



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 24, 2009, at 9:05 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 10:00 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 5 and Item 9 are reported on the attached agenda.

The Board recessed at 12:05 p.m. for lunch and to take up Item 7 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 12:35 p.m. in the third floor conference room, on motion of Commissioner Wells-Harley, seconded by Commissioner Alfandre, with Chairman Hanson, Commissioners Alfandre and Wells-Harley present and voting in favor of the motion. The meeting was closed under authority of § 10-508(a)(7), to consult with Counsel to obtain legal advice.

Also present for all or part of the Closed Session were Director of Parks Mary Bradford; Planning Director Rollin Stanley; General Counsel Adrian Gardner; Associate General Counsels Carol Rubin, Jared McCarthy, Derrick Rogers, Tracey Harvin, and Christina Sorrento of the Legal Department; and Clara Moise, Technical Writer, Commissioners' Office.

In Closed Session the Board received briefing from legal staff regarding pending litigation cases against the Commission.

The Closed Session was adjourned at 1:25 p.m. and the Board reconvened in open session in the third floor conference room.

The Board reconvened in the auditorium at 2:10 p.m.

Items 6, 8, 10, 11, 13, and 15, are reported on the attached agenda. Items 12 and 16 were postponed.

The Board recessed for dinner at 6:10 p.m. and reconvened in the auditorium at 7:30 p.m. to take up Item 14, a public hearing, worksession, and action on proposed amendments to the Master Plan for Historic Preservation, as stated on the attached agenda.

There being no further business, the meeting was adjourned at 10:00 p.m. The next regular meeting of the Planning Board will be held Thursday, October 1, 2009, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Technical Writer

Ellyn Dye
Technical Writer

Montgomery County Planning Board Meeting
Thursday, September 24, 2009, 9:00 A.M.
8787 Georgia Avenue
Silver Spring, MD 20910-3760

1. Adoption of Resolutions

1. **Centerpark (Airpark North Business Park)** - Preliminary Plan No. 12004018E - ADOPTION OF MCPB RESOLUTION No. 09-119

2. **Day Property** - Preliminary Plan No. 120090020 - ADOPTION OF MCPB RESOLUTION No. 09-12

3. **River Quarry** - Site Plan No. 82004026B - ADOPTION OF MCPB RESOLUTION No. 09-121

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

Action: Adopted the Board Resolutions listed above.

2. Record Plats

Subdivision Plat No. 220090620 – 220090630, Patuxent Farm

RC zone; 1 parcel; located on the south side of Brighton Dam Road, approximately 4,700 feet east of New Hampshire Avenue (MD 650); Olney.

Staff recommendation: Approval

Subdivision Plat No. 220091080, Somerset Heights

R-60 zone; 1 parcel; located on east side of Warwick Place, at the intersection with Fallstone Avenue; Bethesda-Chevy Chase.

Staff recommendation: Approval

Subdivision Plat No. 220091170, Winterset

R-200 zone; 1 lot; located on the north side of Glen Road, 500 feet west of Split Tree Road; Potomac.

Staff recommendation: Approval

Subdivision Plat No. 220100010, Woodmont

CBD-2 zone; 1 lot; located on the north side of Fairmont Avenue, 500 feet east of Old Georgetown Road (MD 187); Bethesda CBD.

Staff recommendation: Approval

Subdivision Plat No. 220100020, Rock Spring Park

MXPD zone; 1 parcel; located in the northeast quadrant of the intersection of Rockledge Drive and Rockledge Boulevard; North Bethesda/Garrett Park.

Staff recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

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. Worksession #2, Takoma/Langley Crossroads Sector Plan

Transportation, Land Use, Design, Zoning and Reconciliation Items with Prince George's County Sector Plan

Staff recommendation: Discuss and Provide Guidance to staff
(Public testimony will not be taken)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received staff briefing followed by extensive Board discussion and provided guidance to staff.

At the start of the worksession, Chairman Hanson noted that the County Council has decided that the Takoma/Langley Crossroads Sector Plan should be pushed back until September 2010 given the number of Master and Sector Plans already in the works for this fiscal year. Chairman Hanson further added that staff should continue the work on this sector plan but at a slower pace.

In keeping with the September 18 technical staff report, Community-Based Planning, Parks Development, Transportation Planning, and Environmental Planning Divisions staff offered multi-media presentations and discussed the issues raised at the public hearing meeting of July 23. The staff presentation covered issues related to Zoning, Land Use, Urban Design, Parks, Transportation, and Environment.

Mr. Bruce Williams, Mayor of the City of Takoma Park, offered comments at the Board's request.

Ms. Donna Victori, representing Ward 6 on the Takoma Park City Council, and Ms. Ilona Blanchard representing the City of Takoma Park offered comments.

At the Board's request Messrs. Robert Harris, attorney, and Neel Teague, property owner, offered testimony.

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

7. Closed Session

In accordance with State Government Article, Section 10-508)(a)(7), Annotated Code of Maryland, 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.

9. Parks CIP Worksession 2

Review and approve stand-alone projects for inclusion in the FY11-16 Parks' Capital Improvement Program

Staff recommendation: Discussion and Approval
(Public testimony will not be taken)

BOARD ACTION

Motion: ALFANDRE/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

Action: Approved staff recommendation for approval of the proposed FY11-16 Capital Improvements Program (CIP) including the proposed list of stand-alone projects.

Parks Department staff offered a brief presentation of the proposed FY11-16 Capital Improvements Program (CIP). Staff discussed the proposed stand-alone projects included in the FY11-16 CIP.

There followed a brief Board discussion with questions to staff.

6. Budget Priorities FY11

- A. CAS FY11 Proposed Budget**
- B. Parks FY11 Operating Budget**
- C. Planning FY11 Operating Budget**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefings and discussed.

Executive Director Oscar Rodriguez, Director of Parks Mary Bradford, and Planning Director Rollin Stanley provided an overview of budget priorities and assumptions for preparation of the FY11 operating budgets for, respectively, Central Administrative Services (CAS), the Parks Department, and the Planning Department.

Discussion with the Board included chargebacks by CAS to the departments and the services provided, the differences between “zero growth” budgets and “same services” budget, the master plan program, changes in the development review process, and fixed costs. The Board also provided guidance on assumptions and scenarios for preparing the FY11 budgets.

13. APF 2010-01 Adequate Public Facilities Determination- Time Change

Application to expand Olney Town Center, 18100 Town Center Drive, Olney by 9,033 square-feet to construct a grocery store in place of a vacant cinema

Staff recommendation: Approved

BOARD ACTION

Motion: ALFANDRE/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

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

Transportation Planning staff presented the application for Adequate Public Facilities (APF) approval for additional retail density to redevelop portions of the Olney Town Center, replacing a vacant cinema theater with a grocery store, as detailed in the staff report. Staff noted several changes to the proposed conditions of approval.

Mr. Robert Harris, attorney representing the applicant, concurred in the staff recommendation, noting that a new APF approval is required because the proposed redevelopment will generate additional trips.

Mr. Walter Lee of Olney offered comments.

Mr. Mike Reilly of the applicant company responded to a Board query about connectivity between the Olney Town Center and the abutting Olney Village Mart, which is now owned by the same company.

Community-Based Planning staff discussed a concern raised in correspondence about loss of green space due to expansion of parking, noting that an expanded plaza area will be provided.

8. Park Acquisition - Rock Creek Stream Valley Park, Unit 12

Authorization to acquire 1.5 acres, more or less, improved, from Jo Anne Morris, Trustee, located at 18251 Muncaster Road, Derwood, Maryland 20855

Staff recommendation: Approved

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

Action: Approved staff recommendation for submission to County Council for authorization to use the Advance Land Acquisition Revolving Fund (ALARF) to acquire the property, as stated above, for a purchase price of \$240,000.

Parks Department staff presented the proposed land acquisition, as noted above.

11. Callithea Farm Special Park: Sengstack Lease Amendment and Extension

The Amendment and Lease Extension provides Mr. Sengstack with a 20 year lease beginning in 2006, the year of the final installment purchase of the property, consistent with the intent of the seller and the agreement of M-NCPPC. Because the original lease began in 2003, this amendment creates a lease that is in excess of 20 years and requires County Council approval.

Staff recommendation: Approved

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

Action: Approved the staff recommendation.

Parks Department staff presented a proposal to extend the lease for Callithea Farm Special Park for three more years, as stated in the staff report.

10. Warner Circle Special Park Concept Plan

Briefing on staff proposal for Adaptive Reuse of the Warner Circle site as a Town Green, Public Meeting Space, and Park Staff Offices.

Staff recommendation: Discuss and Provide Guidance to Staff

BOARD ACTION

Motion: WELLS-HARLEY/ALFANDRE

Vote:

Yea: 3-0

Nay:

Other: CRYOR, PRESLEY ABSENT

Action: Approved the concept and provided guidance to staff.

Parks Department staff briefed the Board on the concept plan for proposed renovation and reuse of the historic Brainard Warner House and associated structures and land to create a Town Green, public meeting space, and Parks Department staff offices, as detailed in the staff report. Consulting architects offered a presentation on proposed modifications to the site to enhance the historic character while upgrading and enlarging the usable area for the staff offices and an archeology laboratory.

Mr. John Doherty of Kensington; Ms. Helen Wilkes, representing the Kensington Land Trust; and Mr. Peter Fosselman, Mayor of the Town of Kensington, spoke in support of the proposed concept.

The Board spoke strongly in support of the proposed concept.

12. POSTPONED Limited Site Plan Review No. 82008018A, Children’s Manor Montessori School (formerly Traville Day Care)

TS-R zone; 4.26 acres; amendment to change the use to include both a day care facility and private educational institute; located at the southwest quadrant of the intersection Darnestown Road and Traville Gateway Drive; Potomac

Staff recommendation: Approval with conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This item was postponed.

16. POSTPONED Preliminary Plan No. 120080260, Potomac Grove (Resubdivision)

R-200 zone; 1.37 acres; 2 lots requested for 2 one-family detached residential dwelling units, one existing to remain; located in the west quadrant of the intersection of Glen Mill Road and Mary

Knoll Drive; Potomac.

Staff Recommendation: Approval with conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This item was postponed.**

15. Roundtable Discussion

A. Sligo Park Interim Operations (No public testimony will be taken) – Presentation of Park interim operations management program for Sligo Creek Golf course commencing on October 1, 2009, until such time as long term use is determined. The long-term plan for future reuse options is not being presented at this time.

B. Discussion of Semi-Annual Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **A. Sligo Park Interim Operations**—Director of Parks Mary Bradford briefed the Board on an action by the Council Committee on Planning, Housing, and Economic Development (PHED) today, to support keeping Sligo Creek Golf Course in operation, under the Revenue Authority, through June 2010, while an appointed task force investigates options to continue offering golf at Sligo after that time. Ms. Bradford reported that the County Council will take action on that proposal on September 29, which is the last day the Revenue Authority’s lease is in effect. Parks staff noted that the Sligo operations were extracted from the original larger lease with the Revenue Authority for golf operations and, if the Council approves the proposal, staff will have to negotiate a separate lease with the Revenue Authority to continue operations there through June. In addition, staff discussed an interim operations and management plan, in the event the Council disapproves the proposal and the operation of the park reverts to the Commis-

sion, as detailed in the staff report. Staff noted that interim operations will cost an estimated \$56,000-\$98,000 in unbudgeted funds.

B. Discussion of Semi-Annual Report—Planning Department and Parks Department staff discussed the upcoming Semi-Annual Report to the County Council, and the Board provided guidance and comments.

14. Montgomery County Planning Board Public Hearing, Worksession and Action on Amendment to the Master Plan for Historic Preservation: Greenwich Forest; Animal Industry Building; Higgins Cemetery

Staff recommendation: Designation of one historic district and two individual sites to the Master Plan for Historic Preservation

BOARD ACTION

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

Vote:

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

Nay:

Other: **CRYOR, PRESLEY ABSENT**

Action: **Heard testimony and received evidence submitted into the record, and took the following actions:**

A. Approved the staff recommendation to place the Animal Industry Building site on the Locational Atlas and Index of Historic Sites and designate them on the Master Plan for Historic Preservation.

B. Approved the staff recommendation to place the Higgins Cemetery site on the Locational Atlas and Index of Historic Sites and designate them on the Master Plan for Historic Preservation.

C. Approved the staff recommendation to place the Greenwich Forest Historic District on the Locational Atlas and Index of Historic Sites and designate it on the Master Plan for Historic Preservation, and approved the Public Hearing Draft Amendment for transmittal as the Planning Board Draft to the County Council and County Executive.

Historic Preservation staff submitted items into the record and presented an overview of the recommendations to designate the Greenwich Forest Historic District, the Animal Industry Building, and the Higgins Cemetery as historic resources in the Master Plan for Historic Preservation, as detailed in the staff report.

The following speakers offered testimony and submitted evidence into the record: Mr. David Rotenstein, representing the Historic Preservation Commission; Ms. Eileen McGuckian, Mr. Leonard Allen Becraft, Ms. Eleanor Hickey and Ms. Mary Ann Barnes, representing the Higgins Cemetery Historic Preservation Association; Mr. John Jessen, Ms. Christine Parker, and Ms. Emily Eig, representing the Greenwich Forest Citizens Association, the nominators; Ms.

April Witt of Wilson Lane; Mr. Stephen Sherman of Westover Road; Ms. Alison McBride of Overhill Road; Mr. Joseph Mott of Overhill Road; Ms. Heidi Sinick of Overhill Road; Ms. Janet Ranganathn of Overhill Road; Ms. Betsy Bennett of Overhill Road; Mr. Raymond Paretzky of

14. Montgomery County Planning Board Public Hearing, Worksession and Action

Hampden Lane; Mr. Victor Bonilla of Hampden Lane; Ms. Betty Petrides of Oldchester Road; Mr. Harold Levy of Hampden Lane; Mr. David Schindel of York Lane; Ms. Kathryn Becker of York Lane; Mr. William Offutt of Irvington Avenue; Ms. Lisa Dobbs of Overhill Road; Ms. Nancy Nathan of Midwood Road; Mr. Walter Wood of Midwood Road; Ms. Ann Dorigan of Midwood Road; Mr. Kevin Oprey of Hampden Lane; Ms. Maren Proulx of Hampden Lane; Ms. Michelle Frazier-Jessen of Midwood Road; Mr. Anil Gupta of Overhill Road; Mr. Stephen Burks of Hampden Lane; Mr. Steve Dryden of Charlcote Road; Mr. David Pankopf of Hampden Lane; Mr. Scott Davis of Radnor Road; Mr. Thomas Liddle of York Lane; Mr. Lynwood Brewer; and Mr. Colin Church.

A VERBATIM TRANSCRIPT OF THIS ITEM IS ON FILE IN THE RECORDS
MANAGEMENT OFFICE IN SILVER SPRING, MARYLAND.