

November 26, 2019

TO: Planning Commission Members

FROM: Andrea Campisi, Senior Planner, Department of Building & Planning

SUBJECT: **Tentative Sketch Lot Line Change & Open Space Preservation Plan** – 930 Stoke Road and 1701 Mt. Pleasant Road, Villanova, SD# 3839, Ward 6.

Proposal

The applicants and owners, Brian J. & Miriam P. O'Neill, are seeking **Lot Line Change Plan** approval to:

- Transfer 41,633 sq. ft. from 930 Stoke Road to 1701 Mt. Pleasant Road.

The applicant is also seeking **Open Space Preservation Tentative Sketch Plan** approval to:

- Subdivide 1701 Mt. Pleasant Road into two new lots:
 - Lot 1: 137,042 sq. ft. or 3.2 acres, containing 1.8 acres of open space; and
 - Lot 2: 136,785 sq. ft. or 3.1 acres, containing 2.1 acres of open space.
- Total preservation area provided is 348,526 sq. ft. or 8 acres for a total of 60%.

The proposal is illustrated on the attached five sheet plan set dated February 14, 2018, last revised November 14, 2019 prepared by Momenee, Inc.

Property Background

The properties at 930 Stoke Road and 1725 Mt. Pleasant Road were the subject of a Preliminary Subdivision Plan that was approved by the Township in December 1993. The plan showed the subdivision of 930 Stoke Road into two lots, which resulted in the creation of 1725 Mt. Pleasant Road. At the time the subdivision was approved, the applicant was required to set aside 60% of the site as preservation area. All of the preservation area associated with that subdivision, 4.1 acres, was placed on 930 Stoke Road. Although 1725 Mt. Pleasant Road appears to not be directly involved in the current proposal, since the lot area was used to determine the original amount of preservation area, it has been included on the attached plan for reference.

Property	Proposed Lot Area	Proposed Preservation Area
930 Stoke Road	265,117 sq. ft.	167,068 sq. ft.
1725 Mt. Pleasant Road	41,837 sq. ft.	None
1701 Mt. Pleasant Road - Lot 1	137,042 sq. ft.	78,556 sq. ft.
Proposed Lot 2	136,785 sq. ft.	102,902 sq. ft.
Total	580,781 sq. ft.	348,526 sq. ft. (60%)

Property Descriptions

930 Stoke Road: The property contains 317,102 sq. ft. (7.3 acres). The property is zoned RAA and since it is greater than five acres it is also subject to the Open Space Preservation District requirements. In addition, since the property contains a Class II historic resource it is subject to the requirements of the Historic Resource Overlay District. The property is currently improved with a main house, two bath houses and a canvas storage building that partly crosses into a neighboring property. The property is accessed via a driveway off Stoke

Road. Since the property was the subject of a previous Open Space Preservation subdivision plan, it also contains 4.1 acres of preservation area.

1725 Mt. Pleasant Road: The property contains 43,608 sq. ft. (1.0 acres). The property is zoned RAA and contains a stucco garage and a one-story shed. Since the property is a Class II resource, it is also subject to the requirements of the Historic Resource Overlay District. Driveway access is from Mt. Pleasant Road.

1701 Mt. Pleasant Road: The property contains 232,194 sq. ft. (5.3 acres). The property is zoned RAA. It contains a single family dwelling, a detached garage and a pool. The property is accessed via a driveway from Mt. Pleasant Road. It contains wetlands and steep slopes.

Montgomery County Planning Commission (MCPC) Review

The County review letter is attached. The County generally supports the applicant's proposal although they reviewed an earlier version of the plan. Subsequently the location of the house on Lot 2 was shifted to minimize impacts to sloped areas. The applicant will be required to obtain Second Stage Plan approval for the final house and driveway location and the impacts to specific trees will be reviewed at that time. The County recommendations have been either addressed on the attached plan or have been incorporated into the issues below as well as the recommended conditions of approval.

Historical Commission

The applicant appeared before the Historical Commission on November 25, 2019. The Commission supported waiving the requirement to provide a Historic Resource Impact Study. The Commission believes that the additional detail of the study is not necessary in this particular case because the existing site conditions would not be changed, including topography and trees, and the fact that no historic resources would be demolished or removed with the exception of a small amount of driveway.

The Commission recommended approval of the plan, given that the impact of the proposed subdivision and lot realignment on the existing historic resources is minimal. The Commission believes that because of the topography and plantings on the collective lots, the location for the proposed new residence would also have a minimal impact on the existing historic resource and would preserve the major viewshed looking northeast from the main house. Further, the Commission urges the Board of Commissioners to maintain the buildable area and footprint of the building as shown or to push it further west, but not to move it east where it would encroach on the viewshed from the main house.

Environmental Advisory Council

The Environmental Advisory Council (EAC) reviewed the plan at their [September 24, 2019](#) meeting and recommended that the applicant provide a justification for the preservation area layout. The EAC also recommended that the application provide the type and location of trees being removed on the Preliminary Plan.

Open Space Preservation District Requirements (OSPD)

The OSPD is an overlay district on all properties within the Township that are five acres or greater which are both residentially zoned and which are being developed residentially. The OSPD was enacted in the 1990's to provide protection of environmental and historic resources on large estates undergoing conversion to residential subdivisions. The OSPD embodies the principles of Conservation Subdivision design, which:

- Promotes creative site planning to identify natural, historic and scenic features, including floodplains, wetlands, woodlands and historic resources as core site features for the design of new residential subdivisions;
- Ideally preserves natural, scenic and historic resources in large contiguous blocks, rather than scattered throughout a site;

- Provides new units in renovated historic resources and/or in new construction; and
- Clusters new construction to maximize common open space and provide sufficient ‘breathing room’ for historic resources to be properly integrated with new homes.

Conservation Subdivisions are typically of equal density to subdivisions conventionally developed to underlying zoning. However, Conservation Subdivisions set aside a minimum of 50% of the tract area as open space and also integrate natural, scenic and historic resources into site design.

Tentative Sketch Plan

The Legislative Intent of the Subdivision and Land Development Code governing Tentative Sketch Plans is to promote orderly, efficient, integrated, and harmonious development in the Township. Tentative Sketch Plans provide the Township with the opportunity to refine site layouts prior to the development of fully engineered Preliminary Plans. Tentative Sketch Plans identify specific circulation, stormwater, landscaping, and architectural design issues to be refined at the Preliminary Plan phase.

Zoning

The following table details the bulk, area and setback requirements of the proposal. Staff notes that the Open Space Preservation District does not regulate minimum lot areas or lot width. Setbacks are established via a perimeter setback rather than required minimum front, side and rear yard setbacks.

RAA Zoning District		930 Stoke Road Existing	930 Stoke Road Proposed	1701 Mt. Pleasant Road Existing/Lot 1	Proposed Lot 1	Proposed Lot 2
Minimum Net Lot Area (sq. ft.)	90,000	306,750 (7 acres)	265,117 (6.1 acres) (-41,633)	232,194 (5.3 acres)	137,042 (3.1 acres)	136,785 (3.1 acres)
Perimeter Setback	50'	50'	50'	50'	50'	50'
Maximum Building Area	15%	2.4% (7,353 sq. ft.)	2.8% (7,353 sq. ft.)	1.6% (3,668 sq. ft.)	2.7% (3,668 sq. ft.)	2.8% (3,846 sq. ft.)
Maximum Impervious Surface	20%	7.5% (22,947 sq. ft.)	8.3% (21,922 sq. ft.)	5.3% (12,277 sq. ft.)	8.9% (12,277 sq. ft.)	5.7% (7,886 sq. ft.)
Maximum Building Height	35'	Not provided	Not provided	Not provided	Not provided	Not provided

Issues

1. Preservation Area Layout

The OSPD requires each tract to provide for common open space and for preservation area within the common open space. It also requires the area of common open space to be at least as great as the minimum size of the preservation area. The OSPD further requires that 60% of the tract be permanently protected when the preservation area is contained on an individual development parcel. The applicant is preserving eight acres or 60% of the total land area of the properties included in this application.

The applicant has not designated areas of Common Open Space versus Preservation Area. The applicant should also identify how each portion of the proposed Preservation Area meets one or more of the following uses, as required by Zoning Code Section 155-147.B.5:

- Woodland, meadow, wetland, watercourse, wildlife sanctuary or similar conservation-oriented area.
- Park, pedestrian, or equestrian trails or outdoor recreation area.

- Pasture land, open field, or lawn.
- Class I and Class II Historic Resources, but not in excess of 20% of the required preservation area, and subject to such requirements as the Township shall determine necessary to preserve and maintain the historic resource, including the removal of the area occupied by the historic resource from the common access requirements of this article.

Lastly, staff notes that the existing bath houses on 930 Stoke Road are in the proposed preservation area. According to staff's research, the bath houses were constructed in 1932. Per Zoning Code Section 155-146.G, the bath houses are permitted to be in the preservation area if determined by the Historical Commission to be contributing historic elements to the property. The Historical Commission rendered no opinion on whether the bath houses are contributing, acknowledged that they are in poor condition and did not make a recommendation for their retention or restoration.

2. Relief

The application requires relief from the following Code sections:

1. [Subdivision & Land Development Code Section 135-35](#), to create an irregular lot for Lot 2.

Staff notes that the existing lot at 1701 Mt. Pleasant Road is an irregular lot and the subdivision creates a second irregular lot with more than four sides.

2. [Subdivision and Land Development Code Section 135-16.B.17](#) to not provide a historic resource impact study. The code states:

"Where the property is a contributing resource in an historic neighborhood or an historic district or is a resource listed in the Historic Resource Inventory, the applicant shall submit an historic resource impact study, as these terms are defined in Chapter [155](#), Article XXVIA, and shall submit a statement with the plan, indicating which, if any, of such historic resources would be changed or affected to any substantial extent by the implementation of the subdivision plan and the development of the property."

The applicant requests relief to not provide the impact study. The Historical Commission recommended approval of the requested relief.

Action

The Planning Commission must take the following action for this application:

1. Provide a recommendation on the Tentative Sketch Plan.
2. Provide a recommendation on the relief from Subdivision and Land Development Code Section 135-35, to create an irregular lot.
3. Provide a recommendation on the relief from Subdivision and Land Development Code Section 135-16B.17, to not provide a Historic Resource Impact Study.