



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 26, 2013, at 9:12 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:15 p.m.

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

Items 1 and 2 are reported on the attached agenda.

The Board recessed for lunch at 11:25 a.m., and to take up Item 5 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 11:57 a.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)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects one or more specific employees; and under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto.

Also present for the Closed Session were Associate General Counsels Carol Rubin and Megan Chung of the Legal Department; Acting Deputy Director Rose Krasnow and Luis Estrada of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, Daniel Hertz, Brooke Farquhar, Judie Lai, Rachael Newhouse and Mitra Pedoeem of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff, Planning Department staff, and legal counsel to the Board regarding the proposed new Montgomery County Park and Planning headquarters building in Wheaton.

The Closed Session meeting was adjourned at 12:52 p.m.

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

Items 3 and 4 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:15 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 3, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

Tomasina Ellison
Technical Writer

M. Clara Moise
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, September 26, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Travilah Square Preliminary Plan 12011034A MCPB No. 13-96
2. Travilah Square Site Plan 820130070 MCPB No. 13-98
3. Olive Branch Community Church Site Plan 820120200 MCPB No. 13-86
4. Bethesda Commerce Preliminary Plan 120130240 MCPB No. 13-136
5. Bethesda Commerce Site Plan 820130240 MCPB No. 13-137
6. Spring Arbor Olney FCP Plan S-2841 MCPB No. 13-135

BOARD ACTION

Motion: **WELLS-HARLEY/ANDERSON**

Vote:

Yea: **5-0**

Nay:

Other:

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

***B. Record Plats**

Subdivision Plat No. 220131340-220131350, Brookeshire

RNC zone; 6 lots; located on the south side of Old Baltimore Road, approximately 1,700 feet southwest of Olney - Sandy Spring Road (MD 108); Olney Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220131450, West Chevy Chase Heights

R-60 zone; 1 lot; located on the north side of West Virginia Avenue, 100 feet west of Kentucky Avenue; Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: **PRESLEY/WELLS-HARLEY**

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Other Consent Items submitted for approval.

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Planning Board Meeting Minutes submitted for approval.

2. Clarksburg Limited Master Plan for the Ten Mile Creek Watershed -Worksession 1
Staff Recommendation: Discuss and Provide Guidance to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from staff followed by Planning Board discussion.

Planning Department staff discussed the review of comments received at the public hearing regarding the Draft Amendment of the Clarksburg Limited Master Plan for the Ten Mile Creek Watershed. The staff recommendation, as cited in the attached staff report, was reached after collaboration with a team of consultants and direction from the Planning Board. The exceptional quality of environmental resources and the abundance of diverse vegetation at the Ten Mile Creek Watershed, in conjunction with the cooperation of Federal and State governments have made the preservation of the resource a high priority. The goal of proposed development around the Ten Mile Creek Watershed is to protect the reservoir by concentrating development primarily in the Town Center area as guided by the 1994 Clarksburg Plan.

Dr. Mohammad Habibian of the Washington Suburban Sanitary Commission (WSSC) discussed the possible perils of reservoir contamination resulting from the proposed development and the negative impact resource disturbance could have on the health of the dependent life as well as the loss of a quality recreational resource. On behalf of WSSC, Dr. Habibian recommended consideration of the nutrient and sediment load changes that could occur in the Ten Mile Creek as a result of the proposed surrounding development. Following his presentation, Dr. Habibian answered questions from the Planning Board and concurred with the staff report.

The Board discussed the issues raised in Dr. Habibian's presentation citing inconsistencies with data that was presented in the staff report regarding sediment and nutrient runoff resulting from development in and around the Ten Mile Creek water basin.

Dr. Habibian noted that the data presented in his analysis was not based on any specific analysis conducted in or around the subject property rather, it was a general collection of data based on cumulative data from similar projects.

Mr. David Lake of the Department of Environmental Protection discussed the data presented in Dr. Habibian's presentation and concurred with his findings. Mr. Lake noted that The Ten Mile Creek is not an emergency water supply, rather a supplemental water supply. Mr. Lake also noted that Little Seneca Lake is not threatened by the proposed development because protection of the Ten Mile Creek will prevent stormwater runoff into Little Seneca Lake. Following his presentation, Mr. Lake answered questions from the Board.

2. Clarksburg Limited Master Plan for the Ten Mile Creek Watershed -Worksession 1
CONTINUED

Mr. Ted Brown of Biohabitat discussed the various types of studies that his firm conducted, on behalf of the Planning Department, in and around the Ten Mile Creek. Factors used in the analysis

included Electrostatic Discharge (ESD) practice limits, increased annual runoff volume, construction phase impacts, collective modifications to vegetation, soils and hydrology, and changes in infiltration and evapotranspiration.

The Board inquired about the complete analysis in regards to whether the individual sub-watersheds were analyzed versus an overall analysis of the entire planning area. The Board also asked about the baseline condition used prior to conducting the analysis.

Mr. Brown noted that the baseline used during the analysis was derived from an estimation of the US geological survey results using a mid-range calculation of gauges located throughout the watershed area.

The Board discussed the sole use of ESD in conducting the environmental analysis. Board members also discussed the continued use of the impervious caps versus the staff and consultant recommendation of using ESD modeling. Board members are supportive of the staff recommended 8% imperviousness cap for this project.

5. Closed Session - ADDED

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto (Wheaton)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Parks Department Capital Improvements Program - Worksession 2

Review projects for inclusion in the FY15-20 CIP

Staff Recommendation: Discuss and Provide Guidance to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

Parks Department staff offered a multi-media presentation and discussed the FY15-20 Parks Department Capital Improvements Program (CIP), including a review of the projects proposed for inclusion in the CIP. Staff noted that the discussion will focus on non-General Obligation (GO) bond funded projects, the majority of which are supported with Park and Planning (P&P) bonds. Given the limited alternate funding sources and no increase in the Spending Affordability Guidelines (SAG), it is important that the Commission carefully selects which projects are the most critically in need of funding. Staff has carefully analyzed all the P&P funded projects to recommend the best scenario for funding local parks projects in the FY15-20 CIP. The projects have been grouped into level-of-effort projects, stand-alone projects, and new projects.

On September 4, in response to a request from the County Executive, the Planning Board approved a strategy for reducing County GO bonds in FY15-18 and retaining the SAG at six million dollars per year for P&P bonds. At the next Parks CIP worksession scheduled for October 10, staff will provide the Board with a complete set of Project Description Forms (PDFs), including operating budget impact (OBI), for approval. The approved Parks Department FY15-20 CIP will be forwarded to the County Executive and the County Council by November 1, as required by state law. In light of the County GO bond cuts, and as recommended by the Board, the transmittal letter will highlight the difficulty in sustaining funding for infrastructure maintenance projects and important level-of-effort projects, such as ballfields and trails, and the need to address funding for these projects in the future. Staff also discussed projects funded by other sources that do not rely on bond funding, such as Advance Land Acquisition Revolving Fund (ALARF), Enterprise Fund Revenue, Facility Planning Funding for local and non-local parks, small grants, and donor-assisted capital improvements projects.

4. ~~Bethesda Purple Line Station~~ Staff Draft Bethesda Purple Line Station Minor Master Plan Amendment

Staff Draft Recommendation and Approval of Public Hearing Draft

Staff Recommendation: Approve Staff Draft as Public Hearing Draft and Set Public Hearing Date (Public Testimony will be taken at the Public Hearing)

BOARD ACTION

Motion: ANDERSON/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve the submitted Staff Draft for the Bethesda Purple Line Station Minor Master Plan Amendment as the Public Hearing Draft, and to set the Public Hearing date for November 7, 2013.

Planning Department staff discussed the staff draft for the Bethesda Purple Line Station Minor Master Plan Amendment, which will be used for the public hearing scheduled for the evening of November 7, 2013. Staff noted that the public meetings of September 3, 7, and 9, were well-attended. This minor Master Plan Amendment envisions an urban multi-modal transit station that is integrated into the lifestyle in Bethesda, bringing thousands of transit riders to Bethesda to live, work, shop, and play. A great number of cyclists will also use the Capital Crescent Trail (CCT) to get to the many centers and neighborhoods between Silver Spring and Georgetown. The Maryland Transit Administration (MTA) default designs for the Purple Line station do not fully implement this vision because of constraints by the limits of the existing conditions, i.e., the configuration of the current tunnel and the existing APEX building support structures. The Purple Line tracks will be located within the existing tunnel, now used as a bicycle path that runs east from Woodmont Plaza, under the APEX building, to Wisconsin Avenue and the Air Rights Building. The physical limitations of this tunnel will negatively impact the quality of service provided by the station. With only a minimum amount of space in the existing tunnel for the Purple Line station, the new south entrance to the Red Line Metro station must be located underneath Elm Street, within the public right-of-way. This location will also negatively impact the quality of service offered by the station. Also, with no room in the existing tunnel for the CCT, cyclists will be forced to use a surface route along busy Bethesda Avenue and across the heavily trafficked Wisconsin Avenue.

In coordination with the Planning and the Parks Departments, and regional, state, and local transportation agencies, MTA has developed an alternative station design which better

4. Staff Draft Bethesda Purple Line Station Minor Master Plan Amendment
CONTINUED

realizes the Plan vision. To encourage redevelopment of the APEX building and allow for the realization of a superior multi-modal transit station, and a new tunnel for the CCT, the Plan recommends significant additional density and height on the APEX building site. This added density and building height are consistent with those recommended in the existing Bethesda Central Business District (CBD) Sector Plan for the area around the north entrance of the Red Line Metro station, under the CBD-3 zone. Under a joint redevelopment scenario, allowable density from multiple sites within one redevelopment project can be combined and redistributed among the sites, as long as the height limitations of the zones are not exceeded. Planning staff and MTA staff analyzed two scenarios, one with the demolition of the APEX building before construction of the Purple Line, and another with Purple Line construction before the demolition of the APEX building, and made recommendations, as discussed in the technical staff report dated September 20.

The Planning Department hired Mr. Eric Smart, a consultant from Bolan Smart Associates Consulting, to review the public and private costs of realizing the proposed station designs within the 2015 timeframe set by MTA. Mr. Smart offered a multi-media presentation on the financial analysis of the proposed scenarios mentioned above for the construction of the Purple Line station, and answered questions from Board members.

Messrs. Michael Madden and Jim Gas of the Maryland Transit Administration (MTA) offered comments and answered questions from the Board.

MCPB, 9-26-13, APPROVED

There followed considerable Board discussion with questions to staff, MTA representatives, and Mr. Smart.