does not specifically identify the Subject Property for discussion but does give general guidance and recommendations for this area to maintain residential use and character. The proposed preliminary plan conforms to the master plan goals in that it proposes residential use.

TRANSPORTATION

Staff concludes that the subject preliminary plan will provide safe and adequate access for vehicles and pedestrians. A traffic study was not required for the property because of the small number of trips that will be generated by the proposed houses. The approval conditions include reconstruction of the sidewalks along the property frontage to provide setback from the road edges with a lawn panel which will improve safety.

ENVIRONMENTAL

Forest Conservation

The property will meet forest conservation requirements by preserving 0.47 acres of existing forest onsite and providing 0.39 acres of offsite planting or an appropriate fee in lieu. A tree save plan is also being required as part of building permit review which will focus on saving individual trees on proposed lots.

Noise Mitigation

A traffic noise study submitted by the applicant projects traffic noise impacts on the site that exceed the transportation noise guideline of 65 dBA Ldn for residential uses along arterial roads. The proposed plan showing the fronts of proposed houses facing East Randolph Road will help shield backyards from traffic noise. Staff recommends a noise fence along the front of proposed Lots 6 and 7 to provide additional noise attenuation for the lot's yard area. In addition, staff recommends that documentation be provided at the building permit stage that all proposed units will meet the interior noise guidelines of 45 dBA Ldn.

CITIZEN CORRESPONDENCE

One letter was received from the representative of the Land Use and Zoning Committee of the Tamarack Triangle Civic Association regarding the proposed plan as of the date of this staff memo (Attachment C). The concerns raised are that the proposed driveway access to the subject houses will adversely impact adjacent properties by generating parking demand that will need to be satisfied on neighborhood streets, and that pedestrians crossing to the proposed houses in this location would be unsafe. The letter suggests that a one-way, 20-foot wide, loop driveway be provided to access all the houses and provide some space for onsite parking.

Access to this site via Randolph Road via private driveway is unavoidable given the site's configuration. The approval of driveways accessing public roads is under the purview of the Montgomery County Department of Public Works and Transportation (DPWT). In this instance, a one-way loop was discussed, but DPWT determined that two separate driveways serving three and four of the proposed dwelling units, respectively, is the safer way to provide access.

With regard to concerns about parking, the applicant has not proposed to widen internal portions of the shared driveways to allow space for guest parking since it would generate more stormwater runoff than the proposed dry wells could accommodate.

CONCLUSION:

Staff finds that the proposed plan conforms to the White Oak Master Plan recommendation for residential use and complies with all necessary requirements of Chapter 50, the Subdivision Regulations, as summarized in the attached Data Table. Staff further finds that the size, width, shape, and orientation of the proposed lots are appropriate for the location of the subdivision. As such, staff recommends approval of the preliminary plan with the specified conditions.

Attachments:

- Attachment A – Vicinity Map
- Attachment B – Preliminary Plan
- Attachment C – Citizen Correspondence
- Attachment D – Agency Correspondence

Preliminary Plan Data Table and Checklist

Plan Name: Fari Estates				
Plan Number: 120050120 (formerly 1-05012)				
Zoning: R-90				
# of Lots: 7				
# of Outlots: 0				
Dev. Type: Residential				
PLAN DATA	Required/Permitted	Proposed for Approval	Verified	Date
Minimum Lot Area	9,000 sq.ft.	11,445 sq.ft. is minimum proposed	CAC	11/23/05
Lot Width	75 ft.	Must meet minimum	CAC	11/23/05
Lot Frontage	25 ft.	Must meet minimum	CAC	11/23/05
Setbacks				
Front	30 ft. Min.	Must meet minimum	CAC	11/23/05
Side	8 ft. Min./ 25 ft. total	Must meet minimum	CAC	11/23/05
Rear	25 ft. Min.	Must meet minimum	CAC	11/23/05
Height	35 ft. Max.	May not exceed maximum	CAC	11/23/05
Max Resid'l d.u. per Zoning	13 dwelling units	7 dwelling units	CAC	11/23/05
MPDUs	N/a	N/a		
TDRs	N/a	N/a		
Site Plan Req'd?	No	N/a		
FINDINGS				
<i>SUBDIVISION</i>				
Lot frontage on Public Street	Yes	Yes	CAC	11/23/05
Road dedication and frontage improvements	±5 foot dedication on Randolph Road	Yes	DPWT letter	11/23/05
Environmental Guidelines	Yes	Yes	Staff memo	11/23/05
Forest Conservation	Yes	Yes	Staff memo	11/23/05
Master Plan Compliance	Yes	Yes	CAC	11/23/05
Other				
<i>ADEQUATE PUBLIC FACILITIES</i>				
Stormwater Management	Yes	Yes	DPS letter	9/9/04
Water and Sewer (WSSC)	Yes	Yes	CAC	11/23/05
10-yr Water and Sewer Plan Compliance	Yes	Yes	CAC	11/23/05
Local Area Traffic Review	No	N/a	CAC	
Fire and Rescue	Yes	Yes	CAC	11/23/05