



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

MCPB No. 18-050
 Site Plan No. 82016002A
 Mateny Hill Road Property
 Date of Hearing: June 28, 2018

JUL 03 2018

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, under Section 59-7.7.1.B.3, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014, including the zoning then in effect; and

WHEREAS, on April 26, 2016, the Planning Board, by Resolution MCPB No. 16-039, approved Site Plan No. 820160020 for 44 one-family attached dwelling units and two one-story detached dwelling units, including 6 MPDUs, on 5.86 acres of R-200 and RT-12.5 zoned-land, located on the northeast side of Mateny Hill Road, approximately 200 feet north of the intersection with Dawson Farm Road (“Subject Property”), in the Germantown West Policy Area and Germantown Master Plan (“Master Plan”) area; and

WHEREAS, on April 13, 2018, Elm Street Development (“Applicant”) filed an application for approval of an amendment to the previously approved site plan to modify retaining walls, add new retaining walls, add a new monument sign, add a new fence, and minor revisions to landscaping on the Subject Property; and

WHEREAS, Applicant’s application to amend the site plan was designated Site Plan No. 28015002A Mateny Hill Road Property (“Site Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated June 15, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

Approved as to
 Legal Sufficiency:

8787 Georgia Avenue, N.C. 20910 Chairman’s Office: 301.495.4605 Fax: 301.495.1320

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WHEREAS, on June 28, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82016002A subject to the following conditions:

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120150070 as listed in MCPB Resolution No. 16-038 dated April 26, 2016, or as amended.

2. Site Plan Conformance

The development must comply with the conditions of approval for Site Plan No. 820160020 as listed in MCPB Resolution No. 16-039 dated April 26, 2016, or as amended.

BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged, and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 82016002A, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan, and all findings not specifically addressed remain in effect.*
2. *The site plan meets all of the requirements of the zone in which it is located.*

The Subject Property is approximately 5.86 acres and is split zoned with approximately 3.71 acres of RT-12.5 zoning, and approximately 2.15 acres of R-

200 zoning. The Amendment does not modify any of the previously approved development standards contained in the original site plan approval.

The zoning ordinance allows a subdivision sign in a residential zone with a maximum sign area of 40 sq. ft. and a maximum height of 26 ft. The monument sign is 6 ft. tall by 2 ft. 7 in. wide, which conforms to the zoning ordinance.

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Location of Buildings and Structures

The locations of buildings and structures are adequate, safe and efficient and comply with the previously approved site plan. The changes to structures consist of retaining wall modifications, new retaining walls, new decorative fence, and a new monument sign as follows:

- The retaining wall behind lots 25 through 19 is reduced in height by approximately one foot reducing the impact of the wall and maintenance needs. The resulting height adequately accommodates the elevation change and provides a safe transition between the street and private yard area.
- The double terrace retaining wall added in front of lots 29 through 35 will not negatively affect the pedestrian realm along the sidewalk due to its low height. It also efficiently provides additional landscaping which contributes to the experience and appearance. The resulting height adequately accommodates the elevation change and provides a safe transition between the street and private yard area.
- The decorative fence along the Mateny Hill Road frontage is in keeping with other fences found in and near the historic district along Mateny Hill Road. The fence helps to define and identify the subdivision and contributes to the sense of place.
- The monument sign is 6 ft. tall by 2 ft. 7 in. wide and made of pre-cast concrete, or similar material. Its location at the entrance adequately identifies the development and contributes to a sense of place for this subdivision.

Landscaping and Lighting

The location of the revised landscaping and lighting is safe, adequate and efficient on the subject property. All changes are minor in nature and are consistent with the previously approved site plan.

4. *Each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development.*

There are no proposed changes in use. The site is under development for residential use. It is compatible with other uses, site plans, existing, and proposed development on adjacent properties. The fence and monument sign included in the Amendment are compatible with the nearby historic district in terms of size, scale and placement.

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 this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUL 03 2018 (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).

* * * * *

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 Patterson, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, June 28, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board