

**Agenda for Montgomery County Planning Board Meeting
Thursday, June 6, 2002, 9:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

<p>Roll Call</p> <p>Approval of Minutes: January 10, 2002 and January 17, 2002</p> <p>Commissioners' Reports</p> <p>Directors' Reports</p> <p>Reconsideration Requests</p>	
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GENERAL MEETING (*Third Floor Conference Room*)

- A. Administrative Items
- B. *Proposed Closed Session pursuant to Maryland State Code Annotated Section 10-508(a)(7) (consult with counsel to obtain legal advice)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Briefing on Status of Montgomery County Certified Heritage Area Master Plan**

Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Zoning Text Amendment No. 02-04**

Introduced by Councilmember Ewing; amend the Zoning Ordinance to delete provision allowing mixed commercial and residential development in the C-2 Zone within 1,500 feet of metro station

(Action Required for Hearing of 6/11/02)

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Site Plan Review No. 8-02032 - Colesville Chevy Chase Bank**
(Continued from MCPB 5/16/02 Agenda)

C-1 Zone; 3,200 gross square feet commercial office, 11,500 gross square feet commercial retail; northeast quadrant, intersection of New Hampshire Avenue and Wolf Drive; White Oak; PA – 33

APPLICANT: Chevy Chase Bank
ENGINEER: VIK A, Inc.

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Board of Appeals Petition No. S-2511 (Special Exception)**

Douglas A. Harbit & Robert F. Patenaude, applicants, request a special exception for a bed and breakfast; R-60 Zone; 11,040 square feet; 8114 Carroll Avenue, Takoma Park

(Action Required for Hearing of 6/25/02)

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Preliminary Plan Review No. 1-01085 – EDP East

I-1 Zone; 5.15 Acres; 40,220 Square Feet Commerical/Retail (Car Showroom and Customer Service)

Community Water and Community Sewer

Located Between Indianola Drive and Paramount Drive, West of the CSX Railroad Right-of-Way

Policy Area: Derwood

APPLICANT: Eastern Diversified Properties

ENGINEER: LSA

ATTORNEY: Shulman, Rogers, Gandal, Pordy & Ecker, P.A.

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a 40,220-square-foot automobile dealership that includes a 10,240-square-foot sales/showroom and a 29,980-square-foot automobile service building
- 2) Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT) to provide a mountable curb and pavement marking at the vehicle access from Paramount Drive to discourage left-turns in and left-turns out because of the proximity to the existing EDP West driveway
- 3) Enter into a traffic mitigation agreement with the Planning Board and DPWT to participate with the Greater Shady Grove Transportation Management District (TMD) and pay the Transportation Management District fee, when adopted by the County Council, to encourage increased use of public transit:
 - A. Achieve and maintain the commuting mode share goals of the Greater Shady Grove Transportation Management District (TMD) of 12 percent non-auto drivers for workers in the peak hours. DPWT is developing Executive Regulations to implement the Greater Shady Grove TMD and Share-A-Ride District.
 - B. Help achieve a desirable overall performance goal and reduce the total peak-hour trips generated by the EDP East property. The following measures have been identified to encourage transit use by employees and patrons:
 1. Operate a shuttle for patrons and employees between the site and Shady Grove Metrorail Station or possibly patron's nearby places of employment.
 2. Provide a kiosk for the Montgomery County Transit Services Division to distribute information in the sales and service building with literature regarding public transit services available in the proximity of the EDP East property.

The traffic mitigation plan shall substantially reflect the plan proposed to Transportation Planning staff. A traffic-monitoring program may be included to measure the success of the plan on a periodic basis. If the proposed traffic mitigation plan does not achieve and maintain the goals, a revised plan will have to be considered for effectiveness and implemented.

5. Preliminary Plan Review No. 1-01085 – EDP East - Continued

- 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 Shady Grove Sector Plan unless otherwise designated on the preliminary plan
- 5) Record plat to provide for dedication of eighty-foot right-of-ways for both Indianola Drive and Paramount Drive
- 6) Compliance with the conditions of MCDPS stormwater management approval
- 7) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat
- 8) No clearing, grading, or recording of plats prior to site plan enforcement agreement approval
- 9) Final approval of the number, location and size of buildings, on-site parking, site circulation, and sidewalks, to determined at site plan
- 10) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 11) 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
- 12) 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
- 13) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Site Plan Review No. 8-02023 - EDP East

I-1 Zone; 1 lot (40,220 square feet, car showroom and customer service); 5.14 acres; west side of CSX Rail Road, right-of-way, between Paramount Drive on Indianola Drive; Upper Rock Creek Watershed

APPLICANT: Eastern Diversified Prop. Inc;
ENGINEER: Loiederman Soltesz Associates

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Preliminary Plan Review No. 1-02079 – Federation of American Societies for Experimental Biology (FASEB)

R-60 Zone; 11.4 Acres; One (1) Lot; (Additional 50,000 Square Feet of Office and 200 Space Parking Structure)

Community Water and Community Sewer

Located on the West Side of Wisconsin Avenue (MD 355), Approximately 200 Feet North of Alta Vista Road

Policy Area: Bethesda – Chevy Chase

APPLICANT: Federation of American Societies for Experimental Biology (FASEB)
ENGINEER: Macris, Hendricks, and Glascock
ATTORNEY: Linowes and Blocher

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval of this preliminary plan is limited to 170,000 square feet of office space, (120,000 sq. ft. existing and 50,000 sq. ft. proposed) as outlined in Board of Appeal Case S-862-A and A-5599 approved December 28, 2001
- 2) Record plat to reflect dedication of 60 feet from the centerline of Wisconsin Avenue (MD 355) to reflect the total of 120 feet right-of-way as recommended in the Bethesda-Chevy Chase Master Plan
- 3) Install a bus shelter at one of the bus stops on Rockville Pike somewhere between the Capital Beltway and Cedar Lane conforming to the requirements of the Montgomery County Department of Public Works and Transportation (DPWT)
- 4) Provide sidewalk along the north side of Alta Vista Terrace with the permission of the majority of residents living on that street that conforms with the DPWT requirements
- 5) Erect a gate at the rear entrance to the site and provide a magnetic card to a maximum of 80 employees to enter and exit the site from this location in order to limit vehicular traffic on Alta Vista Terrace. Prohibit commercial vehicles from using this entrance
- 6) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Bethesda-Chevy Chase Master Plan unless otherwise designated on the preliminary plan
- 7) Record plat to show delineation of a Category I conservation easement over the forest conservation areas
- 8) Compliance with the conditions of MCDPS stormwater management approval
- 9) Access and improvements, as required, to be approved by MDSA prior to issuance of access permits and MCDPWT prior to recordation of plat
- 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 file
- 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

7. **Preliminary Plan Review No. 1-02079 – Federation of American Societies for Experimental Biology (FASEB) - Continued**

12) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Preliminary Plan Review No 1-02045 – County View**

RE-2C Zone; 28.24 Acres; Eleven (11) Lots Proposed (Single-Family Detached Dwelling Units)

Community Water and Private Septic

Located on the South Side of Hawkins Creamery Road, Approximately 1,500 Feet East of Woodfield Road (MD 124)

Policy Area: Damascus

APPLICANT: Roy E. and K. A. Stanley

ENGINEER: Benning and Associates

ATTORNEY: Debelius, Clifford, Debelius, Crawford and Bonifant, CHTD

Staff Recommendation: Approval of Eight (8) Lots Only and Three (3) Outlots, Including Waiver of Sidewalk Along One Side of Internal Streets (50-26(h)), 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
- 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
- 6) Record plat to reflect common ingress/egress easements over all shared driveways
- 7) Construct five foot sidewalk along frontage of Hawkins Creamery Road
- 8) Record Plat to reflect all areas under Homeowners Association ownership and Stormwater Management areas
- 9) Compliance with the conditions of MCDPS stormwater management approval
- 10) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 11) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 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

8. Preliminary Plan Review No 1-02045 – County View – 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) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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9. 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: