



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 23, 2017, at 9:05 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 8:05 p.m.

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

Items 1 and 11, and Items 3 through 5, discussed in that order, are reported on the attached agenda.

Items 2 and 4 were removed from the Planning Board agenda.

The Board recessed for lunch at 11:17 a.m. and reconvened in the auditorium at 12:50 p.m.

Item 6, and Items 8 through 9 are reported on the attached agenda.

Item 7 was removed from the Planning Board agenda.

The Board recessed for dinner at 5:50 p.m. and reconvened in the auditorium at 6:10 p.m. to take up Item 10 – a worksession for the White Flint 2 Sector Plan.

There being no further business, the meeting was adjourned at 8:05 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 2, 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 23, 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. 220161110, Earnshaw

CRN zone, 19 lots, 4 parcels, one outlot; located on the south side of Olney-Sandy Spring Road (MD 198), 300 feet east of Norwood Road; Sandy Spring Rural Village Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170370, Colesville Manor

R-200 zone, 1 lot; located on the west side of New Hampshire Avenue (MD 650), 400 feet north of Notley Road; White Oak Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170390, Mount Jezreel Senior Housing

R-60 zone, 2 lots; located on the east side of University Boulevard East (MD 193), opposite East Schuyler Road. Silver Spring East Master Plan.

Staff Recommendation: Approval

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.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

***C. Other Consent Items**

1. Trotters Glen, Site Plan No. 82013006D --- A request to amend the Final Forest Conservation Plan to comply with Preliminary Plan 120130050 condition of approval No. 2i requiring the applicant to amend the Final Forest Conservation Plan to include the removal of the existing pond and dam and restore the onsite stream and wetlands; located on the east side of Batchellors Forest Road, approximately 1,000 feet east of the intersection with Georgia Avenue (MD 97); 175.4 acre, RNC Zone, 2005 Olney Master Plan.

Staff Recommendation: Approval with Condition and Adoption of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved staff recommendation for approval of the Site Plan Amendment cited above and adopted the attached Resolution.

***D. Approval of Minutes**

Planning Board Meeting Minutes of February 9, 2017

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved Planning Board Meeting Minutes of February 9, 2017, as submitted.

MCPB, 2-23-17, APPROVED

2. ~~Roundtable Discussion~~ ~~REMOVED~~

~~—Parks Director's Report~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

11. Briefing on State Legislation

A. HB 527: Clarifying the Rights of Bicyclists in the Crosswalk
Staff Recommendation: Letter in Support of State Legislation

B. HB 578: Allowing the Use of Pedestrian Hybrid Signals
Staff Recommendation: Letter in Support of State Legislation

BOARD ACTION

Motion: A & B. WELLS-HARLEY/CICHY

Vote:

Yea: A & B. 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved staff recommendation to support the State legislation cited above.

Planning Department staff briefed the Board and discussed two Bills scheduled for review by the Maryland House of Delegates today. Staff stated that currently, bicyclists are required to dismount and walk their bicycles through crosswalks. Bill HB 527 will allow cyclists to remain on their bikes and lawfully ride through crosswalks when appropriate. Staff noted that the Bill will continue to prohibit bicyclists from entering into a roadway without giving motorists adequate time to stop and also continue to require bicyclists to obey all operational traffic signals.

Staff then discussed Bill HB 578, which will allow for the use of Pedestrian Hybrid Signals, also known as High-intensity Activated Crosswalk (HAWK) signals, at certain crosswalks within the State. Staff noted that the Maryland State Highway Administration (SHA) currently requires the installation of HAWK signals to meet a higher level of warrants than regular signals in order to be approved. If approved, HAWK signals will be used at crossings where traffic volume is high; where pedestrian and bicycle crossing is difficult due to traffic volume, multiple lanes, or high speeds; where driver visibility is limited; or any crossing with a history of incidents or fatalities. Currently, the only HAWK signal in use in the County is located at the intersection of East Gude Drive and Display Court. Staff noted that while the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) permits the use of HAWK signals, their use is specifically prohibited in the State MUTCD. Approval of the Bill will require SHA to change current guidelines and standards accordingly.

There followed extensive Board discussion with questions to staff, during which Parks Department Director Mike Riley stated that the Parks Department has applied for a HAWK signal to be installed at the Matthew Henson Trail crossing at Veirs Mill Road. Mr. Riley added that Montgomery County Department of Transportation and SHA staff have agreed to formalize an interagency workgroup to discuss additional safety measures at that location.

3. Parks and Planning Spring 2017 Semi-Annual Outline

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing from Planning and Parks Departments staff on the proposed outlines for the upcoming Spring 2017 Semi-Annual Report, followed by a brief Board discussion, and provided guidance to staff.

~~4. **Parks American with Disabilities (ADA) Program Update** — Provide an update on the Parks ADA program and our Settlement Agreement with the Department of Justice including the following topics: Final Transition Plan overview, ADA improvements in Parks, Physical Access and Program Access progress to date, and ongoing collaboration efforts. The presentation will also highlight current and future initiatives to expand and promote inclusion in Parks programs and facilities, as well as ADA program implementation by the Parks Access Team.~~

REMOVED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

5. R&SP Briefing: Master Plan Reality Check --- Provide an update on the Master Plan Reality Check Study being conducted by department staff. Staff will present in-depth analyses of two plans – the 1998 Friendship Heights Sector Plan and the 1997 Fairland Master Plan.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the ongoing Master Plan Reality Check study. The Master Plan Reality Check 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. Following a July 2016 presentation on the 1989 Germantown Master Plan, staff analyzed the 1998 Friendship Heights Sector Plan and 1997 Fairland Master Plan. According to staff, the Friendship Heights Sector Plan and Fairland Master Plan were chosen because both had reached their horizon date, a period of about twenty years in which it is reasonable to expect recommended plan elements to come to fruition. Staff analyzed six indicator categories, including non-residential development; residential development; community facilities for schools, parks, and the public; urban design; transportation; and environment. For each indicator, a quantitative analysis was done to compare the projected goal of the plan with the actual current figure.

The Friendship Heights Sector Plan focused primarily on recommendations and development guidelines for eight major parcels within the Friendship Heights Central Business District, particularly the Chevy Chase Land Company, Hecht's, and GEICO parcels. Staff identified and analyzed 14 indicators based on the Plan, fewer than those identified in the Germantown Reality Check study. Key findings for the Friendship Heights Sector Plan analysis include a dramatic difference in Floor Area Ratio (FAR) utilization between urban and suburban areas, with the area utilizing nearly 90 percent of its maximum commercial FAR as urban in-fill development; the fact that the Plan did not consider impacts on schools; the not-fully realized aspiration of the Friendship Heights Sector Plan to create adequate open space and community center elements; a lack of bikeway improvements; and traffic congestion that is lighter than projected.

Staff then discussed the Fairland Master Plan study, noting that an in-depth analysis was conducted on 19 indicators. Key findings of the study include the use of roughly one-third of the allowable commercial FAR for the area; a successfully implemented change in the housing type

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5. R&SP Briefing: Master Plan Reality Check

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mix within the area from multi-family to single-family units, though most of the new development was single-family attached units rather than the recommended single-family detached units; significant public sector investment for parkland, recreational facilities, and schools; significantly fewer jobs than projected; some investments in sidewalks and bikeways, but connectivity to retail uses that is still significantly lower than projected; and traffic congestion that is lighter than projected. Staff also noted the often vague, and sometimes conflicting, articulation of environmental goals within both Plans in the study.

The next steps for the Master Plan Reality Check include a more refined analysis in order to formulate conclusions and recommendations for all three plans, development of a template for master plan monitoring, and the presentation of consolidated findings to the Board and the County Council.

There followed extensive Board discussion with questions to staff, during which the Board recommended that staff include economic data in the report rather than in the appendices.

6. Administrative Delegation AD2017 --- Amendment to the Montgomery County Comprehensive Water Supply and Sewerage Systems Plan, Administrative Delegation Application No. 17-TRV-03A. 2017-1.

Staff Recommendation: Transmit Comments to County Executive

BOARD ACTION

Motion: WELLS-HARLEY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved staff recommendation to transmit comments and recommendations to the County Executive, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a single proposed water/sewer service category change request for the Liu property, located on the east side of Stoney Creek Road in Potomac. Staff noted that the Planning Board is required by State law to make a Master Plan consistency determination on each Water and Sewer Category Change request. The Planning Board's comments and recommendations will be transmitted to the County Executive for final action. Staff added that a County Executive public hearing is scheduled for March 8.

Mr. Alan Soukup of the Department of Environmental Protection offered brief comments. There followed a brief Board discussion with questions to staff and Mr. Soukup.

~~*7. Maryland Catering Company, Inc. (aka Old Angler's Inn): CU 15-06 Preliminary Forest Conservation Plan CU 15-06 associated with a request for a Conditional Use approval of a Country Inn, located at 10801 MacArthur Boulevard, 7.67 acres, identified as P527 and P530 on Tax Map FN22, on the north side of MacArthur Boulevard approximately 1,000 feet south of its intersection with Stable Lane, R-200 Zone and NR-0.75 Zone, 2002 Potomac Subregion Master Plan. **REMOVED**~~
~~Staff Recommendation: Approval with Conditions and Adoption of Resolution~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

8. Review of the County Executive’s Recommended FY18 Capital Budget and Amendments to the FY17-22 Capital Improvements Program (CIP)

Staff Recommendation: Transmit Comments to the County Council

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

Planning Department staff offered a multi-media presentation and discussed the County Executive’s recommended FY18 Capital Budget and FY17-22 Capital Improvements Program (CIP), which staff noted were published on January 15. Staff has analyzed the report and noted new projects, significant changes in the budget or in the CIP schedule, and projects that are of particular interest due to the need for coordination with Parks Department staff regarding future development or impact to parkland. Staff has provided a list of recommendations to the Planning Board on the FY18 Capital Budget and the CIP, which the Board is requested to revise or endorse and transmit to the County Council.

There followed a brief Board discussion with questions to staff.

***9. Westwood Shopping Center, Sketch Plan No. 320170010** --- CRT 2.0 C 0.75 R 1.25 H 60 (Westwood I), CRT 1.0 C 0.25 R 1.0 H 45 (Manor Care), CRT 1.5 C 0.5 R 1.5 H 75 (Westwood II), CRT 3.0 C 0.5 R 3.0 H 165 (Westwood Towers), CRT 2.5 C 0.5 R 2.0 H 75 (Westwood Towers), CRT 2.5 C 0.5 R 2.0 H 110 (Bowlmor) Zones, 25.45 acres, Request for a maximum of 1,800,000 square feet of existing and proposed development including approximately 510,000 square feet of commercial uses and approximately 1,290,000 square feet of residential uses including 15 percent MPDUs; located on Westbard Avenue in the southwest quadrant of intersection with River Road (MD190) & Ridgefield Road, Westbard Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

In keeping with the February 10 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Sketch Plan request for the construction of a mixed-use development with up to 1,800,000 square feet of development, existing and proposed, and up to 1,290,000 square feet of residential uses, not including square footage associated with the required 15 percent Moderately Priced Dwelling Units (MPDUs), and up to 10,000 square feet of non-residential uses. The site is the existing Westwood Shopping Center located on Westbard Avenue in the southwest quadrant of its intersection with River Road (MD190) and Ridgefield Road in the Westbard Sector Plan area. Staff noted that the site is currently home to a vacant two-story building, a three-story commercial office/retail building, a 15-story multi-family residential tower and associated structures, a one-story bowling center, a 104,695 square-foot single-story retail shopping center, and associated parking. The proposed sketch plan focuses on the redevelopment of the Westwood Shopping Center and highlights three major facilities and amenities, including: dedication and naturalization of Willett Branch; realignment of Westbard Avenue/Ridgefield Road; and provision of an interior community use space. The proposed amenities will complement the new development and serve the entire community. Staff noted that naturalization of the Willett Branch Stream is one of the Westbard Sector Plan most important recommendations and will provide an amenity that will improve an existing channelized stream and create an environmental asset for the community and the region. Another major public facility that is critical to the success of the project is the realignment of the Westbard Avenue/

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***9. Westwood Shopping Center, Sketch Plan No. 320170010**

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Ridgefield Road intersection from River Road. The proposed realignment will have an impact on the buildable envelopes for the Manor Care and Westwood II sites near River Road, as well as the intersection improvements for the Springfield neighborhood.

Staff added that portions of the site behind the Housing Opportunities Commission (HOC)/Westwood Towers buildings are not part of this plan, and neither are the location of buildings nor the extent of dedication of the Willett Branch in this area considered in the plan. As conditioned in the plan, the archeological investigation of a possible historic African American cemetery site and the delineation of this area needs to be completed prior to the Sketch Plan Amendment and Preliminary Plan submission. Any building or development within this area would be subject to the conditions of the Sketch Plan Amendment, including any dedication of the Willett Branch. The proposed project will provide at least 15 percent MPDUs for the entire property and an additional 15 percent affordable housing units specifically on the HOC/Westwood Towers site if HOC were to redevelop this portion of the property. Staff also discussed revisions and corrections to the conditions of approval, and stated that staff has received a considerable amount of correspondence related to the Willett Branch dedication, the cemetery site study and delineation, and appropriate density and building height.

Ms. Barbara Sears, attorney representing the applicant, Equity One, Inc., introduced Mr. Bill Brown of Equity One Inc., discussed the proposed plan, including proposed revisions to two conditions of approval, and concurred with the staff recommendation.

Mr. Bill Brown of Equity One, Inc. offered a multi-media presentation and discussed the proposed project.

The following speakers offered testimony: Ms. Susan Spock of Albemarle Street; Ms. Sarah Morse of Dorset Avenue; Mr. Jack Sobel of Earlston Drive and representing the Little Falls Watershed Alliance; Dr. Segun Adebayo representing the Macedonia Baptist Church on River Road; Ms. Phyllis Edelman of Ogden Court and representing the Springfield Civic Association; Dr. Marsha Coleman-Adebayo of Macedonia Baptist Church; Ms. Michele Rosenfeld, attorney representing Save Westbard; Mr. Robert Cope of Park Place; Mr. Lloyd Guerci of Hunt Avenue and Chair of the Citizens Coordinating Committee on Friendship Heights; Ms. Jenny Sue Dunner of Dorset Avenue; Ms. Patricia Johnson of Oakland Road and representing the Kenwood Committee for River Road/Westbard; Ms. Tara Primis of Kenwood Avenue and representing the Kenwood Citizens Association; Ms. Marnie Shaul of Uppingham Street and representing the Town of Somerset; Ms. Margaret Ott of Westway Drive; Ms. Anne Coventry of Kingsford Place; Mr. Robert Dyer of Albia Road; Ms. Monica Goldberg of Marlyn Drive; Ms. Lucy Goldberg of Marlyn Drive; Mr. Josiah Goldberg of Marlyn Drive; Ms. Leanne Tobias of Ridgefield Road; Mr. Shuo Huang of Newell Street; Mr. Kevin Berends of Eastern Avenue; Reverend Charles Davis, Interim Pastor at Macedonia Baptist Church; Mr. Harvey Matthews, member of Macedonia Baptist Church; Ms. Mikel Moore of Westport Road; Ms. Annabelle Vinois of Dallas Avenue; Ms. Day Harper of Newton Street NE and representing the Washington Peace Center; Ms. Burgi Zenhauren of Bybrook Lane; and Mr. Robin Cunningham, member of Macedonia Baptist Church.

There followed extensive Board discussion during which Board members questioned staff and Ms. Sears regarding an urgently needed archeological investigation of a possible African American cemetery site to be carried out by an independent archeological consulting firm with oversight by two independent scientists, agreed upon by the applicant and representatives of Macedonia Baptist Church and instructed staff to begin this process as soon as possible in order to have definite archeological findings within the next 60 days.

10. White Flint 2 Sector Plan - Worksession #3

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 staff recommendations, the public hearing testimony regarding land use and density recommendations, and the proposed development alternatives for Executive Boulevard South and the Rockville Pike-Montrose North Districts. Staff noted that the Morgan Apartments, the Hebrew Home of Greater Washington, Federal Realty Investment Trust, the Wilgus property, and the Cherington townhome community submitted testimony for the Rockville Pike-Montrose North District. The Morgan Apartments requested changing the existing Multi-Family zone to the Commercial Residential (CR) zone, since there is no incentive to redevelop the property under the existing zoning and the provision of Moderately Priced Dwelling Units (MPDUs). The Hebrew Home is supportive of the recommended Commercial Residential Townhome (CRT) floating zone, but is against the mobility recommendations for the property since it disrupts the existing campus setting. Hebrew Home also does not support the reconfiguration of East Jefferson Street for protected bike lanes.

Federal Realty Investment Trust, owner of the Montrose Crossing Shopping Center and Federal Plaza, expressed support for several aspects of the draft Sector Plan, including staging targets and linking both White Flint plan areas. Federal Realty pointed out that their prior experiences with open spaces indicate that smaller spaces are more desirable, as recommended in the Plan. Furthermore, the recommended densities for both properties are not enough to spur redevelopment since both centers are financially successful, and the recommended zoning should be more balanced between residential and non-residential development rather than favor residential development. The Wilgus property owner requested increased densities and heights for the property and no retention of the existing wooded area for a linear park. The Cherington townhouse community is supportive of the draft Plan recommendation for a linear park but objected to any commercial development west of Stonehenge Place, and expressed concern about cut-through traffic when Stonehenge Place is connected to Montrose Road.

Staff noted that on February 9, the Planning Board reviewed the Executive Boulevard District and no specific changes were recommended but staff suggested that the CRT floating zone may be suitable for some properties in the Executive Boulevard South area. Staff added that introducing

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10. White Flint 2 Sector Plan - Worksession #3

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residential development on the five properties on Executive Boulevard and East Jefferson Street, could yield up to 1,200 new residential units under the CRT zone scenario. These potential additional units were not included in any transportation modeling or school forecasting. Therefore, the overall recommended number of residential units should be modified or removed from other portions of the Plan area.

Parks Department staff offered a multi-media presentation and discussed the need for green space and new parks, including dog parks, in the Plan area.

The following speakers offered comments: Ms. Stacy Silber, attorney, Ms. Jennifer Russel of Rodgers Consulting; Ms. Casey Cirner of Miles & Stockbridge P.C.; Mr. David Freishtat, attorney from Shulman & Rogers representing the Hebrew Home of Greater Washington; Ms. Francoise Carrier, attorney from Bergman, Berbert, Schwartz & Gilday, LLC.; Ms. Barbara Sears, attorney from Linowes & Blocher; Messrs. Brian K. Mistysyn and Jason Goldblatt of the Willco Company; Mr. Ric Erdhein of Grey Hallow Court and representing the Cherington Homeowners Association; and Ms. Wendy Calhoun of Argyle Avenue and representing the Walter Johnson Cluster of Parents/Teachers Association.

There followed a brief Board discussion with questions to staff. The Board instructed staff to come back with revised recommendations for development of the properties discussed during the meeting at the next worksession.