



Old Georgetown Estates, Preliminary Plan No. 120190230



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Completed: 11/25/2019

Description

Request to subdivide one parcel to create four lots, for four new single-family detached dwelling units, and two parcels for stormwater management and parkland dedication.

Location: 11700 Danville Drive, Parcel 436, at the western terminus of Tall Tree Terrace, North Bethesda.

Master Plan: 1992 *North Bethesda-Garrett Park Master Plan*.

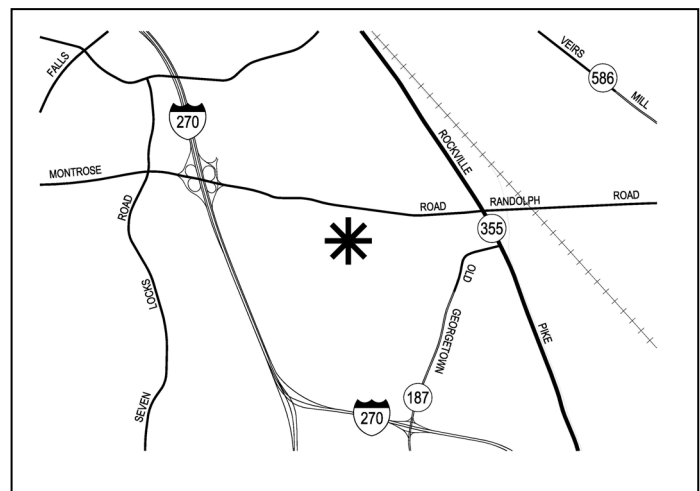
Zone: R-200 and R-90.

Property size: 5.87 acres.

Applicant: Encore Development Corporation, LLC.

Application Accepted: June 21, 2019.

Review Basis: Chapter 50, Subdivision Regulations.



Summary

- Staff recommends approval of Preliminary Plan No. 120190230 and the Forest Conservation Plan (FCP), with conditions.
- The application is being reviewed per the Development Standards of Section 59.4.4.7, as an R-200 Zone Standard Method Development project.
- The Applicant will meet all requirements in Chapter 22A.
- The Applicant was granted two Regulatory Review Extension Requests to extend review from 10/31/19 to 12/5/19.
- No correspondence has been received as of the date of this Staff Report.

PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS

Staff recommends approval of Preliminary Plan No. 120190230 subject to the following conditions:

1. This Preliminary Plan is limited to four lots for four detached, single-family dwelling units and two parcels (Parcel A for stormwater management and Parcel B to be dedicated to the Parks Department).
2. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty months from the date of mailing of this Planning Board Resolution.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated October 4, 2019, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated October 11, 2019, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated August 15, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Forest Conservation/Environment

7. Staff recommends approval of the proposed development, including the Preliminary Forest Conservation Plan and associated Variance, with the following conditions:

A Final Forest Conservation Plan must be submitted for staff approval prior to approval of the Certified Preliminary Plan. Conditions for approval of the Final Forest Conservation Plan must include the following requirements:

- a. The existing WSSC sewer easement just south of the existing driveway entrance must be excluded from the Category I Forest Conservation Easement.
- b. The existing shed within the area proposed for the Category I Forest Conservation Easement must be removed prior to release of the first building permit on the site.

- c. The existing utility wires must be removed from the utility poles along the existing gravel driveway prior to release of the first building permit on the site.
- d. The existing gravel driveway entrance must be blocked off to prevent continued use.
- e. The Final Forest Conservation Plan must include recommendations to accelerate the naturalization of the existing gravel driveway and hasten regeneration.
Recommendations may include some combination of: vacuuming off the top layer of gravel, aerating the soil along the drive, augering a few holes in the drive to be filled with topsoil and planted with native trees, and/or topsoiling or mulching the existing driveway surface, or other methods proposed by the Applicant and approved by staff. Wood chips from removal of existing trees for construction of the site could be used as a source of mulch. Techniques used to accelerate regeneration should be designed to minimize disturbance of the existing roots of mature trees growing along the drive. This work should be performed under the supervision of an ISA Certified Arborist who is also a Maryland Licensed Tree Care Professional.
- f. The Final Forest Conservation Plan must include variance tree number 291 on the list of variance trees to be removed.
- g. Prior to release of the first building permit, the two dead/dying ash trees growing just to the south of the existing gravel driveway entrance must be removed.
- h. Prior to release of the first building permit, the Applicant must plant 3 native shade trees of at least 3 inches caliper, each, to mitigate for the removal of variance tree number 1. Staff recommends that these trees be American sycamore trees, and that they should be planted where the two ash trees will be removed as required in condition 6. The mitigation trees must be shown on the Final Forest Conservation Plan.
- i. The Applicant must schedule the required site inspections by M-NCPPC staff per Section 22A.00.01.10 of the Forest Conservation Regulations. Prior to any clearing, grading, or demolition, the applicant must conduct a pre-construction meeting with the Forest Conservation inspector.
- j. The applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
- k. Prior to the start of any clearing, grading, or demolition on the property, the applicant must record a Category I Conservation Easement over all areas of forest retention and environmental buffers that lie outside of Park dedication areas, as specified on the approved Forest Conservation Plan. The Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed and the Liber Folio for the easement must be referenced on the Certified Preliminary Plan and record plat.
- l. At the direction of the M-NCPPC forest conservation inspector, the applicant must install permanent conservation easement signage along the perimeter of the conservation easements. Exact locations of the signs to be determined by the M-NCPPC forest conservation inspector to best define the limits of the conservation easement.
- m. The Limits of Disturbance on the Final Sediment Control Plan must be consistent with the final limits of disturbance as shown on the approved FFCP.

Record Plats

- 8. There shall be no clearing or grading of the site prior to the approval of the Certified Preliminary Plan.

9. The record plat must show necessary easements.
10. The record plat must reflect all areas under common ownership.

Dedications

11. The Applicant must dedicate to the Maryland-National Capital Park & Planning Commission ("Commission") the 1.58-acre portion of the Subject Property identified as "Parcel B" on the approved Preliminary Plan for use as an extension of Tilden Woods Stream Valley Park. The land must be dedicated to the Commission through notation on the plat and by conveyance at the time of record plat in a form of deed approved by the Commission's Office of General Counsel. At the time of conveyance, the land to be dedicated must be free of any trash and unnatural debris.
12. The Applicant must dedicate the extent of the proposed cul-de-sac to public right of way as shown on the Preliminary Plan.

Certified Preliminary Plan

13. The Applicant must include the stormwater management concept approval letter, other applicable agency letters, and Preliminary Plan Resolution on the approval or cover sheet(s) of the certified Preliminary Plan.
14. The Applicant must show a sidewalk along the project frontage prior to certified preliminary plan.
15. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

AREA AND SITE DESCRIPTION

The Subject Property (or the Property), outlined in white in Figure 1 below, is located in the Old Georgetown Estates neighborhood in North Bethesda, within the limits of the 1992 *North Bethesda-Garrett Park Master Plan*. Old Georgetown Estates is an established residential neighborhood with detached dwellings as the dominant land use. There are two public schools and one private school in the immediate vicinity of the project, Farmland Elementary School to the southwest, Luxmanor Elementary School to the southeast, and Green Acres Private School serving grades K-8 to the east. Most of the single-family detached homes in the neighborhood were built in the 1960s and follow a meandering development pattern with various cul-de-sacs and curving roads.



Figure 1: Vicinity Map (Subject Property outlined in white)

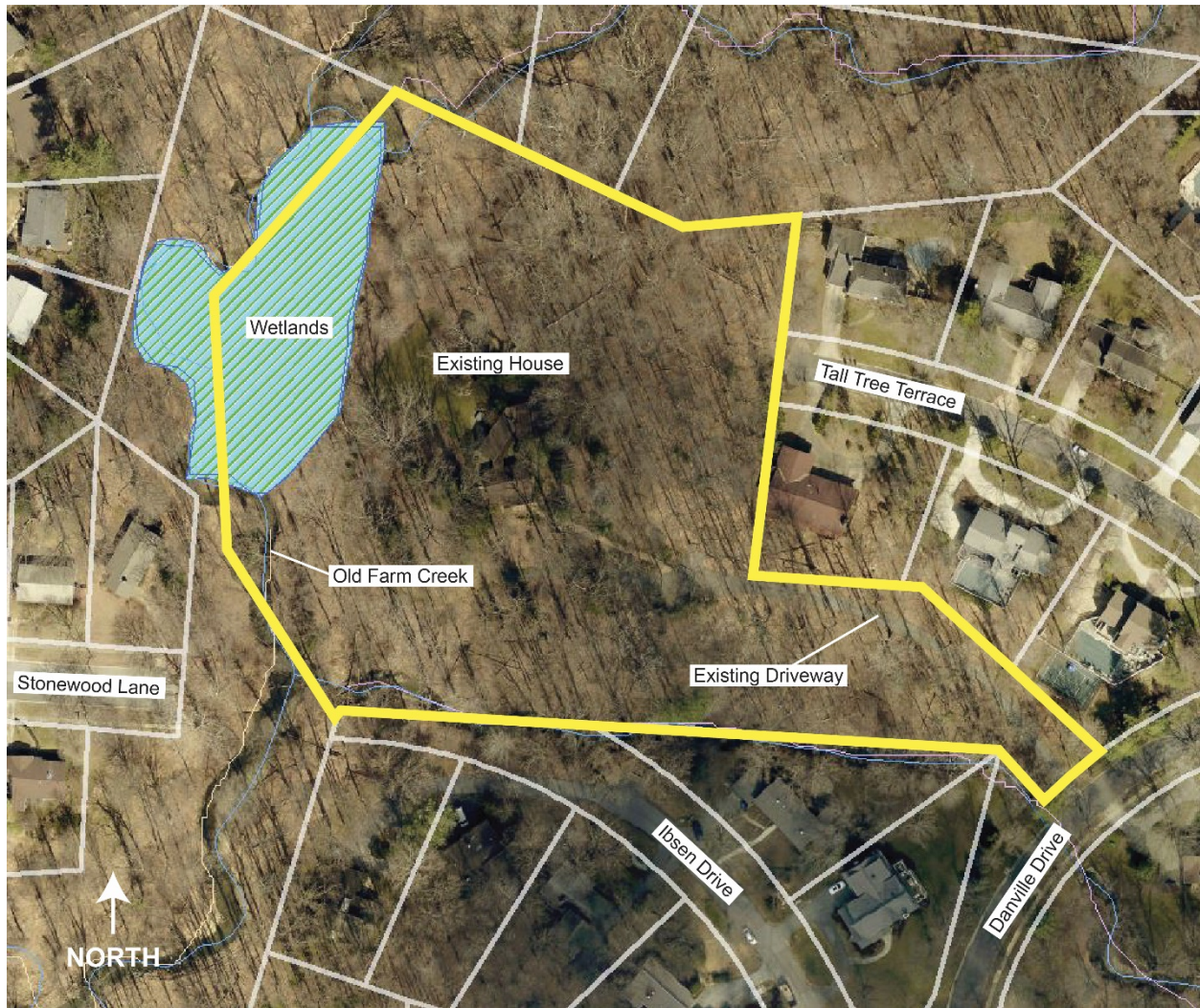


Figure 2: Existing Conditions

The Property is currently identified as Parcel P436 and has one existing single-family home on it, with a long gravel driveway accessed from Danville Drive. This existing dwelling will be demolished, and the driveway abandoned in order to make way for the new subdivision.

The Property slopes from east to west, with the low point being the stream, labeled as “Old Farm Creek” in Figure 2, that lies on the western edge of the Property. The western portion of the Property contains forest, a stream valley buffer, and a floodplain, all of which make this part of the Property environmentally sensitive. The area designated for construction is thus concentrated in the eastern, uphill portion of the Property.

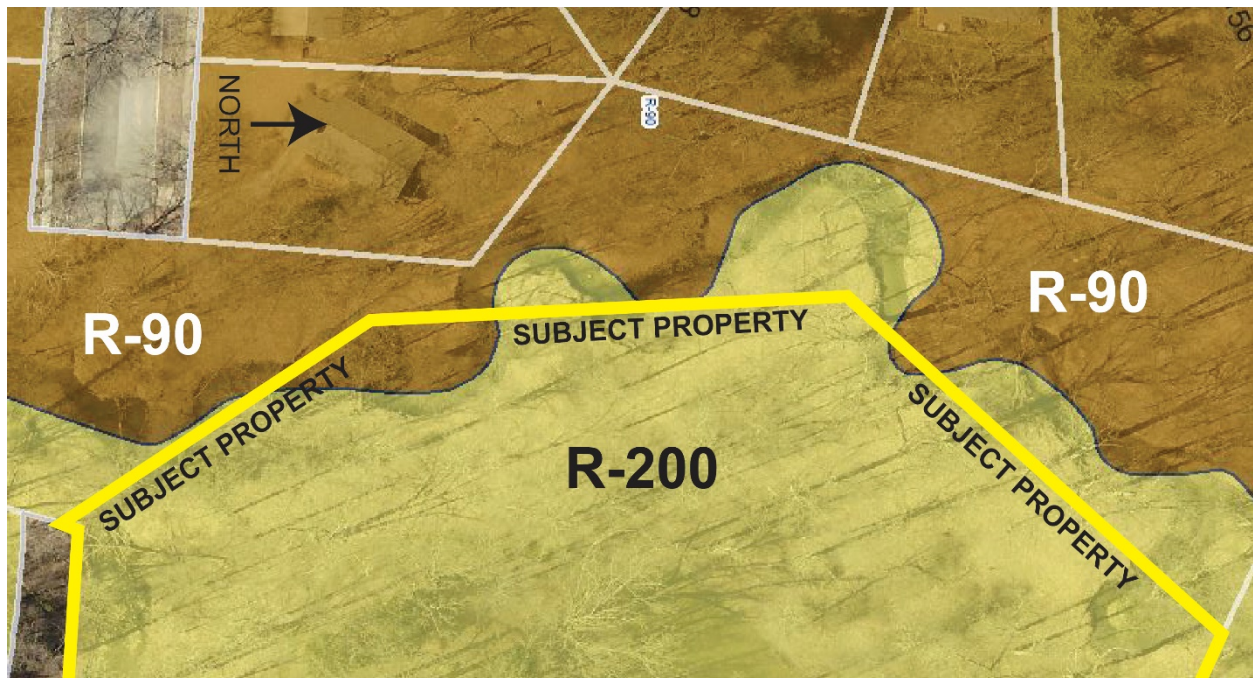


Figure 3: Zoning Boundary at Western Edge of Subject Property

The Property is predominantly in the R-200 Zone, but as shown in Figure 3, small portions of the west side of the property fall in the R-90 Zone. The portions of the Property within the R-90 Zone are undevelopable due to environmental buffers and are part of the portion of the Site that will be dedicated to the Parks Department.

PREVIOUS APPROVALS AND PROJECT DESCRIPTION

Part of the Property was originally platted as Parcel 6 on Plat 1051, Old Georgetown Estates, recorded on February 2, 1939.

The Applicant proposes to subdivide the Property into four lots for construction of four new, single-family detached dwelling units (Figure 4). The plan also proposes to create a 6,461sf HOA Parcel, designated as Parcel A on the Preliminary Plan, which will be used for stormwater management; and a 68,805 square foot parcel, designated as Parcel B on the Preliminary Plan, that will be conveyed to the Parks Department. All four lots front on a proposed cul-de-sac located at the end of Tall Tree Terrace. The existing house on the Property will be demolished, and the existing gravel driveway that runs from Danville Drive northwest to the existing house will be abandoned. Options for the naturalization of this driveway are presented in the Forest Conservation conditions and will be addressed in the Final Forest Conservation Plan.

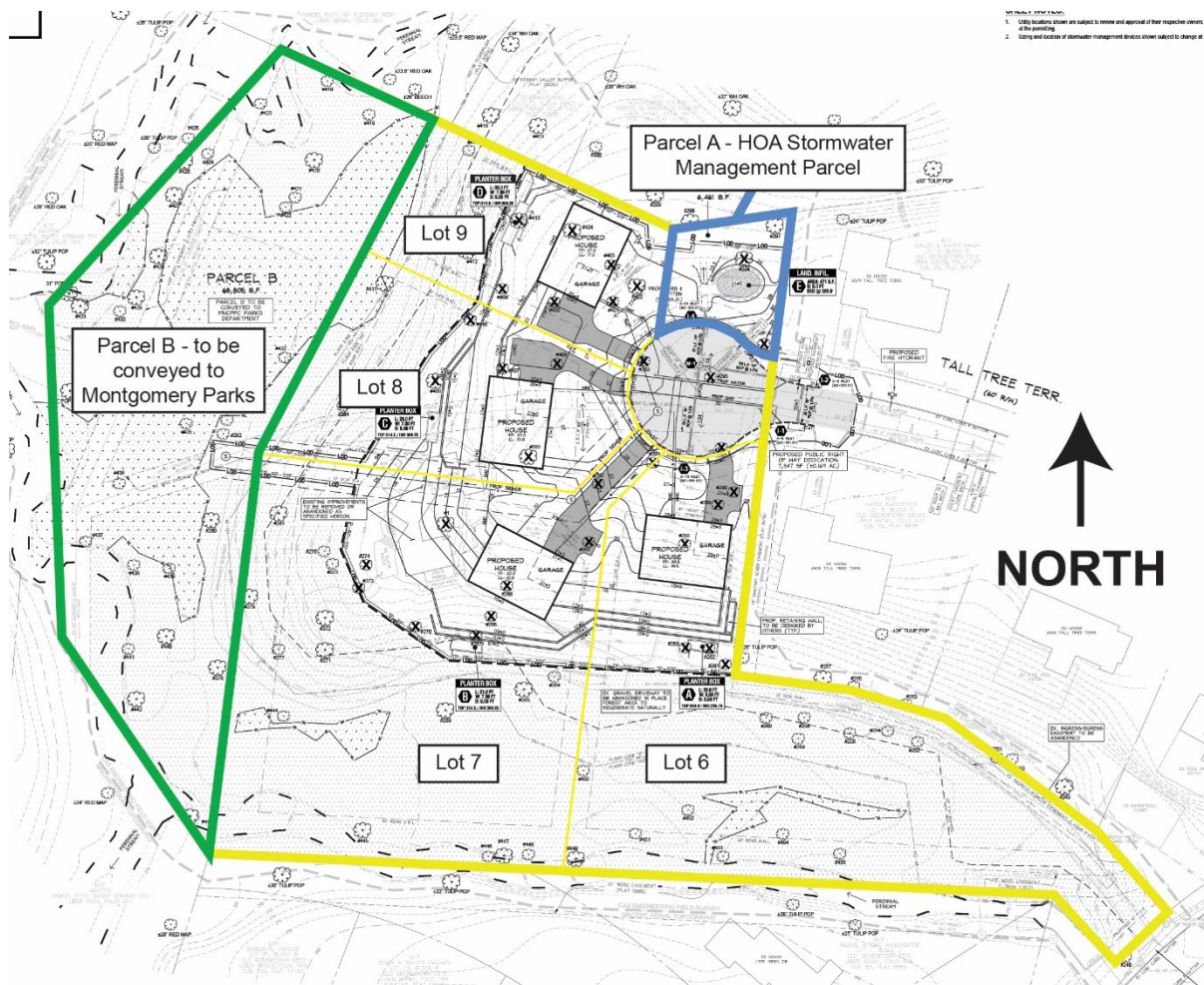


Figure 4: Proposed Subdivision

ANALYSIS AND FINDINGS, 50.4.2.D

1) The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.

The proposed lots were reviewed for compliance with the dimensional requirements for the R-200 Zone, as specified in the Zoning Ordinance. The proposed lot dimensions, size, width, shape and orientation are appropriate for the location of the subdivision and this type of development and will meet all dimensional requirements for area, frontage, width, and setbacks in the zone. The application represents infill development in a well-established, residential neighborhood. The proposal is consistent with the intent of the R-200 Zone, which states:

“to provide designated areas of the County for residential uses with a minimum lot size of 20,000 square feet. The predominant use is residential in a detached house.”

Pursuant to Section 59.4.4.7 of the Zoning Ordinance, development standards for a Standard Method development in the R-200 Zone are as follows:

Table 1: Data Table

R-200 Minimum/Required*		Provided			
Lot Area	20,000sf	Lot 6	Lot 7	Lot 8	Lot 9
		60,804sf	67,004sf	26,436sf	20,131sf
Principal Building Placement					
Lot Width at Front Lot Line / Front Building Line	25' / 100'	25' / 100'	25' / 100'	25' / 100'	25' / 100'
Front Setback (Minimum)	40'	40' or more	40' or more	40' or more	40' or more
Side Setback	Sides: 12' min. 25' total	12' or more each side	12' or more each side	12' or more each side	12' or more each side
		25' or more total	25' or more total	25' or more total	25' or more total
Rear Setback	30'	30' or more	30' or more	30' or more	30' or more
Building Height	Up to 50', depending on lot size	50' or less	50' or less	45' or less	40' or less
Lot Coverage	25% (max)	25% or less	25% or less	25% or less	25% or less

* Portions of the west side of the Property fall within the R-90 Zone. These areas are undevelopable due to environmental buffers and are part of the portion of the Site that will be dedicated to the Parks Department.

2) The preliminary plan substantially conforms to the master plan.

The Property is located within the 1992 *North Bethesda-Garrett Park Master Plan* (Master Plan) area. The Master Plan does not have specific recommendations for the Subject Property; however, the Master Plan supports the type of development proposed in this Application. Land use objectives of the Master Plan include “Protect and reinforce the integrity of existing residential neighborhoods.” This objective is accomplished with the development of four additional single-family residences, continuing the existing development pattern in the residential neighborhood.

Another Master Plan objective is to “preserve and expand green areas and greenways, including institutional open space, for environmental protection, wildlife sanctuary, recreation and visual relief,” as well as to “preserve existing woodland and encourage reforestation throughout the Planning Area.” These objectives are accomplished by preserving the wooded area at the rear of the Property, which will be dedicated to Montgomery Parks through the creation of Parcel B. The dedicated parkland will connect with other parcels that make up the Tilden Woods Stream Valley Park.

Thus, this Application substantially conforms with the Master Plan.

3) Public facilities will be adequate to support and service the area of the subdivision.

Schools

With a net increase of three new dwelling units, the Project falls within the *de minimis* (three units or less) exemption. Therefore, the Project is exempt from any applicable residential development moratoria and it is unnecessary to test the Project’s estimated impact on school enrollment.

Transportation

With a net increase of three new dwelling units, the Project falls within the *de minimis* (three units or less) exemption of the Local Area Transportation Review (LATR). Therefore, it is unnecessary to test the Project's estimated impact on the transportation network.

Vehicular Access Points

The Property lies at the western terminus of Tall Tree Terrace, which will be improved through the Subject Application with a cul-de-sac. Four access points, one driveway for each single-family home, will be located directly off the proposed cul-de-sac.

Bicycle and Pedestrian Facilities

There are no existing or proposed bicycle facilities recommended on the Subject Property.

As conditioned, the Project will provide a 5-foot wide sidewalk along the Site frontage on Tall Tree Terrace.

Other Public Facilities

The proposed development will be served by public water and sewer systems. The Montgomery County Department of Permitting Services, Fire Department Access and Water Supply Section has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services including police stations, firehouses and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to operate sufficiently following construction of the project. Electric, gas and telecommunications services are available and adequate.

4) All Forest Conservation Law, Chapter 22A requirements are satisfied.

A Natural Resources Inventory/Forest Stand Delineation (No. 420191360) was approved on May 20, 2019. The Property is almost entirely forested, and a portion of Old Farm Creek flows from north to south along the western boundary of the Property. Tilden Woods Stream Valley Park is adjacent to the Property on the west side of Old Farm Creek. The high point of the Property lies on the east side, adjacent to the end of Tall Tree Terrace. From there, the Site slopes down steeply to the north, west, and south. The site includes approximately 1,200 linear feet of stream, 2.77 acres of 100-year floodplain, and 3.63 acres of environmental buffers. There are no known occurrences or habitats of rare, threatened, or endangered species on the Property.

Most of the environmental buffers will be placed either in a Category I Forest Conservation Easement or included within the area to be dedicated to become part of Tilden Woods Stream Valley Park. The plan proposes a very small area of buffer encroachment (1,612 square feet) to accommodate retaining walls to reduce greater grading in the buffer. The total amount of proposed Category I Easements shown on the Preliminary Forest Conservation Plan is approximately 3.78 acres, which is 0.15 acres greater than the area of environmental buffers. This would offset the proposed encroachment and is consistent with guidance provided by the *Environmental Guidelines* for using buffer averaging to mitigate buffer encroachment. The proposed plan is in conformance with the *Environmental Guidelines*. The parkland dedication will enhance protection of Old Farm Creek, the 100-year floodplain, wetlands, and associated natural resources.

Preliminary Forest Conservation Plan

The Gross Tract Area is 5.87 acres, of which 5.25 acres are forested. The plan proposes clearing 1.88 acres of forest, with 3.37 acres of forest retained. There are no forest planting requirements associated with this subdivision. A total of 1.79 acres of the 3.37 acres of retained forest will be placed in Category I Forest Conservation Easements on the southern portion of the Property. The remaining 1.58 acres of forest will be permanently protected by dedication to the Department of Parks for the expansion of Tilden Woods Stream Valley Park. For purposes of Forest Conservation, preservation of forest within dedicated parkland is considered equal in protection to preservation within a Category I Forest Conservation Easement. As submitted, and including approval of the accompanying variance request, Staff finds that the Preliminary Plan is in compliance with Chapter 22A, Forest Conservation.

Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches or greater, DBH; are part of a historic site or designated with a historic structure; are designated as national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. The Applicant submitted a variance request on June 6, 2019 to impact 19 trees that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law. The submitted variance request missed one additional tree (no. 291), which is a specimen tree proposed for removal. This tree should be shown as removed on the Final Forest Conservation Plan and included in the list of variance trees removed. The correct variance request is for permission to impact 20 trees considered a high priority for retention. Eight of these trees are proposed for removal. The remaining 12 will be impacted but saved.

Unwarranted Hardship

The proposed development is in accordance with both the intent and recommendations of the *North Bethesda-Garrett Park Master Plan* and the R-200 zoning. The Property is constrained by its topography, which includes some significant slopes, and by the stream valley to the north, west and south. This leaves a very restricted building envelope for development. The variance trees being removed are located in or very near the only developable area on the Property. Denying the variance request would impinge on the Applicant's ability to develop the Property as envisioned by the Master Plan and otherwise allowed by the Zoning Ordinance. For these reasons, Staff concurs that the Applicant has a sufficient unwarranted hardship to consider a variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

Variance Findings

Staff has made the following determination based on the required findings that granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

As noted above, the proposed design responds to the multiple site constraints and is consistent with both the zoning and Sector Plan recommendations. Staff finds that granting the variance will not confer a special privilege to the applicant.

2. Is not based on conditions or circumstances which are the result of the actions by the applicant.

Staff finds that the requested variance is based on the constraints of the site and the engineering challenges, rather than on conditions or circumstances which are the result of actions by the Applicant.

3. Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.

Staff finds that the requested variance is a result of the proposed site design and constraints on the subject property and not as a result of land or building use on a neighboring property.

4. Will not violate State water quality standards or cause measurable degradation in water quality.

Variance trees being retained will continue to provide water quality benefits as before. One variance tree being removed is not within forest being removed. Mitigation must be provided for removal of this tree by planting 3 native shade trees of at least three inches caliper, each, within the new development. This is based on Planning Department policy that requires replacement of variance trees at a rate of 1" replaced for every 4" removed, using replacement trees of no less than 3" caliper, to replace lost environmental functions performed by the trees removed. The mitigation trees must be shown on the Final Forest Conservation Plan. These mitigation plantings will eventually provide sufficient tree canopy to replace the lost water quality benefits of the variance tree being removed that is outside the existing forest. Therefore, Staff finds that the project will not violate State water quality standards or cause measurable degradation in water quality.

Variance Recommendation

Staff recommends that the variance be granted.

5) All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Applicant received approval of a stormwater management concept from the Montgomery County Department of Permitting Services, Water Resources Section on October 11, 2019 (Attachment 3). The concept proposes to meet required stormwater management goals using a combination of ESD approaches including landscape infiltration & microbioretention planter boxes. The Property is not subject to a water quality plan, and there are no floodplain requirements. The requirements of Chapter 19 for stormwater management are satisfied.

6) Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M

Not applicable; the Applicant is not aware of any burial sites and the Property is not included in the Montgomery County Inventory.

7) Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

Not applicable.

COMMUNITY OUTREACH

The Applicant has complied with all the submittal and noticing requirements. A community meeting was held on April 24, 2019, at the western terminus of Tall Tree Terrace, the Subject Property. Issues discussed included concerns about noise and disruption related to construction activity, the loss of forest on the property, and the size, design, and prices of the proposed new houses. The Applicant revised the Preliminary Plan prior to submittal based on comments received. Staff has not received any correspondence concerning the Preliminary Plan.

CONCLUSION

Based on the review by Staff and other relevant agencies and the analysis contained in this report, Staff finds the proposed Preliminary Plan meets the requirements and standards of all applicable sections of Chapter 50 the Subdivision Regulations, Chapter 59 the Zoning Ordinance, and Chapter 22A the Forest Conservation Law. Access and public facilities will be adequate to support the proposed subdivision. The proposed development is in substantial conformance with the 1992 *North Bethesda-Garrett Park Master Plan*. Therefore, Staff recommends approval of Preliminary Plan No. 120190230, subject to the conditions stated at the beginning of this report.

Attachments:

- 1 – Preliminary Forest Conservation Plan
- 2 – Applicant's Variance request letter
- 3 – MCDPS Stormwater Management Concept Plan acceptance letter
- 4 – Plat 1051
- 5 – DOT Design Exception Letter
- 6 – Fire Department Access Approval Letter
- 7 – Preliminary Plan

PRELIMINARY PLAN - M-NCP&PC No. 120190230

DEVELOPER CERTIFICATE

The undersigned agrees to execute all the features of the approved Final Forest Conservation Plan no. 120190230 including, financial bonding, forest planting, maintenance, and all other applicable agreements.

Developer Name: Encore Development Corporation
Contact person or owner: Gary Kirsten
Address: 4814 Del Ray Avenue
Bethesda, MD 20814
Phone: (301) 664-8020
Email: gkirsten@encoredev.com
Signature:

CAS JOB NO.: 15-2428
DATE: 02/2019

DATE	REVISION
02/27/19	EST - Initial Preliminary Plan Submitted to MC-DOT
05/28/19	EST - For SMMC Downstream Notification Letter
08/14/19	EST - Issued for FDA approval
09/18/19	EST - Final Preliminary Plan Submitted for approval

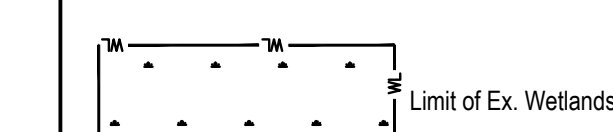
QUALIFIED PROFESSIONAL CERTIFICATION
I hereby certify that these documents were prepared in accordance with Maryland state and Montgomery County Forest Conservation Laws and MNCPPC Guidelines. (DNR / COMAR 08.19.06.01)

JEFFREY A. ROBERTSON
06/05/2019
DISCLAIMER: Trees are living things whose livability and structural integrity are subject to a wide array of natural factors and impacts, among those impacts are genetics, climate, weather, water regime, soils, insects, and disease. As such, trees are subject to changes in health or condition very slowly over time or very abruptly. I do not take liability for these actions or other factors upon the health or structure of the trees involved in this document. This plan should not be interpreted as a tree hazard evaluation as internal, structural, or aerial inspections were not performed on or upon these trees. Conditions and weaknesses may exist out of sight from the human eye.

LEGEND

EXISTING FEATURES

- Ex. Subject Property Line
- Ex. Adjacent Property Line
- Ex. Sewer Manhole and Invert
- Ex. Water Line with Valve
- Ex. Gas Line with Valve
- Ex. Underground Electric Line
- Ex. Two-And-Ten-foot Contours
- Ex. Spot Elevation
- Ex. Retaining Wall
- Ex. Soil Line with Soil Types
- Ex. Stream with Flow Direction
- Ex. 100-Year Floodplain (Approx.)
- Ex. Floodplain Buffer (Approx.)
- Ex. Variable Width Stream Valley Buffer



Limit of Ex. Wetlands

Ex. Treeline

Ex. Forest Area (approx)

Steep Slopes on Erodeable Soils (>15%) (on-site)

Steep Slopes (>25%) (on-site)

Ex. Specimen Tree

Ex. Significant Tree

Ex. Disturbed Specimen Tree To Be Saved, With C.R.Z.

Ex. Tree To Be Removed

Forest Stand Sample Point

SAMPLE POINT 'A'

FOREST STAND 'A'

PROPOSED FEATURES

Limit Of Disturbance (L.O.D.)

Prop. Water Extension

Prop. Sewer Extension

Prop. Gas Extension

Prop. Electric Extension

Prop. Contour with Elevation

Prop. Spot Elevation

Prop. Retaining Wall

Prop. Surface Flow Direction

Prop. Cat 1 Forest Easement

Prop. Fire Hydrant

Prop. Combined Tree Protection Fence and Super Silt Fence

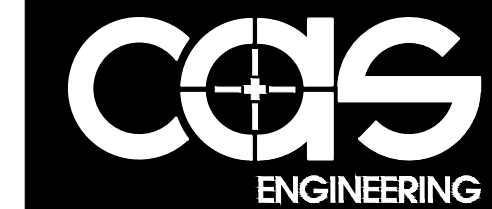
Prop. Combined Tree Protection Fence, Root Pruning Trench, and Super Silt Fence

APPLICANT

Encore Development Corporation
10 South Bent Street
Frederick, Maryland 21701
301-607-8031 Phone
info@casengineering.com
www.casengineering.com

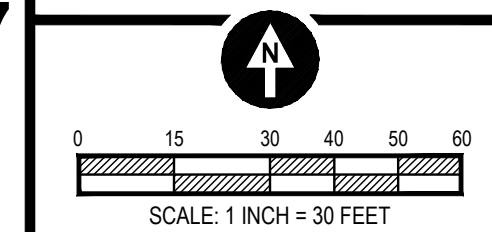
11700 Danville Drive
Parcel 436, Mt. Pleasant Etc.,
Prop. Lots 6-9 & Parcels A & B, Block 7
Old Georgetown Estates
Preliminary Forest Conservation Plan
File No. 120190230

PRELIMINARY PLAN NOTE: Unless explicitly noted on this Preliminary Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height and lot coverage. Other site development limitations may be included in the conditions of the planning board or planning staff approvals.



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SHEET TITLE:
Preliminary
Forest Conservation Plan

PFCEP-2

June 6, 2019

M-NCP&PC
Development Review Division
8787 Georgia Avenue, 2nd Floor
Silver Spring, MD 20910

Attn: Planning Area 2 Reviewer

Re: **CAS Job No. 15-242**
11700 Danville Drive
Proposed Lots 6-9 (N/F Parcel 436), Block 7, Old Georgetown Estates
Forest Conservation (Chapter 22A) Variance Request
MNCPPC # 120190230

Dear Planning Area 2 Reviewer:

This letter is intended to serve as the Forest Conservation Variance Request pursuant to Section 22A-21 of the Montgomery County Code. The Preliminary / Final Forest Conservation Plan is attached hereto for your review and approval.

Variance Justification

The applicant, Encore Development Corporation, LLC, is requesting a variance for the impact / removal of several specimen trees both on and near the subject property located at 11700 Danville Drive, Rockville, MD 20852 (Parcel 436, Mt. Pleasant Etc.), 200 feet south of Tall Tree Terrace. Additionally, the property can be accessed via the western terminus of Tall Tree Terrace. The property is comprised of 5.867 acres in the Old Georgetown Estates subdivision. It is recorded in Liber 4114 / Folio 189, among the Land Records of Montgomery County, Maryland. The property is currently zoned R-200 and is improved with a single-family home, driveway, and associated appurtenances. An existing 25-ft wide WSSC easement, containing a sewer main, bisects the property from east to west. Forested areas, steep slopes (>25%), steep slopes (>15%) on erodible soils, wetlands (and buffers), streams (and buffers), and 100-yr floodplains (and buffers) exist on the property tract and within 100' of the property. There are no cultural and/or historic features on the site. Adjoining single family residential properties to the east and south contain a continuation of the forested areas, steep slopes and / or floodplains (and their associated buffers). Adjacent properties to the north and west, owned by MNCPPC, are generally covered by previously described environmental buffers (slopes and / or floodplains) as well as forested areas.

The property contains 5.25 acres of forest and thirty (30) variance trees. Ten (10) additional variance trees are located off-site, within 50-feet of the property. The property is subject to a Preliminary Plan application of which four (4) new lots are proposed. Each lot will be improved with a new single-family home, driveway and other appurtenances. The creation of a proposed 4.10-acre on-site category 1 forest conservation easement satisfies the projects reforestation / afforestation requirements.

Nineteen (19) variance trees (located onsite and offsite) are included in this request. Twelve (12) of the

variance trees will be impacted by the proposed development but will not require removal. The remaining seven (7) variance trees (seven located onsite and one located offsite) are intended for removal due to their proximity to the proposed houses, necessary grading, and utilities.

The specified variance trees are included in Table 1 and on the Preliminary / Final Forest Conservation Plan associated with the Preliminary Plan application.

Table 1 - Variance Tree Data Table

TREE NO.	SPECIES	BOTANICAL NAME	D.B.H. (INCHES)	CONDITION	LOCATION	C.R.Z. RADIUS (FT.)	C.R.Z. AREA (S.F.)	% C.R.Z. DISTURBED	TREE VARIANCE REQUEST
1	Tulip Poplar	<i>Liriodendron tulipifera</i>	33	Good	Onsite	49.5	7,697.7	100.0%	REMOVE
265	Tulip Poplar	<i>Liriodendron tulipifera</i>	35.5	Good	Onsite	53.3	8,908.2	29.2%	C.R.Z. DIST.
269	Tulip Poplar	<i>Liriodendron tulipifera</i>	35 & 28	Fair	Onsite	52.5	8,659.0	7.7%	C.R.Z. DIST.
271	Tulip Poplar	<i>Liriodendron tulipifera</i>	35	Good	Onsite	52.5	8,659.0	2.5%	C.R.Z. DIST.
272	Tulip Poplar	<i>Liriodendron tulipifera</i>	41	Good	Onsite	61.5	11,882.3	15.2%	C.R.Z. DIST.
280	Red Oak	<i>Quercus rubra</i>	32	Good	Onsite	48.0	7,238.2	3.5%	C.R.Z. DIST.
281	White Oak	<i>Quercus alba</i>	47.5	Good	Onsite	71.3	15,948.5	16.9%	C.R.Z. DIST.
285	Tulip Poplar	<i>Liriodendron tulipifera</i>	30.5	Fair	Onsite	45.8	6,575.5	100.0%	REMOVE
294	White Oak	<i>Quercus alba</i>	39	Good	Onsite	58.5	10,751.3	100.0%	REMOVE
297	White Oak	<i>Quercus alba</i>	31	Good	Onsite	46.5	6,792.9	19.4%	C.R.Z. DIST.
298	Black Oak	<i>Quercus velutina</i>	31	Good	Offsite	46.5	6,792.9	33.0%	C.R.Z. DIST.
299	White Oak	<i>Quercus alba</i>	33	Good	Offsite	49.5	7,697.7	32.3%	C.R.Z. DIST.
402	Red Oak	<i>Quercus rubra</i>	31	Good	Onsite	46.5	6,792.9	100.0%	REMOVE
404	Standing Deadwood	#N/A	33	Poor	Onsite	49.5	7,697.7	100.0%	REMOVE
408	Red oak	<i>Quercus rubra</i>	32	Good	Onsite	48.0	7,238.2	67.7%	REMOVE
412	Red Oak	<i>Quercus rubra</i>	32.5	Good	Onsite	48.8	7,466.2	30.8%	C.R.Z. DIST.
413	White Oak	<i>Quercus alba</i>	31.5	Good	Onsite	47.3	7,013.8	100%	REMOVE
415	White Oak	<i>Quercus alba</i>	32	Good	Offsite	48.0	7,238.2	7.5%	C.R.Z. DIST.
416	White Oak	<i>Quercus alba</i>	34	Good	Offsite	51.0	8,171.3	1.3%	C.R.Z. DIST.

In accordance with Section 22A-21(b) of the Forest Conservation Law, the following is a description of the application requirements:

1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship.

The subject property is over 90% forested and contains thirty (30) variance trees on or near the project limits. The proposed development, as permitted by County Code and as intended by the applicant, necessitates

unavoidable impacts to variance trees. Efforts have been made to limit the amount of disturbance associated with the construction of four (4) new single-family homes by situating the homes close to Tall Tree Terrace and the proposed cul-de-sac extension thereof. The need to extend the existing street by providing a County-standard cul-de-sac, for adequate fire and rescue access, necessitates lowering the existing grades by approximately 6-ft through the limits of the cul-de-sac. As a result, variance trees #294 and #402 will require removal.

Other variance trees proposed for removal include #285, 404, 408, 413, and #1. These trees are located within proposed house locations or within close proximity to house and retaining wall areas. Due to the clustering of the proposed houses this is the primary area of grading and development on the property.

All other trees associated with this variance request involve limited impacts where less than one-third of their critical root zones will be impacted. These impacted variance trees can be retained through typical tree preservation techniques, such as root pruning and tree protection fencing.

Due to the random locations of variance trees on the subject property, it is not be feasible or practical to develop the property as permitted by code and as intended, without a variance to remove and/or to impact the nineteen (19) variance trees referenced in Table 1.

2. Describe how enforcement of these rules will deprive the landowner of rights commonly enjoyed by others in similar areas.

The saving and protecting of variance trees as required by Chapter 22A of Montgomery County Code would severely restrict the development of this property. A requirement to retain the seven (7) variance trees would limit, if not eliminate the proposed homes and their associated appurtenances.

3. Verify that State water quality standards will not be avoided or that a measurable degradation in water quality will not occur as a result of the granting of the variance.

A Stormwater Management (SWM) Concept Plan has been reviewed and approved by the Montgomery County Department of Permitting Services. The SWM Concept Plan will ensure that water quality standards will be met in accordance with State and County criteria. All applicable stormwater management requirements have been addressed. Disturbance to any of these specimen trees will not create a measurable degradation in water quality. The subject trees to be removed are not located near or within the on-site streams, wetlands, floodplains, or associated buffers.

4. Provide any other information appropriate to support the request.

The forest conservation requirement resulting from the development of this property will be met through the creation of a 4.10 acre onsite Category 1 Forest Conservation Easement. None of the variance trees proposed for removal are rare, threatened, or endangered, per the Maryland Nongame and Endangered Species Conservation Act. The property is not part of a historic site nor does it contain any historic structures.

In accordance with Section 22A-21(d) of the Forest Conservation Law, the following is a description of the minimum criteria necessary for granting a variance. The variance must not be granted if granting the request:

1. Will confer on the applicant a special privilege that would be denied to other applicants;

The removal of variance trees is unavoidable due to their locations within a greater on-site (and offsite) forest and with respect to the proposed development of the property. It is a property owner's right to make use of planning and zoning options for development while still providing the greatest protection for variance trees. No special privileges have been requested by or provided to the applicant.

2. Is based on conditions or circumstances which result from the actions by the applicant;

The requested variance is based upon the R-200 zoning, site topography, proposed site development, road improvement requirements, fire and rescue requirement, as well as required best management practices for stormwater management. No previous actions by the applicant have necessitated the need for a variance.

3. Is based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property;

The requested variance is necessitated by R-200 zoning requirements, requirements for road extension / new cul-de-sac, site topography, required BMP's for stormwater management, necessary grading and reasonable site appurtenances for reasonable use and enjoyment of the property and is not a result of land or building use on a neighboring property.

4. Will not violate State water quality standards or cause measurable degradation in water quality.

The requested variance will not violate State water quality standards or cause measurable degradation in water quality. Though five (5) of the impacted variance trees are within a stream buffer, only one (#413, at the upper fringe of the buffer) specimen tree within the buffer will be removed. A Stormwater Management (SWM) Plan will be reviewed and approved by Montgomery County Department of Permitting Services. Creation of the proposed onsite Category I Forest Conservation Easement will ensure perpetual protection of the existing resources.

Should you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,



Jeffrey A. Robertson

Branch Manager

DNR/COMAR 08.19.06.01, Qualified Professional



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Hadi Mansouri
Acting Director

October 11, 2019

Mr. Eric Tidd
CAS Engineering
10 South Bentz Street
Frederick, Maryland 21701

Re: Stormwater Management **CONCEPT**
Request for Old Georgetown Estates (11700
Danville Dr)
Preliminary Plan #: 120190230
SM File #: 284822
Tract Size/Zone: 5.867
Total Concept Area: 1.51
Parcel(s): P436
Watershed: Cabin John Creek

Dear Mr. Tidd:

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 proposes to meet required stormwater management goals via Landscape Infiltration & Microbioretention Planter Boxes.

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

1. The existing site is characterized by numerous steep slopes and highly erodible soils in close proximity to a 100-yr floodplain. This four-lot subdivision utilizes numerous retaining walls and stormwater management planter boxes to achieve constructible slopes and minimum required stormwater management treatment. These are costly means of construction, but entirely necessary to support the proposed 4 lot subdivision.
2. The fill placement and foundation systems for the proposed buildings will be required to follow the Department of Permitting Services (DPS) complex structure approval due to the nature and complexity of the project. As such, the fill placement and foundation systems must be constructed under the supervision of a DPS approved geotechnical engineer licensed in the State of Maryland. This engineer must certify and submit reports on the compaction and soil bearing capacity of the fills and certify that the fill is adequate for the proposed foundation systems. If you have any questions please call George Muste, 240-777-6232.
3. The proposed stormwater management planter boxes are utilized to support the proposed density of development and these practices are required as a condition of this Concept and Preliminary Plan approvals. As these structures can function independent of soil conditions and ground water they will function regardless of most site conditions. Cost, potential buoyancy resistance, nor difficulty to construct these facilities on this site will be a justification for a SWM waiver.
4. A Floodplain District Permit is required for this proposed development
5. A detailed review of the stormwater management computations will occur at the time of detailed plan review.



Montgomery County | Department of Permitting Services

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850 | 240-777-0311
www.montgomerycountymd.gov/permitting-services

Mr. Eric Tidd
October 11, 2019
Page 2 of 2

6. An engineered sediment control plan must be submitted for this development.
7. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

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

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 Bill Musico at 240-777-6340.

Sincerely,



Mark Etheridge, Manger
Water Resources Section
Division of Land Development Services

MCE: WJM

cc: N. Braunstein
SM File # 284822

ESD: Required/Provided 2,668 cf / 2,773 cf
PE: Target/Achieved: 1.0"/1.0"
STRUCTURAL: 0.00 cf
WAIVED: 0.00 ac.

ENGINEER'S CERTIFICATE.

I, hereby certify that the plat hereon delineated is correct;

That it is a subdivision of parts of tracts of land called "Mount Pleasant" etc, containing 107 acres of land more or less conveyed by Craig Donaldson and wife to Margaret V. Cushman, the 26th day of April 1937 and recorded among the land records of Montgomery County Maryland in Liber No 668 at folios 74 etc.

And that stones marked thus ♦ and iron pipes marked thus ○ have been placed as shown

Date: APRIL 26, 1938

C. J. Maddox
C. J. Maddox, Engineer

OWNER'S DEDICATION

PLAT No 1051

We Margaret V. Cushman, Fred B. Cushman her husband owners of the property described in the Engineers certificate hereby adopt the plan of subdivision shown hereon and establish the minimum building restriction lines and dedicate the streets and roads to public use.
We Robert C. Patterson owner of Parcel "C" shown hereon and Martin Leatherman owner of Parcel "B" hereby adopt this plan of Subdivision and dedicate the streets and roads to public use.

WITNESS *Edward M. Ott*

WITNESS *Edward M. Ott*

WITNESS *Anne N. Kruse*

WITNESS *Anne N. Kruse*

Margaret V. Cushman

Fred B. Cushman

Robert C. Patterson

Mabel K. Patterson

THE MONTGOMERY COUNTY NATIONAL BANK OF ROCKVILLE, MARYLAND

Mortgagee. We assent to the filing of this Plat

DATE: APRIL 28, 1938

ATTEST

WITNESS *Charles W. Emmons*

WITNESS *J. C. Chadwick*

WITNESS *Harold J. Hoge*

WITNESS *Harold J. Hoge*

VICE PRESIDENT

Martin Leatherman

Violet R. Leatherman

Chester W. Emmons

Florence Emmons

PLAT OF LOTS
4, 5 & 6 BLOCK 1 AND PARCELS A, B, C & 6
OLD GEORGETOWN ESTATES
MONTGOMERY COUNTY, MD.

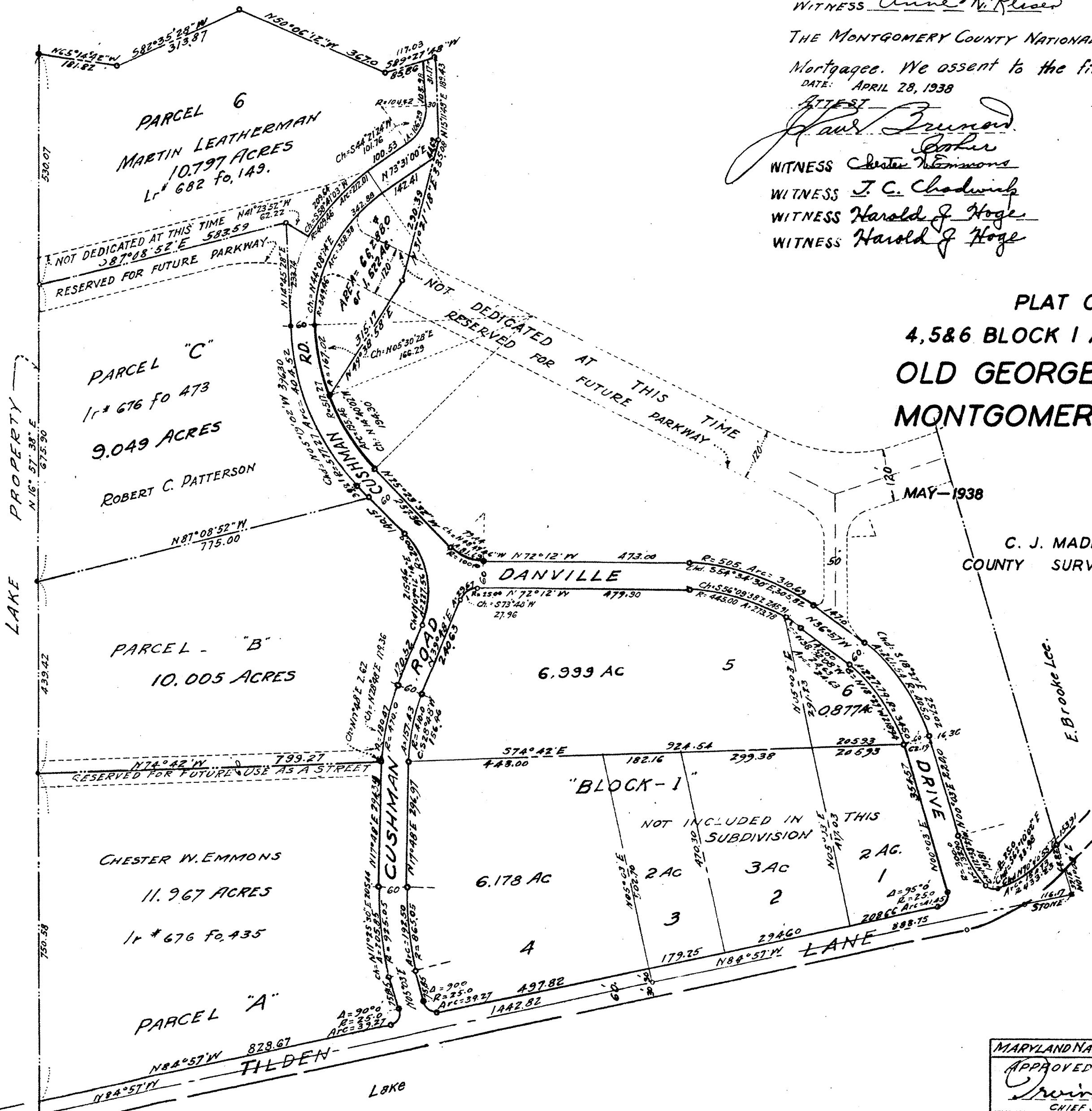
SCALE 1" = 200'

C. J. MADDOX
COUNTY SURVEYOR

FILED
FEB 2 1939

WASHINGTON SUBURBAN SANITARY DISTRICT
APPROVED. OCT. 3, 1938
AS TO SUITABILITY FOR SEWER & WATER
Stanny R. Hall
CHIEF ENGINEER

MARYLAND NATIONAL CAPITAL PARK & PLANNING COMMISSION
APPROVED APR. 29, 1938 *Geo. W. T. T. T.*
DATE *Chas. W. T. T.*
CHIEF ENGINEER
M.N.C.P. & P.C. RECORD FILE No. 991





DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Al R. Roshdieh
Director

October 4, 2019

Mr. Parker Smith, Planner
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, MD 20910-3760

RE: Preliminary Plan & Design Exception Letter
Preliminary Plan No. 120190230
Old Georgetown Estates

Dear Mr. Smith:

We have completed our review of the revised design exception waiver dated September 18, 2019 and the revised preliminary plan uploaded to eplans dated September 19, 2019. A previous plan was reviewed by the Development Review Committee at its July 23, 2019 meeting. 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 the Department of Permitting Services (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.

Design Exception Waiver Requests:

1. **Modify the MCDOT Cul-De-Sac (MC-222.01) Curb and Gutter Road Section for Tall Tree Terrace:**

Applicant's request:

- A. The typical section for the MC-222.01 standard for a secondary residential street requires a 15-foot width from face of curb to right-of-way line around entire cul-de-sac. Due to significant environmental considerations on the site, the applicant is proposing a 2-foot width (13-foot reduction) from face of curb to right-of-way line around proposed cul-de-

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Parker Smith
Preliminary Plan No. 120190230
October 4, 2019
Page 2

sac. To offset some of the lost right-of-way, the applicant is proposing a 5-foot public improvement easement and a 15-foot public utility easement around cul-de-sac.

MCDOT Response: The applicant's request is to reduce the required right-of-way for a standard cul-de-sac from 120-feet to 94-feet. This request is not a design exception, instead MCDOT makes a recommendation to the Planning Board based on County Code 50.4.3.E.2.a.i., which allows for "narrower right-of-way if it meets minimum fire access requirements and the Board finds that a narrower right-of-way is ... environmentally preferable." The setback for buildings in this zone is 40 feet. If the right-of-way were kept at the standard, then the buildings would be setback further from the street and more in the steep slopes. This reduction proposes the development to remain closer to the proposed improvements and allows for additional protections of existing natural resources via more extensive long-term protective easements. **MCDOT recommends the Planning Board approve the reduced right-of-way from 120 to 94 feet.** This section will include a 5-foot public improvement easement per preliminary plans.

- B. Remove the island that is required per the standard MC-222.01 in order to remain in compliance with the established fire department access requirements.

MCDOT Response: MCDOT **recommends approval** to exclude the cul-de-sac island from the proposed cul-de-sac based on the fire department approval. The applicant should provide a copy of the letter from the fire department stating the above.

- C. The typical section for the MC-222.01 requires a 3% cross slope. Due to storm drain design limitations, the applicant is proposing a 1.5% cross slope which meets the minimum criteria per AASHTO design standards.

MCDOT Response: MCDOT **recommends approval** of a reduced cross slope which meets AASHTO's accepted minimum values for cross slope per section 3.3.3.

- D. The applicant is requesting an allowable calculated pavement spread for the drainage sump pump inlet I-4 to exceed the 8-foot maximum (calculated at 8.2 feet).

MCDOT Response: We are not aware of any waiver process for pavement spread for the proposed sump inlet I-4. However, since Tall Tree Terrace is classified as a secondary residential street, the Montgomery County's Drainage Design Criteria section 4.2.1 states "tertiary and secondary roadway: water shall not cross the centerline and may not exceed 13 feet". Therefore, we believe, the applicant is meeting the requirements for pavement spread for the proposed sump inlet I-4 on Tall Tree Terrace.

Mr. Parker Smith
 Preliminary Plan No. 120190230
 October 4, 2019
 Page 3

MCDPS will review and approve any modifications to the proposed storm drain system at the permit stage.

Significant Plan Review Comments

1. Sight Distance:

- a. **6508 and 6509 Tall Tree Terrace:** The sight distance has been **accepted**. Measurements represent distance to end of proposed cul-de-sac. A copy of the Accepted Sight Distances Evaluation certification form is enclosed for your information and reference.
- b. **Lot 6 and 7:** The sight distance **does not** meet the minimum 200-feet required. We **do not approve** the sight distance since the sight distance is obstructed by existing vegetation. We recommend that the sight distance form should be submitted and approved by MCDPS prior **to the permit stage**. Actual sight distance measurements shall be provided.
- c. **Lot 8 and 9:** The sight distance has been **accepted**. A copy of the Accepted Sight Distances Evaluation certification form is enclosed for your information and reference.

Standard Plan Review Comments

1. Waiver from the Montgomery County Planning Board for overlength cul-de-sac(s) may be needed per County Code 50.4.3.E.2.h.iv.
2. **Storm Drain Analysis:** The revised storm drain study dated October 1, 2019 was accepted by MCDOT. The applicant is not responsible for any improvements to the existing publicly maintained downstream storm drain outfall.
3. Provide a 15-foot wide Public Utility Easement (PUE) along all existing street frontages. There is a 5-foot Public Improvement Easements (PIE) proposed. Therefore, the PUE will need to be increased to 15-feet.
4. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
5. The owner will be required to submit a recorded covenant for the operation and maintenance of storm drain systems, shared driveways, 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.
6. Trees in the County rights of way – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public right of way must be coordinated with DPS Right-of-Way Plan Review Section.
7. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:

Mr. Parker Smith
Preliminary Plan No. 120190230
October 4, 2019
Page 4

- a. Handicap ramps, curb & gutter, pavement restriping, sidewalk, lawn panel, storm drainage and appurtenances and street trees along Tall Tree Terrace.
- b. Construct a cul-de-sac at the end of Tall Tree Terrace per preliminary plans.
- c. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County rights-of-way and all drainage easements.
- d. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.
- e. 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 MCDPS 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 MCDPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact myself at (240) 777-7170 or at brenda.pardo@montgomerycountymd.gov.

Sincerely,



Brenda M. Pardo, Engineer III
Development Review Team
Office of Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Preliminary Plan\Old Georgetown Estates\Letter\120190230-Old Georgetown Estates-DOT Prelim-Design Exception ltr_10.03.19

Enclosure:

cc: Letters notebook

cc-e:	Eric Tidd	CAS Engineering, Inc.
	Atiq Panjshiri	MCDPS RWPR
	Sam Farhadi	MCDPS RWPR
	Mark Terry	MCDOT DTEO
	Devang Dave	MCDOT DTEO
	Rebecca Torma	MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: OLD GEORGETOWN ESTATES Preliminary Plan Number: 1- 20190230

Street Name: TALL TREE TERRACE Master Plan Road Classification: SECONDARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (LOT 8) Street/Driveway #2 (LOT 9)

Sight Distance (feet) OK?
 Right 260* OK
 Left _____

Sight Distance (feet) OK?
 Right 260* OK
 Left _____

Comments:

*Proposed driveway is at the end of a cul-de-sac; sight distance is looking "up" Tall Tree Terrace, not left or right.

Comments:

*Proposed driveway is at the end of a cul-de-sac; sight distance is looking "up" Tall Tree Terrace, not left or right.

GUIDELINES

Classification or Posted Speed
 (use higher value)

Tertiary	-	25 mph
Secondary	-	30
Business	-	30
Primary	-	35
Arterial	-	40
		(45)
Major	-	50
		(55)

Required
 Sight Distance
 in Each Direction*

150'
200'
200'
250'
325'
400'
475'
550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

PLS/P.E. MD Reg. No.



Montgomery County Review:

☒ Approved

☐ Disapproved

By:

Date:

10/3/19



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: OLD GEORGETOWN ESTATES Preliminary Plan Number: 1- 20190230

Street Name: TALL TREE TERRACE Master Plan Road Classification: SECONDARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (#6509) Street/Driveway #2 (_____)

Sight Distance (feet) OK?
 Right 142 OK*
 Left 240 OK

Sight Distance (feet) OK?
 Right _____ _____
 Left _____ _____

Comments:

Comments:

*Measurement represents distance to end of proposed cul-de-sac (currently 32' to end of paved right-of-way)

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

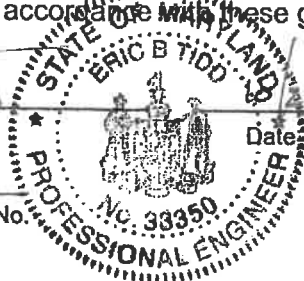
ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

33350

PLS/P.E. MD Reg. No.



Date

10/3/19

Montgomery County Review:

☒ Approved

☐ Disapproved:

By:

Date:

10/3/19



MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: OLD GEORGETOWN ESTATES Preliminary Plan Number: 1- 20190230

Street Name: TALL TREE TERRACE Master Plan Road Classification: SECONDARY

Posted Speed Limit: 25 mph

Street/Driveway #1 (#6508 Western Apron) Street/Driveway #2 (#6508 Eastern Apron)

Sight Distance (feet)	OK?
Right <u>240</u>	<u>OK</u>
Left <u>142</u>	<u>OK*</u>

Sight Distance (feet)	OK?
Right <u>190</u>	<u>OK</u>
Left <u>200</u>	<u>OK*</u>

Comments:

*Measurement represents distance to end of proposed cul-de-sac (currently 32' to end of paved right-of-way)

Comments:

*Measurement represents distance to end of proposed cul-de-sac (currently 115' to end of paved right-of-way)

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*
Tertiary - 25 mph	150'
Secondary - 30	200'
Business - 30	200'
Primary - 35	250'
Arterial - 40	325'
(45)	400'
Major - 50	475'
(55)	550'

*Source: AASHTO

Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)

ENGINEER/ SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines.

Signature

33350

PLS/P.E. MD Reg. No.



Montgomery County Review:

☒ Approved

☐ Disapproved:

By: [Signature]

Date: 10/13/19



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 15-Aug-19
TO: Curt Schreffler - curt@casengineering
CAS Engineering
FROM: Marie LaBaw
RE: Parcel 436, Mt Pleasant Etc (11700 Danville Road)
120190230

PLAN APPROVED

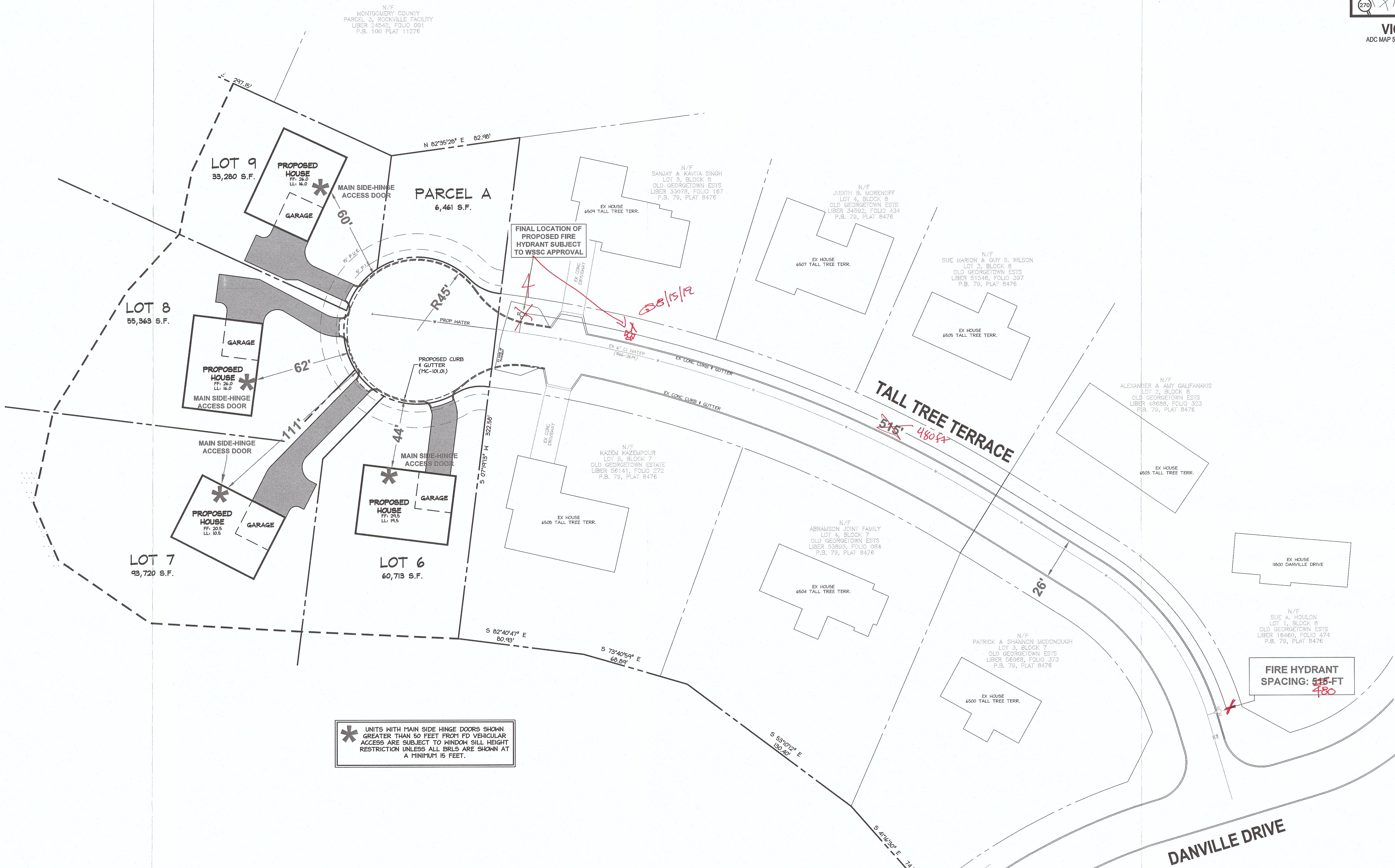
1. Review based only upon information contained on the plan submitted **15-Aug-19**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

PRELIMINARY PLAN - M-NCP&PC No. 120190230

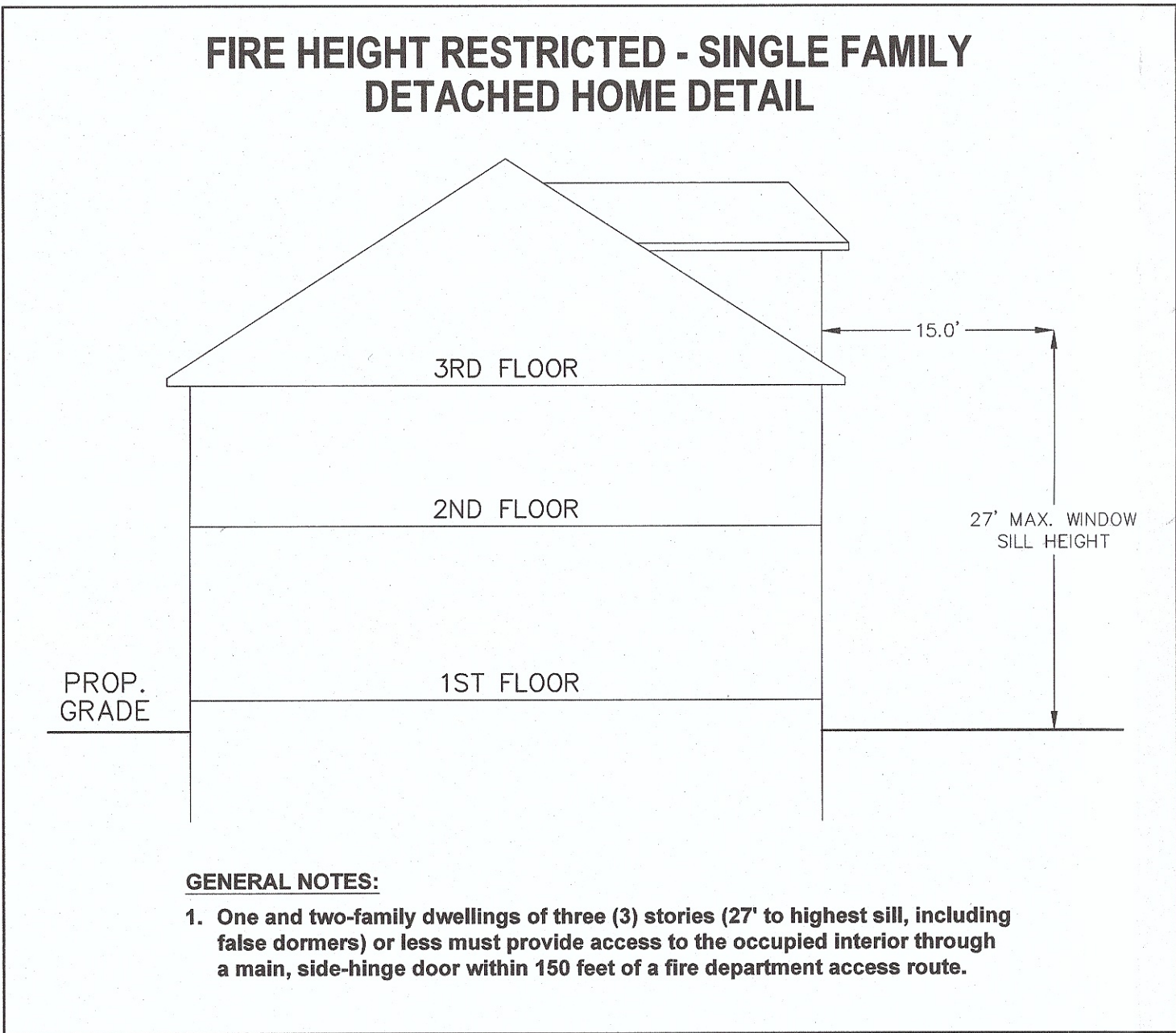
Attachment 6

GENERAL NOTES

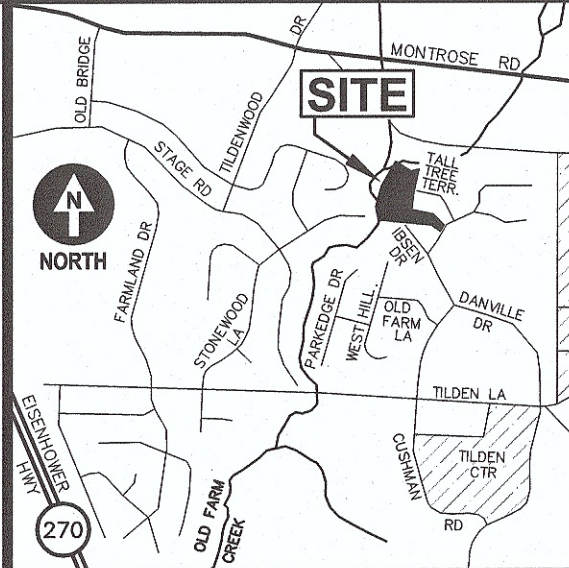
- Boundary information and two-foot contour data are based upon surveys performed by CAS Engineering, dated February, 2019.
- Total lot area: Parcel 436 = 255,566 sq. ft. (5.867 acres)
- Property is located on Tax Map GQ 562 and WSSC 2007 Sheet 215N106.
- Property is located on Montgomery County Soil Survey Map No. 23. Soil type(s): 1C (Galla Silt Loam; HSG "B"), 16D (Brinklow-Blocktown; HSG "C/D"), 6A (Balle Silt Loam; Hydric; HSG "C/D") and 54A (Halloway; HSG "B/D")
- Local utilities include:
Water/ Sewer - Washington Suburban Sanitary Commission
Electric - PERCO
Telephone - Verizon
Gas - Washington Gas



* UNITS WITH MAIN SIDE HINGE DOORS SHOWN GREATER THAN 50 FEET FROM FD VEHICULAR ACCESS ARE SUBJECT TO MINIMUM SILL HEIGHT RESTRICTION UNLESS ALL UNITS ARE SHOWN AT A MINIMUM 15 FEET.



- GENERAL NOTES:
- One and two-family dwellings of three (3) stories (27' to highest sill, including false dormers) or less must provide access to the occupied interior through a main, side-hinge door within 150 feet of a fire department access route.



VICINITY MAP
ADC MAP 5284, GRID J-3, SCALE: 1" = 200'

CAS JOB NO.: 15-242B
DATE: 02/2019

DATE	REVISION
05/27/19	EBT - Initial Preliminary Plan Submitted to MC-DOT
05/28/19	EBT - For SWAC Downstream Notification Letters
08/14/19	EBT - Issued for FDA approval.



Curt A. Schreffler
CURT A. SCHREFFLER, PE
08/14/2019

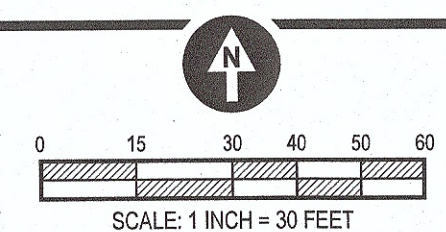
PROFESSIONAL ENGINEER CERTIFICATION:
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland, License No. 15558, expiration date 3/8/2020, and that this plan meets MDPS criteria for building and sediment control permit applications.

Parcel 436, Mt. Pleasant Etc.
L.4114, F.189; Recorded 08/27/1971
Rockville (4th) Election District, Montgomery County, MD
11700 Danville Drive
Rockville, Maryland 20852



CAS ENGINEERING-MD
10 South Bentz Street
Frederick, Maryland 21701
301-607-8031 Phone
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www.caseng.com

CAS ENGINEERING-DC, LLC
1001 Connecticut Avenue, NW, Suite 401
Washington, DC 20036
info@cas-dc.com
202-353-7200 Phone
www.cas-dc.com



SHEET TITLE:
Preliminary Plan
Fire Dept. Access Plan

FDA-1

APPLICANT
Encore Development Corporation
Attn: Steven B. Kay
4814 Del Ray Avenue
Bethesda, MD 20814
(301) 664-0022 Phone
stevenbkay@gmail.com

FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: S.M. FM: 43 DATE: 8/15/2019

11700 Danville Drive
Parcel 436, Mt. Pleasant Etc.,
Proposed Lots 6-9 & Parcel A, Block 9
Old Georgetown Estates
Fire Department Access Plan

PRELIMINARY PLAN NOTE: Unless explicitly noted on this Preliminary Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height, and lot coverage. Other site development limitations may be included in the conditions of the planning board or planning staff approvals.

PRELIMINARY PLAN - M-NCP&PC No. 120190230

Attachment 7

CAS JOB NO.: 15-2428
DATE: 02/2019

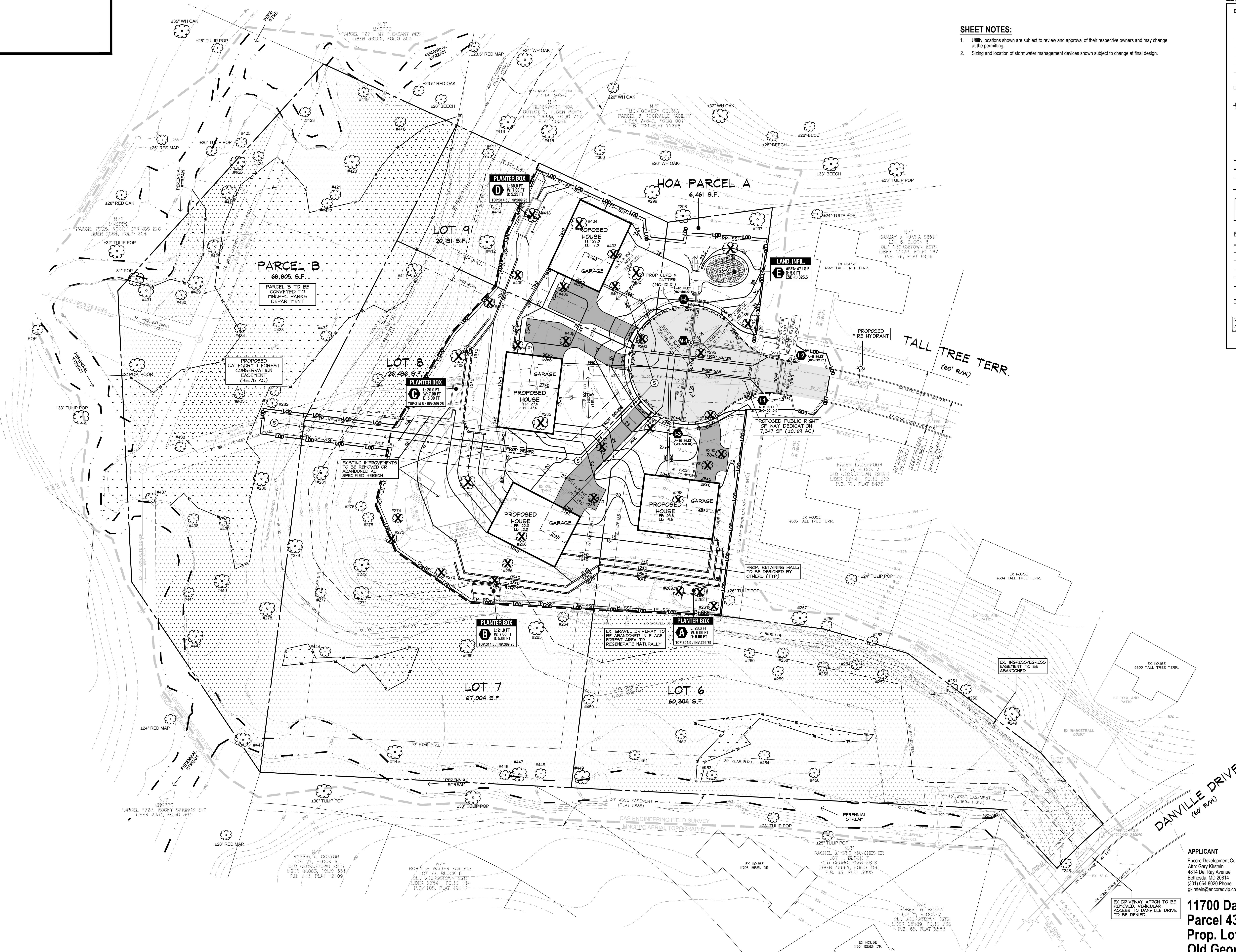
DATE	REVISION
05/27/19	EST - Initial Preliminary Plan Submitted to MC-DOT
05/28/19	EST - For SMMC Downstream Notification Letter
08/14/19	EST - Issued for FDA approval
09/18/19	EST - Final Preliminary Plan Submitted for approval

LEGEND

EXISTING FEATURES	
---	Ex. Subject Property Line
---	Ex. Adjoiner Property Line
---	Ex. Sewer Manhole and Invert
---	Ex. Water Line with Valve
---	Ex. Gas Line with Valve
---	Ex. Underground Electric Line
---	Ex. Two- And Ten-foot Contours
---	Ex. Spot Elevation
---	Ex. Retaining Wall
---	Ex. Soil Testing Location
---	Ex. Soil Line with Soil Types
---	Ex. Specimen Tree
---	Ex. Significant Tree
---	Ex. Tree To Be Removed
---	Ex. Stream with Flow Direction
---	Ex. 100-Year Floodplain (Approx.)
---	Ex. Floodplain Buffer (Approx.)
---	Limit of Ex. Wetlands
PROPOSED FEATURES	
---	Limit Of Disturbance (L.O.D.)
---	Prop. Water Extension
---	Prop. Sewer Extension
---	Prop. Gas Extension
---	Prop. Electric Extension
---	Prop. Contour with Elevation
---	Prop. Spot Elevation
---	Prop. Retaining Wall
---	Prop. Surface Flow Direction
---	Prop. Cat 1 Forest Easement
---	Prop. Fire Hydrant

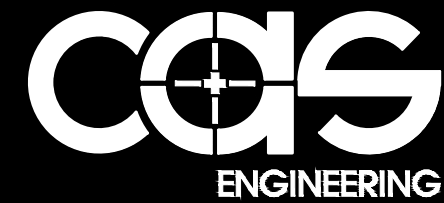
SHEET NOTES:

- Utility locations shown are subject to review and approval of their respective owners and may change at the permitting.
- Sizing and location of stormwater management devices shown subject to change at final design.



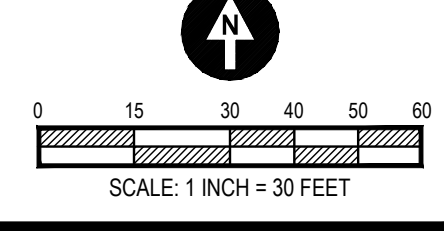
Parcel 436, Mt. Pleasant Etc.
L-4114, F.189, Recorded 08/27/1971
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Washington, DC 20036
info@cas-dc.com
202-363-7200 Phone
www.cas-dc.com



SHEET TITLE:
Preliminary Plan

PP-3

APPLICANT
Encore Development Corporation
Attn: Gary Kirsten
4314 Del Ray Avenue
Bethesda, MD 20814
(301) 664-8020 Phone
gkirsten@encoredev.com

11700 Danville Drive
Parcel 436, Mt. Pleasant Etc.,
Prop. Lots 6-9 & Parcels A & B, Block 7
Old Georgetown Estates
Preliminary Plan
File No. 120190230

PRELIMINARY PLAN NOTE: Unless explicitly noted on this Preliminary Plan or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, sidewalks, and other proposed features are for illustrative purposes only. The final locations of the proposed improvements will be determined at the time of building permit issuance. Please refer to the Zoning Data Table for development standards such as setbacks, building restriction lines, building height, and lot coverage. Other site development limitations may be included in the conditions of the planning board or planning staff approvals.