



**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, July 3, 2008, at 9:00 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:50 p.m.

Present were Chairman Royce Hanson, Vice Chair John Robinson, Commissioner Jean Cryor and Commissioner Amy Presley.

Items 1 through 6 and Item 10 are reported on the attached agenda.

The Board recessed at noon and reconvened in the auditorium at 1:00 p.m. with three Commissioners present.

Items 7 through 9 are 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 Thursday, July 10, 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, July 3, 2008**

8787 Georgia Avenue

Silver Spring, MD 20910-3760

301-495-4600

**1. Adoption of Opinions/Resolutions**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Resolutions presented for action.**

**2. Record Plats**

**Subdivision Plat No. 220070410, Widow's Purchase**

RDT zone; 1 lot; located in the southeast quadrant of the intersection of Prescott Road and Lewisdale Road; Agriculture and Rural Open Space

*Staff recommendation: Approval*

**Subdivision Plat No. 220070440, Seneca Highlands**

RC zone; 3 parcels; located on the north side of Darnestown Road (MD 28), approximately 1,000 feet west of Eden Rock Court; Potomac

*Staff recommendation: Approval*

**Subdivision Plat No. 220080310, Greenway Village (Revision)**

PD-4 zone; Street dedication; located on the south side of Little Seneca Parkway, approximately 550 feet west of Newcut Road; Clarksburg

*Staff recommendation: Approval*

**Subdivision Plat No. 220081420, Glen Cove**

R-60 zone; 1 lot; located on the east side of Montgomery Avenue, 75 feet north of Keokuk Street; Bethesda-Chevy Chase

*Staff recommendation: Approval*

**Subdivision Plat No. 220081450, Seven Locks Hills**

R-200 zone; 2 lots; located on the east side of Seven Locks Road, approximately 1,200 feet north of River Road

(MD 190); Potomac

*Staff recommendation: Approval*

**Subdivision Plat No. 220081480, Brookmont**

R-60 zone; 1 lot; located on the north side of 63rd Street, 130 feet east of Ridge Drive; Bethesda-Chevy Chase

*Staff recommendation: Approval*

**Subdivision Plat No. 220081550, Damascus Hills**

RE-2C zone; 1 lot; located on the east side of Bonny Brook Lane, approximately 1,000 feet north of Heather

Field Court; Damascus

*Staff recommendation: Approval*

**2. Record Plats**

**Subdivision Plat No. 220081560, Edgemoor**

R-60 zone; 1 lot; located in the northwest quadrant of the intersection of Hampden Lane and Denton Road;

Bethesda-Chevy Chase

*Staff recommendation: Approval*

**Subdivision Plat No. 220081570, H.M. Martins 3rd addition to Chevy Chase**

R-60 zone; 1 lot; located on the north side of Bradley Lane, approximately 400 feet east of Brookville Road (MD 186);

Bethesda-Chevy Chase

*Staff recommendation: Approval*

**Subdivision Plat No. 220081580, Marwood**

RE-2C zone; 2 lots, 2 parcels; located on Rivers Bend Lane, 200 feet east of C & O Canal National Historic Park;

Potomac

*Staff recommendation: Approval*

**Subdivision Plat No. 220081610, West Chevy Chase Heights**

R-60 zone; 1 lot; located on the south side of Maple Avenue, approximately 275 feet west of Maryland Avenue;

Bethesda-Chevy Chase

*Staff recommendation: Approval*

**BOARD ACTION**

**Motion:**                    **ROBINSON/CRYOR**

**Vote:**

**Yea:**                    **4-0**

**Nay:**

**Other:**

**Action:**            **Approved staff recommendation for approval.**

**3.     Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**            **There were no items presented for action.**

**10.    Briefing: Chevy Chase Open Space Urban Park**

Briefing on Park Planning process and proposed demolition of buildings (Resolution #02-01-08 of Chevy Chase Village Board of Managers) *Staff recommendation: Approve demolition of buildings in Chevy Chase Open Space Urban Park*

**BOARD ACTION**

**Motion:**                    **ROBINSON/CRYOR**

**Vote:**

**Yea:**                    **4-0**

**Nay:**

**Other:**

**Action:** Received briefing on the proposed planning process. Approved staff recommendation to demolish the house, garage and associated paving within the Chevy Chase Open Space to achieve the urban park goal for which the parkland was acquired through the Legacy Open Space program.

Staff of the Parks Department presented highlights of the June 16 technical staff report on this Chevy Chase Open Space Urban Park, identified in the 2001 *Legacy Open Space Functional Master Plan* as a critical open space property. The property was acquired in partnership with Chevy Chase Village, who contributed 25 percent of the acquisition cost to the Legacy Open Space Program.

Dr. Douglas B. Kamerow, Chair, Chevy Chase Village Board of Managers, testified on behalf of the residents and Board of Managers in support of immediate removal of features on the site so that the park may be used while the planning process continues.

**4. 1050 Ripley Street - REVISED**

**A. Project Plan Amendment 92007004A**

Increase the number of multi-family dwelling units from 305 to 318, increase the retail use area from 3,068 to 7,460 square feet, and clarify right-of-way dedications *Staff recommendation: Approval of Project Plan Amendment*

**B. Preliminary Plan No. 120080210, 1050 Ripley Street**

CBD-2 zone; 1.16 acres; 1 lot requested; 306,258 gross square feet of mixed-use development, including 298,798 square feet of multi-family residential uses with a maximum of 318 dwelling units including 15% moderately priced dwelling units (MPDUs), and 7,460 square feet of retail uses; located in the southeast quadrant of the intersection of Ripley Street and Colonial Lane; Silver Spring CBD Sector Plan. *Staff recommendation: Approval with conditions*

**C. Site Plan Review No. 820080150, 1050 Ripley Street**

CBD-2 zone; 1.16 acres; 318 multi-family dwelling including 48 MPDUs, 7,460 square feet for retail; located on Ripley Street, approximately 356 feet west of Georgia Avenue; Silver Spring CBD *Staff recommendation: Approval with conditions*

**BOARD ACTION**

**Motion:** (A.) ROBINSON/CRYOR  
(B.) ROBINSON/CRYOR  
(C.) ROBINSON/CRYOR

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

**Nay:**

**Other:**

**Action: (A.) Approved the staff recommendation for approval of the Project Plan Amendment with conditions, as stated in the attached Board Resolution.**

**(B.) Approved the staff recommendation for approval with conditions of the Preliminary Plan as amended, as stated in the attached Board Resolution.**

**(C.) Approved the staff recommendation for approval with conditions of the Site Plan as amended, as stated in the attached Board Resolution.**

Staff of the Development Review Division presented highlights of the June 20 technical staff report for this proposed development on one lot created out of existing Lots 7-13, Block 4 to accommodate a 17-story multifamily building with 318 units, including 48 moderately priced dwelling units (MPDUs); 309 parking spaces on-site, below grade, on-site public use space and amenities with frontages on both Ripley Street and Colonial Lane/Dixon Avenue.

**4. 1050 Ripley Street – REVISED**

Mr. Robert Dalrymple, attorney for the applicant, Mr. Jonathan Meyers of the applicant company, Washington Property Company, and Mr. Steve Gang, the applicant’s architect, testified and recommended changes to the staff report and proposed conditions, and requested a full truncation waiver for the Ripley Street/Dixon Avenue intersection, explaining the need, and discussed, among other things, the LEED (Leadership in Energy and Environmental Design) rating objective.

The Board deferred this item to allow staff and the applicant time to craft conditions in line with the discussion. The Board returned to this item preceding Agenda Item 6 and completed action at that time.

**5. Mandatory Referral: Dale Drive at Colesville Road (US 29)**

Intersection improvements, CIP No. 508716, Silver Spring *Staff recommendation: Transmit comments to DPWT*

**BOARD ACTION**

**Motion: CRYOR/PRESLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action:** Agreed to recommend pursuit of an alternative, such as that recommended by the community, and disapproval of the staff recommendation for approval with conditions in the June 26 technical staff report, for transmittal to the Department of Public Works and Transportation, as stated in the attached copy of the Letter of Transmittal.

Staff of the Transportation Planning County-wide Planning Division presented highlights of the June 26 technical staff report of this proposed County project to add two additional turn lanes to the Colesville Road/Dale Drive intersection and construct a sidewalk on both sides of Dale Drive to provide improved pedestrian safety and vehicular traffic flow.

Representatives of the Department of Public Works and Transportation were present.

Ms. Barbara Ditzler testified for the Woodside Park Civic Association, an adjacent neighborhood of 650 homes, stating concerns about the impact on the community and strongly recommending relatively inexpensive traffic management and traffic signal timing modifications to the intersection and opposed the physical widening of the intersection. Others offering similar testimony included Ms. Margaret Stallings of Noyes Drive; Mr. Larry Mitchell, Chairman of the Transportation Committee of the Woodside Forest Civic Association; and Mr. Charles Vest, representing the Seven Oaks-Evanswood Community Civic Association.

**6. Special Exception: S-2453-A: Child Day Care Facility - Academy Child Development Center, Inc. and Special Exception: S-2726: Private Educational Institution**

Special Exception request to modify the existing day care center located on the north side of Darnestown Road, between Good Earth Court and Travilah Road. Additional Special Exception request for a private educational institution at the same location for 1st and 2nd grades and other uses ancillary to the private educational institution and day care center. The total number of children and employees for both special exception uses is proposed to be no more than 130 and 31, respectively.

**A.** Request for a Preliminary Forest Conservation Plan Lot 1, Block A, “Travilah Heights” together with Parcel 60  
*Staff recommendation: Approval with conditions*

**B.** Special Exception Modification Request (S-2453-A: Child Day Care Facility)  
*Staff recommendation: Approval with conditions*

**C.** Special Exception Request (S-2726- Private Educational Institution)  
*Staff recommendation: Approval with conditions*

**BOARD ACTION**

**Motion:** (A.) ROBINSON/CRYOR  
(B.) ROBINSON/PRESLEY  
(C.) ROBINSON/CRYOR

**Vote:**

**Yea:** (A.) 4-0  
(B.) 4-0  
(C.) 4-0

**Nay:**

**Other:**

**Action:** As stated in the attached Letter of Transmittal, (A.) Approved with conditions the Preliminary Forest Conservation Plan for the entire 1.5 acre property (Lot 1, Block A, “Travilah Heights” together with Parcel 60).

(B.) Approved with conditions the Special Exception amendment S-2453-A, for the existing Special Exception, endorsing the requested modification at one access point to permit an exemption to the left turn restriction for buses and trucks, subject to development of an enforcement plan that ensures enforcement.

(C.) Approved with conditions Special Exception S-2726 for the Private Educational Institution for grades 1 and 2.

**6. Special Exception: S-2453-A: Child Day Care Facility - Academy Child Development Center, Inc. and Special Exception: S-2726: Private Educational Institution**

Staff of the Development Review Division presented highlights of the June 23 technical staff report, which reviews a requested modification to Special Exception S-2453-A and Special Exception S-2726 to expand its operations to include a private educational institution for first and second grade students, with an increase in the number of children from 88 to 130 and an increase to staff from 19 to 31; and the recommended revisions to the proposed preliminary forest conservation plan.

Vice Chair Robinson recommended a change in protocol for Special Exceptions to have the Board make recommendations on transportation issues that will come before the Hearing Examiner, to provide the benefit of the agency’s expertise. After extensive discussion, the Board incorporated such a recommendation in its action.

Ms. Emily Vaias, attorney for the applicant, introduced Debra Borden, attorney, and others on the applicant’s team: Michael Norton, Haines Norton Land Design; Bill Brennan, B & R Design Group, Inc.; Carl Starkey, traffic engineer; and Academy Child Development Center employees Lesley Everhart and Sharon Heseleden.

Mr. Martin Klauber, Office of People’s Counsel, testified on the need for a Transportation Management Plan.



**PARK ITEMS**

**7. Park Houses - Proposed Rent Increase**

Proposed annual rent increase for Park Houses, Fiscal Year (FY) 2009

*Staff recommendation: Approval*

**BOARD ACTION**

**Motion: PRESLEY/CRYOR**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: ROBINSON TEMPORARILY ABSENT**

**Action: Approved staff recommendation to approve the proposed annual rent increase for Park houses in FY09.**

In accordance with the June 24 staff report, Parks Department staff gave a brief presentation regarding the proposed annual rent increase for Park houses in FY09 followed by Board members questions to staff.

Ms. Judy Koenick of Chevy Chase offered testimony.

**PLANNING ITEMS**

**8. Discussion: Housing Supply and Demand**

Discussion of analysis of the demand for all categories of housing in the County as well as the supply of housing available to meet that demand

- **Memorandum**
- **Housing Supply and Demand Report**
- **Appendix 1- Demographic Analysis**
- **Appendix 2- Housing Supply Analysis**
- **Appendix 3- Housing Market Trends**
- **Appendix 4- Housing Demand and Supply Analysis**

*Planning Board Action/Decision: Discussion only, no vote taken*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Received briefing from Research and Technology Division staff in accordance with the June 26 technical staff report, followed by extensive Board discussion and questions to staff.

Mr. Perry Berman of Berman Ventures and Ms. Raquel Montenegro of the Maryland-National Capital Building Industry Association offered comments.

Commissioner Cryor suggested that a committee be formed to discuss possible solutions to the affordable housing crisis.

**9. Roundtable Discussion**

**(No public testimony will be taken at this time.)**

A. Commissioners' Report

B. Approval of Minutes

C. Director's Report

D. Summary of Healthy and Sustainable Communities Workshop - **ADDED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** **A. Commissioners' Report:** None

**B. Approval of Minutes:** Approved Minutes of May 22, 2008 as presented.

**C. Director's Report:** Parks Department Director Mary Bradford reported on the positive outcome of the Uncle Tom's Cabin and the Josiah Henson events which took place this past weekend. She briefly discussed the water main break and sinkhole situation on park property, and noted that park managers are working with Washington Suburban Sanitary Commission

(WSSC) to solve the problem, and added that this is an issue that the Board might want to discuss with the County Council.

**D. Summary of Healthy and Sustainable Communities Workshop:** County-Wide Planning Division staff offered a detailed summary of the issues raised and discussed at the Healthy and Sustainable Communities Workshop held last Thursday at the Universities of Shady Grove in Rockville, which Board members and County Council staff attended. Staff noted that they received very good feedback via phone calls, e-mails, and website blog comments, and a report will be sent to the County Council in October.

Following a brief discussion, the Board recommended that staff continue to coordinate efforts with other agencies on the large variety of projects and reports that are in process, such as the Green Infrastructure Plan due this fall, and the Climate Protection Plan due in Jan