



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 20, 2011, at 9:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:25 p.m.

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

Items 1 through 6 are reported on the attached agenda.

The Board recessed at 12:40 p.m. for lunch and to take up Item 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 12:40 p.m. in the auditorium, on motion of Commissioner Dreyfuss, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss, present and voting in favor of the motion. The meeting was closed under authority of §10-508(a)(13), State Government Article, Annotated Code of Maryland, to comply with specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the Closed Session was Clara Moise of the Commissioners' Office.

In Closed Session, the Board approved submitted Closed Session minutes.

The Closed Session was adjourned at 12:44 p.m.

The Board reconvened in regular session the auditorium at 2:25 p.m.

Items 7 and 8 are reported on the attached agenda.

MCPB, 10-20-11, APPROVED

There being no further business, the meeting was adjourned at 4:25 p.m. The next regular meeting of the Planning Board will be held Thursday, October 27, 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, October 20, 2011
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

SPA Combined Preliminary and Final Water Quality Plan No. S-2807, J.B. Kline, Jr. Landscaping and Lawn Maintenance, Inc. – MCPB No. 11-91

BOARD ACTION

Motion: DREYFUSS/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Adopted the Resolution cited above.

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Other Consent Items submitted for approval.**

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Planning Board Meeting Minutes submitted for approval.**

2. Approval of Montgomery Parks Foundation Board Nomination

Approval of Montgomery Parks Foundation Board nomination of Tom Hucker - As per Item 3 of the Memorandum of Understanding between M-NCPPC and the Montgomery Parks Foundation, "the Planning Board shall have the right to approve members of the Foundation Board of Trustees (Board)"
Staff Recommendation: Approval

BOARD ACTION

Motion: **ANDERSON/WELLS-HARLEY**

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Following a brief presentation by Parks Department staff, approved staff recommendation for approval of Mr. Tom Hucker's nomination as a member of the Parks Foundation Board.

3. Subdivision Regulations Waiver Discussion

Discussion and determination of whether, under certain instances not currently detailed in the Subdivision Regulations, applicants should be permitted to use the waiver provisions of Section 50-38(a)(1) in order to be able to go through only the minor subdivision approval procedure prior to recording a plat, rather than being required to go through the preliminary plan process.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion and questions to staff.

The following speakers offered testimony: Mr. Bob Harris, attorney, and Mr. Steve Orens, attorney.

4. Roundtable Discussion

- A. Planning Director's Report
- B. Clarksburg Town Center, Quarterly Update
- C. East County Science Center Plan Update

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **A. Planning Director's Report:** None.

B. Clarksburg Town Center, Quarterly Update: Planning Department staff, Mr. Keith Hurand, Senior Vice President of Newland Development, and Mr. Stephen Kaufman, attorney for Newland Development offered a detailed status report of the Clarksburg Town Center project.

 At the Board's request, Mr. David Flanagan of Elm Street Development, offered comments.

C. East County Science Center Plan Update: Planning Department staff discussed the proposal to change the name of the current East County Science Center Master Plan to either White Oak/FDA Science Gateway Master Plan or White Oak Gateway Master Plan.

 Mr. Jesse Stocks representing the Citizens Advisory Council offered testimony.

 There followed a brief Board discussion with questions to staff.

 The Board recommended that the new name should be White Oak Science Gateway Master Plan.

5. Montgomery College Germantown Campus for Holy Cross Hospital

***A. Forest Conservation Plan Amendment MR2009720: Montgomery College Germantown Campus for the East/West Extension of Observation Drive** - Revise the approved Forest

Conservation Plan for the entire 224.13 acre Montgomery College Germantown Campus for the extension of Observation Drive, LSC Zone, Germantown Employment Area Sector Plan

Staff Recommendation: Approval

B. Mandatory Referral 2011308-M-1: East/West Extension of Observation Drive - Located on the Montgomery College Germantown Campus, LSC Zone, Germantown Employment Area Sector Plan

Staff Recommendation: Approval to Transmit Comments to Montgomery College

***C. Preliminary Plan 120110380: Montgomery College Germantown Campus for Holy Cross Hospital** - Located on approximately 18.27 acres of the Science and Technology Park on the

Montgomery College Germantown Campus along the east side of Observation Drive near the intersection with Middlebrook Road, hospital building of 237,200 square feet and a medical office building of approximately 80,000 square feet, and 8.54 acres to be dedicated for Observation Drive, LSC Zone, Germantown Employment Area Sector Plan

Staff Recommendation: Approval with Conditions

***D. Site Plan 820110110: Holy Cross Hospital** - Located on approximately 18.27 acres of the Science and Technology Park on the Montgomery College Germantown Campus along the east side of Observation Drive near the intersection with Middlebrook Road, hospital building of approximately 237,200 square feet, medical office building of approximately 80,000 square feet, and associated

landscape and parking facilities within the LSC Zone, Germantown Employment Area Sector Plan.
Staff Recommendation: Approval with Conditions

BOARD ACTION

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

Vote:
 Yea: A. through D. 4-0

Other: PRESLEY ABSENT

Action: **A. Approved staff recommendation for approval of the Forest Conservation Plan Amendment, as stated in the attached Board Resolution.**
 B. Approved staff recommendation to transmit comments to Montgomery College, as stated in the attached transmittal letter.
 C. Approved staff recommendation for approval of the preliminary plan, subject to revised conditions discussed at the meeting, and as stated in the attached Board Resolution.
 D. Approved staff recommendation for approval of the site plan, subject to conditions, as stated in the attached Board Resolution.

5. Montgomery College Germantown Campus for Holy Cross Hospital

Planning Department staff offered a multi-media presentation of the request to create one lot for a 237,200-square foot 93-bed hospital, and an 80,000 square-foot medical office to be located on a portion of the Montgomery College-Germantown campus. Staff noted that Montgomery College has submitted a preliminary plan application for the development of a private use, which is subject to the subdivision regulations. The campus was recently rezoned to the Life Science Center zone and is envisioned as a Science and Technology park. This application includes the hospital lot of approximately 18.74 acres and a portion of the master plan alignment of Observation Drive through the College property. Montgomery College will dedicate and build Observation Drive as a four-lane road from its current northern terminus at Goldenrod Lane, south of Middlebrook Road. Staff also added that the entire Montgomery College campus is subject to an approved final forest conservation plan that was prepared for the campus master plan under a separate Planning Board review and was designed to accommodate developable areas on the campus property while protecting forest and other environmental resources in accordance with the Forest Conservation Law.

Environmental Planning staff discussed the forest conservation plan for the proposed project and noted that there will be no impact on existing forest and the proposed plan is adequate. Staff further added that only two specimen trees will be impacted and a variance request for those two trees has been requested by the applicant for approval by the Board.

Transportation Planning staff discussed the proposed construction of a four-lane Observation Drive. Staff noted that Observation Lane meets the traffic capacity requirements of the College's immediate construction needs and also meets the Local Area Transportation and Policy Area Transportation requirements of the project. The road must be open to traffic prior to the use and

occupancy for the hospital. Staff also added that this will be a typical 4-lane road, and to protect the existing forest staff is proposing to eliminate sidewalk construction on one side of the street.

Mr. Robert Dalrymple, attorney representing the applicant, introduced Mr. Kevin Sexton, Eileen Cahill, and Annie Cody of Holy Cross Hospital; Dr. DeRionne Pollard, Messrs. John McLean, Steve Poteat, Sajay Rai, and Dave Capp of Montgomery College; Mr. Vic Bryant, and Mr. Toby Wilson representing Macris, Hendricks and Glascock Development; Mr. Phil Robey representing the Smith Group; Mr. Craig Hedberg from ITS, Inc.; and Mr. John Sekerah representing Greenhorne & O’Mara., members of the applicant’s team, briefly discussed the proposed project, and concurred with the staff recommendation.

Mr. Kevin Sexton of Holy Cross Hospital and Dr. DeRionne Pollard of Montgomery College offered comments.

Mr. Anthony Hinnant of Quackenbos Street offered testimony.

There followed considerable Board discussion with questions to staff and the applicant’s representatives.

6. Preliminary Plan 120100080: St. Jude AME Church

Record a parcel approximately 83,898 square feet in size and construct a 3,200 square foot church with twenty five parking spaces, located on Brink Road approximately 1000 feet east of the intersection with Wildcat Road, RE-2 Zone, Agriculture and Rural Open Space Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: WELLS-HARLEY/ANDERSON

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

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

In keeping with the October 7, 2011, technical staff report, Planning Department staff offered a multimedia presentation on the request to subdivide an 83,898 square feet parcel to construct a 3,200 square foot church with 25 parking spaces, located on Brink Road, in the Agricultural and Rural Open Space Master Plan. Staff noted that the project will provide for additional dedication of Brink Road, and provide onsite pedestrian and vehicular improvements to support the proposed religious facility. Staff further added that while exempt from a full Adequate Public Facilities (APF) review, this proposal requires other public facilities needed to support the building.

Environmental Planning staff discussed the forest conservation plan and noted that due to anticipated forest clearing there is a reforestation requirement, and the project is subject to a tree variance request as well, due to the removal of three trees and the impact on five other trees. Mr.

Richard Hurney, representing the applicant, briefly discussed the proposed plan and concurred with the staff recommendation.

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

9. 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.

7. [10914 Georgia Avenue](#)

A. Preliminary Plan 120110320, 10914 Georgia Avenue; TS-R Zone; 2.36 acres; request to assemble one (1) recorded parcel and two (2) parcels into one (1) lot for a multi-family residential building containing up to 245 multi-family dwelling units including 31 MPDUs, in accordance with approved Local Map Amendment G876; located on the southwest side of the intersection of Veirs Mill Road and Georgia Avenue in the Wheaton CBD and Vicinity Sector Plan Area.

Staff Recommendation: Approval with Conditions

B. Site Plan 820110100, 10914 Georgia Avenue; TS-R Zone; 2.36 acres; request for a six-story multi-family residential building containing up to 245 multi-family dwelling units including 31 MPDUs, underground parking & associated public use space, and active & passive recreational space in accordance with approved Local Map Amendment G876; located on the southwest side of the intersection of Veirs Mill Road and Georgia Avenue in the Wheaton CBD and Vicinity Sector Plan Area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

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

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

Nay:

Other: **PRESLEY ABSENT**

Action: **A. Approved the staff recommendation to approve the preliminary plan, subject to 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 the preliminary plan and site plan to consolidate one recorded parcel and two unrecorded parcels into one lot for redevelopment of the former church site adjacent to Wheaton Plaza and Stephen Knolls Elementary School, as detailed in the staff report. The proposed development consists of a six-story building with up to 245 multifamily dwelling units, including 31 moderately priced dwelling units (MPDUs), and below-grade parking, in accordance with provisions of the approved rezoning from R-60 to TS-R. Staff also discussed the requirements for stream buffer mitigation and requirements under the forest conservation plan. Staff also proposed several revisions to the conditions of approval for the site plan.

Mr. Robert Dalrymple, attorney representing the applicant, introduced other members of the applicant team and concurred in the staff recommendation. Mr. Dalrymple provided a brief overview of the history of the use and rezoning of the site. He also elaborated on various elements

7. [10914 Georgia Avenue](#)

of the site plan in terms of compliance with the master plan and the rezoning approval and addressed issues of compatibility with the abutting townhouse development. Mr. Dalrymple also discussed the requested waiver of the parking requirements and the required offsite mitigation of encroachment into the stream buffer. Mr. Evan Feldman of the applicant company also offered comments about the project.

In discussion, staff and the applicant’s representatives responded to questions from the Board and provided additional information as needed.

8. Briefing: Retrofitting Montgomery County to Better Accommodate Stormwater, Pedestrians and Bicycles

As part of a Complete Streets effort, Peg Staeheli of SvR Design Company will describe interagency workshops held to further improve the Road Code to comply with water quality requirements.

Staff Recommendation: Information and Discussion

BOARD ACTION

Motion: ANDERSON/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved the staff recommendation to transmit a letter to the County Executive in support of formation of an ongoing interagency group to work on initiatives to implement the Complete Streets recommendations.

Following introductory comments by Planning Department staff, Ms. Peg Staeheli, consultant for the Department's Complete Streets effort, offered a multimedia presentation on designing rights-of-way in urban areas to accommodate all anticipated users, including pedestrians, bicyclists, public transportation, and motorists, and also address environmental concerns, such as stormwater management.

Planning Department staff discussed the provisions in the Road Code and Executive Regulations that relate to the Complete Streets policies, as well as potential revisions.

Councilmember Roger Berliner; Mr. Holger Serrano, representing County Department of Transportation (DOT); Ms. Ann English, representing County Department of Environmental Protection (DEP); and Mr. Rick Brush, representing County Department of Permitting Services (DPS), offered comments.