



**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, April 12, 2018, at 9:03 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 2:35 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.

Items 1 through 3, and Item 7 are reported on the attached agenda.

The Board recessed for lunch at 12:17 p.m. and convened in Closed Session at 12:39 p.m. to take up Item 5, a Closed Session Item.

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 12:39 p.m. in the 3<sup>rd</sup> floor conference room on motion of Commissioner Patterson, seconded by Commissioner Fani-González, 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)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction.

Also present for the meeting were Director Gwen Wright and Molline Jackson of the Planning Department, and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and discussed the Art Review Panel recent candidate selection.

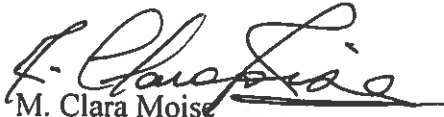
The Closed Session meeting was adjourned at 12:58 p.m.


The Board reconvened in the auditorium at 1:18 p.m.

Items 4 and 8 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 2:35 p.m. There is no Planning Board meeting scheduled for April 19, 2018. The next regular meeting of the Planning Board will be held on Thursday, April 26, 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, April 12, 2018**  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        There were no Resolutions submitted for adoption.**

**\*B. Record Plats**

**Subdivision Plat No. 220180120, Cabin Branch**

CRT zone (formerly RMX-1), 2 parcels; located in the northeast corner of the intersection of West Old Baltimore Road and Broadway Avenue; Clarksburg Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat Nos. 220180160 - 220180190 and 220180230 - 220180310, Bradford's Landing**

R-200/TDR-7 zone, 244 lots and 37 parcels; located on the north side of Norbeck Road (MD 28) opposite Norbeck Boulevard; Olney Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220180440, North Hills of Sligo Park - Argyle Park**

R-60 zone, 2 lots; located on the west side of Lorain Avenue opposite Granville Drive; Four Corners Master Plan. \*

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/CICHY**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

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

**\*C. Other Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        There were no Other Consent Items submitted for approval.**

**\*D. Approval of Minutes**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        There were no Planning Board Meeting Minutes submitted for approval.**

**2. 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 status of the Veirs Mill Corridor Master Plan, with a Planning Board tour of the Plan area and a public hearing scheduled for April 26, and worksessions scheduled to begin in May; the status of the MARC Rail Communities Sector Plan, with additional worksessions forthcoming; the status of the Bicycle Master Plan; the status of the technical update to the Master Plan of Highways and Transitways, with the fourth worksession scheduled for today; the status of the Forest Glen/Montgomery Hills Sector Plan, with community meetings having begun; the recent County Council Planning, Housing, and Economic Development Committee (PHED) worksession on the FY19 budget, with a County Council public hearing scheduled for today, an as-needed PHED Committee worksession scheduled for April 30, and full Council worksessions forthcoming; the status of a proposed Zoning Text Amendment that will provide a condensed regulatory review process for signature business headquarters, which is scheduled to be presented to the Planning Board for review on May 3, with a County Council public hearing forthcoming, and final Council deliberation tentatively scheduled for June; a recent County Executive Economic Advisory Board meeting regarding current economic development opportunities in the County; the recent tour of the Clarksburg Village area, which was attended by Chair Anderson and Commissioner Patterson; a recent event held on April 11 at the intersection of Martinsburg and Waesche Roads, during which the County Executive presented the new signage for designated Rustic Roads; the status of the update to the State Development Plan, with a recent Maryland Department of Planning community outreach meeting with Planning Department staff, and another with elected officials and the public hearing scheduled for April 16; and the upcoming Bring Your Child to Work event scheduled for April 26.

Ms. Wright then introduced Mr. Paul Mortensen, Sr. Urban Designer in the Planning Department Director's Office, who offered a brief multi-media presentation and discussed an ongoing study regarding the missing middle, a range of multi-unit or clustered housing types compatible in scale with single-family homes that help meet the growing demand for walkable

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**2. Roundtable Discussion**CONTINUED

urban living. These housing types, which include accessory units, duplex units, multiplex units, courtyard apartments, bungalow courts, townhouses, and live/work units, can greatly diversify the choices available for households of different age, size, and income. Research shows that households with children dropped 21 percent from 1950 to 2005, while the average size of homes has increased by 1,370 square feet during that same time. According to Mr. Mortensen, the current mixture of housing built between 1975 to 2005 does not address the preferences of the approximately 160,000,000 baby boomers and millennials for small, one or two-bedroom homes in walkable, transit-oriented, economically dynamic, and job-rich neighborhoods. The Study will address the national trend of under-supplied small-lot and attached housing by identifying economic and other challenges, zoning issues, building issues, and design issues associated with the development of the missing middle housing.

There followed a brief Board discussion with questions to Ms. Wright and Mr. Mortensen, during which Chair Anderson requested that Planning Department staff develop a presentation or public forum on successful local and national development projects, specifically the design details that make the projects successful.



**3. Technical Update to the Master Plan of Highways and Transitways Functional Master Plan - Worksession #4** --- Presentation of the Planning Board Draft Document of the Technical Update to the Master Plan of Highways and Transitways Functional Master Plan.

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by discussion.**

Planning Department staff offered a multi-media presentation and continued discussion of the comments received at the February 15 public hearing for the Technical Update to the Master Plan of Highways and Transitways (MPOHT). Staff noted that the fourth worksession would focus on comments received from residents, the Montgomery County Department of Transportation (MCDOT), and the Maryland Department of Transportation State Highway Administration (SHA); a finalized Bicycle Master Plan Right-Of-Way (ROW) needs assessment; Urban Road Code target speeds; the results of the required carbon emissions analysis; and a minor correction regarding the ROW in the Bethesda Downtown Sector Plan. Staff discussed the key comments from the 115 public hearing comments received via email or testimony, as well as MCDOT and SHA comments. The key comments from residents include requests not to reclassify Dorset Street, Arcola Avenue, or Kemp Mill Road; concerns regarding the 25-mile per hour speed limit recommended for Cherry Hill Road; requests that the proposed relocation of segments of Capital View Avenue be removed from the MPOHT; and requests to reclassify Dale Drive. The key MCDOT comments include requests to include additional detail regarding transitways in the Plan; not to reduce ROWs; to include language clearly stating that target speeds are not the same as posted speeds; to include less detail regarding vertical deflection; and to include more detailed traffic information regarding minor arterial reclassifications. The key SHA comments include requests to include an Interstate 495/Interstate 270 traffic relief plan project in the Master Plan; to implement four divided lanes on Layhill Road between Bel Pre Road and Sandy Spring Road; to increase the number of lanes on Frederick Road through the Clarksburg Historic District to six lanes; and to increase the number of lanes on 16<sup>th</sup> Street near the Lyttonsville Purple Line Station to six. Following extensive discussion, the Board agreed with the staff recommendations detailed in the April 5 technical staff report.

Staff then discussed the ROW needs for implementation of the Bicycle Master Plan. A total of ten locations were identified which require two to ten feet of additional ROW in excess of the current master plan recommendations, including East Avenue, Leland Street, Aspen Hill

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**3. Technical Update to the Master Plan of Highways and Transitways Functional Master Plan - Worksession #4**CONTINUED

Road, Blackwell Road, Connecticut Avenue, Cherry Hill Road, Century Boulevard, Summit Avenue and Summit Avenue Extended, and Twinbrook Parkway. Following a brief discussion, the Board agreed with the staff recommendations.

Staff then discussed Urban Road Codes, noting five proposed new Urban Road Code areas, which include Burtonsville, Cabin Branch, Chevy Chase Lake, Kensington, and Langley Cross Roads. Staff added that target speed changes and potential boundary expansions are proposed for the existing Bethesda Central Business District (CBD), Clarksburg Town Center, Damascus Town Center, Friendship Heights, Germantown Center, Glenmont, Great Seneca Science Corridor, Grosvenor, Lyttonsville Purple Line Station, Montgomery Hills, Olney Town Center, Piney Branch, Shady Grove, Silver Spring CBD, Westbard, Wheaton CBD, White Flint, White Oak Science Gateway, and Woodside Purple Line Station Urban Road Code areas. Following a brief discussion, the Board agreed with the staff recommendations.

Staff also discussed the results of a Carbon Emissions Analysis, noting that a spreadsheet model developed by King County, Washington, was adapted for use by Montgomery County to estimate the carbon footprint of the recommendations in the County's master plans by analyzing embodied, building energy, and transportation emissions. Staff noted that because the MPOHT proposes no new facilities and deals only with roadways and transitways, only transportation emissions are analyzed, which are determined by examining the Vehicle Miles Traveled (VMT) reduction estimates generated from the long-range plan forecast. The VMT are then converted to gallons of gasoline burned and carbon dioxide equivalent amounts. The results of the study show that the proposed technical changes, including re-classification of streets and designation of new Urban Road Code areas, are not projected to create either increases or reductions in VMT, resulting in a negligible change in greenhouse gas emissions as a result of the technical update.

Staff then briefly discussed a minor correction regarding in a reduction of the ROW on Leland Street between Bradley Boulevard and Woodmont Avenue.

Mr. Andrew Bossi of MCDOT offered comments.

There followed extensive Board discussion with questions to staff and Mr. Bossi, during which the Board instructed staff to include a recommendation in the Plan for flexibility regarding the target speed and traffic calming measures within Urban Road Code areas. The Board also asked staff to prepare a letter to SHA requesting additional traffic analysis for Interstate 270.

**7. Layhill Property LLC, Conditional Use and Preliminary Forest Conservation Plan**

**A. Conditional Use CU 17-16 --- Request for a Day Care Center (Over 30 Persons) for 200 children on a 4.22-acre property in the R-200 Zone; located at 14041 Layhill Road, Silver Spring, within the Aspen Hill Master Plan area.**

*Staff Recommendation: Approval with Conditions*

**(NOTE: Action required for Hearing by Hearing Examiner on May 4, 2018)**

**B. Preliminary Forest Conservation Plan CU 17-16 --- Request for construction of a Day Care Center (Over 30 Persons) for 200 children on a 4.22-acre property in the R-200 Zone; located at 14041 Layhill Road, Silver Spring, within the Aspen Hill Master Plan area.**

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

**BOARD ACTION**

**Motion: A. & B. FANI-GONZÁLEZ/CICHY**

**Vote:**

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

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: A. Approved staff recommendation to transmit comments to the Hearing Examiner, as stated in the attached transmittal letter.**

**B. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, and adopted the attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed the proposed Conditional Use and associated Preliminary Forest Conservation Plan requests to construct a day care center. The 4.22-acre site, which consists of Parcel A, Block B, and Lots 5 and 6, is located on the east side of Layhill Road on the southeast quadrant of its intersection with Queensguard Road, and is zoned Residential within the Aspen Hill Master Plan area. The site is largely unimproved, with the exception of a concrete driveway apron and asphalt located on Lot 5. Two existing wetlands are located on the northern portion of the property within Parcel A, with an ephemeral stream running along the eastern portion of the site through Parcel A and Lot 6. The majority of Parcel A is forested. A 26,075-square foot Category I Forest Conservation Easement covers part of Lots 5 and 6, although only a portion of the easement contains forest.

The applicant proposes to construct and operate a 12,634-square foot single-story Primrose School franchise that will accommodate up to 200 children, 30 staff members, and two administrators at any one time. Day care will be offered Monday through Friday from 6:00 a.m. to 6:30 p.m. for children from six weeks to pre-kindergarten age. Before and after school

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**7. Layhill Property LLC, Conditional Use and Preliminary Forest Conservation Plan**CONTINUED

programs for children ages five through twelve may also be offered. According to staff, the applicant's initial submission contained significant impacts to the existing wetland and buffers, and the proposed building was sited at an awkward angle. Staff worked extensively with the applicant to improve the layout of the proposed use while minimizing impacts to environmental features, and to improve the proposed architecture. In the revised application, the applicant proposes to subdivide the property into two lots: Lot 1 on the northern portion of the property where the school will be located; and Lot 2, a 30,999-square foot residual lot. The existing asphalt and concrete on existing Lot 5 will be removed and a new vehicular access point will be provided via a driveway from Queensguard Road. Parking for 52 vehicles, including two ADA accessible spaces, will be provided in two locations, 25 of which will be reserved for 15-minute child drop-off and pick-up parking, with the remainder to be used by faculty and staff. The applicant proposes approximately 13,000 square feet of fenced outdoor play area, covered in artificial turf, and separated into four areas. A six-foot fence and landscape screening will be provided along 85 feet of the shared lot line with Lot 2. Staff did receive correspondence from a resident expressing concerns regarding increased traffic and reduced sight distance along Layhill and Queensguard Roads. Staff noted that the concerns have been addressed by the applicant.

Staff then discussed the proposed Preliminary Forest Conservation Plan request, noting that the applicant proposes to clear 1.8 acres of forest and retain 1.32 acres. The applicant also proposes to abandon 6,602 square feet of the existing Category I Forest Conservation Easement located on the southern portion of the site, which will be replaced onsite within a new Category I Forest Conservation Easement. The area being provided in Category I easement includes 20,463 square feet of retained easement, plus 44,428 square feet of new easement, for a total of 64,891 square feet. The applicant has also submitted a variance request to remove one tree and impact another, for which the applicant will mitigate with the planting of three trees onsite. Staff supports the approval of the variance request.

Mr. Steven Morrison of Vintage Lane offered testimony.

Mr. Jasmili Majmudar, member of the applicant's team, offered comments.

Mr. Jody Kline, attorney representing the applicant, also offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

**5. CLOSED SESSION**

Pursuant to Md. Code General Provisions Article, §3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction.

**The topic to be discussed is the Art Review Panel Election**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

~~6. MR2018012: PSSM at Fire Station 30~~ This tower is part of the County's Public Safety System Modernization (PSSM) Project to provide adequate radio coverage in several areas in the County the new base stations are sited and designed to provide complete and effective coverage according to a '95/95' coverage mandate: 95% coverage reliability in 95% of the County service area." **POSTPONED**

*Staff Recommendation: Staff recommends comments to be transmitted to Montgomery County Department of General Services*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        This Item was postponed.**

**4. Clarksburg Road at Snowden Farm Parkway --- Applicant: Montgomery County Department of Transportation**

**A. Mandatory Referral #2018018 --- CIP Project P508000 – Clarksburg Road – Snowden Farm Parkway.** Design of road, sidewalk and side path improvements along Clarksburg Road and realignment of Snowden Farm Parkway/Clarksburg Road intersection - Clarksburg Road from Overlook Park Drive to 720 feet east of Snowden Farm Parkway, Snowden Farm Parkway from Clarksburg Road to 476 feet south of Snowden Farm Parkway. Clarksburg Master Plan (1994). *Staff Recommendation: Approval to transmit comments to Montgomery County Department of Transportation*

**B. Preliminary/Final Water Quality Plan MR2018018 --- Clarksburg Special Protection Area** Design of road, sidewalk and side path improvements along Clarksburg Road and realignment of Snowden Farm Parkway/Clarksburg Road intersection - Clarksburg Road from Overlook Park Drive to 720 feet east of Snowden Farm Parkway, Snowden Farm Parkway from Clarksburg Road to 476 feet south of Snowden Farm Parkway. Clarksburg Master Plan (1994). *Staff Recommendation: Approval with Conditions and adoption of Resolution*

**BOARD ACTION**

**Motion:**                    **A. CICHY/PATTERSON**  
                                     **B. CICHY/PATTERSON**

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

**Nay:**

**Other:**                    **DREYFUSS ABSENT**

**Action:**            **A. Approved staff recommendation to transmit the Planning Board’s comments and recommendations to Montgomery County Department of Transportation, as stated in the attached transmittal letter.**

**B. Approved staff recommendation for approval of the Preliminary/Final Water Quality Plan stated above, subject to conditions, and adopted the attached Resolution.**

In keeping with the April 2 and 5 technical staff reports, Planning Department and Parks Department staff offered a multi-media presentation and discussed a Mandatory Referral request and the associated Preliminary/Final Water Quality Plan from Montgomery County Department of Transportation (MCDOT) for a proposed road project on Clarksburg Road and Snowden Farm Parkway. Staff noted that MCDOT proposes to construct improvements to a 2,575-foot long section of Clarksburg Road and a 476-foot long section of Snowden Farm Parkway, and

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**4. Clarksburg Road at Snowden Farm Parkway -- Mandatory Referral #2018018 & Preliminary/Final Water Quality Plan MR2018018**CONTINUED

installation of a traffic signal at the Snowden Farm Parkway intersection in the Clarksburg Master Plan area. Staff added that this project is included in the Capital Improvements Program (CIP) and will be financed by County funds. Staff has reviewed the proposed project and recommends that the Planning Board approve it with the following conditions and recommendations: 1) MCDOT must submit final roadway construction plans to the Parks Department for review as part of the Park Construction Permit process; 2) any parkland needed for the proposed road improvements should be done via an independent appraisal of the properties in order to determine just compensation to the Commission; 3) parking lot restoration for Kings Local Park will occur at a commiserate amount to the area that is disturbed by MCDOT construction and the impact any construction will have on access to the Park; 4) MCDOT will conduct a study to evaluate the potential for stormwater management facilities located on the recently acquired Park property at 23701 Clarksburg Road. If necessary, MCDOT will design additional stormwater management along the roadway frontage of the property; 5) MCDOT must work with Commission staff to minimize the footprint of the bio-retention stormwater facilities located on the west side of Clarksburg Road between Windsong Lane and Snowden Farm Parkway through appropriate design strategies generated through the Parks Department Construction Permit review process; and 6) mitigation for impacts to park trees damaged or removed shall either be replaced on parkland at a rate of one inch to one inch or a per inch caliper basis at the rate of \$100 per diameter inch, to be paid to the Parks Department prior to completion of construction. Parks Department staff will work with MCDOT to locate a suitable location for the required tree planting.

Staff also discussed the associated Preliminary/Final Water Quality Plan and noted that the proposed project is located within the Clarksburg Special Protection Area (SPA) and on publicly owned property. Staff added that the approval of a Water Quality Plan by the Planning Board is therefore required under Section 19-62 of the Montgomery County Code. Staff noted that as part of the Water Quality Plan, the following performance goals were established for the property, i.e., minimize storm flow run off increases and minimize sediment loading. The stormwater management goals for the project will be met with a proposed combination of micro bio-retention, bio swale, and bio-retention facilities. Staff also added that MCDOT must submit an engineered sediment control plan for the proposed project prior to permit issuance by the Department of Permitting Services (DPS). Staff also noted that the Planning Board's action on the Preliminary/Final Water Quality Plan is regulatory and binding.

At the Board's request, Mr. Michael Mitchell of MCDOT offered comments.

There followed extensive Board discussion with questions to staff and Mr. Mitchell.



**8. Noyes Library for Young Children, Mandatory Referral No. MR2018015** --- Request to convert the attic into a finished second floor, renovate the first floor, add a finished basement, and add ADA compliant restrooms and elevator to the historic Noyes Library for Young Children; 0.12 acres; zoned R-60; located at 10237 Carroll Place, Kensington, Maryland; within the 2012 Kensington Sector Plan area.

*Staff Recommendation: Approval to transmit comments to the Montgomery County Department of General Services*

**BOARD ACTION**

**Motion: CICHY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: DREYFUSS ABSENT**

**Action: Approved staff recommendation to transmit comments to the Montgomery County Department of General Services, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request by the Montgomery County Department of General Services (MCDGS) to convert the attic of the existing historic Noyes Library for Young Children located on a 0.12-acre property on Carroll Place in the Kensington Sector Plan area, into a finished second floor, to renovate the first floor, add a finished basement, and add American with Disabilities (ADA) compliant restrooms and an elevator. Staff noted that this request meets all the requirements of Section 20-301 of the Land Use Article and is consistent with the development standards of the Residential-60 Zone and the 2012 Kensington Sector Plan recommendations. Staff also noted that the Planning Department Historic Preservation staff, the Historic Preservation Commission (HPC), and the Maryland Historic Trust (MHT) all support the proposed renovations to this historic building, including the all-glass exterior elevator. Staff also noted that the proposed request qualifies for a Forest Conservation Plan exemption as a modification to an existing developed property.

Staff added that the proposed renovation of the basement and attic space will increase the capacity of the facility. The additional spaces will enable the residents and the wider community to further use and interact with this historic building. The addition of the proposed all-glass elevator to the exterior of the building will ensure the entire library is fully compliant with accessibility requirements.

At the Board’s request, Ms. Susan Churchill of MCDGS offered comments.

There followed a brief Board discussion with questions to staff and Ms. Churchill.