

Agenda for Montgomery County Planning Board Meeting
Thursday, September 25, 2003, 9:30 A.M.

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: 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. Proposed Closed Session White Flint North/Nuclear Regulatory requests to revise Contractual Agreement (Legal advice of counsel)
- C. Callithea Farm – Proposed Lease Modifications – *Approval.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Local Map Amendment G-810**

Twinbrook Commons, LLC and Washington Metropolitan Transit Authority -
Reclassification of 16.32 acres from R-90 and I-4 Zones to TS-R zone, adjacent to
Twinbrook Metro Station and bounded by Twinbrook Parkway, Parklawn Drive, Fisher's
Lane, the CSX rail line, Halpine Road and Ardennes Avenue, North Bethesda/Garrett Park
Master Plan

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Site Plan Review No. 8-85066A – Germantown Commons**

T-S zone; 61,206 square feet commercial space for re-development, 102,267 square feet
existing commercial to be retained, 26,015 square feet new commercial space on 20.54
acres; west quadrant, of the intersection of Germantown Road (Rt. 118) and Middlebrook
Road; Germantown & Vicinity- PA-19

APPLICANT: Stoltz Management

ENGINEER: Dewberry

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Park and Planning Consolidated Headquarters Study

Staff Recommendation: Discussion and transmittal to the County Council.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

**4. Planning Board Public Hearing and Worksession on the Public Hearing (Preliminary)
Draft Amendment to the Master Plan for Historic Preservation**

Solomon Owens House, 18200 Cattail Road, Poolesville

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Montgomery County Planning Public Hearing, Worksession and Action on Addition to the *Locational Atlas and Index of Historic Sites***

Francis C. Brown House, 5004 River Road, Bethesda – Demolition Permit Pending

Staff Recommendation: Add to the Locational Atlas.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Montgomery County Planning Board Public Hearing, Worksession and Action on Addition to the *Locational Atlas and Index of Historic Sites***

Woodhaven Boulevard – Demolition Permit Pending

Staff Recommendation: Add to the Locational Atlas.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. **Forest Conservation Law Amendment No. 29-03**

Amending the Forest Conservation Law to exempt certain equestrian facilities

Staff Recommendation: *Deferral/Denial*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Subdivision Regulations Amendment No. 03-01**

Introduced by Councilmember Silverman; amend the Subdivision Regulations to revise the definition of "agriculture" and "agricultural land;" and to revise exceptions to the platting requirements for agricultural land and agricultural uses

Staff Recommendation: Deferral/Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Zoning Text Amendment No. 03-21

Introduced by Councilmember Silverman; amend the Zoning Ordinance to comprehensively revise the regulations pertaining to a riding stable including: defining equestrian facility to replace the definition of riding stable; defining informal equestrian event; defining major and minor equestrian event; amending the definition of "Kennel, Noncommercial" to substitute "Equestrian Facility" for "Riding Stable;" adding standards for an Equestrian Facility as a permitted use in the agricultural zones; and adding special exception standards for an equestrian facility –

Staff Recommendation: Deferral/Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Rustic Roads Functional Master Plan Amendment

Reclassify Piedmont Road to a Primary Residential and Country Road, and retain White Ground Road as a Rustic Road

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Board of Appeals Petition No. CBA-2180-A

Johnson's Family Enterprise Ltd, applicant, request a modification to permit renovation and expansion of existing retail and greenhouse facilities, expand services to include landscape design/contracting, permit sales of propane gas to retail customers, 5100 Olney-Laytonsville Road, RDT zone, Olney Master Plan

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan Review No. 1-03088 – Verizon Clarksburg Communications Center

RDT Zone; One (1) lot (2,638 square foot Public Utility Building); 2.41 acres

Community Water and Community Sewer

Located on the north side of Piedmont Road, approximately 700 feet west of Stringtown Road

Policy Area: Clarksburg East

Applicant: Verizon Maryland, Inc.

Engineer: Rodgers Consulting

Attorney: Shulman, Rogers, Gandal, Porody & Ecker, P.A.

Staff Recommendation: Approval, pursuant to Section 59-C-9.74(b)(2) of the Montgomery County Zoning Ordinance, pursuant to the De Minimus Provisions of the FY 2004 Annual Growth Policy, and subject to the Following Conditions:

- 1) Applicant is bound by all conditions of approval contained in Special Exception Case No. S-2578 approved on September 16, 2003

Preliminary Plan Review No. 1-03088 – Verizon Clarksburg Communications Center
(continued)

- 2) Approval under this preliminary plan is limited to 2,638 square foot public utility communication center
- 3) 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
- 4) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Clarksburg Master Plan unless otherwise designated on the preliminary plan
- 5) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 6) Record plat to provide for dedication as shown on approved preliminary plan
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 8) Compliance with conditions of MCDPWT letter dated September 19, 2003, unless otherwise amended
- 9) A final landscape and lighting plan must be submitted to MNCPPC technical staff for review and approval prior to recordation of plat
- 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

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action:**

13. **Preliminary Plan Review No. 1-03094 - Glen Echo (Resubdivision)**

R-90 Zone; One (1) lot, (one one-family dwelling unit); 0.38 Acres

Community Water and Community Sewer

Located on the east side of Wiscasset Road, approximately 700 feet north of Virginia View Court

Policy Area: Bethesda/Chevy Chase

Applicant: Mark and Karen Leas

Engineer: Oyster, Imus and Petzold

Staff Recommendation:

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. **Preliminary Plan Review No. 1-03083 – Barnsley’s Addition to Olney**

C-2 Zone; One (1) lot (2,500 square feet commercial office)

Community Water and Community Sewer

Located on the south side of North High Street, approximately 350 feet west of Georgia Avenue (MD 97)

Policy Area: Olney

Applicant: Dr. Steven Kurdziolek

Engineer: GLM Engineering, Inc.

Preliminary Plan Review No. 1-03083 – Barnsley’s Addition to Olney (continued)

Staff Recommendation: Approval, including abandonment of a portion of an unnamed alley, and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a 2,500 square foot commercial (medical practitioner) office building
- 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 Olney Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 4) Record plat to provide for additional 25 ft. of dedication for North High Street
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 6) Compliance with conditions of MCDPWT letter dated, August 28, 2003, unless otherwise amended
- 7) Applicant to construct sidewalk, handicap ramps, curb and gutter, plant street trees and install street lights as per August 28, 2003, MCDPWT letter and as shown on the approved preliminary plan
- 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) 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
- 10) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

15. **Preliminary Plan Review No. 1-03077 – Snowden’s Mill**

R-200 Zone; Two (2) lots, (Two [2] one-family dwelling units, including one existing);
1.2653 Acres

Community Water and Community Sewer

Located in the southeast quadrant of the intersection of Blue Valley Drive and Adventure Way

Policy Area: Fairland – White Oak

Applicant: Frank and Lillian Schell

Engineer: Joyce Engineering

Staff Recommendation: Approval, Pursuant to the De Minimus Provisions of the FY 2004 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
- 2) Record plat to provide for dedication of 40 feet from centerline of Old Columbia Pike
- 3) Record Plat to contain a note denying access to Old Columbia Pike
- 4) Final approved preliminary plan to reflect driveway and sidewalk locations
- 5) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- 6) Compliance with conditions of MCDPWT letter dated, September 19, 2003 unless otherwise amended
- 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:

16. **Preliminary Plan Review No. 1-00040E – Resurrection Baptist Church (Request for the extension of the validity period)**

RC Zone; One (1) lot (Previously Approved House of Worship); 10.48 acres

Community Water and Private Septic

Located in the northeast quadrant of the intersection of Ednor Road and New Hampshire Avenue (MD 650)

Policy Area: Rural (Patuxent)

Applicant: Resurrection Baptist Church

Engineer: Landmark Engineering

Staff Recommendation: Grant One Year Extension

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

17. Record Plats

The following record plats are recommended for APPROVAL, subject to the appropriate conditions of approval of the preliminary plans and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-04051 Burning Tree Valley
R-200/TDR, 1 Parcel
Community Water, Community Sewer
American Plant Food Co., Applicant
- 2-04052 West Chevy Chase Heights
R-60 Zone, 1 Lot
Private Well, Private Septic
Marcela De Castro & Louis-Francois Chreiten, Applicant
- 2-04053 The Retreat at Liberty Mill
R-200 Zone, 5 Lots
Community Water, Community Sewer
Ruppert Family Builders, LLC, Applicant
- 2-04054 Charred Oak Estates
R-200 Zone, 1 Lot
Community Water, Community Sewer
Michele Newman, Applicant
- 2-04055 Westchester
R-90 Zone, 1 Lot
Community Water, Community Sewer
Press Real Estate Services, Applicant

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action:**

18. **SRW-04002, United Therapeutics (Request for subdivision waiver pursuant to Section 50-38 of the Subdivision Regulations)**

CBD-1 Zone; One (1) parcel, (40,000 square feet office, Research and Development)

Community Water and Community Sewer

Located in the southeast quadrant of the intersection of Cameron Street and Spring Street

Policy Area: Silver Spring CBD

Applicant: Montgomery County on behalf of United Therapeutics

Attorney: Holland and Knight

Staff Recommendation:

******* See Discussion and Recommendation in Staff Report *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

19. **Olney Master Plan** (Public Hearing Draft)

Staff Recommendation: Public Hearing.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: