



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

**Consent Item #**  
**MCPB 4-26-07**

**MEMORANDUM**

DATE: April 13, 2007  
 TO: Montgomery County Planning Board  
 VIA: Rose Krasnow, Chief  
 Development Review Division  
 FROM: Robert A. Kronenberg, Acting *PAK*  
 Supervisor  
 Development Review Division  
 (301) 495-2187



REVIEW TYPE: **Site Plan Amendment**  
 CASE #: **82002012A**  
 PROJECT NAME: North Germantown-Parcel H  
 APPLYING FOR: Amendment to 1) modify the building footprint on the east side; 2) relocate the dumpster; 3) revise curb radii for fire truck access; and 4) eliminate 2 parking spaces.

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

ZONE: C-1

LOCATION: Located on Crystal Rock Drive, approximately 200 feet south of the intersection with MD 118/Darnestown Road

MASTER PLAN: Germantown Master Plan

APPLICANT: TWG Crystal Rock LLC

FILING DATE: February 13, 2007

HEARING DATE: April 26, 2007

**STAFF RECOMMENDATION:** Approval of the proposed amendments to Site Plan 820020120 and approval of the attached draft Planning Board Resolution for the Site Plan 82002012A.

**BACKGROUND**

The Site Plan (820020120) for North Germantown-Parcel H, was presented to the Planning Board on January 15, 2002 (Planning Board Opinion dated January 15, 2002) for approval of

58,170 gross square feet of office on 1.941 acres in the O-M Zone. The Certified Site Plan was approved July 9, 2002.

### **PROPOSED AMENDMENT**

An amendment was filed on February 13, 2007, along with a public notice to adjacent and confronting property owners that outline specific changes to the approved site plan. The proposed amendment requests the following modifications:

- 1) modify the building footprint on the east side;
- 2) relocate the dumpster;
- 3) revise curb radii for fire truck access
- 4) eliminate 2 parking spaces.

### **PUBLIC NOTICE**

A notice regarding the subject site plan amendment was sent to all parties of record by the Applicant on February 13, 2006. The notice gave the interested parties 15 days to review and comment on the amended site plan. Staff received recommendation letters accepting the plan changes from Environmental Planning, Community-Based Planning and Transportation Planning. No comments have been received from the parties of record during this application.

### **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.

The changes are consistent with construction practices in terms of minor modifications to the building footprint. The relocation of the dumpster from the southeastern portion of the building to the northeastern quadrant near the existing gas station. The revised radii for the curb was a result of comments from the Fire Marshall, which also required changes to the number of parking spaces. 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 Minor Site Plan Amendment for North Germantown-Parcel H (Site Plan No. 82002012A) for modifications to the approved site plan.

### **ATTACHMENTS**

- A. Site Description and Vicinity
- B. Draft Planning Board Resolution

## ATTACHMENT A

### Site Description and Vicinity

The 1.94-acre property is located on Crystal Rock Drive, approximately 200 feet south of the intersection with MD 118/Darnestown Road in Germantown, Maryland. The site is zoned O-M; however, the commercial properties to the north and west are zoned C-3. Directly across MD 118 is the Germantown Town Center, zoned TS. The two-story garden apartment community to the south is zoned PD-15 and the Department of Energy site on the eastern perimeter is zoned R-200. Crystal Rock Drive is divided with a planted median for the first 100 feet south of the intersection with MD 118. Crystal Rock Drive contains a sidewalk, street lights and street trees.

The subject property is currently under construction for the three story office complex. The shell of the building is currently being framed and the construction entrance is located in the southwest quadrant of the site. The subject site is currently 3-8 feet above the elevations of the adjacent properties to the north and south, with the higher grades located near the southeastern elevations. The site is completely fenced for security. An evergreen buffer currently exists on the southern and northern perimeters to screen the adjacent uses.





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

MCPB No. 07-36  
 Site Plan No. 82002012A  
 Project Name: North Germantown-Parcel H  
 Hearing Date: April 26, 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 February 13, 2007, TWG Crystal Rock LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 82002012A ("Amendment") for approval of the following modifications:

- 1) modify the building footprint on the east side;
- 2) relocate the dumpster;
- 3) revise curb radii for fire truck access
- 4) eliminate 2 parking spaces.

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 April 13, 2006 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on April 26, 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. 82005008A; 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 site plan 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 opinion is mailed to all parties of record); and

APPROVED AS TO LEGAL SUFFICIENCY  
 BY THE ATTORNEY GENERAL  
 [Signature] 4/16/07

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).

\* \* \* \* \*