



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 20, 2012, at 9:15 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:05 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson and Norman Dreyfuss. Commissioner Amy Presley joined the meeting at 9:35 p.m., during discussion of Item 2.

Items 1 through 3 are reported on the attached agenda.

The Board recessed for lunch at 12:12 p.m. and to take up Item 5 in Closed Session. Item 4 was postponed.

In compliance with §10-509(c)(2), State Government Article, Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:30 p.m. in the third floor conference room, on motion of Commissioner Dreyfuss, seconded by Commissioner Presley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session were Executive Director Patti Barney; Secretary-Treasurer Joe Zimmerman; General Counsel Adrian Gardner and Associate General Counsels Donna Calcote-Heatley and Sean Dixon of the Legal Department; Deputy Director Mike Riley, Kate Stookey, and David Tobin of the Parks Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board consulted with Legal Counsel on a proposed corporate naming and sponsorship policy for the Parks Department.

The Closed Session was adjourned at 1:45 p.m.

The Board reconvened in the auditorium at 1:50 p.m.

Item 6 is reported on the attached agenda. Chair Carrier left the meeting for the day at 4:00 p.m. and Vice Chair Wells-Harley assumed the Chair.

The Board recessed for dinner at 4:40 p.m. and reconvened in the auditorium at 6:00 p.m. with the same four commissioners present.

Items 7 through 11 are reported on the attached agenda. Item 9 was postponed.

Commissioner Anderson left the meeting at 6:40 p.m. before discussion of Item 8.

There being no further business, the meeting was adjourned at 8:05 p.m. The next regular meeting of the Planning Board will be held Thursday, September 27, 2012, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye
Technical Writer

M. Clara Moise
Technical Writer

Montgomery County Planning Board Meeting
Thursday, September 20, 2012
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

A. Adoption of Resolutions

8701 Burning Tree Road Preliminary Plan 120110200 - MCPB No. 12-80

BOARD ACTION

Motion: 1) **ANDERSON/WELLS-HARLEY**
 2) **PRESLEY/ANDERSON**
 3) **WELLS-HARLEY/DREYFUSS**

Vote:
Yea: 1) **4-0**
 2) **5-0**
 3) **4-0-1**

Nay:
Other: 1) **PRESLEY ABSENT**
 3) **PRESLEY ABSTAINED, AS SHE DID NOT PARTICIPATE IN THE ORIGINAL VOTE TO ADOPT THE RESOLUTION.**

Action: 1) **Adopted the Resolution cited above.**
 2) **Agreed to re-open the Consent Agenda.**
 3) **Retracted the action to adopt the Resolution.**

During a break in discussion of Item 6, Chair Carrier announced that the Board Resolution adopted on the Consent Calendar, above, was subsequently determined to require corrections. The Board agreed to re-open the Consent Agenda and retracted the approval of the Resolution.

B. Record Plats

- 1. Subdivision Plat No. 220121880, Germantown Business Park;** O-M & I-1 zones, 1 lot; located on the northeast quadrant of the intersection of Germantown Road (MD118) and Dawson Farm Road; Germantown Master Plan.
- 2. Subdivision Plat No. 220122020, Blair Park;** CBD-R2 zone, 1 parcel; located on the southeast

quadrant of the intersection of Colesville Road (MD384) and Eastern Avenue; Silver Spring CBD Master Plan.

3. Subdivision Plat No. 220130010, Chevy Chase, Section 2; R-60 zone, 2 lots; located on the south side of Newlands Street, approximately 100 feet east of Brookeville Road; Bethesda Chevy Chase Master Plan.

BOARD ACTION

Motion: **ANDERSON/WELLS-HARLEY**

Vote:

Yea: **4-0**

Nay:

Other: **PRESLEY ABSENT**

Action: **Approved the Record Plats as stated above.**

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**

Minutes of July 26, 2012

BOARD ACTION

Motion: **WELLS-HARLEY/ANDERSON**

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the Minutes of July 26, 2012, as presented.

2. Briefing on Montgomery Village Vision 2030

Discussion of community-sponsored report on a series of charrettes carried out to establish a vision for the development of Montgomery Village over the next two decades, and challenges to implementation.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Following a brief presentation by Planning Department staff, Mr. Bob Hydorn and Mr. Dave Humpton, President and Vice President, respectively, of the Montgomery Village Foundation, discussed the history of Montgomery Village, the Foundation, and the results of a series of “Vision 2030” charrettes that were held to discuss ideas for redevelopment of four Montgomery Village properties, in anticipation of the proposed upcoming amendment to the 1990 Gaithersburg Vicinity Master Plan. The four properties contemplated for redevelopment are the Village Center, the Gateway Site, the Professional Center, and the Golf Course.

There followed some discussion of various issues related to the charrettes and the four cited properties.

3. Public Hearing on Zoning Ordinance Rewrite

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received testimony and discussed.

Planning Department staff presented an overview of the portions of the Staff Draft of the Zoning Ordinance Rewrite related to the three proposed Commercial/Residential (C/R) zones, the four proposed Employment zones, and the respective zoning districts, including the intention/purpose statements and an explanation of the proposed changes in the uses, development standards, and the optional method of development, as detailed in the staff report.

Following the staff overview, the Board received testimony and evidence submitted into the record by the following speakers: Ms. Meredith Wellington of Chevy Chase; Ms. Pamela Lindstrom of Gaithersburg; Mr. Evan Goldman of Federal Realty in Rockville; Mr. Marc Hoffman and Mr. George Meyer, representing the Montgomery County Beekeepers Association, Inc.; Ms. Patricia Mulready of Silver Spring; and Mr. William Kominers and Mr. Robert Brewer of Lerch, Early, and Brewer in Bethesda.

The Board discussed various aspects of the Staff Draft and the testimony provided, with speakers and staff providing additional information and responding to questions as needed.

4. Closed Session - POSTPONED

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(13) to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

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 official citation and open session report in narrative minutes.

6. White Oak Science Gateway Master Plan Briefing on Preliminary Recommendations

Staff Recommendation: Receive Guidance from Board on Preliminary Recommendations
(No Public Comment)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and provided guidance to staff.

In anticipation of preparing the Staff Draft of the White Oak Science Gateway Master Plan, Planning Department staff presented, for Board review and guidance, the framework and context of the Plan and the preliminary recommendations for the overall Plan area and the major activity centers, which are identified as White Oak/FDA Center, the Hillandale Community, and North White Oak/Cherry Hill Road Center. Staff discussed recommendations related to zoning, density, connectivity and transportation, parks, the environment, historic resources, incentives for redevelopment, and implementation.

There followed considerable discussion of detailed aspects of the Plan area and the recommendations.

Due to time constraints, the specific recommendations for the North White Oak/Cherry Hill Road Center were not taken up and were postponed to next week.

Chair Carrier left the meeting prior to completion of this item. Prior to her leaving, this item was recessed briefly for the Board to reconsider its action on the Consent Agenda, Item 1, as reported under that item.

7. Sectional Map Amendment No. G-914 to Implement Kensington Sector Plan

Staff Recommendation: Approve and Transmit Staff Report to County Council

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: CARRIER ABSENT

Action: Approved staff recommendation for approval of Sectional Map Amendment G-914 to implement the Kensington Sector Plan, and to transmit the staff report to the County Council.

Planning Department staff briefly discussed the sectional map amendment request to implement the Kensington Sector Plan.

The following speakers offered testimony: Mr. Todd Brown, attorney representing a property owner; and Mr. John Shorb of Warfield Street.

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

8. 11141 Georgia Avenue

A. Preliminary Plan No. 120120230; CR6 C5.5 R5.5 H200 Zone; 0.614 acres (26,760 gross square feet); up to 200 residential units; Preliminary Plan request to record one lot for 160,560 square feet of density with up to 13,380 square feet of non-residential uses; located at 11141 Georgia Avenue, Silver Spring; Wheaton CBD and Vicinity Sector Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Site Plan No. 820120170; CR6 C5.5 R5.5 H200 Zone; 0.614 acres (26,760 gross square feet); 195 residential units; Site Plan request for 148,020 square feet of density with 840 square feet of non-residential uses and removal of the exceptional design public benefit; located at 11141 Georgia Avenue, Silver Spring; Wheaton CBD and Vicinity Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: **A. DREYFUSS/PRESLEY**
 B. DREYFUSS/PRESLEY

Vote:
 Yea: **A. 3-0**
 B. 3-0

Nay:

Other: **CARRIER, ANDERSON ABSENT**

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

In keeping with the September 6 technical staff report, Planning Department staff presented the request to consolidate a platted parcel, two lots, part of a lot, an outlot, and a small section of a previously abandoned right-of-way, not yet recorded, into one new lot and convert an existing five-story office building into a 145-foot, 12-story mixed-use building. The total development as limited by the site plan, will include a total of 148,020 square feet with 840 square feet of non-residential uses, and up to 194 units, including 12.5 percent Moderately Priced Dwelling Units (MPDUs), with residential amenity space, and structured parking. Staff also discussed corrections to the staff report, and revision to Condition 8.

Ms. Stacy Silber, attorney representing the applicant, introduced Mr. Mark Rivers, and Mr. Robert McClennan, 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 representative.

9. Limited Preliminary Plan Amendment 11981058A: Grandby Woods, Lots 35, 36 and 37, Block B - POSTPONED

Request for a partial release and amendment of a covenant for future right-of-way dedication and road construction; lots located on Azalea Drive approximately 600 feet southwest of its intersection with Griffith Farm Road; 5.65 acres; RE-1 zone. Upper Rock Creek Master Plan

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was postponed.**

10. Preliminary Plan Limited Amendment 12006032A: Preserve at Rock Creek

Request to modify the conditions of previously approved Preliminary Plan (MCPB Res. 07-62) related to the historic site, located on the east side of Muncaster Mill Road (MD 115) and Bowie Mill Road, on the north side of the Inter-County Connector and opposite the intersection with Needwood Road, approximately 468.59 acres, RNC Zone, Upper Rock Creek Master Plan
Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: **PRESLEY/DREYFUSS**

Vote:

Yea: **3-0**

Nay:

Other: **CARRIER, ANDERSON ABSENT**

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

In keeping with the September 7 technical staff report, Planning Department staff discussed the request to modify the conditions of the previously approved Preliminary Plan related to the 468.59-acre historic site located on the east side of Muncaster Mill Road (MD 115) and Bowie Mill Road, on the north side of the Inter County Connector (ICC), and opposite the intersection with Needwood Road in the Upper Rock Creek Master Plan area. The proposal is to modify conditions 29 and 30 of the original preliminary plan approval that pertained to a historic site and to delete condition 33 requiring certain renovations to the existing historic house.

Ms. Carly Schrader representing the applicant, 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 representative.

11. Roundtable Discussion

- A. Planning Director's Report
- B. Briefing on Countywide Streamlining Effort

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefings as summarized below.

A. Planning Director's Report – Acting Planning Department Director Rose Krasnow noted that two employees, Cathy Conlon and Candy Bunnag, were honored by the Commission for serving 25 and 30 years respectively, and the Commissioners offered their congratulations. Ms. Krasnow also briefed the Board on various activities and events in the Department: i) the Department has received two development applications via internet, on a trial basis, and staff hopes that from now on all preliminary plans will be received electronically; ii) Mr. David Anspacher, a Planning Department staff member who is the lead planner for the Purple Line, received a scholarship from the D.C. Scholarship Committee, which is a group made up of representatives of the D.C. government and other groups, to attend the Rail Revolution Conference in California; iii) Research and GIS staff has moved into the MRO building from the Dedrick Annex and the building is at capacity; iv) staff is working on a program of requirements for the proposed new building in Wheaton and the Board will be briefed in November. Thanks to staff member Luis Estrada who has been working on fitting everybody in this building and working on plans for the new building; and v) the Planning Department will hold an open house on Saturday, October 6, from 10 a.m. to 1:00 p.m., to educate the public on planning in Montgomery County with the help of volunteer staff.

B. Briefing on Countywide Streamlining Effort - Ms. Krasnow briefed the Board on the cross-agency streamlining development initiative started by Dianne Schwartz-Jones from County Department of Permitting Services (DPS), and noted that staff has held a few Wednesday morning conference calls with other agencies, and is planning to hold two public forums and an on-line survey. Ms. Krasnow noted that the cost savings resulting from this effort would be more for the applicant than for the agencies. Discussion of issues such as bonds release, building permits, elimination of the Planning Department sign-off, streamlining of pre-DRC (Development Review Committee) and DRC meetings, is ongoing, and the Planning Board will receive additional briefing and a final report.