

**Agenda for Montgomery County Planning Board Meeting
Thursday, September 13, 2001, 9:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: February 15, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
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1. Potomac Subregion Master Plan (Public Hearing Draft), Worksession #7

(Glen Hills, Lower Greenbriar, Sutton property, Johnson property, Special Exception policy, Gokturk Woods, Reconsideration requests – Stoneyhurst, Giancola and Tri-State quarries)

(Note: No public testimony will be taken at this time.)

Staff Recommendation: Discussion.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Review of County's Draft "Transportation Noise Policy for County Highway Projects"

Staff Recommendation: Support policy with recommended changes.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Blair High School

Revision to approved Forest Conservation Plan to allow off-site reforestation of 25± acres to be satisfied by Montgomery County Public Schools' purchase of mitigation credits from a Potomac River forest "bank," instead of planting around the Rocky Gorge Reservoir in the Patuxent

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Mandatory Referral No. 01303-DPWT-1

Construction of new fire and police radio repair shop; I-1 Zone; 16551 Crabbs Branch Way; Shady Grove Transit Station Area Sector Plan Area

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Mandatory Referral No. 01108-MCPS-1**

Oakview Elementary School; R-60 Zone; East Wayne Avenue; Silver Spring

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Guidelines for the Submission and Processing of Site Plan Signature Sets**

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Board of Appeals Petition No. S-2355-A (Special Exception)

CMS Joint Venture, applicant, requests a modification to a special exception for productivity housing; 106 multi-family units; 5.2 acres; I-4 Zone; Snouffer School Road near Centerway Road, Gaithersburg

(Action Required for Hearing of 9-19-01)

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Board of Appeals Petitions No. S-2471 and A-5641 (Special Exception and Variance)

Kids N Care Learning Center, applicant, requests a special exception to construct and operate a child day care center for 45 children and a variance for the building and parking area; R-200 Zone; 19002 Mateney Hill Road, Germantown

(Action Required for Hearing of 9-25-01)

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Site Plan Review No. 8-01035 – Mary J. Boland Subdivision, Lot 97**

C-3 Zone; 2,328 gross square foot car wash; northeast quadrant, intersection of Germantown Road and Millenium Court; Germantown

APPLICANT: Mid-Atlantic Petroleum Property

ENGINEER: Ben Dyer Associates, Inc.

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Preliminary Plan Review No. 1-01063 - Hoyles Mill Village (Estates at Woodcliffe Park) (Resubdivision)**

R-200 Zone (MPDU Option); Revision to Seventy (70) Units of a Four Hundred Fifty-Nine (459) Unit Subdivision Previously Approved Under Preliminary Plan Review No. 1-88216; 61.40 Acres

Community Water and Community Sewer

Located on the East and West Sides of Proposed Richter Farm Road (A-297), West of Schaeffer Road

Policy Area: Germantown West

APPLICANT: Toll Brothers

ENGINEER: Charles P. Johnson and Associates

ATTORNEY: Linowes and Blocher

Staff Recommendation: Approval, Including Abandonment of Unimproved Rights-of-Way, Subject to the Following Conditions:

- 1) Compliance with the conditions of approval enumerated in the Environmental Planning memorandum dated, September 6, 2001 as follows:
 - Imperviousness for the Section II single-family detached units and driveways may not exceed 12.588 acres or 548,333 square feet. Street, sidewalk and attached housing units with associated parking must be constructed per design shown on approved Site Plan No. 8-95030 except as amended by this plan.
 - Monitoring of conformance to the imperviousness limits for the single-family detached portion of Section II shall be done in accordance with the December 6, 2000 agreement between the applicant and the Commission (Attachment A), except that, the 20 lots identified to be held in reserve in this agreement shall be replaced by the 20 lots identified in the August 17, 2001 letter from Toll Brothers, Inc (Attachment B). The last five lots of the 20 lots to be released will be lots 60&61, block Z, followed by lot 1, block Z, and followed by lots 1&2, block S.
 - If at any time the imperviousness limit is reached before building permits for all approved lots have been released, the lots for which building permits have not been released must be re-recorded as non-impervious open space. All pending use-and-occupancy permits will be held until such time that the open space plats are recorded.
 - All driveways must be designed as single car width (10 feet) from the edge of the road through the sidewalk and flared out to double car width (20 feet) in front of the garage. The maximum driveway length from the edge of the road right of way to the garage entrance shall be 25 feet. Alternate driveway design may be approved by M-NCPPC Environmental Planning staff on a case-by-case basis, provided any additional impervious surface is accounted for as part of the overall imperviousness limit. All sales contracts must disclose to buyers that these dimensions are imposed as a condition of the Planning Board approval.

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10. **Preliminary Plan Review No. 1-01063 - Hoyles Mill Village (Estates at Woodcliffe Park) (Resubdivision) - Continued**
- Before issuance of the 57th building permit, applicant shall record in the land records a disclosure of the imperviousness limits and monitoring requirements to subsequent land buyers. This disclosure shall be reviewed and approved by Commission legal staff before recordation.
 - Applicant shall provide each prospective homebuyer with a site plan that clearly illustrates house setback and sidewalk locations.
 - The sidewalk shall be constructed in its final location on all model home lots.
- 2) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Germantown Master Plan
 - 3) All road rights-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Germantown Master Plan, and to the design standards imposed by all applicable road codes.
 - 4) Record plat to provide for dedication of 120 feet of right-of-way for Richter Farm Road A-297.
 - 5) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas.
 - 6) Compliance with the conditions of MCDPS stormwater management approval
 - 7) Prior to recording of plat(s), Planning Board approval of abandonment resolution of the unimproved road section as shown on preliminary plan.
 - 8) Access and improvements as required to be approved by MCDPWT, prior to recordation of plat(s).
 - 9) No clearing, grading, or recording of plats prior to site plan approval
 - 10) Final approval of the number and location of dwelling units, sidewalks, and bikepaths will be determined at site plan.
 - 11) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff.
 - 12) 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.
 - 13) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
 - 14) Necessary easement.
 - 15) All other applicable conditions of approval of the 12/9/93 Planning Board approval remain in full force and effect.

10. **Preliminary Plan Review No. 1-01063 - Hoyles Mill Village (Estates at Woodcliffe Park)
(Resubdivision) - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. **Site Plan Review No. 8-95030-C – Hoyles Mill Village, Section 2**

R-200 Zone; 261 lots including 38 moderately priced dwelling units; on the west side of Schaeffer Road, approximately 5,000 feet southwest of Clopper Road (MD 117); Germantown

APPLICANT: Toll Brothers
ENGINEER: Charles P. Johnson & Associates, Inc.

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. **Concord Local Park Facility Plan**

Hidden Creek Road, Bethesda-Chevy Chase Master Plan Area

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. Forest Conservation Regulations Amendments

Staff Recommendation: Public Hearing.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Little Falls Stream Restoration, Phase 2

Little Falls Branch, south of Massachusetts Avenue

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

15. Project Plan Review No. 9-01005 – Clarksburg Ridge

RMX-2/R-200 Zones; 159 dwelling units; on the west side of Clarksburg Road, 1,000 feet north of MD 355; Clarksburg

APPLICANT: Natelli Communities Ltd Ptnsp/Parkwood Homes

ENGINEER: Rodgers & Associates

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

16. **Preliminary Plan No. 1-01078 – Clarksburg Ridge, Including Preliminary Water Quality Plan**

R-200/RMX-2 Zone; One Hundred Fifty-Nine (159) Residential Units Requested (Single-Family Detached and Attached Dwelling Units); 35.4 Acres
Community Water and Community Sewer

Located on the Northwest Side Clarksburg Road (MD 121), Approximately 600 Feet Northeast of the Intersection With Frederick Road (MD 355)

Policy Area: Clarksburg

APPLICANT: Natelli Communities Limited Partnership

ENGINEER: Rodgers and Associates

Staff Recommendation: Approval, Including Waivers Pursuant to Section 50-29(a)(2) Lot Frontage and 50-26(e)(3) Intersection Truncation and Subject to the Following Conditions:

- 1) Compliance with the conditions of approval of the Preliminary Forest Conservation Plan. Applicant must satisfy all conditions of approval prior to recordation of plat(s) or MCDPS issuance of sediment and erosion control permits.
- 2) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Clarksburg Master Plan and to the design standard of all applicable road codes.
- 3) All road rights-of-ways shown on the approved preliminary plan shall be dedicated to the full width as prescribed by the Clarksburg Master Plan
- 4) Record plat to show Category I easements over areas of stream valley buffers and forest conservation areas.
- 5) Compliance with conditions of MCDPS preliminary water quality plan approval memo dated, August 28, 2001.
- 6) Access and improvement as required to be approved by MDSHA prior to issuance of access permits.
- 7) 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.
- 8) The Adequate Public Facility (APF) review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 9) Necessary easements.

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16. **Preliminary Plan No. 1-01078 – Clarksburg Ridge, Including Preliminary Water Quality Plan - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

17. Preliminary Plan Review No. 1-01047 – Public Storage – East Gude Drive

I-1 Zone; One (1) Lot Requested (72,150 Square Feet of Industrial Storage Proposed); 0.95 Acres

Community Water and Community Sewer

Located On the Northeast Quadrant, Intersection of Crabbs Branch Way and East Gude Drive

Policy Area: Upper Rock Creek

APPLICANT: Public Storage Inc.

ENGINEER: BL Companies

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to 72,150 square feet of industrial storage and coordinate with the Montgomery County Department of Public Works and Transportation and the Montgomery County Department of Permitting Services regarding the site access from Crabbs Branch Way. Restrict the site access from Crabbs Branch Way to a right in and right out only and coordinate with DPS regarding the following:
 - a. The appropriate channelization to restrict left-turns into and out of the site from Crabbs Branch Way.
 - b. Adequate turning radius for right-turns-in and right-turns-out for all vehicles including single unit trucks, which may be rented by non-professional drivers. The curb return may require an agreement for an easement from the adjoining property to the north because the distance between the site access and adjoining property is only approximately 20 feet.
 - c. No access will be permitted from East Gude Drive.
 - d. Enter into a traffic mitigation agreement with DPWT and the Planning Board to make a best effort to assist in the achievement and maintenance of the traffic mitigation goal of 12% for commercial development. The boundaries of the Greater Shady Grove Traffic Mitigation District (TMD) are shown on the attached map. This agreement shall include a traffic mitigation plan that will define the applicant's obligations to assist in mitigating traffic including cooperating with the traffic mitigation organization for the following:
 - 1) To market transportation alternatives
 - 2) To pay the traffic management fee established by the County to support the TMD
 - 3) To identify an employee transportation benefits coordinator to disseminate information on transportation programs and services
 - 4) To use best efforts to participate in the annual commuting mode survey to assist with monitoring the achievement of the traffic mitigation goal survey and making a good faith effort to achieve an 80% return rate

The TMD staff will be available to provide transportation information, technical advice, and other forms of assistance normally provided by the TMD to sites within the Greater Shady Grove Area.

17. Preliminary Plan Review No. 1-01047 – Public Storage – East Gude Drive - Continued

- 2) Compliance with the conditions of MCDPS stormwater management approval, dated March 14, 2001
- 3) Access and improvements as required to be approved by MCDPWT prior to approval of record plat
- 4) Final landscape and parking facilities plan to be reviewed and approved by MNCPPC technical staff prior to recordation of plat(s).
- 5) 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.
- 6) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 7) Necessary easements.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

18. Preliminary Plan Review No. 1-00100 – Richard’s Addition To Ashley Hollow

RE-2 Zone; Twenty-Five Lots Requested (Sixteen Single-Family Attached Dwelling Units and Nine Single-Family Detached Dwelling Units); 7 Acres
Community Water and Community Sewer

Located on the East Side of Georgia Avenue, Approximately 1,000 Feet South of Owens Road

Policy Area: Olney

APPLICANT: Smart Development

ENGINEER: Macris, Hendricks and Glascock

Staff Recommendation: Approval, Pursuant to the FY 2002 Annual Growth Policy Alternative Review Procedures and Subject to the Following Conditions:

- 1) Approval of this preliminary plan is limited to a maximum of twenty-five dwelling units and the applicant shall pay to the Montgomery County Department of Finance the applicable Development Approval Payment, pursuant to the FY 2002 Annual Growth Policy prior to receipt of building permits.
- 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) All road rights-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Olney Master Plan, and to the design standards imposed by all applicable road codes.
- 4) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Olney Master Plan, unless otherwise designated on the preliminary plan.
- 5) Record plat to provide for dedication of 120 feet of right-of-way for Georgia Avenue (MD 97).
- 6) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas.
- 7) Compliance with the conditions of MCDPS stormwater management approval.
- 8) Access and improvements, including bikeway, as required, to be approved by MDSHA prior to issuance of access permit.
- 9) Final number and location of dwelling units, landscaping, parking, sidewalks/bikepaths to be determined at site plan.
- 10) No clearing or grading prior to approval of site plan.
- 11) At the time of recordation, applicant to provide verification of the availability of the required number of TDR's for each record plat.
- 12) 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.

18. Preliminary Plan Review No. 1-00100 – Richard’s Addition To Ashley Hollow -
Continued

- 13) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion.
- 14) Necessary easements.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

19. Preliminary Plan Review No. 1-01072 – ezStorage Rockville

I-4 Zone; One (1) Lot Requested (87,210 Square Foot Storage Building Proposed); 2 Acres

Community Water and Community Sewer

Located On the East Side of Parklawn Drive, Approximately 400 Feet South of Wilkins Ave

Policy Area: North Bethesda

APPLICANT: Siena Development Corporation

ENGINEER: Site Solutions Inc.

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to 87,210 square feet of industrial storage and enter into a traffic mitigation agreement with the Montgomery County Department of Public Works and Transportation (MCDPWT) and the Planning Board to make a best effort to assist in the achievement and maintenance of the traffic mitigation goal of 39% for commercial development as outlined in the September 7, 2001 Transportation Planning Division memorandum.
- 2) Compliance with the conditions of MCDPS stormwater management approval, dated June 5, 2001.
- 3) Access and improvements as required to be approved by MCDPWT prior to approval of record plat(s).
- 4) Final landscape and parking facilities plan to be reviewed and approved by MNCPPC technical staff prior to recordation of plat(s).
- 5) 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.
- 6) The Adequate Public Facility (APF) review for the preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 7) Necessary easements.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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20. The Following **Record Plats** are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or Site Plans:

NOT AVAILABLE AT TIME OF PRINTING

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: