



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

**APPROVED
MINUTES**

The Maryland-National Capital Park and Planning Commission held a joint meeting on Thursday, October 22, 2020, at 12:00 p.m., via Microsoft video conference, to discuss Item 8 – Change in Health Insurance Rates, scheduled on the Montgomery County Planning Board agenda.

Following the joint meeting, the Montgomery County Planning Board met in regular session via Microsoft Teams video conference at 12:17 p.m., and adjourned at 3:40 p.m.

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

Items 1 through 6 are reported on the attached agenda.

Item 7 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 3:40 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 29, 2020, via video conference.

M. Clara Moise

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Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, October 22, 2020
2425 Reddie Drive
Wheaton, MD 20902
301-495-4600

8. Change in Health Insurance Rates – Joint Meeting of The Maryland-National Capital Park and Planning Commission

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing. See Meeting Minutes of the Joint Meeting of The Maryland-National Capital Park and Planning Commission.

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. 220200450, Bradley Ridge -- RE-2 zone; 1 parcel; located in the northeast quadrant of the intersection of River Road (MD 190) and Bradley Boulevard (MD 191); Potomac Subregion Master Plan.

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.

***C. Other Consent Items**

1. Freeman Property: Administrative Subdivision Plan No. 620190140, Regulatory Review Extension Request No. 4---Request to extend the regulatory review period for 6 months until May 2, 2021; an Application to create two lots; on Sugarland Road 1,200 feet northeast of Sugarland Lane; 7.65 acres; R-200 Zone; 1980 Agricultural and Rural Open Space Master Plan.

Staff Recommendation: Approval of Extension Request

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Extension Request cited above.

***D. Approval of Minutes**

Planning Board Meeting Minutes of October 8, 2020

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of October 8, 2020, as submitted.

2. Roundtable Discussion

- Parks Department Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing.

Parks Department Director's Report – Parks Department Director Mike Riley noted that he has a very brief report today. Mr. Riley briefed the Planning Board on the following ongoing and upcoming Parks Department events and activities: the status of parks that are open and the activities available to the public in the parks, including activities for children, with information available on the Parks Department website; drive-in movie events in the parks with tickets selling out quickly; upcoming Halloween activities in the parks; Parks Department Speaker Series via video conference, scheduled for Monday, with guests from the San Diego Parks System and Recreation Department to give a briefing on the update to their Citywide Park Master Plan.

3. FY22 Operating Budget Discussion – Parks Department

Staff Recommendation: Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion.

Parks Department Director Mike Riley offered introductory remarks about the proposed Parks Department FY22 Budget request followed by Budget Manager Nancy Steen who offered a multi-media presentation in accordance with the detailed October 15 Memorandum to the Planning Board. Ms. Steen noted that after review of the Parks Department known commitments as well as the Program Enhancements that are proposed, the FY22 Budget proposes a 2.3 percent increase over the FY21 Budget. This total includes an increase in Program Enhancements of \$314,300 for the Department's portion of the Commission-wide IT fund for software licensing from the Office of the Chief Information Officer (CIO). Ms. Steen also added that excluded from the total is the salary marker for the merit/COLA and the reclassifications.

Ms. Steen then noted that the Parks Department Division Chiefs will each present their respective budgets and answer questions from the Planning Board.

Ms. Steen also added that another session for further discussion of the Parks Department FY22 Budget is tentatively scheduled for next Thursday, if needed, and a final discussion is scheduled for November 12.

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

Mr. John Kroll, the Commission's Corporate Budget Director, noted that due to fluctuations in the market, the Pension Fund would need to be supplemented and he will have the exact amount at the next budget discussion. Chair Anderson added that it could potentially be an additional \$2 million for the Parks Department.

4. Metro Grounds

A. Preliminary Forest Conservation Plan No. CU2020-07: Request for approval with conditions of a preliminary forest conservation plan for the construction and operation a landscape contractor at 3731 Damascus Road, Brookeville; 30.9 acres; Agriculture Reserve (AR) Zone; Olney Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Conditional Use No. CU2020-07: Request to transmit comments to the Hearing Examiner on a conditional use application to construct and operate a landscape contractor at 3731 Damascus Road, Brookeville; 30.9 acres; Agriculture Reserve (AR) Zone; Olney Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: **A. VERMA/CICHY**
 B. CICHY/VERMA

Vote:

Yea: **A. & B. 5-0**

Nay:

Other:

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

B. Approved staff recommendation for approval of the Conditional Use request cited above, subject to conditions, 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 and the associated Preliminary Forest Conservation Plan (PFCP). Staff noted that the CU request is to construct and operate a landscape contractor business on a property on Damascus Road in Brookeville, Maryland. The 30.9-acre property is in the Agriculture Reserve (AR) zone in the Olney Master Plan area. Staff noted that the site is improved with a 1,314 square-foot single-family house with a detached accessory building. Existing fields are used for crops and a turf farm. Access to the property is from Damascus Road from a gravel driveway about 270 feet east of Howard Chapel Road. There is a second asphalt apron and gravel driveway entrance approximately 570 feet east of Howard Chapel Road, which provides truck and equipment access for the planting fields. The boundary of the defined neighborhood is comprised of a predominantly rural area just west of the crossroad community of Unity with the vast majority of the land to the north, west, northeast, and southwest in the AR zone. The remainder of the surrounding area along Damascus Road is in the Residential (R-200) zone. The property is in the Unity neighborhood of the Sunshine/Unity area, a neighborhood

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**4. Metro Grounds -- A. Preliminary Forest Conservation Plan No. CU2020-07
& B. Conditional Use No. CU2020-07**CONTINUED

with undefined borders from Georgia Avenue, west along Damascus Road to Howard Chapel Road. There are no prior conditional use applications associated with this property. However, there are three known conditional uses within the defined neighborhood. The 1.5-acre M-NCPPC Unity Neighborhood Park is located across from the property on Damascus Road and is improved with a playground and a parking lot.

Staff added that there is a designated historic resource on Damascus Road which consists of a relatively unaltered two-story farmhouse built in 1877. Howard Chapel Road which runs along the western boundary of the property is a Rustic Road, as designated in the 1996 *Rustic Roads Functional Master Plan*. A Natural Resources Inventory was approved on August 12, 2019. The project consists of the construction and operation of a landscape contractor business, which will replace a single-family house and an existing crop and turf farm. The proposed development consists of a work yard area, field operations storage barn, field operations trailer, five greenhouse structures, a future storage building, and three sheds.

Staff then discussed the Preliminary Forest Conservation Plan (PFCP), noting that approximately 10.86 acres of forest exist on the property. The PFCP is currently taking a net track area deduction for land to remain in agriculture, for which the applicant has executed an agricultural Declaration of Intent (DO) to keep the land in agricultural production. The applicant is requesting 0.59 acres of deduction for right-of-way not being improved and 22.75 acres of land to remain in agriculture. The Final FCP will have to meet all applicable requirements at the time of its submission. The applicant understands that the FCP might need to be amended at the time of Preliminary Plan submission to meet all the requirements of the County Forest Conservation Law. The applicant also submitted a variance request and proposes to impact three trees that are considered high priority for retention. Staff supports the request.

Staff also noted that no correspondence was received regarding this CU request.

The following speakers offered testimony: Mr. Jeffrey O'Toole of Howard Chapel Road; Ms. Jennifer Lund of Howard Chapel Road; and Mr. Wayne Boyd of Howard Chapel Road.

Ms. Nancy Regelin, attorney representing the applicant, introduced Mr. Kris Kelley of Metro Grounds Management LLC, and Messrs. John Sekerak, Devin Kennedy and Sergio Rodriguez of Stantec; and Mr. Andy Smith of Kimley-Horn Traffic Engineers, members of the applicant's team. Ms. Regelin offered comments and concurred with the staff recommendation.

At the Board's request, Mr. Andy Smith, member of the applicant's team, offered clarifications on traffic in the project's area, and the traffic analysis prepared at the applicant's request.

There followed a brief Board discussion with questions to staff and Ms. Regelin.

5. Great Seneca Science Corridor Minor Master Plan Amendment Scope of Work, Phase One

Staff Recommendation: Approve the Scope of Work for the Great Seneca Science Corridor Minor Master Plan Amendment

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Received briefing followed by Board discussion and approved the Scope of Work for the Great Seneca Science Corridor Minor Master Plan Amendment, Phase One.

Planning Department staff offered a multi-media presentation and briefed the Planning Board on the Scope of Work for the Great Seneca Science Corridor (GSSC) Minor Master Plan Amendment, Phase One. Staff noted that as directed by the County Council in the Fall of 2019, an update to the 2010 GSSC Master Plan was scheduled in the Planning Department work program for staff to take a closer look at the Plan's staging requirements. The existing staging requirements need funding, construction and operation of the Corridor Cities Transitway (CCT), a transit option that is being evaluated through a concurrent plan: Corridor Forward – The I-270 Transit Plan. The recommendations that resulted from the Corridor Forward Plan, including a prioritized list of transit projects to serve communities along the I-270 Corridor, will inform the future of transit in the Plan area and the potential to fulfill the vision of the 2010 Plan.

Staff proposes a two-phased approach to this Plan amendment to ensure a timely response to the effective commercial development moratorium in the area and enable critical life sciences development to proceed, while also providing a unified approach that ensures the provision of critical infrastructure, facilities and amenities, equitable engagement and consistency with the County's adopted plans and policies. The first phase is a targeted, technical Minor Master Plan Amendment, to evaluate and propose adjustments to Stages 1 and 2 requirements of the 2010 Plan. It may include developing interim staging recommendations. The first phase responds to commercial development needs, specifically the need for laboratory space for vaccine development and other life sciences research. This targeted plan amendment will occur on an accelerated schedule, as detailed in the Plan Schedule attached to the October 16 staff memorandum. The second phase is a comprehensive Master Plan Amendment anticipated to evaluate recommendations for land use, zoning, urban design, transportation, environment and community facilities, as well as countywide initiatives and policies. The second phase will start following the anticipated May 2022 approval and adoption of the Corridor Forward Plan.

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5. Great Seneca Science Corridor Minor Master Plan Amendment Scope of Work, Phase OneCONTINUED

Staff then discussed the scope of work for the first phase of the GSSC Minor Master Plan Amendment, including the proposed Plan boundaries and purpose, the context and background of the planning area, issues to evaluate; an outreach strategy, and the plan schedule.

Staff added that the 2010 Plan acknowledges that achieving its ambitious vision requires periodic review of the Plan's progress, and implementation of recommendations to allow for needed adjustments. It is appropriate to review the Plan's progress now, a decade following the Plan's adoption, and evaluate the growth, development and infrastructure investment which has occurred since 2010. In addition to evaluating progress over the last decade there are three critical factors necessitating review: i) the development capacity for stage one has been allocated and additional commercial development cannot proceed until all the prerequisites for stage 2 are met; ii) the future of the CCT is uncertain with no plans for further work or funding, as required by the stage 2 requirements; and iii) there is a pressing need to accommodate life science development to support the County's economic health, promote employment growth and further advancements in science, including the development and distribution of life-saving vaccines.

There followed a brief Board discussion with questions to staff.

6. Subdivision Regulations Amendment – Modifications, Corrections, and Clarifications

Staff Recommendation: Approval to Transmit to the County Council for Introduction

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval to transmit the Subdivision Regulations Amendment discussed at the meeting to the County Council for Introduction.

Planning Department staff offered a multi-media presentation and discussed proposed modifications, corrections, and clarifications to the Subdivision Regulations Amendment. Staff noted that in accordance with the October 9 staff report, an overview of the proposed Subdivision Regulations Amendment that staff recommends be introduced to the County Council is discussed in detail in the report. A comprehensive revision of Chapter 50, the Subdivision Regulations went into effect in February 2017. In the three years since the new chapter has been in effect, it has become clear that an additional amendment is necessary to further clarify language, correct mistakes, and add necessary missing provisions. While the great majority of the proposed changes are minor, several substantive changes are also proposed, as listed in the staff report.

Mr. Stephen Crum of Macris, Hendricks and Glascock, P.A. offered comments. There followed a brief Board discussion with questions to staff.

7. ~~Ashton Village Center Sector Plan Worksession No. 1: Land use, zoning, and density; open space; historic preservation; and environment.~~ **REMOVED**

Staff Recommendation: Discuss Issues and Provide Direction to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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