



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

**APPROVED
MINUTES**

Following the swearing-in of reappointed Chair Casey Anderson and reappointed Commissioner Norman Dreyfuss, the Montgomery County Planning Board met in regular session on Thursday, June 25, 2015, at 9:27 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:25 p.m.

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

Items 2 and 1, and Items 3 through 7, discussed in that order, are reported on the attached agenda.

The Board convened in Closed Session at 12:48 p.m. to take up Items 15 and 16, Closed Session Items.

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

The Board convened in Closed Session at 12:48 p.m. in the 3rd floor conference room on motion of Vice Chair Wells-Harley, seconded by Commissioner Presley, 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, 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, and Annotated Code of Maryland §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the Closed Session were Senior Counsel Megan Chung of the Legal Department; Planning Department Director Gwen Wright; Director Michael Riley, Acting Deputy Director Mitra Pedoeem, and Judie Lai of the Parks Department; Mark Allard and Jane Mahaffie of Stonebridge Carras Real Estate Investment; Marcello Cortez of Montgomery County Department of Transportation; and James J. Parsons of the Commissioners' Office.

In Closed Session the Board received briefing regarding the proposed new Montgomery County Park and Planning Commission Headquarters building in Wheaton; and approved Closed Session Minutes of March, April, and May 2015.

Commissioner Dreyfuss left the meeting at 1:08 p.m., before discussion of Item 16.

The Closed Session meeting was adjourned at 1:19 p.m.

The Board reconvened in the auditorium at 1:30 p.m.

Items 9 through 14 are reported on the attached agenda.

Item 8 was removed from the Planning Board agenda.

Commissioner Presley left the meeting at 4:35 p.m., before discussion of Item 14.

There being no further business, the meeting was adjourned at 5:25 p.m. The next regular meeting of the Planning Board will be held on Thursday, July 9, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons
Technical Writer

Montgomery County Planning Board Meeting
Thursday, June 25, 2015
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

***2. Grosvenor Place**

A. Preliminary Plan 120150150: Request to subdivide the vacant property into 46 lots for townhouses and 2 HOA parcels for open space and stormwater management; R-30 Zone; 4.13 acres; located in the northeast quadrant of I-270 and Grosvenor Lane intersection, within the 1992 North Bethesda-Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Site Plan 820150070: Request to develop a vacant property with up to 46 townhouses; R-30 Zone; 4.13 acres; located in the northeast quadrant of I-270 and Grosvenor Lane intersection, within the 1992 North Bethesda-Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: **A. PRESLEY/WELLS-HARLEY**
 B. WELLS-HARLEY/PRESLEY

Vote:
Yea: **A. 5-0**
 B. 5-0

Nay:

Other:

Action: **A. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, and adopted the attached Resolution.**

B. Approved staff recommendation for approval of the Site Plan cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed the proposed Preliminary Plan and Site Plan requests to subdivide a portion of a parcel into 46 lots and associated Homeowners Association parcels. The 4.13-acre site, parcel F of the Grosvenor Park subdivision, is bounded by I-270 to the west, Grosvenor Place to the east, Grosvenor Lane to the

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***2. Grosvenor Place**

CONTINUED

south, and is zoned Residential within the 1992 North Bethesda/Garrett Park Master Plan area. There is an existing stream and an associated stream buffer on the northern portion of the site. The applicant proposes to develop the site with 46 single-family townhouse units, including 7 Moderately Priced Dwelling Units (MDPUs). Six pedestrian and four vehicular access points to Grosvenor Place are proposed. Proposed amenities include landscaping, sidewalk improvements, five picnic and seating areas, a 3,300-square foot recreation space, 2.35 acres of common open space, and five guest parking spaces, which, including parking designated for the seven MDPUs, amounts to 12 more parking spaces than is required. The applicant is also proposing construction of noise reducing sound walls.

The applicant proposes to remove 1.95 acres of the existing 3.5 acres of forest, and to retain the remaining 1.55 acres in Category I easements located on the southern and northern portions of the property. The applicant is also requesting a variance to remove three trees and impact three others. Staff noted that numerous constraints on the site, including significant portions designated as Open Space, three proposed Category I easements, and existing utility rights-of-way, prohibit further development on the property. Staff added that a recent independent noise study, initiated in response to community concerns regarding traffic noise levels, concluded that with noise reducing sound walls in place, noise levels will remain within acceptable levels, even with the proposed forest removal.

Mr. Steve Robins, attorney representing the applicant, introduced Messrs. Chris Ruhlen, Grant Epstein, John Torti, Josh Sloan, Wes Buckner, Scott Harvey, and Cody Snow, members of the applicant’s team, offered comments, and concurred with the staff recommendation.

Messrs. Epstein, Torti, and Harvey offered comments and discussed the project design, the proposed landscaping and hardscaping plans, and traffic noise levels.

The following speakers offered testimony: Mr. Alan Sternstein, representing the Grosvenor Park Condominium Council of Co-Owners; Ms. Anita Gentofanti of Grosvenor Place; Mr. Ron Haberbeger of Grosvenor Place; Mr. Nadir Hojaji of Grosvenor Place; Mr. Donald Luther of Grosvenor Place; and Mr. Jake Emerson of Englishman Place.

There followed extensive Board discussion with questions to staff and Mr. Harvey.

1. Consent Agenda

***A. Adoption of Resolution**

- 1. Artis Senior Living Forest Conservation Plan CU201505 MCPB No. 15-60

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

***B. Record Plats**

Subdivision Plat No. 220150950, Cabin Branch

MXPD zone, 3 lots and 2 parcels; located in the southwestern quadrant of the Clarksburg Road and I-270 interchange; Clarksburg 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**

A. 21611 Ripplemead Drive Enforcement Action, on remand from Circuit Court for Montgomery County, Civil Action No. 362946-V.

B. 21533 Ripplemead Drive Enforcement Action, on remand from Circuit Court for Montgomery County, Civil Action No. 364354-V.

BOARD ACTION

Motion: **WELLS-HARLEY/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: Adopted the attached Resolutions for the Forest Conservation Plan Enforcements cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of June 4 and June 11, 2015

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of June 4 and June 11, 2015, as submitted.

***3. Randolph Farms Preliminary Plan No. 120140130** --- Request to resubdivide one lot into three lots, with the existing dwelling to remain; R-90 Zone; 50,506-square-foot lot located on the north side of Macon Road, just west of the intersection with Galena Road, within the 1992 North Bethesda/Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to subdivide one lot into three residential lots. The 50,506-square foot property, lot 7 of the Randolph Farms Subdivision, is located on the north side of Macon Road, approximately 200 feet of its intersection with Hunters Lane, and zoned Residential (R-90) within the 1992 North Bethesda/Garrett Park Master Plan area. The site is currently improved with a single-family dwelling unit. The property is accessed from Macon Road. Although the R-90 zone allows similar-sized properties to have a maximum of five lots, the applicant is only seeking approval to subdivide the property into three lots. Each lot will be served by public sewer and water and provide access to Macon Road via individual driveways. Staff added that the applicant has agreed to replace an existing four-foot wide sidewalk along the frontage on Macon Road with a five-foot wide sidewalk. In order to address concerns expressed by the adjacent property owner regarding screening and stormwater run-off, the applicant has agreed to screen the western portion of the property with understory landscaping and to implement on-site stormwater management measures. Although no forest exists on the site, Forest Conservation Law requires the applicant to submit a Forest Conservation Plan, which calls for 0.19 acres of planting, all of which the applicant proposes to meet off-site. The applicant is also requesting a variance to impact four trees and to remove two. Staff added that the proposed plan meets all requirements set forth in the Subdivision Regulations and the Zoning Ordinance.

There followed a brief Board discussion.

***4. Washington Grove Lane - Parcel: Preliminary Plan 120140230 ---** Request to subdivide the vacant property into four lots for four single-family detached units; R-90 Zone; 1.25 acres; located in the northwest quadrant of the intersection of Mid-County Highway and Washington Grove Lane, within the 1990 Gaithersburg and Vicinity Master Plan.

Staff Recommendation: Approval with Conditions and Adoptions of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved staff recommendation for approval of the Preliminary Plan cited above, subject to revised conditions discussed during the meeting.**

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to subdivide a County-owned property into four lots to accommodate affordable housing. The approximately 1.25-acre property, parcel 455, is located in the northwest quadrant of the intersection of Mid-County Highway and Washington Grove Lane and zoned Residential within the Gaithersburg Vicinity Master Plan area. The property is currently undeveloped and contains approximately 0.77 acres of existing forest that the applicant proposes for removal. The

removal will be mitigated with a combination of 0.62 acres of off-site reforestation and fee-in-lieu payment. Staff noted that two on-site specimen trees and one off-site specimen tree will be impacted by the proposed development. The applicant proposes to subdivide the parcel into four lots to accommodate four single-family detached dwelling units that will only be sold to income-qualified buyers. The lots will be served by public water and sewer and will share a vehicular and pedestrian point of access to Washington Grove Lane. A second point of access for emergency services only is also proposed. Staff noted that the applicant is required to construct a five-foot wide sidewalk along the property's frontage on Washington Grove Lane that will continue approximately 270 feet north to an existing off-site bus stop. According to staff, this condition could be met by acceptance of the construction of the proposed segment of sidewalk as a Montgomery County Department of Transportation (MCDOT) Annual Sidewalk Program project, which would be paid through Capital Improvements Program funds.

Mr. Chris Ruhlen, attorney representing the applicant, introduced Messrs. John Pauksitis, Les Powell, and Charles Howe, and Ms. Kate Kubit, members of the applicant's team, and expressed concerns with staff condition 9, the requirement to construct the sidewalk to the bus

***4. Washington Grove Lane - Parcel: Preliminary Plan 120140230**

CONTINUED

stop, and staff condition 8, a requirement to extend an existing median strip on Mid-County Highway at its intersection with Washington Grove Road. Mr. Ruhlen stated that the cost of the off-site improvements will prohibit the completion of the proposed project.

Mr. Pauksitis offered comments.

Ms. Kubit also offered comments and stated that in addition to the costs incurred for the construction of the sidewalk, the applicant will be financially responsible for the relocation of existing utilities and the adjacent property owner's existing fence.

Following extensive Board discussion with questions to staff, Mr. Ruhlen, and Ms. Kubit, the Board agreed that although the applicant should not be responsible for the construction of the extension to the Mid-County Highway median strip, the applicant will be responsible for the construction of the sidewalk to the bus stop, and recommended that the applicant attempt to get the sidewalk construction accepted as an MCDOT Annual Sidewalk Program.

Staff stated that the accompanying Resolution would be revised to reflect the modified conditions and resubmitted as a Consent Agenda Item at a later date.

5. Colesville Senior Living Preliminary Forest Conservation Plan and Special Exception

***A. Preliminary Forest Conservation Plan S-2881** for a domiciliary home consisting of 88 assisted living units and 25 memory care units for seniors on 5.97 acres in the R-200 Zone; located at 13908 New Hampshire Avenue, Silver Spring within the 1997 White Oak Master Plan area
Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Board of Appeals No. S-2881: Special Exception request for a domiciliary home consisting of 88 assisted living units and 25 memory care units for seniors on 5.97 acres in the R-200 Zone; located at 13908 New Hampshire Avenue, Silver Spring, within the 1997 White Oak Master Plan.

*Staff Recommendation – Transmit comments and recommendations to the Hearing Examiner
(Action required for Hearing by Hearing Examiner on July 10, 2015)*

BOARD ACTION

Motion: **A. WELLS-HARLEY/DREYFUSS**
 B. WELLS-HARLEY/DREYFUSS

Vote:
 Yea: **A. 5-0**
 B. 5-0

Nay:

Other:

Action: **A. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, and adopted the attached Resolution.**
 B. Approved staff recommendation to transmit comments and recommendations to the Hearing Examiner regarding the Special Exception request cited above, as stated in the attached letter.

Planning Department staff offered a multi-media presentation and discussed a Special Exception request and an associated Preliminary Forest Conservation Plan request regarding the proposed construction of a residential assisted living facility. The 5.98-acre property, parcel 305 in the Bealles Manor Subdivision, is located on the western side of New Hampshire Avenue (MD 650), between the Inter County Connector and Randolph Road, and zoned Residential within the 1997 White Oak Master Plan area in both the Paint Branch and Northwest Branch watersheds. Staff noted that the Planning Board is required to make a recommendation to the Hearing Examiner prior to a hearing scheduled for July 10, 2015. According to staff, there are no streams, wetlands, floodplains, or environmental buffers on the site. The currently undeveloped

5. Colesville Senior Living Preliminary Forest Conservation Plan and Special Exception

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site contains 0.60 acres of moderate priority forest located on the western portion of the property. The applicant proposes to remove 0.38 acres of forest, retain 0.22 acres of forest, plant 0.65 acres of forest on-site within a Category II conservation easement, and plant 0.43 acres of forest off-site. The applicant is also requesting a variance to remove one tree. Staff noted that the proposed plan meets Forest Conservation Law requirements.

The applicant is requesting the Special Exception in order to construct a three-story, 99,485 square-foot residential senior-living facility with 113 suites, 71 parking spaces with required drive aisles, loading and delivery areas, and a refuse enclosure. An existing curb cut and gate serving a vacant lot at the southern end of the site are proposed for removal. The proposed structure will have a maximum height of 41 feet, which staff noted is compatible with the surrounding neighborhood uses. Access to MD 650 is proposed via a right-in/right-out driveway to be located at the northeast corner of the site. Deliveries and services will be limited to mid-day operations in order to avoid peak travel

times. The facility staff will include a maximum of 50 full and part-time employees, with a maximum shift of 24 employees at mid-day.

Mr. Jody Kline, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Dan Wilhelm, representing the Greater Colesville Citizen's Association, offered testimony.

6. Lily Pads Child Care LLC, Conditional Use C.U. 15-02 --- Request for a conditional use approval to increase the maximum number of children at an existing child care facility from eight (8) to twenty (20). Located at 9913 Old Georgetown Road, Bethesda; 9,787 square feet, R-60 Zone, within the 1992 North Bethesda Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions

(Action required for Hearing by the Hearing Examiner on August 10, 2015)

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 expand an existing child day care facility. The property proposed for conditional use, lot 6, is a 9,787-square foot lot located on Old Georgetown Road, between Lone Oak Drive to the north and Kingswood Road to the south, and zoned Residential within the North Bethesda/Garrett Park Master Plan area. Staff noted that the Planning Board is required to make a recommendation to the Hearing Examiner prior to a hearing scheduled for August 10, 2015. The site is currently developed with an existing one and one-half story detached single-family dwelling unit that serves as a residence and the location of the day care facility, a paved parking area, a paved shared driveway that accesses Old Georgetown Road, a six-foot tall fence, and play equipment. Pedestrian access to Old Georgetown Road is provided via a concrete sidewalk. The applicant is requesting to expand the existing family day care facility for eight children to one that will accommodate 20 children ranging from six weeks to five years in age. The proposed day care center will be located in the basement, which is the location of the current day care facility. The applicant proposes to increase the floor area of the existing basement from 800 square feet to 1,250 square feet by finishing a currently unfinished portion of the basement. Staff noted that because the proposed expansion is within the existing basement, the footprint of the building will remain unchanged. The proposed 450-square foot expansion will allow for an additional play/nap

room, a storage room, and an additional bathroom. The two existing entrances will continue to serve as the entrances to the proposed center. The center will operate

6. Lily Pads Child Care LLC, Conditional Use C.U. 15-02

CONTINUED

Monday through Friday from 7:30 a.m. to 6:30 p.m., with staggered drop-off and pick-up times from 7:30 a.m. to 9:45 a.m. and 3:30 p.m. to 6:15 p.m. The staggered drop-off and pick-up times will be managed with agreement contracts signed by patrons. A maximum of five staff members will be on-site at any one time. Staff noted that the applicant is requesting an Alternative Compliance Review in regard to additional parking. The applicant proposes to remove a large red maple tree in order to expand the facility parking from three spaces to six spaces, which will require an additional 700 square feet of paving. The tree will be replaced with an on-site mitigation tree planting. The applicant is also requesting the removal of a board-on-board fence and an existing 450 square feet of pavement in a public right-of-way along Old Georgetown Road, which, upon Maryland State Highway Administration approval, will be replaced with vegetation in order to stabilize the soil.

Mr. Stan Abrams, attorney representing the applicant, Ms. Leah Hanlon, also present, offered comments and concurred with the staff recommendations.

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

7. Roundtable Discussion

- Planning Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Planning Department Director's Report – Planning Department Director Gwen Wright briefed the Board and discussed the following Planning Department events and activities: the status of the LGBT Webinar on Pride Awareness scheduled for Friday, June 26; the success of the Wednesday, June 24 Bethesda Downtown Sector Plan Public Hearing; the status of the Westbard Plan working draft scheduled to be presented to the Planning Board on Thursday, July 16; the status of the Montgomery Village Master Plan working draft scheduled to be presented to the Board at the Thursday, July 23 meeting; the status of the Lyttonsville Plan working draft scheduled to be presented to the Board in

autumn 2015; the status of the Bicycle Plan, which received favorable coverage in a recent [Washington Post](#) editorial; the status of the Rock Spring Plan; the first public meeting for the White Flint II Plan, which is scheduled for this evening at Luxmanor Elementary School; the status of an Office Study; the status of the ongoing Rental Housing Study and a second advisory group meeting scheduled for Friday, June 26; the recent departure of Research and Special Projects Chief Valdis Lazdins to accept a position as the Planning Department Director of Howard County; the temporary hiring of Elizabeth Davison as Acting Research and Special Projects Chief; and the success of the recent staff summit held on Tuesday, June 16.

There followed a brief Board discussion.

15. CLOSED SESSION

According to Annotated Code of Maryland, 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 new Montgomery County Park and Planning Headquarters in Wheaton

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

16. CLOSED SESSION

According to Annotated Code of Maryland, General Provisions Article, §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The topic to be discussed is the approval of Closed Session Minutes of March, April, and May 2015

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

~~8. Adoption of the FY 2016 Commission Operating Budget and FY 2016 Capital Budget~~
~~REMOVED~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board Agenda.

9. Zoning Text Amendment No. 15-08 --- Allow charitable residential support facilities under certain circumstances.

Staff Recommendation: Transmit Comments to County Council
(Action required for County Council public hearing of 6/30/15)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments and recommendations to the County Council regarding the above-mentioned Zoning Text Amendment, as stated in the attached transmittal letter.

In keeping with the June 18 technical staff report, Planning Department staff discussed proposed Zoning Text Amendment (ZTA) 15-08, which will allow charitable residential support facilities under certain circumstances. Staff noted that the ZTA would modify the definition of a Charitable, Philanthropic Institution to include housing and support services for caregivers, and persons who are present as a result of treatment or care being provided to a member of their household by a Federal treatment facility or a hospital. The housing and support for these persons would be allowed as a limited use in the R-60 and R-90 zones in an existing detached house or townhouse building type that fronts on and has direct access to a major highway with a minimum master-planned right-of-way of 120 feet. The use is further limited by a requirement that the property be located within 100 feet, excluding public rights-of-way, from the boundary of a federal research and treatment facility containing at least 200 acres. The number of guests that may reside on the property is limited to eight persons and the number of resident staff on site is limited to two.

Staff recommends approval of the ZTA with one substantive change which excludes the townhouse building type from use as a residential support facility, given its restricted potential to allow up to ten persons to reside in the house at one time, and the fact that there are no existing townhouses that fit the locational criteria for permitting this use. A second recommendation is to establish an objective on-site parking requirement for guests.

The following speakers offered testimony: Ms. Audrey Siegel, attorney, and Ms. Susan Reutershan of Parklawn Drive and representing the Bikur Cholim of Greater Washington.

There followed a brief Board discussion with questions to staff.

10. Energy Efficient Building - Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning Department staff on energy-efficient buildings in Montgomery County, followed by a brief Board discussion and questions to staff.

Planning Department staff offered a multi-media presentation and discussed an energy efficient-buildings report prepared by staff, which highlights existing energy-efficient buildings in Montgomery County, and offers recommendations to encourage developers to build better and more efficient buildings.

11. Subdivision Staging Policy: FY16 Annual School Test - REVISED

Staff Recommendation: Approval of the FY16 Annual School Test Results effective July 1, 2015

BOARD ACTION

Motion: FANI-GONZALEZ/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the FY16 Annual School Test Results effective July 1, 2015.

Planning Department staff discussed the Montgomery County Subdivision Staging Policy (SSP) and the FY16 Annual School Test results. Staff noted that every spring, following the adoption of the Capital Budget, the Planning Board adopts the annual school test for the upcoming school year. The annual school test determines if residential subdivision in any school cluster should be subject to either a school facility payment or a moratorium, based on the estimated utilization of school facilities. The school test compares projected enrollment five years into the future with projected capacity for each of the 25 high school clusters at the elementary, middle, and high school levels. The school test results are finalized in May of each year upon the County Council's adoption of the Capital Budget and Amendments to the Capital Improvements Program (CIP). If projected enrollment at any level exceeds 105 percent of program capacity, new residential subdivisions in the affected cluster will be required to make a school facility payment. In addition, if projected enrollment at any level exceeds 120 percent of program capacity, new residential subdivisions in the affected cluster will be under moratorium. The annual school test analysis is prepared by Montgomery County Public Schools (MCPS) staff. Planning Department staff has reviewed the report from MCPS and offered comments and recommendations in the June 16 staff report.

Once the Planning Board approves the FY16 annual school test, staff recommendations discussed at the meeting, and a Resolution adopted by the County Council in November 2012, will constitute Montgomery County's Subdivision Staging Policy as it relates to school capacity for FY16.

At the Board's request, Mr. Bruce Crispell representing MCPS offered comments.

Ms. Barbara Sears, attorney representing East Village-White Flint property owners offered testimony.

12. The New Office Landscape --- A staff briefing for the Planning Board about the economic drivers that are influencing job growth and the demand for office space. This briefing includes a presentation by Partners for Economic Solutions (PES) on the changing office landscape in Montgomery County and the region.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning Department staff and a consultant from Partners for Economic Solutions (PES) on the new office landscape in Montgomery County and the region, followed by a brief Board discussion and questions to staff.

As discussed in detail in the June 18, 2015 detailed report prepared by Planning Department staff and Ms. Anita Morrison, consultant from Partners for Economic Solutions (PES), Planning staff and Ms. Morrison offered a multi-media presentation and discussed an office market assessment and the existing office landscape in Montgomery County and in the region.

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

13. Amendment to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) FY15-20 Capital Improvements Program, and Supplemental Appropriation to the FY16 Capital Budget, for Trails, Hard Surface Design & Construction, #768673

Staff Recommendation: Transmit the attached materials to the Montgomery County Executive and Montgomery County Council, to amend the FY15-20 Capital Improvements Program, and to grant a Supplemental Appropriation to the Department of Parks FY16 Capital Budget to include an additional \$900,000 in Contributions for Trails, Hard Surface Design & Construction, #768673.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Approved staff recommendation to transmit the Parks Department's request to the Montgomery County Executive and the County Council, to amend the FY15-20 Capital Improvements Program, and to approve the supplemental appropriation to the Montgomery County Department of Parks FY16 Capital Budget to include an additional \$900,000 in developer contributions for a trails, hard surface design, and construction project, as stated in the attached transmittal letter.

Parks Department staff discussed a request to amend the Parks Department's FY16 Capital Budget and FY15-20 Capital Improvements Program (CIP), to include an additional \$900,000 in developer contribution appropriation. Staff noted that as part of the Planning Board previous approval of the preliminary and site plans for the Parklawn North development, the developer was required to place \$900,000 in escrow either to be used by the developer or by the Department of Parks for construction of a bikeway connector linking the Rock Creek Trail with the Twinbrook Metro station. Upon reviewing bids for the work, Parks Department staff determined that the Department will build the trail, which means that as per the site plan amendment, the funding will be transferred from escrow into the Parks Department CIP project on trails, hard surface design & construction. In order to spend the funds, the Parks Department must obtain approval of an amendment to the FY15-20 CIP and a Supplemental Appropriation from the County Executive and County Council.

There followed a brief Board discussion with questions to staff.

14. Clarksburg Briefing --- Clarksburg overview presentation by retired staff member John Carter.

Staff Recommendation: Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing on Clarksburg from Mr. John Carter, retired Montgomery County Planning Department staff member, followed by brief Board discussion.