



**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, October 29, 2020, at 9:37 a.m., and adjourned at 2:06 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, and Items 4 through 6 are reported on the attached agenda.

Item 3 was removed from the Planning Board agenda.

The Planning Board recessed for lunch at 11:44 a.m. and reconvened via video conference at 12:37 p.m.

Item 7 was removed from the Planning Board agenda.

Item 8 is reported on the attached agenda.

There being no further business, the meeting was adjourned at 2:06 p.m. The next regular meeting of the Planning Board will be held on Thursday, November 5, 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, October 29, 2020**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4605

**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. 220200390, R. Holt Easley's Subdivision - Silver Spring** -- CR zone; 2 lots; located in the northeast quadrant of the intersection of Sligo Avenue and Georgia Avenue (US 29); Silver Spring CBD Sector Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220200690, West Chevy Chase Heights** -- R-60 zone; 1 lot; located on the south side of Highland Avenue, 150 feet east of Maryland Avenue; Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220200870 - 220200910, Dickerson**-- IH and AR zones; 2 lots; located on the north side of Martinsburg Road at the intersection of Darnestown Road (MD 28); Agricultural and Rural Open Space 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 Plats cited above, as submitted.

**\*C. Other Consent Items**

**1. Creekside at Cabin Branch: Site Plan No. 820200160, Regulatory Review Extension Request No. 1**---Request to extend the regulatory review period for an additional four months until February 25, 2021; Application for a residential development consisting of 117 single-family detached units and 208 single-family attached units, including 12.5% MPDUs, and one existing single-family detached dwelling unit for a total of 326 dwelling units; +/-402.6 acres; RNC Zone; Clarksburg West Environmental Overlay Zone; located on the northwest quadrant of the intersection of MD Route 121 (Clarksburg Road) and W Old Baltimore Road; 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

*Staff Recommendation: Approval of the Extension Request*

**2. Creekside at Cabin Branch: Preliminary Plan No. 120200050, Regulatory Review Extension Request No. 3**---Request to extend the regulatory review period for an additional two months until December 17, 2020; Application for a residential development consisting of 117 single-family detached units and 208 single-family attached units, including 12.5% MPDUs, and one existing single-family detached dwelling unit for a total of 326 dwelling units; +/-402.6 acres; RNC Zone; Clarksburg West Environmental Overlay Zone; located on the northwest quadrant of the intersection of MD Route 121 (Clarksburg Road) and W Old Baltimore Road; 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion: 1. & 2. CICHY/VERMA**

**Vote:**

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

**Nay:**

**Other:**

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

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

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of October 15, 2020

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved Planning Board Meeting Minutes of October 15, 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 briefed the Board on the following ongoing and upcoming Planning Department events and activities: the recent County Council worksession for the Growth and Infrastructure Policy, during which the Council voted unanimously to eliminate residential moratoriums based on school capacity; the recent County Council vote to override the County Executive's veto on the Washington Metropolitan Area Transit Authority (WMATA) pilot project to provide tax abatement for WMATA owned properties; the status of the THRIVE Montgomery 2050 Update to the General Plan, with a recent bilingual outreach meeting regarding the Planning Board Public Hearing scheduled for November 19; the status of the I-495 and I-270 Managed Lanes Study, with a full Commission briefing held on October 21; the status of the Silver Spring Downtown and Adjacent Communities Plan, with community outreach work ongoing, and the Planning Department receiving an American Society of Landscape Architects award for the 2019 Silver Spring streetscape standards; the status of the Great Seneca Science Corridor Master Plan; the status of the Ashton Village Center Sector Plan, with a worksession scheduled for later today; and the recent installation of public art at the Commission new Wheaton Headquarters building.

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

Planning Department Deputy Director Robert Kronenberg then briefed the Planning Board regarding ongoing work with Montgomery County Department of Permitting Services (DPS) to provide some flexibility and relief for applicants who are experiencing difficulties obtaining construction materials for site amenities due to COVID-19 restrictions. Mr. Kronenberg noted that even with the provision of flexibility in the amenities timing enforcement, applicants are still required to install amenities prior to occupancy and to adhere to all Planning Board Conditions of Approval.

There followed a brief Board discussion, during which Commissioner Patterson requested a future update regarding the road improvements on the segment of Wisteria Drive between Great Seneca Highway and Germantown Road.

**3. ~~FY22 Operating Budget—Follow up (if needed)~~—REMOVED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**4. Proposed Zoning Text Amendment: Residential Care Facility: Continuing Care Retirement Community**---The Proposed ZTA amends the Montgomery County Zoning Ordinance to define the term Continuing Care Retirement Community and generally amend the provisions for Residential Care Facilities.

*Staff Recommendation: Transmit to the County Council Requesting Introduction*

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation to transmit comments to the County Council, as stated in the attached transmittal letter.

Following brief opening remarks from Planning Department Director Gwen Wright, Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) that would amend Chapter 59 of the Zoning Ordinance that defines the term Continuing Care Retirement Community (CRCC). According to staff, the purpose of the proposed ZTA is to clarify the possibility that a senior living project with stand-alone units located in buildings separate from the associated services could be considered for approval pursuant to the Zoning Ordinance Conditional Use requirements.

Staff noted that the proposed ZTA would define a CRCC as a community providing a continuum of residential occupancy and health care services for seniors. This community must include assisted living and residential independent dwelling units and may also include memory care or skilled nursing in one or more buildings of any structure type. The health care and services component of the community may be located in a structure physically separated from the independent dwelling units. As such, an applicant wanting to develop a senior living project with these characteristics will still be required to satisfy all of the Conditional Use requirements, including a demonstration of compatibility with the surrounding area, and must still obtain approval from the Zoning Hearing Examiner after presentation of the Conditional Use case. Staff noted that the proposed ZTA will allow for more context sensitive design that should be encouraged, especially given the emphasis on compatibility in connection with a Conditional Use. Therefore, rather than only allowing a multi-family building type, independent living units comprised of much less intensive building types, such as single-family, duplexes, and townhouses, would also be permitted. Staff noted that these building types are by definition much more compatible with the surrounding lower density residential zones in which many senior living projects are located and should be a permitted senior living product type.

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**4. Proposed Zoning Text Amendment: Residential Care Facility: Continuing Care Retirement Community**

CONTINUED

The following speakers offered testimony: Ms. Patricia Harris, attorney from Lerch, Early & Brewer; Mr. David Brown, attorney representing the Greater South Glen Neighborhood Association; and Ms. Susanne Lee representing the West Montgomery County Citizens Association.

There followed extensive Board discussion with questions to staff.

**5. Complete Streets Design Guidelines – Work Session #5**---Work Session # 5 on the Draft Complete Streets Design Guidelines

*Staff Recommendation: Approval and Transmittal of Comments to the County Executive and County Council*

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation to transmit comments to the County Executive and County Council, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff and Messrs. Andrew Bossi and Dan Sheridan of Montgomery County Department of Transportation (MCDOT) offered a multi-media presentation and noted that this worksession will focus on maintenance, speed management, implementation, equity considerations, and updated language for the prioritization section of the Complete Streets Design Guidelines, based on comments received during the October 15 worksession. Staff noted that there are 55 comments in these categories, which are provided in Attachment A to the October 22 technical staff report, along with a staff response for each comment. Staff is requesting Planning Board review of these comments and feedback on the corresponding responses, as necessary.

There followed extensive Board discussion with questions to staff and Mr. Bossi, during which the Planning Board instructed staff to revise the priorities listed in Chapter 2 as: 1) emphasizing Vision Zero principles; 2) providing adequate Levels of Service/Stress/Comfort for all travel modes using and crossing the street; and 3) providing consistency with applicable functional and area master plans.

**\*6. Qiagen: Preliminary Plan Amendment No. 11981142A**---Request for a 6-year extension to the validity period for the finding for Adequate Public Facilities, and a Subdivision Waiver Request in support of this extension, for Preliminary Plan 11981142, as amended, which approved 544,000 square feet of mixed commercial use; located on the north side of Germantown Road (MD Route 118) at the northeastern intersection of Dawson Farm Road; on approximately 24.33 acres; zoned IM-2.5 H-80 and EOF-1.5 H-75 (formerly I-1 and OM Zones); 1989 Germantown Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion:** CICHY/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions, as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Preliminary Plan Amendment request to extend the Adequate Public Facilities (APF) finding validity period for a previously approved Preliminary Plan. The 24.33-acre property is located on the northwest quadrant of the intersection of Germantown Road (MD118) and Dawson Farm Road, and is currently split zoned, with 7.62 acres zoned Moderate Industrial (IM) and 16.71 acres zoned Employment Office (EOF) within the Germantown Master Plan area. Staff noted that the site was approved under the previous zoning as 7.62 acres of Light Industrial (I-1) and 16.71 acres of Moderate Intensity-Office (O-M). The property currently serves as the North American headquarters and manufacturing center of Qiagen Sciences, Inc., a two-story parking garage, and a surface parking lot. Staff added that Qiagen is currently working on the development of a COVID-19 vaccine.

Staff then briefly discussed previous approvals, including a 2000 Preliminary Plan for up to 400,000 square feet on two lots for research and development, manufacturing, warehousing, and office uses; a 2000 Site Plan Amendment for the construction of up to 300,000 square feet across the zoning boundaries, with portions of buildings in both zones; a 2006 APF extension until August 29, 2012, which the County Council subsequently extended until August 29, 2022; a 2012 minor subdivision that combined the two lots that made up the property; and a 2013 Site

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**\*6. Qiagen: Preliminary Plan Amendment No. 11981142A**CONTINUED

Plan Amendment that increased the overall site size to 544,000 square feet for the construction of a new 244,000-square-foot building, identified as Building 3, a two-story parking garage, a third-story addition onto the existing two-story parking garage, and reconfiguration of the main entry area.

Staff noted that the applicant is requesting to extend the Preliminary Plan Adequate Public Facilities (APF) validity period by six years. The proposed extension does not include approval of any new development, nor will it alter the design and layout of previous approvals. Staff noted that of the 544,000 square feet of approved Research and Development (R&D), Manufacturing, Warehouse, and Office uses, a total of 241,400 square feet of development has been built, with a remaining 302,600 square feet approved but unbuilt. While a building permit has been approved by Montgomery County Department of Permitting Services (DPS) for Building 3, no construction has occurred within the last four years to meet the five percent construction progress requirement, though construction is planned to commence shortly. To address this, a Subdivision Waiver Request has been submitted as part of this application, which staff noted is necessary to meet limited findings detailed in Chapter 50 of the Growth and Infrastructure Policy (GIP). Staff added that the waiver would preserve the intent of Chapter 50 with no adverse effect.

Mr. Bill Kominers, attorney representing the applicant, offered comments and concurred with the staff recommendation.

There followed a brief Board discussion.

7. ~~Urban Loading and Delivery Management Study—Scope of Work Briefing~~—The team will brief the Planning Board on the purpose, goals and objectives, and describe the scope of work to be performed for the Urban Loading and Delivery Management Study.

*Staff Recommendation: Brief the Planning Board on the Scope of Work* **REMOVED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**8. Ashton Village Center Sector Plan Worksession No. 1** --- Land use, zoning, and density; open space; historic preservation; and environment.

*Staff Recommendation: Discuss Issues and Provide Direction to Staff*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action:** Received Briefing followed by Board discussion and provided guidance to staff.

Planning Department staff offered a multi-media presentation and discussed the public comments received on the Ashton Village Center Sector Plan draft related to land use and zoning, density, open space, environment and historic preservation. Staff noted that this is the first of two worksessions, with the second one scheduled to take place on November 19, during which public comments received on the community design and design guidelines, connectivity, including transportation and circulation, and implementation sections of the draft Sector Plan will be discussed. Staff also noted that following the worksessions, staff will return at the end of November or early December to summarize all the changes that the Planning Board requested, and to request that the Planning Board vote to approve the Planning Board Draft of the Sector Plan, which staff anticipates to transmit to the County Council in January 2021.

Staff then briefly discussed the proposed land uses and zoning in the Sector Plan area, which are intended to strike a balance between protecting the lower density rural character of the Ashton area, while providing adequate opportunities for property owners to develop their properties, using the Plan's design guidelines to create a vibrant rural village center. Staff noted that the public comments received for the proposed land uses and zoning primarily referenced the Plan's proposals for the southeast quadrant of the intersection of New Hampshire Avenue (MD650) and MD108 within the Village Core Plan neighborhood. The Sector Plan identifies these properties as an opportunity to provide the true center of the village that Ashton currently lacks. The zoning proposed for the Village Core is intended to create a consistent zoning scheme throughout the core that represents a balance of adequate development density and protection from over-development. The Plan also recommends a reduction in allowed commercial density and an increase in allowed residential density for much of the Village Core.

Staff also discussed comments received on community facilities, open space and parks, noting that there are no county-owned parks within the Plan boundary, however there are outdoor recreational facilities at Sherwood High School and a small privately-owned, uninviting

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**8. Ashton Village Center Sector Plan Worksession No. 1**CONTINUED

open space in front of the CVS Pharmacy at the northeast corner of the intersection of MD108 and New Hampshire Avenue. Staff added that except for Sherwood High School, the Sector Plan area contains no other community facilities, but Ashton is served by nearby facilities, including the Volunteer Fire Station and the Ross Boddy Recreation Center in Sandy Spring.

Regarding the environment, staff noted that 75 percent of the Sector Plan area is located either in the direct lower Patuxent River watershed or in the Hawlings River watershed. The guidelines recommend limits on impervious levels to land under development in low-density zones within a certain distance of water bodies, specifically 1,320 feet of the mainstream of the Patuxent River and within 660 feet of its tributaries. A few public comments raised general concerns regarding the environmental recommendations as they relate to density, open space, and the location of housing in a rural area, including a concern that substantial new development in the southeast quadrant of the intersection of New Hampshire and MD108 would result in the removal of a significant number of older trees and would not provide enough open space. All new developments would follow current stormwater standards which will protect soils, water quality, and groundwater recharge levels, and will minimize downstream hazards.

Staff then noted that the Ashton area has a long history and is within the Heritage Montgomery's "Crossroads and Cultures" thematic area, which celebrates the broader community's deep Quaker and African American heritage. Despite the village's long history, many of Ashton's 19<sup>th</sup> and early 20<sup>th</sup> century buildings have been demolished, leaving few remaining historic structures within the Plan's boundary. Correspondence was received from the Historic Preservation Committee and individuals supporting the Committee's recommendations on signage that tells the story of the rich cultural history of the Sandy Spring/Ashton community. Staff added that the Sector Plan recommendations support the protection of the rural and historic views of Ashton with development concentrated only in the small Village Core neighborhood.

There followed a brief Board discussion with questions to staff.