



**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 21, 2011, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:05 p.m.

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

Items 1 through 5 are reported on the attached agenda.

The Board recessed at 12:24 p.m. for lunch and to take up Item 12 in Closed Session.

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 12:55 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 Anderson and Presley present and voting in favor of the motion, and with Commissioner Dreyfuss absent. The meeting was closed under authority of §10-508(a)(7), State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session were Associate General Counsels David Lieb, Carol Rubin, and Christina Sorrento of the Legal Department and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board received a briefing from Legal Counsel about reconsideration requests related to Hilltop Farm subdivision, to be taken up next week.

The Closed Session was adjourned at 1:15 p.m.

The Board reconvened in the auditorium at 2:00 p.m.

Items 6, 7, and Items 9 through 11 are reported on the attached agenda.

Item 8 was cancelled, and Item 13 was postponed.

MCPB, 7-21-11, APPROVED

There being no further business, the meeting was adjourned at 6:05 p.m. The next regular meeting of the Planning Board will be held Thursday, July 28, 2011, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye  
Technical Writer

M. Clara Moise  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, July 21, 2011**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Glenallan Elementary School Modernization Forest Conservation Plan MR2011202 - **MCPB 11-27 – DEFERRED**
2. Lot 31/31A-Bethesda Site Plan 82007018A - **MCPB 11-57**

**BOARD ACTION**

**Motion:** PRESLEY/WELLS-HARLEY

**Vote:**

**Yea:** 3-0-1

**Nay:**

**Other:** ANDERSON ABSTAINED; DREYFUSS ABSENT

**Action:** Adopted Resolution MCPB No. 11-57, item 2, as stated above. Item 1, above, was deferred.

**\*B. Record Plats**

**1. Subdivision Plat No. 220081690, Quince Orchard Estates**; R-200 zone; 2 lots; located on the south side of Quince Valley Drive, 140 feet west of Fellowship Way; Potomac.

*Staff Recommendation: Approval*

**2. Subdivision Plat No. 220110350, Spring Lake Park – Halpine Subdivision**; TMX-2 zone; 2 lots; located in northeast quadrant of the intersection of Montgomery Avenue and Washington Avenue; Twinbrook.

*Staff Recommendation: Approval*

**3. Subdivision Plat No. 220110410, E. Brooke Lee’s Addition to Silver Spring**; CBD-2 zone; 2 parcels; located on the north side of Ripley Street, at the intersection of Dixon Avenue; Silver Spring CBD.

*Staff Recommendation: Approval*

**4. Subdivision Plat No. 220110530 – 220110580, Clarksburg Village**; R-200/TDR zone; 72 lots, 19 parcels; located on the north side of Snowden Farm Parkway, at the intersection of Newcut Road; Clarksburg.

*Staff Recommendation: Approval*

**5. Subdivision Plat No. 220110760, Stonecrest North**; R-200 zone; 5 lots; located on the south side of Fairland Road, 400 feet east of Colefair Drive; Fairland.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: WELLS-HARLEY/PRESLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved the Record Plats as stated above.**

**\*C. Other Consent Items**

**1. Site Plan Amendment Review No. 82007018A, Lot 31/31A**, TS-M zone; 4.30 acres; amendment to revise the public use space and change the building façade on the smaller building; located at the southern intersection of Bethesda Avenue and Woodmont Avenue; Bethesda CBD

*Staff Recommendation: Approval of the Consent Agenda and Draft Resolution*

**2. Resolution of Adoption of Amendment to the Master Plan for Historic Preservation: Greenwich Forest; Animal Industry; Higgins Cemetery Designates 1 historic district and two individual sites on the Master Plan for Historic Preservation**

*Staff Recommendation: Approval to Transmit Resolution to M-NCPPC*

**3. Correction to the Resolution of Sketch Plan No. 320110030, North Bethesda Market II - CORRECTED RESOLUTION No. MCPB 11-07**

**BOARD ACTION**

**Motion: WELLS-HARLEY/PRESLEY**

**Vote:**

**Yea: 3-0-1**

**Nay:**

**Other:           ANDERSON ABSTAINED; DREYFUSS ABSENT**

**Action:        Adopted the Board Resolutions cited above as items 2 and 3, with distributed revisions to item 3. Item 1 was adopted under agenda Item 1A, Adoption of Resolutions.**

**\*D. Approval of Minutes**

Minutes of June 23, 2011

**BOARD ACTION**

**Motion:           WELLS-HARLEY/PRESLEY**

**Vote:**

**Yea:            4-0**

**Nay:**

**Other:         DREYFUSS ABSENT**

**Action:        Approved the minutes of June 23, 2011, as presented.**

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**2.     Resolution to Confirm and Recognize the Woodmont Triangle Action Group**

**BOARD ACTION**

**Motion:           PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea:            4-0**

**Nay:**

**Other:         DREYFUSS ABSENT**

**Action:        Adopted the Resolution to confirm and recognize the Woodmont Triangle Action Group, as revised by staff.**

**3. Wheaton Sector Plan Draft Design Guidelines**

*Staff Recommendation: Approve Draft Design Guidelines*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received presentation and provided guidance to staff.**

Planning Department staff presented the proposed Urban Design Guidelines for the Wheaton Sector Plan, including the purpose of the Guidelines, issues identified in the Sector Plan to be addressed, goals and strategies, and resources for implementation. Goals include creating an identifiable town center and strategically located landmarks and gateway elements; improving public use spaces, pedestrian connections, and the overall pedestrian environment; building height transitions from the core toward residential neighborhoods; and unifying, street-activating design elements and streetscaping.

The Board discussed the desirability of providing the Guidelines to the Council for review in the context of the review of the Sector Plan. There was also some discussion of the relationship among master plans, urban design guidelines, and the provisions of the CR Zones, which reference the guidelines, and the relative merits of including design guidelines in the master plans as opposed to creating separate guidelines that complement master plans.

Ms. Judy Higgins, representing Kensington View Civic Association, and Ms. Virginia Sheard of Kensington offered comments.

Discussion ensued about transitions to residential neighborhoods and the balance between specificity and flexibility in the Guidelines.

**4. Parklawn North**

**A. Preliminary Plan 120110300, Parklawn North;** TMX-2 zone; 12.96 acres; request to assemble two (2) recorded lots and two (2) parcels into three (3) lots and one (1) outlot for an additional 520,000 square feet of development and 60,132 square feet of development to remain; located on the north side of Fishers Lane approximately 1,000 feet east of Twinbrook Parkway in the Twinbrook Sector Plan Area.

*Staff Recommendation: Approval with Conditions*

**B. Site Plan 820110090, Parklawn North;** TMX-2 zone; 12.96 acres: 520,000sf of new development for office use; located on Fishers Lane approximately 1,000 feet east of Twinbrook Parkway; Twinbrook Sector Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

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

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

**Nay:**

**Other:**                **DREYFUSS ABSENT**

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

Planning Department staff presented a preliminary plan and site plan to assemble two recorded lots and one parcel to create three lots and one outlot, for development of 520,000 square feet of office uses and associated structured parking on one lot, retention of 60,132 square feet of existing commercial uses on one lot, and retention of existing surface parking on the third lot, with potential for future redevelopment of that lot. Staff discussed various elements of the plan for optional development in the TMX-2 Zone, as detailed in the staff report, noting particularly a large open space area at the corner of Fishers Lane and Wilkins Avenue, an eight-foot shared-use path along the eastern side of Wilkins Avenue, and an offsite hiker/biker trail extending to Rock Creek Park. Staff reviewed issues related to the hiker/biker trail, which may necessitate future plan amendments. Staff also discussed a requested variance to allow removal of one tree and impact to three trees and a requested parking waiver to reduce the parking from 2.4 spaces to 2.1 spaces per 1,000 square feet. Concluding, staff noted that the TMX-2 Zone does not require submission of a project plan for optional method of development, although certain project plan findings must be made at preliminary plan, and staff reviewed those findings. Staff also reviewed revisions to the staff report and conditions of approval.

**4. Parklawn North**

Ms. Anne Mead, attorney representing the applicant, concurred in the staff recommendation and commented on various issues associated with the plans. Mr. Greg Trimmer of the applicant company elaborated on the vision for this development.

Commissioner Anderson noted for the record that, prior to being on the Board, he had numerous discussions with the applicant about the trail associated with this project, which represents an important trail connection.

**5. Veirs Mill Elementary School Addition**

**\*A. Preliminary Forest Conservation**, north side of Dahill Road at its intersection with Joseph Mill Road, Silver Spring; R-60 zone, Master Plan for the Communities of Kensington-Wheaton.  
*Staff Recommendation: Approved with Conditions*

**B. Mandatory Referral No.: 2011209-MCPS-1**  
*Staff Recommendation: Approved with Conditions*

**BOARD ACTION**

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

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

**Other:**                **DREYFUSS ABSENT**

**Action:**            **A. Approved the staff recommendation to approve the forest conservation plan, expanding the findings associated with the requested variance based on discussion, as stated in the attached Board Resolution.**

**B. Approved the staff recommendation to approve the mandatory referral, adding a comment that insufficient attention was paid to the design of the building in terms of tree retention and that the Board recommends more consideration of two-story school buildings, as stated in the attached Letter of Transmittal.**

Planning Department staff presented the mandatory referral review and forest conservation plan for construction of an addition to the Viers Mill Elementary School and reconfiguration of the drop-off/pick-up areas and vehicular circulation, as detailed in the respective staff reports. Staff discussed the environmental features on the site, including forested area and slopes. Staff explained that the site constraints, transportation improvements, and storm drain connections, rather than the addition itself, primarily underlie the proposed clearing of 0.73 acres of high- priority forest and the specific trees for which the applicant has requested a variance to allow removal, and staff discussed the proposed mitigation and alternative locations for offsite plantings proposed by staff.

Mr. Jason Azar and Mr. William Brown, consultants, and Mr. Ray Marhamati, representing Montgomery County Public Schools (MCPS), responded to concerns raised by the Board about potential conflict with the bus lane from eastbound traffic turning right from Joseph Mill Road into the school site during bus drop-off/pick-up times and about the reasons for expanding the single-story school layout rather than expanding up to create a two-story building.

There followed some discussion about the inadequate front setback of the parking facility and screening of the proposed retaining walls. There was also discussion of the justification for the forest conservation variance and whether a different design for the addition would require the removal of fewer trees. Based on the discussion, the Board agreed to revise the analysis and findings associated with the requested variance for purposes of the Board Resolution.



**12. 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.**

**13. Reconsideration Request for Hilltop Farm, Preliminary Plan 20050740-POSTPONED**

- A. Reconsideration Request of Peter Eeg, et al. for Hilltop Farm, Preliminary Plan No. 120050740, MCPB No. 11-48.
- B. Reconsideration Request of Boyds Civic Association, et al. for Hilltop Farm, Preliminary Plan No. 120050740, MCPB No. 11-48.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This item was postponed.**

**6. Upper Paint Branch Stream Valley Park**

Authorization to acquire 0.62 acres, more or less, improved, from JPMorgan Chase, located at 14429 Good Hope Road, Silver Spring, MD 20905

*Staff Recommendation: Approval*

**BOARD ACTION**

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

**Vote:**

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

**Nay:**

**Other:                 DREYFUSS ABSENT**

**Action:            A. Approved staff recommendation for approval of the acquisition of proposed parkland in the Upper Paint Branch Stream Valley Park.  
                          B. Approved staff recommendation for approval of the acquisition of proposed parkland in the Upper Paint Branch Stream Valley Park as a natural resource area under the Legacy Open Space Master Plan.**

Parks Department staff briefly discussed the proposed acquisition of 0.62 acres of land from JP Morgan Chase located on Good Hope Road in Silver Spring, Maryland, to be used as a natural resource area under the Legacy Open Space Master Plan and as an addition to the Upper Paint Branch Stream Valley Park. Staff noted that the acquisition will be funded with the Commission General Obligation Bond monies available in the Commission’s Legacy Open Space Capital Improvements Program (CIP).

**7. Roundtable Discussion**

- A. Parks Director's Report
- B. Clarksburg Town Center Update
- C. National Geospatial-Intelligence Agency Campus (ICC-B)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**       **Received briefings as noted below.**

**A. Parks Director's Report** - Received briefing by Parks Department Director Mary Bradford, highlighting important activities in July and events planned for August, as stated in the Director's Report distributed at the meeting.

**B. Clarksburg Town Center Update** - Planning Department staff briefed the Board on the status of the Clarksburg Town Center project. Mr. Steve Kaufman, attorney representing the applicant, Newland Communities Development, offered a brief report and answered questions from the Board.

Mr. Keith Hurand from Newland Communities Development reported on the status of the public and private roads in the community, discussed the completion of the proposed recreational facilities and landscaping improvements made throughout the community. Mr. Hurand also discussed the viability of the project at this time given the current state of the real estate market.

**C. National Geospatial Intelligence Agency Campus (ICC-B)** - Planning Department staff briefed the Board on the proposed reuse of the National Geospatial Intelligence Campus and the transportation issues associated with the proposed reuse,

At the Board's request, Major Richard Wulff, Project Manager for the U.S. Army Corps of Engineers, offered comments.

There followed a brief Board discussion and questions to staff and Major Wulff.

**8.       Great Seneca Science Corridor (GSSC) Master Plan - CANCELLED**

*Staff Recommendation: Open Stage 1 of the Great Seneca Science Corridor Master Plan for Approval of Development Plans*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**       **This item was cancelled.**

**9. Preliminary Plan No. 11996110A (Amendment): Johns Hopkins University Belward Campus**

An amendment to remove the restricted access to this recorded parcel for the remaining approved 1.4 million square feet of R & D development and lay out the street grid and block pattern to allow for future requests of additional square footage. Located in the northeast quadrant of the intersection of Muddy Branch Road and Darnestown Road (MD 28); LSC Zone; Great Seneca Science Corridor Master Plan

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: PRESLEY/ANDERSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

In keeping with the July 11 technical staff report, Planning Department staff offered a multimedia presentation of the request to amend the approved preliminary plan for the John Hopkins University Belward Campus located in the northeast quadrant of the intersection of Muddy Branch Road and Darnestown Road (MD 28) in the Great Seneca Science Corridor, Life Science Corridor (LSC), to establish the configuration of the road network, lot and block layout, and provide dedication for the extension of Belward Campus Drive and public access easements for two internal master planned business roads.

Ms. Barbara Sears, attorney representing the applicant, introduced Messrs. David McDonough, Tom Osborne, and Matt Bell, members of the applicant's team.

The following speakers offered testimony: Ms. Donna Baron representing the Gaithersburg/North Potomac, and Rockville Coalition; Mr. Steve Silverman, representing the County Executive's office; and Ms. Lynn Rose representing the Mission Hills Agency.

There followed a brief Board discussion with questions to staff and the applicant's representative.

**10. Capital Improvements Program Priorities**

Identification and Transmittal of Priorities based on Master and Sector Plan Implementation. This will replace Appendix G of the Growth Policy (now renamed as the Subdivision Staging Policy).

*Staff Recommendation: Transmit Comments to the County Executive as input to the 2013-2018 CIP*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: By consensus approved staff recommendation to transmit comments to the County Executive for consideration by County agencies for inclusion in the FY2013-2020 Capital Improvements Program.**

Planning Department staff discussed the proposed list of priorities for the 2013-2020 Capital Improvements Program (CIP) prepared by staff to be forwarded to the County Executive in preparation of the biennial CIP. Staff noted that this is part of an on-going effort to maintain an updated compilation of capital improvements projects proposed in approved and adopted master plans and set priorities to keep capital projects in step with development those plans engender. Staff also added that while the projects have a ranked order provided by the scoring system, the list of priorities is organized by planning area and represents the highest ranked projects, and will show the County Executive where the Planning Board believes capital resources should be allocated to support development recommended in area master plans.

**11. Site Plan Review No. 820110060, 8621 Georgia Avenue**

CBD-2 zone, 0.69 acres, 191,281 square foot commercial building consisting of 185,072 square feet of office space and 6,209 square feet of retail use; located on Georgia Avenue, approximately 75 feet west of Colesville Road; Silver Spring CBD

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: ANDERSON/PRESLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

In keeping with the July 11 technical staff report, Planning Department staff discussed the proposed site plan for a commercial building project on Georgia Avenue in the Silver Spring Business District. Staff noted that the applicant seeks to redevelop an existing surface parking lot. The site design includes ground floor retail and restaurant uses, a public art component, and a significant monetary contribution to the development of public space in Silver Spring. Staff discussed the proposed amenities and the proposed park, which will be named after former Planning Board Commissioner Gene Lynch. Staff also discussed a letter received from State Highway Administration (SHA) regarding the applicant's request for a left turn at the site and pedestrian crossing, and noted that staff needs better directions from SHA but would recommend both a left run and a pedestrian walkway be allowed for the site.

Mr. Jody Kline, attorney representing the applicant, introduced members of the applicant's team, and briefly discussed the proposed site plan and concurred with the staff recommendation.

There followed extensive Board discussion regarding the proposed left turn and pedestrian walkway.