



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, May 2, 2019, at 9:04 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 12:41 p.m.


Present were Chair Casey Anderson and Commissioners Gerald R. Cichy and Tina Patterson. Vice Chair Norman Dreyfuss joined the meeting at 9:09 a.m. during discussion of Item 2, and Commissioner Natali Fani-González joined at 9:25 a.m. during discussion of Item 3.

Items 1 through 6 are reported on the attached agenda.

Commissioner Patterson left the meeting at 9:42 a.m. during discussion of Item 3 and rejoined at 10:34 a.m. during discussion of Item 4. She left the meeting again at 11:26 a.m. during discussion of Item 4 and rejoined at 12:00 p.m. during discussion of Item 6.

Item 7 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 12:41 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 9, 2019, in the Montgomery Regional Office in Silver Spring, Maryland.


James J. Parsons
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting
Thursday, May 2, 2019
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600**

1. Consent Agenda

***A. Adoption of Resolutions**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Resolutions submitted for adoption.

***B. Record Plats**

Subdivision Plat No. 220190090 - 220190130, Dowden’s Station

PD-4 zone, 105 lots, 2 outlots and 16 parcels; located on the west side of Frederick Road (MD 355), 1,870 feet south of Stringtown Road. Clarksburg Master Plan. Staff Recommendation: Approval

Staff Recommendation: Approval

Subdivision Plat No. 220190160, Black Hill

CR (formerly TMX-2) zone; 1 lot, 1 parcel; located in the northeast quadrant of the intersection of Century Boulevard and Dorsey Mill Road. Germantown Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220190260, Stoney Creek Farm

RE-2 zone, 1 lot; located at the terminus of Hunt Ridge Lane. Potomac Sub-Region 2002 Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220190660, Battery Park, Section 3

R-60 zone, 1 lot; located on the west side of Maple Ridge Road, 200 feet north of Goddard Road. Bethesda – Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

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

***C. Other Consent Items**

1. Adoption of Corrected Resolution for Seneca Meadows Corporate Center Preliminary Plan 11998004A – MCPB No. 18-134

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Adopted the corrected Resolution cited above, as submitted.

***D. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. Roundtable Discussion

- Parks Director's Report

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

Parks Department Director's Report – Parks Department Director Mike Riley briefed the Board on the following ongoing and upcoming Parks Department events and activities: the recent 5th Annual Montgomery County Greenfest event held on April 28 at Brookside Gardens; the recent Color and Kite Festival held on April 21 at Black Hill Regional Park; the status of the FY20 budget, and an April 24 meeting with the County Council Planning, Housing, and Economic Development (PHED) Committee, during which the Committee recommended that the Tier 1 and Tier 2 non-recommended reductions for the Department be placed on the reconciliation list for review by the full County Council; the upcoming retirement Mitra Pedoeem, Parks Department Deputy Director of Administration, and a retirement celebration scheduled for June 7; the recent final session of the Parks Speaker Series held on April 30, featuring Mr. Neelay Bhatt, Principal of PROS Consulting, Incorporated, who discussed ways of building a culture of customer service excellence; the April 24 approval from the State of Maryland Board of Public Works (BPW) for the Parks Department to lease the Seneca Poole's Store to a tenant or operator; the status of the pilot program for the Enterprise Asset Management (EAM) team's Mobile Transit Application, which allows staff to complete checklists, take photos, locate park assets, create work orders, and book labor while out in the field; the recent Park Police Awards Ceremony event held on April 24 at Brookside Gardens; the recent promotion of Lieutenant Jeffrey Coe to the rank of Captain; the recent mention of seven Parks Department facilities in an article entitled "Our Favorite Parks" in the May issue of *Washingtonian* magazine; appreciation for the recent work by the Friends of Brookside Gardens (FOBG), one of the Department's largest and most organized friends group, who in the last year has raised \$131,00 and also donated \$109,000; the upcoming Raptor Festival event scheduled for April 4 at Meadowside Nature Center; and the 2019 Asian American and Pacific Islander Heritage Festival event scheduled for May 31 at Brookside Gardens.

There followed a brief Board discussion.

3. **Park Facility Plan: Acorn Urban Park**---Facility plan for the renovation of a 0.3-acre park, located at 8075 Newell Street, Silver Spring CBD Sector Plan area.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: By consensus, deferred the vote for this Item pending further discussion and the implementation of the revisions discussed during the meeting.

Parks Department staff offered a multi-media presentation and discussed the proposed Facility Plan and cost estimate for the renovation of the Acorn Urban Park. The 0.3-acre park is located at the southeast quadrant of the intersection of East West Highway (MD410) and Newell Street in the Silver Spring Central Business District (CBD) Sector Plan area. The existing park contains walkways, mature specimen trees and significant historic resources, including a grotto containing the original “Silver Spring” for which the town was named and an acorn-shaped gazebo that was formerly part of the Blair estate. The central 0.12-acre triangular parcel is owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). A walkway along the southern edge of the park is privately owned by the Brick Companies, whose building fronts on Kennett Street and contains six painted murals that face the park.

Staff then discussed the existing conditions at the park, noting that due to the high density, the Energized Public Spaces Functional Master Plan (EPS) designates the park’s location as a high demand area for active recreation. Acorn Park is also listed on the Montgomery County Master Plan for Historic Preservation, which in addition to the limited space, constrains the quantity and types of active recreation improvements. Other concerns include a lack of stormwater management facilities, erosion and sediment within the grotto, and a lack of accessibility and connectivity.

Following several community meetings, staff developed three schematic concepts, identified as Concepts A, B, and C, with Concept C being the preferred alternative. Proposed improvements include retention and rehabilitation of the existing grotto and spring, a community open space, an Americans with Disabilities Act (ADA) compliant accessible walkway and boardwalk through the park, a wooden platform near the acorn gazebo, play and flexible space with a seat wall that will separate the play area from Newell Street, new stormwater facilities incorporated into the proposed boardwalk and grotto, and the temporary, regular weekend or

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3. Park Facility Plan: Acorn Urban Park

CONTINUED

permanent closure of Newell Street. The total cost of the project is estimated at \$1,190,800, which will be implemented under the Park Refresher Program, with a total annual operating budget of \$9,000.

Mr. Caleb Kriesberg of Thayer Avenue offered testimony.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to return with a completed budget and a modified design that either incorporates more active recreation elements into the park, or a less-costly design that focuses on rehabilitating the existing elements and addressing the stormwater management issues, thereby freeing up resources to implement active recreation elements at other nearby locations.

4. **Administrative Subdivision Plan No. 620190020, 5701 Sonoma Road---R-60 zone, 0.40 acres, Request to create two one-family lots, located on Sonoma Road, 10 feet west of Oneida Lane; 1990 Bethesda-Chevy Chase Master Plan.**

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 3-0-1

Nay: DREYFUSS

Other: PATTERSON TEMPORARILY ABSENT

Action: Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Administrative Subdivision Plan request to subdivide a 0.40-acre property, consisting of Lot 7 and part of a reserved area on Plat 157, located on the north side of Sonoma Road, approximately 1,500 feet west of Old Georgetown Road, and zoned Residential in the Bethesda-Chevy Chase Master Plan area and the Cabin John Creek watershed. The property is currently developed with a single-family house and an access drive shared with the two neighbors to the north on Lots 8 and 9. The site also contains four specimen-sized trees along with several other trees measuring less than 30 inches diameter at breast height (DBH). According to staff, the reserved area on Plat 157 appears to have been set aside for a potential right-of-way (ROW) extending north off Sonoma Road. However, the area was not improved for public access and is not necessary for future ROW use. Staff added that the reserved area contains the existing shared driveway, which is under a private easement agreement.

Staff noted that the applicant proposes to create two lots for two single-family detached dwelling units, both of which will front on and have vehicular access from Sonoma Road. Proposed 9,108-square foot Lot 2 will retain access to the existing shared driveway along the western property line, while proposed 8,334-square foot Lot 1 will have a new driveway from Sonoma Road. The applicant will provide a sidewalk along the Sonoma Road frontage and a new access ramp on the south side of Sonoma Road near the southwest quadrant of the intersection of Sonoma Road and Oneida Lane.

Staff then discussed environmental issues, noting that the application is exempt from the requirement to submit a Forest Conservation Plan because the project site is less than one acre; will not result in the clearing of existing specimen trees, existing champion trees, or more than a total of 20,000 square feet of existing forest; and will not require afforestation in excess of

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4. Administrative Subdivision Plan No. 620190020, 5701 Sonoma Road

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10,000 square feet. However, because it does include impacts to specimen trees, the project includes an elaborate Tree Save Plan that addresses those construction impacts and protects many of the onsite and neighboring trees through the use of helical piers, air-spaded excavation, root diversion, and root protection matting.

Staff did receive correspondence from community groups and residents expressing concerns regarding potential inconsistency with the intention of the private easement agreement, the platted building restriction lines for proposed Lot 2, the setback for the proposed house on Lot 2, the requested Forest Conservation Variance; and potential on- and offsite tree and vegetation loss. Staff addressed each of these concerns, as detailed in the April 22 technical staff report.

The following speakers offered testimony: Mr. David Brownlee, adjacent property owner, who also offered a multi-media presentation; Ms. Nancy Travis, adjacent property owner; and Mr. William Travis, adjacent property owner, who also offered a multi-media presentation.

Mr. Peter Ciferri, attorney representing the applicant, offered comments and following a brief discussion, concurred with the staff recommendation.

Messrs. Donald Rohrbaugh and Christopher Cowles, members of the applicant's team, offered a multi-media presentation and discussed the proposed Tree Save Plan.

There followed extensive Board discussion with questions to staff and some of the speakers, during which the Board instructed staff to include an additional condition for the Tree Save Plan that limits tree pruning activity to June through September to maximize the trees' survival.

Also during the discussion, Vice Chair Dreyfuss expressed his opposition to the proposed request on the grounds that he did not believe that the lots as proposed are appropriate or compatible with the surrounding lots.

5. Bethesda Downtown Plan Draft Implementation Guidelines, Worksession 1

Staff Recommendation: Review and Provide Guidance

BOARD ACTION

Motion: FANI-GONZÁLEZ/DREYFUSS

Vote:

Yea: 4-0

Nay:

Other: PATTERSON TEMPORARILY ABSENT

Action: Approved staff recommendation for approval of the Implementation Guidelines for the Bethesda Downtown Sector Plan for use and publication.

Planning Department staff offered a multi-media presentation and discussed the proposed Implementation Guidelines for the Bethesda Downtown Sector Plan. According to staff, the purpose of the guidelines is to provide direction, specific guidance, and solutions for situations not specifically addressed in the 2017 Bethesda Downtown Sector Plan, Design Guidelines, Subdivision Staging Policy, or other County policies. Once approved by the Planning Board, the Guidelines should be considered when making Site Plan findings for substantial conformance. The Guidelines will address procedures, such as how to use and update the Guidelines, and explain the roles and processes for the Monitoring and Tracking Program, the Implementation Advisory Committee (IAC), and the Design Advisory Panel (DAP). The Guidelines will also address the Bethesda Overlay Zone (BOZ), including the implementation of BOZ density; Park Impact Payments (PIP); building heights for development with 17.5 percent Moderately Priced Dwelling Units (MPDUs) in the Height Incentive Area; Floor Area Ratio (FAR) averaging; public open space, specifically off-site priority spaces; development procedures; and public benefit point calculations, including methodologies for determining the number of points that are appropriate in a given scenario. The Guidelines will also clarify the details and examples regarding Urban Green Cover, including the calculation method for a 20-year tree canopy.

There followed a brief Board discussion.

6. **Germantown Plan for the Town Sector Zone Preliminary Recommendations**---Staff presentation of the preliminary recommendations for the Germantown Plan for the Town Sector Zone master plan.

Staff Recommendation: Review Preliminary Recommendations 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 the preliminary recommendations for the proposed Germantown Plan for the Town-Sector (T-S) Zone, a Master Plan for the Churchill Village community. According to staff, the purpose of the Plan is to replace the existing T-S zoning with currently used zoning classifications with the goal of maintaining the residential core, protecting open space and recreation areas, and supporting neighborhood commercial uses.

Staff then discussed preliminary land use recommendations, noting that the Plan area consists of the Northwest District, located along the southwest quadrant of the intersection of Crystal Rock Road and Father Hurley Boulevard; the Northeast District, located on the southeast quadrant of the intersection of Crystal Rock Road and Father Hurley Boulevard; the Southwest District, located just south of the Northwest District on the west side of Father Hurley Boulevard, bounded by Wysteria Drive to the South and Clarksburg Road (MD121) to the west; and the Southeast District, located on the southeast quadrant of the intersection of Father Hurley Boulevard and Middlebrook Road. According to staff, the residential neighborhoods will maintain the existing Residential (R) zone land uses and densities and preserve the low- to medium-density character found in Churchill Village, with overall height and bulk regulations of buildings and landscaping standards to be consistent with the as-built environment. For commercial areas, recommendations for the Southeast District include the General Retail (GR) zone for the properties on the southwest and southeast quadrants of the intersection Wysteria Drive and Father Hurley Boulevard and the Employment Office (EOF) zone for the Churchill Executive Park, a commercial condominium development located on the north side of Wysteria Boulevard, with the remainder of the District zoned Residential. For the Northeast District, recommendations include the Residential, Townhouse Low Density (TLD) and Townhouse Medium Density (TMD) zones. For a currently undeveloped 4.8-acre property identified as

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6. Germantown Plan for the Town Sector Zone Preliminary RecommendationsCONTINUED

parcel P540, located in the southwest quadrant of the intersection of Father Hurley Boulevard and Waters Landing Drive within the Northwest District, staff is evaluating the Commercial/Residential/Neighborhood (CRN) zone with density high enough to support some commercial uses while also observing the surrounding densities, such as neighborhood-scaled mixed-uses with townhouses or multi-family development. Staff noted that the adjacent Churchill Senior Living Center site, whose owner has recently requested a density increase, is also being considered for rezoning from the Residential to the CRN zone.

The next steps for the Plan include the presentation of the Working Draft to the Planning Board, scheduled for June 6; transmittal of the Planning Board Draft to the County Council, scheduled for July; a County Council public hearing, scheduled for autumn; and County Council approval, also scheduled for autumn.

The following speakers offered testimony: Mr. Bob Harris, attorney representing the Episcopal Diocese of Washington, the owner of the parcel P540 site; Mr. Donald Crane, representing the Episcopal Diocese of Washington; and Mr. Scott Wallace, attorney representing the owner of the Churchill Senior Living Center site.

There followed extensive Board discussion with questions to staff, during which the Board recommended flexibility regarding the zoning for parcel P540 and the Churchill Senior Living Center site.

~~7. — Marinelli Road Separated Bike Lanes Briefing — Receive briefing update from MCDOT on design of bicycle improvements to Marinelli Road — REMOVED~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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