

Agenda for Montgomery County Planning Board Meeting
Thursday, November 18, 2004, 9:30 A.M.

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

<p>Roll Call Approval of Minutes: May 20, 2004 Commissioners' Reports Directors' Reports Reconsideration Requests Adoption of Opinions</p>	
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GENERAL MEETING (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. Montgomery County Park Acquisition and Development General Obligation Bonds, Series FF-2 and Montgomery County Advance Land Acquisition General Obligation Bonds of 2004 -- Award of Bonds
- C. Transmit to the County Executive and County Council a New Project Description Form (PDF) for inclusion in the FY05-10 Capital Improvements Program (CIP) to provide advance authorization for expenditure of grant and donation funds within predetermined limits – *Approval.*
- D. *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)*
- E. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (7) (consult with counsel to obtain legal advice) (Legislation)*
- F. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (7) (consult with counsel to obtain legal advice) (Subject: ICC)*
- G. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (7) (consult with counsel to obtain legal advice) (Subject: Lease Amendments – Tennis Center at South Germantown Recreational Park)*
- H. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508) (a) (7) (consult with counsel to obtain legal advice) (Subject: Black Hill Regional Park/New Sewer Outfall Project #84.46B)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Local Map Amendment No. G-822: Oxbridge Development at Rock Creek LC**

Applicant, requests reclassification of 5.68 acres of land from the R-200 and R-90 zones to the RT-8-zone for 30 townhouses on Parcels P895 and N951, located on the west side of Baltimore Road, Rockville

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Park and Enterprise Fees

Staff Recommendation: Approval of FY06 Park Fund Fees and Enterprise Fees.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Final Water Quality Plan for Mandatory Referral No. 04309-MCPS-1

Clarksburg/Damascus Elementary School No. 7- 23930 Burdette Forest Road, Clarksburg
Master Plan and Hyattstown Special Study Area

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Mandatory Referral No. 04309-MCPS-1

Clarksburg/Damascus Elementary School No. 7 - 23930 Burdette Forest Road, Clarksburg
Master Plan and Hyattstown Special Study Area

Staff Recommendation: Approval to Transmit Comments to MCPS.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. POSTPONED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Preliminary Plan No. 1-00076E – Independence of Privacy World (Request for an extension to the validity period)**

RT Zone; 4.3589 acres; 122 multi family elderly housing units and an 8,585 square foot day care facility with a maximum enrolment of 73 children (previously approved)

Community water and community sewer

Located on the west side of Layhill Road (MD 182), north of Glen Allen Avenue

Applicant: Edgewood Hill Associates

Engineer: Lerch, Early & Brewer

Planning Area: Aspen Hill

Staff Recommendation: Grant extension to September 25, 2005

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Preliminary Plan No. 1-05015 Nottingham

R-200 Zone; 7 acres; six (6) lots requested; six (6) single family detached dwelling units

Community water and community sewer.

Located on the east side of Old Bonifant Road, approximately 400 feet northwest of New Hampshire Avenue (MD 650)

Applicant: Heller Properties, L.L.C.

Engineer: Maddox Engineers and Surveyors, Inc.

Planning Area: Cloverly

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 forest conservation, if applicable
- 3) Compliance with conditions of MCDPWT letter prior to access permits
- 4) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 5) Compliance with the conditions of approval of the MCDPS stormwater management approval dated July 8, 2004.
- 6) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 7) Other necessary easements.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Preliminary Plan No. 1-04088 Boyds Highland (Resubdivision)**

RE-2 Zone; 10 acres; Two (2) lots requested; Two (2) Single family detached dwelling units

Private well and septic

Located on Barnesville Road, approximately 500 feet southeast of Slidell Road

Applicant: William P. Kamachaitis

Engineer: Benning and Associates

Planning Area: Boyds

Staff Recommendation: Approval, subject to conditions:

***** See discussion and conditions in Staff Report *****

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Resolution**

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

Resolution # MCPB 04-[TBD], United Therapeutics
Intersection of Cameron and Spring Street
CBD-1 Zone, 2 Lots
Community Water and Community Sewer
Planning Area: Silver Spring CBD
United Therapeutics Corporation, Applicant

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.

2-05083 Gibbs and Kosacks Addition to Takoma Park
Northwest corner of Public Alley and Orchard Avenue
C-2/CROZ Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Takoma Park
Daniel S. Robinson, Applicant

2-05086 Fairview Estates
West side of Randolph Road, approximately 200' south of Appleby Drive
R-90 Zone, 3 Lots
Community Water, Community Sewer
Planning Area: Colesville/White Oak
Heller Realty, L.L.C., Applicant

2-05088 Woodside
Northeast side of Second Street, approximately 400' north of Ballard Street
R-60 Zone, 3 Lots
Community Water, Community Sewer
Planning Area: Silver Spring
Patrick T. Stingley, Applicant

2-05088 Jordan and Smith's addition to Silver Spring
South side of Wayne Avenue, between Georgia Avenue and Fenton Street
CBD-2 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Silver Spring
930 Wayne Avenue, LP, Applicant

2-05090 Kings Crossing

East side of Bubbling Spring Road, opposite Autumn Rust Road
R-200 Zone, 7 Lots
Community Water, Community Sewer
Planning Area: Germantown
Richmond American Homes of Maryland, Applicant

Staff Recommendation: Pursuant to section 50-35A, the following minor subdivision plats are recommended for approval subject to any applicable conditions of previous preliminary plans approvals and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code.

- 2-05080 McAuley Park
South of White Post Court, east side of Kendale Road
R-200 Zone, 2 Lots
Community Water, Community Sewer
Planning Area: Potomac
James A. Soltesz, Applicant
- 2-05081 Edgemoor
Northwest corner of Elm Street and Fairfax Road
R-90 Zone, 2 Lots
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Sandy Spring Builders, Applicant
- 2-05082 Chevy Chase
North of Walsh Street, approximately 600' west of East Avenue
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Sheila & Anders Johansson, Applicant
- 2-05084 Rollingwood
East side of Brennon Lane, approximately 100' north of Winnett Road
R-60 Zone, 1 Lot
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
David Kaplan, Applicant
- 2-05085 Bannockburn
Southwest side of Crathie Lane, approximately 100' east of Ethalbert Road
R-60 Zone, 2 Lots
Community Water, Community Sewer
Planning Area: Bethesda-Chevy Chase
Sam Brightman, Applicant
- 2-05087 Springbrook Forest
Northwest corner of Brookhaven Drive and Stonington Road

R-200 Zone, 2 Lots
Community Water, Community Sewer
Planning Area: Kemp Mill-Four Corners
Macris, Hendricks and Glascock, P.A., Applicant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Worksession #3 Woodmont Triangle Sector Plan Amendment**

Review Final Plan

Staff Recommendation: Approve to transmit comments to the County Council. (No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Silo Inn Property – Permit No. 337171

M-NCPPC recommendation to Montgomery County Department of Permitting Services (DPS) regarding validity of adequate public facilities determination

Staff Recommendation: Authorize Transportation Planning Division Staff to transmit recommendation to DPS that a new adequate public facilities determination is required.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

**12. Forest Conservation Plan for WSSC Project # S-84.46: Cabin Branch Team
(Continued from October 28 Planning Board Meeting)**

Applicant, on behalf of WSSC, requests approval of the Forest Conservation Plan for the installation of a 24-inch diameter, gravity feed sewer line for 4,129 linear feet; located west of a unnamed stream that parallels I-270 in Black Hill Regional Park

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

13. Preliminary Plan No. 1-05020 Fairland Golf Course

PD-2 Zone; 313.94 acres; 346 single family detached dwelling units, 34 single family attached dwelling units, 16 single family semi-attached dwelling units, including 50 MPDU's and an 18-hole golf course

Community water and community sewer

Located approximately 100 feet north of Old Gunpowder Road, south of sandy Spring Road (MD 198), approximately 100 feet east of Greencastle Road and including a portion of Fairland Recreational Park and Gunpowder Golf Course in Fairland, in Fairland, on the Montgomery and Prince George County line

Applicant: Artery Ryland Fairland, LLC

Engineer: Dewberry and Davis

Attorney: Linowes and Blocher

Planning Area: Fairland

Staff Recommendation: Approval, subject to conditions:

***** See discussion in Staff Report *****

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

14. Site Plan Review No. 8-05006, Fairland Golf Community

PD-2 zone; 313.94 acres; 346 one-family detached units, 34 one-family attached units, 16 semi-detached units, including 50 MPDUs and an 18-hole golf course with associated improvements; located approximately 100 feet north of Old Gunpowder Road, south of Sandy Spring Road (MD 198), approximately 100 feet east of Greencastle Road, and including a portion of Fairland Recreation Park and Gunpowder Golf Course in Fairland; Fairland Master Plan

APPLICANT: Artery Ryland Fairland, LLC
ENGINEER: Dewberry

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: