



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, September 27, 2018, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 2:41 p.m.

Present were Chair Casey Anderson and Commissioners Natali Fani-González, Gerald R. Cichy and Tina Patterson. Vice Chair Norman Dreyfuss joined the meeting at 9:14 a.m. during discussion of Item 2.

Items 1 through 4 are reported on the attached agenda.

During discussion of Item 4, the Board recessed at 11:03 a.m. and convened in Closed Session at 11:13 a.m. to take up Items 9 and 10, 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 11:13 a.m. in the 3rd floor conference room on motion of Commissioner Fani-González, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7), to consult with counsel to obtain legal advice, and §3-305(b) (1)(ii), any other personnel matter that affects one or more specific individuals.

Also present for the meeting were Acting Principal Counsel Matthew Mills and Associate General Counsel Nicholas Dumais of the Legal Department; Director Gwen Wright, Deputy Director Tanya Stern, and Rebeccah Ballo of the Planning Department; and James Parsons of the Commissioners' Office.

In Closed Session the Board received briefing and legal advice regarding County cemetery legislation, and the Montgomery Parks Foundation.

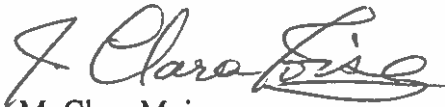
The Closed Session meeting was adjourned at 11:50 a.m.

The Board reconvened in the auditorium at 11:59 a.m. to continue discussion of Item 4.

The Board recessed for lunch at 12:09 p.m. and reconvened in the auditorium at 1:30 p.m.

Items 5 through 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 2:41 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 4, 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, September 27, 2018
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

1. Ourisman Ford at Montgomery Mall Site Plan 82009014B – MCPB No. 18-088
2. Takoma Park Middle School FCP Plan MR2018036 – MCPB No. 18-091

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220170120, Harlow Subdivision

RC zone, 1 lot; located on the east side of Poplar Hill Road, 280 feet north of Parev Terrace; Potomac Subregion Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220181040 - 220181050 West Side at Shady Grove Metro

CRT zone, 7 lots; located on Tribeca Street and Bowery Street, approximately 200 feet south of Crabbs Branch Way; Shady Grove Sector Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

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**

1. First National Bank - Germantown: Preliminary Plan Amendment No. 11985200A & Site Plan No. 820180140, Regulatory Review Extension Request No. 1

A. First National Bank - Germantown: Preliminary Plan Amendment No. 11985200A--- Requesting to extend the regulatory review period for an additional two months until November 27, 2018; Application to replace an existing restaurant use with a 3,270 square foot bank with a drive-thru; 0.70 acres; GR-1.5 H-45 Zone; located on the southwest quadrant of the intersection of Germantown Road and Crystal Rock Drive; 2009 Germantown Employment Area Sector Plan.

Staff Recommendation: Approval with Conditions

B. First National Bank - Germantown: Site Plan No. 820180140--- Requesting to extend the regulatory review period for an additional two months until November 27, 2018; Request to replace an existing Pizza Hut restaurant with a 3,270 square foot bank with a drive-thru; 0.70 acres; GR-1.5 H-45 Zone; located on the southwest quadrant of the intersection of Germantown Road and Crystal Rock Drive; 2009 Germantown Employment Area Sector Plan.

Staff Recommendation: Approval with Conditions

2. Priddy Property: Preliminary Plan No. 120170160, Regulatory Review Extension Request No. 5--- Request to extend the regulatory review period by 5 months to February 7, 2019; to subdivide the Subject Property into 8 lots for 8 detached single family houses, located at 13511 Query Mill Road; 26.925 acres, RE-2; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

**Motion: 1A. & 1B. PATTERSON/CICHY
2. PATTERSON/FANI-GONZÁLEZ**

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

Nay:

Other: DREYFUSS ABSENT

Action: 1A. & 2. Approved staff recommendation for approval of the Preliminary Plan Extension requests cited above.

1B. Approved staff recommendation for approval of the Site Plan Extension request cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of September 13, 2018

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: DREYFUSS ABSENT

Action: Approved Planning Board Meeting Minutes of September 13, 2018, as submitted.

2. Worksession: Biennial review of FY19-24 Capital Improvements Program (CIP) and the FY20 Capital Budget**BOARD ACTION****Motion: CICHY/PATTERSON****Vote:****Yea: 5-0****Nay:****Other:****Action: Approved staff recommendation for approval, and transmittal to the County Executive, of the amended FY20 Capital Budget and FY19-24 Capital Improvements Program.**

Parks Department staff offered a multi-media presentation and discussed the proposed biennial FY19-24 Capital Improvements Program (CIP). The CIP includes acquisition and new or renovation projects that cost over \$30,000 and are deemed to have a useful life greater than 15 years. The projects may be stand-alone, such as park renovations, or level-of-effort projects that fund ongoing capital programs. Although the CIP is prepared every two years, it is reviewed annually, with the first-year review, referred to and designated as the full review. The second-year review, or biennial review, typically addresses only minor changes or adjustments for existing or new projects that meet specific county-established criteria, such as projects that leverage non-county funds; are needed to comply to new laws, mandates, or policy shifts; offer cost savings; or address urgent health or safety concerns. The current CIP is \$219,984,000, with the primary emphasis on renovating and maintaining the existing park system while allowing for some new development and acquisition to meet the demands of a growing county. Thirty-one percent of the current CIP expenditures are funded by Montgomery County Government Obligation (GO) bonds, 17 percent by Maryland-National Capital Park and Planning Commission bonds, 16 percent by current revenue, and 23 percent by Program Open Space (POS), with 57 percent of the CIP used to fund renovation and maintenance, 17 percent for new parks and facilities, and 26 percent for land acquisition. The proposed amendments to the biennial CIP include an \$800,000 increase in appropriation to receive additional Small Grant and Donor-Assisted Capital Improvements contributions; \$500,000 for the Parks Department to continue renovations of school fields that are part of the Community Use of Public Facilities (CUPF) program; and new appropriation of \$16,000,000 in Park Impact Payment (PIP) contributions for acquisitions and development projects in the Bethesda Overlay Zone area. The amendments to the three CIP projects will increase the FY19-24 CIP by 7.9 percent, bringing the overall CIP to \$237,284,000.

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2. Worksession: Biennial review of FY19-24 Capital Improvements Program (CIP) and the FY20 Capital BudgetCONTINUED

Staff then briefly discussed the existing structural, operational, and space design issues at the Executive Office Building (EOB) in Riverdale. A recent Facility Condition Assessment concluded that the estimated cost for critical repairs needed to address the existing issues is \$7,000,000. Preliminary analysis of an ongoing Feasibility Study recommends relocation to either a purchased or leased site. A consultant is currently developing a Program of Requirements to assist with additional portions of the Feasibility Study, which will include a detailed cost-benefit analysis. The consultant's findings will be presented at the October Full Commission meeting. Staff added that this issue could possibly require a budget amendment in FY20.

The next steps include transmittal of the proposed CIP to the County Executive scheduled for November 1, transmittal to the County Council scheduled for January 15, 2019, County Council review scheduled for February through March 2019, and County Council approval of the CIP scheduled for May 2019.

There followed a brief Board discussion with questions to staff.

3. Special Supplemental Appropriation Amendments

A. Special Supplemental Appropriation to the FY19 Capital Budget and FY19-24 Capital Improvements Program---Small Grant/Donor-Assisted Capital Improvements (P058755) - \$1,000,000.

Staff Recommendation: Approval

B. Special Supplemental Appropriation to the FY19 Capital Budget and FY19-24 Capital Improvements Program: Acquisition---Local Parks (P767828), \$116,562.

Staff Recommendation: Approval

C. Special Supplemental Appropriation to the FY19 Capital Budget and FY19-24 Capital Improvements Program: ADA Compliance---Non-Local Parks (P128702), \$99,500.

Staff Recommendation: Approval

D. Special Supplemental Appropriation to the FY19 Capital Budget and FY19-24 Capital Improvements Program---Minor New Construction - Non-Local Parks (P998763), \$180,000, Maydale Nature.

Staff Recommendation: Approval

BOARD ACTION

Motion: A. through D. CICHY/DREYFUSS

Vote:

Yea: A. through D. 5-0

Nay:

Other:

Action: Approved staff recommendation for approval to transmit comments to the County Executive and County Council regarding the Special Appropriation Requests cited above, as stated in the attached transmittal letter.

Parks Department staff offered a multi-media presentation and discussed proposed amendments to the FY19-24 Capital Improvements Program (CIP) and Special Appropriation Requests to the FY19 Capital Budget, including an additional \$1,000,000 in appropriation from the Contributions fund for Small Grants and Donor-Assisted Projects, which will allow spending revenues from insurance reimbursements, donations, developer contributions, and partnership projects; an additional \$116,562 from the Maryland Program Open Space funds for the acquisition of local parkland; \$99,500 from State aid funds for Americans with Disabilities Act (ADA) compliance at non-local parks, including a floating launch and a floating landing for kayaks and canoes at Seneca Landing Special Park; and \$180,000 from Montgomery County

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3. Special Supplemental Appropriation Amendments

CONTINUED

Government Obligation bonds to complete a minor new construction project at Maydale Nature Center, specifically the addition of a 30,000-gallon underground water storage tank, additional paving, and associated increases in stormwater management facilities required for emergency vehicle access.

There followed a brief Board discussion with questions to staff.

4. **MARC Rail Communities Sector Plan—Worksession 7**---Review the Transportation Modeling for Germantown and 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.

Following brief introductory comments by Planning Department staff, Mr. Kyle Roberts, traffic consultant from Sabra, Wang & Associates, offered a multi-media presentation and discussed the revised Traffic Forecasting and Analysis of the Germantown portion of the MARC Rail Communities Sector Plan area, noting that two additional scenarios were modeled, identified as adjusted 2014 Zoning Ordinance with the proposed expanded road network, and proposed modified densities with the expanded road network. The new scenarios were analyzed with a grid network containing additional local roadway connections between Germantown Road (MD118) and Great Seneca Highway (MD119), which are projected to disperse traffic from Wisteria Drive and reduce congestion along MD118. Both scenarios project improved walkability through decreased block lengths and allow for more transition points between different land use densities within the Plan area. Neither scenario will require additional turn lanes at the intersection of MD118 and Wisteria Drive. However, at the intersection of MD118 and Bowman Mill Road, the westbound approach of Bowman Mill Road, currently striped as one lane, will need to be widened to include exclusive left-turn and right-turn lanes. Mr. Roberts noted that even with the addition of the lanes, the pedestrian crossing distance for Bowman Mill Road would be less than the 60-foot pedestrian crossing distance recommended in the plan.

Following a short recess, staff then discussed the potential increased density that the two new scenarios could accommodate within the 290-acre Germantown portion of the Plan area. According to staff, only four parcels containing 100 acres are currently developable to potentially accommodate a total of 4,849 dwelling units, 2,849 more than proposed in the public hearing draft of the Plan, and 1,010,097 square feet of non-residential development, 422,097 more than proposed in the public hearing draft.

Mr. Andrew Bossi of Montgomery County Department of Transportation offered comments.

There followed extensive Board discussion with questions to staff and Mr. Roberts, during which the Board instructed staff to return with additional information regarding the existing conditions, current zoning, the zoning recommended in the public hearing draft, the density projected by the traffic test scenarios, and recommendations for the developable parcels based on testimony and Planning Board guidance.

9. CLOSED SESSION

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(1)(ii), to discuss any other personnel matter that affects one or more specific individuals.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

5. Roundtable Discussion

A. Planning Department Director's Report

B. 2018 Winners of the Parks and Planning Staff Photo Contest

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:**

Action: **A. 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 Glenstone Museum will be opening on October 4 and is an amazing facility, which can be compared to the Guggenheim in New York; staff upcoming Better Block Event scheduled for October 13 and 14 from 4:00 to 9:00 p.m. at the Randolph Hills Shopping Center in White Flint; the upcoming National Capital Area Chapter of the American Planning Association Conference on October 18 and 19 on the campus of the George Washington University which the Board members are urged to attend; the ground breaking and ribbon cutting ceremony on October 25 for the Route 29 Bus Rapid Transit (BRT) project, and on October 22 for the Viva White Oak project, which Board members should also attend.

Ms. Wright then added that, as mentioned in previous Semi-Annual reports, Planning Department staff have been working hard for the past few years on many projects and are now seeing the fruits of their labor.

B. 2018 Winners of the Parks and Planning Staff Photo Contest – Planning Department Director Gwen Wright briefed the Board on the annual Parks and Planning Staff Photo Contest rules and then presented awards to the 2018 winners of the contest. The following five staff members were selected as winners from 160 submissions and 26 finalists: Ms. Wen Huang, Ms. Marilyn Stone, Ms. Julie Mueller, and Mr. Garry Meus, a two-time winner.

6. **Seneca Farms: Preliminary Plan No. 120170240**---An Application to create 27 lots for 27 one-family detached dwellings; located on the west side of Seneca Road (MD 112), approximately 900 feet northeast of Springfield Road; 136.67 acres; RC Zone; Potomac Sub-Region 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 Preliminary Plan request cited above, subject to conditions discussed during the meeting, and as stated in the attached Resolution.

In keeping with the September 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Preliminary Plan request to create 27 lots for 27 one-family detached dwellings. The 136.67-acre property is located on the west side of Seneca Road (MD112), approximately 900 feet northeast of Springfield Road in the Rural Cluster (RC) Zone in the Potomac Sub-Region Master Plan area. Staff noted that the property has 130 feet of frontage on the west side of Seneca Road. In order to provide access to the proposed subdivision, the applicant is dedicating 5.14 acres of land to build a 2,800-foot long public road. The new road will be an open section tertiary public road with 20 feet of pavement terminating in a cul-de-sac. The applicant does not intend to build sidewalks because the property is in a rural zone. The applicant is dedicating approximately 5.08 acres of land for the new road and an additional 0.6 acres is being dedicated to MD112. Of the 136.67 acres, 87.7 acres or 64 percent will be preserved as Rural Open Space. Each proposed lot will be served by an on-site private well and septic system. Stormwater management goals will be met utilizing environmental site design practices, including bioswales to treat the roadway runoff. Dry wells and micro-bioretenion areas will be used to manage stormwater on the individual lots.

Staff then discussed the Forest Conservation Plan for the proposed project. The proposed forest clearing will generate a reforestation requirement of 10.88 acres and the applicant proposes to meet the planting requirement on-site by planting forest in unforested portions of the stream buffer and areas immediately adjacent to stream buffers and existing forest to be retained. The retained and planted forest will be protected in a Category I Conservation Easement. The request also includes a tree variance to remove seven trees and impact six trees which are considered high priority for retention. Staff recommends granting a variance and requiring mitigation, which the applicant is agreeable to.

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6. Seneca Farms: Preliminary Plan No. 120170240

CONTINUED

Staff then noted that the applicant does not agree with Condition of approval 15 which requires the construction of a five-foot wide sidewalk on both sides of the proposed new public road.

Mr. James Clifford, attorney representing the applicant, offered comments and concurred with the staff recommendation, stating however that the applicant is requesting removal of condition 15 because he does not see the need to construct sidewalks, as requested by staff, since the road ends in a cul-de-sac and is in a rural zone.

Mr. Christopher Collins of Springfield Road, and Mr. Daniel Dean also of Springfield Road offered testimony.

There followed a brief Board discussion with questions to staff, Legal Counsel to the Board and Mr. Clifford.

Board members, except for Commissioner Dreyfuss, expressed support for the requested sidewalks and instructed staff to keep Condition 15 as originally stated.

7. **Preliminary Plan Validity Extension, Bennett Knolls, Preliminary Plan No. 120060830**---Request to extend the Preliminary Plan Validity Period for 2 years for Preliminary Plan No. 120060830, Bennet Knolls, located on the east side of Georgia Avenue (MD 97), approximately one mile north of Brookeville center, 219 acres, RC Zone, 2005 Olney Master Plan

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval to extend the Preliminary Plan Validity Period request cited above and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a request to extend the Preliminary Plan Validity Period for the Bennett Knolls project for two years from December 31, 2018. Staff noted that the 219-acre property is located on the east side of Georgia Avenue (MD97), approximately one mile north of Brookeville Center in the Olney Master Plan area. Staff also noted that the applicant justifies the extension as a necessary remedy for the difficulty in securing funding as a result of the post 2007 recession, which is considered an unusual and unanticipated event beyond the applicant’s control. A Preliminary Plan validity period requires that all lots or parcels approved for a Preliminary Plan must be recorded by record plat within the Plan validity period established in the adopted Resolution.

Staff then added that the proposed request meets the required findings to grant such an extension and recommends that the validity period be extended by two years from the date of the mailing of the adopted Resolution for this application.

Ms. Erin Girard, attorney representing the applicant, Mr. David Treadwell on behalf of Central Union Mission, offered brief comments and concurred with the staff recommendation.

Ms. Sally Cox, Chief Financial Officer for Central Union Mission, offered brief comments and answered questions from the Board.

There followed a brief Board discussion with questions to staff, Legal Counsel to the Board and Ms. Girard.

8. Update to the White Flint Sector Plans Implementation Guidelines---The County Council approval of the 2018 White Flint 2 Sector Plan requires the modification of the existing White Flint Sector Plan Implementation Guidelines to account for extension of the White Flint special taxing district and the Subdivision Staging Policy (SSP) modifications.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Update to the White Flint Sector Plan Implementation Guidelines, as discussed during the meeting.

Planning Department staff noted that the County Council's approval of the 2018 White Flint 2 Sector Plan requires modifications to the *2011 White Flint Sector Plan Implementation Guidelines* to add several properties to the White Flint Special Taxing District and to the staging limits of the *2010 White Flint Sector Plan*. The White Flint 2 properties that are being added to the guidelines are the Willco and Guardian properties, and a portion of the Wilgus properties, Parcels N208, N279, N174 and N231. Staff also noted that the 2016-2020 Subdivision Staging Policy (SSP) has also been amended to allow these three properties to have the same intersection congestion adequacy standards as the White Flint Metro Station Policy Area, which also applies to properties in the *2010 White Flint Sector Plan*.

Staff added that once the Planning Board approves the proposed modifications, the Sector Plan document will be finalized.