

Agenda for Montgomery County Planning Board Meeting
Thursday, February 19, 2004, 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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Comments on the County Executive's Recommended Capital Improvements Program (CIP) for FY 05-10**

Staff Recommendation: Transmit comments to the County Council.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Site Plan Review No. 8-03012, Traville Parcels I & J including Final Water Quality Plan**

MXN zone; 11.4 acres; 90,009 gross square feet commercial office; on Shady Grove Road, approximately 1,500 feet east of Silver Bell Terrace; Travilah & Vicinity, PA-25 – *Deferred from Planning Board Meeting October 23, 2003.*

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **Preliminary Plan No. 1-04010 – Hermitage Park
Resubdivision**

R-90 Zone; 0.49 acre; two (2) lots requested; two (2) single-family detached dwelling units
(one [1] existing)

Community water community sewer

Located on the north side of Hewitt Avenue, southwest of Bluff Point Lane.

Policy Area: Aspen Hill

Applicant: Olympus Real Estate Group, LLC

Engineer: P.G. Associates, Inc.

Staff Recommendation: Denial, pursuant to section 50-29 (b)(2) of the Montgomery
County Subdivision Regulations

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Preliminary Plan No. 1-04011 – Meadowsweet

RNC Zone; 70.5 acres; thirty-two (32) lots requested; thirty-two (32) single-family detached dwelling units

Community water and community sewer

Located in the northwest quadrant of the intersection of Olney-Sandy Spring Road (MD 108) and Brooke Road

Policy Area: Olney and Vicinity

Applicant: Pulte Homes

Engineer: Rodgers Consulting, Inc.

Attorney: Linowes & Blocher

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to a maximum of 32 new single-family dwellings
- 2) Satisfy the PATR component of the APF test by entering into a TMA with MCPB and DPWT to sponsor and implement a trip reduction program for 12 years
- 3) Dedicate along site frontage and across parcel P444 to provide:
 - a.) 40 feet of right-of-way from the centerline of Olney-Sandy Spring Road (MD 108),
 - b.) 35 feet of right-of-way from the centerline of Brooke Road, and
 - c.) 30 feet of right-of-way from the centerline of Marden Lane.
- 4) Provide a public access and maintenance easement across P444 for a Class I bikeway.
- 5) Provide a continuous eight-foot Class I bikeway along the north side of MD 108 (and across parcel P444) between Sherwood Elementary School/eastern property line and the western property line at parcel P587.
- 6) Provide a five-foot sidewalk along site frontage to the west side of Brooke Road and an eight-foot bikeway within the portion of the property to the east side of Brooke Road.
- 7) Provide a 15-foot public easement and a pedestrian connection to Sherwood Elementary School from Meadowsweet Drive (between Lots 11 and 12) through coordination with Montgomery County Public Schools (MCPS) and Sherwood Elementary School.
- 8) Provide a 15-foot public easement (between Lots 6 and 7) for a possible future connection to the Ligon Property located to the east of the subject property.
- 9) Provide a 15-foot public easement (between Lots 21 and 22) and access to the trail to the north of the property from Meadowsweet Court.
- 10) Per requested waiver, provide adequate pedestrian circulation within the site along the internal residential streets by constructing sidewalks on at least one side of the internal streets.
- 11) Per requested waiver, provide a modified, reduced radius (with a minimum outside radius of 40 feet) cul-de-sac on Meadowsweet Drive.

Preliminary Plan No. 1-04011 – Meadowsweet (continued)

- 12) Coordinate with the Maryland State Highway Administration, DPWT (per letter dated November 21, 2003), Department of Permitting Services, and MCPS/Sherwood Elementary School, as needed, to facilitate construction of the above bikeways, sidewalks, sidewalk connections and cul-de-sac, and to provide necessary easements.
- 13) All road right-of ways 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. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By _____" are excluded from this condition
- 14) 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
- 15) Record Plat to reflect a Category I easement over all areas of forest conservation and stream valley/wetland buffers
- 16) All documents specific to the activities and limitations of equestrian uses on Parcels C, D, and E, shall be recorded prior to recordation of plat(s) and referenced on final record plat(s)
- 17) Compliance with conditions of MCDPWT letter dated, November 21, 2003 and as amended December 31, 2003
- 18) Provide a 15-foot wide Public Use Trail Easement from the development's entrance off of Brooke Road to the southern boundary of the subject property at Route 108 near or adjacent to the Sherwood Elementary School property. Final alignment approximately as shown on Preliminary Plan Revised on October 13, 2003, except final adjustments as needed to avoid sensitive areas to be coordinated with Park and Planning and Resource Analysis staff prior to record plat.
- 19) Provide a 15-foot wide Equestrian Trail Easement and a 4-foot wide natural surface trail starting at the northeast boundary (Brooke Road) and following the wetland buffer to the northeast property boundary of Parcel 119
- 20) Provide an 8-foot wide Class bikeway and a 4-foot wide natural surface equestrian trail from the eastern boundary of Parcel 587 to the western driveway of Sherwood Elementary School, on the north side of MD 108
- 21) Provide a 15-foot wide Equestrian Trail Easement along the entire east boundary of the subject property adjacent to Brooke Road as shown on the Preliminary Plan Revised on October 13, 2003
- 22) Provide a 4-foot wide natural surface trail within the Trail Easements.
- 23) Easements and trail to be adequately identified and signed to mark their location.
- 24) Public Use Trail Easements and trail access to be provided from Meadowsweet Court and at the end of Meadowsweet Drive to the HOA rural open space parcels D and E.
- 25) The final alignment of all proposed trails to be field located by MNCPPC staff prior to construction of trails
- 26) No clearing, grading or recording of plats until approval of site plan signature set
- 27) Final approval of the number and location of dwelling units, sidewalks, bikepaths and easements will be determined at site plan
- 28) The Adequate Public Facilities (APF) review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion

Preliminary Plan No. 1-04011 – Meadowsweet (continued)

- 29) 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
- 30) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Site Plan Review No.8-04004, Meadowsweet

RNC Zone; 70.5 acres; 32 single-family detached dwelling units; northwest quadrant of the intersection of Olney-Sandy Spring Road (MD 108) and Brooke Road; Sandy Spring/Ashton

APPLICANT: Pulte Homes

ENGINEER: Rodgers Consulting, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Preliminary Plan No. 1-04041 – Arlington East

C-2 zone; 2.5 acres; one hundred eighty (180) multi-family dwelling units, including twenty-three (23) moderately priced dwelling units, 10,359 square feet of indoor restaurant space, 44,283 square feet of general retail space, 470 underground parking spaces

Community sewer and community water

Located in the northeast quadrant, of the intersection of Arlington Road and Bethesda Avenue

Policy Area: Bethesda – Chevy Chase

Applicant: Street Retail, Inc. c/o Federal Realty Investment Trust

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

Attorney: Holland & Knight, LLP c/o Patricia Harris

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 180 housing units and 65,000 square feet of retail
- 2) Provide 40 feet of right-of-way from the centerline of Arlington Road
- 3) Provide 30 feet of right-of-way from the centerline of Elm Street
- 4) Provide 30 feet of right-of-way from the centerline of Bethesda Avenue
- 5) Prohibit left turn movements from the parking garage onto Elm Street. The applicant will be responsible for providing and maintaining standard “No Left Turn” signing.
- 6) Prohibit left turn movements from Festival Street onto Bethesda Avenue. The applicant will be responsible for providing and maintaining standard “No Left Turn” signing.
- 7) Provide a “drop off” area on Arlington Road by recessing the building for the full 70 feet length of the “drop off” area to maintain a safe 15-foot pedestrian passageway in front of the building.
- 8) Prohibit daily traffic from entering the Festival Street between 6:00 PM and 8:00 AM daily. This street is one-way from north to south. The applicant will be responsible for providing and maintaining standard “Do Not Enter 6:00 PM – 8:00 PM” signing.
- 9) Provide a small “offsite” improvement to the northwest corner of Arlington Road and Elm Street to create a larger level, paved pedestrian area by installing pavers behind the existing signal controller box to facilitate pedestrian movements on the corner.
- 10) Provide bicycle parking as follows: 2 bike racks on Bethesda Avenue frontage; 2 bike racks on Elm Street frontage; 1 bike rack on Arlington Road frontage; 1 bike rack within the garage.
- 11) 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
- 12) 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 plan, “To Be Constructed By _____,” are excluded from this condition.

Preliminary Plan No. 1-04041 – Arlington East (continued)

- 13) Access and improvements required to be approved by MCDPWT prior to recordation of plat
- 14) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 15) Final approval of the number and location of buildings, dwelling units (including MPDUs), on-site parking, site circulation, and sidewalks will be determined at site plan
- 16) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 17) 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.
- 18) 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
- 19) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Site Plan Review No. 8-04014, Arlington East

C-2 zone; 2.5 acres; 180 multi-family dwelling units, including 23 MPDUs on site, 10,359 square feet indoor restaurant space, 44,283 square feet general retail space, 470 underground parking spaces; northeast quadrant of the intersection of Arlington Road and Bethesda Avenue; Bethesda – Chevy Chase & Vicinity, PA – 35

APPLICANT: Street Retail, Inc.

ENGINEER: Macris, Hendricks & Glascock, P.A.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan No. 1-04025 – Woodglen Commons

C-2 Zone; 3.648 acres; one (1) lot requested; 230,200 square feet of commercial retail and office use

Community water and community sewer

Located on the west side of Rockville Pike (MD 355), approximately 200 feet north of Security Lane

Policy Area: North Bethesda

Applicant: JBG/Park International, LLC

Engineer: Johnson Bernat Associates, Inc.

Attorney: Lerch Early & Brewer

Staff Recommendation: Approval, subject to the following conditions:

- 1) Limit the preliminary plan up to 118,000 square feet of general retail use and 112,200 square feet of general office use
- 2) Record plat to reflect 80 feet of right-of-way for Executive Boulevard as “easement for future dedication;” dedication of entire right-of-way to occur when buildings within right-of-way are removed
- 3) Construct a new southbound left-turn lane in the existing median along Rockville Pike's (MD 355) opposite Fitzgerald Automall near the site's proposed northern driveway and extend the existing northbound left-turn lane into the proposed site driveway/future Executive Boulevard right-of-way, as coordinated with the Maryland State Highway Administration (SHA).
- 4) Per Section 59-E.2.3 of the Zoning Ordinance, provide one bicycle rack or locker per 20 automobile spaces not to exceed 20 bicycle racks or lockers for the parking lot shown on the preliminary plan as coordinated with Transportation Planning staff regarding their location and type
- 5) Enter into a traffic mitigation agreement with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the North Bethesda Transportation Management District (TMD) to assist in achieving and maintaining their trip reduction goals
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 7) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 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

Preliminary Plan No. 1-04025 – Woodglen Commons (continued)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan No. 1-04043 – Carl Property

RE-2 Zone; 12.94 acres; four (4) lots; four (4) single-family detached dwelling units

Community water and private septic

Located on the north side of Brink Road, approximately 1000 feet west of Cozy Court

Policy Area: Goshen

Applicant: Goshen Enterprises, Inc.

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

Attorney: Lerch Early & Brewer

Staff Recommendation: Approval, including waiver of frontage for two lots, 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

Preliminary Plan No. 1-04043 – Carl Property (continued)

- 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 Master Plan unless otherwise designated on the preliminary plan
- 3) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 4) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 5) Public Use Trail Easement alignment from Brink Road to existing MNCPPC property to be field located by MNCPPC staff prior to recordation of plat(s)
- 6) The area to be dedicated to MNCPPC shall be delineated and referenced on the record plat.
- 7) Conveyance of dedication areas to MNCPPC to occur prior to recordation of plats
- 8) Dedicated parkland and easements to be adequately signed and demarcated
- 9) Prior to recording of plat Planning Board approval of waiver resolution for lot frontages
- 10) Compliance with conditions of MCDPS (Health Dept.) septic approval
- 11) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 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) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. 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.

- 2-04196 River Bend, Lot 4
East side of River Road (MD 190), across from Smokey Quartz Lane
RE-1 Zone, 1 lot
Community water, community sewer
Planning Area: Potomac
Daniel Snyder, Applicant

- 2-04197 Cabin John Park, Lot 207
7706 Tomlinson Avenue
R-90 Zone, 1 lot
Community water, community sewer
Planning Area: Bethesda Chevy Chase
Roger & Amy Mermelstein, Applicant

- 2-04198 Fairland Heights, Lot 16, Block C
End of Westwind Drive, approximately 500 feet east of Starcrest Drive
R-200 Zone, 1 lot
Community water, community sewer
Planning Area: Fairland
Reza Rakhshan, Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Mandatory Referral No. 03306-DPWT-2

Compressed Natural Gas Fueling Facility at the Equipment Maintenance Operation Center, Shady Grove, located at 16630 Crabbs Branch Way, Rockville, MD -

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Maryland Transit Administration Bi-County Transitway Study: Purpose and Need Document

for Bethesda to New Carrollton Corridor -

Staff Recommendation: Provide comments to Maryland Transit Administration.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: