



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, December 12, 2019, at 9:14 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 1:20 p.m.

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

Commissioner Tina Patterson was necessarily absent.

Items 1 through 5 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 1:20 p.m. The next regular meeting of the Planning Board will be held on Thursday, December 19, 2019, in the Montgomery Regional Office in Silver Spring, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, December 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**

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 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.**

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 Michael Riley briefed the Planning Board on the following ongoing and upcoming Parks Department events and activities: County Council's approval of the acquisition of the Wheaton Urban Recreational Park by Washington Metropolitan Area Transit Authority, a three-acre active recreational park in an area of high population density with a current low level of service, while facilitating affordable housing through a land swap with Montgomery Housing Partnership; a presentation on Monday to the joint County Council Committee on Planning, Housing, and Economic Development (PHED) and the Education and Culture (E&C) Committee on the Parks Department proposal to take over elementary and middle-school athletic fields that are not yet under the Parks' maintenance program; County-wide Parks and Recreation Advisory Board recognition of parks staff and volunteers at the Annual Awards Program; the Green Cities Summit held on December 4 at the Kellogg Conference Center at Gallaudet University in collaboration with Casey Trees, which focused on the health and welfare of trees in an increasingly developed landscape; the Battery Lane Urban Park Ribbon-Cutting Ceremony held on November 9 after extensive renovation; the Annual Montgomery County Thanksgiving Day Parade in Downtown Silver Spring, which was attended by an estimated 60 Parks Department staff and family members who marched along the spruced up Parks float; the Parks Department Speakers Series which drew its largest crowd to date in November; and the Planning Board day-long Parks Tour on November 21;

Mr. Riley then briefly discussed the upcoming Parks Department events, as listed in his December 12 report to the Planning Board.

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

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.

Staff Recommendation: Briefing and Discussion

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: By consensus approved staff recommendation to consider a one-year extension for the e-bikes and e-scooters pilot program to December 2020.

Parks Department staff offered a multi-media presentation and discussed a proposed one-year extension for the e-bikes and e-scooters pilot program on certain hard-surface hiker-biker trails on Montgomery parkland. Staff noted that before making a policy recommendation regarding e-bikes and e-scooters on park trails on an ongoing or permanent basis, Parks is collecting data on trails user experience and safety. Parks staff have been conducting trails intercept surveys about users’ experience sharing paved trails with other users. Four two-hour surveying sessions have yielded 177 surveys. The purpose of these surveys is to document user experiences prior to full e-vehicle deployment by the vendors. Staff plan on comparing these data with the same surveys taken after full deployment. To date, the intercept surveys have not revealed significant concerns about sharing the trails with e-bikes and e-scooters. In addition to the intercept surveys, Parks staff are collecting data from Montgomery County Department of Transportation (MCDOT), the vendors, and Park police incident reports and we have received 152 statements from the public on our Open Town Hall website feedback portal as of November 1, 2019. Results of the town hall yielded roughly an equal amount of support and concerns expressed and Park Police have not received reports of significant incidents to date.

Staff added that as a result of the lower-than-anticipated volume of e-scooters and e-bikes on Montgomery County trails during the six month pilot period, the recently initiated pilot program in Prince George’s County, and the absence of a large number of reported incidents on our trails to date, Montgomery County Parks is extending the e-bike and e-scooter pilot program by one year to December 1, 2020. If, during this pilot extension, circumstances such as an expansion of the County’s pilot area suggest we should consider an expansion of the trails included in Parks’ pilot, we will return to the Board for an update. After the pilot, Montgomery County Parks and Prince George’s County Parks will report our findings and recommendations to the full Commission for discussion.

There followed a brief Board discussion with questions to staff.

***4. 4857, 4998, 4900, 4949, & 4858 Battery Lane, Sketch Plan No. 320190080 -- CR 3.5 C 0.5 R 3.5 H 120 zone, CR 1.5 C 0.5 R 1.5 H 120, and the Bethesda Overlay Zone, 11.29 acres, proposal for up to 1,752,000 square feet of development including 12,000 square feet of non-residential uses and 1,740,000 square feet of residential uses with 20 percent MPDUs, and a request of density from the Bethesda Overlay Zone; located on Battery Lane between Old Georgetown Road and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.**

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

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

In keeping with the December 2 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Sketch Plan request for the Battery Lane project. Staff noted that the 11.29-acre site is located on Battery Lane between Old Georgetown Road and Woodmont Avenue in the Bethesda Overlay Zone (BOZ) of the Bethesda Downtown Sector Plan area. The proposed Sketch Plan to allow up to 1,752,000 square feet of total development on five sites including up to 12,000 square feet of non-residential uses and up to 1,740,000 square feet of residential uses with an overall average of 20 percent Moderately Priced Dwelling Units (MPDUs) project wide, and a minimum of 15 percent MPDUs on each site, and a request of density from the BOZ. The site is currently occupied by six below market-rate garden apartment buildings totaling 477 units.

Staff also noted that the proposed project will provide approximately 1,530 units, with a net increase of 1,053 units. The applicant proposes exceeding the minimum required amount of MPDUs of 15 percent for projects within the BOZ with a project-wide goal of 20 percent MPDUs. The applicant anticipates this to be a multi-phase project over a 10 to 15-year build-out period. Given the long-term nature of this project, there is no guarantee that all five sites will complete development as proposed. Therefore, staff's review of the Sketch Plan and recommended conditions for future Site Plan review are written to ensure that each individual Site Plan can fulfill the project goals and conformance with the Zoning Ordinance and the Sector Plan without reliance on any other phase. Conditioning each subsequent Site Plan in this manner protects the public interest and ensures delivery of public benefits commensurate with the level of development proposed in each future Site Plan.

CONTINUED ON NEXT PAGE

***4. 4857, 4998, 4900, 4949, & 4858 Battery Lane, Sketch Plan No. 320190080**CONTINUED

Staff added that the project is located along Battery Lane among several existing multi-family developments. These developments range in height from smaller garden-style apartment buildings to high-rise condominiums of 10 to 12 stories. A single-family detached zone is located at the rear of Site E, for which the applicant has provided diagrams showing conformance with the residential compatibility requirements. Throughout the review process, staff has received letters of concern from these residents which focus on the proposed increase in height, massing, and density which are discussed in the staff report. In summary, the proposed Sketch Plan, with the conditions proposed by staff, is generally in keeping with the requirements of the Zoning Ordinance and the goals and recommendations of the Sector Plan, with the understanding that this development will be built out over 10 to 15 years, and further review will be required at the time of Site Plan review.

Staff also discussed the proposed Master Planned Bicycle Facilities for the area; the required Park Impact Payment (PIP), which must be paid to The Maryland-National Capital Park and Planning Commission (M-NCPPC) prior to the release of the first above-grade building permit for each associated Site Plan, with the final amount to be determined at each associated site; the proposed streetscape, with the applicant installing the Bethesda Streetscape Standard or an approved equal plan by Montgomery County Department of Transportation (MCDOT) and Planning Department staff, along each of the site frontages, including the undergrounding of utilities; the required public open space, with the applicant required to provide 10 percent of the total site area of 441,030 square feet, or 41,103 square feet as open space. Off-Site open space associated with the Separated Bike Lane Facility may also count towards the project's required open space, which is to be determined at the time of Site Plan review; and the required green cover, which the applicant must provide a minimum 35 percent of the site area on each site as green cover at the time of Site Plan, as described in Section 2.4.1 of the Bethesda Downtown Sector Plan, and any proposed tree canopy must utilize tree species and canopy sizes at 20-year maturity per the M-NCPPC Approved Trees Technical Manual.

Ms. Nancy P. Regelin, attorney representing the applicant, the Aldon Properties owners, introduced Messrs. Daniel Rigaux and Douglas M. Wrenn of Aldon Properties, and Mr. Gary F. Unterberg of Rodgers Consulting, members of the applicant's team, briefly discussed the proposed Plan and concurred with the staff recommendation.

Mr. Wrenn offered a multi-media presentation and discussed the proposed project, including architecture, environmental issues, traffic, green spaces, and answered questions from Board members.

The following speakers offered testimony: Mr. David Sears of Rosedale Avenue and representing the Sierra Club; Ms. Gianne Italiano of Woodmont Avenue and representing the Greater Bethesda Chamber of Commerce; Ms. Alexandra Kosmides of Battery Lane, an adjacent property owner; Mr. Nick Mazzeo of Woodmont Avenue; Mr. Michael Fetcho of Battery Lane and representing the Whitehall Condominiums; Mr. Harry Rogoff of Battery Lane; Ms. Holly Clemans of Battery Lane; Mr. Scott Bruton of Battery Lane; and Ms. Pamela Lindstrom of Silver Spring.

There followed extensive Board discussion with questions to staff and Ms. Regelin and her team members.

5. Thrive Montgomery 2050 -- Issues Briefing*Staff Recommendation: Briefing***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received Briefing.**

Planning Department staff offered a multi-media presentation and briefed the Planning Board on the important issues and challenges to be addressed in the Thrive Montgomery 2050 Plan. Staff noted that as part of the extensive outreach efforts and as a result of the initial thinking of the Staff Working Groups for the Thrive Montgomery 2050 report, a list of important issues and challenges has been developed that staff believes the Thrive Montgomery 2050 Plan should address. All the issues developed to date relate to how to accomplish the three primary outcomes for the Plan: Equitable Communities, Economic Health, and Environmental Resilience. The project is still at the point of simply identifying issues, policy recommendations have not yet been developed. The Planning Board will continue to be involved as policy ideas are developed.

Staff noted that it has grouped these issues into eight categories, which will be the beginning framework of how the Thrive Montgomery 2050 Plan will be organized. It is this set of issues and the way that they are organized that is the primary focus of this worksession. Staff wants the Planning Board's feedback before moving forward. In addition to identifying current and potential issues, this staff report also raises questions for the Thrive Montgomery 2050 Plan that are meant to go beyond the known list of issues, and spark new ways of thinking to set higher goals for the future and not just be limited to the most pressing needs and issues known to us today.

Staff added that after receiving feedback from the Planning Board and additional community input, the information will be incorporated into an Issues Report that which will be published and presented to the Board in February 2020. Staff recognizes that the issues identified are not isolated or standalone issues but that they overlap with each other and many could fit into several of the categories. Therefore, staff has grouped the issues into eight categories based on the desired outcomes that should be focused on when trying to design policies to deal with them in the next phase of the Plan development process.

There followed a brief Board discussion with questions to staff.