



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, April 19, 2012, at 9:07 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:20 p.m.

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

Items 1 through 5 are reported on the attached agenda. Item 6 was postponed.

The Board recessed at 12:26 p.m. for lunch and to take up Item 9 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 a Closed Session lunch meeting at 12:45 p.m., at Cubano's restaurant in Silver Spring, Maryland, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, 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)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects one or more specific employees.

Also present for all or part of the Closed Session was Planning Director Rollin Stanley.

In Closed Session, the Board discussed a Planning Department personnel issue.

The Closed Session was adjourned at 1:20 p.m.

The Board reconvened in the auditorium at 2:10 p.m.

Items 7 and 8 are reported on the attached agenda.

The Board recessed at 5:20 p.m. to take up Item 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 5:30 p.m. in the third floor conference room. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects one or more specific employees; and §10-508(a)(7), to consult with counsel to obtain legal advice.

Also present for the Closed Session was General Counsel Adrian Gardner.

In Closed Session, the Board discussed Planning Department Personnel issues and received guidance from legal counsel. The Closed Session was not covered by a Technical Writer.

There being no further business, the meeting was adjourned following the Closed Session Meeting. The next regular meeting of the Planning Board will be held Thursday, April 26, 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, April 19, 2012
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Alfred House Preliminary Forest Conservation Plan S-2815 – MCPB No. 12-07
2. National Labor College Preliminary Plan 12008009A – MCPB No. 12-08
3. Montgomery County Animal Shelter Final WQP MR2010711 – MCPB No. 11-129
4. Laytonia Recreational Park Final WQP MR2010711 – MCPB N. 11-130

BOARD ACTION

Motion: **PRESLEY/WELLS-HARLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Adopted the Resolutions as cited above.**

***B. Record Plats**

Subdivision Plat No. 220110990-220111010, Hallman Grove; R-200/TDR zone, 28 lots, 7 parcels; located along Fellowship Lane, approximately 700' west of Fellowship Way; Potomac Subregion Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: **ANDERSON/DREYFUSS**

Vote:

Yea: **5-0**

Nay:

Other:

Action: Approved the Record Plats cited above.

***C. Other Consent Items**

Site Plan 81986047A: 7900 Beechcraft Avenue – Ecology; Amendment for modification of parking, addition of fence, and relocation of storage building and tanks; located on 3.02 net acres in the I-4 zone at 7900 Beechcraft Avenue within the Gaithersburg Vicinity Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Removed from the Consent Agenda and, following discussion, approved the staff recommendation to approve the site plan amendment and adopt the Resolution.

Commissioner Presley requested that this item be removed from the Consent Agenda, and it was taken up separately. Commissioner Presley queried staff about the original site plan approval and concerns raised by an adjacent property owner.

***D. Approval of Minutes**

Minutes of March 13 and 15, 2012

BOARD ACTION

Motion: WELLS-HARLEY/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved the minutes of March 13 and 15, 2012, as presented.**

2. [Report from the Montgomery Parks Foundation](#)

Presentation of nominees to serve on the Board of Trustees for approval of the Planning Board, provide the independent FY11 financial review (requirement for annual audit was waived for one year) and general update on program activity.

Staff Recommendation: Approval

BOARD ACTION

Motion: **PRESLEY/WELLS-HARLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved the appointment of Theresa Cameron and Kelly Groff as members of the Montgomery Parks Foundation Board of Trustees, and received the required independent financial review for FY11 and a general update on operations.**

Ms. Debbie Rankin, Executive Director of the Montgomery Parks Foundation, presented the Foundation Board's nomination of Theresa Cameron and Kelly Groff to the Board of Trustees for Planning Board approval, presented the independent financial review for FY11, and provided an update on Foundation operations, in keeping with her submitted report.

There followed some discussion of a recent bond bill, solicitation of large donors, and the trees and benches memorial program.

3. [Annual Report from The Maryland Soccer Foundation Regarding the Soccerplex](#)

Presentation of annual report as required by partnership lease.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received report.

Ms. Trish Heffelfinger, Executive Director of The Maryland Soccer Foundation, presented the 2011 Annual Report for SoccerPlex operations, noting that the stadium field was awarded the coveted national "Field of the Year" award for the Schools and Parks category by the Sports Turf Managers Association. In addition, SoccerPlex will host the ACC Men's Soccer Championships, the most prestigious soccer event in the country, November 9-11, 2012. Ms. Heffelfinger also discussed field use over the past year, the impact of severe weather in the fall, completed and planned improvements to the fields, new programs and events, creation of a girls' lacrosse league, and efforts to increase the use of the fields for lacrosse.

4. Approved Kensington Sector Plan: Montgomery County Planning Board Resolution of Adoption

Staff Recommendation: Approve Resolution of Adoption for Transmission to Full Commission

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved the Resolution of Adoption for transmission to the Commission.

Planning Department staff presented a resolution to adopt the Kensington Sector Plan, for transmission to the Commission, and reviewed the changes made by the County Council in approving the Plan.

5. Local Map Amendment No. G-909, Glen Aldon

Requesting PD-100 zone (with an alternative category for PD-88 zone), 5.67264 acres, Request a maximum of 692 residential units, including 15% MPDUs and 5% Workforce Housing Units; located at 4857, 4858, 4890 and 4900 Battery Lane, east of the intersection with Woodmont Avenue; Bethesda CBD (Central Business District)

Staff Recommendation: Approval

(Action Required for Hearing by the Hearing Examiner on 4/27/12)

BOARD ACTION

Motion: **ANDERSON/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved the staff recommendation to approve the rezoning request and development plan, modified to include both the PD-100 and PD-88 proposals, subject to binding elements revised during discussion, as stated in the attached Letter of Transmittal. Further directed staff to place the associated forest conservation plan on the agenda for review in two weeks. with appropriate noticing.**

Planning Department staff presented a request to rezone four properties from the R-10 and R-10/TDR Zones to the PD-100 Zone or, alternatively, the PD-88 Zone, to redevelop the property and replace four existing apartment buildings, consisting of 260 multifamily dwelling units, with three new buildings, consisting of a maximum of 692 multifamily dwelling units in the PD-100 Zone or 644 units in the PD-88 Zone, which include 15 percent moderately priced dwelling units (MPDUs), as detailed in the staff report.

Ms. Nancy Regelin, representing the applicant, provided additional information and spoke in support of the proposal for the PD-100 Zone. Ms. Regelin also requested changes in the binding elements, as revised by staff, particularly in terms of the specific amounts for heights, setbacks, and stepbacks, noting that the plans show massing diagrams for purposes of the rezoning, rather than final building designs. She noted that those issues will be addressed at site plan review and there are many design solutions to prevent the creation of a canyon effect. Ms. Regelin requested that the binding elements allow enough flexibility to avoid the need to amend the development plan prior to site plan approval.

There followed extensive discussion of various elements of the proposal, including the binding elements; the heights, setbacks, and stepbacks; the desirability of maintaining the affordable units on-site; the calculation of the transferrable development rights (TDR); the sector plan goals to provide affordable housing as well as acquisition of TDRs; and the trade-offs between the two proposals, with one maximizing affordable housing and the other maximizing TDRs. Staff and the applicant representatives provided information and responded to questions from the Board as needed.

5. [Local Map Amendment No. G-909, Glen Aldon](#)

CONTINUED

In discussion, Legal Counsel to the Board noted that the forest conservation plan, required to be submitted with the development plan and referenced in the staff report, was not noticed as an action item on the Board's agenda. The Board agreed to review the forest conservation plan in two weeks and

directed staff to add that item to the agenda, send appropriate notices, and advise the Hearing Examiner on the issue in the Letter of Transmittal.

6. Roundtable Discussion - POSTPONED

A. Format for Master Plan Worksessions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.

9. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects 1 or more specific employees

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. Public Hearing - Subdivision Staging Policy: 2012 Draft Transportation Policy Area Review

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning Department staff followed by Board discussion.

Planning Department staff noted that this is the public hearing session for the 2012 Draft Transportation Policy Area Review (TPAR) which replaced the current area-wide transportation test or Policy Area Mobility Review (PAMR). Staff added that public comments on the 2012 TPAR can be submitted in writing until April 23, 2012, and any issues raised during testimony or in writing, will be addressed during upcoming worksessions scheduled for early May.

Ms. Natalie Goldberg, representing the Garrett Park Estates/White Flint Park Citizens Association offered testimony.

There followed a brief Board discussion with questions to staff and Ms. Goldberg.

8. Briefing on the Subdivision Staging Policy: Overview and Process

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning Department staff followed by Board discussion and questions to staff.

Planning Department staff discussed an overview of the Subdivision Staging Policy, formerly known as the Growth Policy, and the process followed by staff. The Subdivision Staging Policy (SSP) seeks to ensure timely delivery of public facilities, such as schools, transportation, water, sewer, and other infrastructure, to serve existing and future development. Previously reviewed and adopted every two years by the County Council, the SSP will now be adopted in the second year of each County Council's term. Three years have passed since the last SSP was updated, and in the future it will be

updated every four years. The SSP is also established to regulate the relative timing of development and facilities, help promote smarter growth, and assure that sufficient funds or facilities are available to serve areas where growth is approved. Staff also discussed the proposed schedule for review and discussion of the SSP, including transmittal to the County Executive and County Council on August 1, 2012.

6. Roundtable Discussion POSTPONED

B. Planning Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.