



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

**APPROVED  
MINUTES**

Following a scheduled tour of the Glenstone Museum in Potomac, Maryland, from 9:00 a.m. to 2:00 p.m., the Montgomery County Planning Board met in regular session on Thursday, November 14, 2019, at 2:06 p.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 9:20 p.m.

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

Items 1, 4, 5, 2, and 6, discussed in that order, are reported on the attached agenda.

The Planning Board recessed for dinner at 3:59 p.m. and reconvened in the auditorium at 7:32 p.m. to receive briefing and testimony regarding the Aspen Hill Vision Zero Study Draft.

There being no further business, the meeting was adjourned at 9:20 p.m. The Planning Board will meet on Thursday, November 21 at 8:30 a.m. for a very short session, and will then proceed with a scheduled fall tour of the Parks Facilities. There is no Planning Board meeting scheduled for Thursday, November 28, Thanksgiving Day. The next regular meeting of the Planning Board will be held on Thursday, December 5, 2019, in the Montgomery Regional Office in Silver Spring, Maryland.

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**Montgomery County Planning Board Meeting  
Thursday, November 14, 2019  
8787 Georgia Avenue  
Silver Spring, MD 20910-3760  
301-495-4600**

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Corrected Resolution for 4915 Auburn Avenue Preliminary Plan 12018021A -- MCPB No. 19-112
2. Corrected Resolution for 4915 Auburn Avenue Site Plan 820190100 – MCPB No. 19-113

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/CICHY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

**\*B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:        There were no Record Plats submitted for approval.**

**\*C. Other Consent Items**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:**      **There were no Other Consent Items submitted for approval.**

**\*D. Approval of Planning Board Meeting Minutes**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**4. Review of FY21 Operating Budget---Planning Department, Parks Department, Commissioner's Office and Central Administrative Services (CAS)**

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation for approval of the proposed FY21 budgets for the Planning Department, the Parks Department, the Commissioners' Office, and Central Administrative Services (CAS).

Prior to staff presentations of their proposed FY21 budgets, Mr. John Kroll, the Commission's Corporate Budget Manager, offered brief introductory remarks and noted that FY21 pension and Other Post-Employment Benefits (OPEB) figures have been updated since the publication of the budget memoranda submitted to the Planning Board, resulting in increases to the proposed budgets being discussed today.

**Planning Department** – Planning Department staff briefly discussed the proposed FY21 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 (CIO/CWIT). The proposed FY21 budget is \$21,311,180, an increase of \$587,390,809 or 2.8 percent above the FY20 budget.

Staff then discussed a request to transfer \$1,096,941 from the Montgomery Regional Office (MRO) Silver Place Fund and Group Insurance Internal Service Fund (ISF) to the Capital Equipment ISF.

There followed a brief Board discussion with questions to staff.

**Parks Department** – Parks Department staff briefly discussed the proposed FY21 budgets for the Park Fund, the Enterprise Fund, the Property Management Fund, and the Special Revenue Fund, as detailed in the November 7 memorandum to the Planning Board. According to staff, a reduction to the Parks Department share of the CWIT from \$327,040 to \$185,040 results in a total Park Fund request of \$6,200,000, a 6.1 percent over the FY20 adopted budget. Park Fund Operating Revenue is projected to be \$7,680,675. This is \$301,188 higher than the FY20 adopted budget mainly due to a projected increase in user fees and the Intergovernmental Revenue for the Water Quality Protection Fund. The Enterprise Fund proposed FY21 budget

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**4. Review of FY21 Operating Budget**CONTINUED

reflects \$12,608,136 in revenues and \$10,609,188 in expenditures for a net profit of \$1,998,948. Staff noted that the Special Revenue Fund has a beginning balance of \$960,329, with the proposed FY21 budget reflecting revenues of \$2,722,850 and expenditures of \$2,967,428, resulting in a net balance of \$715,751.

There followed a brief Board discussion.

**Commissioners' Office** – Ms. Joyce Pettigrew Garcia, Special Assistant to the Planning Board, discussed the proposed FY21 budget request for the Commissioners' Office, noting that the proposed budget request of \$1,265,196 reflects the base budget and requested enhancements for a reduction of 2.6 percent, or \$33,842 from the FY20 adopted budget. Ms. Garcia added that the FY21 budget includes two funding enhancements, including \$5,000 for internal events and activities that promote diversity, and \$25,000 for professional services, trainings, and conferences for Planning Board and Commissioners' Office staff, and a Planning Board retreat.

There followed a brief Board discussion.

**Central Administrative Services (CAS)** – Mr. John Kroll, the Commission's Corporate Budget Manager, noted that as detailed in the November 7 memorandum to the Planning Board, the proposed FY21 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, the Office of the Chief Information Officer, and CAS Support Services have all been previously discussed, and no changes or additional requests have been added.

Ms. Katie Knaupe, Budget and Management Operations Chief, then briefly discussed the proposed FY21 budget for the Internal Service Fund (ISF), including Risk Management, Group Insurance, Executive Office Building (EOB), and Capital Equipment. According to Ms. Knaupe, the proposed FY21 EOB budget is \$1,477,473 and includes an increase of 2.8 percent, or \$39,770. The total proposed FY21 Risk Management budget \$8,687,887, an 18.8 percent increase from the FY20 adopted budget levels of \$7,312,771. For the County-Wide Group Insurance ISF, the proposed FY21 expenditure budget is \$71.30 million, a 15 percent increase from FY20 budget levels, which is due to higher claims experience which resulted in a higher rate forecast for FY21.

Mr. Kroll then briefly discussed the Montgomery County Capital Equipment ISF and the Wheaton Headquarters Building ISF, noting that for the FY21 Capital Equipment ISF, the Parks Department is proposing \$1,800,000 in new purchases, as detailed in the November 7 memorandum to the Planning Board. The proposed FY21 budget for the Wheaton Headquarters building is \$2,794,400.

There followed a brief Board discussion with questions to staff.

**5. Zoning Text Amendment No. 19-07: Telecommunications Towers – Limited Use---**  
ZTA 19-07 amends the Montgomery County Zoning Ordinance to allow certain telecommunications towers as a limited or conditional use in certain residential zones; revise the standards for telecommunications towers allowed as a limited or conditional use; and to revise the conditional use findings required for the replacement of a pre-existing pole.

*Staff Recommendation: Transmit Comments to the County Council*

**(NOTE: Action required for County Council Public Hearing of November 19, 2019)**

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) that will address the need for increased access to mobile broadband services while managing commercial use of public property and maintaining attractive and safe roads and neighborhoods. As written, proposed ZTA 19-07 will amend the Montgomery County Zoning Ordinance by allowing certain types of telecommunications towers as limited or conditional uses in certain residential zones by revising the standards for telecommunications towers allowed as a limited or conditional use, revising the conditional use findings required for the replacement of a pre-existing pole, and amending use requirements to address certain types of telecommunications towers. According to staff, the ZTA is an opportunity for the County to establish its own standards rather than having state or federal standards imposed, which staff believes are less favorable than what the ZTA would achieve. Staff then offered background information, noting that ZTA 18-02, adopted in May 2018, amended the Zoning Ordinance to allow replacement of pre-existing streetlights, utility poles and site plan-approved parking lot lights in the Commercial/Residential, Employment, and Industrial zones. Also in 2018, ZTA 18-11 was proposed to allow replacement of these same types of pre-existing poles in the Agricultural, Rural Residential, and Residential zones as a Limited Use if the pre-existing pole is at least 22 feet tall and 30 feet from a house, or as a Conditional Use if the pre-existing pole is shorter than 22 feet and at least 30 feet from a house. Ultimately, ZTA 18-11 was not enacted by the previous County Council.

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**5. Zoning Text Amendment No. 19-07: Telecommunications Towers – Limited Use****CONTINUED**

Staff then discussed the changes to the Zoning Code proposed by the ZTA, noting that in order to address replacement poles as Limited Use in residential areas, the ZTA will allow poles with antennas as a Limited Use in residential zones where the pole for the antenna would replace a pre-existing utility pole, streetlight pole, or site plan-approved parking lot light pole, with specific provisions as detailed in the November 7 technical staff report. Staff noted that the proposed ZTA will not change the requirements for telecommunications towers that are not replacing a pre-existing utility pole, streetlight pole, or site plan approved parking lot light pole. Regarding replacement poles as a Conditional Use in residential areas, the proposed ZTA will amend the Conditional Use standards for poles that are proposed at less than 50 feet in height that do not meet the Limited Use standards in Agricultural, Rural Residential, and Residential zones, with specific provisions as detailed in the November 7 technical staff report. The Hearing Examiner will be required to schedule a public hearing to begin within 30 days after the date that a completed application is accepted, during which time Planning Department staff will be required to provide any additional information as requested by the Hearing Examiner. To address multiple applications for telecommunications towers, the ZTA will allow for batching applications when those applications are in the same neighborhood and have similar issues, with applications required to be filed within 30 days of each other and accompanied by a motion of consolidation. Staff noted that the Office of Zoning and Administrative Hearings (OZAH) staff has recommended the inclusion of additional language stating that all applications for Telecommunications Tower Conditional Uses that an applicant seeks to have consolidated must be filed on the same date and be accompanied by a motion for consolidation. Staff concurs with this recommendation.

Staff also discussed other recommended changes and clarifications, including clarification as to the type, form, and turnaround time for the information that may be requested by the Hearing Examiner regarding Conditional Use replacement poles. Other recommended changes include additional language that clarifies the following: 1) The maximum size of a small cell antenna that is located on a replacement or existing streetlight, utility, or site plan approved parking lot light pole; 2) That the minimum installation height of 15 feet is to be measured from the base of the antenna; and 3) The responsibilities of the tower and antenna owners.

There followed extensive Board discussion with questions to staff.

**\*2. 4 Bethesda Metro Center, Preliminary Plan Amendment No. 11981068B---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, 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 with Conditions*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/VERMA**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Preliminary Plan Amendment 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 Preliminary Plan Amendment request to create one lot for a mixed-use development on a 3.48-acre site, identified as Part of Lot 37, Block 13, located on the southwest quadrant of the intersection of Old Georgetown Road (MD85) and Wisconsin Avenue (MD355), and zoned Commercial/Residential (CR) within the Bethesda Overlay Zone (BOZ) of the Bethesda Downtown Sector Plan area and the Bethesda Parking Lot District (PLD). The property, which is located on top of the Bethesda Metro Station, is currently improved with the 15-story 3 Bethesda Metro Center office building, the Hyatt hotel, which includes retail and restaurant uses, the Metro Plaza, and below-grade parking. The site is currently accessed from Edgemoor Lane to the north, Woodmont Avenue to the west, and MD355 to the east. The portion of the property that is proposed for redevelopment for the 4 Bethesda Metro Center is approximately 71,973 square feet. Staff noted that at the time of Sketch Plan review in July 2018, the applicant requested two alternative development options to respond to changes in market demands, with the final allocation to be determined at the time of Preliminary Plan review: 1) Residential development, to include 500,000 square feet of residential uses to be located above ground floor retail, restaurant, and other activating uses with the multi-unit residential uses, including a minimum of 15 percent Moderately Priced Dwelling Units (MPDUs); or 2) Commercial development, to include non-residential uses above the ground floor retail instead of residential development. The Preliminary Plan Amendment under review today seeks to facilitate implementation of the Residential option.

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**\*2. 4 Bethesda Metro Center, Preliminary Plan Amendment No. 11981068B**CONTINUED

Staff also noted that the applicant proposes one lot for up to 1,092,242 square feet of multi-use development for 500,000 square feet of new residential uses to accommodate up to 479 multi-family dwelling units, including 15 percent MPDUs, and up to 20,600 square feet of non-residential uses, with 592,242 square feet of existing office and hotel uses to remain. According to staff, this proposed Amendment updates and supersedes the previously approved Preliminary Plan to reflect right-of-way dedication in accordance with the approved Bethesda Downtown Sector Plan and evaluates Adequate Public Facilities (APF) in accordance with the current Subdivision Staging Policy. Staff noted that pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the site frontages. Access to the existing, below-grade parking garage will be from MD355. Bicycle access will be provided from future separated bike lanes along Woodmont Avenue.

Staff added that the Maryland Department of Transportation State Highway Administration (MDOT/SHA) transmitted their recommendations following the posting of the staff report, which have since been incorporated into the Plan as new Condition 19. Staff also received correspondence after the posting of the November 4 technical staff report from an adjacent property owner who expressed concerns regarding the building footprint and design. Staff added that they will continue to work with the applicant and the adjacent property owner.

Mr. Bob Harris, attorney representing the applicant, offered comments and concurred with the staff recommendation.

Mr. Rich Fernicola, member of the applicant's team, also offered comments and answered questions from the Board.

Mr. Richard Tustian of Seddon Road offered testimony.

There followed extensive Board discussion with questions to staff and Legal Counsel to the Planning Board.

- 3. E-Bike and E-Scooter Pilot Program ---** Consideration of a one-year extension of the e-bikes and e-scooters pilot program on certain hard-surface “hiker-biker” trails on Montgomery County parkland. -- POSTPONED

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**\*6. Koli Property, Preliminary Plan No. 120190200 --- CRT 2.25 C 1.50 R 0.75 H 35** and the Bethesda Overlay Zone, 0.24 acres, request to create two lots for two existing buildings; located at the intersection of Cordell Avenue and Wilson Lane; 2017 Bethesda Downtown Sector Plan.

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion: CICHY/FANI-GONZÁLEZ**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

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

In keeping with the November 4 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Preliminary Plan request to create two lots for two existing buildings located at the intersection of Cordell Avenue and Wilson Lane in the Bethesda Downtown Sector Plan area. Staff noted that the existing parcel contains two buildings, which the applicant proposes to maintain on two separate lots, with no new development proposed at this time. The request proposes to subdivide the existing parcel into two lots, each containing one existing building: Lot A tract area will be 3,015 square feet and Lot B tract area will be 496 square feet. As designed, no building will cross lot lines. Any future redevelopment of the property is subject to the requirements in Section 59.7.3.4 of the Subdivision Regulations to determine if a site plan is necessary. The applicant has agreed to accommodate and participate in the implementation of a future 10-foot side path on the Wilson Lane frontage, as recommended in the 2017 Bethesda Downtown Sector Plan.

There followed a brief Board discussion with questions to staff.

**7. Aspen Hill Vision Zero Study Draft**

*Staff Recommendation: Approve the Aspen Hill Vision Zero Study*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Received briefing and approved the Aspen Hill Vision Zero Study Draft which will be transmitted to the County Council for a briefing.

Planning Department staff offered a multi-media presentation and briefed the Planning Board on the Aspen Hill Vision Zero Study Draft. The presentation was also simultaneously translated into Spanish by a translator hired for the meeting. Staff noted that the purpose of the study is to transform Aspen Hill into a multimodal community where residents and visitors can reach their homes and destinations safely and comfortably. The study identifies a broad range of solutions rooted in the Vision Zero approach, from specific intersection improvements to area-wide policies and strategies that comprehensively addresses traffic safety in Aspen Hill. Individual traffic safety recommendations are prioritized based on existing safety risks and potential impacts, supported by data collected for the study or from county databases. The study is informed by a vigorous community engagement process, work sessions with the community advisory group, consultation with the Montgomery County Department of Transportation, Maryland State Highway Administration and Montgomery County Police Department, and speed and crash data. Montgomery Planning used this input to develop a toolkit of safety improvements to address the issues contributing to the frequency and severity of collisions in Aspen Hill.

Staff also noted that the toolkit provides information about each safety tool, where it should be used, where it should be prioritized, considerations for installation, design of best practices, how the tool affects equity and accessibility, links to additional resources, and its safety benefits. Staff will brief the County Council on the study once it has been approved by the Planning Board. The toolkit of strategies for improving safety and access is an important step toward addressing Aspen Hill's hazardous and outdated infrastructure, which prioritizes vehicle throughput over community connectivity. Successfully implementing Vision Zero in Aspen Hill will require proactive coordination with both county and state agencies, especially on heavily traveled state-owned highways, such as Connecticut Avenue and Georgia Avenue. Leveraging Aspen Hill's designation as a Bicycle and Pedestrian Priority Area and an Equity Emphasis

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**7. Aspen Hill Vision Zero Study Draft****CONTINUED**

Area, as well as a part of the county's High Injury Network, may provide opportunities to fund infrastructure improvements in the community. With limited redevelopment opportunities in the area, the county's Capital Improvements Program (CIP) may be the primary funding mechanism for implementing the study's strategies.

The following speakers offered testimony: Mr. Elliot Chabot of Beret Lane and representing the Bel Pre Recreational Association; Ms. Joan Beerweiler of Grenoble Drive and representing the Aspen Hill /Community Organization; Ms. Shruti Bhatnagar of McComas Avenue and representing the Sierra Club of Montgomery County; Ms. Monica Reyes-Dame of Aspen Hill Road; Ms. Tina Slater of Mansfield Road; Ms. Lily Garcia of Wendy Lane; and Ms. Jennifer Zeledon of Wendy Lane.

At the Board's request, Mr. Andrew Bossi of Montgomery County Department of Transportation (MCDOT) offered comments.

There followed extensive Board discussion with questions to staff and Mr. Bossi.