



**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, March 11, 2021, at 9:02 a.m., and adjourned at 12:02 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 9:05 a.m. following discussion of Item 9.

The Board recessed at 9:03 a.m. and convened in Closed Session at 9:03 a.m. to take up Item 9, a Closed Session Item.

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 9:03 a.m. via video conference on motion of Commissioner Verma, seconded by Vice Chair Fani-González, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson temporarily absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the meeting were Shannon Olson of the Parks Department, and James Parsons of the Commissioners' Office.

In Closed Session, the Board approved the Closed Session Minutes of September 17 and October 1, 2020, and January 28 and February 25, 2021.

The Closed Session meeting was adjourned at 9:04 a.m.

The Planning Board reconvened via video conference at 9:06 a.m.

Items 1 through 7 are reported on the attached agenda.

MCPB, 3-11-21, APPROVED

There being no further business, the meeting was adjourned at 12:02 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 18, 2021, via video conference.

A handwritten signature in black ink that reads "James J. Parsons". The signature is written in a cursive, flowing style.

James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, March 11, 2021**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4605

**9. CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

**The topic to be discussed is the approval of Closed Session Minutes**

**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**

1. Knowles Manor Site Plan 82019008A – MCPB No. 20-141
2. Urby/Studio Plaza Preliminary Plan 12013002A MCPB No. 20-137
3. Urby/Studio Plaza Site Plan amendment 82013001B MCPB No. 20-138
4. Urby/Studio Plaza Site Plan 820200170 MCPB No. 20-139

**BOARD ACTION**

**Motion:** VERMA/CICHY

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Adopted the Resolutions cited above, as submitted.

**\*B. Record Plats**

**Subdivision Plat No. 220200670, Edgemoor** -- R-60 zone; 1 lot; located on the west side of Exeter Road, 150 feet south of Moorland Lane; Bethesda – Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**Subdivision Plat No. 220210420, Congressional Manor** -- RE-2 zone, 1 lot; located on the west side of Fenway Drive, 1,000 feet south of River Road (MD 190); Potomac Subregion Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** VERMA/CICHY

**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. Smalls Nursery, 15702 Thistlebridge Drive**

**A. Preliminary Plan Amendment No. 11994011D for Forest Conservation Plan purposes:**

Request to remove 3,485 sq. ft. (0.08 acres) of a Category I Conservation Easement on the property located at 15702 Thistlebridge Drive, Lot 44, Block A; 0.46 acres; RE-1 Zone; located on the west side of Georgia Avenue approximately 1,000 feet north of the intersection of Georgia Avenue and Norbeck Road; Olney Master Plan.

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**B. Site Plan Amendment No. 81995015C for Forest Conservation Plan purposes:** Request to remove 3,485 sq. ft. (0.08 acres) of a Category I Conservation Easement on the property located at 15702 Thistlebridge Drive, Lot 44, Block A; 0.46 acres; RE-1 Zone; located on the west side of Georgia Avenue approximately 1,000 feet north of the intersection of Georgia Avenue and Norbeck Road; Olney Master Plan.

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**2. Carderock Springs, Administrative Subdivision No. 620200140, Regulatory Extension**

**Request No.3---**Third request to extend the regulatory review period, from April 2, 2021 to July 29, 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*

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**\*C. Other Consent Items**

CONTINUED

**3. 8001 Wisconsin Avenue, Sketch Plan No. 320210050 and Preliminary Plan No. 120210140, Regulatory Extension Request No. 1**---First request to extend the regulatory review period of concurrent Sketch Plan and Preliminary Plan applications, from April 22, 2021 through September 30, 2021; Request for up to 375,000 square feet of mixed-use development, comprised of up to 350 multifamily dwelling units and up to 15,000 square feet of commercial uses, including up to 159,689 square feet of BOZ density and associated PIP payment; located on the Northeast quadrant of the intersection of Wisconsin Avenue and Highland Street; 2.74 acres in the CR 3.0 C 3.0 R 2.75 H 90', CR 3.0 C 2.0 R 2.75 H 90', CR 0.5 C 0.5 R 0.5 H 70', CRT 0.5 C 0.25 R 0.5 H 70' and Bethesda Overlay Zones; 2017 Bethesda Downtown Sector Plan.  
*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion:** 1. through 3. VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea:** 1. through 3. 5-0

**Nay:**

**Other:**

**Action:** 1A. Approved staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

1B. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

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

3. Approved staff recommendation for approval of the Sketch Plan and Preliminary Plan Extension requests cited above.

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of February 25, 2021

**BOARD ACTION**

**Motion:** VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved Planning Board Meeting Minutes of February 25, 2021, 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 March 4 Montgomery County Council Planning, Housing, and Economic Development (PHED) Committee worksession regarding the FY22 Capital Budget, during which the Committee recommended that \$3,000,000 of the County Executive's recommended \$5,000,000 in reductions be restored for ball field improvements and improvements to the athletic fields at Blair High School; the upcoming release of the County Executive's recommended FY22 Operating Budget, scheduled for March 15, with a Planning Board briefing scheduled for March 18; the status of the 2021 summer camps program, with more than 50 camps for children 3 to 14 years of age scheduled to open, including ice skating, hockey, tennis, golf, gardening, science, and outdoor adventure, among others; and an upcoming program by speaker Gil Penalosa, "Post COVID People: Parks and Cities – Learning From a Pandemic," scheduled for March 23 from 2:00 to 3:30 p.m.

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

**3. Parks and Planning Spring 2021 Semi-Annual Report Outline Presentation**

*Staff Recommendation: Briefing and Board Discussion*

**BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:**

**Action: Received briefing from Parks and Planning Departments staff on the proposed outlines for the upcoming Spring 2021 Semi-Annual Report, followed by a brief Board discussion, and provided guidance to staff.**

Parks and Planning Departments Directors Mike Riley and Gwen Wright offered an overview of the Spring 2021 Semi-Annual Report to be presented to the County Council and the County Executive. The Parks Department portion of the report will focus on COVID-19 issues, the Open Parkways program, the recently opened museum at the Josiah Henson Museum and Park, stream restoration, the use of the Equity Tool for park acquisition, current and ongoing projects and capital development, encouraging park and trail usage, athletic fields, improvements at non-Parks Department facilities, proposed Bond Bill projects, and sources of financial support for parks other than County taxes. The Planning Department portion to focus on Thrive Montgomery 2050, the Update to the General Plan; equity policy, strategy, and tools; regional transportation; funded and un-funded work program items; recent and ongoing regulatory projects; recent development application and community engagement statistics; and the proposed FY22 work program schedule.

There followed extensive Board discussion with questions to Mr. Riley and Ms. Wright.

**4. Montgomery Park's Tree Programs Overview***Staff Recommendation: Briefing and Board Discussion***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Action: Received briefing followed by discussion.**

Parks Department staff offered a multi-media presentation and discussed the Department's current tree programs, specifically the work of the Arboriculture Section, the Horticulture, Forestry and Environmental Education (HFEE) Division, and the Natural Resources Vegetation Ecology and Management Unit. According to staff, the Arboriculture Section inventories trees in developed areas of parks annually to gauge and address tree diversity, invasive pests and diseases, maintenance needs, and work order management. According to the most recent inventory, there are currently more than 26,000 trees located within 375 parks, consisting of 42 families, 86 genera, and 209 species. Other Arboriculture Unit work includes hazard tree inspection, tree preservation, green waste recycling, and educational outreach programs.

Staff then discussed the HFEE tree planting work, noting that the shade, flowering, and evergreen trees that are planted in parks are grown at the 70-acre Pope Farm Plant Production Facility in Gaithersburg. The facility, which is not open to the public, currently contains 7,000 locally grown field trees, 23,000 containerized plants, and 25,000 local ecotype natives. Staff monitors their planting work using the Collector Geographic Information System (GIS) Program, which enables them to manage tree planting data, stump removal, and aftercare services within GIS map layers. Staff then briefly discussed the park tree selection process, which includes the use of the TreeKeeper computer software, consultation with residents and staff, and a park plant needs analysis.

Staff also discussed the Natural Resources Vegetation Ecology and Management Unit, whose focus is the conservation of native biological diversity of flora and fauna through vegetation management. The Unit achieves this goal through: 1) natural areas management, which includes habitat prioritization and adaptive management practices for 11,000 acres of best natural areas, 5,000 acres of biodiversity areas, and 10,000 acres of environmentally sensitive areas; 2) providing consultation for a variety of development and restoration projects, including Mandatory Referral requests, in-house projects, property acquisitions, and projects that fall under Montgomery County Forest Conservation Law; and 3) conservation outreach, such as the Weed Warriors program, nature center collaborations, friends groups, web-based media, and other community ecology programs.

There followed extensive Board discussion with questions to staff.

**5. 9205 Tulip Grove Road, Conditional Use No. CU202104**---Request to increase capacity of existing daycare from 8 to 12 children on a 11,750 square foot lot in the R-90 Zone; located at 9205 Tulip Grove Road, Gaithersburg, within the 1985 Gaithersburg Vicinity Master Plan area.

*Staff Recommendation: Approval with Conditions and Transmit Comments to the Hearing Examiner*

**BOARD ACTION**

**Motion: FANI-GONZÁLEZ/PATTERSON**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Conditional Use request cited above, subject to conditions discussed at the meeting, 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 proposed Conditional Use request to expand an existing child day care facility to a Group Day Care Facility. The 12,248-square foot property, identified as Lot 14, Block 2, Section 2, is located on the north side of Tulip Grove Road and is zoned Residential in the Gaithersburg Vicinity Master Plan area. The site is currently developed with a detached single-family residence that has been used for the operation of an eight-child day care facility since April 2018 for three-month through five-year-old children within the basement. The property is accessed from Tulip Grove Road via an 18-foot wide, 38-foot long driveway that has space to park up to five vehicles. Unrestricted on-street parking is allowed on both sides of Tulip Grove Road. The rear yard of the house is enclosed by a six-foot tall fence along the western, northern, and eastern property lines. An outdoor play area is located within the eastern portion of the rear yard, bounded by additional three-foot tall fencing on the western side and six-foot tall fencing along the northern side.

Staff noted that the applicant is requesting to expand the existing day care from a facility that cares for up to eight children to a Group Day Care for a maximum of 12 children. The proposed facility will occupy the same space in the basement and the same outdoor recreation area as the existing day care. No expansion or change to the indoor or outdoor daycare space is proposed, and the current hours of operation will remain the same. In addition to the applicant and her husband, who live on the property, one additional staff member may be hired in the future, depending on need. Staff noted that an amendment to the Conditional Use application will be required if the applicant wishes to employ more than one non-resident staff member.

There followed a brief Board discussion with questions to staff.

**\*6. Ruck Property, Administrative Subdivision Plan No. 620190120**---An Application to create one lot without frontage on 3.38 acres of land in the AR Zone; Parcel 70; located on Rocky Road, 2100 feet west of Route 108, southwest quadrant of the intersection of Rocky Road and Route 108; 1980 Preservation of Agricultural & Rural Open Space Functional Master Plan.

*Staff Recommendation: Approval with Conditions and Adoption of Resolution*

**BOARD ACTION**

**Motion:** CICHY/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 an Administrative Subdivision Plan request for the construction of a single-family detached residence. The 3.38-acre property, identified as Parcel 70, is located in the southwest quadrant of the intersection of Rocky Road and Olney-Laytonsville Road (MD108), and is zoned Agricultural Reserve (AR) within the Preservation of Agriculture and Rural Open Space Functional Master Plan area and the Goshen Branch of the Great Seneca Creek. The property is surrounded by agricultural land to the south, east, and west and contains 2.51 acres of forest. From 1982 through 2017, the property was developed with a single-family residence that has since been demolished.

Staff noted that the applicant proposes to create one 3.38-acre lot for the construction of a single-family residence without frontage. The house will be accessed from Rocky Road via an existing shared asphalt and gravel driveway used by four other residences situated on un-platted parcels directly to the north. Because the property lacks frontage on a public road, the applicant is seeking a waiver from Section 50.4.3.C.1.b.i of the Subdivision Regulations to allow site access from a shared driveway that is utilized by four other detached dwelling units. Staff noted that the applicant has demonstrated that the waiver is necessary due to practical difficulty and unusual circumstances created by constraints from an existing utility easement. The applicant is also seeking an exemption from the minimum size requirements of the AR zone. Staff noted that while the lot does not meet the AR zone requirements, it does meet the size requirements of the previous Residential Estate (RE-2) zone requirements. Staff supports both the waiver and exemption requests. Staff also briefly discussed minor revisions to the Conditions of Approval.

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**\*6. Ruck Property, Administrative Subdivision Plan No. 620190120**CONTINUED

Staff then briefly discussed the accompanying Preliminary/Final Forest Conservation Plan, noting that the applicant proposes to clear 0.72 acres of the existing 2.51 acres of forest and retain 1.79 acres of forest in Category I Conservation Easements, resulting in a 0.08 reforestation requirement. The applicant proposes to meet the reforestation requirement through either an off-site forest bank or, if no forest bank is available, making a fee-in-lieu payment. The applicant also submitted a variance request to remove one tree located within a forest stand and impact six others, which will be mitigated through the planting of four overstory native trees. Staff support the variance request.

There followed a brief Board discussion with questions to staff.

**8. Germantown Plan for the Town Sector Zone: Proposed Sectional Map Amendment (SMA)**---The SMA will implement recommendations contained in the Germantown Plan for the Town Sector Zone by amending the zoning map accordingly. The SMA is associated with proposed zoning text amendment to create the Germantown-Churchill Village (GCV) Overlay Zone.

*Staff Recommendation: Transmit Comments to the County Council*

**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.

Planning Department staff offered a multi-media presentation and discussed a proposed Sectional Map Amendment (SMA) in order to amend the official zoning map, as recommended in the approved and adopted 2020 Germantown Plan for the Town Sector (T-S) Zone. According to staff, the proposed SMA is needed to implement the goals and recommendations contained in the Germantown Plan for the T-S Zone by maintaining the residential core, protecting open spaces and recreation areas, and supporting neighborhood-serving commercial uses. The SMA will implement zone changes for 1,272 acres of land in Churchill Village in Germantown and includes the mapping of the Germantown-Churchill Village (GCV) Overlay Zone, which will address irregularities with respect to development standards and land uses resulting from the SMA rezoning.

There followed a brief Board discussion with questions to staff.

**7. Germantown-Churchill Village (GCV) Overlay Zone: Proposed Zoning Text Amendment for the creation of the GCV Overlay Zone---**The GCV overlay zone would accompany the Germantown Plan for the Town Sector Zone and is intended to protect the character of Churchill Village by offering protections to the open spaces and to ensure compatibility between new and existing development.

*Staff Recommendation: Transmit Comments to the County Council*

**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 will create the 1,272-acre Germantown-Churchill Village (GCV) Overlay Zone, as recommended in the approved and adopted 2020 Germantown Plan for the Town Sector (T-S) Zone. According to staff, the recommended ZTA requests the creation of the new Overlay Zone to complement a Sectional Map Amendment (SMA) implementing the recommended zoning changes in order to maintain the residential core, protect open spaces and recreation areas, and support neighborhood-serving commercial uses. The GCV Overlay Zone will also address irregularities with development standards that will occur as a result of the rezoning from the T-S Zone to the various updated zoning categories, allow existing uses that were permitted by right under the T-S Zone to be “grandfathered” under the newly proposed zones, preserve the existing quasi-public open space and recreation areas owned and maintained by various homeowner associations (HOAs), and address compatibility between existing and anticipated development of vacant parcels.

There followed a brief Board discussion with questions to staff.