



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 21, 2015, at 10:32 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:08 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Norman Dreyfuss, Amy Presley, and Natali Fani-González.

Items 1 through 3, and Items 6 and 7, are reported on the attached agenda.

Items 4 and 5 were postponed.

The Board recessed for lunch at 11:40 a.m.

The Board convened in Closed Session at 12:02 p.m. to take up Item 8, a Closed Session Item.

In compliance with State Government Article §3-305(a), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:02 p.m. in the 3rd floor conference room on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Also present for the Closed Session were Director Michael Riley, Acting Deputy Director Mitra Pedoeem, and Judie Lai of the Parks Department; Director Gwen Wright and Deputy Director Rose Krasnow of the Planning Department; Principal Counsel Carol Rubin and Senior Counsel Megan Chung of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the proposed new Montgomery County Park and Planning Commission Headquarters Building in Wheaton.

The Closed Session meeting was adjourned at 12:34 p.m.

The Board reconvened in the auditorium at 1:28 p.m. to take up item 9, a presentation of the staff draft of the Bethesda Downtown Sector Plan.

MCPB, 5-21-15, APPROVED

There being no further business, the meeting was adjourned at 5:08 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 28, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons
Technical Writer

Montgomery County Planning Board Meeting
Thursday, May 21, 2015
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

Sugarland Farm Preliminary Plan No. 120130140 – MCPB No. 15-21

Motion: PRESLEY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220150730, Battery Park, Section 3

R-60 zone, 1 lot; located in the northeastern quadrant of the intersection of Maple Ridge Road and Goddard Road; Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220150770, Kefauver Tract - Bradley Hills

R-200 zone, 1 lot; located on the north side of Bradley Boulevard (MD 191), approximately 750 feet west of Burdette Road; Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

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

***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**

Planning Board Meeting Minutes of May 7, 2015

BOARD ACTION

Motion: **FANI-GONZÁLEZ/WELLS-HARLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved Planning Board Meeting Minutes of May 7, 2015, as submitted.**

2. CU 15-03 -- Dog's Day Pet Care LLC Request for Conditional Use approval for an animal boarding and care facility, located at 7235 Damascus Road, Gaithersburg; 25.02 acres; AR Zone; Damascus Master Plan

Staff Recommendation: Transmit recommendations and comments to the Hearing Examiner

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments and recommendations to the Hearing Examiner regarding the Conditional Use request cited above, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a Conditional Use request to establish an animal boarding and care facility. The property proposed for conditional use is a 25.02-acre unrecorded parcel located on Damascus Road (MD 108), approximately 2,100 feet north of its intersection with New Hampshire Avenue (MD 650), and zoned Agricultural Reserve within the Damascus Master Plan and Patuxent Primary Management areas. The property is currently improved with a single-family dwelling unit and three outbuildings. According to staff, previous owners used the property for equestrian services and activities. The petitioner proposes to use the existing buildings to establish a 24-hour, 7-day a week facility that provides daily and overnight care for up to 60 dogs, with a maximum of 30 dogs receiving daily care services, and a maximum of 30 receiving overnight boarding services. Dogs receiving daily care services will arrive and depart between 7:30 a.m. and 7:00 p.m. By-appointment curbside drop-off and pick-up will manage access to the site by eliminating the need for patron parking. The facility will consist of four indoor areas, two in the dwelling unit for overnight boarding and two in an outbuilding for daily care. No additions or expansions to the four existing buildings are planned. The facility will also provide four fenced, outdoor exercise areas, each able to accommodate up to 15 dogs. The petitioner plans to limit the number of dogs outdoors at any time to 30. No dogs will be permitted outside between the hours of 9:00 p.m. and 7:00 a.m. Staff noted that the relatively large size of the property offers 500-foot to 800-foot buffers from the exercise areas to the nearest neighboring residences. Although no clearing of trees is proposed, staff noted that as an alternate method of meeting screening compliance requirements, the petitioner has created a Forest Stewardship Plan in cooperation with Maryland Department of Natural Resources. In this plan, the petitioner proposes to plant

2. CU 15-03 -- Dog's Day Pet Care LLC Request for Conditional Use approval

CONTINUED

approximately 2,400 deciduous trees on the east side of the property and more than 1,000 evergreen trees on the remaining three sides as an additional noise mitigation measure. Staff added that a waste management plan has been reviewed and approved.

Mr. Christopher Ruhlen, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

3. Roundtable Discussion

- A. Planning Director's Report
- B. Operating Funds Three-Month Financial Report Including Projections to June 30, 2015
- C. Enterprise Funds Three-Month Financial Report Including Projections to June 30, 2015

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: A., B., and C. Received Briefing

A. Planning Director's Report: Planning Department Director Gwen Wright briefed the Board on the following Planning Department events and activities: the success of the Asian Pacific American Heritage event on Monday, May 18; Chair Anderson's recent support for four Montgomery County Department of Transportation grant applications; the completion of the staff draft of the Bethesda Downtown Sector Plan and its presentation at a Planning Board Public Hearing scheduled for Wednesday, June 14; the status of the staff drafts of the Westbard Sector Plan and Montgomery Village Master Plan, both scheduled to be presented to the Board in July and at Public Hearings in September; the status of the staff draft of the Greater Lyttonsville Sector Plan, scheduled to be presented to the Board in October or November and at a Public Hearing before the end of the calendar year; pending work on the Bicycle Master Plan, the White Flint II Sector Plan, and the Rock Spring Plan; a meeting of the Rental Housing Study Advisory Group scheduled for Friday, June 26; the status of the upcoming Bi-Annual Monitoring Report; the continuing work on the Subdivision Staging Policy; a Planning Department staff picnic scheduled for Friday, June 5; and the implementation of new security measures at the Montgomery Regional Office scheduled for Tuesday, June 2.

There followed a brief Board discussion.

B. Operating Funds Three-Month Financial Report Including Projections to June 30, 2015: Finance Department staff presented and discussed the Montgomery County Operating Funds FY15 nine month financial report and offered projections to June 30, 2015. Staff reported a 1.06 percent increase over FY15 collected property tax funds and projected collecting 100 percent of FY16 property taxes. The Administrative Fund and Central Administrative Services Departments have implemented and met a 1.0 to 1.5 percent savings plan obligation.

3. Roundtable Discussion

CONTINUED

Administration Fund expenditures were below budget due to delays in filling some vacant positions. However, because grant revenue is not expected to be realized, staff projected a revenue decrease of

\$47,600. Staff then projected an Administration Fund Balance decrease of \$1,434, 220 as of June 30, 2015.

Staff reported that Park Fund revenues are expected to be over budget by \$120,300 with an expenditure savings of \$1,551,300.

C. Enterprise Funds Three-Month Financial Report Including Projections to June 30, 2015: Finance Department staff presented and discussed the Montgomery County Enterprise Funds FY15 nine month financial report and offered projections to June 30, 2015. Staff reported that the Enterprise Fund is self-supporting and operating at a surplus. Staff noted that the budget surplus can be attributed partially to energy-efficient ice-making measures implemented at a number of ice rink facilities. Staff added that FY15 surplus funds will be available for FY16 Capital Improvements.

There followed a brief Board discussion.

4. — ~~FY15 Budget Transfer Request from the Planning Department~~ **POSTPONED**

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.

5. — ~~FY15 Budget Transfer Request from the Department of Parks~~ **POSTPONED**

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was postponed.**

6. North Branch Valley Park, Unit 4

Authorization to acquire 17.01 acres, more or less, unimproved from The Oaks, LLC, located at 5280 Olney-Laytonsville Road (MD Rte. 108), Olney, Maryland 20832.

Staff Recommendation: Approval

BOARD ACTION

Motion: **FANI-GONZÁLEZ/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation for approval to acquire the property cited above and adopted the attached submitted Resolution.**

Parks Department staff offered a multi-media presentation and discussed the proposed acquisition of parcel 575 of the Oaks Property as an addition to the North Branch Stream Valley Park, Unit 4. The 17.01-acre property is located on south side of Laytonsville Road (MD 108), bounded by the existing North Branch Stream Valley Park, Unit 4 to the south, and is zoned Rural/Estate within the Legacy Open Space Functional Master Plan area. The property will be designated a Legacy Open Space site. The Oak Property is also located in the ultimate headwaters of the North Branch of Rock Creek watershed in a designated Special Protection Area. The proposed acquisition consists of approximately 10 acres of open fields and approximately 7 acres of forest and non-tidal wetlands adjacent to a first order headwaters stream. According to staff, the purchase will protect mature, good quality mixed oak and hickory, and will provide connectivity between Mount Zion Local Park, Upper Rock Creek Local Park, and Rock Creek Stream Valley Park. Staff also anticipates the dedication of an additional 15 acres of high quality wetlands and buffer along another first-order headwaters stream as a result of future residential development of an adjacent property. The negotiated purchase price of \$724,000.00 is to be funded through the Legacy Open Space Capital Improvements Program with additional funding through County General Obligation Bonds. Staff added that upon approval, the contract will be forwarded to the County Council.

There followed a brief Board discussion.

7. Lockheed Martin, Limited Site Plan Amendment No. 81974005K

Limited Site Plan Amendment to allow replacement of guard station, addition of a vestibule enclosure, and an above-ground fuel storage tank, all comprising a total of approximately 350 square feet. Located at 6801 Rockledge Drive; 26.51-acre site zoned Employment Office (EOF) in the North Bethesda Garrett Park Master Plan area.

Staff Recommendation: Approval and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Limited Site Plan Amendment cited above and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Limited Site Plan Amendment request to revise approximately 350 square feet of previously-approved, existing office campus. The 26.51-acre site is located on Rockledge Drive and zoned Employment/Office within the North Bethesda Garrett Park Master Plan area. In order to accommodate additional security guards, the applicant proposes to replace an existing 50-square foot guard station with a 200-square foot guard station and protective canopy, and to relocate an existing associated police cruiser pad approximately 50 feet to the northwest. The applicant also proposes enclosing and expanding an existing visitor vestibule to 200 square feet and constructing an above-ground fuel storage tank in the northeast corner of the site. Staff noted that the proposed amendment is consistent with requirements approved by the Planning Board in the original site plan.

Mr. Patrick O’Neal, attorney representing the applicant, introduced Messrs. Dave Coger and Pat LaVay, members of the applicant’s team, offered comments, and concurred with the staff recommendation.

Mr. Coger also offered comments.

There followed a brief Board discussion.

8. CLOSED SESSION

According to MD ANNOTATED Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

The topic to be discussed is the proposed new Montgomery County Park and Planning Commission Headquarters Building in Wheaton.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

9. Bethesda Downtown Sector Plan, Staff Draft

Staff Recommendation: Approval of the Staff Draft and Request to Set Date for Public Hearing

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Staff Draft as the Planning Board Public Hearing Draft and scheduled the Public Hearing date for June 24, 2015.

Planning Department staff offered a multi-media presentation and discussed the staff draft of the proposed Downtown Bethesda Sector Plan. The approximately 451-acre sector plan area is located along Wisconsin Avenue; bounded by Tilbury Street, Sleaford Road, Cheltenham Road, the Capital Crescent Trail, 46th Street, and West Avenue to the east; Nottingham Drive to the south; and Arlington Road and Old Georgetown Road to the west. Staff noted that the proposed sector plan retains the boundaries established in the 1994 Bethesda Central Business District Sector Plan, the 2006 Woodmont Triangle Amendment, and the 2014 Planning Board Draft Bethesda Purple Line Station Minor Master Plan Amendment. Downtown Bethesda is divided into nine districts, including established centers of activity, which include the Wisconsin Avenue Corridor, Bethesda Row, and Woodmont Triangle Districts; emerging centers of activity, which include the Pearl and Arlington South Districts; and the residential and edge districts of Battery Lane, Eastern Green, South Bethesda, and Arlington North.

Staff noted that many of the Sector Plan recommendations are the result of public outreach efforts that included community workshops, presentations, social media, and online forums. Staff offered recommendations regarding land use and zoning, including rezoning current Planned

Development and Employment Office zones to Commercial/Residential, increasing density by 20 percent in many existing Commercial/Residential zones, and encouraging a fee-in-lieu of the required public open space as part of the property's public benefits.

Transportation recommendations include a constrained parking policy that promotes transit use, an expansion of the Parking Lot District, and the colocation of public facilities, among others.

9. Bethesda Downtown Sector Plan, Staff Draft

CONTINUED

In order to achieve ecological and habitat goals, staff recommended the installation of green roofs with soil depths of at least 6 inches and a minimum of 35 percent roof coverage, supplemental tree planting along streets and public spaces in order to provide at least 50 percent canopy cover, and maximum use of alternative energy systems that will supply a portion or all of a building's energy demand. Staff also recommended the development of a sustainable, transit-oriented High Performance Area that has very little ecological impact.

Staff recommended enhancing urban design by linking established centers of activity with transit and urban green spaces, such as constructing a connector from Metro Center to Woodmont Triangle and Bethesda Row. In order to accommodate increased density, staff proposed increasing building height limits by 20 percent in many areas. Staff also recommended the integration of public art throughout the Downtown area.

To increase green space and open areas, staff has proposed the construction of 13 new area parks and civic green spaces.

Community facilities will be updated with proposed renovations to existing police, fire, and rescue stations, and construction of a new stand-alone fire station. Staff proposed the construction of an addition to Bethesda Elementary School and the reopening of either the former Rollingwood or Lynnbrook Elementary Schools to address capacity issues at the elementary level. To mitigate overcrowding at the middle school level, staff noted that the new Bethesda-Chevy Chase Middle School #2 is scheduled to open in August 2017. At the high school level, staff recommended reopening the former Woodward High School on Old Georgetown Road to mitigate projected overcrowding.

There followed extensive Board discussion with questions to staff regarding Moderately Priced Dwelling Units and senior housing.