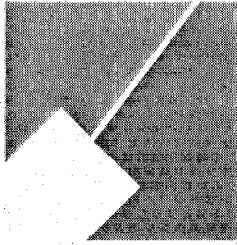


M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, [www.mncppc.org](http://www.mncppc.org)

**MCPB**  
**Item # 14**  
**07/06/06**

**MEMORANDUM**

**DATE:** June 13, 2006

**TO:** Montgomery County Planning Board

**FROM:** Catherine Conlon, Supervisor *CAC*  
Development Review Division  
(301) 495-4542

**SUBJECT:** Resolution MCPB-06-05 and Informational Maps and Summary of Record  
Plats for the Planning Board Agenda for July 06, 2006

---

Resolution MCPB 06-05 and five record plats are recommended for APPROVAL. The five record plats are 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. Attached are the resolution and specific recommendations and copies of plat drawings for record plats. The following resolution and plats are included:

Resolution # MCPB 06-05  
220061020 Lutheran Church of St. Andrews  
220061050 Redland Estates  
220061220 Spring House at Norbeck  
220061870 Travilah Acres  
220062050 Chevy Chase, Section 4

**Resolution # MCPB 06-05**

**Kensington Heights**

Located on the south side of University Boulevard (MD 193) approximately 1,300 feet west of Veirs Mill Road (MD 586)

R-60 Zone, 2 Lots

Community Water, Community Sewer

Planning Area: Kensington-Wheaton

Westfield Wheaton Shopping Mall, Applicant

Pursuant to Sections 50-35A(3) and 50-38 the following resolution for Subdivision Regulation Waiver application (SRW-2006-02, Kensington Heights) is recommended for approval subject to conformance with all requirements of Chapter 50 of the Subdivision Regulations.

**MCPB 06-05**

RESOLUTION

WHEREAS, Wheaton Plaza Regional Shopping ("Applicant") requested a waiver of the approval process of Section 50-35A(3) of the Montgomery County Code ("Subdivision Regulations"), waiver pursuant to Section 50-38 of the Montgomery County Subdivision Regulations, to permit consolidation of two post-1958 parts of lots with four pre-1958 parts of lots; and

Whereas, the Subdivision Regulation Waiver Application, identified as Application No. SRW-2006-02 Kensington Heights, was presented to the Planning Board for review and consideration at a regularly scheduled public hearing on April 25, 2006; and

Whereas, after consideration of the evidence of the record, the Planning Board on motion of Commissioner Wellington, seconded by Commissioner Robinson, approved the Waiver with a vote of 3-0; Commissioners Bryant, Robinson, and Wellington voting in favor of the motion; Chairman Berlage temporarily absent and Commissioner Perdue absent. The Waiver was approved by the Planning Board.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES a waiver of the requirements of Chapter 50-35A(3), finding unusual circumstances exist that prevent full compliance with the requirements of the Subdivision Regulations from being achieved and that the waiver is the minimum necessary to provide relief from the requirements, is not inconsistent with purposes and objectives of the General Plan, and is not adverse to the public interest.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of a Resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission, on motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ with Commissioners \_\_\_\_\_ voting, at its regular meeting held on \_\_\_\_\_, in Silver Spring, Maryland.

\_\_\_\_\_  
Trudye Morgan Johnson,  
Executive Director

APPROVED AS TO LEGAL SUFFICIENCY

MD 6/20/06

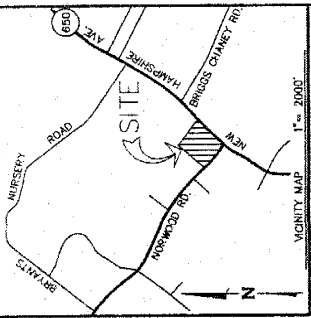
M-NCPPC LEGAL DEPARTMENT

**PLAT NO. 220061020**

Lutheran Church of St. Andrew (Preliminary Plan: Lutheran Church of St. Andrew)  
Located at the northwest corner of Norwood Road and New Hampshire Avenue  
RE-2 zone; 1 lot  
Community Water, Private Septic  
Master Plan Area: Cloverly  
Roman Catholic Archbishop of Washington, Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 120050390, formerly 1-05039, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.

# PLAT No.



MUNITY MAP  
TAX MAP No. J5561  
1" = 2000'

**PLAT INFORMATION**  
Number of Parcels = 361,929 sq. ft.  
Area of Street = 2,033 sq. ft.  
Dedication = 12,83200 sq. ft.  
Total Area = 12,83200 sq. ft.

CURVE	RAIUS	LENGTH	DELTA	TANGENT	CHORD BEARING	CHORD
C1	2928.79	498.97	970.24	204.83	S 44°58'45" W	408.88
C2	1007.02	477.20	1700.50	248.37	N 93°53'03" W	423.43
C3	1597.00	448.29	1039.00	225.63	N 80°18'22" W	456.82

LINE	BEARING	DISTANCE
L1	N 41°22'13" W	23.89
L2	S 82°20'52" W	67.92
L3	S 81°14'28" W	38.10

**THE PEOPLES CHURCH BAPTIST CHURCH**  
L13410 F.407

**LOT 2**  
**HOWELL'S ADDN TO CLOVERLY**  
P.No. 17080  
786.39  
776.28

**PARCEL A**  
551,929 sq. ft.  
12.67054 Acres

L31538 F.005

**OWNER'S CERTIFICATE**

The Lutheran Church of St. Andrew, a Maryland religious corporation, owner of the property shown herein, hereby certifies that the plat shown hereon is a true and correct copy of the original plat as recorded in the Public Utilities Easement (P.U.E.) as shown hereon to the portion named as a document entitled "Terms and Provisions of Public Utility Easements" as recorded in Liber 3834 of Folio 457 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations of all federal, state, and local governing agencies. The plat shown hereon is a true and correct copy of the original plat as recorded in the Land Records of Montgomery County, Maryland, subject to the terms set forth therein, and the land hereon identified as the Public Improvement Easement (P.I.E.) shown hereon with the terms and conditions of said easement as shown hereon. The plat shown hereon is a true and correct copy of the original plat as recorded in the Land Records of Montgomery County, Maryland, subject to the terms and conditions of said easement as shown hereon. The plat shown hereon is a true and correct copy of the original plat as recorded in the Land Records of Montgomery County, Maryland, subject to the terms and conditions of said easement as shown hereon.

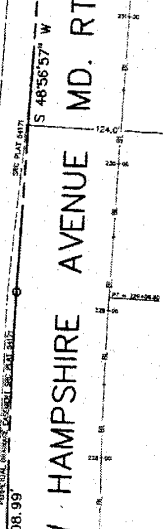
- Notes:**
- This property is zoned RE-2.
  - The approval of this plat is predicated on the availability of public water and sewer prior to the construction of buildings.
  - This plat is limited to uses and conditions as required by Preliminary Plan No. 1-05039, entitled "SLOWMANS MANOR, Lutheran Church of St. Andrew."
  - The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law of 1992, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a sediment control permit.
  - Unless expressly contemplated by the plan as approved, all terms, conditions, agreements, limitations, and requirements associated with any public utility easement, project plan, or other plat recorded in the Land Records of Montgomery County, Maryland, shall apply to this plat and shall not be extinguished by the recording of this plat. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
  - This Plat is not intended to show every matter affecting or restricting the ownership and use of the property. This Plat is not intended to replace an examination of title or to depict or note all matters affecting title.
  - Coordinates shown hereon are based on the Maryland State Plane NAD 83/91 Datum as projected by NGS and are for Convergence Station 653. Station 653 is located on the CAT with coordinates of North 534457.86 feet and East 1249851.23 feet and No. 6006 with coordinates of North 493240.73 feet and East 1381533.04 feet. The combined scale factor for this site is 0.999938571.
  - To convert the grid coordinates to ground/surface coordinates, divide the grid coordinates by the combined scale factor. The distances shown on this plat are as measured on the ground/surface. To convert the ground/surface distances to grid distances, multiply the ground/surface distances by the combined scale factor.
  - This plat is subject to a Declaration of Conveyance recorded in Liber 31782 at Folio 348.



**OWNER'S CERTIFICATE**

The Lutheran Church of St. Andrew, a Maryland religious corporation, owner of the property shown herein, hereby certifies that the plat shown hereon is a true and correct copy of the original plat as recorded in the Public Utilities Easement (P.U.E.) as shown hereon to the portion named as a document entitled "Terms and Provisions of Public Utility Easements" as recorded in Liber 3834 of Folio 457 among the Land Records of Montgomery County, Maryland, subject to all current and applicable regulations of all federal, state, and local governing agencies. The plat shown hereon is a true and correct copy of the original plat as recorded in the Land Records of Montgomery County, Maryland, subject to the terms set forth therein, and the land hereon identified as the Public Improvement Easement (P.I.E.) shown hereon with the terms and conditions of said easement as shown hereon. The plat shown hereon is a true and correct copy of the original plat as recorded in the Land Records of Montgomery County, Maryland, subject to the terms and conditions of said easement as shown hereon.

- Notes:**
- This property is zoned RE-2.
  - The approval of this plat is predicated on the availability of public water and sewer prior to the construction of buildings.
  - This plat is limited to uses and conditions as required by Preliminary Plan No. 1-05039, entitled "SLOWMANS MANOR, Lutheran Church of St. Andrew."
  - The property shown hereon is subject to the requirements of the Montgomery County Forest Conservation Law of 1992, including approval of a Final Forest Conservation Plan and appropriate agreements prior to issuance of a sediment control permit.
  - Unless expressly contemplated by the plan as approved, all terms, conditions, agreements, limitations, and requirements associated with any public utility easement, project plan, or other plat recorded in the Land Records of Montgomery County, Maryland, shall apply to this plat and shall not be extinguished by the recording of this plat. The official public files for any such plan are maintained by the Planning Board and available for public review during normal business hours.
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  - This plat is subject to a Declaration of Conveyance recorded in Liber 31782 at Folio 348.



**FOR PUBLIC WATER AND SEWER ONLY**

THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION  
MONTGOMERY COUNTY PLANNING BOARD

APPROVED: \_\_\_\_\_  
CHAIRMAN

APPROVED: \_\_\_\_\_  
SECRETARY-TREASURER

APPROVED: \_\_\_\_\_  
DIRECTOR

DATE: \_\_\_\_\_  
Plat No.: \_\_\_\_\_

**RECORD PLAT REVIEW SHEET**

Plan Name: Lutheran Church of St. Andrew Plan Number: 1-05039(120050390)  
 Plat Name: Snowden's Manor Plat Number: 220061020  
 Plat Submission Date: 10/22/05  
 DRD Plat Reviewer: Dobson's Agency  
 DRD Prelim Plan Reviewer: Kyle Weaver

**Initial DRD Review:**

Signed Preliminary Plan - Date 2/22/06 Checked: Initial DW Date 3/22/06  
 Planning Board Opinion - Date 1/22/06 Checked: Initial DW Date 3/22/06  
 Site Plan Req'd for Development? Yes     No   ✓   Verified By: TA (initial)  
 Site Plan Name: N/A Site Plan Number:             
 Planning Board Opinion - Date            Checked: Initial            Date             
 Site Plan Signature Set - Date            Checked: Initial            Date             
 Site Plan Reviewer Plat Approval: Checked: Initial            Date           

Review Items: Lot # & Layout   ✓   Lot Area   ✓   Zoning   ✓   Bearings & Distances   ✓    
 Coordinates   ✓   Plan #   ✓   Road/Alley Widths   ✓   Easements   ✓   Open Space N/A  
 Non-standard BRLs N/A Adjoining Land   ✓   Vicinity Map   ✓   Septic/Wells N/A  
 TDR note N/A Child Lot note N/A Surveyor Cert   ✓   Owner Cert   ✓   Tax Map   ✓  

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>Dennis Dunning</u>	<u>10/31/05</u>	<u>11/19/05</u>	<u>11/19/05</u>	<u>Need Cat. I EOE</u>
Research	<u>Bobby Fleury</u>	<u>"</u>	<u>"</u>	<u>11/10/05</u>	<u>OK</u>
SHA	<u>Doug Mills</u>	<u>"</u>	<u>"</u>	<u>N/C</u>	<u>N/C</u>
PEPCO	<u>Jose Washington</u>	<u>"</u>	<u>"</u>	<u>11/10/05</u>	<u>OK</u>
Parks	<u>Doug Powell</u>	<u>"</u>	<u>"</u>	<u>N/C</u>	<u>  </u>
DRD	<u>Steve Smith</u>	<u>"</u>	<u>"</u>	<u>11/10/05</u>	<u>OK</u>

**Final DRD Review:**

DRD Review Complete:  
 (All comments rec'd and incorporated into mark-up)  
 Engineer Notified (Pick up Mark-up):  
 Final Mylar w/Mark-up & PDF Rec'd:  
**Board Approval of Plat:**  
 Plat Agenda:  
 Planning Board Approval:  
 Chairman's Signature:  
**DPS Approval of Plat:**  
 Engineer Pick-up for DPS Signature:  
 Final Mylar for Reproduction Rec'd:  
**Plat Reproduction:**  
 Addressing:  
 File Card Update:  
 Final Zoning Book Check:  
 Update Address Books with Plat #:  
 Update Green Books for Resubdivision:  
 Notify Engineer to Seal Plats:  
 Engineer Seal Complete:  
 Complete Reproduction:  
 Sent to Courthouse for Recordation:

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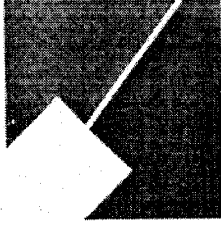
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No.





M-NCPPC



**MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING**

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760  
301-495-4500, www.mncppc.org

**Board Approval Date: June 23, 2005**

**Date Mailed:** JAN 24 2006

**Action:** Approved Staff Recommendation  
**Motion** of Commissioner Robinson  
seconded by Commissioner Bryant, with a  
vote of 4-0;  
Chairman Berlage and Commissioners  
Perdue, Bryan and Robinson and voting in  
favor. Commissioner Wellington absent.

**MONTGOMERY COUNTY PLANNING BOARD**

**OPINION**

Preliminary Plan 1-05039

NAME OF PLAN: Lutheran Church of St. Andrew

The date of this written opinion is JAN 24 2006 (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this written opinion, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules of Court - State).

**INTRODUCTION**

On September 20, 2004, Lutheran Church of St. Andrew ("Applicant"), submitted an application for the approval of a preliminary plan of subdivision of property in the RE-2 zone. The application proposed to create 1 lot on 12.83 acres of land located at the northwest corner of the intersection of Norwood Road and New Hampshire Avenue (MD 650), in the Cloverly master plan area. The application was designated Preliminary Plan No. 1-05039. On June 23, 2005, Preliminary Plan 1-05039 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application.

The record for this application ("Record") closed at the conclusion of the public hearing, upon the taking of an action by the Planning Board. The Record includes: the information on the Preliminary Plan Application Form; the Planning Board staff-generated minutes of the Subdivision Review Committee meeting(s) on the application; all correspondence and any other written or graphic information concerning the application received by the Planning Board or its staff following submission of the application and prior to the Board's action at the conclusion of the public hearing, from the applicant, public agencies, and private individuals or entities; all correspondence and any other written or graphic information issued by Planning Board staff concerning the application, prior to the Board's action following the public hearing; all evidence, including written and oral testimony and any graphic exhibits, presented to the Planning Board at the public hearing.

### **PROJECT DESCRIPTION**

This is an application requesting the creation of a single lot for a house of worship and associate uses located in the northwest corner of the intersection of Norwood Road and New Hampshire Avenue. The subject property is 12.83 acres in size and is zoned RE-2. The property is in the Cloverly Master Plan area and is within the Northwest Branch watershed, which has a Use IV designation. A small portion of the property's frontage along New Hampshire Avenue is within the Paint Branch watershed, which has a Use III designation.

The proposal requests a 19,500 square foot house of worship, with a 550-seat sanctuary, a family life center and a pre-school. Access to the site is to be from New Hampshire Avenue and Norwood Road. The New Hampshire Avenue access point is restricted to right-in and right-out only; access on Norwood Road is for full movement.

The Montgomery County Department of Public Works and Transportation and the State Highway Administration have reviewed the application. Conditions number 2 through 6 above outline the dedication and transportation improvements required of this applicant to satisfy the Adequate Public Facility review.

The application is subject to the Montgomery County Forest Conservation Law. The applicant will meet the requirements of law on site through a combination of forest retention and afforestation. A total area of 2.52 acres will be reserved in a category I forest conservation easement.

### **PUBLIC HEARING TESTIMONY**

Development Review Staff ("Staff") recommended approval of the preliminary plan for the single lot for a house of worship in its memorandum dated June 16, 2005 ("Staff Report"). During the hearing, Staff presented its findings consistent with the Staff Report.

Staff informed the Board that that they were limiting the place of worship to 47,000 square feet as well as putting a limit on the seating within the sanctuary, but otherwise recommended approval of the plan. Staff also pointed out that a very slim portion of the site is located within a Special Protection Area (SPA), however, fewer than 5,000 square feet of land within the SPA will be disturbed. Staff mentioned that Condition 8 was added after Staff spoke with the Department of Permitting Services ("DPS") and was informed that DPS wanted to play a conservative role in case the final design expanded the present 5,000 square feet disturbance.

The Applicant was represented by its consulting engineer and testified that it agreed with Staff's recommendation of approval. The Applicant described the need to relocating the church based on a need for more space for not only their congregation but also for the preschool, which accepts students from throughout the community and not just from within the congregation.

Three speakers were present at the hearing. The first speaker, a resident of Norwood Road, expressed concerns regarding present day traffic and congestion on Sunday mornings. The speaker believed that traffic would only be increased with the addition of a fourth church to the area. The second speaker testified for the Cloverly Civic Association in support of the Applicant's project. In regard to the traffic congestion, the speaker noted that the Applicant's project is to have two separate entrances, which should help to avoid an increase in traffic. The speaker also stated that the People's Baptist Church no longer allows parking on Norwood Road and is currently making provisions for parking elsewhere. The third speaker testified in support of the development for the Holly Grove community, after acknowledging that the Applicant was aware of the community concerns including the desire to maintain a rural low-density character area. The speaker additionally noted that the Applicant had assured the community that there would be no future attempts to raise multi-family residential facilities in the two-acre zone. Additionally, the speaker noted that there was still a resident concerned with an existing problem of run off onto his property.

At the completion of the speaker's testimony, the Board asked the Applicant various questions. First, the Board asked the Applicant to respond to the traffic concerns. The Applicant replied that they were concerned with the Transportation Planning Unit's approval. Next, the Board asked whether the Applicant would attempt in the future to put residential housing on the site to which the Applicant answered they would not and, that furthermore, they had committed to this in writing. Regarding the run off problem mentioned by the third speaker, the Board asked the Applicant what impact the proposed stormwater management plan would have on the existing runoff problems. The Applicant replied that the runoff emanated from the People's Baptist Church and that the Applicant's development would not exacerbate the problem. Additionally, the Applicant noted that they had contacted storm water management but had yet to hear a response. The Board then proceeded to ask the Applicant whether they had scheduled their services so they would not interfere with the People's Baptist Church services. The

Applicant noted that although both services would start at similar times they would end at different times.

A motion to approve the Staff's recommendation was made by Commissioner Robinson and Commissioner Bryant. The motion was approved by a vote of 4-0.

### **FINDINGS**

Having given full consideration to the recommendations of its Staff; the recommendations of the applicable public agencies<sup>1</sup>; the applicant's position; and other evidence contained in the Record, which is hereby incorporated in its entirety into this Opinion, the Montgomery County Planning Board finds that:

- a) The uncontested evidence of record demonstrates that Preliminary Plan No. 1-05039 substantially conforms to the Cloverly Master Plan.
- b) Public facilities will be adequate to support and service the area of the proposed subdivision, and in particular the Board accepts the testimony of the Transportation Division and expressly finds that the road capacity is adequate, and that the parking requirements are met.
- c) The uncontested evidence of record demonstrates that the size, width, shape, and orientation of the proposed lot are appropriate for the location of the subdivision.
- d) The uncontested evidence of record demonstrates that the application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. This finding is subject to the applicable condition(s) of approval.
- e) Based on the determination by the Montgomery County Department of Permitting Services ("MCDPS") that the Stormwater Management Concept Plan meets MCDPS' standards, the Board finds that the evidence of record demonstrates that the application meets all applicable stormwater management requirements and will provide adequate control of stormwater runoff from the site.
- f) The Planning Board finds that any future objection not raised during the course of the public hearing which may be raised concerning a substantive issue in this application, is waived.

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<sup>1</sup> The application was referred to outside agencies for comment and review, including the Washington Suburban Sanitary Commission, the Department of Public Works and Transportation, the Department of Permitting Services and the various public utilities. All of these agencies recommended approval of the application.

### CONDITIONS OF APPROVAL

Finding Preliminary Plan No. 1-05039 in accordance with the purposes and all applicable regulations of Montgomery County Code Chapter 50, the Planning Board approves Preliminary Plan No. 1-05039, subject to the following conditions:

- 1) Limit development on the property to a 47,000 square-foot place of worship with a 550-seat sanctuary, a family life center, and a pre-school (with seven staff members).
- 2) Consistent with the 1997 Approved and Adopted Cloverly Master Plan, dedicate and show on the final record plat, right-of-way along:
  - a. MD 650 to provide either 62.5 feet from the roadway centerline, or 120 feet from the opposite roadway right-of-way line, and
  - b. Norwood Road to provide either 40 feet from the roadway centerline, or 80 feet from the opposite roadway right-of-way line.
- 3) Per Montgomery County Department of Public Works and Transportation (DPWT) letter dated March 11, 2005 provide improvements to Norwood Road along site frontage, including a five-foot wide sidewalk, street trees, and a bike lane. Additionally, satisfy relevant DPWT and Department of Permitting Services (DPS) on-site parking and traffic circulation requirements, and any off-site access improvement requirement.
- 4) Construct a five-foot wide sidewalk and *provide* street trees along MD 650 site frontage. Additionally, as directed by the Maryland State Highway Administration (SHA), widen southbound MD 650 along site frontage by approximately 2+/- feet (with curb and gutter *as appropriate*) to a width of 38 feet to provide two 11-foot wide through lanes and a 16-foot wide curb lane.
- 5) As directed by SHA, at the MD 650/Good Hope/Bonifant Road intersection, re-stripe the westbound Good Hope Road approach to MD 650 to a left/through, through/right lane combination (from existing left, through/right lane combination), and provide two receiving lanes on the west leg of the intersection on Bonifant Road.
- 6) Manage all Sunday church related, and weekday pre-school related vehicle queues including any parking related to drop-offs and pick-ups within the property to prevent spillover to MD 650 and Norwood Road.
- 7) Compliance with the conditions of approval for the preliminary forest conservation plan dated June 16, 2005. The applicant must satisfy all conditions

prior to recording of plat(s) or MCDPS issuance of sediment and erosion control permits.

- 8) Prior to DPS approval of detailed sediment and erosion control plans applicant to document the amount of disturbance in the SPA. If the disturbance is 5,000 square feet or more, the applicant must obtain approval of a SPA preliminary and final water quality plan by DPS and the Planning Board.
- 9) Category I conservation easement to be placed over afforestation area. Easement to be shown on record plat.
- 10) Prior to record plat, applicant to enter into an agreement with the Planning Board to limit impervious surfaces within the SPA portion of the project to no more than 10 percent as shown on the revised preliminary plan.
- 11) Prior to release of building permits, applicant to demonstrate conformance to impervious surface limits within the SPA portion of the project, as shown on the revised preliminary plan. Any modifications to the plan that increases site imperviousness may require Planning Board action.
- 12) Compliance with the conditions of approval of the MCDPS stormwater management approval dated May 17, 2005.
- 13) Compliance with conditions of MCDPWT letter dated March 11, 2005, unless otherwise amended.
- 14) Access and improvements as required to be approved by MDSHA prior to issuance of access permits.
- 15) 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.
- 16) Other necessary easements

This Preliminary Plan will remain valid for 36 months from its Initiation Date (as defined in Montgomery County Code Section 50-35(h), as amended). Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded among the Montgomery County Land Records or a request for an extension must be filed.

\* \* \* \* \*

[CERTIFICATION OF BOARD VOTE ADOPTING OPINION ON FOLLOWING PAGE]

*MC* 1/6/06  
Approved for legal sufficiency  
M-NCPPC Office of General Counsel

**CERTIFICATION OF BOARD VOTE ADOPTING OPINION**

At its regular meeting, held on Thursday, January 12, 2006, in Silver Spring, Maryland, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, by unanimous consent, ADOPTED the above Opinion, which constitutes the final decision of the Planning Board and memorializes the Board's findings of fact and conclusions of law for Lutheran Church of St. Andrew, Preliminary Plan 1-05039. Commissioner Wellington abstained and Commissioner Perdue was absent.



\_\_\_\_\_  
Certification As To Vote of Adoption  
Technical Writer

**PLAT NO. 220061050**

Redland Estates (Preliminary Plan: Fraley Property)

Located on Muncaster Mill Road, approximately 200 feet west of Redland Road

RT-12.5 zone; 21 lots, 1 parcel

Community Water, Community Sewer

Master Plan Area: Upper Rock Creek

B.A. Fraley, L.L.C., Applicant

The record plat has been reviewed by MNCPPC staff and other applicable agencies as documented on the attached Plat Review Checklist. Staff has determined that the plat complies with Preliminary Plan No. 12002063B, formerly 1-02063B and Site Plan No. 22003030A, formerly 8-03030A, as approved by the Board and that any minor modifications reflected on the plat do not alter the intent of the Board's previous approval of the preliminary plan.



**RECORD PLAT REVIEW SHEET**

Plan Name: Fraleley Property Plan Number: 1-02063 B  
 Plat Name: Redland Estates Plat Number: 220061050  
 Plat Submission Date: 11/3/05  
 DRD Plat Reviewer: TA  
 DRD Prelim Plan Reviewer: Richard Weaver

**Initial DRD Review:**

Signed Preliminary Plan - Date 6/1/06 Checked: Initial RW Date 6/21/06  
 Planning Board Opinion - Date 11/09/06 Checked: Initial PW Date 3/6/06  
 Site Plan Req'd for Development? Yes  No  Verified By: \_\_\_\_\_ (initial)  
 Site Plan Name: Fraleley Property Site Plan Number: 8-03030 A  
 Planning Board Opinion - Date 11/0/06 Checked: Initial PW Date 3/6/06  
 Site Plan Signature Set - Date 4.28.06 Checked: Initial PAK Date 6.21.06  
 Site Plan Reviewer Plat Approval: Checked: Initial PAK Date 6.21.06

Review Items: Lot # & Layout  Lot Area  Zoning  Bearings & Distances \_\_\_\_\_  
 Coordinates \_\_\_\_\_ Plan # \_\_\_\_\_ Road/Alley Widths \_\_\_\_\_ Easements \_\_\_\_\_ Open Space \_\_\_\_\_  
 Non-standard BRLs \_\_\_\_\_ Adjoining Land \_\_\_\_\_ Vicinity Map \_\_\_\_\_ Septic/Wells \_\_\_\_\_  
 TDR note \_\_\_\_\_ Child Lot note \_\_\_\_\_ Surveyor Cert \_\_\_\_\_ Owner Cert \_\_\_\_\_ Tax Map \_\_\_\_\_

Agency Reviews Req'd	Reviewer	Date Sent	Due Date	Date Rec'd	Comments
Environment	<u>M. Proffert</u>	<u>11/7/05</u>	<u>11/25/05</u>	<u>11/22/05</u>	<u>OK</u>
Research	<u>Bobby Fleury</u>			<u>11/8/05</u>	<u>OK</u>
SHA	<u>Doug Mills</u>				
PEPCO	<u>Jose Washington</u>			<u>11/19/05</u>	<u>OK</u>
Parks	<u>Doug Powell</u>				
DRD	<u>Steve Smith</u>			<u>11/10/05</u>	<u>OK</u>

**Final DRD Review:**

DRD Review Complete:

(All comments rec'd and incorporated into mark-up)

Engineer Notified (Pick up Mark-up):

Final Mylar w/Mark-up & PDF Rec'd:

**Board Approval of Plat:**

Plat Agenda:

Planning Board Approval:

Chairman's Signature:

**DPS Approval of Plat:**

Engineer Pick-up for DPS Signature:

Final Mylar for Reproduction Rec'd:

**Plat Reproduction:**

Addressing:

File Card Update:

Final Zoning Book Check:

Update Address Books with Plat #:

Update Green Books for Resubdivision:

Notify Engineer to Seal Plats:

Engineer Seal Complete:

Complete Reproduction:

Sent to Courthouse for Recordation:

Initial

TA

TA

TA

TA

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Date

6/16/06

3/6/06

10/16/06

7/6/06

7/6/06

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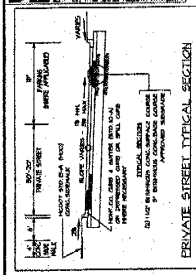
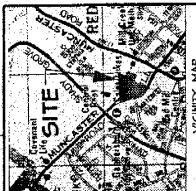
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No. \_\_\_\_\_



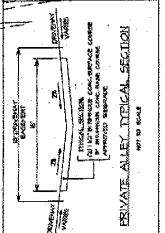


**GENERAL NOTES:**

- THE SHOWN PROPERTY IS A PORTION OF LOT 1A, 1B, 1C, 1D, 1E, 1F, 1G, 1H, 1I, 1J, 1K, 1L, 1M, 1N, 1O, 1P, 1Q, 1R, 1S, 1T, 1U, 1V, 1W, 1X, 1Y, 1Z, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 2M, 2N, 2O, 2P, 2Q, 2R, 2S, 2T, 2U, 2V, 2W, 2X, 2Y, 2Z, 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 4J, 4K, 4L, 4M, 4N, 4O, 4P, 4Q, 4R, 4S, 4T, 4U, 4V, 4W, 4X, 4Y, 4Z, 5A, 5B, 5C, 5D, 5E, 5F, 5G, 5H, 5I, 5J, 5K, 5L, 5M, 5N, 5O, 5P, 5Q, 5R, 5S, 5T, 5U, 5V, 5W, 5X, 5Y, 5Z, 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6I, 6J, 6K, 6L, 6M, 6N, 6O, 6P, 6Q, 6R, 6S, 6T, 6U, 6V, 6W, 6X, 6Y, 6Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K, 7L, 7M, 7N, 7O, 7P, 7Q, 7R, 7S, 7T, 7U, 7V, 7W, 7X, 7Y, 7Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 8I, 8J, 8K, 8L, 8M, 8N, 8O, 8P, 8Q, 8R, 8S, 8T, 8U, 8V, 8W, 8X, 8Y, 8Z, 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, 9J, 9K, 9L, 9M, 9N, 9O, 9P, 9Q, 9R, 9S, 9T, 9U, 9V, 9W, 9X, 9Y, 9Z, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V, 10W, 10X, 10Y, 10Z.

**PROPOSED CALCULATIONS:**

NO.	DESCRIPTION	AREA (SQ. FT.)	VOLUME (CU. YD.)
1	GRAVEL DRIVEWAY	1,200	120
2	ASPHALT DRIVEWAY	1,200	120
3	CONCRETE DRIVEWAY	1,200	120
4	GRAVEL DRIVEWAY	1,200	120
5	ASPHALT DRIVEWAY	1,200	120
6	CONCRETE DRIVEWAY	1,200	120
7	GRAVEL DRIVEWAY	1,200	120
8	ASPHALT DRIVEWAY	1,200	120
9	CONCRETE DRIVEWAY	1,200	120
10	GRAVEL DRIVEWAY	1,200	120
11	ASPHALT DRIVEWAY	1,200	120
12	CONCRETE DRIVEWAY	1,200	120
13	GRAVEL DRIVEWAY	1,200	120
14	ASPHALT DRIVEWAY	1,200	120
15	CONCRETE DRIVEWAY	1,200	120
16	GRAVEL DRIVEWAY	1,200	120
17	ASPHALT DRIVEWAY	1,200	120
18	CONCRETE DRIVEWAY	1,200	120
19	GRAVEL DRIVEWAY	1,200	120
20	ASPHALT DRIVEWAY	1,200	120
21	CONCRETE DRIVEWAY	1,200	120
22	GRAVEL DRIVEWAY	1,200	120
23	ASPHALT DRIVEWAY	1,200	120
24	CONCRETE DRIVEWAY	1,200	120
25	GRAVEL DRIVEWAY	1,200	120
26	ASPHALT DRIVEWAY	1,200	120
27	CONCRETE DRIVEWAY	1,200	120
28	GRAVEL DRIVEWAY	1,200	120
29	ASPHALT DRIVEWAY	1,200	120
30	CONCRETE DRIVEWAY	1,200	120
31	GRAVEL DRIVEWAY	1,200	120
32	ASPHALT DRIVEWAY	1,200	120
33	CONCRETE DRIVEWAY	1,200	120
34	GRAVEL DRIVEWAY	1,200	120
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93	CONCRETE DRIVEWAY	1,200	120
94	GRAVEL DRIVEWAY	1,200	120
95	ASPHALT DRIVEWAY	1,200	120
96	CONCRETE DRIVEWAY	1,200	120
97	GRAVEL DRIVEWAY	1,200	120
98	ASPHALT DRIVEWAY	1,200	120
99	CONCRETE DRIVEWAY	1,200	120
100	GRAVEL DRIVEWAY	1,200	120



CONTRACT PURCHASER/DEVELOPER:  
THE BOZZUTO GROUP  
6401 GOLDEN TRIANGLE DRIVE, SUITE 200  
GREENBELT, MARYLAND, 20710  
CONTACT: BOZZUTO GROUP  
301-220-0100



NSIC GREENBELT BRANCH 4000 GIBBS ROAD  
NSIC CAMPUS PARKWAY 20880-2822  
NSIC-1100000 FAX 301-751-0000

NO.	REVISION	DATE	BY	CHKD	DATE	DATE	SCALE
1						APR 2004	1"=30'
2						DESIGNED: ABC	
3						TECHNICIAN: NAV	
4						CHECKED: RVC	
5						DATE	
6						SCALE	

NO.	REVISION	DATE	BY	CHKD	DATE	DATE	SCALE
1						APR 2004	1"=30'
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AMENDED PRELIMINARY PLAN  
PRELIMINARY PLAN

AMENDED PRELIMINARY PLAN  
**FRALEY PROPERTY**  
NORTHPOWERY COURT, MARYLAND