

**Agenda for Montgomery County Planning Board Meeting**

**Thursday, July 3, 2003, 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call Approval of Minutes: April 10, 2003 Commissioners' Reports Directors' Reports Reconsideration Requests	
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**GENERAL MEETING** (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. *Closed Session: Headquarters Consolidation Study: Financial Considerations and Review of Final Recommendations.*
- C. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (Subject: Litigation)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Upper Rock Creek Area Master Plan Worksession #9 - Planning Board Draft**

**Staff Recommendation:** Approval to transmit Planning Board Draft to County Executive and County Council. (No public testimony will be taken at this time)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**2. Preliminary Plan No. 1-03029 – Fortune Parc**

I-3 and O-M Zones; 173 Lots Requested (150 One Family Attached Dwelling Units, 450 Multi-Family Units, 870,000 Square Feet of Office/Retail; 54.9 acres  
Community Sewer and Community Water

Located at the Northwest Corner of Montrose Road and I-270, East of Severn Locks Road

Policy Area: Potomac

Applicant: F.P. Homes Associates  
Engineer: VIKA, Inc.  
Attorney: Linowes and Blocher

**Staff Recommendation:** Approval, Including Abandonment of Unimproved Public Right of Way, Subject to Conditions.

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

3. **Preliminary Plan No. 1-03096 – 18716 Jerusalem Church Road**

RMH-200 Zone; One (1) Lot Requested (One Family Detached Dwelling Unit); 41,120 Square Feet  
Community Sewer and Community Water

Located on the North Side of Jerusalem Church Road, Approximately 2,000 Feet North of Jerusalem Road

Policy Area: Rural (Poolesville and Vicinity)

Applicant: Habitat for Humanity of Montgomery County  
Engineer: Loiederman Soltesz Associates

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

- (1) Record plat to reflect dedication 25' from the center line of existing roadway
- (2) 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 property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (3) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**4. Preliminary Plan No. 1-03071 – Kakar Property**

RE-2/TDR-2 Zone; Three (3) Lots Requested (One (1) Existing One Family Dwelling Unit, Two New One Family Dwelling Units Proposed); 1.96 Acres  
Community Sewer and Community Water

Located on the West Side of Bailey's Lane, Approximately 400 Feet South of Norbeck Road (MD 28)

Policy Area: Aspen Hill

Applicant: Devinder Kakar  
Engineer: Patton, Harris, Rust and Associates  
Attorney: Dufour & Kohlhoss, Chtd.

**Staff Recommendation:** Approval, Under the DeMinimis Provisions of the FY 2003 Annual Growth Policy, Subject to the Following Conditions:

- (1) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permit, as appropriate
- (2) Access and improvements as approved by MCDPW&T letter dated June 19,2003, or as otherwise amended
- (3) Conditions of MCDPS stormwater management approval
- (4) All road right of ways shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the master plan, unless otherwise designated on the preliminary plan
- (5) Prior to recordation applicant to verify that two (2) TDRs have been obtained for the development. Record plat to reflect the TDR easements
- (6) Final building locations to be determined at site plan
- (7) No clearing, grading or recording of plat prior to site plan signature set approval
- (8) 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 property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (9) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 5. 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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- 6. **Strategy for preparation of the FY05-10 M-MNCPPC Capital Improvement Program**

**Staff Recommendation:** *Discussion.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Worksession #4 on the 2003-2005 Annual Growth Policy “Policy Element”**

**Staff Recommendation:** Discussion of draft AGP Policy Concept and approval for release for public comment. (Public Hearing tentatively scheduled for July 10, 2003)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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8. **Zoning Text Amendment No. 03-13**

Introduced by Councilmembers Perez and Floreen; amend the Zoning Ordinance to allow under certain circumstances a registered noncomplying multi-family dwelling changed to a less intensive use to revert to the number of dwelling units that existed when the noncomplying multi-family dwelling was registered

**Staff Recommendation:** *Do Not Approve Text Amendment.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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9. **Zoning Text Amendment No. 03-14**

Introduced by Councilmember Silverman; amend the Zoning Ordinance to allow an animal boarding place by special exception in the RE-2 C Zone

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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10. **Project Plan Review No. 9-03002, Woodmont Corner;** CBD-R2 Zone; 56,837 gross square feet retail, 284,185 residential; Northeast quadrant of the intersection of Old Georgetown Road and Woodmont; Bethesda - Chevy Chase & Vicinity, PA-35

APPLICANT: Woodmont Triangle Limited Partnership

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

**Staff Recommendation:** Approval with conditions

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



- 11. **Site Plan Review No. 8-00014B, Bethesda Theater Residential;** CBD-1 Zone, 0.89 Acres/PD-35 Zone, 1.38 Acres; 9 Townhouses, 249 Multi-family, 32 MPDUs; On Wisconsin Avenue, approximately 110 feet north of Middleton Lane; Bethesda - Chevy Chase & Vicinity, PA-35

APPLICANT: Bethesda Theatre LLC

**Staff Recommendation:** Approval with conditions

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 12. **Board of Appeals No. S-2577 (Special Exception)**

Al Toler, d.b.a. Toler Funeral Home, applicant requests to operate a funeral home and undertaking establishment 900 East Randolph Road, R-90 Zone, White Oak

**Staff Recommendation:** Denial.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**