



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, February 25, 2016, at 9:09 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 5:40 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioners Norman Dreyfuss and Natali Fani-González. Commissioner Amy Presley was necessarily absent.

Items 1, 12, 11, and 3 through 5, discussed in that order, are reported on the attached agenda.

Item 2 was postponed.

The Board convened in Closed Session at 12:31 p.m. to take up Items 9 and 10, Closed Session Items.

In compliance with State Government Article §3-305(b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:31 p.m. in the 3rd floor conference room on motion of Commissioner Fani-González, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Fani-González voting in favor of the motion, and Commissioner Presley absent. The meeting was closed under authority of Annotated Code of Maryland, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice.

Also present for the meeting were Director Gwen Wright, Deputy Director Rose Krasnow, Neil Braunstein, Marco Fuster, Elza Hisel-McCoy, Robert Kronenberg, and Scott Whipple of the Planning Department; Principal Counsel Carol Rubin and Senior Counsel David Lieb of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and advice from Counsel regarding legal issues raised in the Glen Echo Heights Preliminary Plan and the Chelsea Court Limited Site Plan Amendment, which will be discussed during the Planning Board afternoon session.

The Closed Session meeting was adjourned at 1:06 p.m.

The Board reconvened in the auditorium at 1:35 p.m.

MCPB, 2-25-16, APPROVED

Items 6 through 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:40 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 3, 2016, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons
Technical Writer

Montgomery County Planning Board Meeting
Thursday, February 25, 2016
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Resolutions submitted for adoption.

***B. Record Plats**

Subdivision Plat No. 220110510, Locust Hill Estates

R-60 zone; 2 lots; located on the north side of Broad Brook Drive, 800 feet west of Locust Hill Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220150600, Charles W. Pafflow's Subdivision

R-60 zone; 1 lot; located in the northwest corner of the intersection of East West Highway (MD 410) and Pearl Street; Bethesda CBD Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220151560, Gables White Flint

CR zone; 1 parcel; located in the southern corner of the intersection of Old Georgetown Road (MD 187) and Executive Boulevard; White Flint Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160180, Addition to Chevy Chase, Section 4

R-60 zone; 2 lots; located on the north side of Blackthorn Street, 250 feet west of Connecticut Avenue (MD 185); Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

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**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

***D. Approval of Minutes**

Planning Board Meeting Minutes of February 11, 2016

BOARD ACTION

Motion: **FANI-GONZÁLEZ/DREYFUSS**

Vote:

Yea: **4-0**

Nay:

Other: **PRESLEY ABSENT**

Action: **Approved Planning Board Meeting Minutes of February 11, 2016, as submitted.**

12. Legislative Update

Discussion of the following State Bills:

- HB 1464/ SB 927: Program Open Space Trust Fund Act of 2016 (“Lock Box Bill”)
- HB 462/SB 383: State Transfer Tax – Distribution of Revenue

Staff Recommendation: Support

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation to support proposed State Bills HB 462 and HB 1464.

Parks Department staff briefed the Board and discussed two proposed State Bills regarding Program Open Space (POS) funding, which were discussed at a Maryland State House of Delegates hearing held on February 23. Staff stated that POS is a primary source of funding for the Parks Department Capital Improvements Program (CIP) to develop existing parks and acquire new parkland. Staff noted that for the past several years, a significant portion of the transfer tax that funds POS has been diverted to fund other State programs, including State parks, thereby diminishing POS funds available at the county level.

Proposed House Bill (HB) 462, a Governor’s Administration Bill, was introduced to reduce the amount of special funds transferred from POS by \$20,000,000 in 2017 and \$40,000,000 in 2018, providing an additional \$5,000,000 in 2017 and \$11,000,000 in 2018 for POS Local. In 2017 alone, the bill will provide \$4,000,000 for Stateside POS, \$4,800,000 for Rural Legacy, \$2,000,000 for Critical Maintenance Program projects, \$138,000 for the Natural Resources Development Fund, and \$3,500,000 for the Maryland Agriculture Land Preservation Foundation. Staff added that the Maryland Association of Counties (MACo) supports proposed bill HB 462 with amendments that would prevent the ongoing redirection of funds from transfer tax revenues from POS.

Staff stated that proposed Bill HB 1464 is more comprehensive in that it establishes a POS trust fund where all revenues from the transfer tax, Government Obligation bond proceeds, and general funds meant for POS would be deposited, requiring a repayment plan if funds are diverted. The proposed Bill also defines how some diverted funds are divided, requires

CONTINUED ON NEXT PAGE

12. Legislative Update

CONTINUED

full repayment of any funds diverted in 2017, and cancels pre-authorization to divert \$86,000,000 in 2018. The bill also requires the Department of Natural Resources and the Maryland Department of Agriculture to report expenditures, diversions, and attainment of goals in a yearly report beginning in FY18. Staff noted that MACo fully endorses proposed Bill HB 1464.

There followed a brief Board discussion with questions to staff.

MCPB, 2-25-16, APPROVED

2. ~~Roundtable Discussion~~

~~—Parks Director's Report—~~ **REMOVED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board agenda.

11. Purple Line Memorandum of Agreement

A. Authorization to approve the Purple Line Project Memorandum of Agreement between the Commission’s Montgomery County Parks and Planning Departments and Maryland Transit Administration.

Staff Recommendation: Approval and Adoption of Resolution

B. Authorization to convey of 0.89 acres of parkland to Maryland Transit Administration for the Purple Line Project under the negotiated terms of the project Memorandum of Agreement between the Commission’s Montgomery County Parks and Planning Departments and Maryland Transit Administration.

Staff Recommendation: Approval

BOARD ACTION

Motion: **A. FANI-GONZÁLEZ/WELLS-HARLEY**
 B. WELLS-HARLEY/ FANI-GONZÁLEZ

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

Nay:

Other: **PRESLEY ABSENT**

Action: **A. Approved staff recommendation to approve the Memorandum of Agreement cited above, and adopted the attached Resolution.**

B. Approved staff recommendation to approve the conveyance of 0.89 acres of parkland to the Maryland Transit Administration.

Parks Department staff briefed the Board and discussed the proposed Purple Line Project Memorandum of Agreement (MOA) and a request to convey parkland to the Maryland Transit Administration (MTA) for completion of the project. Staff stated that the MOA and the associated Resolution will be presented to the Full Commission for approval and adoption on March 16. Staff offered a timeline of the project to date, noting Board approval of the Purple Line Functional Master Plan in 2010; the Long Branch Sector Plan in 2013; and a series of 2014 projects, including a draft term sheet, the Purple Line Mandatory Referral (MR), and a worksession regarding strategies to mitigate permanent impacts to parkland. The 2014 term sheet provided the basis for the current MOA. Staff stated that the final form of the MOA meets the Board guidance with regard to minimizing, mitigating, and compensating for permanent impacts to Commission parkland. The MOA also meets the intent of the 2014 MR recommendations, and is consistent with the language in Section 4F of the National Transportation Policy Act, as well as Planning Board and County Council approved language in the Long Branch Sector Plan.

Staff stated that in exchange for 0.89 acres of parkland that will be permanently impacted by MTA during completion of the project, the Commission is being offered a 1.45-acre

CONTINUED ON NEXT PAGE

11. Purple Line Memorandum of Agreement

CONTINUED

County-owned parcel located on University Boulevard East in Silver Spring, adjacent to the New Hampshire Estates Neighborhood Park and New Hampshire Estates Elementary School. A 0.4-acre portion of this parcel will be conveyed to the Commission later this year in order to mitigate the Purple Line project impacts to the New Hampshire Estates Neighborhood Park. Staff noted that because the parkland to be impacted was purchased with POS funds, it can only be conveyed from the Commission to MTA following mitigation, which will occur through the proposed land exchange. Staff stated that the exchange will allow many improvements to New Hampshire Neighborhood Park, including a full-size athletic field, and allow better park integration with the adjacent elementary school. The 1.45-acre parcel is currently developed with a single-family dwelling, which serves as the Central American Solidarity Association (CASA) of Maryland Silver Spring Center, and surface parking. The Long Branch Sector Plan recommends that services from CASA remain on-site until a new building is constructed at a new location through the County Capital Improvements Program (CIP). Staff noted that there are currently no funds in the County CIP for the construction of the new CASA facility. CASA representatives have expressed an interest in working with County officials regarding the completion of the new facility. Staff added that a letter received from CASA will be forwarded to Montgomery County Department of General Services.

Mr. Jamie Kendrick, representative from MTA, offered comments and concurred with the staff recommendations.

Ms. Zorayda Moreira-Smith, representative from CASA, offered comments and requested a more concrete agreement from the County regarding the construction of the new CASA facility.

There followed extensive Board discussion with questions to staff, Mr. Kendrick, and Ms. Moreira-Smith.

3. Subdivision Staging Policy – Draft transportation Recommendations related to work of the Transportation Impact Study Technical Working Group

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff introduced Mr. Dan Hardy, traffic consultant from Renaissance Planning Group, who offered a multi-media presentation and continued the discussion begun at the January 14, February 4, and February 18 Planning Board meetings regarding proposed new Subdivision Staging Policy (SSP) constructs for transportation adequacy testing. Staff noted that the discussion would focus on recommendations made by the Transportation Impact Study Technical Working Group (TISTWG). Staff added that TISTWG recommendations are based on current constructs, and therefore some of them may be rendered moot, as the working group has not had time to make recommendations on more recent proposed constructs and Planning Board recommendations.

Mr. Hardy stated that TISTWG objectives include making the Local Area Transportation Review (LATR) less-auto centric, more streamlined and predictable, and more robust regarding technical analysis. He then offered a timeline of the TISTWG process, stating that during the spring of 2015, the working group considered 31 potential improvements to LATR screening approaches and analyses. Mr. Hardy noted that seven of the recommendations are currently policies embedded within the existing LATR process. In the fall of 2015, those potential improvements were narrowed down to nine basic categories, including alternative review procedures for areas with very low vehicle miles traveled (VMT), trip generation thresholds, modal analysis triggers, protected intersections, modal analysis, critical lane volume (CLV) and the use of Synchro software to aid in data analysis, pedestrian-bicycle gap distribution, value of peak-hour vehicle trips, and other clarifications. Earlier this month, proposed policy area groups were discussed. Those groups included Core, Corridor with Metrorail, Residential, and Rural. Following the evaluation of TISTWG recommendations, current SSP constructs, and proposed new local area evaluation concepts, Mr. Hardy recommended dividing the Residential policy area into two groups: Residential – Streets, to denote areas with sidewalks, and Residential – Roads, for areas without sidewalks. Recommendations also include removing VMT screening, dispersed intersections, mode-specific trip generation and analysis, multimodal intersection delay, alternative review in Metro Station areas, and CLV standards from the Core policy area. For the Corridor with Metrorail and Residential – Street policy areas, recommendations include removal of

CONTINUED ON NEXT PAGE

3. Subdivision Staging Policy – Draft transportation Recommendations related to work of the Transportation Impact Study Technical Working Group

CONTINUED

dispersed intersections, and continuation of mode-specific trip generation and analysis, multimodal intersection delay, and CLV standards study. For the Residential – Roads area group, Mr. Hardy noted that while the necessity for mode-specific trip generation and analysis would be unlikely, multi-modal intersection delay and CLV standards study should continue.

Mr. Hardy stated that the next steps include Planning Board discussion and guidance, the synthesis of exaction and funding elements, additional stakeholder outreach, and coordination of payment and tax elements.

Mr. Dan Wilhelm, TISTWG member, offered comments.

Mr. John Robinson of Old Spring Road offered testimony.

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

4. Adoption of the Montgomery Village Master Plan --- Request approval of the Montgomery County Planning Board Resolution of Adoption for Transmission to the Full Commission

Staff Recommendation: Approve Resolution and Transmit and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the attached Resolution for Montgomery Village Master Plan to be transmitted to the Full Commission for adoption.

***5. Wheaton Woods Preliminary Plan No. 120160060** --- Request to subdivide an existing 4.08-acre parcel zoned R-90 into five lots for single-family detached houses and one lot for an existing community swimming pool complex, located at the terminus of Landgreen Street approximately 300 feet west of its intersection with Marianna Drive, in the Aspen Hill Master Plan area. The application includes a request for the approval of a Preliminary Forest Conservation Plan (PFCP).

Staff Recommendation: Approval with Conditions and Adoption of Resolutions

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 3-0-1

Nay: DREYFUSS

Other: PRESLEY ABSENT

Action: Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to re-subdivide an existing recorded lot. The 4.08-acre property, Parcel A, is located at the western terminus of Landgreen Street, approximately 300 feet west of its intersection with Marianna Drive, and is zoned Residential in the Aspen Hill Master Plan area within the Lower Rock Creek Watershed. Previous approvals for the site include a 1956 Special Exception for the construction of a community pool, the 1957 creation of Parcel A by record plat, and a 2013 modification that changed the boundary of the 1956 Special Exception, which was in anticipation of the current Preliminary Plan re-subdivision request. Also in 2013, the Board reviewed a Pre-Preliminary Plan for non-binding advice regarding street frontage, lot size consistency, and a Montgomery County Department of Transportation (MCDOT) requirement that the applicant replace and upgrade the existing off-site four-foot wide sidewalks on both sides of Landgreen Street from the property line to Marianna Drive.

The applicant proposes to re-subdivide the property into six lots: five new lots to accommodate five single-family detached dwelling units to be located on the north and northeast portion of the property, and a sixth lot for the existing community pool. Staff noted that for this application, the applicant has requested a Design Exception from MCDOT to allow the portion of Landgreen Street that is proposed to extend into the property to be designated a modified 44-foot wide right-of-way Tertiary Residential Street. Also, based on a practical difficulty existing in the design that proposes a cul-de-sac as the terminus of Landgreen Street extended, the applicant is requesting a street frontage waiver for two of the proposed lots. Staff stated their support for the requested Design Exception and waiver. The applicant is also requesting an

CONTINUED ON NEXT PAGE

***5. Wheaton Woods Preliminary Plan No. 120160060**

CONTINUED

exemption from the requirement to replace and upgrade the existing off-site sidewalks on Landgreen Street. Staff noted that MCDOT recommends five-foot wide sidewalks on both sides of the street. Staff stated that an upgrade to five feet on only the south side of Landgreen Street would be sufficient to make pedestrian access safe, adequate, efficient, and compliant with the American with Disabilities Act requirements. Staff added that the proposed Preliminary Plan conforms with the Master Plan land use recommendations.

Staff also stated that the property contains no on-site forest, but due to zoning and the type of development, 0.64 acres of afforestation is required. The applicant proposes to meet the required afforestation on-site, with all 0.64 acres planted on the lot containing the community pool. Staff noted that although the area of planting would normally be placed in a Category I Conservation Easement, in order to permit mowing and maintenance of the area, it will be placed in a Category II Conservation Easement. The applicant is also requesting a variance to remove one tree and impact three.

Mr. Kevin Foster, member of the applicant's team, offered comments and requested that the Board allow the applicant to forego the staff recommendation to upgrade the existing sidewalk on the south side of Landgreen Street from four feet to five feet.

Mr. Rich Thometz, member of the applicant's team, offered comments regarding the cost of upgrades to the off-site sidewalk on the south side of Landgreen Street.

The following speakers offered testimony: Mr. Pierre-Alain Auroux, representative from Wheaton Woods Pool; Mr. Andrew Sheets, representative from Wheaton Woods Pool; Mr. Thomas Rawcliffe, adjacent property owner; Ms. Ana Mazariegos of Silver Rock Road; and Ms. Jessica Castillo of Henry Road.

There followed extensive Board discussion with questions to staff and the speakers, during which Commissioner Dreyfuss noted his opposition to the staff recommendation regarding the construction of an upgraded off-site sidewalk on Landgreen Street.

9. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice.

The topic to be discussed is Legal issues raised in Glen Echo Heights Preliminary Plan

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice.

The topic to be discussed is Legal issues raised in Chelsea Court Site Plan

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

***6. Glen Echo Heights -- Preliminary Plan No. 120061120**, R-90 Zone, 0.84 acres, Request to re-subdivide two lots into three lots, located on the east side of Walhonding Road, approximately 800 feet west of the intersection with Wiscasset Road, Bethesda; Bethesda-Chevy Chase Master Plan

Staff Recommendation: Denial

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 3-0-1

Nay: DREYFUSS

Other: PRESLEY ABSENT

Action: Approved staff recommendation of denial.

In keeping with the February 12 technical staff report, Planning Department staff offered a multi-media presentation and discussed the proposed Preliminary Plan request to re-subdivide two lots into three lots for the construction of three one-family detached dwellings on a 0.84-acre property located on the east side of Walhonding Road, approximately 800 feet west of the intersection with Wiscasset Road in the Bethesda-Chevy Chase Master Plan area. The property is located in the Palisades area within the Potomac River direct watershed. There are no streams or floodplains on the site. Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) for the site was approved on January 31, 2013. There are 0.48 acres of forest on the property, with numerous specimen trees. The forest continues offsite onto adjacent properties. The property slopes up away from the street, with the rear of the property being 36 feet higher than the front of the property. The area near the street is gently sloping, while a band of steep slopes crosses the property approximately at its center. The steep slope area is overlaid by erodible soils, as identified in the 1995 Soil Survey of Montgomery County.

Staff noted that a single shared driveway across the rear steep slope would provide vehicular access to the three lots from Walhonding Drive. One of the three lots will have direct frontage on Walhonding Drive, while the other two will be pipestem lots with building sites in the forested area at the rear of the property. Significant grading and retaining walls would be required to construct the driveway and create building sites on the three lots. Staff added that the proposed subdivision does not substantially conform to the recommendations adopted in the Bethesda-Chevy Chase Master Plan and is not in compliance with the Forest Conservation Law as it proposes excessive clearing and disturbance of a mature forest containing large trees, within the Palisades, with steep slopes and highly erodible soils. Staff further added that the proposed destruction of the environmentally sensitive resources will have an adverse effect on water quality and the special character of the community. The proposed plan is also not in conformance with the Subdivision Regulations with regard to development

CONTINUED ON NEXT PAGE

***6. Glen Echo Heights -- Preliminary Plan No. 120061120**

CONTINUED

on steep slopes and erodible soils, and is not in compliance with the Environmental Guidelines approved by the Planning Board in February 2000.

Mr. Stephen Orens, attorney representing the applicant, introduced Mr. Alidad Hakimi, the applicant, and Messrs. Matthew Norris and Dean Packard, members of the applicant's team, discussed the proposed plan and did not agree with the staff recommendation of denial.

Mr. Matthew Norris of Geolab Inc., Mr. Dean Packard, engineer for the applicant, and Mr. Michel Norton, arborist for the applicant, offered comments and answered questions from the Board.

Mr. Alidad Hakimi, the applicant, also offered comments.

There followed extensive Board discussion with questions to staff and Mr. Orens.

Commissioner Dreyfuss voted to approve the proposed plan, contrary to staff recommendation, stating that he does not agree that the proposed plan violates the environmental regulations and the Master Plan recommendations as interpreted by staff.

***7. Chelsea Court**

A. Limited Site Plan Amendment No. 82013004A, Chelsea Court, RT-12.5 Zone, 5.25 gross acres, Request to make minor changes in site grading, landscaping, and hardscape, located in the southwest quadrant of the intersection with Ellsworth Drive and Springvale Road, North and West Silver Spring Master Plan

Staff Recommendation: Approval of the Limited Amendment

B. Limited Site Plan Amendment No. 82013004B, Chelsea Court, RT-12.5 Zone, 0.85 acres, Request to add a detached garage to a lot containing a one-family detached dwelling, located on the west side of Pershing Drive, approximately 200 feet north of Cedar Street, North and West Silver Spring Master Plan

Staff Recommendation: Approval of the Limited Amendment

BOARD ACTION

Motion: A. DREYFUSS/ FANI-GONZÁLEZ

Vote:

Yea: A. 4-0

Nay:

Other: PRESLEY ABSENT

Action: A. Approved staff recommendation for approval of the proposed Limited Site Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.

B. By consensus, the Board voted to defer this Item.

A. In keeping with the February 12 technical staff reports, Planning Department staff offered a multi-media presentation and discussed a proposed limited site plan amendment for the Chelsea Court project. Staff noted that the plan was approved by the Board in 2001 and the request is to make minor changes in site grading, landscaping, and hardscape on the 5.25-acre property located in the southeast quadrant of the intersection of Ellsworth Drive and Springvale Road in the North and West Silver Spring Master Plan area. Staff noted that the proposed amendment meets all the requirements of the Zoning Ordinance and recommended approval.

Mr. Jason Sereno of Hampden Lane representing EYA, the applicant, offered brief comments, answered questions from the Board, and concurred with the staff recommendation.

There followed a brief Board discussion with question to staff and Mr. Sereno.

B. In keeping with the February 12 technical staff report, Planning Department staff offered a multi-media presentation and discussed a proposed limited site plan amendment for the Chelsea Court project. Staff noted that the plan was approved by the Board in 2001 and the request is to add a detached garage to a 0.85-acre lot containing a one-family detached dwelling,

CONTINUED ON NEXT PAGE

***7. Chelsea Court -- A. Limited Site Plan Amendment No. 82013004A & B. Limited Site Plan Amendment No. 82013004B**

CONTINUED

located on the west side of Pershing Drive, approximately 200 feet north of Cedar Street, in the North and West Silver Spring Master Plan area. The property consists of lot 64 in the Chelsea Subdivision, which consists of 64 platted lots as well as four platted parcels for open space, a private street, and private alleys. The overall subdivision is being developed with 63 townhouses arranged on both sides of a private street. The subject property contains a stand-alone one-family dwelling, the historic Riggs-Thompson House, which is listed in the Master Plan for Historic Preservation and currently serves as a private residence. The applicant proposes to add a 930-square foot detached two-story garage to the existing house.

Staff noted that the Riggs-Thompson House lot contains many trees that would be subject to a forest conservation variance if any new impacts were proposed beyond those previously approved by the Forest Conservation Plan and variance request. Staff recommended a condition of approval to show the tree protection fence on the site plan.

Mr. Timothy Dugan, attorney representing the applicant, Mr. Sam Fleming, also present, discussed the proposed amendment and concurred with the staff recommendation.

Mr. Sam Fleming, the applicant, offered brief comments.

The following speakers offered testimony: Ms. Michele Rosenfeld, attorney representing the Sligo Creek Neighbors for Sustainable Community; Ms. Vicki Warren of Pershing Drive; Ms. Anne Spielberg of Greenbrier Drive; Mr. Michael Russell of Takoma Avenue; and Mr. Robert Jones of Bonifant Street.

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

Chair Anderson noted that taking into consideration the testimony received, he would recommend that the applicant revise the proposed plan for the garage after meeting with the neighbors.

8. Bethesda Downtown Sector Plan, Worksession #8

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Action: Received briefing and testimony followed by discussion.

Parks Department staff discussed an overview of the parks and open space goals and recommendations for the Plan area. The recommendations will achieve three major goals: to support the centers of activity with civic green gathering spaces; to provide linkages and signature gateways to the major trail systems; and to create livable communities and appropriate transitions by greening and buffering the edges. The new parks are envisioned to have different roles and functions in order to create a full system of open space opportunities for the residents and workers of Bethesda. The recommendations include new parks for active recreation, central gathering spaces, walkability to neighborhood parks, and an interconnected system of trails to connect the various open spaces. The recommendations follow the guidance in the 2012 Park Recreation and Open Space (PROS) Plan to provide a system of parks and open spaces for every urban master plan or sector plan area through a combination of public and private efforts.

Urban open space systems should support a vibrant and sustainable urban center by creating open spaces that will be comfortable, attractive, easily accessible, and provide a range of experiences. Those open spaces that rise to the level of serving as a focal point of community life for the sector plan area are typically recommended to be publicly owned and operated parks, while those open spaces serving each district, neighborhood, or block are often recommended as public use spaces to be owned by the private sector. The PROS plan redefines urban parks by revising the Park Classification System (PCS) to better reflect the open space needs of urban communities. The revised PCS includes three urban park types under countywide parks: civic green, countywide urban recreational park, and urban greenway.

The Legacy Open Space (LOS) Program has evaluated all the proposed parks in the Bethesda Downtown Sector Plan and Westbard Sector Plan to determine if any sites merit designation as LOS urban open space. After analysis and review with the LOS Advisory Group, staff has identified two additional sites of countywide significance that should be designated in the Planning Board Draft of the Westbard Sector Plan. Since the beginning of the planning process, staff has been working with property owners to get a sense of viable public space locations and implementation scenarios, which staff also discussed during the meeting. Staff recommended approximately 12 acres of new parkland to serve the growing population of Bethesda.

CONTINUED ON NEXT PAGE

8. Bethesda Downtown Sector Plan, Worksession #8

CONTINUED

The Sector Plan recommends strategies that compensate, mitigate, and minimize lost resources to grow a healthier and greener downtown. The Plan also aims to reestablish and link green spaces via streetscape improvements, tree canopy corridors and green roofs by supplementing tree planting along streets and public spaces, and recommending at least 35 percent green cover on private properties. Improving water quality in the three receiving tributaries is also an important goal that will take many years to achieve. Staff added that following this worksession, staff will summarize the Planning Board recommendations regarding the parks and open spaces, and the high performance area and environmental impact, which will be posted to the Downtown Bethesda website.

The following speakers offered testimony: Ms. Sarah Hughes of Battery Lane; Ms. Holly Clemans of Battery Lane; Mr. Michael Fetchko of Battery Lane; Mr. Bruce Pritchard of Battery Lane; Dr. Willo Requegnat of Battery Lane; Ms. Duane Arenaces of North Brook Lane; Ms. Francoise Carrier, attorney from Bregman, Berborg, Schwartz & Gilday LLC, representing GNRW Properties, LLC; Mr. Robert Brewer, attorney from Lerch, Early & Brewer representing a property owner; Ms. Heather Dlhopsky, attorney from Linowes & Blocher representing F & L Associates; and Mr. Avi Adler of Chevy Chase Boulevard.

By consensus the Planning Board agreed to the expansion of Battery Lane Park by adding more green space but did not recommend taking away the adjacent property and adding a road through the park. Chair Anderson added that he would recommend a pedestrian/bike path instead of a road.

There followed extensive Board discussion with questions to staff.