



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

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Monday, July 22, 2013, at 9:00 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:33 p.m.

At 9:00 a.m. the Planning Board Commissioners met at the Montgomery County Regional Office and went on a bus tour, accompanied by Planning Department staff, to visit the Ten Mile Creek Watershed area in Clarksburg in connection with the proposed amendment to the 1994 Clarksburg Master Plan.

The Board reconvened in the auditorium at 2:08 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson, and Norman Dreyfuss, Commissioner Amy Presley was absent for the afternoon session.

Items 2 through 6 are reported on the attached agenda.

Item 4 was removed from the Planning Board Agenda.

The Board took a 20-minute break at 4:35 p.m. and reconvened in the auditorium at 5:00 p.m.

Item 7 is reported on the attached agenda.

There being no further business, the meeting was adjourned at 8:33 p.m. The next regular meeting of the Planning Board will be held Monday, July 25, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer

Montgomery County Planning Board Meeting
Monday, July 22, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Planning Board Tour - Clarksburg Limited Master Plan for the Ten Mile Creek Watershed

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Planning Board Commissioners, accompanied by Planning Department staff, visited the Ten Mile Creek Watershed in Clarksburg, in connection with the proposed Amendment to the 1994 Clarksburg Master Plan.

2. Limited Amendment, Preliminary Plan 12002073B - In Response to a Violation, Yetley Property, Lot 44, Block 1

R-200 zone; 0.49 acres; one existing lot containing a single-family residential dwelling; request to remove the existing category I forest conservation easement; located at 12806 Timber View Court, 1600 feet east from the intersection of Kemp Mill Road and Randolph Road in Silver Spring; White Oak Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval, subject to conditions, and adopted the attached submitted Resolution.

Planning Department staff discussed the proposed amendment to a preliminary plan for the Yetley Property in response to a forest conservation violation. Staff noted that the amendment request is to release a portion of an existing Category I forest conservation easement and convert the remaining easement to Category II on a 0.49-acre property containing a single-family residential dwelling on Timber Court View in Silver Spring. Staff noted that the proposed amendment will convert 5,452 square feet of Category I forest conservation easement to Category II, and will release 736 square feet of Category I conservation easement. The respondents will mitigate a total of 6,188 square feet offsite at a minimum two to one ratio. Staff recommends the Board’s approval of the preliminary plan and amendment and associated forest conservation plan subject to conditions discussed in the July 8 technical staff report.

Mr. Patrick Perry, Engineer representing the respondents, introduced Mr. Michael and Ms. Linda Sandler of Timber View Court, offered brief comments and concurred with the staff recommendation.

***3. AAA Gaithersburg**

A. Subdivision Regulations Waiver Request SRW-201301: Waiver of the requirement for a preliminary plan of subdivision to obtain Planning Board approval to waive dedication of additional master plan right-of-way on Pleasants Road and Shady Grove Road, in the Shady Grove Sector Plan area.

Staff Recommendation: Approval with conditions

B. Site Plan No. 820130160: Redevelopment of an existing lot which involves demolishing the existing building and replacing it with a new 8,093-square foot building for automotive service uses on 0.83 gross acres in the C-3 Zone; located on Shady Grove Road, south of Pleasants Road, Rockville, in the Shady Grove Sector Plan area.

Staff Recommendation: Approval with conditions

BOARD ACTION

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

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

Other: PRESLEY ABSENT

Action: A. Approved staff recommendation for approval of the Subdivision Regulations Waiver request, subject to conditions, as stated in the attached Board Resolution.

B. Approved staff recommendation for approval of the site plan, subject to conditions, as stated in the attached Board Resolution.

In keeping with the July 12 technical staff report, Planning Department staff offered a multi-media presentation and discussed the request for a waiver of the requirement for a preliminary plan of subdivision to obtain the Planning Board approval to waive dedication of additional master plan right-of-way for the redevelopment of an existing lot, which involves demolishing the existing building and replacing it with a new 8,093-square foot building for automotive service uses on a 0.83-acre lot located on Shady Grove Road in the Shady Grove Sector Plan area. Staff noted that the property is currently improved with 4,252 square foot of commercial space. The proposed request will allow for replacement of the existing building with an 8,093 square-foot auto repair/service and office building, and includes a request for a waiver of Section 59-C-4.367(a)(4) of the special regulations applicable to designated automobile related uses, for the building setback from the existing 120-foot right-of-way of Shady Grove Road. Staff supports the waiver request because it will help achieve key recommendations in the Shady Grove Sector Plan and will not adversely affect the character of the roadway and surrounding uses. The property has a confirmed forest conservation exemption with a tree save plan to address forest conservation.

Ms. Erin Girard, attorney representing the applicant, offered brief comments, and concurred with the staff recommendation.

Item 4

Countywide Transit Corridors Functional Master Plan - REMOVED

3:00 pm

1 hr

L. Cole

Staff Recommendation: Transmit Planning Board Draft to County Council

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board Agenda.

6. Bethesda Purple Line Station Scope - TIME CHANGED

Staff Recommendation: Approval

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the scope of work for the Bethesda Purple Line Station.

In keeping with the July 15 technical staff report, received briefing from Planning Department staff on the scope of work for the Bethesda Purple Line Station, including background information, planning framework, purpose of the plan, proposed schedule, resources, outreach, and the next steps, followed by discussion and questions to staff.

5. Draft Design Guidelines for the Long Branch Sector Plan - TIME CHANGED

Staff Recommendation: Approve transmittal of Design Guidelines for the Long Branch Sector Plan to County Council

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation to transmit the Draft Design Guidelines for the Long Branch Sector Plan, as discussed during the meeting, to the County Council.

Planning Department staff offered a multi-media presentation and discussed the proposed draft design guidelines for the Long Branch Sector Plan. Staff noted that eight 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 noted that the design guidelines will assist in implementing the recommendations in the approved and adopted Long Branch Sector 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 that create an attractive public realm. After the draft guidelines are approved by the Planning Board, they will be transmitted to the County Council. When the sector plan is approved and adopted, the Planning Board will resume work on the design guidelines to reflect the approved and adopted sector plan. At that time, the Planning Board will hold a public hearing and take into consideration testimony received in approving the design guidelines for use.

***7. Trotters Glen - TIME CHANGED**

***A. Preliminary Plan No. 120130050: Trotters Glen (with a final Forest Conservation Plan)**

Request to create 69 lots for one-family detached dwellings (including 10 MPDUs and one existing dwelling); located on both sides of Batchellors Forest Road, approximately one mile east of Georgia Avenue on 175.8 acres; RNC Zone; 2005 Olney Master Plan.

Staff Recommendation: Approval with Conditions

***B. Site Plan No. 820130060: Trotters Glen - Request for 69 one-family detached dwellings**

(including 10 MPDUs and one existing dwelling); located on both sides of Batchellors Forest Road, approximately one mile east of Georgia Avenue on 175.8 acres; RNC Zone; 2005 Olney Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

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

Vote:

Yea: **3-0-1**

Nay: **ANDERSON**

Other: **PRESLEY ABSENT**

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

B. Approved staff recommendation for approval of the proposed site plan request, subject to revised conditions, and as stated in the attached Resolution.

In keeping with the July 11 technical staff report, Planning Department staff discussed the request to build 69 one-family detached dwellings, including ten Moderately Priced Dwelling Units (MPDUs) on a 175.8-acre property located on both sides of Batchellors Forest Road with two separate entrances, approximately one mile east of Georgia Avenue in the Olney Master Plan area. Staff noted that the applicant submitted a pre-preliminary plan on September 27, 2012, and the Planning Board offered advice on a variety of Master Plan related topics with no binding decisions made at the hearing. Generally, the Planning Board was supportive of the concept provided as part of the proposed plan. The proposed development will cluster 69 lots to create 114.78 acres in the Rural Open Space, modify the alignment of B-13 Shared Use Path outside of the existing Emory Church Road right-of-way, build over-length cul-de-sacs on all three public roads, and relocate the existing four-board wooden fence 25 feet from the centerline along Batchellors Forest Road. The proposed plan will provide bicycle, pedestrian, and emergency vehicular access to Emory Church Road and Batchellors Forest Road, but will

***7. Trotters Glen - TIME CHANGED**

CONTINUED

not provide vehicle access to Emory Church Road. Staff noted that an existing pond will be removed and converted into wetland. Open space and recreational site amenities are located throughout the property to meet the needs of future residents and include two open plan areas for children, six seating areas, a pedestrian trail network, a Master Plan bicycle trail segment, and a large amount of open natural area. Open space areas will be located throughout the proposed development.

Ms. Erica Letham and Mr. Robert Harris, attorneys representing the applicant, introduced Mr. Kevin Foster, architect, Mr. Mike Lenhart, traffic engineer, and Mr. Patrick Kearny, members of the applicant's team, discussed the proposed request and concurred with the staff recommendation.

The following speakers offered testimony: Ms. Janice Fothergill of Batchellors Forest Road; Ms. Ann Wylie of Batchellors Forest Road; Mr. Charles Graefe of Emory Church Road, Ms. Elizabeth Symonds of Emory Church Road; Ms. Meg Pease-Fye of Batchellors Forest Road; Ms. Barbara Falcigno representing the Greater Olney Civic Association; Ms. Martha English of Emory Church Road and representing the South East Rural Olney Civic Association (SEROCA); Ms. Deanna Nelson of Batchellors Forest Road; Ms. Lynn Campbell of Batchellors Forest Road; Mr. Robert Tworowski of Batchellors Forest Road; Mr. Bobby Berg of Covered Wagon Way and representing the Greater Sandy Spring Green Space; Mr. Joe Mehra, attorney representing the residents of Batchellors Forest Road; Mr. John Wylie of Batchellors Forest Road; and Mr. Jean Swift of Mont Everest Lane.

There followed extensive Board discussion with questions to staff.

Commissioner Anderson voted against the motion stating that the applicant should be required to do a connectivity study, and a strong message should be sent to developers that there will not be approval of any development plans without adequate connectivity.