



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 27, 2012, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:16 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 9:15 a.m., during discussion of Item 2.

Items 1 through 3 are reported on the attached agenda.

The Board recessed for lunch at 1:15 p.m. and to take up Items 4 and 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 1:30 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, 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)(1), State Government Article, Annotated Code of Maryland, 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 employee; and under authority of §10-508(a)(13), State Government Article, Annotated Code of Maryland, to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for all or part of the Closed Session were Executive Director Patti Barney; Secretary-Treasurer Joe Zimmerman; Budget Manager Darin Conforti, and Hujiaabudula Hasimo of the Human Resources and Management Department; Acting Director Rose Krasnow, Deputy Director Piera Weiss, and Traci Anderson of the Planning Department; Deputy Director Mike Riley, MaryEllen Venzke, Karen Warnick, and Valerie Saunders of the Parks Department; Merle Steiner, consultant; and Clara Moise of the Commissioners' Office.

In Closed Session, the Board received briefing from the Executive Director and the Commission's Budget Manager on Montgomery County Parks and Planning Departments FY14 budget forecasts and the six-year outlook, and approved Closed Session Minutes of June 14 and 28, and July 12, 16, and 26, 2012, as submitted.

MCPB, 9-27-12, APPROVED

The Closed Session was adjourned at 2:55 p.m.

The Board reconvened in the auditorium at 3:12 p.m.

Items 7, 8, 6, 9, and 10, taken up in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 6:16 p.m. The next regular meeting of the Planning Board will be held Thursday, October 4, 2012, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Technical Writer

Ellyn Dye
Technical Writer

Montgomery County Planning Board Meeting
Thursday, September 27, 2012
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

Ayrlawn Preliminary Plan 120120110 - MCPB No. 12-79

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Adopted the Resolution cited above, as submitted.

B. Record Plats

Subdivision Plat No. 220120360, Winterset; R-200 zone, 5 lots; located on the north side of Glen Road, at the termini of Broad Green Court and Winterset Terrace; Potomac Subregion Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved Record Plat cited above.

C. Other Consent Items

Extension Request for Project Plan Review No. 920120030, 7900 Wisconsin Avenue, CBD-1/CBD-R-2, 3.24 acres, Mixed-use project totaling 592,903 square feet of development including up to 575 multi-family dwelling units, 55,892 square feet of non-residential use, located at the intersection of Wisconsin Avenue and Woodmont Avenue, south of Cordell Avenue, Bethesda CBD

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the project plan extension request for 7900 Wisconsin Avenue, as submitted.

D. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. Worksession on Zoning Ordinance Rewrite

C/R and Employment Zones

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a detailed multi-media presentation on the comparison of uses in the Commercial/Residential (C/R) zones and the Employment zones, in the context of the Zoning Ordinance Rewrite, followed by Board discussion and questions to staff.

3. Pre-Preliminary Plan No. 720120030, Trotter's Glen

69 lots requested including 10 MPDU's on 175.4 acres; RNC Zone. Located on both sides of Batchellors Forest Road approximately one-half mile east of Georgia Avenue; Olney Master Plan. *Staff Recommendation: Applicant Seeks Non-binding Advice on Layout with Respect to Access from Local Roads and Road Connections*

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Provided guidance and non-binding advice to the applicant, as requested.

In opening remarks, Planning Department staff noted that in submitting a pre-preliminary plan the applicant is seeking non-binding advice from the Board with respect to access from local roads and road connections. In reviewing the proposed application, staff noted that the proposed application would create 69 lots, including ten Moderately Priced Dwelling Units (MPDUs) on a 175.4-acre property located on both sides of Batchellors Forest Road, approximately one-half mile east of Georgia Avenue, in the Olney Master Plan area. The applicant is seeking the Planning Board advice on the following issues: i) should the new houses access both Batchellors Forest Road and Emory Church Road; ii) is the proposed layout clustering development on the north eastern portion of the property allowing for gravity sewer service to the existing sewer mains; ii) is the proposed open space

adequately sized and well located; iii) are the characteristics of the Rustic Road protected; iv) is it appropriate to create a roadway connection between Emory Church Road and Batchellors Forest Road, given the existing 30 feet right-of-way necessary to connect the two, and lack of a connection may bifurcate the community, depending on Master Plan interpretation. Staff recommends that the number of lots be reduced from 16 to 12 and an internal street be added to minimize the number of driveways on Batchellors Forest Road. Staff also noted that the applicant does not want to put a thoroughfare through the subdivision to avoid impacting the rustic appearance of the neighborhood.

Ms. Erica Leatham, attorney for the applicant, introduced Mr. Thomas Mateya of Toll Brothers and Mr. Kevin Foster, member of the applicant's team, and discussed the proposed request.

At the Board's request, Mr. Thomas Mateya offered comments.

The following speakers offered testimony: Ms. Elizabeth Symonds of Emory Church Road; Ms. Meg Pease-Fye of Batchellors Forest Road and President of South East Rural Olney Civic Association (SEROCA); Mr. Bobby Berg of Covered Wagon Way and representing the Greater Sandy Spring Green Space; Mr. Charles Graefe of Emory Church Road; and Ms. Leslie Cronin of Batchellors Forest Road.

There followed extensive Board discussion, with questions to staff and the applicant's representatives.

4. Closed Session

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

5. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 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 1 or more specific employees

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. Upper Northwest Branch Stream Restoration Projects

Approve the construction of three stream restoration projects proposed by Montgomery County Department of Environmental Protection in conjunction with the Army Corps of Engineers and The Maryland-National Capital Park and Planning Commission in the Upper Northwest Branch. These projects include Sherwood Forest, Batchellors Run 1 & 2, and Woodlawn.

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved the staff recommendation to approve the projects.

Parks Department staff presented the mandatory referral review for three County Department of Environmental Protection (DEP) stream restoration projects in the Upper Northwest Branch, identified as Sherwood Forest I, Batchellors Run I & II, and Woodlawn, as detailed in the staff report.

There followed some discussion, with staff providing additional information and responding to questions as needed.

8. Carroll Knolls Local Park

Authorization to acquire 2.47 acres, more or less, improved, from Montgomery College Foundation, Inc. at 10500 Georgia Avenue, Silver Spring, Maryland 20902

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/ANDERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved the staff recommendation to designate the former Maryland College of Art and Design property as an Urban Open Space Resource in the Legacy Open Space Functional Master Plan and acquire the property for \$1,140,000, using Legacy Open Space funds, as detailed in the attached Board Resolution.

Parks Department staff presented a proposal to designate as an Urban Open Space Resource in the Legacy Open Space Functional Master Plan and acquire the former Maryland College of Art and Design property on Georgia Avenue, to be known as the Carroll Knolls Local Park, for the negotiated purchase price of \$1,140,000, as detailed in the staff report. Staff noted that site restoration and demolition of the improvements on the property are not expected to exceed \$350,000 and will be funded, with the acquisition costs, through the Legacy Open Space program.

State Delegate Alfred Carr, Jr.; Ms. Beverly Sobel, Ms. Judith Furash, and Mr. David Rosen of Wheaton; Mr. Bruce Sidwell, representing the Friends of Sligo Creek; and Ms. Jennifer Scope of Silver Spring, offered comments.

There followed some discussion of the Legacy Open Space criteria for designation of Urban Open Space Resources and previous Board actions taken with regard to this property.

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

Staff Recommendation: Receive Guidance from Board on Preliminary Recommendations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and provided guidance to staff.

In a continuation of the staff briefings on preliminary recommendations for the White Oak Science Gateway Master Plan, for purposes of receiving Board guidance prior to preparing the Staff Draft of the Master Plan, staff provided an overview of what was reviewed last week and presented preliminary recommendations for Burnt Mills, including the commercial development on the east side of US 29, and the vision and recommendations for the North White Oak/Cherry Hill Center, which includes the proposed new Washington Adventist Hospital site, many County and State uses, commercial/office/retail uses, and several sites with potential redevelopment.

In discussion, the Board raised questions and provided guidance to staff on the approach to various issues, including the proposed trails and connectivity; the site for the anticipated school and possible co-location of indoor recreation, intergenerational programming, or a library with the school; and the placement of higher density development.

9. Clarksburg Cluster Elementary School (Clarksburg Village Site No. 1)

***A. Water Quality Plan: Clarksburg Cluster Elementary School (Clarksburg Village Site No. 1)**

New elementary school and park, located at 12520 Blue Sky Drive and along Snowden Farm Parkway, 9.29 acres, R-200/TDR 3, Clarksburg Master Plan

Staff Recommendation: Approval with Conditions

B. Mandatory Referral No. 2012026: Clarksburg Cluster Elementary School (Clarksburg Village Site No. 1)

new elementary school and park, located at 12520 Blue Sky Drive and along Snowden Farm Parkway, 9.29 acres, R-200/TDR 3, Clarksburg Master Plan

Staff Recommendation: Approval to Transmit Comments to MCPS

BOARD ACTION

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

Vote:

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

Nay:

Other: CARRIER ABSENT

Action: A. Approved the staff recommendation to approve the Water Quality Plan, subject to achieving a maximum of 39 percent imperviousness on the site, as stated in the attached Board Resolution.

B. Approved the staff recommendation to approve the Mandatory Referral, as stated in the attached Letter of Transmittal.

Planning Department staff presented the Combined Preliminary and Final Water Quality Plan and the Mandatory Referral review for the Clarksburg Cluster Elementary School, as detailed in the respective staff reports. Staff noted that the Water Quality Plan is required in conjunction with the Mandatory Referral because the school site lies within the Clarksburg Special Protection Area. The project is in phase 1 of the Clarksburg Village development, and the site will be developed with a school and park joint use.

In discussion, the Board applauded the two-story design of the school, which creates a smaller footprint and less imperviousness than a one-story design.

10. Development Plan Amendment No. 12-02, Hampden Lane Ventures, LLC

TS-R zone, 30,819 square feet, Request amendment to reduce the minimum number of multi-family residential units from 50 to 40 and revise a binding element to state that a minimum of 15% of the dwelling units will be MPDUs; located at 4901 Hampden Lane; Bethesda-CBD (Central Business District) Sector Plan

Staff Recommendation: Approval and Transmit to Hearing Examiner

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: CARRIER ABSENT

Action: Approved the staff recommendation to approve the Development Plan Amendment to reduce the minimum number of multifamily residential units and revise the binding element related to the minimum number of moderately priced dwelling units (MPDUs). Further, agreed to recommend an expedited review process.

A VERBATIM TRANSCRIPT OF THIS ITEM IS ON FILE WITH THE MINUTES IN THE MONTGOMERY REGIONAL OFFICE IN SILVER SPRING, MARYLAND.