

Agenda for Montgomery County Planning Board Meeting  
**Thursday, February 6, 2003, 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call  
Approval of Minutes:  
November 21, 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 Government code annotated Section 10-508 (a) (7) (consult with counsel to obtain legal advice) (Topic: Hoyles Mill Village)*
- C. *Closed Session pursuant to Maryland State Government Code Annotated Section 10-508 (a) (7) (consult with counsel to obtain legal advice) (Topic: SoccerPlex)*
- D. *Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (4) (proposal for a business to locate, expand or remain in the State)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Mandatory Referral No. 02003-WSSC-1, Rock Creek Relief Sewer, Parklawn Cemetery to Mahan Road.**

Lower Rock Creek.

**Staff Recommendation:** Approval with conditions to WSSC.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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2. **Review of Council Office of Legislative Oversight Report 2003-1, An Analysis of the Roadway Facility Planning Process for road construction.**

**Staff Recommendation:** Transmit comments to the County Council.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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3. **Local Map Amendment G-803: J. Kirby Development, LLC.**

Rezoning from C-1 and R-200 Zones to the PD-9 Zone, 4.85 acres, 103 units, 18301 Georgia Avenue, Olney.

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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4. **Mandatory Referral No. 01103-M-1– Montgomery College, Takoma Park Campus.**

Site Selection for Cultural Arts Center and Revisions to the Pedestrian Bridge to Jessup Blair Park, Intersection of Georgia Avenue and Burlington Avenue, Silver Spring.

**Staff Recommendation:** Approval with comments.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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5. **Special Exception Modification S-1400-B.**

Retail-Horticultural Nursery and Landscape Contractor GEG, Inc. and Nick and Moscha Despotides, applicants, request a modification to renovate and modify existing facilities, 4.00 acres, R-200 Zone, 11650 Falls Road and 9280 Glen Road, Potomac.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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6. **Proposed Zoning Text Amendment to amend the Zoning Ordinance to establish Moderately Priced Dwelling Unit.**

(MPDU) requirements and optional method of development standards for the RE-1, RE-2C and RNC Zones.

**Staff Recommendation:** Transmittal to County Council for Introduction.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Preliminary Plan Review No. 1-02072 – Oak Hills Estates.**

Rural Cluster (RC) Zone; One (1) Lot Requested (One (1) single family detached dwelling unit); 4.89 Acres

Located on the North Side of Oak Hill Road, Approximately 2500 Feet North of Avoca Lane

Private Well and Private Septic

Policy Area: Rural (Cloverly)

Applicant: Michael R. Johnson

Engineer: Oyster, Imus and Petzold, Inc.

**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 Cloverly 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) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 5) Compliance with conditions of MCDPS (Health Dept.) approval dated January 7, 2002
- 6) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 7) 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) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

8. **Preliminary Plan Review No. 1-02074 – Sunnymeade; Rural Cluster.**

Rural Cluster (RC) Zone; Three (3) Lots Requested (Three (3) Single Family Detached Dwelling Units); 20.16 Acres

Located in the Northeast Corner, Intersection of Gold Mine Road and Brookeville Lakes Court

Private Wells and Private Septic and Community Water and Community Sewer Policy Area: Olney

Applicant: Carter, Inc.

Engineer: Witmer and Associates

**Staff Recommendation:** Approval, Pursuant to the De Minimus Provisions of the FY 2003 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. Reforestation required for any clearing on-site to be met on-site.
- 2) Prior to issuance of a sediment and erosion control permit by MCDPS, applicant to provide M-NCPPC technical staff with a detailed tree save and grading plan for review and approval
- 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 Olney Master Plan unless otherwise designated on the preliminary plan
- 4) Record plat to reflect a Category I Easement over all areas of stream valley buffers and forest conservation
- 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(s)
- 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:**

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**Preliminary Plan Review No. 1-02074 – Sunnymeade; Rural Cluster (cont'd).**

**Action:**

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9. **Preliminary Plan Review No. 7-02018 – Brooke Manor Farms.**

R-200 Zone; Five (5) Lots Requested (Five (5) Single Family Detached Dwelling Units (One (1) Existing Dwelling Unit); 4.04 Acres

Located on the West Side of Georgia Avenue (MD 97), Approximately 180 Feet South of Tavenner Court  
Community Water and Community Sewer

Policy Area: Olney

Applicant: Tamara Corporation  
Engineer: Dewberry and Davis, L.L.C.

**Staff Recommendation:** No objection to the submission of a preliminary plan providing public road dedication and direct frontage for all lots.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**10. Request For Subdivision Waiver Pursuant to Section 50-38 of the Subdivision Regulations For SRW – 03001 - Silver Crest.**

Rural Cluster (RC) Zone; One (1) Lot (One (1) Existing Single Family Residence and One (1) Parcel); 1.48 Acres

Located on the North Side of Hawkins Creamery Road, Approximately 220 Feet East of Silver Crest Drive

Community Water and Private Septic

Policy Area: Damascus

Applicant: William and Sandra Rogers

Attorney: Linowes and Blocher

**Staff Recommendation:** Deny waiver Request.

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

11. 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:**



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12. **Staff Draft Amendment to Countywide Park Trails Plan: Trail Planning Process**

Public Hearing.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**