



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, March 19, 2015, at 9:11 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:50 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 9:15 a.m.

Items 1 through 5, and Item 9, are reported on the attached agenda.

Item 6 was postponed.

The Board convened in Closed Session at 12:22 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 12:22 p.m. in the 3rd floor conference room on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, General Provisions Article, §3-305(b)(9), to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

Also present for the Closed Session were Executive Director Patti Barney, John Kroll, Shelley Gaylord, Anju Bennett, Melinda Duong, and Oge Nwafor of the Department of Human Resources and Management; General Counsel Adrian Gardner and Associate General Counsel Carol Rubin of the Legal Department; Director Gwen Wright, Deputy Director Rose Krasnow, Karen Warnick, and Anjali Sood of the Planning Department; Director Michael Riley, Mitra Pedoeem, John Nissel, and Trish Swann of the Parks Department; Secretary/Treasurer Joe Zimmerman of the Finance Department; and Joyce Garcia and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the County Executive's recommended FY16 budget.

The Closed Session meeting was adjourned at 1:30 p.m.

The Board reconvened in the auditorium at 1:53 p.m.

Item 8 is reported on the attached agenda.

There being no further business, the meeting was adjourned at 3:50 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 26, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons
Technical Writer

M. Clara Moise
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, March 19, 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**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

8008 Wisconsin Avenue, Extension Request for 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: Approval of the Extension

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the Extension Request cited above.

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. Good Hope Neighborhood Recreation Center: Mandatory Referral No. MR 2015013

***A. Forest Conservation Plan**

Tear down, onsite relocation and expansion of the Montgomery County Recreation Department's (MCRD) Good Hope Neighborhood Recreation Center (NRC) located at M-NCPPC's Good Hope Local Park; 14715 Good Hope Road, Silver Spring; 13.19 acres; RE-2C Zone; Upper Paint Branch Environmental Overlay Zone; Cloverly Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

***B. Preliminary/Final Water Quality Plan: Upper Paint Branch Special Protection Area**

Tear down, onsite relocation and expansion of the Montgomery County Recreation Department's (MCRD) Good Hope Neighborhood Recreation Center (NRC) located at M-NCPPC's Good Hope Local Park; 14715 Good Hope Road, Silver Spring; 13.19 acres; RE-2C Zone; Upper Paint Branch Environmental Overlay Zone; Cloverly Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

C. Mandatory Referral MR2015013

Tear down, onsite relocation and expansion of the Montgomery County Recreation Department's (MCRD) Good Hope Neighborhood Recreation Center (NRC) located at M-NCPPC's Good Hope Local Park, 14715 Good Hope Road, Silver Spring, MD. Construction of new recreation building, new environmentally compliant parking lot, American with Disabilities Act (ADA) site improvements, and relocated playground

Staff Recommendation: Approval to Transmit Comments

BOARD ACTION

Motion: **A. WELLS-HARLEY/DREYFUSS**
 B. DREYFUSS/WELLS-HARLEY
 C. WELLS-HARLEY/DREYFUSS

Vote:
 Yea: **A. 5-0**
 B. 5-0
 C. 5-0

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 for approval of the Preliminary/Final Water Quality Plan cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.

C. Approved staff recommendation for approval to transmit comments to Montgomery County Department of General Services, as stated in the attached transmittal letter.

2. Good Hope Neighborhood Recreation Center: Mandatory Referral No. MR 2015013

CONTINUED

Planning Department staff offered a multi-media presentation and discussed the proposed Preliminary Forest Conservation Plan, the Preliminary/Final Water Quality Plan, and the Mandatory Referral request regarding the demolition and onsite re-location of the Good Hope Neighborhood Recreation Center. The 13.19-acre property is located on Good Hope Road, bounded by Twig Road to the west and residential developments to the south and east, in the Upper Paint Branch Special Protection Area (SPA) within the Cloverly Master Plan area. The property is currently developed with a two-story recreation facility, exterior basketball and tennis courts, a playground, a splash park, athletic fields, and a 69-car parking lot. The cooperative Parks Department and Montgomery County project proposes to demolish the existing 6,305 square-foot recreation facility and parking lot, construct a 13,136 square-foot, single-story, Americans with Disabilities Act (ADA) compliant facility on the site

of the existing parking lot, and construct a new parking lot on the site of the existing facility. The new, centrally located parking lot will provide ease of access to the park's features, decrease the parking footprint on the property, and provide additional stormwater management. The plan also proposes to relocate the playground away from existing forest and to update ADA accessibility to the existing athletic fields, basketball and tennis courts, and the relocated playground, none of which currently meet ADA standards. Staff reported that the project will be constructed in two stages and is expected to be completed in approximately 24 months, with the completed facility scheduled to be operational in fall 2017. During the construction, athletic fields are to remain open, while other park features may be closed as needed to ensure safety. Staff noted that only two trees will be impacted by the project, and no tree planting is required. Because the area is located in the Upper Paint Branch SPA, the Planning Board is required to approve the proposed Preliminary Forest Conservation Plan and Preliminary/Final Water Quality Plan prior to finalizing the Mandatory Referral recommendations.

Mr. Donald Scheuerman of Montgomery County Department of General Services concurred with the staff recommendation and discussed possible revisions to the language in two conditions for the Final Water Quality Plan.

Mr. Jeffrey Bourne of Montgomery County Department of Recreation offered comments and discussed the proposed architecture and design of the new recreation facility.

There followed extensive Board discussion with questions to staff and Messrs. Scheuerman and Bourne, during which revisions to the language in the Final Water Quality Plan were agreed upon.

***3. CVS Germantown: Site Plan No.81987058B** -- Request to construct a 13,225 square-foot drug store, located at 12851 Wisteria Drive in the eastern quadrant of the intersection of Wisteria Drive and Germantown Road (MD118), 3.94 acres, CR Zone, Germantown Employment Area Sector Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed the Site Plan Amendment request for the proposed CVS Germantown Drug Store. The 171,552 square-foot property, located on the eastern quadrant of the intersection of Wisteria Drive and Germantown Road (MD 118), and bounded by Walter Johnson Road to the south, is zoned Commercial/Residential in the Germantown Employment Sector Plan area within the Great Seneca Creek Watershed. Staff reported

that the application was reviewed under the Transit Mixed-Use zone standards, as per the Zoning Ordinance in effect on October 29, 2014. The property is currently developed with four structures. The application proposes to demolish two of the structures and replace them with a 13,225 square-foot CVS Drug Store and 68 parking spaces. The current access to the property from Wisteria Drive and Walter Johnson Road will remain. The application also proposes to construct 10-foot shared-use paths on the south side of MD 188 and the east side of Wisteria Drive, and a new sidewalk and steps from MD 118 to the front entrance of the CVS. Stormwater management will be addressed with the integration of micro-filters within the parking lot landscape islands. Staff noted that the project meets all Commercial/Residential zone requirements and complies with Forest Conservation requirements.

Ms. Stacy Silber, attorney representing the applicant, offered comments and concurred with the staff recommendations.

There followed a brief Board discussion with questions to staff regarding the language in a condition of the Amendment.

4. Roundtable Discussion

A. Planning Director's Report

B. Operating Funds Five Month Financial Report Including Projections to June 30, 2015.

C. Financial Report Including Projections to June 30, 2015

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Action: A., B., & C. Received briefing.

A. Planning Department Director's Report – Planning Department Director Gwen Wright briefed the Board on the following Planning Department events and activities: the status of the Semi-Annual Report scheduled to be presented to the County Council on March 31, during which Planning Department staff will discuss the implementation of the web-based Development Finder tool, which allows users to track the progress of County development projects and development project applications, such as the new streamlined Forest Conservation Plan exemption application process for specific urban areas, and the status of ongoing master plan work; the County Executive's recommended FY16 ; the March 17 staff meeting, and a community meeting scheduled for March 24 regarding Park and Planning proposed Wheaton Headquarters Building; and the status of a meeting scheduled for April 10 regarding a proposed rental housing study.

There followed extensive Board discussion with questions to staff regarding the Planning, Housing, and Economic Development (PHED) Committee's recent recommendation to zone the Aspen Hill Minor Master Plan area Commercial/Residential Town rather than Neighborhood Retail as per Planning Board recommendation.

B. Operating Funds Five Month Financial Report Including Projections to June 30, 2015: Finance Department staff briefed the Board and discussed the status of FY15 Administration Department and Parks Department operating funds. Staff described the status of the funds as healthy, and reported that budget revenue goals for both departments are expected to be met. Staff noted that both departments have implemented measures to reduce expenditures in order to increase budget flexibility for FY16. Staff reported that while fund balances are not expected to increase, they will not decrease as much as anticipated. Staff then reported that the Enterprise Division fund is expected to earn a net income and that a portion of the funds are expected to be transferred to the Capital Projects fund for facility upgrades and improvements.

There followed a brief Board discussion with questions to staff.

4. Roundtable Discussion

CONTINUED

C. Financial Report Including Projections to June, 30, 2015: Enterprise Division staff briefed the Board and discussed the status of FY15 Enterprise Division Operating Funds, and Enterprise Division events and activities. Staff reported that through rentals, lessons, and energy-efficiency upgrades, Commission ice rinks increased revenues during FY15. According to staff, Pauline Betz Addie Tennis Facility also had a recent energy-efficiency upgrade to its heating and cooling system. Construction of an ancillary building to accommodate a greater number of tennis camp participants has been proposed for the Wheaton Tennis Facility. Staff also noted that tennis facilities will soon be available to rent for birthday parties and other functions. Renovations to Seneca Lodge at Little Seneca Park are currently underway, including construction of a bridal suite, restrooms, and upgrades to the kitchen facility. In order to better meet the needs of patrons utilizing the event center, an onsite office for event staff was established at the Seneca Camp House. Staff then noted the recent hiring of therapeutic recreation staff for inclusion programs proposed throughout the County.

There followed a brief Board discussion with questions to staff.

5. FY15 Budget Transfer Request from the Department of Parks

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: **Approved staff recommendation to approve the Budget Transfer Request cited above.**

Parks Department staff briefed the Board regarding a requested FY15 budget line item adjustment of \$180,000 to the Management Services Division budget to be transferred from personnel to other services and charges. Staff noted that any budget adjustment request over \$50,000 requires Planning Board approval. Management Services Division utilizes staff from L-3 Communications as on-site help desk support, keeping two positions vacant in order to fund the contract. Staff noted this practice is more cost effective than hiring career staff to perform the same functions.

There followed a brief Board discussion with questions to staff.

~~6. — Office Market Assessment for Montgomery County~~

~~A Planning Board briefing by Partners for Economic Solutions (PES), the consulting firm that recently completed a study of the office market in Montgomery County and Washington Region.~~

POSTPONED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was postponed.**

9. Briefing on the Subdivision Staging Policy Amendment for the White Oak Policy Area

Staff Recommendation: Transmit comments on the proposed amendment to the County Council

BOARD ACTION

Motion: **DREYFUSS/WELLS-HARLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation to transmit comments to the County Council regarding the proposed Amendment cited above, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a proposed Amendment to the Subdivision Staging Policy for the White Oak Policy Area that focuses on the Local Area Transportation Review (LATR). Staff reported receiving a great deal of input from civic associations in the White Oak and Hillandale areas, particularly the Hillandale Citizens Association (HCA), the North White Oak Civic Association (NWOCA) and the Greater Colesville Citizens Association (GCCA), regarding the proposed Amendment. The Amendment proposes that rather than individual property owners proceeding with individual LATR traffic studies, the Montgomery County Department of Transportation (MCDOT) conduct a consolidated traffic study. Property owners would then be required to pay a proportional fee commensurate to the amount of traffic they generate. This cost-per-trip process would be used as a mechanism to fund White Oak area transportation improvements. Staff noted that the State would fund major projects such as construction and maintenance of bridges and interchanges.

Staff reported that concerns expressed by HCA and NWOCA include the need for a transparent process that allows public input, the implementation of biennial traffic counts to monitor key intersections, and the commitment to modify zoning densities as needed. Comments from GCCA include applying the Amendment only to existing or proposed major transit corridors, utilizing collected funds for bicycle, pedestrian, and local bus improvements in addition to transportation improvements, and utilizing collected funds to provide economic incentives for property owners to achieve and to maintain Non-Auto Driver Mode Share goals.

Ms. Eileen Finnegan of HCA offered comments, and suggested that MCDOT complete a traffic study prior to the approval of the proposed amendment.

Ms. Harriet Quinn of Montgomery County Civic Federation offered testimony.

There followed extensive Board discussion with questions to staff and Ms. Finnegan.

7. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(9), to conduct collective bargaining negotiations or consider matters that relate to the negotiations.

The topic to be discussed is the County *Executive's recommended FY16 budget

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

8. Subdivision Regulations Rewrite - Presentation of the final staff draft update to Chapter 50 of the County Code, the Subdivision Regulations, to the Planning Board, and request for Planning Board authorization to release the draft for public review

Staff Recommendation: Approval to release the final staff draft for public review and to schedule the Planning Board's public hearing for April 23, 2015

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: By consensus, approved staff recommendation to release the updated final staff draft of the Subdivision Regulations Rewrite for public review, and to schedule a public hearing for Thursday, April 23, 2015.

Planning Department staff noted that a comprehensive revision of Chapter 50 of the County Code, titled Subdivision Regulations, has been contemplated since the start of the Planning Department efforts to revise the Zoning Ordinance. Even in the absence of a Zoning Ordinance revision, it was time to review and update provisions of the Subdivision Ordinance, which had not been comprehensively looked at for more than 50 years. Staff's general objectives in rewriting the Subdivision Regulations were: to modernize and clarify the existing language; improve the organization and ease of reference; codify the current interpretations; ensure consistency with new provisions of the Zoning Ordinance; and improve the efficiency of review. To meet these objectives, the organization and layout of the revised regulations have been significantly changed, and the language of most provisions has been updated. The revised Chapter 50 reorganizes the existing Article and Section format to one that contains Articles, Divisions, and Sections. Staff discussed proposed changes to the Subdivision Regulations and requested Planning Board recommendations and approval to release the staff draft for public review.

There followed extensive Board discussion with questions to Planning and Legal staff. The Board instructed staff to incorporate its recommendations and proposed changes to the staff draft before releasing it for public review.