



**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, July 27, 2017, at 9:03 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 12:20 p.m.

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

Items 1, 7, and Items 2 through 6, discussed in that order, are reported on the attached agenda.

There being no further business, the meeting was adjourned at 12:20 p.m. The Planning Board will be in recess during the month of August and will reconvene on Thursday, September 7, 2017, in the Montgomery Regional Office in Silver Spring, Maryland.

James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting  
Thursday, July 27, 2017  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600**

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. WMAL Bethesda Preliminary Plan 120160290 - MCPB No. 17- 053

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/CICHY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

**\*B. Record Plats**

**Subdivision Plat No. 220170630 - 220170640 and 220170660, Cloverleaf Center**  
CR zone, 119 lots, 21 parcels; located on the east side of Century Boulevard, at the intersection of Cloverleaf Center Drive; Germantown Sector Plan.  
*Staff Recommendation: Approval*

**Subdivision Plat No. 220170780, Travilah Square**  
CR zone, 1 parcel; located in the southeast quadrant of the intersection of Darnestown Road and Travilah Road; Great Seneca Science Corridor Master Plan.  
*Staff Recommendation: Approval*

**Subdivision Plat No. 220170840, Woodmont**  
CR & CRN zones, 2 lots; located in the northeast quadrant of the intersection of Rugby Avenue and Glenbrook Road. Bethesda CBD Sector Plan.  
*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/WELLS-HARLEY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

**\*C. Other Consent Items**

**1. Offutt Estates, Site Plan No. 820150140: Regulatory Plan Extension Request** --- Request to extend the regulatory review period by three months to December 7, 2017, for a residential development consisting of 6 townhouse units on 0.5 acres zoned RT-12.5; located on Hillery Way approximately 450 feet west of Rockville Pike (MD 355) within the 2010 White Flint Sector Plan area.

*Staff Recommendation: Approval*

**2. The Collection I & II**

**A. The Collection I, Consent Site Plan Amendment No. 82001021F** --- TS-M Zone, 4.78 acres, Request for minor modifications to site design, circulation, parking, hardscape, landscape & lighting; reintroduction of parking control gates, elimination of certain speed humps; modest reduction in amount of parking; located at the intersection of Wisconsin Avenue and Wisconsin Circle; Friendship Heights Sector Plan

*Staff Recommendation: Approval and Adoption of Resolution*

**B. The Collection II, Consent Site Plan Amendment No. 82001013D** --- CBD-1 Zone, 3.44 acres, Request for minor modifications to site design, circulation, parking, hardscape, landscape & lighting; reintroduction of parking control gates, elimination of certain speed humps; modest reduction in amount of parking; located at the intersection of Wisconsin Avenue and Wisconsin Circle; Friendship Heights Sector Plan

*Staff Recommendation: Approval and Adoption of Resolution*

**3. Black Hill Site Plan Amendment for Forest Conservation Plan Purposes, 82013025D** --- Amendment to Site Plan for Forest Conservation Plan Purposes. A request to remove and relocate on-site 25,193 square feet (0.58 acres) of existing Category I Conservation Easement on the Black Hill Development; located north of Father Hurley Boulevard and west of I-270 in the TMX-2 zone; 2009 Germantown Employment Area Sector Plan

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**4. Son of David: Preliminary Plan No. 120170220** --- Request to extend the regulatory review period for Preliminary Plan No. 120170220: an application to create a lot from a parcel of land to construct a synagogue (Religious Assembly), located on the north side of Norbeck Road, approximately 50 feet east of Wintergate Drive; 2.39 acres, RE-2 Zone; Olney Master Plan.

*Staff Recommendation: Approval*

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**\*C. Other Consent Items**

CONTINUED

BOARD ACTION

**Motion:**           1. WELLS-HARLEY/FANI-GONZÁLEZ  
                          2 & 4. FANI-GONZÁLEZ/WELLS-HARLEY  
                          3. WELLS-HARLEY/DREYFUSS

**Vote:**  
    **Yea:**           1, 2, 3, & 4. 5-0

**Nay:**

**Other:**

**Action:**       1. Approved staff recommendation for approval of the Site Plan Extension cited above.

                  2 & 3. Approved staff recommendation for approval of the Site Plan Amendments cited above and adopted the attached Resolution.

                  4. Approved staff recommendation for approval of the Preliminary Plan Extension cited above.

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of July 13, 2017

**BOARD ACTION**

**Motion:**                    **WELLS-HARLEY/CICHY**

**Vote:**

**Yea:**                    **5-0**

**Nay:**

**Other:**

**Action:**            **Approved Planning Board Meeting Minutes of July 13, 2017, as submitted.**

**7. The Claiborne (Continuation from July 24, 2017)**

**A. Preliminary Plan No. 120170250, The Claiborne, CR 3.0 Zone, 0.19 acres, Request for one lot for 58 multi-family detached dwelling units and 2,800 square feet of non-residential space; located on Auburn Avenue at the northeast intersection with Norfolk Avenue, 1994 Bethesda CBD Sector Plan and 2006 Woodmont Triangle Amendment**

*Staff Recommendation: Approval with Conditions*

**B. Site Plan No. 820170080, The Claiborne, CR 3.0 Zone, 0.19 acres, Request for one lot for 58 multi-family detached dwelling units and 2,800 square feet of non-residential space; located on Auburn Avenue at the northeast intersection with Norfolk Avenue, 1994 Bethesda CBD Sector Plan and 2006 Woodmont Triangle Amendment**

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

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

**Vote:**

**Yea: A & B. 4-0-1**

**Nay:**

**Other: DREYFUSS ABSTAINED**

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

**B. Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, as stated in the attached adopted Resolution.**

Planning Department staff noted that this Item is a continuation of the July 24 Planning Board meeting during which, due to noticing issues, the Planning Board agreed to postpone approval of the Preliminary and Site Plans for the Claiborne project. Staff noted that a multi-media presentation and a detailed discussion of these plans took place at that meeting and staff can discuss the plans again if the Board deemed it necessary.

After consulting with the Commissioners present and eligible to vote, Chair Anderson noted that this would not be necessary.

Because Commissioner Dreyfuss was not present at the July 24, he abstained from the vote.

There followed a brief Board discussion.

**\*2. 9615 Medical Center Drive Base Building (National Cancer Institute): Site Plan Amendment 82010009B** --- Request for a site plan amendment to allow addition of a 69,000-square-foot building containing medical laboratory uses. Located on 10.4 acres of the Johns Hopkins University’s Montgomery County Campus, zoned LSC 1.5, H-150 T, within the Great Seneca Science Corridor Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/CICHY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed the proposed Site Plan Amendment request to construct a medical facility, a private road, and extend an existing road. The 12.52-acre site, part of the larger 35.57-acre Johns Hopkins University (JHU) Montgomery County Medical Center (MCMC) Campus, is located on the south side of Key West Avenue, bounded by Blackwell Road to the south, Medical Center Drive to the east, Broschart Road to the west, and is zoned Life Sciences Center (LSC) within the LSC Central District of the Great Seneca Science Corridor Master Plan area. The property is currently developed with six structures comprising approximately 742,936 square feet of commercial Space, including an eight-level structured parking deck with 2,500 spaces. Previous approvals associated with the application include 894,636 square feet of development on 41.08 gross acres of LSC-zoned land; an additional 169,071 square feet of development on the JHU campus, which is not included in this application; and 742,936 total square feet of commercial research and development uses, including 9,998 square feet of retail uses known as the National Cancer Institute (NCI) on 10.4 acres.

The applicant proposes to expand the previous Site Plan Amendment area for the NCI from 10.4 acres to 12.52 acres, for the construction of a 69,000-square-foot, 62-foot high medical laboratory on approximately 2.12 acres of the project site, which is currently developed with an existing surface parking lot adjacent to an existing parking deck. The applicant also proposes to remove the existing sidewalk that abuts the existing Academic & Research Building and Gilchrist Hall, and to construct a new street, identified as Private Road B-8, that will connect to Blackwell Road from the main campus roundabout. Other road improvements include extending Blackwell Road past its intersection with proposed Private Road B-8 to construct a

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**\*2. 9615 Medical Center Drive Base Building (National Cancer Institute): Site Plan Amendment 82010009B**CONTINUED

hammerhead turnaround that does not interfere with operations at the new intersection. Staff noted that a Preliminary Forest Conservation Plan (PFCP) was approved for the JHU campus with the Amendment that approved the additional 169,071 square feet of development, and that the applicant is providing 2.12 acres of mitigation for the PFCP at this time. To date, staff has received no correspondence from the community regarding the proposed project.

Staff then discussed site constraints, noting that the proposed building frontage along Blackwell Road lacks the building edge suggested by the Master Plan. Achieving the Master Plan recommendation would require moving the building closer to Blackwell Road, eliminating or significantly altering the proposed loading dock, and creating a façade treatment similar to what is being provided along Private Road B-8. In lieu of moving the building south to be closer to the street, creating a less desirable loading area, staff recommends that the applicant consider measures to attractively screen the proposed loading area to ensure it will not be visible from the street, and that the pedestrian zone along Blackwell Road is minimally interrupted by trucks entering and exiting the loading area.

Ms. Barbara Sears, attorney representing the applicant, offered comments, concurred with the staff recommendations, and requested a revision to condition 10b regarding the Declaration of Restrictive Covenant for Private Road B-8. The applicant is requesting an exception from the indemnification provision in the covenant regarding any gross negligence or willful misconduct by the County or the Maryland-National Capital Park and Planning Commission (M-NCPPC) on the private road.

Ms. Samantha Martino, member of the applicant's team, and Mr. David McDonough of Johns Hopkins University also offered comments.

Legal Counsel briefed the Board regarding the restrictive covenant, supported the applicant's requested changes, and noted that the covenant would be amended to reflect the changes.

There followed a brief Board discussion with questions to staff.

**3. Grosvenor-Strathmore Metro Area Minor Master Plan Amendment Worksession No. 2: Planning Board Draft**

*Staff Recommendation: Approve to transmit the Planning Board Draft to the County Executive and the County Council*

**BOARD ACTION**

**Motion: WELLS-HARLEY/DREYFUSS**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to approve and transmit the Planning Board draft of the Grosvenor-Strathmore Metro Area Minor Master Plan Amendment, with minor revisions discussed during the meeting, to the County Executive and the County Council.**

Planning Department staff offered a multi-media presentation and discussed the Planning Board draft of the Grosvenor-Strathmore Metro Area Minor Master Plan Amendment, specifically the revisions to the Public Hearing draft that were recommended by the Board at the July 13 worksession, as well as recommendations received during public hearing testimony. The recommended revisions include zoning changes that allow increased density and height for the Metro site; increasing the maximum height for the two towers on Tuckerman Lane from 260 feet to a maximum of 300 feet and allowing a third tower of up to 220 feet; requiring 10 percent workforce housing for the Metro site development in addition to the required 12.5 percent Moderately Priced Dwelling Units (MPDUs); reducing the length of the Transition Zone along Tuckerman Lane by approximately 90 feet to mirror the distance between Strathmore Park and Meridian to the south; requiring the property owner to submit a traffic study to analyze the capacity and adequacy of the area road network prior to approval of the last tower on the Metro Site; the inclusion of language in the proposed Plan that recommends exploring the feasibility of creating a layover area for buses on the west side of Rockville Pike to unload passengers who would take the existing below grade passage to reach the Metro station; determining the final size and configuration of the civic green during regulatory review; and refinement of the Transition Zone diagram in the Plan. Staff noted that since the July 13 worksession, they now recommend requiring 15 percent MPDUs rather than 10 percent workforce housing and 12.5 percent MPDUs.

The next steps for the Plan following transmittal to the County Council and Executive include a Council Hearing; Council Planning, Housing, and Economic Development Committee and Council worksessions; Council approval; Commission adoption; and a Sectional Map Amendment to implement the zoning recommendations of the approved Plan.

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**3. Grosvenor-Strathmore Metro Area Minor Master Plan Amendment Worksession  
No. 2: Planning Board Draft**

CONTINUED

There followed a brief Board discussion with questions to staff, during which the Board instructed staff to change the word “tower” to the word building in the Plan, and to include the word active in the Neighborhood Green requirements in chapters three and six.

**4. Worksession #2 on the Draft Design Guidelines for the Bethesda Downtown Sector Plan**

*Staff Recommendation: Approve Design Guidelines for the Approved and Adopted Bethesda Sector Plan*

**BOARD ACTION**

**Motion:** DREYFUSS/WELLS-HARLEY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation for approval of the Design Guidelines for the Bethesda Downtown Sector Plan, with minor revisions discussed during the meeting.

Planning Department staff offered a multi-media presentation and discussed the proposed Design Guidelines for the Bethesda Downtown Sector Plan. Following the July 13 Planning Board worksession, staff received additional stakeholder and community feedback, which, along with Planning Board direction, was incorporated into the working draft. The revisions to the working draft include additional language that emphasizes the importance of compatibility with adjoining neighborhoods; re-iterates flexibility regarding streetscape design, building placement, and building form; and that states that projects with 25 percent or more Moderately Priced Dwelling Units (MPDUs) should be expedited through the Design Advisory Panel and development review process to the greatest extent possible; a recommended 0 to 4-foot frontage zone for neighborhood local streets; clarification of alternative treatments for building tower separation and step-back requirements; and additional language that clarifies the options for the location of the proposed Veteran's Park Civic Green. Staff then briefly discussed less substantive revisions. Staff noted that all commercial and residential projects that apply for site plan review should substantially conform with the recommendations established in the Bethesda Downtown Sector Plan, the Bethesda Downtown Sector Plan Design Guidelines, the Bethesda Streetscape Standards, and the Montgomery County Requirements for Outdoor Café Seating. Staff added that the final version of the Design Guidelines will be posted on the Planning Department website in two weeks.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to clarify the language regarding Guidelines flexibility to state that the Board may approve alternative design approaches that better meet the intent of the design guidelines.

**5. Appointment of Rules of Procedure for Design Review Advisory Panel in coordination with the Bethesda Overlay Zone and the Bethesda Downtown Plan**

**BOARD ACTION**

**Motion:** WELLS-HARLEY/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation to transmit letters to interested parties requesting nominations for Design Advisory Panel members.

Planning Department staff offered a multi-media presentation and discussed the Rules of Procedure and the process for the establishment of the Design Advisory Panel (DAP) for the Bethesda Overlay Zone (BOZ). Guided by the Bethesda Downtown Sector Plan, the Bethesda Downtown Design Guidelines, the BOZ, and the Commercial/Residential (CR) Zone criteria, the DAP will review all optional method development projects and any projects seeking additional density through the BOZ, bonus points through the CR Zones Amenity Guidelines, and additional height as a bonus for the provision of Moderately Priced Dwelling Units (MPDUs). The Panel will also provide advice and recommendations intended to heighten design excellence and improve the quality of architecture, urban design, and landscape architecture, and assist in resolving issues that arise in the regulatory process where urban design principles are in conflict with other county agency regulations by providing review and discussion earlier in the development process. Staff noted that development proposals under the CR Zones are required to provide public amenities and need to focus on design intent to make sure quality is paramount to the applications and that an attractive public realm will be the outcome. The DAP will be responsible for prioritizing the allocation of the Public Benefit Points for the CR Zone in the BOZ, and prioritizing the CR Incentive Density Implementation Guidelines. Members of the DAP will also advise staff and the Board regarding additional density requirements and allocation.

Staff then discussed the make-up of the five-member DAP, which is to consist of a minimum of one registered architect representing academia and/or other jurisdictions in the region with a design review panel, one registered architect from the greater Montgomery County community, one member of the development community, and one Bethesda community member who has a professional interest in urban design, architecture, and landscape architecture. Nominations for members will be solicited from the community and from organizations such as the Coalition of Bethesda Area Residents (CBAR), National Association for Industrial and Office Parks (NAIOP), the Bethesda Chamber of Commerce, the American Institute of Architects (AIA), and the Urban Land Institute (ULI). Staff also recommended that the Panel

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**5. ~~Appointment of~~ Rules of Procedure for Design Review Advisory Panel in coordination with the Bethesda Overlay Zone and the Bethesda Downtown Plan**

CONTINUED

include a senior urban designer as an ex-officio member and a planning staff member as a liaison to the Panel to help guide the regulatory review process. Staff added that the Panel must be mindful of any conflicts of interest from associations with development teams, property owners, or property associations. If conflicts of interest do arise, the specific panel members will recuse themselves from the discussion and recommendations. Staff then discussed community feedback, which includes recommendations for no more than one representative from the development community, a provision of a more explicit statement that conflicts of interest are to be avoided, and guidelines that specifically state what situations are to be deemed a conflict.

Mr. Barney Rush of Maple Avenue and Ms. Amanda Ferber of Kentucky Avenue offered testimony.

There followed extensive Board discussion with questions to staff.

**6. Public Hearing - Energized Public Spaces: Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas**

*Staff Recommendation: Input on Public Hearing for Energized Public Space: Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received testimony during the Energized Public Spaces: Functional Master Plan for Parks in Mixed Use and Higher Density Residential Areas Public Hearing.**

**A VERBATIM TRANSCRIPT FOR THIS ITEM IS ON FILE IN THE RECORDS MANAGEMENT OFFICE IN SILVER SPRING, MARYLAND.**