

**Agenda for Montgomery County Planning Board Meeting
Thursday, October 25, 2001, 10:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: March 29, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
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GENERAL MEETING (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. **Consent Item: Park and Trail Concept Plan for the Kemp Mill Vicinity**

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Mandatory Referral No. 01004-SHA-1**

State Highway Administration improvements to New Hampshire Avenue

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **FY 03-08 Parks Capital Improvements Program**

Final Worksession

Staff Recommendation: Discussion.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Zoning Text Amendment No. 01-09**

Introduced by Councilmembers Subin, Silverman, Dacek, Leggett, and Denis; amend the Zoning Ordinance to establish a new special exception category use to allow a Group Picnic, Catering, and Recreation Facility by special exception in the RE-2C Zone

(Action Required for Hearing of 10/31/01)

Staff Recommendation: Approval with modifications.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

LUNCH AND GENERAL MEETING CONTINUED (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. River Road Shale Barrens

Authorization to acquire 30.0 acres, more or less, unimproved, from Frank P. and Inge M. Radl with FY02 Legacy Open Space Funds, south of Poolesville

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. Woodstock Equestrian Park Master Plan (Staff Draft)

Presentation and review of Staff Draft

Staff Recommendation: Approve Staff Draft as Public Hearing Draft and set Public Hearing date of 11/29/01.

Note: No public testimony will be taken at this time.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Zoning Map Amendment No. G-789

Johnson Enterprises, applicant, requests rezoning from the RE-2C Zone to the R-200 Zone; 32.93 acres; northeast quadrant of Quince Orchard Road and MD 28, Gaithersburg

(Action Required for Hearing of 11/6/01)

Staff Recommendation: Denial.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Preliminary Plan Review No. 1-01048 - Academy Child Development Center, Inc.

R-90 Zone; One (1) Lot Requested (8, 277 Square Feet Child Daycare Center); 1.02 Acres

Community Water and Community Sewer

Located on the North Side of Darnestown Road, Approximately 250 Feet West of Travilah Road

Policy Area: R&D Village

APPLICANT: Academy Child Development Center

ENGINEER: Haines Land Design

ATTORNEY: Linowes and Blocher

Staff Recommendation: Approval, Subject to the Following Conditions:

- (1) Approval is limited to a child daycare facility with the uses and conditions of Board of Appeals approval for Case No. S-2453
- (2) Compliance with condition of Transportation Planning memo dated October 15, 2001 as follows:
 - Total development of this preliminary plan is limited to a child day care facility with a maximum enrollment of 88 children
 - The applicant must enter into a traffic mitigation agreement to limit enrollment of the facility to 30 children before 9:30 a.m. and after 3:30 p.m. and provide the Planning Board annual reimbursement to pay the independent auditor to monitor compliance with the traffic mitigation goal. If the applicant is not in compliance with this traffic mitigation goal in three consecutive months, the total enrollment should be reduced to 30 children from 88
- (3) Compliance with MCDPS storm water management approval dated March 12, 2001
- (4) Provide grading plan to MNCPPC technical staff that minimizes the impact on specimen White Oak located on adjacent property
- (5) Access and improvement as required by MCDPWT prior to recordation of plats
- (6) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to full width mandated by the Shady Grove Study Area Plan, unless otherwise designated on the preliminary plan
- (7) Provide final landscape and lighting plan including sidewalks to be reviewed by MNCPPC technical staff prior to recordation of plat(s)
- (8) Access and improvements as required by MCDPWT prior to recordation of plat(s)
- (9) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- (10) 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
- (11) Necessary easements

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8. **Preliminary Plan Review No. 1-01048 - Academy Child Development Center, Inc. - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-01037 - Frazier Property

R-10 Zone; Ten (10) Lots Requested (Multi-Family Attached Dwelling Units), 31,364 Square Feet

Community Water and Community Sewer

Located on the Southwest Quadrant Intersection of Juniper Street and Blair Road

Policy Area: Silver Spring

APPLICANT: Capital City Mortgage Corporation

ENGINEER: Benning & Associates

Staff Recommendation: Approval, Subject to the Following Conditions:

- (1) Approval of this preliminary plan is limited to no more than ten (10) multi-family units (2 buildings) as outlined in the October 17, 2001 Transportation Planning memo
- (2) Provide sidewalks along Blair Road and Juniper Street with lawn panel and street trees
- (3) Provide connection between the external sidewalks and internal walkways
- (4) Provide final landscape and lighting plan to be reviewed by staff prior to recordation of plat(s)
- (5) All road rights-of-ways shown on the approved preliminary plan shall be dedicated as necessary, by the applicant, to the full width mandated by the Silver Spring Master Plan, unless otherwise designated on the preliminary plan
- (6) Compliance with MCDPS storm water management approval dated June 28, 2001
- (7) Access and improvements as required by MCDPWT prior to recordation of plat(s)
- (8) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- (9) 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
- (10) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Request to Revise the Previous Conditions of Approval - Preliminary Plan Review No. 1-97044A - New Covenant Fellowship Church**

RE-1 Zone; One (1) Lot Previously Approved (House of Worship); 33.94 Acres

Community Water and Community Sewer

Located on the East Side of Waring Station Road, Approximately 350 Feet North of Summer Oak Drive

Policy Area: Germantown West

APPLICANT: New Covenant Fellowship Church

ENGINEER: Witmer & Associates

Staff Recommendation: Approval to Revise Conditions as Follows:

- 1) Compliance with conditions of Transportation Planning memorandum dated October 19, 2001 as follows:
 - Limit the preliminary plan amendment to K-5th grade school with enrollment up to 300 students and a day care center with enrollment up to 300 students
- 2) All previous conditions of the preliminary plan approval as contained in the Planning Board's opinion dated July 3, 1997 remain in full force and effect
- 3) Applicant to submit final landscaping plan to address screening along the I-270 right-of-way for technical staff review and approval
- 4) Necessary easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Preliminary Plan Review No. 1-97098A – Thompson Farm

RDT Zone; Seventeen (17) Lots Requested (Single-Family Detached Dwelling Units), 434.73 Acres

Private Well and Private Septic

Located on the East Side of Slidell Road, Approximately 4,700 Feet Southwest of Comus Road

Policy Area: Clarksburg

APPLICANT: Charles Jamison

ENGINEER: Benning & Associates

ATTORNEY: Debelius, Debelius and Clifford

Staff Recommendation: Approval of eleven (11) lots only at this time, pursuant to FY1999 Annual Growth Policy Alternative Review Procedures for Expedited Development (“Pay & Go”) for seven (7) residential lots and the Alternative Review Procedures for Limited Residential Development (DAP) for ten (10) dwelling units and subject to the following conditions:

- (1) Approval under this preliminary plan is limited to a maximum of seventeen (17) residential units. The applicant must pay to the Montgomery County Department of Finance the expedited development approval excise tax and the development approval payment prior to receipt of any building permits, as provided by county law
- (2) 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
- (3) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to full width mandated by the Clarksburg Master Plan, unless otherwise designated on the preliminary plan
- (4) Record plat to provide for dedication for 80 feet of right-of-way for West Old Baltimore Road, 70 feet on Shiloh Church Road and 80 feet on Slidell Road
- (5) Record plat to show delineation of a Category I conservation easement over all areas of stream valley buffer and forest conservation
- (6) Final area or park dedication to be determined prior to recordation of plat
- (7) Record plat to reflect a 25 foot shared use trail easement along frontages of West Old Baltimore Road and Slidell Road
- (8) Compliance with conditions of MCDPS septic approval
- (9) Access and improvements as required by MCDPWT prior to recordation of plat(s)
- (10) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to this date, a final record plat must be recorded for all property delineated on the approved preliminary plan, or a request for an extension must be filed
- (11) 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
- (12) Necessary easements

11. **Preliminary Plan Review No. 1-97098A – Thompson Farm - Continued**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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12. The Following **Record Plats** are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or Site Plans:

NOT AVAILABLE AT TIME OF PRINTING

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: