



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, July 25, 2013, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:30 p.m.

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

Planning Board members met in the third floor conference room at 9:15 a.m. to participate in Closed and Open sessions meeting via teleconference with the Prince George's Planning Board as The Maryland-National Capital Park and Planning Commission.

Minutes of the meeting are reported in the Maryland-National Capital Park and Planning Commission meeting minutes for July 25, 2013.

The Board reconvened in the auditorium at 9:45 p.m.

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 12:20 p.m. and to take up Items 5 and 14 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 1:00 p.m. in the 3rd floor conference room, on motion of Commissioner Anderson seconded by Commissioner Presley, 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)(7) to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session meeting were Associate General Counsels Carol Rubin and Christina Sorrento of the Legal Department; Marco Fuster of the Planning Department; and Messrs. Douglas Bregman, and Kevin Baker of the law firm Bregman, Berbert, Schwartz & Gilday, LLC., consultants hired by the Commission.

No Technical Writer was present at the Closed Session meeting.

In Closed Session the Board received briefing from outside counsel regarding the investigation of the Dellabrooke Subdivision, and also received briefing from legal staff explaining the basis for a motion to reconsider by an applicant and the process.

The Closed Session meeting was adjourned at 2:20 p.m.

The Planning Board reconvened in the auditorium at 2:29 p.m.

Item 15 and Items 7 through 12, taken up in that order, are reported on the attached agenda.

Item 6 was moved to the July 18, 2013 Planning Board Agenda.

The Board recessed for dinner at 5:07 p.m. and reconvened in the auditorium at 6:27 p.m. to discuss Item 13, the Staff Draft for the Clarksburg Limited Master Plan for the Ten Mile Creek Watershed, which is reported on the attached agenda.

There being no further business, the meeting was adjourned at 8:30 p.m. The Planning Board will be in recess in August. The next regular meeting of the Planning Board will be held on Wednesday, September 4, 2013, instead of Thursday, July 5, which is Rosh Hashana, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer

Tomasina Ellison
Technical Writer

Montgomery County Planning Board Meeting
Thursday, July 25, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

**TELECONFERENCE MEETING OF THE MARYLAND-NATIONAL CAPITAL PARK AND
PLANNING COMMISSION(M-NCPPC) -- MRO 3rd FLOOR CONFERENCE ROOM**

Closed Session- **ADDED**

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 State citation and open session report in narrative minutes of the M-NCPPC Meeting Minutes.

Open Session - **ADDED**

To ratify the Collective Bargaining Agreement

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: See State citation and open session report in narrative minutes of the M-NCPPC Meeting Minutes.

1. Consent Agenda

***A. Adoption of Resolutions**

1. Crystal Rock Site Plan 820130250 MCPB No. 13-93
2. Woodmont View Site Plan 82009001A MCPB No. 13-105

BOARD ACTION

Motion: 1. PRESLEY/WELLS-HARLEY
2. PRESLEY/WELLS-HARLEY

Vote:

Yea: 1. 4-0-1
2. 5-0

Nay:

Other: 1. CHAIR CARRIER ABSTAINED

Action: Adopted the Resolutions cited above.

***B. Record Plats**

Subdivision Plat No. 220120380 - 220120420, Rock Spring Centre

MXPD zone; 27 parcels; located in the northwest quadrant of the intersection of Rock Spring Drive and Old Georgetown Road (MD 187); North Bethesda/Garrett Park Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220111500 - 220111510, 220120450 - 220120490, 220120640 - 220120670, Clarksburg Village

R-200/TDR zone; 143 lots, 13 parcels; located on the south side of Snowden Farm Parkway, approximately 600 feet southeast of Newcut Road; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220121160, Clarksburg Village

R-200/TDR zone; 8 lots; located on the east side of Newcut Road, approximately 600 feet northeast of Houser Drive; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220121890, 220130080 -220130110, Cabin Branch

RMX-1/TDR zone; 73 lots, 9 parcels; located on the south side of Clarksburg Road (MD 121), approximately 3,000 feet west of I-270; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131060, Norwood

RE-2 and RE-2C zones; 1 lot, 1 parcel; located on the east side of Norwood Road, 450 feet north of Norbeck Road; Cloverly Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131190, Bowie Mill Estates

RE-2 zone; 2 lots; located on the north side of Foggy Lane, approximately 1700 feet east of Bowie Mill Road; Upper Rock Creek Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131200, R. Holt Easley's Subdivision - Silver Spring

CBD-1 zone; 1 lot; located on the north side of Silver Spring Avenue, 100 feet east of Fenton Street; Silver Spring CBD Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131300, Mallory Square

CR zone; 2 lots, 1 outlot; located in the northeast quadrant of the intersection of Key West Avenue (MD 28) and Omega Drive. Great Seneca Science Corridor Master Plan

Staff Recommendation: Approval

***B. Record Plats**

CONTINUED

Subdivision Plat No. 220131310, Brookmont - Section 1

R-60 zone; 1 lot; located on the west side of Silverwood Lane, 275 feet south of Maryland Avenue. Bethesda-Chevy Chase 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**

Rock Creek Hills Local Park -- Staff will present for Board’s approval the resolution affirming the authorization to convey the Rock Creek Hills Local Park to Montgomery County, pursuant to the Transfer Agreement dated 02/09/1990

Staff Recommendation: Approval

Extension of Project Plan Review No. 920130060, United Therapeutics – Phase 3, CBD-1, 1.79 acres, New Office/Laboratory project totaling 121,724 square feet of development, located in the southwest corner of the intersection of Colesville Road and Spring Street, Silver Spring CBD –

ADDED

Staff Recommendation: Approval

Extension of Project Plan Review No. 920130050, The Blairs Master Plan, CBD-R2, 30.37 acres, Mixed-use project with a total of 2,800 multi-family dwelling units (including 222 MPDUs), 203,045 square feet of office uses, 90,977 square feet of retail uses, 30,978 square feet of restaurant uses, and 125,000 square feet of hotel uses, located on Blair Mill Road, 551 feet east of Eastern Avenue, NW, Washington, DC, Silver Spring CBD - **ADDED**

Staff Recommendation: Approval

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Consent Items cited above.

***D. Approval of Minutes**

Minutes of June 20 and June 27, 2013

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved Planning Board Meeting Minutes of June 20 and June 27, 2013, as submitted.**

2. Roundtable Discussion

- Parks Department Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **Received briefing from Parks Department Director.**

Parks Department Director's Report – Parks Department Director, Mary Bradford, distributed a written report and briefly reported on the following: The State of Maryland Board of Public Works approved four Parks Department projects, i.e., the Beamer property at Josiah Henson Special Park; and the second payment on the Dustin-Sullivan property at Fairland Regional Park, both approved for a total of \$1.235 million under the Program Open Space; the Poole's Store was certified as matching for a bond bill; and the Maryland Environmental Trust proposed addition to Black Hill Regional Park was approved. Ms. Bradford also reported that the Parks Department staff continue to coordinate with Washington Suburban Sanitary Commission (WSSC) on emergency sewer repairs in the Lake Frank and Rock Creek Trail areas and are working with the communication team at WSSC to coordinate work to be done on parkland. The following items of interest were also discussed: the Park Police recent parks related investigations and collaboration with Montgomery County police; ribbon-cutting for Plum-Gar Community Recreation Center in Germantown, CAPRA accreditation for the Parks Departments, and upcoming parks events.

***3. Travilah Square**

***A. Preliminary Plan No. 12011034A:** Demolition of 19,694 square feet of commercial uses and construction of 14,993 square feet of commercial uses on a recorded lot approximately 5.56 gross acres in size, in the CR 0.75 C 0.50 R 0.75 H80 Zone; located at the south quadrant of the intersection of Travilah Road and Darnestown Road, in the Great Seneca Science Corridor Master Plan area.
Staff Recommendation: Approval with conditions

***B. Site Plan No. 820130070:** Demolish 19,694 square feet of commercial uses and replace with 14,993 square feet of commercial uses with a drive-through window on 5.56 gross acres in the CR0.75 C0.50 R0.75 H80 Zone; located at the south quadrant of the intersection of Travilah Road and Darnestown Road, in the Great Seneca Science Corridor Master Plan area.

Staff recommendation: Approval with conditions

BOARD ACTION

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

Vote:

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

Nay:

Other:

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

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

In keeping with the July 15 technical staff report, Planning Department staff offered a multi-media presentation and discussed the request to demolish 19,694 square feet of commercial uses and to construct a 14,993 square-foot pharmacy/retail store with a drive-through window on a 5.56-acre lot located at the south quadrant of the intersection of Travilah and Darnestown Road in the Great Seneca Science Corridor Master Plan area. Staff noted that the Travilah Square Shopping Center where the site is located is currently improved with 61,496 square feet of commercial and office uses. A section of the existing surface parking between the proposed building and Travilah Road requires a waiver of Section 59-C-15.633 of the Subdivision Regulations regarding parking space location and access. Staff supports the waiver for the proposed development under the standard method of development. The applicant must provide staff with a development program for the proposed project, which will be reviewed and approved

***3. Travilah Square**

CONTINUED

by staff prior to the approval of the certified site plan. The proposed open spaces exceed the requirements in the Zoning Ordinance for a standard method of development project. These areas will be placed in highly visible locations, connected by walkways and sidewalks, and easily accessible by the public. Vehicular circulation will be improved compared to the existing situation and will be adequate, safe, and efficient. Based on the Department of Permitting Services review, the stormwater management concept for the site is acceptable. A cool roof is proposed as an Environmental Site Design component to enhance stormwater management controls where none currently exist on-site.

Ms. Erin Girard, attorney representing the applicant, introduced Messrs. Larry Brozek and Jeff Whitman, members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and the applicant's team members.

4. White Oak Science Gateway Master Plan - Worksession #5: Design Guidelines and Outstanding Issues

Staff Recommendation: Discuss and provide guidance to staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion and provided guidance to staff.

Planning Department staff offered a multi-media presentation and discussed the proposed draft design guidelines for the White Oak Science Gateway Master Plan. Staff noted that five worksessions have been held with the Planning Board to review, receive comments, and finalize the design guidelines before transmitting them to the County Council. Staff will hold the last worksession on Wednesday, September 4 to review staging and any outstanding issues. Staff noted that the design guidelines will assist in implementing the recommendations in the approved and adopted Master Plan. The design guidelines, comprised of text, maps, illustrations, and photos, are not regulations. They illustrate the plan vision and how recommendations can be met, encouraging creative designs which result in an attractive public realm. After the Planning Board draft is approved by the Planning Board on September 19, it will be transmitted to the County Executive and the County Council.

5. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

14. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

15. Request for Reconsideration of Preliminary Plan 120130060 and Site Plan No. 820130040 (“Chelsea Court”) - **ADDED**

Action by the Board will require Remand from the Circuit Court for Montgomery County

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: No motion was made for reconsideration.

Legal Counsel to the Board briefly discussed a request for reconsideration, by the applicant, of the preliminary and site plans for the Chelsea Court project.

Item 6 - Long Branch Local Park - MOVED TO JULY 18 AGENDA

1:15 pm

5 min

W. Gries

~~Authorization to acquire 27,002 square feet (0.62 acres), more or less, improved, with Advance Land Acquisition Revolving Funds (ALARF), from Jeffery Bedard, Trustee, located at 8714 Piney Branch Road, Silver Spring, MD 20901~~

~~Staff Recommendation: Approval~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was moved to the July 18, 2013 Planning Board Agenda.

***7. Preliminary Plan No. 120040640: Ganassa Property – TIME CHANGED**

Request to create five child lots, with farm remainder, located at 24520 Halterman Road approximately 2,000 feet north of New Hampshire Avenue (MD 650) 81.72 acres, RDT zone Agriculture and Rural Open Space Master Plan.

Staff recommendation: Approval with conditions

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff discussed the request to create five child lots with a farm remainder on an 81.72-acre property located on Halterman Road in the Agricultural and Rural Open Space (AROS) area. The subject property is located within the Patuxent watershed and contains restraints such as an existing farmhouse, outbuildings, wetlands, streams, steep slopes, and a right-of-way for a gas pipeline. Each proposed child lot is 3-acres or less with access from Halterman Road utilizing a shared driveway. Staff noted that the locations of the proposed child lots on the subject property are in the most accommodating area, in an effort to mitigate existing property constraints and to minimize interference with farm operations, as stated in the attached staff report.

Mr. Jody Kline, attorney representing the applicant, briefly discussed the proposed project, concurred with the staff recommendation, and answered questions from the Board.

Mr. Dennis McDowell, and Ms. Donna McDowell of Hipsley Mill Road, abutting property owners, offered testimony.

***8. Site Plan No 820130140: Kensington Heights – TIME CHANGED**

RT-8 Zone, 3.02 acres; 26 units including 25 townhouses and 1 single-family detached unit; located at the south side of the intersection of University Boulevard West and Valley View Avenue (Westfield Wheaton Mall Access Road) in the Wheaton CBD and Vicinity Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: ANDERSON/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff discussed the request to construct 26 units, including 25 townhouses and one single-family detached unit, on a 3.02-acre property located at the south side of the intersection

of University Boulevard West and Valley View Avenue. Staff discussed the current location of the development tot lot, addressing safety concerns related to the lack of barriers or an enclosure around the site to enhance child safety from vehicular traffic on bordering streets.

Extensive Board deliberation followed regarding the relocation of the tot lot within the forest conservation area and the impact this would have on the applicant’s requirement. The proposed size of the tot lot was discussed concerning the type of playground equipment expected to be installed and the anticipated age group who will use the equipment and play area.

As recommended by legal counsel, the Resolution will be modified to include language that will require the applicant to provide an enclosure around the tot lot in addition to an increase in size of the lot by five feet on two sides to provide an additional area of 25 feet.

Mr. Eric Tidd, engineer representing the applicant, discussed an optional location for the tot lot.

Mr. Sterling Mehring of Sterling Development offered testimony about enclosure options for the tot lot.

***9. Preliminary Plan No. 120110210: Barton Property – TIME CHANGED**

Request to create one (1) lot from an existing parcel and an existing outlot located at the south side of Brooke Knolls Road opposite the intersection with Barton Manor Lane, 2.84 acres, R-200 Zone, Upper Rock Creek Area Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff discussed the request to create one lot from an existing parcel and an existing outlot on a 2.84-acre property located at the south side of Brooke Knolls Road opposite the intersection with Barton Manor Lane in the Upper Rock Creek area. Improvements will be made to the property to support the proposed structures. Currently, the property does not have access to public sewer and water service, however, a private well and septic system has been approved. The applicant will extend the stormwater outfall pipe and place it under the future driveway. The applicant will work with the property owner regarding neighboring trees and any possible mitigation. No forest exists on the property, therefore, the forest conservation plan reforestation requirement will be met off-site.

Mr. Patrick Perry, attorney representing the applicant, offered brief comments, answered questions from the Board, and concurred with the staff recommendation.

10. Addendum to the Guidelines for Environmental Management of Development in Montgomery County (Environmental Guidelines) – TIME CHANGED

1. Update Figure 7 on page 30 that will add the Upper Rock Creek Special Protection Area to the exhibit, and 2. Update to “Appendix A State Designated Water Uses for Montgomery County” including Figure 11 on page 63 to reflect changes in the State designations

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the addendum to the Guidelines for Environmental Management of Development in Montgomery County.

Planning Department staff recommended the replacement of an existing image in the Environmental Guidelines. A fourth Special Protection Area (SPA) was created in 2004 in Upper Rock Creek and an updated image delineates all four SPAs. Staff also recommended the replacement of an image depicting State Water-Use Designation. The updated image will depict the State new water-use designation as well as clarify some of the sub-watersheds. The most prevalent change in this image is that Watershed Use 1 has now been designated as Watershed Use 4. These changes have already been implemented by the County and State and are currently in use by applicants in conjunction with the Forest Conservation Plan because they are required by law.

An interactive website is available to the public for more information about watersheds at <http://www.montgomeryplanning.org/gis/interactive>. Staff recommended changing the occurrence of the word “use” in the Environmental Guidelines to “class” to identify watershed designation categories, as suggested by a member of the public.

There followed a brief Board discussion with questions to staff.

***11. Crossroads at Germantown (McDonald’s at Henderson Corner Road) – TIME CHANGED**

***A. Limited Preliminary Plan Amendment No.11989245A: Crossroads at Germantown (McDonald’s at Henderson Corner Road) - Request to increase the existing McDonald’s drive-through restaurant by 550 square feet of non-patron area, update the façade, reconfigure the drive-through, and restripe the parking lot, located at the intersection of Frederick Road (MD-355) and Ridge Road (MD-27) in the South East quadrant on the west side of Henderson Corner Road, 1.49 acres, C-3 Zone, Germantown Master Plan**

Staff Recommendation: Approval with Conditions

***B. Limited Site Plan Amendment No.81996002A: Crossroads at Germantown (McDonald's at Henderson Corner Road)** -- Request to increase the existing McDonald's drive-through restaurant by 550 square feet of non-patron area, update the façade, reconfigure the drive-through, and restripe the parking lot, located at the intersection of Frederick Road (MD-355) and Ridge Road (MD-27) in the South East quadrant on the west side of Henderson Corner Road, 1.49 acres, C-3 Zone, Germantown Master Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

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

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

Nay:

Other:

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

Planning Department staff discussed the applicant's request to increase by 550 square feet of non-patron area an existing drive-through McDonald's restaurant located at the intersection of Frederick Road (MD-355) and Ridge Road (MD-27) in Germantown. The request also includes the construction of two separate additions to accommodate a walk-in freezer, update a patron entryway, reconfigure the existing drive-through lanes in order to add an additional ordering kiosk, relocate the current 88 parking spaces, restripe the parking lot, locate pole lights, update the building façade, make alterations to the trash corral and add additional landscaping.

***11. Crossroads at Germantown (McDonald's at Henderson Corner Road)**

CONTINUED

Board members inquired about the reconfigured drive-through lanes in regards to the projected impact on traffic mitigation around the restaurant.

Staff noted that the proposed drive-through modification will create two lanes where there currently is one. The addition of a second drive-through lane and an additional ordering kiosk is projected to help alleviate traffic congestion around the restaurant immediate area.

Mr. Christopher Ruhlen, attorney representing the applicant, and Mr. Geoffrey Ciniero, member of the applicant's team, discussed the proposed plan, answered questions from the Board, and concurred with the staff recommendations.

12. FY201415-201920 Capital Improvements Program Priorities – TIME CHANGED

Staff Recommendation: Transmit Comments to County Council Executive

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion, and provided guidance to staff.

Planning Department staff discussed Smart Growth and Sustainability projects included in the Capital Improvements Program (CIP). Two Parks projects that were included in the top 100 projects for the CIP were recommended for elimination because the Parks Department has its own CIP. Planning Department staff recommends replacing the Parks projects with the widening of MD355, just south of Clarksburg, and the on-road bikeway in Bethesda along Cheltenham, Pearl, Norfolk, and Glenbrook Streets. Staff discussed the Planning Board's recommendation that the Planning Department remove various projects from the CIP, presented a bulleted list of items, and discussed the possible negative impacts, should any projects be removed.

The Planning Board discussed a more feasible manner in which to request removal of projects from the CIP before the item is presented to the County Council.

Legal counsel suggested CIP projects ranking as a means of scoring for each project to assist in determining project value when making removal consideration.

13. Staff Draft Clarksburg Limited Master Plan for the Ten Mile Creek Watershed

Staff Recommendation: Approve Staff Draft as Pubic Hearing Draft and Set Public Hearing Date for September 5-10, 2013

BOARD ACTION

Motion: ANDERSON/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Staff Draft as the Public Hearing Draft and to set the Public Hearing date for September 10, 2013.

Planning Department Staff presented an outline of the schedule for the Limited Master Plan for the Ten Mile Creek Watershed. Staff noted that modifications to the Draft Plan must be completed prior to the August 6 posting date, and recommended that the Planning Board approve the Staff Draft Plan and set the Public Hearing date for September 10, 2013. The Board is scheduled to conduct multiple worksessions on the Public Hearing Draft in September and October, and staff will transmit the Planning Board Draft to the County Executive and the County Council in October. The Council public hearing is scheduled for November, with County Council worksessions and approval scheduled for December through February.

Staff noted that the Ten Mile Creek Watershed has been studied for use as a series of sub-watersheds with Sub-watershed 206, located between I-270 and MD355, being determined as the most affected by existing development. Major Ten Mile Creek properties located east of I-270 include Egan-Mattlyn, Miles-Koppola, and a series of smaller historic properties within the historic district. Major properties on the west-side of I-270 are currently represented by the Pulte Corporation, King Farm, and Montgomery County.

The Board noted that the 1994 Master Plan seemed not to support development west of Ten Mile Creek Watershed while recommending extensive development on the east side. The Board expressed concern that the proposed rezoning would work against the original purpose of the 1994 Master Plan by allowing higher density development than originally encouraged, and that preservation of the Ten Mile Creek Watershed could be achieved with the current zoning. The Board also added that public testimony regarding the proposed changes for the Ten Mile Creek area would provide additional information.

There followed extensive Board discussion focusing on the historic district, traffic mitigation, zoning, potential Legacy Open Space protection, the retention of housing resources, and environmental impact considerations, with questions to staff.