



**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 12, 2013, at 9:16 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:15 p.m.

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

Items 1 through 4 are reported on the attached agenda.

The Board recessed for lunch at 1:16 p.m., and to take up Items 5, 6, 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 1:48 p.m. in the 3rd floor conference room, on motion of Commissioner Presley, seconded by Commissioner Anderson, with Chair Carrier, Vice Chair Wells-Harley, and Commissioners Anderson, Dreyfuss, and Presley 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, and Annotated Code of Maryland, State Government Article §10-508(a)(7) to consult with counsel to obtain legal advice.

Also present for all or part of the Closed Session were General Counsel Adrian Gardner, Associate General Counsels Carol Rubin, David Lieb, and Megan Chung of the Legal Department; Director Gwen Wright, Deputy Director Rose Krasnow, Bridget Schwiesow, and Luis Estrada of the Planning Department; Director Mary Bradford, Deputy Director Michael Riley, Bill Gries, Judie Lai, and Rachel Newhouse of the Parks Department; Nancy Pfeffer of the Prince George's County Department of Parks and Recreation; and Joyce Garcia and Tomasina Ellison of the Commissioners' Office.

In Closed Session the Board received updates from Parks Department and Planning Department staff regarding the proposed Montgomery County Park and Planning new headquarters building in Wheaton, the proposed acquisition of parkland, and also received advice from counsel regarding an independent investigation.

The Closed Session meeting was adjourned at 3:54 p.m.

MCPB, 12-12-13, APPROVED

The Board reconvened in the auditorium at 4:04 p.m.

Item 7 was postponed.

Item 13 and Items 8 through 11, taken up in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:15 p.m. The next regular meeting of the Planning Board will be held on Thursday, December 19, 2013, in the Montgomery Regional Office in Silver Spring, Maryland.

Tomasina Ellison  
Technical Writer

M. Clara Moise  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, December 12, 2013**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. The Blairs Preliminary Plan 120130220 – MCPB No. 13-110
2. The Blairs Project Plan 920130050 – MCPB No. 13-109

**BOARD ACTION**

**Motion:**                   **WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea:**                   **5-0**

**Nay:**

**Other:**

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

**\*B. Record Plats**

**Subdivision Plat No. 220111160, Crestview/Westgate**

R-60 zone; 2 lots; located on the south side of Keokuk Street, 225 feet east of Rodman Road; Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220131220, Boyds Highlands**

RE-2 zone; 3 lots; located on the east side of Barnesville Road (MD 117), 1000 feet southeast of Bucklodge Road; Boyds Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220131380, Ketcham's Subdivision**

R-200 zone; 1 lot; located at the terminus of Holly Hill Drive(unimproved), 200 feet south of Woodford Road; Potomac Subregion Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220140170, Chevy Chase View**

R-60 zone; 1 lot; located on the north side of Glenridge Street, 100 feet west of Connecticut Avenue (MD 185); Kensington-Wheaton Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220140300, Chevy Chase View**

R-60 zone; 2 lots, 2 outlots; located on the north side of Clearbrook Lane, 200 feet northwest of Cedar Lane; Kensington-Wheaton Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: DREYFUSS/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

**\*C. Other Consent Items**

**1C. Saul Centers White Flint Extension Request: Sketch Plan No. 320140010**

Commercial/Residential zone; 9.42 acres; 1,641,744sf of mixed use development in CR 4.0, C 3.5, R 3.5, H 300; located in the Northwest and Northeast quadrants, intersection of Rockville Pike and Nicholson Lane in the White Flint Sector Plan area.

*Staff Recommendation: Approve extension until 4/1/14*

**BOARD ACTION**

**Motion: PRESLEY/DREYFUSS**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the proposed extension of the Sketch Plan cited above.**

**\*D. Approval of Minutes**

Minutes of October 31, 2013

**BOARD ACTION**

**Motion:** WELLS-HARLEY/PRESLEY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved Planning Board Meeting Minutes of October 31, 2013, as submitted.

**2. Roundtable Discussion**

A. Planning Director's Report

B. Defining Plan Amendments

C1. Operating Funds Four Month Financial Report Including Projections to June 30, 2014

C2. Enterprise Funds Four Month Financial Report Including Projections to June 30, 2014

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**A. Planning Director's Report** - Planning Department Director Gwen Wright discussed upcoming events for the Planning Department and discussed highlights of a public meeting that was held on December 11, 2013, regarding the proposed Commission Headquarters building to be located in Wheaton, noting that public comments were favorable toward the project. Ms. Wright also noted that she will attend the Committee for Montgomery Annual Legislative Breakfast on December 16, 2013, which will provide an opportunity to discuss upcoming regulatory events.

**B. Defining Plan Amendments** – Staff discussed proposed plan amendment guidelines that will address the submittal of amendment request applications, the types of amendments, and document formatting. The proposed guidelines will be posted online for external use by developers and the general public to ensure consistency in application submittals. In response to an inquiry from the Planning Board regarding the consistency between the proposed guidelines and the Development

Manual, staff noted that the guideline will be more specific to provide clarification for users of the document.

The Planning Board instructed staff to allow adequate time for the Board to review the proposed guidelines and to include specifics to classify the requirements for amendment request submittals.

**C1. Operating Funds Four Month Financial Report Including Projections to June 30, 2014; and**

**C2. Enterprise Funds Four Month Financial Report Including Projections to June 30, 2014 -** Secretary-Treasurer Joseph Zimmerman discussed operating funds through June 30, 2014, stating that interest revenue is projected at \$314,000, and that the real property tax levy is on budget with projection of total property tax collection to be in line with previous history. Staff discussed revenue at the tennis centers and displayed a promotional brochure that encourages facility visitors to purchase Wheaton Community Recreation Center gift cards.

The Board briefly discussed proposed budget increases and the variety of camp programs offered at the Wheaton Center facility.

**3. Sandy Spring Rural Village Plan: Scope of Work**

*Staff Recommendation: Approve Scope of Work*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by Board discussion, and by consensus approved the staff recommendation for approval of the scope of work.**

Planning Department staff offered a multi-media presentation that delineated the Sandy Spring Rural Village Plan Scope of Work, and noted that the 1998 Sandy Spring/Ashton Master Plan proposed village center concept is being implemented. The plan has been included in the Fiscal Year 2014 (FY14) budget, and will address properties along both sides of MD 108 and Brook Road with a boundary of approximately 39 acres. An open house meeting was held on October 23, 2013, and community workshops are scheduled in December 2013, January 2014, and April 2014. The Planning Board public hearing is scheduled to take place in June 2014, and a staff draft will be forwarded to the Board.

The Planning Board briefly discussed the proposed plan, with questions to staff.

#### **4. White Oak Science Gateway Master Plan**

Discuss options to address County Council letter (10/2/13) regarding Master Plan balance and other requested changes to the Planning Board Draft of the Plan.

*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 correspondence received from Montgomery County Councilmember Nancy Navarro which requested additional work on the land use-transportation balance for the White Oak Science Gateway project, and also requested that the 2014 plan be delivered to the County Council by the end of this year or the beginning of 2014. Staff also discussed the Montgomery County Public Schools (MCPS) West Farm Bus Depot site noting the proximity of the site to the Washington Suburban Sanitary Commission (WSSC) property. Staff recommended changing the zone of the subject property from Light Industrial to Commercial/ Residential, noting that the guidelines for redevelopment of a property located near the bus depot states that new development or redevelopment must be compatible with existing property uses in the surrounding areas within that zone.

The Planning Board discussed the Master Plan language regarding mixed-use and Commercial/Residential zoning, instructing staff to change the wording to mention buffers within the zone that would allow retention of the bus depot in the event of zoning changes for the subject property.

Staff discussed the December 4, 2013, letter from the County Executive regarding Master Plan balance, Critical Lane Volume (CLV), and plan staging.

Mr. Steven Silverman of the Montgomery County Department of Economic Development discussed the possibility of moving the CLV to 1600 as a means of revenue generation.

Mr. Greg Ossont of the Montgomery County Department of General Services (DGS) discussed the Local Area Transportation Review (LATR) trip mitigation payments, and the disbursement of funds for additional road improvements.

#### **4. White Oak Science Gateway Master Plan**

**CONTINUED**

The Board inquired about the increase in LATR in regards to providing additional revenue, and discussed the proposed changes in the transportation impact law.

Following the Board's inquiry about the County Council standing on the proposed changes to the impact law, Mr. Silverman noted that the proposal has not been discussed with the County Executive.

The Board noted that the Executive office should be allowed time to consider the transportation impact law recommendation, and that community comments should be heard before any decisions are made.

**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.**

---

**6. Closed Session**

Pursuant to State Government Article Annotated Code of Maryland 10-508(a)(7) to consult with counsel to obtain legal advice

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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



**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

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

~~**7. Briefing – Leases on Park Property**~~

~~**Use of Park Property for Wireless Telecom Facilities**~~

~~Update the 1997 Administrative Procedures for Telecommunications on Park Property.~~

~~**Staff Recommendation: Approval**~~

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: This Item was postponed.**

**13. Telecommunications Facilities on Park Property**

Staff seeking revision to current policy

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing from Parks Department staff on proposed revisions to the current policy allowing the installation of telecommunications facilities on park property, and provided guidance to staff.**

Parks Department staff noted that in response to Montgomery County’s request for a policy and lease agreement allowing the installation of telecommunications facilities on park property, the Montgomery County Planning Board approved the current park policy and administrative process in 1997. Since then, while demands for connectivity to other high speed devices, and additional capacity for delivery of advanced 4G wireless services to County residents have changed, and demand for wireless communications sites in the parks has dramatically increased, the Department of Parks policy has not been updated to keep up with the increase in demand. Staff discussed the proposed revisions to the Montgomery County Parks Department telecommunications facility lease agreement and policy, outlined in the technical staff report.

Legal Counsel advised the Board that the policy should be discussed with Prince George’s County Parks and Recreation Department staff and should be for both Counties, with subsets pertaining to each specific County.

Parks Department Director Mary Bradford offered comments.

Following a brief Board discussion, the Board instructed staff to consult with their Prince George’s counterparts during the process of updating the policy.

**8. Muddy Branch Stream Valley Park, Unit 1**

**A. Authorization to acquire 35.23 acres, more or less, unimproved, from the Lloyd A. Potter Revocable Trust** dated July 27, 2007, located at the end of Cervantes Avenue, east of Esworthy Road, Germantown, MD 20874

*Staff Recommendation: Approval and adoption of Resolution*

**B. Authorization to acquire 7.68 acres, more or less, improved, from Christopher S. Weaver and Nanci-Ross Weaver**, located at 13931 Esworthy Road, Germantown, MD 20874

*Staff Recommendation: Approval and adoption of Resolution*

**BOARD ACTION**

**Motion:**

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

**Vote:**

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

**Nay:**

**Other:**

**Action:       A. Approved staff recommendation for approval of the proposed acquisition request, previously discussed in Executive Session, for 35.23 acres of land from the Lloyd A. Potter Revocable Trust, dated July 27, 2007, located on Cervantes Avenue in Germantown, Maryland, and adopted the submitted Resolution.**

**B. Approved staff recommendation for approval of the proposed acquisition request, previously discussed in Executive Session, for 7.68 acres of land from Christopher S. Weaver and Naci-Ross Weaver, located on Esworthy Road, in Germantown, Maryland, and adopted the submitted Resolution.**

**\*9.     7340 Wisconsin Avenue: Project Plan and Preliminary Plan**

**A. Project Plan No. 920140010**, CBD-2, 0.79 acres, 207,791 square feet of development including 15,000 square feet of retail and 225 multi-family residential units, including 15% MPDUs; located on Montgomery Avenue west of the intersection with Wisconsin Avenue, Bethesda CBD  
*Staff Recommendation: Approval with conditions and Adoption of Resolution*

**B. Preliminary Plan No. 11994080A**, CBD-2, 0.79 acres, 1 lot for 207,791 square feet of development including 15,000 square feet of retail and 225 multi-family residential units, 15% MPDUs; located on Montgomery Avenue west of the intersection with Wisconsin Avenue, Bethesda CBD  
*Staff Recommendation: Approval with conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion:           A. PRESLEY/WELLS-HARLEY  
                  B. PRESLEY/ANDERSON**

**Vote:**

**Yea:           A. & B. 5-0**

**Nay:**

**Other:**

**Action:       A. Approved staff recommendation for approval, subject to conditions, and adopted the submitted Resolution.**

**B. Approved staff recommendation for approval, subject to conditions, and adopted the submitted Resolution.**

In keeping with the November 27 technical report, Planning Department staff offered a multi-media presentation and discussed the request to construct 225 dwelling units and 15,000 square feet of retail in a mixed-use building located on Montgomery Avenue, west of Wisconsin Avenue, in the Bethesda Sector Plan area. Staff noted that the Bethesda Central Business District calls for predominantly employment generating uses along the property block, but the applicant is proposing a mixed-use building that will be mostly comprised of multi-family dwellings. Staff recommends that the Planning Board find the application to substantially conform to the Sector Plan's vision of employment generation, given that substantial office capacity already exists in previously Board approved, but not yet built, projects. Staff also noted that the applicant is requesting an amendment to the Adequate Public Facility (APF) review in order to change the use from the previously approved gas station to residential and retail, for which staff recommends approval by the Board. Staff also added that the subject property is within the Bethesda/Chevy Chase school cluster area, and the applicant is required to make a School Facilities Payment (SFP) to the Montgomery County Department of Permitting Services at the

**\*9. 7340 Wisconsin Avenue: Project Plan and Preliminary Plan**

CONTINUED

high school level, and at the high-rise unit rate for all units for which a building permit is issued, and an SFP is applicable. The project will offer a variety of housing options through provision of both market-rate units and Moderately Priced Dwelling Units (MPDUs). The project is in conformance with the Sector's Plan recommendations and will provide residential units located in the predominantly employment oriented Metro Core District, and will thus provide much needed homes within easy walking distance of the district's jobs.

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

Mr. Neil Goradia of the Bainbridge Companies, the applicant, offered comments.

There followed a brief Board discussion with questions to staff.

**\*10. Palatine, Lot 5, Block C: Limited Preliminary Plan Amendment 11988094A (in response to a violation)**

RE2 zone; 2 acres; Palatine Subdivision, Lot 5, Block C; Request to remove approximately 1,970 square feet of conservation easement and mitigate onsite with the addition of 1,000 square feet of Category I conservation easement, the conversion of 29,329 square feet of conservation easement to Category I and the conversion of 15,705 square feet of conservation easement to Category II. Located on Noble Court, 500 feet south of Palatine Drive; Potomac Sub-region Master Plan.

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

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval, subject to conditions, and adopted the attached submitted Resolution.**

In keeping with the November 27 technical staff report, Planning Department staff discussed the request by the applicant to remove approximately 1,970 square feet of conservation easement and mitigate this loss of forest on site with the addition of 1,000 square feet of Category I conservation easement, the conversion of 29,329 square feet of conservation easement to Category I, and the conversion of 15,705 square feet of conservation easement to Category II, on a 2-acre property located on Noble Court in the Potomac Sub-region Master Plan. Staff noted that the applicant applied for a building permit for a house addition in 2011, and the addition was constructed within the recorded conservation easement. On April 6, 2012, the applicant was issued a notice of preliminary plan violation for grading and building a house within a conservation easement. The notice informed the applicant that a limited amendment to the preliminary plan would need to be submitted and approved by the Planning Board to change the conservation easement. The forest conservation inspector also required remediation for the grading in the stream buffer area. In late spring 2012, the applicant completed remediation of the stream buffer area by planting 37 trees and 20 shrubs on either side of Greenbriar Branch stream. An amendment request to the preliminary plan for the property was received from the applicant by the Planning Department on October 7, 2013, and after review by planning staff is being submitted to the Planning Board for approval, subject to the conditions discussed at the meeting and listed in the staff report.

Mr. Mike Norton, engineer representing the applicant, briefly discussed the proposed application, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

**\*11. Guru Nanak Foundation of America: Preliminary Plan 120120160**

Request to create one lot from Parcels 905, 908 and 961 for a 19,000 square foot Gurdwara, and a 23,740 square foot Sunday school and multi-purpose building located on the east side of Old Columbia Pike approximately 1,500 feet north of Randolph Road, 11.07 acres, R-90 and R-200 Zones, Fairland Master Plan

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

**BOARD ACTION**

**Motion: ANDERSON/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action:       Approved staff recommendation for approval, subject to conditions, and adopted the attached submitted Resolution.**

Planning Department staff discussed the request to create one lot from three parcels for a 19,000-square foot Sikh Temple and a 23,740-square foot Sunday school and multi-purpose building on an 11.07-acre property located on the east side of Old Columbia Pike, approximately 1,500 feet north of Randolph Road in the Fairland Master Plan area. Staff noted that vehicular circulation will be provided from the existing parking lot and entrance point located to the north of the subject property. The proposed project is exempt from the Adequate Public Facilities (APF) according to Section 50-35(k)(6) of the Subdivision Regulations. Staff also added that the applicant is reserving space for future uses on the property that may require an amendment to the preliminary plan. The property meets all the requirements established in the Subdivision Regulations and the Zoning Ordinance, and substantially conforms to the recommendation of the Fairland Master Plan. Access and public utilities are adequate to serve the proposed lot, and the application has been reviewed by other required County agencies, and recommended for approval.

Mr. Surinder Singh, engineer representing the applicant, offered brief comments, and concurred with the staff recommendation. Mr. Singh also showed the Planning Board a rendering of the Temple, which Board members agreed will be a very nice building and a great addition to the neighborhood.

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