

**Agenda for Montgomery County Planning Board Meeting  
Thursday, December 12, 2002, 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: September 26, 2002 Commissioners' Reports Directors' Reports Reconsideration Requests	
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**GENERAL MEETING (*Third Floor Conference Room*)**

- A. Administrative Items
- B. FY03 Operating Budget Four Month Report
- C. FY04 Special Revenue Funds
- D. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a)(4) (proposal for a business to locate, expand or remain in the State)*
- E. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (consult with counsel to obtain legal advice) (subject: State Legislation)*
- F. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a)(7) (consult with counsel to obtain legal advice) (subject: Callithea Farm lease)*
- G. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a)(7) (consult with counsel to obtain legal advice) (subject: SoccerPlex)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

1. **Site Plan Review No. 8-03001; 5510 Edson Lane**

C-T Zone; 2,368 gross square feet of office space addition; Southeast quadrant of Edson Lane and Woodglen Drive; PA – 30 North Bethesda – Garrett Park

APPLICANT: Melanie Dana /c/o Union Financial Corp.  
ENGINEER: Site Solutions, Inc.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

2. **Zoning Map Amendment No. G-802**

David Fogel and Ilama Var-Levau, applicants, request rezoning from the R-60 zone to the C-T zone; 6,866 sq. ft., 7920 Old Georgetown Road, Bethesda

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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3. **Master Plan of Highways Amendment Capital Beltway High Occupancy Vehicle Lanes, I-270 west spur to American Legion Bridge and Interchange at Randolph Road and Veirs Mill Road**

**Staff Recommendation:** Approve Staff Draft for Public Hearing.

No public testimony will be taken at this time.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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4. **Board of Appeals Petition No. S-2516 (Special Exception)**

Happy Tails of MD, applicant, requests a special exception for an animal boarding place; RC zone; 17717 New Hampshire Avenue, Ashton

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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5. **Staff Draft Amendment to Countywide Park Trails Plan: Trail Planning Process**

**Staff Recommendation:** Approval for Purposes of Public Hearing

No public testimony will be taken at this time.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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6. **FY04 Park User Fees**

**Staff Recommendation:** Approval.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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7. **Upper Rock Creek Area Master Plan – Worksession #2**

Land Use and Environment

**Staff Recommendation:** No public testimony will be taken at this time.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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8. **Preliminary Plan Review No. 1-99100E – Cloverly Commercial**

(Request for the extension of the validity period); C-1 zone; 1 lot previously approved (General Retail); 0.76 acres; West side of new Hampshire Avenue (MD 650), approximately 750 feet north of the intersection with Briggs Chaney Road; Cloverly.

Policy Area: Cloverly

Applicant: DV, L.L.C.

Engineer: Site Solutions

**Staff Recommendation:** Grant six (6) month extension.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Preliminary Plan No. 1-02041 – Islamic Centre of Maryland**

RE-1 Zone; 9.90 Acres; One (1) Lot Proposed; (Religious Center and Residence)

Community Water and Community Sewer

Located On the East Side of Woodfield Road (MD 124), Approximately 240 Feet South of Brenish Drive

Policy Area: Upper Rock Creek

Applicant: Islamic Centre of Maryland

Engineer: Greenhorne and O'Mara

**Staff Recommendation:** Approval, Subject to the Following Conditions:

- 1) Limit the preliminary plan approval to a house of worship with the following limitations:
  - A 650-seat sanctuary
  - An on-site Imam's residence
  - A weekday educational institution for a maximum of 53 students in kindergarten through 12<sup>th</sup> grade with a weekday child daycare center for those attending the educational institution. A weekday child daycare center with a maximum of 58 children would have the equivalent traffic impact
  - Any future increase in the maximum number of children for either the educational institution or child daycare center (as a Phase 2) will require further APF review
- 2) Coordinate with the Maryland State Highway Administration (SHA) regarding the following:
  - The two site accesses from Woodfield Road (MD 124)  
A new access limited to right-turn-in and right-turn-out only south of Brenish Drive. Joint use of the existing access for the Church of Redeemer opposite Brenish Drive.
  - SHA's Consolidated Transportation Program (CTP) Project to widen Woodfield Road along the western property line of the site which includes five-foot sidewalks on both sides and a Class I bikeway
- 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 area of forest conservation

**Preliminary Plan No. 1-02041 – Islamic Centre of Maryland - (cont'd)**

- 5) Compliance with the conditions of MCDPS stormwater management approval dated, May 9, 2002
- 6) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 7) Prior to recordation of plat, a final landscape, lighting and sidewalk circulation plan including a five-foot sidewalk leading-in from Woodfield Road to the site which are not shown on the current plans must be submitted for review and approval by MNCPPC technical staff
- 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) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**10. Preliminary Plan Review No. 1-03010 – Poplar Hill**

RC Zone; 30.90 Acres; Six (6) Lots (Six (6) Single Family Detached Dwelling Units)(Two (2) Existing Single Family Dwelling Units)

Located On the East Side of Poplar Hill Road, Approximately 150 Feet South of Arminio Court

Policy Area: Rural (Darnestown)

Applicants: Mr. Chun Lau  
Mr. And Mrs. Fred Schuyler  
Mr. and Mrs. Joseph Lafleur

Engineer: Benning and Associates

Attorney: Miller, Miller and Canby

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**Preliminary Plan Review No. 1-03010 – Poplar Hill – (cont'd)**

**Staff Recommendation:** Denial, Pursuant to Section 50-29 (b)(2) Section 50-3 of the Montgomery County Subdivision Regulations and Chapter 59 Section 59-C-9.5 of the Montgomery County Zoning Ordinance

\*\*\*\*\* See Discussion Enumerated in Staff Report\*\*\*\*\*

**Staff Recommendation:**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**11. Preliminary Plan Review No. 1-03015 – Calverton**

Lots 17-20, Block 29; R-90 zone; 4 lots (4 single family detached dwelling units); 1.5 acres; North side of Fairland Road opposite intersection with Summerwood Drive; Fairland.

Policy Area: Fairland – White Oak

Applicant: Tamara Corporation

Engineer: Dewberry and Davis

**Staff Recommendation:** Approval with conditions.

- (1) Compliance with the conditions of approval of the preliminary forest conservation plan. The applicant must meet all conditions prior to recording of plat or MCDPS issuance of sediment and erosion control permits
- (2) Prior to recording of plat applicant to submit a final grading and tree preservation plan for technical staff review and approval
- (3) Prior to recording of plat applicant to submit a supplemental landscape plan for the western property boundary for technical staff review and approval
- (4) All roads shown on the approved preliminary plan shall be dedicated by the applicant to the full width mandated by the master plan, unless otherwise designated on the preliminary plan



**Preliminary Plan Review No. 1-03015 – Calverton – (cont'd)**

- (5) Access and improvements, as required to be reviewed and approved by MCDPW&T prior to recording of plat
- (6) Record plat to reference common ingress/egress easement for all lots
- (7) Record plat to reflect the delineation of a conservation easement of the areas of tree preservation
- (8) Sewer service to this property is to be provided by grinder pumps and/or ejector systems. The maintenance of these systems is the sole responsibility of the home owner and not WSSC
- (9) 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 the property delineated on the approved preliminary plan must be recorded or a request for an extension must be filed
- (10) The Adequate Public Facilities review for this preliminary plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board opinion
- (11) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**12. Preliminary Plan Review No. 1-87012A – Churchill – Far North Village**

(Request to revise previous conditions of approval); TS zone; 12 lots (1,300,000 square feet office); 110.20 acres; North side of Crystal Rock Drive, between Black Hill Regional Park and I-270; Germantown.

Policy Area: Germantown West

Applicant: North Village – 270 Limited Partnership

Engineer: Clark, Finefrock and Sackett

Attorney: Lerch, Early and Brewer

**Staff Recommendation:** Approval to revise conditions.

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**Preliminary Plan Review No. 1-87012A – Churchill – Far North Village (cont'd)**

Incorporate Revised Conditions 4 –8 into Prior Planning Board Opinion Dated November 28, 1995

**Staff Recommendation:**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**13. Preliminary Plan No. 1-03025 – Lutes Subdivision (Resubdivision)**

R-90 Zone; 0.50 Acres; Two (2) Lots Requested (One (1) Existing Single Family Dwelling Unit to be Replaced)(Two (2) New Single Family Detached Dwelling Units)

Community Water and Community Sewer

Locate on the East Side of Lutes Drive, Approximately 650 Feet North of Briggs Road

Policy Area: Glenmont

Applicant: Nina Sorbi

Engineer: Witmer and Associates

**Staff Recommendation:** Approval, Pursuant to Section 50-29 (b)(2), of the Montgomery County Subdivision Regulation

\*\*\*\*\* See Discussion and Conditions Enumerated in Staff Report\*\*\*\*\*

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**Preliminary Plan No. 1-03025 – Lutes Subdivision (Resubdivision) (cont'd)**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

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**14. Preliminary Plan Review No. 1-02117 – Wards Overlook**

RE-2 Zone; 31.54 Acres; Eight (8) Lots Proposed (Eight (8) Single Family Detached Dwelling Units)

Community Water and Private Septic

Located on the Southwest Side of Woodfield Road (MD 124), Approximately 1,000 Feet North of Kimblehunt Drive

Policy Area: Rural (Goshen)

Applicant: Maryland Development Company

Engineer: Macris, Hendricks and Glascock

**Staff Recommendation:** Approval, Including a Waiver of Frontage for One Lot, 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 Damascus Master Plan unless otherwise designated on the preliminary plan
- 3) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Damascus Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the preliminary plan, "To Be Constructed By \_\_\_\_\_" are excluded from this condition

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**Preliminary Plan Review No. 1-02117 – Wards Overlook (cont'd)**

- 4) Record plat to show delineation of a Category I conservation easement over the area of stream valley buffer and forest conservation areas
- 5) Record plat to provide for dedication of 80 feet of right-of-way for Woodfield Road (MD 124)
- 6) Record plat to reflect common ingress/egress easements over all shared driveways
- 7) Record Plat to reflect all area under homeowners association ownership and stormwater management areas
- 8) Record plat to reflect approximately 2.0 acres of Park dedication
- 9) Landscaping plan to reflect screening between Church property and new entrance street on Lot 8 (or HOA land) to be protected by a category II easement prior to recordation of plat
- 10) Record plat to reflect a 10 ft. public (Park) access easement as shown on approved plan
- 11) Compliance with the conditions of MCDPS stormwater management approval dated November 25, 2002
- 12) Compliance with conditions of MCDPS (Health Dept.) septic approval, dated August 19, 2002
- 13) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 14) 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
- 15) 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
- 16) Other necessary easements

**BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action:**

15. THE FOLLOWING **Record Plats** are Recommended for APPROVAL, Subject to the Appropriate Conditions of Approval of the Preliminary and/or Site Plans:

**NOT AVAILABLE FOR TIME OF PRINTING**

**Staff Recommendation:**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

