



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 22, 2018, at 12:28 p.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 4:35 p.m.

Present were Chair Casey Anderson and Commissioners Natali Fani-González, Gerald R. Cichy, and Tina Patterson.

Vice Chair Norman Dreyfuss was necessarily absent.

The Board convened in Closed Session at 12:33 p.m. to take up Items 1 and 9, Closed Session Items.

In compliance with State Government Article §3-305(b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:33 p.m. in the 3rd floor conference room on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor of the motion, and Vice Chair Dreyfuss absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7) and (8), to consult with counsel to obtain legal advice about pending or potential litigation; and §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the meeting were Director Gwen Wright, Acting Deputy Director Carol Rubin, and Carrie Sanders of the Planning Department; Acting Principal Counsel Matt Mills of the Legal Department; and James Parsons of the Commissioners' Office.

In Closed Session, Legal staff briefed the Board on potential litigation regarding the Site Plan request for the Leisure World Administration Building and Clubhouse I, for which the Board approved a deferral on November 30, 2017; and the Board approved the Closed Session Minutes of November 2 and December 14, 2017, and March 8, 2018.

The Closed Session meeting was adjourned at 12:49 p.m.

The Board reconvened in the auditorium at 1:01 p.m.

Items 2 and 3, Item 2C1, and Items 4 through 8, discussed in that order, are reported on the attached agenda.

Item 6 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 4:35 p.m. The next regular meeting of the Planning Board will be held on Thursday, April 5, 2018, 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 22, 2018
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(7) and (8), to consult with counsel to obtain legal advice about potential litigation.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

9. CLOSED SESSION

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

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. 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. Extension of Site Plan No. 820180050, Euro Motors Bethesda --- CRT 2.25 C 1.5 R0.75 H 45 zone, 4.0 acres, Request to extend the review period for a site plan, located at the southwest intersection of Arlington Road and Bethesda Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension

2. 10202 Falls Road: Extension Request for Administrative Subdivision No. 620180030 --- Request to extend the regulatory review period by 3 months to July 19, 2018; to subdivide the Subject Property into 2 lots for 2 detached single-family houses, located at 10202 Falls Road; 1.14 acres, R-200; 2002 Potomac Sub-Region Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

**Motion: 1. PATTERSON/FANI-GONZÁLEZ
2. FANI-GONZÁLEZ/PATTERSON**

Vote: Yea: 1. & 2. 4-0

Nay:

Other: DREYFUSS ABSENT

Action: 1. Voted to remove this Item from the Consent Agenda and discuss it as a standard agenda Item.

2. Approved staff recommendation for approval of the Administrative Subdivision Extension request cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 8, 2018

BOARD ACTION

Motion: PATTERSON/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved Planning Board Meeting Minutes of March 8, 2018, as submitted.

3. Roundtable Discussion

- Planning Director's Report

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing.**

Planning Department Director's Report – Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the upcoming Diversity Council Women's History Month event celebrating women who serve and protect, scheduled for March 30 at the Laurel-Beltsville Senior Center; the upcoming Planning Department International Food Festival scheduled for March 28 in the MRO auditorium; an upcoming American Planning Association (APA) panel discussion on women in leadership positions within the field of planning, scheduled for April 19 at Busboys & Poets on 14th Street Northwest, Washington, DC; an upcoming briefing from Ms. Stephanie Smith of the Baltimore City Planning Office regarding equity and inclusion in the planning process scheduled for May 3; and the upcoming APA National Planning Conference scheduled for April 20 through 24 in New Orleans, Louisiana, which features presentations by Chair Anderson, Commissioner Fani-González, and Planning Department staff.

Ms. Wright then introduced Chris McGovern from the Information Technology and Innovation Division, who discussed and offered a brief demonstration of three-dimensional (3-D) modeling. According to Mr. McGovern, staff is currently developing an interactive 3-D map of the County. Using Light Detection and Ranging (LiDAR) and stereo graphic technology, users will be able to find the name, height, date of construction, and current zoning of existing County buildings and parks. Mr. McGovern added that the 3-D map will be publicly accessible.

There followed a brief Board discussion.

2C1. Extension of Site Plan No. 820180050, Euro Motors Bethesda --- CRT 2.25 C 1.5 R0.75 H 45 zone, 4.0 acres, Request to extend the review period for a site plan, located at the southwest intersection of Arlington Road and Bethesda Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

Following a brief Board discussion with questions to staff, the Board agreed that this will be the final Extension request to be approved for this Site Plan.

Mr. Patrick O'Neil, attorney representing the applicant, concurred with the Board's decision.

There followed a brief Board discussion.

4. Budget Discussion

A. FY19 Budget Discussion

B. FY19 Budget Discussion and Amendments to the County Executive's Recommended FY 19-24 Capital Improvements Program

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion: A. & B. FANI-GONZÁLEZ/CICHY

Vote:

Yea: A. & B. 4-0

Nay:

Other: DREYFUSS ABSENT

Action: A. Approved staff recommended reductions as submitted, pending further discussion at the March 30 Full Commission meeting.

B. Approved staff recommendations regarding the amendments to the County Executive's recommended FY19-24 Capital Improvements Program.

A. FY19 Budget Discussion: Corporate Budget Manager John Kroll offered a multi-media presentation and discussed the FY19 proposed budget, specifically the County Executive's recommendations released on March 15. According to Mr. Kroll, the Executive recommended a \$1,624,062 reduction from the proposed Administration Fund budget, and a \$5,013,252 reduction from the Park Fund, for a total of \$6,637,314 in reductions. All other operating funds were recommended as proposed. Mr. Kroll noted that grants and inter-fund transfers are considered separately by the County, so they are removed from calculations in order to reach the adjusted budget. To reduce the potential impacts from these recommended reductions, staff proposes revising Other Post-Employment Benefits (OPEB) funding, the Comp Marker, and other one-time savings, and spreading any reductions from the Office of the Inspector General among all other departments, resulting in revised reductions of \$1,405,809 for the Administration Fund and \$4,118,177 for the Park Fund. Those reductions will then be re-allocated to each Central Administrative Services (CAS) department within the Administration Fund.

Mr. Kroll then discussed the proposed non-recommended reductions to meet the Executive's recommendations. The Commissioners' Office is required to reduce its proposed FY19 budget by \$58,704, \$27,507 of which will be covered by the Planning Department, leaving a total \$31,197 in required reductions. The Planning Department must reduce their FY19 budget by \$964,645, with the non-recommended reductions totaling \$992,452. Mr. Kroll noted that the proposed reductions must be reviewed by both Planning Boards prior to submission to the

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4A. FY19 Budget DiscussionCONTINUED

County Council, and added that if the bi-county CAS budgets are not agreed upon by both Planning Boards, the budgets will be submitted to the Council as recommended by the Executive.

The next steps for the budget include a Full Commission meeting scheduled for March 30, and a County Council Planning, Housing, and Economic Development (PHED) Committee presentation scheduled for April 9.

There followed extensive Board discussion with questions to Mr. Kroll, during which the Board recommended moving the Planning Department Priority for Restoration 2-c, the implementation of a Traffic Generation from Mixed-Use Development Project Study, to the first tier of priorities.

B. FY19 Budget Discussion and Amendments to the County Executive's Recommended FY 19-24 Capital Improvements Program: Parks Department staff offered a multi-media presentation and discussed the County Executive's amendments to his recommended FY19-24 Capital Improvements Program (CIP) for the Department of Parks. According to staff, the Planning Board reviewed the County Executive's Recommended FY19-24 CIP on February 1. If adopted by the County Council, the amendments would modify the Commission's CIP submitted in November 2017. Since February 1, the County Council has been reviewing the CIP for the Department of Parks, including the Commission's original request and the County Executive's January 16 recommendations. The County Executive has continued to revise his January 16 recommendations, which included reductions in funding of \$10,946,000 from Park and Planning Bonds, \$15,516,000 from General Obligation (GO) Bonds, and \$1,180,000 from FY18 Current Revenue; and funding water quality protection projects with GO Bonds rather than Water Quality Protection Bonds. Following the release of these amendments, staff met in February and March with the Montgomery County Office of Management and Budget (OMB) and the Department of Environmental (DEP) staff to discuss the County's approach to using long-term financing through the Maryland State revolving loans instead of water quality protection bonds identified in the current FY17-22 CIP, and whether the Parks Department water quality protection projects should be funded with long-term financing, similar to the other County water quality projects, and how to address FY19 funding since the deadline for FY19 loan applications has now passed.

In his most recent amendments, released on March 15, the County Executive agreed to fund water quality CIP projects with water quality protection financing rather than GO bonds, which reduced GO bonds in the county-wide CIP by \$8,941,000. However, rather than applying that reduction to the Commission's CIP, the Executive reallocated this cost saving to other departments and agencies. Staff noted that this will significantly impact GO bond funded stand-alone projects, including improvements to the Ovid Hazen Wells Recreational Park, the Brookside Gardens Master Plan implementation, the Little Bennett Regional Park Day Use Area project, Wheaton Regional Park improvements, and improvements to the Northwest Branch Recreational Park-Athletic area. Additionally, because the remaining recommended reduction is

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4B. FY19 Budget Discussion and Amendments to the County Executive's Recommended FY 19-24 Capital Improvements ProgramCONTINUED

spread over six fiscal years, and because the projects are staggered within those six years, timing also impacts the order of some projects, with delays to the Little Bennett Regional Park Day Use area project, the Little Bennett Regional Park Trail Connector, Wheaton Regional Park improvements, and the Northwest Branch Recreational Park Athletic area.

In addition to his original affordability Project Description Form (PDF) that identified reductions to Current Revenue in FY18 only, the Executive has now revised the affordability PDF to include an additional reduction of \$2,112,000 in FY19-24 to levels currently approved in the FY17-22 CIP. Also, the Executive has since modified his original CIP recommendation to include Current Revenue reductions to match levels of the current FY17-22 CIP. Projects impacted by this amendment include acquisition of non-local parks, non-local park Planned Lifecycle Asset Replacement (PLAR) projects, specifically the construction costs for roof replacement for park facilities; and restoration of historic structures.

Other amendments include an additional \$250,000 in FY19 to continue renovations of school fields that are part of the Community Use of Public Facilities program, and while not changing the overall level of effort, recognizing that \$10,000,000 of the funding in the early years of the CIP will be in the form of revenue bonds, not current revenue for Enterprise facilities improvements.

Staff recommendations include advocating that the Council apply the additional \$8,941,000 of GO Bond capacity gained by funding M-NCPPC water quality CIP projects with funding supported by the Water Quality Protection Fund, not elsewhere in the County-wide CIP; advocating that the Council support the original M-NCPPC request; and supporting the County Executive's amendments for ballfield initiatives and Enterprise facilities improvements.

The next steps in the FY19 budget discussion include a County Council Planning, Housing, and Economic Development (PHED) Committee presentation scheduled for April 9, a full County Council meeting scheduled for April, budget reconciliation scheduled for May, and County Council action scheduled for May.

There followed extensive Board discussion with questions to staff, during which the Board agreed with the staff recommendations.

5. Briefing – I-270 Innovative Congestion Management Project (MDOT-SHA) ---
Briefing by the State Highway Administration and their consultants on the I-270 Innovative Congestion Management project.

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff introduced Messrs. David Phillips of the Maryland Department of Transportation-State Highway Administration (MDOT-SHA), Jeffrey Roberta and Barry Brandt of RK&K Consulting; and Michael Higgins of Concrete General, who offered a multi-media presentation and discussed a progressive design-build proposal to construct highway and traffic management improvements on I-270 between I-70 and I-495 on the western and eastern spurs. Mr. Phillips noted that SHA solicited bid proposals in 2017, and ultimately selected the Concrete General team to undertake the planning, engineering, environmental and construction work for the proposed project. The project includes two distinct elements, the first being 14 proposed roadway improvements which will increase capacity and vehicle throughput while addressing safety concerns and bottleneck issues, and the second is the construction of innovative technologies and techniques, including adaptive ramp metering, and active traffic management. A virtual weigh station component of the project was eliminated from the project scope, and ramp metering in the northbound direction on I-270 was added. Mr. Phillips and the consultants also discussed the proposed improvements at the Shady Grove Road interchange.

There followed a brief Board discussion with questions to Mr. Phillips and the consultants.

6. — ~~Staff Draft of Amended Administrative Regulations for Chapter 22A, Forest Conservation Staff Presentation~~

Staff Recommendation: Approval to release the draft regulations for public review as the Public Hearing Draft and to tentatively schedule the Planning Board's public hearing on the draft no earlier than April 26, 2018 — POSTPONED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was postponed.**

*7. **Washington Adventist Hospital, Site Plan Amendment No. 82008021G** --- Site Plan Amendment to modify Condition No. 10 of the previously approved Site Plan No. 82008021E, to replace the requirement for a two-way bikeway (LB-6) on the hospital side of Plum Orchard Drive, with a one-way bikeway on each side of Plum Orchard Drive and associated adjustments to lane widths, buffers, and right and left turn lanes; 48.86 acres, zoned LSC; located on the west side of Plum Orchard Drive, approximately 400 feet south of Broadbirch Drive; within the 2014 White Oak Science Gateway Master Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a proposed amendment to modify Conditions 10 and 30 of the previously approved Site Plan for the Washington Adventist Hospital project located on Plum Orchard Drive in the White Oak Science Gateway Master Plan area. Staff noted that the applicant proposed request is to replace the requirement for a two-way bike lane on the hospital side of Plum Orchard Drive with a one-way bike lane on each side of Plum Orchard Drive and associated adjustments to lane widths, buffers, and right and left turn lanes, which will provide a safer and better functioning bicycle facility for all users.

Staff added that the proposed revisions meet all development standards and do not modify the original findings for the project.

Mr. Patrick O'Neil, attorney representing Washington Adventist Hospital, introduced Mr. Geoff Morgan, Vice President at Washington Adventist Hospital, Mr. Phil Perrine and Ms. Amy Zhou, members of the applicant's team.

Mr. O'Neil concurred with the staff recommendation but requested an amendment to Condition 14 of the Site Plan, which will require the applicant to build two bus shelters along Plum Orchard Drive, instead of four, as required by the Montgomery County Department of Transportation (MCDOT). Mr. O'Neil also proposed to add that MCDOT may require the applicant to build two additional shelters in the future, if they are needed to meet demand.

There followed a brief Board discussion with questions to staff and Mr. O'Neil, during which the Board consulted with staff and Legal Counsel to the Board and approved the proposed revision to Condition 14.

8. 2016-2020 Subdivision Staging Policy (SSP) Amendments in association with the White Flint 2 Sector Plan and other SSP technical corrections and revisions

Staff Recommendation: Transmit comments to the County Council

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

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

Planning Department staff noted that the County Council's approval of the 2018 White Flint 2 Sector Plan requires an amendment to the 2016-2020 Subdivision Staging Policy (SSP) to revise the boundaries of the White Flint Metro Station Policy Area (MSPA) and the North Bethesda Policy Area to include three additional properties, i.e., 6000 Executive Boulevard (the Guardian Building); 6001, 6003 and 6011 Executive Boulevard (the Wilco Building); and Parcels N208, N279, N174, and N231, a portion of the Wilgus property. In addition to the boundary revisions to the MSPA, the amendment also includes several technical corrections.

Staff added that it supports the proposed amendments to the SSP which reflect the recommendations in the approved and adopted 2018 White Flint 2 Sector Plan, to add the mode share goals for recently approved master and sector plans.

There followed a brief Board discussion with questions to staff.