



**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, June 4, 2020, at 9:05 a.m., and adjourned at 1:03 p.m.

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

Items 1, 2, 4, 5, 8, and 7, discussed in that order, are reported on the attached agenda.

Items 3 and 6 were removed from the Planning Board agenda.

Commissioner Patterson left the meeting for the day during discussion of Item 7.

There being no further business, the meeting was adjourned at 1:03 p.m. The next regular meeting of the Planning Board will be held on Thursday, June 11, 2020, via video conference.

*James J. Parsons*  
James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, June 4, 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**

**Subdivision Plat No. 220180600, West Side at Shady Grove Metro** -- EQF zone; 1 lot; located immediately northwest of the intersection of Crabbs Branch Way and Gramercy Boulevard; Shady Grove Sector Plan 2010.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

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

**\*C. Other Consent Items**

**1. Key Bridge Estates, Preliminary Plan 120190170, Regulatory Extension Request No. 4---**

Request to extend the regulatory review period from June 4, 2020 to July 2, 2020; to create six residential lots and one outlot; located at 1415 Smith Village Road, approximately 1500 feet east of Randolph Road, on approximately 2.17 acres of land zoned R-90; within the 1997 White Oak Master Plan area.

*Staff Recommendation: Approval of the Extension Request*

**2. Kaiser Permanente Aspen Hill**

**A. Preliminary Plan 120200130, Regulatory Extension Request No. 1---**Request to extend the regulatory review period from June 25, 2020 to July 30, 2020; to develop a 180,000-square-foot medical facility over two phases; located at northwest intersection of Connecticut Avenue and Aspen Hill Road, on approximately 10.04 acres of land zoned CRT-1.5, C-0.5, R-1.0, H-60; within the 2015 Aspen Hill Minor Master Plan area.

*Staff Recommendation: Approval of the Extension Request*

**B. Site Plan 82018007A, Regulatory Extension Request No. 1---**Request to extend the regulatory review period from June 25, 2020 to July 30, 2020; to develop a 180,000-square-foot medical facility over two phases; located at northwest intersection of Connecticut Avenue and Aspen Hill Road, on approximately 10.04 acres of land zoned CRT-1.5, C-0.5, R-1.0, H-60; within the 2015 Aspen Hill Minor Master Plan area.

*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion:**                   **1. CICHY/VERMA**  
                                  **2. FANI-GONZÁLEZ/CICHY**

**Vote:**  
    **Yea:**               **1. & 2. 5-0**

**Nay:**

**Other:**

**Action:**           **1. & 2A. Approved staff recommendation for approval of the Preliminary Plan Extension requests cited above.**

**2B. Approved staff recommendation for approval of the Site Plan Extension request cited above.**

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of May 21, 2020

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved Planning Board Meeting Minutes of May 21, 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 the Thrive Montgomery 2050 Update to the General Plan, with the draft of the Policies and Actions Report scheduled to be presented to the Planning Board on June 11, and virtual outreach efforts, including Community Chat sessions regarding parks, a diverse economy, connectivity, and safe and efficient travel, scheduled to begin June 9 and continue throughout the remainder of the month; upcoming Lesbian/Gay/Bisexual/Transgender/Questioning (LGBTQ) Pride Month activities, including a webinar regarding connectedness scheduled for June 10 that will feature Commissioner Verma as a panelist; the status of the 2020-2024 Subdivision Staging Policy (SSP) – County Growth Policy, with a Planning Board Public Hearing scheduled for June 11 and Board worksessions to follow; the status of the Complete Streets Design Guide, which proposes to revise the Road Code to align with the Vision Zero Action Plan and the Thrive Montgomery 2050 vision, with a Planning Board briefing scheduled for June 11; the status of outreach efforts for the Advancing the Pike District initiative, with a recent virtual kick-off meeting, and staff currently receiving community feedback via an online interactive React Map; the status of the Shady Grove Minor Master Plan Amendment, with Planning Board worksessions forthcoming; the status of the Planning Department Summer Intern Program, with three new interns accepted into the program; the recent designation of the Management Services Communications Team as its own division, with former Communications Manager Bridget Broullire hired as Chief of the new Communications Division; and the status of the new Wheaton Headquarters building, with staff move-in date still on schedule for mid-August 2020.

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

**3. ~~Equity in Master Planning Framework~~ — **REMOVED****

*Staff Recommendation: Brief the Planning Board on the Equity in Master Planning Approach and Framework*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

4. **Vibrantos Day Care, Conditional Use No. CU202003**---R-60 zone, 0.19 acres (8,127 SF), Request for a child day care use for up to 12 children; located 501 Silver Spring Avenue, between Nolte Avenue and Hartford Avenue; 2000 East Silver Spring Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** **Approved staff recommendation 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 proposed Conditional Use request to increase the number of children from eight to a maximum of 12 children, at an existing day care facility. The 8,127-square foot property, identified as Lot 17, Block D, is located on the north side of Silver Spring Avenue and is zoned Residential in the East Silver Spring Master Plan area. The site is currently developed with a single-family detached residence, at which the applicant resides and has been operating an eight-child family day care facility in the basement since June 2003 for children aged 18 months to five years. The property has an approximately 16-foot wide, 38-foot long two-car driveway. A four-foot wide sidewalk runs along the entire Silver Spring Avenue frontage. A paved walkway connects the front of the home to the day care entrance in the rear portion of the property. A paved, shared-use path that connects Silver Spring Avenue to Thayer Avenue is located immediately adjacent to the east side of the house. Unrestricted on-street parking is allowed on both sides of Silver Spring Avenue in the vicinity of the property.

Staff noted that the applicant proposes to expand the existing family day care facility from eight children to a Group Day Care with a maximum of 12 children within the same space as the existing day care. The applicant, who lives on the property and works with her daughter, who is not a resident on the property, proposes to hire one additional non-resident employee. Currently, at least five parking spaces are available for the day care, including two spaces on the driveway and three on-street spaces along the Silver Spring Avenue frontage.

There followed a brief Board discussion with questions to staff.



**5. Jawairia Iqbal Group Day Care, Conditional Use No. CU202004---R-60** zone, 0.19 acres (8,494 SF), Request for a child day care use for up to 12 children; located 108 E. Melbourne Avenue, between Sudbury Road and Walden Road; 2000 East Silver Spring Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation 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 proposed Conditional Use request to increase the number of children from eight to a maximum of 12 children at an existing day care facility. The 8,494-square foot property, identified as Lot 8, Block B, is located on the northwest corner of the intersection of East Melbourne Avenue and Walden Road and is zoned Residential in the East Silver Spring Master Plan area. The site is currently developed with a single-family detached residence, at which the applicant resides and has been operating an eight-child family day care in three rooms on the first floor since 2008 for newborns and children up to four years in age. The property has a driveway that is approximately 25 feet wide and 32 feet long that has space for up to four cars. On-street parking is available on the north side of East Melbourne Avenue and on Walden Road. A concrete walkway connects to the entrance of the day care on the east side of the house from Walden Road.

Staff noted that the applicant proposes to expand the existing family day care facility from eight to a Group Day Care with a maximum of 12 children within the same space as the existing day care. The applicant is not proposing any expansion or change to the indoor day care space and the current hours of operation. In addition to the applicant and three other family members who live on the property and work at the day care, one non-resident employee will be hired to cover the proposed expansion. A total of seven parking spaces are available for the day care, including four tandem parking spaces on the driveway, and at least three street spaces along the property frontages along East Melbourne Avenue and Walden Road.

There followed a brief Board discussion with questions to staff.

~~6. Bethesda Annual Monitoring Report~~ **REMOVED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**8. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – County Council’s April 2020 Amendments – Three Water/Sewer Service Category Change Requests**

*Staff Recommendation: Transmit Comments to the County Council*

**BOARD ACTION**

**Motion: CICHY/VERMA**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit comments to the County Council regarding three Proposed Water/Sewer Service Category Change Requests, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed three proposed Water/Sewer Category Change Requests (WSCCRs). According to staff, the Planning Board is required by State law to make a Master Plan consistency determination and provide recommendations for each WSCCR, which will be transmitted to the County Council for final action. Staff noted that their recommendations presented today agree with the County Executive’s and Montgomery County Department of Environmental Protection (DEP) recommendations. Staff recommendation for the request for the Rubens Josefino property, located in the Sandy Spring/Ashton Master Plan area, is to defer action on the request for sewer category S-3 to allow the applicant time to work out a less environmentally impactful alignment for the sewer hookup from the Washington Suburban Sanitary Commission (WSSC) service connection to the existing house. Staff added that approval for a category S-1 hookup can be considered under the Water and Sewer Plan abutting mains policy.

Staff then discussed the 11-acre Buddy O’Keefe Family Trust and Mar Thoma Church of Greater Washington property, which is located outside of the water/sewer service area and zoned Residential Estate in the Cloverly Master Plan area. Staff recommendations include maintaining the existing W-5 and S-6 water and sewer categories, with final approval for the requested W-1 and S-1 categories conditioned on Planning Board approval of a preliminary plan that substantially conforms to the Concept Plan considered by the County Council Development Review Committee in June 2019, with sewer category S-1 final approval to be restricted to a Private Institutions Facilities (PIF) use only. Regarding the two-acre Benjamin Gompf and Renee Shuman property, which is zoned Residential Estate in the Potomac Sub-region Master Plan area, staff noted that DEP has found that the lot is not directly adjacent to the planned service envelope, and therefore does not qualify for consideration of public sewer service

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**8. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – County Council’s April 2020 Amendments – Three Water/Sewer Service Category Change Requests**

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approval under the Potomac Peripheral Sewer Service Policy. Therefore, no existing service policies support approval of this request. For this reason, staff recommends denial of the category S-1 sewer extension request, while maintaining the existing category S-6.

Mr. Alan Soukup of DEP offered brief comments and answered questions from the Board.

There followed a brief Board discussion with questions to staff.

**7. Silver Spring Downtown Plan --- Scope of Work and Boundary Discussion**

*Staff Recommendation: Briefing and Discussion*

**BOARD ACTION**

**Motion: VERMA/FANI-GONZÁLEZ**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other: PATTERSON ABSENT**

**Action: Following briefing and discussion, approved Option D as the preferred boundary for the Silver Spring Downtown Plan.**

Planning Department staff offered a multi-media presentation and discussed the Study of Plan Boundary options for the proposed Silver Spring Downtown Plan. According to staff, on March 26, the draft Scope of Work for the Silver Spring Downtown Plan was presented to the Planning Board, during which staff recommended that the new plan boundary follow the Plan boundary from the current Silver Spring Central Business District (CBD) Sector Plan, with the addition of four parcels adjacent to that boundary on the south side of Wayne Avenue that are currently owned by St. Michael’s Church. Staff noted that this remains their preferred option. Following discussion, the Planning Board instructed staff to study boundary expansion options and to return and present other boundary options with the goal of re-examining parts of the predominantly single-family-home neighborhoods just outside of the downtown area to determine how new and diverse housing types, not presently allowed, could be permitted in certain areas, rather than expanding the downtown commercial core.

Staff noted that in order to arrive at boundary expansion options, the zoning and land use of the surrounding blocks, as well as the half-mile/ten-minute pedestrian walksheds from transit, specifically from the Washington Metropolitan Area Transit Authority (WMATA) Transit Center and the future Purple Line station at the Silver Spring Library, were studied. Staff also studied the area within a one-mile radius of the Transit Center, identified as the micro-mobility shed, to understand the greater context of downtown Silver Spring. At the Board’s request, staff also studied the Washington, DC neighborhoods that are located to the southeast of Silver Spring, as well as the adjacent neighborhoods and planning areas in Montgomery County, including the Forest Glen/Montgomery Hills Sector Plan, Greater Lyttonsville Sector Plan, North and West Silver Spring Master Plan, East Silver Spring Master Plan, and Takoma Park Master Plan areas.

Staff then discussed the four proposed Plan Boundary options: A) the original Plan boundary proposed in the Scope of Work presented to the Board on March 26, with a more holistic County-wide Missing Middle approach to housing and the addition of several parcels

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**7. Silver Spring Downtown Plan**CONTINUED

along Wayne Avenue; B) a neighborhood edge expansion, which expands the Plan boundary one block into the neighborhoods to the north and east of downtown Silver Spring, including properties located on the north side of the Spring Street ring-road that connects the gateways of Georgia Avenue, Colesville Road, and Wayne Avenue to downtown Silver Spring; C) a transit corridor expansion on either side of Colesville Road and Wayne Avenue to the limit of the half-mile/ten-minute pedestrian walkshed from the future Silver Spring Library Purple Line Station, which is consistent with the Planning Board's focus on transit access as a guide for expanding the Plan boundary; and D) a walkshed expansion within the half-mile/ten-minute pedestrian walkshed from the future Silver Spring Library Purple Line Station, which includes whole blocks that are within the walkshed, extending into Woodside, Woodside Park, and East Silver Spring.

Staff has received numerous community comments about the proposed boundary expansion expressing concerns regarding a perceived lack of public participation and transparency in the Plan boundary discussions, the possible annexation of residential neighborhoods into the commercial core, and the potential for automatic up-zoning. Staff addressed each of these issues, as detailed in the May 28 technical staff report.

The following speakers offered testimony: Mr. Gray Kimbrough of Sligo Avenue, who offered a multi-media presentation; Mr. Patrick Thornton of Woodland Drive; Mr. Dan Reed of Hartford Avenue; Ms. Jane Lyons, representing the Coalition for Smarter Growth; Mr. Michael Gurwitz of Springvale Road; Ms. Roberta Faul-Zeitler of Colesville Road; Mr. Tony Hausner of Brewster Avenue; Ms. Kathleen Samiy of Bennington Drive; Mr. Michael Dutka of Shetland Street; Ms. Liz Brent of Silver Spring Avenue; Mr. Steven Kraft of Meadow Green Way; Ms. Alison Gillespie of Brisbane Court; Ms. Shruti Bhatnagar, representing the Sierra Club of Montgomery County; Mr. Aaron Johns of Bonifant Street; Mr. Zachary Weinstein of Ripley Street; Ms. Marjorie Hoffman of North Noyes Drive; Ms. Misha Clive of Cameron Street; Mr. Tom Armstrong of Greenbrier Drive; and Mr. Ben Schumann of 16<sup>th</sup> Street.

There followed extensive Board discussion with questions to staff, during which the Planning Board approved Option D, the proposed walkshed expansion, as the boundary for the Silver Spring Downtown Plan area.