



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

**Consent Item #**  
**MCPB 11-15-07**

**MEMORANDUM**

**DATE:** November 1, 2007  
**TO:** Montgomery County Planning Board  
**VIA:** Rose Krasnow, Chief *RKA*  
 Robert A. Kronenberg,  
 Supervisor *RAK*  
**FROM:** Development Review Division  
 Sandra Pereira, Senior Planner *SP*  
 Development Review Division  
 (301) 495-2186



**REVIEW TYPE:** **Site Plan Amendment**  
**CASE #:** **82003029A**  
**PROJECT NAME:** Estates at Greenbriar Preserve  
**APPLYING FOR:** Addition of entrance features (two brick gazebos, brick walls, brick & stone wall, four-rail fence), revision of private streets typical section, elimination of roadway-island at entrance, additional plantings, replacement of internal sidewalks and driveway aprons material to concrete pavers, addition of brick headwalls on all driveway culverts, adjustment to limits of disturbance (Lots 11 & 12), adjustment to location of buffer plantings between Lots 11 & 12. Amendment to secure as built features.

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

**ZONE:** Rural Neighborhood Cluster (RNC)  
**LOCATION:** Located in the Eastern quadrant of Glen Road and Great Elm Drive in Potomac

**MASTER PLAN:** Potomac Subregion Master Plan  
**APPLICANT:** MTR Land LLC  
**FILING DATE:** July 11, 2007  
**HEARING DATE:** November 15, 2007

**STAFF RECOMMENDATION:** Approval of the proposed amendment to Site Plan 820030290 and approval of the attached draft Planning Board Resolution for the Site Plan 82003029A.

## **BACKGROUND**

The Site Plan (820030290) for the Estates at Greenbriar Preserve was presented to the Planning Board on October 16, 2003 (Planning Board Resolution dated December 11, 2003) for approval of 31 lots on 71.32 acres, subject to conditions.

## **PROPOSED AMENDMENT**

An amendment was filed on July 11, 2007 that requests specific changes to the approved site plan. The amendment proposes the following modifications:

1. Entrance features:
  - a. Addition of two brick entrance gazebos.
  - b. Addition of brick entrance walls with cast stone identification signs on both sides of the entrance.
  - c. Addition of brick and stone wall and piers with decorative metal fence and a white four rail fence along Glen Road.
2. Refinement of landscape plan to provide additional shrub masses at the subdivision entrance, and additional evergreen, shade and flowering trees along Glen Road.
3. Sidewalks and streets:
  - a. Substitution of material for internal and entry sidewalks from concrete to concrete pavers.
  - b. Revision of all private streets to comply with the Fire Department requirement of 20-foot wide access. Updated the typical road section for private residential street accordingly.
  - c. Revision of entry road width and elimination of roadway-island per Fire Department requirements.
4. Driveways in all lots:
  - a. Addition of brick headwalls on either side of driveway culverts.
  - b. Addition of concrete paver driveway aprons.
5. Addition of a brick retaining wall in front of sidewalk on Lot 13.
6. Lots 11 & 12:
  - a. Adjusted limits of disturbance to the whole extent of the property.
  - b. Adjusted location of buffer plantings between Lots 11 and 12.

## **PUBLIC NOTICE**

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on July 19, 2007. The notice gave the interested parties a non-specified amount of

days to review and comment on the contents of the amended site plan. Staff has received comments from a resident of an adjacent community for the proposed application.

The resident has expressed concerns about the street lighting installed in this development. It was argued that the street lights installed were not consistent with those approved on the certified site plan. In response to this concern, the Staff of the Department of Permitting Services, Site Plan Enforcement, inspected the installation of street lights in this subdivision. In their correspondence dated October 26, 2007 [Attachment B], it was confirmed that the street light fixtures installed and their locations were in compliance with the approved certified site plan.

## **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. This Amendment has been submitted to formalize modifications to the site plan that have already been built and subject to enforcement action. The procedures are somewhat reversed since the Applicant should have received prior approval for site plan modifications before actually building. However, and somewhat reflective of a general misconception, because the Applicant was improving and enhancing what was initially approved, additional approval was perceived as unnecessary. The Applicant was cited for proceeding in violation of their approved site plan and has paid a fine.

### **1. Entrance features**

This Amendment proposes several enhancements to the entrance features at the Estates at Greenbriar Preserve that will give prominence to the gateway of this subdivision. As previously approved, the site plan showed a non-specified entry feature and a fence running parallel to Glen Road. At this time, the amendment proposes two brick gazebos on either side of the entry road (Wood Thrush Lane) each with an adjoining brick curving wall with cast stone identification signs. This Amendment also proposes a 75-foot long brick and stone wall with piers to the north of the main entrance that continues the landscape treatment selected for the entrance. On the south side, this wall has a decorative metal fence that connects to the gazebo, and on the north side, this wall lines up with a white four-rail fence that extends along Glen Road. The proposed changes will enhance the entry to this development and contribute to a better sense of arrival. Even though it would have been preferred to have more consistency in materials and types of features (fences and walls) within such a small area, Staff finds these changes to be acceptable.

### **2. Landscape plan**

The modifications to the approved landscape plan include additional plantings at the entrance to the development and along Glen Road. These are intended to complement the new entry features and to provide buffering from Glen Road. At the entrance, the shrubs added include oakleaf hydrangea, littleleaf boxwood, heavenly bamboo, and inkberry holly. Along Glen Road, various evergreen, shade and flowering trees are proposed as additional plantings and as replacement of previously approved selections. Some of the additional trees include oaks, maples, American holly, sweetgum, dogwood, shadblow serviceberry, and sourwood. Overall, the character

originally intended for this area is still maintained with dense and diverse plantings, in order to provide adequate buffering and a pleasant amenity area for residents. These modifications are acceptable, however, prior to approval of the certified site plan, the plant list needs to be updated to reflect proposed changes in plant material.

### 3. Sidewalks and streets

This amendment proposes to change the sidewalk material from concrete to concrete pavers throughout the entire subdivision. Both internal sidewalks and the entry sidewalk remain in the same locations. The proposed red concrete pavers will complement in scale and color the brick used in the subdivision houses and in the landscape features. This modification complements the character of this development, and therefore, it is acceptable.

The private streets were revised to comply with the Fire Department requirement of a 20-foot wide access. This required that the typical road section for private residential street be revised to accommodate a one-foot stone base with sod on each side of the 18-foot road. As a result, the width of pavement did not increase (still at 18-foot), but it now provides the 20-foot access as required by the Fire Department. This modification has minimal impacts on the site plan, and it is acceptable.

Similarly, the entry road to the development was also revised to comply with the Fire Department requirements. As a consequence, the roadway-island at the entrance was eliminated. On one hand, this feature could have added interest and given prominence to the entrance. On the other hand, eliminating it allows for the road to be narrower by approximately 9 feet. Besides, all the new proposed entry features have well compensated for the loss of the road-way island in terms of highlighting the entry to the subdivision. This modification is acceptable.

### 4. Driveways in all lots

This amendment proposes to add brick headwalls on both sides of all driveways. These structures are formed by a pier with a connecting wall parallel to the driveway and arching over the swale (see Figure 1). This modification adds visual interest to the driveway entrances and delineates the entrance to the private realm. Staff finds it acceptable.

In addition, this amendment also proposes modifications to the driveway apron, which is the area of the driveway that connects to the roadway and with the turning radii at the edges (see Figure 1). As previously approved, the driveway was made of concrete. Now, the apron area is proposed as concrete pavers. In driveways that are intersected by the sidewalk system, the proposed materials match and both features appear as a unified element. This modification is acceptable.



5. Lot 13, Brick retaining wall

This amendment proposes a 6-foot long brick retaining wall in front of Lot 13 to sustain the grade for the sidewalk (Figure 2). The wall is between two and three feet in height. Staff finds this change acceptable.



Figure 2 - Brick retaining wall on Lot 13

6. Lots 11 and 12, Limits of Disturbance (LOD) and Buffer Plantings

The LOD on Lots 11 and 12 was adjusted to include the entirety of the lot properties rather than ending before the property boundary. This LOD, as previously approved, had accounted for all the necessary clearing on the lots. However, the property owner of Lot 11 disturbed land beyond the LOD, but within his property boundary. In addition, the backyards of Lots 11 and 12 abut an area of forest conservation easement directly adjacent to their property boundary. Inadvertently, the property owner of Lot 11 encroached into the forest conservation easement and cut down a tree. While site plan enforcement is addressing the issues of encroachment in the forest conservation easement, this amendment proposes to change the limits of disturbance of Lots 11 and 12 to match the property boundary. This should have been done originally because the two lots are small and need a reasonable backyard.

The location of the buffer plantings between Lots 11 and 12 was slightly adjusted to accommodate the final location of the building in Lot 11. This building was located within the BRL but closest to the eastern edge. As a result the buffer plantings were also shifted. The quantities and species initially proposed have been maintained.

This amendment did not go to DRC but was circulated to departmental staff for review and comment. Staff indicated approval of the amended items specified in the Applicant's request.

Staff recommends **APPROVAL** of the Site Plan Amendment for the Estates at Greenbriar Preserve (Site Plan No. 82003029A) for modifications to the approved site plan.

**ATTACHMENTS**

- A. Site Description and Vicinity
- B. Correspondence from DPS dated October 26, 2007
- C. Draft Planning Board Resolution



### Site Vicinity and Description

The Estates at Greenbrier Preserve consist of 71.32 acres zoned Rural Neighborhood Cluster located within the Potomac Master Plan region. The property fronts Glen Mill Road to the southwest. The closest road intersection to the property is Glen Mill Road and Piney Meetinghouse Road to the east. The property lies within the Greenbrier Branch Watershed, a Use I subwatershed of Watts Branch. Approximately 12.7 acres of the property is within 100 year floodplain.

The property was generally undeveloped, and consisting predominantly of oak forest with numerous intermittent streams. Forest and hydrology on-site are uncommon due to controlling factors of shallow serpentine bedrock influences. Serpentine oak savanna is considered the State's rarest natural community, and one of the rarest and most unusual sets of natural communities in the eastern North America temperate forest region. In temperate eastern North America, serpentine barrens range in an extremely narrow and disjunct band from Georgia to New York with more than 90% of the acreage lying in Pennsylvania and Maryland. Only about 2500 acres remain in Maryland, or five percent of the pre European settlement amount of 50,000 acres. Serpentine barrens are best known for a unique geology of ultramafic metamorphosed olivine and magnesium rich rock. The plan approved by the Board preserved the Serpentine oak savanna.



**Pereira, Sandra**

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**From:** Motazedi, Ehsan [Ehsan.Motazedi@montgomerycountymd.gov]  
**Sent:** Friday, October 26, 2007 8:24 AM  
**To:** Pereira, Sandra  
**Subject:** Estates at Greenbriar Preserve 8-03026

Hi Sandra,

This is to inform you that Mr. Eric Salo, Permitting Services Inspector has inspected the installation of lighting for the subject site. The street lighting throughout the subdivision has been completed and is in compliance with the M-NCPPC's Certified Site Plan. This information is also available in our Hansen. Please contact me if you require any additional information regarding this matter. Thanks

Ehsan Motazedi  
Permitting Services Manager  
Site Plan Enforcement  
255 Rockville Pike, 2nd Floor  
Rockville, MD 20850  
240-777-6321 Office





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

MCPB No. 07-119  
Site Plan No. 82003029A  
Project Name: Estates at Greenbriar Preserve  
Hearing Date: November 15, 2007

**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 July 11, 2007, MTR Land LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82003029A ("Amendment") for approval of the following modifications:

1. Entrance features:
  - a. Addition of two brick entrance gazebos.
  - b. Addition of brick entrance walls with cast stone identification signs on both sides of the entrance.
  - c. Addition of brick and stone wall and piers with decorative metal fence and a white four rail fence along Glen Road.
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Approved as to  
Legal Sufficiency:

5 Nov 07

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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 1, 2007 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on November 15, 2007, 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 Site Plan No. 82003029A; and

BE IT FURTHER RESOLVED that all site development elements as shown on the Estates at Greenbriar Preserve drawings stamped by the M-NCPPC on July 11, 2007, shall be required; 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 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 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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SP