



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

301-495-4617

APPROVED
MINUTES

The Montgomery County Planning Board met in regular session on Thursday, October 30, 2008, at 9:02 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:55 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson, and Commissioners Jean Cryor, Joe Alfandre, and Amy Presley.

Items 1 through 4 are reported on the attached agenda. Item 5 was postponed from the morning session and taken up following the lunch recess.

The Board recessed at 1:17 p.m. for lunch and to take up Item 15 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 Montgomery County Planning Board convened in Closed Session at 1:33 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Commissioner Robinson, with Commissioners Hanson, Robinson, Alfandre, Cryor, and Presley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(14), State Government Article, Annotated Code of Maryland, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal before the contract is awarded or bids are opened, if public discussion or disclosure would adversely impact the ability of the Commission to participate in the competitive bidding or proposal process.

Also present for all or part of the Closed Session were Secretary-Treasurer Patti Barney; Associate General Counsel Derrick Rogers of the Legal Department; Director Mary Bradford, Deputy Director Michael Riley, and Brenda Sandberg of the Parks Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board received a briefing and provided guidance to staff on the viability of partnership proposals received for reuse of the Warner property (Circle Manor) in Kensington.

The Closed Session was adjourned at 1:52 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 2:05 p.m. with all five Commissioners present.

Items 5 through 11 are reported on the attached agenda.

The Board recessed for dinner at 6:40 p.m. and reconvened in the auditorium at 7:10 p.m. with four Commissioners present. Commissioner Robinson was necessarily absent.

Items 12 through 14 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 8:55 p.m. The next regular meeting of the Planning Board will be held Thursday, November 6, 2008, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye
Technical Writer

M. Clara Moise
Technical Writer

**Montgomery County Planning Board Meeting
Thursday, October 30, 2008
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Adoption of Opinions/Resolutions

Group A: Five Commissioners Eligible to Vote [Commissioners Hanson, Cryor, Alfandre, Presley, and Robinson]

i) The Veneto Project Plan 920060070, ADOPTION OF RESOLUTION No. 08-101

Group B: Four Commissioners Eligible to Vote [Commissioners Hanson, Cryor, Alfandre, and Presley]

ii) 8711 Georgia Avenue Project Plan 92005002A, ADOPTION OF RESOLUTION No. 08-120

iii) 8711 Georgia Avenue Site Plan 820080320, ADOPTION OF RESOLUTION No. 08-134

iv) Redland Preliminary Plan 11988197A, ADOPTION OF RESOLUTION No. 08-135

BOARD ACTION

**Motion: A. ROBINSON/PRESLEY
 B. CRYOR/PRESLEY**

Vote:

Yea: **A. 5-0**
 B. 4-0-1

Nay:

Other: **B. ROBINSON ABSTAINED**

Action: **A. Adopted the Resolution under Group A, above.**
 B. Adopted the Resolutions under Group B, above.

2. Record Plats

[Subdivision Plat No. 220081290, Denit Estates](#)

RC zone; 3 lots; located on the east side of New Hampshire Avenue (MD 650), 500 feet south of Gaithers Meadow Lane; Olney. *Staff recommendation: Approval*

[Subdivision Plat No. 220090380, Blair](#)

CBD-1 zone; 1 lot; located on the south side of Gist Avenue, 150 feet east of Philadelphia Avenue; Silver Spring CBD
Staff recommendation: Approval

BOARD ACTION

Motion: **ROBINSON/ALFANDRE**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved Record Plats cited above.**

3. POSTPONED - Consent Items

[Adequate Public Facilities finding for Building Permit No.490040](#)

Wachovia Bank, BP No. 490040, 13830 Georgia Avenue
Staff recommendation: Approval of the Consent item

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was postponed.**

16. Approval of Minutes - ADDED

- Minutes, MCPB Monday, September 22, 2008
- Minutes, MCPB Thursday, September 25, 2008

BOARD ACTION

Motion: **ROBINSON/CRYOR**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved the minutes of September 22 and 25, 2008, as presented.**

4. Worksession # 5*: Germantown Master Plan (Continuation)

Town Center and properties west of I-270
(No public testimony will be taken at this time)

***Corrected following publication of agenda.**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Provided guidance to staff.

In a continuation of the October 6 worksession, Community-Based Planning staff reviewed recommendations contained in the Staff Draft Germantown Master Plan, Public Hearing testimony received, and proposed revisions for the Town Center and properties on the west side of I-270, as detailed in the staff report. Staff also provided information in response to Board queries on October 6 on moderately priced dwelling units (MPDUs), density allocations at transit stations, open space hierarchy, Town Center mix of uses and identity, design excellence and building heights, maintenance of public spaces, expanding the Historic District boundaries and including the District in the Plan boundaries.

Mr. Vernon Martens; Mr. Jody Kline; Mr. Mark Wildman; Ms. Anne Marie Vassallo; Ms. Barbara Sears; Ms. Judith Law; Ms. Yum Yu Chang; Mr. Campbell Smith; Mr. Chris Gordon; Mr. Robert Brewer; Mr. James Clifford; and Ms. Pamela Lindstrom offered comments on specific properties, and responded to questions from the Board.

5. Discussion: Economic Analysis of a Georgia Avenue Concept Study

Discussion of economic analysis of a Georgia Avenue Concept Study
(No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Community-Based Planning staff presented an overview of the concept study and, with Research and Technology staff, discussed the economic analysis of residential development along the Georgia Avenue corridor, as detailed in the staff report.

15. CLOSED SESSION - ADDED

To discuss contents of proposals received pursuant to State Government Article 28, Annotated Code of Maryland, Section 10-508 (a)(14) (Circle Manor)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. Discussion: White Flint Implementation

Discussion of rationale for financing and administration recommendations for the White Flint Sector Plan

(No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Research and Technology staff presented, for Board discussion, a summary of the issues related to financing and administration of the White Flint Sector Plan and staff recommendations to address them, as detailed in the staff report, including infrastructure issues; implementation goals, costs, and revenues; and proposed financing and administrative mechanisms.

7. MPDU/TDR Policy - POSTPONED

(No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

8. Briefing: Update on Agricultural Reserve Issues

(No public testimony will be taken at this time)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and discussed.

Community-Based Planning staff reviewed the issues related to child lots and sand mound systems in the Agricultural Reserve, and the Board's previous recommendations to the County Council on those issues, and presented preliminary recommendations for development guidelines for that area.

Chairman Hanson noted that within the next few weeks the Council will be acting on amendments to the Agriculture Preservation law, Chapter 2-B, and on the creation of the TOMX Zone, which contains provisions that will implement the Building Lot Termination (BLT) program.

9. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan - AD 2008-4 (Administrative Cases)

Staff recommendation: Transmit recommendations to County Executive

BOARD ACTION

Motion: ROBINSON/ALFANDRE

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved the staff recommendation for transmittal to the County Executive, as stated in the attached Letter of Transmittal.

10. Update on Municipal Revenue Sharing Task Force Report

Planning Board Action/Decision: Discussion only

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: The Commission's Secretary-Treasurer briefed the Board on the Draft Task Force Report on the Municipal Revenue Sharing program for the Parks System, followed by questions from Board members.

11. Discussion: Forest Conservation

Discussion on (1) utilization of funds collected from the in-lieu fee option utilized by developers; (2) planting options for applicants; and (3) amendments to approved forest conservation plans with recorded easements

Planning Board Action/Decision: Discussion only

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed and provided guidance to staff regarding the following forest conservation issues: utilization of funds collected from “the in-lieu fee option” utilized by developers; planting options for applicants; and amendments to approved forest conservation plans with recorded easements.

12. Discussion: Historic Curatorships

Discussion of several key issues relating to historic curatorships: Three (3) proposed RFPs for properties: The Red Door Store, The Joseph White House, and the Darby House and Store

Planning Board Action/Decision: Discussion only

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing from Historic Preservation staff followed by discussion and questions to staff.

Parks Department staff presented and discussed the historic curatorship for the following sites: Red Door, Darby House and Store, and Joseph White House. Staff gave detailed information as discussed in the multi-media presentation and detailed technical staff report dated October 29. Staff discussed the state of the sites, the pending grant application with Heritage Montgomery. Staff also discussed the potential relocation of the Darby store.

13. FY09 and FY10 Enterprise User Fee Schedules

Presentation of FY09 and FY10 Enterprise user fee schedules

- [Staff Report](#)
- [Attachment 2](#)
- [Attachment 4](#)
- [Attachment 1](#)
- [Attachment 3](#)
- [Attachment 5](#)

Staff recommendation: Approval to transmit to County Council

BOARD ACTION

Motion: ALFANDRE/CRYOR

Vote:

Yea: 4-0

Nay:

Other: ROBINSON ABSENT

Action: Approved staff recommendation to transmit to County Council.

Parks Department staff offered highlights of the October 24 technical staff report regarding the FY09 and FY10 enterprise user fee schedules for the Enterprise Fund, followed by Board discussion and questions to staff.

14. [Enterprise Task Force Report](#) - REVISED

Presentation of final Task Force report

Staff recommendation: Approval to transmit Department recommendation on Enterprise Task Force to Montgomery County Council

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Unanimously approved staff recommendation to transmit recommendation on Enterprise Task Force to County Council, as stated in attached transmittal memorandum.

Enterprise Division staff discussed the status of the Enterprise Fund and the final Task Force Report before its transmission to the County Council.

Members of the Task Force, present at the meeting, discussed their input and offered comments.

There followed a brief Board discussion with questions to staff and members of the Task Force.