



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

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session on Thursday, April 4, 2019, at 9:02 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 1:15 p.m.

Present were Chair Casey Anderson and Commissioners Gerald R. Cichy and Tina Patterson. Vice Chair Norman Dreyfuss joined the meeting at 9:28 a.m. during discussion of Item 3.

Commissioner Natali Fani-González was necessarily absent.

Items 1 through 3 are reported on the attached agenda.

The Board recessed at 10:36 a.m. and convened in Closed Session at 10:40 a.m. to take up Item 8, 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 10:40 a.m. in the 3rd floor conference room on motion of Commissioner Patterson, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Cichy and Patterson voting in favor of the motion, and Commissioner Fani-González absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(1)(i), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction.

Also present at the meeting was Acting Principal Counsel Matthew Mills.

There was no Technical Writer present during discussion of Item 8.

The Closed Session meeting was adjourned at 10:53 a.m.

Items 6, 1C5, and 5, discussed in that order, are reported on the attached agenda.

Item 4 was removed from the Planning Board agenda.

The Board recessed at 11:53 a.m. and convened in Closed Session at 12:05 p.m. to take up Item 7, a Closed Session Item.

In compliance with State Government Article §3-305(b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:05 p.m. in the 3rd floor conference room on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Cichy and Patterson voting in favor of the motion, and Commissioner Fani-González absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(1)(i), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction.

Also present at the meeting was Parks Department Director Mike Riley.

There was no Technical Writer present during discussion of Item 7.

The Closed Session meeting was adjourned at 1:15 p.m.

There being no further business, the meeting was adjourned at 1:15 p.m. There are no Planning Board meetings scheduled for April 11 and 18, 2019. The next regular meeting of the Planning Board will be held on Thursday, April 25, 2019, in the Montgomery Regional Office in Silver Spring, Maryland.



James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, April 4, 2019
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***A. Adoption of Resolutions**

1. Edith Throckmorton Park FCP No. PP2019001 – MCPB No. 19-026
2. Metro Tower Sketch Plan No. 320190050 – MCPB No. 19-027
3. Safeway at Cloverly Site Plan No. 81999004B – MCPB No. 19-016
4. New Hampshire Avenue Restaurant Preliminary Plan 120180260 – MCPB No. 19-014
5. New Hampshire Ave Restaurant Site Plan 820180090 – MCPB No. 19-015

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220160920, 220160930 & 220160940, Cabin Branch CRT zone (formerly RMX-1), 71 lots and 5 parcels; located along Woodcock Way and Jaeger Road Clarksburg Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: PATTERSON/CICHY

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

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

***C. Other Consent Items**

1. Long Branch Corner, Preliminary Plan No. 120180090, Extension Request No. 2 3 --- CRT 2.5 C 0.5 R 2.5 H 60 zone, 0.67 acres, Second request to extend review of one lot for a maximum of 6,921 square feet of new non-residential development, and a waiver of the required number of parking spaces; located at the northwest quadrant of the intersection with University Boulevard East and Piney Branch Road; 2013 Approved and Adopted Long Branch Sector Plan. *Staff Recommendation: Approval of Extension*

2. Andrus Property, Preliminary Plan No. 120180130, Regulatory Extension Request No. 3-- Request to extend the regulatory review period from April 18, 2019 to ~~September 19,~~ June 27, 2019. Additional time is required to obtain approval of a right-of-way abandonment from MCDOT and the County Council and address external agency comments, including lot configuration, stormwater management, public storm drainage and public street design. The project is located on the west side of Greentree Road between Grubby Thicket Way and Barnett Road; and is within the 1992 North Bethesda/Garrett Park on 5.38 acres of land in the R-90 Zone. *Staff Recommendation: Approval of the Extension Request*

3. Flower Hill Parcels A-8 & A-9, Site Plan No. 81985107B, Regulatory Extension Request #2--- Request to extend the regulatory review period from March 14, 2019, to June 13, 2019. Additional time is required to address design comments and allow for the other agencies to review the final plans. The project is located in the south quadrant of the intersection of Woodfield Road and Muncaster Mill Road; and is within the 1996 Gaithersburg Vicinity Master Plan on 3.27 acres of land in the PNZ Zone. *Staff Recommendation: Approval of the Extension Request*

4. Avalon Residential: Site Plan No. 820190070, Regulatory Review Extension Request No. 2--- Request to extend the regulatory review period by 3 months to July 13, 2019; to construct 16 attached single family and 34 detached single family dwelling units, including 16% MPDUs (8 units); located at 22821 Frederick Road, approximately 600 feet north of the intersection of Frederick Road (MD 355) and Shawnee Lane; identified as parcels P765, P770, and P801 on Tax Map EW41; 10.28 acres; TF-5 zone; 1994 Clarksburg Master Plan & Hyattstown Special Study Area. *Staff Recommendation: Approval of the Extension Request*

BOARD ACTION

Motion: 1. through 4. CICHY/PATTERSON

Vote:

Yea: 1. through 4. 3-0

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

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

3. & 4. Approved staff recommendation for approval of the Site Plan Extension requests cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 21, 2019

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 3-0

Nay:

Other: DREYFUSS & FANI-GONZÁLEZ ABSENT

Action: Approved Planning Board Meeting Minutes of March 21, 2019, as submitted.

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 County Council review of the Department's FY19-24 Capital Improvements Program (CIP), with the majority of the Councilmembers opposing the proposed delay of the Ovid Hazen Wells Recreational Park construction by one year to meet the General Obligation Bond allocation recommended by the County Executive; the recent Bond Bill Saturday event held on March 16, with Maryland State Legislators approving to date \$950,000 for park projects, which will be presented on April 25, in order for the Board to take action to insert these bond bills into the FY20 Capital Budget; an upcoming update from Montgomery County Park Police Chief Darryl McSwain on gang-related activity in the parks scheduled for May 16; the status of the 2019 Spring Semi-Annual Report, which was presented to the County Council on April 2; the recent Better Together – Planning and Parks for a Region that Thrives interactive open house event held on March 20 in Annapolis, with approximately 175 guests attending; the recent Out of This World Water Day event held on March 22 at Brookside Gardens, featuring speaker Mr. Rick Arnold, NASA astronaut and Project Wet Foundation board member; the recent 31st Annual Awards for Historic Preservation event held on March 22 at the Lodge at Little Seneca Creek, during which Jamie Kuhns, History Coordinator and Museum Manager, received the County Executive's Prize for her book *Sharp Flashes of Light Come from Black Clouds: The Life of Josiah Henson*; the recent 45th Annual Public Safety Awards event held on March 15; the upcoming Light It Up Blue – Autism Awareness and Acceptance event scheduled for April 6 at the Agricultural History Farm Park; the upcoming Color and Kite Festival event scheduled for April 21 at Black Hill Regional Park; the upcoming 5th Annual Montgomery County GreenFest scheduled for April 28 at Brookside Gardens; and the next installment of the Park Speaker Series, scheduled for April 30, which will feature speaker Mr. Neelay Bhatt who will discuss building a culture of guest service excellence.

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2. Roundtable Discussion

CONTINUED

There followed a brief Board discussion with questions to Mr. Riley, during which Commissioner Patterson instructed Mr. Riley to schedule Chief McSwain's update on gang activity in the parks as a Closed Session Item for which all the Planning Board members will be present.

Chair Anderson also instructed Mr. Riley to update County Councilmember Andrew Friedson's office regarding the Maryland Board of Public Works recent approval of the Westbard Urban Park acquisition.

3. MNCPPC FY21-26 CIP Strategy Session 1---Strategy Session for the M-NCPPC Capital Improvements Program for FY21-26

Staff Recommendation: Obtain Feedback from the Planning Board on CIP Development

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Parks Department staff offered a multi-media presentation and discussed the proposed Parks Department FY21-26 Capital Improvements Program (CIP). Staff offered background information, noting that the CIP is a six-year plan for Parks Department spending for parkland acquisition and development projects and is the basis for each year’s capital budget. Projects are either stand-alone projects or level-of-effort (LOE) projects, which must cost \$30,000 or more and have a life-cycle of at least 15 years. The current approved FY19-24 CIP is \$222,061,000 and includes funding from Maryland-National Capital Park and Planning (M-NCPPC) bonds, General Obligation (GO) bonds, current revenue, and Maryland Public Open Space, among others. Projects in the current CIP include Park Refreshers, Vision Zero-related projects, maintenance of the existing park system, and major Capital Projects, such as Brookside Gardens improvements, Hillandale Local Park renovations, construction of the Little Bennett Regional Park Day Use Area, and Ovid Hazen Wells Recreational Park improvements.

Staff noted that in 2005, the Planning Board approved immediacy, need, and efficiency as the three primary criteria for staff to follow in developing the CIP. These three criteria have been incorporated in subsequent CIPs and were part of the overall strategy for the current FY19-24 CIP. However, in 2015, the Board also added public access to natural areas, trails, ballfields, urban parks, acquisitions, project delivery, and facility planning as part of an overall strategy for FY19-24. Though it has been formally part of the CIP strategy since the FY07-12 CIP, the Board has placed an increased emphasis on equity, or the provision of services or facilities to higher populations of lower income residents with low levels of access to parks, by including it as a focus area as part of the overall CIP development strategy since 2017. According to staff, the Department’s approach to equity, specifically social equity regarding income level, ethnicity, gender, ability, and age, is still evolving but has been influenced most by the National Recreation and Park Association (NRPA) approach. This approach is most recently evident in the 2017 Park Recreation Open Space (PROS) Plan, which analyzed density, income, and walkability to

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3. MNCPPC FY21-26 CIP Strategy Session 1CONTINUED

existing parks in order to address equity in the CIP, and the Energized Public Spaces (EPS) Functional Master Plan, for which social equity was used as the primary criterion to determine which areas should be prioritized for implementation of the Plan.

Staff then discussed racial equity, noting that a September 2018 report released by the Montgomery County Office of Legislative Oversight (OLO) entitled *Racial Equity in Government Decision-Making: Lessons from the Field* concludes that racial disparities are pervasive and require multi-pronged approaches. Since the release of that report, the County Council has committed to focusing on racial equity by setting a goal of enacting a Racial Equity and Social Justice Policy by fall 2019. Until the adoption of this formal policy, staff will utilize existing tools, such as the 2017 PROS Plan, specifically the Park Equity Map, and the most current data to create an equity lens for prioritizing capital projects. Staff noted that Parks Department planners and GIS analysts, working with staff in the Planning Department, have also created a Geographic Information System (GIS)-based tool that will enable staff to locate and prioritize candidate CIP projects on three separate base overlay maps, including the Park Equity Map, a Percent Area Median Income map, and a Racial and Ethnic Predominance map. Staff then recommended that the Board adopt the FY19-24 CIP Strategy as the FY21-26 Strategy with additional language in the equity criterion that states that a project must provide services or facilities to communities where there is a predominance or majority of racial or ethnic minorities, and that allows the use of the Racial and Ethnic Predominance and Percent Area Median Income maps.

There followed extensive Board discussion with questions to staff, during which Commissioner Patterson instructed staff to send a link of the GIS map to Commissioner Fani-González and recommended that the equity criterion be listed along with the other ten evaluation criteria rather than separately, and that staff explore the feasibility of focusing equity on areas with low area median income rather than focusing solely on an area's racial make-up. The Board also recommended that staff explore incorporating a trends projection function into the GIS map.

~~4. Park Directive to establish a one-year six-month pilot program to allow e-bikes and e-scooters on park trails in Montgomery County. REMOVED~~

~~Staff Recommendation: Approve for Signature by Department of Parks Director~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

8. CLOSED SESSION

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

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. Budget Discussion on the County Executive Recommendation**BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

The Commission's Corporate Budget Manager John Kroll discussed the Montgomery County Executive's proposed FY20 budget, continuing the discussion begun at the March 21 Planning Board meeting. During that meeting, staff presented possible reductions for the Planning Department, the Parks Department, the Department of Human Resources and Management (DHRM), the Finance Department, the Legal Department, the Office of the Chief Information Officer (CIO), and the Office of the Inspector General (OIG). The concerns and suggestions from the Planning Board regarding Central Administrative Services (CAS) were factored into a revised list of reductions that was presented to the Prince George's Planning Board at their March 28 meeting. The Prince George's County Planning Board voted to move forward with the CAS reductions as proposed, with minor modifications to the DHRM budget on the allocation of reductions within the tiers. The Montgomery County Planning and Parks Departments have also revised their proposed reductions, as per the Planning Board's direction, with Mr. Kroll noting that the two Departments will now also assume the reductions in the Office of the Chief Information Officer – Commission-Wide Information Technology (CIO/CWIT) funding requests. Mr. Kroll added that the Board also requested a more complete discussion of the Commissioners' Office budget, which is detailed in an attached memo from Ms. Joyce Pettigrew Garcia, Planning Board Administrator.

Following a brief discussion, the Planning Board agreed that the Planning Department will assume the prorated reductions for the Commissioners' Office FY20 budget.

Planning Department – Planning Department Director Gwen Wright discussed the revised non-recommended reductions to the Planning Department FY20 budget, which total \$883,744. According to Ms. Wright, following \$325,366 in savings measures, the Department requires \$558,378 in remaining reductions, which include the reductions for the Commissioners' Office budget. Ms. Wright recommended that the proposed reduction of \$393,796 through the elimination of the Wheaton Headquarters building Operating Budget Impact (OBI) be the primary priority for restoration through reconciliation, leaving the Department to achieve \$164,582 in reductions. Ms. Wright then recommended that reductions of \$100,000 through

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6. Budget Discussion on the County Executive RecommendationCONTINUED

reducing General Plan Update support and \$100,000 through delaying the filling of two vacant positions be removed from the list of non-recommended reductions. The four remaining reduction measures totaling \$183,777 will be transmitted to the County Council as non-recommended reductions.

There followed a brief Board discussion with questions to Ms. Wright, during which the Board supported Ms. Wright's saving strategies.

Parks Department – Parks Department Director Mike Riley discussed non-recommended reductions to the Park Fund FY20 budget, which total \$4,101,917. According to Mr. Riley, the Department can accommodate \$2,305,333 in reductions through budget savings and other reduction strategies. He was also confident that the County Council will restore the majority, if not all, the remaining \$1,050,813 in Tier 1, and \$645,771 in Tier 2 non-recommended reductions through the reconciliation process.

There followed a brief Board discussion with questions to Mr. Riley, during which the Board supported Mr. Riley's saving strategies.

Department of Human Resources and Management (DHRM) – Acting Executive Director Anju Bennett discussed the proposed reductions to the FY20 DHRM budget, which total \$152,666. Ms. Bennett noted that during the March 21 Planning Board meeting, the Board instructed the Department to make areas of compliance, specifically those regarding grievance review and legal support, as funding priorities. To that end, Ms. Bennett proposes moving the reduction of \$60,000 through a reduction in funding for a Classification and Compensation Study from a Tier 2 to a Tier 1 priority for reconciliation, which will allow the removal of a proposed reduction of \$22,666 through reduced funding for legal consulting services from Tier 1. Ms. Bennett then recommended moving the reduction of \$30,000 through the delay in hiring a Training Manager from a Tier 2 to a Tier 1 priority.

There followed a brief Board discussion.

Merit System Board – Ms. Bennett then discussed the proposed reductions to the Merit System Board FY20 budget, which totals \$5,360, noting that during the March 21 meeting, the Planning Board did not support the proposed funding reduction for legal consulting services. Therefore, while the proposed reduction will be listed as one of the target FY20 budget reductions, Ms. Bennett recommends using FY19 budget savings to prefund the FY20 budget for this item, thereby eliminating any reduction in services.

There followed a brief Board discussion, during which the Board supported Ms. Bennett's saving strategy.

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6. Budget Discussion on the County Executive RecommendationCONTINUED

Central Administrative Services (CAS) Support Services – Ms. Bennett briefly discussed the proposed reductions to the CAS Support Services FY20 budget, which total \$54,146, noting that the reductions proposed at the March 21 Planning Board meeting were accepted without additional comment.

There followed a brief Board discussion.

Finance Department – Secretary-Treasurer Joe Zimmerman briefly discussed the proposed reductions to the Finance Department FY20 budget, which total \$149,115. Mr. Zimmerman noted that in addition to deferring the total reduction for the Office of the Inspector General (OIG) budget, as discussed during the March 21 Planning Board meeting, the Department will also defer the reduction for the Merit System Board budget due to \$21,366 in savings through the Planning and Parks Departments' assumption of the reductions for the Office of the Chief Information Officer – Commission-Wide Information Technology (CIO/CWIT) budget.

There followed a brief Board discussion.

Legal Department – General Counsel Adrian Gardner briefly discussed the non-recommended reductions to the proposed Legal Department FY20 budget, \$51,420 of which is the responsibility of the Montgomery County side and will be met through the delay in filling a vacant position in the Montgomery County Legal Office.

There followed a brief Board discussion, during which Mr. Gardner assured the Board that the Montgomery County Legal Office will be staffed with three attorneys prior to May 1.

Office of the Chief Information Officer (CIO) – Chief Information Officer Mazen Chilet discussed proposed reductions to the CIO FY20 budget, specifically Corporate Information Technology (IT) funds, which total \$94,553. Mr. Chilet noted that the Office of the CIO has reprioritized the proposed reductions discussed during the March 21 meeting, moving the reduction of \$31,414 for training and workshops from a Tier 2 to a Tier 1 priority for reconciliation, and the reduction of \$19,542 for professional services from a Tier 1 to a Tier 2 priority. Mr. Chilet added that no other revisions were made.

There followed a brief Board discussion.

1C5. Cabin John Village: Site Plan No. 820190020, Regulatory Review Extension Request No. 2---Request to extend the regulatory review period by 7 days to April 25, 2019; to construct 45,000 square feet (29,000 net new square feet) of commercial uses and 48 single-family attached units including 12.5% MPDU's, located at the northeast corner of Seven Locks Road and Tuckerman Lane; 25.32 acres, CRT-0.75, C-0.5, R-0.25, H-35 and R-90 Zone, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: PATTERSON/CICHY

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation for approval of the Site Plan Extension request cited above.

***5. Ripley II**

A. Sketch Plan Amendment 32015003B, Ripley II, CR 5.0 C 4.0 R 4.75 H 200T and Ripley/South Silver Spring Overlay Zones, 1.66 acres, Request to increase the maximum building height to 270 feet (pursuant to approved ZTA No. 17-05) for a mixed-use development for up to 419,181 square feet of residential uses (up to 440 multi-family units) and up to 18,083 square feet of non-residential uses; located on Dixon Avenue, approximately 150 feet south of Ripley Street; Silver Spring CBD Sector Plan.

Staff Recommendation: Approval with Conditions

B. Site Plan Amendment 82016007A, Ripley II, CR 5.0 C 4.0 R 4.75 H 200T and Ripley/South Silver Spring Overlay Zones, 1.66 acres, Request to increase the maximum building height to 270 feet (pursuant to approved ZTA No. 17-05) for a mixed-use development for up to 419,181 square feet of residential uses (up to 440 multi-family units) and up to 18,083 square feet of non-residential uses; located on Dixon Avenue, approximately 150 feet south of Ripley Street; Silver Spring CBD Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. DREYFUSS/CICHY

Vote:

Yea: A. & B. 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: A. Approved staff recommendation for approval of the Sketch Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.

B. A. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed proposed Sketch Plan Amendment and Site Plan Amendment requests to increase the maximum height and to revise the building design, site design, and public benefits for a previously approved mixed-use project. The 1.66-acre site is located on the west side of Dixon Avenue and is zoned Commercial/Residential (CR) within the Ripley/South Silver Spring Overlay Zone in the Ripley District of the Silver Spring Central Business District (CBD) Sector Plan area. The proposed project site is currently developed with the existing Progress Place social services building and Public Parking Lot 20. Staff discussed previous approvals, including a Joint Development

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***5. Ripley II**CONTINUED

Agreement with Montgomery County in which ownership of County Parking Lot 20 was granted to the applicant in exchange for a new facility for Progress Place, a County social services provider, now located on the adjacent Silver Spring Fire Station site, which was approved by the Planning Board via a 2015 Mandatory Referral; 2016 Site and Preliminary Plans for up to a total of 437,265 square feet of mixed-use development; and 2017 Zoning Text Amendment (ZTA) 17-05, which modifies the Ripley/Silver Spring South Overlay Zone and allows the Planning Board to approve a maximum building height of 270 feet for a property zoned CR and mapped at 200 feet if an optional method development project includes the provision of an on-site or off-site major public facility.

Staff noted that the applicant proposes to increase the maximum building height to 270 feet to provide four levels of private above-grade structured parking, which is not counted toward density limits; private amenities and recreation; and public open space. The previously approved density for up to 437,265 total square feet, with up to 419,181.3 square feet of residential uses to accommodate up to 440 multi-family residential units, including 15 percent Moderately Priced Dwelling Units (MPDUs), and up to 18,083.7 square feet of ground-floor non-residential uses, remains the same. Access to the site will remain unchanged from the original approval and will be provided from Dixon Avenue. Staff also noted that the provision of public open space is not required due to the size of the property. However, the applicant has proposed significant open space, which the amendment proposes to modify to better fit the new building design and improve on the relationship to the extended Metropolitan Branch Trail through an enhanced connection from Dixon Avenue, resulting in a quantitative reduction but qualitative increase of usable space.

Ms. Heather Dlhopsky, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Ms. Janel Kauser and Ms. Alyse Talbott, members of the applicant's team, offered a multi-media presentation and discussed the proposed project's design elements.

There followed a brief Board discussion with questions to staff.

7. CLOSED SESSION

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BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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