



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED**  
**MINUTES**

The Montgomery County Planning Board met in regular session on Monday, July 19, 2012, at 9:12 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:07 p.m.

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

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 1:20 p.m. and reconvened in the auditorium at 2:17 p.m.

Items 5 through 9 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:07 p.m. The next regular meeting of the Planning Board will be held Monday, July 23, 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, July 19, 2012**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: There were no Resolutions submitted for adoption.**

**\*B. Record Plats**

**1. Subdivision Plat No. 220100440-220100480, Blenheim;** RE-2 and RE-1 zones, 1 parcel; located on the north side of Democracy Boulevard, approximately 1,500 feet west of Iron Gate Road; Potomac Subregion Master Plan.

*Staff Recommendation: Approval*

**2. Subdivision Plat No. 220120350, Country Club Village;** R-60 zone, 2 lots; located at the terminus of Verne Street, approximately 600 feet southwest of River Road (MD 190); Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**3. Subdivision Plat No. 220121690, Kefauver Tract, Bradley Hills;** R-200 zone, 1 lot; located on the north side of Bradley Boulevard (MD 191), 475 feet west of Redwood Avenue; Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**                   **ANDERSON/PRESLEY**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**           **Approved staff recommendation for approval of the Records Plats cited above.**

**\*C. Other Consent Items**

**Mid-Pike (Pike & Rose) Corrected Resolutions;** Corrections to the Resolutions of Sketch Plan 320110010, Preliminary Plan 120120020, Site Plan 820120020, and Staging Allocation Request 25400, Mid-Pike Plaza (Pike & Rose)

*Staff Recommendation: Adoption*

**BOARD ACTION**

**Motion:**                   **DREYFUSS/PRESLEY**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**           **Adopted Corrected Resolutions cited above, following a brief staff presentation.**

**\*D. Approval of Minutes**

Minutes of May 31, 2012

**BOARD ACTION**

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

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

**Action:**       **Approved Planning Board Meeting Minutes of May 31, 2012, as presented.**

**2.       Preliminary Plan 120120120: Fairland Animal Hospital**

Request to create one lot from Parcel 918 (13425 Old Columbia Pike) to construct a 3,802 square foot veterinary hospital pursuant to Special Exception Case S-2820, located on the east side of Old Columbia Pike approximately 600 feet north of Fairland Road, 1.43 acres, R-90 Zone, Fairland Master Plan

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

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

**Vote:**

**Yea:**               **5-0**

**Nay:**

**Other:**

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

Planning Department staff discussed the request to create one lot from Parcel 918 located on Old Columbia Pike in Fairland for a 3,802 square-foot veterinary hospital. Staff noted that the site is recommended for a single-family residence in the 1999 Fairland Master Plan, and water and sewer service is adequate to support this project as well as all other utilities. There are no sensitive environmental features on the site, and the stormwater management plan was approved by the Department of Permitting Services on September 27, 2011. No correspondence regarding this application was received from the public. Staff also discussed the revised conditions of approval distributed at the meeting.

Mr. Jody Kline, attorney representing the applicant, offered some comments and concurred with the staff recommendation.

**3. Subdivision Staging Policy Worksession #2: Transportation Policy Area Review**

The staff report contains new recommendations regarding cost allocation and proposed TPAR fees that were not available at the time of the public hearing. Testimony will be taken at this worksession regarding this new information.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by discussion.**

Planning Department staff and Dr. Robert Winick, consultant, offered a multi-media presentation on new recommendations regarding cost allocations and proposed Transportation Policy Area Review (TPAR) fees that were not available at the time of the public hearing in June.

At the Board's request, Mr. Glen Orlin of the County Council's office, Messrs. Edgar Gonzales and Gary Erenrick of the Montgomery County Department of Transportation (MCDOT) offered comments.

The following speakers offered testimony: Mr. Steve Elmendorf, attorney; Mr. Perry Berman of Briarglen Drive; and Mr. Ben Ross representing the Action Committee for Transit.

There followed extensive Board discussion with questions to staff.

**4. Greater Lyttonsville Sector Plan Scope of Work -- Staff Memo; Draft Scope of Work**

*Staff Recommendation: Approve the Greater Lyttonsville Sector Plan Scope of Work*

**BOARD ACTION**

**Motion: ANDERSON/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the draft Greater Lyttonsville Sector Plan Scope of Work.**

Planning Department staff offered a multi-media presentation and discussed the draft report for the Greater Lyttonsville Sector Plan and answered questions from Board members.

Ms. Loretta Argrett of Richland Place offered testimony.

Vice Chair Wells-Harley noted that she would recommend that staff pay careful attention to the existing culture of the area and the historical preservation of some of the existing buildings, and the need to involve the Parks Department staff in the process. She also stated that staff should clarify in the plan which communities are part of the Greater Lyttonsville Sector Plan.

**5. Worksession: 2012 Park, Recreation, and Open Space (PROS) Plan  
Staff Memo; Draft PROS Plan**

Review any remaining Issues and Recommended Staff Changes to the 2012 PROS Plan following the June 28, 2012 worksession. Request approval of Plan and transmittal to Maryland Department of Planning with any additional Board requested changes.

*Staff Recommendation: Approval and Transmittal to Maryland Department of Planning*

**BOARD ACTION**

**Motion: WELLS-HARLEY/PRESLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved the draft Plan for transmittal to the Maryland Department of Planning, subject to final revisions.**

Parks Department staff reviewed the changes made to the draft 2012 Park, Recreation, and Open Space (PROS) Plan based on Board guidance at the June 28, 2012, worksession, including the establishment of a new classification for Community Use Urban Parks. Staff also provided additional information about participation rates for activities in natural areas, as requested by the Board. Planning Department staff joined Parks Department staff in reviewing and discussing public testimony on the Agricultural Preservation section of the Plan and staff-recommended revisions to the draft Plan language in that section.

In discussion, staff responded to questions and provided additional information as needed, and the Board offered guidance for final revisions.

**6. Subdivision Regulation Amendment 12-01**

Implementation of Maryland Sustainable Growth Agricultural Preservation Act of 2012 (SB 236)  
*Staff Recommendation: Transmit to County Council*  
**(Action Required for County Council Public Hearing of 7/31/12)**

**BOARD ACTION**

**Motion: DREYFUSS/ANDERSON**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved the staff recommendation to transmit the Subdivision Regulation Amendment and comments to the County Council, as stated in the attached Letter of Transmittal.**

Planning Department staff presented the proposed Subdivision Regulation Amendment, with staff recommendations for revisions, to establish procedures to comply with and implement the Sustainable Growth and Agricultural Preservation Act of 2012, as detailed in the staff report. The Amendment adopts the State Tier system, creates Tier area maps, and provides other language as necessary until the General Plan can be amended to incorporate them. The purpose of the Bill is to protect agriculture, control growth in rural areas, promote growth in areas that have infrastructure in place for it, and reduce nitrogen from septic systems to better protect the Chesapeake Bay.

There followed some discussion of implementation, with staff responding to questions and providing additional information as needed.

**\*7. Preliminary Plan No. 120110170, Kensington Heights**

Request to subdivide part of Lot 16 into 14 lots for 3 single family detached dwelling units and 11 single family attached units, on approximately 1.81 acres of land zoned RT-8; located on the north side of McComas Avenue approximately 60 feet east of the intersection of Merlin Grove Court and McComas Avenue, in the Wheaton CBD and Vicinity Sector Plan area.

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

**BOARD ACTION**

**Motion: DREYFUSS/ANDERSON**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action:       Approved the staff recommendation to approve with conditions, as revised in discussion, and adopt the revised Board Resolution, attached.**

Planning Department staff presented the plan to create 14 lots for 3 single-family detached and 11 single-family attached residential units, with a private street and a stormwater management facility, as detailed in the staff report. The site was rezoned from R-60 to RT-8 in 2010, and staff reviewed the binding elements of the schematic development plan that was approved with the rezoning. Staff distributed revised conditions of approval; reviewed the Policy Area Mobility Review requirements; and reviewed the forest conservation plan, including a variance request to remove two trees, and required mitigation. Staff also discussed a unique issue for this site, which was used as a fill and dumping location during the expansion of the abutting Wheaton Plaza shopping center, related to grading and the removal of the fill in consultation with County Department of Permitting Services (DPS). Legal Counsel to the Board noted that the Subdivision Regulations require the Board to restrict the use of land considered unsafe for reasons such as soils and, therefore, condition 12 requires that a determination be made that the property is safe for development prior to site plan review.

Mr. Curt Schreffler, the applicant's engineer, provided information about tests conducted of the fill, which did not identify any issues, and he noted that the applicant plans to remove the fill from the site. Mr. Schreffler offered a presentation on the proposed development and requested revisions related to the sidewalks, to limit the requirement for sidewalks to one side of the private street and to eliminate the sidewalk proposed by staff to connect across the property to Wheaton Plaza.

Mr. Dan Shevezko of Nulvio Grove Court offered comments.

There followed some discussion of the landfill issues, stormwater management, tree preservation, and the sidewalks, including the relative merits of formalizing an informal path to Wheaton Plaza, particularly in view of the proposed removal of fill and regrading of the site. Staff and the applicant representatives responded to questions and provided additional information as necessary.

**\*8.     Olney Estates**

**A. Preliminary Plan Amendment No. 12005092A: Olney Estates;** Adjustments to platted lot lines and lot sizes, located on the south side of Old Baltimore Road, approximately 1,000 feet south of the intersection with Sandy Spring Road (MD 108), approximately 107.35 acres, RNC Zone, Olney Master Plan

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

**B. Limited Site Plan Amendment No. 82006019A: Olney Estates;** Adjustments to platted lot lines and lot sizes, revisions to the single family unit types, modifications to the landscaping and the adjustments to the entrance signage, located on the south side of Old Baltimore Road, approximately 1,000 feet south of the intersection with Sandy Spring Road (MD 108), approximately 107.35 acres, RNC Zone, Olney Master Plan

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



**BOARD ACTION**

**Motion:**                   **A. PRESLEY/ANDERSON**  
                                  **B. PRESLEY/WELLS-HARLEY**

**Vote:**  
    **Yea:**               **A. 5-0**  
                              **B. 5-0**

**Nay:**

**Other:**

**Action:**       **A. Approved the staff recommendation to approve the preliminary plan, subject to conditions, and adopt the Board Resolution, attached.**  
                  **B. Approved the staff recommendation to approve the site plan, subject to conditions, as revised, and adopt the revised Board Resolution, attached.**

Planning Department staff presented the proposed amendments to the approved preliminary plan and site plan, as detailed in the staff report. Staff noted that the plans were approved for 42 lots for residential development, including 6 moderately priced dwelling units (MPDUs). The proposed revision will change the three two-unit townhouses to three duplexes, with related adjustments to lot lines, which staff finds will be more compatible with the rest of the proposed development. Staff discussed an issue raised in correspondence by an abutting property owner and made one correction to the site plan data table.

Mr. Tom Mateya of the applicant company discussed the proposed new duplex unit types.  
Ms. Yum Yu Chen, attorney representing the applicant, concurred in the staff recommendation.

**9. Roundtable Discussion**

- Planning Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**  
    **Yea:**

**Nay:**

**Other:**

**Action:**       **Received report.**

Acting Planning Director Rose Krasnow presented the Director’s report, highlighting various grants awarded under the Washington Metropolitan Council of Government Transportation-Land Use

Connections Technical Assistance Program: 1) The Planning Department received \$30,000 for a bikeshare study to be conducted by a consultant who will review, analyze, and make recommendations about parking credits for the construction of bike-sharing stations; 2) the City of Rockville received \$30,000 to conduct a transportation capacity study to identify capacity improvements on southern Rockville Pike, including Twinbrook and White Flint, and recommend alternative transportation system analysis methods; and 3) the City of Takoma Park received \$50,000 to continue work on transforming New Hampshire Avenue into a multi-way boulevard.

Among other updates, Ms. Krasnow also announced that the Department will begin accepting electronic preliminary plans and site plans on August 1, and training is being provided to the development community.