



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 19, 2020, at 11:02 a.m., and adjourned at 8:54 p.m.

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

Item 1 and Items 3 through 6 are reported on the attached agenda.

Item 2 was removed from the Planning Board agenda.

The Planning Board took a short break at 2:55 p.m. and reconvened via video conference at 3:04 p.m. to receive public testimony for Item 7 – Public Hearing for the Thrive Montgomery 2050 Update to the General Plan.

The Planning Board recessed for dinner at 5:52 p.m. and reconvened via video conference at 6:38 p.m. to continue receiving public testimony for Item 7.

There being no further business, the meeting was adjourned at 8:54 p.m. There will not be a Planning Board meeting on Thursday, November 26, Thanksgiving Day. The next regular meeting of the Planning Board will be held on Thursday, December 3, 2020, via video conference.

James J. Parsons

James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, November 19, 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. 220200500 - 220200510, Layhill View

R-200 zone, 12 lots, 2 parcels; located on each side Alderton Road, 225 feet north of Night Sky Drive; Kensington-Wheaton Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220200710, Hill-Crest

NR & R-60 zones, 2 lots; located on the north side of Carroll Avenue (MD 195), 100 feet east of Philadelphia Avenue (MD 410); Takoma Park Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220200790, Whetstone Professional Center - Montgomery Village

CRT zone, 2 lots, 3 parcels; located in the southeast quadrant of the intersection of Montgomery Village Avenue and Centerway Road; Montgomery Village 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. Ashford Woods: Preliminary Plan No. 120200110, Regulatory Review Extension Request No. 3---Request to extend the regulatory review period for an additional 3 months until February 11, 2021; Application for up to 326 lots for 322 new one-family attached dwelling units and 42 two-over-two units for a total of 364 units, including 25% MPDUs; and one +/-39.9 acre parcel for dedication to M-NCPPC; 139.1 acres; R-90, Rural, Clarksburg East Environmental Overlay and Clarksburg West Environmental Overlay Zones; located on the southwest quadrant of the intersection of Frederick Road and Comus Road; 1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

Staff Recommendation: Approval of the Extension Request

2. Spring Arbor - Olney

A. Preliminary Plan Amendment No. 12014012A---Request to reallocate the number of approved beds within the Domiciliary Care facility to allow up to 130 units and 135 beds, without exceeding the approved density, per amended Special Exception S-2841; on the east side of Georgia Avenue (MD97) approximately 1,000 feet south of the intersection with Old Baltimore Road; Lot 1, Spring Arbor Subdivision, Record Plat No. 25000, 37.68 acres, RNC Zone, 2005 Olney Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Site Plan Amendment No. 82014010B---Request to reallocate the number of approved beds within the Domiciliary Care facility to allow up to 130 units and 135 beds, without exceeding the approved density, change fencing materials at the trash enclosures, change the enclosure around the special care wing courtyards, and change the wall-mounted sconce lighting fixtures; on the east side of Georgia Avenue (MD97) approximately 1,000 feet south of the intersection with Old Baltimore Road; Lot 1, Spring Arbor Subdivision, Record Plat No. 25000, 37.68 acres, RNC Zone, 2005 Olney Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

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***C. Other Consent Items**

CONTINUED

3. Carderock Springs, Administrative Subdivision No. 620200140, Regulatory Extension Request No.1---Request to extend the regulatory review period from December 2, 2020 to February 2, 2021 to create 2 single-family lots. Located on Osage Lane, NE of the intersection of Tomlinson Avenue and Buxton Terrace; 1990 Bethesda Chevy Chase Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: 1. through 3. CICHY/VERMA

Vote:

Yea: 1. through 3. 5-0

Nay:

Other:

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

2A. Approved staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

2B. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

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

***D. Approval of Minutes**

Planning Board Meeting Minutes of November 5, 2020

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of November 5, 2020, as submitted.

2. Roundtable Discussion

Parks Director's Report — **REMOVED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Linden Forest, Administrative Subdivision Plan No. 620200150---Proposal to create two residential lots for two single-family detached houses; located on Forest Glen Road, 780 feet east of Seminary Road; on approximately 0.81 acres of land zoned R-60; within the 1996 Forest Glen Sector Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: VERMA/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Administrative Subdivision 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 Administrative Subdivision Plan request to create lots for single-family dwelling units. The 0.81-acre property, identified as Parcels 673 and 674, is located on the south side of Forest Glen Road (MD192), bounded by Interstate 495 (I-495) to the south, and is zoned Residential within the Forest Glen Master Plan area. Parcel 673, which is surrounded by Parcel 674, is currently developed with an existing single-family residence. A five-foot wide sidewalk runs along MD192 at the site’s northern boundary.

Staff noted that the applicant proposes to create proposed Lots A and B from the two parcels for the purpose of constructing one additional single-family dwelling unit and retaining the existing residence. The proposed lots will have frontage on, and access from MD192. The applicant proposes to dedicate 20 feet of right-of-way (ROW) adjacent to the proposed lots to meet the master-planned ROW requirement. While the Administrative Subdivision Plan shows upgraded pedestrian improvements in the ROW, specifically the removal of the existing sidewalk and guardrail and the construction of a new five-foot wide sidewalk separated with a six-foot wide lawn panel, the applicant is seeking relief from these requirements due to the size of the project and the proximity to an adjacent historic cemetery. Staff noted that they do not support the request, as the sidewalk with lawn panel is consistent with the Sector Plan, the County’s Vision Zero policies, and is supported by the Maryland Department of Transportation State Highway Administration (MDOT/SHA).

Staff then discussed the associated Forest Conservation Plan (FCP), noting that the property currently contains 0.38 acres of forest. The applicant proposes to clear 0.22 acres to accommodate the additional single-family dwelling, and to retain 0.16 acres of forest within

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3. Linden Forest, Administrative Subdivision Plan No. 620200150CONTINUED

a Category I Conservation Easement along the rear of the property on proposed Lots A and B. However, staff noted that this portion of forest cannot be retained in a Category I Conservation Easement due to an existing SHA easement. Additionally, the current plans for the I-495 and I-270 Managed Lanes Study show proposed disturbance in this same area. To address this, the Final FCP must be revised to remove all areas of Category I Conservation Easement, with the applicant meeting the forest conservation planting requirements off-site. Staff noted that the FCP also shows that the Limit of Disturbance (LOD) coincides with the eastern property line, which is shared with the abutting historic district. To address this, the certified plan will include a revision that shows the LOD at least five feet off the property line to avoid impacts on the existing tree line in this area. Staff added that the applicant has also submitted a variance request to impact but not remove one specimen tree. Staff supports the variance request. Staff then briefly discussed minor corrections to the staff report.

Mr. Sterling Mehring, the applicant, offered comments, and discussed the requested waiver for the required pedestrian improvements.

Mr. Jeffrey A. Robertson, member of the applicant's team, also offered comments.

There followed extensive Board discussion with questions to staff and Mr. Mehring, during which the Planning Board instructed staff to include an additional condition of approval requiring the applicant to proffer a fee-in-lieu equivalent to 90 percent of the cost of 200 linear feet of sidewalk to the general sidewalk fund or a Capital Improvements Project (CIP) to be identified by Planning Department staff, Montgomery County Department of Transportation (MCDOT), and SHA. If MCDOT or SHA cannot accept the funds, no payment will be required.

4. Portions of Westbard Avenue and Ridgefield Road Abandonment No. AB-773---CR 1.5, C-0.5, R-1.5, H-75' Zone, 0.34 acres, Request to abandon an approximately 5,891 square foot portion of Westbard Avenue and an approximately 9,123 square foot portion of Ridgefield Road in Bethesda; 2016 Westbard Sector Plan.

Staff Recommendation: Approval and Transmittal of Comments to the Montgomery County Department of Transportation

BOARD ACTION

Motion: FANI-GONZÁLEZ/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Abandonment request cited above, subject to conditions, as stated in the attached transmittal letter to the Montgomery County Department of Transportation.

Planning Department staff offered a multi-media presentation and discussed a proposed right-of-way (ROW) abandonment request. The 15,014-square foot of proposed abandonment is located on Westbard Avenue and Ridgefield Road, between River Road (MD190) and Westbard Circle, and is zoned Commercial/Residential within the Westbard Sector Plan area. According to staff, Ridgefield Road between River Road and Westbard Avenue is an improved Business District roadway with two lanes in each direction and a master-planned ROW of 100 feet. Westbard Avenue between Ridgefield Road and Westbard Circle is also an improved Business District roadway with two lanes in each direction but with a master-planned ROW of 110 feet.

Staff offered background information, noting that the Westbard Sector Plan recommends the realignment of Westbard Avenue between Westbard Circle and MD190 to connect Westbard Avenue directly to MD190 with a right-angle intersection to facilitate direct flow of traffic between the Westwood Shopping Center site and MD190 as well as regional traffic between River Road and Massachusetts Avenue. The intersection improvements at MD190 include a new channelized right-turn lane to address intersection geometry issues and accommodate large delivery trucks to the sizeable retail establishments on Westbard Avenue. The Sector Plan also endorses permanent closure of the residential portion of Westbard Avenue between River Road and the end of Ridgefield Road. The closure should not occur until the existing Westbard Avenue/MD190 intersection is realigned to intersect River Road with a right-angled turn.

Staff then briefly discussed previous approvals for the area, including a 2019 Preliminary Plan for the creation of up to 111 lots for up to 852,915 total square feet of mixed-use development, which was conditioned to receive approval of the Abandonment request under

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4. Portions of Westbard Avenue and Ridgefield Road Abandonment No. AB-773CONTINUED

review today prior to use and occupancy certificates for a proposed commercial building; and a Preliminary Plan Amendment that is currently under review and seeks to modify a previous approved site access point. Staff added that the original Preliminary Plan also requires the applicant to secure a Resolution abandoning all portions of the existing Westbard Avenue/ Ridgefield Road ROWs that are no longer needed for transportation purposes, which must be completed prior to constructing the realigned Westbard Avenue and associated intersection improvements, and prior to the issuance of use and occupancy certificates for the 55th townhouse unit for an associated Site Plan.

Staff noted that the applicant is requesting to abandon approximately 5,891 square feet of Westbard Avenue and 9,123 square feet of Ridgefield Road in Bethesda. The petition is sought in connection with the proposed realignment of Westbard Avenue, after which the areas to be abandoned will no longer be necessary for public use. Staff noted that the applicant is currently pursuing permits for the first phases of redevelopment of the area. The timely approval of the abandonment is necessary for the applicant to complete the realignment of Westbard Avenue within the time frames set by the Preliminary Plan. Staff added that the applicant will soon be dedicating by plat, approximately 45,183 square feet of area for the new Westbard Avenue ROW.

The following speakers offered testimony: Ms. Lynne Battle, adjacent property owner; Ms. Cynthia Green, representing the Springfield Civic Association; Mr. T. Reid Lewis of Ogden Court; Ms. Phyllis Edelman of Ogden Court; Mr. Edward Hermes of Ridgefield Road; and Mr. Sanan Shaibani, adjacent property owner.

Ms. Erin Girard, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

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

5. Zoning Text Amendment No. 20-04: Farming Defined – Accessory Mulching and Composting---ZTA 20-04 amends the Montgomery County Zoning Ordinance to allow \mulching and composting with more off-site material as an accessory farming use.

Staff Recommendation: Transmit Comments to County Council

(NOTE: Action required for County Council Public Hearing of 12/1/20)

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) that would allow mulching and composting with more off-site material as an accessory farming use. According to staff, mulching and composting are currently allowed as accessory uses to farming if material trucked from offsite locations is limited to 20 percent. In an effort to create a greener local economy by increasing the amount of materials farmers can use on their property to produce and manufacture compost and mulch, ZTA 20-04 would amend the existing provision by allowing a maximum of 50 percent of materials used in mulching and composting operations to come from off site. By allowing mulching and composting with more off-site material as an accessory farming use, staff believes the proposed ZTA strikes a balance in addressing the desire to provide more flexibility to the agricultural industry to use more off-site yard and food waste in processing compost and mulch and limiting the intensity of the use. Whether the material used in accessory processing comes from on or off site, mulch and compost processing will be limited, based on the requirement that the production or manufacturing of mulch or compost must be accessory to the farming use. Any capacity beyond an accessory use falls under the Agricultural Processing category, which requires approval of a Conditional Use application in more limited locations. As such, staff supports approval of ZTA 20-04.

There followed a brief Board discussion with questions to staff.

6. Ashton Village Center Sector Plan Worksession No. 2---Transportation and circulation; community design and design guidelines; and implementation.

Staff Recommendation: Discuss Issues and Provide Direction to Staff

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the proposed Ashton Village Center Sector Plan. According to staff, the purpose of today's worksession is to receive guidance from the Planning Board and to address comments received on the Sector Plan draft regarding transportation and circulation, community design and design guidelines, and implementation recommendations for the Plan area.

Staff then discussed area-wide transportation and circulation recommendations, which include reconfirming the two-lane road policy for MD108 and New Hampshire Avenue (MD650); maintaining the pavement width at the approaches to the MD108/MD650 intersection except for necessary geometric improvements that serve to increase safety; and prioritizing signal retiming, lane movement reconfiguration, and new bicycle and pedestrian facilities before considering any road widening to address roadway capacity issues. Following a brief discussion, the Planning Board agreed with the staff recommendations. For the Plan area's bicycle and pedestrian network, staff recommends implementing Americans with Disabilities Act (ADA) compliant signalized crossings at all approaches to the MD 108/MD650 intersection; supporting reconstruction of the signalized entrance to Sherwood High School to improve pedestrian crossings; supporting future capital funding to construct the Bicycle Master Plan recommended side-paths along the north side of MD108 from the western Plan boundary to MD650 and on the west side of MD650 from MD108 to the southern Plan boundary; and installing decorative pedestrian scale lighting along all public and private roadways within the Village Core neighborhood. Following a brief discussion, the Planning Board agreed with the staff recommendations. Public transportation recommendations include expanding bus service during off-peak hours, including adding weekend service, encouraging one or more new Ride On routes that provide more regular local service to Olney and Glenmont, and constructing covered bus shelters at Sherwood High School. Following a brief discussion, the Planning Board agreed with the staff recommendations. Staff then briefly discussed neighborhood connectivity recommendations, which include relocating the utility pole at the corner and modifying the curve

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6. Ashton Village Center Sector Plan Worksession No. 2CONTINUED

at the MD108/MD650 intersection in the Village Core neighborhood to enable easier vehicle turning without negatively impacting pedestrian safety; and providing interconnected vehicle access to both MD108 and MD650 through streets built to a public standard, including sidewalks, street trees, street parking where feasible, and circulation designed for vehicular and pedestrian safety at the same intersection. Following brief discussion, the Planning Board agreed with the staff recommendations.

Staff then discussed area-wide community design recommendations and guidelines, which include limiting building height to 40 feet and using massing and placement to create a transition between the single-family detached dwelling units outside the Village Core neighborhood; designing residential buildings with front or side elevations along MD108 and MD650 so that the building width, massing, and façade treatment fronting to these roads suggests a single-family detached or duplex building form; pitched roofs for the majority of buildings; cladding buildings in materials and patterns authentic to rural village character, including wood and cement fiber; the use of multiplex and multi-use buildings for up to no more than 12 residential units; limiting residential building widths to 80 feet along main roads, and limiting multi-use and general building widths to 120 feet; well-designed, appropriately scaled and accessible open spaces that are public where feasible; and the use of alleys to allow for safe connectivity and some additional parking where it can be safely accommodated. Following brief discussion, the Planning Board agreed that the proposed design guidelines should remain in the Plan, while retaining necessary flexibility.

Staff then went on to briefly discuss the Plan implementation recommendations, including the creation of an Implementation Advisory Committee (IAC), which will include representatives from the Ashton Area Community Association Alliance and any of the various constituencies interested in the implementation of the Plan, who will work with the Mid-County Regional Services Center and offer comments on all development projects and address non-development concerns. Following a brief discussion, the Planning Board recommended additional language noting that the IAC is an advisory body and that IAC meetings should be noticed and integrated with other public development application meetings to avoid delays in the development process.

Staff then briefly discussed land use and zoning recommendations, which include rezoning properties on the southwest and southeast quadrants of the MD108/MD650 intersection, except for the Baltimore Gas and Electric (BGE) property on the southeast quadrant, from Commercial/Residential/Town (CRT) to Commercial/Residential/Neighborhood (CRN).

There followed extensive Board discussion with questions to staff, during which the Planning Board noted that the discussion of zoning and building heights will be continued at the December 3 worksession.

7. Thrive Montgomery 2050 - Public Hearing

Staff Recommendation: The Planning Board Will Receive Public Testimony on the Public Hearing Draft of Thrive Montgomery 2050

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received testimony.

A VERBATIM TRANSCRIPT OF THIS ITEM IS AVAILABLE IN THE MONTGOMERY COUNTY REGIONAL OFFICE OF THE PARK AND PLANNING COMMISSION.