



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, December 15, 2016, at 9:41 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:20 p.m.

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

Items 1 through 6 are reported on the attached agenda.

The Board recessed for lunch at 2:15 p.m., reconvened in the auditorium at 3:01 p.m., and continued discussion of Item 6.

Items 7 and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 6:20 p.m. Due to the upcoming holidays, there are no Planning Board meetings scheduled for Thursday, December 22 and Thursday, December 29, 2016. The next regular meeting of the Planning Board will be held on Thursday, January 5, 2017, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, December 15, 2016
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

Beall's Mount Preliminary Plan 120160230 – MCPB No. 16-133

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolution cited above, as submitted.

MCPB, 12-15-16, APPROVED

***B. Record Plats**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Record Plats submitted for approval.**

***C. Other Consent Items**

1. Adoption of the Corrected Resolution for the Washington Episcopal School Site Plan 820150080 – MCPB 16-014 104
2. Correction of Resolution for Site Plan No. 820140180, MCPB No. 16-091, East Village at North Bethesda Gateway

BOARD ACTION

Motion: 1. FANI-GONZÁLEZ/WELLS-HARLEY
 2. FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 1 & 2. 5-0

Nay:

Other:

Action: 1 & 2. Adopted the corrected Resolutions cited above, as submitted.

MCPB, 12-15-16, APPROVED

***D. Approval of Minutes**

Planning Board Meeting Minutes of December 1, 2016

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of December 1, 2016, as submitted.

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 introduced Mr. Michael Nardolilli, Montgomery Parks Foundation Executive Director, who briefly discussed the Foundation's 2016 Annual Report. Mr. Nardolilli noted that the 2016 achievement portion of the report is scheduled to be presented to the Board in spring 2017.

Mr. Riley then briefed the Board on the following ongoing and upcoming Parks Department events and activities: the recent \$1,000,000 donation from the Friends of Brookside Gardens for the construction of a greenhouse, a design-build project that is nearly completed; the recent staff presentation at a joint meeting of the County Council Planning, Housing, and Economic Development and the Government Operations and Fiscal Policy Committees regarding the condition and maintenance of approximately 700 park and school athletic fields; the recent hiring of Ms. Laura Dechter as the Parks Department Chief Performance Officer; the status of progress on Americans with Disabilities Act compliance work, with a briefing scheduled for February 2017; the recent purchase of a portable pump track, which was funded through a grant from the Montgomery Parks Foundation and is currently located at New Hampshire Estates Neighborhood Park; and the recent news stories regarding the durability of synthetic grass fields, with the existing synthetic field located at Blair High School scheduled to be replaced in the near future.

There followed a brief Board discussion, during which Chair Anderson thanked Mr. Nardolilli and the Montgomery Parks Foundation staff for their hard work.

3. Great Seneca Stream Valley Park Unit #7 --- Authorization to acquire 1.0 acre, more or less improved, from Ellen Sue Halsey-Wright, located at 24215 Woodfield School Road, Gaithersburg, MD 20882

Staff Recommendation: Approval

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the proposed land acquisition cited above and adopted the attached Resolution.

Parks Department staff briefly discussed a request to authorize the acquisition of 1.0 acre, more or less improved, from Ms. Ellen Sue Halsey-Wright, located on Woodfield School Road in Gaithersburg, Maryland, as an addition to the existing Great Seneca Stream Valley Park Unit #7. Staff noted that the property is specifically recommended to be acquired as parkland in the Damascus Master Plan. Staff is recommending that the purchase price of \$205,000 be financed through grant money from the Maryland Program Open Space (POS). Staff noted that the Planning Board received a full briefing on the proposed acquisition last week in closed session, and staff is requesting formal approval of the proposed acquisition and adoption of the Resolution.

There followed a brief Board discussion with questions to staff.

***4. CVS Derwood: Site Plan No. 820160150** --- A request to construct a 9,965 square foot Drug Store, located at 17647 and 17651 Redland Road in the south quadrant of the intersection of Redland Road and Muncaster Mill Road (MD 115); 1.24 acres; CRT Zone, Upper Rock Creek Master Plan.
Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Site Plan 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 the proposed Site Plan request to relocate an existing drug store from its current location and build a new store and associated parking on a confronting site. The 1.24-acre site, comprised of two recorded lots identified as part of Parcel A and part of Parcel B, is located on the south quadrant of the intersection of Redland Road and Muncaster Mill Road (MD115), and is zoned Commercial/Residential/Town within the Upper Rock Creek Master Plan area. Access to the site is currently provided via two curb cuts on the MD115 frontage, and four curb cuts on the Redland Road frontage. Parcel A, located on the western portion of the site, is currently developed with a former three-bay Exxon service station, with Parcel B, located on the eastern portion, developed with a former drive-thru convenience store. Both buildings are currently vacant, and the surface parking areas are in disrepair. There is currently no on-site stormwater management. The site is relatively flat with no environmental features or forest.

The applicant proposes to demolish and replace the two existing buildings with a 9,965 square-foot, approximately 25-foot high CVS Pharmacy drug store to be located on Parcel A, and 54 parking spaces to be located on Parcel B and the northern portion of Parcel A. The four existing access points from Redland Road are to be eliminated and replaced by an existing shared access that currently services the adjacent Redland Plaza retail center to the south. Access to the parking lot and a single drive-thru lane on the east side of the building with stacking for up to four vehicles will be provided from a single curb cut on MD115 and the shared access from Redland Road. The applicant also proposes to build a ten-foot wide shared-use path along the MD115 frontage and a 5-foot wide sidewalk along the Redland Road frontage that will include a lead-in sidewalk to the new building. Staff noted that the applicant has revised the design of the proposed building in order to comply with the existing Zoning Ordinance. However, due to site

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***4. CVS Derwood: Site Plan No. 820160150**

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constraints, including the configuration of the site and the placement of one of four proposed bio-retention facilities, the applicant is requesting a modification to the build-to-area requirement to allow for a 15 percent build-to-area along MD115 rather than the required 35 percent. Staff supports the request, not only due to the existing physical constraints of the site, but also because design elements such as benches, shade trees, stormwater management facilities, and other landscaping have been proposed along a widened 10-foot shared-use path to enhance the streetscape along MD115. Additionally, due to operational needs inside the building that require windows to be located high above the floor, the applicant is also requesting a minor modification to the 40 percent transparency requirement for the building façade along Redland Road, which will only be able to achieve 37.7 percent transparency. Staff supports this request as well, not only to accommodate the proposed land use, but also because the applicant proposes to enhance numerous windows to include historic graphics to engage the street and sidewalk, and to add visual interest to the building's façade. Benches, shade trees, and other landscaping will also be added along the sidewalk to enhance the streetscape along Redland Road.

Staff has received correspondence from the Red Mill Shopping Center Associates, owner of the Red Mill Shopping Center, which confronts the site across Redland Road and is the current location of the CVS store, regarding the potential for groundwater contamination and release of harmful compounds when the former service station is excavated. The Red Mill Shopping Center Associates proposed three additional conditions of approval intended to ensure that appropriate monitoring and remedial efforts are conducted. The applicant has since provided additional environmental information and agreed to conduct additional soil boring on the site, the results of which were sent to Maryland Department of the Environment (MDE). The MDE Oil Control Program confirmed that three underground storage tanks have been removed from the site and that no visible perforations were observed in the removed tanks or piping. All soil sampling results were below MDE non-residential soil cleanup standards for volatile organic compounds, and the property is currently in compliance with the Code of Maryland Regulations.

Ms. Stacy Silber, attorney representing the applicant, offered comments and concurred with the staff recommendations.

Mr. Greg McIsaac, member of the applicant's team, also offered comments.

The following speakers offered testimony: Ms. Francoise Carrier, attorney representing Red Mill Shopping Center Associates; Mr. Ric Woodie of Green Light Environmental Management, consultant to Red Mill Shopping Center Associates; and Ms. Carol Green, environmental attorney and consultant to Red Mill Shopping Center Associates.

Following extensive Board discussion with questions to staff, Ms. Silber, Mr. McIsaac, and the speakers, the Board instructed staff to include an additional condition of approval requiring that a certified environmental technician be present onsite during any major soil disturbance activities.

***5. Bradford’s Landing**

A. Preliminary Plan No. 120170060 - Request to create 244 lots for 222 one-family attached dwellings (townhomes) and 22 one-family detached dwellings including 15% MPDUs; R-200/TDR-7; 28.3 gross acres located on the north side of Norbeck Road (MD 28), 1000 feet east of Coolidge Avenue intersection, Olney Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. AB753 and AB754 - Request to abandon portions of Bradford Road, Norbeck Avenue and Coolidge Avenue in Bradfords Rest and Norbeck Crossing Subdivisions, Olney Master Plan.

Staff Recommendation: Recommend approval and transmittal to the Montgomery County Executive

BOARD ACTION

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

Vote:
 Yea: **A & B. 5-0**

Nay:

Other:

Action: **A. 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.**

B. Approved staff recommendation to transmit recommendations to the Montgomery County Executive, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the proposed Preliminary Plan and associated road abandonment requests to create 244 lots for the construction of attached and detached single-family dwelling units. The 28.3-acre site is located on the north side of Norbeck Road (MD28), approximately 1,000 feet east of its intersection with Coolidge Avenue, and zoned Residential/Transferable Development Rights (TDR) in the Olney Master Plan area. The site is comprised of several residential properties with open lawns, single-family homes, and associated outbuildings, a limited number of which are accessed via Bradford Road, with the remaining properties having direct access to MD28. Environmental features include 0.37 acres of forest with a wetland associated with an intermittent stream located along the northern property line, approximately 0.15 acres of forest located along the northeastern property line, approximately 3.33 acres of forest located on the eastern central portion of the site that abuts an adjacent PEPCO right-of-way, and one perennial stream that runs west to east along the northern property boundary.

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***5. Bradford's Landing**

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The applicant proposes to remove all existing buildings and structures on the property, abandon rights-of-way that are no longer necessary, subdivide the site into 244 lots, and construct 22 single-family detached dwellings, which will be located primarily along the eastern property line, and 222 single-family attached dwellings, including 15 percent Moderately Priced Dwelling Units (MPDUs). Because the applicant proposes to acquire 143 TDRs, which will protect 935 acres of farmland, and to provide 15 percent MPDUs, the project will be reviewed under the optional method of development. The applicant is also requesting a 22 percent density bonus. Following the proposed abandonment of a segment of Bradford Road south of Clara Downey Avenue, access from MD28 will be consolidated at proposed Public Road A, to be located near the eastern property line. The proposed development will share other access points to MD28 with the adjacent Greenbriar at Norbeck Crossing development to the west via the extension of internal Coolidge Avenue and Doc Berlin Drive. The applicant proposes to provide pedestrian access to East Norbeck Local Park via a paved shared-use path from a proposed Category I Conservation Easement located on the northeast portion of the site, a ten-foot wide shared-use path along the MD28 frontage, and an eight-foot wide shared-use path from East Norbeck Local Park to the Greenbriar at Norbeck Crossing development. The applicant is also requesting a waiver for the Allowed Building Type Mix in order to reduce the required minimum of 15 percent for detached dwellings to nine percent, a waiver of the resubdivision criteria, and a modified right-of-way truncation to allow for arced truncations with 18-foot radii at non-signalized intersections. Staff supports these three requests.

Staff then briefly discussed the proposed Forest Conservation Plan, stating that the applicant proposes to remove 3.33 acres and retain 0.52 acres of the 3.85 acres of existing forest on the site, which will require 7.39 acres of reforestation. The applicant proposes to meet the reforestation requirement with 4.69 acres of planting in the proposed Category I Conservation Easement on the northern portion of the site, and 2.7 acres of planting at an off-site forest mitigation bank. The applicant is also requesting a variance to remove 37 high-quality trees and impact three more. Stormwater will be managed through the use of micro-bioretenion, bio-swales, drywells, and at-grade planter boxes, with a storage pond to be located along MD28.

Staff has received a total of nine letters from community members expressing concerns regarding increased traffic and congestion on MD28, the lack of proposed service roads, the potential trespassing by pedestrians onto adjacent properties between the site and East Norbeck Local Park, unsafe pedestrian access, and the proposed density transition along MD28. Staff addressed these concerns, noting current Maryland State Highway Administration (SHA) projects to conduct a Norbeck Road/Spencerville Road Corridor Study, and to provide two left turn lanes from northbound Georgia Avenue to westbound MD28. Staff also noted the addition of language to Condition 14c regarding the design and construction of private alleys.

Mr. Bob Harris, attorney representing the applicant, offered comments and concurred with the staff recommendations.

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***5. Bradford's Landing**

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The following speakers offered testimony: Mr. Cary Lamari, representing the Norbeck Citizens Association, who also offered a brief multi-media presentation; Mr. Steve Mann, adjacent property owner; Mr. Philip Marks, representing the Leisure World Community Corporation; and Ms. Barbara Sears, attorney representing an adjacent property owner.

There followed extensive Board discussion with questions to staff and some of the speakers, during which the Board instructed staff to request that SHA conduct a corridor signal warrant analysis for MD28 concurrently with their other ongoing studies, and to request that Montgomery County Department of Transportation explore ways to provide a sidewalk along the north side of MD28 from the site to the Greenbriar at Norbeck Crossing development. The Board also encouraged staff and the applicant to explore ways to provide a southern connection to the shared-use path to East Norbeck Local Park.

Legal Department staff then stated that the associated Resolution will be submitted for adoption at a later date.

***6. Preliminary Recommendations for the MARC Rail Communities Plan - Transportation Issues Briefing**

Staff Recommendation: Approval of Recommendations 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 the proposed MARC Rail Communities Plan, specifically transportation issues. The 461-acre plan area, which is comprised of the areas immediately surrounding existing MARC stations in Boyds and Germantown, is located in the upper portion of the County, west of Interstate 270, and approximately 15 miles north of Interstate 495 along the CSX railroad tracks within the Boyds Master Plan, Germantown Master Plan, and Germantown Employment Sector Plan areas. The existing Boyds station is approximately 2.5 miles northwest of the Germantown station. As part of the Plan, staff has engaged two transportation consulting firms, Vanasse Hangen Brustlin (VHB) and Sabra, Wang, and Associates, to provide technical information on two community requests for a bypass study in Boyds and a road diet study in Germantown, respectively. The results of the studies were presented to the community at a meeting on Wednesday, November 30. Staff is seeking Planning Board guidance regarding these issues, as well as a proposed shuttle drop-off and turnaround on Clopper Road near Boyds Local Park, whether to construct a sidewalk adjacent to Barnesville Road as part of proposed road improvements or to construct a shared use path adjacent to the railroad tracks in Boyds, a proposed four-lane divided section for Wisteria Drive in Germantown, and the retention of an existing four-lane road section for Great Seneca Highway, also in Germantown.

Staff discussed the 240-acre Boyds portion of the plan area, which is bounded by Little Seneca Lake to the north, and incorporates the industrial land south of the CSX railroad tracks and north of Clopper Road, Boyds Local Park, and the historic district. Issues currently confronting the area include limited MARC service, limited parking for MARC riders, rush hour traffic backups, limited separated facilities for pedestrians and bicyclists, and the potential impact of a potential third CSX track. Following their preliminary study, which addressed traffic, pedestrian and bicycle facilities, and the age, substandard height, and substandard width of the existing underpass, consultants at VBH offered two alternatives to replace an existing railroad bridge over Clarksburg Road, just north of Clopper Road. Alternative 1 realigns Clarksburg

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6. ~~Preliminary Recommendations for the~~ MARC Rail Communities Plan - Transportation Issues Briefing

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Road at the intersection with Barnesville Road to turn east and cross over the CSX tracks, reconnecting with Clopper Road east of the current underpass location. The existing underpass must be retained to provide access to the portion of Boyds south of the tracks, including Boyds Local Park. Alternative 2 slightly realigns Clarksburg Road east of the current alignment to cross under the CSX tracks, forming a sweeping curve to connect to Clopper Road.

Staff then discussed the 221-acre Germantown portion of the plan area, which is bounded by Wisteria Drive to the northeast, Waters Road and Germantown Road (MD118) to the northwest, Dawson Farm Road to the southwest, and Great Seneca Highway to the southeast. Issues currently confronting the area include an auto-dominated station area, a lack of parking, unsafe pedestrian and bicycle connections, isolated businesses, and the feasibility of road diets and improvements for Middlebrook Road, Wisteria Drive, and Great Seneca Highway.

The next steps for the Plan include the presentation of preliminary recommendations to the community, scheduled for January 2017; presentation of the Working Draft to the Planning Board, scheduled for February 2017; a Planning Board public hearing and worksessions, scheduled for March through May 2017; and transmittal of the Plan to the County Executive and County Council, scheduled for May 2017.

Mr. Hammett Hough, representing the Boyds Civic Association offered testimony.

There followed extensive Board discussion with questions to staff, during which the Board recommended Alternative 2 for the proposed railroad crossing, and requested additional study and information regarding potential park impacts from the proposed shuttle drop-off, as well as impacts from the proposed Barnesville Road sidewalk in Boyds. For the Germantown portion of the Plan, the Board agreed to the road diet for Middlebrook Road, confirmed the recommendation for four divided lanes for Wisteria Drive, and confirmed the recommendation to retain four lanes for the Great Seneca Highway.

***7. Montgomery Village Center Sketch Plan No. 320170020** --- Request for a Sketch Plan to facilitate the revitalization/redevelopment of the Montgomery Village Center shopping center into a mixed-use development with a maximum total of 615,000 square feet, including up to 165,000 square feet of retail space and up to 450,000 square feet of residential development; 18.78 acres in the CRT 1.5, C 0.75, R 1.25, H-75 Zone and the Montgomery Village Overlay Zone; located at the intersection of Montgomery Village Avenue and Stedwick Lane, within the 2015 Montgomery Village Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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

In keeping with the December 5 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Sketch Plan request to facilitate the redevelopment and revitalization of the Montgomery Village Shopping Center into a mixed-use development with a maximum total of 615,000 square feet, including up to 165,000 square feet of retail space, and up to 450,000 square feet of residential development. Staff noted that the 18.78-acre property is zoned Commercial/Residential/Transit (CRT) in the Montgomery Village Overlay Zone and is located at the intersection of Montgomery Village Avenue and Stedwick Lane, within the Montgomery Village Master Plan area. The site is comprised of six lots and is currently improved with retail uses and professional offices. There are 1,026 total parking spaces on various parking lots on the site. The existing access point to the site are from Montgomery Village Avenue, Watkin Mill Road, Stedwick and Club House Roads. Staff noted that the proposed project will revitalize the aging shopping center, a portion of which will remain and be developed in a future Phase 2. The applicant is seeking Planning Board approval of a Conditional Use request to allow the drive-thru portion of one of the pad sites to be located between the front building line and the street. Staff supports this request, which also provides a scenario for approval of the Sketch Plan if the Conditional Use request were not approved. All the roads inside the proposed development will be private and will be placed on separate parcels at the time of Preliminary Plan. Per the Montgomery Village Overlay Zone, the required public open space will also be placed on a separate parcel and will be free of any stormwater management facilities or any other non-recreational uses.

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***7. Montgomery Village Center Sketch Plan No. 320170020**

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Mr. Jody Kline, attorney representing the applicant, introduced Messrs. Thomas Dinneny, Adam Shulman, Jeff Certesimo, and Ryan Young, members of the applicant's team, discussed the proposed request and concurred with the staff recommendation.

The following speakers offered testimony: Mr. David Humpton of Apple Ridge Road and representing the Montgomery Village Foundation; and Ms. Carrie Smedira of Mills Choice Road.

There followed a brief Board discussion with questions to staff, Mr. Kline and his team.

8. Rock Spring Master Plan – Public Hearing Draft Worksession 1

Staff Recommendation: Discuss and provide guidance to staff

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 an overview of the Rock Spring Master Plan conceptual framework. Staff also set the context for Rock Spring in comparison to other places in the County, and summarized the Plan's recommendations. Staff noted that once the Public Hearing record closes, staff will prepare a summary of the testimony received, which will be provided in a future worksession packet. Staff also noted that discussion of specific sites will occur at a subsequent worksession when staff has had the opportunity to review the testimony received. Worksessions will be scheduled in January and February 2017, as necessary, and transmittal of the Draft Master Plan to the County Executive and County Council is scheduled for March 2017, with a Council Public Hearing in April 2017, and Council worksessions in May and June 2017. The Full Commission's adoption of the Plan and Sectional Map Amendment is scheduled to take place between July and September 2017.

There followed extensive Board discussion with questions to staff. The Planning Board instructed staff to proceed with the Plan as discussed during the meeting.