



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

CONSENT ITEM #
MCPB 11/02/06

MEMORANDUM

DATE: October 20, 2006
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
Michael Ma, Supervisor *Ma*
Development Review Division *KS*
FROM: Joshua C. Sloan, ASLA
Development Review Division
(301) 495-4597



REVIEW TYPE: Site Plan Amendment Review
PROJECT NAME: Hoyles Mill Village Section 2
CASE #: 81995030E

APPLYING FOR: Approval for site plan amendment to revise grading of Parcel B, Block Y.
REVIEW BASIS: Div. 59-D-3.7. of Montgomery County Zoning Ordinance.
ZONE: R-200/TDR
LOCATION: On Richter Farm Road, 500 feet South of Leaman Farm Road.
MASTER PLAN: Germantown

APPLICANT: Artery Group
FILING DATE: June 15, 2006
HEARING DATE: November 2, 2006

STAFF RECOMMENDATION: Approval of the proposed amendment to Site Plan 81995030D and approval of draft Planning Board Resolution for Site Plan 81995030E.

BACKGROUND

Original Preliminary Plan Approval

Preliminary Plan 119882160 (formerly 1-88216) was approved for 569 dwelling units to be completed in three phases. Through various amendments and additional preliminary plans, the total number of dwelling units approved through the preliminary plan process is 595 (see Attachment B).

Original Site Plan Approval

Site Plan 819950300 (formerly 8-95030) was approved by the Planning Board with conditions on August 1, 1995 for 259 dwelling units comprised of 223 one-family detached units and 36 MPDU townhouse units. This Site Plan was approved concurrently with Site Plan 819950270 (formerly 8-95027) for 310 dwelling units. A further Site Plan, number 820000190, (formerly 8-00019) was approved on January 7, 2004 for 15 one-family detached dwelling units. Through these site plans and the amendments enumerated below, the total number of approved dwelling units for this development is 595, consisting of 397 one-family detached dwelling units and 198 one-family attached dwelling units (84 of which are MPDUs).

Site Plan Amendments A-D

1. Site Plan Amendment A, 81995030A was approved with conditions on February 26, 1999 and was approved concurrently with Site Plan Amendment 81995027A. This amendment approved grade changes and landscaping to berms to satisfy noise attenuation requirements along Schaeffer Road in an area where houses had been deleted. Ten (10) additional units were incorporated into these changes bringing the total number of approved dwelling units to 579.
2. Site Plan Amendment C was approved before Site Plan Amendment B. Amendment C revised and detailed the development of 261 lots within the R-200 zone consisting of 223 one-family detached dwelling units and 38 MPDU townhouses. This amendment, 81995030C, was approved with conditions on September 27, 2001 and resulted in a net loss of two (2) one-family detached dwelling units, bringing the total number of approved dwelling units to 577.
3. Site Plan Amendment B added 3 MPDU townhouses, this increased the total number of approved dwelling units to 580. This amendment, 81995030B, was approved with conditions on January 7, 2004.
4. Site Plan Amendment D, 81195030D increased the impervious area on the site and mitigated this increase through the purchase of contiguous off-site parcels, which were converted to open space and placed under easements.

PROPOSED AMENDMENT

The applicant, The Artery Group, filed a site plan amendment application on June 15, 2006, proposing minor changes to the site and landscape plans. These changes are limited to:

1. The revision of the grading of an area of Parcel B, Block Y to increase the size of landscape berms along Richter Farm Road. This will provide better visual screening and noise attenuation for the adjacent homeowners. Further, it will minimize the amount of dirt to be removed and the number of necessary construction vehicle trips through existing residential areas.
2. The addition of several evergreen and ornamental trees to slow run-off due to the increased slopes proposed.

PUBLIC NOTICE

A notice regarding the site plan amendment was sent to all parties of record by the applicant on June 21, 2006 (Attachment C). It gave the interested parties 15 days to review and comment on the revised plans. Staff received no inquiries from adjacent property owners in relation to this site plan amendment. The local homeowner's association, Woodcliff Park Community Association (WPCA), has provided a letter of support for the proposed amendment, dated September 8, 2006 (Attachment D).

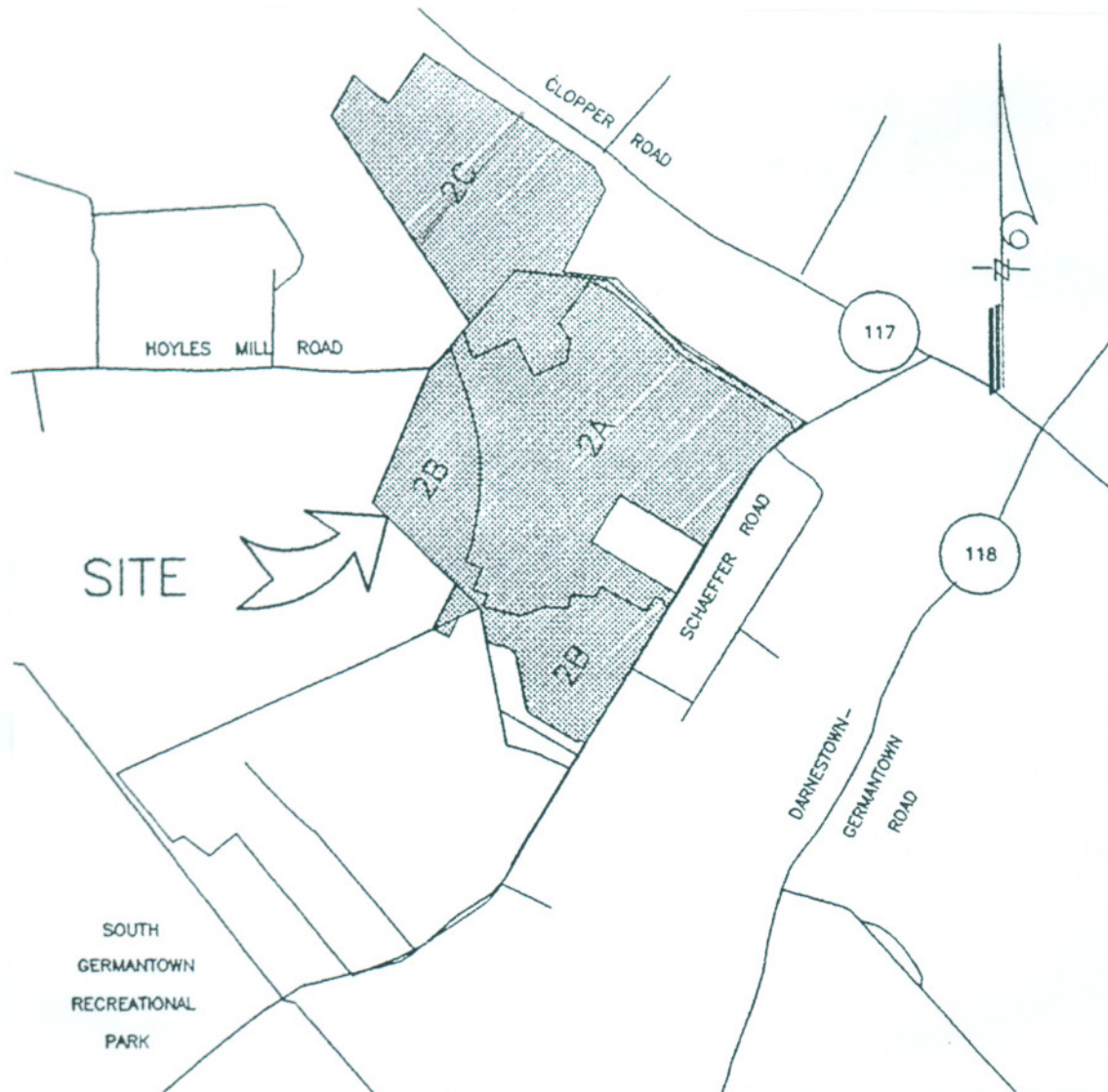
STAFF RECOMMENDATION

The proposed minor modifications to the development do not alter the overall design character of the development and do not affect the compatibility of the development to its surrounding neighborhood. Staff, therefore, recommends **approval** of the Site Plan Amendment 81995030A.

ATTACHMENTS:

- A. Vicinity Map
- B. Table of Approved Units
- C. Affidavit of Public Notice
- D. WPCA Letter of Support
- E. Draft Planning Board Resolution

ATTACHMENT A: VICINITY MAP FOR SITE PLAN AMENDMENT 81995030E



ATTACHMENT B: TABLE OF APPROVED UNITS FOR SITE PLAN 81995030E

Hoyle's Mill Village

Table of Approved Units

<u>Plan</u>	<u>Opinion Date</u>	<u>Total Units</u>	<u>Detached</u>	<u>Townhouses</u>	<u>(MPDUs)</u>
1-88216	1/11/94	459	tbd	tbd	tbd
1-88216	8/8/94	+100 (559)	tbd	tbd	tbd
Total		559			
8-95027		310	153	157	[43]
8-95030	8/1/95	259	223	36	[36]
Total		569	376	193	[79]
1-88216R	7/2/96	+10 (569)	tbd	tbd	tbd
Total		569			
1-88216R	1/21/99	+10 (579)	tbd	tbd	tbd
Total		579			
8-95027A	2/26/99	316	159	157	[43]
8-95030A	2/26/99	263	225	38	[38]
Total		579	384	195	[81]
1-01063	10/10/01	no change (579)	no change (384)	no change (195)	no change ([81])
Total		579	384	195	[81]
8-95030C	9/27/01	-2 (261)	-2 (223)	no change (38)	no change ([38])
Total		577	382	195	[81]
8-95030B	1/7/04	+3 (264)	no change (223)	+3 (41)	[+3] ([41])
Total		580	382	198	[84]
1-88216R	1/7/04	+15 (595)	+15 (397)	no change (198)	no change ([84])
Total		595	397	198	[84]
8-00019	1/7/04	15	15	0	0
Total		595	397	198	[84]
1-88216B/ 1-01063A	1/30/06	no change(595)	no change (397)	no change (198)	no change ([84])
Total		595	397	198	[84]
8-95030D	2/6/06	no change (264)	no change (223)	no change (41)	no change ([41])
Total		595	397	198	[84]
81995030E	pending	no change (264)	no change (223)	no change (41)	no change ([41])
Total		595	397	198	[84]

ATTACHMENT C: AFFIDAVIT OF PUBLIC NOTICE FOR SITE PLAN AMENDMENT
81995030E



Charles P. Johnson & Associates, Inc.

Planners Engineers Landscape Architects Surveyors Environmental Services

1751 Elton Road • Silver Spring, MD 20903 • 301-434-7000 • Fax: 301-434-9394

June 28, 2006

Ms. Angela Brown
The Maryland National Park & Planning Commission
Development Review Division
8787 Georgia Avenue
Silver Spring, Maryland 20910

The purpose of this affidavit is to certify that notices regarding the pending application for Hoyles Mill Village-Sec. 2, 81995030E, were mailed by certified mail to all adjoining property owners and all HOA and Civic Associations on June 22, 2006. The site was posted on June 26, 2006.

I solemnly affirm under penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

A handwritten signature in cursive script, appearing to read 'J. D. [unclear]', written over a horizontal line.

Notary Public

My commission expires: 3-1-2008

ATTACHMENT D: WPCA LETTER OF SUPPORT FOR SITE PLAN AMENDMENT
81995030E



ComSource Management, Inc

www.comsource72.com

Northern Montgomery Cty
16 Executive Park Court
Germantown, MD 20874

P: 301.916.7100

F: 301.916.6059

September 8, 2006

Artery Hoyles Mill LLC
7200 Wisconsin Ave, 1000
Bethesda, MD 20814
Attention Bernie Rafferty

Re: Site Plan Amendment to the Elevation at Woodcliffe Park
Park & Planning Case No. 81995030E

Dear Mr. Rafferty:

The Woodcliffe Park Community Association (WPCA) has considered the elevation change that Artery Hoyles Mill LLC is requesting along Richter Farm Road near lot #25 and to the South of the pedestrian path that is already on the approved site plan. Woodcliffe Park Community Association is amenable to the proposed change and will work with you and the County as necessary.

Sincerely,

Stephan Willyard, CMCA
Property Manager



ATTACHMENT E: DRAFT PLANNING BOARD RESOLUTION FOR SITE PLAN
AMENDMENT 81995030E

MCPB No. _____
Site Plan No. 81995030E
Project Name: Hoyle's Mill Village – Section 2
Hearing Date: October 26, 2006

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on June 15, 2006, The Artery Group ("Applicant"), filed a site plan amendment application designated Site Plan No. 81995030E ("Amendment") for approval of the following modifications:

1. Revision of grading to Parcel B,
2. Addition of plant material; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staffs of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated October 20, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on November 2, 2006, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 81995030E; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this opinion 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 written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *