



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

Consent Item #
MCPB 02-14-28

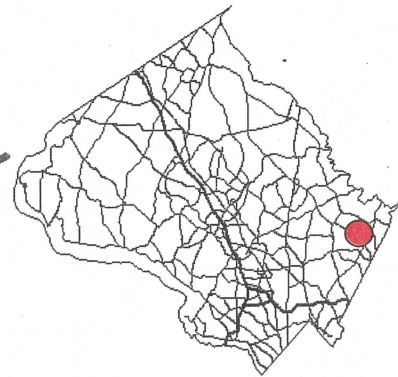
MEMORANDUM

DATE: January 25, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert A. Kronenberg, Supervisor *RAK*
Development Review Division

FROM: *MO* Michele Oaks, Planner Coordinator
Development Review Division
(301) 495-4573
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REVIEW TYPE: Site Plan Amendment
CASE #: **82003038B**
PROJECT NAME: **Greencastle Towns**

APPLYING FOR: Amendment to add a retaining wall and make minor revisions to the landscaping and lighting and recreation plans

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

ZONE: RT-8

LOCATION: Located 1500' south of the intersection of Robey Road and Greencastle Road

MASTER PLAN: Fairland

APPLICANT: D.R. Horton, Inc.

FILING DATE: December 12, 2007

HEARING DATE: February 14, 2008

STAFF RECOMMENDATION: Approval of the proposed amendment to Site Plan 82003038A and approval of the attached draft Planning Board Resolution for Site Plan 82003038B.

BACKGROUND

The Site Plan (820030380) for Greencastle Towns, was presented to the Planning Board on October 2, 2003 for approval of 27 one-family attached housing units. The development included 27 lots and a 74,604 sq. ft. parcel of open space to be dedicated to the HOA. The Certified Site Plan was approved on September 22, 2004.

A subsequent administrative amendment (820030038A) was approved by the Director of Planning on March 30, 2006 for minor adjustments to grading, building locations and entrances due to final architectural drawings and changes in unit type (wider and shorter than originally proposed).

PROPOSED AMENDMENT

An amendment was filed on December 12, 2007 that requests the following modifications:

- 1) Install a 24" retaining wall on the uphill side of the Gazebo located in the center island
- 2) Modify the approved locations for the light fixtures.
- 3) Replace the approved light fixtures with alternate fixtures.
- 4) Change the approved manufacturer of the play equipment being installed in the center island.
- 5) Alter the landscaping plan throughout the site by replacing and/or omitting plants.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on December 21, 2007. The notice gave the parties 24 days to review and comment on the amended site plan. Staff has received no comments at the time this report was prepared from the parties of record regarding the contents of the amendment.

Signage required by the Montgomery County Planning Board was posted on December 14, 2007 along the Greencastle Road frontage. The Applicant has supplied the file of record with an Affidavit of Posting and photo documentation.

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 Applicant installed the segmental block retaining wall (24" maximum height) around the gazebo feature to prevent water run-off from draining onto the gazebo's floor. The retaining wall provides drainage to maintain the structural integrity of the gazebo's building materials.

The adjustment to the lighting plan was required by BGE, the electric company, which provides service and installs the lighting fixtures in this region. After the Site Plan approval, BGE reviewed the plans for installation and determined the design was not compliant with their regulations. In their letter dated October 9, 2007, BGE amended the plan, which included new fixtures to be positioned at new locations, changing the light fixture being installed and reducing the number of fixtures to be installed on the site from five (5) to four (4). The applicant is requesting retroactive approval of this revised lighting plan. Based on the information provided in the supplied photometric plan, the revised plan meets the zoning code requirements for lighting, and as such this plan meets the intent of the original approved site plan.

The Applicant is seeking approval for the installation of a Playworld Systems Play Structure in the tot lot on the subject site. The structure is a replacement for the Game Time "Cub" (#11713) Play Structure approved on the original Certified Site Plan. Although the two structures are not exact replicas, they are similar in design and features (i.e. number and type of activities) and conform to the intent of the approved site plan.

The alterations to the landscaping plan, which were the result of on-site changes due to existing conditions or available healthy plant material, are minor in nature and do not affect the overall intent or design of the approved landscape plan.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for Greencastle Towns (Site Plan No. **82003038B**) for modifications to the approved site plan.

ATTACHMENT

- A. Vicinity Map
- B. Exhibit of Approved and Proposed Play Structures
- C. Draft Planning Board Resolution

ATTACHMENT A

PROJECT DESCRIPTION: Site Vicinity

The site is located 1500' south of the intersection of Robey Road and Greencastle Road. On the opposite side of Greencastle Road is Fairland Regional Park. North of the site is the Greencastle Woods subdivision, a 37-unit development of attached homes, zoned RT-10. West of the site, with a buffer of trees separating, is an R-30 zoned apartment community with four-story buildings. The site is located approximately a quarter-mile from the Montgomery County / Prince Georges County boundary line.





Planning Board Approved Equipment (October 2003 Site Plan)




Equipment in Proposed Amendment to Site Plan



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EXPLANATION OF CHANGES

TO DEVELOPMENT REVIEW DIVISION
M-NCPPC

FROM ALFRED BLUMBERG, AICP 
SITE SOLUTIONS, INC.

DATE DECEMBER 11, 2007

SUBJECT GREENCASTLE TOWNS MINOR SITE PLAN AMENDMENT
8-03038B

This amendment has resulted from the Final Inspection of the subject property and the letter of Site Plan Enforcement Notice of Non-Compliance dated August 31, 2007. That letter cited four items found to be out of compliance with the previously approved Site Plan, #8-03038A. Those items included:

1. A 24" retaining wall on the uphill side of the Gazebo located in the center island.
2. The site lights were installed at different locations than approved and were replaced with a different lighting fixture.
3. The play equipment in the center island was replaced with a different manufacturer, and
4. Various landscaping specified has been replaced and/or omitted throughout the site.

Each of these items is addressed in this amendment as follows:

1. The retaining wall has been added to the Site Plan and is designed to be extended in a manner that will alleviate any potential runoff from draining onto the gazebo floor.
2. The site lights are indicated on the Site Plan as installed, and the photometrics plan has been modified to graphically illustrate the installed light distribution throughout the site. A letter of explanation from BGE, who installed the lights, has been submitted with this application.

3. The play equipment installed is essentially identical to the equipment approved on the initial site plan. The specification for the installed equipment has been indicated on the plan.
4. The installed landscaping will be modified by the applicant to reflect the previously approved Landscape Plan.

We believe that these amendments comport with the intent of the Planning Board when they approved the Site Plan initially. The changes made during construction were made with the best of intentions by all involved. We believe that the community is very attractive, which is one of the reasons that it is completely sold out. These modifications will bring the development into compliance with what is on the ground with minimal impact on the intent of the Planning Board resolution of approval and with the least impact on the residents of the community.



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

MCPB No. 08-17
Site Plan No. 82003038B
Project Name: Greencastle Towns
Hearing Date: February 14, 2008

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, on December 12, 2007, D.R. Horton ("Applicant"), filed a site plan amendment application designated Site Plan No. 82003038B ("Amendment") for approval of the following modifications:

- 1) Install a 24" retaining wall on the uphill side of the Gazebo located in the center island
- 2) Modify the approved locations for the light fixtures.
- 3) Replace the approved light fixtures with alternate fixtures.
- 4) Change the approved manufacturer of the play equipment being installed in the center island.
- 5) Alter the landscaping plan throughout the site by replacing and/or omitting plants; 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 January 25, 2008 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on February 14, 2008, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing");

APPROVED AS TO LEGAL SUFFICIENCY
1 Feb 08
MNCPPC LEGAL DEPARTMENT

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staffs recommendation and analysis set forth in the Staff Report and hereby approves Site Plan No. 82003038B; 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 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 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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