

Agenda for Montgomery County Planning Board Meeting

Thursday, March 7, 2002, 9:30 a.m.

8787 Georgia Avenue

Silver Spring, MD 20910-3760

Board Action

Roll Call

Approval of Minutes: July 19, 2001

Commissioners' Reports

Directors' Reports

Reconsideration Requests

GENERAL MEETING (*Third Floor Conference Room*)

A. Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (Third Floor Conference Room)

- B. *Proposed Closed Session pursuant to Maryland State Code Section 10-508(a)(1) (appointments): Olney Master Plan - Appointment of Master Plan Advisory Group – Approval.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. Proposed Zoning Text Amendment

Amend the Zoning Ordinance to delete neighborhood and county need findings for certain special exception uses

Staff Recommendation: Approval to transmit the amendments to County Council.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Amendment to the Montgomery County Solid Waste Management Plan**

Petitioning for County Refuse Collection Service

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Olney Master Plan**

Purpose and Outreach Strategy Report

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Mandatory Referral No. 02801-SHA-1**

MD 355 (Rockville Pike) at MD 547 (Strathmore Avenue)

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **City of Gaithersburg Annexation Petition X-180 (Crown Estate)**

Intersection of Story and Crown Farm Drives in the Shady Grove Study Area, approximately 4.19 acres; reclassification from the County's R-200 (low-density residential) Zone to the City's R-A (low-density residential) Zone

Staff Recommendation: Approval to transmit comments to the City of Gaithersburg.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Preliminary Plan Review No. 1-01080 – The Retreat At Liberty Mill

R-200 Zone; 3.77 Acres; Five (5) Lots Requested (One (1) Existing Single-Family Detached Dwelling Unit and Four (4) Proposed Single-Family Detached Dwelling Units)

Public Water and Public Sewer

Located on the West Side of Liberty Mill Road, Approximately 350 feet South of Accent Way

Policy Area: Germantown West

APPLICANT: Ruppert Family Builders

ENGINEER: CAS Engineering

Staff Recommendation: Approval, Pursuant to the De Minimis Provisions of the FY 2002 Annual Growth Policy, 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-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Germantown Master Plan unless otherwise designated on the preliminary plan
- (3) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- (4) Record plat to provide for dedication of 70 feet of right-of-way for Liberty Mill Road
- (5) Provide four (4) feet bikeway on Liberty Mill Road
- (6) Record plat to reflect common ingress/egress easements over all shared driveways
- (7) Compliance with the conditions of MCDPS stormwater management approval dated September 20, 2001
- (8) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- (9) Record Plat to reflect note "Resubdivision Strictly Controlled"
- (10) 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
- (11) 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
- (12) Other necessary easements

6. Preliminary Plan Review No. 1-01080 – The Retreat At Liberty Mill - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

**7. Preliminary Plan Review No. 1-99001E – Montgomery Chinese Christian Church
(Request for an Extension of the Validity Period)**

R-200 Zone; 4.96 Acres; One (1) Lot Previously Approved (House Worship);

Public Water and Public Sewer

Located on the East Side of McKnew Road, South of Sandy Spring Road (MD 198)

Policy Area: Fairland/White Oak

APPLICANT: Montgomery Chinese Christian Church
ENGINEER: G & S Consultants, Inc

Staff Recommendation: Grant One-Year Extension.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan Review No. 1-00095 – Warfield Property

RC Zone; 67.52 Acres; Thirteen (13) Lots Requested (One (1) Existing and Twelve (12) Proposed Single-Family Detached Dwelling Units)

Located on Primula Court, Approximately 350 Feet North of Primula Drive

Private Wells and Private Septic

Policy Area: Damascus

APPLICANT: Diana Warfield

ENGINEER: Maddox, Inc.

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-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Damascus Master Plan unless otherwise designated on the preliminary plan
- 3) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Damascus Master Plan, and to the design standards imposed by all applicable road codes
- 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 Seventy (70) feet of right-of-way for Hawkins Creamery Road and a 60 foot right-of-way for Primula Court extension and termination
- 6) Record plat to reflect common ingress/egress easements over all shared driveways
- 7) Prior to recordation of plat(s), applicant and M-NCPPC staff to coordinate the location of internal pedestrian/equestrian trails, if applicable
- 8) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 9) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 10) 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
- 11) 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
- 12) Necessary easements

8. Preliminary Plan Review No. 1-00095 – Warfield Property – Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-02046 – Sunnymeade

RC Zone; 8.6 Acres; Two (2) Lots Requested (Single-Family Detached Dwelling Units)

Private Well and Private Septic

Located on the South Side of Brighton Dam Road, Approximately 1,000 Feet West of Golden Valley Lane

Policy Area: Olney

APPLICANT: Bethany Homes

ENGINEER: Tri-County Surveys, Inc.

Staff Recommendation: Approval, Pursuant to the De Minimis Provisions of the FY 2002 Annual Growth Policy and Section 59-C-9.73 (b)(2) of the Montgomery County Zoning Ordinance and 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. To address specific on-site issues applicant to comply with additional conditions, prior to recordation of plat(s), as specified in the February 28, 2002 Environmental Planning memorandum as follows:
 - The unavoidable area of permanent buffer impact (6700 square feet) on Lot # 2 shall be mitigated onsite at a minimum 2:1 ratio of additional forest protection beyond the forest conservation requirements
 - All previously cleared areas within environmental buffer and steep slopes are to be stabilized and reforested
 - No grading/clearing is allowed within the existing DPWT slope easement along Brighton Dam Road unless explicitly authorized by Montgomery County Department of Public Works and Transportation (MCDPWT)
- 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 Olney Master Plan unless otherwise designated on the preliminary plan
- 3) Record Plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 4) Record plat to provide for dedication of Seventy (70) feet of right-of-way for Brighton Dam Road
- 5) Record plat to reflect common ingress/egress easements over all shared driveways
- 6) Compliance with conditions of MCDPS (Health Dept.) septic approval, dated February 20, 2002
- 7) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 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. Preliminary Plan Review No. 1-02046 – Sunnymeade – Continued

9) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Preliminary Plan Review No. 1-02047 – Gladhill Tractor Sales

RDT Zone; 6.89 Acres; One (1) Lot Requested (Existing Farm Machinery, Sales, Storage and Service – Proposed 5,000 Square Foot Storage Building)

Located on the East Side of Ridge Road (MD 27), Opposite the Intersection With Kemptown Road (MD 80)

Private Well and Private Septic

Policy Area: Rural

APPLICANT: Gladhill Properties

ENGINEER: Tri-County Surveys

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a maximum of 12,150 square feet of farm machinery sales and service and 5,000 square feet of storage and subject to the conditions of approval for Board of Appeals Case No. S-1896
- 2) Access and improvements, including number, location and text of sign(s) limiting access to the improved main entrance, to be approved by MDSHA prior to recordation of plat(s)
- 3) Record Plat to reflect limitations on access along Ridge Road (MD 27) as approved by MDSHA
- 4) Compliance with the conditions of the MCDPS stormwater management approval
- 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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11. 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:

12. **Muncaster Mill Road Bridge over Rock Creek**

Staff Recommendation: Transmit comments to County Council.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. MD 97/Randolph Road

Intersection Improvement Study Recommendations

Staff Recommendation: Transmit comments to State Highway Administration.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: