



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, November 5, 2020, at 9:03 a.m., and adjourned at 10:43 a.m.

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

Items 1 through 4 and Items 6 through 8 are reported on the attached agenda.

Item 5 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 10:43 a.m. The next regular meeting of the Planning Board will be held on Thursday, November 12, 2020, via video conference.

James J. Parsons

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Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, November 5, 2020
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

1. Consent Agenda

***A. Adoption of Resolutions**

1. Qiagen Plan no. Preliminary Plan 11981142A – MCPB No. 20-117

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolution cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220200130, Woodmont -- CR zone; 1 lot; located immediately east of the intersection of Auburn Avenue and Norfolk Avenue; Bethesda Downtown 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, as submitted.

***C. Other Consent Items**

1. 2710 Washington Avenue, Administrative Subdivision Plan No. 620190130, Extension Request No. 2---R-60 Zone, 1.07 acres, second request to extend review from November 19, 2020 to April 29, 2021, to create 3 2 single-family lots. Located on Washington Avenue, 200 feet West of Ellingson Drive.; 2000 North & West Silver Spring Master Plan.

Staff Recommendation: Approval of Extension

2. Parkridge, Preliminary Plan No. 620200120, Regulatory Extension Request #1---Request to extend the regulatory review period from November 12, 2020 to February 11, 2021 for creation of one lot; located at 11730 Clopper Road, Gaithersburg; on approximately 1.4 acres of land zoned R-200; within the Great Seneca Science Corridor Master Plan area.

Staff Recommendation: Approval of the Extension Request

3. Adoption of Corrected Resolution for Bannockburn Estates Preliminary Plan 12006067A – MCPB No. 20-041

BOARD ACTION

Motion: 1. through 3. CICHY/VERMA

Vote:

Yea: 1. through 3. 5-0

Nay:

Other:

Action: 1. & 2. Approved staff recommendation for approval of the Administrative Subdivision Plan Extension requests cited above.

3. Adopted the corrected Resolution cited above, as submitted.

***D. Approval of Minutes**

Planning Board Meeting Minutes of October 22, 2020

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of October 22, 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 briefed the Board on the following ongoing and upcoming Parks Department events and activities: the October 26 session of the Parks Speaker Series, which featured a presentation on the recently completed City of San Diego Parks and Recreation Department Parks Master Plan, which seeks to address equity issues, shifts in demographics, and changing patterns of community development; the recent National Recreation and Park Association (NRPA) Conference, held virtually on October 27 through 29, during which Jai Cole, Division Chief of Park Planning and Stewardship, gave a presentation on equity in parks and recreation; the status of a November 4 Directors' Oversight Committee meeting on County colocation efforts for public infrastructure; the status of a County Council Public Hearing scheduled for today regarding a new COVID-19 related County Executive Order, which are scheduled to take effect on November 6 and include additional restrictions such as the reduction in the size of public gatherings from 50 to 25 people and the reduction of capacity in certain buildings to 25 percent; the status of the 2022 Operating Budget, with Planning Board approval scheduled for November 12, and Mr. Riley noting that pension and Other Post-Employment Benefits (OPEB) contributions have increased, which will require an adjustment to the Park and the Administrative Funds; the status of the 2020 Fall Semi-Annual report scheduled to be presented to the County Council on November 17, with a briefing to the County Council Planning, Housing, and Economic Development (PHED) and Transportation and Environment (T&E) Committees on the open streets and open parkways efforts scheduled for December 10; and the status of the Department's request for re-accreditation from the Commission for Accreditation of Park and Recreation Agencies (CAPRA), with the Department achieving 150 out of 151 standards and receiving re-accreditation, though required to submit an action plan detailing how the Department will prepare for the next re-accreditation hearing.

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

***3. 4725 Cheltenham Drive, Sketch Plan No. 320200060**---CR 3.0 C 2.0 R 2.75 H 90 zone and the Bethesda Overlay Zone; 0.245 acres, Request for up to 80,000 square feet of total development, consisting of multi-family residential uses with 15 percent MPDUs, and up to X square feet of non-residential uses; request for Bethesda Overlay Zone density; located on Cheltenham Drive approximately 110 feet east of the intersection with Wisconsin Ave; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Sketch Plan cited above, subject to revised conditions discussed during the meeting, and as stated in the attached adopted Resolution.

Planning Department staff offered a multi-media presentation and discussed a proposed Sketch Plan request to construct a multi-family residential development. The 0.25-acre property, identified as Lot 8, is located on the north side of Cheltenham Drive, approximately 110 feet east of its intersection with Wisconsin Avenue (MD355), bounded by an existing public alley to the east that connects through to Chase Avenue and provides vehicular service and parking access to the commercial uses to the north, and is zoned Commercial/Residential (CR) within the Bethesda Downtown Sector Plan area. The site is currently developed with a single-story automotive repair shop and associated surface parking lot that is accessed from Cheltenham Drive via an existing driveway near the western property line.

Staff noted that the applicant proposes to redevelop the property with a new 90-foot tall multi-family residential building with a maximum density of up to 80,000 square feet, including 15 percent Moderately Priced Dwelling Units (MPDUs). Staff added that the application also includes a future allocation of up to 35,596 square feet of density from the Bethesda Overlay Zone (BOZ), which will require a Park Impact Payment (PIP). All vehicular access including loading, trash service, and parking operations will be from the alley along the eastern boundary of the site. Pedestrian access to the property is proposed directly from the existing sidewalks along Cheltenham Drive, which will be improved with a an approximately six-foot wide planting zone, a nine-foot wide pedestrian through zone, specialty paving, and pits to accommodate street canopy trees. Staff then briefly discussed minor corrections to the staff report and the Conditions of Approval.

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***3. 4725 Cheltenham Drive, Sketch Plan No. 320200060**

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Ms. Elizabeth Rogers, attorney representing the applicant, offered comments, discussed the project design elements, and concurred with the staff recommendation.

Ms. Devon Hastie, member of the applicant's team, also offered brief comments. There followed a brief Board discussion.

4. Zoning Text Amendment No. 20-03: Townhouse Living – Conditional Use Standards---ZTA 20-03 amends the Montgomery County Zoning Ordinance delete or revise the requirement for abutting bus service for townhouses as a conditional use; revise the requirement or dimensional standards for handicapped-accessible vehicular parking for townhouses as a conditional use; revise the distance standards from a Metro Station and recreational facilities; and generally revise the requirements for townhouses as a conditional use.

Staff Recommendation: Transmit Comments to the County Council
(NOTE: Action required for the County Council Public Hearing of 11/10/20)

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed proposed Zoning Test Amendment (ZTA) 20-03, would amend the standards for allowing townhouse dwelling units as a conditional use. According to staff, in an effort to provide more opportunities where accessibility dwellings can be located in the County, proposed ZTA 20-03 would eliminate the requirement for public bus service abutting the site; increase the allowed distance from recreation facilities from 1,000 feet to 1,500 feet; clarify that the distance to a Metro Station is measured as a radius; and require an access aisle for one of every four dwelling units, rather than the current minimum of one parking space for each dwelling unit. Staff noted that because each development will be reviewed on a case-by-case basis as part of the conditional use process, they believe that the proposed changes to the townhouse living standards for accessibility units provides a balanced approach in creating opportunities for more universally designed homes that are convenient for an age-diverse population without specifically suggesting any age. Any issues of compatibility and consistency with area master plans will be addressed as part of the conditional use process. As such, staff recommends approval of ZTA 20-03 as introduced.

Ms. Soo Lee-Cho, attorney representing the NRP Group, and Mr. Joshua Wooldridge, Mid-Atlantic Manager of the NRP Group, offered testimony.

There followed extensive Board discussion with questions to staff, during which the Planning Board instructed staff to include an additional comment to the County Council stating that while the Board is supportive of the proposed ZTA, and they recognize the need for transit

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4. Zoning Text Amendment No. 20-03: Townhouse Living – Conditional Use Standards

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services to accommodate seniors, they also believe that in balancing the desire to provide more universally designed housing for our residents to age in place, adjacency to a public bus route is not the only means to accommodate this service.

5. ~~Briefing on the Rustic Roads Functional Master Plan Update~~ **REMOVED**

Staff Recommendation: Provide Comments and Guidance to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

6. 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 proposed scope of work to be performed for the Urban Loading and Delivery Management Study.

Staff Recommendation: Approval of the Scope of Work for the Urban Loading and Delivery Management Study.

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Scope of Work cited for the Urban Loading and Delivery Management Study.

Planning Department staff offered a multi-media presentation and discussed the Scope of Work for the ongoing Urban Loading and Delivery Management Study. According to staff, the purpose of the study is to identify regional, national, and international best practices and policy options to better balance loading and delivery functions with through-movements of people and goods in urbanizing areas of the County. While the best practices and policies may apply to many urbanizing areas of the County, to provide a specific local context, the study will use Downtown Bethesda as a case study. In keeping with the goals of the Planning Department and the County’s Racial Equity Bill, the study team will also strive to implement and promote an equitable process that assesses the racial equity and social justice impacts of current conditions as well as potential alternative best practices and policies. The issues to be explored in the study include use of public roads in ways that disrupt orderly vehicular, bicycle, and pedestrian traffic, such as the use of lay-bys for commercial deliveries, lack of access to curb lanes due to separated bicycle facilities, inadequate loading dock depth, and loading vehicles using the street rather than an internal loading dock.

Staff then briefly discussed the study stockholder engagement strategy, which will include engagement with public agencies, service providers, property owners and managers, commercial and retail tenants, residents, and others. The proposed strategy will involve listening sessions, which will be concurrent with the initial research on best practices; testing, refining, feedback, and review sessions, which will be concurrent with staff’s formation of preliminary findings from researching best practices and case studies; and sharing and presenting the final draft Urban Loading and Delivery Management Study findings and recommendations.

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6. Urban Loading and Delivery Management Study – Scope of Work Briefing

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In addition to the ongoing outreach and engagement work and today’s Planning Board briefing, the next steps for the study include the identification of best practices and analysis of existing conditions in the case study area, scheduled through February 2021; the preparation of a draft preliminary findings and best practices report, scheduled for March through May; and the presentation of the final Urban Loading and Delivery Management Study report to the Planning Board for review and comment, scheduled for no later than July.

There followed extensive Board discussion with questions to staff, during which the Planning recommended that staff explore the best practices of other jurisdictions.

7. **12917 Parkland Drive, Conditional Use No. CU 2021-02**---Request to expand a Family Day Care for 8 children into a Group Day Care for up to 12 children on a 6,264 -square foot lot in the R-60 Zone; located at 12917 Parkland Drive, Rockville, within the 1994 Aspen Hill Master Plan area.

Staff Recommendation: Approval with Conditions

(NOTE: Action required for Hearing by Hearing Examiner on November 20, 2020)

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

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 expand an existing day care facility. The 6,264-square foot property, identified as Lot 13, is located on the east side Parkland Drive and zoned Residential in the Aspen Hill Master Plan area. Access from Parkland Drive is provided via an approximately ten-foot wide, 37-foot long driveway that can accommodate parking for two cars. The property is currently developed with a single-family detached house in which the applicant resides and operates an eight-children day care facility known as Solecitos Montessori Education at Home Spanish Program. An outdoor play area is located in the front yard and is enclosed by a four-foot galvanized steel chain link fence. Staff added that unrestricted on-street parking is allowed along the east side of Parkland Drive, with parking prohibited along the west side on school days between 8:00 a.m. and 4:00 p.m.

Staff noted that the applicant proposes to expand the existing day care facility from eight children to a Group Day Care for a maximum of 12 children, ages three months to five years old. No expansion or change to the indoor daycare space, which occupies the majority of the first floor of the house, or outdoor play area is proposed, and the current hours of operation, Monday through Friday from 7:00 a.m. to 6:00 p.m., will remain the same. The day care currently operates with two resident staff and one non-resident staff. The applicant plans to hire one additional non-resident staff for the proposed daycare expansion.

There followed a brief Board discussion with questions to staff.

8. Bethesda Downtown Design Advisory Panel, Appointment of Panel Members---

Appoint a new Design Advisory Panel member representing Academia and re-appoint the Panel member representing the Development Community.

Staff Recommendation: Approve Appointments

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the proposed members for the Design Advisory Panel in coordination with the Bethesda Overlay Zone and the Bethesda Downtown Plan.

Planning Department staff briefly discussed the list of prospective members for the proposed five-member Design Advisory Panel in coordination with the Bethesda Overlay Zone and the Bethesda Downtown Sector Plan.