



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 26, 2018, at 9:02 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 2:55 p.m.

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

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

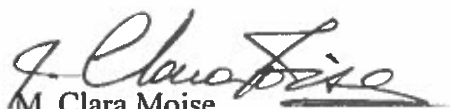
Item 2, and Items 4 through 6 were removed from the Planning Board agenda.


The Board recessed for lunch at 11:34 a.m. and reconvened in the auditorium at 12:30 p.m.

Items 9, 8, and Items 10 through 12, discussed in that order, are reported on the attached agenda.

Item 13 was removed from the Planning Board Agenda

There being no further business, the meeting was adjourned at 2:55 p.m. The Planning Board will be in recess during the month of August and will reconvene on Thursday, September 6, 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, July 26, 2018
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

1. Dowden's Station Site Plan 82016006A - MCPB No. 18-069
2. Viva White Oak SRW 201801 – MCPB No. 18-070

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220160580 and 220160610, Cabin Branch

RMX/TDR- zone, 39 lots, 3 parcels; located in the area bounded by Clarksburg Road (MD 121) and Woodcock Way; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170650, Cloverleaf Center

CR zone, 41 lots, 6 parcels; located on the east side of Century Boulevard, 900 feet south of Cloverleaf Center Drive; Germantown Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220170940, Orchard View

R-200 zone, 2 lots; located on the east side of Quince Orchard Road, 200 feet south of Fellowship Lane; Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180500, Century XXI

CR zone, 1 parcel; located on the east side of Century Boulevard, 200 feet east of Aircraft Drive; Germantown Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180520, East County Regional Services Center

R-30 zone, 1 lot; located immediately to the east of the intersection of Briggs Chaney Road and Robey Road; Fairland Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180580, Chevy Chase Lake

CRT zone, 2 lots; located in the southeast quadrant of the intersection of Connecticut Avenue (MD-185) and Manor Road; Chevy Chase Lake Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220180740, Brightview Grosvenor

R-90 zone, 1 lot; located in the southeast quadrant of the intersection of Grosvenor Lane and Fleming Avenue; North Bethesda - Garrett Park Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: DREYFUSS/CICHY

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. Pike & Rose, Staging Allocation Request No. SAR26800 for Building 12 (Phase I Site Plan No. 82012002D) and Building 3b (Phase II Site Plan No. 82013012D)---Staging Allocation Request for one additional residential unit in Building 12, Phase I Site Plan No. 82012002D and 234,000 square feet of non-residential for a new building, Building 3b, Phase II Site Plan No. 82013012D; CR3 C1.5 R2.5 H-200 and CR4 C3.5 R3.5 H-300 Zones; approximately 13.21 gross acres located in the northwest quadrant of Old Georgetown Road and Rockville Pike (MD 355) in the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval and Adoption of Resolution

2. Adoption of Corrected Resolutions for 6000 Executive Boulevard Sketch Plan 320180140 – MCPB No. 18-048, and Washington Science Center Site Plan 81973005C MCPB No. 18-067.

BOARD ACTION

Motion: 1. CICHY/DREYFUSS
 2. FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 1. & 2. 5-0

Nay:

Other:

Action: 1. Approved staff recommendation for approval of the Staging Allocation Request cited above and adopted the attached Resolution.

 2. Adopted the corrected Resolutions cited above, as submitted.

***D. Approval of Minutes**

Planning Board Meeting Minutes of July 12, 2018

BOARD ACTION

Motion: PATTERSON/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of July 12, 2018, as submitted.

~~2. Roundtable Discussion~~ — REMOVED

~~Planning Director's Report~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Discussion and Guidance: Upper Paint Branch Trails Project

Staff Recommendation: Provide Guidance and Feedback on Staff Recommendations, Implementation Phasing and Schedule

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

Parks Department staff offered a multi-media presentation and discussed the recommended alignments, sequencing, and the key implementation challenges for the proposed natural surface trails in the Upper Paint Branch Stream Valley Park system. The plan area is bounded by Spencerville Road (MD198) to the north, New Hampshire Avenue (MD650) to the west, Fairland Road to the south, and Old Columbia Pike to the east, and is located within the Cloverly, White Oak, and Fairland Master Plan areas, and the Upper Paint Branch Special Protection Area (SPA). According to staff, the ultimate goal of the project is to offer formal access to a sanctioned natural surface trail network that provides continuous, sustainable natural surface trail experience, which Upper Paint Branch Stream Valley Park currently does not offer. In addition, the project also aims to link new park trails to community destinations and to the larger countywide park/trail system, offer loop experiences where possible, and provide wayfinding and interpretive signage to encourage easy access to the future natural surface trail system and showcase outstanding natural resources. The new or reconstructed trails will be designed to support current and future use with minimal impact to the area's natural systems, produce negligible soil loss or movement while allowing vegetation to inhabit the area, shed water efficiently, not adversely affect the area's natural resources, accommodate existing use while allowing only appropriate future use, and require little re-routing and minimal long-term maintenance. As part of the study, staff evaluated and mapped existing people's choice and unsanctioned trails, identified key community destinations for connectivity opportunities, conducted field walks and a natural and cultural resource inventory and analysis, and developed a phasing schedule based on quick service delivery.

Staff noted that the proposed trail will include two loop trails, the 1.11-mile Cloverly Loop and the 0.7-mile Peachwood Loop, and a 3.6-mile regional trail that will continue the Paint Branch hard surface trail as a natural surface trail from Fairland Road to Spencerville Road (MD198). This new regional trail will provide a 5.9-mile experience from Martin Luther King Jr. Recreational Park to MD198. Along this route, the trail will also connect with three future

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3. Discussion and Guidance: Upper Paint Branch Trails ProjectCONTINUED

shared-use path bikeways along MD198, Briggs Chaney Road, and Fairland Road. Staff also proposes to connect the trail to major community destinations such as Columbia Local Park, Marilyn J. Praisner Library, and Community Recreation Center, as well as other desirable destinations, such as schools, regional bikeways, and other parks. Staff recommends that the project be completed in four phases, as discussed in the July 19 technical staff report. New or additional interpretive signage will be provided at four locations along the trail. Staff recommends that the proposed equestrian trail for the segment between the right fork and Peach Orchard Road trail be removed from the plan.

Staff added that community meetings were held on June 22 and November 8, 2017, during which residents expressed concerns regarding the proximity of the trails to houses, loss of privacy, possible crime and illegal activities, stormwater management, safe access from public roads, safe road crossings, and safe parking. The next steps for the project include the study and identification of precise trail alignments for Phase 1 loop trails, with construction of the trails and evaluation of a sustainable trail alignment between Fairland Road and Countryside Neighborhood Park scheduled to begin in the fall.

The following speakers offered testimony: Ms. Marilyn Oliva, member of Trail Riders of Today; Mr. Dan Wilhelm, member of the Greater Colesville Citizens Association; Mr. Austin Steo of Dublin Drive; and Ms. Kiya Bonner, adjacent property owner.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to include language in the phasing schedule recommending that the construction of the Fairland Road and Countryside Neighborhood Park trail be moved from Phase 2 to Phase 1 and begin as soon as planning constraints and budget allow. The Board also instructed staff to explore the possibility of using a bond bill to move the construction of the Countryside Neighborhood Park to the Briggs Chaney Community Garden trail segment and move the Briggs Chaney Road crossing portion to Phase 1.

4. ~~Replacement of Bridge No. M-PK24, Beach Drive over Silver Creek~~ —REMOVED

Staff Recommendation: Approval

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

~~5. Supplemental Appropriation to the FY19 Capital Budget for Small Grants and Donor Assisted Projects PDF~~ — REMOVED

~~Staff Recommendation: Request Supplemental Appropriation for Contributions to the FY19 Capital Budget for Small Grants and Donor Assisted Projects PDF~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

~~6. — **FY19 Capital Budget Transfer** — Review and action regarding FY19 Capital Budget Transfer for North Four Corners Local Park PDF — REMOVED~~

~~*Staff Recommendation: Approve FY19 Capital Budget Transfer from North Four Corners Local Park PDF to PLAR Local Parks*~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. **MARC Rail Communities Sector Plan—Worksession 5**---Review the Germantown Recommendations in the Renew Section of the MARC Rail Communities Sector Plan.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the Germantown recommendations in the Preserve and Sustain Sections of the MARC Rail Communities Sector Plan area. Staff noted that testimony received during the Public Hearing focused on the preservation of historic structures and open space in the Germantown portion of the study area, and open space and environmental recommendations for the Trevion property. Staff responded to testimony requesting to allow historic homes and forests to remain with no additional construction of apartment buildings, townhouses, or strip malls by noting that there are no recommendations in the Plan for removal of historic homes. Also, the Plan recommendations are to preserve and enhance Germantown's natural assets and tree canopy. Regarding concerns that a large part of the Trevion property will be designated as open space, resulting in reduced density and land value of the property, staff noted that the Plan recommends establishing a community focal point and gathering place at the northeast corner of Wisteria Drive and Walter Johnson Road to complement the linear open space created by naturalizing streambeds. This area is the lowest point on the site and currently contains a stormwater facility and a piped stream in a storm drain easement. During development or redevelopment of other portions of this property, the stormwater facilities can become a site feature and amenity. No impact to the proposed density or land value is anticipated. To address concerns about language regarding grading and the preservation of existing trees on the site, staff recommends minimizing the extent of grading and the removal of existing vegetation, and preserving the existing mature trees, including the Walter Johnson oaks. Staff noted that in this location, plants growing on the Germantown diabase have developed a special habitat on limited soil depths. Retaining this habitat, including the rock outcroppings and historic trees, as unique site features supports both the stewardship and water quality goals of the plan, but also enhances the sense of history and sense of place for Germantown.

Messrs. Clark Wagner from the Pleasants Construction Company, and Joshua Sloan, landscaping engineer from VIKA Engineering, consultants for the owners of the Trevion property, offered testimony.

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7. MARC Rail Communities Sector Plan—Worksession 5

CONTINUED

There followed extensive Board discussion with questions to staff and Messrs. Clark and Sloan, during which the Board instructed staff to return with more specific language to address grading and the existing stand of trees located near the proposed open space area, and to include additional language that clearly states that maps included in the Plan are for illustrative purposes only.

***9. Qiagen Campus at Germantown Business Park, Site Plan Amendment No. 81998022G -- O-M and I-1 zones, 24.33 acres, Request to reduce the density of an approved new building on the Qiagen Campus from 244,000 square feet to 150,000 square feet; to reduce the height of the building; to modify the building footprint and add a connection from the new building to the existing building; and to replace a two-story parking garage with a surface parking lot; located in the northeast quadrant of the intersection with Germantown Road and Dawson Farm Road; 2009 Germantown 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 request cited above, subject to conditions, and as stated in the attached adopted Resolution.

In keeping with the July 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Site Plan Amendment request for the Qiagen Campus at Germantown Business Park project. Staff noted that the 24.33-acre property is located on the north side of Germantown Road (MD Route 118) at the northeastern intersection with Dawson Farm Road in the Germantown Master Plan area. The request is to reduce the density of a previously approved new building on the Qiagen Campus from 244,000 square feet to 150,000 square feet; to modify vehicular entry and building footprint and add a connection from the new building to the existing building; and to replace a previously approved two-story parking garage with a surface parking lot. Staff noted that since the original Site Plan was approved in 1998, the proposed Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.

Staff further added that the Qiagen development is a multi-phased commercial development originally approved in 1990 for 242,000 square feet of total development. An increase in density was approved in 2000 for a total of 400,000 square feet of development. In 2013, the project was approved for another increase in density for a total of 544,000 square feet within the overall density cap. The proposed Site Plan Amendment will decrease the size of the new building, including other related site changes, and would leave a balance of 152,600 square feet to remain for future expansion.

Mr. William Kominers, attorney representing the applicant, Qiagen Sciences, Inc, introduced Mr. Jeff Fuller, architect from DNC Architects, Inc.; Mr. Christopher Ruhlen, attorney; Mr. Joshua Sloan of VIKA Maryland, LLC., members of the applicant’s team; and Mr. Paul Nevins of Qiagen Sciences LLC.

There followed a brief Board discussion with questions to staff and Mr. Kominers.

8. US 29 Bus Rapid Transit -- Mandatory Referral Request

Staff Recommendation: Approval with Comments to be transmitted to Montgomery County Department of Transportation

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Mandatory Referral request cited above, and to transmit comments to Montgomery County Department of Transportation, as stated in the attached transmittal letter.

Planning Department staff introduced Mr. Corey Pitts, Bus Rapid Transit Project Manager at the Montgomery County Department of Transportation (MCDOT), and Ms. Joana Conklin also of MCDOT, who offered a multi-media presentation and discussed a Mandatory Referral request for the US 29 Bus Rapid Transit project. Mr. Pitts noted that the project will implement a 14-mile Bus Rapid Transit (BRT) corridor between the Silver Spring Transit Center and the Burtonsville Park-and-Ride parking lot. The proposed BRT is a high-quality and high capacity bus-based transit system that delivers fast, comfortable, reliable and cost-effective transit service. It does this through the provision of dedicated transit lanes, branded stations and buses, off-board fare collection, real time information and fast and frequent operations, among other things. Mr. Pitts noted that because the proposed BRT contains features similar to a light rail or metro system, it is more reliable, convenient and faster than other bus services. With the right features, BRT can avoid the delays that slow local bus services.

Chair Anderson interrupted the presentation to mention that Mr. Bruce Johnson of MCDOT, present in the audience, will be retiring this year and he wanted to thank Mr. Johnson on behalf of the Planning Board for his professionalism and willingness to work with Planning staff on many projects during his long career at MCDOT. Chair Anderson also wished Mr. Johnson a successful retirement.

Ms. Harriet Quinn of Brookmoor Drive offered testimony.

There followed extensive Board discussion with questions to staff, Ms. Quinn and the MCDOT representatives.

Chair Anderson recommended that MCDOT also consider the possibility and study the feasibility of adding a BRT stop on Castle Boulevard and/or Robey Road where there presently exist a significant number of bus riders.

***10. Fairchild Apartments, Sketch Plan No. 320180130---**Request for a new multi-family residential building with up to 206,102 square feet of density, and to retain 29,915 square feet of existing commercial restaurant uses in three one-story buildings; located on the south side of Century Blvd, approximately 150 feet east of the intersection with Aircraft Drive; 5.49 acres, CR 2.0, C-1.5 R-1.5 H-145T and Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Sketch Plan request cited above, subject to conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Sketch Plan request for the Fairchild Apartments project, as discussed in detail in the July 13 technical staff report. Staff noted that the request is to build a new multi-family residential building with up to 206,102 square feet of density, and to retain 29,915 square feet of existing commercial restaurant uses spread among the three one-story buildings, with 12.5 percent Moderately Priced Dwelling Units (MPDUs). The 5.49-acre property is located on the south side of Century Boulevard, approximately 150 feet east of its intersection with Aircraft Drive in the Germantown Transit Mixed-Use Overlay Zone and the Germantown Employment Master Plan area. Staff noted that the applicant requests approval of incentive density categories for optional method of development in the Commercial/Residential (CR) zone. The Germantown Transit Mixed Use Overlay Zone establishes a high priority in the use of Building Lot Termination as an incentive density, which is one of the six categories the applicant is requesting.

Staff added that the proposed Sketch Plan includes three existing buildings with a combined total of 29,915 square feet of commercial/restaurant uses, in addition to the proposed new multi-family building. Staff also noted that no community correspondence has been received to date.

Mr. Peter Henry of GTTCE Owner LLC, the applicant, briefly discussed the proposed project and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Mr. Henry.

***11. Briggs Chaney Estates: Administrative Subdivision Plan No. 620180060 with a Preliminary and Final Water Quality Plan and Forest Conservation Plan---Request to create one lot for one one-family detached house, located at 1105 Briggs Chaney Road; 4.71 acres; RE-2C zone and Upper Paint Branch Overlay Zone; 1997 Cloverly 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 Administrative Subdivision Plan request cited above, subject to revised conditions, as discussed during the meeting, and as stated in the attached adopted Resolution.

In keeping with the July 13 technical staff report, Planning Department staff offered a multi-media presentation and discussed an Administrative Subdivision Plan (ASP) request for the Briggs Chaney Estates project, including the associated Preliminary and Final Water Quality Plan and Forest Conservation Plan (FCP). Staff noted that the request is to create one lot for a one-family detached house to be built on a 4.71-acre property located on Briggs Chaney Road in the Cloverly Master Plan area. Staff also added that the property is included in the Upper Paint Branch Overlay Zone and is zoned residential. Staff noted that the house will be used as the applicant's personal residence. The applicant proposes a Category I Conservation Easement on-site to protect the 0.62 acres of forest planting required by the FCP. As conditioned, prior to certification of the ASP, the FCP must be revised, resulting in some of the planting requirement being met via fee-in-lieu or off-site at a Commission approved forest conservation bank.

Mr. Dean Packard, engineer, representing the applicants, Mr. Joseph and Mrs. Susan Brule, briefly discussed the proposed request and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff and Mr. Packard.

12. Preliminary Plan Validity Extension and Adequate Public Facilities Extension, Seneca Meadows Corporate Center, Preliminary Plan No. 11998004A---Request to extend the Preliminary Plan Validity Period for 3 years and extend the Adequate Public Facilities (APF) Validity period for 12 years for Preliminary Plan #11998004A, Seneca Meadows Corporate Center, 2009 Germantown Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: DREYFUSS/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan Validity Period Extension request and the Adequate Public Facilities Extension request cited above, as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a Preliminary Plan Validity Period Extension and Adequate Public Facilities (APF) Extension request for the Seneca Meadows Corporate Center project, as discussed in detail in the July 13 technical staff report. Staff noted that the request is to extend the Preliminary Plan validity period for three years and the APF validity period for 12 years for the proposed project located in the Germantown Sector Plan area. Staff noted that a Preliminary Plan validity period requires that all lots or parcels approved for a given Preliminary Plan be recorded by record plat within the Plan + validity period established in the adopted Planning Board Resolution. Likewise, an APF validity period requires that all building permits for buildings on the recorded lots be secured within the APF validity period established in the adopted Planning Board Resolution. The applicant made a timely request to extend the validity period for both, and the requests meet one or more of the required findings necessary to grant such extensions.

Staff recommends that the Preliminary Plan validity period be extended for three years from the date of the mailing of the adopted Resolution, and the APF validity period be extended for eight years from the date of mailing of the adopted Resolution for this application.

Mr. Steve Robins, attorney representing the applicant, the Minkoff Development Corporation, discussed the proposed request, and concurred with the staff recommendation.

At the Board's request, Mr. Bradley Chol of the Minkoff Development Corporation, offered comments and answered questions from the Board.

There followed a brief Board discussion with questions to staff and Mr. Robins.

~~13. — MR2018030: SHA Georgia Ave Tower — This tower is part of the State’s Public Safety System to provide adequate coverage across several areas in the State the new base stations are sited and designed to provide complete and effective coverage. — REMOVED~~

~~Staff Recommendation: Approval of the Mandatory Referral with Comments to be Transmitted to State Highway Administration~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **This Item was removed from the Planning Board Agenda.**