



## Poplar Pointe, Minor Site Plan Amendment No. 82020002A

**TG** Tamika Graham, Senior Planner, Mid-County Planning Division, [Tamika.Graham@montgomeryplanning.org](mailto:Tamika.Graham@montgomeryplanning.org), 301-495-4551  
**ET** Emily Tettelbaum, Acting Regulatory Supervisor, Mid-County Planning Division, [Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org), 301-495-4569  
**CS** Carrie Sanders, Chief, Mid-County Planning Division, [Carrie.Sanders@montgomeryplanning.org](mailto:Carrie.Sanders@montgomeryplanning.org), 301-495-4653

Completed: 1/25/2021

### Description

Request for approval of architectural drawings that illustrate exterior architectural character, proportion, materials, and articulation for 11 previously approved single-family detached houses.

Location: 13710 Alderton Road, 150 feet north of Night Sky Drive, Silver Spring, MD, 20906.

Master Plan: 1989 *Communities of Kensington - Wheaton Master Plan* area.

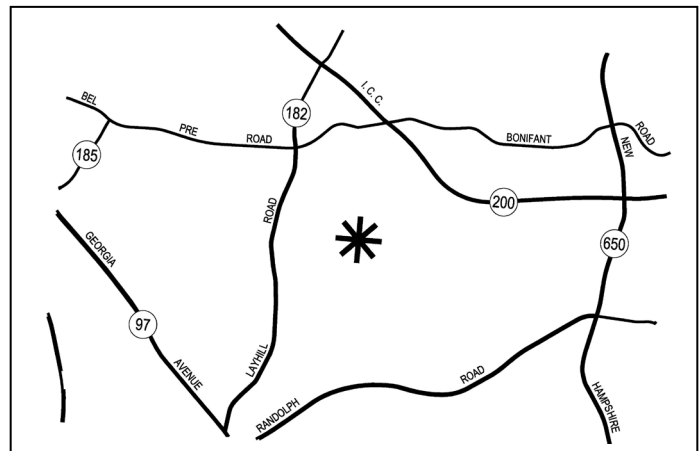
Zone: R-200.

Size: 6.28 acres.

Acceptance Date: December 8, 2020.

Applicant: Oxbridge Development at Alderton, LLC.

Review Basis: Chapter 59, Zoning Ordinance.



### Summary

- Staff recommends approval of the Minor Site Plan amendment.
- The Planning Board approved Site Plan No. 820200020 for this Project utilizing the Optional Method Cluster Development, which is reflected in the MCPB Resolution No. 19-136, dated February 3, 2020.
- Pursuant to Condition #4 of the Site Plan No. 820200020 Resolution, the purpose of the minor amendment request is to provide architectural drawings for the homes intended for construction on the Property.
- The proposed items for amendment are considered *de minimis*, however, public correspondence has been received, and therefore the item has been scheduled for Planning Board consideration. The concerns raised in the public correspondence go beyond the scope of the minor amendment.
- The proposed changes meet all development standards and do not modify the original findings of the approval.

## SECTION 1: RECOMMENDATION AND CONDITIONS

### Site Plan No. 82020002A

Staff recommends approval of the Site Plan Amendment No. 82020002A. All site development elements shown on the latest electronic version of Site Plan Amendment No. 82020002A submitted via ePlans as of the date of this Staff Report are required. All previously approved plans, findings, and conditions of approval remain in full force and effect.

## SECTION 2: SITE DESCRIPTION AND BACKGROUND

### Site Vicinity

The Poplar Pointe Property (Property or Subject Property), shown in red in (Figure 1), is approximately 6.28 acres in size and is located at 13710 Alderton Road, 150 feet north of Night Sky Drive. The Intercounty Connector (MD 200) and Bonifant Road are to the north of the site, New Hampshire Avenue (MD 650) to the east, Randolph Road to the south and Layhill Road (MD 182) to the west.

The neighborhood surrounding the Property is predominately residential and comprised of single-family detached houses. The neighborhood is zoned R-200 and includes Middlebridge Village to the southwest of the Property and the Poplar Run townhouse community to the south of the Property. Recreational facilities near the Property include the Mid-County Recreation Center, Layhill Village Local Park, the Matthew Henson Trail and Middlevale Neighborhood Park. The Property lies within the 1989 *Communities of Kensington-Wheaton Master Plan* (Master Plan).

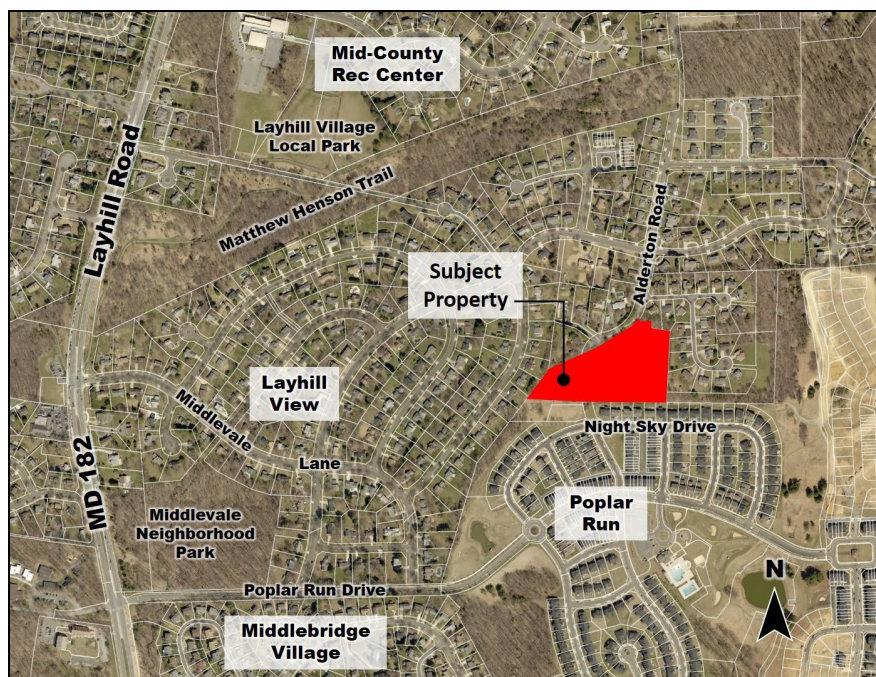


Figure 1: Aerial view of the Vicinity of the Subject Property

## Site Analysis

The Property (Figure 2) comprises Parcels 526, 582, 605 (owned by Deborah Poznerzon-Tallman Trust) and Parcel 607 (owned by Martha E. Barrick, et al). Parcels 605 and 607 are both currently improved with single family detached houses. The remaining Parcels 526 and 582 are currently open space which was used historically for horses and recreation. Parcels 526, 582, 605 and 607 all front onto Alderton Road. The Property is moderately sloped, with a 1.15-acre forested area which contains a spring/seep and a small farm pond with a buffer in the southeastern portion of the Property. The farm pond was used for irrigation and water for the animals. The Property lies in the Northwest Branch, a Use IV watershed. The current houses on the Property are served by well and septic.



*Figure 2: Aerial view with Property outlined in red*

## SECTION 3: AMENDMENT DESCRIPTION

### Previous Development Proposals

#### ***Preliminary Plan No. 120180080***

Staff approved the NRI/FSD on January 29, 2018. Subsequently, Preliminary Plan No. 120180080, was reviewed and approved during a public hearing by the Planning Board per Resolution No. 18-130 dated January 15, 2019. The Preliminary Plan approval consisted of the subdivision of four unplatted parcels into twelve (12) single family detached lots and the retention of one of the existing dwellings (Parcel 607) on one of the twelve lots.

#### ***Site Plan No. 820200020***

A public hearing was held on December 19, 2019 and the Applicant received approval from the Planning Board for Site Plan No. 820200020 for the Subject Property utilizing the Optional Method Cluster Development. This decision is reflected in the MCPB Resolution No. 19-136 dated February 3, 2020.

For the construction of 11 single-family detached, front-loaded dwellings, the approved Site Plan meets the required building setbacks from Alderton Road and the adjoining properties. In addition to the 12 new lots created by the Preliminary Plan, the Site Plan included:

- Demolition of the existing dwelling on Parcel 605;
- 1.82 acres of common open space to be owned and maintained by the HOA;
- 1.76 acres of Category I Forest Conservation Easement, which includes the existing spring seep and farm pond;
- Natural surface trails throughout the Forest Conservation Easement and common open space areas;
- Dedication and construction of Alderton Road, as shown on the Preliminary Plan;
- Sidewalks internal to the Property and along Alderton Road;
- Common ingress/egress and utility easements for the proposed dwellings sharing the two sets of common oval-shaped driveways;
- Several small landscaped /open space areas within the shared driveways;
- On-street public parking on the east side of Alderton Road.

Further details of Site Plan No. 820200020, which sets forth the required analysis and recommendation for approval, can be found in the Staff Report dated December 9, 2019.



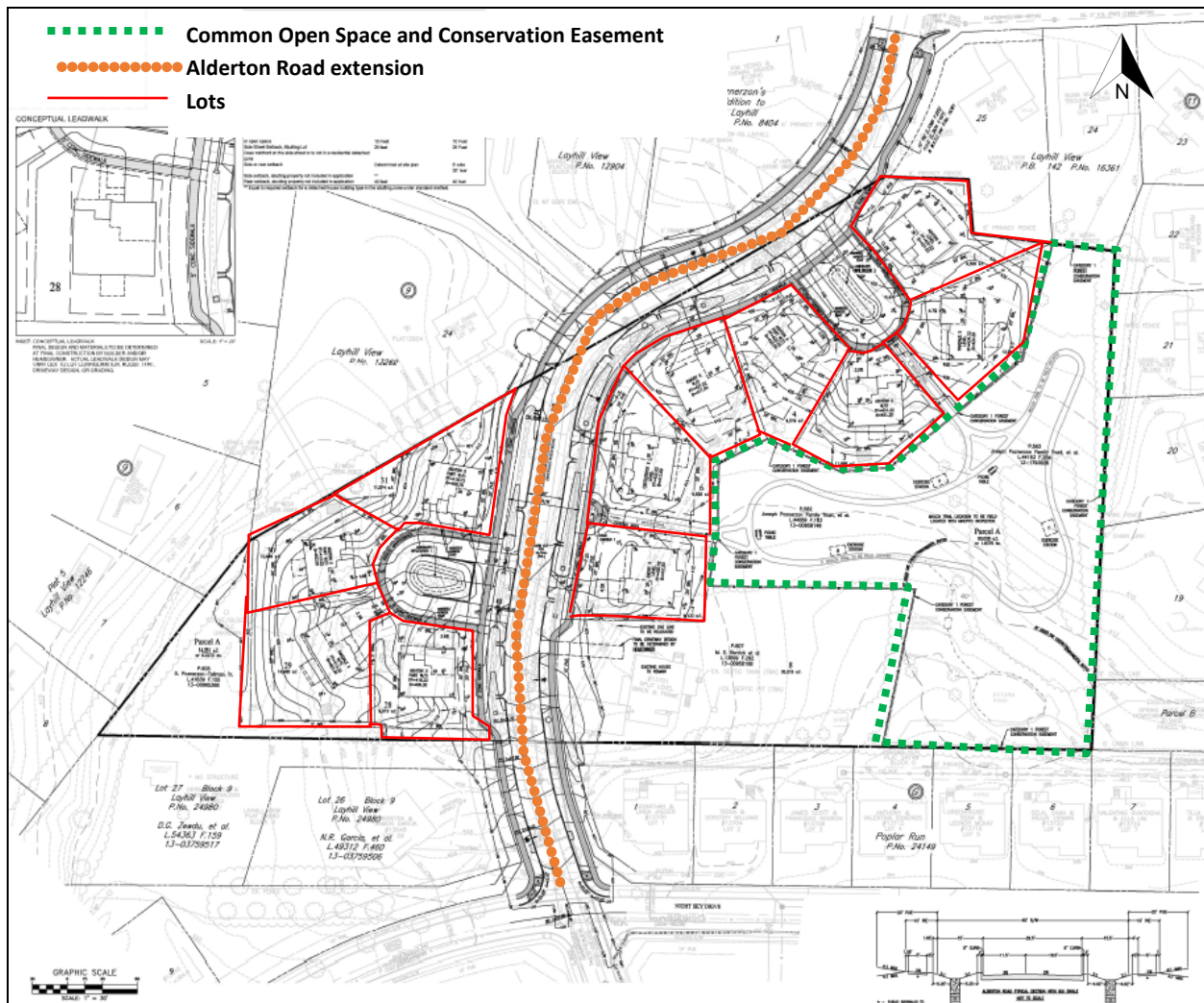


Figure 3: Approved Site Plan

## Current Proposal

### Site Plan Amendment No. 82020002A

In the absence of architectural details during the initial Site Plan review, the Planning Board approved a condition that required architectural drawings that illustrate exterior architectural character, proportion, materials, and articulation for 11 previously approved detached houses be provided prior to issuance of the building permit. Therefore, the Applicant is seeking to obtain Site Plan Amendment approval for the Property related to the prior condition of Approval noted below.

#### Site Plan No. 820200020 Condition of Approval – Site Design #4

- Prior to the issuance of any building permit, the Applicant must obtain approval of a Minor Site Plan Amendment to provide architectural drawings that illustrate exterior architectural character, proportion, materials, and articulation, which are to be in substantial conformance to the architectural design guidelines provided, as determined by M-NCPPC Staff. Details of the houses shall include elements related to a) recessed garages by at least 4 feet from the main



Staff's architectural guidance and additional architectural details of the home models, which are compatible with the character of the residential neighborhood, can be found in Attachment #2 and Attachment #3, respectively.



Figure 5: Proposed Home Model (Adrienne's Honneur)

The Site Plan amendment does not propose changes to any other previously approved Site Plan elements such as roadways, parking, vehicle queuing or loading, pedestrian walkways along the main roadway, open space or recreation, landscaping or lighting on the Subject Property. By providing these architectural details, the Applicant has demonstrated compliance with condition of approval No. 4 for the previously approved Site Plan (No. 820200020) for the Property.

## SECTION 4: COMMUNITY CORRESPONDANCE

The Applicant has met all proper signage and noticing requirements for the submitted Application. The proposed items for amendment are considered *de minimis*, therefore a pre-submission community meeting for a minor Site Plan amendment is not required and a Planning Board hearing would not typically be required. However, Staff received public comments about the Project that go beyond the scope of the minor amendment. Due to the public comments received, the Planning Director deferred consideration of the amendment application to the Planning Board per Section 7.3.4.J of Chapter 59 of the County Code. Subsequent to the decision to hold a public hearing due to public comments received, a notice of the hearing was sent to all parties of record.

As of the date of this report, Staff received and responded to correspondences from the Poplar Run Homeowners Association (HOA) and four (4) nearby property owners, as summarized below and attached to this report in Attachment #4.

On behalf of the Poplar Run HOA, the President of the Board of Directors submitted a letter to the Planning Department (Attachment #4) related to the following: 1) the presence of a stop sign at the intersection of Night Sky Drive and Alderton Road, 2) the schedule for utility tie-in's and interruptions to residents, 3) sediment control for the Project and 4) County monitoring of stormwater ponds.

- *Response: Regarding signage, any detail shown is for reference only. Signage and pavement markings are finalized at the time of right-of-way permit on the signage and pavement marking plan approved by the Department of Permitting Services (DPS). The Planning Department does not have details of utility interruptions and suggests working directly with the developer for utility scheduling details. The stormwater management concept plan was approved with the Site Plan. Further details about the sediment control plan and County monitoring were directed to the DPS Water Resources Section which has purview.*

Below are additional comments raised by nearby residents and a brief Staff response. These comments primarily concern covenants requiring some nearby property owners to fund a pro-rata share for the construction of Alderton Road. The covenant was required as a condition of approval by the Montgomery County Department of Transportation at the time of Preliminary Plan approval for some of the nearby subdivisions. The Planning Board Resolution approving one of the nearby subdivisions (Preliminary Plan No. 120061080) is included as Attachment #5.

- Comment: The shared cost of the Alderton Road extension is excessive.
  - *Response: The approved Site Plan extends Alderton Road between Night Sky Drive and the dead-end segment of Alderton Road that spans southward from Wagon Way, in accordance with the residential roadway recommendation per the 2018 Master Plan of Highways and Transitways update. Residents received several correspondences from the Applicant about the planned road construction and which informed them of their pro-rata share of the cost due to an existing covenant. The cost-sharing structure for the new road due to an existing covenant on nearby property is outside of the purview of the Planning Board.*
- Comment: Request for Applicant to: 1) Name the property owner as an additional insurer in the Alderton Road completion bond, 2) Ensure 24/7 access to driveway during construction and submit construction drawings to the property owner for review and approval, and 3) relocate the 10' wide Public Utility Easement (PUE) shown along the property frontage on the Site Plan.



- *Response: Per the property owner's explanation, this comment is in response to two (2) correspondences sent by the Applicant about the planned construction of the Alderton Road extension (see Attachment #4). Further, the Applicant's letter details how the residents should proceed if they were not aware of the covenant (i.e. lawyer and/ or title insurance policy). Since some concerns are outside the Department's purview, Staff has recommended that the Applicant also respond to the property owner to help resolve the concerns. Additionally, the approved Site Plan included ten (10) foot wide Public Improvement Easements (PIEs) which are associated with the roadway extension to accommodate (2) 5-foot wide sidewalks and additional landscaping and was reviewed and approved by the Department of Permitting Services Right-of-way Section. In addition to the Public Improvement Easement, the Plan was required to provide a ten (10)-foot-wide Public Utility Easement, opposite the right-of-way, on each side of Alderton Road.*
- **Comment:** Remove sidewalks from the Alderton Road extension (to reduce the shared costs of construction).
  - *Response: This minor amendment is not proposing to remove or relocate sidewalks that are required by the Zoning Ordinance, that were previously reviewed by the Montgomery County Department of Transportation, and that are approved by the Planning Board. During the initial Site Plan approval process, sidewalks were an important consideration in the development given the Site's proximity to the Matthew Henson Trail to the north and neighborhood amenities within walking distance to the south of the Property.*
- **Comment:** The latest plan shows the addition of a new sidewalk that is adjacent to an existing property, which will decrease the home's privacy, and adjusts the LOD farther into the property that could impact trees.
  - *Response: The location of sidewalks and Limits of Disturbance (LOD) shown on the initial Site Plan and the proposed amendment, specifically along this property's frontage, are identical and were approved by the Planning Board in December 2019. No additional trees are proposed for removal other than those approved for removal with the Final Forest Conservation Plan in December 2019.*
- **Comment:** Request to save a flowerbed and reconfigure a driveway apron on an existing property during the construction of Alderton Road Extension.
  - *Response: The Applicant met this property owner on-site to review and discuss this request. After the on-site assessment, the Applicant agreed to revisit the issue with the property owner once the Alderton Road extension is graded and the impacts can be better gauged.*

No public comments were received about the scope of the minor amendment related to the proposed architectural details for the new homes.

## SECTION 5: MINOR SITE PLAN AMENDMENT ANALYSIS

### Site Plan Amendment Findings

The proposed Minor Site Plan Amendment does not alter the original intent and all findings of Site Plan No. 820200020 remain in full force and effect, except as modified by the findings below per Section 7.3.4.E. of Chapter 59, the Montgomery County Zoning Ordinance.

1. *To approve a site plan, the Planning Board must find that the proposed development:*

- a. *provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

Per the conditions of approval of the Site Plan No. 820200020, the Subject Property continues to provide safe, well-integrated parking, vehicular and pedestrian circulation patterns, open spaces, site amenities and building massing/architecture. The Application does not propose changes to circulation patterns or parking, and open spaces.

#### *Building Massing and Architecture*

As conditioned in Site Plan No. 820200020, the Applicant shall provide detailed and final architectural details and building footprints at the time of the subsequent Minor Site Plan Amendment. Additionally, in keeping with the nearby neighborhood, architectural plans for the Property is required to address key residential building features such as recessed garages, front porches, building fenestration, and lead walks.

Staff previously requested that this residential infill development provide pedestrian friendly streets where the garage does not dominate the streetscape from protruding in front of the main body of the house. Having the garage massing set back from the main façade of the home is a critical component of a well-designed front-loaded single-family house. Acceptable design parameters include garage massing set back from the main body of the house by at least 4 to 6 feet, or the garage facade should be architecturally treated to minimize its presence from the sidewalk. The proposal addresses each of these architectural elements.

The side elevations of Lots No. 1, No. 3, No. 4, and No. 28 face Alderton Road. Therefore, per the Resolution condition, the side façades are proposed to be treated as the main façade with special material and ample amount of fenestration that adds up to a minimum of 15% of the overall side elevation area and includes a front porch that covers a minimum of 1/3 of the front facade (excluding the width of the garage). The proposed amendment also makes the main façade of the house more prominent than the garage and includes optional lead walks that connects the porch or stoop to the sidewalk which is an essential component of a pedestrian friendly street. The Application's proposed changes brings the Site Plan into full conformance with the design envisioned by the Resolution.

## SECTION 6: CONCLUSION

The proposed building footprint modifications and architectural renderings do not alter the overall character or impact the development with respect to the original findings of approval under Site Plan No. 820200020. These modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. The proposed amendment remains in conformance with environmental regulations, the development standards of the R-200 Zone, and the 1989 *Communities of Kensington-Wheaton Master Plan*. All previous conditions of approval and Planning Board findings remain in force and effect. Staff recommends approval of this Minor Site Plan Amendment No. 82020002A.

### Attachments:

1. Site Plan No. 820200020 Resolution
2. Architectural Guidelines for the Subject Property
3. Proposed Architectural Details
4. Public Correspondence
5. Nearby Subdivision Approval (Preliminary Plan No. 120061080)