

**Agenda for Montgomery County Planning Board Meeting
Thursday, May 23, 2002, 9:30 p.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: December 20, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
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GENERAL MEETING (*Third Floor Conference Room*)

- A. Administrative Items
- B. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a)(7) (consult with counsel to obtain legal advice): Zoning Text Amendments*
- C. *Proposed Closed Session: Approval of Sealed Minutes*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Request To Revise The Previous Conditions of Approval For Preliminary Plan Review No. 1-98094 – Hunt-Miles Property**

PD-2 Zone; 48.19 Acres; Forty-Four Lots Proposed (Forty-Four (44) Single-Family Detached Dwelling Units)

Community Water and Community Sewer

Located at the Northern Terminus of Fairdale Road, South Side of Miles Road

Policy Area: Fairland-White Oak

APPLICANT: Estate of Roy Hunt
ENGINEER: Macris, Hendricks and Glascock
ATTORNEY: Wheeler and Korpeck

Staff Recommendation: Approval, Subject to Conditions.

******See Conditions of Approval Enumerated in Staff Report******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Special Protection Area Final Water Quality Plan Site Plan Review No. 8-02024 – Hunt Miles

PD-2 Zone; 44 one-family detached units; 48.19 acres; on Fairdale Road, approximately 200 feet northeast of Bradshaw Drive; Fairland & Vicinity; PA - 34

APPLICANT: Winchester Homes, Inc LLC

ENGINEER: Macris, Hendricks Glascock, P.A.

Staff Recommendation: Approval with conditions.

(See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Local Map Amendment No. G-788

Stanley Abrams, attorney for I.O. Limited Partnership LLLP requests rezoning from the O-M and R-200 Zones to the C-3 Zone (Optional Method); 69,718 square feet; southeast quadrant of intersection of relocated MD 118 & Bowman Mill Drive, Germantown

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Project Plan Review No. 9-02001 – Parkside

R-200/RMX-2 Zones; 34 single-family dwelling units; 10.92 acres; on the west side of Clarksburg Road, approximately 2,100 feet east of MD 355; Clarksburg & Vicinity; PA - 13

APPLICANT: Miller & Smith

ENGINEER: Gutschick, Little & Weber, P.A.

Staff Recommendation: Approval with conditions.

(See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Special Protection Area Final Water Quality Plan and Preliminary Plan Review No. 1-02042 – Parkside**

10.92 Acres; R-200/RMX-2 Zones; Thirty-Four (34) Lots Proposed (Thirty-Four (34) Single Family Detached Dwelling Units)

Community Water and Community Sewer

Located on the West Side of Clarksburg Road, Approximately 2,100 Feet East of Frederick Road (MD 355)

Policy Area: Clarksburg

APPLICANT: Miller and Smith
ENGINEER: Gutshick, Little and Weber
ATTORNEY: Shulman, Rogers, Gandall, Purdy and Ecker, P.A.

Staff Recommendation: Approval of Thirty-Four (34) Lots, Pursuant to the Alternative Review Procedures for Limited Residential Development (DAP) of the FY 2002 Annual Growth Policy and Approval of a Special Protection Area Final Water Quality Plan, Subject to the Following Conditions:

- 1) Approval of this preliminary plan is limited to thirty-four (34) single family residential dwelling units
- 2) Applicant to pay the Development Approval Payment under the Limited Residential Development provision of the FY 2002 Annual Growth Policy for the proposed residential development, prior to receipt of building permit
- 3) Reconstruct the northern half of Clarksburg Road along the property frontage in accordance with the site access description as provided for in the Transportation Planning Division memorandum dated May 9, 2002
- 4) 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
- 5) Compliance with the conditions of MCDPS stormwater management approval for the Final Water Quality Plan dated, March 19, 2002
- 6) Compliance with the condition of approval of the Final Water Quality Plan as reflected in the Environmental Planning memorandum dated, May 9, 2002 as follows:
 - Conformance to the conditions as stated in the Department of Permitting Services letter dated March 19, 2002
- 7) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Clarksburg Master Plan unless otherwise designated on the preliminary plan
- 8) All road right-of-ways 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 standards imposed by all applicable road codes
- 9) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas

5. Special Protection Area Final Water Quality Plan and Preliminary Plan Review No. 1-02042 – Parkside - Continued

- 10) Record plat to provide for dedication of eighty (80) feet of right-of-way for Clarksburg Road
- 11) Record Plat to provide for eighty (80) feet of dedication for A-305 right-of-way as shown on the approved plan
- 12) Compliance with the conditions of Park Planning and Resource Analysis memorandum dated, May 16, 2002 which requires:
 - Landscaping acceptable to M-NCPPC staff to be established around the stormwater pond adjacent to Stringtown Road to act as screening to the Kings Local Park
 - Applicant to construct at least two (2) picnic shelters at the southwest corner of the Kings Local Park property. Details to be coordinated by Park staff
- 13) Park dedication, stormwater management (SWM) landscaping and construction of two (2) picnic shelters at the nearby Kings Local Park
- 14) Prior to recording of plats, applicant and technical staff to coordinate the final delineation of parkland dedication
- 15) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 16) No clearing, grading, or recording of plats prior to site plan enforcement agreement approval
- 17) Final approval of the number and location of dwelling units, site circulation, sidewalks, and bikepaths will be determined at site plan
- 18) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 19) 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
- 20) 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
- 21) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Preliminary Plan Review No. 1-02052 – Pipkin Property
(Deferred from MCPB 4/11/02 Agenda)**

RE-1 Zone; 4.54 Acres; Four (4) Lots Proposed (Four (4) Single-Family Detached Dwelling Units)

Located in the Southwest Corner of Meadow View Drive and Green Meadows Road

Private Well and Private Septic

Policy Area: North Potomac

APPLICANT: Michael T. Rose Land Co, Inc

ENGINEER: Site Solutions

ATTORNEY: Holland and Knight

Staff Recommendation: Approval of Three (3) Lots Only, Subject to Conditions:

******* See Discussion and Conditions Enumerated in Staff Report *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Preliminary Plan Review No. 1-02089 – Carlson Property

R-200 Zone; 19.51 Acres; Twenty-Five (25) Lots Proposed (Twenty-Four (24) New and One (1) Existing Single-Family Detached Dwelling Units)

Community Water and Community Sewer

Located on the South Side of Riffleford Road, Opposite the Intersection of Charity Lane

Policy Area: Germantown West

APPLICANT: Charles E. Carlson

ENGINEER: APEX Engineers

Staff Recommendation: Approval of Twenty Five (25) Lots, Pursuant to the Alternative Review Procedures for Limited Residential Development (DAP) of the FY 2002 Annual Growth Policy, and Including Waiver of Over Length Cul de Sac, Subject to the Following Conditions:

- 1) Approval of this preliminary plan is limited to twenty-five (25) single-family residential dwelling units
- 2) Applicant to pay to the Montgomery County Department of Finance the Development Approval Payment under the Limited Residential Development provision of the FY 2002 Annual Growth Policy for the proposed residential development, prior to receipt of building permit
- 3) 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
- 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 Germantown Master Plan unless otherwise designated on the preliminary plan
- 5) All road right-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
- 6) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 7) Record plat to provide for dedication of eighty (80) feet of right-of-way for Riffleford Road
- 8) Record plat to reflect common ingress/egress easements over all shared driveways
- 9) Compliance with the conditions of MCDPS stormwater management (SWM) approval dated May 13, 2002
- 10) Record plat to reflect thirty (30) foot building restriction line from all forest conservation easements
- 11) Applicant to construct a sidewalk along property's frontage from the Charity Road intersection to the north to connect to the existing Park trail shown off-site on the approved preliminary plan

7. Preliminary Plan Review No. 1-02089 – Carlson Property - Continued

- 12) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 13) Record plat to reference all areas under Home Owners Association ownership and proposed SWM facilities
- 14) 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
- 15) 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
- 16) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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8. 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: