

# Montgomery County Planning Board Meeting

Thursday, May 29, 2008

8787 Georgia Avenue

Silver Spring, MD 20910-3760

301-495-4600

## 1. Adoption of Opinions/Resolutions

### Group A: Four Commissioners Eligible to Vote [Commissioners Bryant, Hanson, Robinson and Cryor]

i) Site Plan No. 820080070, 814 Thayer Avenue, ADOPTION OF RESOLUTION No. 08-57

### Group B: Three Commissioners Eligible to Vote [Commissioners Bryant, Hanson and Cryor]

ii) Pre-Preliminary Plan No. 720060540, Dufresne Property, ADOPTION OF RESOLUTION No. 08-58

### Group C: Three Commissioners Eligible to Vote [Commissioners Bryant, Hanson and Robinson]

iii) Preliminary Plan No. 120061010, Spencerville Knolls, ADOPTION OF RESOLUTION No. 08-64

iv) Site Plan No. 82003003B, Fairfield at Germantown, ADOPTION OF RESOLUTION No. 08-63

v) Site Plan No. 820070260, The Rugby Condominium, ADOPTION OF RESOLUTION No. 08-55

vi) Preliminary Plan No. 120080130, Bennett Creek, ADOPTION OF RESOLUTION No. 08-52

vii) Preliminary Plan No. 120070700, Dechter, ADOPTION OF RESOLUTION No. 08-62

viii) Site Plan No. 82005015A, Cabin Branch Infrastructure Plan, ADOPTION OF RESOLUTION No. 08-68

## **BOARD ACTION**

**Motion:**                    **A. BRYANT/ROBINSON**  
                                 **B. BRYANT/CRYOR**  
                                 **C. ROBINSON/BRYANT**

**Vote:**

**Yea:**                    **A. 4-0**  
                                 **B. 3-0-1**  
                                 **C. 3-0-1**

**Nay:**

**Other:**                    **B. ROBINSON ABSTAINED**  
                                 **C. CRYOR ABSTAINED**

**Action:**                    **A. Adopted Resolutions under Group A, above.**  
                                 **B. Adopted Resolutions under Group B, above.**  
                                 **C. Adopted Resolutions under Group C, above.**

**2. Record Plats**

**Subdivision Plat No. 220080710, Edgemoor**

R-90 zone; 1 lot; located on the east side of Glenbrook Road, approximately 200 feet south of Edgemoor Lane; Bethesda-Chevy Chase

*Staff recommendation: Approval*

**Subdivision Plat No. 220081310, Chevy Chase Terrace**

R-60 zone; 1 lot; located on the south side of Chevy Chase Boulevard, 300 feet west of Stratford Road; Bethesda-Chevy Chase.

*Staff recommendation: Approval*

**BOARD ACTION**

**Motion: BRYANT/CRYOR**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to approve plats.**

**3. Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: NONE.**

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**16. Approval of Minutes**

**BOARD ACTION**

**Motion: BRYANT/ROBINSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved minutes of April 24, 2008, as presented.**

**4. Wild Acres (Grosvenor Estate)**

Montgomery County Planning Board Public Hearing, Worksession and Action on Amendment to the Master Plan for Historic Preservation: Wild Acres (Grosvenor Estate), 5440 Grosvenor Lane, Addition to Locational Atlas, Resource #30/15. *Staff recommendation: Designate Resource on the Master Plan for Historic Preservation*

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

**Action: Received testimony and evidence submitted into the record, stating that the record will be held open through June 12, 2008.**

Historic Preservation staff presented the proposal to designate Wild Acres as a historic resource, including the residence, garage, and caretaker's house, as detailed in the staff report. Staff finds that Wild Acres has both historic and architectural significance, meeting Criteria 24A-3(b)(1)a., c., and d., as well as Criteria 24A-3(b)(2)a., b., and c. Staff noted that there is an existing special exception use on the property and a petition for a special exception for a school has been filed.

Ms. Caroline Alderson, Commissioner, Historic Preservation Commission, and Ms. Judy Christensen, representing the nominators, Montgomery Preservation, Inc., elaborated on the significance of Wild Acres.

Messrs. Marc Bergoffen, attorney, William Lebourich, and Michael Goergen, representing the property owner, the Society of American Foresters, spoke in opposition to designation and raised concerns about the reevaluation of the property, noting it was rejected from designation in 1980. They also recommended that, in the event the property is designated, the garage and caretaker's house be excluded from the designated area and the environmental setting be reduced.

Mr. Jody Kline, attorney, and Ms. Kate Kuranda, representing Nations Academy, the contract purchaser and holder of the pending new special exception petition; and Ms. Anne Martin, attorney representing the Renewable Natural Resources Foundation, owner of the existing special exception and adjacent property, also spoke in opposition to designation and concurred in the property owner's request to reduce the area to be designated.

The following speakers offered testimony: Ms. Lynda Eckard of Bethesda; Ms. Irene Elliott, abutting property owner; Mr. Dennis Calderone, confronting property owner; Ms. Lisa Goenner, representing Fleming Park Community Association; Ms. Ann Bowker, representing the Wildwood Manor Citizens Association; and Mr. Wayne Goldstein, representing Montgomery Preservation, Inc.

**5. AB 709: Abandonment of Unimproved Walker Mill Road**

Approximately 12,560 square feet at 9510 Bac Place in Montgomery Village  
*Staff recommendation: Transmit comments supporting Approval to Montgomery County Department of Public Works and Transportation*

**BOARD ACTION**

**Motion: BRYANT/ROBINSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Following a brief presentation by Transportation Planning staff, with concurrence from the applicant, approved the staff recommendation, as stated in the attached Letter of Transmittal.**

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**6. Worksession--Limited Amendment to the Sector Plan for the Wheaton Central Business District and Vicinity**

Discussion (No public testimony will be taken at this time)

**BOARD ACTION**

**Motion:** 1) HANSON/ROBINSON  
2) BRYANT/ROBINSON

**Vote:**  
**Yea: 4-0**

**Nay:**

**Other:**

**Action:** 1) Agreed to recommend that the WMATA property be rezoned to the CBD-0.5 Zone, with recommendations for appropriate density added to the Amendment.  
2) Approved for transmittal to the County Council, subject to final Board review.

Community-Based Planning staff provided an overview of the properties included in the limited amendment, and the proposed rezoning, as detailed in the staff report.

Discussion followed concerning the implications of retaining the C-O Zone on the Weinberg property, retaining the R-90/TDR Zone on the property owned by the Washington Metropolitan Area Transit Authority (WMATA) rather than rezoning them to a CBD Zone. Staff addressed those issues, discussing the differences in potential development between the C-O and CBD-1 Zone, as it relates to the Weinberg property. There was also considerable discussion of the vision for the Wheaton Central Business District (CBD) in general and, specifically, for redevelopment of the subject block along Georgia Avenue.

7. **Status of FY09 Budget - POSTPONED**  
(No public testimony will be taken at this time)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        This item was postponed.**

**8. M-NCPPC Department of Finance**

A. Revenue Sharing Task Force - Update on Park Tax

B. Salary Lapse FY08 - Request to spend savings

(No public testimony will be taken at this time)

**BOARD ACTION**

**Motion:**                   1) **ROBINSON/BRYANT**  
                                  2) **BRYANT/ROBINSON**  
                                  3) **BRYANT/ROBINSON**

**Vote:**  
**Yea:**                   1) **4-0**  
                                  2) **4-0**  
                                  3) **4-0**

**Nay:**

**Other:**

**Action:**           1) **Approved the staff recommendation to spend salary lapse savings in the Finance Department, as set forth in the memorandum dated May 29, 2008, and modified to include moving forward with a document imaging project for land records and other documents.**

                          2) **Approved the staff recommendation to spend salary lapse savings in the Legal Department, as set forth in the memorandum dated May 27, 2008.**

                          3) **Approved the staff recommendation to spend salary lapse savings in the Department of Human Resources and Management, as set forth in the memorandum dated May 29, 2008.**

**A. Revenue Sharing Task Force - Update on Park Tax**—Secretary-Treasurer Patti Barney provided an update on the status of the Revenue Sharing Task Force and discussions of the calculation of the Park Tax, noting that they hope to complete their work in June. Director of Parks Mary Bradford added comments.

**B. Salary Lapse FY08 - Request to spend savings**—Reviewed requests from the Finance Department, the Legal Department, and the Department of Human Resources and Management to spend salary lapse savings and took separate actions as stated above.

Note: Item 9 follows Item 15.

**14. Policy for ParkPASS - Error Corrections and Write-offs of Uncollectible Revenue**

Policy outlining procedures to handle ParkPASS corrections and the write-offs of revenue deemed to be uncollectible. *Staff recommendation: Approval of policy and procedures*

**BOARD ACTION**

**Motion:** BRYANT/ROBINSON

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:**

**Action:** Approved the ParkPASS policy, as recommended by staff.

Parks Department staff presented the proposed policy for correcting errors and addressing uncollectible account receivable balances, as set forth in the staff report.

Secretary-Treasurer Patti Barney spoke in support of the policy.

**15. Proposed Fee Increase - Garden of Lights Show**

Request to increase fee for "Garden of Lights" Show at Brookside Gardens by \$5.00 per car on Friday, Saturday and Sunday nights. Monday through Thursday the fee per car will remain at \$15.00. *Staff recommendation: Approval of fee increase for Friday, Saturday and Sunday nights*

**BOARD ACTION**

**Motion:**                    **BRYANT/ROBINSON**

**Vote:**

**Yea:**                    **4-0**

**Nay:**

**Other:**

**Action:**            **Approved the staff recommendation.**

Parks Department staff presented the proposal to increase the per car fee for the Garden of Lights show to \$20 on weekend nights, as detailed in the staff report. The increase will go into effect November 1, 2008.

**9. Master Plan Reassessment Update**

Report on current status of efforts to implement recommendations in the Master Plan Process Reassessment study

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing from County-Wide Planning and Community-Based Planning Divisions staff on the current status of efforts to implement recommendations in the Master Plan Process Reassessment Study, followed by extensive Board discussion and questions to staff.**

**10. Housing Policy Element of the General Plan**

Discussion: Neighborhood Change: Staff will review indicators of neighborhood change, explore what some of those indicators show for Montgomery County, and discuss the implications for County housing policies

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing from Research and Technology and Community-Based Planning Divisions staff on the Housing Policy Element of the General Plan, followed by Board discussion and questions to staff.**

**11. Georgia Avenue Concept Study**

Status report and preliminary recommendations.

*Staff recommendation: Approval to proceed with the draft report.*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: The Board unanimously approved staff recommendation to proceed with the draft report, including the proposed revisions and additions discussed during the meeting.**

Community-Based Planning Division staff presented the status report and preliminary recommendations for the Georgia Avenue Concept Study, followed by a brief Board discussion and questions to staff.

The Board instructed staff to include a short section at the onset of the report to put the reader in the context of the county's existing economy, employment, and housing situation. The Board also recommended that staff include segments on Leisure World, the impact of the Inter County Connector on Georgia Avenue, and add more focus on Silver Spring, Wheaton and Glenmont, especially the Glenmont Shopping Center, where the issue of eminent domain should be discussed. The Board also asked staff to include information regarding the Georgia Avenue Corridor and staff's recommendation for possible options concerning the houses fronting on the Corridor.

**12. Growth Policy Update**

Update on the technical studies established in the 2007-2009 Growth Policy resolution, with a technical focus on the review of alternatives to Policy Area Mobility Review, vehicle trip equivalencies for non-auto facilities such as sidewalks, and processes to coordinate public agency review and sign-off on transportation mitigation.

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

**Action: Received briefing from Research & Technology and Transportation Planning Divisions staff on the Growth Policy Update, followed by brief Board discussion.**

Transportation Planning Division staff presented a status report on the proposed Growth Policy technical studies established in the 2007-2009 Growth Policy Resolution, with a technical focus on the review of alternatives to Policy Area Mobility Review, vehicle trip equivalencies for non-auto facilities, such as sidewalks, and processes to coordinate public agency review and sign-off on transportation mitigation. Staff discussed the proposed list of studies, the public outreach schedules for these studies, and their scheduled delivery dates.

There followed a brief Board discussion with questions to staff.

- 13. Excellence in Planning Speaker Series: “The Pent Up Demand for Walkable Urban Places, ironically in the Suburbs.” by Christopher B. Leinberger.**

Chris Leinberger is a land use strategist and developer who focuses on alternative methods of building the built environment. He is currently a Visiting Fellow at The Brookings Institution in Washington, D.C.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received presentation on “The Pent Up Demand for Walkable Urban Places, ironically in the Suburbs.” By Mr. Christopher B. Leinberger, land use strategist, developer, and visiting Fellow at the Brookings Institution in Washington, D.C.**