

**Agenda for Montgomery County Planning Board Meeting  
Thursday, January 23, 2003 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call  
Approval of Minutes: October 31, 2002  
November 7, 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 Section 10-508  
(a) (7)(consult with counsel to obtain legal advice) (Topic: SoccerPlex)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Briefing by MDOT Staff on Federal Transportation Legislation Reauthorization**

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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2. **AB 659: Abandonment of a portion of Newcut Road;** south of its intersection with Skylark Road, Clarksburg, MD

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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3. **AB 658: Abandonment of a portion of Skylark Road;** west of its intersection with Ridge Road (MD27); Clarksburg, MD

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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4. **Proposed Zoning Text Amendment: Riding Stables Special Exception**

**Staff Recommendation:** Approval to Transmit text amendment to the County Council for introduction.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**5. Proposed Zoning Text Amendment: Implementation Strategies for Arts and Entertainment Districts:**

Arts related land uses, and live/work units in CBD Zones and certain industrial zones.

**Staff Recommendation:** Approval to Transmit text amendment to County Council for introduction

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**6. Board of Appeals Petition No. S-874-A (Special Exception Modification)**

Nicholas, Pete, James, and Athena Strates, applicants, request a modification to an existing special exception for a Landscape Contractor; 2.29 acres; RE-2C zone; 1021 Norwood Road, Norwood.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Project Plan Review No. 9-03000, Newell Street Lofts**

Project Plan Review No. 9-03000; Newell Street Lofts; CBD-1 Zone; 1,4072 acres for 120 Single-family dwelling units, also 15 MPDU's; South quadrant, intersection of Newell Street and Kennett Street; Silver Spring & Vicinity, PA-36.

Applicant: 8045 Newell Street, L.L.C.

Engineer: Landmark Engineering, Inc.

**Staff Recommendation:** Approval of extension of review period.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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8. **Preliminary Plan Review No. 1-03028 – Euro Motorcars Germantown;**

TS Zone; 5.34 Acres; Two Lots (88,000 Square Feet of Automobile Showroom and Related Uses, 25,000 Square Feet of Retail and 36,000 Square Feet of Office Space)  
Community Water and Community Sewer

Located in the Southwest Quadrant of the Intersection of Century Boulevard and Pinnacle Drive

Policy Area: Germantown West

Applicant: Euro Motorcars

Engineer: VIKA Inc.

Attorney: Lerch, Early and Brewer

**Staff Recommendation:** Approval Subject to the Following Conditions:

- 1) Approval under this preliminary plan is limited to 88,000 square feet of automobile showroom/service on Lot 1, 25,000 square feet of retail space on Lot

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- 2, and 36, 000 square feet of general office space on Lot 2
- 2) Applicant is bound by the following conditions of the January 15, 2003 Transportation Planning memorandum:
- a. The applicant shall participate in constructing a second left-turn lane from eastbound Wisteria Drive to northbound MD 118 and re-striping the separate westbound right-turn lane on Wisteria Drive as a shared through and right-turn lane at the MD 118/Wisteria Drive intersection.
  - b. The applicant shall construct a second westbound left-turn lane and modify the traffic signal to eliminate eastbound-westbound split phasing at the MD 118/Middlebrook Road intersection. Also, the applicant shall design and construct the removal of the channelized (free flow) island located in the northeast quadrant of the intersection, using monies required to be escrowed pursuant to Site Plan No. 9-84011A(Northlake Commerce Center - Condition 2), Site Plan No. 8-98042 (Germantown Town Center Phase 1 - Condition 10), Preliminary Plan No. 1-99042 (North Germantown - Condition 1) and Preliminary Plan No. 1-02068 (Fairfield at Germantown).
  - c. The applicant shall participate in constructing an acceleration lane on Father Hurley Boulevard (FHB) to accommodate the movement from northbound Crystal Rock Drive to eastbound Father Hurley Boulevard.
  - d. The applicant shall participate in constructing an acceleration lane on 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.
  - e. The applicant shall participate in the County's CIP project to construct the four-lane divided highway portion of Century Boulevard from its current terminus south of Father Hurley Boulevard to its intersection with Dorsey Mill Road by allocating a portion of its impact taxes when paid to this project.
- 3) All 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
- 4) All roads 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. Only those roads (or portions thereof) expressly designated on the preliminary plan "To be constructed by \_\_\_\_\_" are excluded from this condition
- 5) Record plat to provide for dedication of 150 feet of right-of-way for Germantown Road (MD 118) and 60 feet of right-of-way for Pinnacle Drive
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated, June 22, 2002
- 7) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s) and MDSHA prior to issuance of access permits
- 8) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 9) Final approval of the number and location of buildings, on-site parking, site circulation, and sidewalks will be 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

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- 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) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Site Plan Review No. 8-03014, Euro Motorcars Germantown**

TS Zone; 44,000 gross square feet commercial office, 24,600 gross square feet commercial retail, 8,000 gross square feet auto service and 9,400 gross square feet restaurant; Southwest quadrant, intersection of Pinnacle Drive and Century Boulevard; Germantown & Vicinity, PA.

Applicant: EuroMotorcars  
Engineer: VIKA

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**10. Preliminary Plan Review No. 1-03019 – Upper Seneca Crest**

RC Zone; 6.42 Acres; One (1) Lot Requested (One (1) Single Family Detached Dwelling Unit)  
Private Well and Private Septic

Located on the East Side of Hilton Place, Approximately 300 Feet South of Hilton Road

Policy Area: Damascus

Applicant: Danny Delmar  
Engineer: Benning 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) 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 reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 4) Record plat to provide for dedication of 60 feet of right-of-way (30 ft. from centerline) for Hilton Road
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 6) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 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) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



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11. **Preliminary Plan Review No. 1-01059 – Simmons Property**

R-200 Zone; 2.09 Acres; Four (4) Lots Requested (Four (4) Single Family Detached Dwelling Units)

Community Water and Community Sewer

Located on the West Side of Glen Mill Road, Approximately 1500 Feet North of Bald Cypress Drive

Policy Area: Shady Grove R&D Village

Applicant: Belle Terre Development and Construction

Engineer: Macris, Hendricks and Glascock

**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 Potomac Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to provide for dedication of 70 feet of right-of-way (35 ft. from centerline) for Glen Mill Road
- 4) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 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

**11. Preliminary Plan Review No. 1-01059 – Simmons Property - continued**

**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 FOR TIME OF PRINTING**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**