

Agenda for Montgomery County Planning Board Meeting
Thursday, December 18, 2003, 9:45 A.M.

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: July 24, 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. Resolution 03-14, *Approval of Commission's Operating Budget for FY05*
- C. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Litigation)*
- D. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Legislation)*
- E. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Germantown Black Rox)*
- F. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice)(Subject: South Silver Spring Overlay Zone)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. Mandatory Referral No. 03816-DPWT-1 Brink Road Bridge

(M-063) over Goshen Branch, Goshen

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Mandatory Referral No. 03701 –MCPS-1, John T. Baker Middle School Addition

25400 Oak Drive, Damascus; Construction of an addition to the existing Baker Middle School building; Damascus Master Plan

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Local Map Amendment No. G-815: 4302 East-West LLC (Sandy Spring Builders)

applicant, requests a rezoning from R-60 to the O-M zone; 5,780 square feet; 4302 East-West Highway, Bethesda

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Proposed Zoning Text Amendment

to amend the Zoning Ordinance to permit additional height in the CBD-2 zone under the optional method of development for residential and commercial mixed-use projects in revitalization areas as designated in the relevant sector plan and located within 800 feet of the entrance of a Metro station

Staff Recommendation: Transmittal to County Council for introduction.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Mandatory Referral No. 03401-USM-1 University System of Maryland, Shady Grove Center Master Land Use Plan Update and Educational Facility III**

LSC and MXN Zones, Shady Grove Road, Potomac Subregion Master Plan area

Staff Recommendation: *Approval with conditions.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Mandatory Referral No. 03403-NCPC-1 – (Revised Master Plan for the Naval Surface Warfare Center)**

West Bethesda; R-200 Zone bounded by the Clara Barton Parkway on the south and west, MacArthur Boulevard on the north, and the Capital Beltway (I-495) on the east; Potomac Subregion Master Plan area

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Preliminary Plan No. 1-04034 – Ridgewood Village

R-60 Zone; 0.48 acre (20,909 square feet); two (2) lots requested (two (2) existing single-family detached dwelling units)

Community Water and Community Sewer

Located on the east side of Pinehurst Parkway, approximately 150 feet south of Greenvale Street

Policy Area: Bethesda/Chevy Chase

Applicant: Ms. Barbara Tannenbaum

Engineer: Macris, Hendricks and Glascock, P.A.

Attorney: Miller, Miller & Canby

Staff Recommendation: Approval, Pursuant to Section 50-29(b)(2) of the Montgomery County Subdivision Regulation Subject to Conditions:

******* See Discussion and Conditions of Approval in Staff Report *******

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan No. 1-04020 – Day Property

RT-8 Zone; 2 acres; one (1) lot requested (eleven (11) single-family attached dwelling units)

Community Water and Community Sewer

Located on the west side of Greencastle Road, 2000 feet south of Robey Road

Policy Area: Fairland/White Oak

Applicant: Spire Woods, LLC

Engineer: Site Solutions, Inc. Jeffrey S. Lewis, PE

Attorney: Holland & Knight William Kominers, Esq.

Staff Recommendation: Approval, subject to the following conditions:

1. Limit the development to eleven (11) single-family attached housing units
2. Satisfy the Policy Area Transportation Review components of the Adequate Public Facilities test by entering a Traffic Mitigation Agreement with the Montgomery County Planning Board and Department of Public Works and Transportation, to make a one-time lump sum payment of \$21,600 to support transit use within the Policy Area.
3. Consistent with the 1997 Approve and Adopted Fairland Master Plan, dedicate additional right-of-way along Greencastle Road to provide 40 feet of right-of-way from its centerline.
4. Coordinate the DPWT's CIP Project No. 500100, Greencastle Road, to provide roadway improvements and the proposed Class I bikeway along the entire property frontage.
5. Coordinate with DPWT/Department of Permitting Services on design requirements for the proposed site access driveway as well as on-site parking.
6. Compliance with conditions of MCDPWT letter dated, December 5, 2003 unless otherwise amended
7. Compliance with MCDPS stormwater management approval dated September 2, 2003.
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:

9. Site Plan Review No. 8-04006- Day Property

RT-8 zone, 2.0 acres; 11 lots (11 single- family attached dwelling units); on the west side of Greencastle Road, approximately 2,000 feet south of Robey Road; Fairland/White Oak.

APPLICANT: Spire Woods, LLC
ENGINEER: Site Solutions, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Preliminary Plan No. 1-04017 – Bethesda View

CBD-1 Zone; 1.74 acres; one (1) lot requested (one hundred twenty (120) multi-family dwelling units and 125,637 square feet of retail/office use)

Community Water and Community Sewer

Located on the northwest quadrant of the intersection of Wisconsin Avenue (MD 355) and Bradley Boulevard (MD 191)

Policy Area: Bethesda Central Business District

Applicant: Bradley-Wisconsin Associates Limited Partnership
Engineer: A. Morton Thomas & Associates, Inc.
Attorney: Holland & Knight LLP

Preliminary Plan No. 1-04017 – Bethesda View continued

Staff Recommendation: Approval, subject to the following conditions:

1. Approval under this preliminary plan is limited 120 multi-family dwelling units and 125,637 square feet of retail/office use
2. 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
3. Compliance with the conditions of approval of the MCDPS stormwater management approval dated December 15, 2003.
4. Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
5. Provide 50 feet of right-of-way and an additional 10 feet of easement (sidewalk and amenities) for a total of 60 feet from the centerline of Wisconsin Avenue to the face of the building for the length of parcel 923 and part of lot 1, block 2
6. Provide 50 feet of right-of-way and an additional 10 feet of easement (sidewalk & amenities) for a total of 60 feet from the centerline of Bradley Boulevard to the face of the building for the length of part of lot 1, block 2.
7. Provide for a Class II bike facility; i.e., wide curb lane along Bradley Boulevard as required by the Maryland State Highway Administration (MSHA).
8. No clearing, grading or recording of plats prior to site plan enforcement agreement approval
9. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined at site plan
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:

11. Project Plan Review No. 9-04001, Bethesda View

CBD-1 zone; 1 lot, 1.74 acres; 125,700 square feet retail/office and 75 to 120 dwelling units; northwest quadrant of the intersection of Wisconsin Avenue (MD 355) and Bradley Boulevard (MD 191); Bethesda/Chevy Chase, PA - 35

APPLICANT: Bradley-Wisconsin Associates, Limited Ptrship
ENGINEER: A. Morton Thomas & Associates, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan No. 1-03097- Hill Property

RDT Zone; 31.944 acres; one lot (1) requested (one (1) Single-family dwelling unit)

Private Well and Private Septic

Located on Bellison Road, 2500 feet West of Ridge Road (MD Rte 27)

Policy Area: Rural (Bennett & Little Bennett)

Preliminary Plan No. 1-03097- Hill Property continued

Applicant: Steven & Cynthia Durieu

Engineer: GLM Engineering, Inc.

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. Record plat to reflect the delineation of a conservation easement over approximately twenty-seven (27) acres of the property as approved by the technical staff
3. Compliance with the conditions of approval of the MCDPS stormwater management approval
4. Access and improvements, as required, to be approved by MCDPW&T prior to recording of plat
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 MCDPS (Health Dept.) septic approval
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:

13. Preliminary Plan No. 1-03059 – Baker Property

RDT Zone; 105.27 acres; four (4) lots requested (four (4) single-family detached dwelling units)

Private Well and Private Septic

Located on the northwest quadrant of the intersection of Cattail Road and Darnestown Road (MD 28)

Policy Area: Rural (Poolesville Vicinity)

Applicant: Warren J. Baker

Engineer: Thomas A. Maddox

Staff Recommendation: Approval, subject to the following conditions:

1. All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Poolesville Master Plan unless otherwise designated on the preliminary plan
2. Compliance with conditions of MCDPS (Health Dept.) septic approval dated November 18, 2003.
3. Compliance with conditions of MCDPWT approval dated May 9, 2003 unless otherwise amended.
4. Compliance with MCDPS stormwater management approval dated February 21, 2003.
5. 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
6. Record plat to reflect the establishment of a 25' wide Public Use Trail Easements to facilitate equestrian use per the Woodstock Park Master Plan along the northwest boundary of Lots 3 and 4 from Lot 2 to Route 28 and along the southern side of Lot 3 from Cattail Road to the lot's western lot boundary. The easements are to be adequately marked and identified by appropriate signage.
7. Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Record Plats

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.

- 2-04110 Silver Crest, Lot 7, Block C
RC Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Damascus
William and Sandra Rogers, Applicant
- 2-04137 Jacksons Acres, Lot 18 & 19, Block 4
R-90 Zone, 2 Lots
Community Water, Community Sewer
Planning Area: White Oak
Oak Hill Construction, Applicant
- 2-04140 Rocky Gorge Meadows, Lots 67-72, & Parcel "B"
RC Zone, 6 Lots, 1 Parcel
Private Well, Private Septic
Planning Area: Olney
Larry Thompson, 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.

- 2-04067 Manor Park, Lot 200, Section 2
14701 Carrolton Road
R-200 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Aspen Hill
Mr. Paul Amico, Applicant
- 2-04136 Dawsonville Mennonite Church
16500 Whites Ferry Road
R-200 Zone, 1 Lot
Private Well, Private Septic
Planning Area: Agricultural & Rural Open Space
The Dawsonville Mennonite Church, Inc., Applicant

Record Plats continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

15. Blockhouse Point Conservation Park Master Plan - Public Hearing.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: