



# MONTGOMERY COUNTY PLANNING BOARD

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

ITEM #

1/25/07



## MEMORANDUM

**DATE:** January 12, 2007

**TO:** Montgomery County Planning Board

**VIA:** Rose Krasnow, Chief, *RK*  
Development Review Division

Catherine Conlon, Supervisor *CA*  
Development Review Division

**FROM:** Richard Weaver, Planner Coordinator (301-495-4544) *RAW*  
Development Review Division

**REVIEW TYPE:** Preliminary Plan of Subdivision

**APPLYING FOR:** Preliminary Plan Approval for One (1) Lot for a Group Picnic, Recreation and Catering Operation.

**PROJECT NAME:** Smokey Glen Farm

**CASE NO.** 120051000 (formerly 1-05100)

**REVIEW BASIS:** Pursuant to Chapter 50, the Subdivision Regulations and Chapter 59, the Zoning Ordinance

**ZONE:** RE-2C

**LOCATION:** On the north side of Riffleford Road, approximately 4000 feet north of Darnestown Rd. (MD 28)

**MASTER PLAN:**

**APPLICANT:** James Sweet for Smokey Glen Farm

**ENGINEER:** Rodgers Consulting

**ATTORNEY:** Linowes and Blocher

**FILING DATE:** May 18, 2005

**HEARING DATE:** January 25, 2007



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

- 1) Approval under this preliminary plan is limited to one (1) lot for an existing group picnic, recreation and catering operation.
- 2) The applicant is bound by all conditions of approval for Board of Appeals Case No. CBA-719-A.
- 3) The applicant shall dedicate and show on the record plat the following right-of-way consistent with the 1985 Approved and Adopted Gaithersburg and Vicinity Master Plan:
  - Riffleford Road – 40 feet from centerline along property frontage.
- 4) The applicant shall comply with the conditions of approval of the MCDPS stormwater management approval dated January 12, 2006.
- 5) The applicant shall comply with conditions of MCDPS (Health Dept.) septic approval dated July 24, 2006.
- 6) The applicant shall comply with conditions of MCDPWT letter dated October 9, 2005, unless otherwise amended.
- 7) 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.
- 8) Other necessary easements to be shown on record plat.

#### **I. SITE DESCRIPTION (Attachment A)**

The subject property ("Property"), known as Smokey Glen Farms, is located on the east side of Riffleford Road, approximately 4,000 feet north of the intersection with Darnestown Road (MD 28) in the Gaithersburg and Vicinity Master Plan area. The Property is 91.36 acres in size and is Zoned RE-2C. Existing uses on the Property include a single family residence, a tenant house, a working Christmas Tree Farm and a group picnic, catering and recreational facility. Parking for visitors and employees is provided in open lawn areas and small paved lots. Access to the site is from Riffleford Road via a network of private driveways at four separate entrance points on to Riffleford Road.

Adjoining the Property to the north and northeast is Seneca Creek State Park. To the east, there is a 32.26 acre vacant parcel in the RE-2C Zone and further to the east is Thurgood Marshall Elementary School. To the southeast in the R-200 Zone is the Willow Ridge residential subdivision and Orchard Park operated by MNCPPC. To the southwest there is a row of single family homes in the R-200 Zone fronting on Riffleford Road. To the west, across Riffleford, is the Ancient Oak Subdivision in the RE-1 zone. Further to the west is a PEPCO transmission line and further north and west, the National Capital Skeet and Trap Club.

The Property is rolling in topography and is maintained in areas of open lawn, forest stands, stream valleys and tree nurseries. The surrounding residential neighborhoods are generally well buffered from the operations on-site.



## **II. PROJECT DESCRIPTION and BACKGROUND (Attachment B)**

The Planning Board reviewed and recommended approval of a modification to the Special Exception (CBA-719-A) for Smokey Glen Farms at a public hearing held November 25, 2002. The Board of Appeal's final action on the Special Exception Modification is reflected in their Opinion, dated February 20, 2003 (Attachment C). The approval by the Board of Appeals was conditioned, in part, on the applicant obtaining preliminary plan approval for the Property prior to issuance of building permits.

The Board of Appeals action approved a modification to the existing special exception to renovate the pavilion area, including the replacement of the main dining pavilion with a new building. Other buildings that house the mechanical, refrigeration storage and cooking facilities are to be consolidated into two new buildings. A small information booth and beverage service building will be added as well as a new open serving pavilion. The addition of a new maintenance facility is also anticipated that will allow a previously used barn to once again be used to host events. Roads on-site will be modified to meet Fire and Rescue's requirements. The overall operation of the facility will not change. Access will remain the same on to Riffleford Road.

## **IV. ANALYSIS AND FINDINGS**

### **A. Master Plan Compliance**

The Property lies within an area covered by the 2002 Potomac Subregion Master Plan. As confirmed by the approval of Sectional Map Amendment No. G-800 in October 2002, the Master Plan supports the existing RE-2C Zone for the Property. Group picnic, catering and recreational facilities are allowed by special exception in that zone.

### **B. Environmental**

#### **Forest Conservation**

The Property has been granted an exemption (4-02182E) from the requirements of the forest conservation law. The exemption is allowed for modifications to previously approved special exceptions that do not remove more than 5,000 square feet of forest or remove specimen or champion trees.

#### **Environmental Buffers**

The applicant has been advised of the benefits of reforestation within the stream valley buffers, however; since the Property is exempt, there is no requirement to do so.



### Stormwater Management Concept and Sediment Control

By letter dated January 12, 2006, (Attachment D) the Montgomery County Department of Permitting Services has advised staff that the Property has been reviewed for compliance with the Executive Regulations for stormwater management and that a stormwater management concept has been approved for the entire site.

#### **C. Compliance with the Subdivision Regulations and Zoning Ordinance**

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The application meets all applicable sections. Access and public facilities will be adequate to support the proposed lots and uses. The proposed lot size, width, shape and orientation is appropriate for the location of the subdivision given the uses existing and proposed on the site.

The lot meets the requirements for the RE-2C Zone specified in the Zoning Ordinance. The proposed lot will meet all the dimensional requirements for area, frontage, and width, and the structures to be located on the Property will meet all setback and height limitations established in that zone. A summary of this review is included in attached Table 1. The application has been reviewed by other applicable county agencies, all of whom have recommended approval of the plan.

#### **D. Transportation**

The applicant has submitted a traffic study that indicates that no new vehicular trips will be generated by the Special Exception modification and that the flow of traffic to and from the site at the peak periods of use (generally weekends), will not adversely affect the surrounding traffic conditions. Staff has reviewed and agreed with the findings of the traffic study. (Attachment E)

#### **E. Citizen Correspondence and Issues**

This application predated any specific requirements for meetings between the applicant and interested parties, however; written notice of the application and public hearing date was given to adjacent and confronting property owners, and local civic and homeowners associations. No citizen comments have been submitted to staff or the file for this application.

#### **IV. CONCLUSION**

The proposed lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and comply with the recommendations of the Potomac Master Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable county agencies, all of whom have



recommended approval of the plan. Therefore, approval of the application with the conditions specified above is recommended.

**ATTACHMENTS:**

- A – Vicinity map
- B - Preliminary Plan
- C – Board of Appeals Opinion
- D – SWM approval letter
- E – Transportation memo



TABLE 1: Plan Checklist and Data Table

<b>Plan Name: Smokey Glen Farm</b>				
<b>Plan Number: 120051000170 (1-05100)</b>				
<b>Zoning: RE-2C</b>				
<b># of Lots: 1</b>				
<b># of Outlots: none</b>				
<b>Dev. Type: Picnic, Catering , Recreational facility</b>				
<b>PLAN DATA</b>	<b>Zoning Ordinance Development Standard</b>	<b>Proposed for Approval on the Preliminary Plan</b>	<b>Verified</b>	<b>Date</b>
Minimum Lot Area	2.0 acres.	Lot exceeds min.		1/12/07
Lot Width	125 ft.	Lot exceeds min.		
Lot Frontage	25 ft.	Must meet minimum		1/12/07
Setbacks				1/12/07
Front	50 ft	Must meet minimum		1/12/07
Side	17ft/35ft. total	Must meet minimum		1/12/07
Rear	35 ft	Must meet minimum		1/12/07
Height	50 ft. Max.	May not exceed maximum		1/12/07
Uses allowed per Zoning	Uses limited by special exception	As allowed under special exception		1/12/07
MPDUs	N/A			
TDRs	No			
Site Plan Req'd?	No			
<b>FINDINGS</b>				
<b>SUBDIVISION</b>				
Lot frontage on Public Street	Yes			
Road dedication and frontage improvements	Yes	Agency letter		10/9/05
Environmental Guidelines	Exempt	Staff memo		7/1/05
Forest Conservation	Exempt	Staff memo		7/1/05
Master Plan Compliance	Yes	RW		1/12/07
Other (open space, etc.)	N/A			
<b>ADEQUATE PUBLIC FACILITIES</b>				
Stormwater Management	Yes	Agency letter		Jan. 12, 2006
Water and Sewer (WSSC)	Yes	Agency letter		Nov. 10, 2005
Well and Septic	Yes	Agency letter		July 24, 2006
Local Area Traffic Review	N/A			
Fire and Rescue	Yes	Agency letter		Dec. 24, 2006



# SMOKEY GLEN FARM (1-05100)

Attachment A



Map compiled on June 28, 2005 at 10:32 AM | Site located on base sheet no - 222NW13

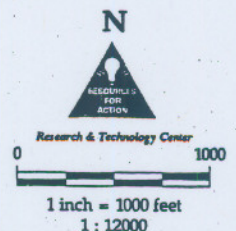
## NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

Key Map





BOARD OF APPEALS OPINION

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**WATER TIGHT PADS**  
**PAD**  
**P.A.**  
**PATENT PADS (PETS?)**  
**PC-TISS**

**Sofia Table**

VICINITY MAP

Scale: 1"=500'

**General Notes:**  
A. The subject property is in OLM district  
and is Map 133A.

1	UNITED STATES DEPARTMENT OF THE ARMY OFFICE OF THE CHIEF OF STAFF WASHINGTON, D.C.	
2	MEMORANDUM FOR THE RECORD	
3	SUBJECT: [REDACTED]	
4	[REDACTED]	
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### Surveyor's Certificate

For more information, contact the author at the address below or write to the publisher.

PROPOSED STRUCTURE:		SQUARE FOOTAGE:	
BLDG.-1	GENERAL BUILDING	BLDG.-1	1,000
BLDG.-2	GENERAL BUILDING	BLDG.-2	4,000
BLDG.-3	STORAGE/WAREHOUSE	BLDG.-3	15,000
BLDG.-4	STORAGE/WAREHOUSE	BLDG.-4	15,000
BLDG.-5	RECYCLING ROOM	BLDG.-5	500
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## PRELIMINARY PLAN

SMOKEY GLEN FARM

	SCORE	PCT.	SCORE	PCT.	SCORE	MIS.
DONALDSON, SMUCKY GLEN VALLEY BABEQUEN, INC.						
1440 BENTWOOD ROAD GUTHRIEBURG, MONTGOMERY SVCS						
FRODOX, CHS) 96-118						
CORPACT, MA JAMES BREWET						

**RODGER'S  
CONSULTING**

Business Consulting, Inc.  
10410 Columbia, Box 300  
Beverly Hills, CA 90210  
Tel: 310.470.0700  
Fax: 310.470.0701  
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Full Name	Mr	Ms
STREET	POF	DL/MS
Apartment	NOF	DL/MS
City/State	NOF	DL/MS

Company Address

RELEASE FORM

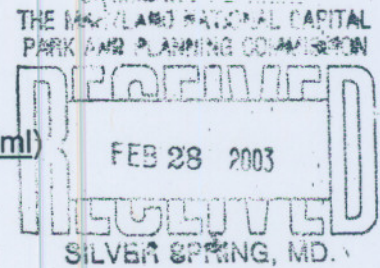
☐ Yes ☐ No

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SMOKEY GLEN FARM	40
LUMBERJUNG / POLD-114	40
6TH ELECTION DISTRICT	40
MONTGOMERY COUNTY, MARYLAND	40
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Attachment C

BOARD OF APPEALS  
for  
MONTGOMERY COUNTY  
([www.montgomerycountymd.gov/mc.council/board.html](http://www.montgomerycountymd.gov/mc.council/board.html))



Stella B. Werner Council Office Building  
100 Maryland Avenue  
Rockville, Maryland 20850  
(240) 777-6600

Case No. CBA-719-A

PETITION OF BETTY B. SWEET

OPINION OF THE BOARD  
(Hearing Date: November 25, 2002)  
(Effective Date of Opinion: February 20, 2003)

Case No. S-719-A is an application for a special exception modification pursuant to Section 59-G-2.26.1 (Group Picnic, Catering and Recreation Facility) and Section 59-G-1.3 (c)(2) of the Zoning Ordinance to permit: (1) the continued operation of a group picnic, catering and recreation facility; (2) the demolition and construction of a maintenance storage structure to be relocated to the northern section of the subject property; (3) the re-opening of the Barn Area; and (4) the renovation of the Pavilion Area.

Pursuant to the provisions of Section 59-A-4.125 of the Montgomery County Code, the Board of Appeals referred the case to the Hearing Examiner for Montgomery County to conduct the public hearing. The Hearing Examiner convened a public hearing on November 25, 2002, and on December 31, 2002, issued a written report and recommendation to the Board of Appeals.

Decision of the Board: Special exception modification **granted**  
subject to conditions enumerated below.

The subject property is Parcel 450, located at 16407 Riffle Ford Road, Gaithersburg, Maryland, in the RE-2C Zone.

At its Worksession on January 22, 2003, the Board voted to adopt the Hearing Examiner's Report and Recommendation and grant the requested modification subject to the following conditions:

1. Petitioner shall be bound by its testimony and exhibits of record, the testimony of its witnesses and representations of its attorney, to the extent that such evidence and representations are identified in the Hearing Examiner's Report and Recommendation and in the opinion of the Board.



2. the Petitioner must obtain approval of a preliminary plan of subdivision by the Montgomery County Planning Board prior to the issuance of any building permits.

3. Housings for the flood lights proposed by the Petitioner must be oriented to insure that the source point of light is not visible from Riffle Ford Road or nearby residences.

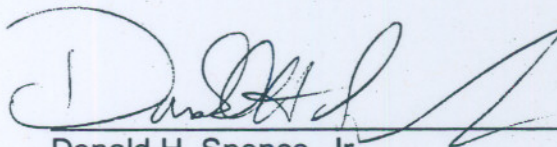
4. The Petitioner must comply with the stormwater and sediment control regulations of the Montgomery County Department of Permitting Services.

5. The Petitioner must have a qualified arborist examine the 23-inch Shingle Oak located west of the Pavilion Area (No. 9 on the NRI/FSD), and implement any tree protection and stress-release measures recommended for the continued welfare of that tree, before a building permit is issued.

6. Operation of the special exception as modified shall be according to the Testimony given by James J. Sweet [Transcript, November 25, 2002, pp. 11-25].

On a motion by Allison Ishihara Fultz, seconded by Angelo M. Caputo, with Louise L. Mayer, Donna L. Barron and Donald H. Spence, Jr., Chairman in agreement, the Board adopted the following Resolution:

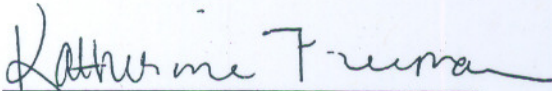
**BE IT RESOLVED** by the Board of Appeals for Montgomery County, Maryland that the opinion stated above is adopted as the Resolution required by law as its decision on the above-entitled case.



Donald H. Spence, Jr.  
Chairman, Montgomery County Board of Appeals



Entered in the Opinion Book  
of the Board of Appeals for  
Montgomery County, Maryland  
this 20<sup>th</sup> day of February, 2003.

A handwritten signature in cursive script, appearing to read "Katherine Freeman", written over a horizontal line.

Katherine Freeman  
Executive Secretary to the Board

NOTE:

Any request for rehearing or reconsideration must be filed within fifteen (15) days after the date the Opinion is mailed and entered in the Opinion Book (See Section 59-A-4.63 of the County Code). Please see the Board's Rules of Procedure for specific instructions for requesting reconsideration.

Any decision by the County Board of Appeals may, within thirty (30) days after the decision is rendered, be appealed by any person aggrieved by the decision of the Board and a party to the proceeding before it, to the Circuit Court for Montgomery County, in accordance with the Maryland Rules of Procedure.





Attachment D

DEPARTMENT OF PERMITTING SERVICES

Douglas M. Duncan  
County Executive

Robert C. Hubbard  
Director

January 12, 2006

Mr. Mike Lichty  
Rodgers Consulting  
19847 Century Boulevard, Suite 200  
Germantown, MD 20874

Re: Stormwater Management **CONCEPT** Request  
for Smokey Glen Farm  
Preliminary Plan #: 1-05100  
SM File #: 218129  
Tract Size/Zone: 91.3 ac.  
Total Concept Area: 1.4 ac.  
Watershed: Great Seneca

Dear Mr. Lichty:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above mentioned site is **acceptable**. The stormwater management concept consists of on-site water quality control and recharge via three infiltration trenches. Channel protection volume is not required because the one-year post development peak discharge is less than or equal to 2.0 cfs.

The following **conditions** will need to be addressed **during** the detailed sediment control/stormwater management plan stage:

1. Prior to permanent vegetative stabilization, all disturbed areas must be topsoiled per the latest Montgomery County Standards and Specifications for Topsoiling.
2. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
3. An engineered sediment control plan must be submitted for this development.
4. Insure safe conveyance of runoff around the proposed maintenance building.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 is not required.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable





Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Blair Lough at 240-777-6335.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard R. Brush", is written over the word "Sincerely,".

Richard R. Brush, Manager  
Water Resources Section  
Division of Land Development Services

RRB:dm bli

cc: C. Conlon  
S. Federline  
SM File # 218129

QN —not required ; Acres: 1.4ac.  
QL — on-site; Acres: 1.4ac.  
Recharge is provided





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Montgomery County Department of Park and Planning

Attachment E

August 30, 2005

**MEMORANDUM:**

TO: Richard Weaver  
Development Review Division

VIA: Shahriar Etemadi, Supervisor  
Transportation Planning

FROM: Ki H. Kim, Planner *KHK*  
Transportation Planning

SUBJECT: Preliminary Plan No. 1-05100  
Smokey Glen Farm  
Gaithersburg

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This memorandum represents Transportation Planning staff's Adequate Public Facilities (APF) review of the subject preliminary plan for the proposed modifications of an existing group picnic facility at Smokey Glen Farm site located at 16407 Riffleford Road, west of the MD 28/Riffleford Road intersection, in the Gaithersburg area.

**RECOMMENDATION**

Based on our review of the submitted traffic statement and the preliminary plan, staff recommends the following conditions as part of the APF test related to approval of the subject preliminary plan.

1. The development under this preliminary plan is limited to 55,000 square feet of group picnic, catering, and recreation facility as shown on the preliminary plan.
2. The applicant shall dedicate 40 feet from the centerline to provide for an 80-foot right-of-way required for Riffleford Road, an arterial road according to Gaithersburg Master Plan recommendation.



## DISCUSSION

### Local Area Transportation Review

Based on the submitted traffic statement, the proposed modifications are limited to the physical improvements and no additional parking or seating capacity is planned. Therefore, the proposed modifications under the subject preliminary plan would not generate any additional trips to require a Local Area Transportation Review analysis.

### Site Access and Vehicular/Pedestrian Circulation

Three existing access points are provided to the site from Wisteria Drive.

Wisteria Drive is a two-lane undivided arterial street without any sidewalks. There is no pedestrian activity anticipated from the site or observed along Riffleford Road. Therefore, the construction of sidewalk along Riffleford Road is not warranted. Staff finds that the site access and pedestrian and vehicular circulation system shown on the preliminary plan are safe and adequate.

KHK:gw

mno to Weaver re 1-05100 Smokey Glen Farm