



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 28, 2011, at 9:12 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:32 p.m.

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

Items 1, 10, 2, 6, and 3 taken up in that order, are reported on the attached agenda.

The Planning Board stopped discussion of Item 3 at 11:40 a.m. and recessed the meeting to participate in a Closed Session meeting via conference call with the Prince George's County Planning Board, meeting as The Maryland-National Capital Park and Planning Commission, in the third floor Conference Room at 8787 Georgia Avenue, Silver Spring, Maryland. The official citation and open session report of the Closed Session meeting are included in the M-NCPPC minutes.

The Board reconvened in the auditorium at 12:55 p.m. to continue discussion of Item 3, and take up Item 5, which is also reported on the attached agenda.

The Board recessed at 2:10 p.m. for lunch and to take up Items 8 and 9 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 2:20 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, Dreyfuss, and Presley present and voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(7), to consult with counsel to obtain legal advice; and §10-508(a)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for all or part of the Closed Session were Associate General Counsels Donna Calcote-Heatley, Jared McCarthy, and Carol Rubin of the Legal Department; Director Mary Bradford and Kate Stookey of the Planning Department; and Ellyn Dye of the Commissioners' Office.

In Closed Session, the Board endorsed a staff recommendation related to finalizing a Memorandum of Understanding with the County related to field permitting functions by Community Use of Public Facilities and approved submitted Closed Session minutes.

The Closed Session was adjourned at 3:00 p.m.

The Board reconvened in the auditorium at 3:25 p.m.

Items 4 and 7 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:32 p.m. The next regular meeting of the Planning Board will be held, following the August recess, on Thursday, September 8, 2011, 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 28, 2010
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**
2. Srour Falls Lot 9, Block A- Preliminary Plan 11994094A – **MCPB 11-51**
3. Winterset Preliminary Plan 11996019B - Modify the Category I Conservation Easements –**MCPB 11-68**
4. 8711 Georgia Avenue Project Plan 92005002B – **MCPB 11-33**
5. 8711 Georgia Avenue Preliminary Plan 12006042A –**MCPB 11-34**
6. 8711 Georgia Avenue Site Plan 82008023A – **MCPB 11-35**
7. Germantown Town Center – Panera Bread Site Plan 81999001F – **MCPB11-67**
8. Batchellor’s Forest Site Plan 82008019A – **MCPB 11-50**
9. Parklawn North Preliminary Plan 120110300 – **MCPB 11-69**
10. Parklawn North Site Plan 820110090 – **MCPB 11-70**

BOARD ACTION

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

Vote:

Yea: **A. 5-0**
 B. 4-0-1

Nay:

Other: **B. ANDERSON ABSTAINED**

Action: **A. Adopted Resolutions # 2, 3, 7, 8, 9, & 10, as cited above.**
 B. Adopted Resolutions # 1, 4, 5, & 6, as cited above.

***B. Record Plats**

1. Subdivision Plat No. 220090790, Poplar Run; R-200 zone; 40 lots, 5 parcels; located at the intersection of Poplar Run Drive and Tivoli Lake Boulevard; Kensington-Wheaton.

Staff Recommendation: Approval

2. Subdivision Plat No. 220101120, 220101180 – 220101200, Clarksburg Town Center; RMX zone; 20 lots, 7 parcels; located in the southeast quadrant of the intersection of Clarksburg Square Road and General Store Drive; Clarksburg.

Staff Recommendation: Approval

3. Subdivision Plat No. 220110200 – 220110210, Townhouses at Small’s Nursery, RT-10 zone; 19 lots, 5 parcels; located on the south side of Thistlebridge Drive, approximately 700 feet west of Georgia Avenue (MD 97); Olney.

Staff Recommendation: Approval

4. Subdivision Plat No. 220110480, Garrett Park; R-90 zone, 2 lots; located on the east side of Waverly Avenue, 300 feet south of Montrose Avenue; North Bethesda/Garrett Park.

Staff Recommendation: Approval

5. Subdivision Plat No. 220110690, Kilmarnock Farm; R-200 zone; 3 lots; located on the north side of Barnesville Road (MD 117), 800 feet west of Ganley Road; Boyds.

Staff Recommendation: Approval

6. Subdivision Plat No. 220110800 – 220110810, Seneca Meadows Corporate Center; TMX-2 zone; 2 lots, 1 parcel; located in the northwest quadrant of the intersection of Observation Drive and Seneca Meadows Parkway; Germantown.

Staff Recommendation: Approval

7. Subdivision Plat No. 220111040, R. Holt Easley’s Subdivision – Silver Spring; CBD-1 zone; 1 lot; located on the north side of Sligo Avenue, 250 feet west of Fenton Street; Silver Spring CBD.

Staff Recommendation: Approval

8. Subdivision Plat No. 220111170 - 220111190, Clarksburg Village; R-200/TDR zone; 4 parcels; located on the south side of Snowden Farm Parkway at the intersection of Newcut Road; Clarksburg.

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/PRESLEY

Vote:

Yea: 5-0

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

***C. Other Consent Items**

1. Site Plan Amendment Review No. 81994021D, Shady Grove Life Sciences Center – Parcel S2; LSC Zone; 7.85 acres; site plan amendment to remove a building; add parking; add and modify loading facilities; and enhance architectural, landscape, and site details; located on the northeast quadrant of the intersection of Medical Center Drive and Medical Center Way in the GSSC Sector Plan area.
RESOLUTION MCPB 11-65

2. Site Plan Amendment Review No. 82006017E, North Bethesda Market; CR Zone; 4.30 acres; site plan amendment to convert second floor retail area to 14 dwelling units; adjust passive/active recreation space, public use space, and café seating areas; and make minor site modifications; located on Rockville Pike approximately 460 feet south of Nicholson Lane in the White Flint Sector Plan area.
RESOLUTION MCPB 11-66

3. Alvermar Woods Lot 17, Preliminary Plan 11999034A – CORRECTED RESOLUTION MCPB 10-148

4. Mess Property, Preliminary Plan No. 120100310 - CORRECTED RESOLUTION MCPB 11-37

5. Mid-Pike Plaza, Sketch Plan No. 320110010 - CORRECTED RESOLUTION MCPB 11-05

BOARD ACTION

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

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

Nay:
Other:

Action: **A. Approved Site Plan Amendment for Shady Grove Life Sciences Center – Parcel S2, as recommended by staff.**
 B. Approved Site Plan Amendment for North Bethesda Market, as recommended by staff.
 C. Adopted Corrected Resolutions for Preliminary Plans for Alvermar Woods, Lot 17 and Mess Property, and Sketch Plan for Mid-Pike Plaza.

B. Planning Department staff briefly discussed the proposed Site Plan Amendment for North Bethesda Market and noted that there is a proposed revision regarding the number of units, as requested by the applicant.

At the Board’s request, Mr. Steve Robins, attorney representing the applicant, JBG Companies, offered comments.

Ms. Erin Gelzer from JBG Companies also offered comments.

***D. Approval of Minutes**

Minutes of June 30, 2011

BOARD ACTION

Motion: **ANDERSON/WELLS-HARLEY**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved Planning Board Meeting Minutes of June 30, 2011 as presented.**

10. Reconsideration Request for Hilltop Farm, Preliminary Plan No. 120050740

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: **By consensus approved staff recommendation for a deferral of the reconsideration request.**

Legal Counsel to the Board informed the Board that the attorney handling this request is on leave and staff is requesting a deferral until September.

Mr. Steve Orens, attorney representing the applicant, offered comments and concurred with staff recommendation.

Mr. Julius Cinque of Slidell Road offered testimony and concurred with the recommendation to defer.

2. East County Science Center Master Plan Citizens Advisory Committee (CAC)

Staff Recommendation: Appoint Replacement Member to the CAC

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to appoint Mr. Marc Bloom, Director of the Division of Logistics Services and Facilities Operations in the office of White Oak Services at U.S. Food and Drug Administration (FDA) as a replacement member to the East County Science Center Master Plan Citizens Advisory Committee (CAC) to replace Mr. Gerald Hines of FDA.

6. Montgomery Parks Foundation Proposed Park Naming Policy

Foundation Staff and Trustees will Brief PB on Status of the Foundation. Staff will recommend approval of Proposed Park Naming and Dedication Policy.

Staff Recommendation: Approval

BOARD ACTION

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

Vote:

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

Nay:

Other:

**Action: A. Approved nomination of Meredith Wellington as a Parks Foundation Trustee.
B. Approved staff recommendation for approval of proposed amendments to the 1998 Park Legacy Naming Rights Policy and Guidelines.**

Received briefing from Montgomery Parks Foundation and Parks Department staff regarding the proposed amendments to the 1998 Park Legacy Naming Rights and Guidelines.

Legal staff clarified the Planning Board's authority and discretion to decide on the naming rights and the right to revoke a previously assigned naming right.

There followed a brief Board discussion with questions to staff.

3. Park Facility Plan: Warner Circle Special Park

Facility Plan for Warner Circle Special Park to rehabilitate the historic buildings, demolish the non-contributing wings, construct new office/meeting/laboratory space, and refurbish the grounds to continue to serve as a public park; 4.4 acres; located in the Kensington Historic District on Carroll Circle; Kensington Sector Plan.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Instructed staff to revise proposed Phase I as discussed and recommended by Board members and resubmit to the Planning Board for a decision on the adaptive reuse plan for the existing buildings.

In keeping with the July 21 technical staff report, Parks Department staff offered a multimedia presentation of the proposed facility plan for the Warner Circle Special Park. Staff discussed the history of the site and noted that the property was acquired by the Commission in 2006 through the Legacy Open Space program for \$6.4 million. The Parks Department proposes to refurbish the grounds of the property to continue to serve as a public park and to convert the historic buildings to public offices, including those for the Park Planning and Stewardship Division of the Parks Department. Staff noted that there is available funding for planning, design, and implementation of Phase I of the project which is around \$751,000. Staff will request funding for Phases II and III in the FY13-18 Capital Improvement Program, which will be submitted to the Council by November 2011. Staff also added that despite extensive outreach efforts and significant verbal interest in the buildings at several open houses, the lengthy search process for a private partner to fund the capital costs of rehabilitation in return for a low to no-cost lease on the buildings did not result in any viable applicants. Staff further added that the Mayor of Kensington and the citizens strongly support the Parks Department's proposal.

The following speakers offered testimony: Mr. Matthew Hoffman representing the Town of Kensington; Ms. Helen Wilkes of Prospect Street; Mr. Duane Thompson of Carroll Place; Mr. John Doherty representing Citizens United to Save the Circle; Mr. Steve Cohen of Connecticut Avenue; and Ms. Gloria Botkiss of Circle Manor.

There followed considerable discussion with questions to staff.

Commissioners Anderson and Dreyfuss noted that they are in favor of implementing Phase I of the proposed project but have concerns regarding Phase II and III, which are very expensive considering the current economic climate.

Chair Carrier, Vice Chair Wells-Harley, and Commissioner Presley also expressed their concerns and agreed with Commissioners Anderson and Dreyfuss' comments.

5. Limited Site Plan Amendment No. 82001012C: Human Genome Sciences (Traville Parcels M&N)

Located south of Darnestown Road and Great Seneca Highway, approximately 46.26 acres MXN zone: 1) Construct Building D (125,000 square feet) in accordance with phase 1A of the certified site plan; 2) Revise the Approved Forest Conservation Plan; 3) Revise the Approved Water Quality Plan; 4) Revise the SWM facilities and utilities; 5) Delete the temporary surface parking lot; 6) Add a surface parking facility (327 spaces) in close proximity to Building D; and 7) Modify the existing lighting and landscape plans. Great Seneca Science Corridor Master Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

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

In keeping with the July 18 technical staff report, Planning Department staff offered a multimedia presentation of the request to construct building D in accordance with Phase 1A of the certified site plan, to revise the approved forest conservation plan, the approved water quality plan, the stormwater management facilities and utilities, remove the temporary surface parking lot by adding a surface parking facility in close proximity of building D, modify the existing lighting and landscaping plans on the proposed 46.28-acre site located south of Darnestown Road and Great Seneca Highway.

Staff discussed the draft site enforcement agreement and noted that the temporary surface parking lot will be removed to construct building D, which will be about 64 feet. The applicant is proposing 1,236 parking spaces. Staff also discussed the forest conservation easement requirements for the property.

Mr. Edward Wallington, engineer representing the applicant, and Ms. Erin Lee Shea representing BioMed Realty Trust, Inc., the applicant, offered comments and concurred with the staff recommendation.

Staff also discussed proposed corrections to the conditions of approval. There followed a brief Board discussion with questions to staff.

MEETING OF THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION BY CONFERENCE CALL - (*Third Floor Conference Room*)

Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See official citation and open session report in the minutes of The Maryland-National Capital Park and Planning Commission.

Ratification of Closed Session Discussion

Ratification of closed session discussions or decisions pertaining to collective bargaining negotiations or consider matters that relate to the negotiations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: See report in the minutes of The Maryland-National Capital Park and Planning Commission.

MONTGOMERY COUNTY PLANNING BOARD MEETING CONTINUES

8. Closed Session

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(13) to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

9. 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 Sector Plan Draft Design Guidelines

Staff Recommendation: Approve Draft Design Guidelines

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing and provided guidance to staff.

Planning Department staff provided a multimedia presentation of the Draft Urban Design Guidelines for the Kensington Sector Plan, which will clarify general design expectations and provide a framework for project review and a guide to enhancing the public environment. Design goals include emphasizing pedestrian connections; ensuring that new development relates to the scale and context of existing residential neighborhoods; designing buildings that strengthen the public realm; and preserving, enhancing, and creating local character. The draft Guidelines will be fleshed out and brought back to the Board for final approval.

Ms. Lydia Sullivan of Kensington; Mr. John Gaffey, Jr., of Kensington; and Mr. Barry Peoples of Kensington offered comments.

In discussion, the Board provided guidance to staff on various issues, including the need to emphasize bicycle connectivity as well as pedestrian connectivity in the Design Guidelines.

7. Roundtable Discussion

A. Pace and Pattern of Growth; Subdivision Staging Policy

B. New Name for the East County Science Center Master Plan*

***New item added after publication of agenda**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **A. Received briefing and discussed.**
 B. By consensus, endorsed the new title, Master Plan for the Communities of White Oak and the FDA.

A. Pace and Pattern of Growth; Subdivision Staging Policy—Planning Director Rollin Stanley and Research and Information Services Division Chief Richard DeBose briefed the Board on a subdivision staging policy study that is looking at forecasts for housing and jobs growth through 2030, estimates of the number of acres of land that will be needed to accommodate that demand, and the implications of that growth for economics and planning efforts.

B. New Name for the East County Science Center Master Plan—Area 2 Division Chief Glenn Kreger proposed renaming a pending master plan from the East County Science Center Master Plan to the Master Plan for the Communities of White Oak and the FDA.