



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

Consent Item #
MCPB 11/29/07

MEMORANDUM

DATE: November 15, 2007

TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RAK*
 Development Review Division

Robert Kronenberg, Site Plan *RAK*
 Supervisor
 Development Review Division

FROM: Michele Oaks, Planner Coordinator *M*
 Development Review Division
 (301) 495-4573



REVIEW TYPE: Site Plan Amendment
CASE #: **82005018B**
PROJECT NAME: **White Oak**
APPLYING FOR: Amendment to change top of fence to pointed pickets and change grading along Warwick Court

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

ZONE: R-90 Zone
LOCATION: Located on Stewart Lane east of Lockwood Drive
MASTER PLAN: Fairland

APPLICANT: White Oak Investments, LLC

FILING DATE: October 2, 2007
HEARING DATE: November 29, 2007

STAFF RECOMMENDATION: Approval of the proposed amendment to Site Plan 82005018A and approval of the attached draft Planning Board Resolution for the Site Plan 82005018B.

BACKGROUND

The Site Plan (820050180) for White Oak was presented to the Planning Board on February 10, 2005 (Planning Board Opinion dated April 12, 2005) for the construction of 106 one-family attached dwelling units, including 16 Moderately Priced Dwelling Units (MPDU) on 26.30 acres.

On October 12, 2005, the Applicant requested an amendment (82005018A) to their original approved site plan, which included modifications to the development standards for the MPDUs, correcting setbacks for lots abutting the subdivision, revising the lot lines to accommodate utility easements, and the refinement of building product type (brick facades). This amendment was approved by the Planning Board on July 27, 2006 (Resolution Date: October 28, 2006).

PROPOSED AMENDMENT

The amendment which was filed on October 2, 2007 outlines specific changes to the approved site plan. The proposed amendment requests the following modifications:

- 1) Alter the original design of the approved 48" aluminum fence from a flat top picket to a pointed picket fence.
- 2) Change the grading on Parcel C, located at the southern tip of Warwick Court. The site will be changed from a relatively flat 358.61 grade to a 359 grade gradually sloping down to a 358 grade towards the newly constructed townhouses.

PUBLIC NOTICE

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on October 2, 2007. The notice gave the parties 15 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 or about October 19, 2007, at Stewart Lane, 350 ft. east of Lockwood Drive. 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 is requesting two modifications to the approved site plan, which affect the landscape and site plans. The design of the 48" aluminum fence will be altered from a flat top

picket to a pointed picket fence. Additionally, proposed grade changes on Parcel C, located at the southern tip of Warwick Court, slightly change the approved topography from one of a relatively flat grade, to a grade that gradually slopes down a single foot in depth towards the newly constructed townhouses (see illustrations on Attachment B).

This amendment did not go to the Development Review Committee (DRC) for comment. However, copies of the plans were delivered to Community Based Planning, Environmental Planning, and Transportation Planning for their review and comment. All planning staff responded in-writing with no objections to the revisions proposed in the amendment to the site plan.

Staff recommends **APPROVAL** of the Minor Site Plan Amendment for White Oak (Site Plan No. 82005018B) for modifications to the approved site plan.

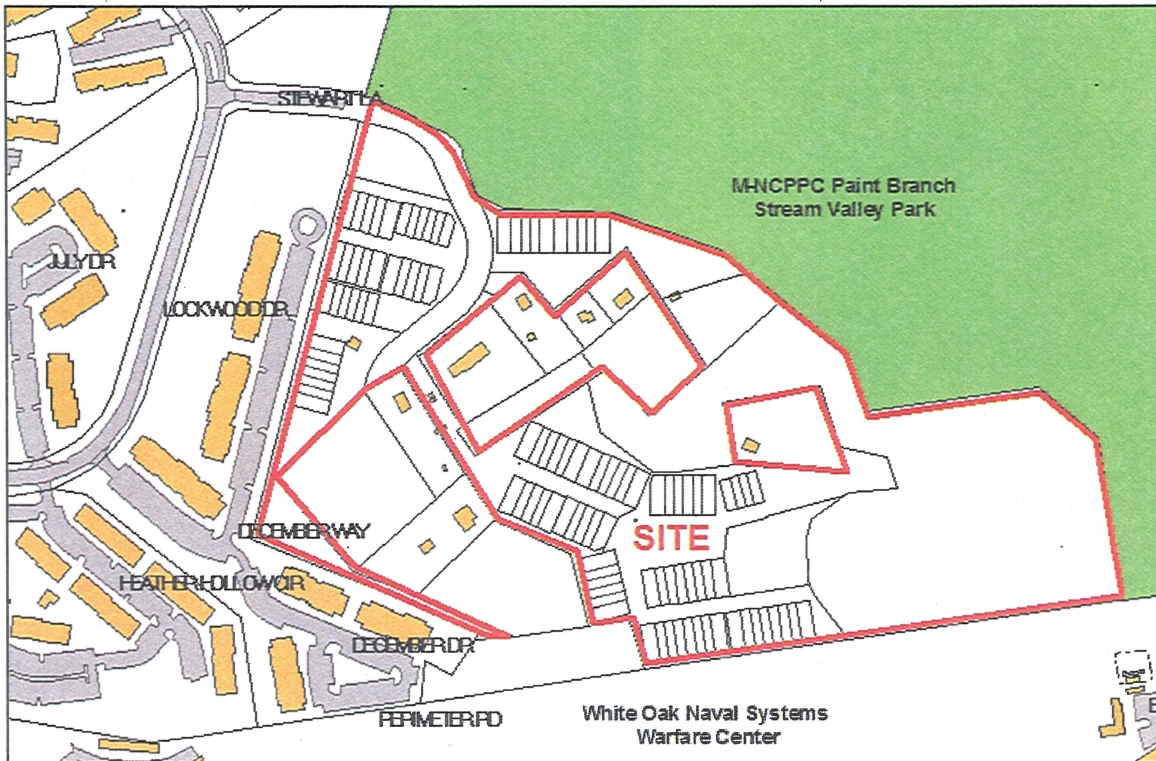
ATTACHMENT

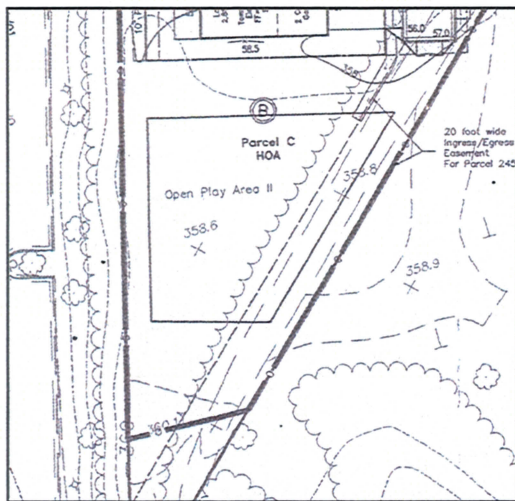
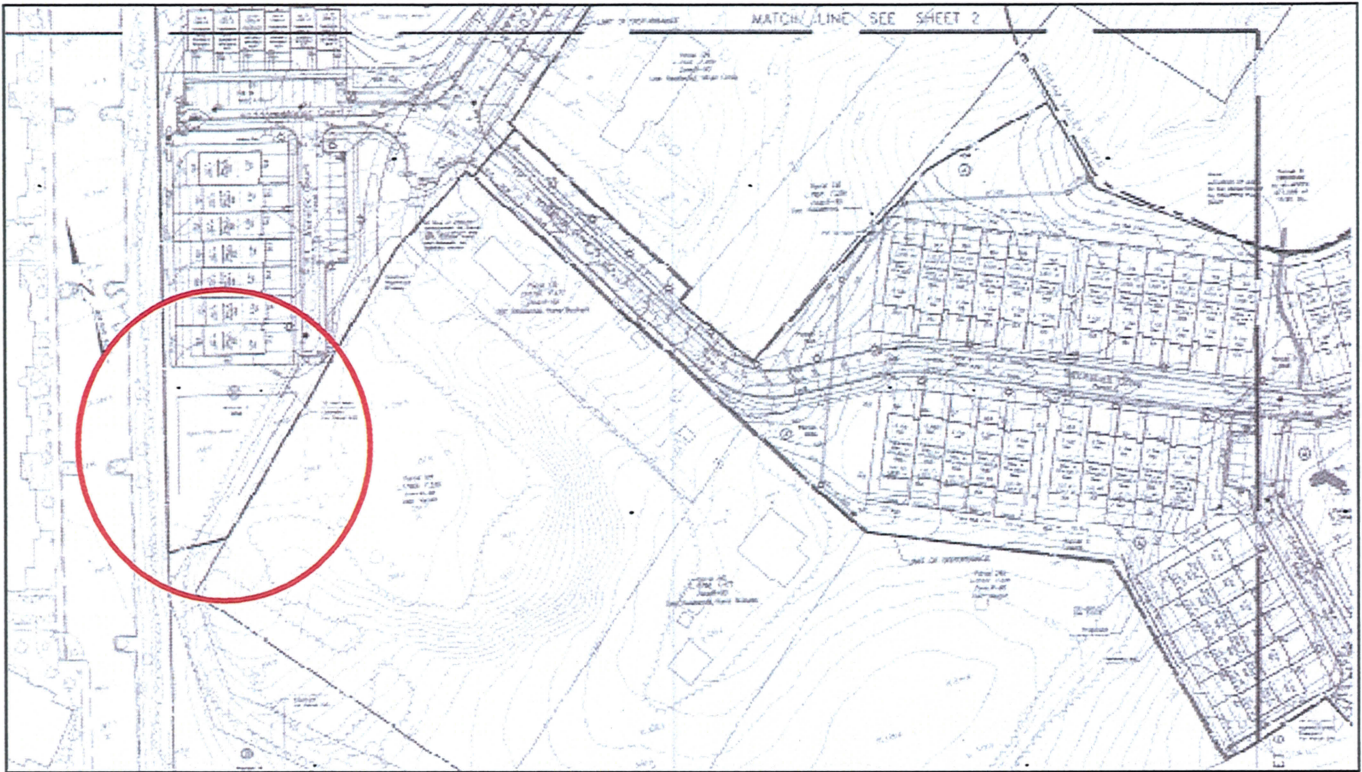
- A. Vicinity Map
- B. Illustration of the proposed amendment to the grading plan
- C. Letter from Applicant
- D. Draft Planning Board Resolution

ATTACHMENT A

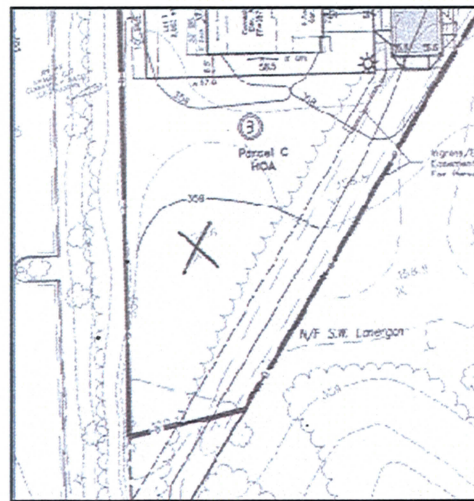
PROJECT DESCRIPTION: Site Vicinity

This 26.30 acre site is located on Stewart Lane approximately 350 feet east of Lockwood Drive. Adjacent to the site to the southwest is an apartment community with buildings ranging from two to four stories in height. M-NCPPC owns property to the North and East of the site, which is associated with the Paint Branch Stream Valley Park. The White Oak Naval Surface Warfare Center abuts the site to the south. This government facility, zoned RE-2, includes multiple buildings and a golf course.





Approved in 2004



Proposed as Part of this Amendment

October 2, 2007

Re: White Oak – Revised Fence Detail and Minor Grading Revision
M-NCP&PC # 8-05018A
MHG Project No. 03.244

Dear Property Owner:

The purpose of this letter is to inform you of two minor revisions to the White Oak Site Development Plan and Landscape Plan. The revisions are related to the construction of aluminum picket safety fence and the grading south of Lot 1 on Warwick Court.

In order to discourage children from climbing over the fence and onto the retaining walls (some of which are over 8' high), the fence installed incorporates pointed pickets at the top versus the flat rail originally shown on Sheet 6 of 6 of the Landscape Plan.

The second revision to the approved plans involves a minor grading revision along Warwick Court, south of Lot 1, which was necessary to account for a difference in the existing grade (+/- 18") from what was originally shown on the approved plan.

With the exception of these minor changes, the revised plan matches the approved plan. For your convenience we have attached a copy of the revised Site Plan which indicates these changes.

If you have any questions regarding this minor revision, please do not hesitate to contact me, or send your comments and or concerns to Maryland National Capital Park and Planning Commission within 15 days of this notice.

Sincerely,

Lauren Wirth



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

MCPB No. 07-214
Site Plan No. 82005018B
Project Name: White Oak
Hearing Date: November 29, 2007

MONTGOMERY COUNTY PLANNING BOARD

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 October 2, 2007, White Oak Investments, LLC, ("Applicant"), filed a site plan amendment application designated Site Plan No. 82005018B ("Amendment") for approval of the following modifications:

- 1) Alter the original design of the approved 48" aluminum fence from a flat top picket to a pointed picket fence.
- 2) Change the grading on Parcel C, located at the southern tip of Warwick Court. The site will be changed from a relatively flat 358.61 grade to a 359 grade gradually sloping down to a 358 grade towards the newly constructed townhouses.

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 November 15, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on November 29, 2007, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

APPROVED AS TO LEGAL SUFFICIENCY

William M. Roth

M-NCPPC LEGAL DEPARTMENT

DATE 11/16/07

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. 82005018B; 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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