



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

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session via Microsoft Teams video conference on Thursday, April 16, 2020, at 8:59 a.m., and adjourned at 6:05 p.m.

Present were Chair Casey Anderson, Commissioners Gerald R. Cichy and Partap Verma. Commissioner Tina Patterson joined the meeting at 11:22 a.m. following discussion of Item 5.

Vice Chair Natali Fani-González was necessarily absent.

Items 1 through 6 are reported on the attached agenda.

Item 4 was removed from the Planning Board agenda.

The Board recessed for lunch at 12:44 p.m. and reconvened via video conference at 1:20 p.m.

Items 7 through 10 are reported on the attached agenda.

Commissioner Patterson left the meeting at 5:00 p.m. after discussion of Item 9.

There being no further business, the meeting was adjourned at 6:05 p.m. The next regular meeting of the Planning Board will be held on Thursday, April 23, 2020, via video conference.

M. Clara Moise

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons

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Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, April 16, 2020
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**

1. Bethesda Place I, Site Plan No. 81988018B---CR 5 C 5.0 R 4.75 H 175’, Redesign of the existing public use space and modification of the office building entry of 7700 Wisconsin Avenue, located at the intersection of Old Georgetown Road and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

2. Bethesda Place II, Site Plan No.- 81998032A---CR 5 C 5.0 R 4.75 H 175’, Redesign of the existing public use space; located at the intersection of Old Georgetown Road and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

3. Mar Thoma Church of Greater Washington, Preliminary Plan No. 120200080 - Regulatory Review Extension Request No. 1---Request to extend the regulatory review period from April 16, 2020 to December 16, 2020: Application to create one lot for a religious assembly use; located at 15400 New Hampshire Avenue; 11 acres; RE-2 Zone; 1997 Cloverly Master Plan.

Staff Recommendation: Approval with Conditions

4. Adoption of Corrected Resolutions for St. Elmo Preliminary Plan 12015020B, and Site Plan 82017003A

BOARD ACTION

Motion: 1. through 4. CICHY/VERMA

Vote:

Yea: 1. through 4. 3-0

Nay:

Other: FANI-GONZÁLEZ & PATTERSON ABSENT

Action: 1. & 2. Approved staff recommendation for approval of the Site Plan Amendments cited above, subject to conditions, and adopted the attached Resolutions.

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

4. Adopted the corrected Resolutions cited above, as submitted.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 26 and April 2, 2020

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 3-0

Nay:

Other: FANI-GONZÁLEZ & PATTERSON ABSENT

**Action: Approved Planning Board Meeting Minutes of March 26 and April 2, 2020,
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 – Planning Department Director Gwen Wright offered a multi-media presentation and briefed the Board on the following ongoing and upcoming Planning Department events and activities: the status of recent virtual Development Review Committee meetings, with the Development Applications and Regulatory Coordination (DARC) Division staff accepting 18 new applications and reviewing 18 projects during the week of April 6 through 10; the continued use of virtual meetings for a variety of topics, including human resources issues, budget work, the Wheaton Headquarters (HQ) building, Master Plan work, various studies, and other work; the status of recent external coordination with the National Association for Industrial and Office Parks (NAIOP), Montgomery County Department of Transportation (MCDOT), Montgomery County Department of Permitting Services (DPS), and the National Capital Planning Commission; the status of work on the Wheaton HQ building, with work slowed by the COVID-19 pandemic but progressing, and a meeting with Regional Services staff scheduled for April 21; the upcoming virtual book discussion for *The Color of Law* with author Richard Rothstein scheduled for April 20 from 12:00 to 2:00 p.m.; the upcoming webinar *From Isolation to Inclusion: LBGTQ+ Communities in Planning and Equity Issues* scheduled for April 24 from 1:00 to 2:30 p.m.; and updates to the Planning Department work schedule, including minor schedule changes for the Complete Street Design Guide, the Shady Grove Sector Plan, the Ashton Master Plan, the Update to the General Plan, the Rustic Roads Functional Master Plan Update, the Silver Spring Master Plan, and the I-270 Corridor Transit Plan.

There followed a brief Board discussion, during which the Planning Board thanked Planning Department staff for all their hard work during this difficult time.

3. FY21 Capital Budget and FY21-26 Capital Improvements Program (CIP), State Funding: Bond Bills and Program Open Space, and Other Amendments

Staff Recommendation: Approve Amendments to the FY21 Capital Budget and FY21-26 CIP and Transmit to the County Council

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 3-0

Nay:

Other: FANI-GONZÁLEZ & PATTERSON ABSENT

Action: Approved staff recommendation for approval of the amendments to the FY21-26 Capital Improvements Program for Bond Bill appropriations and Project Contributions, with further discussion pending regarding Current Revenue.

Parks Department staff offered a multi-media presentation and discussed proposed amendments to the FY21-26 Capital Improvements Program (CIP), specifically FY21 State of Maryland funding, including Bond Bills, Program Open Space funding, Project Contributions, and Current Revenue. According to staff, since the County Council last reviewed the FY21-26 CIP for Parks on March 10, 2020, the General Assembly adjourned indefinitely on March 18, 2020. Included in their work were awards of State Aid through Bond Bills totaling \$1,050,000 and an allocation of \$9,520,000 in Program Open Space (POS) funding. During that time, the Parks Department has determined readiness to spend \$800,000 in contributions funding recently received from the Congressional Country Club for water quality related projects in the vicinity of the site. Also, the Montgomery County Executive released additional recommendations to the FY21-26 CIP with his transmittal of the FY21 Recommended Operating Budget on March 16, 2020, which included additional reductions of \$485,000 to Current Revenue: General. Staff noted that in order to receive and spend State revenues and contributions, the CIP will need to be amended to include appropriations for the funding.

Staff recommendations include additional appropriation for \$1,050,000 of State Aid funding for Planned Lifecycle Asset Replacement (PLAR): Local Parks – Play Equipment, POS funding, and appropriation for \$800,000 of Contributions funding for stream protection and Trails: Natural Surface & Resource-based Recreation projects. Staff also recommends reducing Current Revenue: General funding by \$485,000 in FY21 in the PLAR: Non-Local Parks, Minor Renovations capital project, and requesting that the County Council add this to the Tier 1 group

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3. FY21 Capital Budget and FY21-26 Capital Improvements Program (CIP), State Funding: Bond Bills and Program Open Space, and Other AmendmentsCONTINUED

of funding restorations identified during the March 10, 2020 meeting, which include funding increases of \$350,000 for Trails: Hard Surface Renovation, \$800,000 for Trails: Natural Surface & Resource-based Recreation, and \$400,000 for the Vision Zero program.

Following extensive discussion, the Planning Board recommended that staff explore ways to protect the funding increases recommended by the County Council.

Staff then offered an alternative recommendation where the proposed \$485,000 reduction to the PLAR: Non-Local Parks, Minor Renovations capital project would be met instead by spreading the reduction across all capital projects with Current Revenue: General funding, with the only exception being the Trails: Natural Surface & Resource-based Recreation project.

There followed extensive Board discussion with questions to staff, during which the Planning Board recommended further discussion regarding Current Revenue spending.

***4. Quality Time Learning Center Annex, Site Plan No. 820200070**---CR 3.0 C 2.0 R 2.75 H110T zone and Fenton Overlay Zone, 0.17 acres, Request for up to 22,000 square feet of total development for expansion of an existing daycare center; located on the east side of Georgia Avenue approximately 150 feet north of Sligo Avenue; 2000 Silver Spring Central Business District Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 3-0

Nay:

Other: FANI-GONZÁLEZ & PATTERSON ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan request to construct an annex for an existing day care center. The 0.28-acre site, identified as Lot 6, is located on the northeast quadrant of the intersection of Georgia Avenue (MD97) and Sligo Avenue and is zoned Commercial/Residential (CR) within the Silver Spring Central Business District (CBD) Sector Plan area and the Silver Spring Parking Lot District (PLD). The site is currently developed as a surface parking lot for the adjacent Quality Time Learning Center, an existing day care center that currently has a maximum enrollment of 257 students and up to 67 employees. The site fronts on both MD97 and Mayor Road to the east and is currently accessed from MD97. Staff added that in order to create a new lot for the proposed annex and another for the existing Quality Time Learning Center facility, the applicant is pursuing a separate Minor Subdivision application, to be approved by the Planning Board prior to certification of the Site Plan, which will clarify years of various land use activity that has created lot conditions that do not meet the current standards.

Staff noted that the applicant proposes to redevelop a portion of the site with a new three-story, free-standing 21,840-square foot building addition to serve as an annex abutting the existing off-site daycare center, to accommodate an additional 140 students and up to 32 additional employees. As established by the Silver Spring PLD, the development is not required to provide on-site circulation or parking. Parents may park in the metered spaces along the MD97 service drive or the County Parking facilities across Mayor Lane and walk their children to the site. Pedestrian and bicycle access to the property will be provided along the MD97 and Mayor Lane frontages. A minimum of 664 square feet of public open space will be provided through the transfer of public open space to an off-site location, as allowed by the current Sector Plan.

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***4. Quality Time Learning Center Annex, Site Plan No. 820200070**

CONTINUED

Messrs. Richard Crump and Ernest Bland, members of the applicant's team, offered comments.

There followed a brief Board discussion with questions to staff.

***5. 4824 Edgemoor Lane (Continuation from the April 2 Planning Board meeting)**

A. Sketch Plan No. 320200020---CR 2.5 C 0.5 R 2.5 H 120 zone and the Bethesda Overlay zone, 0.18 acres, Request for up to 92,000 square feet of residential development, including a future allocation of up to 70,353 square feet of Bethesda Overlay Zone density; located in the southwest quadrant of the intersection of Edgemoor Lane and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Preliminary Plan No. 120200070---CR 2.5 C 0.5 R 2.5 H 120 zone and the Bethesda Overlay zone, 0.18 acres, Request to create one lot for up to 92,000 square feet of residential development, including up to 77 dwelling units and 15% MPDUs; located in the southwest quadrant of the intersection of Edgemoor Lane and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: A. & B. VERMA/CICHY

Vote:

Yea: A. & B. 3-0

Nay:

Other: FANI-GONZÁLEZ & PATTERSON ABSENT

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

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

Planning Department staff offered a multi-media presentation and discussed proposed Sketch and Preliminary Plan requests to subdivide a property for the creation of a residential development. Staff noted that the presentation today is a continuation from the April 2 Planning Board hearing. The 8,659-square foot property is located on the southwest quadrant of the intersection of Edgemoor Lane and Woodmont Avenue and is zoned Commercial/Residential (CR) and Bethesda Overlay Zone (BOZ) within the Bethesda Downtown Sector Plan area. The site is currently developed with a detached house that serves as a professional office use that will be removed from the site to accommodate the proposed project.

Staff noted that the applicant proposes to create one new 7,700-square foot lot, to be identified as Lot 39, and redevelop the site for up to 92,000 total square feet of residential development with up to 77 multi-family dwelling units in a 120-foot tall residential building, including a minimum of 15 percent Moderately Priced Dwelling Units (MPDUs). The proposed

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***5. 4824 Edgemoor Lane (Continuation from the April 2 Planning Board meeting)**CONTINUED

project includes a future allocation of up to 70,353 square feet density from the BOZ, requiring a Park Impact Payment (PIP) estimated at \$830,166. The final BOZ allocation and PIP amount will be determined at Site Plan review. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the frontages. Staff noted that the applicant will participate in the implementation of the master planned separated bicycle lanes along the Edgemoor Lane and Woodmont Avenue frontages. Vehicular access to the site will be provided via a consolidated curb cut on Woodmont Avenue on the southeastern corner of the site, which will limit the interruption of the pedestrian and bicycle routes and promote the County Vision Zero policy. Due to site constraints, parking will be provided in an underground garage with two automated carriages to convey cars between the ground level and the parking facility. Additional details regarding the garage design and operation, as well as a loading management plan will be provided at the time of Site Plan. Staff noted that during their February 26 meeting, the Design Advisory Panel (DAP) expressed concerns regarding separation of the proposed building's towers, and recommended that the applicant explore methods to increase the tower separation above the base to achieve a minimum separation of 30 feet and an average separation of 40 feet. Staff has included this recommendation as a condition of approval for the proposed project.

Staff has received numerous letters from the community raising concerns about building compatibility and scale, construction impacts, and traffic safety concerns. Staff addressed each of these issues, as detailed in the March 20 technical staff report.

The following speakers offered testimony: Mr. Richard Havlik of Woodmont Avenue; Mr. Neil Goldstein of Woodmont Avenue; Ms. Jane Lyons representing the Coalition for Smarter Growth; Ms. Penny Dash representing the Committee of Concerned Owners of the Chase of Bethesda Condominium, who also offered a multi-media presentation; and Mr. Charles Mokotoff, adjacent property owner.

Ms. Pat Harris, attorney representing the applicant, offered a multi-media presentation and comments, and concurred with the staff recommendation.

Mr. Bill Bonstra, member of the applicant's team, offered comments, discussed the proposed design elements, and answered questions from the Planning Board.

There followed extensive Board discussion with questions to staff, Ms. Harris, and Mr. Bonstra.

6. **8104 Woodhaven Boulevard, Administrative Subdivision No. 620200020---R-90** zone, 0.49 acres, Request to create two one-family lots located on Woodhaven Boulevard approximately 200 feet north of Thoreau Drive; 1990 Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: **Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to revised conditions discussed during the meeting, and adopted the attached Resolution.**

Planning Department staff offered a multi-media presentation and discussed a proposed Administrative Subdivision Plan request to subdivide a property for the construction of single-family homes. The 0.49-acre property, identified as Lot 10, Block A, is located on Woodhaven Boulevard, approximately 200 feet north of Thoreau Drive, and is zoned Residential within the Bethesda-Chevy Chase Master Plan area. The property, which also has frontage on Wahly Drive to the west, is currently developed with a single-family house and a driveway with access from Woodhaven Boulevard. Staff added that on February 6, the Planning Board voted to not include the structure in the *Locational Atlas & Index of Historic Sites*.

Staff noted that the applicant proposes to demolish the existing single-family dwelling and subdivide the parcel into two lots, Lot A at 11,394 square feet with direct access and frontage on Wahly Drive, and Lot B at 10,111 square feet with direct access and frontage on Woodhaven Boulevard, for a single-family detached house on each lot. Staff noted that the final design and location of the proposed homes will be determined at the time of building permit. Access to the proposed lots from their frontages will be via separate driveways. In accordance with the County Code, the applicant will be required to provide frontage sidewalks.

Staff has received numerous letters from the community raising concerns regarding the historic nature of the existing structure, the proposed lot design, the proposed tree removal, the sidewalk requirement, stormwater management and increased runoff, proposed setbacks, the illustrative building footprints, and perceived property line encroachment. Staff addressed each of these issues, as detailed in the April 3 technical staff report.

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6. 8104 Woodhaven Boulevard, Administrative Subdivision No. 620200020CONTINUED

The following speakers offered testimony: Ms. Donna Zeigfinger of Froude Circle; Mr. Giles Hopkins of Wahly Drive; Ms. Elizabeth Sowell of Thoreau Drive; Ms. Jill Barr of Woodhaven Boulevard; Mr. Stanley Freeman of Wahly Drive; and Ms. Melissa Junge of Loring Drive; Ms. Merve Williams of Woodhaven Boulevard; Ms. Michele Rosenfeld, attorney representing Chris Chernow of Poe Road; Mr. Daniel Levine of Woodhaven Boulevard; Ms. Tracy Zeigfinger of Chestnut Street; Ms. Kate Roskom of Woodhaven Boulevard; and Ms. Gloria Reid, adjacent property owner, who also offered a multi-media presentation.

At the Board's request, Legal Counsel to the Planning Board addressed some of the concerns expressed by the speakers, specifically setbacks and property boundaries, noting that setbacks will be evaluated and enforced by the Montgomery County Department of Permitting Services (DPS). Counsel also noted that the Planning Board cannot become involved in a civil lawsuit regarding property boundaries.

Ms. Pat Harris, attorney representing the applicant, offered comments and concurred with the staff recommendation, but requested removal of conditions 8b and 8c, and a correction to staff report references to the Established Building Line (EBL) requirements for the proposed lots. Staff agreed to correct the staff report as requested by Ms. Harris but noted that the inclusion of conditions 8b and 8c conforms with best practice standards.

There followed extensive Board discussion with questions to staff and Ms. Harris, during which the Planning Board instructed staff to word conditions 8b and 8c in such a way that they do not reference whether the front building line width for Lot B is currently in conformance with the Zoning Ordinance, only that it needs to be at the time a building permit is issued. The Board also instructed staff to include language in the conditions stating that if DPS decides not to enforce the sidewalk requirement, the applicant must make a proportionate payment in lieu to fund sidewalk construction in the vicinity.

7. Conditional Use CU-20-01: Way Station---Request for a Conditional Use to operate a residential care facility for 9-16 Persons, on a 0.56 acre lot located at 20629 Boland Farm Road, Germantown, identified as Lot 95 Mary J. Boland Subdivision Tax Account No. 09-03047093, 0.56 acres, R-200, south side of Boland Farm Road, west of the intersection with Frederick Road (MD355), 2009 Germantown Employment Area Sector Plan.

Staff Recommendation: Approval and Transmit Comments to the Hearing Examiner
(NOTE: Action required for Hearing by the Hearing Examiner on May 1, 2020)

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: **Approved staff recommendation for approval of the Conditional Use Request stated above, subject to revised conditions discussed at the meeting, and to transmit comments to the Hearing Examiner, as stated in the attached Transmittal Letter.**

Planning Department staff offered a multi-media presentation and discussed a Conditional Use (CU) request to operate a residential care facility for 9 to 16 residents on a 0.56-acre property located on Boland Farm Road, identified as Lot 95 Mary J. Boland Subdivision, on the south side of Boland Farm Road, west of its intersection with Frederick Road (MD355) in the Germantown Employment Sector Plan area. Staff noted that the property is improved with a large two-story, plus basement, 7,900 square-foot residential building. A portion of the front yard and the west side yard contain shrub and mature trees. There are no streams, wetland areas, no rare, threatened or endangered species. There are also no 100-year floodplains or highly erodible soils on the property. The neighborhood is predominantly residential with single-family detached residences, townhouses, and multi-family dwellings. There are two enclaves of retail and service uses at the northwest corner of Boland Farm Road and MD355, and the northwest corner of MD118 and MD355. The property was the subject of Special Exception S-2415, which was approved on March 17, 2000 for a Non-Residence Medical Practitioner Office that had been in operation until recently.

Staff also noted that the proposed Conditional Use does not propose to modify the existing residential building except for the addition of an elevator shaft, in compliance with the Americans with Disabilities Act (ADA). The Conditional Use proposes tree planting and landscaping to rehabilitate the property that is currently covered with asphalt in violation of the previously approved Special Exception. In addition, by its nature, the proposed use is residential, re-purposes the existing residential structure, and is less intense than some conditional uses that could be allowed in the zone.

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7. Conditional Use CU-20-01: Way StationCONTINUED

Staff further added that the proposed facility will provide services to meet the special needs of individuals suffering with mental health issues. The applicant's Statement of Justification (SOJ) provides descriptions of the nature and purpose of the proposed Residential Care Facility subject use and is consistent with the recommendations of the 2009 Germantown Employment Area Sector Plan and compatible with the character of the surrounding area. Staff also added that approval of the requested Conditional Use will not cause undue harm or adverse impact on the immediate neighborhood. There are no traffic, circulation, noise or environmental issues associated with the request, provided that the recommended conditions are satisfied, and the proposed CU application is exempt from Forest Conservation Plan requirements under Section 22A-5(q) of the Forest Conservation Law. Planning Board approval of the proposed Residential Care Facility Conditional Use will not substantially change the nature, character, scope or intensity that has been established by the Medical Practitioner Office use that operated on the property for the past 20 years.

Staff discussed revisions to two conditions of approval and noted that it has received no community correspondence regarding the proposed use.

Mr. Jody Kline, attorney representing the applicant offered brief comments and concurred with the staff recommendation.

Mr. Scott Rose, President of Way Station, Inc., the applicant, also offered comments.

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

***8. Ingleside: Preliminary Plan Amendment No. 12014014A (In response to a Preliminary Plan Violation)** --- Request to remove the condition of approval of the Preliminary Plan requiring the construction of a 10-ft shared use path along the frontage of the Subject Property; located on the west side of MD 650 New Hampshire Ave., approximately 1/3 mile south of Ashton Village; 6.17 acres; R-200 Zone; Sandy Spring/Ashton Master Plan.

Staff Recommendation: Denial

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: FANI-GONZÁLEZ ABSENT

Action: Approved staff recommendation to deny the applicant’s request to remove the condition of approval of the Preliminary Plan related to the construction of a 10-foot share use path, as stated above, and recommended that the applicant pay \$46,219 to Montgomery County Department of Transportation, with half of the payment due in 120 days from today, and the other half due by January 31, 2021.

In keeping with the April 2 technical staff report, Planning Department staff offered a multi-media presentation and discussed a request to remove the condition of approval for the Ingleside Preliminary Plan requiring the construction of a 10-foot shared use path (SUP) along the frontage of the applicant’s 6.17-acre property located on the west side of New Hampshire Avenue (MD650), approximately a third of a mile south of Ashton Village in the Sandy Spring/Ashton Master Plan area. The application is to remedy a Notice of Violation issued by the Planning Department to the applicant on May 23, 2019. The violation is for the failure to meet Condition 4 of the approved preliminary plan, which required the construction of a SUP along the frontage of the property prior to issuance of a permit for use and occupancy.

Staff noted that the original Preliminary Plan, No. 120140140, was reviewed and approved pursuant to the Subdivision Ordinance in effect prior to February 2017. Section 50-35(l) of that Ordinance requires that the Planning Board consider each applicable master plan, sector plan and urban renewal plan in determining the acceptability of an application. The plan drawings initially submitted with the original application showed an off-road SUP in a location acceptable to staff and it continued to be shown on the certified preliminary plan drawings after Planning Board approval. Condition No. 4 of the Resolution for the original preliminary plan was required to ensure the path would be built and to conform with the 1998 Sandy Spring - Ashton Master Plan, which recommended an off-road Class I bike path along New Hampshire Avenue (MD 650) and makes numerous recommendations for proper pedestrian

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***8. Inleside: Preliminary Plan Amendment No. 12014014A (In response to a Preliminary Plan Violation)**CONTINUED

and bicycle facilities for properties close to the two village centers in the master plan area. The Condition also ensured conformance with the recommendation for an off-road SUP by the 2005 Countywide Bikeways Functional Master Plan, which recommended a SUP along the west side of New Hampshire Avenue a portion of which is located along the frontage of the property. Subsequent to the construction of the homes, the applicant submitted a design for the SUP for review by the Maryland State Highway Administration (SHA), the agency in control of the right-of-way (ROW) fronting the property. In a letter to the applicant dated January 24, 2019, SHA denied the request for a permit to construct the SUP in the ROW. According to SHA, the denial is based on the lack of connection to nearby bike or pedestrian facilities along with the inability to properly accommodate required stormwater management. The applicant stated that she is in no position to construct the SUP and has requested this Preliminary Plan amendment to seek removal of Condition No. 4 and contribute \$10,000 to the construction of off-site public bike improvements in lieu of constructing the conditioned SUP.

Ms. Jacky McGroarty, the applicant, offered comments.

Ms. Michele Cabrera, the applicant's daughter of Crystal Spring Terrace, also offered testimony.

At the Planning Board's request, Ms. Rebecca Torma of Montgomery County Department of Transportation offered comments and clarification.

There followed extensive Board discussion with questions to staff and Ms. McGroarty, during which the Planning Board expressed sympathy for the financial burden the applicant is facing but noted that the law is clear in this case and both individual property owners and developers have to abide by them.

9. Ashton Village Center Sector Plan Briefing --- Staff briefing to the Planning Board on the progress of the Ashton Village Center Sector Plan including preliminary recommendations for land uses, zoning, design, and transportation.

Staff Recommendation: Staff Briefing and Board Guidance on Preliminary Recommendations

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing and provided guidance to Staff on Preliminary Recommendations regarding the Ashton Village Center Sector Plan.

At the onset of the meeting, the following speakers offered testimony: Ms. Kathleen Wheeler of Country View Way; Mr. Doug Farquhar of Olney Sandy Spring Road; Ms. Françoise M. Carrier of Bregman, Berbert, Schwartz & Gilday; and Mr. Bill Rozek of Avonleigh Drive and representing Embrace Home Loans.

Planning Department staff offered a multi-media presentation and briefed the Planning Board on the progress of the Ashton Village Center Sector Plan draft, including preliminary recommendations for land uses, zoning, design, and transportation. The April 9 technical staff report provides a briefing to the Planning Board on work done to date on the Sector Plan, and presents preliminary recommendations, which include: changing the zoning of the commercial properties to a zone more consistent with the rural character of the community and consistent with the existing Overlay Zone; emphasizing the completion of missing bicycle and pedestrian transportation networks, creating meaningful community open space, and recommending architectural treatments consistent with a rural village.

The goal of this Sector Plan is to create a lively, walkable, attractive and inviting village center to serve the suburban and rural communities surrounding the center. The main purpose of this Sector Plan is to provide recommendations to promote the creation of a village center for the Ashton community while protecting the rural character of the greater Ashton area. The plan focuses on zoning that is appropriate in density and use for a rural village, and design recommendations to ensure new development harmoniously blends in with the existing development. The intent is to implement zoning and design tools that allow for the removal of the Sandy Spring-Ashton Rural Village Overlay Zone. This sector plan also seeks to implement the County’s Vision Zero goals by keeping the roadways rightsized for a village, and to improve upon the available bicycle and pedestrian infrastructure.

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9. Ashton Village Center Sector Plan Briefing

CONTINUED

Staff noted that it presented and discussed very early recommendations with the community at the briefing on January 29, 2020, held at the volunteer fire station in Sandy Spring. Topics discussed included proposed zoning, density, open spaces, and design recommendations. Staff has worked since then to further refine the density and zoning recommendations and to come up with options for open space integration. Staff has also initiated reviews in transportation and the environment. One of the major exercises of this Sector Plan is to evaluate the zoning in the plan area to ensure it is appropriate for the rural village center vision for the community. Around the major intersection of MD 650 and MD 108 the existing zoning is a mix of Commercial /Residential/Townhomes (CRT) zones with Floor Area Ratio (FAR) recommendations between 0.75 and 1.25 and the now obsolete PD-5 zone. Farther west, the Ashton Market local map amendment rezoned some of the land along Porter Road TF-10, townhouse floating zone allowing up to 10 units per acre. The existing residential development along Hidden Garden Lane and the other parts of the southwest corner are in the Residential, R-90 zone, and parts of the southeast corner are zoned R-60 and RC. This Sector Plan proposes modest zoning changes to encourage development of a more meaningful village center.

Staff added that transportation is a major element in this Sector Plan because the Ashton Village is centered at the intersection of two State Highways, MD 650 and MD 108. As early as the 1980 Plan, recommendations were made to minimize the impact of regional highway traffic on the Ashton community. The 1998 Plan emphasized that major routes like New Hampshire Ave (MD 650) should be maintained as a two-lane road except for essential turn lanes, and that MD 108 should also maintain a cross-section with a village character and total pavement widths under 40 feet. The opening of the Inter-County Connector has provided a significantly easier east-west travel route across Montgomery County and has decreased vehicular trips using MD 108 to make that east-west trek.

Staff then noted that an integral part of ensuring a vibrant and successful rural village is the design of the buildings and public spaces. Many basic design elements, such as building placement and orientation toward streets and limiting building heights to between 35 and 40 feet, are already proscribed within the recommended CRN zone. The Sector Plan will build upon the zoning requirements with additional design recommendations that encourage highly visible facades to include porches, stoops, dormers, front gables and other traditional residential elements to be included on all buildings regardless of use. Recommendations will also include ways to address building massing and the use of landscaping to keep any new construction consistent with the rural village center character this Sector Plan seeks to achieve. Staff hasn't reached a conclusion on the format of the design recommendations, but it could take the form of site-specific recommendations, as a separate design guideline document, or as a pattern book of precedent images and examples.

Staff also noted that the Planning Board Draft is scheduled for July 2020 with the Public Hearing tentatively scheduled for September 2020 and worksessions to follow in October/November 2020 and transmittal of the Planning Board Draft to the County Council and the County Executive in December 2020.

There followed a brief Board discussion with questions to staff.

10. Thrive Montgomery 2050 - Draft Vision and Goals Briefing**BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing and provided guidance to staff, followed by Board discussion.**

Planning Department staff offered a multi-media presentation and discussed the Thrive Montgomery 2050 Draft Plan. Staff noted that for Montgomery County to continue to thrive and become an even better place and community for all, big decisions and bold steps must be taken for the future. Rapid social, environmental, technological, demographic and economic shifts over the next few decades necessitate revisions to Montgomery County's guiding framework for growth, called the General Plan. The General Plan update, Thrive Montgomery 2050, builds upon the foundation set by the 1964 General Plan and all subsequent plans and policies. It will modernize the original plan's Wedges and Corridors concept, self-contained corridor cities connected by a transportation network, and refine it for the next 30 years to ensure its relevance for tomorrow's challenges. It will need to accommodate new growth in a highly developed county and harness technological innovations for the county to thrive in the future. The Thrive Montgomery 2050 update will guide policy and investment decisions in the decades to come. Three broad outcomes developed as the strategic framework will shape our conversations and analysis: economic health; community equity and environmental resilience. Thrive Montgomery 2050 isn't about reinvention, it's about making sure what is great about Montgomery County continues and creating solutions to improve what needs to work better.

Staff noted that the global pandemic in 2019 and 2020 has caused a radical shift in the life and work of communities nationwide. While the full impact of this crisis is not yet known, in recent history Montgomery County residents enjoyed a high quality of life supported by a strong economy, a public school system ranked among the top in the country, a local and regional transit network, a highly prized network of parks and open spaces, low crime, extensive public services and other amenities. The county is entering the next phase of its evolution from a bedroom community of 50 years ago to a complex jurisdiction with major employment centers, urban hubs, stable single-family neighborhoods, rural landscapes and a diverse population of over a million people.

The change outlined in Thrive Montgomery 2050 Draft Vision and Goals is not immediate but is a generational shift to be achieved incrementally over the next few decades. This shift requires that we plan sustainably for ourselves, for the 200,000 additional people who

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10. Thrive Montgomery 2050 - Draft Vision and Goals BriefingCONTINUED

will make Montgomery County their home by 2050, and for our children and grandchildren. The following goals will help set the path and stay on course: 1) a vision for complete communities; 2) connectedness; 3) diverse economies; 4) safe and efficient transportation and travel; 5) housing affordability and attainability; 6) a healthy and sustainable environment; 7) a diverse and adaptable growth; and 8) diverse cultures and designs. Staff added that in 2050, Montgomery County is a vibrant, verdant and welcoming place where all people thrive with equitable access to affordable housing, healthy food, parks and open space, employment, education, services and a variety of travel options. Defined by the diversity of our population, of living and working experiences, of modes of travel, and of natural and built resources, people from all over the world choose to live, work, grow and age in the county's variety of cities, towns, villages, suburban neighborhoods, farms and open spaces.

Due to the COVID-19 crisis and our commitment to safety above all else, Montgomery Planning has canceled all in-person activities for April and May for Thrive Montgomery 2050. Instead, the Planning Department will host the following series of virtual events in April and May to stay connected to community members: distance learning with Montgomery Planning; quarantine tips; and community chats, among others.

Staff also noted that the Working Draft is scheduled to be ready by September 2020.

There followed extensive Board discussion with Chair Anderson, and Commissioner Verma stating that staff needs to mention physical and outdoor activities, reduce driving, more tree cover, and best ways to have environmentally and sustainable growth in urban areas.