



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

Staff Report: Site Plan Amendment 82002031B, Clarksburg Ridge

CONSENT ITEM #: _____

MCPB HEARING

DATE: September 11, 2008

REPORT DATE: August 29, 2008

TO: Montgomery County Planning Board

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

FROM: Joshua Sloan, Coordinator
Development Review Division
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APPLICATION

DESCRIPTION: Addition and modification of retaining walls; on Route 121, approximately 600 feet north of Route 355; Clarksburg Master Plan.

APPLICANT: Natelli Communities

FILING DATE: May 29, 2008

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

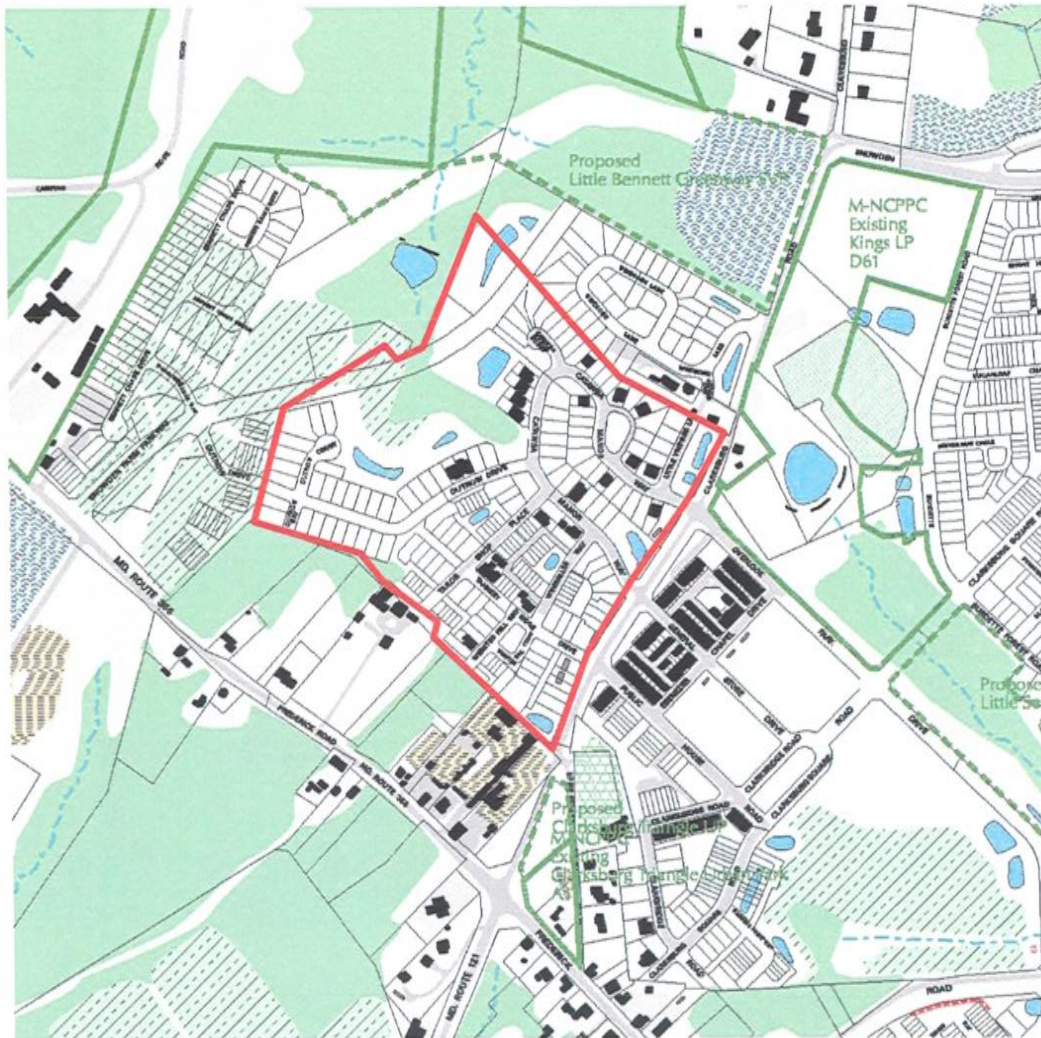
EXECUTIVE

SUMMARY: Retaining walls to be added or modified in several areas of the community to improve final grades and reduce slopes.

SITE DESCRIPTION

Vicinity

The subject site is located on MD 121 (Clarksburg Road) and is bounded by the Catawba Manor subdivision on the northeast and the Clarksburg Historic District to the southwest.



Vicinity Map

Site Analysis

The subject site is currently improved per Site Plan 82002031A. There are no known rare, threatened, or endangered species on site. Approximately 11.4 acres of the site are within the Clarksburg Special Protection Area (SPA); the development is subject to a Water Quality Plan. There are no known historic properties or features on site.

AMENDMENT DESCRIPTION

Previous Approvals

Preliminary Plan

This plan is subject to the conditions of Preliminary Plan 120010780, which was approved for 159 dwelling units and various waivers on September 13, 2001.

Site Plan

Site Plan 820020310 was approved for 159 units (101 one-family detached units and 58 townhouses), including 20 MPDUs on 34.84 acres on May 16, 2002. Site Plan Amendment 82002031A approved a change in play equipment and did not affect the conditions of approval.

Conformance to Conditions of Approval

The proposed development must comply with the conditions of approval for Site Plan 820020310 as enumerated in the Planning Board Corrected Opinion dated July 22, 2002 except as modified herein.

Description of Amendment[s]

The Applicant, Natelli Communities, requests the following modifications to the Site Plan:

1. Modification of the retaining wall/railing on Lots 1-10, Block F, Catawba Manor Way.
2. Addition of a retaining wall/railing on Lots 10-16, Block H, Winemiller Way.
3. Addition of a retaining wall/railing on Lot 21, Block E, Dutrow Court.
4. Addition of a retaining wall/railing at Tot Lot #2, Dutrow Drive.
5. Addition of a retaining wall/railing at the end of Overlook Mews.

PUBLIC NOTICE

A notice regarding the subject amendment was sent to all parties of record by the Applicant in May of 2008. 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. Although not required, a pre-submission community meeting was held on February 20, 2008. Staff received one inquiry from a citizen who was concerned that the HOA was not informed of the changes or any implications. In fact, the HOA president attended the pre-submission meeting and the HOA's Board submitted a letter confirming their approval of the 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 82002031B.

APPENDICES

A. Draft Planning Board Resolution



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

MCPB No. 08-108
Site Plan No. 82002031B
Project Name: Clarksburg Ridge
Hearing Date: September 11, 2008

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 May 29, 2008, Natelli Communities ("Applicant"), filed a site plan amendment application designated Site Plan No. 82002031B ("Amendment") for approval of the following modifications:

1. Modification of the retaining wall/railing on Lots 1-10, Block F, Catawba Manor Way;
2. Addition of a retaining wall/railing on Lots 10-16, Block H, Winemiller Way;
3. Addition of a retaining wall/railing on Lot 21, Block E, Dutrow Court;
4. Addition of a retaining wall/railing at Tot Lot #2, Dutrow Drive;
5. Addition of a retaining wall/railing at the end of Overlook Mews; 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 August 29, 2008 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on September 11, 2008, 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 the Site Plan No. 82002031B; and

BE IT FURTHER RESOLVED, that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

Approved as to
Legal Sufficiency: *Tatiana J. Osh* 8/27/08
M-NCPPC Legal Department

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 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 _____, 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.

JCS