



**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, September 17, 2009, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 9:15 p.m.

Present were Chairman Royce Hanson and Commissioners Joe Alfandre and Marye Wells-Harley. Commissioners Jean Cryor and Amy Presley were necessarily absent.

Items 1 through 7 are reported on the attached agenda.

The Board recessed at 12:05 p.m. for lunch and to take up Item 13 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 1:35 p.m. in the third floor conference room, on motion of Commissioner Alfandre, seconded by Commissioner Wells-Harley, with Chairman Hanson and Commissioners Alfandre and Wells-Harley present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(3), State Government Article, Annotated Code of Maryland, to consider acquisition of real property for a public purpose.

Also present for all or part of the Closed Session were Director of Parks Mary Bradford; Deputy Director of Parks Michael F. Riley; Gene Giddens; Bill Gries; and April O'Neal of the Parks Department; Associate General Counsels Carol Rubin and Derrick Rogers; and Clara Moise, Technical Writer, Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff regarding the proposed acquisition of 1.5 acres of land for the Rock Creek Stream Valley Park.

The Closed Session was adjourned at 1:50 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 2:18 p.m.

Items 8, 14, and 9-11, taken in that order, are reported on the attached agenda.

The Board recessed for dinner at 6:20 p.m. and reconvened in the auditorium at 7:30 p.m. to receive a presentation by Dhiru Thadani, on creating compact mixed-use development that links technology and research with public transportation, using as an example his M Square project, a transit-oriented master plan for the University of Maryland in College Park.

There being no further business, the meeting was adjourned at 9:15 p.m. The next regular meeting of the Planning Board will be held Monday, September 21, 2009, in the Montgomery Regional Office in Silver Spring, Maryland.

Ellyn Dye  
Technical Writer

M. Clara Moise  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, September 17, 2009, 9:00 A.M.**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760

**Adoption of Resolutions**

**1. 4 Bethesda Metro Center Project Plan Amendment 91992004B – ADOPTION OF MCPB RESOLUTION No. 09-118**

**BOARD ACTION**

**Motion: ALFANDRE/HANSON**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

**Action: Adopted the Board Resolution listed above.**

**2. Record Plats**

**Subdivision Plat No. 220090980, Edgemoor**

TS-R zone; 1 lot; located on the north side of Hampden Lane, 175 feet east of Arlington Road; Bethesda CBD.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220091030, Wildwood Manor Shopping Center**

O-M zone; 1 parcel; located on the east side of Old Georgetown Road (MD 187), approximately 1,400 feet north of Cheshire Drive; North Bethesda/Garrett Park.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220091180, Chevy Chase, Section 4-B**

R-60 zone; 2 lots; located on the west side of Meadow Lane, 150 feet south of East-West Highway (MD 410); Bethesda-Chevy Chase.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: ALFANDRE/WELLS-HARLEY**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

**Action: Approved the Record Plats listed above.**

**3. Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: None submitted for approval.**

**4. Approval of Minutes**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: None submitted for approval.**

**5. Economic Analysis of Proposed CR Zone**

**Attachment 1 - Attachment 2**

*Staff recommendation: Discuss and provide direction to staff.*  
**(Public Testimony Limited to One Hour)**

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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received staff presentation and testimony, followed by Board discussion.**

Community-Based Planning Division staff and Consultant Anita Morrison offered a multi-media presentation of the economic analysis of the proposed CR Zone in White Flint, as discussed in detail in the September technical staff report.

The following speakers offered testimony: Ms. Patricia Harris of Bethesda Metro Center; Mr. Robert Stoddard of Willow Tree Drive and representing RJS Realty Services, LLC.; Mr. Perry Berman of Rockville Pike and representing Fitzgerald Auto Mall; Mr. Bob Wulff of Wisconsin Avenue and representing BF Saul Company; Ms. Barbara Sears of Wisconsin Avenue and representing Federal Realty Investment Trust; Mr. Don Briggs of Camalier Drive; Mr. Michael Smith of Rock Spring Drive; Mr. Bill Kominers of Bethesda Center; and Mr. Greg Trimmer of Willard Avenue.

There followed extensive Board discussion, with questions to staff and the speakers.

The Board also extended congratulations to staff, the developers, and community at large who participated in the process and provided comments and input.

Chairman Hanson noted that the Board comments will be forwarded to the County Council before the October 2 Public Hearing.

**6. [Preliminary Plan No. 120080250, Kensington Heights](#) (Resubdivision)**

R-60 zone; 3.06 acres; 14 lots requested for 14 one-family detached residential dwellings, one existing to be removed; located on West University Boulevard (MD 193), 210 feet east of Hobson Street; Kensington-Wheaton.

*Staff Recommendation: Approval with conditions*

**BOARD ACTION**

**Motion:** ALFANDRE/WELLS-HARLEY

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** CRYOR, PRESLEY ABSENT

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

In keeping with the September 4 detailed technical staff report, Development Review Division staff presented the request to create fourteen lots for fourteen one-family detached residential dwellings, with one existing to be removed, on a 3.06-acre property located on West University Boulevard (MD 193) 210 feet east of Hobson Street in Kensington/Wheaton. Staff noted that this resubdivision request meets all the resubdivision criteria, and a list of revised conditions has been distributed prior to the meeting.

Messrs. Jeff Robertson and Cort Schreffler, Engineers, representing the applicant, Mr. Sterling Mehring, also present, offered brief comments, and concurred with the staff recommendation.

The following speakers offered testimony: Ms. Donna Savage of McComas Court and representing the Kensington Heights Citizens Association; Mr. Bradley Wright of Hobson Street, adjacent property owner; and Ms. Monica Stanton of Moore Lane.

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

**7. Site Plan Review No. 820090140 and Request for a Parking Waiver, Ourisman Ford Montgomery Mall**

C-2 Zone, 4.08 acres, (6) story building with a total of 340 dwelling units (43 MPDU's) above with 42,000 square feet of retail and 12,000 square feet of restaurant located on the ground level, located at the northeast quadrant of the intersection of Motor City Drive and Westlake Terrace. Potomac

*Staff recommendation: Approval with conditions.*

**BOARD ACTION**

**Motion: WELLS-HARLEY/ALFANDRE**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

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

In accordance with the detailed September 7 technical staff report, Development Review Division staff presented the request to build a 6-story building with a total of 340 dwelling units, with 43 Moderately Priced Dwelling units (MPDUs) above with 42,000 square feet of retail and 12,000 square feet of restaurant located on the ground level on a 4.08-acre property located at the northeast quadrant of the intersection of Motor City Drive and Westlake Terrace in Potomac, the former site of Ourisman Ford in Montgomery Mall. Staff noted that a list of revised conditions was distributed before the meeting. Staff also added that it recommends approval of the applicant's request for a parking waiver.

Legal staff noted that the County Council might decide to reduce the height and in that case if the footers are in place, the applicant can go ahead with what was approved in the Site Plan. If the Department of Permitting Services (DPS) staff decided to hold the permit, the applicant's attorney would challenge it.

Ms. Barbara Sears, attorney representing the applicant, introduced Messrs. Bill Landfair; Hasan Askari; Matt Hopkins; Dick Knapp; Richard Hastings; and Camryn Pratt, members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

Messrs. Pratt, Askari, and Knapp offered a detailed multi-media presentation and answered questions from the Planning Board.

Mr. Aryin Malkani of Metro City Drive offered testimony.

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

**13. Closed Session**

Pursuant to Annotated Code of Maryland, State Government Article, Section 10-508 (a) (3) to consider acquisition of real property for a public purpose - Rock Creek Stream Valley Park, Unit 12.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**8. Montgomery Village Marketplace**

**A. Preliminary Plan No. 120090090**

TS zone; 3.32 acres; 1 lot requested for 23,536 square feet of retail use; located on Stedwick Road, 410 feet west of Montgomery Village Avenue; Gaithersburg.

*Staff recommendation: Approval with conditions*

**B. Site Plan Review No. 820090060**

T-S zone; 3.32 acres; 23,536 gross square feet retail; located on Stedwick Road, approximately 410 feet west of Montgomery Village Avenue; Gaithersburg.

*Staff recommendation: Approval with conditions.*

**BOARD ACTION**

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

**Vote:**

**Yea: A, B. 3-0**

**Nay:**

**Other: CRYOR, PRESLEY 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.**

In presenting the concurrent review of the preliminary plan and site plan to combine two lots and one unrecorded parcel to create two new lots for retail development in three buildings, Development Review staff noted that the plan includes closing and filling the Stedwick Road underground pedestrian tunnel and creating an at-grade mid-block crosswalk. The plan also requests a waiver of the parking requirements to eliminate 16 spaces. Staff reported that Montgomery County Department of Transportation (DOT) has recently indicated a desire to provide a bus layover facility in the right-of-way along Stedwick Road and has requested the applicant to construct and maintain a restroom and storage facility. Staff and the applicant oppose this proposal because it would compromise the site plan layout, the buses would block visibility of the retail and plaza areas, and the bus noise and fumes would discourage use of the outdoor spaces fronting on Stedwick Road. Concluding, staff distributed revised conditions for both the preliminary plan and site plan.

Mr. Jody Kline, attorney, introduced Mr. Jay Donegan of the applicant company and Mr. Frank Watkins, the architect. Mr. Kline concurred with the revised conditions of approval and requested that the Board strongly oppose the proposed bus layover facility. Mr. Watkins provided a presentation and discussed various aspects of the site plan.

Chairman Hanson stated for the record that he is a resident of Montgomery Village.

#### **8. Montgomery Village Marketplace**

Mr. John Krause of Montgomery Village; Ms. Sharon Levine, representing Montgomery Village Foundation; Ms. Tony Negro, representing Center Court Condominiums; and Mr. David Winfield of Gaithersburg, offered comments on the proposal.

In discussion, the Board strongly opposed the bus layover at this location and agreed to convey that opposition to DOT.

Prior to the Board taking action on the site plan, staff made several corrections for the record to the staff report.

#### **14. Woodfield Road (MD 124) Improvements at the Evangelical Lutheran Church of the Redeemer Property - ADDED**

**A. Limited Preliminary Plan and Forest Conservation Plan Amendment No. 11996007A** RE-2C zone; 1.97 acres of an approximately 9 acre lot previously approved for a place of worship; request to remove existing conservation easement from an area of the lot that has been purchased by the County for road right-of-way for the extension of Woodfield Road (MD 124); located in the southeast quadrant of the intersection of Ridge Road (MD 27) and Faith Lane; Damascus.

*Staff Recommendation: Approval with conditions*

**B. Adoption of Resolution – Evangelical Lutheran Church of the Redeemer – Limited Preliminary Plan and Forest Conservation Plan Amendment 11996007A; Adoption of MCPB Resolution No. 09-116**

#### **BOARD ACTION**

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

**Vote:**



**Yea: A, B. 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

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

**B. Adopted MCPB Resolution No. 09-116, as stated above.**

Development Review staff made a brief presentation of the proposed limited site plan and associated Final Forest Conservation Plan, noting that this will bring a County Department of Transportation (DOT) mandatory referral into conformance with the Forest Conservation Law.

Department of Transportation staff concurred in the staff recommendation.

**9. [Board of Appeals No. S-717-B](#)**

Our House, Inc., applicant, requests a modification to an existing special exception Group Home (Domiciliary Care Home); RDT Zone; located at 19715 Zion Road, Brookville

*Staff recommendation: Approved with conditions*

**(Action required for hearing by the Hearing Examiner on 10/02/09)**

**BOARD ACTION**

**Motion: WELLS-HARLEY/ALFANDRE**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

**Action: Approved the staff recommendation to approve, as stated in the attached Letter of Transmittal.**

Development Review staff presented the petition to modify an existing special exception to construct a new dormitory building and increase the number of residents/beds from 16 to 24, as detailed in the staff report.

Mr. Stuart Barr, attorney representing the applicant, concurred in the staff recommendation, making a correction on page 14 to note that the facility is on well and septic systems, rather than public water and sewer service. Mr. Michael Knott, the administrator, discussed the program and the proposed expansion and special exception modification.

**10. Discussion - Draft Report of Joint Park & Recreation Work Group**

The County Council required the Department of Parks and Montgomery County Department of Recreation to formulate recommendations to improve and streamline the delivery of recreation programs in the county.

*Staff of both Departments will brief the Board on findings and recommendations.*

**(The report is due to Council on October 1, 2009)**

**BOARD ACTION**

**Motion: WELLS-HARLEY/ALFANDRE**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CRYOR, PRESLEY ABSENT**

**Action: Approved the report for presentation to the County Council.**

Director of Parks Mary Bradford and Mr. Gabe Albornoz, Director of the County Department of Recreation, made a joint presentation on the findings and recommendations of the M-NCPPC Department of Parks and Montgomery County Department of Recreation Joint Workgroup, which was created at the request of the County Council to examine possible cost savings, efficiencies, and customer service improvements in the delivery of County-funded recreation programs, through such means as facility and program transfers and improved technology and marketing.

**11. Roundtable Discussion**

**A. Water Resources Element of the General Plan Update.**

*Staff recommendation: Discussion – no Board action*

**B. Briefing on Budget: Parks and Planning Multi-year Projections**

*Staff recommendation: Briefing and Discussion – no Board action*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **A. Water Resources Element of the General Plan Update**—Environmental Planning staff presented the findings and proposed policies and recommendations for the Water Resources Functional Master Plan, as detailed in the staff report. The Board agreed to provide any comments to staff. Representatives of County Department of Environmental Protection and Department of Permitting Services participated in the presentation.

**B. Briefing on Budget:** Executive Director Oscar Rodriguez and Finance Department staff briefed the Board on preliminary projections for FY11-16, including the fiscal outlook for State and County economic recovery and revenues, the impact of recent tax cuts on M-NCPPC funding, and revenue and expenditure assumptions for preparation of the FY11 budget.

**12.    Speaker Series: Dhiru Thadani**

"Compact, Connected, and Complete"

Discuss principles and techniques of urban design for achieving compact, connected and complete developments, using local projects

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**        **Received presentation.**