



**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, December 5, 2013, at 11:10 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 7:01 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.

The Planning Board hosted a breakfast meeting for members of the Montgomery County House Delegation on Land Use and Transportation Committee from 9:00 a.m. through 11:00 a.m. in the 3<sup>rd</sup> floor conference room of the Montgomery Regional Office (MRO).

The Board reconvened in the auditorium at 11:10 a.m.

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 12:31 p.m., and to take up Items 5 and 12 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 1:05 p.m. in the 3<sup>rd</sup> floor conference room, on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson and Dreyfuss voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland, State Government Article, §10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto.

Also present for part or all of the Closed Session were Associate General Counsel Megan Chung of the Legal Department; Director Gwen Wright, Deputy Director Rose Krasnow, Bridget Schwiesow, Callum Murray, and Luis Estrada of the Planning Department; Director Mary Bradford, Deputy Directors Michael Riley and John Nissel, Brooke Farquhar, Judie Lai, Rachael Newhouse, Bill Gries, Brenda Sandberg, Dominic Quattrocchi, and Mitra Pedoeem of the Parks Department; and M. Clara Moise of the Commissioners' Office.

In Closed Session the Board received briefing from Parks Department staff regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton, and the proposed acquisition of parkland.

The Closed Session meeting was adjourned at 2:30 p.m.

The Board reconvened in the auditorium at 3:10 p.m.

Items 6, 7, 8, 13, 9, and 10, discussed in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 7:01 p.m. The next regular meeting of the Planning Board will be held on Thursday, December 12, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
Sr. Technical Writer/Editor

Tomasina Ellison  
Technical Writer

**Montgomery County Planning Board Meeting**  
**Thursday, December 5, 2013**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**Breakfast Meeting --** Montgomery County House Delegation on Land Use and Transportation Committee

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:       PRESLEY ABSENT**

**Action:**       **The Planning Board hosted a breakfast meeting for members of the Montgomery County House Delegation on Land Use and Transportation Committee in the 3<sup>rd</sup> floor conference room of the Montgomery Regional Office (MRO).**

**1.     Consent Agenda**

**\*A. Adoption of Resolutions**

1. Kaviani Enforcement Matter – Resolution Correction - MCPB No. 13-118
2. Camden Shady Grove Site Plan 820130110 – MCPB No. 13-154
3. Glenmont Fire Station FCP MR20014009 – MCPB No. 13-164
4. Greencourt at Parklawn Site Plan 820130180 – MCPB No. 13-162

**BOARD ACTION**

**Motion:**       **WELLS-HARLEY/ANDERSON**

**Vote:**

**Yea:**       **4-0**

**Nay:**

**Other:**       **PRESLEY ABSENT**

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

**\*B. Record Plats**

**Subdivision Plat No. 220111510, Clarksburg Village (Revision)**

R200/TDR zone; 3 parcels; located on the southeastern side of Winding Woods Way, 130 feet southwest of Snowden Farm Parkway; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220120770-220120810, Clarksburg Village**

R-200/TDR zone; 58 lots, 8 parcels; located on the north side of Winding Woods Way, 700 feet southeast of Newcut Road; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220130580, Jones Manor**

RDT zone; 1 lot; located on the south side of Whites Ferry Road, approximately 1,100 feet west of Morrow Road; Agricultural and Rural Open Space Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220131360, Churchill Town Sector - Germantown**

Road Dedication; located at the intersection of Dorsey Mill Road and Century Boulevard; Germantown Employment Area Sector Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**                **ANDERSON/WELLS-HARLEY**

**Vote:**

**Yea:**                **4-0**

**Nay:**

**Other:**                **PRESLEY ABSENT**

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

**\*C. Other Consent Items**

**1. Pike and Rose, Phase I: Site Plan Amendment No. 82012002A** - Renovation of the existing retail building; construction of approximately 1,000 square feet of new retail development; and the addition of new sidewalks, pedestrian connections, seating areas and landscaping; 8.5 gross acres in the CR4 C3.5 R3.5 H300 within the White Flint Sector Plan area.

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

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

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

**\*C. Other Consent Items**

**2. Gables White Flint - Correction of Resolution for Sketch Plan No. 320130010 - MCPB No. 13-150**

*Staff Recommendation: Approval and Adoption of Resolution*

**BOARD ACTION**

**Motion: DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

**Action: Approved staff recommendation for approval and adopted the attached Resolution for the Gables White Flint Sketch Plan.**

**\*D. Approval of Minutes**

Minutes of October 17 and October 24, 2013

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

**Action: Approved Planning Board Meeting Minutes of October 17 and 24, 2013, as submitted.**

**2. Adoption of Approved Long Branch Sector Plan**

Montgomery County Planning Board Resolution of Adoption

*Staff Recommendation: Approve Resolution of Adoption for Transmission to Full Commission*

**BOARD ACTION**

**Motion: DREYFUSS/ANDERSON**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

**Action: Approved staff recommendation for adoption of the Long Branch Sector Plan Resolution and its transmission to M-NCPPC (Full) Commission for adoption at its next meeting.**

**3. Adoption of Approved Countywide Transit Corridors Functional Master Plan**

Montgomery County Planning Board Resolution of Adoption

*Staff Recommendation: Approve Resolution of Adoption for Transmission to Full Commission*

**BOARD ACTION**

**Motion: ANDERSON/DREYFUSS**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

**Action:** Approved staff recommendation for adoption of the Countywide Transit Corridors Functional Master Plan (CTC) Resolution and its transmission to M-NCPPC (Full) Commission for adoption.

**4. Bethesda Purple Line Station Minor Master Plan Amendment, Review of Proposed Planning Board Draft**

*Staff Recommendation: Approve Planning Board Draft and Transmit to County Executive and County Council*

**BOARD ACTION**

**Motion:** ANDERSON/WELLS-HARLEY

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** PRESLEY ABSENT

**Action:** Approved staff recommendation to approve the Planning Board Draft for the Bethesda Purple Line Station Minor Master Plan Amendment, and to transmit it to the County Executive and the County Council.

Planning Department staff offered a multi-media presentation and discussed a few changes recommended by the Planning Board to the Public Hearing Draft Report for the Bethesda Purple Line Station Minor Master Plan Amendment during the last worksession. Staff noted that there are some issues left to be addressed in future plans, i.e. the proposed Corridor Cities Transitway (CCT) crossing at the intersection of Woodmont and Bethesda Avenues, and the transfers between the Purple Line and bus routes that currently stop only at the current Bethesda Metro Station bus loop. Staff also added that comments received from the public indicate strong support for both the improved Purple Line Station design, including a larger platform and the potential for long-term bike storage, and the new CCT tunnel. Safety and security were also of particular concern to the public specifically regarding the proposed CCT tunnel and the CCT surface route. Other public comments indicated interest in an upgraded movie theatre, increased building height on the site and the Central Business District (CBD) in general, pedestrian access to the Purple Line Station from the east, and consideration for future upgrade to heavy rail. Costs analysis of the proposed redevelopment and the CCT tunnel options are included in the draft report.

There followed a brief Board discussion with questions to staff.

**5. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto (Wheaton)

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

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**12. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(3) to consider the acquisition of real property for a Commission purpose and matters directly related thereto-**ADDED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**6. Special Exception - SE 13-02, Kids Love Child Care**

Special Exception Request for a Child Day Care Center of up to 30 children; R-90 Zone; 13,147-square foot lot. Located at 921 Northwest Drive, Silver Spring within the White Oak Master Plan



*Staff recommendation: Approval with Conditions*

**(Action required for hearing by the Hearing Examiner on 12/19/2013)**

**BOARD ACTION**

**Motion: DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PRESLEY ABSENT**

**Action: Approved staff recommendation for approval of the Special Exception for Kids Love Child Care, subject to revised conditions, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation that delineated the site specifications for a special exception request for a child day care center to be located on Northwest Drive in Silver Spring and discussed the revised conditions. The applicant is requesting approval for enrollment of up to 30 children at the proposed center with no proposed modifications to the existing structure, which is currently used as a residence. Staff discussed the egress from the existing driveway regarding the partial encroachment on an abutting property, and recommended changes to the driveway alignment. The proposed project will increase pedestrian and vehicular traffic around the site but will most likely not impact the traffic flow in the immediate area. Staff noted the proximity of the driveway to the abutting property and considered it to be unsafe because of the need to back out of the driveway, and the prohibition of parking on either side of Northwest Drive. Staff recommended that day care enrollment be reduced from 30 to 24 children and from four employees to three in addition to the modified hours of operation.

The Planning Board inquired about the staff recommendation to reduce the number of children in relation to the parking.

Mr. David Gardner, attorney representing the applicant, discussed the impact reduced parking would have on the amount of children allowed for enrollment, and the six-foot setback waiver along the driveway. Mr. Gardner noted that the applicant is not in agreement with the staff recommendation to reduce the number of children and staff.

The Board briefly discussed the waiver request, the applicant's opposition to the recommended parking structure, and the setback requirements. The Board instructed staff to modify the language of the conditions to more clearly define the drop-off hours, operating hours, the maximum number of children allowed to be enrolled, the number of children allowed outside at one time, and the maintenance of the exterior of the property.

**\*7. Potomac Highland: Preliminary Plan and Site Plan**

**A. Preliminary Plan No. 120130260: Potomac Highland - Request to construct 23 lots on 5.24 acres (5.41 acres gross) of land zoned R-90, located on the east side of Seven Locks Road within the Potomac Sub-region Master Plan.**

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

**B. Site Plan No. 820130260: Potomac Highland** - Request to construct 23 townhouse units (19 market rate units and 4 MPDUs) on 5.24 ~~5.41~~ acres of land zoned R-90, located on the east side of Seven Locks Road within the Potomac Sub-region Master Plan.

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

**BOARD ACTION**

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

**Vote:**

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

**Nay:**

**Other:                PRESLEY ABSENT**

**Action:            A. Approved staff recommendation for approval of the Preliminary Plan, subject to conditions, and adopted the submitted Resolution.  
                          B. Approved staff recommendation for approval of the Site Plan, subject to conditions, and adopted the submitted Resolution.**

Planning Department staff offered a multi-media presentation regarding a 5.24-acre property located on the east side of Seven Locks Road, approximately 1,600 feet north of Democracy Boulevard. The applicant is requesting approval to construct 23 townhouse units on the subject property. The proposed project would generate less than 30-peak hour trips and would not require a traffic study. Staff discussed the Forest Conservation Plan (FCP), and noted that the stormwater management has been approved by the Montgomery County Department of Permitting Service (MCDPS).

Mr. Steven Robins, attorney representing the applicant, briefly discussed the proposed project and concurred with the staff recommendation.

Mr. Michael Lemon, member of the applicant’s team, offered comments.

There followed a brief Board discussion with questions to staff about the dimensions of the proposed residential units.

**8. White Oak Science Gateway Master Plan**

Discuss options to address County Council letter of 10/2/13 regarding Master Plan balance and other requested changes to the Planning Board Draft of the Plan - **TIME CHANGED**

*Staff Recommendation: Discuss and provide direction to staff*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Planning Department staff discussed the White Oak Science Gateway Master Plan and offered a multi-media presentation that delineated the timeline for the plan consideration. Staff worked with the Executive Branch to develop options to address imbalances in the project. Option 1 reduces density in the proposed project area and increases transportation issues. However, the community and stakeholders have agreed that reducing recommended land uses defeats the goal of incentivizing redevelopment. Staff noted that reducing densities may be insufficient to achieve land use balance in the area as the 1997 plans are not considered to be in balance. Option 2 is a proposal to modify the plan standards to achieve land use-transportation balance. Staff discussed the summary of the draft Subdivision Staging Policy amendment changes, noting existing policy areas and proposed new hybrid policy areas. Transportation Policy Area Review (TPAR) analysis charts presented by staff depicted the imbalance of traffic flow as a result of US 29 being treated as a freeway, even though additional roads have not been built to help alleviate traffic overflow on this main road. Staff recommended that since the Bus Rapid Transit (BRT) has been approved, additional corridors should be looked at as alternatives to be considered in the Plan. Staff also discussed Option 3, which the Planning Board has submitted to the County Council that would accept the land use-transportation imbalance.

Mr. Greg Ossont of the Montgomery County Department of General Services briefly discussed a proposed suburban transit corridor.

The Board inquired about the recommendation of the proposal to be referred to as suburban in relation to the TPAR standard being set at 42.5 percent, and noted that staging is still required as this would reduce cost, and create a transit standard that will be met by BRT. The Board briefly discussed the Non-Auto Driver Mode Share (NADMS) associated with the TPAR, how it applies to various developers, and how to balance the TPAR compliance.

**8.       White Oak Science Gateway Master Plan**

**CONTINUED**

Staff discussed the multiple levels of collaboration associated with this project and noted that although the project is fully supported by the Council and other governing bodies, securing funding for the various stages presents an obstacle in moving forward. Project funding will be required from a combination of various sources for successful completion.

The Board discussed the lack of private investors for the project and the need for more government financial commitment so that the project can move forward.

Executive staff discussed the implementation of a suburban transit corridor category and its integration into the existing policy areas. Staff noted that urban areas are served by Metrorail service,

while suburban areas are served by limited bus service. The proposed hybrid model will integrate the two transportation systems but is still in the planning stages.

The Board briefly discussed the proposal submitted by the County Executive, and instructed Planning staff to amend the staff report to reflect the revisions discussed at the meeting prior to resubmittal on December 9, 2013.

**13. FY 14 Capital Budget Transfer Request for Greenbriar Local Park - ADDED**

**BOARD ACTION**

**Motion:** WELLS-HARLEY/DREYFUSS

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** PRESLEY ABSENT

**Action:** Approved staff recommendation for approval of the Capital Budget Transfer of funds to the Greenbriar Local Park.

Parks Department staff discussed the Fiscal Year 2014 (FY14) Capital Budget transfer request for Greenbriar Local Park, a 25-acre park located on Glen Road. The park will include amenities such as a soccer/football field with spectator seating, a multi-use court, a grass volleyball court, an interpretive playground, an asphalt loop path, stone entrance walls, a pergola with seating, and a picnic area. The design and construction is funded at \$4 million with Park and Planning Bonds and Program Open Space funds. Staff noted that construction bids for the project exceed cost estimates and has created the need for additional funding. Staff has identified two projects that are closing out in FY14 that will not expend their entire budget: the Darnestown Square Heritage Park, and the Takoma Piney Branch Local Park, as possible sources for additional funding. Staff is therefore recommending a Capital Budget transfer of \$401,000 from the Darnestown Square Heritage Park and Takoma Piney Branch Local Park projects to the proposed Greenbriar Local park project.

**9. Roundtable Discussion -- TIME CHANGED**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:       PRESLEY ABSENT**

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

**Parks Director’s Report -** Parks Department Director Mary Bradford offered a multi-media presentation and discussed the availability of funds for a number of park projects. The Office of Management and Budget (OMB) has requested that spending be reduced and some projects be removed. Ms. Bradford noted that seven projects have been identified by OMB for a delayed start or removal from the Capital Improvements Program (CIP), which includes the North Branch Trail, Josiah Henson Historic Park, Urban Park Elements, Brookside Gardens, Phases 3 and 5 of Legacy Open Space, Little Bennett Day Use Area, and Warner Circle Special Park. Staff noted that the Parks Department will review the list from OMB and determine, by priority, which projects should be considered for delay or elimination.

The Planning Board noted its agreement with the projects identified by OMB, and inquired about secured funds for Legacy Open Space and the feasibility of reducing the budget to meet OMB request.

Staff also discussed the Warner Circle Special Park and the feasibility of retaining the project as described in the Fiscal Year 2018 (FY18) budget.

The Board instructed staff to generate a list of projects selected for delay or elimination along with a detailed explanation of the criteria used to determine the selection. The Board also instructed staff to request OMB to push the General Obligation Bond (GOB) out beyond FY18.

**10.   Brookside Gardens Education Center: Final Forest Conservation Plan Amendment No.**

**PP1995001 --- TIME CHANGED**

Request to amend Final Forest Conservation Plan to allow redesign of park entry and associated forest retention; R-90 Zone, on 60.0 acres located at 1800 Glenallan Avenue in the 1989 Master Plan for the Communities of Kensington-Wheaton.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:               DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea:               4-0**

**Nay:**

**Other:               PRESLEY ABSENT**

**Action:       Approved staff recommendation for approval of the Final Forest Conservation Plan, subject to conditions.**

Parks Department and Planning Department staff offered a multi-media presentation and discussed the proposed amendment to the Forest Conservation Plan (FCP) for the Brookside Gardens Education Center. Staff discussed the pedestrian improvements proposed in the amendment, and the removal of one tree. Stormwater management modifications as well as Americans with Disabilities Act (ADA) compliant paths are also included in the proposed amendment. Staff noted that the installment of ADA compliant pathways will require the clearing of forest.

The Planning Board noted that given the large existing forest in the park, mitigation for the project should be possible while still meeting the FCP requirements.

Staff suggested that a forest conservation bank could be created to address the removal of forest to meet ADA compliance.

There followed a brief Board discussion with questions to staff.

**11.   ~~FY15 Budget – CAS~~ — **REMOVED****

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:       This Item was removed from the Planning Board Agenda.**