

**Agenda for Montgomery County Planning Board Meeting  
Thursday, October 24, 2002, 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call Approval of Minutes: July 11, 2002 Commissioners' Reports Directors' Reports Reconsideration Requests	
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**GENERAL MEETING (*Third Floor Conference Room*)**

- A. Administrative Items
- B. *Closed Session: Pursuant to Maryland State Code Section 10-508(a)(7)(consult with counsel to obtain legal advice) Indoor Baseball*
- C. *Closed Session: Pursuant to Maryland State Code Section 10-508(a)(1) (to discuss Personnel matters)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Briefing on Purple Line light rail and trail cross sections by Maryland Transit Authority**

**Staff Recommendation:** No public testimony will be taken at this time.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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2. **Site Plan Review No. 8-02002A – Residences at Rosedale Park**

CBD-1 Zone; 164 Multi-family detached units, including 21 MPDU's; north east and south east quadrants, intersection of Wisconsin Avenue and Rosedale Avenue; PA – 35/Chevy Chase & Vicinity.

APPLICANT: North Bethesda/WHM LLLP

ENGINEER: Dewberry & Davis, LLC

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

3. **Preliminary Plan No. 1-98048A – Cross Creek Club - Phase II (Request to Revise the Previous Conditions of Approval)**

R-200 Zone; 45.56 Acres; Seventy Nine (79) Lots Requested (Seventy Nine (79) Single Family Detached Dwelling Units)

Community Water and Community Sewer

On Briggs Chaney Road, Approximately 100 Feet North of Intersection With Fairland Road

Policy Area: Fairland - White Oak

Applicant: Bear Corporation

Engineer: Charles P. Johnson and Associates

**Staff Recommendation:** Approval to Revise the Previous Conditions of Approval

- 1) Applicant bound by all applicable previous conditions of approval contained in Planning Board Opinion dated, March 11, 1999 and conditions of approval under Site Plan No. 8-99048
- 2) Prior to MCPB release of building permits the applicant must pay to the Montgomery County Department of Finance the balance of the expedited development approval excise tax prior to receipt of building permits, as provided by County law (Alternative Review Procedures for Expedited Development Approval “Pay-and-Go”)
- 3) All roads right 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
- 4) All roads shown on the approved master plan shall be constructed by the applicant to the full width mandated and the design standards imposed by all the applicable road codes, Only those roads (or portions thereof) expressly designated on the preliminary plan “To be Constructed by\_\_\_\_\_” are excluded from this condition
- 5) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all the property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**4. Site Plan Review No. 8- 99048A – Cross Creek Club – Phase II**

R-200 (Cluster)-MPDU option Zone; 79 One-family detached Units; On Briggs Chaney Road, approximately 100 feet north of Fairland Road - PA-34/Fairland White Oak & Vicinity.

APPLICANT: Bear Corporation  
ENGINEER: Charles P. Johnson & Associates, Inc.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**5. AB 656: Abandonment of a Portion of Burnt Hill Road approximately 200 feet east of Clarksburg Road, Clarksburg,**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

6. **AB 657: Abandonment of a Portion of Piedmont Road approximately 600 feet east of Clarksburg Road, Clarksburg.**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Board of Appeals Petition No. S-2540 (Special Exception)**

Sprint PCS/APC Realty and Equipment Company, LLC and Goshen United Methodist Church, requests a special exception for a Telecommunications Facility; 7700 Brink Road, Gaithersburg.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**8. Preliminary Plan No. 1-02094 - Green Hills**

RT-6 Zone; 2.23 Acres; Twelve (12) Lots Requested (Twelve (12) Single Family Attached Dwelling Units)

Community Water and Community Sewer

Located on the East Side of Ridge Road (MD 27), Approximately 800 Feet North of the Intersection With Tralee Terrace

Policy Area: Damascus

Applicant: Allen Roy Builders

Engineer: PG 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) 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) 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 80 feet of right-of-way (40 ft. from centerline) for Ridge Road (MD 27)
- 5) Record plat to reflect common ingress/egress easements over all shared driveways, including access to stormwater management facility
- 6) Prior to the recordation of plats, the easement for Applicant and/or HOA use of a portion of Parcel B (Plat Book 173, Plat Number 19453) for service access to the Storm Water Management Parcel shall be recorded in the land records. If Parcel B is dedicated to MNCPPC prior to that time, an agreement between the Applicant/HOA and MNCPPC shall be executed to delineate use of Parcel B for same purposes.
- 7) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas
- 8) Compliance with the conditions of MCDPS stormwater management approval dated, June 3, 2002
- 9) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 10) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 11) Final approval of the number and location of dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 12) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff

- 13) 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
- 14) 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
- 15) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Site Plan Review No. 8-02033 – Green Hills**

RT-6 Zone; 12 Townhouses; On east side of Ridge Road, approximately 800 feet north of Tralee Terrace; PA – 14/Goshen, Woodfield, Cedar Grove & Vicinity.

APPLICANT: Allen Roy Builders, Inc.

ENGINEER: Perrine Planning & Zoning, Inc.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



10. **Preliminary Plan No. 7-02018 – Fawsett Farms (Resubdivision)**

R-200 Zone; 4.5 Acres; Six (6) Lots Requested (Six (6) Single Family Dwelling Units, One (1) existing Single Family Dwelling Unit)

Community Water and Community Sewer

Located in the Northeast Quadrant of the Intersection of Falls Road (MD 189) and MacArthur Boulevard, North of Fawsett Road

Policy Area: Potomac

Applicant: Farid Srour

Engineer: Macris, Hendricks and Glascock

Attorney: DuFour and Kohlhoss

**Staff Recommendation:** Pursuant to Section 50-29 (b)(2) of the Montgomery County Subdivision Regulations Opposed to the Submission of a Preliminary Plan

**\*\*\*\*\* See Discussion in Staff Report \*\*\*\*\***

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**11. Preliminary Plan No. 1-97036E – Wheel of Fortune (Request for Extension of the Validity period)**

O-M Zone; 1.85 Acres; One (1) Lot (52,533 Square Feet Commercial/Office Previously Approved)

Community Water and Community Sewer

Located on the North Side of Montrose Road, Approximately 600 Feet East of Seven Locks Road

Policy Area: Potomac

Applicant: Lot 40 Limited Partnership  
Attorney: Abrams, West and Storm, P.C.

**Staff Recommendation:** Grant Eighteen (18) Month Extension

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**12. Preliminary Plan No. 1-02111 – Four Chimney Estates**

R-200 Zone; 4.55 Acres; Five (5) Lots Requested (Four (4) Single Family Dwelling Units, One (1) Existing Single Family Dwelling Unit)

Community Water and Community Sewer

Located on the North Side of Central Avenue, Opposite Intersection With Oakmont Street

Policy Area: Derwood

Applicant: Maryland Development Co.  
Engineer: Macris, Hendricks, and Glascock

**Staff Recommendation:** Approval, Including Abandonment of the Unimproved Portion of Oakmont Street, and a Waiver of Frontage for Two (2) Lots, With 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 Gaithersburg Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to show delineation of a Category I conservation easement over the forest conservation areas
- 4) Record plat to provide for dedication of 60 feet of right-of-way (30 ft. from centerline) for Central Avenue
- 5) Record plat to reflect common ingress/egress and utility easements over the common driveway
- 6) Compliance with the conditions of MCDPS stormwater management approval dated, October 1, 2002
- 7) Access and improvements, as required, to be approved by MCDPWT prior to recordation of plat
- 8) Prior to recording of plats, Planning Board approval of abandonment resolution for the unimproved portion of Oakmont Street
- 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

## **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 13. The FOLLOWING **Record Plats** are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or Site Plans:

**NOT AVAILABLE FOR TIME OF PRINTING**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 14. **Zoning Map Amendment No. G-792**

National Seniors' Housing Corporation, applicant, requests rezoning from the RE-2C zone to the PD-5 zone; 24.63 acres; 53 SFA and 72 MF; west of Howard Chapel Road north of Pearl Ave., Damascus.

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**15. Proposed Dog Exercise Area Sites**

**Staff Recommendation:** Approval of development proposals in the Wheaton Regional Park, Black Hill Regional Park and Ridge Road Recreational Park – Ridge Road Recreational Park - Approval of Montgomery Dog, Inc. to enter into agreements with the Commission to assist in the management of each facility.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**