



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, June 14, 2012, at 9:05 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:29 p.m.

Present were Chair Françoise M. Carrier, Vice Chair Marye Wells-Harley, and Commissioners Norman Dreyfuss and Amy Presley. Commissioner Casey Anderson was necessarily absent.

Items 1, 6A, 2, and 3, discussed in that order, are reported on the attached agenda.

Items 6B, 6C, and 6D were postponed.

The Board recessed for lunch at 1:45 p.m. and to take up Items 9 and 10 in Closed Session in the third floor conference room.

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 1:55 p.m. in the third floor conference room, on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Presley present and voting in favor of the motion, and with Commissioner Anderson absent. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(3), to consider the acquisition of real property for a Commission purpose and matters directly related thereto, and §10-508(a)(7), to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session were Associate General Counsels Derrick Rogers and Carol Rubin of the Legal Department; Director Mary Bradford, Deputy Directors Gene Giddens and Mike Riley, Bill Gries, April O'Neal, and Mitra Pedoeem of the Parks Department; David Anspacher, Tom Autrey, and Valdis Lazdins of the Planning Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board discussed potential land acquisition for the Purple Line and consulted with Counsel for legal advice about the open meetings law.

The Closed Session was adjourned at 2:55 p.m.

MCPB, 6-14-12, APPROVED

The Board reconvened in the auditorium at 3:08 p.m.

Items 4, 5, 7, and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 6:29 p.m. The next regular meeting of the Planning Board will be held Thursday, June 21, 2012, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Technical Writer

Ellyn Dye
Technical Writer

Montgomery County Planning Board Meeting
Thursday, June 14, 2012
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Darnestown at Travilah Site Plan 82010007A – MCPB No. 12-43
2. 7206 Meadow Lane Preliminary Plan 120100270 – MCPB No. 12-39
3. 814 Thayer Avenue Site Plan 82008007A – MCPB No. 12-58

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Adopted the Resolutions cited above.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***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**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. Roundtable Discussion

A. Planning Director's Report

B. Discuss Maryland Sustainable Growth and Agricultural Preservation Act of 2012 -
POSTPONED

C. Maryland State Land Use Report - **POSTPONED**

D. Update on School Queue - **POSTPONED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **A. Planning Director’s Report** – Acting Planning Department Director Rose Krasnow briefed the Board on the status of various on-going Sector Plans, Master Plans, and major projects Planning Department staff is working on, and answered questions from Board members.

B. C. & D. – POSTPONED

2. 4900 Fairmont Avenue

A. Project Plan Amendment Review No. 92007003A, 4900 Fairmont Avenue, CBD-1 & CBD-2 zones, 1.47 acres, Amendment to increase the number of dwelling units from 118 units to 250, including 15% MPDUs and an increase of the non-residential from 5,500 sf to 7,000 for an FAR of 4.73, including a density transfer within the Woodmont Triangle, located at the southwest quadrant of the intersection with Fairmont Avenue and Norfolk Avenue, Bethesda CBD/Woodmont Triangle
Staff Recommendation: Approval with Conditions

B. Site Plan Review No. 820120120, 4900 Fairmont Avenue, CBD-1 & CBD-2 zones, 1.47 acres, 250 multi-family dwelling units, including 15% MPDUs and 7,000 sf. Of non-residential for an FAR of 4.73, including a density transfer within the Woodmont Triangle, located at the southwest quadrant of the intersection with Fairmont Avenue and Norfolk Avenue, Bethesda CBD/Woodmont Triangle
Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: **A. DREYFUSS/PRESLEY**
 B. DREYFUSS/PRESLEY

Vote:

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

Nay:

Other: **ANDERSON 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 revised conditions, as stated in the attached Board Resolution.

Planning Department staff offered a multimedia presentation of the request to amend the project plan and the site plan for the 4900 Fairmont Avenue project. Staff noted that the 1.47-acre property is located at the southwest quadrant of the intersection of Fairmont and Norfolk Avenues in Bethesda. The amendment request is to increase the number of dwelling units from 118 units to 250, including 15 percent Moderately Priced Dwelling Units (MPDUs), and increase the non-residential/retail square footage from 5,500 to 7,000 square feet. The project proposes a 17-story building and a continuation of the pedestrian connection from the existing County parking garage to Norfolk Avenue to provide for a stronger mid-block passage and safer connection from the garage. The Woodmont Triangle amendment goals are to increase mixed-use transit oriented development, allow density transfer, increase public use space and public amenities, and preserve small-scale retail. Staff discussed the existing density transfer sites,

2. 4900 Fairmont Avenue

CONTINUED

and noted that the following square footage will be transferred from the following properties: i) 4851 Rugby Avenue, 37,672 square feet; ii) 4912 Del Ray Avenue 12,468 square feet; iii) 4909 Cordell Avenue 12,468 square feet; and iv) 7750 Woodmont Avenue 22,035 square feet. Staff also discussed the proposed open space, amenities, and recreational facilities to be provided by the applicant.

At the Board's request, legal staff clarified that the density transfer is in perpetuity according to the covenant that will be signed at the time of the transfer.

There followed extensive discussion regarding density transfer in general, and in the Woodmont Triangle in particular, easements approval, and public use space and amenities,

Mr. Robert Dalrymple and Ms. Debra Borden, attorneys representing the applicant, introduced Ms. Lauren Jezienicki, Mr. Joseph Pikiewicz, Ms. Trini Rodriguez, and Mr. William Landfair, members of the applicant's team, discussed the proposed request, and concurred with the staff recommendation.

Mr. Stan Abrams, attorney representing abutting property owners, offered testimony.

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

Chair Carrier pointed out several inconsistencies between the conditions of approval and the project data table and, following extensive discussion, instructed staff to make the necessary corrections and return to the Board during the afternoon session to complete the hearing.

3. Subdivision Staging Policy: Staff Draft

Staff Recommendation: Set Public Hearing Date

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Received briefing followed by discussion, and approved staff recommendation to set the public hearing date of June 28, 2012, for the Subdivision Staging Policy staff draft report.

Planning Department staff, and consultant Dr. Robert Winick, discussed the proposed schedule for the Subdivision Staging Policy report and noted that the Board is requested to set and approve June 28, 2012 as the public hearing date for the draft report. Staff briefly discussed the content of the draft report, including comments received from Board members at previous Planning Board worksessions.

At the Board's request, Ms. Anne Root and Mr. Gary Erenrich of the Montgomery County Department of Transportation (MCDOT) offered comments. There followed extensive Board discussion with questions to staff and MCDOT representatives.

9. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 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.

10. Closed Session

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

4. Kensington Sectional Map Amendment

Request to File a Sectional Map Amendment to implement the recommendations of the Approved and Adopted Kensington Sector Plan

Staff Recommendation: Approve Request to File

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Approved the staff recommendation to file the Sectional Map Amendment, with the revisions identified in the presentation.

Planning Department staff presented the request to file the Sectional Map Amendment to implement the recommendations of the Kensington Sector Plan, as detailed in the staff report. Staff noted that the List of Properties and the Sectional Map Amendment should be modified to remove areas 28, 40, and 42, because they lack the necessary justification to warrant inclusion.

5. Preliminary Plan No. 120090050: First Baptist Church of Damascus

Combine unrecorded parcel P200 and Outlot A (17.88 acres) and construct a 26,115 square foot addition to an existing 8,252 square foot religious institution, located on the south side of Damascus Road (MD 108) opposite Cornor Drive and east of Stanley Hills Way, RC Zone, Damascus Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Approved the staff recommendation to approve, subject to conditions, and adopted the attached Board Resolution with revisions identified in discussion.

Planning Department staff presented the proposal to combine unrecorded parcel P200 and Outlot A to construct a 26,115-square foot addition to an existing 8,252-square foot religious institution for a 450-seat sanctuary, offices, Sunday school classroom space, and parking, as detailed in the staff report. Staff reviewed the forest conservation plan, including proposed mitigation, and noted that a variance is requested to allow removal of three trees.

Mr. Mike Scyphers, representing the applicant, concurred in the staff recommendation.

There followed some discussion with staff about various aspects of the proposal.

7. Montgomery County Department of Parks FY13/14 Fee Schedule

Review and approve fees for Department of Park's Facilities and Programs

Staff Recommendation: Approval

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Approved the Parks FY13/14 fee schedule as presented.

Parks Department staff presented the proposed FY13/14 fee schedule for enterprise and park permit facilities, as detailed in the staff report. Staff noted that increases in fees are requested for certain administrative costs, program fees, rental fees, and event center rental fees.

In discussion, staff responded to questions from the Board about specific fees and provided a general overview of operations.

8. Briefing: Glenmont Sector Plan

Discussion of Preliminary Recommendations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed and provided guidance to staff.

In a continuation of the briefing on June 7, 2012, Planning Department staff continued presenting an overview of preliminary recommendations for the Glenmont Sector Plan, as stated in the staff report, seeking Board input and guidance on the general approach to the Sector Plan amendment, as well as on recommendations for specific properties, particularly the Glenmont Shopping Center, before preparing the Staff Draft.

There followed considerable discussion about various approaches to provide an incentive for the Glenmont Shopping Center to redevelop, incentives for redevelopment of multi-family residential properties in proximity to the Metro Station, retaining/increasing affordable housing, parks and open space, and historic preservation.

Mr. Todd Brown, attorney representing owners of various properties in the Sector Plan area, and Mr. Michael MacAteer, representing the Glenmont Civic Association, offered comments.