



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, May 1, 2014, at 9:15 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:50 p.m.

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

Item 1 is reported on the attached agenda.

The Planning Board recessed at 9:42 a.m. to take up Item 13, and to participate with the members of the Prince George's County Planning Board in a Closed Session meeting via telephone conference of The Maryland-National Capital Park and Planning Commission (M-NCPPC).

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 Planning Board convened in Closed Session in the 3rd floor conference room at 9:46 a.m., on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations; and under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(7) to consult with counsel to obtain legal advice.

Also present for the Closed Session in the Montgomery Regional Office were Associate General Counsel Carol Rubin of the Legal Department; Director Gwen Wright of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, and John Nissel of the Parks Department; Consultant Craig Ballew; and Tomasina Ellison of the Commissioners' Office.

The M-NCPPC Human Resources Director, Bill Spencer, was also present.

In Closed Session, the Board received briefing from Human Resources staff, Parks Department staff, and legal counsel to the Board regarding the Collective Bargaining Agreement for the Fraternal Order of Police, Lodge No. 30.

The Closed Session meeting was adjourned at 10:42 a.m. Minutes of the Closed Session meeting are reported in the M-NCPPC Closed Session Meeting Minutes.

The Board convened in Open Session in the 3rd floor conference room, and to participate with the members of the Prince George's County Planning Board in an Open Session conference call meeting at 10:48 a.m. on motion of Prince George's County Planning Board Chair Elizabeth Hewlett, seconded by Prince George's County Planning Board Commissioner Manuel Geraldo, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion.

Minutes of the Open Session meeting are reported in the M-NCPPC Open Session Meeting Minutes.

The Planning Board reconvened in the auditorium at 10:53 a.m.

Items 14, 2, 3, 4, 5, 6, 7, and 8, discussed in that order, are reported on the attached agenda.

The Board recessed for lunch at 12:30 p.m. 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 Closed Session at 12:57 p.m. in the 3rd floor conference room, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §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 Associate General Counsels Megan Chung and Carol Rubin of the Legal Department; Director Gwen Wright and Deputy Director Rose Krasnow of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, Dan Hertz, Judie Lai, and Mitra Pedoeem of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff, Planning Department staff, and legal counsel to the Board regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton.

The Planning Board reconvened in the auditorium at 2:20 p.m.

Items 10, 11, and 12 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:50 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 8, 2014, in the Montgomery Regional Office in Silver Spring, Maryland.

Montgomery County Planning Board Meeting
Thursday, May 1, 2014
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. AVA Wheaton Sketch Plan No. 320140020 – MCPB No. 14-24

BOARD ACTION

Motion: **ANDERSON/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Adopted the Resolution cited above, as submitted.**

***B. Record Plats**

Subdivision Plat No. 220130350, Bradley Farms

RE-2 zone, 1 lot; located on the north side of River Road (MD 190), 650 feet west of Harrington Drive; Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131110 – 220131120, Burton Woods

RE-2 zone, 4 lots, 5 parcels, 1 outlot; located on the north side of Sycamore Hollow Lane at the intersection of Davis Mill Road; Agriculture and Rural Open Space Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131220, Boyds Highlands (Revision)

RE-2 zone, 3 lots; located on the east side of Barnesville Road (MD 117), approximately 2,200 feet north of Ganley Road; Boyds Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220140140, Winbrook

R-60 zone, 3 lots; located on the south side of Plyers Mill Road, 300 feet west of Glenhaven Drive; Kensington-Wheaton Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220140890, Pleasant Plains

RDT zone, 1 lot; located on the north side of Hawkins Creamery Road, approximately 1,200 feet west of Laytonsville Road (MD 108); Damascus Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Record Plats cited above, as submitted.

***C. Other Consent Items**

Pike and Rose, Phase I Site Plan Amendment No.82012002B

Request to modify the approved Site Plan to make adjustments to hardscape and landscape layout; plant list; unit mix; public and private roadway curb lines; utility layout; revisions to interior building layout; adjustments to building footprints; shifting 4 MPDUs from Building 10 to 12, and minor lot line adjustments. Approximately 8.5 acres in the CR-3 C-1.5 R 2.5 H-200 and CR-4 C3.5 R3.5 H-300 Zones, located north of Old Georgetown Road (MD 187) and west of Rockville Pike (MD 355) in the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval with conditions and Adoption of Resolution

BOARD ACTION

Motion: ANDERSON/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Other Consent Item cited above, and adopted the submitted Resolution.

***D. Approval of Minutes**

Minutes of April 10 and April 17, 2014

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of April 10 and April 17, 2014, as submitted.

TELECONFERENCE MEETING OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (FULL COMMISSION) - VIA TELEPHONE CONFERENCE

13. CLOSED SESSION

Pursuant to Section 10-508(a)(9) and (a)(7) of the State Government Article Annotated Code of Maryland to Conduct Collective Bargaining Negotiations and Consult with Counsel.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See official citation and Open Session report in narrative Minutes of the M-NCPPC.

TELECONFERENCE MEETING OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION (FULL COMMISSION) - VIA TELEPHONE CONFERENCE

14. OPEN SESSION

The Commission will ratify actions taken in closed session by returning to an open session

BOARD ACTION

Motion: HEWLETT/GERALDO

Vote:

Yea: 9-0

Nay:

Other: WASHINGTON ABSENT

Action: Approved staff recommendation for approval, and adopted the Resolution, as submitted.

2. Roundtable Discussion

- Parks Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing, followed by Board discussion.

Park Director's Report - Parks Department Director Mary Bradford provided an update on the following activities and events: Scheduled events at Brookside Gardens were cancelled following torrential rain that forced the closure of Route 29; Parks Department staff met with Planning, Housing and Economic Development (PHED) Committee on April 21 regarding budget items; Carroll Knolls Local Park opened on Saturday, April 26; a full-scale emergency preparedness exercise, scheduled for May 8, will take place at South Germantown Recreational Park; a Request for Proposals (RFP) has been issued for the lease of seven park activity buildings that were closed in 2011; Park Police will

participate in events during Police Memorial week, May 11-17, and a Park Police Awards Ceremony is scheduled for May 21; repairs and improvements have been completed at Woodstock Equestrian Special Park, Rock Creek Regional Park at Lake Frank, Norbeck Meadows Park, and Meadowside Nature Center; construction projects have begun at Greenbriar Local Park and Cabin John Ice Rink; fourth graders will take part in the annual Earth / Arbor Day event on May 7 at Little Bennett Regional Park; Ms. Bradford received an award from the Maryland Department of Natural Resources Secretary for her work on the Governor's Leadership Team for the Partnership for Children in Nature; and, the Parks Department's annual Bring Your Child to Work Day was very successful with over 300 children participating in activities.

3. Annual Report from the Montgomery County Revenue Authority

Briefing the Montgomery County Revenue Authority on the Commission's golf course operations
Staff Recommendation: Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing, followed by Board discussion.

Mr. Keith Miller, Executive Director of the Montgomery County Revenue Authority (MCRA), provided an update on the status of County golf courses, and stated that golf course use and revenue has declined, as is anticipated seasonally. Overall, use of County golf course facilities has remained stable. A program has been initiated at Little Bennett Regional Park which allows late afternoon rounds and practice for participants year-round, and which is attributed to the success of the facility. Following inquiry from the Planning Board regarding annual operating cost increases, Mr. Miller stated that facility rates will increase as a result of required personnel expenditures such as increased minimum wage and health care costs. Mr. Miller also discussed a number of programs that are designed to increase use of the facilities that include Professional Golfers' Association of America (PGA) Junior Golf League, a new type of golf known as Fling Golf that incorporates golf and lacrosse and is played with a modified golf club, and a combination of soccer and golf known as FootGolf which is gaining popularity nationally. Mr. Miller also stated that, environmentally, MCRA courses continue to work within the guidelines of the Audubon International Sanctuary Program for golf courses in an effort to achieve Audubon Certification at all MCRA courses. Little Bennett Regional Park and Needwood Golf Course have successfully achieved Audubon certification.

The Planning Board briefly discussed MCRA proposed programs and the County Revenue Board.

4. MSF Annual Report

Maryland Soccer Foundation, Inc. (MSF) Executive Director Trish Heffelfinger will present the Soccerplex 2013 Annual Report.

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing, followed by Board discussion.

Parks Department staff offered a multi-media presentation and discussed the Maryland SoccerPlex, a 162-acre soccer facility consisting of 21 outdoor soccer fields, one championship tournament stadium field with stadium seating, one indoor multi-purpose facility, and three artificial turf fields with lights. Staff stated that the facility continues to be a successful example of public/private partnership.

Ms. Patricia Heffelfinger, Executive Director of the Maryland Soccer Foundation, discussed an economic impact study conducted in 2012 and 2013, and the anticipated goals of the foundation which include increased capacity at the facilities, stadium field renovations, sand drains on five fields, conversion of two fields to sand based, and the addition of fields 1 and 2. Washington Spirit, the women's professional team that plays at the SoccerPlex, had the highest attendance in their league. Major events at the SoccerPlex include the win of the University of Maryland ACC Men's Soccer Championship, and an upcoming U.S. Youth Soccer National Championship scheduled for July. State Cup Finals will be held on Sunday, May 4. Ms. Heffelfinger also discussed community activities which include Manna Food, One Warm Coat, Toys for Tots, Wounded Warriors Soccer, and a soccer cleat and equipment drive that distributes recycled equipment to children in need. Also discussed was the impact of the prolonged winter weather which has shortened the growing season, delayed the start of field maintenance, caused cancellation of tournaments, and closure of the Discovery Sports Center for five days.

The Planning Board briefly discussed the various programs offered at SoccerPlex and the success of the facility.

5. Montgomery Parks Foundation

Semi-Annual briefing to Planning Board to present FY13 Independent Audit and update on the Foundation's progress

Staff Recommendation: Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing, followed by Board discussion.

Ms. Debbie Rankin, Executive Director of the Montgomery Parks Foundation, discussed the Fiscal Year (FY13) independent audit and provided an update of the Montgomery Parks Foundation’s progress. The annual audit identified a 23.5 percent increase from the FY12 income, and showed that revenue and support were generated in the amount of \$574,451 through contributions, tribute programs, corporate support, and the Friends of Montgomery Parks.

The Planning Board briefly discussed the programs and accomplishments of the Foundation. Mr. John Robinson, Treasurer of the Montgomery Parks Foundation, offered comments.

6. Resolution of Adoption of Amendment to the Master Plan for Historic Preservation: M-NCPPC Park Resources

Staff Recommendation: Approve transmittal to the Full Commission for adoption

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval to transmit the Resolution to the M-NCPPC Full Commission for adoption, as submitted.

Planning Department staff discussed the County Council’s Resolution approving the designation of six individual sites on the Master Plan for Historic Preservation.

The Planning Board briefly discussed the approval of the Master Plan Amendment and concurred with the staff recommendation.

7. Three Sisters Road: Abandonment No. AB740

The portion of Three Sisters Road, within the Hunt Club Subdivision, south of Glen Road, approximately 4,000 feet east of Travilah Road, Potomac Sub-region Master Plan

Staff Recommendation: Approval to Transmit Comments to the County Executive

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to the County Executive, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the proposed abandonment of Three Sisters Road, located on the south side of the Hunt Club Subdivision. The applicant is requesting approval to abandon a portion of an existing public right-of-way containing an improved public street that was created to provide frontage and access for eight of the nine lots approved by the Planning Board for the Hunt Club Subdivision. The Petitioners propose to consolidate all nine lots into one, leaving a single lot with substantial frontage and access on Glen Road.

Following inquiry from the Planning Board regarding access points to the property following abandonment, staff stated that the existing access points will not be used in future development and any new access points would be subject to the permit approval process.

Ms. Barbara Sears, attorney representing the applicant, offered comments and answered questions from the Board.

The Planning Board briefly discussed the applicant's request and compliance with Montgomery County Department of Transportation regulations.

8. Budget Transfer Request for the Planning Board

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of budget transfer request discussed at the meeting.

Planning Department Director Gwen Wright discussed a budget transfer request stating that 2 of 14 positions, in conjunction with positions vacated by personnel, have provided a budget surplus in the Planning Department. The request is for transfer of \$769,800 from Personnel Services to various operational expenses within the Planning Department which includes a one-year extension for the zoning staff contract with the University of Maryland, auditorium upgrades and related equipment, purchase of various equipment and furnishings, building security enhancements, purchase of three new vehicles, and funding of public education resources.

The Planning Board discussed the proposed use of funds requested for transfer.

9. 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 (Wheaton)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. Design Guidelines for the Approved and Adopted Glenmont Sector Plan

Staff Recommendation: Approve Design Guidelines and Transmit to County Council for Information

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved staff recommendation for approval of the Design Guidelines for the Approved and Adopted Glenmont Sector Plan, and for its transmittal to the County Council for information, as stated in the attached transmittal letter.**

Planning Department staff briefed the Board on the final Design Guidelines for the Approved and Adopted Glenmont Sector Plan. Staff noted that the purpose of the guidelines is to illustrate how key recommendations of the Sector Plan might be achieved. They will also clarify general design expectations and provide applicants and staff with a framework for project review and a tool for obtaining enhanced design and related amenities. Staff discussed the guidelines and noted that staff has refined the draft guidelines by incorporating revisions made by the County Council during the various worksessions as part of its review and approval of the Glenmont Sector Plan.

There followed a brief Board discussion with questions to staff.

***11. Kensington Heights: Site Plan No. 820140040**

Request to develop a vacant property with 11 townhouses and three (3) single-family detached units; RT-8 Zone, 1.8 acres; located south of the Westfield Wheaton Mall property, in the northeast quadrant of the intersection of McComas Avenue and Melvin Grove Court, within the 2012 Wheaton CBD and Vicinity Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: **DREYFUSS/WELLS-HARLEY**

Vote:

Yea: **5-0**

Action: **Approved staff recommendation for approval, subject to revised conditions, as discussed during the meeting, and as stated in the attached adopted Resolution.**

In keeping with the April 17 technical staff report, Planning Department staff offered a multi-media presentation and discussed the site plan application request to develop a 1.8-acre vacant property located south of the Westfield Wheaton Mall property in the northwest quadrant of the intersection of McComas Avenue and Melvin Grove Court in the Wheaton Central Business District. The proposed development calls for the construction of 11 townhouses and three single-family detached residences. Staff briefly discussed a final Forest Conservation Plan (FCP) for the proposed development, and recommended approval of the FCP subject to the conditions of approval stated in the staff report. Staff also discussed, and stated staff's support, for the proposed future pedestrian connection from McComas Avenue and the adjacent Westfield Wheaton Mall property, recommended

in the approved preliminary plan. Staff added that Westfield LLC opposes this connection because of concerns regarding pedestrian safety and liability issues.

Mr. Eric Tidd, engineer representing the applicant, and Mr. Sterling Mehring of Kensington Heights 2, LLC, the applicant, offered comments and concurred with the staff recommendation.

The following speakers offered testimony: Mr. Jim Agliata representing Westfield Wheaton Mall; Mr. Clive MacKenzie representing Westfield Wheaton Mall; Ms. Donna Savage of McComas Court and representing the Kensington Heights Civic Association; and Mr. James Schmidt of McComas Avenue.

There followed extensive Board discussion, focusing primarily on the proposed future pedestrian connection from McComas Avenue to the Westfield Wheaton Mall property, with questions to staff and the speakers.

Legal counsel to the Board noted that in order for the Planning Board to require the applicant to provide a public access easement instead of a paved connection, the applicant will have to request a preliminary plan amendment in order to eliminate Condition 6 of the preliminary plan requiring a paved pedestrian connection between McComas Avenue and Westfield Wheaton Mall.

12. Bethesda Downtown Plan -Briefing

NOTE: No Public Testimony

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Planning Department staff offered a video of a community workshop held last Saturday in Bethesda, which was attended by 130 residents, and also briefed the Planning Board on the Bethesda Downtown Plan and the various outreach efforts, as well as the production and distribution of a briefing book on Bethesda. Staff added that a staff draft of the Bethesda Downtown Plan will be ready in the fall, and public hearing and Planning Board worksessions will follow.