



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, February 16, 2017, at 9:08 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:08 p.m.

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

Items 1 through 5 are reported on the attached agenda.

Item 7 was removed from the Planning Board agenda.

The Board recessed for lunch at 11:43 a.m. and convened in Closed Session at 11:50 a.m. to take up Items 12 and 14, Closed Session Items.

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 11:50 a.m. in the 3rd floor conference room on motion of Vice Chair Wells-Harley, seconded by Commissioner Dreyfuss, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss and Fani-González voting in favor of the motion, and Commissioner Cichy absent. The meeting was closed under authority of Annotated Code of Maryland, General Provisions Article, §3-305(b)(8), to consult with staff, consultants, or other individuals about pending or potential litigation, and §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the meeting were Director Gwen Wright and Deputy Director Rose Krasnow of the Planning Department; Director Mike Riley, Deputy Director Mitra Pedoeem, Steve Chandlee, Jeff Devlin, Marian Elsasser, Bill Gries, Josh Kaye, Michael Ma, and Patricia McManus of the Parks Department; Senior Counsel Megan Chung of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed an encroachment on a park easement, and approved the Closed Session Minutes of December 1 and 8, 2016, and January 5 and 12, 2017, as submitted.

MCPB, 2-16-17, APPROVED

The Closed Session meeting was adjourned at 12:38 p.m.

The Board reconvened in the auditorium at 12:50 p.m.

Items 9, 6, 10, and 11, discussed in that order, are reported on the attached agenda.

Items 8 and 13 were removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 6:08 p.m. The next regular meeting of the Planning Board will be held on Thursday, February 23, 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, February 16, 2017
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Seneca Valley High School FCP MR2016010 - MCPB No. 17-005

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

~~Subdivision Plat No. 220170530, R. Holt Easley's Subdivision—Silver Spring R-60 zone, 2 lots; located on the south side of Thayer Avenue, 100 feet west of Houston Street; Silver Spring East Master Plan. **REMOVED**~~

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board agenda.

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

MCPB, 2-16-17, APPROVED

***D. Approval of Minutes**

Planning Board Meeting Minutes of February 2, 2107

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

Action: Approved Planning Board Meeting Minutes of February 2, 2017, 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 completed Greater Lyttonsville Sector Plan, with work continuing on the final Resolution; the status of the Bethesda Downtown Sector Plan, with ongoing County Council Planning, Housing, and Economic Development Committee worksessions; the status of the White Flint 2 Sector Plan and the Rock Spring Master Plan, with scheduled worksessions for the two Plans alternating each week, and a joint meeting for both plans with Montgomery County Public Schools staff scheduled for later today; the status of the MARC Rail Communities Plan and the Grosvenor/Strathmore Metro Area Minor Master Plan; the status of the Veirs Mill Corridor Master Plan, with a kick-off meeting scheduled for February 22; the next session of the Winter Speaker Series, “From Parks to Energized Open Spaces,” scheduled for February 21; and the next Black History Month event, a presentation by author Dr. Evelyn Brooks Higginbotham, scheduled for February 17 at Brookside Gardens.

Ms. Wright then introduced Ms. Robbin Brittingham, Planning Department Human Resources Manager, who discussed the Planning University training program, which Ms. Brittingham stated is a two-pronged approach to organizational development. The first approach, referred to as Sharper Image, consists of a series of open classes designed for all staff, which range from computer competency courses to unconscious bias workshops. Ms. Brittingham is currently working with Parks Department staff to develop courses regarding policy. The second approach, the Leadership Institute, is a more rigorous 11-month program that focuses on such topics as managing a diverse workforce, leadership, and self-awareness. Leadership Institute classes are taught by staff as well as local vendors, including Cook Ross Consulting, Trinity College, and Montgomery Community College, among others. The next steps for Planning University include the Learning Management System, an online learning system that will be implemented with assistance from Business and Legal Resources (BLR), staff training for the Lawson software system, development of a training website, and evaluation of the current Leadership Institute program.

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2. Roundtable Discussion

CONTINUED

Ms. Brittingham then introduced Mr. Joshua Penn, Area 3 Planner Coordinator, a current enrollee in the Leadership Institute, who spoke about the benefits of the program.

There followed a brief Board discussion.

3. US 29 Bus Rapid Transit (BRT) Corridor Study Report --- Forward comments on study of alternatives for planned BRT Corridor between Silver Spring Central Business District (CBD) and Burtonsville Park and Ride Lot.

Staff Recommendation: Comments to be forwarded to County Council, Montgomery County Department of Transportation (MCDOT), Maryland State Highway Administration (SHA), Maryland Transit Administration (MTA), and Washington Area Metropolitan Transit Authority (WMATA)

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

Action: Approved staff recommendation to transmit comments to the County Council, Montgomery County Department of Transportation, Maryland State Highway Administration, Maryland Transit Administration, and Washington Area Metropolitan Transit Authority, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the findings and recommendations in the draft Colesville Road (US29) Bus Rapid Transit (BRT) Study. The 2013 Countywide Transit Corridors Functional Master Plan (CTCFMP) recommends a network of ten BRT corridors, four of which, including US29, are currently under study. The study, completed by the Maryland Transit Administration (MTA), in coordination with the Maryland State Highway Administration (SHA) and the Montgomery County Department of Transportation (MCDOT), evaluated three different build alternatives for providing BRT service between the Silver Spring Central Business District (CBD), and the Burtonsville Park and Ride Facility located on Sandy Spring Road/Spencerville Road (MD198).

Ms. Jackie Seneschal of the Maryland Transit Administration (MTA) offered a multi-media presentation and discussed three proposed alternatives, noting that a no-build alternative assumes no improvements to infrastructure or bus service along US29 beyond those improvements in the regional 2014 Constrained Long Range Plan (CLRP) for 2040. The CLRP includes the planned interchange at Musgrove/Fairland Road in 2025. Other than the Purple Line, there are no other major projects in the CLRP that are located within the US29 Corridor itself. Alternative A proposes creating median shoulder BRT lanes from Stewart Lane to MD198, and intermittent curbside Business Access Transit (BAT) lanes from the Silver Spring Transit Center (SSTC) to Stewart Lane. Alternative B proposes peak period buses to operate on

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3. US 29 Bus Rapid Transit (BRT) Corridor Study Report

CONTINUED

outside shoulder lanes from Industrial Parkway to MD198, and intermittent curbside managed High Occupancy Vehicle (HOV2+)/BAT lanes south of Industrial Parkway. Alternative B Modified proposes the same median shoulder BRT lanes as Alternative A for the segment between Stewart Lane and MD198, and the same treatment for the segment between the SSTC and Stewart Lane as Alternative B. However, the intermittent curbside managed HOV2+/BAT lanes will extend from Sligo Creek Parkway to Oak Leaf Drive. The study found that all three build alternatives are forecasted to increase daily transit boardings by 18 to 22 percent, transit Person Miles Traveled (PMT), and overall peak period person throughput; and to reduce vehicle miles of travel (VMT) and transit travel times when compared to the no-build alternative estimates. The total capital costs of the proposed alternatives are between \$80,000,000 and \$140,000,000, with Alternative B requiring the lowest operating costs due to fewer required buses and reduced operating times. Overall analysis of key performance measure, including corridor travel time, person throughput, miles of Level of Service (LOS), and intersections operating at LOS, shows that implementation of BRT will improve transit travel time and person throughput, while potentially increasing delays for cars and trucks. Ms. Seneschal stated that additional analysis is needed regarding possible adjustments to the limits and transitions of BAT and managed lanes, operating BRT vehicles in mixed-traffic, alternate bus routings, and roadway capacity improvements.

Staff summarized their policy and technical recommendations for the MTA study, which include requiring the study to note the improvements that are being implemented as part of the County Executive's 2020 BRT Plan, the operational feasibility of the proposed HOV2+ component of managed lanes, and to include more analysis regarding system reliability.

Ms. Joanna Conklin of the Montgomery County Department of Transportation (MCDOT) offered a multi-media presentation and discussed the proposed 2020 BRT Plan, noting that the costs associated with the alternatives presented by MTA are prohibitive for the County at this time. The proposed 2020 BRT Plan proposes BRT service seven days a week during the same hours as Metrorail, with buses scheduled every 7.5 minutes during peak hours and every 15 minutes during non-peak hours within dedicated shoulder lanes. Other elements include 11 level-boarding BRT stations, uniquely branded vehicles and stations, Transit Signal Priority at 15 intersections, real-time arrival information, ten new bikeshare stations, and off-board fare collection. Ridership and transit reliability are projected to increase, with transit travel time projected to decrease. The estimated infrastructure cost of \$31,500,000 will be funded through a \$10,000,000 federal Transportation Investment Generating Economic Recovery (TIGER) grant and a County contribution of \$21,500,000, \$6,500,000 of which is included in the County FY17-22 budget. MCDOT staff is seeking to secure the TIGER grant agreement in June. The schedule for the proposed project includes completion of the National Environmental Policy Act (NEPA) process in 2018, project construction to be completed no later than 2019, with operations beginning no later than 2020. Public open houses for the proposed project are scheduled for March 7, 13, and 15.

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3. US 29 Bus Rapid Transit (BRT) Corridor Study Report

CONTINUED

Mr. Christopher Conklin of MCDOT, offered comments.

Mr. Peter Tameo of the Coalition for Smarter Growth offered testimony.

There followed extensive Board discussion with questions to staff, Ms. Seneschal, Ms. Conklin, and Mr. Conklin, during which the Board instructed staff to include an additional comment noting the impact and cost effectiveness of the proposed 2020 BRT Plan.

***4. Shi Property, Preliminary Plan No. 120160280 (Resubdivision) including Preliminary/Final Water Quality Plan** --- Request to create two (2) lots from one (1) platted lot; located at 14616 Peach Orchard Road, 3.0 acres, RE-1 Zone, Upper Paint Branch Overlay, Upper Paint Branch Special Protection Area, 1997 Cloverly Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to create two lots from one platted lot. Staff noted that an accompanying Preliminary/Final Water Quality Plan is included with the Preliminary Plan. The three-acre site, identified as lot 1 is located on the northwest side of Peach Orchard Road, approximately 500 feet northeast of its intersection with Briggs Chaney Road, and is zoned Rural Estate in the Residential Wedge portion of the Cloverly Master Plan area. The property is currently developed with an existing single-family house, a driveway that provides access from Peach Orchard Road, and a shed with a gravel driveway, all of which will be removed.

The applicant proposes to re-subdivide the property into two lots, identified as 45,688-square foot Lot 101 and 85,032-square foot Lot 102, for the construction of two single-family detached dwellings. Instead of a shared driveway, which would need to be wider for fire truck access and would create an increase in impervious surfaces, both lots will utilize separate driveways in order to limit the amount of impervious surface.

Staff then briefly discussed the accompanying Preliminary/Final Water Quality Plan, stating that the property is located within the Upper Paint Branch Special Protection Area (SPA) and the Upper Paint Branch Environmental Overlay Zone, where impervious surface for new development is limited to eight percent. The project as proposed will generate 7.9 percent impervious surfaces. The property contains approximately 1.2 acres of existing forest and an area of planted bamboo, with numerous large trees both within and outside the forest. The applicant proposes to clear approximately 0.13 acres of forest for the construction of a house on proposed Lot 102. The proposed project does not result in a forest planting requirement, and the 1.07 acres of retained forest will be protected in a Category I conservation easement. The applicant is also requesting a tree variance to remove one tree and impact three others, which staff supports.

There followed a brief Board discussion.

***5. Laurel Hill, Preliminary Plan No. 120160300 (Resubdivision) ---** Request to create (3) three lots from (1) platted lot and part of (1) one platted lot; located at 9220 Seven Locks Road, 1.897 acres, R-200, 2002 Potomac Sub-Region Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

Action: 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.

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan request to create three lots from one platted lot and part of a platted lot. The 1.9-acre site, identified as Lot A and part of Lot 1, is located along the west side of Seven Locks Road, approximately one quarter mile south of its intersection with Bradley Boulevard, and is zoned residential in the Potomac Subregion Master Plan area. The property is currently improved with a detached single-family home, shed, and driveway accessing Seven Locks Road. There is no forest on the property.

The applicant proposes to re-subdivide the site into three lots, identified as 24,811-square foot Lot A, 31,181-square foot Lot B, and 26,629-square foot Lot C, for the construction of three one-family detached houses. All three lots will be accessed from Seven Locks Road via a shared driveway that will also function as a code-compliant fire department turn-around for the new homes using a “T” turn-around integrated into the driveway. The existing house on the site will be demolished prior to recording a record plat because one of the proposed lot lines bisects the existing house. There is no existing forest on the property, resulting in an afforestation requirement of 0.32 acres to be satisfied at an offsite location through the acquisition of credits at a forest mitigation bank. The applicant has also submitted a variance request to remove six protected trees and impact six others, which staff supports. The applicant will plant 19 trees onsite as mitigation for the removal of the variance trees. Staff briefly discussed an additional condition of approval regarding a required School Facilities Payment to Montgomery County Department of Permitting Services. Staff did receive three letters stating concerns regarding stormwater runoff, tree preservation, screening, setback distance, and building heights.

Mr. Jeff Robertson, member of the applicant’s team, offered comments and concurred with the staff recommendation.

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***5. Laurel Hill, Preliminary Plan No. 120160300 (Resubdivision)**

CONTINUED

Ms. Margaret Montuori of Deepwell Drive and Mr. David Tiktinsky of Laurel Oak Drive offered testimony.

There followed extensive Board discussion with questions to staff, Mr. Robertson, and Mr. Tiktinsky, during which the Board recommended an additional condition of approval requiring the applicant to submit a landscape plan along with the Final Forest Conservation Plan that includes screening measures along the western Lot B property line.

Legal Department staff noted that the accompanying Resolution would be modified to reflect the revision and submitted for adoption at a later date.

7. ~~CLOSED SESSION~~

~~According to MD ANN Code, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice. —REMOVED~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board agenda.

12. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The topic to be discussed is the approval of Closed Session Minutes

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See State citation and open session report in narrative minutes.

14. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(8), to consult with staff, consultants, or other individuals about pending or potential litigation.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See State citation and open session report in narrative minutes.

9. Conditional Use No. CU 17-08 for a Group Daycare (12 children) at 3800 Littleton Street, Silver Spring -- Request for a Conditional Use for a Group Daycare for up to 12 children; 7,054 square-foot lot zoned R-60, located at 3800 Littleton Street, Silver Spring, within the Kensington-Wheaton Master Plan area.

Staff Recommendation: Approval with Conditions

(NOTE: Action required for Hearing by Hearing Examiner on March 10, 2017)

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: CICHY ABSENT

Action: Approved staff recommendation for approval of the Conditional Use request cited above, subject to conditions, as stated in the attached transmittal letter to the Hearing Examiner.

In keeping with the February 6 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Conditional Use (CU) request to expand an existing daycare from eight to 12 children. The daycare facility is located on the first floor of the applicant's single-family residence on a 7,054 square-foot lot, zoned residential on Littleton Street in Silver Spring, in the Master Plan for the Communities of Kensington-Wheaton area. Staff noted that the applicant is exempt from providing a forest conservation plan as per Chapter 22A of the Forest Conservation Law. The applicant and the non-resident staff member currently park their vehicles in the driveway and will continue to do so. The applicant has submitted a staggered schedule of drop-off and pick-up times so that all parents do not arrive or depart at the same time. Staff added that photos of the residence showing the parking spaces in the driveway, the outdoor play area and the main entrance to the residence are attached to the staff report.

Ms. Lilian Flores, the applicant, offered brief comments and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

6. Maryland Catering Company, Inc. (aka Old Angler's Inn): Conditional Use , CU-15-06 --- Request for a Conditional Use approval of a 9,000 square-foot Country Inn with 4 overnight guest rooms, located at 10801 MacArthur Boulevard, 7.6 7.32 acres, identified as P527 on Tax Map FN22, on the north side of MacArthur Boulevard approximately 1000 feet south of its intersection with Stable Lane, R-200 Zone; 2002 Potomac Sub-Region Master Plan.

Staff Recommendation: Denial

(NOTE: Action required for Hearings by Hearing Examiner on February 24 & 26, 2017)

BOARD ACTION

Motion: DREYFUSS/WELLS-HARLEY

Vote:

Yea: 4-0

Other: CICHY ABSENT

Action: Approved staff recommendation to deny, or preferably defer, the proposed Conditional Use request cited-above and to forward comments and recommendations to the Hearing Examiner, as stated in the attached transmittal letter.

In accordance with the February 6 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Conditional Use request to build a 9,000 square-foot Country Inn facility with four overnight guest rooms on a 7.32-acre property located on the north side of MacArthur Boulevard, approximately 1000 feet south of its intersection with Stable Lane in the Potomac Sub-Region Master Plan area.

Staff noted that this application was initially filed in March 2015 and since then the project has gone through various revisions to address staff's concerns as well as the community and various government agencies' comments on certain aspects of the proposal. Staff noted that prior to the adoption of the new Zoning Code in 2014, a Country Inn was allowed within an area zoned as such through a floating zone map amendment process. With the adoption of the new Zoning Code, all country inn zoned properties reverted to their original rural or residential zoning and the use itself became a Limited Use or Conditional Use, subject to approval in the Rural Residential and Residential Detached zones, provided that certain criteria are met. The County Council also determined that existing Country Inns would continue to be allowed with approval of Limited Use applications. The subject property is in a zone that allows such use with approval of a Conditional Use application. This application is the first of its kind since the Country Inn zone was eliminated. Staff then looked at existing Country Inn uses as a frame of reference in terms of the nature of the use in relation to its surrounding area. Staff focused on the character and background of the existing Country Inn known as Normandie Farm because it is also located in the same area and is similar in size. In addition, as part of the recommendation of a floating zone for the Normandie Farm property, the Master Plan recommended a maximum 10,000 square-foot addition to the existing restaurant referring to the addition as a modestly-sized building.

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6. Maryland Catering Company, Inc. (aka Old Angler's Inn): Conditional Use , CU-15-06

CONTINUED

Staff further added that in addition to the use requirements of the Zoning Code, they also took into consideration the land use and design guidelines recommended in the Master Plan as measures to ensure consistency with the established framework for a Country Inn. Staff also used the opinions and findings of the County Council as guidance to determine the appropriateness of the area for the proposed use. Staff recommended denial of this application or deferral because additional information is needed to ensure that certain pertinent issues related to transportation, traffic, public safety, noise, and Master Plan recommendations are fully addressed by the applicant.

Mr. Jody Kline, attorney representing the applicant, discussed the proposed request and noted that the applicant's team is preparing and compiling supplemental materials, studies, and revisions requested by staff, as well as those suggested by the applicant. However, due to the detailed nature of some of this information, the applicant was not able to provide it to staff before today's meeting but the information will be provided to the Hearing Examiner.

The following speakers offered testimony: Mr. Jack Cochrane of Thomas Branch Drive and representing Montgomery Bicycle Advocates; Ms. Susanne Lee of Circle Drive and representing the West Montgomery County Citizens Association; Mr. David Brown, attorney, representing the Woodrock Homeowners Association; Mr. Keith Williams of Coach Street and representing the River Falls Civic Association; Mr. Andrew Finley of Stable Way and representing the River Falls Homeowners Association; Mr. Roderick Mackler representing the C&O Canal Association; Mr. William Chen, attorney representing Mr. Francis Day III, an adjacent property owner; Mr. Curtis Uhre of Brickyard Road and representing the Brickyard Coalition, Inc.; Ms. Lori Newsom of Gate Post Way; Mr. Ron Speakman of Masters Drive; Ms. Katherine Speakman of Masters Drive; Mr. Bob Harris, attorney; and Mr. Lou Florentino of Whittier Terrace.

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

Chair Anderson instructed staff to transmit the Planning Board's comments and recommendations, and inform the Hearing Examiner that the Planning Board is not denying nor approving this request, but is recommending that the applicant provides the requested information to the Hearing Examiner who will make the final decision regarding a possible deferral.

8. ——— MARC Rail Communities Master Plan: Working Draft

Staff Recommendation: Accept Working Draft as Public Hearing Draft and Set Public Hearing Date

REMOVED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: This Item was removed from the Planning Board agenda.

10. Wildwood Medical Center, Local Map Amendment No. H-117 --- Request for reclassification of approximately 3.5 acres of land from the CRT-1.25 C-0.5 R-0.75 H-50 Zone to the CRTF- 1.25 C-0.5 R-0.75 H-60 Zone; located at 10405 Old Georgetown Road, Bethesda, within the North Bethesda-Garrett Park Master Plan area.

Staff Recommendation: Denial

(NOTE: Action required for Hearing by Hearing Examiner on March 3, 2017)

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 3-0-1

Nay: DREYFUSS

Other: CICHY ABSENT

Action: Approved staff recommendation of denial of the proposed Local Map Amendment cited above, and to forward comments and recommendations to the Hearing Examiner, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a Local Map Amendment (LMA) request to rezone a 3.5-acre property from the Commercial Residential Town (CRT) zone to the Commercial Residential Floating (CRTF) zone. The proposed mixed-use building, with 64 dwelling units and 10,925 square feet of retail, is a significant departure from the development that was approved for this property by the County Council in 2013. The approved schematic development plan amendment approved by the County Council contained nine binding elements after negotiations between the applicant and the neighborhood. The applicant does not plan to retain any of the binding elements from the previous approval, many of which were agreed upon to create a building that would be compatible with the adjacent residential neighborhood.

Staff noted that the property is improved with a three-story, 36,423 square-foot medical office building, a 3,471 square-foot stand-alone bank with drive-thru service, and associated surface parking. The property has access to Old Georgetown Road via a driveway located at the northern end of the property across from Rock Spring Drive via an easement on the abutting property to the north. The proposed 58-foot building proposed is an increase from the previously approved 50-foot building, which was a binding element of the prior approval. The building will be significantly taller than the houses in the adjacent neighborhood. Further, the point at which the building height will be measured is nearly 10 feet higher than the adjacent residential neighborhood. The applicant has reiterated that the requested height increase is necessary to add ground floor retail to the previously approved apartment building.

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10. Wildwood Medical Center, Local Map Amendment No. H-117

CONTINUED

However, the proposed retail establishment will face the back of an existing gas station on the abutting property, with little or no visibility from Old Georgetown Road. Staff finds that the requested increase in height to accommodate a poorly sited retail establishment runs counter to the public interest. Staff added that the Hearing Examiner will make a recommendation on the application and forward it to the County Council. If the Council approves the LMA, staff will recommend that the bidding elements cited in the staff report be added to the floating zone plan.

Ms. Soo Lee-Cho, attorney representing the applicant Mr. Alvin Aubinoe, also present, introduced Mr. Sas Gharai of SGA Architects, member of the applicant's team. Ms. Lee-Cho discussed the proposed request and noted that the applicant does not agree with the staff recommendation.

Mr. Alvin Aubinoe also offered comments.

Mr. Sas Gharai, architect for the applicant offered a multi-media presentation and discussed the features of the proposed building.

The following speakers offered testimony: Ms. Linda Lizzio of Berkshire Drive and representing the Wildwood Manor Citizens Association; Mr. Michael Villa of Aubinoe Farm Drive and representing the Wildwood Estates Homeowners Association; and Ms. Ann Bowker of Grosvenor Lane.

There followed extensive Board discussion with questions to staff, the applicant's attorney and architect, and the speakers.

Chair Anderson noted that the Planning Board does not support the new request as modified by the applicant and will forward its recommendation to the Hearing Examiner.

Commissioner Dreyfuss voted against the motion stating that he does not agree with the staff recommendation of denial and does not think it is fair to ask the applicant to abide by the previously agreed plan given the changing economic environment.

13. — Meridian at Grosvenor Village ~~REMOVED~~

~~A. Preliminary Plan Amendment No. 11999076A:~~ Request to amend Condition No. 1 to allow a child day care facility as a permitted use in the existing 8,600 square feet of ancillary retail space; 30.0-acre property zoned PD-25, located at 5230 Tuckerman Lane, within the 1992 North Bethesda/Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions

~~B. Site Plan Amendment No. 82000006D:~~ Request to modify the public open space courtyard and seating area to accommodate play equipment for use by the child day care facility, residents and visitors; 30.0-acre property zoned PD-25, located at 5230 Tuckerman Lane, within the 1992 North Bethesda/Garrett Park Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was removed from the Planning Board agenda.**

11. Joint Worksession for the Rock Spring Master Plan and White Flint 2 Sector Plan to discuss school issues with MCPS ~~Rock Spring Master Plan – Worksession #4.~~

Staff Recommendation: Discuss and provide guidance to staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff and Montgomery County Public Schools (MCPS) representatives offered a multi-media presentation and discussed school issues for the Rock Spring Master Plan and the White Flint 2 Sector Plan. Staff noted that both plans are within the Walter Johnson cluster and both plans make recommendations for potential school sites. The Grosvenor-Strathmore Metro Area Minor Master Plan, currently underway, is also within the Walter Johnson cluster. MCPS has not yet included potential residential densities for these three master plans in their long-range forecasts.

Mr. Joel Gallihue, Director of the Long-range Planning Division, Mr. James Song, and Ms. Deborah Szyfer of MCPS provided an overview of the approach MCPS is taking to solve the current capacity issues in the Walter Johnson cluster, and staff also discussed master-plan related potential solutions to solving the longer-term needs that may result from future development that could occur as a result of the three master plans cited-above. Proposed expansion and revitalization of elementary schools include Ashburton, Kensington Parkwood, and Luxmanor. Elementary school enrollment will be monitored to determine the timing for opening a new school in the long-term. Farmland Elementary School will also be monitored to determine if space deficit continues to remain at high levels and possible student reassignments will be considered. Expansion and revitalization of middle schools or classroom additions will be considered at North Bethesda and Tilden. MCPS is considering the reopening of the Woodward High School and is planning to undertake a school capacity study to include five down-county consortium high schools, i.e. Montgomery Blair, Albert Einstein, John F. Kennedy, Northwood, and Wheaton, and Walter Johnson, followed by a high school roundtable where the public will be invited to participate.

Staff discussed the preferred and alternate school sites in all three plans and they include: the southern area of White Flint Mall, the Luttrell property, the Wilgus/Willco property, the Rocking Horse Road Center, and the Marriott site in Rock Spring.

Ms. Wendy Calhoun and Ms. Liz King members of the Walter Johnson Parents/Teachers Association, offered comments.

There followed extensive Board discussion with questions to staff and MCPS representatives.