



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 12, 2019, at 9:03 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 2:03 p.m.

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

Items 1 through 5 are reported on the attached agenda.

The Board recessed for lunch at 11:31 a.m. and reconvened in the auditorium at 1:10 p.m.

Items 6 and 7 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 2:03 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 19, 2019, 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 12, 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. 220190250, Peterson's Subdivision -- RE-2C zone; 1 lot; located on the east side of Norwood road, 1215 feet north of Norbeck Road (MD-28); Cloverly Master Plan.
Staff Recommendation: Approval

Subdivision Plat No. 220190340, Lake Normandy Estates -- R-200 zone; 2 lots; located in the southwest quadrant of the intersection of Marseille Drive and Cherbourg Avenue; Potomac Subregion Master Plan.
Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

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

***C. Other Consent Items**

1. 4 Bethesda Metro Center, Preliminary Plan Amendment No. 11981068B, Extension Request No. 2—CR 8.0 C 6.0 R 7.5 H 290 zone, CR 8.0 C 6.0 R 7.5 H 210 zone, and the Bethesda Overlay Zone, 3.48 acres, Second request to extend review period, from September 12, 2019, to October 24, 2019, for proposal of a mixed-use building with up 1,092,242 square feet of total development, including a maximum of 500,000 square feet of new multi-family residential development including up to 489 dwelling units; located on Wisconsin Avenue at the southwestern intersection with Old Georgetown Road; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

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

***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 followed by discussion.**

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 completion of lead testing for all 281 park potable drinking water outlets, which resulted in 27 outlets being taken out of service, equipped with new filters, and retested using a five parts per billion threshold for lead before passing and being placed back into service; the recent ribbon-cutting ceremony event for the Wheaton Library, Community Recreation Center, and Local Park held on September 8; the recent Meadowbrook Stables 85th Anniversary Open House event held on September 7; the recent Brookside Gardens 50th Anniversary Celebration event held on July 12, which was attended by numerous local and State officials; the recent County Council staff tours of Pope Farm Nursery, Laytonia Regional Park, and the new purpose-built cricket field at South Germantown Recreational Park held on September 3 and hosted by the Parks Department; the recent 36th Annual Stewartown Community Day event held on July 13; and the most recent presentation of the Food Matters speaker series, Montgomery County Breweries, held on August 23.

Mr. Riley then discussed upcoming Parks Department activities, including: the grand opening celebration for the new cricket field at the South Germantown Recreational Park scheduled for September 14; a dog-friendly Yappy Hour event scheduled for September 19 at the Elm Street Urban Park in Bethesda; the Apple Festival and Campfire event scheduled for September 20 at Meadowside Nature Center in Rockville; the Burtonsville Day event scheduled for September 21 at Columbia Local Park; the Friendship Picnic event scheduled for September 22 at Wheaton Regional Park; the Honey Harvest Festival event scheduled for September 22 at Brookside Nature Center; the Salsa in the Park event scheduled for October 1 at Brookside Gardens; the Active Aging Kick-Off Celebration event scheduled for October 2 at Brookside Gardens; and the 2019 Harvest Festival event scheduled for October 5 at the Agricultural History Farm Park.

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

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2. Roundtable DiscussionCONTINUED

Parks Department staff then offered a multi-media presentation and discussed stream restoration work on parkland, specifically environmental restoration activities within Rock Creek Stream Valley Park (SVP). According to staff, the Parks Department currently maintains 36,481 acres of land in 421 parks, including 26,000 natural resource management acres, 590 miles of protected streams, and 19,530 acres of stream buffer. Any proposed construction on parkland requires a Park Construction Permit, one of the most environmentally stringent development restrictions in the country. Stream restoration on parkland may include in-house park projects; partnerships with other agencies such as Montgomery County Department of Environmental Protection (MCDEP), Maryland Department of the Environment (MDE), Montgomery County Department of Transportation (MCDOT), and the Army Corps of Engineers (ACOE); the review and permitting of outside party projects by MCDEP, MCDOT, ACOE, Maryland Department of Transportation State Highway Administration (MDOT/SHA), Washington Gas (WGL), and Washington Suburban Sanitary Commission (WSSC); and mitigation for impacts to parkland.

Staff then discussed recent, ongoing, and upcoming environmental restoration projects within the Rock Creek SVP, including a Parks Department wetland restoration in 2007; a Rock Creek stream restoration and fish passage project related to construction of the Inter-County Connector (ICC) in 2010; a Parks Department/MCDOT stream restoration project along Pinehurst Tributary and a WSSC/Washington Gas emergency stream restoration project in 2014; a Parks Department floodplain riparian enhancement in 2018; a Parks Department/MCDOT/WSSC Woodbine Tributary restoration project, a Parks Department/MCDOT impervious removal and naturalization, and outfall restoration projects in 2019; and a Parks Department floodplain enhancement scheduled for 2020, among others.

There followed extensive Board discussion with questions to staff, during which Mr. Riley, in response to a question from Vice Chair Fani-González, stated that he would return to clarify the Parks Department rules regarding swimming in park streams. Commissioner Patterson also agreed to accompany staff during their investigation of a tree with exposed roots along a stream bank in Meadowbrook Local Park.

3. Fall 2019 Semiannual Outline Presentation

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department and Parks Department Directors Gwen Wright and Mike Riley offered an overview of the Fall 2019 Semi-Annual Report to be presented to the County Council and the County Executive. Ms. Wright noted that at the suggestion of the County Council, the full booklet form of the Report will only be submitted yearly at the spring presentation. The Planning Department portion of the 2019 Fall Semi-Annual Report will focus on Thrive Montgomery 2050, the Update to the General Plan, specifically the three outcomes of the Update: i) Community Equity; ii) Economic Health; and iii) Environmental Resilience, with the Parks Department portion to focus on trails, athletic fields, urban parks, the volunteer program, and other projects.

There followed extensive Board discussion with questions to Ms. Wright and Mr. Riley, during which the Board instructed both Directors to include and emphasize projects that the County Council has approved, such as the Matthew Henson Trail crossing at Veirs Mill Road, the Purple Line, historic assets, cemeteries, transit, and the Bethesda area.

4. MNCPPC FY21-26 CIP Worksession 2---Worksession for the M-NCPPC Capital Improvements Program for FY21-26

Staff Recommendation: Conditional Approval of Projects for Inclusion in the Parks' FY21-26 CIP and General Guidance Regarding CIP Development

BOARD ACTION

Motion: FANI-GONZÁLEZ/VERMA

Vote:

Yea: 4-0-1

Nay: PATTERSON

Other:

Action: Approved staff recommendation for approval of projects proposed for inclusion in the Parks Department FY21-26 Capital Improvements Program, modified as discussed during the meeting.

Parks Department staff offered a multi-media presentation and discussed the FY21-26 proposed Capital Improvements Program (CIP), specifically funding for General Obligation (GO) bond-funded projects and non-bond-funded projects for non-local county-wide parks to be included in the Parks Department's CIP. Staff noted that during today's worksession, Spending Affordability Guidelines (SAG) and Maryland Program Open Space (POS) adjustments will not be revisited to address affordability options for GO bonds because POS funding is typically only used in GO bond-funded projects in exceptional cases. According to staff, SAG for GO bonds is a larger issue than just Parks Department projects, as other County departments and agencies fund projects using GO bonds as well. Also, by FY26, County Council GO bond limits will revert to less than the FY13 funding levels. Staff noted that to address potential affordability issues in their initial request, they have developed two potential scenarios for the CIP.

Staff then discussed Option A, their recommended scenario. The more substantive features of Option A include new stand-alone projects, such as the Black Hill Sustainable Energy Every Day (SEED) classroom, which will be leveraged with State aid, interim safety improvements for the Capital Crescent Trail (CCT) crossing at the Little Falls Parkway crossing, and Phase II of the cricket field at South Germantown Recreational Park; and increases in funding for existing stand-alone projects, including improvements for Josiah Henson Historic Park and Ovid Hazen Wells Regional Park. Other projects recommended in Option A for inclusion in the CIP include North Branch trail improvements, Brookside Gardens Master Plan implementation, and continued work on the Little Bennett Day Use Area. Staff then briefly discussed proposed Option B, which is similar to Option A with the exception being that it

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4. MNCPPC FY21-26 CIP Worksession 2

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recommends that the construction phase of interim CCT improvements begin in FY22. Option B also recommends delaying the Brookside Gardens Master Plan implementation and construction for the Little Bennett Day Use Area by one year.

The next steps for the FY21-26 CIP include an adoption session scheduled for October 3, transmittal to the County Executive and Council scheduled for November 1, County Executive recommendations by January 15, 2020, County Council Public Hearings scheduled for February, County Council worksessions scheduled for February and March, and County Council adoption scheduled for May.

There followed extensive Board discussion with questions to staff, during which the Board instructed staff to proceed with Option A but to modify the proposed interim safety measures for the CCT crossing at Little Falls Turnpike by relocating the crossing to the existing crosswalk, raising the crosswalk, and then delaying the funding meant for permanent improvements beyond six years.

Commissioner Patterson also instructed staff to return with a detailed estimate for a CCT bridge over Little Falls Parkway, as well as additional details regarding Josiah Henson Historic Park improvements.

5. Maryland Soccer Foundation request for Corporate Sponsorship Change from Discovery Sports Center to Adventist HealthCare Fieldhouse*Staff Recommendation: Approval***BOARD ACTION****Motion: FANI-GONZÁLEZ/VERMA****Vote:****Yea: 5-0****Nay:****Other:****Action: Approved staff recommendation for approval of the corporate sponsorship and name change request cited above to be transmitted to the Full Commission for approval.**

Parks Department staff briefed the Board and discussed a proposed name change at the Maryland Soccer Foundation (MSF) SoccerPlex facility. According to staff, MSF has successfully partnered with multiple local businesses and organizations to provide significant recreational opportunities to the County and the region, with the most visible corporate affiliation being Discovery Communications, after which the main fieldhouse building has been named since its inception. Having engaged in negotiations, and agreeing to the terms in principle, with a potential new sponsor, Adventist Healthcare, MSF has submitted to the Parks Department a request for a change in sponsorship for the SoccerPlex facility, and to rename the Discovery Sports Center building the Adventist HealthCare Fieldhouse. Staff noted that as per the lease agreement, any facility sponsorship or name change requires Full Commission approval.

Mr. Matt Libber, MSF Executive Director, offered comments.

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

6. FY21 Operating Budget Overview*Staff Recommendation: Briefing and discussion***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:**

Action: Received briefing from the Commission Budget Manager, Mr. John Kroll, on the FY21 Operating Budget Guidelines and the Six-Year Outlook Projections.

Mr. John Kroll, the Commission Budget Manager, offered a multi-media presentation and briefed the Planning Board on the proposed FY21 Operating Budget Guidelines and briefly discussed the Six-Year Outlook projections. Mr. Kroll discussed the financial condition of the Administration Fund stating that: i) the County balanced the FY20 Budget by using fund balance and increasing the tax rate; ii) costs are growing faster than revenues (without a tax rate increase); and iii) there is preliminary need to assess a possible tax rate increase of 0.07 cent in FY21, prior to the inclusion of critical needs that the departments will identify. Mr. Kroll also discussed the Park Fund financial condition restating the first two points cited above and adding that there is a preliminary need for a possible tax rate increase of 0.14 cent in FY21, prior to the inclusion of critical needs that the Parks Department will identify.

Mr. Kroll then briefly discussed the proposed FY21 Budget Development Timeline noting that the following is a tentative schedule:

- 1) Staff develops budget parameters -- July to August 2019;
- 2) FY21 Budget Overview discussion with Planning Board -- September to November 2019;
- 3) Staff develops FY21 Budget -- September to November 2019;
- 4) Planning Board worksessions -- October to November 2019;
- 5) Commission approves proposed FY21 Budget on December 18, 2019;
- 6) Staff prepares proposed budget book --- December 2019 to January 2020;
- 7) Submittal of proposed FY21 Operating Budget to County Executive and County Council on January 15, 2020;
- 8) County Executive makes recommendations ---January 15 to March 1, 2020;
- 9) County Council holds Public Hearings – April 2020
- 10) Planning Board Chair provides testimony -- April 2020;
- 11) County Council reviews budget --- April 2020;
- 12) Montgomery & Prince George's County Councils meet jointly -- May 2020
- 13) Montgomery & Prince George's County Councils adopt FY21 Budget by June 1, 2020; and
- 14) Commission adopts FY21 Budget Resolution on June 17, 2020.

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

***7. 4915 Auburn Avenue**

A. Sketch Plan Amendment No. 32018017A, CR 3.0 C 3.0 R 2.75 H 110 zone and the Bethesda Overlay zone, 0.73 acres, Request to revise allocation of Bethesda Overlay Zone density to reflect previously exempt MPDU density; located in the southwest quadrant of the intersection of Auburn Avenue and Norfolk Avenue; 2017 Bethesda Downtown Sector Plan.
Staff Recommendation: Approval with conditions and Adoption of Resolution

B. Preliminary Plan Amendment No. 12018021A, CR 3.0 C 3.0 R 2.75 H 110 zone and the Bethesda Overlay zone, 0.73 acres, Request to revise allocation of residential and commercial uses to allow up to 5 multi-family dwelling units on Lot 1 and up to 5,000 square feet of office on Lots 1 and 2; located in the southwest quadrant of the intersection of Auburn Avenue and Norfolk Avenue; 2017 Bethesda Downtown Sector Plan.
Staff Recommendation: Approval with Conditions and Adoption of Resolution

C. Site Plan No. 820190100, CR 3.0 C 3.0 R 2.75 H 110 zone and the Bethesda Overlay zone, 0.73 acres, Request for 190,000 square feet of total development, with up to 177,500 square feet (175 units) of multi-family residential uses with 17.7 percent MPDUs, 12,500 square of non-residential, and up to 95,008 square feet from the Bethesda Overlay Zone; located in the southwest quadrant of the intersection of Auburn Avenue and Norfolk Avenue; 2017 Bethesda Downtown Sector Plan.
Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: A.B. & C. CICHY/FANI-GONZÁLEZ

Vote:

Yea: A.B. & C. 5-0

Nay:

Other:

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

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

C. Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, and adopted the attached Resolution.

In keeping with the August 30 technical staff report, Planning Department staff offered a multi-media presentation and discussed Sketch Plan Amendment, Preliminary Plan Amendment, and Site Plan requests for a proposed development project. Staff noted that the two Amendment

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***7 4915 Auburn Avenue -- A. Sketch Plan Amendment No. 32018017A; B. Preliminary Plan Amendment No. 12018021A; & C. Site Plan No. 820190100**

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requests propose to increase the maximum Bethesda Overlay Zone (BOZ) Density and reallocate density within the site. The Site Plan request proposes to build a mixed-use project of up to 190,000 square feet, with up to 175 multi-family dwelling units, including 17.7 percent Moderately Priced Dwelling Units (MPDUs), and up to 12,500 square feet of non-residential uses, including structured parking, exceptional design, open space, and enhancement of the natural environment. The Site Plan also includes an allocation of the BOZ density of up to 95,008 square feet. The resulting BOZ density eligible for a Park Impact Payment (PIP) is thus 65,280 square feet, yielding a PIP of \$652,800 to fund park acquisition in downtown Bethesda. The 0.72-acre property is located on Auburn Avenue, west of Norfolk Avenue in the Bethesda Downtown Sector Plan area and is currently being used for non-residential uses. Staff noted that the Sketch Plan Amendment is necessary due to changes in the Zoning Ordinance related to how MPDU density is treated within the context of BOZ density, and the Preliminary Plan Amendment will allow residential dwelling units to be allocated to both lots and also allow office uses.

Staff added that the site is comprised of two lots, both of which will accommodate the mixed-use commercial and multi-family proposed development. In addition, Lot 1 will provide a public open space buffer between the site and the adjacent residential zone. The proposed Amendments do not alter the intent, objectives, density, or requirements in the originally approved Sketch and Preliminary Plans, and all previous findings remain in effect.

Staff then briefly discussed the conditions of approval and noted that the proposed project will provide a pedestrian connection through the site that will serve as the missing link between the Bethesda Trolley Trail, which provides a pedestrian/cyclist connection through Battery Lane Urban Park, and the through-block pedestrian connection between Auburn Avenue and Del Ray Avenue, adjacent to Imagination Stage. Additionally, the project will participate in the implementation of the Norfolk Avenue Shared Street. Staff noted that the applicant held a pre-submittal public meeting at the Bethesda-Chevy Chase Regional Services Center on April 2, 2019, and has complied with all submittal and noticing requirements. Staff also noted that as of today, it has not received correspondence from community groups or residents regarding this project.

Ms. Stacy Silber, attorney representing the applicant, introduced Mr. Brian Gelfand, the applicant, and Mr. Josh Sloan of VIKA and Ms. Filipa Powell of Shallom Barank Associates, members of the applicant's team, offered brief comments and concurred with the staff recommendations.

Ms. Filipa Powell offered a brief multi-media presentation and discussed the proposed architecture.

Mr. Josh Sloan, member of the applicant's team, answered questions from the Board. There followed a brief Board discussion with questions to staff and Ms. Silber