



**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 14, 2015, at 1:07 p.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:25 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Norman Dreyfuss, Amy Presley, and Natali Fani-González.

The Board convened in Closed Session at 1:07 p.m. to take up Item 1, a Closed Session Item.

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

By consensus, the Board convened in Closed Session at 1:07 p.m. in Chair Anderson's office. The meeting was closed under authority of Annotated Code of Maryland §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 Director Michael Riley, Bill Gries, and Brenda Sandberg of the Parks Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the proposed acquisition of land as addition to the North Branch Stream Valley Park, Unit 4.

The Closed Session meeting was adjourned at 1:29 p.m.

The Board reconvened in the auditorium at 1:38 p.m.

Vice Chair Wells-Harley joined the meeting at 1:39 p.m., and Commissioner Presley joined at 1:40 p.m.

Items 4, 2, 3, and Items 6 through 8, discussed in that order, are reported on the attached agenda.

Item 5 was postponed.

MCPB, 5-14-15, APPROVED

There being no further business, the meeting was adjourned at 4:25 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 21, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, May 14, 2015**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. CLOSED SESSION**

According to MD Annotated 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 proposed acquisition of an addition to North Branch Stream Valley Park, Unit 4.**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**2. Consent Agenda—~~TIME CHANGE~~**

**\*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. 220120320, Layhill View**

R-200 zone, 2 lots; located on the west side of Alderton Road, 850 feet south of Squaw Hill Lane; Kensington-Wheaton Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220141440 - 220141460, Glenmont Metrocenter**

TS-R zone, 89 lots, 15 parcels; located in the northern quadrant of the intersection of Layhill Road (MD182) and Glenallan Avenue; Glenmont Sector Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220150310 - 220150370, Grosvenor Heights**

R-90 zone, 155 lots, 35 parcels; located in the northwest quadrant of I-495 and I-270 and south of Grosvenor Lane; North Bethesda - Garrett Park Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** DREYFUSS/FANI-GONZÁLEZ

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** WELLS-HARLEY, PRESLEY TEMPORARILY ABSENT

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

**\*C. Other Consent Items**

**Chevy Chase Lake, Extension Request for Sketch Plan Amendment No. 32014003A, Site Plan No. 820150040 and Site Plan No. 820150050**

CRT-2.0, C-0.25, R-2.0, H-100/CRT-1.5, C-0.25, R-1.5, H50 zone, 5.40 acres, extend 90 day review period for Sketch Plan amendment to modify the MPDU square footage in accordance with the CR zoning standards and extend 120 review periods for Site Plan No. 820150040 for 200 multi-family dwelling units (including 20% MPDUs) and Site Plan No. 820150050 for 62 townhouse units (including 15% MPDUs), located on Chevy Chase Lake Drive, approximately 510 feet east of

Connecticut Avenue; Chevy Chase Lake Sector Plan.

*Staff Recommendation: Approval with Conditions*

**Falkland North, Extension Request for Sketch Plan No. 320150020 and Site Plan Amendment 82012005A**

CR-3.0 C-0.75 R-3.0 H-145T zone, 9.77 acres, Extend 90 day review period for Sketch Plan and 120 day review period for Site Plan Amendment requesting five mixed-use buildings containing 120,000 sf of retail, and up to 1,250 of multi-family residential units, including 12.5% MPDUs and 4.72% Workforce Housing Units, located in the northwest quadrant of the intersection with 16th Street and East-West Highway; Silver Spring CBD Sector Plan

*Staff Recommendation: Approval of the Extensions*

**BOARD ACTION**

**Motion: DREYFUSS/FANI-GONZÁLEZ**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: WELLS-HARLEY, PRESLEY TEMPORARILY ABSENT**

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

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of April 30, 2015

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/DREYFUSS**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: WELLS-HARLEY, PRESLEY TEMPORARILY ABSENT**

**4. Roundtable Discussion——~~TIME CHANGE~~**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

Parks Department Director Michael Riley briefed the Board and discussed the following Parks Department events and activities: the status of the FY16 Operating Budget, for which the County Council approved a 2.7 percent increase over the County Executive's recommended budget; the deployment of over 20 County Park Police officers to Baltimore to assist City Police during the recent unrest; the Montgomery County Little League opening day at South Germantown Recreational Park on Saturday, April 18, which was attended by County Executive Isiah Leggett, U.S. Representative Chris Van Hollen, County Council Member Craig Rice, and approximately 500 participants; the success of this year's National Bring Your Child to Work Day on Thursday, April 23; a recent visit by a delegation of Parks and Recreation officials from Osaka, Japan, whom staff had met during the April 11-14 City Parks Alliance – Greater and Greener Conference in San Francisco, California; the recent staff meeting with Director Bruce Adams of the Office of Community Partnerships to discuss a variety of community outreach options; Earth Month Volunteer Cleanup events in April, in which 2,651 volunteers removed 57,000 pounds of trash and recyclable material from 106 stream sites; the 2015 class graduation of the third annual Leadership Development Group, a program that offered Parks Department staff the opportunity to learn principals of leadership through the completion of an urban parks development project; an Information Technology Governance retreat held on Friday, May 1, that focused on the status of the Full Commission IT governance model, which was adopted to monitor and assess the use of Commission-wide systems, such as the Microsoft Cloud and the Enterprise Resource Planning system; the continuing Americans with Disabilities Act compliance audit of parks programs; and the second Kensington Historic Resources community meeting scheduled for Wednesday, May 27, which will focus on Warner Manor, Kensington Cabin, and the Noyes Library.

There followed a brief Board discussion.

**\*3. Decoverly Hall South (9601 Blackwell Road): Preliminary Plan and Site Plan Amendments**

**A. Preliminary Plan Amendment No. 11999033A** – Request for an amendment to the approved Preliminary Plan for dedication of required right-of-way (TBD), and a new APFO approval to reflect change in the land use of an existing building from 100% R&D (including up to 50% General Office

use) to 100% Medical Clinic (including up to 50% General Office use). LSC-1.0 H 110T Zone; 10.87 acres; located at the northwest quadrant of the Shady Grove Road and Blackwell Road intersection, in the Great Seneca Science Corridor Master Plan area.

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

**B. Site Plan Amendment No. 81999014C** – Request for a limited amendment to the approved Site Plan to update the site plan to reflect existing conditions including benches, one bike rack, a concrete generator pad, trash receptacles, and one monument sign; and to add two new bike racks, and correct the parking count in the Data Table. LSC-1.0 H 110T Zone; 10.87 acres; located at the northwest quadrant of the Shady Grove Road and Blackwell Road intersection, in the Great Seneca Science Corridor Master Plan area.

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

**BOARD ACTION**

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

**B. DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea:                   A. 5-0**

**B. 5-0**

**Nay:**

**Other:**

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

**B. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed proposed Preliminary Plan Amendment and Site Plan Amendment requests for a change in land use. The 10.87-acre two-lot subdivided property, known as Decoverly Hall South, is located at the intersection of Shady Grove Road and Blackwell Road, with 5.51-acre lot 1 on the northwest quadrant of the intersection and lot 2 confronting on the southwest quadrant of the intersection. The proposed project is being reviewed under the Life Sciences Center zone within the Great Seneca Science Corridor Master Plan area in the Watts Branch watershed. Lot 1 is currently developed with a 128,038 square-foot five-story office building with surface parking on all four sides that is accessed from Blackwell Road via two vehicular access points. Currently, the

**\*3. Decoverly Hall South (9601 Blackwell Road): Preliminary Plan and Site Plan Amendments**

**CONTINUED**

building is only 10% occupied. The applicant is requesting to separate lot 1 from the existing subdivision that includes lot 2 and to change the current use from 100 percent Research and Development to 100 percent Medical Clinic, including up to 50 percent for General Office use. According to staff, lot 2 is owned and managed by a separate party and is not part of this application.

The applicant has agreed to construct two bike racks at the main entrance of the existing building and to extend an existing 8-foot wide shared-use path from its terminus on Blackwell Road west to Medical Center Drive. Staff noted that no physical changes, additions, expansions, or alterations are proposed for the existing building. Staff noted that both the Preliminary Plan and Site Plan are compliant with subdivision regulations, the zoning ordinance, and all Master Plan requirements.

Ms. Nancy Regelin, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

**5. ~~Zoning Text Amendment No. 15-04 (continuation of hearing from April 16, 2015)~~**

~~Clarify the private institutions exemption provisions and amend the building height standards for a private educational institution.~~ **POSTPONED**

*Staff Recommendation: Transmit Comments to County Council*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This Item was postponed.**

**\*6. Kingswell: Preliminary Plan No. 120110270** -- Request to record un-platted Parcel P241 as one lot in order to convert an existing two-story residence into a doctor's office on the first floor with a two-bedroom residential unit on the second floor on 0.42 acres of land in the R-60 Zone; located at 12014 Georgia Avenue, Silver Spring, within the Master plan for the Communities of Kensington-Wheaton

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: WELLS-HARLEY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 5-0**

**Nay:**



**Other:**

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

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to record an unplatted parcel as one lot in order to convert a residence into a medical office. The 0.42-acre site, parcel 241, is located on the west side of Georgia Avenue (MD 97), approximately 400 feet south of Weisman Road and is zoned Residential in the Master Plan for the Communities of Kensington-Wheaton area. Staff noted that parcel 241 and adjacent parcel 242 are under the same ownership. The site is currently improved with a two-story residential structure and has frontage on MD 97 in the front and Grandview Avenue in the rear. As a condition of the 2009 Planning Board approval of Special Exception S-1735 for parcel 242, only the applicant and associates can access the site from MD 97. Patients and employees are required to use the Grandview Avenue access. The applicant proposes to convert the existing 1,760 square-foot residential structure into a medical office on the ground floor and a residence on the second floor, which the Board approved under Special Exception S-2732. The applicant also proposes to provide 11 parking spaces at the rear of the property, install a six-foot metal fence and gate along Grandview Avenue, and construct a concrete walkway from the parking area to the front of the existing structure. In order to accommodate emergency response vehicles, the applicant is required to widen the driveway at Grandview Avenue. Staff added that prior to the issuance of any Use and Occupancy Certificate, the applicant is also required to relocate the existing sidewalk along the Georgia Avenue frontage of parcels 241 and 242 and buffer it with a green panel, as per Master Plan requirements.

Mr. Birame Kandji, consulting engineer, offered comments and concurred with the staff recommendation.

Mr. M. Wajeed Khan, the applicant, requested a waiver for the required relocation and buffering of the parcel 242 portion of the sidewalk.

Staff noted that the intensification of use that the project proposes requires the relocation and buffering of the sidewalk along both parcels.

There followed extensive Board discussion with questions to staff.

**\*7. Lake Potomac: Preliminary Plan No.120130280 --** Request to subdivide three unplatted parcels into four lots; located in the southeast quadrant of the intersection of Stoney Creek Road and Stoney Creek Way; 11.06 acres; RE-2 Zone; Potomac Sub-region Master Plan.

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

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to subdivide three unplatted parcels into four lots. The 11.06-acre site is located in the southeast quadrant of the intersection of Stoney Creek Road and Stoney Creek Way, and zoned Residential/Estate in the Potomac Subregion Master Plan area within the Watts Branch watershed. The 11.06-acre site is comprised of three parcels, 0.35-acre parcel 384, 4.3-acre parcel 475, and 6.41-acre parcel 426, which is improved with an existing single-family dwelling and a private driveway that accesses Stoney Creek Way. The remaining parcels are unimproved. The applicant proposes to subdivide the three parcels into four lots, lots 6 through 9, for the construction of single-family dwelling units under the Residential/Estate standard method of development. All four proposed lots will be accessed from Stoney Creek Way, with lot 6 accessed directly from a proposed driveway that will connect to an existing cul-de-sac, and lots 7, 8, and 9 accessed from a shared, 20-foot wide common private driveway. Staff noted that due to several environmental restraints that limited the buildable area of the property, the lot configuration has been revised significantly since the time of the original application. According to staff, the proposed project meets all County Forest Conservation Law requirements. The submitted Forest Conservation Plan proposes 1.34 acres of forest clearing. The applicant is also requesting a variance to remove 11 specimen trees and to impact 3 additional trees. The applicant has agreed to 31 on-site plantings as mitigation.

Mr. Bob Harris, attorney representing the applicant, introduced Messrs. Russ Reese and Andrew Der, members of the applicant's team, offered comments, and concurred with the staff recommendation.

There followed a brief Board discussion.

**8. Omnibus ZTA – modifications, clarifications and corrections to the new zoning ordinance**  
-- Request Planning Board approval to transmit an omnibus ZTA to the County Council requesting its introduction for public hearing

*Staff Recommendation: Approval ~~with Comments~~ to transmit to County Council for introduction*

**BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote: 5-0**

**Yea:**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit recommendations to the County Council regarding the omnibus ZTA cited above, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a proposed omnibus Zoning Text Amendment (ZTA) that clarifies, corrects, and amends language in the new Zoning Ordinance. According to staff, since going into effect on October 30, 2014, implementation of the new Zoning Ordinance by the Planning Department, the Department of Permitting Services, the Office of Zoning and Administrative Hearings, and other stakeholders has revealed the need for both

minor and substantive modifications to the code text. Staff reviewed only the substantive revisions addressed in the proposed ZTA, including the revision of the definitions of right-of-way and building height; modification of the build-to area, transparency, building orientation, and parking setbacks for surface parking lot requirements under the standard method of development in Employment/Office and Life Science Center zones; modification to the site plan amendment process; amendment of the noticing standards for Planning Board approved sketch plans, site plans, and major site plan amendments; and clarification of provisions for expansions beyond the grandfathered amount established in prior zone requirements.

Mr. Steve Elmendorf, attorney representing Linowes and Blocher, offered comments and recommended addressing renters and rental properties in proposed revisions to noticing standards.

Mr. Ben Ross of Bethesda Avenue offered testimony regarding parking requirements for accessory apartments.

Staff noted that exceptions to parking requirements are granted through the special exception process or a conditional use hearing.

Chair Anderson recommended adding language that will liberalize accessory apartment parking requirements.

There followed extensive Board discussion with questions to staff and Mr. Ross.