

**Agenda for Montgomery County Planning Board Meeting
Thursday, December 4, 2003, 10:30 A.M.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: July 10, 2003 July 17, 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. Operating Fund FY04 four-month Financial Report including projections to June 30, 2004.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Policy and Guidelines on Donations and Public-Private Partnership**

Staff Recommendation: Approval of Policy and Guidelines. (No public testimony will be taken at this time.)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Preliminary Plan No. 1-03100 – Townes at Rosedale Park

RT-12.5 Zone; 20,000.4 square feet; Six (6) single-family attached dwelling units

Community Water and Community Sewer

Located on the south side of Chestnut Street, approximately 180 feet east of Wisconsin Avenue (MD 355)

Policy Area: Bethesda CBD

Applicant: Magruder/Reed Communities

Engineer: Dewberry

Attorney: Linowes and Blocher

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to six single-family attached dwelling units
- 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 Bethesda CBD Master Plan unless otherwise designated on the preliminary plan
- 3) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Bethesda CBD Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary
- 4) Record plat to provide for dedication as shown on preliminary plan
- 5) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 6) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 8) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- 9) Access and improvements as required by MCDPWT prior to recodation of plats
- 10) No clearing, grading (unless approved as part of site plan) or recording of plats prior to site plan enforcement agreement approval
- 11) Final approval of the number and location of dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan
- 12) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 13) 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

Preliminary Plan No. 1-03100 – Townes at Rosedale Park (continued)

- 14) 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
- 15) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Site Plan Review No. 8-04007 – Townes at Rosedale Park

RT 12.5 zone; 0.46 acres; 6 townhouses; on the south side of Chestnut Street, approximately 180 feet east of Wisconsin Avenue (MD 355); Bethesda/Chevy Chase

APPLICANT: Magruder/Reed Communities LLC

ENGINEER: Dewberry

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Preliminary Plan No. 1-98076A – Scandinavian Import Service Center

I-1 Zone; 3.9 acres; 9,900 square feet commercial use

Community Water and Community Sewer

Located on the north side of Derwood Circle, approximately 1,000 feet west of Cecil Street

Policy Area: Derwood

Applicant: Scandinavian Import Center

Engineer: Macris, Hendricks, and Glascock

Staff Recommendation:

- 1) Approval under this preliminary plan is limited to 9,900 square feet of automotive sales and care center under Phase I
- 2) Future development under Phase II must undergo further APF review

Preliminary Plan No. 1-98076A – Scandinavian Import Service Center (Continued)

- 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) Compliance with the conditions of approval of the MCDPS stormwater management approval dated, June 11, 2003
- 5) Access and improvements as per MCDPWT prior to recordation of plat(s)
- 6) No clearing, grading (unless approved as part of the site plan) or recording of plats prior to site plan enforcement agreement approval
- 7) Final approval of the location of buildings, on-site parking, site circulation, and sidewalks will be determined at site plan
- 8) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 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) 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
- 11) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Site Plan Review No. 8-00024B – Scandinavian Import Service Center

I-1 zone; 3.9130 acres; 9,900 gross square feet commercial retail use; on the north side of Derwood Circle, approximately 1,000 feet west of Cecil Street; Upper Rock Creek

APPLICANT: Alan L. Tetervin

ENGINEER: Macris, Hendricks and Glascock, PA

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Preliminary Plan No. 1-88216R – Hoyles Mill Village (Request to revise previous conditions of approval)**

R-200/MPDU Option Zone; 258 acres; 382 single-family detached and 155 single-family attached dwelling units previously approved; 15 additional single-family detached units requested

Community Water and Community Sewer

Located on the northwest side of Schaeffer Road, approximately 5,000 feet southwest of Clopper Road (MD 117)

Policy Area: Germantown West

Applicant: Artery Group

Engineer: Charles P. Johnson Associates

Attorney: Linowes and Blocher

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

- 1) Applicant is bound by all previous conditions of preliminary plan approvals as contained in Planning Board opinions dated 11/23/94, 06/20/96, 05/05/99, and 10/01/01 (1-01063), as applicable
- 2) Imperviousness for the 5.7-acre tract not to exceed 49,658 square feet
- 3) Applicant to enter into an agreement with the Montgomery County Planning Board for the purpose of withholding four (4) residential lots for final recordation, of the 15 lots recommended for approval by staff, to ensure compliance with the impervious limitations. The lots to be held shall be graphically denoted on the site plan. Imperviousness coverage limitation and information pertaining to the above agreement to be recorded on the record plat
- 4) All driveways must be designed as single car width (10 feet) at the public right of way, flaring out to twenty feet in front of the garage. M-NCPPC Environmental Planning staff on a case-by-case basis may approve alternative driveway design provided any additional imperviousness surface is accounted for as part of the overall impervious limit. All sales contracts must disclose to buyers that these dimensions are imposed as a condition of the Planning Board approval
- 5) The developer/builder must submit an impervious report to M-NCPPC Environmental Planning staff after issuance of the 5th, 9th, and 11th building permits. Thereafter, the applicant must submit an imperviousness report for each of the remaining building permits. The imperviousness reports must include: surveyed final 'as-builts' drawings which include dimensions for buildings, driveways, sidewalks, leadwalks, porches, patios, chimneys, welled exits, rear exits, and any building feature that is two feet or less from the ground. Imperviousness numbers in these reports must be verified by M-NCPPC prior to the release of the next building permit.
- 6) It at any time the impervious limit is reached before building permits for all approved lots have been released, the lots for which building permits have not been released must be re-recorded as non-imperviousness open space. All pending use and occupancy permits will be held until such time that the open space plats are recorded.

Preliminary Plan No. 1-88216R – Hoyles Mill Village (Request to revise previous conditions of approval) (continued)

- 7) Upon recordation of the plat(s), the applicant shall record in the land records a disclosure of the impervious limits and monitoring requirements to subsequent land buyers. This disclosure shall be reviewed and approved by Commission legal staff before recordation
- 8) A final tree save plan must be developed, submitted and approved by M-NCPPC Environmental Planning prior to any clearing and grading, for protection of the specimen trees preserved on the lots. The Tree Save Plan must be prepared and implemented by a certified arborist
- 9) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 10) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 11) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 12) No clearing, grading (unless approved as part of site plan) or recording of plats prior to site plan enforcement agreement approval
- 13) Final approval of the number and location dwelling units, and sidewalks will be determined at site plan
- 14) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 15) 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
- 16) 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
- 17) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. **Site Plan Review No. 8-00019 - Hoyles Mill Village**

R-200 MPDU option zone; 5.7 acres; 15 single-family detached dwelling units; on the north side of Schaeffer Road, approximately 5,000 feet southwest of Clopper Road (MD 117); Germantown & Vicinity

APPLICANT: Artery Group – Hoyles Mill Village, LLC

ENGINEER: Charles P. Johnson & Associates

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Site Plan Review No. 8-95030B - Hoyles Mill Village;**

R-200 MPDU option zone; 113.3 acres; 223 single-family detached dwelling units and 41 single-family attached dwelling units previously approved; on the north side of Schaeffer Road, approximately 5,000 feet southwest of Clopper Road (MD 117); Germantown & Vicinity

APPLICANT: Toll Brothers

ENGINEER: Charles P. Johnson & Associates

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Preliminary Plan No. 1-02023 – Westchester** (Reconsideration)

R-90 Zone; 20,840 square feet; one (1) single-family detached unit requested

Community Water and Community Sewer

Located at the eastern terminus of Blueridge Avenue, approximately 100 feet east of Nairn Road

Policy Area: Kensington-Wheaton

Applicant: Press Real Estate Service

Engineer: Fowler Associates, Inc.

Staff Recommendation:

******* See conditions and discussion in staff report *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Record Plats**

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

2-04095 Timber Hill
RC Zone, 2 Lots
Private Well, Private Septic
Planning Area: Martinsburg & Vicinity
Flora F. Hurley, Applicant

Record Plats (continued)

- 2-04096 Gray Estates
R-200 Zone, 3 Lots
Community Water, Community Sewer
Planning Area: Kemp Mill/Four Corners
Ronald Wilbur, Applicant
- 2-04098 Cloverly
C-1 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Cloverly/ Norwood
DV Real Properties, LLC,. Applicant
- 2-04099 Bancroft
RNC Zone, 8 Lots, 6 Parcels
Community Water, Community Sewer
Planning Area: Cloverly/Norwood
Mitchell & Best Homebuilders, LLC, Applicant
- 2-04102 Kingsview Village
R-200 TDR Zone, 4 Lots, 1 Parcel
Community Water, Community Sewer
Planning Area: Germantown
Dinesh Patel, Applicant
- 2-04107 Potomac Crest
2-04108 R-90 Zone, 21 Lots, 5 Parcels
Community Water, Community Sewer
Planning Area: Potomac
Churchill Development Corporation, Applicant
- 2-04109 Wheaton Forest
CBD-R1 Zone, 1 Lot, 1 Parcel
Community Water, Community Sewer
Planning Area: Kensington/Wheaton
Wheaton Homes Associates, Applicant
- 2-04111 Mary J. Boland Subdivision
R-60 TDR Zone, 2 Lots, 1 outlot
Community Water, Community Sewer
Planning Area: Germantown
Stringtown Investments, 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.

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- 2-04097 Brighton Knolls
19801 New Hampshire Ave.
RC Zone, 1 Lot
Private Well, Private Septic
Planning Area: Olney & Vicinity
Anna Newcomer, Applicant

 - 2-04100 Highlands at Clarksburg
2-04101 Southeast of Stringtown Road
RMX-2 & R-200 Zone, 11 Lots, 1 Parcel
Community Water, Community Sewer
Planning Area: Clarksburg & Vicinity
Center Homes, Applicant

 - 2-04103 Shady Grove Life Sciences Center
9712 Medical Center Drive
LSC Zone, 1 Parcel
Community Water, Community Sewer
Planning Area: Gaithersburg & Vicinity
The Institute for Genomic Research

 - 2-04104 Manor Country Club
2-04105 14901 Carrollton Road
2-04106 R-200 Zone, 3 Parcels
Community Water, Community Sewer
Planning Area: Aspen Hill & Vicinity
Manor Country Club, Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Facility Plan for Skateboard Park, Olney Manor Recreational Park, Georgia Avenue, Olney

Staff Recommendation: Approval, of facility plan, initiating design, and funding for construction in FY05 CIP.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. & Shady Grove Sector Plan – Public Hearing.

13.

Staff Recommendation:

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:
