



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, October 17, 2013, at 9:11 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:35 p.m.

Present were Vice Chair Marye Wells-Harley, and Commissioners Casey Anderson and Norman Dreyfuss. Chair Françoise M. Carrier and Commissioner Amy Presley joined the meeting at 9:39 a.m.

Items 1 through 3 are reported on the attached agenda.

The Board stopped discussion of Item 3 at 12:10 p.m. to meet in Closed Session.

The Board convened in Closed Session at 12:12 p.m. in the Montgomery Regional Office auditorium, on motion of Commissioner Anderson seconded by Vice Chair Wells-Harley, 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)(7) to consult with legal counsel to obtain legal advice.

Also present for all or part of the Closed Session meeting were Associate General Counsels Carol Rubin, Megan Chung, and David Lieb of the Legal Department; Director Gwen Wright, David Anspacher, Tom Autrey, Mary Dolan, and Tina Schneider of the Planning Department; Deputy Director Mike Riley, Jai Cole, Andrew Frank, Charles Kines, and Mitra Pedoeem of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from legal counsel and discussed issues associated with proposed amendments to the Purple Line final Environmental Impact Statement and Draft 4(f) Evaluation.

The Planning Board reconvened in the auditorium at 12:47 p.m. to resume discussion of Item 3.

The Board recessed for lunch at 1:10 p.m. and to take up Item 6 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 1:27 p.m. in the 3rd floor conference room, on motion of Commissioner Anderson seconded by Vice Chair Wells-Harley, 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)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto.

Also present for all or part of the Closed Session meeting were Associate General Counsels Carol Rubin and Megan Chung of the Legal Department; Director Gwen Wright, and Luis Estrada of the Planning Department; Deputy Director Mike Riley, Judie Lai, Rachel Newhouse, and Mitra Pedoeem of the Parks Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received an update from Parks Department and Planning Department staff regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton.

The Planning Board reconvened in the auditorium at 2:12 p.m.

Items 5 and 4, taken up in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:35 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 24, 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, October 17, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Ganassa Property Preliminary Plan 120040640 MCPB No. 13-114

BOARD ACTION

Motion: **ANDERSON/DREYFUSS**

Vote:

Yea: **3-0**

Nay:

Other: **CARRIER, PRESLEY TEMPORARILY ABSENT**

Action: **Adopted the Resolution cited above.**

***B. Record Plats**

Subdivision Plat No. 220131320 Edgemoor

TS-R zone; 1 lot; located on northeast quadrant of the intersection of West Lane and Montgomery Lane; Bethesda CDB Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220140150, Al Marah

R-200 zone; 3 lots; located on the east side of Royal Dominion Drive, at the intersection of Pepperell Drive; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: **ANDERSON/DREYFUSS**

Vote:

Yea: **3-0**

Nay:

Other: CARRIER, PRESLEY TEMPORARILY ABSENT

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

***C. Other Consent Items**

Extension Request for Project Plan Review No. 920130050

The Blairs Master Plan, CBD-R2, 30.37 acres, 450,000 square feet of commercial development including a 125,000 square foot hotel, 203,045 square feet of office, 3,045 square feet of which is existing, 121,955 square feet of retail and 2,800 multi-family residential units, of which 1,110 units are existing; located on Blair Mill Road, approximately 551 east of Eastern Avenue, Silver Spring CBD
Staff Recommendation: Approval with Extension Request

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 3-0

Nay:

Other: CARRIER, PRESLEY TEMPORARILY ABSENT

Action: Approved staff recommendation for approval of the Consent Item cited above.

***D. Approval of Minutes**

Minutes of July 25, 2013 and September 10, 2013

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 3-0

Nay:

Other: CARRIER, PRESLEY TEMPORARILY ABSENT

Action: Approved Planning Board Meeting Minutes of July 25, 2013, and September 10, 2013, as submitted.

2. Roundtable Discussion
Clarksburg Town Center Quarterly Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Planning Department staff discussed the Clarksburg Town Center plan that was approved in 2010, noting that the Commission has partnered with the Montgomery County Department of Permitting Services (DPS) to monitor the progress and completion of various stages in the project. Staff also noted that the developer has begun acquiring permits for construction of the east side of the plan.

Ms. Kate Kubit, consultant from Elm Street Development, offered an update on the various community meetings following a presentation of the concept video, and noted the collaborative efforts with the Commission and County staff in the development of the site plan amendment. Clarksburg Square Road will be a major road connection to the Square and is currently in the development stage. Community response to the proposed plan has been favorable. Ms. Kubit noted that the developer is working with the Montgomery County Historic Preservation Committee regarding the removal and relocation of a historic house located in the construction area. Relocation of the house is required before the start of road construction. The developer has submitted a transportation impact tax agreement to the County because currently there is no mechanism to capture the transportation impact taxes used to develop Master Plan roads for this project. The projected funds captured by this provision will be used to improve frontage on Stringtown Road.

The Planning Board discussed the timetable for the proposed project and instructed staff to prepare a presentation to illustrate how this project will be incorporated into the Master Plan in relation to the Ten Mile Creek Watershed (TMC), and how it will be integrated with the proposed bypass, traffic calming devices, and MD355. The Board extensively discussed the developer's responsibility to tailor the project to fit into the TMC plan. The Board also noted that the developer's input on the TMC project, in relation to transportation issues, may prove to be helpful to the overall development of the TMC to ensure compliance with the Master Plan requirements.

3. Purple Line Final Environmental Impact Statement & Draft 4(f) Evaluation
Transmit Planning Board comments to County Council and the Maryland Transit Administration

BOARD ACTION

Motion: **WELLS-HARLEY/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation to transmit comments to the County Council and the Maryland Transit Administration, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation delineating the schedule milestones for the proposed Purple Line. Staff discussed a joint Memorandum of Agreement (MOA) that will be required between the Commission and the County to address the complexities of the proposed project. Staff noted issues where the Planning Board’s role is advisory in nature, which include the Capital Crescent Trail at Kansas Avenue, the Capital Crescent Trail along Talbot Avenue, University Boulevard shared-use path, and the traffic signal at Gilbert Street instead of Seek Lane.

Parks Department staff also offered a multi-media presentation which reviewed the project activities from inception to the present. The Maryland Transit Administration (MTA) is working with staff to mitigate some of the issues associated with the development of the project. Staff discussed mitigation recommendations regarding stormwater management/erosion and sediment control, forest fragmentation and stream valley buffer impacts, stream crossings, interim conditions, minimizing disruptions to park users, and park permits. Staff also discussed various planned improvements for Elm Street Urban Park which includes a developer-funded playground, Capital Crescent Surface Trail, a proposed Bike Share Station, and a proposed new Capital Crescent Trail “tunnel route” proposed to enter the park at the Elm Street promenade level. Staff has requested that MTA provides a functional interim for the park if the Purple Line construction begins prior to previously planned improvements. Staff also provided recommendations for Rock Creek Stream Valley Park, which included the proposed removal of the Tressel Bridge to be replaced with two bridges in support of the Purple Line. The creation of the two bridges requires the construction of multiple retaining walls which will have a negative aesthetic impact. Footings of the existing Tressel Bridge are extremely below grade and will not be removed to the lowest depths in an effort to reduce sediment impact and maintain stream stabilization. The aesthetics for the proposed bridge rebuilt should be considered because the existing Tressel Bridge crosses over park trails. Protection of the stream that currently runs

3. Purple Line Final Environmental Impact Statement & Draft 4(f) Evaluation

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under the bridge is a primary focus, and a slight rerouting of the stream to guide it under the proposed new bridge is a recommendation. Interim conditions of surrounding areas, such as a heavily used shared parking lot, will need to be considered, and a feasible interim plan must be devised. Staff noted that water management issues at Long Branch Local Park must be addressed in the wake of the proposed train tunnel. Staff recommended stormwater management retrofits on the south side of the park.

Mr. Jamie Kendrick, Deputy Director at MTA, discussed financing and third-party organizations that are working with MTA on the project. Mr. Kendrick concurred with the staff recommendations and answered questions from the Board.

Mr. Mike Madden, MTA Purple Line Manager, and Ms. Harriet Levine of MTA, concurred with the staff recommendations and answered questions from the Board.

The following speakers offered testimony: Ms. Patricia Tyson, representing the Lyttonsville Community Civic Association; Mr. Bob Elliott, representing the Washington Real Estate Investment Trust; Mr. Joel Teitelbaum, representing the Greater Lyttonsville Community Coalition; Ms. Jennifer Adkins, representing the US Army Garrison Forest Glen, on behalf of Mr. William Crane; and Mr. Craig Shuman, Director of Construction for Montgomery County Public Schools.

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

6. Closed Session

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.

5. Amendment to the Master Plan for Historic Preservation: M-NCPPC Park Resources - **REVISED - Public Hearing Pt. 2 and Worksession to be held at a later date and time, to be announced**

Public Hearing Part I and ~~Worksession~~ -- for Amendment to the Master Plan for Historic Preservation and/or Addition to the Locational Atlas and Index of Historic Sites for 8 M-NCPPC resources:

- Wheaton Youth Center (31/48), 11711 Georgia Avenue;
- Stubbs House (31/3-1) and Stubbs Barn (31/3-2), 2000 Shorefield Road, Wheaton Regional Park;
- Rock Creek Recreation Center (36/90), 7901 Meadowbrook Lane;
- Ken-Gar--Palisades Recreation Center (31/49), 4140 Wexford Drive;
- Pinecrest Recreation Center (32/31), 301 St. Lawrence Drive;

- Viers Mill Recreation Center (31/50), 4425 Garrett Park Road.;
- Norbeck Rosenwald School (23/113-2), 4101 Muncaster Mill Road.

Staff Recommendation: Recommend to the County Council the designation of 7 individual sites to the Master Plan for Historic Preservation. Add 7 resources to the Locational Atlas. For one resource, neither add to Locational Atlas nor recommend Master Plan designation.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Historic Preservation Division staff followed by testimony.

Historic Preservation staff noted that this is the first Public Hearing for the proposed amendment to the Master Plan for Historic Preservation. The second Public Hearing is scheduled for November 14 in the evening. Staff briefly discussed the recommendations to designate the following resources on the Master Plan for Historic Preservation, and place them in the interim on the Locational Atlas and Index of Historic Sites: Wheaton Youth Center on Georgia Avenue, Stubbs Barns on Shorefield Road in Wheaton Regional Park, Rock Creek Recreation Center on Meadowbrook Lane, Pinecrest Recreation Center on Lawrence Drive, Ken-Gar Palisades Recreation Center on Wexford Drive, Veirs Mill Recreation Center on Garrett Park Road, and Norbeck Rosenwald School on Muncaster Mill Road. These properties are owned or maintained by the Parks Department and are being evaluated now because they have been nominated for historic designation. The Stubbs House has been nominated by a citizen as a response to a plan

5. Amendment to the Master Plan for Historic Preservation: M-NCPPC Park Resources

CONTINUED

for demolition by the Parks Department, and staff recommends that it neither be designated on the Master Plan nor added to the Locational Atlas and Index of Historic Sites. The remainder of the resources has been nominated by the Cultural Resources Stewardship Section of the Parks Department. The Historic Preservation Commission (HPC) has conducted an evaluation of these resources, with a Public Hearing and worksession on September 11. The Public Hearing Draft proposed Amendment to the Master Plan for Historic Preservation reflects the recommendations of the HPC. The HPC recommends that all eight resources be designated on the Master Plan and listed on the Locational Atlas as an interim measure.

The following speakers offered testimony: Mr. William Kirwan of Park Crest Drive and Chair of the HPC; Mr. Art Brodsky of Continental Drive and member of the Montgomery County Library Board; Ms. Susan Soderberg of Liberty Mill Road; Mr. Les Hatley of Saddlevue Place; Mr. Larry Stubbs of Henry Drive; Mr. Jeffrey Krulik of Manchester Road; Ms. Sharon Ward-Ellis of South Aurora Street; Ms. Edith Mahlmann of Thornhill Road; Ms. Monica Braden of Grandview Avenue; Ms. Patricia Jaramillo of Judson Road; Ms. Nuri Funes of Grandview Avenue; Mr. Victor Henriquez of

Grandview Avenue; Ms. Joan Rubin of Hermitage Avenue and Vice-President of the Wheaton Regional Park Neighborhood Association; Ms. Judith Christensen of Walker Avenue and representing Montgomery Preservation, Inc.; Mr. Victor Sum of Grandview Avenue; and Ms. Judith Koenick of Chevy Chase.

There followed a brief Board discussion with questions to staff.

4. FY15 Budget - TIME CHANGED

Discussion of CAS Departments and Commissioners' Office Budget (**Commissioners' Office Budget moved from the October 10 agenda**)

- CAS Departments Budget
- Commissioners' Office Budget

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received presentations from the Commissioners' Office and the various Central Administrative Services units regarding proposed FY15 Budget estimates, followed by a brief Board discussion and questions to staff.

The Commissioners' Office proposed FY15 budget estimates were presented. The following Central Administrative Services (CAS) units also offered separate presentations regarding their respective unit FY15 budget estimates, i.e., the Department of Human Resources and Management (DHRM), the Merit System Board, CAS Support Services, the Office of Internal Audit, and the Legal Department.

Executive Director Patti Barney also answered questions from the Board.