

**Agenda for Montgomery County Planning Board Meeting
Thursday, October 16, 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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1. **Review of Trails Workprogram FY04-06**

Staff Recommendation: – Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Mandatory Referral No. 030402 – F&RS1, Cabin John Volunteer Fire Department, Station #30**

9404 Falls Road, Potomac; Potomac Subregion Master Plan Area. Apparatus bay to house elliptical tanker, and additions to existing building

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Bennett Creek Headwaters area near Damascus, for protection by Legacy Open Space Program**

Staff Recommendation: Approve Bennett Creek Headwaters area as a Legacy Open Space Natural Resources Site.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Site Plan Review No. 8-03041, Maple Ridge Townhomes**

RT-8 zone; 8.10 acres; 59 townhouses, including 8 MPDUs; on Lockwood Drive, between Lockwood Drive and Columbia Pike (US 29), approximately 1,500 feet west of New Hampshire Avenue (MD 650); Colesville – White Oak & Vicinity, PA – 33

APPLICANT: HD Maple Ridge LLC
ENGINEER: Gutschick Little & Weber P.A.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Site Plan Review No. 8-03026, Greenbriar Preserve**

RNC zone; 31 one-family detached dwelling units; on Piney Meeting House Road, approximately 2,000 feet north of Glen Road; Travilah & Vicinity, PA- 25

APPLICANT: Greenbriar Investments, LLC
ENGINEER: Gutschick, Little & Weber, P.A.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Site Plan Review No. 8-03029, The Estates at Greenbriar Preserve

RNC zone; 71.32 acres; 31 one-family detached dwelling units; east quadrant, of the intersection of Glen Road and Great Elm Drive; Travilah & Vicinity, PA- 25

APPLICANT: MTR Land, LLC

ENGINEER: Gutschick, Little & Weber, P.A.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Request To Revise The Previous Conditions of Approval For Preliminary Plan No. 1-96007 – Evangelical Lutheran Church of the Redeemer

RE-2C Zone; One (1) Lot Previously Approved (House of Worship)
9.19 Acres

Community Sewer and Community Water

Located on the West side of Ridge Road (MD 27) South of Faith Lane

Policy Area: Damascus

Applicant: Evangelical Lutheran Church of the Redeemer
Engineer: DeMario Design Consultants, Inc.

Staff Recommendation: Denial, Pursuant to Section 50-32 of the Subdivision Regulations and to the Limitations for Development in the Patuxent Primary Management Area

***** See Discussion in the Staff Report *****

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Riderwood Village)*
- C. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Wilgus Settlement)*
- D. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (1) (Subject: To discuss personnel matters)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Preliminary Plan No 1-02084 – Kingsview Village**

R-200/TDR Zone; Four (4) Lots Requested (Four One Family Detached Dwelling Units)
1.22 Acres

Community Sewer and Community Water

Located on Rockingham Road, Approximately 150 Feet northeast of Maytide Way

Policy Area: Germantown East

Applicant: Dinesh Patel

Engineer: PG Associates

Staff Recommendation: Approval Under the DeMinimis Provisions of the FY 2004 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 the sediment and erosion control permit, as appropriate
- (2) All roads rights of way shown of 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
- (3) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the master plan, and to the design standards imposed by all applicable road codes
- (4) No clearing, grading or recording of plats prior to site plan approval
- (5) Record plat to reference recording of two (2) TDR easements
- (6) Access and improvements, as required, to be approved by MCDPW&T prior to recording of plat(s)
- (7) Compliance with the conditions of MCDPS stormwater management 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 plan must be recorded or a request for an extension must be filed

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Site Plan Review No. 8-03040, Kingsview Village**

R-200/TDR Zone; 1.22 acres; 4 One-family detached dwelling units. On Rockingham Road, approximately 150 feet northeast of Maytide Way; Germantown & Vicinity, PA-19

APPLICANT: Dinesh Partel

ENGINEER: PG Associates

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Pre-Preliminary Plan No. 7-04001 – North Bethesda Town Center**

TS-M/I-1 Zones; One (1) Lot (1,430,037 Square Feet Commercial/Retail and 1,350 Multi Family Dwelling Units); 32.4 Acres

Community Sewer and Community Water

Located at the Southeast Quadrant of the Intersection of Rockville Pike (MD 355) and Old Georgetown Road (MD 187)

Policy Area: White Flint

Applicant: LCOR White Flint LLC

Engineer: Loiederman Soltesz

Attorney: Linowes and Blocher

Staff Recommendation: Pursuant to Section Section 50-33A of the Subdivision Regulations, No Objection to the Submission of a Preliminary Plan Application Subject to the Following Conditions:

- (1) Meet a trip reduction goal to reduce at least 50% of the number of [vehicular] trips attributable to the subdivision, either by reducing trips from the subdivision itself or from other occupants of that [White Flint] policy area
- (2) Participate in programs operated by, and take actions specified by, a transportation management organization [the North Bethesda Transportation Management District

Pre-Preliminary Plan No. 7-04001 – North Bethesda Town Center (continued)

- (TMD)] to be established by County law for that policy area (or a group of policy areas including that policy area [White Flint]) in order to meet mode share goals
- (3) Pay an on-going annual contribution or tax to fund the TMO’s operating expenses. The annual Transportation Management Fee for the North Bethesda TMD has to be reestablished by the County Council for applicants of new multi-family residential and non-residential development as recommended in the *North Bethesda-Garrett Park Master Plan* and required under County Code 42A-25, Ridesharing
 - (4) Pay the applicable development impact tax without claiming any credits for transportation improvements
 - (5) Preliminary plan application shall conform to all other requirements set forth in Chapter 59, Zoning Ordinance, Chapter 50, Subdivision Regulations and other applicable codes

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Request To Revise The Previous Conditions of Approval For Preliminary Plan No. 1-98056A – Great Oaks Redevelopment (Riderwood Village)

RE-1 Zone; Two (2) Lots (1015 Elderly Housing Units Previously Approved)
49.52 Acres

Community Sewer and Community Water

Located on Gracefield Road, Approximately 2,000 Feet North at the Intersection of Powder Mill Road and Cherry Hill Road

Policy Area: Fairland-White Oak

Applicant: Silver Oaks Campus LLC

Attorney: Linowes and Blocher

Staff Recommendation: Approval to Revise the Previous Conditions of Approval as Follows:

- (1) Amend Trip Mitigation Agreement of June 29, 1999 from the original Trip Reduction Goal of:
 - a. No more than 142 vehicular trips during any four consecutive 15 minute intervals during the weekday morning peak period between 7:00 a.m. and 9:00 a.m.
 - b. No more than 88 vehicular trips during any four consecutive 15-minute intervals during the weekday evening peak period between 4:00 p.m. and 6:00 p.m.
 - c. To the new Trip Reduction Goal:
 - d. No more than 289 vehicular trips during any four consecutive 15 minute intervals during the week day morning peak period between 7:00 a.m. 9:00 a.m.
 - e. No more than 179 vehicular trips during any four consecutive 14-minute intervals during the weekday evening peak period between 4:00 p.m. and 6:00 p.m.
- (2) All other conditions previously approved by Planning Board opinion dated September 25, 1998 remain in full force and effect.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan No. 1-01010 – Burnt Mills Shopping Center

C-4 and R-90 Zones; One (1) Lot Requested (32,392 Square Feet Commercial/Retail)
3.59 Acres

Community Sewer and community Water

Located on the East Side of Columbia Pike (MD 29), Approximately 300 Feet South of Hillwood Drive

Policy Area: Fairland – White Oak

Applicant: Four Corners LLC
Engineer: Gutschick, Little and Weber
Attorney: Holland and Knight

Staff Recommendation: Approval Subject to the Following Conditions:

- (1) Approval under this preliminary plan is limited to 32,392 square feet of commercial/retail and provide for the following necessary road way improvements as outlined in the October 10, 2003 Transportation Planning Division memo:
 - a. Obtain approval from the Maryland State Highway Administration (SHA) and design/install a fully operational coordinated traffic signal at the access driveway to the proposed retail center on Columbia Pike (US 29) at the applicant's expense
 - b. Provide a crosswalk across US 29 that will facilitate safe pedestrian crossing of US 29 and connectivity between Northwest Branch Stream Valley trails on either side of US 29
 - c. Consistent with the 1997 Approved and Adopted White Oak Master Plan, dedicate adequate right-of-way along US 29 to provide 60 feet of right-of-way from centerline
 - d. Provide, as methods to reduce Local Area Transportation Review (LATR) impact per Section IV-B of the LATR Guidelines (Methods to Reduce Local Area Transportation Review Impact for Non-Residential Development)
 - e. Two bus shelters and two real-time transit information signs on US 29 in the vicinity of the site. Coordinate with the Montgomery County Department of Public Works and Transportation (DPWT), Transit Services Division, the location of bus shelters and real-time transit information signs
 - f. Sidewalks in the vicinity of the site. Coordinate with DPWT's CIP Project No. 509997 – US 29/Lockwood Drive Sidewalks – to provide 1,170 linear feet of sidewalk improvements along US 29. Staff suggests that the applicant give priority to the reconstruction/extension of sidewalks along both sides of US 29 from the proposed traffic signal to the Northwest Branch Stream Valley Park
 - g. Provide necessary intersection operational improvements at the US 29/Southwood Avenue intersection to accommodate an exclusive left-turn lane and a shared left-turn/right-turn lane on Southwood Avenue
 - h. Provide a five-foot wide sidewalk and a tree panel on US 29 along the entire property frontage. The sidewalk should be offset two feet from the property line

Preliminary Plan No. 1-01010 – Burnt Mills Shopping Center (continued)

- (2) Applicant to provide a Public Use Trail Easement from the proposed signalized entrance off of Route 29 to the M-NCPPC parking lot area and Northwest Branch Trail located adjacent to the subject property. Exact alignment to be coordinated with M-NCPPC staff
- (3) Applicant to construct an 8' wide hard surface trail within the easement to park standards and specifications
- (4) Easements and trail to be adequately identified and signed to mark their location
- (5) All roads rights of way 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
- (6) Record plat to show delineation of a conservation easement over the tree preservation area
- (7) Prior to recording of plat, submit final landscape and parking facility plan for technical staff review and approval
- (8) Access and improvements, as required, to be approved by MDSHA prior to issuance of access permits
- (9) Other necessary easements
- (10) The Adequate Public Facilities review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (11) 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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. Pre-Preliminary Plan No. 7-04004 – Edgemoor (Resubdivision)

R-60 Zone; Two (2) Lots Requested (Single Family Detached Dwelling Units [One (1) Existing Single Family Dwelling Unit]); 25,740 Square Feet

Community Sewer and Community Water

Located on the West Side of Exeter Road, Approximately 120 Feet South of Edgemoor Road

Policy Area: Bethesda – Chevy Chase

Applicant: Lisa J. Stevenson

Engineer: Dewberry

Staff Recommendation: Pursuant to Section 50-29(b)(2) of the Subdivision Regulations, No Objection to the Submission of Preliminary Plan Application

******* See Discussion in the Staff Report *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14.

Record Plats

Pursuant to section 50-38, the following resolutions are recommended for approval subject to conformance with all requirements of Chapter 50 of the Montgomery County Code.

Resolution # MCPB 03-27, Willerburn Acres
R-90 Zone, 1 Lot
Community Water, Community Sewer
Friends of Lubavitch, Applicant

Staff Recommendation:

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.

2-04065 Colesville Estates
R-90 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: White Oak
James G.L. Smith, Applicant

2-04066 Ashton Preserve
RNC Zone, 2 Lots
Community Water, Community Sewer
Planning Area: Sandy Spring Ashton
Winchester Homes, Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: