

**Agenda for Montgomery County Planning Board Meeting**  
**Thursday, April 1, 2004, 9:30 A.M.**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

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Roll Call Approval of Minutes: November 13, 2004 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. Biannual Report – Discussion
- C. Washington Gas Special Exception – Parks
- D. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section (10-508)(3) (consider acquisition of real property for a public purpose) (Subject: Great Seneca Stream Valley Park)*
- E. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (Subject: Sandy Spring Friends School)*
- F. Bethesda Theatre Project – *Discussion of release of historic preservation bond.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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1. **Consent Item: Kings Local Park**

Authorization to convey 2.893 acres to the Board of Education of Montgomery County and 0.93 acres to Terrarook Clarksburg, LLC, to create a park/school site serving the Clarksburg Town Center

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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2. **Great Seneca Stream Valley Park**

Authorization to acquire 7.2 acres, more or less, unimproved, from Farm View, LLC, located east of Farmview Lane, west of Woodfield Road, north of Gaithersburg, MD

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**3. Great Seneca Stream Valley Park**

Authorization to acquire 6.2 acres, more or less, unimproved, from Seneca Overlook, LLC, located east of Poplar Creek Court, west of Woodfield School Road, north of Gaithersburg, MD

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**4. Review and Approval of a proposed memorial at Brookside Gardens for the victims of the October 2002 sniper shootings in the Washington, DC region**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**5. Site Plan Review No. 8-04011, Mary Boland Subdivision, Lots 82-86**

R-60/TDR zones; 6.27 acres; 45 townhouses including 6 MPDUs and 29 TDRs; on Frederick Road, approximately 1,600 feet north of Middlebrook Road; Germantown & Vicinity, PA-19

APPLICANT: U.S. Home

ENGINEER: Dewberry

**Staff Recommendation:** *Approval with conditions.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

6. **Worksession No. 3: Shady Grove Sector Plan** - Land use recommendations for the entire planning area, with specific recommendations for the Metro Neighborhoods (No testimony will be taken at this time)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**7. Pre-Preliminary Plan No. 7-04014 – Garrett Park (Resubdivision)**

R-90 Zones; 18,313 square feet; one (1) lot requested; one (1) single-family dwelling unit (existing)

Community water and community sewer

Located on the east side of Kenilworth Avenue approximately 250 feet southwest of intersection with Rokeby Avenue

Policy Area: Kensington/Wheaton

Applicant: John Siegel

Engineer: O’Connell & Lawrence, Inc.

**Staff Recommendation:** No objection to the submission of a preliminary plan application

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

8. **Preliminary Plan No. 1-03106 – Montco’s Addition to Damascus**

RE-2C Zone; 19.338 acres; two (2) lots requested; two (2) single-family detached dwelling units

Community water and private septic

Located on the north side of Bethesda Church Road; approximately 2,800 square feet northwest of Ridge Road (MD 27)

Policy Area: Damascus

Applicant: Richard W. Redman

Engineer: Vanmar Assoc., 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 a Category I easement over all areas of stream valley buffers and/or forest conservation as shown on the approved preliminary forest conservation plan.
- 3) Compliance with conditions of approval of the MCDPS (Health Dept.) approval letter.
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval.
- 5) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s).
- 6) 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.
- 7) Other necessary easements.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Preliminary Plan No. 1-04044 – Good Earth Garden Center**

R-200 Zone; 4.0038 acres; one (1) lot requested for a horticultural nursery and landscape contractor

Community water and community sewer

Located on the southwest corner of Glen Road and Falls Road (MD189)

Policy Area: Potomac

Applicant: Nick Despotides

Engineer: CAS Engineering

Attorney: Norman Knop

**Staff Recommendation:** Approval, subject to the following conditions:

- 1) Applicant is bound by all conditions of approval for Board of Appeals Case No. S-1400-B
- 2) Dedication (60 ft. from centerline) on Falls Road (MD 189) as shown on the approved preliminary plan. The existing structures within the future right-of-way shall be placed in an easement for future dedication as approved by Maryland State Highway Administration. At the time of removal of structures within the easement area, the easement area will be conveyed to MDSHA
- 3) The term “denied access” is to be placed on the final record plat along the property that abuts MD 189
- 4) Compliance with the conditions of approval of the MCDPS stormwater management approval dated March 25, 2003
- 5) Compliance with conditions of approval of MCDPWT letter
- 6) Access and improvements as required to be approved by MCDPWT prior to recordation of plat
- 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) 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
- 9) Other necessary easements



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**Preliminary Plan No. 1-04044 – Good Earth Garden Center** (continued)**BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action:**

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**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.

- 2-04228      Hoyles Mill Village  
West side of Schaffer Road, between Richter Farm and Clopper Road  
R-200 Zone, 15 lots, 2 parcels  
Community water, community sewer  
Planning Area: Germantown  
Richmond American Homes of Maryland, Applicant
- 2-04229      United Therapeutics' Addition to Silver Spring  
At the corner of Spring Street and Cameron Street  
CBD-1 Zone, 1 lot  
Community water, community sewer  
Planning Area: Silver Spring  
United Therapeutics, Inc., Applicant
- 2-04230      Potomac Country Corner  
South side of Darnestown Road (MD 28), Southeast corner of Darnestown  
and Hunting Lane  
R-200/TDR Zone, 29 lots, 2 parcels  
Community water, community sewer  
Planning Area: Potomac Subregion  
Porten Companies, Applicant

**Record Plats (continued)**

2-04232 Lucas Property  
Northwest corner of Heil Road and New Hampshire Avenue  
R-200 Zone, 4 lots  
Community water, community sewer  
Planning Area: Cloverly/Norwood  
Lucas Enterprises, Applicant

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**11. Revisions to the Local Area Transportation Review Guidelines –**

**Staff Recommendation:** Approval of staff draft for public comment period.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**