



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, February 23, 2012, at 9:23 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:45 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson and Amy Presley. Commissioner Norman Dreyfuss was necessarily absent.

Items 1 through 5 are reported on the attached agenda.

The Board recessed for lunch at 12:57 p.m. and to take up Items 9 and 10 in Closed Session.

In compliance with §10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:25 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Presley present and voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(13), to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular processing or matter, and §10-508(a)(3), to consider the acquisition of real property for a Commission purpose and matters directly related thereto.

Also present for all or part of the Closed Session were Deputy Director Mike Riley, Bill Gries, April O'Neal, Dominic Quattrocchi, and Brenda Sandberg of the Parks Department; and Clara Moise of the Commissioners' Office.

In Closed Session the Board approved Closed Session Minutes of December 1 and 5, 2011, and January 12, 19, and 26, 2012. The Board also received briefing regarding proposed land acquisition recommendation for the Great Seneca Stream Valley Park, Unit 6.

The Closed Session was adjourned at 1:15 p.m.

The Board reconvened in the auditorium at 2:48 p.m.

MCPB, 2-23-12, APPROVED

Items 7 and 8 are reported on the attached agenda. Item 6 was postponed.

There being no further business, the meeting was adjourned at 4:45 p.m. The next regular meeting of the Planning Board will be held Thursday, March 1, 2012, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye
Technical Writer

M. Clara Moise
Technical Writer

Montgomery County Planning Board Meeting
Thursday, February 23, 2012
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Enforcement – Respondents: Oluseyi and Oyinola Fashina – MCPB No. 11-140
2. Battery Park Section II, Subdivisin Plat No. 220110700 – MCPB No. 11-127
3. 509 & 513 Harding Drive Preliminary Plan 120110250 – MCPB No. 11-128
4. Cabin Branch Neighborhood Site Plan 82005015B – MCPB No. 11-124
5. Montrose Parkway West Trail FCP Amendment Forest Conservation Plan MR2001806 – MCPB No. 12-10
6. Ridge View Estates Preliminary Plan 120080150 – MCPB No. 11-111

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 4-0 (ITEMS 1, 2, 3, AND 5)
3-0-1 (ITEMS 4 AND 6)

Nay:

Other: DREYFUSS ABSENT
PRESLEY ABSTAINED ON ITEMS 4 AND 6

Action: Adopted the Resolutions, with distributed revisions, as stated above.

***B. Record Plats**

Subdivision Plat No. 220111410, Wyngate; R-60 Zone, 2 lots; located on the west side of Kentstone Drive, approximately 200 feet southwest of Linder Lane; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved the Record Plat as stated above.

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Other Consent Items submitted for approval.

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no minutes submitted for approval.

2. [ICC Environmental Stewardship/Compensatory Mitigation Project](#)

Approve the construction of Stream Restoration projects PB-109 and PB-119 in the Upper Paint Branch SPA as part of the ICC Environmental Stewardship and Compensatory Mitigation Program.

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved the staff recommendation to approve the stream restoration projects.

Parks Department staff and Ms. Christine Smith of State Highway Administration (SHA) presented the review of two stream restoration projects in the Upper Paint Branch special protection area (SPA), as detailed in the staff report. The two projects will be completed by SHA as part of the Intercounty Connector Environmental Stewardship and Compensatory Mitigation Program.

In discussion, Ms. Smith and staff responded to questions from the Board and provided additional information as needed.

***3. [Preliminary Plan Review No. 120110100, Kefauver](#)**

R-200 zone, 0.92 acres, Re-subdivision of property requesting to combine two parts of lots into one buildable lot; located on Bradley Boulevard, approximately 400 feet northwest of Redwood Avenue; Bethesda Chevy-Chase

Staff Recommendation: Approval

BOARD ACTION

Motion: ANDERSON/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved the staff recommendation to approve, subject to revised conditions, as stated in the attached Board Resolution.

Planning Department staff presented the proposal to resubdivide and combine two parts of lots to create one lot for a single-family detached dwelling, as detailed in the staff report, and made revisions to several conditions of approval. Staff also discussed the forest conservation plan.

There followed some discussion of the forest conservation plan, the offsite reforestation requirements, and the staff recommendation against a forest conservation easement on the site.

Mr. Curt Schreffler, the applicant's engineer, concurred in the staff recommendation.

4. [Local Map Amendment No. G-908, 4825 Montgomery Lane LLC](#)

R-60 zone, 6,525 square feet, Requesting to rezone the property from the R-60 zone to TS-R zone to include 4 multi-family units; located at 4825 Montgomery Lane at the intersection with West Lane; Bethesda-CBD (Central Business District) Sector Plan

Staff Recommendation: Transmit Comments

(Action Required for Hearing by the Hearing Examiner on 3/12/12)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

5. [Local Map Amendment No. G-862 and G-863, Glenmont Metro Center, Supplemental Traffic Analysis](#)

Remanded by the County Council to the Hearing Examiner on January 15, 2008. Proposed rezoning of approximately 30.9 acres from RT 12.5, R-30 and O-M Zones to TS-R Zone, at the intersection of Georgia Avenue and Glenallan Avenue, Silver Spring. Glenmont Transit Impact Area and Vicinity Sector Plan. Review the applicant's supplemental traffic analysis evaluating the traffic impacts of Stages 1 and 2 on the surrounding area

Staff Recommendation: Transmit Comments

(Action Required for Hearing by the Hearing Examiner on 3/5/12)

BOARD ACTION

Motion: **ANDERSON/WELLS-HARLEY**

Vote:

Yea: **4-0**

Nay:

Other: **DREYFUSS ABSENT**

Action: **Approved the staff recommendation to transmit a recommendation of approval to the Hearing Examiner, adding a binding element to require the applicant to conduct an operational study in conjunction with preliminary plan review, as stated in the attached Letter of Transmittal.**

Planning Department staff provided an overview of the application to rezone 30.9 acres to the TS-R Zone for the redevelopment of the site with up to 1,300 multifamily units, including 250 townhouses, and up to 90,000 square feet of general retail space. In 2007, the Board recommended approval of the proposed Local Map Amendments G-862 and G-863, which reflect the two phases of development in accordance with recommendations in the Glenmont Sector Plan. The Hearing Examiner found that the applications comply with most of the required findings, but concluded that the evidence was not sufficient to demonstrate that the proposed development would not have an adverse impact on local traffic, making it incompatible with the surrounding area. Therefore, the Hearing Examiner recommended that the applications be remanded for the applicant to provide additional evidence.

Transportation planning staff reviewed the additional traffic analysis presented by the applicant in 2008 and updated in 2011, related to the critical lane volume (CLV) at the Randolph Road/Georgia Avenue intersection and adjacent intersections and the queuing analysis at the Georgia Avenue/Layhill Road intersection, as detailed in the staff report. Staff noted several corrections to the staff report. Concluding, staff found that the traffic conditions at nearby intersections are below the applicable congestion standards and that the proposed development will not have an adverse impact on traffic sufficient to warrant denial of the rezoning request.

5. Local Map Amendment No. G-862 and G-863, Glenmont Metro Center

Discussion ensued with questions to staff about the traffic calculations, including the trip credit claimed for the traffic generated by the existing development on the site and the impact of the future grade-separated interchange at the Randolph Road/Georgia Avenue intersection.

Mr. Steve Robins, attorney; Mr. Pete Jervey of the applicant company; and Mr. Miquel Iraola, the applicant's planner, offered comments about the proposed development. Ms. Nancy Randall, the applicant's traffic engineer, elaborated on the traffic analysis, including the queuing modeling, with and without the grade-separated interchange, in the original 2008 traffic study and the 2011 update. She noted that the southbound Georgia Avenue queue was reduced significantly for the 2011 update as a result of a change in the traffic signal timing by County Department of Transportation (DOT).

Mr. Max Bronstein, representing the Strathmore-Bel Pre Civic Association; Mr. Dick Kauffunger, speaking on his own behalf and representing the Layhill Citizens Alliance; Mr. Michael McAteer, representing the Glenmont Civic Association; and Ms. Vicky Vergagni, representing the Glen Way Gardening Condominium Association, offered comments.

There followed considerable discussion about various traffic-related issues raised in testimony, including pedestrian safety in crossing Glenallan Avenue to the Metro station, cut-through traffic on Glenallan Avenue between Georgia Avenue and Randolph Road, sufficient gaps in through-traffic along Layhill Road to allow safe access from driveways, and the suggestion that additional traffic analysis is necessary to take into consideration the new Metro parking garage and the vacancy rate at the existing apartment complex on the subject property. Several of the speakers, applicant representatives, and staff responded to questions from the Board and provided additional information as needed. An operational study was proffered by the applicant, with the understanding that the study would be conducted in the context of the preliminary plan review and any recommended changes to the traffic signals would be subject to approval by DOT and State Highway Administration (SHA).

9. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(13) to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter (TOPIC: Closed Session Minutes)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See State citation and open session report in narrative minutes.

10. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See State citation and open session report in narrative minutes.

6. Roundtable Discussion

A. Planning Director's Report - **POSTPONED**

B. Transportation Policy Area Review Update - **POSTPONED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

***7. Mid/Pike Plaza**

A. Preliminary Plan 120120020 – Mid/Pike Plaza; Request to create five (5) lots, dedicate land for two new roads, and dedicate additional right-of-way along three perimeter roads for ultimate construction of up to 3,442,888 square feet of mixed-use development over multiple phases; phase 1 to include 605,057.5 square feet for commercial uses and 818,507.5 square feet for residential uses under site plan 820120020; split zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300; on 24.38 acres located on the northwest corner of the intersection of Old Georgetown Road and Rockville Pike in the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions

B. Site Plan 820120020 - Mid/Pike Plaza; Request to construct 605,057.5 square feet for commercial uses and 818,507.5 square feet for residential uses with structured parking, street improvements, public use space, public benefits, and final forest conservation plan in proportion to this first phase of a multiple phase project; split zoned CR3 C1.5 R2.5 H200 and CR4 C3.5 R3.5 H300; on 6.77 gross acres located on the northwest corner of the intersection of Old Georgetown Road and Rockville Pike in the

2010 White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: **A. ANDERSON/PRESLEY**
 B. ANDERSON/PRESLEY

Vote:

Yea: **A. 4-0**
 B. 4-0

Nay:

Other: **DREYFUSS ABSENT**

Action: **A. Approved staff recommendation for approval, subject to revised conditions, as stated in the attached Board Resolution.**

B. Approved staff recommendation for approval, subject to revised conditions, as stated in the attached Board Resolution.

In keeping with the February 10 technical staff report, Planning Department staff discussed the proposed request to create five lots to be platted in phases with dedications of two new internal roads and perimeter dedication along three existing frontages for ultimate mixed-use density up to 3,442,888 square feet of mixed-used development, with phase I to include 605,057.5 square feet of commercial uses and 818,507.5 square feet for residential units on a 24.38-acre property located on the northwest corner of the intersection of Old Georgetown Road and Rockville Pike in White Flint, and to dedicate land for two new roads. Staff noted that State Highway Administration (SHA) has accepted the proposed design exceptions except for Old Georgetown Road. Staff also added that the applicant must enter into a traffic mitigation agreement with the Montgomery County Department of Transportation (MCDOT) and the

***7. Mid/Pike Plaza**

Planning Board to participate in the North Bethesda Transportation Management District (TMD) and assist in achieving and maintaining the non-auto driver mode share goals recommended in the White Flint Sector Plan. Staff also discussed transportation issues related to Old Georgetown Road and noted that there is a need to install retaining walls and steps to allow access to a terrace café.

Staff discussed revised conditions 24 and 30 regarding public improvements and discussion of the Adequate Public Facilities (APF) validity period. Staff also discussed the forest conservation plan for the proposed request and noted that there will be removal of one specimen tree. Staff also discussed the urban design guidelines for the plan mentioned in the master plan and noted that the proposed project is in the Special Taxing District and the applicant will pay taxes for road improvement.

Ms. Barbara Sears, attorney representing the applicant, introduced Messrs. Evan Goldman, member of the applicant team, briefly discussed the proposed project, and concurred with the staff recommendation.

Mr. Evan Goldman offered comments.

The following speakers offered testimony: Mr. Paul Meyer representing the Board of the Wisconsin Condominiums; and Mr. Daniel Hoffman representing the Randolph Civic Association.

8. Presentation of Supplemental Program Budget Information for the FY13 Proposed Budget

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

The Commission's Budget Director and Planning Department and Parks Department budget staff discussed the FY13 Supplemental Budget requests for both departments.

There followed a brief Board discussion with questions to staff.