



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, April 15, 2010, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at approximately 5:00 p.m.

Present were Chairman Royce Hanson, Vice Chair Marye Wells-Harley, and Commissioners Joe Alfandre and Norman Dreyfuss. Commissioner Amy Presley was necessarily absent.

The Montgomery County Planning Board met in the third floor conference room via conference call with the Prince George's County Planning Board as The Maryland-National Capital Park and Planning Commission to discuss the proposed Retirement Incentive Plan, Item 14 on the Planning Board Agenda, which is reported in the Minutes of the Commission.

Item 13, a Closed Session, was cancelled.

Items 15, 1, 2, 4, and 5, taken in that order, are reported on the attached agenda.

Commissioner Dreyfuss left the meeting during discussion of Item 5.

The Board recessed for lunch at 12:50 p.m. and to take up Items 10 and 11, Closed Session items.

Item 12, a Closed Session item, was postponed.

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 1:05 p.m. in the third floor conference room on motion of Commissioner Alfandre seconded by Vice Chair Wells-Harley, with Chairman Hanson, Vice Chair Wells-Harley, and Commissioner Alfandre present and voting in favor of the motion. Commissioner Dreyfuss was absent for the Closed Session. The meeting was closed under authority of §10-508(a)(3), State Government Article, Annotated Code of Maryland, to consider acquisition of real property for a public purpose, and §10-508(a)(13), State Government Article, Annotated Code of Maryland, to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the Closed Session were: Associate General Counsels Derrick Rogers and Sean Dixon of the Legal Department; Dominic Quattrocchi, Brenda Sandberg, and Bill Gries of the Parks Department; and Clara Moise of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the acquisition of park property, and approved Closed Session Minutes.

The Closed Session meeting was adjourned at 1:25 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 2:07 p.m.

Items 3, 6, 8, and 9 are reported on the attached agenda. Item 7 was postponed.

The Board recessed at 4:00 p.m. and participated in a tour of a Home Properties LEED Building located at East West Highway and Colesville Road, Silver Spring.

There being no further business, the meeting was adjourned at approximately 5:00 p.m. The next regular meeting of the Planning Board will be held Thursday, April 22, 2010, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Technical Writer

Ellyn Dye
Technical Writer

Montgomery County Planning Board Meeting
Thursday, April 15, 2010, 9:00 A.M.
8787 Georgia Avenue
Silver Spring, MD 20910-3760

13. Closed Session - CANCELLED

(Full Commission via Conference Call) Pursuant to Maryland State Government Code Annotated Section (10-508)(a)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of Commission appointees, employees, or officials; or to discuss any other personnel matter that affects 1 or more specific employees.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was cancelled.

14. Retirement Incentive Plan

(Full Commission via Conference Call)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Reported in the meeting Minutes of The Maryland-National Capital Park and Planning Commission.

1. Consent Agenda

***A. Adoption of Resolutions**

1. Pilgrim Springs - Preliminary Plan No. 120100090 - ADOPTION OF MCPB RESOLUTION No. 10-38

2. Piney Spring Farm – Preliminary Plan No. 11993043A – ADOPTION OF MCPB RESOLUTION No. 10-40

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Adopted Resolutions cited above.

***B. Records Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no record plats submitted for approval.

***C. Other Consent Items**

1. **Site Plan Amendment Review No. 82006031A, Montgomery Industrial Park, Lot 39, I-1 zone; 1.69 acres; amendment; modify driveway, expand dumpster pad, add storm drains, remove retaining wall along property line, add access ramp and loading area, modify parking layout, modify landscaping, revise LOD, add door locations, monument sign and transformer pad, update architectural; located on Broadbirch Drive, approximately 425 feet east of Tech Road; Fairland - POSTPONED**

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

2. Long Branch Sector Plan, Proposed Modification of the Approved Boundary for the Long Branch Sector Plan

Staff Recommendation: Approval of Boundary Modification

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the proposed boundary modification for Long Branch Sector Plan.

3. Order - Respondent Anthony Mereos – Partial Remand by Order of the Circuit Court for Montgomery County, Maryland, Civil Action No. 275849-V – **ADOPTION OF MCPB RESOLUTION No. 10-39**

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Adopted Resolution cited above.

***D. Approval of Minutes**

- Minutes of March 11, 2010

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved Minutes of March 11, 2010, as presented.

15. Briefing on Clarksburg Town Center

Planning Board Action/Decision: Discussion only

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received brief presentation from Development Review staff followed by Board discussion.

At the Board's request, Mr. Todd Brown and Mr. Doug Delano offered comments, stating that the project will go forward when the market permits.

2. Wheaton Safeway

A. Project Plan Review No. 920100020, Wheaton Safeway, CBD-3 zone; 1.92 acres; 625,000 gross square feet of development including 57,500 square feet of retail and 567,500 square feet of residential, including 63 MPDUs and 50 workforce housing units; located at the northeast quadrant of the intersection with Georgia Avenue and Reddie Drive; Wheaton

Staff Recommendation: Approval of the Project Plan

B. Preliminary Plan 120100120, Wheaton Safeway, CBD-3 zone; 1.92 acres; 1 lot requested for 625,000 gross square feet of development including 57,500 square feet of retail and 567,500 square feet of residential, including 63 MPDUs and 50 workforce housing units; located at the northeast quadrant of the intersection with Georgia Avenue and Reddie Drive; Wheaton

Staff Recommendation: Approval with Conditions

BOARD ACTION

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

Vote:

Yea: **A. 4-0**
 B. 4-0

Nay:

Other: **PRESLEY ABSENT**

Action: **A. Approved staff recommendation for approval of the project plan, as stated in the attached Board Resolution.**

B. Approved staff recommendation for approval of the preliminary plan, subject to revised conditions discussed at the meeting, and as stated in the attached Board Resolution.

Development Review staff offered a multi-media presentation detailing the request to construct a new Safeway supermarket on a 1.92-acre property with a mixed-use commercial and residential with 625,000 gross square feet of development including 57,500 square feet of retail and 567,500 square feet of residential, including 53 Moderately Priced Dwelling Units (MPDUs) and 50 workforce housing units, located at the northeast quadrant of the intersection of Georgia

Avenue and Reddie Drive in Wheaton. Staff noted that the project meets all the requirements of the subdivision regulations and is consistent with the recommendations of the Wheaton Master Plan. Staff distributed and discussed a list of revised conditions.

Mr. Steve Robins, attorney for the applicant, introduced members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

2. Wheaton Safeway

The following speakers offered testimony: Mr. Gregory Baker of Reddie Drive and representing the Wheaton Redevelopment Advisory Committee; and Ms. Drane Lynne of Glenhaven Place and representing the Wheaton Forest Civic Association.

There followed extensive Board discussion with questions to staff and the applicant's representatives.

4. Clarksburg Village

A. Preliminary Plan 12001030E, Clarksburg Village (Limited Amendment), R-200/TDR2&3, R-200 and PD-4 zone; 790 acres; 2,654 residential dwelling units, 20,000 square feet of office/retail use, and a 5,000 square foot daycare facility previously approved; request to add 100 multi-family, age restricted, dwelling units and transfer of 89,000 square feet of approved retail use from the adjacent Greenway Village property to be developed by this applicant as part of Phase III of the subject Preliminary Plan; located in the south quadrant of the intersection of Stringtown Road and Peidmont Road, and extending southeast from Stringtown Road to Ridge Road (MD 27); Clarksburg.

Staff Recommendation: Approval with Revised Conditions

B. Site Plan Review No. 820100040 and Final Water Quality Plan No. 820100040, Phase 3, PD-4 zone; 17.40 acres; 100 multi-family dwelling units, including 13 MPDUs, 109,000 gross square feet retail; located on New Cut Road approximately 4,000 feet north of Frederick Road; Clarksburg

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: **A. ALFANDRE/WELLS-HARLEY**
 B. WELLS-HARLEY/ALFANDRE

Vote:

Yea: **A. 3-1**
 B. 3-1

Nay: **A. DREYFUSS**

B. DREYFUSS

Other: PRESLEY ABSENT

Action: A. Approved staff recommendation for approval, subject to revised conditions, as stated in the attached Board Resolution.

B. Approved staff recommendation for approval, subject to conditions, as stated in the attached Board Resolution.

Development Review staff offered a multi-media presentation of the proposed preliminary plan for the Clarksburg Village project. Staff discussed the proposed plan and noted that an approved elderly residential building is included in the project. Staff distributed and discussed a revised list of conditions and noted that phasing of the 90,000 square feet of retail and construction of the Town Center are master plan requirements. The development plan amendment for the retail portion of the plan needs to be approved by the County Council and cannot proceed until the square footage for the Town Center is established.

4. Clarksburg Village

Development Review staff discussed the proposed site plan and noted that under the site analysis there is no proposed agricultural usage, and there is proposed drainage to Seneca Valley. The site plan breaks up the large plan into four smaller blocks including multi-family senior housing and a large grocery store. Parking is placed besides or behind buildings and stormwater facilities are placed in parking lots in the western corner of the property. Staff also discussed proposed modifications to the conditions of approval distributed at the meeting.

Mr. Bob Harris, attorney representing the applicant, introduced Ms. Kate Kubit, member of the applicant's team, and Mr. Dave Flanagan, the applicant, discussed the proposed project, and concurred with the staff recommendation.

The following speakers offered testimony: Mr. Yaron Ingsley of Robin Song Drive; Mr. Robert Sourim of Blue Sky Drive; and Mr. Paul Majewski of Piedmont Road.

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

5. Cannon Road Elementary School Modernization

***A. Preliminary Forest Conservation Plan:** Near the Intersection of Randolph Road and New Hampshire Avenue, R-90 Zone, White Oak Master Plan.

Staff Recommendation: Approval with Conditions

B. Mandatory Referral No. 10702-MCPS-1: Near the Intersection of Randolph Road and New Hampshire Avenue, R-90 Zone White Oak Master Plan.

Staff Recommendation: Approval and Transmit Comments to MCPS

BOARD ACTION

Motion: **A. WELLS-HALEY/ALFANDRE**
 B. ALFANDRE/WELLS-HARLEY

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

Nay:

Other: **PRESLEY, DREYFUSS**

Action: **A. Approved staff recommendation for approval of the preliminary forest conservation plan, subject to conditions, as stated in the attached Board Resolution.**
 B. Approved staff recommendation to transmit comments to Montgomery County Public School, as stated in the attached transmittal letter.

Environmental Planning staff presented the forest conservation request for the Cannon Road Elementary School, as well as the mandatory referral request. Staff briefly discussed the proposed request and noted that the Board needs to take action on the Forest Conservation Plan, subject to the proposed conditions discussed by staff.

There followed a brief Board discussion with questions to staff.

10. Closed Session - ADDITION

Pursuant to Maryland State Government Code Annotated Section (10-508)(a)(13), to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

BOARD ACTION

Motion:

Vote:
 Yea:

Nay:

Other:

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

11. Closed Session - ADDITION

Pursuant to Maryland State Government Code Annotated Section (10-508)(a)(3), to consider the acquisition of real property for a Commission purpose and matters directly related thereto.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

12. Closed Session – POSTPONED

Pursuant to Maryland State Government Code Annotated Section (10-508)(a)(7), to consult with counsel to obtain legal advice.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was postponed.

3. Preliminary Plan 120090220, Rhea Property - NEW TIME

R-200 zone; 5.38 acres; 3 lots requested for 3 one-family detached residential dwelling units; located on Barnesville Road (MD 117), 900 feet northwest of Ganley Road; Boyds.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

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

Development Review staff presented the proposal to create three lots for residential dwellings, as detailed in the staff report.

Mr. David McKee, the applicant's engineer, concurred in the staff recommendation.

6. Zoning Text Amendment 10-03

Zoning Text Amendment to amend the Zoning Ordinance to provide an exemption from current zoning standards for certain unplatted parcels with legally constructed one-family detached dwelling units

Staff Recommendation: Transmit Comments to the County Council

(Action Required for County Council Public Hearing of 4/20/10)

BOARD ACTION

Motion: DREYFUSS/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to approve, as stated in the attached Letter of Transmittal.

Development Review staff presented the Zoning Text Amendment to expand the exemptions for one-family detached dwelling units on unplatted parcels, as detailed in the staff report.

7. Zoning Text Amendment 10-04 - POSTPONED

Zoning Text Amendment to allow automobile filling stations located in a regional shopping center as a permitted use in the C-2 zone.

Staff Recommendation: Transmit Comments to County Council

(Action Required for County Council Public Hearing of 4/20/10)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

8. Site Plan Amendment Review No. 81974005I, Lockheed Martin Corporation - Limited

C-P zone; 26.51 acres; amendment: increase mail facility parking lot by 31 spaces, expand main lobby, add security booth, add wrap around corridor on first level, expand lower level dining area, add fire hydrant, add 7 visitor parking spaces, add last phase of fitness trail, renovate dining terrace, 2 flagpoles and security lighting upgrades; located on 6801 Rockledge Drive, approximately 1,300 feet north of Westlake Terrace; North Bethesda/Garrett Park

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/ALFANDRE

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to approve, subject to revised conditions, modified to include the proposed generator, as stated in the attached Board Resolution.

Development Review staff presented the proposed limited amendment to the site plan, part of a series of upgrades across the site, as detailed in the staff report. Staff noted a change to condition 2.

Mr. Patrick O'Neil, attorney representing the applicant, discussed the proposed amendments to the site plan. Mr. O'Neil proposed adding a generator for approval under this amendment, as well. The generator is included in the pending site plan amendment J, but it was realized only this week that the generator is needed to support the subject amendments, which argues against waiting for approval as part of site plan amendment J.

There followed some discussion of the addition of the generator to the site plan amendment.

9. Roundtable Discussion - REVISED

1. Clarksburg Town Center Update - **POSTPONED**
2. Budget Update
3. Semi-Annual Report
4. Bill 01-10 Update
5. Design Blog

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received reports and provided guidance to staff.

1. Clarksburg Town Center Update—This item was postponed.

2. Budget Update—Planning Department staff presented some alternatives for the work program, in terms of expediting and delaying certain projects, for presentation to the County Council, and the Board provided guidance.

3. Semi-Annual Report—Planning Director Rollin Stanley discussed the focus and elements of the Semi-Annual Report and the Board provided guidance to staff in preparation for the presentation of the report to the County Council.

4. Bill 01-10 Update —Research staff presented an overview of, and staff proposed revisions to, pending Bill 01-10, related to development coordination and oversight, which the County Council's Committee on Planning, Housing, and Economic Development (PHED) will discuss next week, and the Board provided guidance for comments to the PHED Committee.

5. Design Blog—Urban Design staff presented an overview of the new Design Blog on the Planning Department website, which was established to create an online dialogue with the community about design issues.