

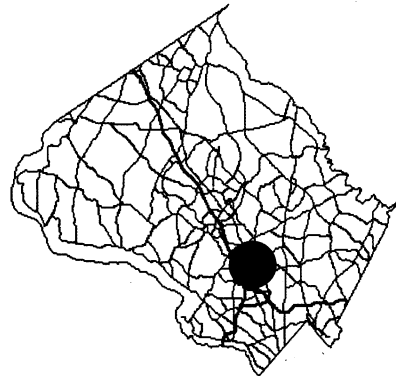


MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Consent Item #
MCPB 1-4-2007

MEMORANDUM

DATE: December 22, 2006
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
Michael Ma, Supervisor *Ma*
Development Review Division
FROM: Robert A. Kronenberg
Development Review Division
(301) 495-2187



REVIEW TYPE: Site Plan Amendment
CASE #: **82004023A**
PROJECT NAME: **The Jefferson at Inigo's Crossing**
APPLYING FOR: Amendment to modify the pedestrian access into the building for ADA accessibility, grading around the building, the retaining walls at the southwestern edge of the building, location of transformers, fire hydrant locations, access and signage, the stormwater management facility, forest conservation easement, and the landscape plan to reflect the access and grading changes.

REVIEW BASIS: Div. 59-D-2.6 of Montgomery County Zoning Ordinance for Minor Plan Amendments

ZONE: PD-28 and R-90 Zones
LOCATION: Located at the southwest quadrant of the intersection with Darnestown Road and Traville Gateway Drive
MASTER PLAN: North Bethesda/Garrett Park
APPLICANT: JPI
FILING DATE: September 25, 2006
HEARING DATE: January 4, 2007

STAFF RECOMMENDATION: Approval of the proposed amendments to Site Plan 820040230 and approval of the attached draft Planning Board Resolution for the Site Plan 82004023A.

BACKGROUND

The Site Plan (820040230) for Jefferson at Inigo's Crossing was presented to the Planning Board on April 15, 2004 (Planning Board Opinion dated August 19, 2004) for approval of 473 multi-family dwellings, including 53 MPDUs on 17.33 acres in the PD-28 and R-90 Zones. The Certified Site Plan was approved on November 29, 2004.

PROPOSED AMENDMENT

An amendment was filed on September 25, 2006, along with a public notice to adjacent and confronting property owners that outlines specific changes to the approved site plan. The Applicant submitted the amendment specifically to change exterior conditions of the Site Plan. The proposed amendment requests the following modifications:

1. The pedestrian access from Tuckerman Lane to the building entrance area was regraded to lessen the slope of the grade of sidewalks and paved areas to ensure equal and sufficient access for disabled persons.
2. The southwest edge of the western building was modified to align with the regraded paved areas and will now include terraced areas with stone retaining walls and improved landscaped areas to cover blank wall of garage area and improved entrance.
3. A transformer location was shifted and a generator was added at the southwest end of the west building at the request of Pepco, whose facilities will be fully screened from view with landscaping.
4. The fence on the northern edge of the residential property (facing Prep) was extended to provide additional security.
5. Pursuant to the request of the Fire Marshall; reflectors were added to the fence on the northern side of the building; additional fire hydrant connections were added; the grasscrete pavers were extended into the interior courtyard and northern property area; a fire hydrant and water line were relocated; and a directional sign was added near Prep's southern entrance (at north end of residential building) to direct fire personnel to the northern fire access to the residential building.
6. A portion of the forest conservation easement area immediately adjacent to the east side of the building was relocated further east (with plantings provided at a ratio of 2 to 1) to accommodate access to stormwater management easement areas.
7. The stormwater management facility in the golf course/recreational area has been revised from a dry pond to a wet pond with additional plantings and landscaping provided.
8. A few storm drain curb inlets have been relocated.
9. The Landscape Plan and Planting Schedule were revised at the southwest portion of the western building in response to grading changes and landscape enhancements.

The Applicant has prepared an exhibit [Attachment B] of the changes, outlined in red, that correspond to the specific items identified above.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on September 25, 2006. The Applicant also held a pre-application meeting on August 23, 2006, to present the amendment items to the surrounding community. Representatives from Grosvenor Park III Condominiums attended the meeting to discuss the changes. An additional meeting with the Grosvenor Park Townhouse Condominium was held on July 20, 2006, to discuss their concerns. Staff also discussed the proposed amendment with a resident in Grosvenor II, who had concerns about the mass of the building, cut-thru traffic, diversion of traffic onto Rockville Pike and on-site recreational facilities. The traffic issues were addressed extensively with the Preliminary and Site Plan applications. Staff verified the existing building footprint with the approved site plan and notified DPS of the height concern. To date, no violations have been issued by DPS with respect to height.

STAFF REVIEW AND RECOMMENDATION

The proposed amendment is consistent with the provisions of Section 59-D-2.6 of the Montgomery County Zoning Ordinance for Minor Plan Amendments. The amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board for the originally approved site plan.

The changes are consistent with as-built conditions and necessary programmed changes of most large-scale developments, with respect to modifications to site grading, retaining walls, on-site landscaping and utility locations. The comments from the Fire Marshall are necessary for access, safety and utility connections. The changes to the stormwater management area necessitated minor changes to the forest conservation area. This amendment did not go to DRC but was circulated to departmental staff for review and comment. Staff indicated approval of the amended items specified in the Applicant's request.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for The Jefferson at Inigo's Crossing (Site Plan No. 82004023A) for modifications to the approved site plan.

ATTACHMENT

- A. Vicinity Map
- B. Applicant Exhibit of Proposed Changes
- C. Draft Planning Board Resolution

ATTACHMENT A

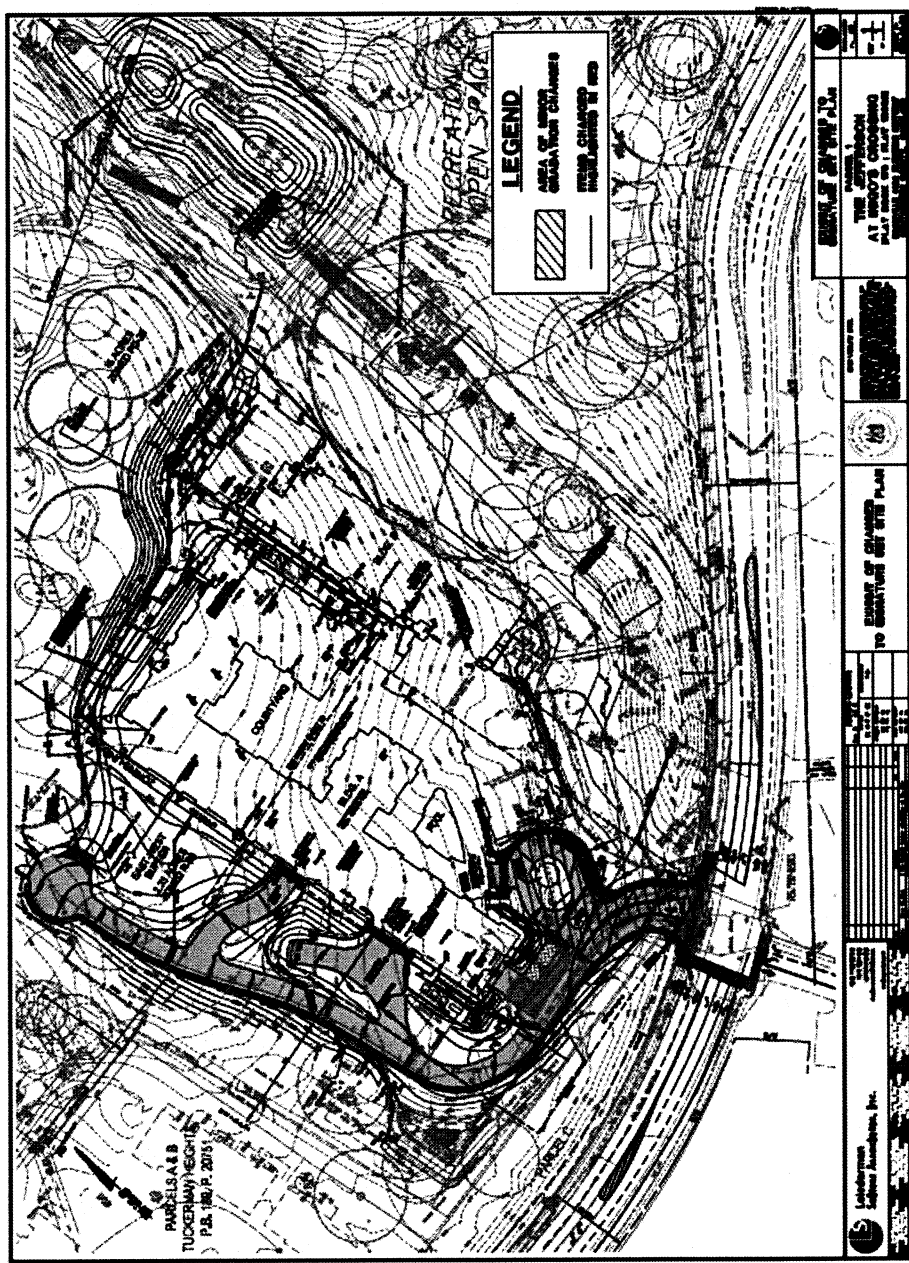
PROJECT DESCRIPTION: Site Vicinity

The subject property is located at the southwest quadrant of the intersection with Wisconsin Avenue and Tuckerman Road, within the North Bethesda/Garrett Park planning area. The site is the southern extension of the Georgetown Preparatory School, which borders Rockville Pike from Tuckerman to Golf Lane. The western edge of the property is bounded by the subdivision known as Tuckerman Station, consisting of townhouses. An extensive planted buffer was required by the original site plan between the townhouses and the proposed building. The property is zoned PD-28 and R-90, with the PD segment located primarily at the intersection with Tuckerman Lane and MD 355.

The units are being provided in two buildings, both of which are under construction and approximately 80-90 percent complete on the exterior. The internal Access to the multi-family buildings is from Tuckerman Lane across from the access to the Grosvener Park Condominiums.



ATTACHMENT B



ATTACHMENT C

DRAFT

MCPB No. 06-123
Site Plan No. 82004023A
Project Name: The Jefferson at Inigo's Crossing
Hearing Date: January 4, 2007

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 September 25, 2006, JPI ("Applicant"), filed a site plan amendment application, designated Site Plan No. 82004023A ("Amendment"), for approval of certain modifications to the approved development; 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 December 22, 2006, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on January 4, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action.

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. 82004023A, including the following modifications as reflected in plans stamped by M-NCPPC on September 25, 2006:

1. The pedestrian access from Tuckerman Lane to the building entrance area was regraded to lessen the slope of the grade of sidewalks and paved areas to ensure equal and sufficient access for disabled persons.
2. The southwest edge of the western building was modified to align with the regraded paved areas and will now include terraced areas with stone retaining walls and improved landscaped areas to cover the blank wall of the garage area and the improved entrance.
3. A transformer location was shifted and a generator was added at the southwest end of the west building at the request of Pepco, whose facilities will be fully screened from view with landscaping.
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5. Pursuant to the request of the Fire Marshall; reflectors were added to fence on northern side of building; additional fire hydrant connections were added; the grasscrete pavers were extended into the interior courtyard and northern property area; a fire hydrant and water line were relocated; and a directional sign was added near Prep's southern entrance (at north end of the residential building) to direct fire personnel to the northern fire access to the residential building.
6. A portion of the forest conservation easement area immediately adjacent to the east side of the building was relocated further east (at a ratio of 2 to 1 plantings) to accommodate stormwater management easement access areas.
7. The stormwater management facility in the golf course/recreational area has been revised from a dry pond to a wet pond with additional plantings and landscaping provided.
8. A few storm drain curb inlets have been relocated.
9. The Landscape Plan and Planting Schedule were revised at the southwest portion of the western building in response to grading changes and landscape enhancements.

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 Amendment shall be effective as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this Resolution is _____ (which is the date that the 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).

* * * * *

RAK

APPROVED AS TO LEGAL SUFFICIENCY
TAB
M-NCPPC LEGAL DEPARTMENT
DATE 12/22/06