



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED  
MINUTES**

Following the swearing-in of newly-appointed Commissioner Gerald Cichy, the Montgomery County Planning Board met in regular session on Thursday, July 28, 2016, at 9:30 a.m. in the Montgomery Regional Office (MRO) in Silver Spring, Maryland, and adjourned at 8:40 p.m.

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

Items 1 through 6 are reported on the attached agenda. The vote for Item 5 was deferred until after the lunch recess, following continued discussion between Legal Department staff, the applicant's attorney, and the applicant.

The Board recessed for lunch at 12:14 p.m., and reconvened in the auditorium at 1:36 p.m.

Items 7 through 10, and Items 12 and 11, discussed in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 8:40 p.m. The Planning Board will be in recess during the month of August and will reconvene at 9:30 a.m. on Thursday, September 8, 2016, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise  
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**Montgomery County Planning Board Meeting**  
**Thursday, July 28, 2016**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Washington Adventist University SRW201602 – MCPB No. 16-082
2. Sligo Artspace Preliminary Plan 120160270 – MCPB No 16-059
3. Sligo ArtSpace Site Plan 820160140 – MCPB No. 16-060

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/WELLS-HARLEY

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** CICHY RECUSED; DREYFUSS ABSENT

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

NOTE: Commissioner Cichy recused himself from the vote because he was not present at the hearings during which the Resolutions cited above were approved.

**\*C. Other Consent Items**

**1. Dowden’s Station: Extension Request for Site Plan No. 820160060** --- The Applicant is requesting a 14-weeks (roughly 2.5 month) extension of the Site Plan application, because there are a number of unresolved issues and agency approvals that require more significant review time beyond the initial request for a 30-day extension. The subject property is 24.37 acres of land zoned PD-4, within the Clarksburg Master Plan Area/ Clarksburg Special Protection Area.

*Staff Recommendation: Approval*

**2. Pepco Darnestown Station (Evangelical Formosan), Preliminary Plan Amendment No. 12002018A** --- Request to amend Preliminary Plan No. 120020180 to modify conditions of approval to allow the subject property to be used for a public utility structure rather than the previously approved use as a place of worship, located on the southwest corner of Riffle Road and Darnestown Road, 2.64 acres (115,217 sq. ft.), RE-1 Zone, 2002 Potomac Subregion Master Plan.

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

**3. Chevy Chase Lake, Preliminary Plan Amendment No. 12015013A** --- Request to amend Preliminary Plan No. 120150130 to modify the timing of Condition 26, 5.403 acres, CRT 2.0, C 0.25, R 2.0, H 100, and CRT 1.5, C 0.25, R 1.5, H 50 Zones, Chevy Chase Lake Sector Plan.

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

**4. Correction of Resolution for Site Plan No. 820160030** – MCPB No. 16-008, Saul Center White Flint West Building A.

**BOARD ACTION**

**Motion:** 1 & 3. FANI-GONZÁLEZ/WELLS-HARLEY  
2 & 4. WELLS-HARLEY/FANI-GONZÁLEZ

**Vote:**  
**Yea:** 1, 2, 3, & 4. 4-0

**Nay:**

**Other:** DREYFUSS ABSENT

**Action:** 1. Approved staff recommendation for approval of the Site Plan Extension cited above.

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

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

4. Adopted the corrected Resolution cited above, as submitted.

**\*B. Record Plats**

**Subdivision Plat No. 220071440, Clarksburg Village**

R-200 zone; 3 parcels; located immediately south of Forest Haven Way on the east side of Stringtown Road; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220150890, Goshen Hunt Hills**

RE-2 zone; 3 lots; located at the westerly terminus of Paddockview Drive; Agriculture and Rural Open Space Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220151110 and 220151120, Cabin Branch**

CRT zone; 40 lots and 2 parcels; located between Cabin Branch Avenue and Broadway Avenue in the vicinity of Petrel Street and Lapwing Way; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220151550, Chevy Chase, Section 4**

R-60 zone; 1 lot; located on the south side of Rosemary Street, 1420 feet west of Maple Avenue; Bethesda - Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220160290, Clarksburg Town Center**

CRT zone; 1 parcel and outlot; located at the intersection of Clarksburg Square Road and Frederick Road (MD Route 355); Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220160470, Olney**

CRT zone, 1 parcel; located on the east side of Georgia Avenue (MD 97), 100 feet north of Olney-Sandy Spring Road (MD 108); Olney Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220160630 and 220160640, Chevy Chase Lake Station**

CRT zone; 63 lots and 10 parcels; located on the north side of Chevy Chase Lake Drive, 720 feet east of Connecticut Avenue (MD Route 185); Chevy Chase Lake Master Plan.

*Staff Recommendation: Approval*

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**\*B. Record Plats**

CONTINUED

**Subdivision Plat No. 220160780, S.S. Carroll's addition to Takoma Park, Section 1**  
R-60 zone; 2 lots; located in the southern quadrant of Hancock Avenue and Grant Avenue; Takoma Park Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: WELLS-HARLEY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of July 14, 2016

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: CICHY RECUSED; DREYFUSS ABSENT**

**Action: Approved Planning Board Meeting Minutes of July 14, 2016, as submitted.**

NOTE: Commissioner Cichy recused himself from the vote because he was neither present nor did he read the Minutes for the hearing cited above.

**2. Roundtable Discussion**

- Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

**Parks Department Director's Report** – Parks Department Director Mike Riley briefed the Board on the following ongoing and upcoming Parks Department events and activities: the status of a recent meeting with the Parks Department Senior Management team and Commissioner Cichy, during which the newly-appointed Planning Board Member was briefed on several park-related topics; the recent awarding of Montgomery Parks Foundation grants for Parks Department projects, including the purchase of a mobile pump track for the Activate Urban Parks program, the purchase and installation of a real time display for the Capital Crescent Trail, and funding for the annual Trees Matter Symposium; the status of Montgomery Parks Foundation fundraising efforts for projects that include the construction of a classroom for the Sustainable Education Every Day program at Black Hills Visitor Center, the replacement of exhibits at nature centers, and the proposed Western Grove Urban Park in Chevy Chase; the status of Parks Department work to recommend specific projects to Maryland State legislators prior to legislative sessions in an effort to get those legislators to sponsor bond bills that will fund those projects; recent media coverage involving Parks facilities, including a WTTG Fox5DC live remote from Cabin John Ice Rink, and several WRC-TV NBC4 segments from the splash park at South Germantown Recreational Park; the status of ongoing work to improve safety at the Matthew Henson Trail crossing at Veirs Mill Road; County Council staff tours of parks facilities scheduled for September; and the upcoming Maryland Association of Counties conference scheduled for August 17 through 20, with Mr. Riley scheduled to sit on the “Gotta Catch ‘Em All – Pokémon Go and the Public” panel discussion regarding the popular augmented reality game and its potential to draw visitors to parks and other facilities.

There followed a brief Board discussion.

**3. 2017 Park Recreation and Open Space (PROS) Plan Update --- Outline, Schedule and Outreach Strategy.**

*Staff Recommendation: Discussion of the outline, schedule and outreach strategy for the 2017 Park, Recreation, and Open Space (PROS) Plan Update. (This Plan must be completed in conformance with Maryland State Guidelines for County Land, Preservation, Parks, and Recreation Plans (LPPRP) and updated every five years to maintain Program Open Space Grant Funding eligibility.)*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Parks Department staff offered a multi-media presentation and discussed the 2017 Park Recreation and Open Space (PROS) Plan Update. In accordance with Maryland State Guidelines, the Plan, which must be submitted by July 17, 2017, is completed every five to six years in order to maintain Maryland Program Open Space (POS) Localside program grant funding eligibility, and is a key source for the Maryland Land Preservation and Recreation Plan (LPPRP). The main purpose of the PROS Plan is to develop strategies for delivering appropriate facilities to appropriate locations, and providing guidance for estimating facility needs, developing recreation recommendations in area and park master plans, and prioritizing park acquisition, renovation, development, and operation. In addition to parks and recreation, natural resource land conservation, and agricultural land preservation, the 2017 PROS Plan Update will also address the County priorities, such as urban parks, trails, athletic fields, resource-based recreation, facility-based recreation, and new types of facilities. Data sources such as park customer input, park strategic plans from other jurisdictions, past PROS Plans, emerging trends, State Guidelines, and staff experience will be utilized to guide the 2017 Plan.

The next steps for the Plan include the development, administration, and analysis of an athletic field survey, a resource-based recreation survey, and staff work on preliminary content scheduled for this summer; focus group meetings scheduled for September; community meetings scheduled for October; completion of a staff draft scheduled for November; transmittal of the draft to the State scheduled for December; revisions to the Plan scheduled for March 2017; Planning Board review of the staff draft and public hearing draft scheduled for April; a Planning Board public hearing, worksessions, and approval of the final draft scheduled for May and June; and submittal of the final draft to State scheduled for July 1, 2017.

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**3. 2017 Park Recreation and Open Space (PROS) Plan Update**

CONTINUED

There followed extensive Board discussion with questions to staff, during which the Board recommended analyzing the needs currently served by the Parks Department in order to determine the role it should play in the County over the next 20 years; utilizing other types of data collection, such as face-to-face interviews, in order to serve under-served communities; and developing public and private partnerships to promote parks and park programs.



**4. Public Meeting on Comprehensive Update to Parks Rules and Regulations** --- The public is invited to provide testimony to the Montgomery County Planning Board on the proposed update to the Park Rules & Regulations at this meeting, which follows a July 7th public meeting held by the full Commission at the Laurel-Beltsville Senior Activity Center in Laurel, Maryland.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received testimony.**

Legal Department staff briefed the Board and discussed the proposed update to the Parks Rules and Regulations.

Chair Anderson offered a brief explanation as to the purpose of this public meeting, stating that the Full Commission held a Bi-County public meeting in Laurel, Maryland, on July 7. Prior to and following that meeting, staff received correspondence from Montgomery County residents expressing concerns regarding the time and location of the meeting, which they stated impeded their ability to attend. In response, this public meeting was scheduled during a regular Planning Board meeting. However, because no speakers were present to offer testimony, Chair Anderson stated that public input that was received at the July 7 meeting, as well as any other written input that has been received, would be considered at the next Full Commission meeting, which is scheduled for September 21.

In response to a question from Vice Chair Wells-Harley regarding the hours of operation for park bike trails, Parks Department staff explained that while parks will continue to operate from dawn until dusk, park bike trails will be open daily from 5:00 a.m. until 12:00 a.m. for transient bicycle use only. Bicycles on the trails prior to and following normal park operating hours must be equipped with adequate lighting.

Following a short recess, the following speakers offered testimony: Ms. Ginny Barnes representing the West Montgomery Citizens Association, and Mr. Ronald MacNab representing Trail Riders of Today.

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

**5. 21611 Ripplemead Drive, Laytonsville (a.k.a Fairhill): Forest Conservation Plan 11996071A. Limited Amendment to the Forest Conservation Plan approved as part of a Preliminary Plan (In response to a Forest Conservation Violation) ---** Request to remove 2.484 acres of Category 1 Conservation Easement and to mitigate by acquiring 4.97 acres of forest bank mitigation credit. Located approximately 2500 feet north of the intersection of Riggs Road and Ripplemead Drive; Olney Master Plan.

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

**BOARD ACTION**

**Motion: CICHY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation for approval of the Forest Conservation Plan Amendment cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.**

Planning Department staff offered a multi-media presentation and discussed a proposed Forest Conservation Plan Amendment to remove portions of an existing Category I Conservation Easement from a residential property. The 5.21-acre property, identified as Lot 7, Block A of the Fairhill Subdivision, is a flag lot located on the east side of Ripplemead Drive, approximately 2,600 feet northeast of its intersection with Riggs Road, and is zoned Agricultural Reserve within the Olney Master Plan area. The site is currently developed with a single-family dwelling unit, with access to Ripplemead Drive provided via a 450-foot driveway located between adjacent lots 6 and 8.

Following inspector visits in 2005 and 2009, the applicant was cited for violations in two of the three existing Category I Conservation Easements on the property, including mowing, storing trailers, and installing a paved driveway in the area one easement, and installing a paddock fence, mowing, pasturing horses, and clearing a natural regenerating forest in the area three easement. In 2009 and 2010, the Planning Board held enforcement hearings on the violations, which the applicant litigated. The court remanded the penalty portion of the Board’s decision back to the Board for further analysis and a new enforcement hearing. However, prior to another hearing, Planning Department staff and the applicant reached a settlement agreement to resolve the outstanding violations.

The applicant proposes to remove a total of 2.484 acres of Category I Conservation Easement from seven different areas of the property, retain 12,571 square feet of the existing conservation easement, and acquire 4.96 acres of credit at an offsite forest mitigation bank at a ratio of 2:1.

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**5. 21611 Ripplemead Drive, Laytonsville (a.k.a Fairhill): Forest Conservation Plan 11996071A. Limited Amendment to the Forest Conservation Plan approved as part of a Preliminary Plan (In response to a Forest Conservation Violation)**  
CONTINUED

Staff has received correspondence from an adjacent property owner, requesting that the applicant be required to maintain a 30-foot deep permanent easement, leave any existing large trees undisturbed, plant new evergreen trees to fill any bare areas, and maintain the vegetation within the 30-foot easement.

Mr. Stephen Crum, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Frank Font, adjacent property owner, offered testimony regarding the screening provided by the Category I Conservation Easement that is proposed for removal.

Ms. Mohabat Font, adjacent property owner, and Mr. Spencer Hines of Rathbone Court offered testimony.

There followed extensive Board discussion with questions to staff and Mr. Font, after which the Board deferred judgement on the proposed Amendment and directed Legal Department staff to contact the applicant by telephone during the lunch recess in order to establish an agreement for an additional condition of approval that would require the applicant to maintain an existing row of trees along adjacent lot 6, and to extend that screening by planting an additional row of evergreen trees behind it.

Upon return from the lunch recess, Counsel informed the Board that the applicant was agreeable to the additional condition of approval.

There followed a brief Board discussion.

**\*6. 8008 Wisconsin Avenue**

**A. Project Plan Amendment No. 92015002A, 8008 Wisconsin Avenue** --- CBD-1 Zone, 0.32 acres, Amendment proposes a re-allocation of approved residential square footage to increase the total of non-residential uses from 4,500 square feet to 5,793 square feet, located in the southwest quadrant of the intersection with Wisconsin Avenue and Cordell Avenue; 1994 Bethesda Master Plan and 2006 Woodmont Triangle Amendment.

*Staff Recommendation: Approval with Conditions*

**B. Preliminary Plan No. 120160050, 8008 Wisconsin Avenue** --- CBD-1 Zone, 0.32 acres, Creation of one lot for 106 multi-family dwelling units and up to 5,793 square feet of non-residential uses, located in the southwest quadrant of the intersection with Wisconsin Avenue and Cordell Avenue; 1994 Bethesda Master Plan and 2006 Woodmont Triangle Amendment.

*Staff Recommendation: Approval with Conditions*

**C. Site Plan No. 820160130, 8008 Wisconsin Avenue** --- CBD-1 Zone, 0.32 acres, Proposal for a mixed-use building with 106 multi-family dwelling units and up to 5,793 square feet of non-residential uses, located in the southwest quadrant of the intersection with Wisconsin Avenue and Cordell Avenue; 1994 Bethesda Master Plan and 2006 Woodmont Triangle Amendment.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

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

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

**B. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to conditions, as stated in the attached adopted Resolution.**

**C. Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, as stated in the attached adopted Resolution.**

Planning Department staff offered a multi-media presentation and discussed the proposed Project Plan Amendment, Preliminary Plan, and Site Plan requests to subdivide a property to create one lot, construct a mixed-use building, reduce the previously approved project residential floor area, and

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**\*6. 8008 Wisconsin Avenue**

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increase the previously approved project non-residential floor area. The 13,962- net square foot site, which consists of five platted lots, is located on the southwest quadrant of the intersection of Wisconsin Avenue and Cordell Avenue, bounded by Woodmont Avenue to the west, within the Woodmont Triangle Amendment to the Bethesda Central Business District (CBD) Sector Plan area. Although the property is located within the Commercial/Residential zone, the project is being developed under the previous CBD-1 zone because the application is based on a previous application that was submitted prior to October 30, 2014. The site is currently developed with existing retail uses and surface parking. The application includes a density transfer of 47,821 square feet from five additional properties.

In June 2015, the Planning Board approved the Project Plan application for a 14-story, mixed use building for up to 151,953 square feet of multi-family residential use to accommodate 140 dwelling units, including 15 percent Moderately Priced Dwelling Units (MPDUs) and 4,500 square feet of non-residential uses. The applicant proposes to reduce the previously approved residential floor area, to increase the previously approved non-residential floor area, and to combine the existing five platted lots into one 13,962-square foot lot in order to construct a 148-foot 14-story mixed-use building for up to 150,375 square feet of multi-family residential use in no more than 106 units, including 15 percent MPDUs, 5,793 square feet of non-residential uses, and 54 below-grade parking spaces under an optional method of development. Vehicular access for parking and loading will be provided via two driveways from Cordell Avenue. Pedestrian access will be provided via sidewalks along each of the fronting streets. The applicant will be required to dedicate 122 feet for the right-of-way for Wisconsin Avenue, with an additional 10 feet of right-of-way to be provided through a Public Improvement Easement (PIE) in order to accommodate a proposed Bus Rapid Transit (BRT) stop. Public use space is proposed for the three site frontages. Staff stated that the constrained size of the property allows for only 2,918 square feet of the required 6,640 square feet of public use space to be provided on-site. The applicant will be required to make a \$694,323.49 fee-in-lieu payment for the remainder.

Staff received three letters expressing concerns regarding the proposed design of the street frontage along Cordell Avenue, particularly the proposed sidewalk width, the adequacy of loading spaces, and the proposed number of street trees; the use of the fee-in-lieu payment to fund a Battery Lane Urban Park improvement project rather than being used for parks closer to the site; and the potential for the development to overburden public facilities. Staff addressed each of these concerns, noting that the proposed sidewalk width is typical for the Bethesda CBD, and that the loading spaces meet Montgomery County Department of Transportation and zoning requirements. Staff went on to state that Battery Lane Urban Park was previously designated as the recipient of the fee-in-lieu funds at Sketch Plan approval. Staff also noted that the proposed development will be served by adequate public facilities, will remain within the Local Area Transportation Review congestion standard, is exempt from the Transportation Policy Area Review as a CBD project, and will not overburden the Bethesda-Chevy Chase school cluster, as the cluster is currently not over capacity. Staff then briefly discussed

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**\*6. 8008 Wisconsin Avenue**

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minor corrections to the Preliminary Plan conditions, and the Site Plan Data Table and Fee Calculation Table. Staff added that the associated Resolutions for the three plans will be submitted for adoption at a subsequent hearing.

Ms. Emily Vaias, attorney representing the applicant, offered comments, and concurred with the staff agreement.

There followed a brief Board discussion with questions to staff.

**7. White Flint 2 Sector Plan --- Briefing on Preliminary Recommendations.**

*Staff Recommendation: Briefing & Provide Guidance to Staff on Preliminary Recommendations*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed the preliminary recommendations for the proposed White Flint 2 Sector Plan. The approximately 455-acre Plan area is located south of the City of Rockville, and is adjacent to the 2010 White Flint Sector Plan area, which is located immediately to the south, west, and east. Staff offered background information on the Plan, noting that the Plan is intended to complement and build upon the 2010 White Flint Sector Plan, the 2009 Twinbrook Sector Plan, and the City of Rockville Rockville Pike Plan. The Plan area is predominantly residential, with 1,904 existing residential dwelling units and 6,400,000 square feet of existing non-residential uses. Existing zoning in the Plan area includes Residential, Employment/Office (EOF), Commercial/Residential (CR), Commercial/Residential/Neighborhood, Commercial/Residential/Town (CRT), and Light Industrial (IL) uses. Outreach efforts have included a total of ten public meetings since June 2015. These meetings have focused on schools, parks, open spaces, and transportation, and have been attended by property owners, civic and homeowners associations, advocacy groups, and representatives from Montgomery County Public Schools (MCPS).

The Plan area consists of four major districts. For the Executive Boulevard District, the Plan proposes to rezone the Washington Science Center and seven other properties along Executive Boulevard from the EOF zone to the CR zone. For the Rockville Pike-Montrose North District, recommendations include rezoning the vacant Wilgus properties along Montrose Road from the EOF to the CR zone, allowing the Federal Plaza shopping center property to remain split-zoned, and rezoning the Monterey Apartments from the CRT to the CR zone. Parklawn South district recommendations include retaining the existing IL zone. For the Randolph Hills district, recommendations include confirming the CR zone for the Lohmann's Plaza property, confirming the Residential zone for the Walnut Grove Condominium property, and confirming the Residential zone for the Oxford Square White Flint apartments property. Other recommendations include the consolidation of frontages along Rockville Pike (MD355) in order to improve pedestrian areas; improvements to pedestrian connectivity

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## **7. White Flint 2 Sector Plan**

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between the north and south sides of Montrose Road; a new pedestrian connector between Montrose Parkway and Old Georgetown Road that utilizes an existing buffer; and redevelopment at the intersection of Old Georgetown Road and Executive Boulevard. Staff then briefly discussed proposed densities and heights for each district.

For parks and open spaces, staff recommends creating ten new parks and open spaces for public use, linking those new parks and open spaces with existing and proposed bikeways and trails, and developing at least 12 acres of public use in the Plan area. Public/community facilities recommendations include continued support of the recommendations established in the 2010 White Flint Sector Plan; addressing elementary school capacity by either reopening a former elementary school in the Walter Johnson cluster or constructing a new elementary school building; and collocating public facilities.

A three-phased staging plan is recommended for the implementation of the proposed Sector Plan, with Phase 1 recommending 3,000 dwelling units and 2,000,000 square feet of non-residential use, and will focus on the implementation of the proposed realignment of Executive Boulevard and Old Georgetown Road, completion of a design study for Rockville Pike, and a 34 percent Non-Auto Driver Mode Share (NADMS) for the Plan area. Phase 2 also recommends 3,000 dwelling units and 2,000,000 square feet of non-residential use, and will focus on the completion of the Executive Boulevard and Old Georgetown Road realignment, and funding for a second entrance to the White Flint Metro Station. Phase 3 recommends 3,800 dwelling units and 1,690,000 square feet of non-residential use. Staging considerations include linking key infrastructure framework items that were recommended in the 2010 Plan with the White Flint 2 Sector Plan, including the proposed Western Workaround, northern Metro entrance, NADMS goals, the Rockville Pike BRT, and the proposed bikeway system.

There followed extensive Board discussion with questions to staff, during which the Board recommended that the Plan include additional athletic fields, more active recreation, a mechanism for acquiring more athletic fields that requires developers to contribute, and the inclusion of language that calls for as much active recreation area as allowable. The Board also requested briefings from staff regarding the status of Special Tax Districts and the EOF zone.



**8. Rock Spring Master Plan --- Briefing on Preliminary Recommendations.**

*Staff Recommendation: Briefing & Provide Guidance to Staff on Preliminary Recommendations*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and discussed the preliminary land use and zoning recommendations for the Rock Spring Master Plan. Staff noted that a community kick-off meeting was held on September 1, 2015, and the Planning Board approved the plan Scope of Work on October 8, 2015. There have been seven additional community meetings since then, as well as various individual and small group meetings. On May 26, 2016, staff briefed the Board on the status of both the Rock Spring Master Plan and the White Flint 2 Sector Plan. Staff noted that presentation and discussion of the Working Draft is scheduled for September 15, 2016.

Staff discussed the proposed zoning recommendations which are two-fold for several properties within the office park/Mixed-Use Business Campus cluster: 1) increasing Floor Area Ratio (FAR) maximums to provide greater flexibility under the existing Employment/Office (EOF) zone; and 2) utilizing a mixed-use floating zone for property owners proposing comprehensive change to their properties. The Commercial/Residential Town (CRT) zone is recommended for the existing shopping centers on the east side of the Plan area. Rock Spring East includes the properties east of Rockledge Drive and Rockledge Boulevard, for which there are a variety of zoning classifications. The Plan recommends maintaining the existing CR and CRT zoning and rezoning the Wildwood Shopping Center and the Georgetown Square to CRT, which permits a mix of uses at varying densities and heights. The intent of the CRT zone is to target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses, while encouraging development that integrates a combination of housing types, mobility options, commercial services, public facilities, and amenities. Rock Spring Central/Business Campus includes the properties between Rockledge Drive and Rockledge Boulevard to the east and I-270 to the west. The majority of the office park is zoned EOF, with the exception of a vacant lot zoned CR on the northwest corner of Rockledge Drive. The Plan recommends that the EOF zone be retained for the properties currently zoned EOF within the office park with the exception of the Montgomery Row townhouse development; adjust the overall FAR

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**8. Rock Spring Master Plan .**

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to 1.5 for the EOF-zoned properties within the office park; provide for a floating CRT zone for the EOF-zoned properties within the office park, which will have an FAR between 1.5 and 2.5 and a height of up to 150 feet; and rezone the Montgomery Row Townhouse site from EOF-1.0 and Height of H-100 to Townhouse High Density (THD) zone. Properties within the Rock Spring West/Regional Market Place are located west of I-270 and north and south of Westlake Terrace. They are linked to the office park by Westlake Terrace, which bridges I-270. This area is comprised primarily of destination retailers, with Westfield Montgomery Mall located on the south side of Westlake Terrace and Home Depot on the north. All the properties on the north side of Westlake Terrace are zoned CRT, with the exception of a seven-story EOF-zoned office building on Motor City Drive. In addition to the office building and Home Depot, the area includes a post office and a car dealership. The proposed mixed-use project on the Ourisman Ford site is located at the northeast corner of Westlake Terrace and I-270. Additional uses, including a residential component, may be considered in the future for the Mall site, but at this time, no plans have been submitted to the Planning Department for consideration.

Ms. Wendy Calhoun of Ashburton Lane and representing the Montgomery County Cluster of Parents and Teachers Association offered testimony and stressed the need for Montgomery County Public Schools to acquire land to build new schools in the Rock Spring Master Plan area.

There followed a brief Board discussion with questions to staff.

**9. Lake Normandy Estates, Pre-Preliminary Plan No. 720160020** --- Request to receive non-binding advice from the Planning Board on the re-subdivision of a lot into two (2) lots located at 9108 Marseille Drive. The property is 0.94 acres (40,957 sq. ft.); R-200 zone; Potomac Sub-Region Master Plan.

*Staff Recommendation: Support Submission of a Preliminary Plan*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Supported staff recommendation for the submission of a Preliminary Plan for the Lake Normandy Estates proposed plan, with an informal vote of three to one, with Commissioner Fani-González opposed.**

In keeping with the July 15 technical staff report, Planning Department staff offered a multi-media presentation and noted that this is a request for non-binding advice from the Planning Board on the proposed re-subdivision of a lot into two lots on a 0.94-acre property located on Marseille Drive in the Potomac Sub-Region Master Plan area. Staff noted that the proposed neighborhood is a representative sample of lots in the area established under the same development guidelines. The application has demonstrated compliance with the re-subdivision criteria in Section 50-29(b)(2) of the Subdivision Regulations. The proposed two lots fall within the numerical range for all of the re-subdivision criteria based on the lot data of the proposed neighborhood and are therefore of the same character as the existing lots in the neighborhood. In reply to a question from the Board, Legal Counsel to the Planning Board noted that in a similar case, which went to the Montgomery County Court, as long as the re-subdivision criteria are met, the court recommended approval of the plan.

Ms. Soo Lee-Cho, attorney representing the applicant, discussed the proposed request and cited the previous case mentioned by Legal staff.

The following speakers offered testimony: Mr. Richard Rothman of Fall River Court; Mr. Paul Lavalleye of Marseille Drive; Ms. Lesley Lavalleye of Marseille Drive; Ms. Michele Rosenfeld, attorney representing two abutting property owners; Mr. Leonard Sachs of Fall River Court; and Mr. Andrew Greenwald of Fall River Court.

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

**10. R&SP Briefing: Update on the Master Plan Reality Check Study** --- Provide an update on the Master Plan Reality Check Study being conducted by department staff. The presentation will provide an in-depth analysis of the implementation of the 1989 Germantown Master Plan, which was selected for the project's pilot analysis to develop an overall framework and approach.

*Staff Recommendation: Briefing and Discussion*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

Planning Department staff offered a multi-media presentation and provided an update on the Master Plan Reality Check Study, with a focus on the pilot analysis of the 1989 Germantown Master Plan. Staff noted that the study was funded in the FY16 work program to analyze the degree to which select master plans have realized the vision, densities, land uses, infrastructure, and amenities called upon in their respective recommendations.

Staff noted that by assessing the difference between a plan's aspirations and the on-the-ground reality among a broad set of planning criteria, the study will also shed light on why some plan aspects materialized as envisioned and others don't. Staff will continue the study with the analysis of several other master plans that differ by geography, focus, and market conditions. By analyzing these diverse plans and noting their commonalities and differences in their abilities to execute visions to reality, the study will also provide an inventory of best practices among master plan processes and considerations that yielded the most actualized plans, or portions of plans, as originally envisioned. The Germantown Master Plan was selected for the pilot analysis because it had reached its horizon date, or a period of about twenty years, where it is reasonable to expect recommended plan elements to come to fruition. The planning elements which were analyzed were: residential development; non-residential development; community facilities for schools, parks, and the public; urban design; transportation; and environment.

Staff then discussed the salient findings from the analysis of the 1989 Germantown Master Plan, which includes the following: a literature review identified few examples of master plan evaluations of this nature, suggesting this effort is unique; while the overall development of residential uses is relatively consistent with the plan's goals, the amount and mix of commercial uses today are not

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**10. R&SP Briefing: Update on the Master Plan Reality Check Study**

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aligned with the robust vision for these uses in 1989. The Plan might have benefited from a more detailed market analysis to better document existing conditions at the time and to guide the recommendations for the locations and types of commercial space; the public sector played a key role in ensuring that several components of the Plan have been developed as envisioned. In certain commercial priority areas, non-residential development relied heavily on publicly-funded, or developer-contributed space to catalyze private commercial development. Likewise, the provision for public parks as envisioned in the 1989 plan was successful because of actions and investments by the Commission, Montgomery County, and the State of Maryland; the plan's aspiration in village centers to avoid strip malls was not fully realized and suggests that the 1989 Plan could have benefited from more exacting design guidelines; comparing the 1989 and the 2009 Germantown Master Plans, has been a challenge due to differences in analytical approaches and extensive qualitative recommendations, which are subjective and hard to measure. Even within the Germantown Master Plan document, there were inconsistent data. Standardizing analytical approaches used in master plans may make comparison easier; and it may be helpful to conduct master plan reality checks before plan horizon dates to determine if incentives or other interventions should be more aggressively considered to stimulate development and achieve public policy objectives.

There followed a brief Board discussion with questions to staff.

**12. Zoning Text Amendment No. 16-07** --- Allow the consolidation of lots, parts of lots, and parcels created before 1958; and generally amend the provisions for residential lot and parcel exemptions.

*Staff Recommendation: Transmit Comments to the County Council*

**(NOTE: Action required for the County Council Public Hearing on 8/2/16)**

**BOARD ACTION**

**Motion: FANI-GONZALEZ/WELLS-HARLEY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.**

In keeping with the July 21 technical staff report, Planning Department staff discussed a Zoning Text Amendment (ZTA) request to allow the consolidation of lots, parts of lots, and parcels created before 1958 in a manner consistent with the provisions of the Zoning Ordinance in place prior to October 30, 2014.

The proposed ZTA would reinstitute provisions for pre-1958 lots and parts of lots that existed before the Zoning Ordinance Rewrite was adopted in 2014. It has been the County Council’s policy to allow the reconstruction of existing dwellings despite any irregularities in the lot or parcel on which it is located. In Chapter 59, Section 7.7.1 on Exemptions, provisions were created to permit construction and reconstruction of new and existing structures in varying circumstances. However, when combined with provisions of the Subdivision Regulations for the platting of land, the intent of some of the provisions cannot be met. Subsection 7.7.1.A permits reconstruction of existing legal structures on recorded lots and pre-1958 un-platted parcels if the floor area, height, and footprint of the structure are not increased, or as otherwise limited by sub-sections B, C, and D. The proposed ZTA clarifies that pre-1958 parts of lots are included in the exemption for issuance of a building permit for a detached house, without regard to the street frontage and lot size requirements of its current zoning, and permits reconstruction on pre-1928 parcels that do not meet lot size at the front building line as well as the front lot line. Rebuilding existing dwellings beyond the limits of reconstruction is only permitted if the structure is located on a platted lot. Re-platting is required to consolidate existing commonly owned lots to prevent new structures from crossing lot lines and to meet the requirements to consolidate commonly owned land under Subsection 7.7.1.D.3.b. All lots created under the Subdivision Regulations must meet current zoning standards, but many pre-1958 parcels and parts of lots no longer qualify for re-platting because they were created at a time when lot width and area requirements were smaller.

There followed a brief Board discussion with questions to staff.

**11. Review of Framework for the Bicycle Master Plan ---** The proposed approach to the Bicycle Master Plan includes the plan’s goals, objectives, and performance metrics and a discussion of the issues described in the scope of work.

*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 gave an overview of the draft framework report for the Bicycle Master Plan (BMP). Staff discussed the recommended framework for the Plan and reviewed the key issues. Staff noted that during the development of the framework report, the Bicycle Master Plan team met with the Community Advisory Group six times. The Technical Advisory Group was also provided the opportunity to comment on the draft framework report. Comments were also received from Montgomery County Department of Transportation, the City of Rockville, and the City of Takoma Park.

Staff noted that the BMP is intended to set forth a vision for Montgomery County as a world-class bicycling community, where people in all areas of the County have access to a comfortable, safe, and connected bicycle network, and where bicycling is a viable transportation option that improves our quality of life and the environment. The framework report indicates how the BMP will respond to many of the issues identified in the Scope of Work, as well as other issues that have come up since the Planning Board approved the Scope of Work in September 2015. Staff discussed those issues which covered the following: the plan framework report proposes a structure for the BMP that is composed of three major parts: defining the vision, realizing the vision; and monitoring the vision. What is the state of the practice in using data and performance metrics to develop a bicycling network? Staff reviewed numerous bicycle plans, including those in many of the leading bicycling communities, and determined that the state of the practice in using data and performance metrics is poor. Staff has found that the goals and objectives of most plans lack coherence and are not tied to the development and implementation of those plans. The proposed approach for the BMP seeks to make goals, objectives, and performance metrics an integral part of the planning process. The recommended goals are increased bicycling, connectivity, equity, safety, economic development, environmental quality, health, and livability. The issues to be addressed include: how the BMP classifies bikeway types, such as bike

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## **11. Review of Framework for the Bicycle Master Plan**

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lanes, shared use paths, and separated bike lanes. If separated bikeways are needed to create a low-stress bicycling environment, when should they be implemented as separated bike lanes or shared paths; In what contexts are neighborhood greenways appropriate and what are the best practices for design elements; What is the value of signed shared roadways in master plans; In what conditions are separated bike lanes a replacement for dual bikeways; Where are long-term bicycle storage facilities needed and how much space do they require for bicycle parking and other bicycle-supportive elements, such as showers, changing rooms, lockers, etc.; How should the Plan classify bikeway recommendations, including a hierarchy of bikeways, such as countywide bikeways and local bikeways.

Another part of the BMP consists of an ongoing monitoring and evaluation program to track how well the vision of the Plan is being fulfilled by evaluating the success in meeting the goals and objectives of the BMP. Issues to be addressed are: are there any hard surface park trails that should be designated as bikeways and, if so, what does that designation mean for the design, operation, and maintenance of the trails; what are the best practices in bicycle parking at residential and commercial locations; how can Montgomery County implement on-road bikeways, incrementally through a combination of private development and County-funded projects.

The following speakers offered testimony: Mr. Jack Cochrane of Thomas Branch Drive and representing the Montgomery County Bicycle Advocates Group; Ms. Stacy Cook of West Virginia Avenue; Mr. Phillip Shapiro of Claybrook Drive; and Mr. Garret Hennigan of Ontario Road and representing the Washington Area Bicyclist Association.

There followed a brief Board discussion with questions to staff.