



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

AGENDA DATE: April 26, 2007
April 20, 2007

MEMORANDUM

TO: Montgomery County Planning Board

VIA: Mary Dolan, Acting Chief *MD*
Countywide Planning Division

FROM: Clare Kelly *CK*
Historic Preservation Planner, x3402

SUBJECT: Resolution of Adoption of Amendment to the *Master Plan for Historic Preservation: Higgins Tavern*

RECOMMENDATION

Adopt the resolution for transmittal to the full Commission.

DISCUSSION

Attached for your review is a copy of the Montgomery County Council's resolution approving the Planning Board (Final) Draft Amendment to the *Master Plan for Historic Preservation: Higgins Tavern*. This Amendment designates one historic site on the Master Plan for Historic Preservation.

In addition, a draft resolution of adoption by the full Commission is attached for your review.

Attachments

Resolution No.: 15-1433

Introduced: May 2, 2006

Adopted: May 2, 2006

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Planning Board Final Draft Amendment to the Approved and Adopted Master Plan for Historic Preservation: Higgins Tavern

Background

1. On February 6, 2006, the Planning Board submitted to the District Council and to the County Executive, the Planning Board Final Draft Amendment to the Master Plan for Historic Preservation: Higgins Tavern.
2. On February 9, 2006, the Executive submitted to the County Council a fiscal impact analysis and comments on the Final Draft Amendment to the Approved and Adopted Master Plan for Historic Preservation: Higgins Tavern.
3. On April 18, 2006, the County Council convened a public hearing on the Final Draft Amendment to the Approved and Adopted Master Plan for Historic Preservation: Higgins Tavern. The Council heard testimony both for the proposed Master Plan Amendment. No one testified against the historic designation.
4. On April 28, 2006, the Council's Planning, Housing, and Economic Development Committee held a worksession on the amendment. The Committee discussed the Final Draft Master Plan Amendment and the issues raised at the public hearing.
5. On May 2, 2006, the County Council sitting as the District Council held a worksession on the Final Draft Master Plan Amendment.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

The Final Draft Amendment to the Approved and Adopted Master Plan – Higgins Tavern is approved as follows:

Designate the following properties as individual historic sites:

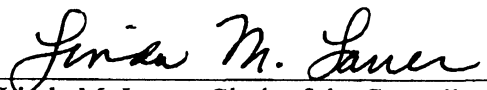
Site #	Name	Address
23-105	Higgins Tavern	16800 Georgia Avenue, Olney

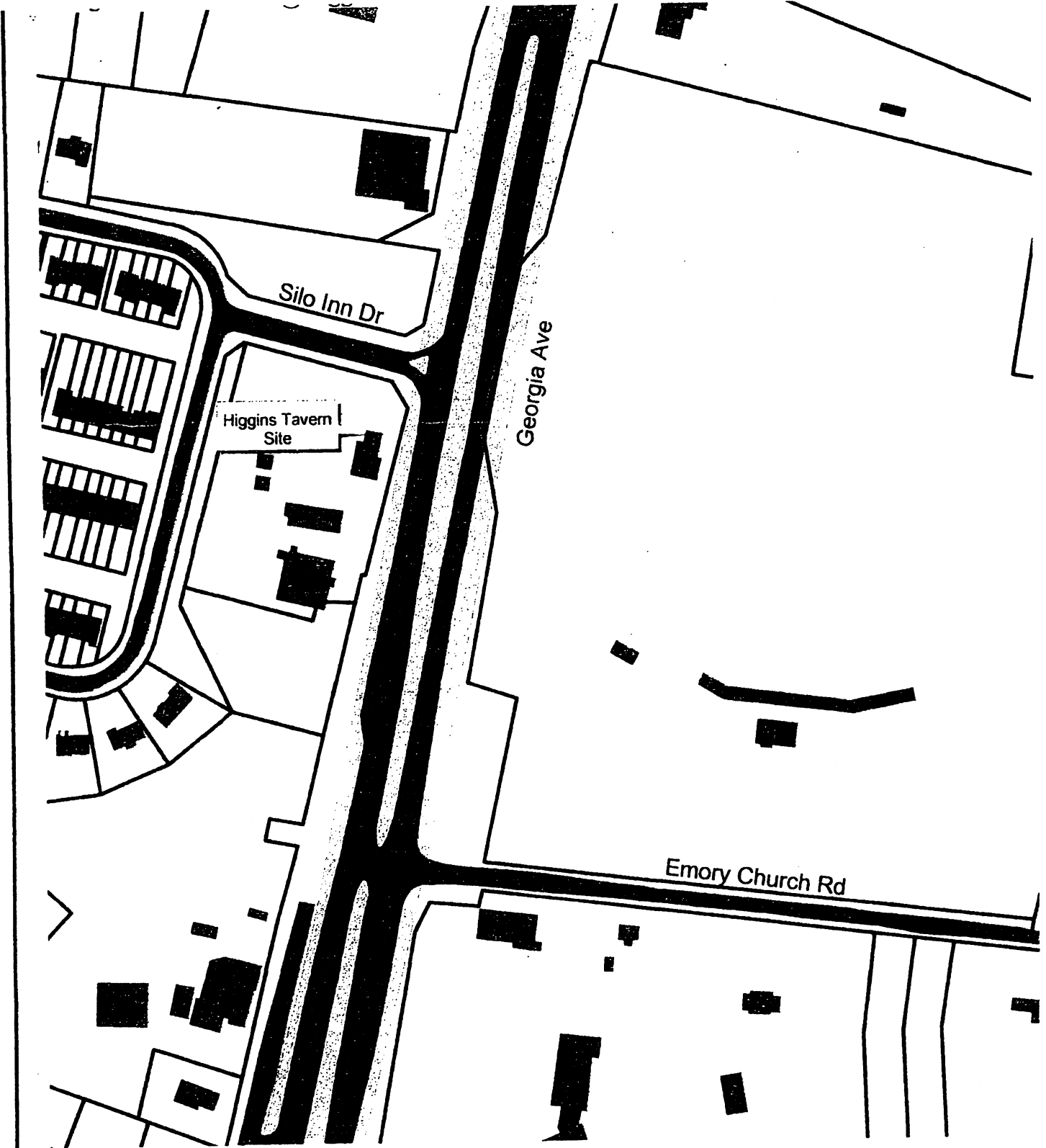
Add the following language to the description of the environmental setting:

The recommended environmental setting is approximately 0.5 acres, to terminate at the fence line of the new commercial development to the west and south, the ROW line to the east and include all the land to the north of the tavern with the setting ending at the property line, as shown on the attached map, unless that ROW must be adjusted to accommodate the Georgia Avenue Busway and the master planned MD 97 four-lane divided highway Right-of-Ways. It is anticipated that the Right-of-Way needs may be accommodated without the movement of the line as shown on the attached map.

The text and maps of the Final Draft Amendment to the Master Plan for Historic Preservation: Higgins Tavern will be amended to correct all typographical errors, make technical changes and reflect master planned transportation rights-of-way where they will affect the environmental setting of the resource.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



Map Compiled On 04-17-2006 at 02:09 PM
 Map Scale: 1 inch = 200 feet or 1:2400

0 200 Feet



The Maryland-National Capital Park and Planning Commission
 Montgomery County Department of Park and Planning
 Transportation Planning Unit
 8787 Georgia Avenue | Silver Spring, Maryland 20910
 301.495.4525 voice | 301.495.1302 fax | <http://www.mc-mnccppc.org>

- Property
- Street Pavement
- Master plan of highways row ship Bunking
- Montgomery County

NOTICE
 The planimeter, property and topographic information shown on this map is based on aerial photography and should not be interpreted as actual field work. Planimeter features were obtained from 1:6000 scale aerial photography using stereo photogrammetric methods. All planimeter and property-based features are collected at 1:2400 scale and are +/- 2.5 feet of true location.
 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. This map may not be the same as a map of the same area plotted at an earlier time as the data are continuously updated. Use of this map, other than for general planning purposes is not recommended.
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MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 07-20
M-NCPPC No. 07-06

RESOLUTION

WHEREAS, The Maryland-National Capital Park and Planning Commission, by virtue of Article 28 of the Annotated Code of Maryland, is authorized and empowered, from time to time, to make and adopt, amend, extend, and add to a General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission, pursuant to said law, held a duly advertised public hearing on June 2, 1994 regarding the Public Hearing (Preliminary) Draft of a proposed amendment to the *Master Plan for Historic Preservation: Higgins Tavern*; being also an amendment to the 2005 Olney Master Plan and an amendment to the General Plan for the Physical Development of the Maryland-Washington Regional District; and

WHEREAS, the Montgomery County Planning Board, after said public hearing and due deliberation and consideration, approved the Planning Board (Final) Draft of the proposed amendment, and forwarded it on February 6, 2006 to the Montgomery County Executive and to the Montgomery County Council; and

WHEREAS, the Montgomery County Executive Branch made comments and recommendations on the Planning Board (Final) Draft of the proposed amendment to the *Master Plan for Historic Preservation: Higgins Tavern*, within the 60 days allowed by law for comment, and forwarded those comments to the Montgomery County Council on February 9, 2006; and

WHEREAS, the Montgomery County Council, sitting as the District Council for the portion of the Maryland-Washington Regional District lying within Montgomery County, held a public hearing on April 18, 2006 wherein testimony was received concerning the Planning Board (Final) Draft of the proposed amendment; and

WHEREAS, the Montgomery County Council, sitting as the District Council for that portion of the Maryland-Washington Regional District lying within Montgomery County on May 2, 2006 revised and approved the Planning Board (Final) Draft of the proposed amendment by Resolution No.15-1433; and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Planning Board and The Maryland-National Capital Park and Planning Commission do hereby adopt said amendment to the *Master Plan for Historic Preservation: Higgins Tavern*; being also an amendment to the 2005 Olney Master Plan and an amendment to the General Plan for the

Physical Development of the Maryland- Washington Regional District together with the General Plan for the Physical Development of the Maryland-Washington Regional District as approved by the Montgomery County Council in the attached Resolution No.15-1433; and

BE IT FURTHER RESOLVED that as to Resolution No. 15-1433, this adoption be effective May 3, 2006 nunc pro tunc; and

BE IT FURTHER RESOLVED, that copies of said amendment shall be certified by The Maryland-National Capital Park and Planning Commission and filed with the Clerk of the Circuit Court of each of Montgomery and Prince George's Counties, as required by law.

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