



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED
MINUTES**

Following a brief presentation during which veterans employed by the Montgomery Planning and Parks Departments were recognized and honored for their service to our nation, the Montgomery County Planning Board met in regular session on Thursday, November 15, 2018, at 9:16 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 6:52 p.m.

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

Items 1 through 6 are reported on the attached agenda.

The Board recessed for lunch at 1:02 p.m. and convened in Closed Session at 1:34 p.m. to take up Item 11, 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 1:34 p.m. in the 3rd floor conference room on motion of Commissioner Cichy, seconded by Commissioner Fani-González, 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)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Also present for the meeting were Director Mike Riley, Deputy Director Mitra Pedoeem, Brenda Sandberg, Joshua Kaye, and Hyojung Garland of the Parks Department; and James Parsons of the Commissioners' Office.

Vice Chair Dreyfuss joined the meeting at 1:46 p.m.

In Closed Session the Board received briefing and discussed the proposed acquisition of land as an addition to the Willard Avenue Neighborhood Park.

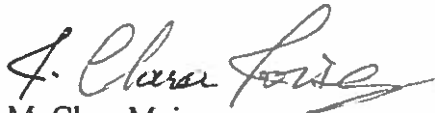
The Closed Session meeting was adjourned at 2:00 p.m.


The Board reconvened in the auditorium at 2:10 p.m.

Items 7 through 9 are reported on the attached agenda.

The Board recessed for dinner at 4:42 p.m. and reconvened in the auditorium at 5:37 p.m. to take up Item 10, a proposed Site Plan request for the WMAL property in Bethesda.

There being no further business, the meeting was adjourned at 6:52 p.m. Due to the Thanksgiving holiday, there is no Planning Board meeting scheduled for Thursday, November 22, 2018. The next regular meeting of the Planning Board will be held on Thursday, November 29, 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, November 15, 2018
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. First National Bank Germantown Preliminary Plan 11985200A – MCPB No. 18-109
2. First National Bank Germantown Site Plan 820180140 – MCPB No. 18-110
3. 8280 Wisconsin Avenue Sketch Plan 32018015A – MCPB No. 18-105
4. 8280 Wisconsin Avenue Preliminary Plan 120180280 – MCPB No. 18-106
5. 8280 Wisconsin Avenue Site Plan 820180230 – MCPB No. 18-107
6. Woodmont Central Site Plan 82011002D – MCPB No. 18-108
7. Burtonsville Town Square Center Pad Site Plan 820180200 – MCPB No. 18-117
8. Appointment of Acting Executive Director – MCPB No. 18-119

BOARD ACTION

Motion: **DREYFUSS/PATTERSON**

Vote:

Yea: **5-0**

Nay:

Other:

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

***B. Record Plats**

Subdivision Plat No. 220190040, Potomac Hills

R-200 zone, 2 lots; located immediately northwest of the intersection of Falls Road (MD -189) and Ronald Drive; Potomac Sub-Region Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220190070, Hampshire Knolls

R-60 zone, 2 lots; located immediately northeast of the intersection of Ethan Allen Avenue (MD - 410) and Jackson Avenue; Takoma Park Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

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**

Planning Board Meeting Minutes of November 1, 2018

BOARD ACTION

Motion: PATTERSON/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of November 1, 2018, as submitted.

2. Roundtable Discussion

- Planning Parks 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 worksession scheduled for later today; the status of the Shady Grove Sector Plan Minor Master Plan Amendment, with the Scope of Work scheduled to be presented to the Board later today; the status of recent and upcoming regulatory approvals for projects in Area 2, including the Sketch Plan request for the Strathmore Square project, which was approved during the November 8 meeting, a proposed Site Plan request for the WMAL property in Bethesda scheduled for later today, and a proposed Preliminary Plan for the VIVA White Oak project scheduled for November 29; the status of the Aspen Hill Vision Zero Study, with a walking audit held on November 3, and the Scope of Work scheduled to be presented to the Board in December; the status of the design guidelines for the Greater Lyttonsville Sector Plan area, for which the Board is scheduled to be briefed in December; the status of the work by the Planning and Parks Departments and the Montgomery County Office of Legislative Oversight on a proposed Equity Agenda; Ms. Wright's recent presentation to the Urban Land Institute (ULI) Regional Land Use Leadership Institute; the inaugural Bisnow Architectural and Design Summit event held on November 1, which was attended by several Planning Department staff members; the upcoming Maryland Sustainable Growth Commission meeting scheduled for November 26 in Gaithersburg; the Garden of Lights Employee Open House event scheduled for November 20 at Brookside Gardens; and the One-Commission Employee Appreciation Holiday Open House event scheduled for December 14 at the Silver Spring Civic Building.

There followed a brief Board discussion with questions to Ms. Wright.

***3. Ashton Market: Preliminary Plan No. 120180180 and Site Plan No. 820180160**

A. Preliminary Plan No. 120180180: Application to create 20 lots for 20 townhouses, and one lot for a mixed-use building with 3 apartments and up to 6,800 square feet of restaurant space, including 12.5 percent MPDUs, located on Porter Road at its intersection with Olney Sandy Spring Road (MD 108); 3.04 acres, TF zone, CRT-0.75, C-0.75, R-0.25, H-35 zone & the Sandy Spring/Ashton Rural Village Overlay zone; Sandy Spring/Ashton Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Site Plan No. 820180160: Application to construct 20 townhouses, and a mixed-use building with 3 apartments and a 6,800 square foot restaurant, including 12.5 percent MPDUs, located on Porter Road at its intersection with Olney Sandy Spring Road (MD 108); 3.04 acres, TF zone, CRT-0.75, C-0.75, R-0.25, H-35 zone & the Sandy Spring/Ashton Rural Village Overlay zone; Sandy Spring/Ashton Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: A. & B. FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 5-0

Nay:

Other:

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

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

Planning Department staff offered a multi-media presentation and discussed proposed Preliminary Plan and Site Plan requests to construct a mixed-use development. The 3.04-acre site, consisting of parcels P393, P447, and P395, and Lots 2 and 3, is located on the southeast and southwest quadrants of the intersection of Porter Road and Olney-Sandy Spring Road (MD108) within the Sandy Spring/Ashton Rural Village Overlay zone in the Sandy Spring/Ashton Master Plan area. Parcel P395 is split-zoned Commercial/Residential/Town (CRT) and Townhouse Floating (TF) Zone, with the remainder of the property zoned (TF). Parcel P395 is currently developed with a vacant restaurant and associated surface parking. Lot 2 contains a single-family dwelling and portion of the surface parking lot associated with the former restaurant. Parcel P393 contains a single-family dwelling with a driveway to Porter Road.

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***3. Ashton Market: Preliminary Plan No. 120180180 and Site Plan No. 820180160**CONTINUED

The remainder of the property, Lot 3 and parcel P447, is undeveloped and contains 1.02 acres of existing forest, 0.71 acres of which are located within 0.82 total acres of existing stream valley buffers. Staff then briefly discussed previous approvals.

Staff noted that the applicant proposes to demolish the existing single-family homes, commercial building, and asphalt paving, and subdivide the property into 20 lots for 20 35- to 40-foot tall townhouses, and one lot for a multi-use building with three multi-family dwelling units, including 12.5 percent Moderately Priced Dwelling Units (MPDUs), and up to 6,800 square feet of commercial and restaurant space. Access to the site will be provided from Porter Road, which will be upgraded with a temporary turnaround to be located at the southern boundary of the property. The proposed townhouses will be divided into four clusters, one cluster of six units and a cluster of four units on each side of Porter Road. The units on the east side of Porter Road will be slightly larger than the units on the west side. Staff added that the units on the west side with frontage on MD108 will be 35 feet in height, with the remaining units at 40 feet. Parking for 19 vehicles will be provided in a parking garage below the retail uses, which will be partially below grade and accessed from the rear. An additional 12 parking spaces will be provided in a surface parking lot behind the mixed-use building. Each townhouse will have a rear-loaded two-car garage and an 18-foot-long driveway capable of accommodating an additional two vehicles. The applicant is providing 2,000 square feet of public open space on the CRT zoned portion of the property, which will feature a hardscape area, seating, bike racks, pedestrian scale lighting, and street trees; and 10,500 square feet of common open space on the TF zoned portion of the property, which will include a seating area with two benches covered by individual arbors for shade, a multi-age play area, a stormwater management element, and a pedestrian connection to an off-site parking area on the adjoining property. Staff did receive correspondence from neighboring property owners expressing concerns regarding the proposed density of the project, compatibility with neighboring development, parking, and potentially increased traffic and congestion. Staff addressed each of these issues, as detailed in the November 2, 2018 technical staff report, and briefly discussed minor corrections to the Preliminary Plan and Site Plan conditions of approval.

Staff then briefly discussed environmental issues, noting that the applicant proposes to remove approximately 0.47 acres of the 1.02 acres of forest on-site for necessary grading and construction of townhomes, improvements to Porter Road, and five micro-bioretenion stormwater management facilities, and to retain the remaining 0.55 acres of existing forest on-site within a Category I Conservation Easement. Staff added that the applicant has submitted a variance request to remove ten protected trees, five of which are located within the existing forest and are thereby accounted for in the Forest Conservation Plan as forest clearing, and to impact but not remove seven others. As mitigation, the applicant will plant 13 native canopy trees onsite.

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***3. Ashton Market: Preliminary Plan No. 120180180 and Site Plan No. 820180160**

CONTINUED

Ms. Francoise Carrier, attorney representing the applicant, offered comments and concurred with the staff recommendation, with the exception of Site Plan Condition 15a, for which she requested additional language to allow for flexibility regarding the setback and building footprint requirements.

Messrs. Joshua Sloan of VIKA Maryland, LLC, and Courtenay Wallace of e-Evolutions Designs, members of the applicant's team, offered a brief multi-media presentation and discussed the design elements of the project.

The following speakers offered testimony: Mr. William Schaufler, president of the Sandy Spring Civic Association; Ms. Amy Medd, adjacent property owner; Mr. Peter Austin of New Hampshire Avenue; Ms. Paula Glendinning of Country View Court; Mr. Walter Fennell of Hidden Garden Lane; Mr. Douglas Farquhar of Olney-Silver Spring Road offered a brief multi-media presentation; Mr. Charles Glendinning of Country View Court; Ms. Donna Selden representing the Sandy Spring-Ashton Rural Preservation Consortium; Mr. Bill Rozek of Avenleigh Drive; Mr. Jeff Schwartz of Denit Estates Drive; and Ms. Terry Franklin of Olney-Sandy Spring Road.

Mr. Shahriar Etemadi of STS Transportation and Planning Consulting, also a member of the applicant's team, also offered comments.

There followed extensive Board discussion with questions to staff and some of the speakers, during which the Board agreed to the revised language for Site Plan Condition 15a.

4. Conditional Use No. 18-11: St. Anne's Episcopal Community Development Corporation---Application to authorize as a conditional use an independent living facility for seniors or persons with disabilities consisting of a new four-story, 76-unit apartment building, parking, and landscaping; 25100 Ridge Road, Damascus; R-200 Zone; 2006 Damascus Master Plan

Staff Recommendation: Approval with Conditions

(NOTE: Action required for Hearing by Hearing Examiner on December 7, 2018)

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to the Hearing Examiner, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed the proposed Conditional Use request to construct and operate an independent senior living facility on a 10.24-acre property zoned Residential located on the west side of Ridge Road (MD27) in the Damascus Master Plan area. The site is currently developed with an existing 15,500-square foot, 270-seat church operated by St. Anne's Episcopal Church of Damascus, an associated 73-car parking lot, and a two-story detached dwelling that is used for church-related activities and is accessed from MD27 via a 25-foot wide driveway located near the property's southern boundary line. The church also operates a weekday childcare center with a capacity for 20 children that will remain on a separate lot along with the existing church and house. Staff added that as part of a separate application, the applicant has submitted a Preliminary Plan request for a two-lot subdivision. This subdivision will create a 7.05-acre lot for the church and house, identified as Lot 1, and a 3.44-acre lot identified as Lot 2 for the proposed project.

Staff noted that the applicant proposes to construct an independent senior living facility in a new 73,000-square foot, four-story apartment building to accommodate up to 76 living units. A proposed support staff of four will include a property manager, assistant manager, maintenance technician, and porter. Typically, staff will be present on weekdays between the hours of 9:00 a.m. to 5:00 p.m., and during evenings and weekends if special events for residents are planned. The maximum weekday staff proposed is three, with a maximum weekend staff of one, unless a special event is scheduled. Access to the site will remain via the existing driveway from MD27. Parking will be provided by 37 surface parking spaces, including three accessible spaces. The proposed parking lot, which will be located between the church and the apartment building, will have a total of 114 spaces and be used by both the church and the senior living facility through a joint shared-use agreement. Retaining walls with a maximum height of 13.5

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4. Conditional Use No. 18-11: St. Anne's Episcopal Community Development CorporationCONTINUED

feet will be built within the property interior to support parking lots and drive aisles. Due to the topography of the property, the retaining walls will be either adequately obscured or not visible from off-site view. Staff added that as part of a separate application filed with the Board of Appeals, the applicant has sought approval of a variance associated with the proposed retaining walls and parking facilities setback. According to staff, retaining walls over 6.5 feet are treated as accessory structures, and the applicant is therefore seeking relief from the accessory structure side and front yard setback requirements and the parking facility side yard setback requirement.

Mr. Jody Kline, attorney representing the applicant, offered comments and concurred with the staff recommendation with the exception of Condition 11, for which he requested that the word "variance" be removed and replaced with "waiver," and Condition 12, for which he requested the addition of the term "approved concept Stormwater Management Plan."

There followed a brief Board discussion, during which the Board approved Mr. Kline's requested revisions.

***5. Cavanaugh Property: Preliminary Plan Amendment No. 12010019A---**Request to amend the preliminary plan and forest conservation plan to allow the development to occur in two phases. Phase I will include the two child lots with existing dwellings and Phase II will include the remaining twelve lots (one existing dwelling), two outlots, and farm remainder; located on the south side of Damascus Road (MD 650), approximately 2,000 feet east of Olney-Laytonsville Road (MD 108); RDT zone, 312.61 acres within the 2005 Olney Master Plan and AROS Functional Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: PATTERSON/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan Amendment request to allow a proposed development to occur in two phases. The 312.61-acre site, a farm identified as un-platted parcels P484, P100, P750, and P634, is located on the south side of Damascus Road (MD650), approximately 2,000 feet east of its intersection with Olney-Laytonsville Road (MD108), and is zoned Agricultural Reserve (AR) within the Olney Master Plan and the Agriculture and Rural Open Space (AROS) Functional Master Plan areas, as well as the Patuxent River watershed. The property is currently developed with a main farmhouse and two additional residences that are all occupied by family members, agricultural buildings, a farm pond, actively farmed fields used for hay production, and an apiculture operation.

Staff then briefly discussed previous approvals, noting that an approved 2014 Preliminary Plan created 14 lots, including two 10-acre child lots identified as Lots 13 and 14, for 14 single-family dwelling units, three of which are the existing farmhouse and two residences. That same Plan also created a 226-acre farm remainder and two outlots.

Due to an updated land survey that has resulted in minor revisions to some lot acreages, the applicant is now requesting to amend the approved Preliminary Plan to separate the project into two phases, allowing the two proposed child lots to be recorded as individual lots as part of Phase I, with the remaining twelve lots, two outlots, and public streets to be recorded as part of Phase II. No new development, clearing, grading, or any land disturbance activity will occur as part of Phase I. An afforestation requirement of 20 percent of the net tract area for Phase I is

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***5. Cavanaugh Property: Preliminary Plan Amendment No. 12010019A**

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attributable to Lots 13 and 14, which results in approximately 0.77 acres of planting. Phase II will include the recordation of 66.88 acres of conservation easement areas that are not included in Phase I, and the planting of 8.92 acres of forest. Staff added that the applicant is also requesting a two-year extension to the Preliminary Plan validity period, making it valid until August 29, 2023.

Mr. James Clifford, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

6. **Mandatory Referral MR 2018012: PSSM at Fire Station #30**---Request to construct a Public Safety System Modernization (PSSM) radio communications tower in Potomac on 1.47 acres of land in the RE-2 zone and the 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval to Transmit Comments to Montgomery County Department of Technology Services

BOARD ACTION

Motion: DREYFUSS/FANI-GONZÁLEZ

Vote:

Yea: 4-0-1

Nay: ANDERSON

Other:

Action: Approved staff recommendation to transmit comments to Montgomery County Department of Technology Services, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral request from Montgomery County Department of Technology Services (DTS) to construct a Public Safety System Modernization (PSSM) radio communications tower on a 1.67-acre site, identified as Parcel 027, located on the northwest side of River Road (MD27) and zoned Residential Estate in the Potomac Sub-Region Master Plan area. The site is currently developed with the existing Cabin John Park Volunteer Fire Department and Fire Station #30. Staff added that the proposed tower will be part of the County PSSM project, a multi-agency, \$110,000,000 capital improvement project to replace the current systems that support Montgomery County public safety agencies and personnel but do not provide adequate coverage for the County.

Staff noted that the applicant proposes to construct a 185-foot tower with a four-foot lightning rod and an approximately 12- by 30-foot equipment shelter with an internal generator to be located in the northwest corner of the property. The proposed tower will be built to Structure Class III standards, capable of withstanding storms that would otherwise devastate nearby structures, often leaving Class III structures among the last standing after a catastrophic weather event. Access to the tower compound will be via the existing driveway from MD27.

Staff then discussed neighborhood compatibility, noting that the proposed tower does not meet recommended setbacks for telecommunications facilities, with single-family residences located within 200 feet; has negative impacts on the surrounding neighborhood; and is not consistent with the Master Plan recommendation to retain the residential character of the neighborhood. For these reasons, staff believes the property should not be used and that DTS

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6. Mandatory Referral MR 2018012: PSSM at Fire Station #30

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should consider an alternative site option that meets the required technological requirements. Staff added that although they do not support locating the tower on the firehouse site, the proposed conditions reflect its location there. Currently, the only alternative site that meets technical and setback requirements and has willing lessor is Falls Road Golf Course, which due to topography would require a 350-foot tower and have significant visual impact.

Messrs. Justin Blanset of Network Building + Consulting, Gerry Adcock of DTS, and Dallas Lipp of Montgomery County Fire and Rescue Service Station #35 offered comments.

The following speakers offered testimony: Mr. David Brown, attorney representing the West Montgomery County Citizens Association and Mr. C. O. North, adjacent property owner; and Ms. Jennifer Hirshon representing the Potomac Falls Homeowners Association.

There followed extensive Board discussion with questions to staff and some of the speakers, during which Vice Chair Dreyfuss and Commissioners Fani-González, Cichy, and Patterson recommended locating the tower at the firehouse site, subject to the staff conditions. They also recommended including the concerns raised during testimony in the transmittal of the recommendations to DTS.

Chair Anderson opposed the motion, instead concurring with the staff recommendation of an alternate site that meets the setback requirement.

11. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

The topic to be discussed is the proposed acquisition of land as an addition to the Willard Avenue Neighborhood Park.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. Approval of FY20 Budget, Session #3 – Planning Department, Parks Department, Central Administrative Services (CAS) & Commissioners' Office

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSTAINED

Action: Approved staff recommendation for approval of the proposed FY20 budgets for the Parks Department, the Planning Department, Central Administrative Services (CAS), and the Commissioners' Office.

Parks Department – Parks Department staff briefly discussed the proposed FY20 budgets for the Park Fund, the Enterprise Fund, the Property Management Fund, and the Special Revenue Fund, in accordance with the November 8 memorandum to the Planning Board. Staff also requested the Planning Board's approval of the FY20 Estimated Revenue collected by the Parks Department, excluding the property tax collected by the County. Staff noted that the budget request also includes program enhancements totaling just under \$1.2 million and four new positions. The proposed FY20 budget is an increase of \$6.6 million above the FY19 budget.

Planning Department – In keeping with the November 8 memorandum to the Planning Board, Planning Department staff briefly discussed the proposed FY20 budget for the Planning Department, which reflects the base budget plus new initiatives, including the operating budget impacts for the new Montgomery County Planning and Parks Departments Headquarters building in Wheaton, as well as funding for the new initiatives requested by the Office of the Chief Information Officer and the County-Wide IT initiatives. The proposed FY20 budget is an increase of \$682,809 or 3.4 percent above the FY19 budget.

Central Administrative Services (CAS) – Mr. John Kroll, the Commission's Corporate Budget Manager, noted that as discussed in detail in the November 8 memorandum to the Planning Board, the proposed FY20 budgets for the Department of Human Resources and Management (DHRM), the Finance Department, the Merit System Board, the Office of the Inspector General, the Legal Department, CAS Support Services, and the Internal Service Fund, including Risk Management, Group Insurance, Executive Office Building and Capital Equipment have all been previously discussed and no changes or additional requests have been added.

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7. Approval of FY20 Budget, Session #3 – Planning Department, Parks Department, Central Administrative Services (CAS) & Commissioners' Office

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Mr. Kroll and Mr. Mazen Chilet, Chief Information Officer (CIO), then discussed the revised proposed FY20 budget request for the CIO office, as requested by the Planning Board during the previous meeting.

There followed a brief Board discussion with questions to Mr. Chilet.

Commissioners' Office – As discussed in the November 15 memorandum to the Planning Board, Ms. Joyce Pettigrew Garcia, Special Assistant to the Montgomery County Planning Board, briefly discussed the proposed FY20 budget for the Commissioners' office. Ms. Pettigrew Garcia noted that the proposed FY20 budget is an increase of \$26,593 or 2.1 percent above the FY19 budget. This amount represents additional funding for professional services for trainings and retreats for Planning Board Commissioners, and the activation of a frozen Administrative Specialist position.

There followed a brief Board discussion with questions to staff.

8. Veirs Mill Corridor Master Plan – Worksession #6*Staff Recommendation: Discuss and Provide Guidance to Staff***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

Planning Department staff offered a multi-media presentation and discussed recommendations and testimony received during the Public Hearing for properties in the Connecticut-Randolph District and the Twinbrook District. Staff noted that the discussion will focus primarily on the testimony received for the Stonemill Square and Veirs Mill Village properties. Staff will also provide additional information on the Rock Creek Woods and Halpine View properties in response to direction provided by the Planning Board at the last worksession. Staff will discuss specific requests from commercial property owners regarding recommendations for short-term improvements, future street connections and open space; and resume discussions on design guidance for the Rock Creek View and Halpine View properties.

Staff noted that commercial property owners have requested revisions to the Master Plan to allow flexibility for interim reinvestment in the existing shopping centers and the future location of streets and open spaces. The owners of Stonemill Square and Veirs Mill Village Shopping Center submitted testimony in response to the Public Hearing Draft of the Master Plan, in which they requested revisions to allow interim improvements to the properties without triggering compliance with the Plan's long-term recommendations, and flexibility in the location of streets and open spaces which are recommended with complete redevelopment. Staff also noted that the Public Hearing Draft does not anticipate redevelopment of the existing shopping centers in the near term and does not suggest that the Plan's long-term recommendations must be fulfilled with interim improvements. However, interim improvements to the existing shopping centers are permitted and administered by Division 7.7 of the Zoning Ordinance.

Staff also discussed the Rock Creek Woods Apartments which currently includes 269 units, of which 125 are two-bedroom units and 28 are three-bedrooms. The existing two- and three-bedroom units represent approximately 57 percent of the existing units total. Staff noted that since 2010, 36 percent of the units produced were two-bedroom units, and over 60 percent of all the units created were studio or one-bedroom units. The direct replacement of two- and three-bedroom units with redevelopment of the site is likely infeasible based on the market for multi-

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8. Veirs Mill Corridor Master Plan – Worksession #6CONTINUED

bedroom units over the last several years. While the zoning recommendations may result in approximately 500 units on the site, direct replacement of the existing two- and three-bedroom units is a challenge, as it would represent 30 percent of the total units. Staff recommended that the Planning Board considers including some guidance for the owners of this property, rather than identify a specific number or percentage of two- and three-bedroom units with proposed redevelopment.

Staff then discussed the Halpine View properties and noted that the zoning recommendations for these properties were discussed in the Twinbrook District section of the Master Plan, including specific guidance on the provision of Moderately Priced Dwelling Units (MPDUs), market-rate affordable housing and a range of unit sizes. In addition to housing guidance, staff also discussed specific design guidance to ensure appropriate building transitions, open space and connectivity. Staff noted that the property owner has indicated that the existing building requires significant upgrades to achieve a modern facility status. The owner has proposed that the Master Plan reference development of a new community building that is integrated into the community open space with the redevelopment of the site. Staff recommended that the Planning Board consider retaining the intent of the original design guidance but add flexibility to permit the construction of a new community building if preservation and renovation of the existing building prove infeasible.

Messrs. Scott Wallace and Bob Dalrymple, attorneys representing property owners offered comments.

Mr. Joe Lynott and Ms. Pat Bonan, owners of Rock Creek Woods Apartments, offered testimony and answered questions from the Board.

Staff added that another worksession is scheduled for November 29 to conclude discussion on the transportation recommendations. Staff anticipates providing a redlined version of the Master Plan to the Planning Board in advance of the December 13 worksession.

There followed extensive Board discussion with questions to staff and the speakers.

9. Scope of Work for the Shady Grove Sector Plan Minor Master Plan Amendment

Staff Recommendation: Approve the Scope of Work for the Shady Grove Sector Plan Minor Master Plan Amendment

BOARD ACTION

Motion: **PATTERSON/FANI-GONZÁLEZ**

Vote:

Yea: **5-0**

Nay:

Other:

Action: **Approved staff recommendation for approval of the Scope of Work for the Shady Grove Sector Plan Minor Master Plan Amendment.**

Planning Department staff offered a multi-media presentation and briefly discussed the scope of work for the Shady Grove Sector Plan Minor Master Plan Amendment. Staff noted that transforming a portion of the Shady Grove area from an industrial service park to a new mixed-use community is complex and challenging. To ensure an appropriate balance between new development and necessary public infrastructure, the 2006 Shady Grove Sector Plan includes staging provisions. Staff added that the primary rationale for the Minor Master Plan Amendment is to reevaluate the staging requirements, especially the mobility triggers. The funding for a variety of transportation infrastructure projects, such as the Metro Access Road partial interchange and the evaluation of roadway intersections, are required to begin in Stage 2.

Staff then noted that work on this Minor Master Plan Amendment began in October and the Planning Board is scheduled to review a draft of the preliminary recommendations in March 2019. The Planning Board Public Hearing and worksessions are scheduled to take place from March to July 2019, with the Planning Board Draft of the Plan Amendment to be transmitted to the County Executive and County Council by end of July 2019.

There followed a brief Board discussion with questions to staff.

***10. WMAL Bethesda, Site Plan No. 820170170**---Request to approve a Site Plan for 309 residential units (160 159 detached houses and 149 150 townhouses), a community clubhouse, public and private streets, open spaces, stormwater management, landscaping and other related improvements; 74.83 acres zoned R-90; located in the northeast quadrant of the intersection of Greentree Road & Interstate 495 within the 1992 North Bethesda/Garrett Park Master Plan area.

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 request cited above, subject to revised conditions discussed at the meeting, and as stated in the attached adopted Resolution.

In keeping with the November 5 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Site Plan request for the WMAL Bethesda project and the associated Forest Conservation Plan. The request is to build 309 residential units, with 159 detached houses and 150 townhouses, including 12.5 percent Moderately Priced Dwelling Units (MPDUs) or 40 units, a community clubhouse, public and private streets, open spaces, stormwater management, landscaping and other related improvements. Staff noted that the 74.83-acre property is located in the northeast quadrant of the intersection of Greentree Road and Interstate 495 (I-495) within the North Bethesda/Garrett Park Master Plan area. Staff added that the applicant will dedicate a 4.3-acre parcel to Montgomery County Public Schools (MCPS) and will also contribute funds to Montgomery County Department of Transportation (MCDOT) for an intersection improvement at Fernwood Road and Democracy Boulevard. Staff also noted that the Planning Board granted a three-month extension of the regulatory review period from February 22, 2018 to May 24, 2018 and then an additional six-month extension until November 15, 2018 to address comments and recommendations from Planning staff.

Staff added that the community expressed concerns about many aspects of the proposed development, including the noise analysis and the location of the proposed trail in the Forest Conservation Easement area. Staff addressed the concerns and noted that a noise study has been done and reviewed by staff. The study confirmed that the noise level is adequate. To mitigate noise from I-495, a concrete sound barrier is proposed within the State Highway Administration (SHA) right-of-way located to the south of the property. The proposed barrier will fill a gap in the existing retaining walls along I-495.

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***10. WMAL Bethesda, Site Plan No. 820170170**CONTINUED

Staff then discussed the proposed natural surface trail within the Forest Conservation Easement areas noting that neighbors to the site argue that the placement of the walking path line should be on the inside canopy border of the forest conservation easements to limit any disturbance to the natural habitat and to maintain the privacy of the existing community. In response to the neighbors' concerns, staff added a condition of approval stating that the applicant must work with staff to field locate the trail as to minimize impacts on the existing forest while taking into consideration the land topography and distance to existing residences. Staff further added that special attention will be paid to ensure the privacy of existing residents and the applicant is required to have the existing forest protected by a Category I Conservation Easement. Staff also discussed minor corrections and proposed revisions to the conditions of approval.

The following speakers offered testimony: Ms. Wendy Calhoun of Ashburton Lane and Cluster Coordinator for the Walter Johnson Middle School Parents/Teachers Association; Mr. David Weinstein of Surreywood Lane and President of the Bethesda Place Homeowners Association and member of the West Fernwood Citizens Association; Mr. Sanford Markey of Renita Lane and member of the West Fernwood Citizens Association; Ms. Michele Rosenfeld, attorney representing the Bradley Boulevard Citizens Association; Mr. Rob Katz of Greyswood Road; Mr. Brian Krantz of Rutley Road; and Ms. Debbie Brodsky of Tusculum Road.

Ms. Patricia Harris, attorney representing the applicant, Toll Brothers, Inc., introduced Messrs. John Harris, Tom Mateya, and Kody Snow, Ms. Barbara Mosier, Ms. MacKenzie Twardus, and Ms. Dawn Jorgenson, members of the applicant's team, offered comments and concurred with the staff recommendation.

Mr. Kody Snow answered questions from the Board regarding the noise analysis and proposed mitigation.

Ms. Barbara Moiser, traffic consultant, answered questions from Commissioner Cichy regarding the area traffic analysis forecast prepared by SHA.

There followed extensive Board discussion with questions to staff and Ms. Harris.

Chair Anderson noted that the applicant is responsible for making sure that the noise level is under control by any means possible.