MEMORANDUM

DATE: January 24, 2007

TO: Montgomery County Planning Board

FROM: Catherine Conlon, Supervisor
Development Review Division
(301) 495-4542

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board Agenda for February 8, 2007

The following record plat is recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plan and site plan, if applicable, and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code. Attached are specific recommendations and copies of plat drawings for the record plat. The following plat is included:

220070630 Belle Cove (1)

8787 Georgia Avenue, Silver Spring, Maryland 20910  Director's Office: 301.495.4500  Fax: 301.495.1310
www.MontgomeryPlanning.org
## Record Plat Review Sheet

**Plan Name:** Belle Cove Lot 3  
**Plat Name:** Won Buddhism Property  
**Plan Number:** 1.04078 (1.20040790)  
**Plat Number:** 2.20070630

**Plat Submission Date:** 11/7/06  
**DRD Plat Reviewer:** P. Winn

### Initial DRD Review:
- **Signed Preliminary Plan:** Date: 11/10/06  
- **Planning Board Opinion:** Date: 11/19/06  
- **Site Plan Req'd for Development:** Yes  
- **Site Plan Name:**  
- **Site Plan Number:**  
- **Planning Board Opinion:** Date:  
- **Site Plan Signage Set:** Date:  
- **Site Plan Reviewer Plat Approval:** Date: 

**Review Items:**  
- Lot # & Layout  
- Lot Area  
- Zoning  
- Bearings & Distances  
- Coordinates  
- Plan #  
- Road/Alley Widths  
- Easements  
- Open Space N/A  
- Non-standard BRLs  
- Adjoining Land  
- Vicinity Map  
- Septic/Wells N/A  
- TDR note N/A  
- Child Lot note N/A  
- Surveyor Cert  
- Owner Cert  
- Tax Map  

### Agency Reviews

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### Final DRD Review:
- **DRD Review Complete:** Initial: TA  
- **Engineer Notified (Pick up Mark-up):** Initial: TA  
- **Final Mylar w/Mark-up & PDF Rec'd:** Initial: TA  
- **Board Approval of Plat:** Initial: TA  
- **DPS Approval of Plat:** Initial: TA  
- **Plat Reproduction:** Initial: No.  

**Final DRD Review:**
- **DRD Review Complete:** Initial: TA  
- **Engineer Notified (Pick up Mark-up):** Initial: TA  
- **Final Mylar w/Mark-up & PDF Rec'd:** Initial: TA  
- **Board Approval of Plat:** Initial: TA  
- **DPS Approval of Plat:** Initial: TA  
- **Plat Reproduction:** Initial: No.  

**Sent to Courthouse for Recordation:**
PLAT No. 220070630

Belle Cove
Located on the north side of Muncaster Mill Road, approximately 1,050 feet west of Norbeck Road
RE-1 zone; 1 Lot
Community Water, Community Sewer
Master Plan Area: Olney
Won Buddhism of the USA, Inc., Applicant

This record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Record Plat Review Sheet. Staff has determined that the plat complies with Preliminary Plan No. 120040790, as approved by the Board; and that any minor modifications reflected on the plat do not alter the intent of the Board’s previous approval of the preliminary plan.

PB date: 02/88/07
Preliminary Plan No. 1-04079
NAME OF PLAN: Won Buddhism Property

On April 14, 2004, Won Buddhism of USA, Inc., submitted an application for the approval of a preliminary plan of subdivision of property in the RE-1 zone located on the north side of Muncaster Mill Road (MD 115), approximately 1100 feet northwest of Norbeck Road, in the Olney and Vicinity Master Plan area. The application proposed to create one lot on 1.79 acres of land. On Thursday, September 23, 2004 Preliminary Plan 1-04079 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board’s action following the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board’s action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.
At the hearing, staff recommended approval of the preliminary plan, subject to conditions. The Applicant appeared and testified, represented by legal counsel, and agreed with staff's recommendation and accepted all conditions as recommended by staff. There is no written evidence or spoken testimony in the record that contests any of staff's recommendations or findings.

FINDINGS

Having given full consideration to the uncontested recommendations of Staff; the recommendations of the applicable public agencies¹; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds that:

a) The Preliminary Plan No. 1-04079 substantially conforms to the Olney and Vicinity Master Plan.

b) Public facilities will be adequate to support and service the area of the proposed subdivision.

c) The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision.

d) The application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.

e) The application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site. This finding is based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards.

f) The Record of this application does not contain any contested issues; and, therefore, the Planning Board finds that any future objection, which may be raised concerning a substantive issue in this application, is waived.

¹ The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, Montgomery County's Department of Public Works and Transportation and Department of Permitting Services. All of these agencies recommended approval of the application.
CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 1-04079 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 1-04079 subject to the following conditions:

1) Approval under this preliminary plan is limited to a place of worship (with a maximum of 148 seats) and associated on-site uses including a cleric residence, and no weekday educational institution, daycare or school.

2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.

3) Record plat to reflect dedication 40 feet from centerline of Muncaster Mill Road (MD 115).

4) Applicant to construct a 5 ft. sidewalk along Muncaster Mill Road offset 2 feet from the property with a tree panel along entire property frontage. The sidewalk ramps at the site access driveway should meet Americans with Disability Act Best Practices and not have the grade of the sidewalk interrupted by the driveway slope.

5) Coordinate with the Montgomery County Department of Public Works and Transportation, Department of Permitting Services, and Maryland State Highway Administration on site access and frontage improvements along Muncaster Mill Road, including the bike lane proposed under the May 2004 Planning Board Draft of the Countywide Bikeways Functional Master Plan.

6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated July 15, 2004.

7) Compliance with conditions of MCDPWT letter dated, August 16, 2004 unless otherwise amended.

8) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.

9) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed.
10) Other necessary easements.

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

The date of this written opinion is November 9, 2004 (which is the date that this opinion is mailed to all parties of record). 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, as provided by the Rules of Procedure governing a petition judicial review of an administrative agency decision.

CERTIFICATION OF BOARD VOTE ADOPTING OPINION

At its regular meeting, held on Thursday, November 4, 2004 in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, on the motion of Commissioner Bryant, seconded by Commissioner Wellington, with Commissioners Perdue and Robinson voting in favor of the motion, ADOPTED the above Opinion, which constitutes the final decision of the Planning Board and memorializes the Board’s findings of fact and conclusions of law in Preliminary Plan No. 1-04079.

Ellyn Dye, Technical Writer

Approved for legal sufficiency
M-NCPPC Office of General Counsel