



**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, December 18, 2014, at 9:09 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 1:50 p.m.

Present were Vice Chair Marye Wells-Harley and Commissioners Norman Dreyfuss and Natali Fani-González. Chair Casey Anderson joined the meeting at 11:30 a.m. Commissioner Amy Presley was absent.

Items 1 through 6 are reported on the attached agenda.

The Board recessed for lunch at 12:19 p.m.

The Board convened in Closed Session at 12:45 p.m. to take up Item 7, a Closed Session Item.

In compliance with State Government Article §3-305 (b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:45 p.m. in the 3<sup>rd</sup> floor conference room on motion of Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Dreyfuss voting in favor of the motion, and Commissioner Presley absent. The meeting was closed under authority of Annotated Code of Maryland, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Also present for the Closed Session were: Associate General Counsels Carol Rubin and Megan Chung of the Legal Department; Director Gwen Wright and Deputy Director Rose Krasnow of the Planning Department; Director Michael Riley, Judie Lai, Mitra Pedoeem, Brooke Farquhar, and Rachel Newhouse of the Parks Department; Jane Mahaffie and Douglas M. Firstenberg of Stonebridge Carras Real Estate Investment; Don Hoover of Oculus Landscape Architecture and Urban Design; and M. Clara Moise and James J. Parsons of the Commissioners' Office.

In Closed Session the Board received briefing from Jane Mahaffie and Douglas M. Firstenberg of Stonebridge Carras Real Estate Investment, and Don Hoover of Oculus Landscape Architecture and Urban Design regarding the proposed new Montgomery County Park and Planning Commission Headquarters building in Wheaton.

The Closed Session meeting was adjourned at 1:50 p.m.

MCPB, 12-18-14, APPROVED

There being no further business, the meeting was adjourned at 1:50 p.m. The Planning Board will be in recess from December 22 through January 2. The next regular meeting of the Planning Board will be held on Thursday, January 8, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, December 18, 2014**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Cabin Branch Preliminary Plan 12003110C – MCPB No. 14-111
2. Cabin Branch Site Plan 820140160 – MCPB No. 14-112

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/DREYFUSS

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** ANDERSON, PRESLEY ABSENT

**Action:** Adopted the Resolutions cited above, as submitted.

**\*B. Record Plats**

**Subdivision Plat No. 220130470 and 220150190, Cabin Branch --** MXPB and RMX-1/TDR zones, 35 lots, 9 parcels; located on the south side of Clarksburg Road (MD 121), at the intersections of Byrne Park Drive and Broadway Avenue; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** DREYFUSS/FANI-GONZÁLEZ

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:           ANDERSON, PRESLEY ABSENT**

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

**\*C. Other Consent Items**

**A. Elizabeth Square, Project Plan No. 920150010** - CBD-2 and CBD-1 zones, 3.12 acres, Extension Request for Project Plan featuring 908 Dwelling Units (including 286 MPDUs) and 9,386 square feet of Retail and Restaurant uses, located in the northwest quadrant of the intersection of Second Avenue and Apple Avenue, Silver Spring CBD Sector Plan  
*Staff Recommendation: Approve Extension*

**B. 8008 Wisconsin Avenue, Project Plan No. 920150020** - CBD-1 zone and C-2 zone, 2.16 acres, Mixed-use project with up to 141,651 sf. of residential uses, with up to 140 multi-family dwelling units (including 15% MPDUs), and up to 75,222 sf. of non-residential uses (includes density transfer from sending sites), located in the southwest quadrant of the intersection with Wisconsin Avenue and Cordell Avenue; Bethesda CBD Sector Plan  
*Staff Recommendation: Approve Extension*

**BOARD ACTION**

**Motion:           A. DREYFUSS/FANI-GONZÁLEZ  
                      B. DREYFUSS/FANI-GONZÁLEZ**

**Vote:**  
**Yea:            A. 3-0  
                      B. 3-0**

**Nay:**

**Other:           ANDERSON, PRESLEY ABSENT.**

**Action:           A. Approved staff recommendation for approval of the Extension Request for the Elizabeth Square Project plan.  
                      B. Approved staff recommendation for approval of the Extension Request for the Wisconsin Avenue Project plan.**

**\*D. Approval of Minutes**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

## **2. Roundtable Discussion**

- Planning Department Director's Report

### **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**       **Received briefing.**

**Planning Department Director's Report** – Planning Department Director Gwen Wright briefed the Board on the following Planning Department events and activities: with input from Commissioner Fani-González, the Planning Department is evaluating community outreach opportunities, with community meetings planned for January 12 and 26; with input from Commissioner Dreyfuss, the Planning Department is continuing its development review improvements; senior management and leadership training is scheduled for the winter; the next Core Competency training is scheduled for January 2015; and the *Speaker Series* continues on January 14, 2015.

Ms. Wright noted that on Tuesday, December 16, she, County Council members, State Delegates, and members of the private sector attended an economic discussion organized by the County Executive. Methods of promoting County economic development and ways the State Legislature can assist in this, such as Purple Line funding, development review improvements, tax structure, and marketing of the County, were discussed by the County Executive's Economic Advisory Committee. The meeting was the last in a series of meetings scheduled in response to the County Council's request for a comprehensive economic strategy from the County Executive.

There followed a brief Board discussion, during which Vice Chair Wells-Harley noted her appreciation that the Commission's important role in the continued economic development of the County has been recognized.

**3. Mallory Square, Limited Site Plan Amendment No. 82012013A**

Request to modify the conditions of approval that affect the release of use and occupancy permits; located on 12.81 gross acres, zoned CR1.5, C1.5, R1.5, H100; in the southeast quadrant of the intersection of Omega Drive and Research Boulevard within the Great Seneca Science Corridor (GSSC) Master Plan area.

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**Motion: DREYFUSS/FANI-GONZÁLEZ**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: ANDERSON, PRESLEY ABSENT**

**Action: Approved staff recommendation of the Limited Site Plan Amendment, subject to conditions, and adopted the submitted Resolution.**

Planning Department staff offered a multi-media presentation and discussed the proposed Limited Site Plan Amendment for the Mallory Square mixed-use development. The 12.81-acre subject site occupies approximately the western two-thirds of the block bounded by Omega Drive to the west, Research Boulevard to the north, and Key West Avenue to the south within the Great Seneca Science Corridor Master Plan area. The current Site Plan allows for the construction of two buildings containing up to a total of 796,500 square feet of new multi-family residential uses for up to 682 dwelling units, including a minimum of 13.63 percent Moderately Priced Dwelling Units, and up to 3,500 square feet of retail uses. Also included will be public use space, amenity space, structured parking, and public benefits. Construction of building B is currently in progress. The proposed Amendment focuses on the phasing schedule of the Development Plan. Staff originally viewed the development as two buildings, building A and building B. However, because each building is a large structure with more than one section and related courtyards, Montgomery County Department of Permitting Services (MCDPS) has permitted each building as five separate buildings. Because of this, the applicant requests to amend the phasing schedule of the Plan, allowing residential use and occupancy of the buildings while completion of amenities is phased in. Staff discussed and outlined the amended phasing schedule, which specifically identifies use and occupancy permits, the number of dwelling units that will be delivered, and the expected amenities during each phase.

There was a brief Board discussion regarding whether this issue and issues of similar importance should be decided at the staff's level.

Mr. Scott Wallace, attorney representing the applicant, briefly discussed the proposed request and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

**4. ~~Briefing to the Planning Board~~ Silver Spring Placemaking Initiative—**POSTPONED****

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This Item was postponed.**

**5. CVS Ashton: Preliminary Plan and Site Plan**

**A. Preliminary Plan No. 120140220:** CVS Ashton Request to create one (1) lot for a 12,800 square foot Drug Store use, located in the north east quadrant of the intersection of New Hampshire Ave (MD 650) and Sandy Spring Ashton Rd (MD 108), 1.91 acres, C-2 Zone/Sandy Spring Ashton Rural Village Overlay Zone, 1998 Sandy Spring/Ashton Master Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**B. Site Plan No. 820140150:** CVS Ashton Request to construct a 12,800 square foot Drug Store, located in the north east quadrant of the intersection of New Hampshire Ave (MD 650) and Sandy Spring Ashton Rd (MD 108), 1.91 acres, C-2 Zone/Sandy Spring Ashton Rural Village Overlay Zone, 1998 Sandy Spring/Ashton Master Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

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

**Vote:**

**Yea:**                   **A. 3-0**  
                                  **B. 3-0**

**Nay:**

**Other:**               **ANDERSON, PRESLEY ABSENT**

**Action:       A. Approved staff recommendation of the Preliminary Plan, subject to conditions, and adopted the submitted Resolution.**

**B. Approved staff recommendation of the Site Plan, subject to conditions, and adopted the submitted Resolution.**

Planning Department staff offered a multi-media presentation and discussed the Preliminary Plan and Site Plan for the proposed CVS Ashton Drug Store use development. The three-parcel 1.91-acre subject property is located in the northeast quadrant of the intersection of New Hampshire Avenue (MD 650) and Ashton Road (MD 108) and is zoned commercial within the Sandy Spring/Ashton Rural Zone and the Ashton Village Center of the 1998 Sandy Spring/Ashton Master Plan. There are no forests or environmental features on the property. The applicant requests a consolidation of the three parcels to create a single lot for the development of a 12,800 square foot CVS Pharmacy with a drive-through window and on-site parking for 67 vehicles, two motorcycles, and four bicycles. A 16,808 square foot right-of-way will be dedicated along New Hampshire Avenue. Amenities will include a community gathering area with benches, a community sign, and a 10-foot shared-use path constructed along the frontage of Ashton Road. Staff noted that the application is consistent with the Master Plan

**5. CVS Ashton: Preliminary Plan and Site Plan**

CONTINUED

recommendations and design guidelines, has been reviewed and approved by all necessary agencies, and meets all the forest conservation and stormwater management requirements. While the proposed 27-foot, 10-inch building exceeds the height limit for a structure not requiring permitting, it remains within the Overlay Zone limit of 30 feet. In order to conform to the Master Plan recommendations to incorporate rural character and elements of the surrounding area, a mansard style roof was added to the design, requiring the added height. Staff noted that any proposed structure from 24 feet to 30 feet in height requires Planning Board approval. Staff then enumerated the extreme circumstances of the property and noted that due to the acute angle and narrow width of the lot, parking will be located in the front, side, and rear of the building, rather than only on the side and rear, as per the Master Plan recommendations. This will allow safe, efficient onsite traffic circulation, provide all required parking, and limit the uses impact on the adjacent residential development. The applicant in turn has agreed to provide extensive landscaping, a four-foot wall, and a six-foot screening fence to shield adjoining residences from car light, noise, and traffic movement. Staff described community outreach efforts as active, extensive, and positive. In addition to required meetings, the applicant met numerous times with the Sandy Spring-Ashton Rural Preservation Consortium, the Sandy Spring Civic Association, and members of the Ashton Knolls community. Staff briefly discussed Preliminary Plan and Site Plan conditions.

Ms. Stacy Silber, attorney representing the applicant, briefly discussed the proposed request and concurred with the staff recommendation.

Ms. Diane D. Kimble of Ashland Drive offered testimony.

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

**6. Westbard Sector Plan -- Briefing and Charrette Report**

*Staff Recommendation: Approval*



**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:       Received briefing.**

Planning Department and Parks Department staff offered a multi-media presentation and discussed the Westbard Sector Plan and charrette report. Westbard is a mixed suburban community south of Bethesda, bounded by Massachusetts Avenue to the south, Little Falls Parkway to the east, and the Kenwood and Springfield neighborhoods to the west. Westbard Road and River Road are major commuter routes through the community. Westbard’s current Master Plan is 32 years old, and its commercial area has not changed in 30 years. Currently, 1,968 residents live within the plan boundaries, mostly in single-family homes, with an average household income of \$200,000, approximately \$69,000 higher than the County’s average. Westbard is also bisected by the Capital Crescent Trail. Concerns include Westbard’s lack of accessibility and central green spaces. The few existing green spaces are infested with invasive species. There is 57 percent impervious ground cover, and stormwater is unmitigated and polluted. The channelized Willett Branch Stream is used as a storm drain and is home to dumping and vandalism. There are no wetlands or stream buffers.

The Plan’s goals are to create housing diversity, affordable housing, and amenities such as public green places and wide sidewalks. Utilizing Google Hangout and Facebook, staff conducted a robust, week-long community outreach program in which residents were asked to share their concerns. Responses echoed the staff’s findings but also included concerns over height and density of redevelopment, over-crowded schools, and preservation of light industry, family-owned retail, and businesses that serve the community.

Staff then presented a report on its recent charrette, which was a week-long series of staff and resident joint worksessions. Day one included two site visits, meetings with local agencies and residents, and a visioning exercise in which eight groups of residents produced eight community plans that focused on roads, building types, and open spaces. Day two included a presentation of three schematic diagrams synthesized from community input via day one’s visioning exercise. Day three included meeting with and receiving input from the community. Staff also presented two concept plans synthesized from the three schematic diagrams presented on day two. Staff reported that Concept 1 is the highest density plan; Concept 2 is a lower

**6.       Westbard Sector Plan -- Briefing and Charrette Report**

**CONTINUED**

density plan. Day four was a work day. Day five included the final charrette presentation. Staff presented a Preliminary Concept Framework Plan that includes new streets, new street grids, street reconfigurations, and other possible re-alignments. The Plan also proposes a new civic plaza, a new library, a new school at the old library site, and an addition to Westland Middle School.

Staff received over 400 written comments regarding the charrette process. Community feedback included concerns about development, density and height, traffic, schools, and the methods used in the staff's forecasts.

Next steps for the Westbard Plan include continued staff preparation of the Plan's preliminary recommendations during winter 2015, staff presentation of the preliminary recommendations to the Planning Board in March 2015, staff presentation of the draft to the Planning Board, and a request to have it published for public comment as the Westbard Plan Public Hearing Draft in May 2015. A Planning Board hearing is scheduled for summer 2015 with staff worksessions with the Planning Board scheduled for summer and fall 2015. The Planning Board is expected to deliver the draft to the County Executive in fall 2015, and a County Council's Public Hearing is tentatively scheduled for winter 2016.

There followed extensive Board discussion with questions to staff.

## **7. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition

**The topic to be discussed is the compliance with terms for acquisition/disposition of real property related to the relocation of the Montgomery Regional Offices of the M-NCPPC.**

### **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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