



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, June 30, 2016, at 9:13 a.m. in the Montgomery Regional Office (MRO) in Silver Spring, Maryland, and adjourned at 5:57 p.m.

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

Items 1 through 4 are reported on the attached agenda.

Commissioner Dreyfuss left the meeting at 11:21 a.m. during discussion of item 3, and Commissioner Fani-González left during discussion of Item 4.

The Board recessed for lunch at 1:24 p.m. and convened in Closed Session at 1:34 p.m. to take up Item 5, a Closed Session Item.

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 in the 3rd floor conference room at 1:34 p.m. on motion of Commissioner Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioner Presley voting in favor of the motion, and Commissioners Dreyfuss and Fani-González temporarily absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7), to consult with counsel to obtain legal advice.

Also present for the meeting were Deputy Director Rose Krasnow, Glenn Kreger, and Khalid Afzal of the Planning Department; Senior Counsel David Lieb of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board discussed the proposed Site Plan Amendment request for the Washington Adventist Hospital project.

The Closed Session meeting was adjourned at 1:49 p.m.

Commissioners Dreyfuss and Fani-González returned to the meeting following discussion of Item 5.

The Board reconvened in the auditorium at 2:06 p.m.

Items 6 through 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 5:57 p.m. There is no Planning Board meeting scheduled for July 7, 2016. The next regular meeting of the Planning Board will be held on Thursday, July 14, 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, June 30, 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. 220150650, Alvermar Woods

RE-2 zone; 2 lots; located in the southwest quadrant of the intersection of Riverwood Drive and River Road (MD 190); Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220151320, Country Club Forest

R-60 zone; 2 lots; located immediately northwest of the intersection of Redwing Road and Stardust Lane; Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160690, Crestview

R-60 zone; 1 lot; located on the east side of Bayard Boulevard, approximately 100 feet south of the intersection with Earlston Drive; Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160700, Clarksburg Town Center

CRT- zone; 2 parcels; located immediately east of the intersection of Sugarloaf Chapel Drive and Catawba Hill Drive; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160820, Woodside Park, Section 7

R-60 zone; 1 lot; located on the north side of the intersection of Watson Road with Edgevale Road; North and West Silver Spring Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/PRESLEY

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

Pooks Hill

A. Pooks Hill Site Plan No. 820160080 and Sketch Plan Amendment No. 32015006A --- CR 1.0 C 1.0 R 0.75 H 160 Zone, 19.38 acres, Extension request for 646,755 square feet of development for a maximum of 631 multi-family dwelling units, including a minimum of 15 percent MPDUs; located on Pooks Hill Road at the northwest intersection with Dudley Lane, Bethesda-Chevy Chase Master Plan
Staff Recommendation: Approval of the Extension

B. Pooks Hill Site Plan Amendment No. 81982098B --- CR 1.0 C 1.0 R 0.75 H 160 Zone, 11.90 acres, Extension request for modification to existing parking lot and associated landscaping and lighting; located on Pooks Hill Road at the northwest intersection with Dudley Lane, Bethesda-Chevy Chase Master Plan
Staff Recommendation: Approval of the Extension

BOARD ACTION

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

Vote:

Yea: A & B. 5-0

Nay:

Other:

Action: A & B. Approved staff recommendation for approval of the Site Plan and Site Plan Amendment Extensions cited above.

MCPB, 6-30-16, APPROVED

***D. Approval of Minutes**

Planning Board Meeting Minutes of June 16, 2016

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of June 16, 2016, as submitted.

2. Roundtable Discussion

- Planning Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Planning Department Director's Report – Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the recent addition of a new painted path and crosswalk that runs along the northeast side of the Montgomery Regional Office building and connects a sidewalk on Fenton Street to a sidewalk on Spring Street; the ongoing work on the Bethesda Downtown Sector Plan, the Subdivision Staging Policy, and the Greater Lyttonsville Sector Plan, with the plans scheduled to be transmitted to the County Council in July and August; the status of the MARC Rail Communities Plan, with a Board update scheduled for July 21; the status of the Rock Spring Master Plan and the White Flint 2 Sector Plan, with the results of a consultant study scheduled to be presented to the Board today; the upcoming public kick-off meeting for the Grosvenor-Strathmore Metro Area Minor Master Plan scheduled for July 7; the ongoing work with staff from Montgomery County Council, Montgomery County Department of Transportation (MCDOT), and Montgomery County Department of Permitting Services (DPS) to resolve issues regarding the Subdivision Regulations, with final review by the County Council's Planning, Housing, and Economic Development Committee scheduled for July 18, and finalization tentatively scheduled for September; the status of the Wheaton Headquarters building, with a community meeting sponsored by MCDOT held on June 22, groundbreaking scheduled for 2017, and move-in scheduled for mid-2019; the recent Commuter Connections Annual Employer Recognition Awards Program ceremony, with two Montgomery County employers taking home awards; a recent regional forum for the Greater Washington Housing Leaders Group on expanding the impact of housing trust funds held on June 29; and the status of the second annual Design Excellence Award scheduled for October 20 at the Silver Spring Civic Building, with submissions due July 21.

There followed a brief Board discussion, during which Chair Anderson noted upcoming urban park activation activities, including a giant Jenga game at Royce Hanson Park scheduled for July 29.

3. Worksession #5 on the Public Hearing Draft of the 2016 Subdivision Staging Policy

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 recommendations for the public hearing draft of the 2016 Subdivision Staging Policy (SSP). Staff stated that the draft needs to be posted on the Planning Board agenda on July 14 in order for the Board to approve its transmittal to the County Council on July 21. Staff noted that the discussion would focus on Board-directed recommendations, and added that following the discussion of three recommendations that are returning to the Board to be finalized, the remaining Board recommendations would be presented for approval.

Following extensive Board discussion with questions to staff regarding the schools portion of the proposed SSP, the Board approved the phased removal of the School Impact Tax and School Facility Payment exemptions in the former Enterprise Zones. The Board also approved the implementation of a School Impact Tax credit for dedication of land for use as a school site. For the transportation portion of the proposed SSP, the Board, with Commissioner Dreyfuss opposed, approved the staff recommendation to recalculate Transportation Impact Taxes, and to adjust the rates based on estimates of current Vehicle Miles of Travel (VMT), and non-auto driver mode share (NADMS) for trips to work. The Board made an additional recommendation to apply a 30 percent discount to the proposed Transportation Impact Tax and mitigation costs for office, industrial, and retail use within the core group area.

Staff discussed the remaining transportation recommendations, during which the Board approved the creation of policy area categories that reflect current land use patterns, modes of travel other than single-occupant vehicles, and the planning vision for different parts of the County. The Board also approved the staff recommendation to create four new policy areas within the urban category, including the Clarksburg Town Center, Chevy Chase Lake, Long Branch, and Takoma/Langley Crossroads policy areas. Following additional discussion, the Board recommended that the Clarksburg policy area be reclassified from the suburban category to the urban category and studied along with the Clarksburg Town Center policy area. The Board also approved the recommendations to adopt a new policy area test based on transit accessibility; to eliminate the policy area test within the Metro Station Policy Areas (MSPAs) and rural areas; to adopt new trip generation rates based on updated land use and travel data; to replace the 30 peak-hour vehicle trip threshold for a Local Area Transportation Review (LATR) study with a 50-person trips per hour threshold; to retain

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3. Worksession #5 on the Public Hearing Draft of the 2016 Subdivision Staging Policy

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Critical Lane Volume (CLV) only as a screening tool to be applied in all policy areas outside the MSPAs, and to employ a more thorough, delay-based transportation analysis tool; to exempt the White Flint MSPA from the local area test in recognition of the Special Tax District process in that area; to eliminate the LATR in the White Oak Policy Area in favor of the recently established “pro rata share” district process; to allow mitigation measures in Urban Road Code and Bicycle Pedestrian Priority Areas in which applicants may either mitigate any impacts with the implementation of acceptable solutions or make a mitigation payment if an acceptable solution cannot be implemented; to eliminate the LATR study requirement for the Alternative Review Procedure in the MSPAs; to remove the Provisional Adequate Public Facilities (PAPF) provision from the LATR and the Transportation Policy Area Review guidelines, and to use in-place regulatory tools to accomplish the same function; and to continue to produce the Mobility Assessment Report on a biennial schedule in order to monitor the SSP.

Staff then continued discussion of the recommendations for the school portion of the SSP, with the Board approving the use of student generation rates in the calculation of School Facilities Payments and the School Impact Tax; the implementation of a hybrid annual school test that combines cluster utilization tests with individual school capacity deficit tests; the requirement to calculate the School Facility Payment and School Impact Tax biennially using the most recent student generation rates and school construction cost data; the application of a 0.5 multiplier in the calculation of the School Facility Payments rather than the 0.6 multiplier currently in use; the requirement that a portion of the School Impact Tax, equivalent to 10 percent of the cost of a student seat, be dedicated to land acquisition for the construction of new schools; a two-year limit for placeholder capacity to count as capacity in the Annual School Test; the removal of the 0.9 multiplier in the School Impact Tax in order to capture the full cost of school construction associated with a new residential unit; and additional research to develop the criteria and process by which an area can be exempted from the School Impact Tax and the School Facility Payment.

There followed extensive Board discussion with questions to staff.

4. Briefing on the Adaptive Reuse Study prepared by Bolan Smart Associates for White Flint 2 Sector Plan (Executive Boulevard) and Rock Spring Master Plan

Staff Recommendation: Receive Briefing from the Consultant

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Planning Department staff and consultants from Bolan Smart Associates and HOK Planning Group offered a multi-media presentation and discussed a Bolan Smart study regarding current office market dynamics and potential for adaptive re-use of office buildings along Executive Boulevard in the White Flint 2 Sector Plan area and within the office park in the Rock Spring Master Plan area. Mr. Eric Smart of Bolan Smart Associates stated that in addition to coordination with Planning Department staff, the study involved inventory analyses of the two locations, interviews with stakeholders, case studies, economic tests, feasibility tests, and implementation of a conversion checklist. The study focused on the conversion of property and existing buildings, specifically the conversion of unused office space to residential, hotel, medical, or school use, to be accomplished through either the re-use or demolition of existing office buildings. Precedent conditions that must be considered prior to conversion of a site include existing parking, building age and design, evolving user requirements and preferences, emergent competition elsewhere in the region, unused density, property values, and market support for alternative uses. Citing case studies involving the proposed office-to-residential use conversion in Crystal City, Virginia, a proposed office-to-hotel use conversion in Silver Spring, and a proposed office-to-school use conversion in Falls Church, Virginia, Mr. Smart noted the cost benefits associated with the re-use of existing buildings, including the ability to utilize existing parking, a reduction in delivery time and in building vacancy.

Regarding the potential for conversion of existing sites within the Executive Boulevard and Rock Spring areas, Mr. Smart noted the existing conditions that support conversion, including the centralized locations and proximity to retail for both areas, competitive pricing, adequate parking, and property owners who are interested in adding mixed-use to existing uses. Other existing conditions that could potentially support conversion in the Executive Boulevard area include the proximity of the area to the Pike District, planned street network upgrades, and prospects for new mixed-use development at gateway sites.

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4. Briefing on the Adaptive Reuse Study prepared by Bolan Smart Associates for White Flint 2 Sector Plan (Executive Boulevard) and Rock Spring Master Plan

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Mr. Smart then discussed the results of a feasibility analysis to evaluate the potential for buildings or land within the two plan areas to be converted to other uses. A list of several prospective sites for conversion was developed using a conversion checklist that evaluates specific properties based on criteria such as the location, current market conditions, existing condition of the property or building, density, occupancy, cost, regulatory issues, and future infrastructure. Prospects for re-use within the Executive Boulevard area include three properties along the 6000 and 6100 blocks of Executive Boulevard and the Washington Science Center. Potential properties for re-use within the Rock Spring area include Montgomery Row, property on Fernwood Road, approximately 375,000 square feet in Rock Spring Park, Rock Spring Center, as well as corporate sites such as the Marriott and Lockheed Martin sites. However, Mr. Smart stated that currently no specific existing office buildings are suited for immediate conversion to residential or hotel uses within either of the study areas. Existing surface parking lots and vacant or underutilized land planned for office use are the most viable prospects for re-use. To encourage conversion, Mr. Smart recommended enhanced connectivity, selective category tax abatements, and incentives that focus on area retail.

Mr. Duncan Kirk and Ms. Suzette Goldstein of HOK Planning Group offered comments.

Ms. Pam DuBois of Bolan Smart Associates also offered comments.

There followed extensive Board discussion with questions to Mr. Smart.

5. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(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.

***6. Washington Adventist Hospital, Site Plan Amendment No. 82008021E** --- Request to modify buildings' footprints and heights, entrance drive, landscaping, and building elevations; add a mechanical equipment building; amend the approved Forest Conservation Plan; and revise the required transportation related improvements. Located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive; 44.86 acres zoned Life Science Center (LSC) within the 2014 White Oak Science Gateway Master Plan. The Application is to be reviewed under the LSC Zone development standards of the current Zoning Ordinance. Approval of this request will allow the Applicant to extinguish the approved special exception for the proposed hospital on this property.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval, subject to revised conditions, as discussed during the meeting, and as stated in the attached Resolution.

In keeping with the June 20 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Site Plan Amendment request to modify proposed buildings footprints and heights, entrance drive, landscaping, and building elevations; add a mechanical equipment building; amend the approved Forest Conservation Plan; and also revise the required transportation related improvements. The 44.86-acre property is located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive and is zoned Life Science Center (LSC) zone within the 2014 White Oak Science Gateway Master Plan area. The request was reviewed under the LSC Zone development standards of the current Zoning Ordinance. Approval of this request will allow the applicant to extinguish the approved Special Exception for the construction of the proposed hospital on this property. Staff noted that since approval of the Adequate Public Facilities for the property is still valid, the applicant contends that the Planning Board cannot require any off-site improvements under the site plan process and therefore does not support the conditions of approval requiring a new traffic signal at the intersection of Broadrich Drive and Plum Orchard Drive and the associated intersection improvements. The applicant is requesting approval for a standard method of development under the current LSC Zone, seeks modifications of certain Development Standards in the LSC Zone, and requests amendment of the Category I Forest Conservation Easement to allow for the construction of a water and sewer line.

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***6. Washington Adventist Hospital, Site Plan Amendment No. 82008021E**

CONTINUED

Staff noted that the requested amendment proposes to retain the previous approval of 803,570 square feet, but reduces the number of hospital beds from 288 to 170 per the Maryland Care Commission's Certificate of Need approval. The proposed project will have a main hospital building; an ambulatory care building; two medical office buildings; a center for Spiritual Life and Healing; two parking garages; a parking lot; a helipad; required open space and amenities; and associated circulation, landscaping, stormwater management, and other improvements. The initial phase consists of the construction of the main hospital building, the adjacent ambulatory care building, the helipad, the south parking garage, and an interim surface parking lot where the first medical office building will be built later.

Mr. Robert Brewer, attorney representing the applicant, introduced Messrs. Geoffrey Morgan of Washington Adventist Hospital, and Philip Perrine and Jim Curran, members of the applicant's team, briefly discussed the proposed amendment request, and concurred with the staff recommendation, with a request to revise the conditions related to the proposed traffic signal and related road improvements.

Mr. Geoffrey Morgan representing Washington Adventist Hospital offered brief comments.

Mr. Jim Curran, the applicant's architect offered a multi-media presentation and briefly discussed the proposed architecture for the garage and the hospital buildings.

There followed a brief Board discussion regarding the architecture of the proposed two garage buildings, which some Board members felt should offer some interesting architectural design.

Ms. Bernadine Karns of Gazebo Court and representing the Calverton Citizens Association offered testimony.

Staff then discussed revisions to the conditions of approval.

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

Chair Anderson noted that the Board is confident that the applicant will work with staff to come up with a great design for the two garage buildings, which will blend well with the other buildings on the site.

***7. Silver Spring Retirement Residence Preliminary Plan No. 120160200** --- Request to create one lot for the construction of a domiciliary care home for seniors consisting of a maximum of 155 beds, R-200 Zone; 4.46 acres; located at 13716 New Hampshire Avenue, within the 1997 White Oak Master Plan.

Staff Recommendation: Approval with Conditions and adoption of Resolution

BOARD ACTION

Motion: **WELLS-HARLEY/PRESLEY**

Vote:

Yea: **5-0**

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed the request to create one lot for the construction of a domiciliary care home for seniors consisting of a maximum of 155 beds on a 4.46-acre property located on New Hampshire Avenue within the 1997 White Oak Master Plan area. Staff noted that the Planning Board reviewed a Special Exception for this project on May 28, 2015, and granted the applicant's request for a deferral in order to revise the application. The applicant resubmitted a revised application, and staff and the Planning Board recommended approval on October 8, 2015. The Hearing Examiner approved the Special Exception request on December 15, 2015. Staff noted that there is no forest on site but the applicant is required to plant 0.4 offsite, and the Final Forest Conservation Plan is part of the Preliminary Plan request. Staff also added that review of this application was conducted under the old Zoning Ordinance, which is permitted per Section 59.7.7.1. B.1 of the New Zoning Ordinance.

Ms. Elizabeth Rogers, attorney representing the applicant, introduced Messrs. Robert Harris, Mark Yowen, Shahriar Etemadi, and Pete Clartier, members of the applicant's team, briefly discussed the proposed request, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Ms. Rogers.

8. Bethesda Downtown Sector Plan, Worksession #16

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Discussion.

Planning Department staff noted that the Bethesda Downtown Sector Plan fine-tunes earlier Sector Plans by reevaluating their original goals and resulting environments, rather than radically changing direction. The Sector Plan defines the context, purpose, plan area, and recommendations for downtown Bethesda, and highlights the directions for the next 20 years. Staff offered a multi-media presentation and discussed the major revisions and edits to the Public Hearing Draft as per the Planning Board's recommendations discussed at the various worksessions.

Staff discussed the following revisions to the Land Use and Zoning section of the plan: the overlay zone was added; zoning was removed for individual properties with exceptions of the properties noted in the plan; retained properties rezoned to Commercial/Resident (CR), or Commercial/Residential/Transit (CRT); retained PSS mapped zones recommended in the plan working draft; added affordable housing section; introduced a floating zone designation for the Bethesda Fire Station 6 property, as recommended by the Board; clarified language regarding the Glenbrook Road site, Lot 633, to provide for several scenarios that would allow some or all of the property to be used for park expansion; added language eliminating the 2006 Woodmont Triangle Amendment Floor Area Ratio (FAR) of 1.0 limit for commercial development; rezoned Residential (R-60) properties in Arlington North District comparable to the surrounding densities, as recommended in the plan working draft.

Staff also discussed the **following revisions to the Transportation section**: removed Norfolk Avenue Shared Street extension through Battery Lane Urban Park; corrected Table 2.01-Street Classifications in the plan working draft; and coordinated and aligned the Transportation Management District with the Urban District.

The Urban Ecosystems section: revised introduction section as recommended by the Planning Board; clarified language regarding recommendations for green roofs and tree canopy cover; and removed language regarding light emitting diodes (LED) per the Planning Board recommendation.

The High Performance Area section: Clarified the language regarding the HPA in the CR Public Benefit Points.

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8. **Bethesda Downtown Sector Plan, Worksession #16**

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The Community Identity and Urban Design section: Revised Figure 2.20 - Recommended Building Heights, to show the Board recommendations; removed Norfolk Avenue Shared Street extension through Battery Lane Urban Park; added language for the design of tall buildings; revised Glenbrook property to Potential Open Space; and added potential open space to Fire Station 6 site.

The Parks and Open Space section: Added Fire Station 6 site as a potential open space; Added Chase Avenue Neighborhood Green Expansion; and added Elm Street Urban Buffer Park Improvements.

The Community Facilities section: Added floating zone language for the Fire Station 6 site.

The Implementation section: Added Bethesda Overlay Zone language; revised Section 4.1.4- Public Benefits in the CR zone to reflect top priorities of Affordable Housing, Public Open Space, High Performance Area, Exceptional Design and Minimum Parking; added additional incentives for Priority Sending Sites (PSS) as approved by the Planning Board; added Housing Opportunities Commission (HOC) lots 14,15,16 as PSS; removed the Aldon Properties in South Bethesda as PSS; added Parking Lot #10 as a PSS; and added a Legacy Open Space Designations section.

There followed extensive Board discussion during which the proposed Park Impact Tax and the Marriott site were also discussed.

Staff noted that at the upcoming worksession scheduled for Thursday, July 21, the Planning Board will be asked to approve transmittal of the Sector Plan Planning Board Draft to the County Council.