



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, May 4, 2017, at 9:07 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 3:32 p.m.

Present were Chair Casey Anderson, Vice Chair Marye Wells-Harley, and Commissioner Gerald R. Cichy.

Commissioners Norman Dreyfuss and Natali Fani-González were necessarily absent.

Items 1 and 2, Item 8, and Item 3, discussed in that order, are reported on the attached agenda.


Item 4 was removed from the Planning Board agenda.


Chair Anderson left the meeting at 10:48 a.m. during discussion of Item 8, and rejoined the meeting following lunch.

The Board recessed for lunch at 11:30 a.m. and reconvened in the auditorium at 12:38 p.m.

Items 5 through 7 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 3:32 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 11, 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, May 4, 2017
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Forest Conservation In-Lieu Fee and Administrative Civil Penalty Rate - MCPB No. 17-027

BOARD ACTION

Motion: WELLS-HARLEY/CICHY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220160350, Kingswell

R-60 zone, 1 lot; located on the west side of Georgia Avenue (MD 97), 400 feet south of Weisman Road; Kensington - Wheaton Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170100, Martinis Property

RC zone, 1 lot; located on the north side of Seneca Road (MD 112), 650 feet east of Oxmoor Place; Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170790, Tulip Hill

R-90 zone, 1 lot; located in the southeast quadrant of the intersection of Tulip Hill Terrace and Goldsboro Road (MD 614); Bethesda - Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

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

***C. Other Consent Items**

1. Priddy Property: Extension Request for Preliminary Plan No. 120170160 --- Request to extend the regulatory review period by three months to September 1, 2017; to subdivide the Subject Property into 8 lots for 8 detached single family houses, located at 13511 Query Mill Road; 26.925 acres, RE-2; 2002 Potomac Sub-region Master Plan.
Staff Recommendation: Approval of the Extension Request

2. Victory Haven, Site Plan No. 820170040 --- Request to extend the regulatory review period by up to two months, to July 6, 2017; to construct an apartment building for 72 apartments of Independent Living for Seniors, and associated site improvements, located on the south side of Main Street (MD 108), approximately 500 feet east of the intersection with Woodfield Road; 2.62 acres, CRT 1.0 C-0.5 R-0.5 H-55T; 2006 Damascus Master Plan.
Staff Recommendation: Approval of the Extension request

3. Rothbard Property, Preliminary Plan No. 120170140 --- Request to extend the regulatory review period by up to four months, to July 27, 2017; to convert an existing outlot into a buildable lot for one, one-family detached dwelling, located on the east side of Stonebarn Lane, approximately 1000 feet east of the intersection with Squires court; 9.77 acres, RE-2 zone; Potomac Sub-region Master Plan.
Staff Recommendation: Approval of the Extension request

4. Offutt Estates: Regulatory Plan Extension Request, Site Plan No. 820150140 --- Request to extend the regulatory review period for Site Plan No. 820150140 by three months to September 7, 2017; RT-12.5 Zone; 0.5 acres; for a residential development consisting of 6 townhouse units; located on Hillery Way approximately 450 feet west of Rockville Pike (MD 355) within the White Flint Sector Plan area.
Staff Recommendation: Approval of the Extension request

BOARD ACTION

Motion: 1, 2, & 4. WELLS-HARLEY/CICHY
 3. CICHY/WELLS-HARLEY

Vote:
Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: 1 & 3: Approved staff recommendation for approval of the Preliminary Plan Extensions cited above.

2 & 4: Approved staff recommendation for approval of the Site Plan Extensions cited above.

D. Approval of Minutes

Planning Board Meeting Minutes of April 20, 2017

BOARD ACTION

Motion: CICHY/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Approved Planning Board Meeting Minutes of April 20, 2017, 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 briefed the Board on the FY18 Operating and Capital Improvements Program (CIP) budgets, noting that the County Council will schedule a final budget worksession. A budget wrap-up and reconciliation is scheduled for May 18. The County Executive recommended reducing the Operating budget by \$4,300,000, leaving the Parks Department in need of \$1,900,000 to avoid service reductions. The County Council Planning, Housing, and Economic Development (PHED) Committee was able to reduce the Executive's recommended reductions by approximately \$200,000. Mr. Riley stated that the remaining \$1,700,000 in recommended reductions could potentially be reinstated through the reconciliation process.

Mr. Riley then briefed the Board on the following ongoing and upcoming Parks Department events and activities: an upcoming ribbon cutting event for the newly constructed Multi-Agency Service Park complex on Snouffer School Road in Gaithersburg scheduled for May 17; the upcoming bi-annual CIP Public Forum scheduled for May 18; the status of the new Parks and Recreation Advisory Board, with the first meeting held this week; the recent Parks Department and Planning Department staff trip to Richmond, Virginia, for a tour of urban parks, revitalized neighborhoods, and examples of public art, held on April 21 and 22; the recent Autism Awareness Glow Walk and Fun Run event, held on April 28 at Wheaton Regional Park; and the status of the three Montgomery Blair High School athletic fields that are maintained by the Parks Department, and a meeting with parents and Parent/Teacher Association members scheduled for May 9 to address issues and concerns regarding the fields, including recent news reports citing potential health issues associated with the use of recycled rubber surfacing at park facilities.

Planning Department Director Gwen Wright then briefed the Board on recent Planning Department awards from the American Planning Association (APA), including the Planning Landmark Award for the Department's innovative approach to preserving Agricultural Reserve

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2. Roundtable Discussion

CONTINUED

areas, and a transportation planning award for the Bicycle Master Plan interactive Bicycle Stress Map. Ms. Wright also recognized staff that are scheduled to present at the APA conference in New York City next week, including Eric Graye, Caroline McCarthy, Atul Sharma, and Margaret Rifkin.

There followed a brief Board discussion, during which Chair Anderson recommended that Parks and Planning Department staff prepare a multi-media presentation of the trip to Richmond for Board members and staff who were not able to attend.

8. 2017 Local Area Transportation Review (LATR) Guidelines --- Review proposed revisions to these Guidelines to reflect changes made by the County Council pursuant to the adopted 2016-2020 Subdivision Staging Policy (SSP).

Staff Recommendation: Approval of the Revised Guidelines

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: By consensus, deferred the vote for this Item pending further discussion, and to implement revisions discussed during the meeting.

Planning Department staff offered a multi-media presentation and discussed the proposed revisions to the 2017 Local Area Transportation Review (LATR) Guidelines in response to the recently adopted Subdivision Staging Policy (SSP). According to staff, the 2016-2020 SSP, which the Montgomery County Council adopted on November 15, 2016, established modifications for the evaluation of local transportation system performance. Staff stated that these changes to the transportation related elements of the SSP warrant revisions to the LATR guidelines in order to improve the clarity and organization of the document for users, to reflect the Council's decisions regarding LATR and Transportation Policy Area Review (TPAR), and to update and correct technical and process information.

Staff noted that rather than a single set of rules that applies countywide, the proposed revisions to the Guidelines recognize that transportation system adequacy and the types of appropriate mitigation need to be determined in a context-sensitive manner. Key revisions include the establishment of four policy area categories, identified as the Red, Orange, Green, and Yellow policy areas, that are based on current land use patterns, the prevalence of modes of travel other than the single occupant vehicle, and the planning vision for different parts of the County; the elimination of the TPAR as the policy area-wide transportation test; and the de-emphasis of Critical Lane Volume (CLV) as a determination of intersection level of service (LOS) in more developed areas, with the Highway Capacity Manual (HCM) methodology to be used instead. Staff added that the Guidelines apply to any application for a preliminary plan of subdivision filed on or after January 1, 2017.

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8. 2017 Local Area Transportation Review (LATR) Guidelines

CONTINUED

The following Transportation Impact Study Technical Working Group (TISTWG) members offered testimony: Mr. Brian Krantz; Mr. Edward Papasian; Mr. Chris Kabatt; and Mr. Shahriar Etemadi.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to include language in the revised Guidelines that clearly establishes when additional traffic counts are warranted, and to continue discussion regarding proposed exemptions from some transit system adequacy requirements.

- 3. R&SP Briefing: Master Plan Reality Check – Final Summary and Key Takeaways -**
-- The R&SP staff will provide a final summary of key takeaways and cross-cutting findings from the three plans analyzed as part of the Master Plan Reality Check study.

Staff Recommendation: Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the Master Plan Reality Check study, which is an analysis of the degree to which select master plans have realized the vision, densities, land uses, infrastructure, and amenities called upon in their respective recommendations. Over the past year, staff has conducted in-depth analysis of six indicator categories of the 1989 Germantown Master Plan, the 1998 Friendship Heights Sector Plan, and the 1997 Fairland Master Plan, which has included quantitative analyses of non-residential development; residential development; community facilities; urban design; transportation; and environment.

Staff then discussed key findings and observations for residential development, noting that all three plans can support additional growth, that townhouse growth has exceeded plan recommendations in the Germantown and Fairland areas, and that the plans did not provide any quantifiable goals for affordable housing. Findings for non-residential development indicate that commercial development meets the square footage projections for the Fairland and Friendship Heights areas only, and that for reasons unclear at this time, employment projections fall short in all three plan areas. Community facility findings show that when included in plans, such as in Germantown and Fairland, school sites were delivered. The public sector consistently delivered on community facilities in all three areas, although with mixed results in Friendship Heights. Staff noted that more concrete urban design guidelines resulted in development that was more consistent with plan visions, particularly in the Germantown area. Key transportation findings include traffic flow that is as projected or better at most intersections throughout the three studied areas. However, although some improvements have been made, implementation of full transit, bike, and pedestrian network goals has been slower than anticipated. Staff added that with considerable success, each plan area has taken different approaches in achieving environmental goals.

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3. R&SP Briefing: Master Plan Reality Check – Final Summary and Key Takeaways**CONTINUED**

Staff also added that the results of the study have significant implications for future planning work, which include the need to preserve data used at the time of the master plan analysis for documentation of baseline assumptions; to undertake a more detailed market analysis as part of a master plan to provide more quantitative data on baseline conditions and support for plan recommendations; to consider that plans reflect the time and place in which they are completed, as well as the unique plan area characteristics; and to perform a master plan reality check before the horizon date of the plan to determine if incentives or other interventions should be considered to stimulate development and realize plan recommendations. Potential indicator metrics for use in more frequent master plan monitoring include a breakdown of build-out by the Floor Area Ratio (FAR) of office, retail, industrial, and other development; the number of commercial building permits issued; a breakdown of dwelling units by count and type; a breakdown of Moderately Priced Dwelling Units (MPDUs) by count and type; the number of residential building permits issued; school capacity; park acreage; and a traffic intersection metric.

There followed a brief Board discussion with questions to staff, during which Vice Chair Wells-Harley recommended that staff present the information again when all the Planning Board members are present.

Staff stated that individual briefings for Board members who were not present for the discussion will be scheduled.

~~4. Zoning Text Amendment 16-03 --- Establish a new accessory residential use titled "Short Term Residential Rental" as a limited use in all zones that allow residential uses. This proposal would modify ZTA 16-03 introduced on February 2, 2016. --- REMOVED~~
~~Staff Recommendation: Transmit Recommendations to County Council~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

5. White Flint 2 Worksession No. 7: Design Guidelines

Staff Recommendation: Discuss and provide guidance to staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the public hearing draft of the White Flint 2 Sector Plan, specifically the proposed Urban Design Guidelines. According to staff, the draft guidelines are intended to provide design direction for new development throughout the Plan area, and to incorporate the overall objectives of the approved Urban Design Guidelines for the adjacent Twinbrook and White Flint Sector Plan areas. The design guidelines for those two Plans will then be revised utilizing relevant new guidance from the White Flint 2 Sector Plan, and in turn apply that guidance to the districts adjacent to them. The goals of the Guidelines are to provide design direction that recognizes the unique context and development challenges of individual areas such as Executive Boulevard, Rockville Pike, and other neighborhood centers identified in the Plan; encourage design excellence for new development, including quality use space that complements the guidance in the White Flint and Twinbrook Urban Design Guidelines; promote walkability with new streets and enhanced streetscapes to define the public realm; and promote variety in new building height and massing to maximize access to natural light and air circulation for building occupants, and those of neighboring buildings, surrounding communities, and public open spaces.

Staff then discussed the recommendations for each of the four Districts within the Plan area. For the properties on the north side of Executive Boulevard in the Executive Boulevard District, the Guidelines recommend a pattern of blocks and streets compatible with Pike & Rose, the concentration of maximum building heights along the western edge of Towne Road, anchoring the northwest corner of Towne Road and Executive Boulevard, and the creation of a public north to south connection between Executive Boulevard and Montrose Parkway. For properties along the south side of Executive Boulevard, recommendations include anchoring the southwest corner of Towne Road and Executive Boulevard, concentrating maximum building heights along Executive Boulevard and away from the existing residential community to the south, creating short blocks and internal streets, and creating a path along the northern edge of Neilwood Creek with mid-block connections to Executive Boulevard. Recommendations for the Rockville Pike/Montrose North District include creating a pattern of short blocks, establishing

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5. White Flint 2 Worksession No. 7: Design GuidelinesCONTINUED

the street connections described in the Plan, and providing open spaces for public use for the Jewish Community Center site; creating a pattern of blocks and streets, concentrating maximum building heights along Rockville Pike, and establishing a new street along the south side of the property for the Federal Plaza site; creating a pattern of blocks and streets, and concentrating maximum building heights along Rockville Pike for the Montrose Crossing site; and concentrating maximum building heights at Towne Road, and extending Stonehenge Place as a public street for the Wilgus property. For the Randolph Hills Shopping Center site in the Parklawn South District, recommendations include providing work spaces and amenities aligned with the needs of creative new economy businesses, housing that targets underserved demographics, mixed-uses to promote collaboration and communication, and innovative adaptive re-use techniques and sustainable practices. Recommendations for the Loehmann's Plaza site within the Randolph Hills District include creating a community serving center, a mix of uses and development types, lower density development along Putnam Road, and creating internal roads and pedestrian connections.

Staff also added that area-wide recommendations for open space include active recreation and community gardens at the Rocking Horse Center site; construction of the Montrose Bike Trail; a full-sized rectangular ballfield; an urban greenway along Montrose Parkway; a civic green at Montrose Crossing; a civic green at the Wilco and Wilgus properties; neighborhood greens at Randolph Hill, Loehmann's Plaza, Federal Plaza, and Pike Center; a trail connection north to the urban greenway and trail, and east to the center of Pike and Rose; urban plazas on each block; and private recreation space at each building.

The following speakers offered testimony: Ms. Francoise Carrier, attorney from Bregman, Berbert, Schwartz, and Gilday; Mr. Ron Kaplan of Fivesquares Development; and Mr. Steve Robins, attorney from Lerch, Early, and Brewer.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to continue discussion with Mr. Robins regarding the recommended height and density for properties located within the Randolph Hills District.

6. Grosvenor-Strathmore Metro Area Minor Master Plan Amendment --- Preliminary Recommendations

Staff Recommendation: 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 preliminary recommendations for the Grosvenor-Strathmore Metro Area Minor Master Plan Amendment. Staff noted that the recommendations include zoning, urban design, parks and open spaces, connectivity, and transportation. The Minor Master Plan Amendment area comprises approximately 117 acres located on the southeast quadrant of the intersection of Rockville Pike (MD355) and Strathmore Avenue, immediately adjacent to the Grosvenor-Strathmore Metro Station. Existing area zoning includes Residential, Residential/Townhouse, and Planned Development-Floating. The proposed Plan represents a smaller, more focused area within the southeastern portion of the 1992 North Bethesda Garrett Park Master Plan to address current and pressing planning issues.

Staff started work on the amendment in May 2016, and held a kick-off meeting with the community on July 7, 2016, at the Music Center at Strathmore, and the Planning Board approved the scope of work on September 15, 2016. Staff has also held two additional community-wide meetings on December 13, 2016 and April 27, 2017, as well as meetings with smaller groups. Community input included the provision of more open spaces; improve pedestrian and bike connections safely; provide convenience retail and neighborhood services; create a sense of place at the Metro site, protect the residential character of the community; maintain view and access to sunlight; plan for parking and traffic impacts of any new developments; uphold the high quality of schools in the community and plan to meet future needs. Staff also discussed four alternatives for land use scenarios and recommended retaining current zoning recommendations. The Plan focuses on transportation and connectivity, school capacity concerns, environmental sustainability, and community place-making. Regarding transportation, staff noted that analysis of intersections, parking, traffic signals, road capacity, and connectivity will be similar to a Local Area Transportation Review (LATR). In addition to an Express Bus Service that has been

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6. Grosvenor-Strathmore Metro Area Minor Master Plan Amendment --- Preliminary RecommendationsCONTINUED

implemented to complement existing service from the Grosvenor-Strathmore Metro Station to Montgomery Mall and Rock Spring Park, Bus Rapid Transit (BRT) is also proposed. Although multi-family housing studies have demonstrated relatively low student generation rates, staff is currently working with Montgomery County Public Schools (MCPS) staff to address any capacity issues in the Walter Johnson school cluster.

Staff also noted that concerning environmental issues and open space, the Plan recommends maintaining as much of the existing native trees and forest conditions as possible, promoting urban greening to increase canopy coverage, reducing urban heat island effects, managing stormwater more efficiently, providing more functional spaces for native flora and fauna, increasing pervious surface, encouraging environmental site design techniques, creating recreation loops, and considering safer and more inviting access to Rock Creek Park and other surrounding resources and recreation amenities. Staff also discussed bike lane recommendations for Tuckerman Lane. Staff added that to achieve a sense of place, the Plan recommends a central public space, local retail service, building height transitions, walkable and bikeable streets, public art, and outdoor programs and activities.

Staff added that the next steps for the Plan include the incorporations of any revisions and recommendations made by the Planning Board; approval of the Working Draft Plan as the Public Hearing Draft on May 18 and set the Public Hearing date for June 29; and worksessions to take place during July and September 2017.

There followed a brief Board discussion with questions to staff.

7. Forest Conservation Law Amendments – Modifications, Corrections, and Clarifications

Staff Recommendation: Approval to Transmit to County Council for Introduction

BOARD ACTION

Motion: CICHY/WELLS-HARLEY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation for approval of the revised Forest Conservation Law Amendments discussed at the meeting and transmittal to the County Council President for introduction as an Expedited Bill.

Planning Department staff discussed the proposed Forest Conservation Law Amendments, including modifications, corrections, and clarifications. Staff noted that changes to the Zoning Ordinance and the Subdivision of Land Article of the Montgomery County Code, as well as changes to the State Code, requires that Chapter 22A of the County Code regarding the Forest Conservation Law (FCL) be updated to reflect these changes. Staff is taking this opportunity to request approval of changes that will streamline the review process, codify practices, and clarify portions of the FCL. Some of the proposed changes include: clarifying that administrative and minor subdivisions are subject to the FCL; creating a process in which the Planning Director can approve Forest Conservation Plans associated with administrative subdivisions; clarifying that Conditional Uses, formerly called Special Exceptions, are subject to FCL; requiring that a Natural Resources Inventory (NRI)/Forest Stand Delineations (FSD) plan be submitted and approved prior to the submission of a Sketch Plan; creating a 90-day time limit for applicants to resubmit revisions to the NRI/FSD or the plan is considered automatically withdrawn; clarifying that the maintenance period for all forest conservation plantings in Special Protection Areas (SPA) is 5 years, and the maintenance outside of SPAs remains at 2 years; and remove the requirement that all tree variances be referred to the County Arborist (CA) for a recommendation, but any non-tree related variance will still be referred to the CA for a recommendation.

Staff requested approval and transmittal of the proposed changes to Chapter 22A of the County Code, as discussed above, to the Montgomery County Council President for introduction as an expedited Bill.

The following speakers offered testimony: Mr. Cory Slansky of Hickory Meadow Drive, President of the Olney Springs Community Association; and Mr. Matthew Wessel of West Market Place, Vice Chair of the Montgomery County Environmental Committee for the Maryland Building Industry Association (MBIA).

There followed a brief Board discussion with questions to staff and the speakers.