



**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, September 18, 2014, at 9:02 a.m. and adjourned at 4:05 p.m.

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

Items 1, 2, 3, 4, 8, 7, and 5, discussed in that order, are reported on the attached agenda.

The Board recessed for lunch at 12:27 p.m. and to take up Item 12 in Open Session in the 3<sup>rd</sup> floor conference room, which is reported on the attached agenda, and to also take up Item 6 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 2:05 p.m. in the 3<sup>rd</sup> floor conference room, on motion of Vice Chair Wells-Harley, seconded by Commissioner Presley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners 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.

Also present for the Closed Session were: Executive Director Patti Barney; John Kroll, Joe Zimmerman, and Oge Nwafor of the Finance Department; Director Gwen Wright, Deputy Director Rose Krasnow, and Anjali Sood of the Planning Department; Director Michael Riley, Deputy Director John Nissel, Karen Warnick, and Mitra Pedoeem of the Parks Department; Joyce Garcia and M. Clara Moise of the Commissioners' Office.

In Closed Session the Board received briefing from Ms. Barney and Finance staff on the guidelines for the Montgomery County FY16 Budget preparation and six-year outlook.

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

The Planning Board reconvened in the auditorium at 2:35 p.m.

Items 9, 10, and 11 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:05 p.m. There will not be a Planning Board meeting on Thursday, September 25 in observance of Rosh Hashanah. The next regular meeting of the Planning Board will be held on Thursday, October 2, 2014, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
Sr. Technical Writer/Editor

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**Montgomery County Planning Board Meeting  
Thursday, September 18, 2014  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600**

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Resolutions submitted for adoption.**

**\*B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Record Plats submitted for approval.**

**\*C. Other Consent Items**

**The Artery Building, Extension Request for Project Plan Amendment No. 921981009A**

CBD-2 zone, 2.19 acres, Request to modify the public amenity by converting the internal art gallery space to a fitness center (modifies condition #17) and to relocate the art gallery to the lobby, and to modify the public use space by removing an exterior architectural arch and converting 825 sf of public use space to outdoor restaurant seating, located at northwest quadrant of the intersection with Bethesda Avenue and Wisconsin Avenue; Bethesda CBD Sector Plan

*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the extension request for the Artery Building Project Plan Amendment.**

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of September 4, 2014

**BOARD ACTION**

**Motion: DREYFUSS/PRESLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved Planning Board Meeting Minutes of September 4, 2014, as submitted.**

**2. Roundtable Discussion**

A. Planning Director's Report

B. FY 2014 Development Application Submission and Processings

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**      **A) Received briefing.**  
                  **B) Received briefing, followed by Board discussion.**

**A) Planning Director’s Report** – Planning Department Director Gwen Wright briefed the Planning Board on the various Master Plans and a Placemaking Project for downtown Silver Spring that are in the works. Ms. Wright noted that the following plans have been initiated by staff and are in varying stages of progress, i.e., Westbard Plan with a community outreach meeting set for Tuesday, September 23 at Walt Whitman High School from 7:00 p.m. to 9:00 p.m.; Montgomery Village Plan for which staff has scheduled their first community meeting for Wednesday, October 1; and a draft of the Bethesda Downtown Plan to be presented towards the end of 2014. Ms. Wright discussed a preliminary meeting on the Silver Spring Placemaking Project set for Monday, September 22 to encourage placemaking in areas in South Silver Spring which will be affected by the proposed Purple Line metro, and stated that it would be an opportunity to work with the community on this topic. Ms. Wright also mentioned the following meetings scheduled for September 29, i.e., a Planning Department staff meeting at 9:00 a.m., a Development Review Committee (DRC) meeting at 10:00 a.m., and a Montgomery County Council meeting to discuss the Office of Legislative Oversight (OLO) at 2:00 p.m.; the weekly Planning Board meeting on October 2 at 9:00 a.m.; and the Semi-Annual meeting on October 7, to provide information on how the Board has implemented some of the tasks presented by the County Council for 2015. Ms. Wright added that Planning Department staff are continuing work on the zoning rewrite, and mentioned that there is an additional Zoning Text Amendment to get in place before the changes take effect at the end of October.

**B) FY 2014 Development Application Submission and Processings** – Development Applications and Regulatory Review Chief Mark Pfefferle discussed the number of regulatory plans submitted to the Board during Fiscal Year 2014, and the amount of time required to process development applications. Mr. Pfefferle noted the following, i.e., the number of development applications accepted by the Planning Department has been consistent with fiscal years 2013,

**\*2. Roundtable Discussion**

**CONTINUED**

2012, and 2011, while the average number of hours to review accepted applications has increased for almost every plan type during 2014. I in addition, there is a decrease in the overall number of development applications due to proposed changes to the Zoning Ordinance. Mr. Pfefferle further added that applications needing a final decision from the Development Review Committee (DRC) have

a limited amount of time to be approved. Mr. Pfefferle stated that without an applicant filing for an extension, an application will be withdrawn if more than 15 days over the initial time limit.

Planning Department Deputy Director Rose Krasnow noted that after the 15-day allotted timeframe, an application is legally deemed withdrawn. Ms. Krasnow also discussed issues with dispute resolution among applications not resolved at the DRC level, and stated that a final decision needs to be made within 30 days of notification from the Planning Department.

**\*3. United Therapeutics, CBD-1 zone, Site Plan No. 820140110 - 1.79 acres, Proposing 111,724 square feet of office and 10,000 square feet of retail, located at the southeast quadrant of the intersection with Spring Street and Colesville Road; Silver Spring CBD Sector Plan**

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the proposed Site Plan, subject to conditions, and adopted the revised attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed the Site Plan request to demolish an existing three-story public parking garage and redevelop the site with a six-story building. The 1.79 acre site, located at 1000 Spring Street in the Silver Spring Central Business District at the southwest quadrant of the intersection of Colesville Road and Spring Street, would include 111,724 square feet of office and laboratory uses, and 10,000 square feet of retail uses. Staff discussed the design of the building, and noted that it will be very distinctive in that it incorporates a net-zero design, generating power through exterior solar panels. The panels would be located on the building's south facing façade to aid in ventilation, temperature control, and screening of the building.

Mr. William Kominers, attorney representing the applicant, introduced Messrs. Avi Halpert, Jared Loos, and Dan Hoover, members of the applicant's team, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Mr. Kominers.

**\*4. 7340 Wisconsin Avenue**

**\*A. Project Plan Amendment No. 92014001A, 7340 Wisconsin Avenue, CBD-1 zone, 0.79 acres,** Request amendment to maintain the maximum number of dwelling units at 225 and reduce the amount of retail from 15,000 square feet to 5,500 square feet and increase the amount of residential floor area from 192,791 square feet to 204,381 square feet, located at southwestern quadrant of the intersection with Montgomery Avenue and Wisconsin Avenue; Bethesda CBD Sector Plan  
*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**\*B. Preliminary Plan Amendment No. 11994080B, 7340 Wisconsin Avenue, CBD-1 zone, 0.79 acres,** Request amendment to maintain the maximum number of dwelling units at 225 and reduce the amount of retail from 15,000 square feet to 5,500 square feet and increase the amount of residential floor area from 192,791 square feet to 204,381 square feet, located at southwestern quadrant of the intersection with Montgomery Avenue and Wisconsin Avenue; Bethesda CBD Sector Plan  
*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**\*C. Site Plan No. 820140120, 7340 Wisconsin Avenue, CBD-1 zone, 0.79 acres,** Proposing 225 dwelling units, including 34 MPDUs and 5,500 square feet of retail, located at southwestern quadrant of the intersection with Montgomery Avenue and Wisconsin Avenue; Bethesda CBD Sector Plan  
*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion:**                   A) DREYFUSS/PRESLEY  
                                  B) DREYFUSS/WELLS-HARLEY  
                                  C) DREYFUSS/WELLS-HARLEY

**Vote:**  
    **Yea:**                   A) 4-0  
                                  B) 4-0  
                                  C) 4-0

**Nay:**

**Action:**           A) Approved staff recommendation for approval, subject to conditions discussed at the meeting, and adopted the attached Resolution.  
                          B) Approved staff recommendation for approval, subject to revised conditions, and adopted the attached Resolution.  
                          C) Approved staff recommendation for approval, subject to revised conditions and adopted the attached Resolution.

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**\*4. 7340 Wisconsin Avenue**

CONTINUED

In keeping with the August 21 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed Project Plan Amendment, Preliminary Plan Amendment, and Site Plan for a 0.79 acre property. The proposed site is a mixed-use building of 225 dwelling units located on the west side of Wisconsin Avenue between Montgomery Lane and Hampton Lane in the Bethesda Central Business District. The proposed Project Plan Amendment would reduce the previously approved nonresidential floor area of 15,000 square feet to 5,500 square feet, and provide an increase in residential floor area from 192,791 square feet to 204,381 square feet, providing a reallocation of the mixed-use space. In accordance with the Project Plan Amendment the number of dwelling units will remain at 225, as previously approved. The Preliminary Plan Amendment, filed as the second part of the application package, would also provide a reallocation of floor space in the mixed-use building, and is concurrent with the Project Plan Amendment. Staff noted that the Site Plan, the third component of the application, designates 15 percent of the 225 mixed-use units as moderately priced dwelling units (MPDU).

Mr. Robert Dalrymple, attorney representing the applicant, offered brief comments and concurred with staff recommendation.

There followed a brief Board discussion with questions to staff.

**\*8. TD Bank, Site Plan No. 820140080** - CBD-1 and CT zones, 0.41 acres, Proposing 2,775 square feet of bank facility with associated parking and remote drive-thru, located at southwestern quadrant of the intersection with Old Georgetown Road and Woodmont Avenue; Bethesda CBD Sector Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion: DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed the proposed site plan for the redevelopment of the existing TD bank building and detached drive-through facility including 1,199 square feet of on-site public use space on a 0.41 acre property located on Old Georgetown Road and Moorland Lane, at the southwest quadrant of the intersection of Old



Georgetown Road and Woodmont Avenue. The proposed site is within the Bethesda Central Business District and is within the boundary of the 1994 Central Business District (CBD) Sector Plan south of the 2006 Woodmont Triangle Amendment area of the Sector Plan. The proposed site would be redeveloped to hold a single-story 2,787 square-foot bank branch building that will be 15.3 feet in height, with a tower element of 22 feet in height. Staff noted that the new site will include a remote drive-through teller, onsite parking, public open space, and other amenities.

Mr. Bob Harris, attorney representing the applicant, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

**7. Corrective Map Amendments G-967 through G972** -- Subsequent to the Council adoption of District Map Amendment G-956, Planning Staff discovered 5 errors on the adopted map. One of these errors is in the existing (pre-DMA) zoning, which was carried forward in the DMA.

*Staff Recommendation: Approval to file five Corrective Map Amendments G-967 through G-972, with the District Council*

**BOARD ACTION**

**Motion: PRESLEY/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval to file five Corrective Map Amendments G-967 through G-972, with the District Council.**

Planning Department staff offered a multi-media presentation and discussed the proposed Corrective Map Amendments as related to the Planning Department's Zoning Ordinance Rewrite Project. The District Council adopted the new Zoning Ordinance on March 5, 2014, and the new Zoning Map via the District Map Amendment (DMA) on July 15, 2014. Both the new Zoning Ordinance and the new District Map Amendment become effective on October 30, 2014. Staff discovered several errors in the new District Map Amendment, and additionally found an error on the current zoning map. The proposed Corrective Map Amendments would enable the District Council to correct technical errors relating to zoning boundary lines on an adopted map used for mapping, surveying, or other technical information. Staff recommended that these errors be corrected on both the existing zoning map and the District Map Amendment before the DMA becomes effective.

Mr. David Brown, attorney, and Ms. Harriet Quinn, representing the Woodmoor-Pinecrest Citizens Association, offered testimony in opposition to the proposed Corrective Map Amendments.

There followed a brief Board discussion with questions to staff.

**5. White Oak Science Gateway Master Plan Sectional Map Amendment**

*Staff Recommendation: Approve and transmit staff report to County Council  
(Action needed before Council hearing on September 23, 2014)*

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to approve the transmission of the White Oak Science Gateway Master Plan Sectional Map Amendment staff report to the County Council.**

Planning Department staff briefly discussed the proposed Sectional Map Amendment (SMA), which will implement the White Oak Science Gateway Master Plan's zoning recommendations. The Maryland-National Capital Park and Planning Commission adopted the County Council approved plan by resolution of July 31, 2014. On August 1, 2014 the Montgomery County Planning Board filed the previously approved SMA G-966 with the County Council. Staff noted that approval of the SMA is an important step towards full implementation of the Master Plan. The Master Plan area encompasses approximately 3,000 acres bordered by the Capital Beltway (I-495) on the south, Northwest Branch Stream Valley Park on the west, US 29 (Columbia Pike) and Cherry Hill Road on the north, and Prince George's County on the east. The SMA proposes rezoning of about 862 acres, and confirms existing zones for the remainder of the area. In accordance with the new County Zoning Ordinance adopted by the County Council on March 5, and the newly approved District Map Amendment G-956, new zoning code classifications will be implemented for the entire County with an effective date of October 30, 2014. Staff suggests that the Planning Board recommend to the County Council that the effective date of the new SMA be October 31, 2014.

There followed a brief Board discussion with questions to staff.

**12. FY16 Budget Discussion**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Received briefing on the FY16 Budget guidelines from the Commission's Executive Director Patti Barney, and Finance staff in preparation for the FY16 Budget and the six-year Outlook.

**6. CLOSED SESSION**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations (FY16 Budget)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**9. Goldsboro Road Pedestrian and Bicycle Improvements Project-Facility Planning Phase I**

*Staff Recommendation: Transmit comments to Montgomery County Department of Transportation*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Received briefing and instructed staff to transmit recommendations to the Montgomery County Department of Transportation.

Planning Department staff briefed the Planning Board on the Montgomery County Department of Transportation (MCDOT) proposed Road Pedestrian and Bicycle Improvements Study for

Goldsboro Road, and noted that the Planning Board’s comments will be considered by MCDOT in the preparation of the final document to be submitted to the County Council. MCDOT’s preferred alternative includes bike lanes along Goldsboro Road between MacArthur Boulevard and River Road; a continuous sidewalk on the north side of the road with a landscaped buffer where space is available; a sidewalk along a portion of the south side of the road to facilitate access to bus stops; and additional crossing improvements, such as pedestrian medians and crosswalks. The majority of public comments received by staff are in favor of the project.

Ms. Sogand Seirafi of MCDOT offered brief comments and thanked Planning Department staff for their collaboration.

**\*10. William H. Farquhar Middle School Modernization**

**\*A. William H. Farquhar Middle School Modernization and Batchellors Forest Residential: Site Plan Amendment No. 82008019C** -- Request to amend the Site Plan and Final Forest Conservation Plan to include construction of the William H. Farquhar Middle School on a parcel previously dedicated to the M-NCPPC as part of the Batchellors Forest Residential, located on the north and south side of Batchellors Forest Road, approximately 3,000 feet south of the intersection with Doctor Bird Road, 93.64 acres, RNC Zone, Olney Master Plan  
*Staff Recommendation: Approval with Conditions*

**B. William H. Farquhar Middle School Modernization: Mandatory Referral No. 2014050**  
Located on the south side of Batchellors Forest Road approximately 3,000 feet south of the intersection with Doctor Bird Road, 17 acres, RNC Zone, Olney Master Plan  
*Staff Recommendation: Approval and Transmit Comments to Montgomery County Public Schools (MCPS)*

**BOARD ACTION**

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

**Vote:**  
    **Yea:**                    **A. 4-0**  
                                     **B. 4-0**

**Nay:**

**Other:**

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

**B. Approved staff recommendation for approval of the Mandatory Referral cited above, subject to revised conditions, and to transmit comments to Montgomery County Public Schools, as stated in the attached transmittal letter.**

In keeping with the September 8 technical staff report, Planning Department staff discussed the request to amend the Site Plan and Final Forest Conservation Plan for the Batchellors Forest Residential Project, to include construction of the new William Farquhar Middle School on a parcel previously dedicated to the Commission, as part of the Batchellors Forest Residential project located on the north and south side of Batchellors Forest Road in the Olney Master Plan area. Staff noted that Montgomery County Public Schools (MCPS) proposes to construct a new middle school on a 17.2-acre property located immediately to the north of the existing school. The new building will be set back away from Batchellors Forest Road, with playing fields located up front, closer to the road. The school and the park will share a single

**\*10. William H. Farquhar Middle School Modernization**

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access point located opposite the intersection of Batchellors Forest Road and Old Vic Boulevard, which is being constructed as part of a new residential community called Batchellors Forest. The 93.64-acre Batchellors Forest subdivision created 37 lots, including 32 one-family detached dwelling units and five one-family attached Moderately Priced Dwelling Units (MPDUs) using the optional method of development. The project layout created two residential clusters, which are located away from Batchellors Forest Road in order to maintain broad vistas of open space and preserve the rustic character of the road. The rural open space is approximately 69 percent of the tract area, including approximately 17.2 acres on the east side of Batchellors Forest Road, which was dedicated to the Parks Department. Staff also discussed revised Condition 1 of the Mandatory Referral Request. Staff noted that the proposed Forest Conservation Plan (FCP) amendment meets all applicable requirements of Chapter 22A of the County Code.

Mr. Craig Shuman Jr. of MCPS offered brief comments and concurred with the staff recommendation.

Mr. Jeff Hagan of MCPS also offered comments.

The following speakers offered testimony: Ms. Andrea Keller of Castle Garden Court and representing Brooke Grove Elementary School Parents/Teachers Association; Ms. Laura Lampshire of Fountain Grove Terrace and representing the Farquhar Middle School Parents/Teachers Association; Ms. Jennifer McKneely of Denit Estates Drive and representing the Sherwood Elementary School Parents/Teachers Association; Mr. Troy Kimmel of Globe Theatre Drive and representing the Future Farquhar Community Coalition.

There followed a brief Board discussion with questions to staff and the speakers.

**11. Briefing on OLO Report #2014-10**

Review and Approval Times for Preliminary Plans, Site Plans, and Record Plats

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by Board discussion and questions to staff.**