



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, May 8, 2008, at 9:00 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:40 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson and Commissioners Allison Bryant and Jean Cryor.

Items 1 through 8 are reported on the attached agenda.

The Board recessed at 12:15 p.m.

During a general meeting in the third floor conference room, with the four Commissioners present, the Board received an informational briefing from Parks Department staff about a proposed gift from Thressa Stadtman of almost six acres on Redland Road adjacent to an important Biodiversity area. Ownership of the property would afford greater protection of the natural resources of the Mill Creek and Rock Creek Stream Valley, staff said, adding they are continuing to explore with the owner potential conveyance conditions.

In compliance with Section 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, Item 14 on the regular agenda, in the third floor conference room at 12:30 p.m., on motion of Vice Chair Robinson, seconded by Commissioner Bryant, with Chairman Hanson, Vice Chair Robinson and Commissioners Bryant and Cryor present and voting in favor of the motion.

The meeting was closed under authority of State Government Article, Annotated Code of Maryland § 10-508(a)(3), to consider acquisition of real property for a public purpose.

Also present were Deputy Director Michael F. Riley, Gene Giddens, Bill Gries, April O'Neal, and Dominic Quattrocchi of the Department of Parks; Brenda Sandberg, Legacy Open Space Program Manager, Department of Planning, and Ann Daly of the Commissioners' Office.

In Closed Session, the Board considered a land acquisition contract for property in the Upper Paint Branch Steam Valley Park, in preparation for Item 15 on the open session regular agenda.

The Closed Session was adjourned at 1:15 p.m. and the Board reconvened in the auditorium at 1:25 p.m. with four Commissioners present.

Item 15 and Items 9 through 12, which were discussed in that order, are reported on the attached agenda.

The Board recessed at 6:10 p.m.

The single evening item was a presentation, as part of the Planning Board's Excellence in Planning Speakers Series, by Ms. Margey Austin Turner, Director of the Metropolitan Housing and Communities Policy Center at the Urban Institute on "Time is of the Essence: Housing for People with Special Needs."

There being no further business, the meeting was adjourned at 8:40 p.m. The next regular meeting of the Planning Board will be held Thursday, May 15, 2008, in the Montgomery Regional Office in Silver Spring, Maryland.

E. Ann Daly
Technical Writer

M. Clara Moise
Technical Writer

Montgomery County Planning Board Meeting
Thursday, May 8, 2008
9:00 a.m.
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

CONSENT AGENDA

1. Adoption of Opinions/Resolutions

Group A: Three Commissioners Eligible to Vote [Commissioners Bryant, Hanson and Cryor] - POSTPONED

i) Pre-Preliminary Plan No. 720060540, Dufresne Property, ADOPTION OF RESOLUTION No. 08-58

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

2. Record Plats

Subdivision Plat No. 220070950, National Chatauqua of Glen Echo

CT zone; 1 lot; located on the north side of Oberlin Avenue, 200 feet west of MacArthur Boulevard; Bethesda-Chevy Chase

Staff recommendation: Approval

Subdivision Plat No. 220071430, Little Monocacy Manor

RDT zone; 2 lots; located on the west side of Big Woods Road, approximately 1 mile north of Beallsville Road (MD 109); Agriculture and Rural Open Space

Staff recommendation: Approval

Subdivision Plat No. 220081130, Stoney Springs

RDT zone; 2 lots; located in the northeast quadrant of the intersection of West Offutt Road and Edwards Ferry Road; Agriculture and Rural Open Space

Staff recommendation: Approval

Subdivision Plat No. 220081410, Needwood Knolls

R-200 zone; 1 lot; located on the west side of Muncaster Mill Road (MD 115), 100 feet north of Needwood Road; Upper Rock Creek

Staff recommendation: Approval

Subdivision Plat No. 220061570, 220071480-220071490, Clarksburg Village

R-200/TDR zone; 27 lots, 6 parcels; located on the south side of Snowden Farm Parkway, approximately 3,000 feet east of Stringtown Road: Clarksburg

Staff recommendation: Approval

BOARD ACTION

Motion: ROBINSON/BRYANT

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendations for approval.

3. Consent Items

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: No items were submitted.

4. Extension Request for Project Plan Review No. 920070060, Bonifant Plaza

CBD-1 zone; .59157 acres; 72 multi-family dwelling units, including 9 MPDUs; located on Bonifant Street, approximately 135 feet east of Georgia Avenue; Silver Spring CBD

Staff recommendation: Approval of Extension request

BOARD ACTION

Motion: BRYANT/ROBINSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the extension of the 90 day review period for a project plan per Section D-2.2 of the Zoning Ordinance until no later than July 3, 2008.

5. Mandatory Referral No. 08301-MCPS-1, Watkins Mill High School Telecommunications Facility

10301 Apple Ridge Road, R-200 Zone, 1985 Gaithersburg Vicinity Master Plan

Staff recommendation: Transmit comments supporting approval with conditions to Montgomery County Public Schools

BOARD ACTION

Motion: BRYANT/ROBINSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to Montgomery County Public Schools supporting approval with conditions relating to the Tree Save Plan, as stated in the attached copy of the Board's letter.

Staff of the Community-Based Planning Division presented highlights of the April 24 technical staff report on this Montgomery County Public Schools (MCPS) joint application with T-Mobile to replace an existing 74-foot stadium pole holding light and sound equipment, with a

120-foot telecommunications monopole at a location just south of the stadium bleachers in the northeast section of the school property. A small equipment compound would be placed about 45 feet northwest of the monopole.

Mr. Sean Hughes, representing T-Mobile reported that shrubs will be placed around the equipment compound.

In presenting the motion, Commissioner Bryant directed staff to work with the applicant to improve the fencing and screening of the ground facility.

6. Subdivision Road Participation Project SRP-71, CIP Project No. 508000, Mandatory Referral No. MR #08803-DPW&T-1

A. Forest Conservation Plan: Amendment to Final Forest Conservation Plan (FCP) – Proposal to remove an additional 4,861 square feet (0.11 acres) of Forest - Cloverleaf Center, Preliminary Plan No. 119881560

Staff recommendation: Approval of Forest Conservation Plan

B. Mandatory Referral No. 08803-DPW&T-1 Century Boulevard, from 300 feet south of Father Hurley Boulevard to Future Dorsey Mill Road – Subdivision Road Participation Project SRP-71 -CIP Project No. 508000 – NRI/FSD #4-93023

Staff recommendation: Approval with comments to DPWT

BOARD ACTION

Motion: (A.) BRYANT/ROBINSON
(B.) BRYANT/ROBINSON

Vote:
Yea: (A.) 4-0
(B.) 4-0

Nay:
Other:

Action: (A.) Approved staff recommendation for approval of the Forest Conservation Plan 119881560, dated April 8, 2008, subject to conditions, as reflected in the attached copy of the Letter of Transmittal.

(B.) Approved staff recommendation for approval of the Mandatory Referral, as reflected in the attached copy of the Letter of Transmittal.

As noted in the April 22 technical staff report on the Forest Conservation Plan, staff supports the request for an additional 4,861 square feet of forest removal, with a two-to-one replacement. This amendment of only an additional three square feet larger than an approved amendment of January 9, 2007 is being sought in order to comply with governmental agency requirements. Approval of this request would supersede the January 9, 2007, approval.

As noted in the May 1 technical staff report on the Century Boulevard Subdivision Road Participation Project (SRP-71), this project would extend Century Boulevard from its existing terminus at a commercial driveway 300 feet south of Father Hurley Boulevard to the future Dorsey Mill Road. The proposed roadway would accommodate the proposed Corridor Cities Transitway (CCT) in the median. See additional details in the attached letter of transmittal from the Board.

Messrs. Gary Johnson and Yasamin Esmail were present on behalf of Montgomery County Department of Public Works and Transportation, and concurred in the staff recommendations.

**7. Roundtable Discussion Including Briefings and Worksessions
(No public testimony will be taken at this time)**

- A. Commissioners' Report
- B. Director's Report
- C. Approval of Minutes
- D. Operating Funds Nine Month Financial Report Including Projections to June 30, 2008
- E. Enterprise Funds Nine Month Financial Report Including Projections to June 30, 2008
- F. CAPRA Reaccreditation
- G. FY08 Budget Adjustment - Central Maintenance

BOARD ACTION

Motion: (C.) ROBINSON/BRYANT
(G.) BRYANT/ROBINSON

Vote:

Yea: (C.) 4-0
(G.) 4-0

Nay:
Other:

Action: (A.) Commissioners' Reports - None
(B.) Director's Report

Received report from staff on the status of the Planning Department budget, reviewed reconciliation options relative to impacts on the work program, discussed priorities and potential adjustments, and noted the importance of retaining some flexibility to respond to the market.

Received Director of Parks' report; and received report from staff on the status of the Parks Department budget, reviewed reconciliation list relative to impacts on the work program, and suggested that next year staff list explicitly those support and maintenance functions performed for other agencies, citing as examples maintenance of school ball fields and recreation centers.

(C.) Approval of Minutes

Approved Minutes of April 3, 2008 as presented.

(D.) Operating Funds Nine Month Financial Report Including Projections to June 30, 2008

(E.) Enterprise Funds Nine Month Financial Report Including Projections to June 30, 2008

Received status report on the Operating and Enterprise Funds, based on individual May 8 reports from the Secretary-Treasurer.

7. Roundtable Discussion Including Briefings and Worksessions

(F.) Commission for Accreditation of Park and Recreation Agencies (CAPRA) Reaccreditation

Reviewed the upcoming reaccreditation process for CAPRA, which is a bi-county initiative that occurs every five years, and noted the value of the accreditation in marketing, recruiting, and other areas.

(G.) FY08 Budget Adjustment – Central Maintenance

Approved a Request for a Budget Adjustment - Central Maintenance - \$249,500 from capital projects chargebacks to Supplies and Materials, to realign expenditures incurred in FY08

8. SilverPlace - Program of Requirements (POR)

Presentation of Program of Requirements for the SilverPlace project

Staff recommendation: Approval to proceed with design charrette

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed and provided guidance on the Program of Requirements, based on the May 2 technical staff report, in preparation for the beginning of the design charrette process for SilverPlace.

As noted in the technical staff report, SilverPlace will be a new consolidated headquarters for the M-NCPPC in Montgomery County and is intended to serve as a center for creative planning, park development and environmental stewardship. SilverPlace will feature a mix of uses, provide outstanding public spaces, include housing, and provide environmentally sensitive design in the Silver Spring Central Business District (CBD).

The Board extensively discussed with staff the space needs in the building, the staff units that should be accessible for customer service purposes, and the parking accommodations for employees, visitors, and Commission vehicles, yet being cognizant of the building location in a Parking Lot District and a Central Business District. Given certain changes to the proposed building, there was general agreement that the Parkside Headquarters on Brunet Avenue will continue to be needed.

The Board generally agreed, among other comments, that the building program parameters would be a 135,000 square foot building, a limited number of parking spaces, a child care use, active open space, and a gold-standard LEED target.

14. Closed Session

Pursuant to Annotated Code of Maryland, State Government Article, Section 10-508 (a) (3) to consider acquisition of real property for a public purpose – Upper Paint Branch Stream Valley Park.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Met in Closed Session; see narrative minutes for State citation a brief open session report.

15. Upper Paint Branch Stream Valley Park

Authorization to acquire 35.79 acres, more or less, unimproved, with Advance Land Acquisition Revolving Funds, from Robert I. Mitchell, Caroline M. Mitchell, Patricia L. Baltins, and Joanne J. Morrison, located south of Thompson Road, west of Peach Orchard Road in Silver Spring, Maryland.

Staff recommendation: Approval

BOARD ACTION

Motion: ROBINSON/BRYANT

Vote:

Yea: 4-0

Nay:

Other:

Action: Following a brief presentation by Parks Department staff approved the proposed acquisition of 35.79 acres of land with Advance Land Acquisition Revolving Funds (ALARF) for the Upper Paint Branch Stream Valley Park.

9. Pre-Preliminary Plan No. 720060530, Allnut Property

RDT zone; 229.8 acres; 1 lot requested; 1 one-family detached residential dwelling for the use of the owner or child; located in the northwest quadrant of the intersection of Sugarland Road and Montevideo Road; Preservation of Agriculture and Rural Open Space.

Staff recommendation: Approval with conditions.

BOARD ACTION

Motion: ROBINSON/BRYANT

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the submission of a preliminary plan, subject to conditions, as stated in the attached Board Resolution.

In accordance with the April 28 detailed technical staff report, Development Review Division staff presented the request to create one lot for one-family dwelling on a 229.8-acre property located in the northwest quadrant of the intersection of Sugarland Road and Montevideo Road in the Agriculture Preserve and Rural Open Space. At the Board’s request, staff provided clarification regarding the proposed child lot and noted that the Board of Trustees of the Agricultural Land Preservation Foundation had no objection to this request.

Ms. Rebecca Walker, attorney representing the applicant, Mr. Ben Allnut Jr., introduced members of the applicant’s team and briefly discussed the proposed request. She answered questions from the Board, and concurred with the staff recommendation.

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

10. Preliminary Plan No. 119970220, Traville – APF Extension

MXN zone; 192 acres; 10 lots previously approved for 750 multi-family residential dwelling units and 1,322,500 square feet of mixed retail, office and research and development uses; request to extend the validity period of the adequate public facilities (APF) approval; located in the southeast quadrant of the intersection of Darnestown Road (MD 28) and Travillah Road; Potomac.

Staff recommendation: Grant 6-year extension until October 12, 2015

BOARD ACTION

Motion: BRYANT/ROBINSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation to grant a six-year extension until October 12, 2015.

In keeping with the April 25 detailed technical staff report, Development Review Division staff presented the request to extend the validity period of the Adequate Public Facilities (APF) for the previously approved Traville Preliminary Plan consisting of ten lots for 750 multi-family residential dwelling units, and 1,322,500 square of mixed retail on a 192-acre property located in the southeast quadrant of the intersection of Darnestown Road (MD 28) and Travillah Road in Potomac.

Mr. Scott Wallace, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Steve Marshall, the applicant, offered comments.

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

11. Pre-Preliminary Plan No. 720060240, Black Hills Estates (Resubdivision)

RE-2 zone; 4.5 acres; 2 lots requested; 2 one-family detached residential dwellings, one existing to remain; located on Ascot Square Court, 370 feet east of Clarksburg Road (MD 121); Boyds.

Staff recommendation: No objection to submittal of preliminary plan

BOARD ACTION

Motion: (A) BRYANT/ROBINSON
(B) BRYANT/CRYOR

Vote:
Yea: (B) 4-0
Nay:
Other:

Action: (A) Motion withdrawn.
(B) Approved a continuance for this item, which will be rescheduled for discussion at a future Board hearing.

Based on the April 25 detailed technical staff report, Development Review Division staff presented the request to create two lots for two one-family detached residential dwelling, one existing dwelling to remain, on a 4.5-acre property located on Ascot Square Court, 370 feet east of Clarksburg Road (MD 121) in Boyds.

Mr. Curt Schreffler, engineer representing the applicant, Mr. Michael Gresalfi, also present, briefly discussed the proposed request, and concurred with the staff recommendation.

The following speakers offered testimony: Mr. Terry Fitzsimmons of Black Hills Road; Mr. Harry Thron of Black Hills Road; and Mr. Dourar Nazarian of Clarksburg Road.

There followed extensive Board discussion, with questions to staff and the applicant's representative regarding a pending waiver request for the street frontage on Blackhill Road, the impact of the existing dedicated right-of-way to the neighboring Blackhill Park, the possible use of that right-of-way as access road for the proposed two lots, and the proposed turnaround driveway.

Chairman Hanson noted that before making a binding decision on the pre-preliminary plan, the Board needs answers to questions asked and concerns raised by the speakers during the discussion regarding the above-mentioned issues, and the Board will grant a continuance to that effect.

12. Germantown Master Plan – Zoning and Design Recommendations

Presentation and discussion of preliminary land use, zoning, transportation, and design recommendations for the Germantown Master Plan – Presentation and discussion of preliminary recommendations.

Staff recommendation: Approval of preliminary recommendations

BOARD ACTION

Motion:

Vote:
Yea:
Nay:
Other:

Action: The Board unanimously approved preliminary zoning and design recommendations proposed by staff and instructed staff to prepare a list of issues raised during the meeting to be discussed at the upcoming public hearing, scheduled for Thursday, May 22.

Following a detailed presentation by Community-Based Planning, Transportation Planning, and Research & Technology Divisions staff based on the April 28 technical staff report, the following speakers offered comments: Mr. Bob Dalrymple, attorney representing Matan Development; Mr. Robert Brewer Jr., attorney representing Lerner Enterprises; Mr. Jay Klug of Willard Avenue; Mr. Mark Wildman of Waters Road, abutting property owner; Ms. Barbara Sears, attorney representing the Clark Enterprises, Inc.; Mr. Campbell Smith of Thomas Jefferson Street N.W. representing Trammel Crow Company; Ms. Nicole Toda representing Symetry; Mr. Hercules Pinckney, Provost, Montgomery College, Germantown Campus; Mr. Derick Berlage, attorney representing Montgomery College; Mr. Clark Wagner, Director of Development, Bozzuto Homes, Inc.; and Ms. Jennifer Russel of Century Boulevard.

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

13. EXCELLENCE IN PLANNING SPEAKERS SERIES

“Time is of the Essence: Housing for People with Special Needs” presented by **Margery Austin Turner**, Director of the Metropolitan Housing and communities Policy Center, Urban Institute

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received presentation on “Time is of the Essence: Housing for People with Special Needs,” the latest presentation to help guide the Planning Board’s review of housing policy, from Ms. Margery Austin Turner, Director of the Metropolitan Housing and Communities Policy Center at the Urban Institute.