



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 3, 2013, at 1:30 p.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:29 p.m.

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

Item 1 is reported on the attached agenda.

The Board recessed for lunch at 1:30 p.m., and to take up Item 9 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 1:47 p.m. in the 3rd floor conference room. 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 the Closed Session were Associate General Counsels Nicholas Dumais, David Lieb, and Carol Rubin of the Legal Department; Director Gwen Wright of the Planning Department; Deputy Director Michael Riley 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 Montgomery County Park and Planning new headquarters building in Wheaton.

The Closed Session meeting was adjourned at 2:20 p.m.

The Planning Board reconvened in the auditorium at 2:23 p.m.

Items 2, 3, and 5 are reported on the attached agenda.

The Planning Board reconvened in Closed Session at 5:30 p.m. to take up Item 10.

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 reconvened in Closed Session at 5:30 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 present and voting in favor of the motion. Commissioner Anderson was not present for the Closed Session. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, § 10-508(a)(7), to consult with counsel to obtain legal advice.

Also present for the Closed Session were Associate General Counsels Nicholas Dumais, David Lieb, and Carol Rubin of the Legal Department; Director Gwen Wright, Lazdins Valdis, Mary Dolan, Fred Boyd, and Richard Weaver of the Planning Department; and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received briefing from legal counsel and Planning Department staff and discussed issues associated with proposed amendments to the Clarksburg Limited Master Plan for the Ten Mile Creek Watershed.

The Closed Session meeting was adjourned at 5:45 p.m.

The Planning Board reconvened in the auditorium at 5:53 p.m.

Commissioner Anderson left for the day at 5:53 p.m.

Items 6, 7, and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 6:29 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 10, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

Tomasina Ellison
Technical Writer

Montgomery County Planning Board Meeting
Thursday, October 31, 2013
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Resolutions submitted for adoption.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

Site Plan Amendment 82011010B, 10914 Georgia Avenue, 2.36 acres, CR4, C-3.5, R-3.5, H100 Zone (original site plan approved under the TSR Zone), amendment to Site Plan Condition 11(b) regarding

timing for providing certain on-site recreational amenities prior to issuance of the first use-and occupancy permit. Located on the southwest corner of Georgia Avenue and Veirs Mill Road within the 2012 Wheaton CBD & Vicinity Sector Plan

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

***D. Approval of Minutes**

~~Minutes of September 19, 2013~~ **POSTPONED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. Roundtable Discussion

- Parks Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Parks Director’s Report – Parks Department Director Mary Bradford briefed the Board on recent and upcoming events in the parks. Ms. Bradford offered highlights related to 1) the fourth Annual Montgomery County (MoCo) Epic at South Germantown Recreational Park, a two-day mountain bike festival which has grown significantly over the past four years to more than 2,000 participants and supporters; 2) an arrest related to a stabbing made by Park Police in Long Branch Stream Valley Park; 3) Five certificates received by the Parks Department for Country Champion Trees; and 4) the presentation by Parks Department staff to the County Council Committee on Planning, Housing, and Economic Development regarding the newly created Single Registration System for parks rentals and activities. Ms. Bradford also noted the upcoming Parks Department events which include the Creepy Music and Lighting show & treats at Cabin John Ice Rink and Wheaton Ice Rink on November 1 and 8 at 10:00 p.m.; the Annual Trees Matter Symposium hosted by Montgomery Parks at the Silver Spring Civic Center on November 20 from 8:00 a.m. to 4:00 p.m.; the Garden of Lights Holiday walk-through at Brookside Gardens from November 29 through January 5, with a preview night for Commission employees and Commissioners scheduled for November 22.

***3. Pre-Preliminary Plan No. 720130100: Pleasant Plains, Lot 4**

Create one (1) lot, for a single-family residential dwelling unit, located at 7209 Hawkins Creamery Road, 1,150 feet West of Laytonsville Road, 15.11 acres, Rural Density Transfer Zone (RDT), Damascus Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff discussed a pre-preliminary plan request which will allow the recordation of one lot for a single-family residential dwelling unit located on a 15.09-acre property on Hawkins Creamery Road, west of Olney-Laytonsville Road (MD 108) in the Rural Density Transfer (RDT) zone. Staff noted that since the property exceeds five acres, the applicant is seeking Board approval to proceed with platting under the minor subdivision regulations. The proposed plan conforms to the 2006 Damascus Master Plan, provides low density housing, and preserves contiguous farmland, up to five lots are permitted under the minor subdivision in the RDT zone. The grandfathered parcel was created by deed in 1973.

Mr. Michael Van Sant, engineer representing the applicants, Ms. Lauren Rudd and Ms. Deborah Leafy, also present, offered brief comments, answered questions from the Board, and concurred with the staff recommendation.

4. Mandatory Referral No. MR2014008, Rosemary Hills Elementary School Addition

R-60, 6.07 acres, Two-story addition for seven new classrooms and ancillary spaces and reconfiguration of parking; located at 2111 Porter Road at the intersection with Lanier Drive, Silver Spring North and West

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation, subject to conditions, as stated in the attached transmittal letter to Montgomery County Public Schools.

Planning Department staff discussed the proposed Mandatory Referral request from Montgomery County Public Schools (MCPS) for a two-story addition for seven new classrooms and ancillary spaces, and reconfiguration of existing parking spaces for the Rosemary Hills Elementary School located on Porter Road at the intersection with Lanier Drive in Silver Spring. Staff noted that the proposal is an improvement to the existing school, and is an advisory review which customarily highlights issues concerning neighborhood character, environmental stewardship, and traffic circulation. Staff would recommend that the applicant, i.e. MCPS, improve sidewalks along the entire site frontage to provide a consistent width of five feet to replace the existing four-foot wide sidewalks,

and also provide additional low plantings in combination with the proposed ornamental trees on Lanier Drive to further green and enhance the parking lot proposed setback.

Messrs. Mark Aehe, architect, Patrick LaVay, engineer, and Saeyin Oh, MCPS staff, offered brief comments, answered questions from the Board, and concurred with the staff recommendation.

***5. Site Plan 820130110, Camden Shady Grove**

Request for 457 units, including five live/work units within 498,072 square feet of residential floor area and 5,000 square feet of non-residential floor area; development to include public benefits, open space, and frontage improvements substantively similar to those approved under the sketch plan; located on 7.62 gross acres in the CR zone in the northwest quadrant of the intersection of Diamondback Drive and Key West Avenue within the Great Seneca Science Corridor Master Plan area.

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion: **ANDERSON/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Action: **Approved staff recommendation, subject to revised conditions, as stated in the attached Resolution.**

In keeping with the October 21 technical staff report, Planning Department staff offered a multi-media presentation regarding the site plan request for construction of 457 units, including five live/work units, within 498,072 square feet of residential floor area and 5,000 square feet of non-residential floor area, with provisions for public open space, residential amenities, and other public benefits. The proposed development will be located on a 7.62-acre property at the intersection of Diamondback Drive and Key West Avenue within the Great Seneca Science Corridor Master Plan area. The applicant proposes to use less than the full density allowed under the optional method development but must still accommodate this density with structured parking, construction of new road frontages, and provision of a public benefits package suited for this area. The site is the location of a future Corridor Cities Transitway (CCT) station, and the applicant will provide dedication to accommodate the station, as well as a phased open space program as the area evolves into a more transit-focused center. Multi-modal transportation is a key element of the circulation plan, although it will be years before the CCT can be fully implemented. A parking waiver to allow parking spaces above the maximum is being requested, and given the unit mix and lack of any alternative street or public parking, staff supports the waiver request.

Mr. Timothy Dugan, attorney representing the applicant, introduced members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

At the Board's request, Mr. Jay Johnson, member of the applicant's team, offered comments and answered questions from the Board.

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

6. Analysis of Industrial Land Uses in Montgomery County

Briefing for the Planning Board regarding consultant study

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Action: Received briefing followed by Board discussion.

As an introduction to the briefing, Planning Department staff noted that last summer the Planning Department commissioned Ms. Anita Morrison, consultant from Partners for Economic Solutions (PES), to prepare an analysis of industrial use and zoning trends in Montgomery County. This information can be a useful input into the Planning Department master plan process and other planning efforts. It may also be useful to know if the declining supply of industrially zoned land is a long-term problem. As discussed in the draft Semi-Annual report, the Planning Board draft White Oak Science Gateway Master Plan would rezone nearly 16 percent of the County's remaining industrially zoned land.

Ms. Morrison offered a multi-media presentation focusing on her findings regarding industrial land use in Montgomery County. Her analysis focused on trends in the demand and supply of industrial space as reported by CoStar, a company which maintains a massive database that has covered private industrial buildings of 5,000 square feet or more over the past 20 years. Though the CoStar information excludes government owned buildings and some owner-occupied structures, it provides an invaluable profile and history of industrial development in Montgomery County and throughout the Washington DC region. Industrial real estate includes a wide variety of facilities with a broad range of uses, including warehousing, distribution, manufacturing, service, and repair. In Montgomery County and the rest of the Washington area, such uses are uncommon. Most industrial spaces are designed for light production and assembly, distribution, repair, and/or service operations or are fitted out with laboratory space for the biotechnology industry.

Ms. Morrison noted that in expanding commercial or commercial-residential zoning to industrial and service commercial areas, consideration should be given to the potential impact of creating premature incentives for land speculation and disinvestment. Rezoning should occur close to the time of anticipated commercial or mixed-use development. Ms. Morrison referred Board members to her report for additional information.

7. 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.