

Statement of Justification

Tregoning Property
Site Plan 820240080 & FCP F20240420
February 16, 2024

I. Introduction and Property Description

ESC Tregoning LC (the “Applicant”) is submitting this Site Plan Application (“the Application”) for part of a property known as the “Tregoning Property”. The Tregoning Property is located southwest of the intersection of Kings Valley Road and Preakness Drive in Clarksburg and consists of 2 parcels:

- 17.81-acre parcel zoned RE-1 (Parcel 104) (“Subject Property” or “Site”)
- 19.8-acre parcel (Parcel 617) zoned RE-1
- 0.24 acres of previously dedicated right-of-way

The Applicant is purchasing the 17.81-acre parcel (the “Subject Property” or the “Project”). The Tregoning family will retain Parcel 617 (and two development rights from this Application). The Subject Property is the subject of an approved Pre-Preliminary Plan (Tregoning – Pre-Preliminary Plan No. 72020020) and Preliminary Plan of Subdivision (Tregoning—Preliminary Plan No. 120230120).

The Subject Property is undeveloped and utilized for agricultural purposes. There are no existing structures on the site. The Subject Property is bisected with a ridgeline that runs northeast to southwest and divides the property into two watersheds. Approximately two-thirds of it drains to the west-southwest and is located within the Little Seneca Creek Watershed. The southeast portion of about one-third of the parcel, drains to the east-southeast and is located within the Upper Creek Seneca Watershed. There is a stream located offsite and adjacent to the southwest property line of the Subject Property. Except for the stream buffer, the Subject Property is unforested and is currently being used for active agricultural practices. No known rare, threatened, or endangered species or habitats exist on the Subject Property. There are no designated historic sites on or near the Subject Property.

II. Background

The 1994 Clarksburg Master Plan considers the Subject Property part of the Ridge Road Transition Area and proposes that the Subject Property be developed for residential use. The zoning and Master Plan recommendation are reflected by the water and sewer category change approved by the County Council in 2018, which approves public water and sewer for the Subject Property upon Preliminary Plan approval under the MPDU or cluster method of development.

This Application proposes developing the Subject Property using the MPDU optional method (which allows 1.22 dwelling units per acre) to create a maximum yield of 46 units on 37.85 acres. Per the approved Preliminary Plan (Resolution attached as Exhibit A), Applicant will cluster 44 units (38 market rate and six MPDUs) on the Subject Property. The development rights for the remaining two market rate units will be retained by the Seller for the 19.80-acre portion of the Tregoning Property. The topography on the Subject Property is significant, with at least 34 feet of fall from the east side to the west side, requiring specific grading requirements for public roads and sanitary sewer. Public sewer is available on the east side of the Subject Property (the “high” side) along Kings Valley Road, and the site is designed to use this sole public sewer connection. The homes to the west on Hoffman Drive are served by septic systems. Public water also is available, and the soils are such that they accommodate environmentally sensitive stormwater management design.

The Subject Property is bordered by ½ acre -1 acre lots to the west on Hoffman Drive, and ¼ acre to 1/3 acre lots to the north and east on Preakness Drive. The Project completes the gap between these existing neighborhoods and encourages connectivity between the existing neighborhoods and the Subject Property through a Hoffman Drive connection. Single family detached lots in the Project are a minimum of 9,000 square feet and a mix of front load garages and alley loaded garages. Per prior staff

recommendations, the six MPDUs are grouped into two separate triplexes, served by rear-load drives and integrated with the single-family lots within the community.

The Application proposes internal recreational facilities for the Project including a multi-age play area for older children, central to this project. The Project will also contain seating areas and create connectivity via Hoffman Drive and the associated sidewalks to the existing well-established neighborhood on Hoffman Drive and to nearby Cedar Grove Elementary. All proposed streets in the Project are public with public sidewalks. Alleyways in the Project are private. The stormwater management will be addressed through micro-bio facilities, micro-bio swales, and on-lot infiltration trenches.

III. Pre-Preliminary Plan:

The Pre-Preliminary Plan application supported the overall application and density which was then approved in the Preliminary Plan. During the Pre-Preliminary Plan, the Board reviewed other plan elements, including the massing and organization of MPDUs, an off-site 1,300 linear foot off-site path to Damascus Regional Park, and the Hoffman Drive Connection. The Board did approve the massing and distribution of the MPDUs. The Board rejected the potential off-site path, approximately 1,300 feet long, along Kings Valley Road, down to Damascus Regional Park. During the Pre-Preliminary Plan hearing, Applicant explained that the burden of this connection has various constraints. Based on multiple factors, the Board determined that Applicant should not be required to construct the path and the Preliminary Plan does not require it.

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As part of the Pre-Preliminary Plan review, the Planning Board advised Applicant to study alternative connections between the Subject Property and Hoffman Drive. Applicant did so and the proposed alignment was approved in the Preliminary Plan.

IV. Preliminary Plan

The Preliminary Plan approval (Resolution No. 11-59, December, 2023) approved the proposed 44 units clustered on the Subject Property subject to various conditions. Among the requirements is the construction of an approximately 5'- widepath connecting from the sidewalk adjacent to unit 35 to the proposed pedestrian path along the Kings Valley Road frontage of the Subject Property. There was discussion about the surface for the path (natural surface vs. paved), its width (8 feet wide vs. 5 feet wide), alignment (direct up the hill or with switchbacks) and the maximum grade. (See Preliminary Plan Condition No. 17). Applicant's understanding of the Planning Board's Preliminary Plan decision was that the path should be approximately 5' wide but would not have to meet any particular grade requirements or ADA standards, and would not need to contain switchbacks/retaining walls. The surfacing, final width, and location of path would be determined at Site Plan. This Site Plan Application conforms with those criteria, as it proposes a 5'-wide paved path that is an average of less than 10% in grade. This path, as allowed, does not meet ADA criteria, which is provided via other routes on site

A second issue discussed during the Preliminary Plan hearing (See Preliminary Plan Condition No. 28) was the configuration of the proposed alley behind lot numbers 5 –8. Staff requested that the alley be extended through to Street A, but Applicant explained a variety of constraints including:

- Impact/inconsistency with backyard desires of most Damascus residents. People who buy homes in Damascus want a large, private backyard.
- Conflict with DOT intersection spacing requirements along Street Day/Preakness Drive.

- Loss of one or more units due to lot size requirements and stormwater management implications.
- Adverse effect on stormwater management facilities/open space.
- Absence of need for fire access. Fire access for all of these units is provided on the public streets adjacent to these units; the alleyway is not necessary for fire access.
- The final determination of an extension of the proposed alley to Street A was deferred until Site Plan. For the reasons cited above, Applicant continues to believe that the extension of this alley is unnecessary for functional purposes and inappropriate given that most people who buy single family homes in this part of the County do not want to live on an alley. However, Applicant is nonetheless analyzing the request to extend the alley at the Planning Board's request

V. Master Plan Conformance

The proposed development conforms with the 1994 approved and adopted Clarksburg Master Plan. The Plan provides for residential development clustered on this tract under the Optional Method, along with protection of the natural environment including forested buffers and stream valleys, as recommended in the Master Plan. As noted above, the proposed roadway and pedestrian system conforms with the recommendations in the Master Plan as well.

VI. Zoning Ordinance Conformance

Section 59.4.4.6. allows either large-lot residential use in the RE-1 zone, under the Standard Method, or MPDU development in a cluster format, where properties like this are served by public sewer service or designated for such service in the Master Plan. This application meets those requirements and applicant

seeks MPDU Optional Method approval consistent with the Pre-Preliminary Plan and Preliminary Plan approvals.

VI. Development Standards

The data table (Exhibit B) shows compliance with the requirements under the Optional Method of Development in the RE-1 zone.

VII. Findings for Site Plan Approval

A. Satisfies any previous approval that applies to the site.

As noted above, the Site Plan conforms with the approved Pre-Preliminary Plan and the Preliminary Plan of Subdivision. The density, lot size road configuration and overall layout conform with those approvals. The attached development table documents compliance of the lots with the zoning standards and preliminary plan approval.

B. Satisfies any binding elements of a Development Plan.

There is no development plan and there are no binding elements.

C. Satisfies green area of requirement.

This section does not apply.

D. Satisfies applicable use standards development standards and general requirements.

Satisfaction of these requirements is discussed above and is demonstrated in the development standards table being submitted with the site plan application.

E. Satisfies applicable requirements of Chapter 19 and Chapter 22a.

Satisfaction of Chapter 19 is discussed above to the use of on-site micro bio filters. Satisfaction of Chapter 22a is provided via on-site forest retention, tree landscape credit and forestation.

F. Provides safe, well-integrated parking, circulation patterns, building massing and open space.

These issues were addressed at the time of Preliminary Plan. Applicant's Site Plan now defines these features more explicitly. It should be noted that the trail along Kings Valley Road will need to terminate prior to the property line along the southern edge of the property due to grades adjacent to the site. Applicant has extended the trail as far as possible given site constraints. To adequately address the grades to build the trail for the entire length of the property, Applicant would have to grade more than 100' feet into the actively farmed RC property, adversely impacting farming operations and requiring additional frontage improvements to accommodate the trail. In lieu of such significant impacts, if Staff requires the full path extension, Applicant will build a retaining wall, approximately 6' tall, at the terminus of the trail to retain the grade on the existing property.

G. Substantially conforms with the recommendations of the applicable master plan and guidelines.

This is addressed and above.

H. Served by adequate public facilities.

This issue was addressed at the time of Preliminary Plan.

I. Compatible with existing and approved or pending adjacent development.

The project provides important housing in a configuration that is compatible with neighboring development. Although the lot sizes of the proposed units are somewhat smaller than some of the surrounding, non-cluster development from years earlier, the applicable development standards under the optional method provide for this lot size, which, when built, will cohesively and harmoniously exist with the existing communities.

Adequate Public Facilities

A traffic study showing the adequacy of the transportation system was submitted and reviewed as part of the Preliminary Plan approval. Other public facilities also will be more than adequate to accommodate the proposed development. This includes police and fire service. The project will be

assigned to Rockwell Elementary School, Baker Middle School and Damascus High School, each of which can accommodate the proposed development under the standards of the Growth and Infrastructure Policy, as noted in the Preliminary Plan's APFO approval.

Subdivision Standards

As reflected in the Preliminary Plan, the overall layout of the subdivision, including the size, width, shape, orientation and density of lots as well as the location and design of roads is appropriate given the site's location and the type of development contemplated. The roads, including the connection to Hoffman Drive, have been designed with input from the Montgomery County Department of Transportation. The block design meets the goals of Section 50.4.3.B of the Subdivision Regulations. Consistent with provisions of Section 50.4.3.D, adequate open space areas are provided for use of the residents.

A waiver to 50.E.6.c (requiring private alleys to be platted on separate parcels) per 50.9.2 and 50.9.3.A.1 – 50.9.3.A.3 will be necessary to provide alleys in an easement instead of a separate parcel. This waiver is required to meet zoning requirements while providing alley loaded units desired by staff in Block A, and also Block B. The RE-1 MPDU Optional Method zoning is intended to provide more flexibility for lot types, and with these alleyways, the Applicant is proposing a variety of different lot types (single family attached homes, single family detached homes with front loaded garages, and single family detached homes with rear loaded garages). The RE-1 zone using the MPDU Optional Method also requires a 9,000 square foot minimum size for single family detached lots. Finally, the zone mandates robust forest conservation requirements/open space requirements. In order to achieve the zoning lot size and open space requirements while meeting the intent of the zone and providing staff requested alleyways, a waiver per 50.9 is necessary. The intent of 50.4.E will be maintained by constructing to public road

standards, with certification by a licensed professional engineer. Required public access, use and maintenance easements will be placed on the alleys. HOA documents and disclosures will memorialize the easement condition. These alleys will be built to standards, function as expected and maintained by the homeowner's association (as all private alleys are).

Water supply and sewage disposal facilities have been deemed appropriate for the project, stormwater management reviews and approvals have occurred, and the location of utilities meets applicable requirements.

Forest Conservation

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). An NRI/FSD was prepared for the property and approved by MNCPPC on December 15, 2021. The NRI/FSD denotes limited forest areas on the site. The Applicant has designed the project to protect the existing environmental features to the extent practicable. Applicant also submitted a Preliminary Forest Conservation Plan which was approved in conjunction with the Preliminary Plan approval. The Property contains no protected soils, endangered species or other natural features not mentioned above that would impact the development. No streams, stream valley buffers or wetlands or 100 year floodplain areas will be impacted.

Stormwater Management

The project will comply with the requirements of Chapter 19 of the Montgomery County Code. Because a project will result in more than 5,000 sq. ft. of disturbance, the Applicant prepared a Stormwater Management Concept Plan which was reviewed as part of the Preliminary Plan. In accordance with MDE Stormwater Management Regulations, the Property will incorporate bio-retention planters and facilities to implement Environmental Site Design practices to the maximum extent practicable. The Property is not in a Special Protection Area so no separate water quality monitoring plan is required. A

Sediment and Erosion Control Plan will be submitted to DPS for approval prior to commencement of construction.

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**Minor Amendment to Preliminary Plan of Subdivision
and
Request for Limited Waiver of Subdivision Regulation
Preliminary Plan No. 120230120
Site Plan No. 820240080**

This is a request for a minor amendment to an approved Preliminary Plan of Subdivision and a waiver of the Subdivision Regulations. Given the minor nature of the amendment, and in order to streamline the Planning Board review process, applicant is seeking action on the minor amendment and subdivision waiver at the time of the Site Plan review.

The subject property was approved for subdivision in Preliminary Plan No. 120230120 by Resolution dated December 27, 2023. Following that approval, applicant submitted a Site Plan Application (Site Plan No. 820240080). In working with the M-NCPPC Staff on the Site Plan, for the reasons discussed below, applicant has determined that Preliminary Plan Condition No. 16a must be amended to allow Private Alleys A and B to be located within designated easement areas, rather than placed in separate record parcels. Together with this amendment, applicant is requesting a waiver of Section 50.4.3.E.6.b which generally requires private roads to be platted as a road parcel.

The subject property is located in the RE – 1 Residential Estate zone. As indicated by the name of this zone, and in the purpose clause for it, this zone is typically designated for large lot residential use. In this zone, alleys are unusual compared to higher density residential zones like the R – 60 zone and the various townhome zones. As reflected in the approved Preliminary Plan, the buildable area of the subject property also has been compressed because of requirements for a stream valley buffer, steep slopes (during the Preliminary Plan, minimum grading requested by Staff to provide a more natural appearance and reduce the amount of site disturbance), forest protection and open space requirements in the RE – 1 zone. With these challenges in mind, Staff sought the provision of two private alleys, each of which would serve designated MPDUs. Applicant has worked with Staff and is able to provide the requested alleys but only if they are placed in easements over some of the record lots, rather than in separate record parcels. In other words, were they to be placed in separate record parcels, the RE – 1 lot size requirements and the other factors listed above, would conflict and would require a reduction in the number of units, something the Planning Board concluded would be undesirable.

Pursuant to Division 15-9 of the Subdivision Regulations, this request is being submitted in support of a subdivision regulation waiver. As discussed above, this waiver is supported because of the "practical difficulty or unusual circumstances" of the plan. Moreover, given that the private alleys will be designed pursuant to established standards, and will be subject to the Declaration of Restrictive Covenant for private roads, recorded in Book 54062, page 338, the location of the alleys in separate parcels is "not needed to ensure the public health, safety and general welfare." Additionally, the intent of the requirement for private roads to be located on separate record parcels is met because the Declaration of Restrictive Covenant will control access, the alleys will be designed in the same manner as if they were in separate record parcels and the record plat for the overall project will reflect the private road easements. Finally, this waiver is "the minimum necessary to provide relief from the requirements" and is "consistent with the purposes and objectives of the General Plan." The resulting subdivision will enable achievement of the development allowed under the RE – 1 zone and that envisioned by the Master Plan.

TREGONING PROPERTY

SITE PLAN 820240080



GENERAL NOTES

1. SITE IS LOCATED ON PARCEL 104 (17.81 ACRES, TAX ID 3859025).
2. TOTAL SUBJECT AREA INCLUDES PARCEL 104 (17.81 ACRES, TAX ID 03859025), PARCEL 617 (19.80 ACRES, TAX ID 03859014), AND THE RIDGE ROAD DEDICATION (0.24 ACRES, SRC PLAT NO. 12211) FOR A TOTAL OF 46 UNITS ALLOWED. 2 UNITS WILL BE DEVELOPED IN THE FUTURE BY THE OWNERS OF PARCEL 617. 44 UNITS (38 DETACHED AND 6 TOWNHOUSES) WILL BE DEVELOPED AS PART OF THIS APPLICATION.
3. TOTAL SUBJECT AREA COVERS 37.85 ACRES.
4. SITE IS LOCATED IN ELECTION DISTRICT 12.
5. SITE IS LOCATED ON WSC 200 SHEET 233N11.
6. SITE IS WITHIN THE SENECA CREEK WATERSHED (MD 8-DIGIT WATERSHED 02140208, HUC 02070008).
7. WSSC SERVICE CATEGORIES: S-5, W-5, R170WC03A.
8. SITE IS TO BE SERVICED BY PUBLIC WATER AND SEWER.
9. ON-SITE STREAMS ARE MARYLAND USE CLASS IV-P, RECREATIONAL TROUT WATERS AND PUBLIC WATER SUPPLY. BUFFERS WERE EXPANDED PER GUIDELINES FOR ENVIRONMENTAL MANAGEMENT OF DEVELOPMENT IN MONTGOMERY COUNTY.
10. THE SITE IS NOT WITHIN A SPECIAL PROTECTION AREA.
11. A WETLAND DELINEATION WAS PERFORMED BY ENVIRONMENTAL SYSTEMS ANALYSIS INC. ON APRIL 28, 2021 AND JUNE 15, 2021.
12. THE SITE CONTAINS TWO TYPES OF ERODIBLE SOILS: 16D BRINKLOW-BLOCKTOWN CHANNERY SILT LOAMS, 15-25% SLOPES, AND 116E BLOCKTOWN CHANNERY SILT LOAM, 25-45% SLOPES, VERY ROCKY.
13. NO TREES ON SITE WERE FOUND TO BE NATIONAL, STATE, OR COUNTY CHAMPION TREES, OR WITHIN 75% OF THE CURRENT STATE CHAMPION.
14. NO PART OF THE PROJECT IS LISTED ON THE LOCATIONAL ATLAS OR INDEX OF HISTORICAL SITES.
15. NO FEDERAL OR MARYLAND RARE, THREATENED, OR ENDANGERED SPECIES WERE OBSERVED OR PREVIOUSLY DOCUMENTED ON-SITE BY MD-DNR.

DATA TABLE

RE-1 OPTIONAL METHOD MPDU DEVELOPMENT	Required		Certified Preliminary Plan 170230120		Proposed	
	Detached House	Townhouse	Detached House	Townhouse	Townhouse	Townhouse
Site Dimensions (Min.)	17 AC		37.85 AC		37.85 AC	
Usable Area	17 AC		37.85 AC		37.85 AC	
Density (Units per Usable AC)	1.22 (20 units)		* 1.22 (44 units)		* 1.22 (44 units)	
Open Space (Min.)	10%		10%		10%	
Site Coverage (Max.)	N/A	40%	N/A	40%	N/A	40%
Lot Dimensions (Min.)	9,000 SF, 1,200 SF		9,000 SF (Min.), 1,200 SF (Min.)		9,000 SF (Min.), 1,200 SF (Min.)	
Lot Area	9,000 SF, 1,200 SF		9,000 SF (Min.), 1,200 SF (Min.)		9,000 SF (Min.), 1,200 SF (Min.)	
Lot Width at Front Building Line	Determined at Site Plan		Determined at Site Plan		50 Feet (Min.)	
Lot Width at Front Lot Line	25 Feet	14 Feet	25 Feet (Min.)	14 Feet (Min.)	25 Feet (Min.)	14 Feet (Min.)
Frontage on Street or Open Space	Required		Required		Required	
Coverage	35%	N/A	35%	N/A	35%	N/A
Placement						
Front setback from Public Street	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet
Front setback from Private Street or open space	10 Feet	10 Feet	10 Feet	10 Feet	10 Feet	10 Feet
Side Street Setback, Abutting Lot fronts on the side street and is in a Residential Detached zone	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet	35 Feet
Side Street Setback, Abutting Lot does not front on the side street or is not in a Residential Detached zone	20 Feet	20 Feet	20 Feet	20 Feet	20 Feet	20 Feet
Side or rear setback	Determined at Site Plan		Determined at Site Plan		5 Feet	
Side setback, abutting property not included in application	20 Feet		20 Feet		20 Feet	
Rear setback, alley	4 Feet	4 Feet	4 Feet	4 Feet	4 Feet	4 Feet
Accessory Structures						
Front Setback	5' behind front building line	5' behind front building line			5' behind front building line	5' behind front building line
** Side Street Setback	35 Feet / 20 Feet	35 Feet / 20 Feet			35 Feet / 20 Feet	35 Feet / 20 Feet
Side or rear setback	Determined at Site Plan		Determined at Site Plan		5 Feet	
Side setback, abutting property not included in application	20 Feet		20 Feet		20 Feet	
Rear setback, alley	4 Feet	4 Feet	4 Feet	4 Feet	4 Feet	4 Feet
Height						
Principal Building	40 Feet	40 Feet	40 Feet	40 Feet	40 Feet	40 Feet
MPDUs	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)
Site Plan Required	Yes	Yes	Yes	Yes	Yes	Yes
Parking						
Spaces per Dwelling Unit	2	2			2	2

*44 BUILDABLE DWELLING UNITS ON PARCEL 104 ARE PROPOSED IN THIS SITE PLAN APPLICATION (SITE PLAN 820240080). THE TWO FUTURE UNITS ON PARCEL 617 WILL BE PROPOSED IN A FUTURE SITE PLAN AMENDMENT. THESE TWO UNITS ARE INCLUDED IN THE DENSITY CALCULATION TO MEET THE 1.22 UNITS/ACRE DENSITY REQUIREMENT, FOR A TOTAL OF 46 UNITS ON BOTH PARCELS (PARCELS 104 AND 617).

**SIDE STREET SETBACKS OF PRINCIPAL BUILDING.



SHEET INDEX

- SHEET 1: COVER SHEET
- SHEET 2: APPROVAL SHEET
- SHEET 3: PARCEL 104 30-SCALE SITE PLAN
- SHEET 4: PARCEL 104 30-SCALE SITE PLAN
- SHEET 5: PARCEL 617 30-SCALE PLAN
- SHEET 6: PARCEL 617 30-SCALE PLAN
- SHEET 7: PARCEL 617 30-SCALE PLAN
- SHEET 8: PARCEL 617 30-SCALE PLAN
- SHEET 9: RIDGE ROAD CONNECTION PLAN
- SHEET 10: LANDSCAPE PLAN
- SHEET 11: LANDSCAPE PLAN
- SHEET 12: SWM LANDSCAPE PLAN
- SHEET 13: SWM LANDSCAPE PLAN
- SHEET 14: SWM LANDSCAPE PLAN
- SHEET 15: DETAIL SHEET
- SHEET 16: DETAIL SHEET
- SHEET 17: ENLARGED OPEN SPACE PLAN
- SHEET 18: LIGHTING PLAN
- SHEET 19: LIGHTING PLAN
- SHEET 20: ARCHITECTURE SHEET
- SHEET 21: ARCHITECTURE SHEET

LEGEND

- BOUNDARY LINE
- LIMIT OF DISTURBANCE
- EXISTING TREE LINE
- EXISTING OVERHEAD LINES
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING WOOD FENCE
- EXISTING FENCE
- EXISTING FIRE HYDRANT
- EXISTING CONTOUR
- PROPOSED CONTOUR
- STREAM VALLEY BUFFER
- WETLAND BUFFER
- WATERS OF THE U.S.
- NORTHERN POND WETLANDS
- NORTHERN POND WETLANDS
- PROPOSED FRONT DOOR
- LOT SERVICED BY WELL PER MONTGAS, WELL LOCATION TO BE FIELD LOCATED

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF THE SITE PLAN AMENDMENT, NO. 820240080, INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.

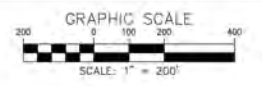
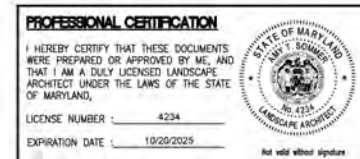
DEVELOPER'S NAME: ISL KEY WEST, LLC
 ADDRESS: 1305 SENECA ROAD, SUITE 240, WALKERS, MD 21151
 PHONE: (301) 274-8726

SIGNATURE: _____

UPDATES/REVISIONS:
 04/24/24: UPDATED TO ADDRESS DRC COMMENTS.

COVER SHEET
 SITE PLAN 820240080

TREGONING PROPERTY
 DAMASCUS (12th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND



CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

1274 Elbow Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-4394
 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Bethesda, MD • Frederick, MD • Hagerstown, VA

CLIENT: TREGONING LLC KATHRYN ADIST 325 ROCKY HILL DRIVE, HALEGAN VA 22081 703-724-8220 KADIST@TREGONING.COM	WSSC ORID: 233N11 TRNGN - 15 BRAT - 000	TAX MAP: (1/22) SHEET: 21 DATE: MAY 2024 SCALE: 1" = 200'
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TREGONING PROPERTY

PRELIMINARY PLAN AMENDMENT 12023012A

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- TOTAL SUBJECT AREA COVERS 37.85 ACRES.
- SITE IS LOCATED IN ELECTION DISTRICT 12.
- SITE IS LOCATED ON WSC 200 SHEET 233N11.
- SITE IS WITHIN THE SENECA CREEK WATERSHED (MD 8-DIGIT WATERSHED 02140208, HUC 02070008).
- WSC SERVICE CATEGORIES: S-5, W-5, R170WC03A.
- SITE IS TO BE SERVICED BY PUBLIC WATER AND SEWER.
- ON-SITE STREAMS ARE MARYLAND USE CLASS N-P: RECREATIONAL TROUT WATERS AND PUBLIC WATER SUPPLY. BUFFERS WERE EXPANDED PER GUIDELINES FOR ENVIRONMENTAL MANAGEMENT OF DEVELOPMENT IN MONTGOMERY COUNTY.
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- NO TREES ON SITE WERE FOUND TO BE NATIONAL, STATE, OR COUNTY CHAMPION TREES, OR WITHIN 75% OF THE CURRENT STATE CHAMPION.
- NO PART OF THE PROJECT IS LISTED ON THE LOCAL ATLAS OR INDEX OF HISTORICAL SITES.
- NO FEDERAL OR MARYLAND RARE, THREATENED, OR ENDANGERED SPECIES WERE OBSERVED OR PREVIOUSLY DOCUMENTED ON-SITE BY MD-DNR.

DATA TABLE
RE: OPTIONAL METHOD MPOU DEVELOPMENT

	Required		Proposed	
	Detached House	Townhouse	Detached House	Townhouse
Site				
Competition (Min)		17 AC		37.85 AC
Usable Area				
Density (Units per Acre/AC)	1.22 (20 units)		1.22 (44 units)	
Open Space (Min)	10%		10%	
Site Coverage (Max)	N/A	40%	N/A	40%
Lot				
Dimensions (Min)				
Lot Area	6,000 SF	1,200 SF	9,000 SF (Min)	1,200 SF (Min)
Lot Width at Front Building Line	Determined at Site Plan		Determined at Site Plan	
Lot Width at Front Lot Line	25 Feet	14 Feet	25 Feet (Min)	14 Feet (Min)
Frontage on Street or Open Space	Required		Required	
Coverage	35%	N/A	35%	N/A
Setbacks				
Front Setback from Public Street	35 Feet	35 Feet	35 Feet	35 Feet
Front Setback from Private Street	10 Feet	10 Feet	10 Feet	10 Feet
Side Street Setback, Abutting Lot fronts on the side street and is in a Residential District zone	35 Feet	35 Feet	35 Feet	35 Feet
Side Street Setback, Abutting Lot does not front on the side street or is not in a Residential District zone	20 Feet	20 Feet	20 Feet	20 Feet
Side or rear setback	Determined at Site Plan		Determined at Site Plan	
Side setback, abutting property not included in application	20 Feet		20 Feet	
Rear setback, alley	4 Feet	4 Feet	4 Feet	4 Feet
Height				
Principal Building	40 Feet	40 Feet	40 Feet	40 Feet
MPOUs	12.5% (6 DU)	12.5% (6 DU)	12.5% (6 DU)	12.5% (6 DU)
Site Plan Required	Yes	Yes	Yes	Yes

*44 SINGLE-FAMILY UNITS ON PARCEL 104 ARE PROPOSED IN THIS PRELIMINARY PLAN APPLICATION (PRELIMINARY PLAN 12023012A). THE TWO FUTURE UNITS ON PARCEL 617 WILL BE PROPOSED IN A FUTURE SITE PLAN AMENDMENT. THESE TWO UNITS ARE INCLUDED IN THE DENSITY CALCULATION TO MEET THE 1.22 UNITS/ACRE DENSITY REQUIREMENT FOR A TOTAL OF 46 UNITS ON BOTH PARCELS (PARCELS 104 AND 617).

PRE-PRELIMINARY PLAN 720220020 CONDITIONS OF APPROVAL

- HOFFMAN DRIVE CONNECTION - THE APPLICANT MUST PROVIDE AN EXTENSION OF EXISTING HOFFMAN DRIVE AS A PUBLIC ROAD FROM THE EXISTING TERMINUS POINT THROUGH THE SUBJECT PROPERTY TO KINGS VALLEY ROAD TO ACCOMMODATE FULL VEHICULAR AND MULTIMODAL MOVEMENT. THE APPLICANT MUST PROVIDE AT LEAST ONE ALIGNMENT ALTERNATIVE TO ILLUSTRATE A CONNECTION DIRECTLY TO BREAKNESS DRIVE IN ADDITION TO AN ALTERNATIVE TO CONNECT TO PROPOSED INTERNAL STREET C.
- ROAD DEDICATION - THE PRELIMINARY PLAN SHALL PROVIDE ADEQUATE RIGHT-OF-WAY DEDICATION TO SUPPORT ALL PUBLIC ROADS AND FACILITIES AS REQUIRED BY THE COMPLETE STREETS DESIGN GUIDELINES WITHIN THE SUBJECT PROPERTY.
- A MULTIMODAL TRANSPORTATION STUDY MAY BE REQUIRED; THE SUBSEQUENT APPLICATION IS SUBJECT TO THE 2022 LATR GUIDELINES.
- THE PLANNING BOARD HAS REVIEWED AND ACCEPTS THE RECOMMENDATIONS OF THE MONTGOMERY COUNTY DEPARTMENT OF TRANSPORTATION ("MCDOT") IN ITS LETTER DATED JANUARY 13, 2023, AND INCORPORATES THEM AS CONDITIONS OF THE PRE-PRELIMINARY PLAN APPROVAL. THE APPLICANT MUST COMPLY WITH EACH OF THE RECOMMENDATIONS IN THE LETTER, WHICH MAY BE AMENDED BY MCDOT IF THE AMENDMENT DOES NOT CONFLICT WITH ANY OTHER CONDITIONS OF THE PRE-PRELIMINARY PLAN APPROVAL.
- THE APPLICANT SHALL ADDRESS LAYOUT AND DESIGN RELATED COMMENTS PROVIDED BY PLANNING STAFF AT PRELIMINARY PLAN AND SITE PLAN. SIGHT DISTANCE EVALUATIONS OF PROPOSED PUBLIC ACCESS POINTS FOR PROPOSED PARTS OF KINGS VALLEY ROAD WILL BE REVIEWED AND MUST BE ADDRESSED AS PART OF THE SUBSEQUENT PLAN REVIEWS.
- THE APPLICANT MUST PROVIDE MPOU'S AS DUPLEX OR TRIPLEX UNITS THAT CLOSELY RESEMBLE SINGLE FAMILY DETACHED UNITS IN TERMS OF MASSING AND ARCHITECTURE, DISPERSED THROUGHOUT THE SUBJECT PROPERTY.



SHEET INDEX

- SHEET 1: COVER SHEET
- SHEET 2: APPROVAL SHEET
- SHEET 3: APPROVAL SHEET
- SHEET 4: PARCEL 104 30-SCALE PLAN
- SHEET 5: PARCEL 104 30-SCALE PLAN
- SHEET 6: PARCEL 617 30-SCALE PLAN
- SHEET 7: PARCEL 617 30-SCALE PLAN
- SHEET 8: PARCEL 617 30-SCALE PLAN
- SHEET 9: PARCEL 617 30-SCALE PLAN
- SHEET 10: FIRE DEPARTMENT ACCESS PLAN

LEGEND

- BOUNDARY LINE
- LIMIT OF DISTURBANCE
- EXISTING TREE LINE
- EXISTING OVERHEAD LINES
- EXISTING POWER LINE
- EXISTING WATER LINE
- EXISTING VOIDS FENCE
- EXISTING FENCE
- EXISTING FIRE HYDRANT
- EXISTING EIGHTY (8)
- PROPOSED CONTOUR
- RETAIN VALLEY BUFFER
- WATERS OF THE U.S.
- HORIZONTAL PFD (WETLANDS)
- PROPOSED FRONT DOOR
- LOT SERVICED BY WELL PER MCDOT'S WELL LOCATION TO BE FIELD LOCATED

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: 1284

EXPIRATION DATE: 10/02/2025

Not valid without signature

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF THE PRELIMINARY PLAN APPROVAL NO. 12023012A, INCLUDING THE APPROVAL CONDITIONS, DEVELOPMENT PROGRAM AND CERTIFIED PRELIMINARY PLAN.

DEVELOPER'S NAME: THE GUY WEST, LLC

ADDRESS: 1365 ROCKY HILL, SUITE 245, WILMINGTON, DE 19811

PHONE: (302) 734-8732

SIGNATURE: *Kevin West*

UPDATES/REVISIONS

DATE	DESCRIPTION	BY
03/01/24	UPDATED FOR CERTIFICATION	FCY

COVER SHEET
PRELIMINARY PLAN 12023012A

TREGONING PROPERTY
DAMASCUS (12th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPJ Associates Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors

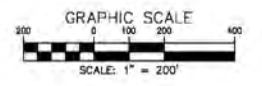
1276 Elbow Rd., Ste. 300 Silver Spring, MD 20910 301-434-7500 Fax: 301-434-1034

CLIENT: ELECTRONIC LLC
PROJECT: 12023012A
SHEET: 1 OF 10

DATE: AUGUST 2023
SCALE: 1" = 200'

2020 1248-10 D

ALL CHANGES AND CORRECTIONS MUST BE REVIEWED BY THE SITE PLAN INSPECTOR AND APPROVED BY THE OWNER OR HIS DESIGNEE (ARCHITECT OR ENGINEER) BEFORE ANY DEMO, CLEARING, OR GRADING OCCURS ON-SITE. THE OWNER OR HIS DESIGNEE (ARCHITECT OR ENGINEER) MUST ATTEND THE PRE-CONSTRUCTION MEETING WITH THE MDCR INSPECTOR. A COPY OF THE APPROVED CERTIFIED PRELIMINARY PLAN IS REQUIRED TO BE ON-SITE AT ALL TIMES. TO SCHEDULE AN INSPECTION WITH MDCR STAFF, PLEASE CONTACT JOHN HAY AT 301-462-4112.



TREGONING PROPERTY

FINAL FOREST CONSERVATION PLAN

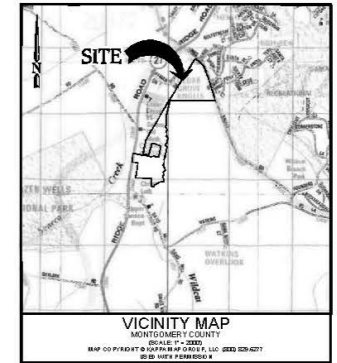
F20240420

GENERAL NOTES

1. SITE IS LOCATED ON PARCEL 104 (17.81 ACRES, TAX ID 03859025).
2. TOTAL SUBJECT AREA INCLUDES PARCEL 104 (17.81 ACRES, TAX ID 03859025), PARCEL 617 (19.80 ACRES, TAX ID 03859014), AND THE RIDGE ROAD DEDICATION (0.24 ACRES, SRC PLAT NO. 12211), FOR A TOTAL OF 46 UNITS ALLOWED. 2 UNITS WILL BE DEVELOPED IN THE FUTURE BY THE OWNERS OF PARCEL 617. 44 UNITS WILL BE DEVELOPED AS PART OF THIS APPLICATION.
3. TOTAL SUBJECT AREA COVERS 37.85 ACRES.
4. SITE IS LOCATED IN ELECTION DISTRICT 12.
5. SITE IS LOCATED ON WSC 200 SHEET 233NW11.
6. SITE IS WITHIN THE SENECA CREEK WATERSHED (MD 8-DIGIT WATERSHED 02140208, HUC 02070008).
7. WSC SERVICE CATEGORIES: S-5, W-5, R17 OMC03A.
8. SITE IS TO BE SERVICED BY PUBLIC WATER AND SEWER.
9. ON-SITE STREAMS ARE MARYLAND USE CLASS IV-P. RECREATIONAL TROUT WATERS AND PUBLIC WATER SUPPLY. BUFFERS WERE EXPANDED PER GUIDELINES FOR ENVIRONMENTAL MANAGEMENT OF DEVELOPMENT IN MONTGOMERY COUNTY.
10. THE SITE IS NOT WITHIN A SPECIAL PROTECTION AREA.
11. A WETLAND DELINEATION WAS PERFORMED BY ENVIRONMENTAL SYSTEMS ANALYSIS INC. ON APRIL 28, 2021 AND JUNE 15, 2021.
12. THE SITE CONTAINS TWO TYPES OF ERODIBLE SOILS, 160 BRINKLOW-BLOCKTOWN CHANNERY SILT LOAMS, 15-25% SLOPES, AND 116E BLOCKTOWN CHANNERY SILT LOAM, 25-45% SLOPES, VERY ROCKY. NO TREES ON SITE WERE FOUND TO BE NATIONAL, STATE, OR COUNTY CHAMPION TREES, OR WITHIN 75% OF THE CURRENT STATE CHAMPION. NO PART OF THE PROJECT IS LISTED ON THE LOCATIONAL ATLAS OR INDEX OF HISTORICAL SITES.
13. NO FEDERAL OR MARYLAND RARE, THREATENED, OR ENDANGERED SPECIES WERE OBSERVED OR PREVIOUSLY DOCUMENTED ON-SITE BY MD-DNR.
- 14.
- 15.

SHEET INDEX

- SHEET 1: COVER SHEET
- SHEET 2: APPROVAL SHEET
- SHEET 3: 50-SCALE FCP SHEET
- SHEET 4: 50-SCALE FCP SHEET
- SHEET 5: 50-SCALE FCP SHEET
- SHEET 6: DETAIL SHEET
- SHEET 7: DETAIL SHEET



LEGEND

	BOUNDARY LINE
	LIMIT OF DISTURBANCE
	EXISTING TREE LINE
	EXISTING OVERHEAD LINES
	EXISTING SEWER LINE
	EXISTING WATER LINE
	EXISTING WOOD FENCE
	EXISTING FENCE
	EXISTING FIRE HYDRANT
	EXISTING SOIL BOUNDARY
	EXISTING CONTOUR
	PROPOSED CONTOUR
	STREAM VALLEY BUFFER
	WETLAND BUFFER
	WATERS OF THE U.S.
	TEMPORARY TREE PROTECTION FENCE
	PERMANENT STRUCTURAL FENCE
	ROOT PRUNING
	CRITICAL ROOT ZONE
	SUPER SILT FENCE
	SIGNIFICANT TREE
	SPECIMEN TREE
	TREE TO BE REMOVED
	MITIGATION TREE
	FOREST CONSERVATION EASEMENT SIGN
	NONIDEAL FFW WETLANDS
	NONIDEAL PFO WETLANDS
	FOREST PRESERVATION
	FOREST CLEAR
	REFORESTATION/AFFORESTATION
	TREE SAVE - NOT CREDITED COUNTED AS CLEAR

CERTIFICATE OF COMPLIANCE

I DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND REASONABLE BELIEF, THAT ALL OF THE INFORMATION AND DATA PROVIDED WITH THIS APPLICATION IS ACCURATE, AND ALL OF THE FEATURES AND ELEMENTS PRESENTED ON THE PLANS IS CORRELATED WITH THE STANDARDS OF THE APPLICABLE ZONE. THIS CERTIFICATION INCLUDES, BUT IS NOT LIMITED TO BOUNDARY INFORMATION, PROPERTY INFORMATION AND OWNERSHIP, TOPOGRAPHY, HISTORIC RESOURCES, ETC. I AGREE THAT THE SUBMITTED PLANS MAY BE REJECTED BY MARYLAND NATIONAL CAPITAL PLANNING AND PLANNING COMMISSION IF THE PLANS ARE FOUND TO INACCURATE, FALSE OR MISLEADING.

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER : 4234
 EXPIRATION DATE : 1/01/2025

(Seal of the State of Maryland, Landscape Architect)

DEVELOPER'S CERTIFICATE

THE UNDERSIGNED AGREES TO EXECUTE ALL FEATURES OF THE FINAL FOREST CONSERVATION PLAN NO. F20240420, INCLUDING FINANCIAL BONDING, FOREST PLANTING, AND ALL OTHER APPLICABLE AGREEMENTS.

DEVELOPER NAME : DCR REALTY, LLC ADDRESS : 1210 ROCKLEY ROAD, SUITE 204, BALDWIN, VA 22017
 ADDRESS : 1210 ROCKLEY ROAD, SUITE 204, BALDWIN, VA 22017
 PHONE : (703) 724-9720
 SIGNATURE : _____

UPDATES/REVISIONS :

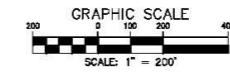
NO.	DATE	DESCRIPTION

COVER SHEET
 FINAL FOREST CONSERVATION PLAN
 F20240420
TREGONING PROPERTY
 DAMASCUS (12th) ELECTION DISTRICT
 MONTGOMERY COUNTY, MARYLAND

CPJ Associates Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers - Planners - Landscape Architects - Surveyors
 1278 Elton Rd., Ste. 200 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-0394
 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT : <u>MR. TREGONING LLC</u>	PROJECT : <u>03/27/24</u>	TAX MAP : <u>PPV 122</u>
DRAWN BY : <u>DAVID M. WATSON, M.S., M.A.S.C.</u>	DESIGN : <u>223</u>	SHEET : <u>1</u> OF <u>7</u>
CHECKED BY : <u>MELISSA J. HARRIS, M.S., M.A.S.C.</u>	DRAWN : <u>223</u>	
DATE : <u>06/27/24</u>	SCALE : <u>1" = 20'</u>	FILE NO. : <u>2020-1348-22-D</u>

CONSENT: I, THE DATE HEREBY GRANTED BY AND ASSOCIATES, INC. ALL RIGHTS RESERVED. QUALIFIED FOR USE OR REPRODUCTION IN MONTGOMERY COUNTY.



Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 23-018

Pre-Preliminary Plan No. 720220020

Tregoning Property

Date of Hearing: February 23, 2023

MAR 03 2023

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on August 24, 2022, Elm Street Development (“Applicant”) filed an application requesting a binding decision by the Planning Board on the issues of the Hoffman Drive connection, the off-site connection to Damascus Recreational Park, and the location and distribution of MPDUs, located on Kings Valley Road, west of Preakness Drive (“Subject Property”), in the Goshen Policy Area and 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* (“Master Plan”) area; and

WHEREAS, Applicant’s application was designated Pre-Preliminary Plan No. 720220020, Tregoning Property (“Pre-Preliminary Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 13, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on February 23, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hill, seconded by Commissioner Branson, with a vote of 5-0; Chair Zyontz, Commissioners Branson, Hill, Piñero and Presley voting in favor..

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Pre-Preliminary Plan No. 720220020 and supports the submission of preliminary plan and site plan applications that, at a minimum, address the following recommendations on the issues of the Hoffman Drive connection and the location and distribution of MPDUs on the Subject Property. The Planning Board supports the Hoffman Drive connection and the location and distribution of MPDUs. The Planning Board reviewed in detail the issue of a road connection to Hoffman Drive and considered opposition by some area residents and by the Applicant. The Planning Board concluded that an internal road connection is required under the Subdivision Regulations and applicable Master Plan guidelines, but also recognized the community concerns about potential cut through traffic. The Applicant presented an option for connecting Hoffman Drive that

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

would discourage cut through traffic, but which would also provide a through street connection. Based on the Planning Board's request, the Applicant will evaluate at least one additional alternative alignment that would provide a direct route from Maryland 27 to Kings Valley Road in the Preliminary Plan submission at which time the Planning Board will consider the potential impacts of this alternative design with respect to cut through traffic, site grading, reduction in the number of housing units on the property, forest impact and sewer engineering. The Planning Board supports the location and distribution of MPDUs as duplex and triplex units, which would resemble single family detached units in terms of massing and architecture. The Planning Board did not support the proposed off-site connection, as a shared-use path along Kings Valley Road, to Damascus Recreational Park, but recognizes the limits of any developer obligations to construct or pay for the side path extension based on right-of-way constraints along Kings Valley Road, engineering and construction issues based on topography and farm crops, and the reasonableness and proportionality of the cost based on provisions in the Subdivision Regulations, 2020 – 2024 Growth and infrastructure Policy, Local Area Transportation Review Guidelines, and recently approved policy guidance on construction and fee-in-lieu for frontage improvements. Staff and the Applicant will review additional options, including a more direct connection to Damascus Park, crossing Kings Valley Road near the southern corner of the Subject Property, subject to the following conditions:¹

1. Hoffman Drive Connection – The Applicant must provide an extension of existing Hoffman Drive as a public road from the existing terminus point through the Subject Property to Kings Valley Road to accommodate full vehicular and multimodal movement. The Applicant must provide at least one alignment alternative to illustrate a connection directly to Preakness Drive in addition to an alternative to connect to proposed internal Street C.
2. Road Dedication – The Preliminary Plan shall provide adequate right-of-way dedication to support all public roads and facilities as required by the Complete Streets Design Guidelines within the Subject Property.
3. A multimodal transportation study may be required; the subsequent application is subject to the 2022 LATR guidelines.
4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated January 13, 2023, and incorporates them as conditions of the Pre-Preliminary Plan approval. The Applicant must comply with each of the recommendations in

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Pre-Preliminary Plan approval.

5. The Applicant shall address layout and design related comments provided by Planning Staff at Preliminary Plan and Site Plan. Sight distance evaluations of proposed public access points for proposed roads on Kings Valley Road will be reviewed and must be addressed as part of the subsequent plan reviews.
6. The Applicant must provide MPDUs as duplex or triplex units that closely resemble single family detached units in terms of massing and architecture, dispersed throughout the Subject Property.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and as set forth in the Staff Report, the Board hereby adopts and incorporates said Staff Report by reference.

BE IT FURTHER RESOLVED that this Pre-Preliminary Plan binding review will remain valid for 90 days from the date of mailing of the Board resolution for the Pre-Preliminary Plan. The Applicant must file a Preliminary Plan application within this time period in order for the approval not to expire under Section 50.5.2.C.3.a; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAR 03 2023 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Piñero, seconded by Commissioner Branson, with a vote of 5-0; Chair Zyontz, Vice Chair Presley, and Commissioners Branson, Hill, and Piñero, voting in favor of the motion, at its regular meeting held on Thursday, March 2, 2023, in Wheaton, Maryland and via video conference.



Jeffrey Zyontz, Chair
Montgomery County Planning Board



Gina King
10522 Santa Anita Terr,
Damascus, MD

Mary Gene Martin
23932 Jockey Club Terrace
Damascus, Maryland 20872-2140

Lauren Bull
24009 Dessert Wine Ct
Damascus, MD 20872

Tammy Cheraghi
24105 Ridge Road
Germantown, Maryland 20876

TIMOTHY GUINAN
24101 Ridge Road
Germantown, MD 20876

Kate Kubit
1355 BEVERLY ROAD
SUITE 240
McLEAN, VIRGINIA 22101

John Tregoning
23715 Ridge Road
Germantown Maryland 20876

Michael Loe
1751 Elton Road, Suite 300
Silver Spring, Maryland 20903

Robert Harris
7600 Wisconsin Avenue
Suite 700
Bethesda, Maryland 20814

Tregoning Property,
Pre-Preliminary Plan No.
720220020

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

December 27, 2023

MCPB No. 23-118

Preliminary Plan No. 120230120

Tregoning Property

Date of Hearing: November 16, 2023

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on June 23, 2023, Elm Street Development (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create forty-four (44) lots for single-family dwelling units, composed of thirty-eight (38) lots for single-family detached dwelling units and six (6) lots for townhouse dwelling units, including 12.5% MPDUs, with associated public streets, open spaces, and recreational amenities on 37.85 acres of land in the RE-1 zone, located on Kings Valley Road, west of Preakness Drive (“Subject Property”), in the Rural East Policy Area and 1994 *Clarksburg Master Plan & Hyattstown Special Study Area* (“Master Plan”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120230120, Tregoning Property (“Preliminary Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 3, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on November 16, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick, and Linden voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120230120 to create forty-four (44) lots for single-family dwelling units, composed of thirty-eight (38) lots for single-family detached dwelling units and six (6) lots for townhouse dwelling units, including 12.5% MPDUs, with associated public streets, open spaces,

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605

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Approved as to

Legal Sufficiency: /s/ **Matthew T. Mills**

M-NCPPC Legal Department

and recreational amenities on the Subject Property, subject to the following conditions:¹

General Approval

1. This Preliminary Plan is limited to 38 lots for 38 single-family detached dwelling units and 6 lots for 6 townhouse dwelling units, including a minimum of 12.5% MPDUs on 37.85 acres.

Adequate Public Facilities

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated October 24, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“SHA”) in its letter dated September 26, 2023, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section in its stormwater management concept letter dated October 30, 2023, and incorporates them as

¹ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations 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.

9. The Planning Board has reviewed and accepts the recommendations of the MCDPS, Fire Department Access and Water Supply Section in its letter dated November 25, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (“DHCA”), in its letter dated October 2, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Future Site Plan Approval Required

11. Before clearing or grading or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board-approved site plan. The number and location of site elements, including but not limited to dwelling units, on-site parking, site circulation, sidewalks, and bikeways will be determined through site plan review and approval.
12. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

Transportation

Frontage Improvements on Existing Roads

13. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) All land necessary to accommodate thirty-five feet from the existing pavement centerline along the Subject Property frontage for Kings Valley Road.
14. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of an 8-foot wide sidepath along the property frontage on Kings Valley Road.

New Roads

15. The Applicant must dedicate the rights-of-way and ensure construction of all necessary road improvements for the following public streets, as shown on the Preliminary Plan, to the design standards imposed by all applicable road codes.
 - a) Street(s) A, B, C, consistent with MC-210.01 as modified.

Private Roads

16. The Applicant must provide Private Alleys A and B, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
 - a) Record plat must show the Private Road in a separate parcel.
 - b) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to the following requirements/conditions:
 - i. The Applicant, at its expense, shall design, construct and maintain the Private Road.
 - ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
 - iii. The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact information to handle complaints, concerns, or questions regarding the Private Road.
 - c) Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all

necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

Pedestrian Infrastructure

17. The Applicant must provide a shared use path that is a minimum of 5 feet in width connecting from the sidewalk adjacent to unit 35 as identified on the Preliminary Plan to the approved pedestrian infrastructure on Kings Valley Road. The path must not exceed an average 10% grade along its length. The final alignment and surfacing of the path is to be determined at Site Plan approval.

Off-Site Improvements/LATR

18. Before the release of any above ground building permit, the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MCDOT and/or MDOT/SHA requirements:
 - a) A six-foot-wide sidewalk with a minimum 6-foot-wide street buffer along Ridge Road to connect from the existing northern lead-in walkway for Cedar Grove Elementary School to and crossing Hoffman Drive, as shown on the Certified Preliminary Plan.
19. Before the release of the 25th building permit, the Applicant must construct the sidewalk connection between Cedar Grove Elementary School and Hoffman Drive.

Record Plats

20. There shall be no clearing or grading of the site before recordation of plat(s).
21. The record plat must show necessary easements.
22. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

23. The record plat must reflect all areas under common ownership.
24. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").

Developments with MPDUs

25. The final number of MPDUs as required by condition 1 above will be determined at the time of site plan approval.

Certified Preliminary Plan

26. The certified Preliminary Plan must contain the following notes:
 - a) *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 site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

27. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Show resolutions and approval letters on the certified set.
 - b) Include the approved Fire Department Access Plan.
 - c) Update the data table to match the Staff Report.
 - d) Remove all notations regarding buildable outlots for Parcel 617.
 - e) Before the approval of the Certified Preliminary Plan, the Applicant must label the two proposed new roads Public Road A and Public Road B as well as the two alleys as Private Alley A and Private Alley B on all the sheet drawings.

28. The Applicant shall make all commercially reasonable efforts in collaboration with Staff to review and effectuate the extension of Alley A from Public Street C to Public Street A in Block A, unless said extension were to result in a reduction in the number of dwelling units. All dwelling units, with the exception of Units 1 and 2, in Block A must be rear-loaded or side loaded and served by the potential through alley with frontage along Kings Valley Road and Public Street C. The revised layout must be reviewed and approved by Planning Staff, MCDOT, and DPS Water Resources Section.

29. Before the approval of the Certified Preliminary Plan, the Applicant must provide final storm drainage analysis of the Hoffman Drive extension to ensure the transition from the proposed closed section drainage system into the existing open section drainage will not result in deficient runoff characteristics and/or impacts to offsite properties. This analysis must be reviewed and approved by Planning Staff and MCDOT.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The layout of the subdivision, including size, width, shape, orientation and density 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 Preliminary Plan meets all applicable sections of the Subdivision Regulations. The size, width, shape, and orientation of the approved lots are appropriate for the location of the subdivision, taking into account the recommendations of the Master Plan, and for the building type (single-family attached and townhouse structures) use contemplated for the Subject Property.

The Application is approved under the optional method in accordance with Section 59.4.4.6.D of the Zoning Ordinance. The Preliminary Plan has been reviewed by other applicable county agencies, all of whom have recommended approval.

a) The block design is appropriate for the development or use contemplated

The Application is creating two new residential blocks, Block A and Block B, which are generally divided by Public Street A and the Hoffman Drive extension. Block B is appropriately designed and connected with Public Streets A and B, as well as an alley. As conditioned, the Applicant shall make all commercially reasonable efforts in collaboration with Staff to effectuate the extension of Alley A from Public Street C to Public Street A in Block A, unless said extension were to result in a reduction in the number of dwelling units. The potential extension of Alley A in Block A as a thru alley and the reoriented dwelling units results in an improved block design and layout for the approved residential use. Additionally, the potential extension of Alley A creates improved lotting, building orientation, and access for residents and emergency vehicles. As conditioned, these two new blocks are an appropriate size based on the approved residential use, as well as properly separated by the bounding public streets.

b) The lot design is appropriate for the development or use contemplated

As conditioned, the lot size width, shape, and orientation are appropriate to the approved residential development. Each lot can reasonably accommodate the approved structure, parking, and utilities.

c) The Preliminary Plan provides for required public site and adequate open areas

The approved development also provides adequate space to accommodate the required storm water management facilities, open space parcels, and streets. The Master Plan does not recommend any public sites for the Subject Property.

d) The Preliminary Plan provides for required public site and adequate open areas

The lots were reviewed for compliance with the dimensional requirements for the RE-1 zone as specified in the Zoning Ordinance. The lots will meet all the dimensional requirements for area, frontage, and can accommodate the single-family attached and townhouse dwelling units which can reasonably meet the width and setbacks requirements in that zone. A summary of this review is included in Table 1.

Table 1 - Development Standards Table - RE-1 (MPDU Optional Method)

RE-1 Zone (MPDU)	Allowed / Required (SFD)	Allowed / Required (Townhouse)	Approved by this Application (SFD)	Approved by this Application (Townhouse)
Site				
Usable area (min.)	17 acres	17 acres	37.85 acres	37.85 acres
Density (max.) (units/acre of area)	1.22 (20 units max.)	1.22 (20 units max.)	1.22 (46 units max.)	1.22 (46 units max.)
Common Open Space (min.)	10% min.	10% min.	10% min.	10% min.
Site Coverage (max.)	N/A	40% max.	N/A	40% max.
Lot				
Lot Area (min.)	9,000 sq.ft.	1,200 sq.ft.	9,000 sq.ft.	1,200 sq.ft.
Lot Width at Front Building Line (min.)	Determined at Site Plan	Determined at Site Plan	Determined at Site Plan	Determined at Site Plan
Lot Width at Front Lot Line (min.)	25 feet	14 feet	25 feet (min.)	14 feet (min.)
Frontage on Street or Open Space	Required	Required	Required	Required
Lot Coverage (max.)	35%	N/A	35%	N/A
Placement				
Front Setback from Public Street (min.)	35 feet	35 feet	35 feet	35 feet
Front Setback from Open Space	10 feet	10 feet	10 feet	10 feet
Side Street Setback, Abutting Lot Fronts on the Side Street and is in a Residential Detached zone	35 feet	35 feet	35 feet	35 feet
Side Street Setback, Abutting Lot does not Front on the Side Street or is not in a Residential Detached zone	20 feet	20 feet	20 feet	20 feet
Side or Rear Setback	Determined at Site Plan	Determined at Site Plan	Determined at Site Plan	Determined at Site Plan
Side Setback, Abutting Property not Included in Application	20 feet	20 feet	20 feet	N/A
Rear Setback, Alley	4 feet	4 feet	4 feet	4 feet
Height				
Principal Building Height (max.)	40 feet	40 feet	40 feet	40 feet

RE-1 Zone (MPDU)	Allowed / Required (SFD)	Allowed / Required (Townhouse)	Approved by this Application (SFD)	Approved by this Application (Townhouse)
MPDUs	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)	12.5% (6 DUs)
Site Plan Required	Yes	Yes	Yes	Yes

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Subject Property is designated as Rural Residential in the Generalized Land Use Plan of the 1994 Clarksburg Master Plan and recommended for the RE-1 (Single-Family Detached) zone. With a density of one dwelling unit per acre, the approved Preliminary Plan is consistent with this planned land use density and the Subject Property’s existing RE-1 zone.

Situated at the headwaters of the Little Seneca Creek watershed, environmental protection of forested landscapes and stream water quality is an important consideration for the approved subdivision. The approved subdivision is in an upland area, north of the headwaters to Little Seneca Creek, therefore avoiding most impacts to the stream valley. Stormwater management should be incorporated into the site design for the approved subdivision to ensure that water flowing into Little Seneca Creek is effectively managed for quantity and quality (Clarksburg Master Plan, p. 145-147).

A planned public park and greenway/bikeway is recommended in the 1994 Clarksburg Master Plan to provide a publicly accessible trail connection between Ovid Hazen Wells Park and Damascus Recreational Park (p. 72). The planned corridor runs through a portion of the Subject Property that is not proposed for development, along the small stream valley of Little Seneca Creek, east of Ridge Road. While the greenway connection is not recommended for dedication or construction as a part of this application, its viability should be preserved as a future connection along the stream valley to the south of the approved subdivision and an easterly park and greenway trail connection to Kings Valley Road and Damascus Recreational Park as part of any future proposed subdivision or development application south of the approved current development.

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

a) *Roads and Transportation Facilities*

- i. Existing Facilities: Kings Valley Road is an unclassified residential street with 30 feet of existing right-of-way (“ROW”). There are no bike or pedestrian facilities on the road. Hoffman Drive is a neighborhood street with a 60-foot ROW. There are no bike or pedestrian facilities on the road.

ii. Proposed public transportation infrastructure: An 8-foot-wide asphalt sidepath will be constructed along the frontage with Kings Valley Road. An additional 25 feet of ROW will be dedicated from the centerline, along with an additional 10 foot wide Public Utility Easement, to provide 55 feet of ROW and 65 feet of publicly usable space, in compliance with Section 49-32. This will accommodate all planned public facilities. Hoffman Drive will be extended into the Property from the west as a neighborhood street with a 60-foot ROW. All roads will be constructed with closed section curb and gutter drainage. All roads will have six-foot-wide, buffered sidewalks on both sides of the street. In addition to the Hoffman Drive extension, the Application approves two new public streets. The first will extend to the south through the Property from the intersection of Glade Valley Terrace and Kings Valley Road to the southern property line. The second road will run from the intersection of Preakness Drive and run southwest through the Property to the southern property line. Both roads will be constructed as neighborhood streets with a modified 50-foot ROW. The Planning Board approved a waiver from the standard 60 ft ROW required under Ch. 49-32.c.5. as allowed under Ch. 50.4.3.E.2.a.i and ii. The reduction of right of way is environmentally preferable and results in better use of the tract under consideration. The reduced width of the ROW will allow dwellings to be placed closer together, which will accommodate a more clustered footprint for the overall development. This will result in turn with a lower environmental footprint, allowing the development to remain well outside existing forest and stream valleys, and accommodates a more efficient overall site layout. In determining the width of a less than standard ROW, the Board must consider:

(a) *the recommendations of the Department of Transportation or other applicable state or municipality transportation permitting agency;*

MCDOT in their letter dated October 24, 2023, approves the waiver request.

(b) *the amount of traffic expected to use the proposed roads;*

The approved roads are not expected to serve through traffic; they will predominantly serve the 44 dwellings, which will be served adequately by the proposed roads.

(c) *the maximum road right-of-way or improvement required for the proposed land use; and*

Ch. 49 recommends a 60-foot ROW for neighborhood streets; the reduction of 10 feet will accommodate an overall tighter, more concentrated development envelope, limiting overall environmental impacts.

(d) the increased traffic, travel lane, and right-of-way requirements that would be created by maximum use and development of land using the road.

As mentioned, these roads will be able to accommodate all approved development. For the most part, as conditioned to include an extension of the northern alleyway, approved public roads will predominantly provide vehicular access via driveways on only one side, significantly reducing potential conflict points. Limited additional future development is anticipated in the Master Plan for this area; limited future growth of vehicular traffic is expected.

- iii. Approved private transportation infrastructure: Two private alleys are approved to provide rear access for garage parking. Pedestrian access to these units will be provided along the front facing street or along the fronts of units facing public open space. As conditioned, the Applicant shall make reasonable efforts in collaboration with Staff to extend Alley A from Public Street C to Public Street A in Block A, unless the extension were to result in a reduction in the number of dwelling units. If constructed, this will allow through movement across the alley from north to south without the need for vehicles to turn around, improving circulation and access. Additionally, the relocation of driveways for these units to the alley simplifies access along the approved public streets and removes potential conflict points, particularly for Unit 5 which as approved places the driveway in the active area for the approved intersection with Hoffman Drive. Planning Board support of the Applicant's waiver request for the reduction in minimum ROW as explained above, assumes the extension of the alleyway which results in an overall simplification of access.*

Additionally, as conditioned, the Applicant must provide a shared use path connection in the southern portion of the Application to connect from the sidewalk fronting approved Lot 35 to the approved sidewalk along Kings Valley Road. The final design, surfacing and alignment will be determined as part of the Site Plan review and approval.

This shared use path will accommodate a direct connection to Kings Valley Road and Damascus Recreational Park to the south. This approved connection will save residents up to 1,000 feet of walking distance, or roughly 3-4 minutes of walking time versus walking up to the approved Preakness Drive intersection and back south. However, the significant regrading of the site as approved will result in a more challenging topography to accommodate this connection. The filling of the portion of the Site to the east Lot 35 steepens the existing hillside grade significantly, dropping 40 feet in height in a 200-foot run, a 20% average slope. To accommodate this grade change, the Board is willing to accept a non-ADA connection with up to an average 10% grade, with a width of between 5 to 8 feet. After consideration, an ADA connection is determined to be unnecessary; such a connection would require at least 800 feet of run to accommodate an ADA

acceptable 5% grade, requiring multiple switchbacks. Such a design would negate most time and distance savings. ADA connectivity to Kings Valley Road will be accommodated along the approved public street network. Details of the path will be reviewed as part of the subsequent Site Plan application.

b) Local Area Transportation Review (LATR)

The Application is approved to construct 38 single family detached residential lot and 6 townhouses. This is estimated to generate 53 total peak hour person trips in the morning and 67 total peak hour person trips in the evening. As a result of the estimated transportation impact, the Project submitted a Transportation Impact Study with the Preliminary Plan to satisfy the Local Area Transportation Review (LATR).

Table 2 - Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Rural East Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Approved	38 Single Family Detached Residential Units	31	40	31	40	49	62
	6 Townhouses	3	3	3	3	4	5
Net Change						53	67

Source: Transportation Exemption Statement from The Traffic Group, Inc., May 5, 2023, modified by staff

Travel Mode Adequacy Test

The 2020-2024 *Growth and Infrastructure Policy* requires evaluation of all transportation modes, including: auto-drive, transit, walking and biking. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips.

- The Application is exempt from transit system adequacy evaluation as the Property lies within a green policy area.
- Vehicular adequacy was studied in within a 1 signal tier, with four intersections studied (Table 3). All intersections were found to be within the Rural East policy area CLV threshold of 1350. No mitigation for vehicular congestion is required of this Application.
-

Table 3 - CLV Methodology

Intersection	Traffic Conditions					
	Existing		Background		Total Future	
	AM	PM	AM	PM	AM	PM
<i>Rural East Policy Area (CLV Standard 1350)</i>						
MD 27 & Kings Valley Road	1157	1217	1167	1228	1187	1271
MD 27 & Hoffman Drive	1113	1055	1123	1066	1143	1088
Kings Valley Road & Glade Valley Terrace / Site Access	112	157	112	157	137	192
Kings Valley Road & Preakness Drive / Site Access	134	176	134	176	146	197

- A speed study was conducted along the property frontage on Kings Valley Road. 85th percentile speeds were found to be 38 mph in both directions, significantly exceeding the posted 25 mph speed. These speeds are hazardous to bike and pedestrian road users; this suggests additional enforcement and traffic calming measures should be conducted in the vicinity.
- Pedestrian system adequacy was evaluated within 250 feet of the Property. Mitigation will be required to achieve a Pedestrian Level of Comfort (PLOC) greater than 2 (Somewhat Comfortable), and/or deficiencies identified for streetlamps within the scoped boundary. The LATR requires evaluation on Primary Residential Roads and higher but excludes residential roadways. The Pedestrian system adequacy also requires mitigation for ADA deficiencies identified within 125 feet of the Property. Significant deficiencies were found on all public roads as there is no pedestrian infrastructure within the study area; as these roads are classified as residential streets, with expected slower speeds and lower vehicular traffic, by default they are listed as “uncomfortable”. Given the high (38 mph) vehicular speeds found on Kings Valley Road, which significantly exceed posted speeds, and in combination with limited sight distance in areas, actual experienced PLOC is more properly found to be undesirable and potentially hazardous. A sidepath constructed along the property frontage will help address this condition.
- Bicycle system adequacy was evaluated by analyzing bikeways within 250 feet of the Property. Mitigation will be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the Bicycle Master Plan. As with the pedestrian adequacy study, no bicycle infrastructure exists in the study area, but due to the low speed and low vehicular volumes of study are residential streets, LTS adequacy was found to be either low or very low stress. However, given the high (38 mph) vehicular speeds found on Kings Valley Road, which significantly exceed posted speeds, and in combination with limited sight distance in areas, actual experienced LTS is more properly found to be high. A sidepath constructed along the property frontage will help address this condition.

Proportionality Guide

Under Section 8 of 2022 Local Area Transportation Review Guidelines (LATR Proportionality Guide), the maximum cost of mitigation improvements, the Applicant is required to construct or fund for a project consisting of 44 residential units is not to exceed \$190,434 (see calculation below).

LATR Proportionality Guide = (Extent of Development) (LATR Proportionality Guide Rate) (LATR Proportionality Guide Adjustment Factor)

\$190,434 = (38 Single Family Detached homes) (\$20,173) (22%) + (6 Single Attached homes) (\$16,506) (22%)

The Applicant did not study or provide options for required off-site mitigation. In lieu of other alternatives, the Planning Board has conditioned the construction of approximately 360 feet of sidewalk along Ridge Road to connect Cedar Grove Elementary School to Hoffman Drive to the north.

This improvement, while outside the 250' Pedestrian Adequacy study area, would provide clear and immediate benefit to pedestrian access to the school. The school fronts Ridge Road, a high-speed, heavily trafficked Country Connector with no bike or pedestrian improvements. It is therefore identified as having the lowest possible pedestrian level of comfort rating of "undesirable".

The sidewalk connection as conditioned would provide a section of very comfortable pedestrian connection to link the school to Hoffman Drive, a residential street.

While Hoffman Drive would remain rated an "uncomfortable" pedestrian level of comfort due to the lack of sidewalk, the low volume and speed of vehicles in the future would accommodate some pedestrian connectivity. In conjunction with the approved new network of streets as part of the Application, which among other things would connect Hoffman Drive to Kings Valley Road, this sidewalk connection would accommodate a burgeoning pedestrian link between the school, the Hoffman Drive community, the Application community, and the greater Sweepstakes community benefiting hundreds of residents.

The area of the approved sidewalk is generally flat with few notable obstructions. A stormwater swale occupies much of the space, requiring some limited regrading. An existing storm drain and supporting grading is one notable obstacle immediately adjacent to the existing school entrance.

Facility design is beyond the scope of the Planning Department. As noted, no design for any offsite mitigation improvement was provided by the Applicant. The Applicant similarly has not provided any cost estimate for any offsite mitigation improvement.

Without this basic information, it is impossible to provide an itemized cost estimate for this improvement. However, the improvement is proportional to the impact of the approved application, which yields 53 AM and 67 PM peak hour person trips. Additionally, average countywide costs for such improvements have been estimated as roughly \$300 per linear foot. Based on this figure, the estimated cost for the improvement is roughly \$108,000, comfortably below the \$190,434 proportionality cap for the Application.

As conditioned, all off-site mitigation projects must be permitted, bonded for construction, and all mitigation payments must be paid before the issuance of the first building permit. Montgomery County Planning, MCDOT, and MDOT SHA staff reviewed the TIS and approved the offsite mitigation project. Therefore, the Applicant has satisfied the requirements of the LATR, and the public transportation facilities are adequate for the Site.

c. Schools

Overview and Applicable School Test

The FY24 Annual School Test, approved by the Planning Board on June 15, 2023, and effective July 1, 2023, is applicable to this Preliminary Plan. This Preliminary Plan approves a net total of forty-four dwelling units, comprised of thirty-eight single-family detached dwelling units and six townhouse dwelling units.

School Adequacy Test

The Preliminary Plan is served by Lois P. Rockwell ES, John T. Baker MS, and Damascus HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 4 - Applicable FY2024 School Adequacy

School	Projected School Totals, 2027				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus / Deficit		Tier 1	Tier 2	Tier 3
Lois P. Rockwell ES	548	528	96.4%	+20	No UPP	105	130	212
John T. Baker MS	762	832	109.2%	-70	No UPP	56	83	197
Damascus HS	2,250	1,533	68.1%	+717	No UPP	897	1,167	1,505

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. Under the FY24 Annual School Test, Lois P. Rockwell ES, John T. Baker MS, and Damascus HS do not require any

UPP. If the Preliminary Plan is estimated to generate more students than the identified ceilings, then UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Preliminary Plan, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 44 units that are not age-restricted, the Preliminary Plan is estimated to generate the following number of students based on the Preliminary Plan’s location within a Turnover Impact Area:

Table 5 - Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	38	0.185	7.030	0.102	3.876	0.154	5.852
SF Attached	6	0.218	1.308	0.119	0.714	0.167	1.002
MF Low-rise	0	0.116	0.000	0.061	0.000	0.081	0.000
MF High-rise	0	0.073	0.000	0.042	0.000	0.053	0.000
TOTALS	44		8		4		6

As shown in Table 5, on average, this Preliminary Plan is estimated to generate 8 elementary school students, 4 middle school students, and 6 high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 4, therefore no additional UPPs are required, nor partial payments across multiple UPP tiers.

d. Other Public Facilities and Services

Other public facilities and services are available and adequate to serve the approved residential lots. The Subject Property will maintain W-5 and S-5 water and sewer service categories until final Planning Board approval of a Preliminary Plan that uses either a cluster or MPDU development option under the RE-1 Zone, after which it will be changed to W-3 and S-3 water and sewer service categories. The Application is approved as MPDU Optional Method within the RE-1 Zone and meets the conditions from Montgomery County Resolution 18-1272.

The Application was reviewed by the MCDPS, Fire Department Access and Water Supply Section, and a Fire Department Access Plan was approved on November 25,

2023. The Fire Department Access Plan indicates that fire access will be provided by a combination of new public streets.

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the 2020-2024 Growth and Instructure Policy (GIP) in effect at the time that the Preliminary Plan was accepted.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

The approved Preliminary/Final Forest Conservation Plan satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Refer to the Preliminary/Final Forest Conservation Plan No. F20230420 (MCPB Resolution No. X) for the analysis and findings.

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

The Preliminary Plan received an approved stormwater concept plan from the Montgomery County Department of Permitting Services, Water Resources Section on October 30, 2023. The Application will meet stormwater management goals through the use of micro-bioretenment and a bioswale.

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

There is no evidence, actual notice, or constructive notice of a burial site within the Preliminary Plan. 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.*

There are no other applicable provisions specific to the Preliminary Plan that are necessary for approval of this Application.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is:

December 27, 2023

(which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Hedrick, seconded by Vice Chair Pedeem, with a vote of 5-0, Chair Harris, Vice Chair Pedeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, its regular meeting held on Thursday, December 21, 2023, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

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Preliminary Plan No.
120230120
Tregoning Property
Forest Conservation Plan No
F20230420

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

February 12, 2024

MCPB No. 23-119
Forest Conservation Plan No. F20230420
Tregoning Property
Date of Hearing: November 16, 2023

CORRECTED RESOLUTION

WHEREAS, under Montgomery County Code Chapter 22A, the Montgomery County Planning Board is authorized to review forest conservation plan applications; and

WHEREAS, on June 6, 2023, ESC Tregoning LC (“Applicant”) filed an application for approval of a Preliminary Forest Conservation Plan on approximately 37.85 acres of land located at Parcels 104 and 617 (“Subject Property”) located southwest of the intersection of Kings Valley Road and Preakness Drive in Clarksburg, MD in the Rural East Policy Area and the 1994 Clarksburg Master Plan and Hyattstown Special Study Area; and

WHEREAS, Applicant’s forest conservation plan application was designated Preliminary Forest Conservation Plan No. F20230420, Tregoning Property (“Forest Conservation Plan” or “Application”);¹and

WHEREAS, following review and analysis of the Application by Planning Board Staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board dated November 3, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on November 16, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice-Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioner Bartley, Hedrick and Linden voting in favor.

¹ Unless specifically indicated otherwise, the Board has reviewed the preliminary Forest Conservation Plan. The Final Forest Conservation Plan will be submitted in conjunction with the Site Plan in accordance with Sec. 22A-11(b)(2) of the Forest Conservation Law. Therefore, for purposes of this Resolution, whether or not indicated, the Board’s action is with regard to the Preliminary Forest Conservation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Forest Conservation Plan No. F20230420 on the Subject Property, subject to the following conditions:²

1. The Applicant must comply with the following conditions of approval for the Preliminary Forest Conservation Plan No. F20230420 (“PFCP”), as approved in conjunction with the Preliminary Plan of Subdivision:
 - a. The Applicant must obtain approval of a Final Forest Conservation Plan (“FFCP”) before submitting a record plat for review or obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for this Subject Property.
 - b. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.
 - c. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for this development Application, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved FFCP. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and must be recorded in the Montgomery County Land Records by deed. The Book/Page for the easement must be referenced on the record plat.
 - d. Before Certified Preliminary Forest Conservation Plan approval, the Applicant must remove the proposed 20-foot-wide sewer line easements through the stream valley buffer shown on the PFCP on Parcel 617 and record a Category I Conservation Easement over the entirety of the stream valley buffer exclusive of the AT&T right-of-way. Before Certified Preliminary Plan and Certified PFCP approval, the Applicant, with approval from Staff, may show an illustrative alignment for the sewer line through the stream buffer with the label “Potential sewer alignment shown for illustrative purposes to be finalized at the time of development application for Parcel 617. The final alignment and sewer line easement, with minimal disturbance to the stream buffer and associated forest, will be determined at the time of development application for Parcel 617, and the overlapping Forest Conservation Easement will be removed and mitigated onsite.
 - e. At the time of the Certified Preliminary Forest Conservation Plan submittal, the Applicant is to remove the Category I Conservation Easements over Reforestation Areas P-1 and P-2.
 - f. At the time of the Certified Preliminary Forest Conservation Plan submittal, the Applicant must address all outstanding Staff comments on the PFCP.

² For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A, and ensures the protection of environmentally sensitive features.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

The Applicant has submitted a Preliminary Forest Conservation Plan No. F20230420 (“PFCP”) for concurrent review with the development plan application for a Preliminary Plan of Subdivision Plan No. 120230120. Residential development is occurring only on Parcel 104. While Parcel 617 is part of the overall application, it is only being used to extract and transfer residential density to Parcel 104. The Application retains the development rights for 2 market-rate units on Parcel 617 for future development. The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and is in compliance with the Montgomery County Planning Department’s approved Environmental Guidelines.

The Subject Property is zoned RE-1 and is assigned a Land Use Category of Cluster Medium Density Residential (“CDR”) as defined in Section 22A-3 of the Montgomery County Forest Conservation Law (“FCL”) and in the Land Use Table of the Trees Technical Manual. This results in an afforestation threshold of 20% and a conservation threshold of 45% of the Net Tract Area.

The Net Tract Area for forest conservation purposes includes the 37.85 acres of Total Tract Area plus 0.38 acres of offsite disturbance associated with this Application and minus 1.24 acres of land dedication for rights-of-way, resulting in a total net tract area of 36.99 acres. There is a total of 2.95 acres of existing forest on the Subject Property with the Applicant proposing to remove 0.14 acres of forest. This results in a total afforestation/reforestation requirement of 4.57 acres within the same watershed/Priority Area or 4.64 acres outside of the same watershed/Priority Area. The Applicant proposes to meet the planting requirement by reforesting the 6.93 acres of unforested stream valley buffer as required under Sec. 22A-12(e)(1)(B) of the Forest Conservation Law.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as a high priority for retention and protection (“Protected Trees”). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree’s critical root zone (“CRZ”), requires a variance under Section 22A-12(b)(3) (“Variance”). Otherwise, such resources must be left in an undisturbed condition.

This Application will require the CRZ impacts to 4 Protected Trees as identified in Table 1. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

Table 1 – Protected Trees to be impacted

Tree Number	Botanical Name	Common Name	Size DBH	Tree Condition	% CRZ Impacted	Status
9	<i>Quercus montana</i>	Chestnut Oak	36”	Good	5%	Retain; impacts only; off-site tree
14	<i>Liriodendron tulipifera</i>	Tulip Poplar	30”	Good	1%	Retain; impacts only
21	<i>Acer rubrum</i>	Red Maple	30”	Good	9%	Retain; impacts only
31	<i>Liriodendron tulipifera</i>	Tulip Poplar	36”	Good	12%	Retain; impacts only

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the impacts to the 4 trees are due to the development of the Property, location of the trees in proximity to the limits-of-disturbance (“LOD”), and necessary site design requirements for this residential development. Granting a variance to allow disturbance within the developable portion of the site is not unique to this Applicant. Therefore, the Board finds that the granting of this variance is not a special privilege that is granted only to this Applicant and denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions, development standards of the zone, and necessary design requirements of this Application.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and the proposed site design and layout of the Subject Property, and not as a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Protected Trees that are being impacted, but not removed, are not located within a stream buffer, wetland or Special Protection Area. These trees being impacted are fully expected to recover and to continue providing the ecological and water quality functions that may be initially reduced by the impacts of the Protected Trees. Therefore, the Board finds that the Application will not violate State water quality standards or cause measurable degradation in water quality.

No mitigation is required for Protected Trees impacted but retained.


BE IT FURTHER RESOLVED that this Corrected Resolution constitutes the written opinion of the Planning Board in this matter, and the date of this Corrected Resolution remains **December 27, 2023**, (which is the date that the original Resolution was mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a corrected resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 3-0, Chair Harris, Vice Chair Pedoeem, and Commissioner Hedrick, voting in favor of the motion, Commissioners Bartley and Linden necessarily absent, at its regular meeting held on Thursday, February 8, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

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Preliminary Plan No.
120230120
Tregoning Property
Forest Conservation Plan No
F20230420

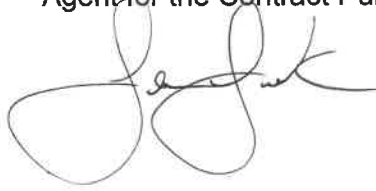
AFFIDAVIT OF PRE-SUBMISSION MEETING

Sereno Sok, agent for the contract purchaser of the property known as Tregoning Property, Damascus, Maryland hereby affirms under penalties of perjury that a Pre-Submission meeting was held on the day of December 19, 2023 at Hallie Wells Middle School located at 11701 Little Seneca Parkway, Clarksburg, Maryland commencing at 7:00 pm.

I further affirm that a Notice of Public Meeting was sent to the Community and Civic Associations within a one-mile radius of Tregoning Property as well as the adjoining and confronting property owners. A list of invitees is attached hereto.

Date: January 18, 2024

By: Sereno Sok,
Agent for the Contract Purchaser




STATE OF MARYLAND *

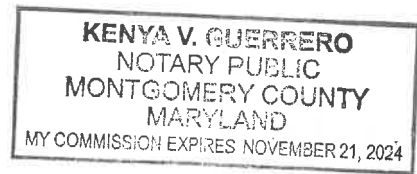
COUNTY OF MONTGOMERY *

I HEREBY CERTIFY that on this 18th day of January 2024, before me, the undersigned officer, personally appeared Sereno Sok, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing Affidavit and acknowledged that he executed the same as his act for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.



Notary Public



My Commission Expires: 11/21/2024

November 30, 2023

FIRST CLASS MAIL
NOTICE OF PRE-SUBMISSION MEETING

Name of Plan: Applicant: ESC Tregoning, LC

Current Zoning: RE-1

Number of Proposed Lots/ Area Included: 44 Lots, including 38 Single Family Detached Lots and 6 Townhome Lots

Geographical Location: West of the intersection of Preakness Road and Kings Valley Road, Damascus

Proposed Applications: Site Plan

You are invited to attend a pre-submission meeting for Tregoning Property, located west of the intersection of Preakness Road and Kings Valley Road in Damascus. This meeting is scheduled as follows:

Tuesday, December 19, 2023, 7:00 pm
Hallie Wells Middle School
11701 Little Seneca Parkway
Clarksburg, Maryland 20871

The Property, consisting of approximately 37 acres, is subject to a Site Plan application. The application proposes to develop the Property with a residential development consisting of 44 homes (38 single family detached and 6 single family attached), the remaining density for two unbuilt lots, and related open space.

If you are interested in receiving more information about the proposed application, you may contact Kate Kubit of Elm Street Development at 703-734-9730 or kkubit@elmstreetdev.com.

After submission, you will be able to obtain additional information regarding the application from the Development Application and Regulatory Coordinator Division of the Maryland National Capital Park and Planning Commission by accessing the website accessing www.montgomeryplanning.org/development or by calling 301-495-4610.

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CARLE BETHANY CARLE KEVIN
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MARTIN RODGER K & M G
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SANQUIST STEVEN J & J A
24000 DESERT WINE CT
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OBENLAND JEANNE & DAVID
24000 JOCKEY CLUB TER
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PANNELL MARK REQUENA PANNELL
KLEMENTYN
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24001 DESERT WINE CT
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EISEL ALLAN D & D F
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HARRINGTON JOHN J & V A
24004 GLADE VALLEY TER
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KAMUF MICHAEL & DEBRA
24004 JOCKEY CLUB TER
DAMASCUS, MD 20872

JIMENEZ RIEGA CARLOS A CARNERO
LOO JENNY PATRICIA
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MCKAY JAMES A
24005 DESERT WINE CT
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VILLASIN RAMON C & DAISY
24005 GLADE VALLEY TER
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PELLERITE HAROLD A & C A
24005 JOCKEY CLUB TERR
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PIERCE GEORGE A TRUSTEE PIERCE
JEAN E TRUSTEE
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TRANFAGLIA
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PUZA NATHAN PUZA KELLY
24008 GLADE VALLEY TER
DAMASCUS, MD 20872

STADTLER HEATHER & JAMES
24008 JOCKEY CLUB TER
DAMASCUS, MD 20872

SPARKS BONNIE JO TR
24008 PREAKNESS DR
DAMASCUS, MD 20872

BULL LAUREN C
24009 DESERT WINE CT
DAMASCUS, MD 20872

DUROJAIYE AYODEJI O & BIODUN O
AYO-DUROJAIYE
24009 GLADE VALLEY TER
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DE LEON FLOR M
24009 JOCKEY CLUB TER
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CLIPPER WARNER B SR & C B
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MILLER PATRICK H ET AL
24012 GLADE VALLEY TER
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CUTTITTA ROSEANNE A
24012 JOCKEY CLUB TER
DAMASCUS, MD 20872

GOMULINSKI-BILLETER DONNA
24013 DESERT WINE CT
DAMASCUS, MD 20872

DANN DEBBIE D
24013 JOCKEY CLUB TERR
DAMASCUS, MD 20872

SERI GODO YANNICK AIME SERI
EMINLEVO MIRLANDE
24013 PREAKNESS DR
DAMASCUS, MD 20872

CARLE H MARK & E
24016 DESERT WINE CT
DAMASCUS, MD 20872

ROUGHTON BROCK C ROUGHTON
MARY C
24016 GLADE VALLEY TER
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KEY DENNIS E & C A
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KING MARY KING ROGER JR
24017 DESERT WINE CT
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BURTON JUNE S
24017 GLADE VALLEY TERR
DAMASCUS, MD 20872

NOVINSKY JR JOHN W NOVINSKY SR
JOHN W ET AL
24017 PREAKNESS DR
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KLEM EDWARD BENSON
24020 GLADE VALLEY TER
DAMASCUS, MD 20872

RABENHORST PAUL ALAN
RABENHORST LYNN
24020 PREAKNESS DR
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GUTIERREZ WALTER J & S M
24021 DESERT WINE CT
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24021 GLADE VALLEY TERR
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NEW ROWLAND J & STEPHANIE M P
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CHEN THOMAS KRISTOPHER LIU
QINGYANG
24024 GLADE VALLEY TER
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GRIFFIN RACHEL GRIFFIN BRIAN
WILLIAM
24024 PREAKNESS DR
DAMASCUS, MD 20872

WALIAN FRANK LIV TR
24025 GLADE VALLEY TER
DAMASCUS, MD 20872

KELLNER DOUGLAS MICHAEL
MIGNEAULT KATHLEEN ANN ET AL
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DAMASCUS, MD 20872

FAHMY NASR N
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LEE RICHARD W & S J
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WALSH ROBERT H JR & BRENDA A
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BRIDGES MEGAN MARIE BRIDGES
RACHEL LYNN ET AL
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BROWNING NORA M URQUIZA JOSE
MANUEL
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DAMASCUS, MD 20872

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TINKU
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24041 GLADE VALLEY TER
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WILLIAMS
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CURTIS KERRY O & MICHAEL
24101 SECRETERIAT CT
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SAD IGHI RAD JAHANBAKSHSH &
ALIJANI MARJAN
24104 PREAKNESS DR
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MAISCH WILLIAM C
24105 PREAKNESS DR
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P
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24125 RIDGE RD
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CLARK IAN W & MADERA S
24129 PREAKNESS DR
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SWEEPSTAKES HOMEOWNERS ASSN
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43054 JOHN MOSBY HWY
CHANTILLY, VA 20152

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24140 RIDGE RD
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GISLON EDERSON LIMA GISLON
CRISTIANE
24141 KINGS VALLEY RD
DAMASCUS, MD 20872

GIOVE JOESEPH 3RD GIOVE JULIE
MELISSA
24200 HAILEY DR
DAMASCUS, MD 20872

LOPEZMEJIA NOE A JOYADELOPEZ
LUCIA M ET AL
24200 KINGS VALLEY RD
DAMASCUS, MD 20872

DETSIS GEORGE E TRUST DETSIS
GEORGE E TRUSTEE
24201 HAILEY DR
DAMASCUS, MD 20872

MCNICHOLAS JOHN P JR & MARY L
GARNER
24203 HAILEY DR
DAMASCUS, MD 20872

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ANGELA SUE
24219 RIDGE RD
DAMASCUS, MD 20872

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24220 KINGS VALLEY RD
DAMASCUS, MD 20872

PONCE DENYS A AGUILUZ AGUILUZ
JOSE A
24224 RIDGE RD
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24230 KINGS VALLEY RD
DAMASCUS, MD 20872

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24238 KINGS VALLEY RD
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KATHLEEN
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PLANNING COMMISSION
2425 REEDIE DR
11TH FLOOR
WHEATON, MD 20902

MONTGOMERY COUNTY
EOB 101 MONROE ST
ROCKVILLE, MD 20850

WASH SUB SAN COMM
C/O T-MOBILE USA INC
12929 SE 38TH ST
BELLEVUE, WA 98006

WASH SUB SAN COMM
C/O NATIONAL CONTRACTS
6391 SPRINT PKWY
OVERLAND PARK, KS 66251

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8737 COLESVILLE RD #800
SILVER SPRING, MD 20910

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MICHELLE MARIE
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GALDAMEZ JAIME R
24301 KAKAE DR
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MELLENDEZ JULIO & HILDA
24301 RIDGE RD
DAMASCUS, MD 20872

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DAMASCUS, MD 20872

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DAMASCUS, MD 20872

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KEITH EDWARD
24305 RIDGE RD
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24309 KAKAE DRIVE
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24309 RIDGE RD
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24310 KINGS VALLEY RD
DAMASCUS, MD 20872

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24312 RIDGE RD
DAMASCUS, MD 20872

ALFARO OSCAR ROMERO ALFARO
ANIBAL ROMERO
24313 RIDGE RD
DAMASCUS, MD 20872

ANTONIO FRANCISCA RUBIO AVILES
EDUARDO APARICIO
24316 RIDGE RD
DAMASCUS, MD 20872

ALFARO ANIBAL ROMERO ALFARO
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DESCHENES ALAIN C & S J
24321 RIDGE RD
DAMASCUS, MD 20872

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NAGINA
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LAYTONSVILLE, MD 20882

WASHINGTON SUB SAN COMM
4017 HAMILTON ST
HYATTSVILLE, MD 20781

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850 HUNGERFORD DR
ROCKVILLE, MD 20850

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10206 CROSSCUT WAY
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23100 BANK BARN CT
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CODY WALKO
10607 BUDSMAN TER
DAMASCUS, MD 20872

JIM STEAGALL
10704 SANTA ANITA TER
DAMASCUS, MD 20872

Name	Address	City	State	Zip	Email
Marianne Green	10809 Gulfstream Court	Damascus	MD	20872	greenmts@hotmail.com
Sheryl Diamantides	11101 Hoffman Dr	Germantown	MD	20876	sdiamantides@verizon.net
Danny Diamantides	11101 Hoffman Dr	Germantown	MD	20876	
Jim Steagall	10704 Santa Anita Terrace	Damascus	MD	20872	jim.steagall@montgomerycollege.edu
Fred Laudwein	11424 Hawkes Road	Clarksburg	MD	20871	fred_laudwein@verizon.net
Bonnie Sparks	24008 Preakness Dr.	Damascus	MD	20872	bjsparks@gmail.com
Gail Brodrick	24028 Preakness Dr.	Damascus	MD	20872	
Marianne Galczynski	10821 Show Pony Place	Damascus	MD	20872	
David Post	10725 Santa Anita Terrace	Damascus	MD	20872	dbpost@gmail.com
Daivd Obenland	24000 Jockey Club Terrace	Damascus	MD	20872	doberland@gmail.com

TREGONING PROPERTY

Community Outreach Meeting 12/19/2023

7:00 PM

Signup Sheet

↓ EMAIL & ADDRESS

Signature

Printed Name

1. Marianne Green greenmts@hotmail.com Marianne Green

2. 10809 Gulfstream Court, Damascus

3. _____

4. Sheryl Diamantides 1101 Hoffman Dr Sheryl Diamantides

5. Danny Diamantides " sdiamantides@verizon.net

6. [Signature] C.O. Moore 11604 PIEDMONT RD

7. Jim Stegall 10704 Santa Anita Ter Damascus Jim Stegall @montgomerycollege.edu

8. Fred Laudwein 11424 HAWKES RD Fred Laudwein

9. Fred-Laudwein@verizon.net

10. Bonnie Sparks 24008 Preakness Dr. Bonnie SPARKS BJSSPARKS@gmail.com

11. Gail Brodrick 24028 Preakness DR Gail

13. Marianne Galczynski 10821 Show Pony Pl. Marianne Galczynski

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

BJSSPARKS@gmail.com

TREGONING PROPERTY

Community Outreach Meeting 12/19/2023

7:00 PM

Signup Sheet

Signature	Printed Name	EMAIL & ADDRESS
40. <i>David Post</i>	10725 SANTA ANITA TER. DAVID POST DBPOST@GMAIL.COM	
41. <i>David Oberland</i>	David Oberland	doberland@critter.com 24000 Jockey Club Ter DUBLIN CA 94568
42.		
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Tregoning Property – Site Plan Pre-Submission Meeting

December 19, 2023, 7 pm

Hallie Wells Middle School, Clarksburg, Maryland

1. Developer Presentation

- a. Project overview: Approx. 120 acres, mostly farmed; some forest.
- b. 1994 Master Plan: Water and sewer recommendation, low density residential (1-5 units per acre) with cluster development.
- c. Zoning: RE-1; 37.9 acres, 1.22 units per acre = 46 units (2 retained by seller); 38 SFD, 6 SFA
- d. Preliminary Plan Approval: 46 units (2 retained by seller), including 38 SFD and 6 SFA, Hoffman Drive Extension, alley serves some lots, sidewalks throughout the project; off-site sidewalk on MD-27
- e. Site Plan Proposal: 46 units (2 retained by seller), including 38 SFD, 6 SFA, Hoffman Drive Extension, sidewalks throughout project, Hoffman Sidewalk, more detailed design with grading, on-site rec facilities, lighting, etc
- f. Next Steps – Submit to MNCPPC (Jan 2024), PB hearing (120 days after submission acceptance), Break ground (late 2024), home construction (2025).
- g. Provided contact information for MNCPPC for residents who want to be involved in the development review process and contact information for the Developer in case residents had future questions or comments.

2. Resident/Developer Q&A

Resident Comment: Participants continue to vehemently dislike the Hoffman Drive Road connection from MD-27 through the site. Concern: cut through traffic, speeding, no sidewalks in existing communities, etc.

Developer Response: This road connection was not proposed by the applicant; it was an MNCPPC requirement. As a compromise, the Hoffman Drive Road connection was designed by the applicant with a T-intersection and stop sign to slow down traffic and discourage cut-through traffic.

Resident Comment: Residents continue to voice concerns about vehicular traffic generated by the project, in particular at the Kings Valley Road and MD-27 traffic signal.

Developer Response: Per the Traffic Study the volume at the signal at peak hour is within acceptable parameters of lane volume. No mitigation required.

Resident Comment: There are concerns about construction traffic through the neighborhood.

Tregoning Property – Site Plan Pre-Submission Meeting

December 19, 2023, 7 pm

Hallie Wells Middle School, Clarksburg, Maryland

Developer Response: Our expectation is that construction traffic will access the job site via Kings Valley Roadway; we will work with contractors and their personnel to reinforce this and will ask for community let us know about contractors are not using Kings Valley Roadway.

Resident Comment: Residents greatly dislike and do not understand the sidewalk along MD-27. They point out that the MD-27 sidewalk is a duplicate of the trail to the school, don't understand how this small segment of sidewalk improves pedestrian safety and believe that the money for this better used elsewhere.

Developer Response: Developer pointed out that we looked at other projects to serve pedestrians in other areas, and, due to the myriad of constraints, these were not feasible given County standards. We also discussed the proposed CIP money that will connect this sidewalk to the existing trail. Moreover, we pointed out that MNCPPC would prefer that the private sector build projects versus paying into the county to build projects.

Resident Comment: Residents were asking about timing of construction and home construction.

Developer Response: We walked through the projected timeframes of the project again.

DPS-ROW CONDITIONS OF APPROVAL**May 31, 2024****820240080 Tregoning Property**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820240080-003.pdf V5” uploaded on/ dated “5/28/2024” and
 “07-SITE-820240080-004.pdf V5” uploaded on/ dated “5/28/2024” and

The followings need to be addressed prior to the certification of site plan:

1. Address the following conditions of MCDOT preliminary plan 120230120 approval letter dated 10/24/2023:
 - a. Significant Preliminary Plan Comments:
 - i. 1.a.i: Incorporate MC-220.01 into the transition from closed to open section.
 - ii. 1.b: Hoffman Drive sidewalk termination at the transition.
 - iii. 2.d: Grades tie-out.
 - iv. 3.a: Kings Valley Road sidewalk termination.
 - v. 3.b.ii: ROW adjustment due to AT&T easement.
 - vi. 3.b.iii: lack of PUE justification.
 - vii. 3.b.iv: Kings Valley Road cross sections (details, ROW, etc).
 - viii. 6: storm drain study based on the closest downstream structure.
 - b. Standard Preliminary Plan Comments:
 - i. 3: Ensure the driveways remain with the lot frontages and have adequate clearances from other site features (such as 15A).
 - c. TIS Comments:
 - i. 1: Traffic on Hoffman Drive.
 - ii. 2: New layouts.
 - iii. 3: Parking width.
 - iv. 4: Offsite improvements.
 - v. 5: lighting.
2. Provide public sidewalk:
 - a. to ADA standards and label/ notate accordingly.
 - b. ensure/ show all sidewalks/ handicap ramps have matching receiving counterparts, are aligned and ADA connection is provided. Show/ label the existing sidewalks where connection is made.
 - c. Ensure handicap ramps are located as close as possible to the intersections.
3. The proposed storm drain system layout will be reviewed at ROW permit stage to include the followings:
 - a. Show storm drain easements.
 - b. Provide flow direction.
 - c. Avoid acute angles in between the pipes.
 - d. Provide/ label the detail of road runoff conveyance to the SWM facilities.
 - e. Swale and adequate buffer design including the proposed outfall.
4. On landscaping plan, provide street trees per approved major tree species list at the required spacing and clearances.

And the following needs to be a condition of the certified site plan:

1. Private streets to be built to the corresponding public road classification standards per County Code 50.4.3.E.4.c.
2. Chokers to meet DPS criteria.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

July 29, 2024

Mr. Amir Arabi
Charles P. Johnson & Associates, Inc.
1751 Elton Road, Suite 300
Silver Spring, MD 20903

Re: **SITE DEVELOPMENT STORMWATER
MANAGEMENT PLAN** Request for
Tregoning Property
Preliminary Plan #: 12023012A
Site Plan #: 820240080
SM File #: 288354
Tract Size: LSC 653,902 sf/15.01 Ac
GSC 90,543 sf/2.08 Ac.
Zone: RE-1
Total Concept Area: LSC 499,580 sf/11.47 Ac.
GSC 116,458 sf/2.67 Ac.
Lots/Block: Lots 1-44
Parcel(s): P104
Watershed: Little Seneca Creek/IV, Great
Seneca Creek/III
Redevelopment (Yes/No): No

Dear Mr. Arabi:

Based on a review by the Department of Permitting Services Review Staff, the Site Development Stormwater Management Plan for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via micro-bioretenion and a bio-swale.

The following **items** will need to be addressed **during** the final stormwater management design plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. At the final design stage, investigate moving micro-bioretenion #1, located north of Hoffman Drive, to the open space parcel south of Hoffman Drive.
5. The micro-bioretenion devices located along Kings Valley Road must be accessible from Kings Valley Road.



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingservices

Mr. Amir Arabi

July 29, 2024

Page 2 of 2

6. Landscaping in areas located within the stormwater management easement which are shown on the approved Landscape Plan as part of the approved Site Plan are for illustrative purpose only and may be changed at the time of detailed plan review of the Sediment Control/Storm Water Management plans by the Montgomery County Department of Permitting Services, Water Resources Section.
7. A copy of this approval letter and the original concept approval letter must be placed on the final plan.

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

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is not required**.

This letter must appear on the final stormwater management design 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 Sherry Mitchell at 240-777-5206 or sherryl.mitchell@montgomerycountymd.gov.

Sincerely,

Mark Etheridge

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

MCE: scm

cc: N. Braunstein
SM File # 288354

LSC

ESD: Required/Provided 26,730 cf / 26,772 cf
PE: Target/Achieved: 1.60"/1.82"
STRUCTURAL: N/A cf
WAIVED: N/A cf.

GSC

ESD: Required/Provided 1,626 cf / 2,180 cf
PE: Target/Achieved: 1.00"/1.34"
STRUCTURAL: N/A cf
WAIVED: N/A cf.

Kings Valley ROW

ESD: Required/Provided 826 cf / 1,379 cf
PE: Target/Achieved: 1.00"/1.15"
STRUCTURAL: N/A cf
WAIVED: N/A cf.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Rabbiah Sabbakhan
Director

July 22, 2024

Mr. Amir Arabi
Charles P. Johnson & Associates Inc.
1751 Elton Road, Suite 300
Silver Spring, Maryland 20903

Re: Stormwater Management **CONCEPT**
RECONFIRMATION for Tregoning Property
SWM Concept #:288354
Prel. Plan Amendment 12023012A

Dear Arabi:

Your request for a stormwater management concept reconfirmation for the above site has been evaluated. The original approved SWM concept dated October 30, 2023, is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

If you have any questions regarding these actions, please feel free to contact Sherry Mitchell at 240-777-5206 or sherryl.mitchell@montgomerycountymd.gov.

Sincerely,

Mark Etheridge

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

Cc: SM File #: 288354
Jeffrey Server – MNCPPC
Neil Braunstein - MNCPPC



2425 Reedie Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingservices



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Scott Bruton
Director

September 10, 2024

Mr. Jeffrey M. Server
Montgomery County Planning Department
2425 Reddie Drive, 13th Floor
Wheaton, MD 20902

Re: Tregoning Property
Site Plan # 820240080

Dear Mr. Server:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval for up to forty-six (46) units including up to six (6) MPDUs 13% in Clarksburg, Maryland. The referenced plan meets the requirement set in Chapter 25A, providing 12.5% of the total dwelling units as MPDUs.

An Agreement to Build must be submitted to be reviewed, and executed by DHCA before building permits are obtained from the Department of Permitting Services (DPS). The final MPDU layouts will need to be approved by DHCA at the MPDU Agreement to Build stage.

Sincerely,

Adrian Hopson, Planning Specialist III
Affordable Housing Programs Section

Division of Housing





**Department of Permitting Services
Fire Department Access and Water Supply Comments**

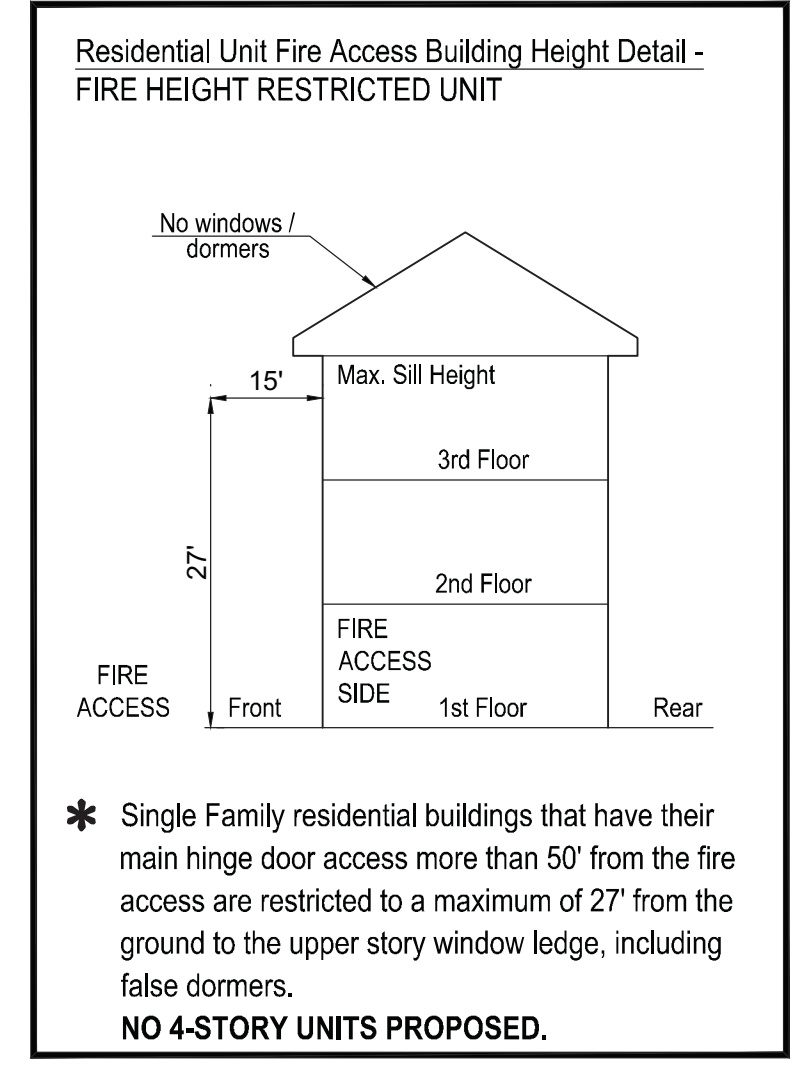
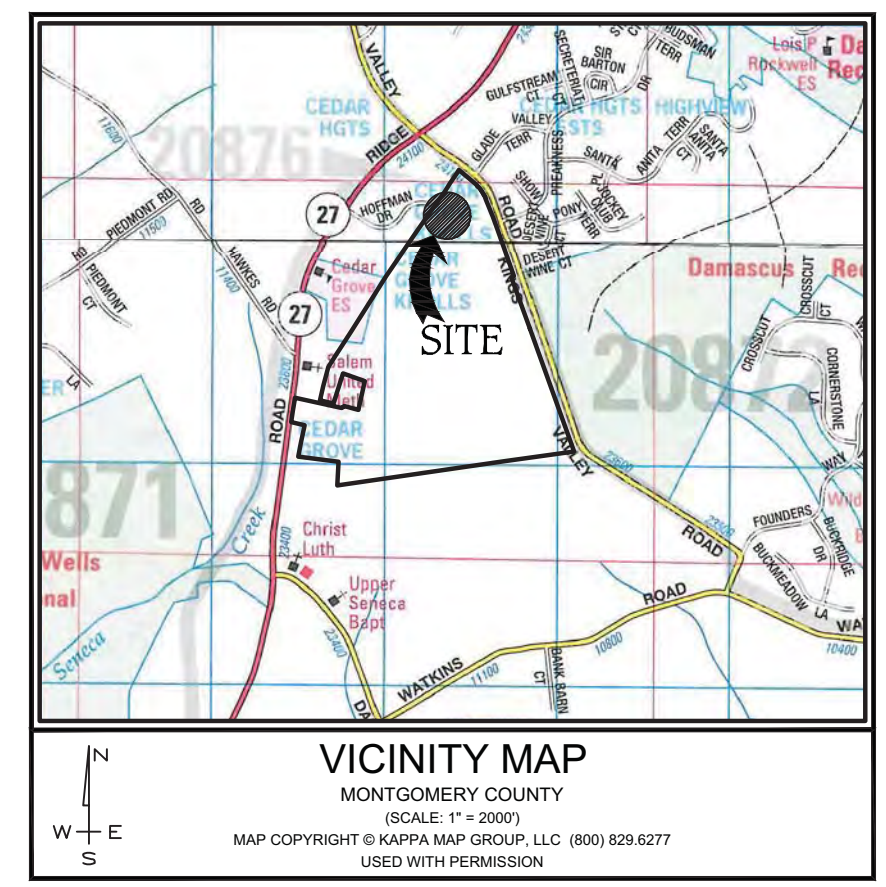
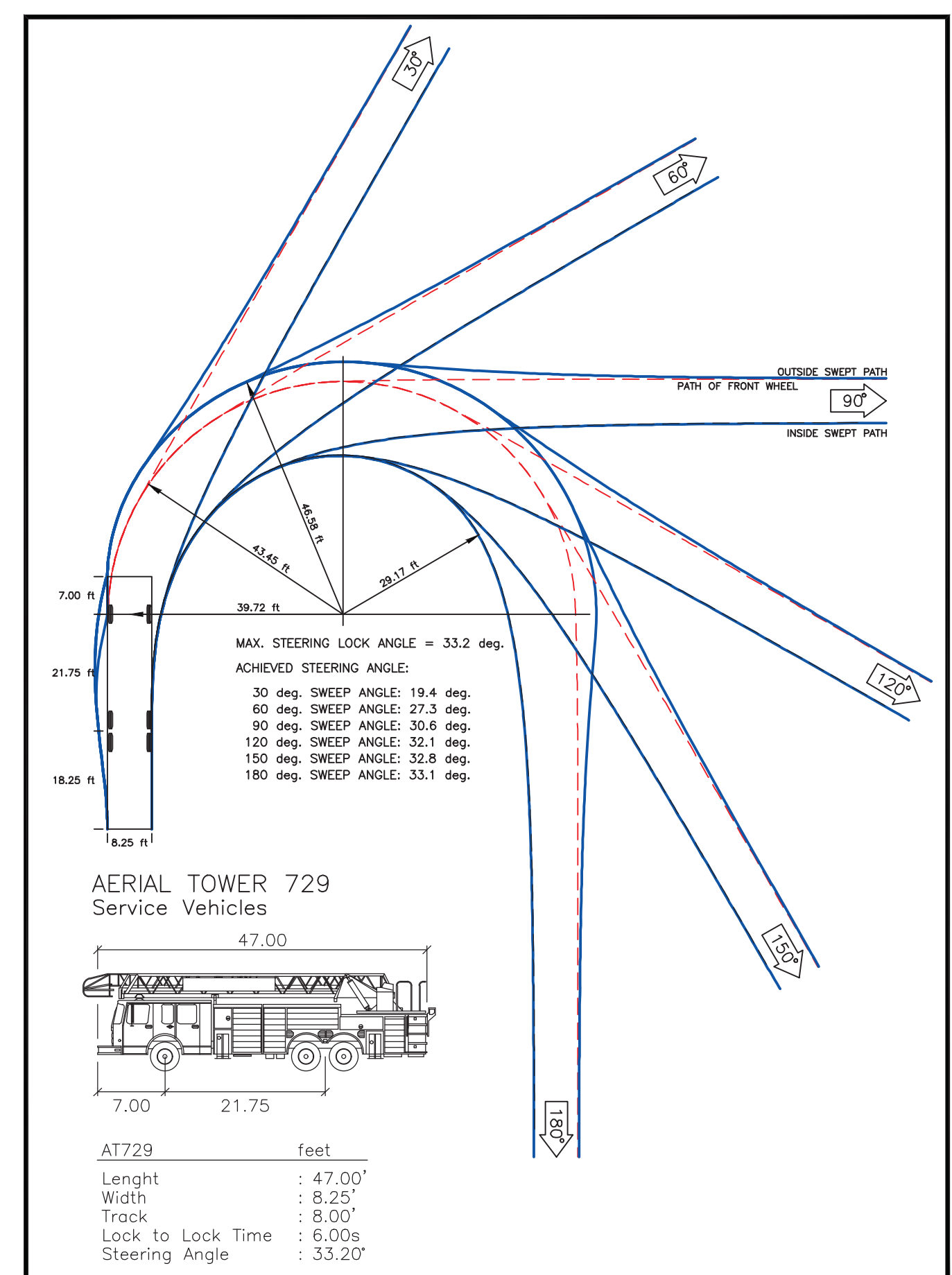
DATE: 25-Nov-23
TO: Tim Stemann - tstemann@cpja.com
Charles P Johnson & Associates
FROM: Marie LaBaw
RE: Tregoning Property
120230120

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **17-Nov-23**. 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.

***** Parking restrictions to be legally processed and installed prior to issuance of any occupancies impacted by said restrictions *****

***** 7/15/2024 Revised alley behind units 36-39 and 40-44 *****

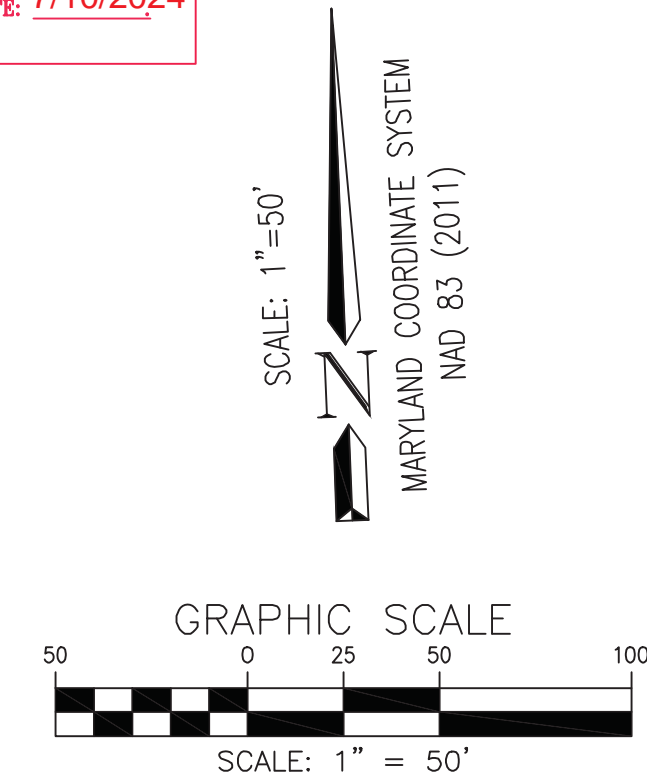
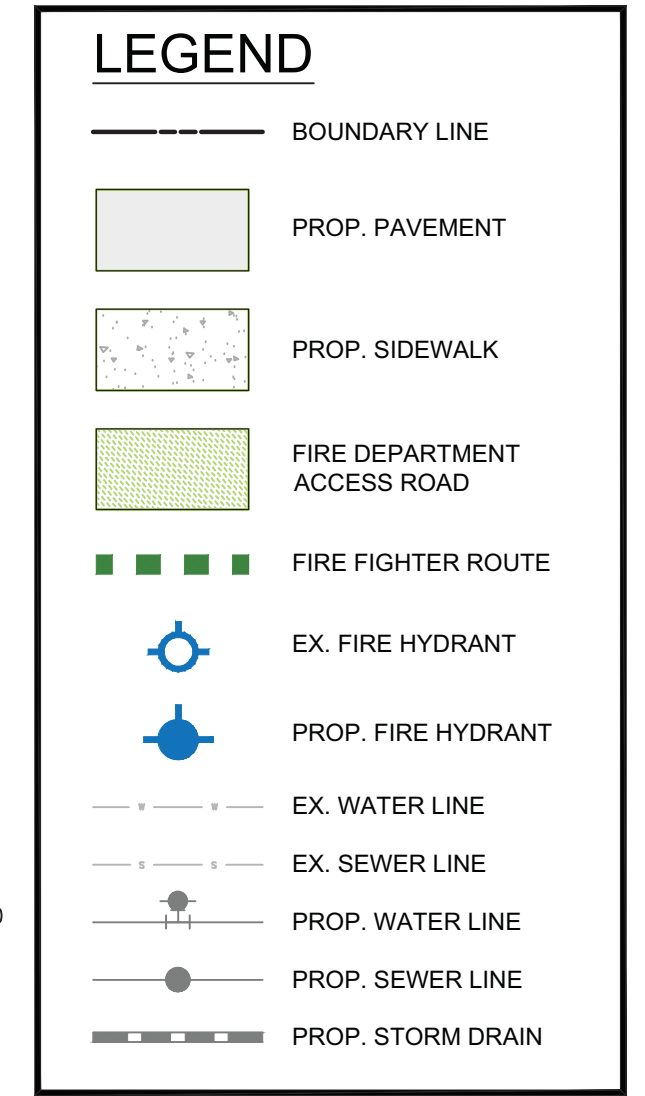


FIRE CODE ENFORCEMENT

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.C.** PM: **43** DATE: **7/10/2024**



UPDATES/REVISIONS:

03/07/24	UPDATED FOR CERTIFICATION	FGY

MISS UTILITY

Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work. The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 28A of the Montgomery County Code. CERTIFICATIONS ON THIS SHEET ARE REQUIRED ON ANY PLAN INVOLVING STORMWATER MANAGEMENT. THE STRUCTURAL CERTIFICATION IS REQUIRED FOR UNDERGROUND STORMWATER MANAGEMENT STRUCTURES WHERE POURED CONCRETE WALLS ARE TO BE UTILIZED, OR ON ANY OTHER STRUCTURE WHERE MODS DEMS ARE APPROPRIATE.

FIRE DEPARTMENT ACCESS PLAN
PRELIMINARY PLAN 120230120

TREGONING PROPERTY
DAMASCUS (12th) ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT: ESC/TREGONING/LLC
 KATHRYN KURTZ
 ISSA BEVERLY RD. SUITE 240, MCLEAN VA 22101
 703.774.8220
 KKURTZ@ELASTREEDTEAM.COM

WSSC GRID: 233NW11
 TAX MAP: FW122

DESIGN	MED	SHEET	OF
DRAFT	MED	10	10

DATE: JUNE, 2024
 SCALE: 1" = 50'
 2020-1348-45.0.D

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PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, A THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER: **30287**
 EXPIRATION DATE: **05/18/2026**

DocuSigned by:
 Robert M. Tregoning
 A75968493F354DE
 PROFESSIONAL ENGINEER
 Not valid without signature

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: _____ PM: _____ DATE: _____

Server, Jeffrey

From: Farhadi, Sam <Sam.Farhadi@montgomerycountymd.gov>
Sent: Thursday, July 11, 2024 8:48 AM
To: Server, Jeffrey; Gonzalez-Velez, Justine
Cc: Somarajan, Deepak
Subject: RE: [INTERNAL] Tregoning Property, Site Plan 820240080

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Jeff and Justine,

I looked into the private alley B intersections with public roads A and B. As we discussed yesterday, due to the alley pavement width reduction to 16', the curb radii have been increased to 27' to meet Fire Access requirements. Therefore, please include the following in the site plan conditions of approval:

“At the ROW permit stage, the applicant needs to provide protected intersection design at the private alley B intersections with public roads A and B for MCDPS review/ approval and implementation.”

This email is provided in lieu of an amended DPS ROW approval memo. Please let me know if you have any question.

Thank you,

Sam

Sam Farhadi, P.E.
Right of Way Plan Review Section
Land Development Division
2425 Reedie Drive, 7th Floor
Wheaton, Maryland 20902
Tel: 240 777-6333



-----Original Appointment-----

From: Gonzalez-Velez, Justine <Justine.Gonzalez-Velez@montgomeryplanning.org>
Sent: Tuesday, July 9, 2024 4:12 PM
To: Gonzalez-Velez, Justine; Server, Jeffrey; Somarajan, Deepak; Farhadi, Sam
Subject: [INTERNAL] Tregoning Property
When: Wednesday, July 10, 2024 3:00 PM-3:45 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

[EXTERNAL EMAIL]

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 280 639 212 341

Passcode: rypuXn

Dial in by phone

[+1 443-961-1463,,378663919#](#) United States, Baltimore

[Find a local number](#)

Phone conference ID: 378 663 919#

Join on a video conferencing device

Tenant key: teams@mncppc-mc.onpexip.com

Video ID: 112 937 383 9

[More info](#)

For organizers: [Meeting options](#) | [Reset dial-in PIN](#)



For more helpful Cybersecurity Resources, visit: <https://www.montgomerycountymd.gov/cybersecurity>

Server, Jeffrey

From: Somarajan, Deepak <Deepak.Somarajan@montgomerycountymd.gov>
Sent: Friday, July 19, 2024 9:59 AM
To: Tim Stemann
Cc: kkubit@elmstreetdev.com; Sereno Sok; Server, Jeffrey; Farhadi, Sam; Torma, Rebecca
Subject: RE: Tregoning Property - Preliminary Plan Amendment

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Tim,

As discussed, all the changes are on the private side, and the minor changes within the ROW due to these can be worked out as part of the site plan. So, as agreed by all, there is no need for a revised letter from MCDOT, and therefore, no fee needs to be paid.

Thank You

Deepak Somarajan

*******Please see the link below for the new Application Process & Sight Distance Form*******

Application: <https://www.montgomerycountymd.gov/dot-dir/Resources/Files/DevRevApplication.pdf>

Sight Distance Form: <https://www.montgomerycountymd.gov/dot-dir/Resources/Files/SightDistanceForm.pdf>

Deepak Somarajan, PE, PTOE, LEED AP BD+C
Engineer III , Development Review Team
Director's Office, Department of Transportation
101 Monroe Street, 10th floor
Rockville, MD 20850
Office 240-777-2194
Cell: 240-383-5237
deepak.somarajan@montgomerycountymd.gov

Stay connected



From: Tim Stemann <TStemann@cpja.com>
Sent: Thursday, July 18, 2024 3:18 PM
To: Somarajan, Deepak <Deepak.Somarajan@montgomerycountymd.gov>
Cc: kkubit@elmstreetdev.com; Sereno Sok <ssok@cpja.com>
Subject: Tregoning Property - Preliminary Plan Amendment

[EXTERNAL EMAIL]

Deepak –

I've put together the application for the revision to the Preliminary Plan – not sure if the traffic study is necessary – as it's just a change to the interior alleys. Let us know if this amount seems correct – we'll work with Kate to get this over to you ASAP.

Thanks-
TIM



Tim Stemann, P.E.

Engineering Manager
Engineering Department

Charles P. Johnson & Associates, Inc.

1751 Elton Road | Suite 300 | Silver Spring, MD 20903

301-434-7000 x151 | 301-434-9394 (fax) | (mobile)

www.cpja.com | TStemann@cpja.com



For more helpful Cybersecurity Resources, visit: <https://www.montgomerycountymd.gov/cybersecurity>