

**Agenda for Montgomery County Planning Board Meeting**  
**Thursday, November 17, 2005, 8:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

---

Roll Call Approval of Minutes: October 6, 2005 Commissioners' Reports Directors' Reports Reconsideration Requests Adoption of Opinions	
---	--

---

**GENERAL MEETING** (*Third Floor Conference Room, 8787 Georgia Avenue, Silver Spring*)

- A. Administrative Items
- B. *Closed Session pursuant to the Maryland State Government Code Annotated Section (10-508)(a)(7) (consider acquisition of real property for a public purpose)*
- C. *Closed Session pursuant to Maryland State Government Code Annotated Section (10-508)(a)(7)(consult with counsel to obtain legal advice) (Subject: Goodwill Property – Procedural Matters)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

---

1. **Circle Manor/Carroll Place Historic Site**

Authorization to acquire 4.45 acres, more or less, improved, from Bristol Kensington, LLC, located at 10231 Carroll Place, Kensington, Maryland, as a Legacy Open Space Heritage Resource, maintaining an option to reuse a portion of the property for affordable housing

**Staff Recommendation:** Approval

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

2. **Threshold Hearing: Failure to Comply (building setbacks) with respect to Site Plan No. 8-03005 Goodwill Property (Bethesda Crest)**

located on Wisconsin Avenue, approximately 400 feet north of Cedar Lane, Bethesda

**Staff Recommendation:** Finding of Violation

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**3. Enforcement and Plan of Compliance**

(in the event that violations are found with respect to Site Plan 82003005A – Goodwill Property) R-60 Zone; 4.97 acres; 28 dwelling units, including 4 MPDUs; on Wisconsin Avenue, approximately 400 feet north of Cedar Lane; Bethesda/Chevy Chase

**Staff Recommendation:** Adopt Plan of Compliance

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**4. Agricultural Initiatives - Approve the following action items:**

- Transmit zoning text amendments to the County Council to: (1) reduce development potential in the RDT Zone by creating incentives to sell “buildable” TDRs; and (2) increase the use of TDR receiving sites by eliminating the minimum 2/3 use requirement for development with TDRs.
- Support policy guidelines designed to: (1) address the incursion of large private institutional facilities (PIFs) in the RDT Zone by limiting the use of multi-use septic systems; (2) limit development potential in the RDT Zone by limiting the use of sand mound septic treatment systems; and (3) increasing the potential for new TDR receiving areas by allowing TDR potential in rezoning requests outside a master plan process.
- Support for completing five research initiatives: (1) TDR program maintenance, (2) regulation of child lots in the RDT Zone, (3) expansion of TDR receiving capacity beyond the residential zones, (4) study area agricultural economics, and (5) expand the mission of the Agricultural Farm Park.
- Authorize three new initiatives that (1) evaluate requiring the use of “development rights” for all non-agricultural uses in the RDT Zone, (2) address agricultural awareness and education, and (3) map equestrian trail easements.

---

4. **Agricultural Initiatives (Continued)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 
5. **Previously Deferred Water and Sewer Service Area Category Change Requests – November 2004 County Council Amendments to the *Comprehensive Water Supply and Sewerage Systems Plan***

**Staff Recommendation:** Discussion and action

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 
6. **Review and Comment on Amendment to "FY 2003-2012 Comprehensive Water Supply and Sewerage Systems Plan"-WSSCCR 00A-URC-01, Casey Property, Upper Rock Creek**

**Staff Recommendation:** Approval of staff recommendations

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 
7. **Zoning Text Amendment No. 05-16**

Introduced by Councilmembers Silverman, Floreen and Subin; amend the Zoning Ordinance to define the term "workforce housing unit; require any residential development at or above a certain density, located in a metro station policy area, to include a certain percentage of workforce housing units; and generally provide standards for the development of workforce housing units

**Staff Recommendation:** Approval with modifications

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

8. **Bill No. 30-05**

Introduced by Councilmember Silverman, to establish a County Workforce Housing Program to be administered by the Department of Housing and Community Affairs

**Staff Recommendation:** Approval to transmit comments

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

9. **Preliminary Plan Review No. 120050940 (Formerly 1-05094) 836 Bonifant Street**

CBD-0.5 zone; 0.125 acres; 5,445 gross square feet of commercial development of which 2,036 square feet is existing and 3,409 is new construction

Community water and community sewer

Located on the south side of Bonifant Street, approximately 500 feet east of the intersection with Fenton Street

Applicant: Bonifant Investments LLC

Engineer: Raztec Associates, Inc.

Planning Area: Silver Spring CBD and Vicinity Sector Plan

**Staff recommendation: Approval with conditions**

**\*\*\*\*\* See Staff Memorandum for Discussion \*\*\*\*\***

---

9. **Preliminary Plan Review No. 120050940 (Formerly 1-05094) 836 Bonifant Street**  
(Continued)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

10. **Site Plan Review No. 820050360 (Formerly 8-05036), 836 Bonifant Street**

CBD-0.5 Zone; 0.125 acres; 5,445 gross square feet of commercial development of which 2,036 square feet is existing and 3,409 is new construction; on the south side of Bonifant Street, approximately 500 feet east of the intersection with Fenton Street; Silver Spring CBD and Vicinity Sector Plan

**Staff Recommendation:** Approval with conditions

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**11. Preliminary Plan Review No. 120050960 (Formerly 1-05096) James Property**

R-200 Zone; 3.55 acres; 2 lots, 1 parcel and 1 outlot requested; 2 one-family detached dwelling units

Community water and community sewer

Located on the south side of Briggs Chaney Road, approximately 450 feet west of the intersection with Old Columbia Pike

Applicant: Gladstone James  
Engineer: Dewberry & Davis, LLC

Planning Area: Fairland

**Staff recommendation: Approval with conditions**

**\*\*\*\*\* See Staff Memorandum for Discussion \*\*\*\*\***

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



---

**12. 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.

- 220052420    Chevy Chase  
On the east side of Brookville Road, approximately 150 feet north of  
Thornapple Street  
R-60 Zone, 2 Lots  
Community Water, Community Sewer  
Master Plan Area: Bethesda-Chevy Chase  
Mr. & Mrs. Thomas Conley, Applicant
- 220060060    West Chevy Chase Heights  
North side of West Virginia Ave, approximately 100 feet east of Wisconsin  
Avenue  
CBD-1 Zone, 1 Lot  
Community Water, Community Sewer  
Master Plan Area: Bethesda-Chevy Chase  
Bloom Investments LLC., Applicant
- 220060260    Ancient Oak West  
East of Darnestown Road, between Chestnut Oak Drive and Turkey Foot  
Road  
R-200 Zone, 5 Lots  
Community Water, Community Sewer  
Master Plan Area: Potomac  
Nicholas D. & V.A. Petrucci, Applicant

Pursuant to section 50-35A, the following minor subdivision plats are recommended for conditional approval subject to any applicable conditions of previous preliminary plan approvals and conditioned on conformance with all requirements of Chapter 50 of the Montgomery County Code as will be determined during detailed agency review of the record plats prior to signature.

- 220052130    Montgomery Hills Forest  
Southwest of Sharon Drive, approximately 85 feet southeast of Gwyndale  
Drive  
R-60 Zone, 1 Lot  
Community Water, Community Sewer  
Planning Area: North Silver Spring  
Jeffery Ankers, Applicant

---

**12. Record Plats (Continued)**

- 220060140    Martin's 2<sup>nd</sup> Addition to Chevy Chase  
North side of Turner Lane, approximately 150 feet east of Brookville Road  
R-60 Zone, 1 Lot  
Community Water, Community Sewer  
Planning Area: Bethesda-Chevy Chase  
McCullough Residential, LLC, Applicant
- 220060430    West Chevy Chase Heights  
South side of Highland Avenue, approximately 500 feet east of Wisconsin  
Avenue  
R-60 Zone, 1 Lot  
Community Water, Community Sewer  
Planning Area: Bethesda-Chevy Chase  
McCullough Residential, LLC, Applicant
- 220060540    Huntington Terrace  
South West corner of Lincoln Street and Grant Street  
R-60 Zone, 1 Lot  
Community Water, Community Sewer  
Planning Area: Bethesda-Chevy Chase  
Suneel Kapur, Applicant

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**13. Response and Reaction to the Implications of Planning in a Maturing County; Framework Report; Revitalizing Centers and Boulevards**

**Staff Recommendation:** Discussion

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**14. Serpentine Oaks Conservation Park: Management Plan, and Public Access Element**

**Staff Recommendation:** Approval

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**