



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, May 19, 2016, at 8:59 a.m. in the Montgomery Regional Office (MRO) in Silver Spring, Maryland, and adjourned at 5:00 p.m.

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

Items 1, 7, 6, 2.A, 3, 4, 2.B.1, and 2.B.2, discussed in that order, are reported on the attached agenda.

Item 1.C.1 was removed from the Planning Board agenda.

The Board recessed for lunch at 10:50 a.m. and reconvened in the auditorium at 2:00 p.m. to take up Item 5, a worksession for the Bethesda Downtown Sector Plan.

There being no further business, the meeting was adjourned at 5:00 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 26, 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, May 19, 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 Nos. 220160500, 220160510, 220160520 & 220160530 Travilah Station
CR zone; 131 lots and 24 parcels; located on the east side of Travilah Road 350 feet south of its intersection with Molecular Drive; Great Seneca Science Corridor Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160800, Battery Park

R-60 zone; 1 lot; located on the east side of Maple Ridge Road 350 feet south of Goddard Road; Bethesda Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

~~**1. ISG Building: Preliminary Plan Amendment 12010013A (Deferred from February 4, 2016) ---** Request to amend Preliminary Plan No. 120100130, Condition #1 to allow a daycare facility with no more than six staff and a private educational institution for no more than 38 students in the existing religious institution, located on Blunt Road, 300 feet east of Frederick Road on the east side of Frederick Road, 1.44 acres; R-60 zone; Germantown Sector Plan (“Master Plan”). **REMOVED**
Staff Recommendation: Approval with Conditions~~

2. Balsamah Property, Adequate Public Facilities Test 12000098A --- Request for a new Adequate Public Facilities determination on six recorded lots, under County Code Section 8-31(b), Article IV for future building permits; Lots 1-6, Balsamah; 152.61 acres, zoned AR; located on the east side of Peachtree Road, 2,000 feet southwest of Barnesville Road, within the 1980 Preservation of Agricultural & Rural Open Space Master Plan.
Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: 2. WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 2. 5-0

Nay:

Other:

**Action: 1. This Item was removed from the Planning Board agenda.
2. Approved staff recommendation for approval of the Adequate Public Facilities finding cited above, subject to conditions, and adopted the attached Resolution.**

MCPB, 5-19-16, APPROVED

***D. Approval of Minutes**

Planning Board Meeting Minutes of April 28, 2016

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of April 28, 2016, as submitted.

7. Lease Amendment for the Siena School --- Request to amend the lease for the Siena School by extending it for four (4) additional years.

Staff Recommendation: Approval

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve the Lease Amendment cited above and adopted the attached resolution.

Parks Department staff offered a multi-media presentation and discussed a proposed lease amendment request to extend an existing lease agreement for four additional years. The site, identified as the Siena School, is located on the south side of Forest Glen Road and zoned Residential in the Kemp Mill Master Plan area. The Parks Department received a rush request from the school in April of this year to extend an existing 20-year agreement granting the school use of approximately 1.47 acres of adjacent park property, which the school has used for staff parking, student drop-off, and buses since entering into the agreement in 2012. School officials are attempting to obtain a loan to complete improvements to the existing school building, including a three-story addition. The lender requires that the school has use of the leased property for a full 20-year term, and because there are only 16 years remaining on the current lease, the school must extend the 2012 lease agreement, creating a 24-year lease. Staff added that because the amended lease will exceed a term of 20 years, the lease amendment also requires County Council approval.

There followed a brief Board discussion with questions to staff.

6. Metropolitan Branch Trail: Mandatory Referral No. 2016021 --- Extension of the Metropolitan Branch Trail from Montgomery College to the Silver Spring Transit.

Staff Recommendation: Approval to transmit comments to the Montgomery County Department of Transportation.

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to Montgomery County Department of Transportation, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request to construct the final segment of the Metropolitan Branch Trail within Montgomery County, to be located in Silver Spring. Staff stated that public notice for the project was issued on April 18 of this year. Notice was broadcast via social media and the Bicycle Master Plan email list as well. Also, the Montgomery County Department of Transportation (MCDOT) conducted a public hearing for the project on May 4. The trail, which is currently in various stages of completion, is proposed as a nine-mile, off-road recreation and transportation path that will ultimately connect Union Station in the District of Columbia to the Silver Spring Transit Center, running generally parallel to the existing CSX railroad and Metrorail Red Line tracks. The completed trail will offer connections to the Custis Trail, the W&OD Trail, the Capital Crescent Trail (CCT), the Silver Spring Green Trail, and the Sligo Creek Trail. It will also provide connections to existing MARC Line and Red Line stations, a proposed Purple Line station, Montgomery College, and the City of Takoma Park.

For Phase 1 of the project, the applicant proposes to construct a typically 12-foot wide, two-block segment of the trail from New York Avenue to the western terminus of King Street, running along Fenton Street and King Street. For Phase 2, the applicant proposes to construct a typically 10-foot wide segment along the west side of Selim Road from King Street to Ripley Street, a new underpass beneath Burlington Avenue, and a new bridge over Georgia Avenue. Staff stated that the alignment of the proposed trail around the Silver Spring B&O Railroad Station will reduce existing onsite parking spaces for the station from thirteen to five. Staff noted that MCDOT also proposes to remove ten metered parking spaces along the east side of Selim Road in order to accommodate the trail. Construction of Phase 1 is planned for June through September of this year, with Phase 2 construction planned from November 2017 to November 2019. However, staff added that completion of Phase 2 of

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6. Metropolitan Branch Trail: Mandatory Referral No. 2016021

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the project is contingent on the completion of the Ripley II development project. To avoid a gap in trail continuity, MCDOT has identified the west side of Georgia Avenue as the best option for an as-needed interim alignment.

Staff stated that major issues addressed in the Mandatory Referral request include the trail alignment and crossings at the B&O Railroad Station. Stakeholders and potential trail users have supported a straighter and more direct trail alignment that runs beneath an existing platform canopy on the station property. Some potential trail users have expressed concern regarding two ninety-degree turns contained on the proposed alignment around the existing station, and concern that the proposed alignment could place trail users in conflict with moving vehicles crossing the trail while parking. However, the Maryland Historical Trust (MHT), the Maryland State agency in charge of evaluating the impact of the trail on the station, believes that an alignment beneath the platform canopy could have an adverse impact on the historic railroad station. Staff noted that MHT also holds a perpetual historic easement on the property, giving MHT the authority to deny a trail alignment beneath the platform canopy. Staff added that MHT officials have stated that they would deem the proposed project inconsistent with the terms of the easement. For this reason, staff recommends the proposed trail alignment around the station. To avoid potential conflict between trail users and moving vehicles, staff recommends limiting the vehicular traffic crossing the trail, and providing a raised trail crossing with warning signs and pavement markings. Staff added that the relocation of two parking spaces adjacent to the proposed trail has also been discussed.

Another major issue regarding the project involves determining the appropriate trail width for the anticipated demand. Staff stated that the typical width for a shared use path in the County is ten feet. However, due to the proximity of this segment of the trail to the Silver Spring Transit Center, a MARC Rail station, a future Purple Line station, and the CCT, staff anticipates a high level of use. To accommodate the anticipated volume, staff recommendations include widening the trail to eleven feet along the CSX tracks between Ripley Street and the B&O Railroad Station, along Selim Street, and along the CSX tracks between the Burlington Avenue underpass and King Street. Staff also recommends one to two-foot shoulders for these same segments of the trail. Staff noted that MCDOT officials have stated that due to existing constraints, there is not enough space to widen the segment of the trail along Selim Road.

Other staff recommendations include the use of signage that is similar in appearance to existing signage in the District of Columbia, and the inclusion of trail counters to aid staff in gauging trail use.

The following speakers offered testimony: Mr. Nelson Hanagan of Selim Road; Ms. Tamara Evans, representing the Washington Area Bicyclist Association; and Ms. Karen Burditt, representing Montgomery Preservation, Inc.

Mr. Ken Kendall of MCDOT offered comments.

Following extensive Board discussion with questions to staff and Mr. Hanagan, the Board agreed to transmit additional comments, including recommendations to relocate two parking spaces adjacent to the trail on the north side of the B&O Railroad Station if feasible, and to change the existing parking meters on the west side of Selim Road from all-day to limited-time use.

2. Roundtable Discussion

A. Planning Director's Report

B1. Operating Funds Three Month Financial Report Including Projections to June 30, 2016.

B2. Enterprise Funds Three Month Financial Report Including Projections to June 30, 2016.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

A. Planning Department Director's Report – Following a brief video presentation on the recent Makeover Montgomery 3 conference, Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the County Council approval of the FY17 budget on May 10, with the Council voting to remove only one work program item; the implementation of the Westbard Sector Plan, with property owner Equity One scheduling the required pre-application community meeting for June, and Parks Department staff moving forward with the improvement plans for Willett Branch; the status of the Bethesda Downtown Sector Plan, with a worksession scheduled for this afternoon; the status of the Greater Lyttonsville Sector Plan, with a worksession scheduled for May 26; the status of ongoing work for the MARC Rails Community Plan, Rock Spring Master Plan, the White Flint 2 Sector Plan, and the Bicycle Master Plan, with interim Board briefings regarding each of these plans to be scheduled throughout the coming months; the status of the 2016 Design Excellence Award initiative, with an event scheduled for May 25, which includes a tour of the 2015 winning project, the Silver Spring Civic Building, and a presentation by the project architect Rodolfo Machado; and the status of Planning Department events celebrating Asian Pacific American History Month, including the “Chopsticks Games and Korean Costume Show” event held on May 11, the “Nice to Meet You – Asian Music,” event held on May 13, the “Urban Parks Development in Asia – From Classic Gardens to Globalized Landscapes in China,” event held on May 20, the “Gude Garden Tour – Japanese Styled Landscape,” event scheduled for May 25 at Brookside Gardens, and the “Celebrate Asian Pacific American Heritage Month Luncheon,” scheduled for June 1.

There followed a brief Board discussion.

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2. Roundtable Discussion

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B1. Operating Funds Three-Month Financial Report Including Projections to June 30, 2016: Finance Department staff briefed the Board and discussed the status of the FY16 Administration Department and Parks Department operating funds. Staff stated that as of March 31, 98.95 percent of the expected yearly property tax had been collected, which is a 1.73 percent increase over the amount collected in the corresponding FY15 time period. Staff expects to meet the budget for tax collections for both real and personal property with no significant overage. Interest revenues are projected to be \$40,700 greater than budgeted. Both the Parks Department and Planning Department are expected to meet the 1.0 percent savings plan. The Administration Fund is expected to exceed \$16,168 in revenues, with interest projected to be \$31,200 higher than budgeted. Staff does not expect to collect \$150,000 in grants, nor do they expect to expend those funds. Expenditures are \$1,746,408 under budget, with projected savings of \$1,315,992 due to delays in filling vacant positions, filling positions at less than budgeted salaries, and filling some vacancies with contract employees. The Fund Balance for the Administration Fund will decrease by \$336,503. The Park Fund is expected to exceed \$42,600 in revenues, with expenditures savings projected at \$1,646,161. Staff noted that a portion of the savings can be attributed to the finalization of debt issuance that was completed in April. Maryland Governor Hogan has approved the Federal Emergency Management Agency assistance for the January snow storm, and a request has been made for reimbursement assistance for snow removal costs. Reimbursement is expected this fiscal year. Staff added that the Park Fund balance is expected to increase by \$1,044,579.

There followed a brief Board discussion.

B2. Enterprise Funds Three-Month Financial Report Including Projections to June 30, 2016: Finance Department staff briefed the Board and discussed the status of the FY16 Enterprise Division Operating Funds and Enterprise Division events and activities. Americans with Disabilities Act related improvements are currently underway at Cabin John Ice Rink. Enrollment for summer camps is underway, and directors and staff are being hired, with training scheduled to begin June 13. Staff has begun marketing the new Heating, Ventilation, and Air Conditioning system at the Pauline Betz Addie Tennis Center to encourage increased summer play at the facility. Seasonal facilities have begun to open, with the trains at Wheaton Regional Park and Cabin John Park having opened in late March, the boats at Black Hill Regional Park and Rock Creek Regional Park having opened May 1, and the Splash Park at South Germantown Recreational Park scheduled to open Memorial Day weekend with new water features. At the Little Bennett Campground, jumping pillows are scheduled to be installed next week, and the assembly of furniture for three recently purchased yurts is underway. Staff added that event centers are open and are in the process of holding and scheduling events.

There followed a brief Board discussion.

3. FY16 Budget Transfer Request from the Planning Department

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve the Budget Transfer Request cited above.

Planning Department staff briefed the Board regarding a proposed FY16 Budget Transfer Request of \$916,000. Staff stated that all budget adjustments exceeding \$50,000 require Planning Board approval. The funds will be transferred from Personnel Services to Other Services and Charges, Supplies and Materials, and Capital Outlay for technology upgrades, personnel training, the Rock Spring activation initiative, vehicle replacement, and building and parking lot maintenance.

There followed a brief Board discussion.

4. Approval of the Public Hearing Draft of the 2016 Subdivision Staging Policy

Staff Recommendation: Approve Public Hearing Draft and set Public Hearing Date of June 2, 2016

BOARD ACTION

Motion: PRESLEY/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Working Draft of the 2016 Subdivision Staging Policy as the Planning Board Public Hearing Draft and set the Public Hearing for June 2, 2016.

5. Bethesda Downtown Sector Plan - Continuation of Worksession #12

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed Option 3- Bethesda Downtown Overlay Zone. Staff noted that this option was selected by the Planning Board at the last worksession and covers properties that are zoned Commercial/Residential (CR), which will retain their existing Floor Area Ratio (FAR) allocations, as mapped today, and will receive an increase in height during discussion of the Sectional Map Amendment application. The priority sending sites are retained, and the Planning Board recommended density has also been mapped. The overlay zone provides a cap on density and requires a minimum of 15 percent Moderately Priced Dwelling Units (MPDUs) on bonus density, and a parks and open space fee will be assessed for any additional density.

Legal Counsel to the Board discussed the Bethesda Overlay Zone requirements, including affordable housing. Legal Counsel noted that the MPDUs' square footage does not count against the Floor Area Ratio (FAR), no additional height is allowed for MPDUs outside of the Housing Plan Area (HPA), and no height increases are allowed in areas adjacent to single-family neighborhoods. The Planning Board may approve a project that exceeds the mapped Commercial/Residential density, as long as no more than a total of 32.4 million square feet has been approved. The project receiving the bonus density must obtain building permits within 24 months of receiving site plan approval. The incentives listed in the Sector Plan working draft include lifting the 0.25-mile restriction and eliminating the requirement for a common sketch plan. The possible additional incentives are: removal of the Building Lot Termination (BLT) requirement for priority sending site density; elimination of the 15 percent MPDU requirement for priority sending site density; keeping the MPDUs at the 12.5 percent mandatory requirement; removal of the park amenity payment; and addition of a small multiplier, to be determined.

Staff further discussed the Overlay Zone requirements, and at the Board's request offered clarification regarding the MPDUs' requirement for priority sending sites.

There followed extensive Board discussion with questions to staff and Legal Counsel.

Staff then discussed the revised affordable housing recommendations previously discussed at an earlier Planning Board worksession.

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5. Bethesda Downtown Sector Plan - Continuation of Worksession #12

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Mr. Jay Greene, representing Montgomery County Department of Housing and Community Affairs, offered brief comments and answered questions from the Board.

Staff also discussed the public benefit points associated with the CR zone, and noted that the Sector Plan working draft top priorities are: affordable housing, which will provide 30 points for 15 percent MPDUs; public benefits in the high performance area will get 15 points; and enhanced vegetated roofs to increase green cover will get 15 points. Other priorities are public open space up to 20 points; exceptional design up to 10 points; and minimum parking up to 10 points.

Parks Department staff then discussed the proposed Park Impact Payment (PIP), and requested guidance from the Planning Board as to who should pay for acquisition and development of parks in Downtown Bethesda, and the basis that should be used to set the value of the PIP.

Chair Anderson noted that the Board would recommend that staff primarily use new development for calculating the PIP, and that the estimated costs of acquisition and development of new parks should be used to set the value of the PIP.