

Agenda for Montgomery County Planning Board Meeting
Thursday, June 12, 2003, 9:30 A.M.
8787 Georgia Avenue
Silver Spring, MD 20910-3760

Board Action

Roll Call Approval of Minutes: March 20, 2003 Commissioners' Reports Directors' Reports Reconsideration Requests	
--	--

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

- A. Administrative Items
- B. Request Planning Board approval of a special appropriation and amendment to the FY04 Capital Budget and the FY03-08 CIP to add additional Program Open Space (POS) funding to the Acquisition: Non-Local PDF 998798 – *Approve.*
- C. *Proposed Closed Session pursuant to Maryland State Government Code Annotated Section 10-508(a) (7) (Subject: Public-Private Partnerships)*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

1. Board of Appeals Petition No. S-2572 (Special Exception)

Telecommunications Facility – Sprint PCS/APC Realty and Equipment Company LLC and Nicholas D. and V.A. Petruccelli, applicants request a telecommunication facility, 14120 Darnestown Road, O-M Zone and Rural Village Overlay Zone, Darnestown

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

2. Worksession #3 on the 2003-2005 Annual Growth Policy "Policy Element"

Staff Recommendation: Discussion and approval of final draft for transmittal to the County Executive and County Council.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

3. Mandatory Referral No. 03602-MCPS-1 – Springbrook High School

Install stadium lighting; 201 Valley Brook Drive, Silver Spring

Staff Recommendation: *Approval to transmit comments to Montgomery County Public Schools*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

4. Board of Appeals Petition No. S-2476 (Special Exception)

Safeway, applicant, requests a special exception to remove the existing bank building and construct a filling station with six pump islands and a 363 s.f. kiosk; 0.77 acres, C-1 zone; 15421 New Hampshire Avenue, Cloverly

Staff Recommendation: *Approval with conditions.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

5. **Request To Revise The Previous Conditions Of Approval For Preliminary Plan No. 1-90072 – Georgetown Preparatory School**

R-90/PD-28 Zones; 90.30 Acres; One (1) Lot Previously Recorded (Existing Private Educational Institute and Requesting 473 Multi-Family Dwelling Units)
Community Sewer and Community Water

Located on the Northwest Corner of the Intersection of Rockville Pike (MD 355) and Tuckerman Lane

Policy Area: Grosvenor

Applicant: The Georgetown Preparatory School
Engineer: Loiederman, Saltesz Incorporated
Attorney: Linowes and Blocher

Staff Recommendation: Approval, Subject to the Following Conditions:

1. Approval under this preliminary plan is limited to a total of 473 multi-family dwelling units and the existing private educational institute
2. Satisfy Local Area Transportation Review (LATR) by mitigating the impact of site-generated traffic at the intersection of Tuckerman Lane and Old Georgetown Road (MD 187). The improvement is to reconfigure the westbound approach lanes of Tuckerman Lane to use the second, left most through lane as a combination (third) left-turn and (second) through lane (diagram attached). The applicant would be responsible for any needed modification to the traffic signal equipment and geometric change to accommodate the third left-turn movement through the intersection
Coordinate with the Maryland State Highway Administration (SHA) at site plan review (as requested in their attached letter dated May 23, 2003) for further detailed review of traffic signal modifications/operations and the functional adequacy of turning radii. SHA has reviewed and approved the improvement concept at the time of the zoning case. This improvement is related to part of SHA's Capital Transportation Program (CTP) Project No. MO8991, I-270 (East Spur) for improvements at I-270/Rockledge Drive/Old Georgetown Road and Old Georgetown Road/Tuckerman Lane (page from SHA's CTP attached)
3. Satisfy LATR by mitigating the impact of site-generated traffic at the intersection of Rockville Pike (MD 355) and Strathmore Avenue/Georgetown Preparatory School's main access by constructing a separate eastbound right-turn lane from the School's main access
4. Site access from Tuckerman Lane should serve as the main access for the proposed apartment development and as secondary access only for the Georgetown Preparatory School. Refer to the attached second binding element in the Hearing Examiner's Report. The School's secondary access point should be a gatehouse or similar access-control feature. Coordinate with DPWT for the Georgetown Preparatory School's emergency access needs

Request To Revise The Previous Conditions Of Approval For Preliminary Plan No. 1-90072 – Georgetown Preparatory School *(continued)*

5. Provide the following at the intersection of Tuckerman Lane and Grosvenor Place Road/the proposed apartment/secondary School access point (Refer to the attached DPWT's letter dated June 2, 2003):
 - a. Design and provide for the installation of a traffic signal at the applicant's expense in coordination with DPWT for the safe operation of this intersection. A traffic signal warrant study was conducted and determined that a traffic signal is warranted after the Planning Board's first hearing for the zoning case. The traffic signal should be installed, prior to any use as an access road
 - b. Provide eastbound and westbound left-turn lanes along Tuckerman Lane
 - c. Provide a westbound deceleration lane because of the limited sight distance as required by DPWT. With construction of the deceleration lane, dedicate or place in an easement additional right-of-way for the existing eight-foot bikeway to be relocated northward
 - d. Prohibit through movements across Tuckerman Lane by providing raised island(s) for channelization but permit all turning movements into and out of the proposed apartment/secondary School access point and Grosvenor Place Road (which is the fifth binding element in the Hearing Examiner's Report). Coordinate with DPWT regarding the dimensions of the raised island for adequate truck turning radii
 - e. Provide at least 11-foot wide approach lanes along Tuckerman Lane to safely accommodate through traffic
 - f. Provide for safe pedestrian crossing (e.g., pedestrian crosswalks, pedestrian signal heads, etc.) as required by DPWT
 - g. Provide the necessary safety improvements (e.g. skid-resistant pavement, advanced signal warning, etc.) as required by DPWT and related to the traffic signal installation to compensate for the potential sight distance inadequacy on the westbound approach of Tuckerman Lane
6. Coordinate with DPWT to conduct a sight distance evaluation along Tuckerman Lane at the proposed apartment/secondary School access point prior to plat recordation. Remove any necessary obstructions (possibly tree trimming) to provide adequate sight distance for a commercial curb cut and intersection with Tuckerman Lane
7. Provide for the installation of two bus shelters along Tuckerman Lane as proffered by the applicant and identified as a feature of the zoning application in the Hearing Examiner's Report (appropriate pages from the Hearing Examiner's Report and District Council's resolution are attached), to encourage use of public transit in coordination with DPWT's Transit Services Division
8. Provide at least 4-foot-wide concrete lead-in sidewalk from Tuckerman Lane to the apartment buildings and into the School site at site plan
9. Dedicate 12 to 20 feet of right-of-way for 75 feet from the centerline of Rockville Pike, as a major highway, M-6
10. Provide for the dedication of right-of-way for the master-planned North Bethesda Transit Easement along Tuckerman Lane (Record Plat No. 606-75 attached) connecting to the Grosvenor/Strathmore Metrorail Station as required by DPWT
11. Revise the APF Agreement, dated May 25, 1993, associated with the approval of Preliminary Plan No. 1-92072, to reflect the proposed apartment units and other revisions to the original recommendations by Planning Board

Request To Revise The Previous Conditions Of Approval For Preliminary Plan No. 1-90072 – Georgetown Preparatory School (continued)

12. Satisfy the master plan recommendation to participate in the North Bethesda Transportation Management District (TMD) as a multi-family housing development. Submit a draft Traffic Mitigation Agreement (TMA) with the Planning Board and DPWT. The TMA must be executed prior to release of building permits. The TMA must include participation in the North Bethesda Transportation Management Organization (TMO). The traffic mitigation goals for Stage 2 of the master plan development are to achieve and maintain:
 - a. a 39% non-auto-driver mode share for employees
 - b. a 30% non-auto-driver mode share for multi-family residents
13. Provide a Transportation Management Plan (TMP) to prevent the overflow traffic generated from large school events from impeding traffic movements on nearby roadways and at nearby intersections. The TMP should include such provisions as adequate parking, additional traffic control in congested areas, safe pedestrian movements from off-site parking areas to the campus, and coordination with Police and DPWT
14. All road rights of way 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
15. All roads shown on the approved preliminary plan shall be constructed, by the applicant, to the full width mandated by the Master Plan, and to the design standards imposed by all applicable road codes. Only those roads (or portions there of) expressly designated on the preliminary plan “To be Constructed by _____” are excluded from this condition
16. Access and improvements as approved by letter dated June 2, 2003, unless otherwise amended
17. Final parking facilities plan, landscape plan, lighting plan, recreation facilities plan and on-site circulation plan to be submitted and reviewed with site plan
18. Site plan enforcement agreement to identify the area of ground lease for the multi-family component of the development. Site plan enforcement agreement shall also identify the area under Home Owners Association (HOA) jurisdiction, including any stormwater facilities areas under HOA management
19. Amendment to Preliminary Plan No. 1-92072 is dependent upon the applicant complying with and abiding by the conditions of approval of County Council Resolution 14-1297 in local Map Amendment Application G-796
20. All other applicable conditions enumerated in Planning Board opinion for Preliminary Plan No 1-92072 dated December 29, 1992
21. The Adequate Public Facilities (APF) review for this preliminary plan amendment will remain valid for sixty-one months from the date of mailing of the Planning Board opinion
22. Other necessary easements

**Request To Revise The Previous Conditions Of Approval For Preliminary Plan
No. 1-90072 – Georgetown Preparatory School (continued)**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

-
6. 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:

7. Zoning Text Amendment No. 03-08

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to eliminate the requirement for a public hearing transcript for optional method of development project plans in the CBD and RMX Zones and for combined urban renewal project plans in the CBD zones

Staff Recommendation: Approval with modifications

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

8. Zoning Text Amendment No. 03-09

Introduced by District Council at the request of the Planning Board; amend the Zoning Ordinance to establish Moderately Priced Dwelling Unit (MPDU) requirements and optional development standards for the RE-1, RE-2, RE-2C and RNC Zones based on Master Plan recommendation for public sewer service

Staff Recommendation: *Approval.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

9. **Zoning Text Amendment No. 03-10**

Introduced by Councilmember Floreen; amend the Zoning Ordinance to permit a landscape contractor use in the C-T and I-1 zones; and to establish certain requirements for a landscape contractor to locate in the C-T zone

Staff Recommendation: *Denial.*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action:

10. **Zoning Text Amendment No. 03-11**

Introduced by District Council at the request of the County Executive; amend the Zoning Ordinance to make technical corrections to the date of the Declaration of Covenants and easements referenced in Section 59-C-5.476 (b)(1); and to clarify and confirm the intent that the Higher Education Campuses are subject to separate master plans of development and are not subject to the Declaration of Covenants and the Life Sciences Center Development Plan

Staff Recommendation: Approval.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: