



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

MCPB
Item #
3/6/08

MEMORANDUM

DATE: February 21, 2007

TO: Montgomery County Planning Board

VIA: Catherine Conlon, Supervisor *CAC*
Development Review Division
(301) 495-4542

FROM: Stephen Smith *SS*
Development Review Division
(301) 495-4522

SUBJECT: Informational Maps and Summary of Record Plats for the Planning Board
Agenda for March 6, 2008

The following record plats are 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 plan drawings for the record plat. The following plats are included:

220081140 **Goodwill**

PLAT NO. 220081140

Goodwill

Located on the south side of Cedar Croft Drive, approximately 150 feet west of Cedar Croft Lane

R-60 zone; 2 lots

Community Water, Community Sewer

Master Plan Area: Bethesda-Chevy Chase

Elm Street Development, Applicant

Staff recommends approval of the this minor subdivision plat pursuant to **Section 50-35A(a)(5)**, which states as follows:

Plat of Correction. A plat may be recorded under the minor subdivision procedure to correct inaccurate or incomplete information shown on a previously recorded subdivision plat. The plat may correct drafting or dimensional errors on the drawing; failure to include a required note, dedication, easement or other restriction; incorrect or omitted signatures; and/or other information normally required to be shown on a recorded plat. All owners and trustees or the land affected by the correction must sign the revised plat. In addition, the plat of correction must clearly identify the original plat that is being replaced and contain a note identifying the nature of the correction.

Staff applied the above-noted minor subdivision criteria for this property and concludes that the proposed subdivision complies with the criteria of Section 50-35A(a)(5) of the subdivision regulations, and with the conditions required by Site Plan No. 82003005A, as approved by the Board, and supports this minor subdivision record plat.

OWNER'S CERTIFICATE

THE UNDERSIGNED, OWNER OF THE PROPERTY SHOWN HEREON AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HEREBY ADOPTS THIS SUBMISSION RECORD PLAT, ESTABLISHES THE MINIMUM BUILDING RESTRICTION LINES, SUBJECT TO ALL CURRENT AND APPLICABLE REGULATIONS OF ALL FEDERAL, STATE, AND LOCAL GOVERNING AGENCIES.

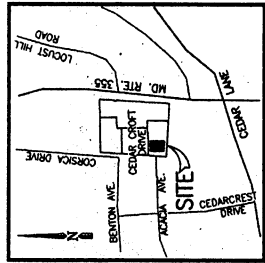
WE FURTHER CERTIFY THAT A MARYLAND REGISTERED LAND SURVEYOR WILL BE ENGAGED TO SET ALL PROPERTY CORNER MARKERS IN ACCORDANCE WITH SECTION 50-24 (4) OF THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, MARYLAND.

THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, MORTGAGES, OR TRUSTS AFFECTING THE PROPERTY SHOWN HEREON.

DATE 2/11/2008

6200 ROCKVILLE PIKE, L.L.C. (Sole Owner)
A VIRGINIA LIMITED LIABILITY COMPANY
BY: *[Signature]*
JOHN M. CARROLL, MANAGER

BY: *[Signature]*
MIKE BINGLEY
ATTORNEY



SURVEYOR'S CERTIFICATE

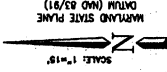
I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF A PART OF THE PROPERTY ACQUIRED BY 6200 ROCKVILLE PIKE, L.L.C. A VIRGINIA LIMITED LIABILITY COMPANY FROM GOODWILL INDUSTRIES INTERNATIONAL, INC. INCORPORATED IN MARYLAND ON JANUARY 17, 2004 AND RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND IN SUBDIVISION RECORD PLAT NO. 22915 AND SUBDIVISION RECORD PLAT NO. 22916.

20, BLOCK A, AS SHOWN ON A SUBDIVISION RECORD PLAT ENTITLED "LOTS 19 THROUGH 22 AND PARCELS D & E, BLOCK A, GOODWILL" AND RECORDED AMONG THE APPLICABLE LAND RECORDS AS PLAT NO. 22916.

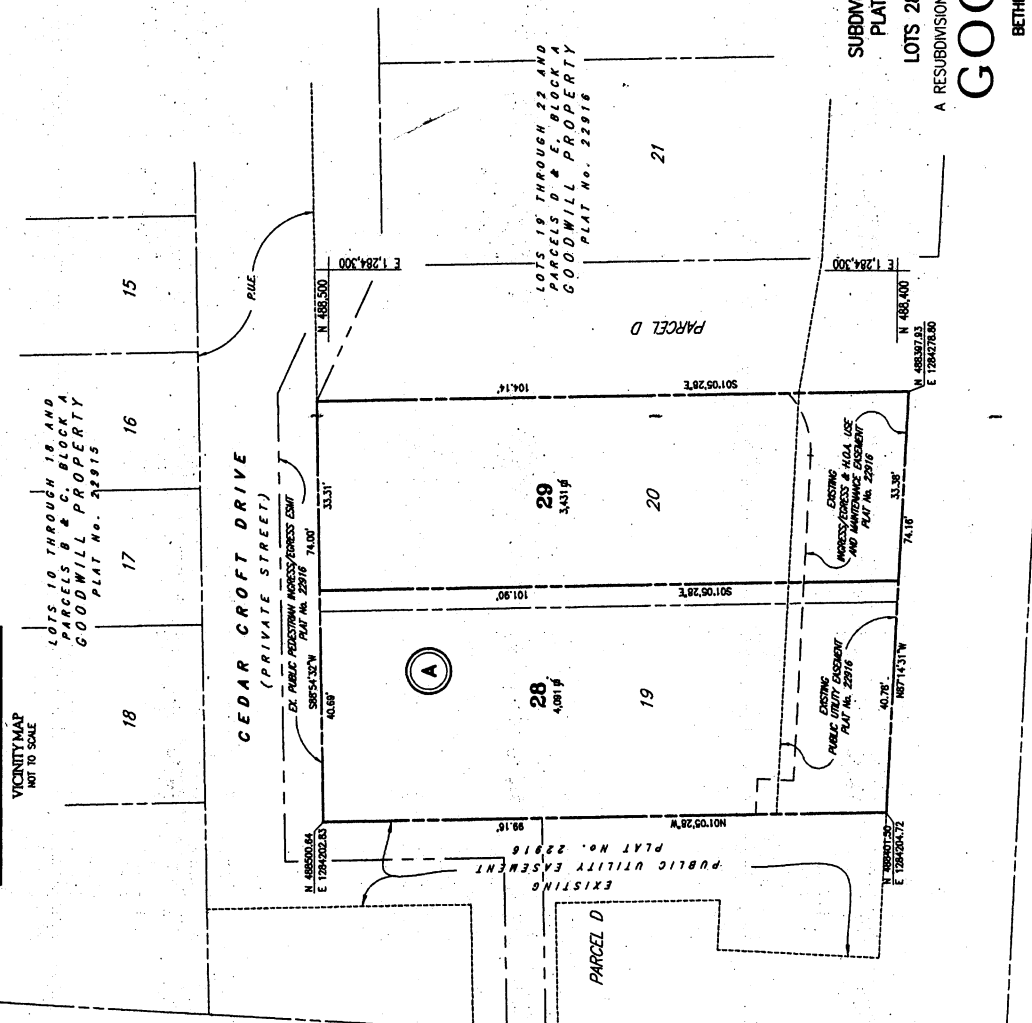
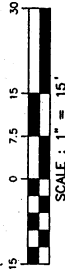
THAT THE TOTAL AREA INCLUDED IN THIS SUBDIVISION RECORD PLAT IS 7,522 SQUARE FEET OR 0.17 ACRES OF LAND. THERE IS NO STREET DEDICATION BY THIS PLAT.

DATE 2/13/2008

[Signature]
RONALD L. COLLIER
PROFESSIONAL LAND SURVEYOR
MONTGOMERY REG. NO. 20014



AREA TABULATION
LOTS: 7,522 sq ft OR 0.17 ac.
PARCELS: N/A
STREETS: N/A
TOTAL: 7,522 sq ft OR 0.17 ac.



NOTES:

- ALL TERMS, CONDITIONS, AGREEMENTS, LIMITATIONS AND REQUIREMENTS ASSOCIATED WITH ANY PRELIMINARY PLAT, SITE PLAN, PROJECT PLAN, OR ANY OTHER PLAN ALLOWING THE DEVELOPMENT OF THE PROPERTY, APPROVED BY THE MONTGOMERY COUNTY PLANNING BOARD, ARE INTENDED TO SURVIVE AND NOT BE EXTINGUISHED BY THE RECORDED PLAT, UNLESS EXPRESSLY CONTINGENT UPON THE PLAN AS APPROVED. THE OFFICIAL FILES FOR ANY SUCH PLANS ARE MAINTAINED BY THE PLANNING BOARD AND ARE AVAILABLE FOR REVIEW DURING NORMAL BUSINESS HOURS.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO THE REQUIREMENTS OF THE MONTGOMERY COUNTY FOREST CONSERVATION LAW, INCLUDING APPROVAL OF THE FINAL FOREST CONSERVATION PLAN AND APPROPRIATE AGREEMENTS PRIOR TO ISSUANCE OF A SUBDIVISION CONTROL PERMIT.
- THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO SHOW EVERY MATTER AFFECTING THE OWNERSHIP AND/OR USE OF THE PROPERTY. THIS SUBDIVISION RECORD PLAT IS NOT INTENDED TO REPLACE AN EXAMINATION OF TITLE OR TO PERTAIN OR NOTE ALL MATTERS AFFECTING TITLE.
- THIS DEVELOPMENT IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS ONLY.
- THIS LAND IS ZONED T1-67 AND IS BEING DEVELOPED UNDER THE PROVISIONS OF SECTION 50-6-1.5 OF THE MONTGOMERY COUNTY CODE.
- THIS SITE IS SUBJECT TO AN AGREEMENT WITH THE MONTGOMERY COUNTY PLANNING BOARD REGARDING APPROPRIATE PUBLIC FACILITIES.
- THE DEVELOPMENT IS SUBJECT TO A SITE PLAN ENFORCEMENT AGREEMENT UNDER THE MONTGOMERY COUNTY FOREST CONSERVATION LAW.
- M.S.L.C. 200 CODE REFERENCE: 211.1M 5
- THIS PLAT IS LIMITED TO THE USES AND CONDITIONS OF PRELIMINARY PLAN NO. 1-0204R ENTITLED GOODWILL PROPERTY.
- PRIVATE STREETS AND PRIVATE OPEN SPACES WILL BE MAINTAINED BY THE MONTGOMERY ASSOCIATIONAL MANAGEMENT COMPANY. MONTGOMERY WILL NOT PARTICIPATE IN THE MAINTENANCE OF THESE PRIVATE FACILITIES.
- THIS PLAT CONFORMS WITH THE REQUIREMENTS FOR MINOR SUBDIVISION APPROVALS CONTAINED IN SECTION 50-35A(4)(G) OF MONTGOMERY COUNTY SUBDIVISION REGULATIONS, BEING CHAPTER 50 OF THE COUNTY CODE.
- THE SOLE PURPOSE OF THIS PLAT OF CORRECTION IS TO ADJUST THE COMMON WALL BETWEEN LOTS 19 AND 20 AS SHOWN ON PLAT NO. 22916 (MONT 28 & 29), BLOCK A TO COMPLY WITH AMENDED SITE PLAN SPY 02030006A.

**SUBMISSION RECORD PLAT
PLAT OF CORRECTION**

LOTS 28 AND 29, BLOCK A

A RESUBDIVISION OF LOTS 19 & 20, BLOCK A

GOODWILL

BETHESDA (7TH) DISTRICT
MONTGOMERY COUNTY, MARYLAND
FEBRUARY, 2008 SCALE: 1"=15'

Charles P. Johnson & Associates, Inc.
2020 Rockville Pike, Suite 300, Silver Spring, MD 20910
CPJ ASSOCIATES
Professional Land Surveyors & Engineers
Montgomery, MD - Frederick, MD - Severnside, MD - Fairfax, VA

BLOCKS "C" & "F"
THE FOREST
P.N.O. 8065

2 LOTS
TAX MAP HP 121
2-08114

APPROVED: _____	DATE _____	DIRECTOR
CHAIRMAN _____	ASST. SECRETARY-TREASURER _____	
M-1024PFC Record File No. _____		
DEPARTMENT OF RESERVING SERVICES, MONTGOMERY COUNTY		

RECORD PLAT FOR MINOR SUBDIVISION REVIEW SHEET

(This form contains 3 pages)

Plat Name: Goodwill Plat Number: 220081140
 Plat Submission Date: 12/24/07
 DRD Plat Reviewer: S. Smith
 DRD Prelim Plan Reviewer: N/A

*For category of minor see pages 2 and 3

Initial DRD Review:

Pre-Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Preliminary Plan No. _____ Checked: Initial _____ Date _____
 Planning Board Opinion - Date _____ Checked: Initial _____ Date _____
 Site Plan Name if applicable: Goodwill Property Site Plan Number: 82003005A
 Planning Board Opinion - Date 1-12-07 Checked: Initial SJS Date 2-4-08

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

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>A. Lindsey</u>	<u>1-31-07</u>	<u>1-18-08</u>	<u>N/A</u>	<u>N/A</u>
Research	<u>Bobby Fleury</u>	↓	↓	<u>1-2-08</u>	<u>OK</u>
SHA	<u>Doug Mills</u>	↓	↓	_____	_____
PEPCO	<u>Steve Baxter</u>	↓	↓	_____	_____
Parks	<u>Doug Powell</u>	↓	↓	_____	_____
DRD	<u>Nellie Carey</u>	↓	↓	<u>1-2-08</u>	<u>OK</u>

Final DRD Review:

DRD Review Complete: SJS 2/20/08
 (All comments rec'd and incorporated into mark-up)
 Engineer Notified (Pick up Mark-up): SJS 2-4-08
 Final Mylar w/Mark-up & PDF Rec'd: SJS 2-14-08

Board Approval of Plat:

Plat Agenda: SJS 3-6-08
 Planning Board Approval: _____
 Chairman's Signature: _____

DPS Approval of Plat:

Engineer Pick-up for DPS Signature: _____
 Final Mylar for Reproduction Rec'd: _____

Plat Reproduction:

Addressing: _____
 File Card Update: _____
 Final Zoning Book Check: _____
 Update Address Books with Plat #: _____
 Update Green Books for Resubdivision: _____
 Notify Engineer to Seal Plats: _____
 Engineer Seal Complete: _____
 Complete Reproduction: _____
 Sent to Courthouse for Recordation: _____

No. _____

RECORD PLAT REVIEW SHEET – MINOR SUBDIVISION SEC-50-35A

Select which Category of Minor Subdivision and fill information as required

Requirements under Sec 50-35A (A)

(1) Minor Lot Adjustment

- a) Total area does not exceed 5% of combined area affected: _____
- b) No additional lots created: _____
- c) Adjusted line is approximately parallel/does not significantly change shape of the lots: _____
- d) Date sketch plan submitted: _____
- e) Sketch plan revised or denied within 10 business days: _____
- f) Final record plat submitted within ninety days: _____
- g) Sketch shows following information:
 - i. proposed lot adjustment: _____
 - ii. physical improvements within 15 feet of adjusted line: _____
 - iii. alteration to building setback: _____
 - iv. amount of lot area affected: _____

(2) Conversion of Outlot into a Lot

- a) Outlot not required for open space or otherwise constrained: _____
- b) Adequate sewerage and water service/public or private: _____
- c) Adequate public facilities and AGP satisfied: _____
- d) Any conditions/agreements of original subdivision: _____
- e) Special Protection Area, Water Quality Plan required: _____

(3) Consolidation Of Two of More Lots

- a) Any prior subdivision conditions: _____
- b) Part of lot created by deed prior to June 1 1958: _____

(4) Further Subdivision of Commercial/Industrial/Multi-Family Lot

Any subdivision/conditions; APF agreement satisfied: _____

(5) Plat of Correction

- a) All owners and trustees signed: _____ ✓
- b) Original Plat identified: _____ ✓

(6) Plats for Residentially Zoned Parcels Created by Deed prior to June 1958

- a) Deed(s) submitted: _____
- b) Developable with only one single family detached unit: _____

(7) Plat for Existing Places of Worship, Private Schools, Country Club, Private Institution, and Similar Uses located on Unplatted Parcels

- a) Adequate Public Facilities satisfied: _____
- b) Street dedication required: _____
- c) Forest conservation: _____
- d) Storm water management: _____
- e) Special Protection Area/Water Quality Plan: _____
- f) Landscaping and lighting plan including parking lot layout: _____

g) Approved Special Exception:

(8) Plats for Certain Residential Lots in the RDT Zone; 5 Lot Maximum

a) Number of Lots:

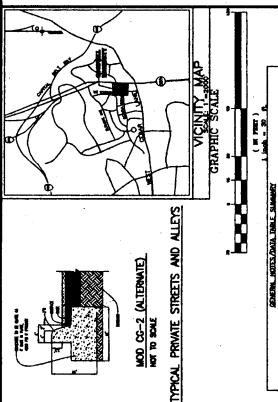
b) Written MCDPS approval of proposed septic area:

c) Required street dedication:

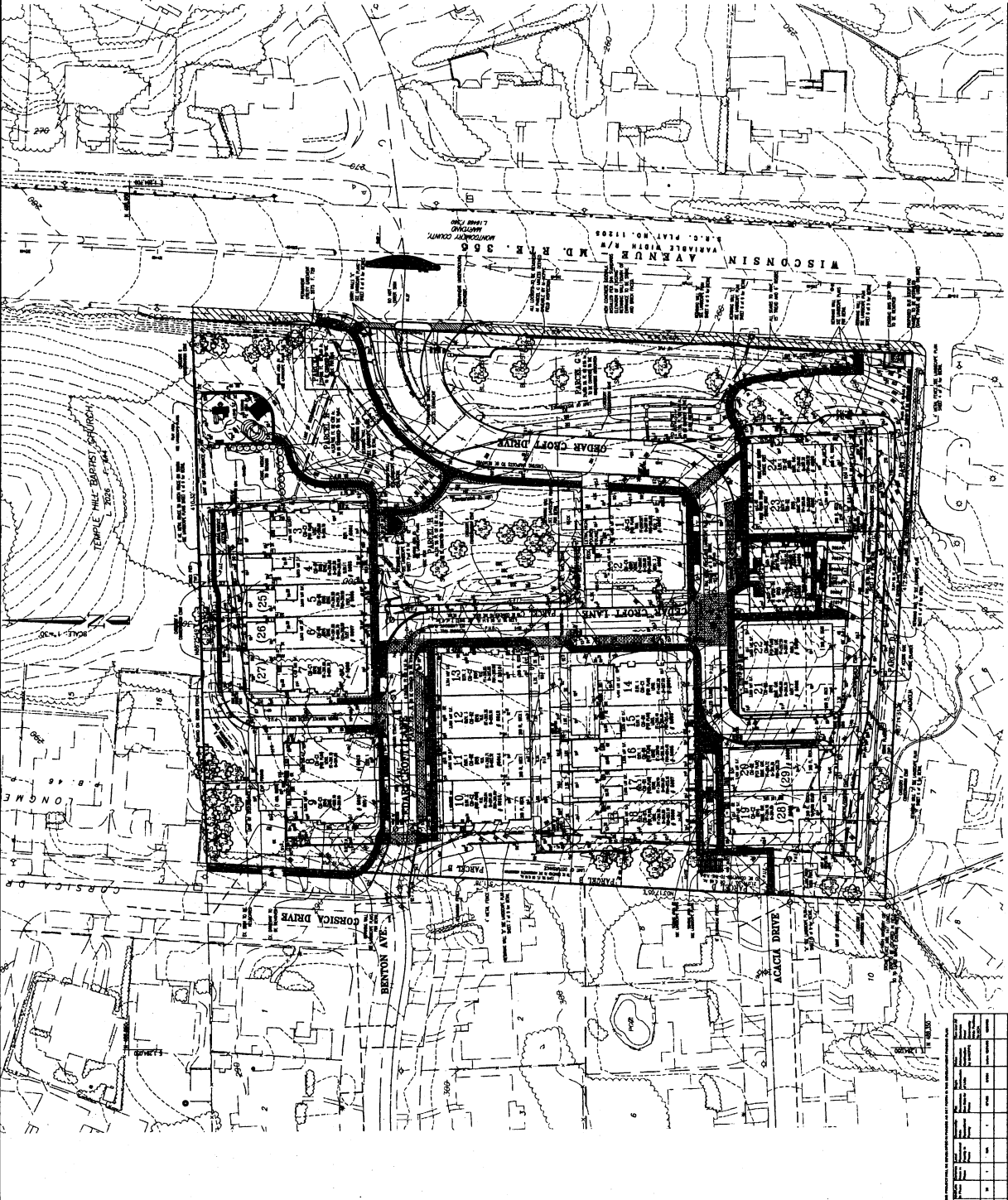
d) Easement for balance of property noting density and TDRS:

e) Average lot size of 5 acres:

f) Forest Conservation requirements met:



NO.	DESCRIPTION	DATE	BY	REVISIONS
1	PRELIMINARY SITE PLAN	11/27/08	CPJ	1.0
2	AMENDED SITE PLAN	11/27/08	CPJ	2.0
3	AMENDED SITE PLAN	11/27/08	CPJ	3.0
4	AMENDED SITE PLAN	11/27/08	CPJ	4.0
5	AMENDED SITE PLAN	11/27/08	CPJ	5.0
6	AMENDED SITE PLAN	11/27/08	CPJ	6.0
7	AMENDED SITE PLAN	11/27/08	CPJ	7.0
8	AMENDED SITE PLAN	11/27/08	CPJ	8.0
9	AMENDED SITE PLAN	11/27/08	CPJ	9.0
10	AMENDED SITE PLAN	11/27/08	CPJ	10.0
11	AMENDED SITE PLAN	11/27/08	CPJ	11.0
12	AMENDED SITE PLAN	11/27/08	CPJ	12.0
13	AMENDED SITE PLAN	11/27/08	CPJ	13.0
14	AMENDED SITE PLAN	11/27/08	CPJ	14.0
15	AMENDED SITE PLAN	11/27/08	CPJ	15.0
16	AMENDED SITE PLAN	11/27/08	CPJ	16.0
17	AMENDED SITE PLAN	11/27/08	CPJ	17.0
18	AMENDED SITE PLAN	11/27/08	CPJ	18.0
19	AMENDED SITE PLAN	11/27/08	CPJ	19.0
20	AMENDED SITE PLAN	11/27/08	CPJ	20.0
21	AMENDED SITE PLAN	11/27/08	CPJ	21.0
22	AMENDED SITE PLAN	11/27/08	CPJ	22.0
23	AMENDED SITE PLAN	11/27/08	CPJ	23.0
24	AMENDED SITE PLAN	11/27/08	CPJ	24.0
25	AMENDED SITE PLAN	11/27/08	CPJ	25.0
26	AMENDED SITE PLAN	11/27/08	CPJ	26.0
27	AMENDED SITE PLAN	11/27/08	CPJ	27.0
28	AMENDED SITE PLAN	11/27/08	CPJ	28.0
29	AMENDED SITE PLAN	11/27/08	CPJ	29.0
30	AMENDED SITE PLAN	11/27/08	CPJ	30.0
31	AMENDED SITE PLAN	11/27/08	CPJ	31.0
32	AMENDED SITE PLAN	11/27/08	CPJ	32.0
33	AMENDED SITE PLAN	11/27/08	CPJ	33.0
34	AMENDED SITE PLAN	11/27/08	CPJ	34.0
35	AMENDED SITE PLAN	11/27/08	CPJ	35.0
36	AMENDED SITE PLAN	11/27/08	CPJ	36.0
37	AMENDED SITE PLAN	11/27/08	CPJ	37.0
38	AMENDED SITE PLAN	11/27/08	CPJ	38.0
39	AMENDED SITE PLAN	11/27/08	CPJ	39.0
40	AMENDED SITE PLAN	11/27/08	CPJ	40.0
41	AMENDED SITE PLAN	11/27/08	CPJ	41.0
42	AMENDED SITE PLAN	11/27/08	CPJ	42.0
43	AMENDED SITE PLAN	11/27/08	CPJ	43.0
44	AMENDED SITE PLAN	11/27/08	CPJ	44.0
45	AMENDED SITE PLAN	11/27/08	CPJ	45.0
46	AMENDED SITE PLAN	11/27/08	CPJ	46.0
47	AMENDED SITE PLAN	11/27/08	CPJ	47.0
48	AMENDED SITE PLAN	11/27/08	CPJ	48.0
49	AMENDED SITE PLAN	11/27/08	CPJ	49.0
50	AMENDED SITE PLAN	11/27/08	CPJ	50.0



APPROVED SITE PLAN
 M.D. No. 1-1-00000
 11/27/08
 [Signature]
 [Signature]

SHEET INDEX
 SHEET 1: SITE PLAN COVER SHEET
 SHEET 2A: SITE PLAN OPINION
 SEE LANDSCAPE PLAN FOR LANDSCAPE SHEET INDEX

ENGINEER'S CERTIFICATE
 I HEREBY CERTIFY THAT THE ENGINEER DESIGNATED IN THESE PLANS IS A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND.
 [Signature]
 [Signature]

ENGINEER'S CERTIFICATE
 I HEREBY CERTIFY THAT THE ENGINEER DESIGNATED IN THESE PLANS IS A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND.
 [Signature]
 [Signature]

ENGINEER'S CERTIFICATE
 I HEREBY CERTIFY THAT THE ENGINEER DESIGNATED IN THESE PLANS IS A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MARYLAND.
 [Signature]
 [Signature]

This plan should not be used as a legal document for representation of boundaries, distances, lot square footages and easements. For recorded information, please see record plat or applicable recorded documents.



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

MCPB No. 07-30
Site Plan No. 82003005A
Goodwill Property (Bethesda Crest)

AUG 13 2007

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code ("Code") Division 59-D-3, the Montgomery County Planning Board ("Planning Board" or "Board") is required to review site plan applications; and

WHEREAS, pursuant to Code Section 59-D-3.4(b), following a public hearing on the application, the Planning Board must, by resolution, approve, approve with conditions or disapprove a proposed site plan; and

WHEREAS, the Planning Board, in reaching its decision on a site plan, must determine that the site plan meets all the requirements of Code Section 59-D-3.4(c); and

WHEREAS, on July 15, 2005, Elm Street Development ("Applicant") filed an application for approval of an amended site plan for 28 dwelling units, including 10 one-family semi-detached units, 14 townhouses, and 4 two-over-two moderately priced dwelling units (MPDUs), on 4.97 acres of R-60 zoned land located on the west side of Wisconsin Avenue, approximately 400 feet north of West Cedar Lane and within the Bethesda – Chevy Chase Master Plan area ("Property" or "Subject Property"); and

WHEREAS, in April 2003, the Planning Board approved Site Plan No. 820030050 (formerly 8-03005) for the proposed development; and

WHEREAS, the Applicant's amended site plan application was designated Site Plan No. 82003005A, Goodwill Property (Bethesda Crest) ("Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and the staffs of other governmental agencies, on March 1, 2007, Staff

David L. C. 7/23/07

Approved for legal sufficiency

M-NCPBC
7/23/07
Director of General Counsel

8787 Georgia Avenue, Silver Spring, Maryland 20910 Director's Office: 301.495.4500 Fax: 301.495.1310

www.MontgomeryPlanning.org

presented the Application to the Planning Board at a public hearing ("Hearing") for its review and action; and

WHEREAS, prior to the Hearing, on February 16, 2007, Staff had issued a memorandum to the Board setting forth its analysis and recommendation for approval of the Application subject to certain conditions ("Staff Report" or "Report"); and

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record ("Record") on the Application and approved the Application on motion of Commissioner Bryant, seconded by Commissioner Purdue, with a vote of 4-1, Chairman Hanson and Commissioners Purdue, Bryant, and Robinson voting in favor of the motion and Commissioner Wellington against.

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 82003005A for 28 dwelling units, including 10 one-family semi-detached units, 14 townhouses, and 4 two-over-two moderately priced dwelling units (MPDUs), on 4.97 acres of land in the R-60 Zone, subject to the following conditions:

1. Prior Approval

The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by this site plan amendment.

2. Record Plat Amendment

The applicant shall re-record the record plat for Lots 19 and 20 to reflect the revised lot lines (proposed Lots 28 and 29) in accordance with the certified site plan 82003005A prior to the issuance of any building permit for these two lots.

3. Forest Conservation

The proposed development shall comply with the conditions of the final forest conservation plan.

4. Proposed Fence and Wall

- a. A new six-foot-high metal fence with brick piers as shown on the certified site plan shall be constructed along the north property line of the site adjacent to the Temple Hills Baptist Church prior to the issuance of any building permit for Lots 28 and 29 (old Lots 19 and 20) or commencement of any construction on Lots 23 and 24, whichever comes first.
- b. The proposed brick/stone wall along the southwest property line shall be completed prior to the issuance of any building permit for Lots 28 and 29 (old Lots 19 and 20).

- c. The applicant may start construction of the proposed fence and wall as described in conditions 4.a. and 4.b. above prior to approval of the certified site plan 82003005A for Goodwill Property.

5. Certified Site Plan

Prior to approval of the certified site plan, the following revisions shall be included and/or information provided, subject to staff review and approval:

Revised Development Standard table, inspection schedule, plan index, and Site Plan Resolution.

BE IT FURTHER RESOLVED, that all site development elements shown on Goodwill Property plans stamped by the M-NCPPC on February 16, 2007, shall be required, except as modified by the above conditions of approval; 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, having given full consideration to the recommendations and findings of its Staff, which the Board hereby adopts and incorporates by reference, and other evidence contained in the Record, which is hereby incorporated in its entirety into this Resolution, the Montgomery County Planning Board FINDS, based on uncontested evidence of record, that:

1. *The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Montgomery County Code § 59-D-1.64.*

An approved development plan or a project plan is not required for the subject development.

2. *The site plan meets all of the requirements of the zone in which it is located.*

The Planning Board finds that the Application, as amended by the conditions, meets all of the requirements of the R-60 Zone. This amendment revised and clarified building height and setback requirements for individual lots from north, west, and south property lines as presented to the Planning Board at the compliance hearing on November 17, 2005. It also established lot width and yard requirements for individual lots and revised minimum lot area for three building types. In its Staff Report, Staff presented a project data table, which listed the Zoning Ordinance development standards requirements and the proposed

standards. The Board finds, based on the data table and other uncontested evidence and testimony of record, that the Application meets all of the applicable requirements of the R-60 Zone. The following table sets forth the development standards approved by the Board.

Approved Development Standards

Development Standard	Approved by Planning Board for Site Plan No. 82004026A and Binding on Applicant
Minimum Tract Area	4.97 acres
Density of Development	28 units
Number of Dwelling Units	
One-family Semi-Detached unit	10
Townhouse	14
One-family Attached unit (MPDU)	4
Total	28
Minimum Building Setback (ft.)	
from public street	35
from north property line	
Lot 3	33.3
Lot 4	33.3
Lot 5 (new Lot 25)	35
Lot 6 (new Lot 26)	34.5
Lot 7 (new Lot 27)	35
Lot 8	39.3
Lot 9	40
from west property line	
Lot 9	35
Lot 10	40
Lot 18	40
Lot 19 (new Lot 28)	43.4
from south property line	
Lot 19	50
Lots 20 (new Lot 29) through 24	40
Minimum Yard for Individual Lots (ft.)	
front	0
side	0
rear	0
Minimum Lot Area (sq. ft.)	
One-family Semi-Detached unit	3,500
Townhouse	2,500
One-family Attached unit (MPDU)	5,700 (4 units on one lot)
Minimum Lot Width (ft.)	24
Green Space	112,498 s.f. or 2.58 acres
Maximum Building Height	3 stories/40 feet
Parking (spaces)	
garage	60
Surface	16
Total	76

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

The Planning Board finds that the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems proposed in the Application, as amended by the conditions, are adequate, safe, and efficient.

a. Buildings and Structures

The overall site layout and general building locations remain unchanged on the amended site plan. Minor building setback modifications were made for units near the north and west property lines to reflect the final location of built units. In the southwestern corner of the site, the proposed semi-detached units on Lots 19 and 20 were moved to provide deeper setbacks from adjacent properties to the west and south as required by the compliance agreement. These changes did not affect the church property to the north, but provided a deeper buffer between the development and adjacent homes to the southwest of the site.

The location of the required four MPDUs were shifted back by approximately 6 feet to allow for larger front yard area to meet the zoning definition of attached units for two-over-two units. This change did not affect setback limits from the boundary. Enclosed trash and mechanical areas were added at the east and west ends of the building.

b. Open Spaces

The amended site plan did not change the size (2.58 acres) and location of the green space provided throughout the development. The green space serves as buffer areas between the development and adjacent properties. It also provides space for recreation facilities and helps protect existing trees.

c. Landscaping and Lighting

The landscaping design was modified in certain areas to accommodate the added fence/wall near the south property line and the relocated MPDUs, and to reflect the field changes to the tree save areas and entrance areas to individual units. But the overall theme of the design remains the same. There are no changes proposed to the lighting plan.

d. Recreation Facilities

This development provides four sitting areas, a playground, natural areas, and pathways throughout the subdivision as its recreation facilities. The amended site plan did not change the facilities except for the manufacture of the play equipment and benches. The playground and some of the sitting areas and pathways have been installed.

e. Vehicular and Pedestrian Circulation Systems

The plan provides a pathway system to connect individual units with site amenities, the adjacent neighborhood and surrounding streets. The main vehicular access to the development is from Wisconsin Avenue. A secondary access is via Corsica Drive to link the development with the adjacent neighborhood. The amended site plan does not change the circulation system, but proposes to enhance the existing bus stop on Wisconsin Avenue by adding pavers at the stop area (like those used elsewhere on site) and benches.

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

The amended site plan does not change the land use, building types, and general building locations. With a deeper building setback, modified building design, and a brick/stone wall/fence near the southwest property line, the proposed units will be compatible with the adjacent homes and uses.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The amended site plan conforms with the approved Forest Conservation Plan and Stormwater Management concept.

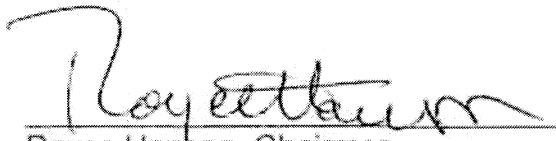
BE IT FURTHER RESOLVED, that this site plan shall remain valid as provided in Montgomery County Code Section 59-D-3.8; and

AUG 13 2007 BE IT FURTHER RESOLVED, that the date of this 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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At its regular meeting, held on Tuesday August 7, 2007, in Silver Spring, Maryland, the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission ADOPTED the above Resolution, on motion of Commissioner Robinson, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Robinson, and Commissioner Bryant voting in favor. This Resolution constitutes the final decision of the Planning Board, and memorializes the Board's findings of fact and conclusions of law for Site Plan No. 82003005A, Goodwill Property (Bethesda Crest).



Royce Hanson, Chairman
Montgomery County Planning Board