
STAFF COMMENTS FOR PLANNING COMMISSION

MEETING DATE: July 25, 2007

SUBJECT: Z-305(o)

TITLE: REZONING of 8,673 SQUARE FEET FROM R-A (LOW DENSITY RESIDENTIAL) ZONE to R-90 (MEDIUM DENSITY RESIDENTIAL) ZONE

REQUEST: **RECOMMENDATION TO M&CC**

ADDRESS: 100 Central Avenue

APPLICANT: Shawn Tahmassian for Parvis Rashidian

STAFF PERSON: Jacqueline Marsh, Planner

Enclosures:

Staff Analysis
Index of Memorandum and Exhibits (In **Bold**)

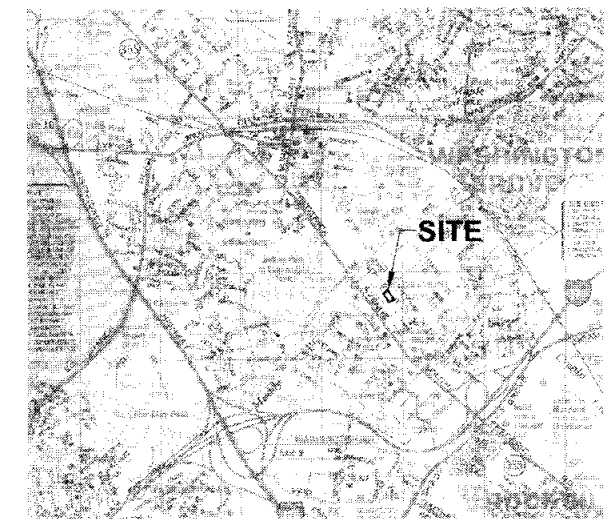
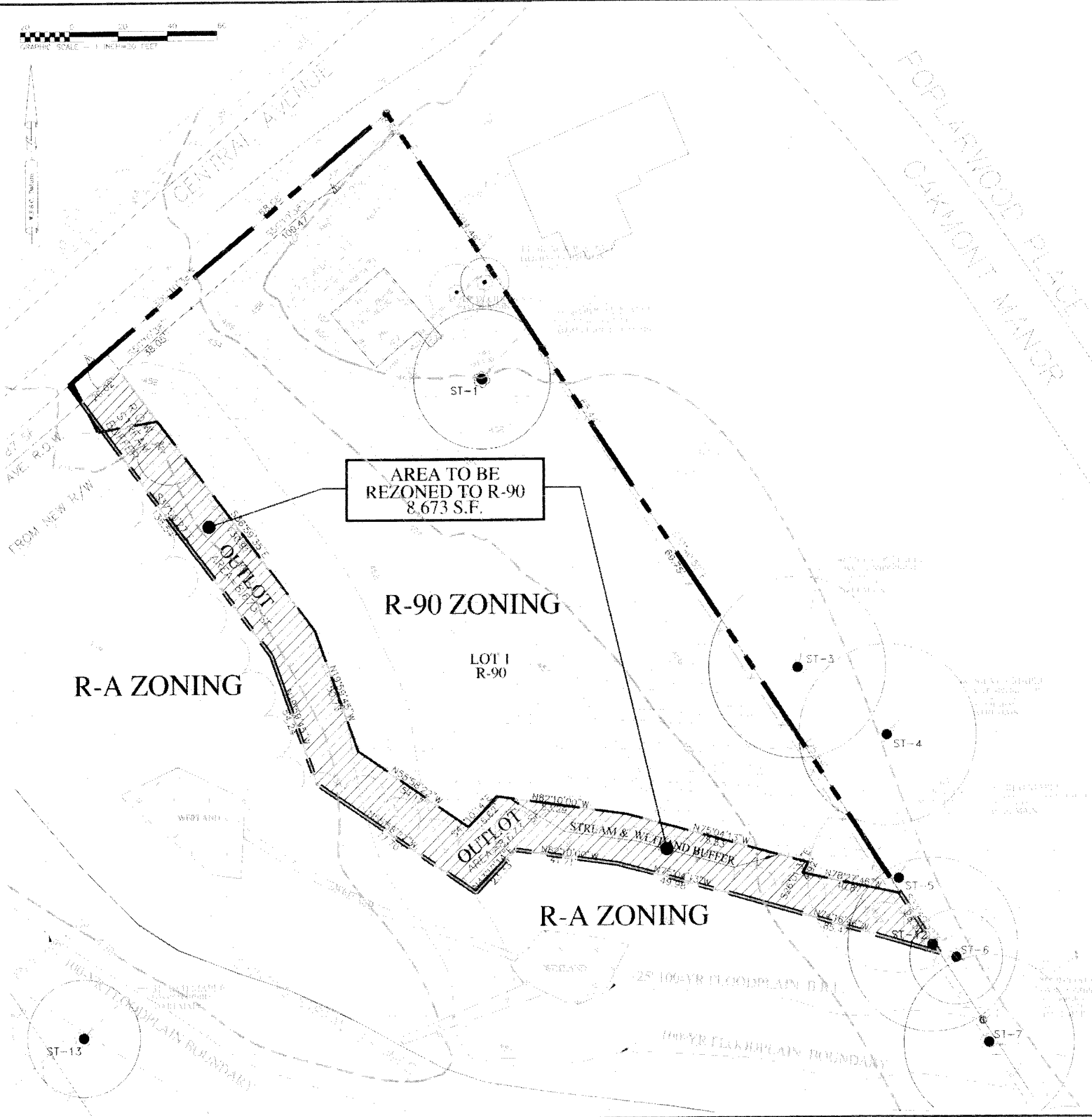
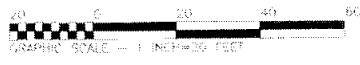
See attached Staff Analysis

Joint Public Hearing
Mayor and City Council
And Planning Commission
July 9, 2007

Z-305(o)
Rashidian Estates

Number Exhibit

1. Application for Amendment to the Zoning Map
2. Aerial Location Map
3. Adjoining and Adjacent Property Owners
4. Applicant's Statement in Support of Rezoning
5. Metes and Bounds description
- 6. Map Showing Surrounding Zoning and Proposed Zoning**
- 7. Schematic Development Plan under Optional Method of Application**
8. Letter to Gazette requesting legal advertisement of Joint Public Hearing in the June 20 and 27, 2007, issues
9. Notice of Joint Public Hearing sent June 18, 2007, to Required Parties
- 10. Cover sheet from July 9, 2007 Joint Public Hearing**
- 11. Letter from Elizabeth and James Jacobs, dated July 10, 2007**
- 12. Staff Analysis**



ZONING LEGEND:

R-A ZONING	
R-90 ZONING	
AREA TO BE REZONED	

**RASHIDIAN ESTATES PROJECT
REQUEST FOR REZONING &
AMENDMENT TO THE ZONING MAP**
June 07, 2007

SRS Planning and Design, on behalf of MLI Construction and Mr. Parsi Ibrahim, respectively requests the rezoning of 8,673 square feet of lots on the Rashidian Estates project from the current R-A zoning to R-90 zoning. The lots to be rezoned is identified and illustrated on the accompanying exhibit (Site Plan) and is shaded for ease of reference. This request is being made in order to correct a previous mistake in the Master Plan and fulfill the purpose of the Rashidian Estates development project.

The proposed Rashidian Estates project consists of the development of four (4) single family residential lots on a relatively small portion (approximately 1-acre) of the original 1.6 acre project. The zoning map that was approved in 2001 and the 4-acre parcel is as rezoned in 2003 and the rezoned area is:

- R-90 for the proposed site residential development
- R-A for the proposed Stream Valley Buffer & Forest Conservation
- CD for the development of a parking lot to facilitate the Maryland Building for the use of I-95 and Frederick Avenue

However, within this process and prior to the start of zoning, the Natural Resource Inventory (NRI) was approved and resulted in the current wetland and floodplain of the Stream Valley Buffer (SVB). Since it had been pre-empted that the property and zoning boundaries of the Rashidian Estates project should be the actual SVB boundary, both the project boundary and the zoning definitions were revised to correlate with the SVB.

Unfortunately, the revision of the property and zoning boundaries to correlate with the SVB resulted in the overall project size being reduced substantially to not allow, according to zoning regulations, lots to be developed on the property. Therefore, an order was submitted to the State Planning and Site Development Planning Board, an additional order has been asked to the property and requires rezoning to R-90 to allow the lots for development and correct the previous mistake.

The addition of the rezoning will change the overall project area and zoning boundary. This order will be subject to the conditions and covenants stipulated by the Future Conservation Easement and the conditions and covenants associated with the Stream Valley Buffer and Johnson Roadside.

FOR THE DEVELOPER AND PREPARED BY:

S&S Planning and Design, LLC
Planning & Environmental Services
76 Baltimore Street
Cumberland, Maryland 21502
301-724-7614

JOINT EXHIBIT #6
2-305(a)



REQUEST FOR REZONING EXHIBIT

RASHIDIAN ESTATES
100 CENTRAL AVENUE
GAITHERSBURG, MD 20877

Guardian Surveying & Engineering, LLC
Maryland • Pennsylvania • West Virginia
P.O. Box 371 • Middleburg • MD 21540
Phone: (301) 686-8924 • Fax: (301) 686-8974
email: guardianurvey@delphi.net

REQUEST FOR REZONING EXHIBIT

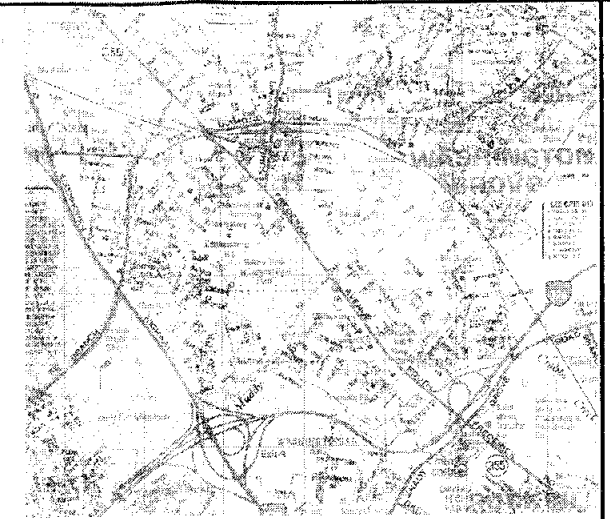
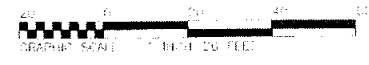
SHEET 1 OF _____

RZ-01

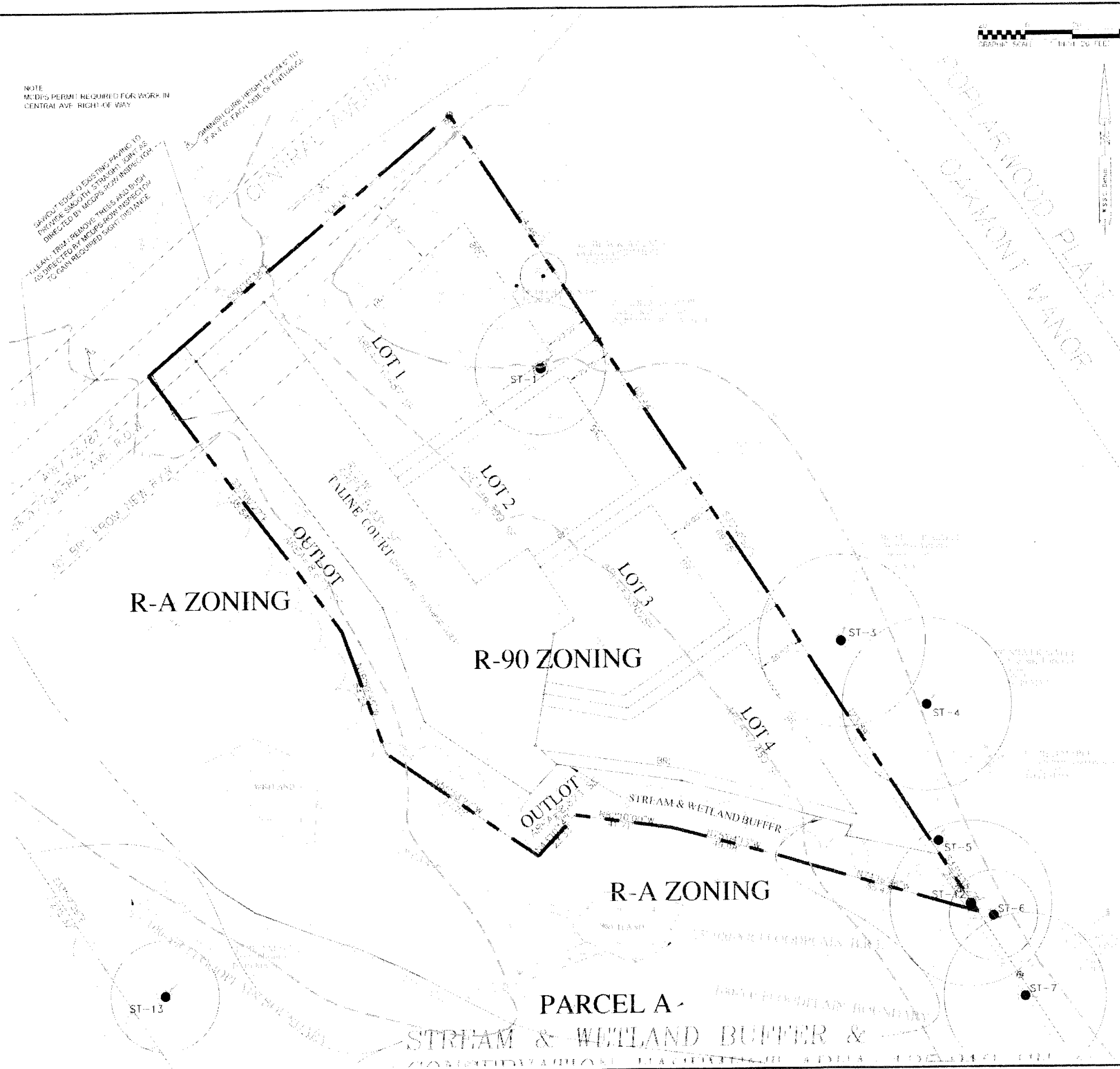
NOTE: MDPS PERMIT REQUIRED FOR WORK IN CENTRAL AVE. RIGHT-OF-WAY

SEWAGE TREATMENT PLANT TO BE CONSTRUCTED TO SERVE THIS TRACT. ALL SEWER LINES TO BE INSTALLED TO THE TREATMENT PLANT. ALL SEWER LINES TO BE INSTALLED TO THE TREATMENT PLANT. ALL SEWER LINES TO BE INSTALLED TO THE TREATMENT PLANT.

MINIMUM CURB HEIGHT FROM 6" TO 8" ON EACH SIDE OF ENTRANCE



SCHMATIC DEVELOPMENT PLAN
RASHIDIAN ESTATES
 100 CENTRAL AVENUE
 GAITHERSBURG, MD 20877



AREA TABULATIONS

EXISTENT ZONING	R-90 (11,110)
TOTAL PROJECT AREA	1,155 ACRES (50,321 S.F.)
LOT AREA DERIVATION BREAKDOWN	
LOT 1	10,427 S.F.
LOT 2	6,339 S.F.
LOT 3	5,992 S.F.
LOT 4	7,480 S.F.
OUTLOT	8,673 S.F.
TOTAL LOT AREA	39,911 S.F.
ROW DEDICATION - CENTRAL AVE	1,443 S.F.
TOTAL AREA	50,321 S.F. (115.5 AC)

Guardian Surveying & Engineering, LLC
 Maryland • Pennsylvania • West Virginia
 P.O. Box 371 • Middleburg • MD 21743
 Phone (301) 489-2092 • Fax (301) 489-2093
 email: guardianeng@aol.com

PENGAD 000-601-6889
JOINT EXHIBIT #7
Z-305(0)

CITY OF GAITHERSBURG PLANNING COMMISSION
 AT THE REGULARLY SCHEDULED MEETING OF THE PLANNING COMMISSION HELD ON:
SITE PLAN APPROVAL
 PROJECT: _____ DATE: _____
 APPLICANT: _____ OWNER: _____
FINAL SITE PLAN APPROVAL
 DATE: _____ BY: _____
 NOTE: ANY DEVELOPMENT OR CONSTRUCTION MUST BE IN ACCORDANCE WITH THE CITY OF GAITHERSBURG ZONING ORDINANCE.



S&S Planning and Design, LLC
 Planning & Environmental Services
 76 Baltimore Street
 Cumberland, Maryland 21501
 301.224.001

SCHMATIC DEVELOPMENT PLAN
 SHEET 1 OF 1

SDP