



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

Staff Report: Site Plan Amendment 82005012C, Baum Property

CONSENT ITEM #: _____

MCPB HEARING

DATE: December 10, 2009

REPORT DATE: December 1, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief
Robert Kronenberg, Supervisor
Development Review Division

FROM: Molline Smith, Senior Planner
Development Review Division
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APPLICATION DESCRIPTION: 6.30 acres, zoned RT-8, located between Valley Park Drive and Ridge Road (MD 27), within the Damascus Master Plan. Amendment proposes to 1) Add a 6-foot board fence behind lots 81-107; 2) Add a guardrail at the terminus of the parking lot in front of lots 74 & 75; 3) Revise the residential development program; 4) Revise the Landscape Plan; 5) Relocate the 5-foot sidewalk along Coltrane Drive; 6) Revise tot lot grade elevations; and 7) Modify site details.

APPLICANT: Baum, LLC.

FILING DATE: September 17, 2009

RECOMMENDATION: Approval of the site plan amendment and adoption of the draft resolution.

EXECUTIVE

SUMMARY: The revisions proposed within this amendment are a result of minor changes to the existing grades and construction details. Modifications will be applied to the tot lot, site elements (development program, sidewalks, etc.), and the landscape plan.

SITE DESCRIPTION

Vicinity

The subject site is located approximately 1 mile south of Damascus Town Center, and ½ mile south of Damascus High School. The site fronts onto Valley Park Drive between Ridge Road (MD 27) and Woodfield Road. This area was formally recognized as one of the largest sites for accommodating residential growth in the Damascus vicinity. Located within the Magruder Branch Valley Park; the townhouse development shares access off Coltrane Drive with Damascus Manor (a townhouse development to the north).

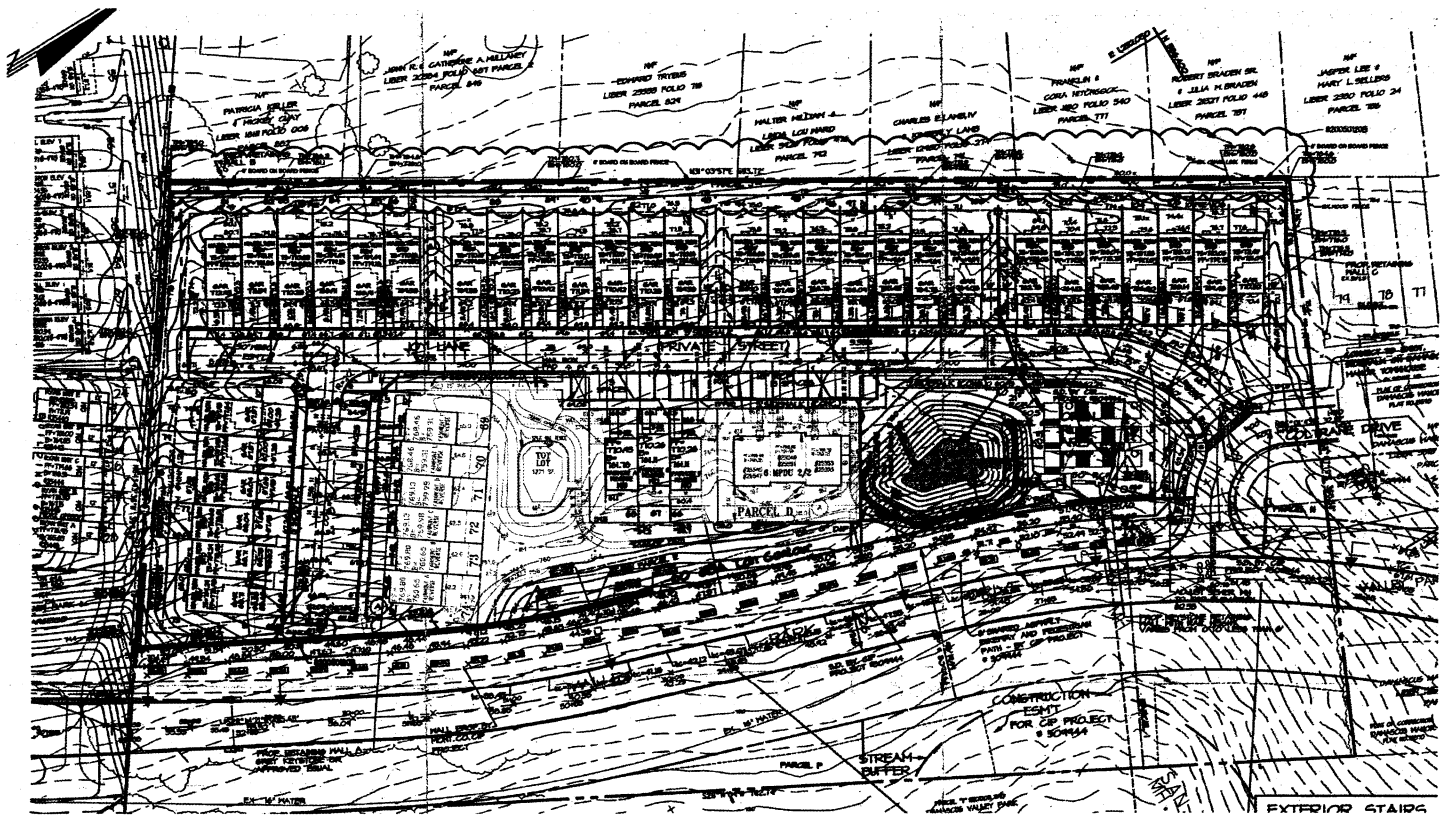


Aerial Map

Site Analysis

The subject site is approximately 6.30 total acres; zoned RT-8. The existing topography of the site naturally slopes east towards the Magruder Branch Watershed. The natural grades are typical of a stream valley with steep slopes falling west to east approximately 18% to 25%. The Valley Park Drive roadway/ bikeway is identified as the sole connection between Ridge Road (MD 27), Woodfield Road (MD 124), Seneca Greenway (east), and Little Bennett Regional Park (west). The existing retaining walls along Valley Park Drive are necessary for the new construction of the site, the roadway and the bikeway. The construction of the site is currently underway, and over half the units are built and occupied. The target completion date is spring of 2010.

The overall development of this site was largely determined by the existing land patterns of the surrounding residential neighborhoods and the proposed roadway connections. In general the site's layout is responsive to the adjoining properties by placing the multi-family units back-to-back with the adjacent sites. The minor modifications proposed in this amendment are intended to improve the site aesthetics and safe circulation of the overall development.



Site Plan

AMENDMENT DESCRIPTION

Previous Approvals

Preliminary Plan

This plan is subject to the conditions of Preliminary Plan 120040980, which was approved for 48 lots on April 14, 2005.

Site Plan

Site Plan 820050120 was approved for 48 lots on 6.32 acres on January 20, 2005.

Amendment A: an administrative approval on March 6, 2008 for modifications to the SWM facilities, landscape and grading.

Amendment B: an administrative approval on May 15, 2009 for modifications to site elements (i.e. the installation of a 6-foot fence and 3-foot guardrail). The site plan certification will be incorporated into this amendment.

Conformance to Conditions of Approval

The proposed development must comply with the conditions of the original approved Site Plan 820050120 as enumerated in the Planning Board Resolution dated April 20, 2005 except as modified herein.

Description of Amendment[s]

The Applicant requests the following modifications to the Site Plan:

1. Add a 6-foot board fence behind lots 81-107;
2. Add guardrail at the terminus of the parking lot in front of lots 74 & 75;
3. Revise the Residential Development Program;
4. Revise the Landscape Plan;
5. Relocate the 5-foot sidewalk along Coltrane Drive;
6. Revise tot lot grade elevations in accordance to ADA standards; and
7. Modify site details.

PUBLIC NOTICE

A notice regarding the subject amendment was sent to all parties of record by the Applicant on August 28, 2009. The notice gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59-D-3.7. Staff received no inquiries regarding the proposed amendment.

STAFF RECOMMENDATION

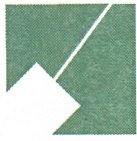
The proposed modifications to the site plan will not alter the overall character or impact of the development with respect to the original findings of approval. Further, these modifications will

not affect the compatibility of the development with respect to the surrounding neighborhood.
Staff recommends approval of Site Plan Amendment 82005012C.

APPENDICES

A. Draft Planning Board Resolution

APPENDIX A



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

MCPB No. _____
Site Plan No. 82005012C
Project Name: Baum Property
Hearing Date: December 10, 2009

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 17, 2009, Baum LLC. ("Applicant"), filed a site plan amendment application designated Site Plan No. 82005012C ("Amendment") for approval of the following modifications:

1. Add 6-foot board fence behind lots 81-107;
2. Add guardrail at terminus of parking lot in front of lots 74 & 75;
3. Revise the Residential Development Program;
4. Revise Landscape Plan;
5. Relocate the 5-foot sidewalk along Coltrane Drive;
6. Revise tot lot grade elevations in accordance to ADA standards; and
7. Modify site details.

WHEREAS, Administrative Amendment B was approved on May 15, 2009, however the modifications are incorporated into this Consent Amendment and will be certified upon approval of this site plan; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated December 1, 2009 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on December 10, 2009, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing");

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 as set forth in the Staff Report and hereby approves the Site Plan No. 82005012C; and

Approved as to
Legal Sufficiency: _____
M-NCPPC Legal Department

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment 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).

* * * * *

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner _____, seconded by Commissioner _____, with Commissioners _____ (list) voting in favor of the motion, with Commissioner(s) _____ (list) dissenting, Commissioner(s) _____ (list) abstaining, Commissioner(s) _____ (list) being absent or being temporarily absent, at its regular meeting held on Thursday, _____, 200.., in Silver Spring, Maryland.

MCS