



**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, September 17, 2020, at 12:03 p.m., and adjourned at 8:05 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 12:07 p.m. during discussion of Item 9.

The Board recessed at 12:04 p.m. and convened in Closed Session at 12:07 p.m. to take up Items 9, 10, and 15, 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 12:07 a.m. via video conference 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 of the motion, and Commissioner Patterson absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7)(2020), to consult with counsel to obtain legal advice on a legal matter, and §3-305(b)(8)(2020), to consult with staff, consultants, or other individuals about pending or potential litigation.

Also present for the meeting were General Counsel Adrian Gardner, Senior Counsel Matt Mills, and Associate General Counsels Christina Sorrento and Delisa Coleman of the Legal Department; Director Gwen Wright, Deputy Director Robert Kronenberg, Elza Hisel-McCoy, Stephanie Dickel, Jonathan Casey, and Rebeccah Ballo of the Planning Department; and James Parsons of the Commissioners' Office.

In Closed Session, the Board received briefing and legal advice regarding proposed reconsideration requests and the legal options for a pending referendum ballot.

The Closed Session meeting was adjourned at 12:29 p.m.

The Planning Board reconvened via video conference at 12:46 p.m.

Commissioner Patterson left the meeting following discussion of Item 15 and rejoined at 1:05 p.m. during discussion of Item 2.

Item 1, Items 12 through 14, 1C3, 1D, 2, 11, 3, and Items 5 through 7, discussed in that order, are reported on the attached agenda.

Items 1C4 through 1C6, and Items 1C8 and 4 were removed from the Planning Board agenda.

The Planning Board recessed for dinner at 5:50 p.m. and reconvened via video conference at 6:45 p.m. to receive public testimony for Item 8 – Public Hearing for the Ashton Village Center Sector Plan.

There being no further business, the meeting was adjourned at 8:05 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 24, 2020, via video conference.

*M. Clara Moise*

M. Clara Moise  
Sr. Technical Writer/Editor

*James J. Parsons*

James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, September 17, 2020**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4600

**9. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(7)(8),(2020) to consult with counsel to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation.

**The topics to be discussed are proposed Reconsideration Requests for the Westbard Storage Site Plan and RCCG Jesus House Preliminary Plan**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**10. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(7)(8),(2020) to consult with counsel to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation.

**The topic to be discussed is a proposed Reconsideration Request for the Cedar Ridge Community Solar Site Plan**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**15. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(7),(2020) to consult with counsel to obtain legal advice.

**The topic to be discussed is the legal options for a pending ballot**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**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. 220200740, Battery Park, Section 2** -- CRT zone; 2 lots; located in the northeast quadrant of the intersection of Wilson Lane (MD 188) and Cordell Avenue; Bethesda Downtown Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210030, American University Park** -- R-60 zone; 1 lot; located on the east side of Park Avenue, 150 feet south of Keokuk Street; Bethesda -Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** CICHY/FANI-GONZÁLEZ

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** PATTERSON TEMPORARILY ABSENT

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

**\*C. Other Consent Items**

**1. Ottinger Property, Preliminary Plan Amendment No. 11987244A, Regulatory Extension Request No.1**---Request to extend the regulatory review period from September 17, 2020, to December 17, 2020; to remove a conservation easement and replace it with a smaller, more stringent Category I Easement. Located on Spring Road, 180 Feet West of 80th Street; 1990 Bethesda Chevy Chase Master Plan.

*Staff Recommendation: Approval of the Extension Request*

**2. 8800 Brookville Road, Preliminary Plan No. 120190130, Extension Request No. 3**---EIM zone, 9.93 acres, Third request to extend review period, from September 28, 2020 to December 30, 2021 for proposal to create a single recorded lot from an unrecorded parcel with no new development, located at 8800 Brookeville Road; 2017 Greater Lyttonsville Sector Plan.

*Staff Recommendation: Approval of Extension*

**4. Cloverleaf Center Germantown ~~REMOVED~~****~~A. Cloverleaf Center Germantown, Preliminary Plan Amendment No. 11988156B~~**

~~Request to modify adequate public facilities findings to convert an existing office building to sixty five (65) age restricted, multi-family residential units (including 12.5% MPDU's) with associated 23,700 sq. ft. adult daycare use for up to 230 senior adults. Located at 20400 Century Blvd; 5.51 acres, zoned CR-2.0, C-1.25, R-1.0, H-145T and Germantown Transit Mixed Use Overlay; 2009 Germantown Employment Area Sector Plan~~

~~*Staff Recommendation: Approval with Conditions*~~

**~~B. Cloverleaf Center Germantown, Site Plan Amendment No. 81990060C~~** Request to convert the existing office use into a mixed use building containing sixty five (65) age restricted, multi-family residential units (including 12.5% MPDU's) and an 23,700 sq. ft. adult day care for up to 230 senior adults including associated access improvements. Located at 20400 Century Blvd; 5.51 acres, zoned CR-2.0, C-1.25, R-1.0, H-145T and Germantown Transit Mixed Use Overlay; 2009 Germantown Employment Area Sector Plan

*Staff Recommendation: Approval with Conditions*

**~~5. Westbard Self Storage Site Plan No. 82017011A MCPB No. 20-062 (07/23/2020)~~**

~~Reconsideration request of the Macedonia Baptist Church. **REMOVED**~~

**~~6. Remand from the Circuit Court for Montgomery County RCGG Jesus House Preliminary Plan No. 120160040 MCPB No. 20-039 (04/30/2020) Reconsideration requests (2) of Ms. Kathleen Hastings and the Cloverly Civic Association. **REMOVED**~~**

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**\*C. Other Consent Items**

CONTINUED

**7. Administrative Subdivision No. 620200010, 20035 New Hampshire Avenue - Regulatory Review Extension Request No. 2**---Request to extend the regulatory review period from September 23rd, 2020 to November 23, 2020: Application to create one lot for a one detached single-family home; located at 20035 New Hampshire Avenue; 3.61 acres; RC Zone; 2005 Olney Master Plan.

*Staff Recommendation: Approval of the Extension*

~~**8. Request for Reconsideration of Cedar Ridge Site Plan 820200040 Resolution MCPB No. 20-069**~~ **REMOVED**

**9. Clarksburg Town Center, Minor Site Plan Amendment No. 82007022G, Regulatory Review Extension Request No. 2**---Request to extend the regulatory review period for 3 months until December 18, 2020; an Amendment to address minor revisions to landscaping, street trees, retaining walls, fences, and sidewalks, adjust cemetery location and Forest Conservation areas, and minor revisions with approved park permit plan, approved record plats, and approved MCDPS SWM plan; on approximately 270.92 acres; CRT 0.75, C-0.25, R-0.5, H-65T, but reviewed under the RMX-2 zone; 1994 Clarksburg Master Plan and Hyattstown Special Study Area.

*Staff Recommendation: Approval of Extension Request*

**BOARD ACTION**

**Motion: 1., 2., 7., & 9. CICHY/VERMA**

**Vote:**

**Yea: 1., 2., 7., & 9. 4-0**

**Nay:**

**Other: PATTERSON TEMPORARILY ABSENT**

**Action: 1. Approved staff recommendation for approval of the Preliminary Plan Amendment Extension request cited above.**

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

**4. This Item was removed from the Planning Board agenda.**

**5., 6., & 8. These Items were removed from the Consent Agenda and discussed as regular agenda Items.**

**7. Approved staff recommendation for approval of the Administrative Subdivision Plan Extension request cited above.**

**9. Approved staff recommendation for approval of the Minor Site Plan Amendment Extension request cited above.**

**12. Request for Reconsideration of Cedar Ridge Site Plan 820200040 Resolution MCPB No. 20-069**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: No motion was made to reconsider.**

Following a brief Board discussion regarding the reconsideration request for the Cedar Ridge Site Plan, the Board made no motion to approve the request to reconsider its previous decision.

**13. Westbard Self Storage Site Plan No. 82017011A MCPB No. 20-062 (07/23/2020) –  
Reconsideration request by the Macedonia Baptist Church**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: No motion was made to reconsider.**

Following a brief Board discussion regarding the reconsideration request for the Westbard Self Storage Site Plan, the Board made no motion to approve the request to reconsider its previous decision.

**14. Remand from the Circuit Court for Montgomery County RCCG Jesus House Preliminary Plan No. 120160040 MCPB No. 20-039 (04/30/2020) – Reconsideration requests (2) of Ms. Kathleen Hastings and the Cloverly Civic Association.**

*Staff Recommendation: Briefing*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

Legal Counsel to the Planning Board discussed proposed reconsideration requests for the RCCG Jesus House Preliminary Plan. According to Counsel, the Board has received two petitions for reconsideration in this matter, one from Ms. Kathleen Hastings, filed on August 22, and one from the Cloverly Civic Association, filed on August 24. Both petitioners participated in the initial hearing. On September 9, 2020, a Petition for Judicial Review of the same matter was filed in the Circuit Court for Montgomery County by the Concerned Citizens of Cloverly, which is not one of the petitioners requesting reconsideration. Counsel noted that the filing of the Petition for Judicial Review in the Circuit Court immediately deprived the Planning Board of jurisdiction in this matter and transferred it to the Circuit Court, effectively making it legally impossible for the Planning Board to hear the proposed reconsideration requests for the Preliminary Plan before them today.

There followed a brief Board discussion.

**1C3. Temporary Suspension of Alcohol Prohibition in Designated Parks**

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Following a brief discussion, this Item was removed from the Consent Agenda and discussed as regular agenda Item 11.

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of July 30, 2020

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/VERMA

**Vote:**

**Yea:** 4-0

**Nay:**

**Other:** PATTERSON TEMPORARILY ABSENT

**Action:** Approved Planning Board Meeting Minutes of July 30, 2020, as submitted.

**2. Roundtable Discussion**

- A. Planning Department Director's Report
- B. Spring 2020 Photo Contest Winners Announcement

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

**Planning Department Director's Report** – Planning Department Director Gwen Wright briefed the Board on the following ongoing and upcoming Planning Department events and activities: the recent passing of former Commission employees Rebecca Boone, Deborah Dietsch, Ashley Phelps, and Davis Richardson; the recent reappointment of Commissioner Gerald R. Cichy to a new term as a Montgomery County Planning Board member and Employees' Retirement System (ERS) Board member; Commissioner Partap Verma's recent appointment to serve on the Montgomery County Racial Equity and Social Justice Advisory Committee as the County Planning Board Chair's Designee representative; the recent update to the names of the Planning Department Divisions to more accurately reflect their services, with Area 1 now called Down County Planning, Area 2 called Mid-County Planning, Area 3 called Upcounty Planning, Functional Planning and Policy (FPP) called Countywide Planning and Policy (CPP), Development Applications and Regulatory Coordination (DARC) now called Intake and Regulatory Coordination (IRC), and Research and Special Projects to become Research and Strategic Projects; the status of the update to the County Growth Policy, with a County Council Public Hearing held on September 15, County Council worksessions forthcoming, and the final vote most likely to be held on November 10; the status of the THRIVE Montgomery 2050 Update to the General Plan, with the Working Draft scheduled to be published on September 24 and presented to the Planning Board on October 1, meetings with stakeholders scheduled throughout October, and a Planning Board Public Hearing scheduled for November 19; the status of the Germantown Plan for the Town Sector Zone; the status of the Ashton Village Center Sector Plan, with a Planning Board virtual tour of the Plan area and a Public Hearing scheduled for later today; the status of the Shady Grove Minor Master Plan Amendment, with Planning Board worksessions scheduled for September 24 and October 15; the status of the Corridor Forward I-270 Transit Plan, with a Planning Board Public Hearing scheduled for September 30; the status of the Silver Spring Downtown and Adjacent Communities Plan, which is currently in the beginning stage of community outreach; the

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**2. Roundtable Discussion**CONTINUED

upcoming National Capital Area Chapter of the American Planning Association (APA) 2020 Chapter Conference scheduled for September 21 through 25, with numerous Planning Department staff members scheduled to participate on panel discussions; the upcoming Car Free Day event scheduled for September 21; the status of the Hispanic Heritage Month, with events scheduled for September 15 through October 15; and the upcoming 4<sup>th</sup> Annual Wheaton Arts Parade and Festival, a virtual event scheduled for September 20 through October 4.

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

**B. Spring 2020 Photo Contest Winners Announcement:** Ms. Wright then offered a multi-media presentation and announced the winners of the 2020 Staff Photo Contest. The contest theme this year was “Spring in the Time of Pandemic.” This year’s winners, in no particular order, are Albert Arevalo, Carlos DeLaTorre, Corrine Stephens, and Marilyn Stone of the Parks Department, and Maren Hill of the Planning Department.

There followed a brief Board discussion.



**11. Temporary Suspension of Alcohol Prohibition in Designated Parks - For Notification Pursuant to Park Rules and Regulations Chapter I, Section 3**

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 4-0-1

**Nay:** PATTERSON

**Other:**

**Action:** Approved staff recommendation for approval of the Parks Department Directive cited above.

Parks Department staff offered a multi-media presentation and discussed a proposed Parks Department Directive for a pilot program to ease alcohol restrictions in parks that are participating in the ongoing MoCo Eats Picnic in the Park initiative. According to staff, an average of 20 to 25 percent of restaurant revenue is from alcohol sales, and due to the ongoing COVID-19 pandemic, total 2020 restaurant revenue is down State-wide by 32 percent from the same time period in 2019.

Staff noted that in order to support local restaurants, the Parks Department has partnered with Visit Montgomery to expand the MoCo Eats Picnic in the Park initiative and proposes the temporary suspension of alcohol prohibition to allow legal alcohol possession, consumption, sales, and delivery in nine designated parks located in close proximity to local restaurants. The Parks participating in the pilot program include Jesup Blair Local Park, Acorn Urban Park, Germantown Town Center Urban Park, Norwood Local Park, Olney Manor Recreational Park, Takoma Urban Park, Wall Local Park, Wheaton Local Park, and Wheaton Regional Park, and may expand to other locations in the fall. Consumption of alcoholic beverages will be limited from 11:00 a.m. to dusk, or approximately 7:00 p.m., in designated, clearly marked picnic areas in the participating parks from September 24, 2020, through May 31, 2021. Community safety measures will include increased police presence and enforcement at pilot parks with additional enforcement by park staff and management, on-site instructional and directional signage, physically distanced picnic spaces and touchless ordering using a Quick Response (QR) code, a public communication strategy throughout the pilot, the ability to remove parks and add guidelines during the pilot, and the presence of experienced events teams.

Staff then discussed community outreach efforts, which will include organic and paid social media, public input via the Open Town Hall online civic engagement platform, and public notification, such as social media, Homeowners Association (HOA) communications, press releases, signage at each participating park, and electronic newsletters.

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**11. Temporary Suspension of Alcohol Prohibition in Designated Parks - For Notification Pursuant to Park Rules and Regulations Chapter I, Section 3**

CONTINUED

The following speakers offered testimony: Dr. Elyse Grossman of Grove Ridge Way; Ms. Arlene Rosenbusch of Gaines Avenue; Mr. Brett Robison representing the Silver Branch Brewing Company; Mr. Lloyd Guerci of Hunt Avenue; and Mr. Henry Lebard of Langdrum Lane.

There followed extensive Board discussion with questions to staff, during which Commissioner Patterson expressed concern regarding the lack of restrooms at the South Germantown Town Center Urban Park, recommended that staff consult with local and regional health officials regarding the potential for the spread of COVID-19 in that same area, and requested that staff present a list of alternate sites for the pilot program at a later date.

**3. Worksession: FY22 Capital Budget and FY21-26 Capital Improvements Program (CIP)**

*Staff Recommendation: Briefing*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing followed by discussion.**

Parks Department staff offered a multi-media presentation and discussed the proposed biennial year review of the FY21-26 Capital Improvements Program (CIP) and FY22 Capital Budget. According to staff, the current FY22 Capital Budget is \$53,581,000, with the current CIP at \$245,528,000, which is funded through General Obligation (GO) bonds, the Maryland Program Open Space, and Maryland-National Capital Park and Planning (M-NCPPC) bonds, among other funding sources, and makes up 5.6 percent of the County-wide CIP. Staff noted that in mid-June, shortly after the CIP was approved, the County Executive proposed an FY21 Savings Plan that included a request for M-NCPPC to reduce GO bond expenditures in FY21 by \$628,000. In response, the Planning Board reviewed the Parks Department recommendations for the Plan on July 9, 2020 and transmitted the Savings Plan to the County Executive and County Council, which the County Council's Planning, Housing, and Economic Development (PHED) Committee reviewed and recommended for approval. Staff noted that on September 15, the County Council approved the FY21 Savings Plan through a CIP Amendment, reducing the CIP to \$245,000,000. However, rather than reducing FY21 appropriations, appropriation requests will be adjusted in the FY22 Capital Budget. Staff added that County Council CIP forums are scheduled for the Mid-County region on October 8, the Bethesda/Chevy Chase area on October 13, the Up-County region on October 26, and the Silver Spring area on October 28.

Staff then discussed their recommendations, which include amendments to the FY21-26 CIP and FY22 Capital Budget that will reduce FY22 appropriation requests by \$528,000 to reflect the FY21 Savings Plan: implement a new Mid-County Park Benefit Payments project, which will allow \$2,500,000 of appropriation in FY22 in park benefit payments from developments in the White Flint, Grosvenor-Strathmore, and Rock Spring areas; revise an FY22 appropriation request for the Stream Protection, SVP Project Description Form (PDF) that will correct an over-appropriation of \$600,000 added in FY21; revise the funding schedule for the Enterprise Facilities' Improvements PDF to incorporate the delay of the Ridge Road Ice Rink project beyond FY26; closeout the Little Bennett Regional Park Trail connector, Magruder

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**3. Worksession: FY22 Capital Budget and FY21-26 Capital Improvements Program (CIP)**CONTINUED

Branch Trail extension, and Seneca Crossing Local Park projects. The impacts of these amendments will decrease the approved six-year CIP to \$227,500,000 and the FY22 Capital Budget to \$34,953,000.

The next steps for the FY21-26 CIP and FY22 Capital Budget include adoption by the Planning Board scheduled for October 15, submission to the County Council and County Executive scheduled for November 1, the release of the County Executive's recommendations for the CIP and FY22 Budget scheduled for January 15, 2021, and County Council Review and adoption scheduled from February through May 2021.

There followed extensive Board discussion with questions to staff.

~~4. 8901 and 8907 Colesville Road (Martha B Gudelsky Child Development Center)~~  
~~REMOVED~~

~~A. Conditional Use CU202008: Request for a Day Care Center (Over 30 persons) for 180 children to be established on the 2.02 acre, former Silver Spring Library site in the R-60 Zone; located at 8901 and 8907 Colesville Road, 390 feet north of Spring Street, within the 2000 North and West Silver Spring Master Plan.~~

~~Staff Recommendation: Approval with Conditions~~

~~(NOTE: Action required for Hearing by Hearing Examiner on October 5, 2020)~~

~~B. Preliminary Forest Conservation Plan CU202008; Request for construction of a Day Care Center (Over 30 Persons) for 180 children to be established on the 2.02 acre, former Silver Spring Library site in the R-60 Zone; located at 8901 and 8907 Colesville Road, 390 feet north of Spring Street, within the 2000 North and West Silver Spring Master Plan.~~

~~Staff Recommendation: Approval with Conditions~~

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**5. MacArthur Boulevard Bikeway Improvements**---Mandatory Referral MR2020024, MacArthur Boulevard Bikeway Improvements Construction of side-path improvements along the south side of MacArthur Boulevard extending from Old Angler’s Inn to Eggert Drive. Potomac Subregion Master Plan (2002)

*Staff Recommendation: Approval with Comments*

**BOARD ACTION**

**Motion:** CICHY/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation for approval of the proposed MacArthur Boulevard Bikeway Improvements Mandatory Referral request by Montgomery County Department of Transportation (MCDOT), as discussed during the meeting, and to transmit comments to MCDOT, as stated in the attached transmittal letter.

In keeping with the September 10 detailed technical staff report, Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request from the Montgomery County Department of Transportation (MCDOT) to construct bikeway improvements on MacArthur Boulevard and also construct side-path improvements along the south side of MacArthur Boulevard extending from Old Angler’s Inn to Eggert Drive in the Potomac Subregion Master Plan area. Staff noted that the MacArthur Boulevard Bikeway Improvements project – Segment 1 is subject to the Mandatory Referral review process under the Montgomery County Planning Department’s Uniform Standards for Mandatory Referral Review. State Law requires all federal, state, and local governments and public utilities to submit all proposed projects for a Mandatory Referral review by Planning staff and the Planning Board. The law requires the Planning Board to review, and approve the proposed location, character, grade and extent of any road, park, public way or ground, public, including federal building or structure, or public utility, whether publicly or privately owned, prior to the project being located, constructed or authorized. The project’s design plans received for Mandatory Referral corresponds to the 35 percent plans.

Staff also noted that the project’s main improvements include 1) a 10-foot wide side path along the south side of MacArthur Boulevard with a 5-foot wide grass street buffer wherever feasible, and a 3-foot wide shoulder on both sides of MacArthur Boulevard; 2) intersection improvements at Clara Barton Parkway, such as removing the channelized right-turn from MacArthur Boulevard to Clara Barton Parkway and realigning the crosswalk; 3) reconstructed bus stops along MacArthur Boulevard; 4) pedestrian refuge island and crosswalk at Mountain Gate Drive; 5) a loading zone near Brickyard Road at the request of the National Park Service,

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**5. MacArthur Boulevard Bikeway Improvements**CONTINUED

for campers to unload their cars when accessing the nearby Marsden Campsite facilities; and 6) on the eastern limits of the project, a retaining wall has been proposed to minimize impacts to the existing U.S. Army Corps of Engineers maintenance facilities for the Washington Aqueducts and the Rock Run.

Staff then discussed the transportation recommendations for the proposed project, as well as the environmental analysis, and environmental guidelines, as discussed in detail in the staff report, noting that a stormwater management concept was approved by the Department of Permitting Services (DPS) on December 10, 2019. Staff also added that the application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law and is exempt from the submission of a Forest Conservation Plan.

Historic Preservation Division staff also offered a brief history of the site, followed by brief comments and recommendations.

Staff finally added that the MacArthur Boulevard – Segment 1 proposed project is subject to the following three Master Plans: the 2002 Potomac Subregion Master Plan, the 2018 Bicycle Master Plan, and the 2018 Master Plan of Highways and Transitways, and is in conformance with these Master Plans.

At the request of Chair Anderson, Messrs. Daniel Sheridan, Angel Cheng, and Corey Pitts of MCDOT offered comments and answered questions from Board members.

There followed extensive Board discussion with questions to staff and MCDOT representatives.

**6. Conditional Use CU-20-06 Redly Capital Investments**---Request for a Conditional Use to operate a Residential Care Facility (9-16 Persons) in an existing structure on a 1.42-acre lot located at 17734 Norwood Road, approximately 300 feet south of its intersection with Olney-Sandy Spring Road (MD-108), Sandy Spring, identified as Parcel A and Out-lot A, Aunt Hattie’s Place, Plat 23975, R-200 Zone and Sandy Spring Ashton Rural Village Overlay Zone. 1998 Sandy Spring/Ashton Master Plan

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/CICHY

**Vote:**

**Yea:** 4-0-1

**Nay:** PATTERSON

**Other:**

**Action:** Approved staff recommendation for approval of the Conditional Use request cited above, subject to conditions.

In accordance with the September 4 technical staff report, 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 people in an existing building on a 1.42-acre lot located on Norwood Road, approximately 300 feet south of its intersection with Olney-Sandy Spring Road (MD-108), identified as Parcel A and Out-lot A, Aunt Hattie’s Place, in the Sandy Spring Ashton Rural Village Overlay Zone and the Sandy Spring/Ashton Master Plan area. Staff noted that there is a 10,277-square foot two-story residential building and basement, which was formerly used as a residence and a group home for eight residents. The first story of the building is located towards the property’s frontage on Northwood Road. The rear portion is attached to a three-story addition that was used to house the residents of the former residential care facility known as “Aunt Hattie’s Place.” Other improvements on the property include an outdoor patio, paved surface parking and paved driveways. The property is irregularly shaped, with approximately 246 feet of frontage on Norwood Road and measuring 75.67 feet at the rear property line, forming an L shape. Both the residence and the facility are accessed from Northwood Road via three driveway aprons. A portion of the front yard and the west side yard contain shrubs and mature trees. There are no streams, wetland areas, 100-year floodplain or highly erodible soil on the property. There are no rare, threatened or endangered species on the property, however, there are existing conservation easements.

Staff then added that the surrounding neighborhood is developed with single-family dwellings in a village type development with semi-rural character in an area defined by a variety of environmental features, including streams, slopes, and large unimproved wooded properties.

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**6. Conditional Use CU-20-06 Redly Capital Investments**CONTINUED

The property abuts an unimproved wooded parcel and the Olney-Sandy Spring Veterinary Hospital to the north and single-family dwellings to the west and south in the R-200 (Residential) zone. Confronting the property to the east across Norwood Road are a single-family detached dwelling and the Sandy Spring Village Condominium Townhouses development. The applicant works in partnership with the Sandy Spring Friends School located 1.3 miles southwest of the property. The school is known to provide programs that address the needs of young boys and girls who are experiencing various social and emotional challenges, and trains, guides and tutors them to transition into becoming active members of their community and society. Norwood House, the subject facility, would pick up the overflow students which could not be accommodated at the on-campus student dormitory. The applicant's Statement of Justification (SOJ) indicates that the one-story structure portion of the building located in the front side of the property will be utilized as a residence for the family of an administrator/educator employed at the nearby Sandy Spring Friends School. The SOJ indicates that the total number of staff at any given time will depend on the number of youths enrolled in the program, the maturity and the mix of student residents.

Staff also noted that the CU does not propose to modify the existing residential building which was modified 13 years ago to accommodate a by-right use, which is a similar use as the one proposed in the current application, differing only by the number of residents. The CU also proposes additional landscaping. The property and the existing improvements have gone through Preliminary and Site Plans approval and are compatible with the character of the surrounding neighborhood and the goals and recommendations of the Master Plan. Sandy Spring Friends School will provide transportation to and from school and will also assist with other transportation needs. The Bicycle Master Plan recommends a 10-foot side-path along the property frontage on Northwood Road, however given that no new development is requested by the applicant at this time, staff finds the request to be in substantial conformance with the Master Plan recommendations, and staff does not recommend that construction of the side-path be required as part of this review.

Staff further added that there are no unacceptable traffic, circulation, noise or environmental impacts associated with this request, provided that the recommended conditions of approval, stated in the staff report, are satisfied.

Mr. Basile Whitaker of Ashton Green Drive offered testimony.

Mr. Jody Kline, attorney representing the applicant, Redly Capital Investments & Holding Corporation, offered comments and concurred with the staff recommendation.

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

**7. Ashton Village Center Sector Plan Virtual Tour**

*Staff Recommendation: The Planning Board Will Be Provided with a Virtual Tour of the Ashton Village Center Sector Plan area, Prior to the Public Hearing for the Plan*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Planning Board Members participated in a Virtual Tour of the Ashton Village Center Sector Plan Area organized by Planning Department staff, prior to the Public Hearing scheduled for the evening.**

**8. Ashton Village Center Sector Plan Public Hearing**

*Staff Recommendation: The Planning Board Will Receive Public Testimony on the Public Hearing Draft of the Ashton Village Center Sector Plan*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received Testimony.**

**A VERBATIM TRANSCRIPT OF THIS ITEM IS ON FILE IN THE RECORDS MANAGEMENT OFFICE IN SILVER SPRING, MARYLAND.**