

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

MCPB No. 12-35
Site Plan No. 82004026C
Project Name: River Quarry¹
Hearing Date: March 22, 2012

APR 18 2012

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 April 27, 2004, upon the application of Michael T. Rose Land Co, Inc., the Planning Board approved Preliminary Plan 120040210, to create 30 lots on approximately 6.16² acres of R-200/DR-12 zoned property located in the northwestern quadrant of the interchange of I-495 and River Road ("Property" or "Subject Property"), in the Potomac Subregion Master Plan area; and

WHEREAS, on July 27, 2004 the Planning Board approved Site Plan 820040260 to allow construction of 15 one-family detached houses and 15 townhouses (including 18 TDRs), on the Property; and

WHEREAS, on December 1, 2006, the Planning Board approved an amendment to the site plan, Site Plan 82004026A (MCPB Resolution 06-110) for modifications to the vehicular and pedestrian circulation, drainage systems, landscape plan and development program; and

WHEREAS, on October 6, 2009, the Planning Board approved an amendment to the site plan, Site Plan 82004026B River Quarry (MCPB Resolution 09-121) to amend the development standards table to revise the setback; and

WHEREAS, on December 5, 2011, RQ Acquisitions, LLC³, ("Applicant"), filed a site plan amendment application, which was designated Site Plan No. 82004026C ("Amendment") for approval of the following modifications:

¹ After certain approvals, the project name was changed from Giancola Quarry to River Quarry.

² The land area of the project has varied throughout the different plan approvals.

³ On October 7, 2011, RQ Acquisitions LLC purchased the Property from Michael T. Rose Land Co, Inc.

Approved as to
Legal Sufficiency:

Carol Rubin/cg
M-NCPPC Legal Department

1. Update topography as shown on the revised plan submitted December 5, 2011, to match existing conditions;
2. Minor architectural change to the capping of the stone pier pillars along the stone entrance wall;
3. Modify the lighting of the stone entrance signs and wall to allow for ground lighting rather than hanging lanterns;
4. Remove the proposed noise mitigation wall for Lot 9;
5. Revise the main entrance gate metalwork to match the existing metal fences along the front of the site;
6. Removal of the metal gate as shown on the previously approved plan at the access drive for lots 21 and 22;
7. Replace pavers as shown on the previously approved plan for driveways, walkways, and courtyard with a stamped concrete texture;
8. Replace pavers as shown on the previously approved plan for the front entrance with asphalt;
9. Change the model type of the homes on un-built lots;
10. Modify the design and location of the street light posts to reflect new driveway locations;
11. Install decorative pathway lighting to internal walkways; and
12. Add existing landscaping to the approved Landscape Plan and modify the acceptable and compatible substitutions for plants list; and

WHEREAS, Applicant also requested approval to amend the Development Program to revise the timing of certain site plan elements; 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 March 9, 2012, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on March 22, 2012, 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 certain elements of Site Plan No. 82004026C, as follows:

1. Applicant shall make the following modifications:
 - a) Update topography as shown on the revised plan submitted December 5, 2011, to match existing conditions;
 - b) Minor architectural change to the capping of the stone pier pillars along the stone entrance wall;

- c) Modify the lighting of the stone entrance signs and wall to allow for ground lighting rather than hanging lanterns;
 - d) Revise the main entrance gate metalwork to match the existing metal fences along the front of the site;
 - e) Removal of the metal gate as shown on the previously approved plan at the access drive for lots 21 and 22;
 - f) Replace pavers as shown on the previously approved plan for driveways, walkways, and courtyard with a stamped concrete texture;
 - g) Replace pavers as shown on the previously approved plan for the front entrance with asphalt;
 - h) Change the model type of the homes on un-built lots;
 - i) Modify the design and location of the street light posts to reflect new driveway locations;
 - j) Install decorative pathway lighting to internal walkways; and
 - k) Add existing landscaping to the approved Landscape Plan and modify the acceptable and compatible substitutions for plants list.
2. All site development elements as shown on the River Quarry drawings stamped by the M-NCPPC on December 5, 2011 (revised on January 25, 2012), are required.
 3. The site plan elements listed in sections 1(b), 3(a), and 4 of the Development Program must be provided before the issuance of the Use and Occupancy Permits for lots 21 and 22.

BE IT FURTHER RESOLVED, unless specifically amended, all other conditions of approval for Site Plan Nos. 820040260, 82004026A, and 82004026B remain valid and in full force and effect; and

BE IT FURTHER RESOLVED, that, having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference, the Montgomery County Planning Board FINDS, that this Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in the originally approved site plan and that all findings remain in effect; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board 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

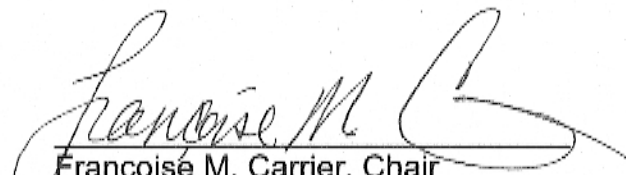
BE IT FURTHER RESOLVED, that the date of this written resolution is APR 18 2012 (which is the date that this resolution is mailed to all parties of record); and

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).

* * * * *

CERTIFICATION

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 Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor of the motion, and with Commissioner Presley absent, at its regular meeting held on Thursday, March 22, 2012, in Silver Spring, Maryland.


Françoise M. Carrier, Chair
Montgomery County Planning Board