

**Agenda for Montgomery County Planning Board Meeting
Monday, October 1, 2001, 2:00 p.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: March 8, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
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GENERAL MEETING (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. FY 03-08 Parks Capital Improvements Program

Continued Worksession

Staff Recommendation: Discussion.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Board of Appeals Petition No. S-657-B (Special Exception Modification)

Sun Oil Company, applicant, requests a modification to an existing automobile filling station, to demolish existing structures and construct a new facility with an ancillary convenience store; C-2 Zone; 10625 Connecticut Avenue, Kensington

(Action Required for Hearing of 10/17/01)

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Mandatory Referral No. 01204-MCPS-1 – Tilden Middle School

Unipole/lightpole; R-90 Zone; 11211 Old Georgetown Road, North-Bethesda-Garrett Park
Master Plan

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Zoning Text Amendment No. 01-08

Introduced by Councilmembers Denis, Silverman, and Ewing; amend the Zoning Ordinance to permit residential development in the C-2 Zone in close proximity to Metro stations under certain circumstances

(Action Required for Hearing of 10/16/01)

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Request For An Extension of the Validity Period – Preliminary Plan Review No. 1-99100E – Cloverly Commercial

C-1 Zone; One (1) Lot Previously Approved (General Retail)
Community Water and Community Sewer

Located on the West Side of New Hampshire Avenue (MD 650), Approximately 700 Feet South of the Intersection With Bryants Nursery Road

Policy Area: Cloverly

APPLICANT: Casper Management
ATTORNEY: Goozman, Bernstein & Markuski

Staff Recommendation: Grant One-Year Extension.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Preliminary Plan Review No. 1-01073 – Meadow Ridge Seniors' Villas (Resubdivision)

R-200 Zone; Thirty-Three (33) Single-Family Attached Residential Units (Triplex and Quadraplex Buildings); 5.79 Acres
Community Water and Community Sewer
Located in the Southwest Corner of the Intersection of Wightman and Prathertown Road

Policy Area: Montgomery Village/Airpark

APPLICANT: National Senior's Housing Corporation
ENGINEER: Macris, Hendricks and Glascock
ATTORNEY: Miller, Miller and Canby

Staff Recommendation: Approval, Pursuant to Section 50-29 (b) (2) of the Montgomery County Subdivision Regulations, Including Abandonment of Cordonary Court and Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a maximum of thirty-three (33) Elderly Independent Housing Units as approved by the Board of Appeals Case No. S-2423
- 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 Gaithersburg 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 Gaithersburg Master Plan, unless otherwise designated on the preliminary plan
- 5) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 6) Record plat to provide for dedication of 80 feet of right-of-way for Wightman Road
- 7) Compliance with the conditions of MCDPS stormwater management approval
- 8) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 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) 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
- 11) The validity of this preliminary plan is dependent upon the applicant abiding by the terms and conditions associated with Board of Appeals Case S-2423
- 12) Other necessary easements

6. **Preliminary Plan Review No. 1-01073 – Meadow Ridge Seniors' Villas
(Resubdivision) - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Request to Revise the Previous Conditions of Approval For Preliminary Plan Review No. 1-97023A – Hampshire Village (Manor Care) – Norbeck

RE-2/TDR Zone; One (1) Lot Previously Approved (Elderly Housing); 8.27 Acres
Community Water and Community Sewer

Located on the South Side of Norbeck Road (MD 28), Approximately 300 Feet West of Bailey's Lane

Policy Area: Aspen Hill

APPLICANT: Hampshire Village Associates

ENGINEER: Patton, Harris & Rust

ATTORNEY: DuFour & Kohloss

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Staff recommends the following conditions as part of the Adequate Public Facilities review for transportation requirements related to approval of the preliminary plan:
 - A. Limit the proposed development to no more than 110 age restricted elderly garden apartments and a 30-bed assisted living facility
 - B. Limit direct access to Norbeck Road (MD 28) to one right-in/right-out drive way
 - C. Provide a 14-foot one-way access drive to connect the project entrance to Norbeck Boulevard to provide access to the existing traffic signal at Norbeck Road and Norbeck Boulevard in order that left-turns exiting the project can be made at the traffic signal
 - D. Coordinate the construction of the access drive and the entrance with Engineering Access Permits Division of the Maryland State Highway Administration (SHA)
 - E. Dedicate 140 feet of right-of-way for Norbeck Road as shown on the preliminary plan
 - F. Provide a sidewalk connection from the interior of the project to Norbeck Road
 - G. Coordinate with MDSHA CTP Project No. M08861, the Norbeck Road (MD 28)/Spencerville Road (MD 198) connector
 - H. Enter into a traffic mitigation agreement with the Planning Board (as a condition of the special exception and preliminary plan) to mitigate all motor vehicle trips to and from the site in the 7:00 to 9:00 am and 4:00 to 6:00 pm peak periods, Monday through Friday. This traffic mitigation agreement shall be completed before building permits are issued. It shall include a traffic mitigation plan that will:
 1. Require employee work shifts to begin and end so that employees do not travel during the peak periods;
 2. Provide applicant-supplied transportation services for residents such as a van or bus;
 3. Designate an on-site transportation coordinator to manage public transit and applicant-supplied transportation services for residents and employees;
 4. Make available a "meals on wheels" - type program for residents;
 5. Manage routine commercial pick up and delivery to occur outside of the peak hours; and

7. Request to Revise the Previous Conditions of Approval For Preliminary Plan Review No. 1-97023A – Hampshire Village (Manor Care) – Norbeck - Continued

6. Pay an annual fee to the Planning Board to cover the cost of monitoring motor vehicle travel to and from the site in accordance with the traffic mitigation agreement.
- 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 Aspen Hill 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 Aspen Hill Master Plan, unless otherwise designated on the preliminary plan
- 5) Submit new record plat delineating the revised Category I conservation easement over the forest conservation areas
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 7) Access and improvements as required and approved by MDSHA prior to release of access permits
- 8) Applicant to submit a final landscape and lighting plan prior to re-recording of plat
- 9) Prior to dedication of right-of-way, as shown on plan, submit verification of the issuance of a demolition permit for any existing structures within area of dedication
- 10) This preliminary plan will remain valid for thirty-seven (37) from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- 11) The Adequate Public Facilities review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- 12) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan Review No. 1-01025 - Faith Presbyterian Church

RE-2 Zone; One (1) Lot Requested (House of Worship); 4.56 Acres
Community Water and Community Sewer

Located on the East Side of Old Baltimore Road, at the Intersection of Old Baltimore Road and Ampeg Lane

Policy Area: Olney

APPLICANT: Faith Presbyterian Church of Olney

ENGINEER: Vanmar Associates

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) 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
- 2) 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
- 3) 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
- 4) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 5) Record plat to provide for dedication of 70 feet of right-of-way for Baltimore Road
- 6) Compliance with the conditions of MCDPS stormwater management approval
- 7) Access and improvements as required by MCDPWT prior to recordation of plat
- 8) 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
- 9) 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
- 10) Necessary easements

8. Preliminary Plan Review No.1-01025 - Faith Presbyterian Church - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-01086 – Mandell Property

LDRC (Low Density Rural Cluster) Zone; Fourteen (14) Lots Requested (Single-Family Detached Dwelling Units), 72.40 Acres
Community Water and Community Sewer

Located on the East Side of Batchellor's Forest Road, Approximately 1,000 Feet North of the Intersection With Westminster Drive

Policy Area: Olney

APPLICANT: Porten Companies

ENGINEER: Charles P. Johnson and Associates

ATTORNEY: Linowes and Blocher

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 fourteen units and the applicant shall pay to the Montgomery County Department of Finance the applicable Development Approval Payment (DAP), 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) Record plat to provide for dedication of 70 feet of right-of-way for Batchellor's Forest Road
- 4) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 5) Access and improvements as required to be approved by MCDPWT prior to issuance of access permit
- 6) Record plat to reference all common ingress/egress easements
- 7) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Approved and Adopted Master Plan, and to the design standards imposed by all applicable road codes
- 8) Prior to recording of plat(s) Planning Board approval of waiver for over length cul-de-sac
- 9) No clearing, grading, or recording of plat(s) prior to site plan approval
- 10) Final location of units to be determined at site plan
- 11) All road right-of-way show on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Approved and Adopted Master Plan
- 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) Other necessary easements

9. Preliminary Plan Review No. 1-01086 – Mandell Property - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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10. 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:

11. Development Plan Amendment No. 01-04

CSAAC, applicant, seeks to amend approved Development Plan 88-1 to allow for development of CSAAC's administrative headquarters on a 10.76 acre parcel of ground in the Town Sector Zone, north of the intersection of Lewisburg Drive and East Village Avenue, Montgomery Village

(Action Required for Hearing of 10/24/01)

Staff Recommendation: Approval of Development Plan Amendment; approval of Supplementary Plan.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: