

**Agenda for Montgomery County Planning Board Meeting
Thursday, November 29, 2001; 9:30 a.m.**

8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: April 26, 2001 Commissioners' Reports Directors' Reports Reconsideration Requests	
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1. Abandonment Petition AB-650

Abandonment of a portion of Tridelphia Lake Road

Staff Recommendation: Approval with conditions.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. **Amendment to the Montgomery County Solid Waste Management Plan**

Add the category “construction debris reclamation facilities” to the list of acceptance facilities in the County

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. **City of Gaithersburg Annexation Petition X-179**

EZ Storage Gaithersburg; reclassification from the County’s General Commercial (C-2) Zone to the City’s CD (Corridor Development) Zone; southeast quadrant of intersection of MD 355 and South Westland Drive; Shady Grove Sector Plan

Staff Recommendation: Transmit comments to the City of Gaithersburg.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. **Mandatory Referral No. 01111-MDGS-1 - Silver Spring District Courthouse**

CBD-2 Zone; Apple Avenue and Second Avenue; Silver Spring CBD Sector Plan

Staff Recommendation: Approval with comments.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Site Plan Review No. 8-02008 – Lerner Property**

R-200/R-200/TDR-3 Zones; 14 one-family detached units, 30 townhouses, including 13 transferable development rights (TDR's); on Quince Orchard Road, 5,400 feet south of Darnestown Road (MD 28); Darnestown and Vicinity – PA-24

APPLICANT: Elm Street Development

ENGINEER: Charles P. Johnson & Associates

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

6. **Site Plan Review No. 8-02010 – Germantown Gateway**

C-T Zone; 125,000 gross square feet of commercial office use; on MD 118,600 feet east of Middlebrook Road; Germantown and Vicinity - PA-19

APPLICANT: Willco Companies
ENGINEER: Clark, Finefrock, and Sackett, Inc.

Staff Recommendation: Approval with conditions. (See staff report)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

GENERAL MEETING (*Third Floor Conference Room*)

Program Coordination, Legal, Legislation, and Administrative Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

7. Fenton Street Urban Park Addition

Authorization to acquire 3,887 square feet, improved, at 805 Burlington Avenue, Silver Spring, from the Schwartz Family Revocable Trust

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. **Preliminary Plan Review No. 1-02029 – Sunshine Acres (Resubdivision)**

RC Zone; Six (6) Lots Requested (6 Single-Family Detached Dwelling Units); 30.45 Acres

Community Water & Community Sewer

Located on the East Side of Georgia Avenue (MD 97), Approximately 400 Feet North of New Hampshire Avenue (MD 650)

Policy Area: Rural (Olney)

APPLICANT: Tamara Corporation

ENGINEER: Dewberry & Davis

Staff Recommendation: See Discussion and Conditions Enumerated in Staff Report.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. Preliminary Plan Review No. 1-01087 – Gateway Park (With Site Plan)

I-3/R-200 Zones; One (1) Lot Requested (30,690 Square Feet Commercial Office); 4.57 Acres

Community Water and Community Sewer

Located on the North Side of Lullaby Road, Approximately 200 Feet West of Father Hurley Boulevard

Policy Area: Germantown West

APPLICANT: Germantown Station Ltd.

ENGINEER: Loiderman Soltesz and Associates

ATTORNEY: Wheeler & Korpeck

Staff Recommendation: Approval Subject to the Following Conditions:

- (1) Approval of this preliminary plan is limited to 30,690 square feet of office space
- (2) The applicant pays the cost necessary to change the exclusive right-turn lane to a through/right choice lane westbound on Wisteria Drive at MD 118
- (3) 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
- (4) Record plat to show delineation of a Category I conservation easement over the stream valley buffer and forest conservation areas
- (5) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Germantown Master Plan, unless otherwise designated on the preliminary plan
- (6) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Germantown Master Plan, and to the design standards imposed by all applicable road codes
- (7) Record plat to provide for dedication for 80 feet of right-of-way for Lullaby Road and 120 feet for Father Hurley Boulevard
- (8) Compliance with conditions of MCDPS stormwater management approval dated, July 26, 2001
- (9) Access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- (10) Final approval of the location of building, on-site parking, site circulation and sidewalks, will be determined at site plan
- (11) A Lighting and Landscaping plan must be submitted as part of the site plan application for review and approval prior to recording of plat
- (12) No clearing, grading, or recording of lots prior to site plan approval
- (13) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed

9. **Preliminary Plan Review No. 1-01087 – Gateway Park (With Site Plan) - Continued**

- (14) The Adequate Public Facility (APF) Review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (15) Necessary Easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. Preliminary Plan Review No. 1-02002 – Dorsett Property

RDT Zone; Seven (7) Lots Requested (5 Single-Family Detached Dwelling Units and 2 Outlots); 35.85 Acres

Community Water and Private Septic

Located on the Southeast Side of Beallsville Road (MD 109), Opposite the Intersection With Big Woods Road

Policy Area: Rural (Clarksburg)

APPLICANT: Thomas King

ENGINEER: Benning & Associates

Staff Recommendation: Approval of Five (5) Lots and Two (2) Outlots Only, Subject to the Following Conditions:

- (1) 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
- (2) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Clarksburg Master Plan, unless otherwise designated on the preliminary plan
- (3) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Clarksburg Master Plan, and to the design standards imposed by all applicable road codes
- (4) Compliance with conditions of MCDPS (Health Dept) septic approval dated, January 26, 2001
- (5) Access and improvements as required to be approved by MCDPWT prior to recordation of plats and MDSHA prior to issuance of access permit
- (6) Prior to recordation of plat, applicant to submit verification of the availability of the required number of TDR's
- (7) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (8) The Adequate Public Facility (APF) Review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (9) Necessary Easements

10. Preliminary Plan Review No. 1-02002 – Dorsett Property - Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

11. Preliminary Plan Review No. 1-01058 – Johnson Property

RE-2C/R-200 Zones; 24 Lots Requested (24 Single-Family Detached Dwelling Units);
81.67 Acres

Community Water and Private Septic

Located on the North Side of Darnestown Road (MD 28), Approximately 900 Feet West of
Quince Orchard Road

Policy Area: Potomac

APPLICANT: Winchester Homes

ENGINEER: Loiederman & Associates

ATTORNEY: Miller, Miller & Canby

Staff Recommendation: Approval, Including Waiver of Overlength Cul-de-Sac and
Minimum Centerline Radii Pursuant to Section 50-26 of the Montgomery County Subdivision
Regulations and, Subject to the Following Conditions:

- (1) Compliance with conditions of approval of Transportation Planning memorandum dated, November 20, 2001 as follows:
 - A. Development of this preliminary plan is limited to a total of 24 dwelling units.
 - B. Upgrade existing McDonald Chapel Road within the property to the Montgomery County's secondary residential street standard and dedicate right-of-way as a public street.
 - C. Connect Carrington Hill Drive to provide improved local traffic circulation.
- (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. Conditions include:
 - A. All trash and invasive plants within the stream valley buffer must be removed. Equipment may be used to remove the trash, but trash within the critical root zones must be removed by hand. The critical root zones of the trees must be roped off to prevent equipment from passing over these sensitive areas. Once the trash and invasive plants are removed the area must be reforested.
 - B. In areas where trash is either instream or on the banks of the stream, the trash must be removed and the stream restabilized with bioengineering stream restoration techniques.
 - C. Areas impacted by condition #1 and #2 will require a sediment control permit from DPS.
 - D. Nursery plantings currently located East of MacDonald Chapel Drive, and within the limits of disturbance, must be transplanted and saved for future use as landscaping material within the site.
- (3) Record plat to show delineation of a Category I conservation easement over the stream buffer(s)

11. Preliminary Plan Review No. 1-01058 – Johnson Property - Continued

- (4) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Potomac Master Plan, unless otherwise designated on the preliminary plan
- (5) All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Potomac Master Plan, and to the design standards imposed by all applicable road codes and/or MCDPWT
- (6) Record plat to reflect common ingress/egress easements over shared driveways
- (7) Compliance with conditions of MCDPS stormwater management approval dated July 16, 2001
- (8) Compliance with conditions of approval within MCDPWT letter dated, November 26, 2001
- (9) Access and improvements as required to be approved by MCDPWT prior to issuance of access Permit
- (10) This preliminary plan will remain valid for thirty-seven (37) months from the date of mailing of the Planning Board opinion. Prior to the expiration of this validity period, a final record plat for all property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (11) The Adequate Public Facility (APF) Review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (12) Necessary Easements

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

12. Preliminary Plan Review No. 1-94002 – Cramer Property

I-1/ RE-2C Zones; One (1) Lot Requested (88,800 Square Feet General Office Space); 15.58 Acres

Community Water and Community Sewer

Located on the North Side of Lewis Drive, Approximately 500 Feet West of High Corner Road

Policy Area: Damascus & Vicinity

APPLICANT: Lewis Drive L.P.

ENGINEER: Macris Hendricks Glascock

ATTORNEY: Shulman, Rogers, Gandal, Pordy and Ecker

Staff Recommendation: Approval, Subject to the Following Conditions:

- (1) Approval under this preliminary plan is limited to 88,800 square feet of general office. Any modification to this use may require further Planning Board review
- (2) Coordinate with the Montgomery County Department of Public Works and Transportation (MCDPWT) on the requirements for the access points to Lewis Drive
- (3) Record plat to provide for dedication of 40 feet of right-of-way from centerline for Lewis Drive Road
- (4) 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
- (5) All road rights-of-way shown on the approved preliminary plan shall be dedicated by the applicant, to the full width mandated by the Damascus Master Plan, unless otherwise designated on the preliminary plan
- (6) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- (7) Compliance with the conditions of MCDPS stormwater management approval dated May 17, 2001
- (8) Final access and improvements as required to be approved by MCDPWT prior to recordation of plat
- (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

12. Preliminary Plan Review No. 1-94002 – Cramer Property – Continued

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

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13. 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:

14. **Transportation Policy Report**

Presentation by Task Force

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

Staff Recommendation: Discussion.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

