



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, March 16, 2017, at 9:12 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:10 p.m.

Present were Vice Chair Marye Wells-Harley and Commissioners Natali Fani-González and Gerald R. Cichy. Commissioner Norman Dreyfuss joined the meeting at 9:13 a.m., and Chair Casey Anderson joined at 9:47 a.m.

Items 1 through 5 are reported on the attached agenda.

The Board recessed for lunch at 11:39 a.m., and reconvened in the auditorium at 1:40 p.m. to take up Item 6 – a worksession for the Rock Spring Master Plan and Draft Zoning Text Amendment for the Regional Shopping Center Overlay Zone.

There being no further business, the meeting was adjourned at 3:10 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 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, March 16, 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**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

***C. Other Consent Items**

1. Adoption of Corrected Resolution for Brightview Bethesda MCPB No. 16-058

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 3-0

Nay:

Other: ANDERSON & DREYFUSS ABSENT

Action: Adopted the corrected Resolution cited above, as submitted.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 2, 2017

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

Action: Approved Planning Board Meeting Minutes of March 2, 2017, as submitted.

2. Roundtable Discussion**A. Planning Director's Report****B1. Operating Funds Five Month Financial Report Including Projections to June 30, 2017****B2. Enterprise Funds Five Month Financial Report Including Projections to June 30, 2017****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 Bethesda Downtown Sector Plan, with a County Council Planning, Housing, Economic Development Committee worksession regarding transportation scheduled for March 20; the status of the Rock Spring Master Plan, with a worksession scheduled for later today, and the vote to transmit the Plan to the County Council scheduled for March 30; the status of the White Flint 2 Sector Plan, with a worksession regarding financing strategies scheduled for March 23; the status of the MARC Rail Communities Plan, with the working draft of the Plan scheduled to be presented to the Board in May; the status of the Grosvenor-Strathmore Metro Area Minor Master Plan Amendment, with the working draft of the Plan scheduled to be presented to the Board in June; the status of the Veirs Mill Corridor Master Plan; the status of ongoing studies, including the updated Recreation Guidelines; the Master Plan Reality Check, the Rental Housing Study, the Retail Trends Study, Employment Trends Study, and the Colocation Study, with the next Directors Oversight Committee meeting scheduled for March 29; the final session of the Winter Speakers Series, "From Innovative Zoning to Housing for All," which will be moderated by Clarence Snuggs, Director of Montgomery County's Department of Housing and Community Affairs, scheduled for March 21; the status of the Semi-Annual Report, scheduled to be presented to the County Council on April 4; the status of the Westbard Sector Plan, with a briefing scheduled for April 20 regarding planned archaeology work related to the possible presence of an African-American burial site on the Westwood Shopping Center site; upcoming speaking engagements for Ms. Wright at the National Environmental Law Institute on March 31, Leadership Montgomery on April 5, and the League of Women Voters on April 8; the upcoming Planning Board bus tour of the mixed-use

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2. Roundtable Discussion – A. Planning Director's ReportCONTINUED

development at the former Walter Reed site in south Silver Spring and the District of Columbia; and the upcoming American Planning Association National Planning Conference, which Chair Anderson and a number of staff members will be attending, scheduled for May 6 through 9 in New York City.

There followed extensive Board discussion with questions to staff, during which the Board requested that staff return with an update regarding the timing and recommendations for the Westbard Sector Plan prior to the scheduled April 20 briefing.

B1. Operating Funds Five-Month Financial Report Including Projections to June 30, 2017: Finance Department staff briefed the Board and discussed the status of the FY17 Administration Department and Parks Department operating funds. As of January 1, \$112,974,968, or approximately 96 percent, of the expected yearly property taxes has been collected, slightly ahead of the percentage collected in the corresponding FY16 time period. Staff projects a slight decrease in real property taxes, which will be offset by an increase in personal property taxes. As a result of significant returns on short-term investments, interest revenues are projected to be higher than budgeted by \$55,000. Although grant revenue is not expected to be realized, resulting in a \$150,000 shortfall, revenues for the Administration Fund are expected to be \$64,386 above budget. Expenditure savings are projected at \$2,200,000, with Central Administrative Services Departments projecting savings of \$615,427 due to vacancies. The Fund Balance in the Administration Fund is projected to increase by \$224,861 and total \$5,628,945. Revenues for the Park Fund are expected to be \$32,487 below budget, with expenditure savings projected at \$999,307. Fund balance is projected to decrease by \$486,568 and total \$7,742,167. Staff added that the Enterprise Funds continue to more-or-less support themselves.

There followed a brief Board discussion.

B2. Enterprise Funds Five-Month Financial Report Including Projections to June 30, 2017: Enterprise Division staff briefed the Board and discussed the status of FY17 Enterprise Division Operating Funds and Enterprise Division events and activities. According to staff, classes at Enterprise facilities have been well attended, and camp registration is vigorous, with the Spring Break camps scheduled at the Pauline Betz Addie Tennis Center, Wheaton Indoor Tennis, Cabin John Ice Rink, Wheaton Ice Arena, and South Germantown Driving Range at capacity. Ice Rink revenues are projected at \$4,717,076, which is \$17,124 less than the approved budget, and due in part to the recent unseasonably warm weather. Tennis facilities continue to do well, with new camp programs in place and the completion of the Meeting/Party Room rental facility at Wheaton Indoor Tennis, which will hold an open house on May 7. Regarding event centers, staff stated that there have been fewer rentals at Rockwood Manor due to revised rental restrictions, specifically those limiting rental times, which were implemented to comply with guidelines in the updated community agreement. However, both the Lodge at Little Seneca Creek and Woodlawn Manor House are reserved steadily throughout the spring. Staff then discussed Park Facilities, stating that revenues are higher than budgeted due to an increase in

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2. Roundtable Discussion – B2. Enterprise Funds Five-Month Financial Report Including Projections to June 30, 2017CONTINUED

admissions and rentals at Brookside Gardens, the boat facilities at Rock Creek Regional and Black Hill Regional Parks, and the South Germantown Splash Park and Mini-Golf. Ongoing Parks facilities projects include Americans with Disabilities Act (ADA) improvements, the installation of shading structures for park eating areas, and upgrades to campground areas. Upcoming facility programs include Spring I Spy Trains scheduled to begin April 8 at Wheaton Regional Park, Bubble Soccer at the Wheaton Sports Pavilion, and an Autism Glow Walk and Fun Run scheduled for April 28 at Wheaton Regional Park.

There followed a brief Board discussion with questions to staff, during which Vice Chair Wells-Harley instructed staff to explore ways to implement additional outreach efforts to underprivileged and minority children.

3. **The Korean Community Service Center of Greater Washington, Inc. Conditional Use CU 2017-12 --- Request for a private club, service organization; R-60 Zone, located at 700 Buckingham Drive in Silver Spring, 2000 East Silver Spring Master Plan.**

Staff Recommendation: Approval with Conditions

(NOTE: Action required for hearing by the Hearing Examiner on March 31, 2017)

BOARD ACTION

Motion: DREYFUSS/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a Conditional Use request to allow private club/service organization uses on a portion of an existing single-family home. The 23,552-square foot property is located on the northeast quadrant of the intersection of University Boulevard-East (MD193) and Buckingham Drive, and is zoned Residential in the East Silver Spring Master Plan area. The property is currently developed with a two-story single-family detached dwelling unit and a surface parking lot with nine spaces located in the rear yard. Vehicular access to the site is from Buckingham Drive via a driveway entrance. Pedestrian access to the site is from the sidewalk on MD193 via a stone path that wraps around the house and leads to the surface parking lot. A four-foot high chain-link fence runs along the entire length of the northern property line. The northern property line abuts a property also owned by the applicant, which is developed as University Gardens I and University Gardens II, a multi-family mid-rise housing complex for seniors.

The applicant proposes to operate a 1,920-square foot service organization in the above-grade basement of the existing single-family house while continuing to lease the upper levels of the dwelling unit as a residential rental unit. Three employees will be onsite during hours of operation, which are from 9:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 3:00 p.m. on Saturdays. There will also be occasional small group training sessions or meetings, up to eight per month, on weekday and weekend evenings that will run no later than 9:00 p.m. A total of approximately five to six staff and visitors are anticipated to be on-site during weeknight evenings and weekend evenings. During weekday hours of operations, visitors to the site will be by appointment only. There are no physical changes proposed for the residence or the existing parking facility, including landscaping and lighting. Eight parking spaces will be available

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3. The Korean Community Service Center of Greater Washington, Inc. Conditional Use CU 2017-12CONTINUED

onsite. The applicant will provide 18,152 square feet of required open space. The applicant is also requesting to waive the 16-foot minimum side yard setback requirement along the northern property line in order to accommodate parking, and to waive the parking lot landscaping requirements for conditional uses. Staff supports both waiver requests.

Ms. Soo Lee-Cho, attorney representing the applicant, offered comments and concurred with the staff recommendation, but noted that the applicant would like to revise Condition 5 to allow for only one long-term bicycle parking space.

Mr. Phillip Cho, member of the applicant's team, also offered comments.

There followed a brief Board discussion with questions to staff and Ms. Lee-Cho, during which the Board instructed staff to include an additional comment stating that a path connecting the applicant's adjacent properties would be appropriate, and to modify Condition 5 to state that the applicant must provide one long-term bike parking space, and a second space where a bicycle can be secured for short-term parking.

***4. Randolph Farms, Preliminary Plan No. 120160320** --- Request to subdivide the property into 106 townhouses lots, and various private road and HOA parcels, for the construction of a residential townhouse community with 12.5% Moderately Priced Dwelling Units (MPDUs); RT-15 Zone; 8.44 acres; located at the southeast quadrant of the intersection of Randolph Road with Putnam Road, within the North Bethesda Garrett Park Master Plan area.

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 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 subdivide a property for the construction of a residential townhouse community. The approximately 8.44-acre site, identified as Lots 4, 5, and 32 in Block 2 of the Randolph Farms subdivision, is located on the southeast quadrant of the intersection of Randolph Road and Putnam Road, and, following a February 2016 approval to rezone the property from Residential, is currently zoned Residential/Townhouse in the North Bethesda/Garrett Park Master Plan area. The property is currently developed with several buildings totaling 88,940 square feet and a 160-space parking lot, which are used by the Montrose Baptist Church, the Montrose Christian School, and the Montrose Christian Child Development Center.

The applicant proposes to subdivide the property and replace the existing structures with 106 townhouse lots and various private road and homeowners association parcels, in order to build a residential townhouse community of up to 106 townhouses, including 12.5 percent Moderately Priced Dwelling Units (MPDUs). In addition to the residential units, the proposed development will also include an approximately 0.66-acre community recreation and open space area; the vehicular and pedestrian reconnection of Putnam Road with Macon Road; the construction of proposed Private Roads A and B, which will provide direct access from Randolph Road and Putnam Road, respectively, to the centrally located recreation area and the internal alleys; a reduction of the existing vehicular access points along Randolph Road from two to one; the construction of new pedestrian sidewalks within the property and along Randolph Road, Putnam Road, and Macon Road street frontages; several small landscaped open space areas throughout the property; a total of 246 parking spaces, including garage spaces for both

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***4. Randolph Farms, Preliminary Plan No. 120160320**CONTINUED

one and two-car garage units and visitor parking to be located on some driveways; two bike rack spaces within the recreation area; and vehicular access to an adjacent property, identified as Lot 13. All townhome units will be rear-loaded, with pedestrian access and building fronts facing public roads, proposed private roads that will attain the status of public roads, open space, or green areas. The applicant will provide a single right-in/right-out access to and from Randolph Road. Because the distance between the existing intersections of Randolph Road with Putnam Road and Hunters Lane is only 1,000 feet, the applicant is requesting to waive the intersection spacing requirement. The applicant is also requesting a waiver for the lot frontage requirements for private streets because the proposed private streets will meet public road code standards. Staff supports both waiver requests. Staff also noted an additional condition of approval that recommends the removal of an existing 0.078-acre Forest Conservation Easement, which the applicant must record prior to the record plat.

Staff has met with the Randolph Civic Association, who object to the proposed vehicular connection between Putnam Road with Macon Road. The residents are concerned that the connection will result in increased traffic on Macon Road. The community has requested that a full traffic study be completed to understand the impact of traffic on Macon Road. Staff stated that although an abandonment of a portion of Putnam Road was approved in 1977 in order to prohibit access to Macon Road, the record plat was never recorded, therefore leaving that portion of Putnam Road as a public right-of-way. Staff added that they and Montgomery County Department of Transportation (MCDOT) staff recommend the re-establishment of the vehicular connection between Putnam Road and Macon Road.

Ms. Cindy Bar, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Andy Brown, member of the applicant's team, also offered comments.

The following speakers offered testimony: Mr. Brian Hooker representing the Randolph Civic Association; Mr. John Stillwell, adjacent property owner; Mr. Chris Gwin, adjacent property owner; and Mr. Ira Orenstein of Macon Road.

There followed extensive Board discussion with questions to staff, Ms. Bar, and some of the speakers, during which the Board agreed with the staff recommendation to modify Condition 2 to state that the number of townhouse lots will be determined at the Site Plan phase of development.

Legal staff then recommended delaying the adoption of the accompanying Resolution in order to better address the concerns raised by residents, with which the Board agreed.

5. Playpen 4 Kids Group Daycare Conditional Use No. CU 17-11 --- Request for a Conditional Use for a Group Daycare for up to 12 children; 9,900-square-foot lot zoned R-90, located at 11009 Nicholas Drive, Silver Spring, within the Kensington-Wheaton Master Plan area.

Staff Recommendation: Approval with Conditions

(NOTE: Action required for hearing by the Hearing Examiner on April 3, 2017)

BOARD ACTION

Motion: FANI-GONZÁLEZ/WELLS-HARLEY

Vote:

Yea: 5-0

Nay:

Other:

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 Conditional Use request to expand an existing daycare facility that operates out of a residence. The approximately 9,900-square foot site, identified as Lot 2, Block 4 of the Parkway subdivision, is located on the southeast quadrant of the intersection of Nicholas Drive and Constance Street, and is zoned Residential in the Master Plan for the Communities of Kensington-Wheaton area. The property is currently developed with a single-story detached house that serves as both a residence and the PlayPen 4 Kids Daycare, an existing daycare facility for up to seven children up to four years in age. The daycare is located in the finished basement of the residence. Access to the site from Nicholas Drive is provided via an existing two-car driveway. The main entrance to daycare facility is from a four-foot wide concrete sidewalk on Constance Street that connects with a concrete sidewalk at the rear side of the house. An outdoor play area is located on the northeast corner of the property and is enclosed by an existing six-foot high board-on-board wood fence.

The applicant, who has operated the daycare facility from the site since 2015, is requesting approval for a group daycare facility for up to 12 children. The hours of operation will remain Monday through Friday from 7:00 a.m. to 6:30 p.m. A staggered schedule for drop-off and pick-up times is proposed, with parents continuing to use Constance Street as access to the main entrance to the daycare, and for both drop-off and pick-up parking. No physical alterations or renovations are proposed to the existing house or outdoor play area. The applicant is also requesting a waiver for the onsite long-term bicycle parking space requirement, which staff supports.

There followed a brief Board discussion.

6. Rock Spring Master Plan and Draft Zoning Text Amendment for the Regional Shopping Center Overlay Zone - Worksession #6

Staff Recommendation: Discuss and provide guidance to staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing, followed by discussion, and by consensus approved staff recommendation to approve the draft Zoning Text Amendment discussed at the meeting.

Planning Department staff offered a multi-media presentation and discussed changes and updates to the Zoning and Design Overview section and other edits to the Rock Spring Master Plan Planning Board Draft. Staff noted that a Zoning Text Amendment (ZTA) request to modify the Regional Shopping Center Overlay Zone to clarify that residential uses are allowed, and to allow additional height to accommodate multi-family buildings on the site of Westfield Montgomery Mall has been submitted to the Planning Board for approval and will then be transmitted to the County Council and County Executive with the Master Plan Planning Board Draft after the Planning Board approval. Staff added that this ZTA is sought by the owners of Westfield Montgomery Mall and correspondence from their land use attorney regarding this matter was received on December 13, 2016, and March 1, 2017.

Parks Department staff discussed the proposed increase in the amount of publicly accessible green and open spaces within the Master Plan area, including privately owned public spaces and public parkland. Staff noted that there is a small number of privately-owned open spaces within the Rock Spring Master Plan area and these are primarily paved and formally landscaped plazas that serve the individual buildings. These spaces are disconnected from each other, and there is no central outdoor gathering place that anchors this Plan area. Staff also reviewed recommendations for the parks, trails, and open space in the Plan area. Staff added that a table listing the Capital Improvements Projects that would be necessary to implement the Plan's recommendations will be added to the Master Plan Draft. Staff also noted that on March 30, staff will request Planning Board approval to transmit the Planning Board Draft Master Plan to the County Council.

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6. Rock Spring Master Plan and Draft Zoning Text Amendment for the Regional Shopping Center Overlay Zone - Worksession #6

CONTINUED

The following speakers offered comments: Mr. Steve Robins, attorney from Lerch, Early and Brewer representing the Camalier Davis property owners; Ms. Pat Harris, attorney from Lerch, Early and Brewer representing the Westfield Mall property owners; Mr. Jim Agliata, Vice President of Development for the Westfield Mall; and Ms. Francoise Carrier, attorney from Bregman, Berbert, Schwartz and Gilday, LLC representing the Guardian Company.

There followed extensive Board discussion with questions to staff and the speakers. The Board instructed staff to make the changes and additions discussed at the meeting to the Master Plan Planning Board Draft.