

Agenda for Montgomery County Planning Board Meeting  
**Thursday, March 28, 2003, 9:30 A.M.**

8787 Georgia Avenue  
Silver Spring, MD 20910-3760

Board Action

---

Roll Call  
Approval of Minutes:  
Commissioners' Reports  
Directors' Reports  
Reconsideration Requests

---

**BROOKSIDE GARDENS VISITORS CENTER** (*The Adult Education Room, 1800 Glenallan Avenue, Wheaton*)

A. *Proposed Closed Session: Pursuant to Maryland State Code Section 10-508(a)(7) (1):  
(Topic: To discuss personnel matters)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

---

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

- A. *Proposed Closed Session: Pursuant to Maryland State Code Section 10-508(a)(7) (consult with counsel to obtain legal advice)*
- B. Administrative Items
- C. Request to Spend Salary Lapse Savings for Equipment

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

1. **Mandatory Referral No. MR-03101-DED-1 Silver Spring Innovation Center**

CBD-2 Zone; 5- story, 24,938 square foot business incubator office building, on the northwest quadrant of Blair Mill Road and Georgia Avenue; Silver Spring CBD Sector Plan area.

**Staff Recommendation:** Approval, to transmit comments to the Department of Economic Development.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**2. Zoning Text Amendment No. 03-03**

Introduced by Councilmember Floreen; permit a health club in the C-T Zone under certain circumstances

**Staff Recommendation:** *Approval with modifications*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**3. Zoning Text Amendment No. 03-04**

Introduced by Councilmember Denis; amend the definition of “telephone office or communications center” to clarify that certain equipment and improvements may be located outside of the building, increase the allowable density for this use in the CBD-1 zone and allow a roof structure located on this use in the CBD-1 zone to have a total area greater than 25%

**Staff Recommendation:** Approval with modifications

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**4. Preliminary Plan Review No. 1-03022 - Norwood Overlook**

RE-2 Zone; Seven (7) Lots (Seven (7) Single-Family Detached Dwelling Units Including One (1) Existing Historic Dwelling Unit); 19.9 Acres

Located on the West Side of Doctor Bird Road, Approximately 300 Feet North of Norwood Road

Community Water and Private Septic

Policy Area: Olney

Applicant: BRP, L.L.C.

Engineer: P.G. Associates

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

- 1) Approval under this preliminary plan is limited to one existing and six new single family units
- 2) Enter into a traffic mitigation agreement under which the developer shall help coordinate and fund a marketing program to announce the introduction of an electronic variable message sign intended to help increase usage of the Park and Ride lot located at Norbeck Road east of Georgia Avenue as well as the bus route connecting the lot to the Glenmont Metro station as prescribed in the March 18, 2003 Transportation Planning memorandum
- 3) Access and improvements as required to be approved by MDSHA prior to issuance of access permits
- 4) Provide a pad for the existing nearby bus stop on Dr. Bird Road and a sidewalk connection to access the stop from the development
- 5) Record plat to reflect a thirty five (35) foot access easement for the shared driveways
- 6) 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
- 7) All road rights-of-way shown on the approved preliminary plan shall be dedicated, by the applicant, to the full width mandated by the Olney Master Plan unless otherwise designated on the preliminary plan
- 8) Record plat to reflect the view cone of the historic structure and a note indicating the limitations on buildings, plantings and fences within the view cone as prescribed on the approved Site Plan
- 9) Record plat to reflect specified building restriction lines on Lot 2 and a note that limits the square footage of the house on Lot 2 (building area) as shown on the approved Site Plan
- 10) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 11) Compliance with the conditions of approval of the MCDPS stormwater management approval dated, October 22, 2002
- 12) Prior to issuance of building permits, applicant to submit an engineered sediment and erosion control plan to MCDPS for review and approval
- 13) Compliance with conditions of MCDPS (Health Dept.) septic approval

---

**Preliminary Plan Review No. 1-03022 - Norwood Overlook (continued)**

- 14) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 15) Final approval of the number and location of dwelling units, sidewalks and bikepaths will be determined at site plan
- 16) 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
- 17) 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
- 18) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**5. Site Plan Review No. 8-03009, Norwood Overlook**

RE-2 Zone; 7 Single-family detached dwelling units including 1 existing dwelling unit;  
West side of Doctor Bird Road, approximately 300 feet north of Norwood Road; Olney &  
Vicinity, PA-23

APPLICANT: BRP LLC  
ENGINEER: PG Associates, Inc.

**Staff Recommendation:** Approval with conditions.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**6. Preliminary Plan Review No. 1-02086 - Layhill Village East (Reconsideration of Condition No. 16)**

R-200 Zone; Thirty (30) Lots (Twenty Four (24) Single-Family Detached Dwelling Units, Six (6) Single-Family Attached Units, Also Included is One (1) Existing Historic Dwelling Unit); 14.68 Acres

Community Sewer and Community Water

Located on the Extension of Punch Street, Approximately 200 Feet North of Queensguard Road

Policy Area: Aspen Hill

Applicant: Magruder Reed Communities

Engineer: P.G.Associates

Attorney: Miller, Miller, and Canby

**Staff Recommendations:** Reconsideration and Revise Condition

**\*\*\*\*\* See Revised Condition Enumerated in Staff Report \*\*\*\*\***

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**7. Site Plan Review No. 8-02029, Layhill Village East (Reconsideration of Condition No. 5)**

R-200 Zone; Thirty (30) Lots (Twenty Four (24) Single-Family Detached Dwelling Units, Six (6) Single-Family Attached Units, Also Included is One (1) Existing Historic Dwelling Unit); 14.68 Acres

Community Sewer and Community Water

Located on the Extension of Punch Street, Approximately 200 Feet North of Queensguard Road

Policy Area: Aspen Hill

Applicant: Magruder Reed Communities

Engineer: P.G. Associates

Attorney: Miller, Miller, and Canby

**Staff Recommendations:** Revise Condition

**\*\*\*\*\* See Revised Condition Enumerated in Staff Report \*\*\*\*\***

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**



**8. Preliminary Plan Review No. 1-03031 – Cabin John Park (Resubdivision)**

R-60 Zone; Two (2) Lots Requested (Two (2) Single Family Detached Dwelling Units, One (1) existing); 0.6180 Acres

Located on the East Side of 75<sup>th</sup> Street, Approximately 100 Feet North of Arden Road  
Community Water and Community Sewer

Policy Area: Bethesda – Chevy Chase

Applicant: Hemingway Homes, L.L.C.

Engineer: P.G. Associates

**Staff Recommendation:** Approval, Pursuant to Section 50-29 (b)(2) of the Subdivision Regulations, and Subject to Conditions

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

**9. Preliminary Plan Review No. 1-91099 – White Oak Property**

R-90 Zone (MPDU Option); One Hundred and Six (106) Lots Requested (One Hundred Six (106) Single Family Attached Dwelling Units); 26.3 Acres

Located on the East Side of Stewart Lane, Approximately 35 Feet East of Lockwood Drive Community Water and Community Sewer

Policy Area: Fairland/White Oak

Applicant: Paint Branch Partnership

Engineer: Witmer and Associates

Attorney: DuFour and Kohlhoss

**Staff Recommendation:** – Approval, Pursuant to the Annual Growth Policy Alternative Review Procedures for Expedited Development Approval (“pay-and-go”), Subject to the Following Conditions

- 1) Prior to MCPB release of building permits, applicant to enter into an Adequate Public Facilities (APF) agreement with the Planning Board to limit development to a maximum of one hundred six (106) single family attached units and pay to the Montgomery County Department of Finance the balance of the expedited development approval excise tax prior to receipt of 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 the full width mandated by the Fairland -White Oak Master Plan unless otherwise designated on the preliminary plan
- 4) All road right-of ways shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Fairland - White Oak 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
- 5) Record plat to reflect a Category I easement over all areas of stream valley buffers and forest conservation
- 6) Record plat to reflect common ingress/egress and utility easements over all shared driveways
- 7) Record Plat to reflect all areas under Homeowners Association ownership and all stormwater management areas
- 8) Compliance with the conditions of approval of the MCDPS stormwater management approval
- 9) Dedication to MNCPPC of the land adjacent to the northeast side of the entrance road (proposed Stewart Lane) between the road and current parkland up to the first proposed set of town homes. Curb cut to be provided to allow access to this land
- 10) Dedication of Parcel 207 and adjacent stream valley buffer area to MNCPPC for park purposes. All dedicated land to be conveyed free of trash and unnatural debris and signed to park standards

---

**Preliminary Plan Review No. 1-91099 – White Oak Property (continued)**

- 11) Applicant to provide 4-foot wide natural surface trails within the development for resident access to adjacent parkland. Trails to be designed and constructed to park standards; access points to be coordinated with park staff
- 12) Final access and improvements as required to be approved by MCDPWT prior to recordation of plat(s)
- 13) No clearing, grading or recording of plats prior to site plan enforcement agreement approval
- 14) Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikepaths will be determined at site plan
- 15) A landscape and lighting plan must be submitted as part of the site plan application for review and approval by technical staff
- 16) Provide a minimum of sixteen (16) MPDUs dependent on Condition No. 14 above
- 17) Record plat to reference all existing and relocated ingress/egress easements to Stewart Lane. All other easement connections to the private driveway are to be identified on the final record plat and incorporated into the Home Owners Association Documents as perpetual ingress/egress easements
- 18) 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
- 19) 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
- 20) Other necessary easements

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

10. 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**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

- 
11. **MD 28 at MD 97 Intersection Improvement Study Selection of Recommended Alternative**

**Staff Recommendation:** Transmit Recommendations to SHA

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**12. Woodglen Drive Extended Facility Planning Study, Phase I Recommendations**

**Staff Recommendation:** Transmit Recommendations to DPWT

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**

---

**13. Father Hurley Boulevard Planning Study, Phase I Recommendations**

**Staff Recommendation:** Transmit Recommendations to DPWT.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**