



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

**Consent Item #**  
**MCPB 10-04-07**

**MEMORANDUM**

**DATE:** September 21, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief *RK*  
 Development Review Division  
 Robert Kronenberg, Acting Site Plan *RK*  
 Supervisor  
**FROM:** Development Review Division  
 Michele Oaks, Planner Coordinator  
 Development Review Division  
 (301) 495-4573



**REVIEW TYPE:** **Site Plan Amendment**  
**CASE #:** **82004029A**  
**PROJECT NAME:** Liberty Heights  
**APPLYING FOR:** Amendment to modify the lighting plan

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

**ZONE:** RT-6  
**LOCATION:** Located on the western side of Liberty Mill Road  
**MASTER PLAN:** Germantown  
**APPLICANT:** BJ Land Company LLC  
**FILING DATE:** July 26, 2007  
**HEARING DATE:** October 4, 2007

**STAFF RECOMMENDATION:** Approval of the proposed amendment to Site Plan 820040290 and approval of the attached draft Planning Board Resolution for the Site Plan 82004029A.

**BACKGROUND**

The Site Plan (820040290) for Liberty Heights was presented to the Planning Board on June 3, 2004 (Planning Board Opinion dated June 17, 2004) for approval of 11 single family, attached dwelling units in the RT-6 Zone.

## PROPOSED AMENDMENT

The amendment which was filed on July 26, 2007 outlines specific changes to the approved site plan. The proposed amendment requests the following modifications:

- 1) Change the approved Edgewater Horizontal Lamp, 175-watt bulb, Type III cutoff manufactured by Spring City Electrical Company to a Holophane RSL-350 Salem fixture with a 100-watt bulb (RP10HP00XXG3).
- 2) Replace the approved 12' high (mounting height) luminaire with a 12' high (mounting height) Holophane Salem Series cast aluminum luminaire set upon a 9" square base and contains an extruded shaft (ZS 12 S49 CA BK). (Mounting height is defined as the distance from the base of the fixture to the ground.)
- 3) Retain the approved number of light fixtures; however, relocate the fixture positions to improve light distribution.

## PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on August 13, 2007. The notice gave the interested parties 15 days to review and comment on the amended site plan. An affidavit was received from the owners of Liberty Heights Subdivision, Lots 108-118 to provide documentation of the meetings the applicant provided to discuss proposed changes to their community's lighting plan.

## 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 modifications to the lighting plan are consistent with the objectives outlined in Section 59-D-2.6. The applicant is proposing to reduce the amount of light pollution and reflection by changing the current configuration of the light fixtures and their model type. This ultimately will provide the residents an improved and more compatible night environment within their community.

This amendment did not go to DRC but was circulated to departmental staff for review and comment. Planning staff provided written support of the amended items specified in the Applicant's request. The modifications to the lighting plan will not have any adverse impacts on the affected buildings and provide for a similar treatment in front of the units.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Liberty Heights (Site Plan No. 82004029A) for modifications to the approved site plan.

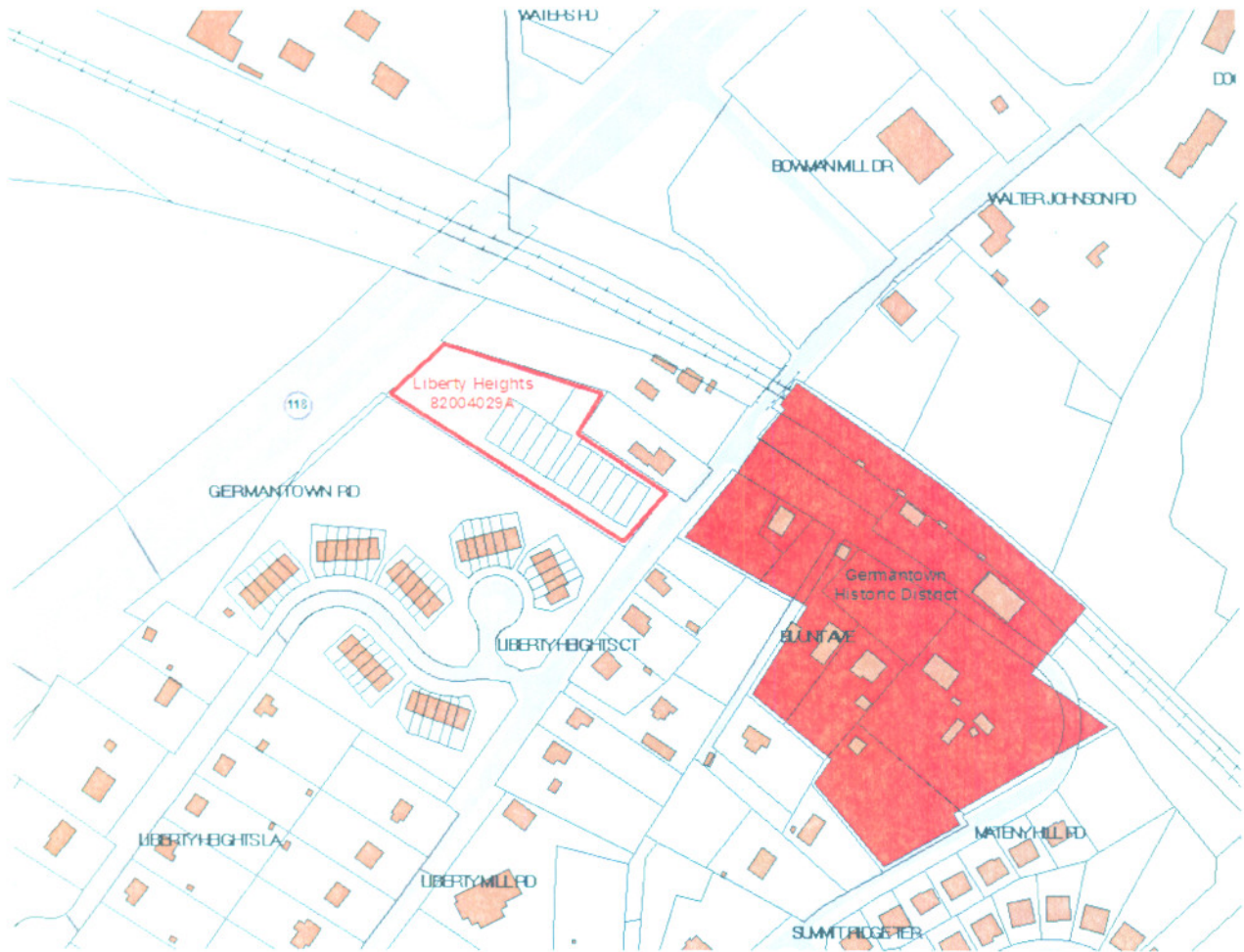
## ATTACHMENTS

- A. Site Description and Vicinity
- B. Pictometry Photo
- C. Letter from Applicant
- D. Draft Planning Board Resolution

Site Description and Vicinity

The 1.84-acre site is situated on the north side of Liberty Mill Road, 350 feet west of the CSX Rail Line in Germantown, Maryland. This rectangular property contains a private court (Liberty Bell Court). One-family detached and attached homes surround the subject property on the northern side of Liberty Mill Road and the Germantown Historic District occupies the southern side of the road adjacent to the railroad tracks.

The townhouse community consists of 11 dwellings. The planting component of the landscaping plan has been implemented in its entirety.



ATTACHMENT B



**ATTACHMENT C**

June 6, 2007

Mr. Robert Kronenberg  
The Maryland-National Capital  
Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

RE: Minor Site Plan Amendment to approved  
Liberty Heights Site Plan 8-04029 to revise  
Lighting Plan

Dear Mr. Kronenberg:

Following is a description of proposed revisions to the Lighting Plan of the above-referenced Site Plan:

1. Change the luminaire from Spring City Electrical Manufacturing Company Edgewater Horizontal Lamp, Type III, cutoff (ALMEDG-MH175/QV1/SD-PCLP-HC3 series) with a 175-watt bulb to Holophane RSL-350 Salem (RP10HP00XXG3) with a 100-watt bulb.
2. Change the lighting post from unspecified 12-foot height to Holophane Salem Series Cast aluminum post 9" square base extruded shaft 12-foot height (ZS 12 S49 CA BK).
3. Keep the same number (6) of lights but relocate the location of lights to improve light distribution.

If you need additional information on the proposed lighting revisions, please contact me.

Very truly yours,

DEWBERRY & DAVIS LLC



James R. Crawford, AICP  
Senior Associate

JRC:mdb  
MNCPPC-Robert Kronenberg.Minor Site Plan Amendment Lighting Plan

cc: James Unger, Allen Roy Builders



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

MCPB No. 07-117  
 Site Plan No. 82004029A  
 Project Name: Liberty Heights  
 Hearing Date: October 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 July 26, 2007, BJ Land Company LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82004029A ("Amendment") for approval of the following modifications:

- 1) Change the approved Edgewater Horizontal Lamp, 175-watt bulb, Type III cutoff manufactured by Spring City Electrical Company to a Holophane RSL-350 Salem fixture with a 100-watt bulb (RP10HP00XXG3).
- 2) Replace the approved 12' high (mounting height) luminaire with a 12' high (mounting height) Holophane Salem Series cast aluminum luminaire set upon a 9" square base and contains an extruded shaft (ZS 12 S49 CA BK). (Mounting height is defined as the distance from the base of the fixture to the ground.)
- 3) Retain the approved number of light fixtures; however, relocate the fixture positions to improve light distribution.

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 September 21, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on October 4, 2007, 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. 82004029A; 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

*DAL 7/21/07*  
 \_\_\_\_\_  
 Approved for legal sufficiency  
 M-NCPPC Office of General Counsel



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).

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