

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

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: June 5, 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. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (Subject: Litigation)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Triennial Review of Comprehensive Water Supply and Sewerage Systems Plan**

Staff Recommendation: Transmit comments to County Council and County Executive.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Amendments to Comprehensive Water Supply and Sewerage Systems Plan (23 Cases)**

Staff Recommendation: Transmittal of comments to the Council and County Executive.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Presentation of Staff Draft Shady Grove Sector Plan

Staff Recommendation: Approve Staff Draft as Public Hearing Draft and schedule public hearing for December 4. (No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Increases in Park Fund Fees

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Local Map Amendment G-808 – Battery Lane, LLC

Laurence H. Lipnick and Battery Lane, LLC, applicants request reclassification of 21,101 square feet of land from the C-T Zone to the PD-75 Zone, located at 4811 Battery Lane, Bethesda – Bethesda CBD Sector Plan

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Site Plan Review No.8-90055A, McDonald’s – Derwood

C-3 Zone; 1.52 Acres; commercial retail; on east side of Frederick Road (MD 355), approximately 850 feet southeast of Redland Road; Shady Grove & Vicinity – PA- 20

APPLICANT: McDonald’s Corporation

ENGINEER: Bruce B. Davis, AIA

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. **Site Plan Review No. 8-03010 Cloverly Commercial**; C-1 zone; 0.81 acres; 7,800 gross square feet commercial retail; on the east side of New Hampshire Avenue (MD 650), approximately 500 feet south of Bryant's Nursery Road; Cloverly – PA-28

APPLICANT: Darius Vedadi

ENGINEER: Site Solutions, Inc.

Staff Recommendation: *Approval with conditions.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Preliminary Plan Review No. 1-98037B (with Site Plan 8-98017B) – Middlebrook**
(request to revise the previous conditions of approval)

C-3 zone; One (1) lot (10,880 square feet commercial retail); 1.17 acres

Community water and community sewer

Located in the northeast quadrant of the intersection of Middlebrook Road and Frederick Avenue (MD 355)

Policy Area: Germantown East

Applicant: Roadside Development, L.L.C.

Engineer: Kimley-Horn and Associates, Inc.

Attorney: Linowes and Blocher

Staff Recommendation: Approval to revise the previous conditions of approval, subject to the following conditions:

- 1) Applicant is bound by the elements of the Schematic Development Plan (SDPA 03-1) as approved by District Council on April 22, 2003
- 2) Approval under this preliminary plan revision is limited to 14,680 square feet of retail use, and 8,529 square feet of day care center (Existing approval: 10,328 sq. ft. retail, 6,528 sq. ft. day care)
- 3) All prior and applicable conditions of approval remain in full force and effect under Planning Board Opinion dated, July 30 1998
- 4) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

- 9. **Site Plan Review No. 8-98017B, Middlebrook (Lot 1);** (request to revise the previous conditions of approval); C-3 zone; 1.17 acres; 10,880 square feet commercial retail; northeast quadrant of the intersection of Middlebrook Road and Frederick Road (MD 355); Germantown & Vicinity, PA-19

APPLICANT: Roadside Development
 ENGINEER: Kimley-Horn & Associates, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

- 10. **Preliminary Plan Review No. 1-03109 – Widows Purchase**

Rural zone; One (1) lot (one-family dwelling unit); 5.95 acres

Private well and private septic

Located in the southeast quadrant of the intersection of Lewisdale Road and Prescott Road

Policy Area: Rural (Bennett & Little Bennett)

Applicant: Nancy Nootenboom and Ruth Ganley
 Engineer: Tom Maddox

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 Agricultural and Rural Open Space Master Plan unless otherwise designated on the preliminary plan

Preliminary Plan Review No. 1-03109 – Widows Purchase (continued)

- 3) Record plat to reflect a Category I easement over all areas forest conservation
- 4) Record plat to provide for dedication of 70 feet of right-of-way (35 ft. from centerline) for Lewisdale Road
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 6) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- 7) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 8) Compliance with conditions of MCDPWT letter dated, September 29, 2003 unless otherwise amended
- 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) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Preliminary Plan Review No. 1-04002 – Olney Manor

PD-9 zone; One (1) lot (100 elderly housing apartments); 4.85 acres

Community Water and Community Sewer

Located on the east side of Georgia Avenue (MD 97), approximately 900 feet north of Olney-Laytonsville Road (MD 108)

Policy Area: Olney

Staff Recommendation: Approval, pursuant to special ceiling allocation for affordable housing of the FY 2004 Annual Growth Policy, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a 100 unit elderly housing facility and the applicant is bound by the elements of the approved Development Plan for Zoning Case No G-803 approved by District Council on June 24, 2003
- 2) Compliance with the conditions of approval for the preliminary forest conservation plan. The applicant must satisfy all conditions as outlined in the July 25, 2003 Environmental Planning memorandum prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits
- 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, dated September 29, 2003
- 6) Compliance with conditions of MCDPWT letter dated, September 29, 2003 unless otherwise amended
- 7) Record plat to deny access except at approved locations on Georgia Avenue (MD 97)
- 8) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 9) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 10) Final approval of on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 11) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 12) 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
- 13) 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
- 14) Other necessary easements

Preliminary Plan Review No. 1-04002 – Olney Manor (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Record Plats

The following record plat is 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.

2-04064 Cloverleaf Center
I-3 Zone, 4 Parcels
Community Water, Community Sewer
Planning Area: Germantown
Century Technology, LLC, Applicant

Staff Recommendation:

Pursuant to section 50-35A, the following minor subdivision 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.

2-04060 Chevy Chase Terrace
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
John R. McNeill, Applicant

2-04061 Crestview
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Kathleen Kerr, Applicant

2-04062 Meadowbrook Village
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Cathryn Wolf, Applicant

2-04063 North Spring Brook
R-200 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Fairland-White Oak
Irfan Jamil, Applicant

Record Plats (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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13. **FY05-FY10 Park CIP Worksession** (No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: