

**Agenda for Montgomery County Planning Board Meeting
Thursday, July 25, 2002, 9:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: March 21, 2002 April 4, 2002 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)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. Transfer Development Rights Task Force Report

Staff Recommendation: Approval to transmit comments and recommendations to the County Council

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. 2000 Census Briefing for Planning Board

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Special Protection Area (SPA)

Combined Preliminary and final Water Quality Plan for Great Hope Homes Special Exception Modification Request (CBA – 2876 – A)

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Board of Appeals Petition No. CBA-2876-A** (Special Exception Modification)

Great Hope Homes 2001, L.P., applicant, requests modification to the existing Community Redevelopment Area; R-200 zone; 1140 Good Hope Drive, Silver Spring

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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- 5. **Increase in Filing Fees for Subdivision, Site Plan, Project Plan Applications for FY03** to reflect increased fee recovery goals set by the County Council as part of the FY03 Budget.

Increase in filing fees for Natural Resource Inventories/Forest Stand Delineations (NRI/FSD) and Forest Conservation Plans to reflect new fee recovery goals established in the revised forest conservation law

Staff Recommendation: Approval of fee increase to accomplish the Council’s Fee recovery goals.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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- 6. **Zoning Text Amendment No. 02-17**

Introduced by District Council at request of Hearing Examiner; amend the Zoning Ordinance to clarify the process for amending a special exception petition before public hearing

Staff Recommendation: Approval with modifications.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Zoning Text Amendment No. 02-18

Introduced by Councilmember Dacek; amend the Zoning Ordinance to (1) provide a definition for deer fence, (2) exempt a deer fence from building line and yard requirements, and (3) allow other fences up to 8 feet in the RDT Zone if the property is farmed.

Staff Recommendation: Approval with modifications.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Mandatory Referral – 02101-TP-1 Takoma Park Community Center

R-60 Zone; intersection of Maple Avenue and Philadelphia Avenue, Takoma Park, - Approval with comments and conditions.

Staff Recommendation: Approval with comments and conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-02095 – Cloverleaf Center

Parcels S, T, U & V, I-3 Zone; 55.81 Acres; 156,500 Additional Square Feet Commercial Office (342,500 Square Feet Existing Office/R&D);

Community Water and Community Sewer

Located on the East Side of Century Boulevard, Approximately 2,000 Feet Southeast of Father Hurley Boulevard

Policy Area: Germantown West

APPLICANT: MGP Real Estate, L.L.C.

ENGINEER: Macris, Hendricks and Glascock

ATTORNEY: Lerch, Early and Brewer

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Applicant to submit an amended Adequate Public Facilities agreement to reflect the additional 156,516 square feet of general office space
- 2) The applicant shall participate in construction an acceleration land on Father Hurley Boulevard to accommodate the movement from north bound Crystal Rock Drive to eastbound Father Hurley Boulevard
- 3) The applicant shall participate in constructing an acceleration lane to Crystal Rock Drive to accommodate the movement from westbound Father Hurley Boulevard to northbound Crystal Rock Drive including reconstruction/reconfiguration of the median and travel lanes on the northern leg of the intersection
- 4) The applicant shall participate on the County's future CIP project to construct the four-lane divided highway portion of Century Boulevard from its current terminus near Father Hurley Boulevard to its intersection with Dorsey Mill Road by allocating a portion of their impact taxes when paid to this project
- 5) The applicant shall participate in funding the signal and pavement marking modification necessary to redesignate the lane configuration on southbound Crystal Rock Drive at MD 118 from right/through and two left turn lanes to an exclusive right, through/left and left-turn lane with the timing to be at the discretion of the Department of Public Works and Transportation (DPWT) and the Maryland State Highway Administration (SHA)
- 6) 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
- 7) The transitway easement along Century Boulevard as shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width (50 ft) mandated by the Germantown Master Plan for the future Corridor Cities Transitway
- 8) Record plat to show dedication of fifty (50) feet for proposed transitway along Century Boulevard and an eighty (80) foot reservation for proposed transitway on southern boundary of site as shown on the approved preliminary plan
- 9) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas

9. **Preliminary Plan Review No. 1-02095 – Cloverleaf Center - continued**

- 10) Compliance with the conditions of MCDPS stormwater management approval dated, April 12, 2002
- 11) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 12) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 13) Final approval of the location of buildings, on-site parking, site circulation, and sidewalks, will be determined at site plan
- 14) A landscape and lighting plan must be submitted as part of the site plan application for review and approval
- 15) 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
- 16) 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
- 17) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Preliminary Plan Review No. 1-02104 – IMPSP, Peace & Plenty

R-200 Zone; 22,023 Square Feet; One (1) Lot Proposed (One (1) New Single Family Detached Dwelling Unit Proposed) (One (1) Single Family Detached Dwelling Unit Existing and Scheduled for Demolition)

Community Water and Community Sewer

Located on the East Side of Quince Orchard Road, Approximately 2500 Feet South of Darnestown Road (MD 28)

Policy Area: North Potomac

APPLICANT: Preferred Investments

ENGINEER: Meridian Surveys

Staff Recommendation: Approval, Including Waiver Under Section 50-38 for Providing Less than the Required Dedication of Right of Way on Quince Orchard Road Pursuant to Section 50-22 of the Subdivision Regulations, and Subject to the Following Conditions:

- 1) Applicant to submit a Grading/Tree Protection Plan for technical staff review and approval prior to recordation of plat
- 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 Potomac Master Plan Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to reflect dedication of thirty-five (35) feet of right-of-way (1775 square feet) for Quince Orchard Road, and an additional five (5) foot easement for public improvements parallel and contiguous to the right-of-way dedication as shown on the approved preliminary plan
- 4) Compliance with the conditions of MCDPS stormwater management approval
- 5) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 6) 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
- 7) 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
- 8) Other necessary easements

10. Preliminary Plan Review No. 1-02104 – IMPSPT, Peace & Plenty - continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. **Preliminary Plan Review No. 1-02114 – Derwood Parcel R**

I-1 Zone; 2.29 Acres; One (1) Lot Proposed; 43,500 Square Feet Commercial Office

Community Water and Community Sewer

Located in the Northwest Quadrant of the Intersection of Frederick Road (MD 355) and Redland Road

Policy Area: Shady Grove (Metrorail)

APPLICANT: Montgomery County Teachers Federal Credit Union

ENGINEER: Macris, Hendricks and Glascock

ATTORNEY: Lerch, Early and Brewer

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Limit approval under this preliminary plan to a office building of 43,500 square feet for a bank facility headquarters and full-service branch bank with three drive-through windows. The proposed bank building would replace the three existing buildings on Parcel R that total 10,484 square feet (equating to a net increase of 33,016 square feet)
- 2) Restrict access to Frederick Road (MD 355) to one right-in and right-out only driveway. Close the two existing access points along Frederick Road as required by the Maryland State Highway Administration (SHA)
- 3) Compliance with the conditions of MCDPS stormwater management approval dated, January 16, 2002
- 4) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat, and MDSHA prior to issuance of access permits
- 5) A final landscape and lighting plan must be submitted for review and approval by technical staff prior to MCPB release of building permit
- 6) 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
- 7) 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
- 8) Other necessary easements

11. Preliminary Plan Review No. 1-02114 – Derwood Parcel R

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan Review No. 1-02113 – McKenna Property

RE-2 Zone; 5.74 Acres; Two (2) Lots Proposed (Two (2) Single Family Detached Dwelling Units, One (1) Existing Single Family Dwelling Unit)

Community Water and Community Sewer

Located on the East Side of Kendale Road, Approximately 320 Feet North of Intersection With Farnsworth Drive

Policy Area: Potomac

APPLICANT: Richard and Donna Perlmutter

ENGINEER: Loiederman, Soltesz and 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) Applicant to submit final Grading and Tree Protection plan for technical staff review and approval, prior to recording of plat
- 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 Potomac 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 Kendale Road
- 6) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 7) Compliance with the conditions of MCDPS stormwater management approval dated, June 27, 2002
- 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) Other necessary easements

12. Preliminary Plan Review No. 1-02113 – McKenna Property - CONTINUED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. Preliminary Plan Review No. 1-02097 – Travilah Road Primary Montessori Day School

R-200/TDR Zone; 1.95 acres; One (1) Lot Proposed (150 Student Private School)

Community Water and Community Sewer

Located on the North Side of Travilah Road, Approximately 100 Feet West of Intersection With Piney Meetinghouse Road

Policy Area: North Potomac

APPLICANT: The Primary Montessori Day School

ENGINEER: VIKA, Inc.

ATTORNEY: Holland and Knight

Staff Recommendation: Approval, Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to a private educational school with a maximum enrollment of one hundred and fifty (150) students pursuant to the conditions of approval under Board of Appeals Case No. S-2500
- 2) Applicant is bound by all other applicable conditions of approval contained in Board of Appeals Opinion dated July 3, 2002 for Case No. S-2500
- 3) No vehicles destined to the school are allowed to be stacked (queued) on Travilah Road during the morning drop-off and afternoon pick-up
- 4) Dedicate thirty five (35) feet of right-of-way and participate in the roadway/bikeway construction along their frontage in accordance with the County's Travilah Road Widening CIP Project
- 5) Implement a transportation management program in accordance with the Transportation Management Plan submitted by the applicant. Develop a parking management plan for events and establish off-site parking agreements prior to recordation of plat(s)
- 6) 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
- 7) Record plat to provide for dedication of thirty-five (35) feet of right-of-way for Travilah Road as reflected in condition #4 above
- 8) Compliance with the conditions of MCDPS stormwater management approval dated, April 25, 2002
- 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) Other necessary easements

13. Preliminary Plan Review No. 1-02097 – Travilah Road Primary Montessori Day School – continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. 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:

15. MD 28/MD 198 Study

Staff Recommendation: Approval to transmit recommendations on alternates retained for detailed study to State Highway Administration

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: