



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 4, 2021, at 9:01 a.m., and adjourned at 12:45 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 5 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 12:45 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 11, 2021, via video conference.

M. Clara Moise

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Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, March 4, 2021
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**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Record Plats submitted for approval.**

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: **There were no Other Consent Items submitted for approval.**

***D. Approval of Minutes**

Planning Board Meeting Minutes of February 18, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of February 18, 2021.

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 status of the County Council worksession for the Shady Grove Master Plan Amendment, the Semi Annual Report, the FY22 Budget, the Silver Spring Downtown and Adjacent Communities Plan, update to the Great Seneca Sciences Corridor, the Pedestrian Plan and the Fairland & Briggs Chaney Plans. Ms. Wright also recognized all the efforts that went into the preparation of the virtual Black History Month events and thanked the organizing committee for such great work. Ms. Wright also talked about the Black History Month Quilt which is hanging in the foyer at the Wheaton Headquarters Building, which was awarded a LEED Platinum certification and staff has applied for GOLD certification for the floors occupied by the Planning and Parks Departments. Ms. Wright also noted that the three proposals that were selected for a mural at the Headquarters building have been posted on the Planning Department website, and hopefully the winning mural will be selected shortly and painted during the summer.

There followed a brief Board discussion with questions to Ms. Wright, during which Chair Anderson updated the Board members on the Planning Department staff ongoing efforts to streamline the development review process.

3. Silver Spring Downtown & Adjacent Communities Plan - Planning Board Briefing-- Project Update - Briefing on the Missing Middle Mini Market Analysis. Staff will brief the Planning Board on the findings of the Missing Middle Mini Market Analysis.

Staff Recommendation: Receive Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing followed by Board discussion.

Planning Department staff offered a multi-media presentation and briefed the Planning Board on an update to the Missing Middle Mini Market Analysis conducted by staff and the related findings. Staff noted that the Market Study on Missing Middle Housing builds upon the 2018 *Missing Middle Study* and is a precursor to the visioning phase of the Silver Spring Downtown and Adjacent Communities Plan. The Market Study is comprised of analyses of zoning, entitlement, affordability and market feasibility of different Missing Middle typologies, as well as interviews with industry professionals to help understand the barriers and opportunities to building Missing Middle housing in Montgomery County. This Market Study aims to provide necessary background knowledge and to serve as the starting point for the visioning phase of the Silver Spring Downtown and Adjacent Communities Plan and consideration to adding new housing types and forms to the adjacent communities.

Staff also noted that the Housing Stock analysis provided an introduction and assessment of the current state of the available housing stock and the housing market in Montgomery County, and the neighborhoods within and surrounding the Silver Spring Downtown and Adjacent Plan area. Staff discussed the findings of the analysis as detailed in the February 25 technical staff report. Staff added that they conducted interviews with stakeholders involved in real estate and development in Montgomery County and that have experience with the Missing Middle typology. Interviewees included small-scale builders, for-profit residential developers, non-profit residential developers, architects, and brokers. The interviews focused on understanding the potential for Missing Middle to increase the supply of housing in Montgomery County; the changes that would be required to zoning, development standards, and the entitlement process to make Missing Middle an attractive investment; and the relative costs associated with the construction of different Missing Middle typologies to increase the supply of housing in Montgomery County. Staff also discussed the findings identified during the interviews.

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3. Silver Spring Downtown & Adjacent Communities Plan - Planning Board BriefingCONTINUED

Staff then discussed the Missing Middle and affordability noting that Missing Middle housing is not the same as income-restricted affordable housing. Most Missing Middle housing is market-rate housing that will generally be more affordable than the typical new detached single-family home due to its smaller size. The prices of Missing Middle housing, however, will be determined by what the market can bear. The creation of Missing Middle housing may not automatically create dedicated affordable housing, such as Moderately Priced Dwelling Units (MPDUs), which are the county's inclusionary zoning program, where new residential development projects of 20 units or more are required to set aside 12.5 percent of units as affordable to households earning between 65 percent and 70 percent of Area Median Income. Development projects between 11 and 19 units are required to make a payment to the Housing Initiative Fund, the county's housing trust fund. While no MPDUs will be created for smaller infill projects, Missing Middle housing will still be helpful in increasing the supply of attainable housing in Montgomery County. There is a growing need to make sure the housing built is attainable, appropriate and suitable for the households that live here. Implicit in this idea of attainability is that a range of housing options, type, size, tenure, and cost, exists in the local market to meet the size and affordability needs of people at all economic levels.

Staff also added that the market study made the following significant findings about redevelopment of existing single-family properties into Missing Middle housing in the Adjacent Silver Spring neighborhoods: i) Due to the high cost of land and high cost of construction new Missing Middle housing would be expensive to live in. However, it would be far smaller per unit and much less expensive than the new custom homes built near downtown Silver Spring in recent years; ii) Enticing developers to attempt to build Missing Middle housing would require significant changes to the entitlement and subdivision process to reduce their discretionary nature. Builders strongly feel that any desired typology must be allowed by-right if it is to be an attractive alternative to building a new custom home; iii) Allowing Missing Middle typologies to physically fit on the existing properties in the Adjacent Silver Spring neighborhoods would require substantial changes to the existing development standards; and iv) Feasible redevelopment of habitable single-family homes in the Adjacent Silver Spring neighborhoods requires generating significant new value which at existing market values for the typologies evaluated requires a substantial increase in density.

There followed extensive Board discussion with questions to staff.

4. Annexation petition from the City of Rockville, (ANX 2020-00146), for the property located at 16160 and 16200 Frederick Road (MD 355) to be annexed into the City of Rockville.

Staff Recommendation: Transmit Comments to the City of Rockville Mayor and City Council, and the Montgomery County Council

BOARD ACTION

Motion: PATTERSON/FANI-GONZÁLEZ

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to the City of Rockville Mayor, the City Council and the Montgomery 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 a proposed Annexation Petition from the City of Rockville to annex 11.96 acres from a property located at 16160 and 16200 Frederick Road (MD355), approximately 800 feet southwest of the intersection of Shady Grove Road and MD355, located in the Shady Grove Sector Plan area. Staff noted that as discussed in detail in the February 25 technical staff report, the King Buick property, also known as the Victor property, is located approximately 800 feet south of the intersection of Shady Grove Road and Frederick Road (MD 355). The proposed annexation area is approximately 11.96 acres, including 10.23 acres of the dealership property and 1.73 acres of the MD355 right-of-way owned by the State of Maryland. The property is in the General Retail (GR) 1.5 H-45 Zone. There are several buildings on the property with surface parking. An additional 10-acre property in the City of Rockville, known as Frederick Road Limited Partnership, will be included with the proposed annexed King Buick property.

Staff also noted that there are two prior City of Rockville annexations, which are located further south of this property at the northeastern and southeastern intersection of MD 355 and King Farm Boulevard Extended. The proposed annexation seeks to reclassify the 10.23-acre King Buick property from the County's General Retail (GR)1.5 H-45 Zone to the City of Rockville's Mixed-Use Corridor District (MXCD) Zone. In addition, a portion of the King Farm development, known as Frederick Road Limited Partnership, will be included with the King Buick property. The proposed development would permit up to 365 residential units, including 247 townhouses and 118 two-over-two units. It is anticipated that the development would include up to 15 percent Moderately Priced Dwelling Units (MPDUs). EYA is the contract purchaser for both properties. The City of Rockville's MXCD Zone permits a range of uses,

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4. Annexation petition from the City of Rockville, (ANX 2020-00146), for the property located at 16160 and 16200 Frederick Road (MD 355) to be annexed into the City of Rockville.

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including residential townhouses, multi-family residential, commercial and institutional uses. The County's existing GR Zone is a commercially oriented zone that permits a broad range of on-residential uses. However, residential uses are limited in the GR Zone. Section 59.4.6.3.C.2.a of the County's Zoning Ordinance notes that the "gross floor area of all Household Living uses is limited to 30 percent of the gross floor area in the subject site." The Planning Board's 2020 Draft Plan of the Shady Grove Minor Master Plan Amendment recommends rezoning the King Buick property to the Commercial Residential Town (CRT) C0.5 R1.0 H-80 Zone. The County Council will begin reviewing the Board's Draft Plan in March. If approved, the CRT Zone would permit more residential uses than the GR Zone.

Staff added that the proposed annexation is in substantial conformance with uses authorized in both the CRT Zone and the recommendations in the Planning Board's 2020 Draft Shady Grove Sector Plan Amendment. However, it does not conform to the current GR Zone because of the existing height and the residential limits in the zone. The proposed zone is not substantially higher than the current zone, nor the Draft Plan's proposed zone and recommendations. It is also within the density limits permitted under Section 4-416 of the Annotated Code. The Council's upcoming action on the Shady Grove Minor Master Plan Amendment will likely change the GR zone on the King Buick property; therefore, staff recommends that the Montgomery County Council grant the annexation request.

Ms. Barbara Sears, attorney from Miles & Stockbridge P.C. representing the applicant, EYA offered comments and concurred with the staff recommendation.

Mr. Jason Sereno of EYA also offered comments and answered questions from the Planning Board.

Mr. Bob Youngentob of EYA, and Ms. Manisha Tewari, Principal Planner, City of Rockville were also present at the meeting.

There followed a brief Board discussion with questions to staff, Ms. Sears and Mr. Sereno.

5. Thrive Montgomery 2050 Worksession No. 10: Recommended Actions List (to be published as a separate document) ---Revised (redlined) drafts of the Complete Communities and Parks and Recreation chapters

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 briefly discussed the Recommended Actions List for the Thrive Montgomery 2050 Plan, which has been published as a separate document, and reviewed the redlined drafts of the Complete Communities and Parks and Recreation chapters. Staff noted that this is the last worksession for the draft Thrive Montgomery 2050 Plan. After approval of the revised drafts of the two chapters today, staff will put together the Planning Board Draft Plan with additional graphics and photos to make the document visually more interesting. These additions and changes are not substantive and will not affect the main text of the Plan as approved by the Planning Board during the worksessions. Staff will also update the standard boilerplate language in the draft Plan such as the *Abstract*, and *The Plan Process* on page 2 and page 166 of the Public Hearing Draft Plan, respectively. Staff is planning to publish the Planning Board Draft Plan on April 1, 2021 for the Board's review and approval on April 8, 2021. Upon Planning Board's approval, staff will transmit the Planning Board Draft of Thrive Montgomery 2050 to the County Executive and the County Council.

Staff then briefly discussed the Recommended Actions List and answered questions from Board members.

Staff also briefly reviewed the redlined drafts of the Complete Communities and Parks and Recreation chapters.

There followed a brief Board discussion with questions to staff.