



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Staff Report: Site Plan Amendment 81985039A, Briggs Chaney Industrial Park

CONSENT ITEM #: _____

MCPB HEARING

DATE: November 5, 2009

REPORT DATE: October 26, 2009

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief *RK*
Robert Kronenberg, Supervisor *RAK*
Development Review Division

FROM: Joshua Sloan, Coordinator *JS*
Development Review Division
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APPLICATION

DESCRIPTION: Addition of a telecommunications facility with 140-foot monopole behind existing public storage facility on 2.0 acres in the I-3 zone. Located at 3351 Briggs Chaney Road within the Fairland Master Plan area.

APPLICANT: T-Mobile Northeast LLC

FILING DATE: September 17, 2009

RECOMMENDATION: Approval of the site plan amendment and adoption of the draft resolution.

EXECUTIVE

SUMMARY: This telecommunications facility would be constructed behind the existing self-storage facility in an industrial park area. The closest residential building is more than 500 feet away from the proposed 140-foot monopole with a wooded area buffering the view. The proposal has been "recommended" by the Montgomery County Transmission Facility Coordinating Group and the Montgomery County Tower Coordinator.

SITE DESCRIPTION

Vicinity & Site Analysis

The subject site is located on Briggs Chaney Road and is adjacent to industrial uses in the I-3 zone and an area proposed for the Inter-County Connector.



Vicinity Map

The subject site is currently improved per Site Plan 819850390 with a self-storage facility. There are no known rare, threatened, or endangered species on site. There are no known historic properties or features on site.

AMENDMENT DESCRIPTION

Previous Approvals

Preliminary Plan

This plan is subject to the conditions of Preliminary Plan 119851510, which was approved for 68,675 square feet of self-storage uses on 5.27 acres. No staff report or Planning Board opinion is on file and this information is based on the Preliminary Plan on file.

Site Plan

According to the site plan signature set on file, Site Plan 819850390 was approved for 35,656 square feet on 2.0 acres on February 20, 1986. A staff report is on file and recommends a condition that any building be setback from the (then) future right-of-way of the ICC. No Planning Board opinion is on file to confirm that this recommendation was approved, however, this modification meets the recommended setback.

Conformance to Conditions of Approval

The proposed development must comply with the signature set approved by M-NCPPC on February 20, 1996 for Site Plan 819850390 except as modified herein.

Description of Amendment[s]

The Applicant requests the following modification to the Site Plan:

1. Addition of a telecommunications facility with a 140-foot monopole in a fenced, gravel area as delineated on the site and landscape plans stamped "Received" by M-NCPPC on September 17, 2009.

PUBLIC NOTICE

A notice regarding the subject amendment was sent to all parties of record by the Applicant on September 25, 2009. The notice gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59-D-3.7. Staff received no inquiries regarding the proposed amendment.

STAFF RECOMMENDATION

The proposed modification to the site plan will alter the general character of the site but will have a minimal impact on adjacent properties with respect to the original approved signature set. The adjacent industrial area and ICC right-of-way will not be adversely affected and the residential properties to the north are far enough away to have little visual impact. Thus, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. The proposed telecommunications facility has been reviewed by the Montgomery County Transmission Facility Coordinating Group and Montgomery County Tower Coordinator, both of which recommended the application. The facility and monopole meet the setbacks required by the original approval and the zoning ordinance. Staff recommends approval of Site Plan Amendment 81985039A.

APPENDICES

- A. Draft Planning Board Resolution



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

MCPB No. 09-127
Site Plan No. 81985039A
Project Name: Briggs Chaney Industrial Park
Hearing Date: November 5, 2009

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is required to review amendments to approved site plans; and

WHEREAS, on September 17, 2009, T-Mobile Northeast LLC ("Applicant"), filed a site plan amendment application designated Site Plan No. 81985039A ("Amendment") for approval of the following modifications:

1. Addition of a telecommunications facility with a 140-foot monopole in a fenced, gravel area as delineated on the site and landscape plans stamped "Received" by M-NCPPC on September 17, 2009; and

WHEREAS, the Planning Board approved Site Plan No.81985039A for 35,656 square feet on 2.0 acres on February 20, 1986; and

WHEREAS, following review and analysis of the Amendment by Planning Board staff ("Staff") and the staff of other applicable governmental agencies, Staff issued a memorandum to the Planning Board dated October 26, 2009 setting forth its analysis and recommendation for approval of the Amendment ("Staff Report"); and

WHEREAS, on November 5, 2009, Staff presented the Amendment to the Planning Board as a consent item for its review and action (the "Hearing"); and

Approved as to
Legal Sufficiency:


M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED THAT, pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Planning Board hereby adopts the Staff's recommendation and analysis as set forth in the Staff Report and hereby approves the Site Plan No. 81985039A; and

BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED, that this Amendment shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

BE IT FURTHER RESOLVED, that the date of this written resolution is _____ (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that 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).

* * * * *

CERTIFICATION:

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 of Commissioner _____, seconded by Commissioner _____, with Commissioners _____(list)_____ voting in favor of the motion, with Commissioner(s) _____(list)_____ dissenting, Commissioner(s) _____(list)_____ abstaining, Commissioner(s) _____(list)_____ being absent or being temporarily absent, at its regular meeting held on Thursday, _____, 200.., in Silver Spring, Maryland.

Royce Hanson, Chairman
Montgomery County Planning Board