



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, January 5, 2017, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 11:58 a.m.

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

Items 1 through 4 are reported on the attached agenda.

The Board convened in Closed Session at 11:48 a.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 at 11:48 a.m. in the auditorium on motion of Commissioner Cichy, seconded by Commissioner Fani-González, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor of the motion, and Vice Chair Wells-Harley and Commissioner Dreyfuss absent. The meeting was closed under authority of Annotated Code of Maryland, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice.

Also present for the meeting were Associate General Counsel Nick Dumais of the Legal Department; Director Gwen Wright, Robert Kronenberg, Neil Braunstein, and Elza Hisel-McCoy of the Planning Department; and James Parsons of the Commissioners' Office.

In Closed Session, the Board received briefing and legal advice regarding a reconsideration request.

The Closed Session meeting was adjourned at 11:53 a.m.

The Board reconvened in the auditorium at 11:55 a.m.

Item 6 is reported on the attached agenda.

MCPB, 1-5-17, APPROVED

There being no further business, the meeting was adjourned at 11:58 a.m. The next regular meeting of the Planning Board will be held on Thursday, January 12, 2017, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, January 5, 2017
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. 220150580 & 220150630, Discovery Farm

AR (formerly RDT) zone; 2 lots; located on the east side of Partnership Road, approximately 2,800 feet south of Sugarland Road; Agriculture and Rural Open Space Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220151150, Cabin Branch

CRT zone (formerly MXPB); 26 lots, 1 parcel; located in the southwest quadrant of the intersection of Skimmer Street and Cabin Branch Avenue; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160050, High Point

R-60 zone; 1 lot; located on the north side of Onondaga Road, 320 feet east of Sangamore Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160880, Calverton

R-90 zone; 1 lot; located on the north side of Fairland Road, 350 feet west of Big Horn Drive; Fairland Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220160970 - 220160980, Glenmont Metrocenter

CR (formerly TS-R) zone; 46 lots, 9 parcels; located in the northern quadrant of the intersection of Layhill Road (MD 182) and Glenallan Avenue; Glenmont Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170180 - 220170190, Cabin Branch Center

CRT (formerly MXPB) zone; 2 parcels; located on the north side of relocated Clarksburg Road (MD 121), at the intersection of Gosnell Farm Drive; Clarksburg Master Plan.

Staff Recommendation: Approval

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***B. Record Plats**

CONTINUED

Subdivision Plat No. 220170230, Chevy Chase, Section 4

R-60 zone; 1 lot; located on the west side of Ridgewood Avenue, 250 feet south of Thornapple Street; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 3-0

Nay:

Other: WELLS-HARLEY & DREYFUSS ABSENT

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

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

MCPB, 1-5-17, APPROVED

***D. Approval of Minutes**

Planning Board Meeting Minutes of December 8 and December 15, 2016

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 3-0

Nay:

Other: WELLS-HARLEY & DREYFUSS ABSENT

Action: Approved Planning Board Meeting Minutes of December 8 and 15, 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 status of the new Wheaton Headquarters building, with a staff briefing scheduled for January 9, and the groundbreaking scheduled for the end of February; the status of a proposed Employment Trends Study; a proposed Planning Board bus tour of the Georgia Avenue corridor from south Silver Spring down to the former Walter Reed Army Medical Center site scheduled for spring 2017; the upcoming National American Planning Association awards ceremony scheduled to be held in New York City in May, with several staff members scheduled to speak at panel sessions; the status of the Greater Lyttonsville Sector Plan, which is scheduled to go before the Full County Council on January 17; the status of the Bethesda Downtown Sector Plan, with the first County Council Planning, Housing, and Economic Development Committee meeting scheduled for January 23; the status of the White Flint 2 Sector Plan, with a Planning Board public hearing scheduled for the evening of January 12, and worksessions scheduled throughout January and February; the status of the Rock Spring Master Plan, with worksessions scheduled throughout January and February; the status of the Recreation Guidelines update, with a worksession scheduled for January 12; and the continuing work for the Grosvenor-Strathmore Metro Area Minor Master Plan, MARC Rail Communities Plan, and the Bicycle Master Plan.

There followed a brief Board discussion.

***3. 7272 Wisconsin Avenue (Purple Line Station)**

A. Sketch Plan Amendment No. 32016004A, 7272 Wisconsin Avenue (Purple Line Station), CR 8.0 C 7.5 R 7.5 H 250 Zone, 2.69 acres, Request for 937,184 square feet of development for up to 878,610 residential development, including a minimum of 12.5 percent MPDUs and up to 878,610 square feet of commercial development; located at the southwest quadrant of the intersection with Wisconsin Avenue and Elm Street, Bethesda Purple Line Station Minor Master Plan Amendment
Staff Recommendation: Approval with Conditions

B. Preliminary Plan No. 120160380, 7272 Wisconsin Avenue (Purple Line Station), CR 8.0 C 7.5 R 7.5 H 250 Zone, 2.69 acres, Request for 937,184 square feet of development for up to 878,610 residential development, including a minimum of 12.5 percent MPDUs and up to 878,610 square feet of commercial development; located at the southwest quadrant of the intersection with Wisconsin Avenue and Elm Street, Bethesda Purple Line Station Minor Master Plan Amendment
Staff Recommendation: Approval with Conditions

C. Site Plan No. 820160200, 7272 Wisconsin Avenue (Purple Line Station), CR 8.0 C 7.5 R 7.5 H 250 Zone, 2.69 acres, Request for 937,184 square feet of development for up to 878,610 residential development, including a minimum of 12.5 percent MPDUs and up to 878,610 square feet of commercial development; located at the southwest quadrant of the intersection with Wisconsin Avenue and Elm Street, Bethesda Purple Line Station Minor Master Plan Amendment
Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: B. FANI-GONZÁLEZ/CICHY

Vote:

Yea: B. 3-0

Nay:

Other: WELLS-HARLEY & DREYFUSS ABSENT

Action: A & C. Received briefing and by consensus, approved staff request for a continuance of the Sketch Plan Amendment and Site Plan requests cited above until the January 19, 2017 Planning Board meeting.

B. Approved staff recommendation for approval of the Preliminary Plan cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.

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***3. 7272 Wisconsin Avenue (Purple Line Station)**

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Planning Department staff offered a multi-media presentation and discussed the proposed Sketch Plan Amendment, Preliminary Plan, and Site Plan requests to increase the allowable building height for a property and create one lot for up to 937,184 square feet of mixed-use development. The 2.69-acre site is located at the southwest quadrant of the intersection of Wisconsin Avenue and Elm Street and zoned Commercial/Residential within the Bethesda Purple Line Station Plan Minor Master Plan Amendment area. The property is currently developed with a 5-story building, identified as the Apex Building, containing office and retail uses. The site is also developed with the historic Community Paint and Hardware building, also identified as the Wilson Store, which is proposed to be relocated to the County Parking Lot 41 on Middleton Lane. A single vehicular access point from Wisconsin Avenue is located at the southeast corner of the site, with pedestrian access to the building retail and office entrances located along Wisconsin Avenue at the corner with Elm Street.

The applicant proposes to create one lot for the construction of two buildings for up to 360,800 square feet of office uses, up to 14,572 square feet of retail uses, and up to 480 multi-family dwelling units, including 12.5 percent Moderately Priced Dwelling Units (MPDUs). The proposed development will also accommodate the Bethesda Purple Line Station, the southern entrance to the Metro Rail Bethesda Red Line station, and a portion of the Capital Crescent Trail (CCT), which the applicant will build. Office and retail uses are proposed to be located within a building located on the eastern portion of the site, with the proposed multi-family residential building to be located on the western portion of the site. Parking for 720 vehicles will be accommodated on three levels of below-grade and four levels of above-grade parking within the proposed office building, and two levels of below-grade and four levels of above-grade parking within the proposed residential building. Full-movement vehicular access to the property is proposed directly from Elm Street, with right-in-right-out access provided from Wisconsin Avenue. Garage access will be provided from both streets, with truck loading provided from Wisconsin Avenue. Pedestrian access will be provided from the Wisconsin Avenue and Elm Street sidewalks, as well as from the CCT from Woodmont Plaza. Although the staff report states that the applicant is requesting to amend the adopted Sketch Plan in order to increase the allowable building height from 250 to 290 feet, staff noted that the practical building height is actually closer to 295 feet. Staff supports the requested height increase, citing Zoning Text Amendment 16-08, which states that the Board may approve a height increase to accommodate above-grade parking when the applicant is unable to provide sufficient below-grade parking. Proposed amenities include 7,500 square feet of public open space, a sky link between the two towers of the residential building, and a below grade bicycle facility to be located along the proposed new segment of the CCT at the entrance to Woodmont Plaza, which will include inverted-u racks for bicycle parking, a bicycle maintenance area, and space for other potential bicycle-related amenities.

Staff has received comments from the community regarding the increased building heights, potential excessive shade, and potentially inadequate public facilities, specifically schools and roads. Staff also received a request to postpone the development until after the completion of the Purple Line. Staff addressed these concerns, citing the results of a shade study that show that the shade produced by the proposed buildings is at acceptable levels, and that additional shadows will not be cast on public space, such as Woodmont Plaza and Elm Street Park. Regarding adequate public facilities, staff stated

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***3. 7272 Wisconsin Avenue (Purple Line Station)**

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that roads will continue to operate within congestion standards and that existing schools are adequate to serve the project. Staff added that the proposed construction of a new segment of the CCT and the new transit stations are important benefits to the area that should not be postponed until the completion of the Purple Line.

Staff briefly discussed minor corrections to the staff report regarding Building Lot Termination calculation, noting that the correction will be made prior to the Site Plan Resolution being presented to the Board for adoption. Staff added that because noticing requirements were not met for the proposed Sketch Plan Amendment, the Board will only vote today on the proposed Preliminary Plan. The discussion of the proposed Sketch Plan Amendment and Site Plan will be continued at the January 19 meeting.

Mr. Bob Harris, attorney representing the applicant, offered comments, concurred with the staff recommendation, and noted that the applicant would be amenable to decreasing the number of parking spaces from 720 to 700.

The following speakers offered testimony: Mr. Barney Rush, Town of Chevy Chase Councilmember; Ms. Mary Flynn of the Coalition of Bethesda Area Residents; Ms. Tracey Johnstone of the Action Committee for Transit; Ms. Deborah Vollmer of 44th Street; Mr. Ralph Bennett of Purple Line NOW; and Ms. Debra Ingram of Elm Street.

At the Board's request, Mr. Tim Cupples of Montgomery County Department of Transportation briefly discussed access to the Purple Line and Red Line stations, as well as the proposed CCT route.

There followed extensive Board discussion with questions to staff, Mr. Harris, and Mr. Cupples, during which the Board instructed staff to include language in the proposed Site Plan that states that the historic Wilson Store will be moved to the Middleton Lane location until a more suitable location is identified.

4. Georgetown Professional Offices Rezoning-Local Map Amendment, H-118 ---

Reclassification of approximately 1.04 acres of land from the R-60 Zone to the EOFF-0.5 H-35 Zone to allow for a broader range of office ~~and employment~~ uses on the site. The request includes retaining the existing office building with no changes but increasing the parking lot's landscaping to meet the development standards of the new zone. Located at 6300 Democracy Boulevard, Bethesda; within the 1992 North Bethesda Garrett Park Master Plan.

Staff Recommendation: Approval-with-Conditions

(NOTE: Action required for hearing by the Hearing Examiner on January 20, 2017)

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 3-0

Nay:

Other: WELLS-HARLEY & DREYFUSS ABSENT

Action: Approved staff recommendation to transmit comments to the Hearing Examiner, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Local Map Amendment (LMA) request to rezone a property from the Residential zone to the Employment Office Floating (EOFF) zone. The 1.04-acre site is located on the south side of Democracy Boulevard, approximately 800 feet west of its intersection with Old Georgetown Road, and bounded by Bells Mill Road to the south within the North Bethesda/Garrett Park Master Plan area. The site is currently developed with a 12,855-square foot Georgetown Professional Medical Clinic, which consists of individual office suites organized into a townhouse configuration, and an associated surface parking lot. Two one-way driveways provide access to and from Democracy Boulevard, with vehicles entering the property from the driveway located near the western property line and exiting the property from the driveway at the eastern property line. An existing Special Exception restricts the use of the complex to medical uses only. To address increased vacancies, the applicant is requesting to rezone the site to the EOFF zone in order to allow other types of businesses to lease office space in the existing buildings, which the applicant proposes to retain. While no changes to the buildings are proposed, the applicant has agreed to provide a lead-in sidewalk, parking lot islands, and supplemental landscaping, all of which will be implemented through Site Plan approval. To address neighborhood concerns regarding potential office uses that would generate regular truck traffic, the applicant has agreed to the inclusion of a binding element that restricts site uses to medical clinics, dental clinics, and offices, with the

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4. Georgetown Professional Offices ~~Rezoning~~ Local Map Amendment, H-118

CONTINUED

exception of businesses that regularly use commercial vehicles, such as painters and home improvement contractors. The applicant has also agreed to carry forward one of the conditions of approval for the existing Special Exception as a binding element that prohibits vehicular access from Bells Mill Road.

Mr. Jody Kline, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

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. Reconsideration Request for The Crescent at Chevy Chase Sketch Plan 320170040 --- The Board must determine whether to grant the Request for Reconsideration.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: No motion was made to reconsider.

Following a brief Board discussion regarding the applicant's reconsideration request for the Crescent at Chevy Chase Sketch Plan, the Board made no motion to approve the request to reconsider its previous decision.