

1. Consent Item

Authorization to acquire 41.0 acres, more or less, improved with a small barn, from the Maiden's Fancy Charitable Remainder Unitrust

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Consent Item

Authorization to acquire 1.89 acres, more or less, improved, from House of the Temple Historic Preservation Foundation, Inc.

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. 75 Mile Club Certificate

Presentation to Bonnie Bell of Gaithersburg, the first person to complete 75 miles on the Commission's trails in Montgomery and Prince George's Counties, in celebration of "75 years, Turning Visions into Reality."

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Patuxent River Watershed

Authorization to acquire 41.0 acres, more or less, improved with a small barn, from The Maiden's Fancy Charitable Remainder Unitrust. The University of Maryland College Park Foundation, Trustee and Genevieve A. Crook as a Legacy Open Space-Water Supply Protection Resource.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Board of Appeals Petition No. S-2486 (Special Exception)

Riding Stable by Green Acres, LLC, applicant, requests a special exception for a riding stable to construct a horse facility including several equestrian related structures and related riding rings; RDT zone; 15501 Partnership Road, Poolesville

(Action required for hearing of 7/31/02) (Continued from 4/11/02)

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Proposed Zoning Text Amendment

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

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. **Preliminary Plan Review No. 1-98092E – Rock Spring Park (Camalier/Davis Property)**
(Request to Revise the Previous Conditions of Approval to Include a Phasing Schedule for the Extension of the Validity Period)

MXPD Zone; 53.4 Acres; 637,200 Square Feet Office; 340,000 Square Feet Retail; 30,000 Square Feet Community Center; 1,250 Multi-Family Units Previously Approved

Community Water and Community Sewer

Located in the Northwest Quadrant of the Intersection of I-270 and Rock Spring Drive

Policy Area: North Bethesda

APPLICANT: Camalier L.P. and Davis Brothers Montgomery Farm L.P.

ATTORNEY: Linowes and Blocher, L.L.P.

Staff Recommendation: Approval to Revise Preliminary Plan Conditions to Include a Phasing Schedule and Extension of the Validity Period, Subject to the Following Conditions:

- 1) All previous conditions of preliminary plan approval as contained in Planning Board opinion dated October 25, 1999 remain in full force and effect
- 2) Record plats for this project may be recorded in stage that allows for an additional seven year validity period for the preliminary plan based upon the following phases;
 - **Phase I (Expires November 25, 2003)** 150,000 square feet of commercial development or 586 dwelling units (includes 386 dwelling units of Avalon Bay)
 - **Phase II (Expires November 25, 2005)** 150,000 square feet of commercial development or 200 dwelling units
 - **Phase III (Expires November 25, 2007)** 150,000 square feet of commercial development or 200 dwelling units
 - **Phase IV (Expires November 25, 2009)** all remaining development

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan Review No. 1-02073 – Yetley Property

R-200 Zone; 4.83 Acres; Five (5) Lots Proposed; Five (5) Single Family Detached Dwelling Units (One (1) Existing Single Family Dwelling Unit)

Community Water and Community Sewer

Located on the South Side of Randolph Road, Approximately 300 Feet West of Spring Tree Drive

Policy Area: Fairland/White Oak

APPLICANT: Mervin J. and E. A. Yetley

ENGINEER: Benning and Associates

Staff Recommendation: Approval, Pursuant to the DeMinimus Provisions of the FY 2002 Annual Growth Policy 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 Fairland 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 Fairland Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition
- 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 road right-of-ways as shown on the plan
- 6) Compliance with the conditions of MCDPS stormwater management approval dated May 28, 2002
- 7) Access and improvements as required to be approved 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. 1-02073 – Yetley Property - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-02015 – Linthicum East Property and Special Protection Area Preliminary Water Quality Plan

R-200, I-3 and I-4 Zones (MPDU Optional Method); 208.52 Acres; Two Hundred Fifty-Nine (259) Lots Proposed (One Hundred Fifty-Seven (157) Single Family Detached Dwelling Units and One Hundred and Two (102) Single Family Attached Dwelling Units)

Community Water and Community Sewer

Located on the North and South Sides of West Old Baltimore Road, immediately East of I-270

Policy Area: Clarksburg

APPLICANT: Charles T. Linthicum
ENGINEER: Rogers Consulting
ATTORNEY: Pasternak & Fidis, P.C.

Staff Recommendation: Approval, Pursuant to the Alternative Review Procedures for Limited Residential Development Under the FY 2002 Annual Growth Policy, Including a Waiver of Open Section Roads and with conditions.

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Preliminary Plan Review No. 1-02100 – Muncaster Manor (Resubdivision)

RE-1 Zone; 18.75 Acres; Two (2) Lots Requested: (Single Family Detached Dwelling Units, One (1) Existing)

Private Wells and Private Septic

Located At The End Rolling Drive, Approximately 1500 Feet West of Muncaster Road

Policy Area: Upper Rock Creek

APPLICANT: Richard Mills

ENGINEER: Macris, Hendricks, and Glascock, P.A.

(Deferred from 6/13/02 Planning Board Hearing)

Staff Recommendation: Approval with conditions.

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. **Subdivision Review Waiver No. SRW-02011 – Rock Creek Forest**

R-60 Zone; 24,612 Square Feet; One (1) Lot Proposed; (One (1) Existing Single Family Detached Dwelling Unit)

Community Water and Community Sewer

Located on the West Side of Grubb Road, Approximately 140 Feet South of Ashboro Drive

Policy Area: Silver Spring

APPLICANT: Pat Caperones

ENGINEER: West Consulting

Staff Recommendation: Approval to Combine Abandoned Right-of-Way for Western Avenue into the Existing Lot, Subject to the Following Condition:

- 1) Submission of a complete record plat application to occur within 60 days of Planning Board action on the waiver request
- 2) Record plat to be recorded within 90 days of submission of the application

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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12. 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:

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13. **Sectional Map Amendment, Technical Staff Report Comprehensive Rezoning for the Potomac Subregion Master Plan Area**

Staff Recommendation: Approval of Sectional Map Amendment G-800 to implement the recommendations of the Approved and Adopted Potomac Subregion Master Plan.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Zoning Text Amendment No. 02-10

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to create a Rural Village Center Overlay Zone.

(Action required for hearing of 07/23/02)

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

15. Zoning Text Amendment No. 02-11

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to create a TDR option in the PD-2 zone.

(Action required for hearing of 07/23/02)

Staff Recommendation: *Approval.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

16. Zoning Text Amendment No. 02-12

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to create an Optional Method in the I-3 zone.

(Action required for hearing of 07/23/02)

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

17. Zoning Text Amendment No. 02-13

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to permit certain quarry related uses in the R-200 zone

(Action required for hearing of 07/23/02)

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

18. Zoning Text Amendment No. 02-14

Introduced by Councilmember Silverman; amend the Zoning Ordinance to allow antique shop, medical clinic, and general office as special exception uses in the RE-2 zone, under certain circumstances

(Action required for hearing of 07/23/02)

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

19. Site Plan Review No. 8-02005

The Reserve at Ashton; RNC Zone; 16 Single-Family Detached Dwelling Units; On Alexander Manor Drive, 1000 feet North of Ednor Road; PA – 28 Cloverly – Norwood

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

20. Site Plan Review No. 8-02002A

Residence at Rosedale Park; CBD-1Zone; 164 Multi-Family Units, including 21 MPDU's
North South quadrant, intersection of Wisconsin Avenue and Rosedale street, Bethesda CBD

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

21. Zoning Text Amendment No. 02-03

Introduced by Councilmember Praisner; amend the Zoning Ordinance to modify the standards for granting a telecommunication facility special exception

Staff Recommendation: Approval with modifications.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

22. **Montgomery County Council Bill 22-02**, proposed legislation on locating hard surface trails outside of all environmentally sensitive areas. Staff recommendation – Transmit comments to County Council, opposing Bill 22-02.

Staff Recommendation: Transmit comments to County Council, opposing Bill 22-02.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: