



FREDERICK COUNTY PLANNING COMMISSION
July 13, 2016

TITLE: Main's Heights

FILE NUMBER: S-002/SP-07-09, AP 16291, APFO 16292, FRO 16293

REQUEST: **Combined Preliminary/Site Development Plan Approval**

The Applicant is requesting approval for a redesign of a previously approved Combined Preliminary/Site Development Plan for 30 single family detached dwellings and 29 townhouses, on a 16.68-acre site.

PROJECT INFORMATION:

LOCATION: West side Mains Lane, north side Bartonsville Road
TAX MAP & PARCEL: Tax Map 78, Parcel 81
ZONE: R-3 Residential
REGION: New Market
WATER/SEWER: S-3 Dev., W-3 Dev.
COMP. PLAN/LAND USE: Low Density Residential

APPLICANT/REPRESENTATIVES:

APPLICANT: Younghye, LLC
OWNER: Younghye, LLC
ENGINEER: Harris, Smariga & Associates, Inc.
ARCHITECT: N/A
ATTORNEY: N/A

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION: Conditional Approval

ATTACHMENTS:

Exhibit 1- Site Plan Rendering
Exhibit 2- Alternative Landscape Plan Modification

STAFF REPORT

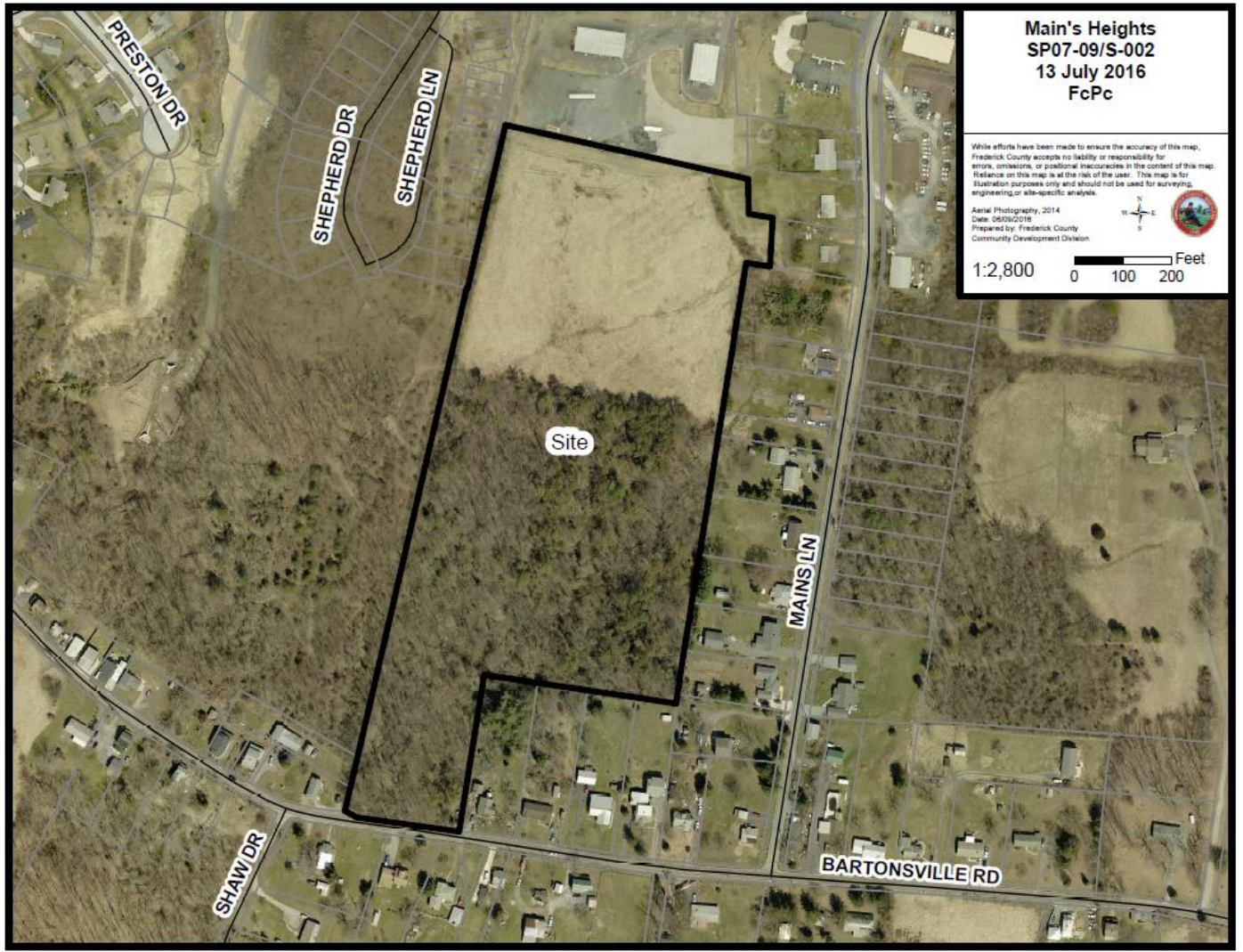
ISSUE

Development Request

The Applicant is requesting Combined Preliminary/Site Development Plan approval of an amendment to the previously approved Combined Preliminary/Site Plan S-002, AP #12055 for 30 single family detached dwellings and 29 townhouses, on a 16.68-acre site. The current amendment removes "Bart's Terrace" and reconfigures the Townhouse lot locations around the site. The current amendment maintains the same number of lots and unit types from the previous approval.

The proposed project is subject to the Frederick County Subdivision Regulations for subdivision approval and the Zoning Ordinance for Site Development Plan approval. The proposed use is being reviewed for Site Development Plan approval as a Townhouse land use under the *Residential Uses* heading per § 1-19-5.310 Use Table of the Zoning Ordinance. The setbacks proposed for this subdivision are based on the Moderately Priced Dwelling Unit Program for land uses within the R-3 zoning district in accordance with Zoning Ordinance Section 1-19-8.620.5. The proposed townhouse land use is a principal-permitted-use subject to site development plan approval in the R-3 zoning district. The project is located to the west of Mains Lane, north of Bartonville Road, and south of MD 144. See Graphic #1 below.

Graphic #1 Aerial



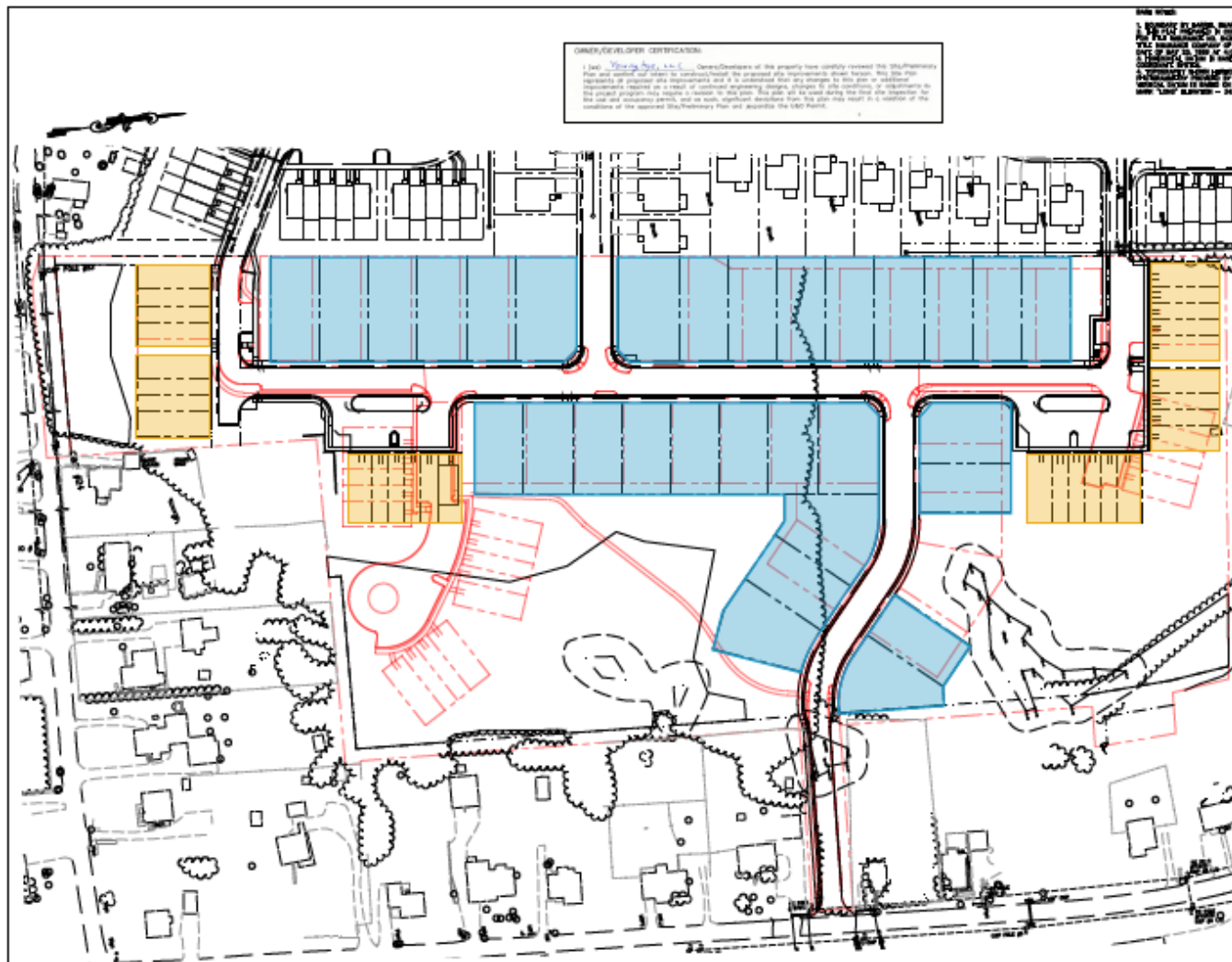
BACKGROUND

Development History

- Subsequent to 2001 and 2004 Preliminary Plan approvals, the FCPC approved a Preliminary Plan for “Mains Heights” for 59 lots (which included townhouse lots) as an age-restricted community on April 12, 2006 (Mains Heights AP 4331). The Mains Heights Preliminary Plan proposed a clubhouse, tennis court, putting green, gazebo, forest preservation and trails that connected to the sidewalk system and to the alleys. Many of the proposed amenities were duplicated in the adjoining Preston, Section 2 age-restricted development.
- **Adjoining Preston II Subdivision Application:** On October 11, 2006 the FCPC also approved a Preliminary Plan for an **age-restricted community** called Preston, Section 2 on an adjacent parcel.
- On September 12, 2009, the FCPC re-approved a redesign of the 2006 Main’s Heights subdivision approval.
- A Staff level revision to Main’s Heights was completed on December 14, 2011, S-002 (AP# 12056). APFO LOU (AP#12055) to amend the Preliminary Plan previously approved at the September 12, 2009 FCPC Meeting. The purpose of the 2011 application was to modify the residential uses from restricted active adult to unrestricted use, addressing the roads and schools impacts associated with an increase in intensity of trip making and school student generation.
- The approval period for this project was two (2) years from the date of the re-approval on September 12, 2007 extending it to September 12, 2009. **On September 16, 2009, the application was granted a three (3) year extension, which extended the approval period until September 12, 2013. In 2011, this application received another 3-year extension, which extended the approval until September 12, 2016.**

Current Preliminary Plat Application: The purpose of the current Combined Preliminary/Site Development Plan amendment is to remove the “Bart’s Terrace” cul-de-sac on the south side of the development and reconfigure the townhouse locations around Bart’s Way on the north and south side. The single family lots, shown in blue in Graphic #2 below, have shifted slightly along the western property boundary, as well as the proposed Main’s Run Road to the east. Graphic #2 shows the existing approved Combined Preliminary/Site Development Plan S-002/AP#12055. Existing areas to be revised/removed are shown in red, with the resulting layout shown in yellow and blue. The current amendment maintains the same number of lots and unit types from the previous approval (S-002, AP #12055 for 30 single family detached dwellings and 29 townhouses, on a 16.68-acre site).

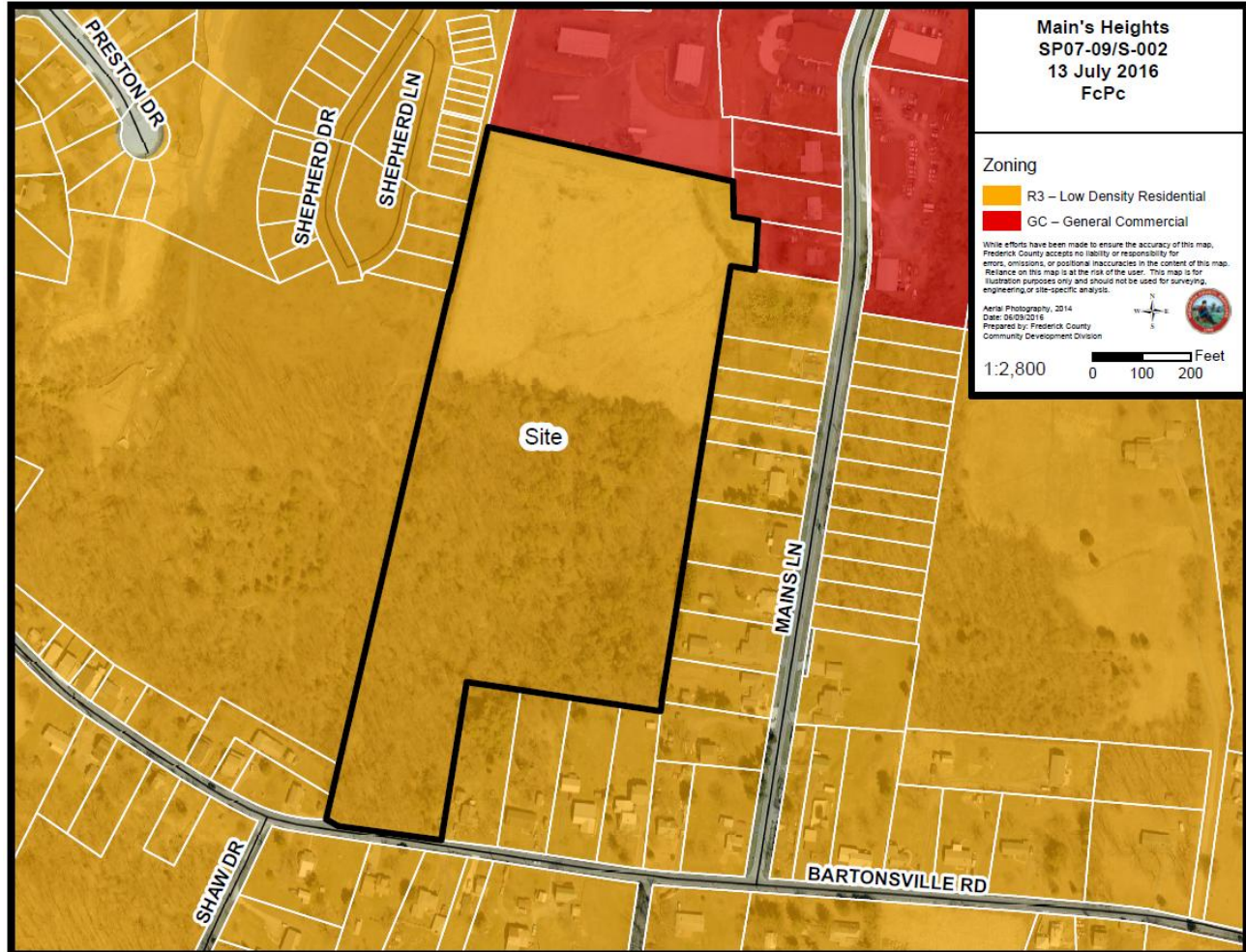
Graphic #2: Main’s Heights Alterations Graphic



Existing Site Characteristics

The site is currently zoned R-3 residential, and is a vacant wooded parcel that slopes significantly downgrade from west to east. The surrounding property to the west of the site is developed with the existing constructed Preston 1 and 2 residential subdivisions. Bartonville Road runs along the southern border of the site, and below the site there are existing single family residential homes. Mains Lane is located to the east of the site and also contains existing single family residential homes. The properties to the north are zoned General Commercial (GC) and contain existing businesses. See Graphic #3 below.

Graphic #3 Zoning Map



ANALYSIS

Summary of Development Standards Findings and Conclusions

The primary issues associated with this project were to preserve the overall approved design while accommodating the requested modifications as well as preserving the approved road connectivity between the existing Preston Section I & II and the proposed Mains Heights subdivision and Main's Lane.

The Applicant worked with Staff to increase landscaping throughout the site in order to screen the townhouse units from the single family detached dwellings, as well as provide screening for the existing commercial and residential lots to the north and east. The Applicant and Staff also worked on the redesign in order to preserve a larger tract of FRO easement area along the southern and eastern property boundaries.

Detailed Analysis of Findings and Conclusions

The Combined Preliminary Subdivision/Site Development Plan is subject to both the Zoning Ordinance and Subdivision Regulations within the Frederick County Code. Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County Zoning Ordinance. Preliminary Plan Approval is subject to the Subdivision Regulations in Chapter 1-16 of the Frederick County Code.

Site Development §1-19-3.300.4 (A): *Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.*

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-8.620.5:** The previously approved minimum setbacks (as detailed on sheet 3 of 3) remain unchanged and include the following: Single Family Detached; 23-foot front yard, 5-foot side yard, 25-foot rear yard, with a maximum height of 40 feet, Townhouses; 20-foot front yard, 15-foot side yard, 5-foot rear yard, with a maximum height of 40 feet.

The front loaded garage townhomes have a minimum of 25 feet from the face of garage to the edge of the 5 foot sidewalk. The setbacks utilized for this subdivision are based on the Moderately Priced Dwelling Unit Program for land uses within the R-3 zoning district in accordance with Zoning Ordinance Section 1-19-8.620.5. The setbacks adhere to the dimensional standards listed within Z.O. §1-19-8.620.5.

2. **Signage §1-19-6.300:** The Applicant is not proposing any signage at this time, although when signage is proposed the Applicant must receive permit approval based on Z.O. §1-19-6.320.
3. **Landscaping §1-19-6.400:** The Applicant has provided a landscaping plan in accordance with Zoning Ordinance (Z.O.) Section §1-19-6.400. The plan proposes a mix of evergreens and deciduous trees. The Applicant has provided several evergreen tree buffers between the townhomes and the single family detached dwellings. Street trees are also proposed to run along both sides of Broad Branch Way, Bart's Way, and Main's Run Road. Landscape screening and preserved Forest Resource Areas are proposed along the northern, eastern, and southern property lines in order to provide transitional landscaping and screening for the existing homes along Main's Lane and Bartonsville Road. The Applicant is required to provide 7 trees for parking lot canopy cover over the townhouse parking lots; the Applicant has proposed 13 trees. The Applicant worked with Staff as part of the current application to increase landscaping throughout the site in order to screen the townhouse units from the single family detached dwellings, as well as provide screening for the existing commercial and residential lots to the north and east.

Per Z.O. §1-19-6.400.A, *Street trees*, street trees shall be provided along the property line adjacent to the paved surface of an existing or proposed public right of way in a planting area no less than 7 feet wide, and planted with shrubs or trees and consisting of one tree per 35' of roadway frontage.

The Applicant is requesting approval of an alternate landscape plan in accordance with Section 1-19-6.400.I in order to allow a reduction in the number of street trees, allow the placement of the provided street trees within the proposed lot boundaries, as well as approval of spacing greater than 35' on center. The Applicant has submitted a Landscaping Modification Statement, which is attached to this staff report as Exhibit 2. The Applicant is required to provide 106 street trees, and is providing 57 throughout the site.

The Applicant has provided several reasons for the modification request. Due to site constraints, the proposed road sections do not provide a 7' wide planting space within the public right of way. The road cross section only leaves a 2.5' wide area between the curb and the sidewalk.

The Applicant is also requesting approval of a landscaping modification to permit the spacing of street trees at a distance greater than 35' on center. The minimum lot widths are 60' wide, and therefore physical site constraints prevent the placement of street trees every 35 feet. The spacing is further reduced due to the on-site private driveways and the 10' easement requiring separation from all water and sewer laterals. Therefore, Planning Commission approval of one tree for every single family lot is requested rather than one tree for every 35' of street frontage.

- 4. Lighting §1-19-6.500:** Lighting will be provided by 30-5 ft tall front yard carriage type lamp posts on each single family lot. A lighting detail is provided on sheet 3 of 3. The townhouse portions of the site will be lit by building mounted, front-door style lights similar in vernacular to the single family lots carriage lights. The lighting plan was designed to provide minimal light spillage not to exceed 0.5 foot candles at the periphery of the property. The Applicant will provide a lighting plan in accordance with §1-19-6.500.

Modifications: The Applicant is requesting a landscape plan modification in accordance with Section 1-19-6.400.I in order to allow a reduction in the overall number of street trees, allow the placement of the required street trees within the proposed lot boundaries, as well as approval of spacing greater than 35' on center.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

- 1. Access/Circulation:** Main's Heights is proposed, as previously approved, to be connected to the existing Preston Section II development to the west via Broad Branch Way and Bart's Way on the western boundary. Main's Heights & Preston Section II achieves principal access from a 30' wide two-way access onto Old Baltimore Road (Shepherd Drive). The site would continue to have a secondary access point with Old Baltimore Road via existing Broad Branch Way. Main's Heights is proposing an east/west connection which extends to Mains Lane, providing a third point of access for this site.
- 2. Connectivity §1-19-6.220 (F):** Main's Heights is proposed to be connected to the existing Preston Section II development to the west via Broad Branch Way and Bart's Way on the western boundary. Preston Section II achieves principal access from a 30' wide two-way access onto Old Baltimore Road. The site would continue to have a secondary access point with Old Baltimore Road via existing Broad Branch Way. Main's Heights is proposing an east/west connection which extends to Mains Lane, providing a third point of access for this site.

The Broad Brach Way (extended), Shepherd Drive, and Bart's Way road systems connect to the Main's Heights Property, which also has a 25' wide access onto Mains Lane. The Applicant has not proposed changes as part of the current application to alter or reduce the previously approved connectivity.

3. **Public Transit:** This site is not directly served by Transit but The East Frederick Shuttle operates weekdays between Frederick and Spring Ridge via MD 144 and provides service to Lake Linganore, New Market, and eastern Frederick County. Stops along MD 144 to service to this neighborhood would be made upon request.
4. **Vehicle Parking §1-19-6.220:** The Applicant is required to provide 73 parking spaces; the Applicant is proposing 73 parking spaces, including ADA accessible spaces.
5. **Bicycle Parking §1-19-6.220 (H):** In accordance with the Zoning Ordinance, the Applicant is required to provide 2 bike racks, the Applicant is proposing 3 bicycle racks. Two of the bike racks are located adjacent to the townhouse units on the north side of the site, the remaining rack will be located adjacent to townhouse units on the south side of the site. Per Z.O. §1-19-6.220.H, the bike racks shall adhere to the Frederick County bicycle parking design guide requirements.

Pedestrian Circulation and Safety §1-19-6.220 (G): The Applicant has proposed sidewalks in front of all of the proposed units, sidewalks are proposed along the north side along the last 230 feet of the proposed Main's Run. The Applicant is proposing to connect to the proposed sidewalk and trail system to the west throughout the Preston 2 development. Preston 2 has sidewalks along both sides of all of the streets throughout Preston Section II. There is also a 5' wide asphalt trail which will contains 4 legs which when combined with the proposed sidewalks will create a series of circuitous meandering pedestrian trails. The trail will connect the existing Broad Branch Way cul-de-sac with the proposed townhouse development around Bart's Way. Another trail link will connect the existing Preston Drive cul-de-sac with Broad Branch Way (extended) in two different areas as well as connecting with the sidewalks along Shepherd Drive. This trail linkage will also provide access to the 0.45 acres of relatively flat recreational ground behind Lot 211 and 212. The Applicant has not proposed changes as part of the current application to alter or reduce the previously approved connectivity.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

1. **Public Water and Sewer:** The site is to be served by public water and sewer and is classified W-3, S-3. The entire site is in pressure Zone #1 with water coming from New Design WTP and Sewer flowing into the Ballenger McKinney WWTP.

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

1. **Topography:** The site has a sharp incline running north to south of 370 to 450 feet at the rear of the property. The topography from the existing Preston II subdivision drops from 420 down to 370 as you travel west to east from the existing Broad Branch Way and Bart's Way to Main's Lane.
2. **Vegetation:** The site contains 9.68 acres of forest. The Applicant proposes to retain 2.48 acres of forest.

3. **Sensitive Resources:** The site does not contain wetlands, wet soils or flooding soils. There are no sensitive resources located on site that are affected by the development proposal.
4. **Natural Hazards:** The site does not contain FEMA floodplain. There are no natural hazards located on site that are affected by the development proposal.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

1. **Proposed Common Area:** Per 1-16-111.A.2, this application is exempt from the parkland requirement due to 59 units or less.
2. **Ownership:** Open space parcels shall be owned and maintained by the Homeowners Association and the proposed development will be incorporated into the existing Preston Homeowner Association.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter 1-6A: The Applicant is not proposing to build any MPDUs as part of this development proposal. The Applicant is proposing to use the payment-in-lieu option to satisfy the MPDU requirement per §1-6A-5.1 of the Frederick County Code. The Applicant is also applying an achieved density bonus of 18%, which requires the Applicant to provide payment for 14.3% MPDUs, which is 9 units. Note that the payment in lieu option under §1-6A-5.1 is scheduled to sunset on September 6, 2016. Therefore, if the Applicant enters into an MPDU agreement that complies with this section and is approved by the Director of Housing and the County Attorney prior to sunset of §1-6A-5.1, then that agreement must be recorded in the land records prior to signature and final approval of the site plan, preliminary plan or Phase II plan for the proposed development.

Stormwater Management – Chapter 1-15.2: All stormwater management (SWM) is in compliance with the 2007 Maryland SWM Act and shall meet the intent and requirements of ESD to the MEP. All stormwater facilities are to be maintained by the Homeowners Association (HOA). A stormwater management Concept Plan is currently approved, (see AP 16491).

Subdivision Regulations – Chapter 1-16: This application meets the requirements of the subdivision regulations in Chapter §1-16.

1. Article I: In General - § 1-16-12 *Public Facilities*

- All proposed lots will access publicly maintained roads with continuously paved surfaces of 20 feet in width.
- The property is classified W3/S3 on the Frederick County Water and Sewerage Master Plan indicating improvements to, or construction of, publicly-owned community sewerage or water systems are planned within a 4 to 6 year time period. After an S-3/W-3 classification has been granted, an application may be submitted to the Maryland Department of the Environment for Water and/or Sewerage construction permits, as applicable.

2. Article IV: Required Improvements - §1-16-109 *Street, Common Driveway, and Sidewalk Construction:*

- Required minimum width for sidewalks is 4 feet. All sidewalks provided are a minimum of 5 feet wide.

3. Article VI: Design Standards and Requirements

§ 1-16-217. *Land Requirements:*

- The designated land use in the Comprehensive Plan for this site is Low Density Residential. This designation is intended to be applied only within Community Growth Areas and indicates a residential density range of 3 to 6 dwellings per acre on public water and sewer. The proposed subdivision is within a Community Growth Area and is for a residential development on public water and sewer with a gross density range of approximately 3 dwelling units per acre.
- The existing topography is the basis for the overall community layout, with the higher elevations delineated as areas of development, and the lower elevation areas delineated as undeveloped areas to be maintained in a more natural state.

§ 1-16-218. *Block Shape:*

- No block dimension is greater than 1800 feet. Pedestrian walkways provided.

§ 1-16-219. *Lot Size and Shape:*

- The setbacks proposed for this subdivision are based on the Moderately Priced Dwelling Unit Program for land uses within the R-3 zoning district in accordance with Zoning Ordinance Section 1-19-8.620.5.
- The previously approved and unchanged minimum setbacks (as detailed on sheet 3 of 3) include the following: Single Family Detached; 23-foot front yard, 5-foot side yard, 25-foot rear yard, with a maximum height of 40 feet, Townhouses; 20-foot front yard, 15-foot side yard, 5-foot rear yard, with a maximum height of 40 feet. The front loaded garage townhomes will also have a minimum of 25 feet from the face of garage to the edge of the 5 foot sidewalk.

§ 1-16-234, 235, & 236. *Right-Of-Way and Paved Surface Widths:*

- 50' right-of-way provided for local streets.
- Proposed paved surface widths are adequate and meet the minimum standards for residential local access streets; the cross sections for the respective streets are shown on Sheet 3 of 3.

4. Driveway Entrance Spacing Policy

- *Adopted by the FCPC in 2002 (amended 2004), this policy provides a system of evaluating driveway locations for public safety, to preserve rural character of roads located in rural parts of the County, and allowing tighter spacing in areas of the County designated for denser development.* Proposed driveways are all located on local residential streets, which have no spacing restrictions.

APFO – Chapter §1-20: The current application is subject to the signed Adequate Public Facilities Letter of Understanding (LOU), previously approved by the FCPC on 12/14/2011 and in effect through December 14, 2017, as part of S-002, AP 12056. The present proposal is a minor redesign that does not affect unit quantity or type, nor does it increase the intensity of student yield or trip generation, therefore the previous APFO approval is still valid and exempt from further review.

Forest Resource – Chapter §1-21: The Applicant has submitted a revised Final Forest Conservation Plan in conjunction with the current application. The site contains 9.68 acres of forest. The Applicant proposes to retain 2.48 acres of forest. The 7.20 acres of forest clearing generates a forest mitigation requirement of 3.24 acres, which is being met by planting 0.77 acres in the wet areas behind Lots 1 and 2, by utilizing 0.04 acres of tree save credit, and by purchasing forest banking credits (2.43 acres of new forest credit or 4.86 acres of existing forest credit)

The original FRO plan (AP 13850) proposed to clear 8.16 acres of existing forest, retain 1.48 acres of existing forest, and plant 0.86 acres of new forest, leaving 4.34 acres of mitigation to be mitigated. The Applicant proposed to mitigate the remaining mitigation by purchasing 4.34 acres of new forest banking credit or 8.68 acres of existing forest banking credit. **The revised FRO plan reduces forest clearing by 0.96 acres.**

The revised FRO plan must be approved prior to Preliminary Plan approval. FRO mitigation must be provided prior to applying for any permits, site clearing, or lot recordation, whichever is applied for first.

Historic Preservation – Chapter 1-23: There are no historic resources located on this site.

Summary of Agency Comments

| Other Agency or Ordinance Requirements | Comment |
|---|--|
| Development Review Engineering (DRE): | Approved. |
| Development Review Planning: | Hold: Address all agency comments as the plan proceeds through to completion |
| State Highway Administration (SHA): | Waived |
| Div. of Utilities and Solid Waste Mngt. (DUSWM): | Approved. |
| Health Dept. | Approved. |
| Office of Life Safety | Conditional Approval. |
| DPDR Traffic Engineering | Approved |
| Historic Preservation | N/A |

RECOMMENDATION

Staff has no objection to conditional approval of the proposed redesign of a previously approved Combined Preliminary/Site Plan for 30 single family detached dwellings and 29 townhouses, on a 16.68-acre site.

If the Planning Commission conditionally approves the Combined Preliminary Subdivision/Site Development Plan, the Preliminary Plan is valid for five (5) years from the date of Planning Commission approval and the Site Development Plan is valid for a period of three (3) years from the date of Planning Commission approval. However, both validity periods are limited by the APFO approval, which expires on December 14, 2017.

Period of Validity: The existing APFO approval (AP 12056) is valid for six (6) years from the December 14, 2011 Commission approval. The Applicant did not re-test for APFO; therefore, the APFO, Site Development Plan and Preliminary Plan approval expire on December 14, 2017.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

1. Address all agency comments as the plan proceeds to completion.
2. Per Z.O. §1-6A-5.1.d an MPDU agreement that complies with the Frederick County Code must be approved by the Director and the County Attorney and recorded in the land records prior to sunset of this section on September 6, 2016, and before final signature approval of the Combined Preliminary/Site Development Plan for the proposed development.
3. Planning Commission approval of the requested landscape plan modification in accordance with Section 1-19-6.400.I in order to allow a reduction in the number of street trees, allow the placement of the required street trees within the proposed lot boundaries, as well as approval of spacing greater than 35' on center.
4. The revised FRO plan (AP 16363) must be approved prior to Combined Preliminary/Site Development Plan approval. FRO mitigation must be provided prior to applying for any permits, site clearing, or lot recordation, whichever is applied for first.
5. The Applicant will work with Staff to provide a lighting plan that adheres to the requirements listed within Z.O. §1-19-6.500.

PLANNING COMMISSION ACTION
MOTION TO APPROVE

I move that the Planning Commission **APPROVE** the redesign of the Main's Heights Combined Preliminary/Site Development Plan application S-002/SP 07-09/AP 16291 for 30 single family detached dwellings and 29 townhouses, on a 16.68-acre site with conditions, and modifications as listed in the staff report based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit #1- Main's Heights Combined Preliminary/Final Site Plan Rendering



Main's Heights Combined Preliminary/Final Site Plan

July 13, 2016

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June 6, 2016

Mr. Tolson DeSa
Frederick County DPDR
30 N. Market Street
Frederick, MD 21701

Re: Main's Heights A/P # 16291
Street Tree Landscaping Modification Letter
H.S.A. Job #7195-2016

Dear Tolson:

The Combined Preliminary Plan and Site Plan for Main's Heights is currently under County review. In accordance with section 1-19-6.400(I) - a Planning Commission modification is requested to shift street trees from the Right of Way of the public streets onto the proposed single family lots and to modify spacing distance.

Per section 1-19-6.400(A) of the Zoning Ordinance, Street Trees shall be provided along the property line adjacent to the paved surface of an existing or proposed public right of way in a planting area no less than 7' wide and consisting of one tree per 35' of roadway frontage. If the required street trees cannot be accommodated within the public right of way an alternative planting design may be approved by the Planning Commission.

Planning Commission approval of the planting of at least one tree per single family lot within the proposed lot boundaries is requested. There are several reasons for this request. The proposed road sections do not provide a 7' wide planting space within the public right of way. Average green space between the curb and sidewalk is approximately 2.5' in width. Therefore, it is requested that the street trees be planted on the single family lots where sufficient width can be provided for the trees growth.

Planning Commission approval of spacing greater than 35' is also requested. At 60' minimum lot widths, physical site constraints prevent the placement of street trees every 35'. Limited space remains for tree planting when you consider the space required for the driveway and water and sanitary sewer laterals and the Division of Utilities and Solid Waste 10' planting separation distance to the laterals. Therefore, Planning Commission approval of at least one tree per single family lot is requested rather than the one tree for every 35' is requested.

Thank you for your consideration. Please contact me if you need additional information.

Sincerely,

Samuel Francis Zeller
Project Manager

T:7195-0-2016.Correspondence.LandscapingModificationLetter