

Agenda for Montgomery County Planning Board Meeting
Thursday, May 6, 2004, 9:30 A.M.
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call 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 Funds FY04 nine-month Financial Report including projections to June 30, 2004
- C. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a)(7) (consult with counsel to obtain legal advice) (Subject: Legislation)*
- D. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a)(7)(consult with counsel to obtain legal advice) (Subject: Housing Opportunities on Park Property revised)*
- E. *Proposed Closed Session pursuant to Maryland Government Code Annotated Section (10-508) (a)(13) (to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter) (Subject: Approval of Closed Session minutes)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Consent Item:** Six reservations of Land for Public Use for the Intercounty Connector, Mid-County Highway (M-83), and Oakmont Avenue

Staff Recommendation: Approve reservations.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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2. **Forest Conservation Plan for Board of Appeals No. S-687-F: Bullis School, Inc.**

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Board of Appeals Petitions S-687-F and S-687-G

Bullis School, Inc. applicant, requests modifications of a special exception to operate a private educational facility; modifications are to the school master plan and to summer camp and special activity programs; RE-2 Zone; 10601 Falls Road, Potomac

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Shady Grove Sector Plan Public Hearing Draft - Worksession No. 5: Transportation, Schools, Parks, and Environmental Recommendations.

(No public testimony will be taken at this time.)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. Site Plan Review No. 8-99024A, Shady Grove Adventist Hospital

LSC zone; 25.28 acres; 203,262 square feet hospital proposed; west quadrant of the intersection of Medical Center Drive and Medical Center Way; Gaithersburg & Vicinity, PA-20

APPLICANT: Adventist Healthcare, Inc.

ENGINEER: Harris, Smariga & Associates, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Site Plan Review No. 8-04008, Potomac Ridge Behavioral Health

LSC zone; 11.02 acres; 650 square feet institutional, parking with walkway; on Broschart Road, approximately 1100 feet northeast of Medical Center Drive, Gaithersburg & Vicinity, PA-20

APPLICANT: Potomac Ridge Behavioral Health

ENGINEER: Harris, Smariga & Associates, Inc.

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. **Site Plan Review No. 8-04024, Bethesda View Condominiums**

CBD-1 zone; 1.7 acres; 92 residential dwelling units, 81,237 square feet existing retail space, 44,146 square feet proposed new retail space; optional method development, with curb realignment on Strathmore Street, northwest quadrant of the intersection of Wisconsin Avenue (MD 355) and Bradley Boulevard (MD 191); Bethesda – Chevy Chase & Vicinity, PA-35

APPLICANT: Greg Fernebok, President

ENGINEER: Max Kantzer, Project Manager

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Presentation on Canada Dry Building Historical Documentation by National Park Service Staff and Volunteers.**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Board of Appeal No. SE-3-04

Kamini Wayal, applicant, requests a special exception to permit operation of a child day care facility; R-20 zone; 11628 Lockwood Drive #T2, Silver Spring

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Olney Master Plan Public Hearing Draft - Worksession No. 8: Silo Inn recommendations

Staff Recommendation: Discussion. (No public testimony will be taken at this time.)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Preliminary Plan No. 1-04029 – Eton Square

R-60/TDR-12 Zone; 10.88 acres; 126 lots requested; 126 one-family attached dwelling units, 16 MPDUs

Community water and community sewer

Located at the southwest quadrant, intersection of Frederick Road (MD 355) and Oxbridge Road

Policy Area: Germantown East

Applicant: Porten Homes

Engineer: Loiderman Soltesz Associates, Inc.

Attorney: Linowes and Blocher

Staff Recommendation: Approval, including a waiver of the of the maximum number of single-family attached units pursuant to 59-C-1.621 and subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 126 dwelling units
- 2) The applicant will provide for trip mitigation measures as outlined in the April 27, 2004 Transportation Planning memorandum and to include the provision of two bus shelters and 260 feet of sidewalk
- 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) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 5) 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
- 6) All road rights-of way 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
- 7) Compliance with the conditions of approval of the MCDPS stormwater management approval dated February 20, 2004
- 8) Compliance with conditions of MCDPWT letter dated, February 23, 2004, prior to recordation of plat(s)
- 9) Compliance with conditions of State Highway Administration letter dated, November 6, 2003, prior to issuance of access permits
- 10) Record plat to provide for dedication of 150 feet of right-of-way from opposite right-of-way line of Frederick Road (MD 355)
- 11) Record Plat to reflect all areas under Homeowners Association ownership and stormwater management areas
- 12) No clearing, grading or recording of plats prior to site plan enforcement agreement approval unless approved as part of the site plan

Preliminary Plan No. 1-04029 – Eton Square (continued)

- 13) Final approval of the number and location of dwelling units, on-site parking, site circulation, sidewalks, and bikepaths 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) Final number of MPDUs as per condition #11 above to be determined at the time of site plan
- 16) 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
- 17) 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
- 18) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan No. 1-04054 – Twinbrook Commons

TS-R Zone; 16.61348 acres (portion within Montgomery County.); one (1) lot requested; 1,114 multi-family dwelling units, 140 MPDUs

Community water and community sewer

Located at the west quadrant, intersection of Fisher's Lane and Twinbrook Parkway

Policy Area: Twinbrook

Applicant: Twinbrook Commons, LLC

Engineer: VIKA, Inc.

Attorney: Holland & Knight

Staff Recommendation: Approval, subject to the following conditions:

- 1) Approval under this preliminary plan is limited to 1,114 dwelling units (690 high rise and 424 garden apartments.) and 140,000 gross square feet of retail
- 2) Compliance with the conditions of approval of the Transportation Planning memorandum dated April 28, 2004
- 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. Final forest conservation plan will be required at Site Plan
- 4) 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
- 5) All road rights-of-way 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
- 6) Compliance with the conditions of approval of the MCDPS stormwater management approval dated April 26, 2004
- 7) Compliance with the conditions of approval of the MCDPWT letter dated, April 19, 2004
- 8) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 9) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 10) Final number of MPDUs as per condition # 7 above to be determined at the time of site plan
- 11) This preliminary plan will remain valid for a 12-year extended validity period beginning from the approval date (the date of mailing of the Planning Board opinion). The phasing schedule will be as follows:
 - Phase I: expires 37 months from the approval date – 20,000 square feet of retail and 250 residential units

Preliminary Plan No. 1-04054 – Twinbrook Commons (continued)

Phase II; expires 73 months from the approval date – 30,000 square feet of retail and 250 residential units

Phase III: expires 109 months from the approval date – 40,000 square feet of retail and 250 residential units

Phase IV: expires 145 months from the approval date – 50,000 square feet of retail and 364 residential units

- 12) Other necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. **Preliminary Plan No. 1-03003 – Ancient Oak West (Resubdivision)**

R-200 Zone; 2.4322 acres; one (1) lot requested; one (1) one-family detached dwelling unit,
Community water and private septic

Located on the east side of Chestnut Oak Drive, approximately 2000 feet east of Darnestown Road

Policy Area: Potomac Subregion

Applicant: Robert L. Ear

Engineer: Jerome J. Norris & Associates.

Staff Recommendation: Approval, pursuant to Section 50-29 (b)(2) of the Montgomery County Subdivision Regulation (Resubdivision Criteria) and subject to conditions:

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Record Plats and Resolutions

Staff Recommendation:

Pursuant to section 49-67A and 50-15 of the Montgomery County Code, the following resolution is recommended for approval subject to conformance with all requirements of Chapter 50 of the Montgomery County Code.

Resolution # MCPB 04-07AB, Giancola Quarry (abandonment)
 On the north side of River Road (MD190), northeast of Old Seven Locks Road, south of Shawfield Drive
 R-200/TDR Zone, 30 lots
 Community water, community sewer
 Planning Area: Potomac
 Giancola Quarry, Applicant

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

Resolution # MCPB 04-08, Jamison Property (waiver of frontage)
 On the west side of Darnestown Road (MD28); approximately 2,500 feet east of Beallsville Road (MD 109)
 RDT Zone, 5 lots
 Private well, private septic
 Planning Area: Poolesville & Vicinity
 Charles T. & K.B. Jamison, Applicant

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.

2-04248 Wheel of Fortune
 to Between Seven Locks Road and Interstate 270, north of Montrose Road and south of Wootton Parkway

2-04252 I-3 Zone, 12 parcels
 Community water, community sewer
 Planning Area: Rockville
 Fortune Parc Development Partners, Applicant

2-04253 Greenway Village
 South side of Cypress Spring Road, between Sycamore Farm Drive and Chestnut Glen Road
 PD-4 Zone, 3 parcels
 Community Water, Community Sewer
 Planning Area: Clarksburg & Vicinity
 The Artery Group, Applicant

Record Plats and Resolutions (continued)

2-04254 Clarksburg Town Center
Northeast corner of Clarksridge Road and Clarksburg Square Road
RMX Zone, 7 lots, 1 parcel
Community water, community sewer
Planning Area: Clarksburg & Vicinity
Josh Davila, Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: