

OCT 18 2011



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

MCPB No. 11-63
Site Plan No. 82007002A
Project Name: Poplar Run (formerly known as Indian Spring)
Hearing Date: July 14, 2011

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 September 21, 2006, the Planning Board approved with conditions Preliminary Plan No. 120060510 (MCPB Resolution No. 06-89) for 773 one-family lots on 308 acres; and

WHEREAS, on October 11, 2007, the Planning Board approved with conditions Site Plan No. 820070020 (MCPB Resolution No. 08-26) for 773 dwelling units (471 one-family detached and 302 townhouse units), including 15 percent MPDUs, on 310.37 acres; and

WHEREAS, on May 7, 2010, Winchester Homes ("Applicant"), filed a site plan amendment application designated Site Plan No. 82007002A, Poplar Run (the "Amendment") for approval of the following modifications:

- 1) Poplar Run Drive
 - a. Modification to the entry sign per County comments. Sign panel and sign wall lowered to a height of approximately 5 feet.
 - b. Decorative Pump House and wall feature removed per County comments. Six trees have been added to replace the Pump House.
 - c. Additional understory landscape enhancements, including small shrubs and groundcover, along Poplar Run Drive to complement the existing trees and retaining wall.
 - d. Additional storm drain to be located at the end of Middlevale behind retaining wall per County request.

- 2) Clubhouse and recreation area layout
 - a. The Clubhouse footprint has been reduced to approximately 3,369 SF as a result of final engineering and design. Overall, the 2-story Clubhouse still

Approved as to
Legal Sufficiency:

A handwritten signature in black ink, appearing to be 'MNCPPC Legal Department'.

8787 Georgia Avenue, N.W., Suite 200, Washington, D.C. 20012 Chairman's Office: 301.495.4605 Fax: 301.495.1320

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- provides indoor community space consistent with the floor area requirements of the M-NCPPC Recreation Guidelines. The exercise room was eliminated.
- b. The parking lot area serving the Clubhouse has swapped locations with the play area and stormwater management facilities. The parking is now located to the west of the entry drive and cul-de-sac drop off for the Clubhouse and closer to Moonlight Trail Drive. The approved number of parking spaces will remain at 98 spaces.
 - c. A volleyball court has been added to expand the recreation opportunities for this community and to replace the indoor exercise room.
 - d. The playground has been relocated slightly to the north to accommodate the volleyball court.
 - e. A pedestrian ramp connecting the handicap spaces to the building has been added.
 - f. Landscaping has been modified accordingly.
 - g. Recreation calculations have been updated accordingly. The recreation supply points meet the demand points (within 10%) for each population category. Therefore, the recreation amenities proposed adequately meet the recreation requirements of the proposed development. The site plan still meets all the recreation requirements onsite.
 - h. The sizes of the pool pump houses have been adjusted slightly to accommodate the required pool equipment, per code requirements.
- 3) Stormwater Management (SWM) ponds & bio-retention facilities
- a. Stormwater management facilities #4, 6, 7 and nearby residential lots have been relocated and reconfigured in response to comments from Department of Permitting Services (DPS), Water Resources Section, to avoid potential dam breach concerns.
 - b. Park dedication line was adjusted to provide a 15-foot setback from the “toe” of the slope of any SWM ponds in response to comments from DPS, Water Resources Section. The total park dedication acreage remains at approximately 74.24 acres; however, the final number may be adjusted slightly at the time of record plat.
 - c. Enhanced landscape has been added to the SWM ponds.
 - d. Soaring Wing Lane was realigned and the lot lines adjusted to accommodate the relocation of the SWM pond. Landscape and lighting were adjusted.
- 4) Alley Setback for Unit E
- a. Revised the rear alley setback on the Unit E lots from 20’ to 10’ to accommodate a detached garage option. The data table has been updated accordingly.
- 5) Lot relocation

- a. One single family detached lot was relocated from Phase 3 along Soaring Wing Lane to Phase 2 along Redspire Drive, between Lots 24 and 25 on the V Block, as a result of the revisions to the SWM facilities in Phase 3.
- 6) Street names
 - a. Street names have been revised in coordination with M-NCPPC.
- 7) Street trees/landscaping
 - a. All Red Oak trees along Poplar Run Drive have been replaced with Chinese Elm, per Montgomery County Chief of Tree Maintenance.
 - b. All Greenspire Linden trees have been replaced with Silver Linden, per Montgomery County Chief of Tree Maintenance.
 - c. All Chinese Elm trees along Deer Highlands Way and Redspire Drive have been replaced with Swamp White Oak, per Montgomery County Chief of Tree Maintenance.
 - d. Additional landscape buffering will be provided behind three single family lots above Enclave townhomes.
- 8) Lighting
 - a. All street lights along Poplar Run Drive, Tivoli Lake Boulevard, Soaring Wing Lane, and at the clubhouse drive and parking lot have been changed to the decorative globe fixture. The mounting height at 12 feet and light intensity at 70w HPS is consistent with other street light fixtures proposed.
 - b. Streetlight locations have been revised to match the approved streetlight permit plans per County requirements for Phases 1A, 1B, 1C, and 1D.
 - c. Photometric plans have been updated to reflect proposed light fixtures and revised locations.
- 9) Decorative paving
 - a. Decorative stamped asphalt or painted asphalt paving will be added to the private entry road at the Enclave.
 - b. Along Poplar Run Drive, stamped asphalt or painted crosswalks were added to emphasize the pedestrian realm and as a traffic calming measure as allowed by Montgomery County Department of Transportation (MCDOT).
 - c. Pedestrian refuge islands in medians with depressed curbs will be added at crosswalks location. Two ramps will be utilized at each corner of these intersections.
- 10) Park Dedication Areas
 - a. Public Use Trail and Maintenance Easements will be provided where park use trails cross HOA property.

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 June 30, 2011, setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on July 14, 2011, Staff presented the Amendment to the Planning Board at a public hearing on the Amendment (the "Hearing") where the Planning Board heard testimony and received evidence submitted for the record on the Amendment; and

WHEREAS, on July 14, 2011, the Planning Board approved the Amendment subject to conditions on the motion of Commissioner Presley, seconded by Commissioner Anderson, with a vote of 5-0, Commissioners Anderson, Carrier, Dreyfuss, Presley, and Wells-Harley voting in favor.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board hereby APPROVES the Amendment, subject to the following conditions:

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120060510 as listed in the Planning Board Resolution dated January 4, 2007 unless amended. This includes but is not limited to all references to density, rights-of-way, dedications, easements, transportation conditions, DPWT (now DOT) conditions, and DPS stormwater conditions, as amended.

2. Site Plan Conformance

The proposed development must comply with the conditions of approval for Site Plan No. 820070020 as listed in the Planning Board Resolution dated February 20, 2008 [MCPB No. 08-26], except as amended by this Planning Board Resolution.

3. Landscaping

The Applicant must adjust the location of street trees at the Rabbit Hollow Place (Enclave) to avoid conflicts with the proposed driveways and to accommodate a minimum of seven (7) additional street trees in front of the townhouse rows.

4. Certified Site Plan

Prior to approval of the Certified Site Plan, the following revisions must be made and information provided subject to Staff review and approval:

- a) Provide four (4) additional parking spaces in the Community Center area for a total of 98 parking spaces.

- b) Update parkland dedication exhibit dated April 6, 2010 as part of the Certified Site Plan and update park dedication acreage on the data table as agreed upon by the Applicant and Department of Parks staff.

BE IT FURTHER RESOLVED, that the Planning Board adopts the Staff's recommendation and analysis set forth in the Staff Report and FINDS that the Amendment is consistent with the provisions of § 59-D-3.7 of the Zoning Ordinance and that the Amendment does not alter the intent, objectives, or requirements expressed or imposed by the Planning Board in connection with the originally approved site plan; and

BE IT FURTHER RESOLVED that all site development elements as shown on the Poplar Run drawings stamped by the M-NCPPC on April 11, 2011, shall be required, except as modified by the above conditions of approval; 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

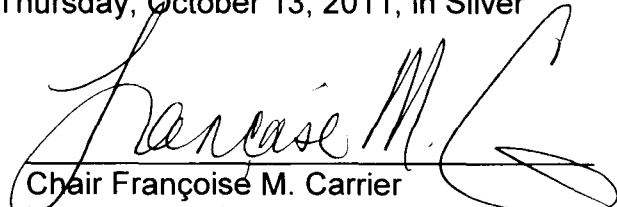
BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

OCT 18 2011 BE IT FURTHER RESOLVED, that the date of this 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 Resolution, 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 Anderson, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioner Anderson present and voting in favor of the motion, and Commissioners Dreyfuss and Presley absent at its regular meeting held on Thursday, October 13, 2011, in Silver Spring, Maryland.


Chair Françoise M. Carrier
Montgomery County Planning Board