



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 8, 2015, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:50 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Norman Dreyfuss and Natali Fani-González. Commissioner Amy Presley joined the meeting at 9:05 a.m.

Items 1 through 6 are reported on the attached agenda.

The Board recessed for lunch at 11:13 a.m.

The Board reconvened in the auditorium at 1:15 p.m.

Items 9, 8, and 7, discussed in that order, are reported on the attached agenda.

Item 10 was postponed.

There being no further business, the meeting was adjourned at 4:50 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 15, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons
Technical Writer

Montgomery County Planning Board Meeting
Thursday, October 8, 2015
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**

Subdivision Plat No. 220090690, Windsor Forest -- AR (RDT) zone, 2 lots; located on the northeast side of Brown Church Road, 2000 feet southeast of the intersection of Brown Church Road and Ridge Road (State Route 27) ; Damascus Master Plan

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

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

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Other Consent Items submitted for approval.

***D. Approval of Minutes**

Planning Board Meeting Minutes of September 24, 2015

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved Planning Board Meeting Minutes of September 24, 2015, as submitted.

2. Roundtable Discussion

- Planning 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 ongoing and upcoming Planning Department events and activities: the recent staff presentation of the Semi-Annual Report to the County Council on Tuesday, October 6; the status of the FY17 budget and work program; the postponement of the staff presentation of the working draft of the Greater Lyttonsville Sector Plan; the status of upcoming community meetings and worksessions for the White Flint 2, Westbard, Montgomery Village, and Bethesda Downtown plans, as well as the subdivision staging policy; the status of the third meeting of the rental housing advisory group and a regional bus tour of rental housing projects scheduled for early November; the Design Excellence Awards Ceremony scheduled for October 22 at the Silver Spring Civic Building; and the [*Montgomery Modern*](#) book launch scheduled for October 30 at the Writer's Center in Bethesda.

There followed extensive Board discussion with questions to Ms. Wright.

3. Silver Spring Retirement Residence, Preliminary Forest Conservation Plan and Special Exception No. S-2882

***A. Preliminary Forest Conservation Plan:** Request for a Preliminary Forest Conservation Plan for a domiciliary care facility consisting of 148 units (161 beds) for seniors in the R-200 Zone on 4.6 acres; located at 13716 New Hampshire Avenue, Silver Spring, within the 1997 White Oak Master Plan area.
Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Special Exception: Request for a domiciliary care facility consisting of 148 units (161 beds) for seniors in the R-200 Zone on 4.6 acres; located at 13716 New Hampshire Avenue, Silver Spring, within the 1997 White Oak Master Plan area.

Staff Recommendation: Approval – Transmit comments and recommendation to the Hearing Examiner

(NOTE: Action required for Hearing by Hearing Examiner on October 19, 2015)

BOARD ACTION

Motion: A & B. PRESLEY/WELLS-HARLEY

Vote:

Yea: A & B. 5-0

Nay:

Other:

Action: A. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, and adopted the attached Resolution.

B. Approved staff recommendation to transmit recommendations to the Hearing Examiner, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the proposed Special Exception and associated Preliminary Forest Conservation Plan requests for the construction of a senior-care facility. The 4.6-acre site, parcel 505, is located on the west side of New Hampshire Avenue (MD 650), and is zoned Residential in the 1997 White Oak Master Plan area within both the Paint Branch and Northwest Branch watersheds. The property, which is accessed from MD 650, is currently developed with a two-story single-family dwelling unit and several outbuildings that were previously used for equestrian and agricultural purposes. Staff stated that an application presented to the Board on May 28, in which the applicant proposed to construct a 135,000-square foot, four-story building for a 148-unit senior-care facility to accommodate 161 beds, was recommended for denial because the application did not comply with the compatibility standards set forth in the Zoning Ordinance. At the applicant's request, the Board deferred action on the application. Staff noted that the revised proposal is significantly more compatible with the surrounding neighborhood. The amended application proposes 131,000 square feet of development for 141 units for 155 beds. The applicant also proposes to reduce the overall footprint of the building by reducing the entire front wing and portions of the residential wing from four to three stories. The applicant has also proposed to increase the setback distance to 109 feet, reduce impervious surfaces by 10 percent, construct a 10-foot wide shared use path, and provide additional landscaping as a noise control measure. Staff added that previously proposed parking, support services, and amenities remain unchanged.

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Staff then stated that the site contains no forest or environmental features. The applicant has proposed a fee-in-lieu payment to meet forest conservation planting requirements. Staff added that the applicant is requesting a variance to remove two high-priority trees.

Mr. Bob Harris, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Dan Wilhelm representing the Greater Colesville Citizens Association offered testimony. There followed a brief Board discussion.

4. Rock Spring Sector Plan: Project Scope of Work

Staff Recommendation: Approve Scope of Work

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Scope of Work cited above.

Planning Department staff offered a multi-media presentation and discussed the Scope of Work for the Rock Spring Master Plan. The 536-acre plan area is bounded by the Interstate 270 spur to the north, Democracy Boulevard to the south, Old Georgetown Road to the east, and Westlake Drive to the west. The site is also bisected by Interstate 270 on the western portion. Currently, the plan area is mainly developed with office parks and major retail, and occupied by 580 employers who provide approximately 22,000 jobs, including 49 percent of all the executive-level jobs in the County. The area also contains 386 existing multi-family residential units, with 1,390 more residential units approved within the plan boundary. Staff noted that many of the approved residential units will be located in existing buildings. Staff stated that the purpose of the Master Plan is to introduce more residential uses and to make Rock Spring a well-connected mixed-use sustainable community. In addition to capacity issues within the Walter Johnson school cluster, challenges confronting the area include a 23.7 percent office cluster vacancy rate, 41 percent of which comes from three vacant buildings. This vacancy rate is the fourth highest in the County. The area has neither sufficient open nor recreation space, with staff noting that there are currently no existing parks in the plan area. Staff also noted the lack of pedestrian and bicycle amenities. Outreach efforts have included community meetings, special events such as farmers markets, meetings with homeowners and parent-teacher associations, a website, an e-newsletter, and social media. The next steps for the plan include a community meeting scheduled for October 28, presentation of the Working Draft to the Board in summer 2016, a Public Hearing Draft and a Planning Board Public Hearing in fall 2016, transmission of the Planning Board Draft to the County Executive and County Council in winter 2016, a County Council Public Hearing in fall 2017, and adoption of the plan by the Full Commission in winter 2017.

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Mr. Howard Philips representing Montgomery County Council Parent-Teacher Associations offered testimony.

There followed extensive Board discussion with questions to staff.

***5. Howard Hughes Medical Institute, Limited Preliminary Plan Amendment No. 12002096B**
--- LSC Zone, 36.40 acres, Request to reconfigure an existing Category I forest conservation easement in response to BRAC improvements, located in the southwest quadrant of the intersection with Connecticut Avenue and Jones Bridge Road; Chevy Chase Lake Sector Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Limited Preliminary Plan Amendment cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Limited Preliminary Plan Amendment request to modify an existing Final Forest Conservation Plan. The 36.23-acre site is located on the southwest quadrant of the intersection of Connecticut Avenue (MD 185) and Jones Bridge Road and was recently re-zoned Life Sciences Center (LSC) in the Chevy Chase Lake Sector Plan area. Staff noted that the site is also located within the Bethesda main stem of Rock Creek and the Coquelin Run tributary of Rock Creek, both Use I watersheds. The site is currently developed as the campus of the Howard Hughes Medical Institute headquarters. The property contains forested areas and numerous specimen trees. Staff stated that the applicant has requested the amendment to address the State Highway Administration (SHA) condemnation of a portion of the property in order to accommodate planned roadway and intersection improvements. The improvements are intended to mitigate expected traffic increases along MD 185 and Jones Bridge Road associated with the relocation of personnel and services from Walter Reed Hospital in the District of Columbia to the Medical Center in Bethesda. The planned improvements require the removal of 11,357 square feet of existing Category I Conservation Easement area, which will be partially mitigated by adding a total of 2,615 square feet back to the remaining easement in four separate locations. The net loss of 8,742 square feet of easement will be mitigated offsite with a 2:1 ratio of forest planting to be satisfied either by a fee-in-lieu payment or a certificate of compliance from an approved offsite forest bank. Staff noted that the applicant has also submitted a variance request to remove six trees and disturb 11 trees that are considered high-priority. Staff added that the applicant has also requested to record the easement changes by deed rather

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than by plat.

Maryland State Delegate Al Carr offered testimony and requested that any offsite mitigation occur within the same watershed or sector plan area as the site, or, if the applicant chooses the fee-in-lieu payment option, that the payment funds planting within the same watershed or sector plan area.

Mr. Patrick O’Neil, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Following extensive Board discussion with questions to staff, the Planning Board agreed that offsite mitigation or funding of offsite mitigation should be limited to the same watershed or sector plan area.

Staff noted that the Resolution would be modified to reflect the changes discussed during the meeting.

6. M-NCPPC-CIP FY17-22 – Adoption Session --- Adoption Session for the M-NCPPC Capital Improvements Program for FY17-22

Staff Recommendation: Approve staff recommendations of projects for inclusion in the FY17-22 Capital Improvements Program (CIP)

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation of proposed projects to be included in the FY17-22 Capital Improvements Program.

Parks Department staff offered a multi-media presentation and discussed the FY17-22 Capital Improvements Program (CIP). Staff detailed the final funding scenario, which was developed in response to feedback received from the Board during a September 24 worksession. This scenario includes beginning funding for a proposed garage at Wall Local Park in FY17, accelerating funding for Ovid Hazen Wells Recreational Park from FY22 to FY19, and delaying funding for the construction of the Little Bennett Day Use Area by two years. Staff then discussed inflation adjustments for approved projects from the previous CIP that continue into the FY17-22 CIP, noting increased costs for projects proposed for Battery Lane Urban Park, Caroline Freeland Local Park, Elm Street Urban Park, Hillandale Local Park, Laytonia Recreational Park, Little Bennett Day Use Area, North Branch Trail, Ovid Hazen Wells Recreational Park, and Woodside Urban Park. Staff noted that these adjustments would be addressed with funding shifts. Staff noted that Park and Planning Bonds will fund between \$6,500,000 and \$7,000,000 of projects costs each year of the CIP, while Government Obligation (GO) Bonds will fund approximately \$13,600,000 each year. The total six-year FY17-22 CIP is proposed at approximately \$194,400,000, a 9.1 percent increase from the FY15-20 CIP, and will be funded in part

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through Program Open Space funding, revenues, GO Bonds, and Park and Planning Bonds. Staff added that following this final Planning Board session, Board approved recommendations for the FY17-22 CIP will be forwarded to the County Executive by November 1, then transmitted to the County Council by January 15, 2016, for review and approval.

There followed extensive Board discussion with questions to staff.

9. First Quarterly Montgomery Parks Partnerships Briefing to the Planning Board ---

Introducing three (3) of our 20 partners: National Trolley Museum ~~Meadowbrook Stables~~, GoApe, and Red Wiggler Community Farm

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Parks Department Community Partnership Manager David Tobin introduced Messrs. Dan D'Agostino of GoApe, Ken Rucker of the National Capital Trolley Museum, and Woody Woodruff of Red Wiggler Community Farm, who each offered a multi-media presentation and discussed the first quarterly briefing regarding their partnership with the Parks Department.

Mr. D'Agostino noted that GoApe is in its fifth year at Rock Creek Regional Park, and GoApe owns and manages the Treetop Adventure course, while Montgomery County Parks Department shares in the revenue derived from all ticket sales. GoApe supports both park partners and local communities by taking part in park cleanups, non-native invasive plant removal, and donating free and discounted tickets to underserved and special needs groups. GoApe donated more than \$620,000 in free and reduced price tickets to local community groups.

Mr. Rucker noted that the National Capital Trolley Museum preserves and interprets the heritage of electric and interurban railways of Washington, D.C. and the environs for the benefit of present and future generations. The Museum is located in Northwest Branch Park and opened to the public in 1969, operating an electric railway for interpretive purposes. The museum also publishes histories of electric street railways.

Mr. Woodruff noted that Red Wiggler Community Farm (RWCF) is a tax-exempt non-profit founded in 1996 for the main purpose of providing meaningful employment for adults with developmental disabilities through a unique horticulture program that uses organic agricultural practices. RWCF leases 12 acres within Ovid Hazen Wells Regional Park and is one of Montgomery County Parks Department most successful community partnerships. In the years since starting the partnership, RWCF has invested approximately \$1.3 million in capital improvements to the park,

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including an 800 square-foot solar house which serves as a residence for RWCF employees, and a 3,000 square-foot building that houses offices and a greenhouse.

At the Board's request, Parks Department Director Michael Riley offered comments.

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

8. Discussion of FY17 Budget --- Presentation and discussion of Parks Department FY17 Budget

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion, and instructed staff to proceed with the preparation of the FY17 Parks Department Budget, taking into account the Board's comments and recommendations made during the meeting.

Parks Department staff noted that at the September 17 meeting, following a presentation from the Department of Human Resources and Management on the FY17 budget process, the Planning Board provided general guidance for developing the FY17 budget with the recognition that the Parks Department has mandated requirements and other essential needs to operate the park system. Staff offered a multi-media presentation and discussed a request to prepare the Parks Department FY17 Park Fund operating budget at the Base Budget plus new initiatives level.

The Park Police Chief offered comments regarding body camera purchases, which will provide greater accountability for officers' performance.

Parks staff noted that the Parks Department proposed FY17 budget, including major known commitments as well as proposed new initiatives, will be a 6.3 percent increase or \$5,525,951 over last year's budget.

Parks Department Director Michael Riley offered brief comments.

There followed Board discussion with questions to staff.

7. Discussion of FY17 Budget --- Presentation and discussion of Planning Department FY17 Budget ~~CAS and Commissioners' Office~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion, and instructed staff to proceed with the preparation of the FY17 Planning Department Budget, taking into account the Board's comments and recommendations made during the meeting.

In keeping with the October 6 memorandum to the Planning Board, Planning Department Director Gwen Wright offered a multi-media presentation and discussed the proposed FY17 budget for the Planning Department. Ms. Wright noted that at the September 17 Planning Board meeting, the Board provided general guidance for developing the FY17 budget with the recognition that the Planning Department has both mandated requirements and essential needs/new initiatives to meet the expanding and evolving work program. The Board also asked that critical essential needs and new initiatives be included in the budget request. Ms. Wright discussed the Master Plans to be included in the FY17 work program: Montgomery Village, Bethesda Downtown Plan, Westbard Plan, Greater Lytonsville Plan, White Flint 2, Rock Spring, MARC Rail Stations, Master Plan of Highways/Technical Corrections and Updates, and the Bicycle Plan. Ms. Wright noted that a number of master plans that were contemplated in the FY16 budget discussion are proposed to be included in the work program, i.e., Gaithersburg East, Aspen Hill and Vicinity, and Montgomery Hills and Forest Glen. The Shady Grove Minor Master Plan Amendment had been contemplated during budget discussion last year and is recommended to be deleted from the FY17 budget and work program. The following new master plans are being proposed for the first time: Grovesnor Metro Area Minor Master Plan Amendment, South Silver Spring Small Area Plan, and Veirs Mill Road Corridor Small Area Plan. Ms. Wright also discussed a number of major projects that are being initiated in the current fiscal year and will continue into FY17. Ms. Wright also discussed proposed new projects that are recommended for inclusion in the FY17 budget and work program, and offered a brief comparison between the Planning Department FY17 proposed budget and the FY16 budget.

There followed a brief Board discussion with questions to staff and Ms. Wright regarding the proposed new initiatives and the proposed use of consultants to carry out most of these studies. The Board instructed staff to revise the budget estimates based on possible use of staff and/or hiring retired staff from other jurisdictions, or contract employees, which would most likely be less expensive than using consultants.

MCPB, 10-8-15, APPROVED

**10. — ~~Greater Lyttonsville Sector Plan, Working Draft~~
~~Staff Recommendation: Approval of the Working Draft and Request to Set Date for Public~~
~~Hearing~~ --- Greater Lyttonsville Working Draft — **POSTPONED****

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.