



**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, October 1, 2015, at 9:00 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:15 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioner Natali Fani-González. Commissioner Norman Dreyfuss joined the meeting at 9:04 a.m., and Commissioner Amy Presley joined at 9:25 a.m.

Items 1 through 3 are reported on the attached agenda.

The Board recessed for lunch at 12:20 p.m.

The Board reconvened in the auditorium at 1:48 p.m.

Items 4 through 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:15 p.m. The Planning Board will meet on Monday evening, October 5, from 6:00 p.m. to 8:00 p.m. for a worksession on the Bethesda Downtown Sector Plan. The next regular meeting of the Planning Board will be held on Thursday, October 8, 2015, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
Sr. Technical Writer/Editor

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**Montgomery County Planning Board Meeting**  
**Thursday, October 1, 2015**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Wheaton Public Improvements Forest Conservation Plan MR2015028 – MCPB No. 15-110

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/WELLS-HARLEY

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** DREYFUSS & PRESLEY ABSENT

**Action:** Adopted the Resolution cited above, as submitted.

**\*B. Record Plats**

**Subdivision Plat No. 220140940, Edgemoor**

CR and CRN zones, 1 lot; located in the southwest quadrant of the intersection of Old Georgetown Road (MD 187) and Woodmont Avenue; Bethesda CBD Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220150470, Clover Ridge**

AR (RDT) zone, 1 lot; located on the southeast side of Clarksburg Road, 4000 feet north of the intersection of Moxley Road; Damascus Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/WELLS-HARLEY

**Vote:**

**Yea:** 3-0

**Nay:**

**Other: DREYFUSS & PRESLEY ABSENT**

**Action: Approved staff recommendation for approval of the Record Plats cited above, as submitted.**

**\*C. Other Consent Items**

**Third District Police Station, Preliminary Forest Conservation Plan Amendment No. MR2009742**

--- Request to amend the approved Preliminary Forest Conservation Plan to amend the Category I Forest Conservation Easements to allow for reconfiguration of pedestrian improvements associated with Victory Crossing, consistent with approved Preliminary Plan #120140210. 12.79 acres, R-90/TDR-6 Zone. Located in the northeast quadrant of the intersection of Milestone Drive and New Hampshire Avenue, Silver Spring, within the 1997 White Oak Master Plan area.

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

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: DREYFUSS & PRESLEY ABSENT**

**Action: Approved staff recommendation for approval of the Preliminary Forest Conservation Plan Amendment cited above and adopted the attached Resolution.**

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of September 17, 2015

**BOARD ACTION**

**Motion: WELLS-HARLEY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: DREYFUSS & PRESLEY ABSENT**

**Action: Approved Planning Board Meeting Minutes of September 17, 2015, as submitted.**

**2. Roundtable Discussion**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

**Parks Department Director's Report** – Parks Department Director Michael Riley briefed the Board on the following ongoing and upcoming PARKS Department events and activities: the recent award of a sixth gold medal to the Parks Department by the National Park and Recreation Association, which recognizes exemplary park and recreation agencies throughout the country; the status of storm preparation work currently underway in anticipation of Hurricane Joaquin; the status of the Harvest Festival event scheduled for Saturday, October 3, and its possible cancellation due to inclement weather, which will be determined by Friday, October 2; the ribbon cutting ceremony for the grand opening of the Germantown Center Urban Park scheduled for 4:00 p.m. on October 17; recent discussions with the County Council regarding pesticide legislation and proposals brought forth by the Parks Department, including elimination of pesticide use in all 283 of the playgrounds maintained by the Parks Department, implementation of a pilot project in which five athletic fields would become pesticide-free and organic for up to three years, and elimination of pesticide use in the approximately 1,600 acres of lawn areas maintained by the Parks Department; and the status of the relocation of a monument honoring Confederate soldiers from the grounds of the Historic Red Brick Courthouse in Rockville to Beall-Dawson Historical Park.

Parks Department staff then offered a multi-media presentation and discussed the impact of emerald ash borer infestation to park land. Staff stated that the invasive species of beetle is native to China and infests all species of ash. It is believed to have entered the country sometime in the early 1990s through Detroit, Michigan, in packing materials used in a freight shipment from China. Because signs of infestation are difficult to detect, and usually not present until irreversible damage to the tree has been done, infestation has 99 percent mortality within one to three years. Staff noted that the emerald ash borer has no known native predators. The first evidence of the borer in Maryland was found in Prince George's County in 2003, with the first evidence found in Montgomery County in 2012. Staff noted that first evidence normally indicates that the borer has been present in the area for

approximately 10 years. The entire State is now one of 20 states on a federal quarantine list. Staff noted that the Commission is currently

## **2. Roundtable Discussion**

### CONTINUED

the largest holder of ash trees in the County. County areas with confirmed emerald ash borer infestation include Rock Creek Trail, South Germantown Regional Park, Sligo Creek Trail, and Pope Farm Nursery. If left unchecked, infested trees pose significant risks to park patrons due to falling branches and windthrow. Staff also noted the risk of invasion of non-native plant species that normally cannot thrive in the shade provided by ash trees. In order to ensure park patron and staff safety, staff proposes removal of infested ash trees near all hard-surface trails within stream valleys. The next steps for Parks staff include inventory, monitoring, removal, treatment, reforestation, and implementation of biological controls in infected areas. The cost to address the estimated 2,040 hazard trees surrounding 34 miles of paved stream valley trails will be approximately \$1,700,000 for the removal of 408 trees per year over a five-year period, and \$300,000 for treatment of 416 trees. Staff added that the Parks Department is coordinating with other local, State, and Federal agencies in regard to this issue.

There followed extensive Board discussion with questions to staff.

## **3. Montgomery Village Master Plan - Worksession #1**

*Staff Recommendation: Discuss and provide guidance to staff*

### **BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed proposed modifications to the Public Hearing Draft of the Montgomery Village Master Plan regarding transportation, land use, overlay zone, and zoning for the Professional Center, the former Montgomery Village Golf Course, and the Montgomery Village Foundation office site areas. The modifications are in response to testimony received at the September 10, 2015 Public Hearing, as well as further testimony received during the open record timeframe, which ended on September 18. Staff noted that the next steps for the plan include a second worksession scheduled for October 15, and transmittal of the Public Hearing Draft with text amendment to the County Executive and County Council scheduled

for October 29. The Planning Board discussed and agreed to the following recommended modifications: increasing allowable building height from 65 feet to 75 feet within Commercial/Residential zones; adding language that will expand current uses and allow office use in the Montgomery Village Foundation Site overlay zone without requiring a conditional use application; allowing the construction of a connector road from Montgomery Village Avenue to Watkins Mill Road, just north of Centerway Road; reclassifying Warfield Road from country arterial to country road; including diagrams of the cross-sections of Christopher Avenue and Lost Knife Road in the amended draft; continuing the business street classification for Club House Road; constructing free-right turn ramps at Montgomery Village Avenue and Wightmand Road; adding language that would allow child day care use in existing and proposed community centers; and adding language that encourages incorporation of new development into the Montgomery Village Foundation.

Mr. Timothy Dugan, attorney, and Ms. Erica Leatham, attorney, offered comments.

Messrs. Dave Humpton representing Montgomery Village Foundation and Charles Tilford of Brink Road offered testimony.

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

**4. US29 Interchange at Fairland Road and Musgrove Road, Mandatory Referral No. MR2016002** --- Construction of an interchange at Columbia Pike (US 29) and Fairland Road and closure of the existing at-grade intersection of US29 and Musgrove Road.

*Staff Recommendation: Transmit comments to Maryland State Highway Administration*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: By consensus, approved staff recommendation to send comments and a recommendation to consider another alternative, discussed at the meeting, for a proposed Columbia Pike/US29 Interchange, to Maryland State Highway Administration and Montgomery County Department of Transportation.**

In keeping with the September 23 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed mandatory referral request to construct an interchange at Columbia Pike/ US29 at Fairland Road and Musgrove Road, and to close the existing at-grade intersection of US29 and Musgrove Road. Staff noted that the proposed closure of Musgrove Road at US29 is inconsistent with the Fairland Master Plan, which recommends that access continue to be provided via an interchange at this location. The proposed project is also inconsistent with the Countywide Transit Corridors Functional Master Plan since no provision has been made in the design for the planned Bus Rapid Transit station, and future station access could likely be made more difficult

by the proposed ramps on the east side of US29. Furthermore, staff noted that the proposed ramp configuration would make travel in the project area more circuitous and difficult for the public to understand. This heavily traveled roadway segment experiences accident rates higher than the statewide average for similar types of roadways and is projected to carry more than 69,000 vehicles per day by 2040. Staff recommended that the Planning Board transmit a recommendation of denial of the mandatory referral request to Maryland State Highway Administration (SHA), and to Montgomery County Department of Transportation (MCDOT). Staff also recommended that the funds dedicated to the design of this project be reallocated to updating the planning and conceptual designs of the unbuilt interchanges along US29 in Montgomery County.

Messrs. Marcus Tadros and Cornelius Barner of SHA, and Mr. Jamie Lake of STV Incorporated, consultant for the proposed project, offered a multi-media presentation and discussed the proposed request.

There followed extensive Board discussion with questions to staff and SHA representatives.

**\*5. Potomac Chase – 12710 High Meadow Road, Preliminary Plan 120140180 ---** Request to create six (6) lots from one (1) un-platted parcel and one (1) platted outlot; located at 12710 High Meadow Road; 7.44 acres; R-200, RE-2, and RE-2C zone; Potomac Sub-region Master Plan.

*Staff Recommendation: Approval with Conditions*

## **BOARD ACTION**

**Motion:** WELLS-HARLEY/DREYFUSS

**Vote:**

**Yea:** 5-0

**Nay:**

**Action:** Approved staff recommendation for approval of the proposed Preliminary Plan request cited above, subject to revised conditions discussed at the meeting, and as stated in the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed the request to create six lots from one un-platted parcel and one platted outlot for six single-family detached homes on a 7.44-acre property located on High Meadow Road in the Potomac Sub-region Master Plan. The property is currently being used as a horse farm. The proposal also includes the construction of a 5-foot sidewalk along Jones Lane, and the re-subdivision of a platted outlot in a cluster subdivision. The applicant requests a waiver of the re-subdivision requirements for a portion of the existing outlot. There is an existing single-family house located on the property that will be located on proposed lot A, and which has been configured in such a way that the existing house will continue to meet setback requirements for the zone. Staff also discussed the requirement for sewer service to the proposed lots. Staff added that the proposed lots meet all the requirements established in the Subdivision Regulations and the Zoning Ordinance, and the proposed use substantially conform to the recommendations of the Potomac Sub-region Master Plan.

Mr. Jeff Robertson, engineer representing the applicant, accompanied by Ms. Cindy Goffman and Brent Allgood, members of the applicant's team, offered brief comments and concurred with the staff recommendation.

The following speakers offered testimony: Mr. Geza Serenji of High Meadow Way and representing the Potomac Bend Homeowners Association; Mr. Ryan Moody of Jones Lane; and Mr. James Goodier of Jones Lane.

At the Board's request, Ms. Cindy Goffman, member of the applicant's team, also offered comments.

There followed extensive Board discussion during which staff, the applicant's representatives, and the speakers addressed the existing drainage issue mentioned during testimony.

Chair Anderson instructed staff to contact Montgomery County Department of Transportation and request an evaluation of the existing drainage issue, and propose solutions to address the problem.

**\*6. Chick-fil-A Olney**

**A. Preliminary Plan 120150180** -- Request for one lot to construct a 4,886 square-foot restaurant and drive-thru, located at 18115 Georgia Avenue, east side, north of the intersection of Georgia Avenue and Olney-Sandy Spring Road, 0.90 acres, zoned CRT 2.0, C-1.0, R-1.0, H-70T, Olney Master Plan

**B. Site Plan 820150100** --- Request for one lot to construct a 4,886 square-foot restaurant and drive-thru, located at 18115 Georgia Avenue, east side, north of the intersection of Georgia Avenue and Olney-Sandy Spring Road, 0.90 acres, zoned CRT 2.0, C-1.0, R-1.0, H-70T, Olney Master Plan

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

**BOARD ACTION**

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

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

**Nay:**

**Action:**                **A. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, as stated in the attached Resolution adopted at the meeting.**

**A. Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, as stated in the attached Resolution adopted at the meeting.**

In keeping with the September 18 technical staff report, Planning Department staff discussed proposed preliminary and site plan requests to create one lot and construct a 4,886 square-foot restaurant and drive-thru on a 0.90-acre property located on Georgia Avenue, north of the intersection of Georgia Avenue and Olney-Sandy Spring Road in the Olney Master Plan area. Staff noted that the applicant proposes to redevelop the subject property by replacing an existing commercial building with a 4,886 square-foot restaurant with a drive-thru. The subject property is located in the Olney Town Center. The 2005 Olney Master Plan recognized that the Olney Town Center could function as both a civic and commercial focus for Olney's communities. The Master Plan proposes a new mixed-use town center zone that would enable residential uses to be integrated in the Town Center and create a more



compact pattern of development with a pedestrian orientation. The proposed application is exempt from forest conservation requirements and meets the requirements of the Commercial/Residential Transit zone under the standard method of development. Staff recommended approval of the proposed plans, subject to conditions and as discussed during the meeting.

Ms. Stacey Silber and Ms. Elizabeth Rogers, attorneys representing the applicant, Chick-fil-A, introduced Mr. John Martinez, member of the applicant's team, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

**7. Recreation Guidelines Revision 2015-2016: Scope of Work** --- Staff will present the Draft Scope of Work for Planning Board Review, Discussion and Approval

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing and by consensus approved staff recommendation for approval of the proposed Draft Scope of Work for the 2015-16 revised Recreation Guidelines.**

Planning Department and Parks Department staff offered a multi-media presentation and discussed the revised 2015-16 Recreation Guidelines and Scope of Work, as outlined in the September 24 technical staff report. Planning staff noted that the Recreation Guidelines should be updated due to demographic shifts in the County, such as aging of the population, and efforts to attract young professionals through urban development around transit centers. There is an increasing need for effective urban recreation spaces to serve higher-density, mixed-use, and infill development near transit hubs. This need is amplified by the desire to provide recreational opportunities for all ages, particularly for teenagers residing in urban areas and residents with disabilities. The scope of work describes conditions which brought about the revision of the guidelines, and the necessary components for the new and updated guidelines that are consistent with the County's new Zoning Ordinance. These components include geographical boundaries, contemporary recreation facility typologies, demographic information, and urban design standards for public and private recreational space.

The guidelines serve as a framework that will encourage the provision of recreational amenities for residents and workers. The intent is to develop flexible, yet predictable recreation guidelines that establish space and design intentions, as well as the quantitative technical standards for private sector recreational requirements. These guidelines will be organized by building typology, geography, and demographic needs.

The proposed timeline for updating the Recreation Guidelines is as follows: Worksession with the Building Industry in October and November 2015; Planning Board worksessions in December 2015 and April 2016, with staff briefings and demonstration of the interactive web tool; and Planning Board adoption of the Recreation Guidelines Scope of Work scheduled for June 9, 2016.

There followed a brief Board discussion with questions to staff.

**8. Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – 2015-1 Administrative Amendments – Eleven Water/Sewer Service Category Change Requests**

*Staff Recommendation: Transmit Comments to County Executive*

**BOARD ACTION**

**Motion: PRESLEY/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit comments and recommendations to the County Executive regarding eleven Water/Sewer Service Category Change requests discussed in the September 24 technical staff report.**

Planning Department staff offered a multi-media presentation and briefly discussed eleven proposed water/sewer service category change requests. Staff noted that the Planning Board is required by State law to make a Master Plan consistency determination on each Water and Sewer Category Change request, which will be transmitted to the County Executive for final action, following a public hearing. Staff also added that the proposed recommendations to be transmitted are in agreement with the County Executive's preliminary recommendations.

At the Board's request, Mr. Alan Soukup of Montgomery County Department of Environmental Protection offered brief comments.

There followed a brief Board discussion with questions to staff.