



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 19, 2019, at 9:01 a.m. in the Montgomery Regional Office in Silver Spring, Maryland, and adjourned at 2:53 p.m.

Present were Chair Casey Anderson, Vice Chair Natali Fani-González, and Commissioners Gerald R. Cichy and Partap Verma. Commissioner Tina Patterson joined the meeting at 9:06 a.m. during discussion of Item 2.

Items 1 through 4, and Items 10 and 9, discussed in that order, are reported on the attached agenda.

Item 5 was removed from the Planning Board agenda.

The Board recessed for lunch at 11:26 a.m. and convened in Closed Session at 11:38 a.m. to take up Items 7 and 6, discussed in that order, Closed Session Items.

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 11:38 a.m. in the 3rd floor conference room on motion of Vice Chair Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; and §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 for the meeting were Director Gwen Wright and Molline Jackson of the Planning Department; Acting Principal Counsel Matthew Mills of the Legal Department; and James Parsons of the Commissioners' Office.


In Closed Session the Board approved the Closed Session Minutes of July 11 and 18, 2019, and received briefing and discussed proposed candidates for the Art Review Panel selection.

The Closed Session meeting was adjourned at 11:58 a.m.

The Board reconvened in the auditorium at 1:31 p.m.

Items 1A1, 1C4, and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 2:53 p.m. Due to the upcoming holidays, there are no Planning Board meetings scheduled for Thursday, December 26, 2019, and Thursday, January 2, 2020. The next regular meeting of the Planning Board will be held on Thursday, January 9, 2020, in the Montgomery Regional Office in Silver Spring, Maryland.



James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, December 19, 2019
8787 Georgia Avenue
Silver Spring, MD 20910-3760
301-495-4600

1. Consent Agenda

***B. Record Plats**

Subdivision Plat No. 220141350, Cedar Knolls Farm -- RC zone; 1 lot; located on the north side of Ednor Road, 100 feet west of Haw Lane; Sandy Spring - Ashton Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

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

***C. Other Consent Items**

1. Qiagen Campus at Germantown Business Park: Site Plan Amendment No. 819980221--- Amendment to increase the density of previously approved, but unbuilt, Building 3 on the Qiagen Campus from 150,000 square feet to 157,700 square feet; enlarge the physical connector between the existing and new building; modify some existing building facades to match the new building; add new decorative structural elements; make minor adjustments to grading and landscaping; and address minor site changes and technical corrections; located on the north side of Germantown Road (MD Route 118) at the northeastern intersection of Dawson Farm Road; 24.33 acres zoned IM-2.5 H-80 and EOF-1.5 H-75 but reviewed under the previous I-1 and O-M zones, 1989 Germantown Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

2. Long Branch Corner, Preliminary Plan No. 120180090, Extension Request No. 6 ---CRT 2.5 C 0.5 R 2.5 H 60 zone, 0.67 acres, Sixth request to extend review from December 30, 2019 to June 30, 2020, for one lot for up to 3,428 square feet of new non-residential development in addition to the existing 3,714 square feet of non-residential development, which will remain on the Site. The Application includes 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

3. Kiddie Academy Preliminary Plan Amendment 12001077A, Extension Request No. 2--- CR-1.5 C-1.0 R-1.5 H-60 T, 0.59 acres , Second request to extend review from December 19, 2019 to February 28, 2020, to convert the existing structure from a veterinary hospital to a child care center for up to 191 children. Associated changes include proposed vehicular access within a 20-foot ROW alley, conversion of public use space to private use, changes to onsite parking, stormwater management and landscaping; located on Sligo Avenue, 100 feet northeast of Fenton Street; within the 2000 Silver Spring CBD Sector Plan Area.

Staff Recommendation: Approval of Extension

5. Lidl Montgomery Village Whetstone Center

A. Preliminary Plan No. 120200020, Regulatory Extension Request #1---Request to extend the regulatory review period from January 2, 2020 to March 2, 2020. The Applicant is requesting a two-month regulatory extension for the Preliminary Plan and Site Plan review periods in order to adequately address County agency comments.

Staff Recommendation: Approval of the Extension Request

B. Site Plan No. 820200030, Regulatory Extension Request #1---Request to extend the regulatory review period from January 2, 2020 to March 2, 2020. The Applicant is requesting a two-month regulatory extension for the Preliminary Plan and Site Plan review periods in order to adequately address County agency comments.

Staff Recommendation: Approval of the Extension Request

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***C. Other Consent Items**

CONTINUED

6. Montgomery County Humane Society Campus, Preliminary Plan 120190100, Regulatory Extension Request No. 2---Request to extend the regulatory review period from December 19, 2019 to March 19, 2020; to create one lot with an additional 13,000 square feet of building and associated parking; located at the southwest quadrant of the intersection of Georgia Avenue and Aspen Hill Road on approximately 7.79 acres of land zoned R-60; within the 1994 Aspen Hill Master Plan area.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: 1., 3., & 5. CICHY/VERMA
2. & 6. FANI-GONZÁLEZ/CICHY

Vote:
Yea: 1., through 3., 5. & 6. 4-0

Nay:

Other: PATTERSON ABSENT

Action: 1. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

2., 5A., & 6. Approved staff recommendation for approval of the Preliminary Plan Extension requests cited above.

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

5B. Approved staff recommendation for approval of the Site Plan Extension request cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of December 5, 2019

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved Planning Board Meeting Minutes of December 5, 2019, as submitted.

2. Roundtable Discussion

- Planning Department Director's Report

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

Planning Department Director's Report – Following brief comments regarding the Planning Department's 2019 work program, Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the status of the Educate phase of community outreach for the Update to the General Plan, with the first session of the *Big Ideas Series*, "The Future of Food," scheduled for January 14, 2020, the second session, "Multi-Modal Transportation and a Healthy Economy," scheduled for February, and the third session, "Housing for All," scheduled for March; the status of the Forest Glen/Montgomery Hills Sector Plan, with a County Council Planning, Housing, and Economic Development (PHED) Committee worksession scheduled for January 16, and a full County Council meeting scheduled for later in the month; the status of the Germantown Plan for the Town Sector Zone, with a County Council public hearing scheduled for January 14; and the status of proposed development application process workshops, with a Planning Board briefing scheduled for early 2020.

There followed a brief Board discussion with questions to Ms. Wright.

***3. Poplar Pointe, Site Plan No. 820200020---**Request to develop four un-platted parcels under the Optional Method Cluster Development, that were previously approved for subdivision into twelve single-family detached lots and retain one existing dwelling on one of the twelve lots; including common open space for active and passive recreation, which includes the preservation of onsite forest, and dedicate and construct the connection of the unbuilt segment of Alderton Road to the intersection of Night Sky Drive and Alderton Road; on 6.28 acres of land; located at 13710 Alderton Road, 150 feet north of Night Sky Drive, Silver Spring, MD, 20906; in the R-200 Zone; and located within the 1989 Communities of Kensington -Wheaton Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Site 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 Site Plan request to develop single-family detached dwelling units on 12 new lots containing one existing dwelling unit, open space, and Homeowners Association (HOA) parcels. The 6.28-acre property, which consists of Parcels 526, 582, 605, and 607, is located on the southeast side of Alderton Road at its terminus north of Night Sky Drive and is zoned Residential in the Communities of Kensington-Wheaton Master Plan area. Parcels 605 and 607 are both currently developed with single-family detached houses. Parcels 526 and 582 are currently open space that has historically been used for horses and recreation. All four parcels front on Alderton Road. A 1.15-acre forested area containing a spring/seep, a small farm pond that was used for irrigation and water for animals, and a buffer, is located in the southeastern portion of the property. Staff noted that in January, the Planning Board approved a Preliminary Plan for the subdivision of the four un-platted parcels into twelve single-family detached lots, the demolition of the dwelling on Parcel 605, and the retention of the existing dwelling on Parcel 607, which will be located on one of the twelve proposed lots.

Staff noted that the applicant proposes to construct 11 single-family detached, front-loaded dwellings as an Optional Method Cluster Development. According to staff, the applicant is not required to construct any Moderately Priced Dwelling Units (MPDUs) because the

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***3. Poplar Pointe, Site Plan No. 820200020**CONTINUED

development proposes less than 20 units. The applicant will be required to make a payment to the Housing Initiative Fund. A significant Forest Conservation Easement area and Common Open Space area will be located on the southeastern section of the property and will screen views of the homes from the east and south. Although the proposed development must provide a minimum of 20 percent Common Open Space based on the net lot area, the applicant proposes to provide 23 percent of open space, or 63,018.25 square feet in conjunction with the required Category I Forest Conservation Easement area. In addition to the new lots and units, the applicant proposes to include a rain garden, a sidewalk seating area, an Americans with Disabilities Act (ADA) accessible picnic table and fitness stations within the Common Open Space and Forest Conservation Easement area, a realigned natural surface trail, a re-organized arrangement of mitigation trees and required plantings in a pattern more compatible with the proposed natural surface trail, permanent three-rail easement fencing to delineate private backyards from the adjacent public space, and streetscape improvements. The applicant will also increase a proposed Public Improvement Easement from seven to ten feet.

Staff then discussed forest conservation, noting that the applicant proposes to clear 0.29 acres of the existing forest, to retain 0.86 acres of forest, and to plant 0.58 acres of forest. The retained and planted forest will be on Homeowners Association (HOA) property and will be covered by a 1.77-acre Category I Conservation Easement. Additionally, 61 plantings are provided as mitigation for eight trees to be removed as part of a previously approved tree variance and one additional tree associated with the Site Plan request under review today. Staff supports the variance request. Staff then briefly discussed some minor corrections to the staff report and one of the conditions of approval.

Staff received comments from the Poplar Run Homeowners Association (HOA) after the posting of the staff report expressing concerns regarding the stormwater management computations, the geotechnical report for soils and groundwater, the infiltration ring test for sizing for proposed drywells, the developer requirements to address flooding, the maintenance costs for existing stormwater management ponds, County oversight during construction, and nearby transit service clarification. Staff noted that they will continue to work with the Montgomery County Department of Permitting Services and the Poplar Run HOA to address these concerns prior to issuance of a building permit.

Mr. Elliot Totah, member of the applicant's team, offered comments and answered questions from the Board.

There followed extensive Board discussion with questions to staff and Mr. Totah, during which the Board instructed staff to include an additional condition of approval requiring that a note be included on the record plat stating that if a connection from the proposed development to the Matthew Henson Trail to the north could be provided in the future, the connection would not be in conflict with the proposed Forest Conservation Easement. Also, until that connection is made, the applicant must provide wayfinding signage to the trail.

4. Agritourism Study Draft

Staff Recommendation: Approve the Agritourism Study

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the ongoing Agritourism Study. According to staff, the study was initiated to identify issues, challenges, and opportunities to support agritourism, and to ensure that the implementation of agritourism was comprehensive, consistent, predictable, and transparent. The Agritourism Study Advisory Committee, consisting of farmers, agritourism entrepreneurs, members of the agricultural community, advocacy organizations, and governmental representatives, was established in 2017 to provide input at key intervals and decision points, and to review the progress of the study. In addition to the Advisory Committee, staff also engaged a consultant team to conduct a study of agritourism policies and regulations in Montgomery County, comparable jurisdictions within the Washington, DC metropolitan region, and across the United States to identify strategies for managing, regulating, and promoting agritourism.

Staff noted that between 1964 and 1978, prior to the 1980 creation of the Agricultural Reserve (Ag Reserve), the county lost nearly 40,000 acres of farmland to residential development. Though the number of farms has remained stable since the 1990s, with 558 farms identified in the 2017 Census of Agriculture, the average size of each farm has decreased from 178 acres in 1978 to 50 acres in 2017, with farms less than ten acres in size on the increase. However, tabletop food production, nurseries, sod farms, landscape companies, horse farms and equestrian facilities, along with an interest in agricultural and cultural education and tourism, has increased.

Staff then discussed the Study themes, which were developed in collaboration with the Agritourism Study Advisory Committee and state that the Ag Reserve, its natural resources, and food production capabilities, should not only be protected and preserved, but should also evolve to enhance economic viability of farming; it is necessary to convey to residents countywide how and why the Ag Reserve exists and how they can connect with this unique resource; a consistent, equitable, and transparent permitting process and a clear definition for agritourism uses is needed; the current process for agritourism is inconsistent; and that agritourism events require adequate facilities and infrastructure. In collaboration with the Advisory Committee, the

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4. Agritourism Study Draft**CONTINUED**

following goals were established to guide the study: 1) to protect and preserve farming, farmland, and rural open space in the Agricultural Reserve; 2) to support existing and future agritourism activities through improved processes for agritourism businesses and promotional tools; 3) to support agritourism activities with a direct relationship to agriculture; 4) to increase awareness of the Agricultural Reserve's assets through education of agricultural practices, and better wayfinding; and 5) to provide inclusive and equitable access to the Agricultural Reserve. Staff also developed a menu of 34 potential solutions in the Study to promote, support, and facilitate agritourism in Montgomery County, which include establishing criteria to confirm that agriculture is the primary use of new agritourism initiatives; developing an agritourism application and approval process to provide consistency, predictability, and transparency; promoting and marketing the Agricultural Reserve, agritourism, and heritage tourism; defining agritourism in the definition section of the Zoning Ordinance; and establishing an interagency working group to identify opportunities for refinement, enhancement, and modifications to relevant chapters of the County Code to support agritourism, among others. Staff added that the implementation of the identified solutions will require further coordination and collaboration between public agencies, private entities, advocacy organizations, and residents.

Mr. Bob Cissel and Ms. Jane Sigler, Vice Chair and Chair of the Agritourism Study Advisory Committee, respectively, offered comments and answered questions from the Planning Board.

There followed extensive Board discussion with questions to staff, Mr. Cissel, and Ms. Sigler, during which the Planning Board stated that they did not want to endorse a work product in which they have had no input, and recommended instead that the study be submitted to the County Council as a joint Agritourism Study Advisory Committee/Planning Department work product with language clearly stating that the Board is currently taking no position.

5. ~~Alef Bet Montessori School—Adequate Public Facilities Ordinance Review, No. APF202001—Request for transportation Adequate Public Facilities approval to expand enrollment of a private school on Tuckerman Lane from 33 students to 90 students; located at 6125 Tuckerman Lane in North Bethesda; approximately 26,245 square feet in size; zoned R-200; within the 1992 North Bethesda-Garrett Park Master Plan area.~~ **REMOVED**

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

10. Approval of Pedestrian Master Plan Advisory Group and Kickoff Meeting Recap

Staff Recommendation: Approve Pedestrian Master Plan Advisory Group

BOARD ACTION

Motion: CICHY/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to appoint the recommended applicants to the Pedestrian Master Plan Advisory Group.

Planning Department staff offered a multi-media presentation and discussed the status of the Pedestrian Master Plan (PMP), specifically the recent kickoff meetings, and their recommendations for the Pedestrian Master Plan Advisory Group (PedAG). According to staff, they conducted six kickoff meetings throughout the County in October and November since the September 5 adoption of the Scope of Work, including at the Olney Library on October 10, the East County Recreation Center on October 14, the Bethesda-Chevy Chase Regional Services Center on October 16, the Montgomery County Planning Department Auditorium on October 21, the Up-County Regional Services Center on November 6, and the Wheaton Library on November 13. A key component of the kickoff meetings, the purpose of which was to gather feedback from County residents, was the Pedestrian Level of Comfort Map, a tool that scores walking comfort from Unacceptable to Very Comfortable using factors from the built environment like width of sidewalk, traffic speed, and presence of on-street parking. Once completed Countywide, it will allow staff to analyze comfortable pedestrian connectivity to schools, parks, transit stations, grocery stores, and other important destinations.

During the kickoff meetings, staff presented information regarding current census data, the Vision Zero two-year action plan, pedestrian safety and equity, transit data, vehicle speed data, and lighting. Staff also shared information about the PMP and gathered ideas on how the pedestrian environment can be improved at the Commission on People with Disabilities meeting on September 11, the Cabin John Citizens Association on September 25, the Commission on Aging on September 26, a Y Walk event on October 5, the Arrive Alive: A Forum for Safe Routes to School on October 19, the Montgomery County Civic Federation on November 11, the Silver Spring Rotary Club on November 15, the Capitol View Park Civic Association on November 21, and the Getting All Around The County Stakeholders on December 4. In addition to in-person engagement, staff has had a significant amount of social media engagement, even without a formal promotional campaign. Staff noted that as of December 6, the PMP e-letter mailing list stands at 539 people, with several e-letters published over the past few months to

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10. Approval of Pedestrian Master Plan Advisory Group and Kickoff Meeting Recap**CONTINUED**

share information about the scope of work, kickoff meetings, and the Plan's advisory group application. Issues and concerns discussed during the public engagement phase include how the PMP will address state highways, utility obstructions, funding for infrastructure, maintenance, gaps in sidewalk connectivity, existing traffic laws, traffic signal engineering, lighting, electric scooters using pedestrian facilities, transit access, Americans with Disabilities Act (ADA) compliance, enforcement of traffic laws, and the need for tree canopy shade.

Staff then discussed the PedAG, a community group that will provide input to staff on all aspects of plan development. With regularly scheduled meetings throughout the planning process, the PedAG will provide important perspectives on Montgomery County's pedestrian challenges and opportunities. The PedAG is comprised of two main groups – members appointed from stakeholder groups and members chosen through an online application process. Staff identified twenty stakeholder groups that represent the County's geographic regions, ethnic groups, development community, and pedestrian interest groups, as detailed in the December 12 technical staff report, and asked them to appoint members to the PedAG. In addition to the appointed membership, Staff has selected 11 members from all over the County who applied online to participate, including Mr. vJavier Gamboa, Ms. Helene Rosenheim, Ms. Sherlene Lucas, Mr. Chris Bruch, Mr. Bernie Karns, Ms. Marybeth Cleveland, Ms. Cynthia Buddington, Mr. Andrew Campbell, Ms. Deborah Brown, Ms. Anna Priddy, and Ms. Anne Tulkin. Staff noted that while selected members bring technical transportation planning and engineering knowledge, all members are committed to pedestrian safety.

The next steps for PMD include continued collection of information on existing conditions, expansion of the Pedestrian Level of Comfort analysis, a survey of community members regarding pedestrian perceptions and to understand national best practices for pedestrian policy and design, with PedAG meetings and discussions with other County agencies scheduled to begin in January and February 2020.

There followed extensive Board discussion with questions to staff.

9. Bethesda Downtown Plan – Implementation Advisory Committee – Appoint 6 New Members to the Committee**BOARD ACTION****Motion: FANI-GONZÁLEZ/CICHY****Vote:****Yea: 5-0****Nay:****Other:****Action: Approved staff recommendation to appoint the recommended applicants to the Implementation Advisory Committee for the Bethesda Downtown Sector Plan.**

Planning Department staff briefed the Planning Board and discussed a list of applicants for potential membership in the Implementation Advisory Committee (IAC) for the Bethesda Downtown Sector Plan. Staff offered background information, noting that the Planning Department is seeking to create a representative and balanced Implementation Advisory Committee to coordinate and monitor the progress of development and address implementation of the recommendations in the Approved and Adopted Bethesda Downtown Sector Plan. In 2017, the Planning Board appointed the 14-member committee, which is made up of representatives from the business community and residents of downtown Bethesda. As of December 2019, six members' terms are set to expire. On November 6, 2019, letters of interest were sent out to various property and business owners and community groups, soliciting nominations to participate in the Committee. Members must be appointed by the Planning Board to serve three-year staggered terms, with seven members representing the interest of local business owners and large property owners, and seven members representing the interest of local residents.

Staff then discussed their recommendations regarding the appointment of potential Committee members. Recommended members from the property and business owner community include Mr. Jack Alexander, Ms. Kristi Smith, and Mr. Christopher Smith. Recommended members from Civic, Homeowners, or Condominium Associations include Ms. Joyce Gwadz, Dr. Dedun Ingram, and Mr. Steve Long. Staff added that once approved by the Planning Board, the chosen Implementation Advisory Committee members will be notified by staff and an orientation meeting will be scheduled.

There followed a brief Board discussion with questions to staff, during which the Planning Board instructed staff to solicit requests for new IAC members in such a way as to include new residents and younger residents for possible membership.

7. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The topic to be discussed is the approval of Closed Session Minutes

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. CLOSED SESSION

Art Review Panel Election – Under State Government Article, MD Ann Code, §3-508(b)(1), to discuss the appointment of appointees over whom the Planning Board has jurisdiction. The Planning Board has the authority to elect new members to the Art Review Panel in accordance with the Art Review Panel Policies and Procedures (adopted December 7, 2017).

The topic to be discussed is the Art Review Panel Selection

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

IC4. Conservation Easement change request at 15325 Masonwood Drive, Gaithersburg MD---Request to remove 8,994 square feet of Category 1 Conservation Easement that was placed on the property as a result from a forest conservation law violation and add 1,487 square feet of new Category I Conservation Easement; a net decrease of 7,507 square feet of Category I Conservation Easement; Potomac Sub-regional Master Plan.

Staff Recommendation: Approval with Conditions and Adopted the Attached Resolution

BOARD ACTION

Motion: **PATTERSON/FANI-GONZÁLEZ**

Vote:

Yea: **5-0**

Nay:

Other:

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

***1A. Adoption of Resolution**

1. Old Georgetown Estates Preliminary Plan 120190230 – MCPB No. 19-131

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolution cited above, as submitted.

Originally adopted during the Consent Agenda on motion of Vice Chair Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor, and Commissioner Patterson absent, a re-vote was requested by Legal Counsel to the Planning Board in order to specifically note a corrected error in the Resolution.

***8. 7025 Longwood Drive, Administrative Subdivision Plan No. 620190100---R-200** zone, 0.99 acres, Request to create two one-family lots; located on Longwood Drive approximately 280 east of Brooke Drive; 1990 Bethesda-Chevy Chase Master 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 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 request to create two lots for two single-family detached dwellings. The 0.99-acre property, identified as Lot 4, Block 2, is located on the north side of Longwood Drive and zoned Residential in the Bethesda-Chevy Chase Master Plan area. The property is currently developed with a single-family house and driveway. Other than forested areas at the rear of the lot, there are no other environmental features on, or adjacent to the property.

Staff noted that the applicant proposes to demolish the existing single-family dwelling and subdivide the 0.99-acre parcel into Lot 1 at 20,047 square feet, and Lot 2, a flag lot, at 23,153 square feet. The existing driveway will be enlarged to meet fire access standards and serve as a consolidated driveway entrance for the two lots from Longwood Drive. The applicant is required to provide a five-foot wide sidewalk along the Longwood frontage, in accordance with the current County Code.

Staff then discussed forest conservation, noting that the property contains 0.5 acres of forest, including 10 specimen trees. The Final Forest Conservation Plan (FFCP) proposes to remove all onsite forest, requiring 0.47 acres of planting, which the applicant will achieve by acquiring credits in an offsite forest conservation mitigation bank. The applicant has submitted a variance request to remove six specimen trees and impact but not remove four others. Staff noted that the forest conservation worksheet already provides mitigation for forest clearing, so no additional mitigation is recommended for these trees. Staff noted that while the applicant does not propose any forest conservation easements for the remaining on-site specimen trees, the current application provides a more restrictive building line than otherwise would be required on the western portion of Lot 2 where the remaining specimen trees are located. For this reason,

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***8. 7025 Longwood Drive, Administrative Subdivision Plan No. 620190100**CONTINUED

staff supports the variance request. Staff then briefly discussed the addition of a new condition of approval requiring that building restriction lines be clearly shown on the record plat at the time of Preliminary Plan review.

Staff also noted that they have received correspondence from neighboring property owners expressing concerns regarding increased runoff and drainage in the right-of-way (ROW), the proposed tree removal, and the potential non-compliance of the flag lot design. Staff addressed each of these issues, as detailed in the December 9 technical staff report.

The following speakers offered testimony: Mr. David Brown, attorney representing Mr. Mark and Ms. Ursula Wolfman of Longwood Drive, Mr. Jan Bové of Longwood Drive, Ms. Jordan Goldstein of Brooke Drive, and Mr. Douglas Rosing of Brooke Drive, adjacent and neighboring property owners; Mr. Jan Bové of Longwood Drive; Ms. Ursula Wolfman of Longwood Drive; Ms. Hillary Davidson of Brooke Drive; Ms. Fran Favretto of Longwood Drive; and Mr. Christopher Thatch of Longwood Drive.

Ms. Soo Lee-Cho, attorney representing the applicant, offered a multi-media presentation and comments, concurred with the staff recommendation, and addressed some of the concerns expressed by the speakers, noting that the house on proposed Lot 2 will be built to minimize tree impact and so that it will be visible from the street, making the proposed project compatible with the neighborhood.

Mr. David McKee, member of the applicant's team, offered comments and addressed the potential for increased runoff and drainage, noting that any increased runoff will be negligible and that Montgomery County Department of Transportation (MCDOT) has approved the stormwater management plan.

There followed extensive Board discussion with questions to staff, Legal Counsel to the Planning Board, and Ms. Lee-Cho.