



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 18, 2021, at 9:04 a.m., and adjourned at 12:28 p.m.

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

Item 1 is reported on the attached agenda.

The Board recessed at 9:09 a.m. and convened in Closed Session at 9:10 a.m. to take up Item 6, 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 9:10 a.m. via video conference on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson and Verma voting in favor of the motion. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(7)(8), to consult with counsel to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation.

In Closed Session, the Board discussed potential litigation.

Also present at the Closed Session meeting were: Director Mike Riley of the Parks Department; Parks Police Chief Darryl McSwain; Deputy General Counsel Debra Borden, Senior Counsel Matthew T. Mills, Senior Counsel Elizabeth Adams, Principal Counsel Emily Vaias and Associate General Counsel Delisa Coleman of the Legal Department.

There were no Technical Writer present at the meeting.

The Closed Session meeting was adjourned at 9:30 a.m.

The Planning Board reconvened via video conference at 9:35 a.m.

MCPB, 3-18-21, APPROVED

Items 2, 3 and 5 are reported on the attached agenda.

Item 4 was removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 12:28 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 25, 2021, via video conference.



M. Clara Moise
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, March 18, 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**

Subdivision Plat No. 220200630, Amalyn Bethesda -- R-90 zone; 24 lots, 5 parcels; located approximately between the northern terminus of Greentree Road and the western terminus of Greyswood Road; North Bethesda - Garrett Park Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210410, Glen Mill Knolls -- RE-2 zone; 1 lot; located on the south side of Tanager Lane, approximately 1,700 feet west of Glen Mill Road; Potomac Subregion 2002 Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve the Record Plats cited above, as submitted.

***C. Other Consent Items**

1. Proposed Amendments: Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendment – County Executive’s AD 2021-2 Administrative Amendment Group – One Water/Sewer Service Category Change request.

Staff Recommendation: Transmit Comments to the County Executive

2. 6940 Seven Locks Road (Franklin Property), Administrative Subdivision No. 620210070, Regulatory Extension Request No. 2---Second request to extend the regulatory review period from March, 25 2021 to June 24, 2021 to convert the existing parcel to a lot to allow the owner to raze the existing single-family detached dwelling and construct a new single-family detached dwelling. Located at 6940 Seven Locks Road approximately 300 feet west of Cypress Grove Lane, 1990 Bethesda-Chevy Chase Plan.

Staff Recommendation: Approval of the Extension Request

3. Adoption of Corrected Resolution for Residences at Forest Glen Site Plan 820210020 MCPB No. 21-017

BOARD ACTION

Motion: 1. through 3. CICHY/VERMA

Vote:

Yea: 1. through 3. 5-0

Nay:

Other:

Action: 1. Approved staff recommendation to transmit comments to the County Executive regarding the proposed amendments to the Water Supply and Sewerage Systems Plan Proposed Category Map Amendment cited above.

2. Approved staff recommendation to approve the Extension Request for Administrative Subdivision No. 620210070.

3. Adopted Corrected Resolution MCPB 21-07 for the Residences at Forest Glen Site Plan No. 820210020.

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 4, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved the Planning Board Meeting Minutes of March 4, 2021, as submitted.

6. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(7)(8), to consult with counsel to obtain legal advice and consult with staff, consultants, or other individuals about pending or potential litigation.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Discussed in Closed Session. See State citation and open session report in the narrative minutes.

2. Roundtable Discussion

A. Planning Director's Report

B1. Operating Funds Seven-Month Financial Report Including Projections to June 30, 2021

B2. Enterprise Funds Seven-Month Financial Report Including Projections to June 30, 2021

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Action: Received Briefing.

A. Planning Department Director’s Report – Planning Department Director Gwen Wright briefed the Planning Board on the following ongoing and upcoming Planning Department events and activities: the County Council Planning, Housing and Economic Development (PHED) Committee worksession on the Shady Grove Master Plan scheduled for this afternoon, with a wrap-up expected in early April; on-going work on the Ashton Village Master Plan with a wrap-up also expected in early April; on-going work on the Silver Spring Downtown and Adjacent Communities Plan with staff having conducted several community meetings; upcoming meeting on the scope of work for the Fairland/Briggs Chaney Master Plan; on-going staff work on regional transportation studies, including the Corridor Forward Study, the Managed Lanes project, and a wide variety of studies, such as the Pedestrian Master Plan, which is scheduled to be discussed at the Planning Board meeting today; a March 4 request from County Council President Tom Hucker and PHED President, Hans Riemer, asking Planning Department staff to provide in-depth analysis, data and recommendations on Missing Middle Housing following Council member Jawando’s Zoning Text Amendment (ZTA) request, and Council member Hans Riemer consideration of another ZTA request. Ms. Wright noted that a key part of the Attainable Housing Strategies Initiative is the creation of the new Housing Equity Advisory Team (HEAT), comprised of external stakeholders from various perspectives and areas of expertise. The team will host multiple public meetings, hold staff office hours, and conduct multiple worksessions before the Planning Board, with the first virtual community meeting scheduled for Monday, March 29 at 7:00 p.m. Planning staff will share the project scope and deliverables, as well as existing conditions. Ms. Wright also noted that Planning Department staff is pleased that the Council is asking for their help and is ready to deliver such analysis and recommendations in early June.

Planning Department staff Jason Sartori and Lisa Govoni briefly discussed the work already done by staff on the Missing Middle Housing and the additional work that will be required from staff before the data is submitted to the County Council.

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2. Roundtable DiscussionCONTINUED

There followed a brief Board discussion with questions to Ms. Wright and Planning staff, during which Chair Patterson inquired about the Planning Department current budget status, given the additional work requested by the two County Council members mentioned above.

Ms. Wright also informed the Board that as part of the Speakers Series events, the Parks Department is sponsoring an event on Tuesday, March 23 from 2:00 to 3:00 p.m. with Mr. Gil Penalosa on the future of Parks and Open Space – Learning from a Pandemic.

B1. Operating Funds Seven-Month Financial Report Including Projections to June 30, 2021

The Commission Secretary Treasurer, Joseph Zimmerman briefed the Planning Board on the Operating Funds Seven-Month Financial Report, including projections to June 30, 2021. Mr. Zimmerman noted that the Commission has committed to participate in Montgomery County's FY21 savings plan totaling \$7,481,214. The impact to the Operating Funds will be a reduction of \$1,304,038 in the Planning Department's budget, \$5,630,264 for the Parks Department, and \$546,912 for Central Administrative Services (CAS). The seven-month financial report for the period ending January 31, 2021 and the projections to June 30, 2021 are included in the March 18 Memorandum to the Planning Board.

B2. Enterprise Funds Seven-Month Financial Report Including Projections to June 30, 2021

The Commission Secretary Treasurer, Joseph Zimmerman briefed the Planning Board on the Seven-Month Financial Report, including projections to June 30, 2021, as discussed in detail in the March 18 Memorandum to the Planning Board. Mr. Zimmerman noted that the Montgomery County Enterprise Funds now also includes the new Wheaton Headquarters Fund. The new Fund will account for all building related expenses and is to be funded by internal "rent" charges to the Planning Department and the Parks Department as well as lease payments from Montgomery County. The FY21 overall Enterprise revenue budget is \$15,009,536 with projected revenue of \$7,658,801 and a projected cost of \$8,616,835 yielding a net loss of \$866,997. The FY21 Parks Enterprise Funds have a total approved budget for revenues of \$12,215,136, expenditures of \$10,549,109 and a net Fund Balance use of \$490,973, after transfers and interest income. The projected revenue of \$5,778,764, is under budget by \$6,436,372. Total costs are projected to be \$6,619,890 resulting in a net loss of \$750,806, after transfers and interest income and the planned use of Fund Balance. The decrease in revenue is attributable to the COVID19 pandemic restrictions resulting in less than expected income at all facilities and affecting multiple programs. The decrease in expenditures is also due to savings from program cancellations and deferring hiring and spending where possible resulting in expenditure decreases across all areas including items for resale, personnel, supplies and services.

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

3. Pedestrian Master Plan Update – Pedestrian Survey Briefing*Staff Recommendation: Receive Briefing and Share Comments***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Action: Received briefing followed by Board discussion.**

Planning Department staff offered a multi-media presentation and discussed the Pedestrian Master Plan update and the recently completed Montgomery County Pedestrian Survey as well as progress made on completing the plan's existing conditions report. Staff noted that Montgomery County recently embarked upon an intensive, long-term process to develop and implement a Pedestrian Master Plan to improve pedestrian safety and comfort across all its roadways. The Plan will identify existing walking conditions and areas where improvements should be prioritized, in addition to providing policy, design, and programming recommendations. As part of the public engagement component of the Pedestrian Plan, the Planning Department conducted this pedestrian survey to ensure all residents and stakeholders' perspectives are included in the planning process. Specifically, this survey supports the Pedestrian Plan development by helping the project team better understand pedestrian travel attitudes and behaviors and will serve as a benchmark for future surveys to analyze trends over time. The pedestrian survey was fielded in October and November 2020. The research team used address-based sampling, sending postcard invitations to 60,000 homes in Montgomery County. With a goal of 1,200 survey completions across three geographic regions of the county, the team received 2,438 valid survey completions for a response rate of 4.1 percent.

Staff also noted that the survey records were weighted to better represent the actual population in the Montgomery County Planning Department's jurisdiction within Montgomery County. The survey records were separated for weighting by the same three geographies used in sampling: urban, transit, and exurban/rural. The data were weighted using 2018 American Community Survey (ACS), 5-year estimates, from the U.S. Census Bureau, of income, race and Hispanic, Spanish, or Latino origin distributions for each geography. To account for survey respondents who preferred to not provide their 2019 household income, race or Hispanic, Spanish, or Latino origin, the category was treated separately, and the ACS distributions were adjusted accordingly. The income and race/ethnicity variables were not included for respondents who chose not to answer because a) there was no distinguishable pattern to these respondents' survey responses compared to the overall sample; b) the final number of affected respondents was relatively low; and c) given the first two points there was no reason to introduce unnecessary estimated adjustments through the imputation process.

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3. Pedestrian Master Plan Update – Pedestrian Survey Briefing

CONTINUED

Staff added that all analysis of the dataset was conducted using weighted data to ensure that the results are representative of Montgomery County’s population. This report details the survey methodology and analysis conducted for the Planning Department as part of this project. Additionally, the final survey dataset was provided as a deliverable for this work and can be viewed on the Planning Department website montgomeryplanning.org

There followed extensive Board discussion with questions to staff.

~~4. **Mandatory Referral MR2021011, Dennis Avenue Bridge Replacement**—
Construction of new bridge structure (Bridge M-0194) on Dennis Avenue over Wheaton Branch,
a tributary of Sligo Creek. Master Plan Kensington-Wheaton Master Plan (1989) --**REMOVED**~~

~~Staff Recommendation: Approval with Comments~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

***5. Flats at Knowles Station**

A. Sketch Plan No. 320210020: Request for up to 102,205 square feet of density including a density transfer of 33,666 square feet of residential FAR and a 35% residential density bonus for providing 25% MPDUs. Located at 10509 Summit Avenue, at the intersection of Summit Avenue and Knowles Avenue, Town of Kensington, 0.84 acre in the CRT-1.5, C-1.0, R-0.5, H-60 and within the 2012 Kensington Sector Plan.
Staff Recommendation: Approval with Conditions

B. Preliminary Plan No. 120210030: Request to consolidate the Subject Property from six (6) lots into one (1) lot for the construction of a mixed-use building containing a maximum of 79,554 square feet of residential uses for 75 multi-family dwelling units and 25 live/work units, and up to 22,651 square feet of commercial uses; located at 10509 Summit Avenue, at the intersection of Summit Avenue and Knowles Avenue, Town of Kensington; 0.84 acre in the CRT-1.5, C-1.0, R-0.5, H-60 and within the 2012 Kensington Sector Plan.
Staff Recommendation: Approval with Conditions

C. Site Plan No. 820210030: Request to construct one (1) mixed-use building with up 102,205 square feet including 79,554 square feet of residential development (including a density transfer of 33,666 square feet of residential FAR and a 35% residential density bonus for providing 25% MPDUs) with 75 multi-family units and 25 live/work units, and 22,651 square feet of commercial development; located at 10509 Summit Avenue, at the intersection of Summit Avenue and Knowles Avenue, Town of Kensington; 0.84 acre in the CRT-1.5, C-1.0, R-0.5, H-60 and within the 2012 Kensington Sector Plan.
Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. through C. VERMA/FANI-GONZÁLEZ

Vote:

Yea: A. through C. 5-0

Nay:

Other:

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

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

C. Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, as stated in the attached adopted Resolution.

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***5. Flats at Knowles Station: A. Sketch Plan No. 320210020; B. Preliminary Plan No. 120210030 & C. Site Plan No. 820210030**CONTINUED

In keeping with the March 8 technical staff reports, Planning Department staff offered a multi-media presentation and discussed Sketch, Preliminary and Site Plan requests for the Flats at Knowles Station project. Staff noted that the property is currently improved with a house used commercially and an adjoining surface parking lot, accessed from Summit Avenue. There is existing vehicular access to the property via a curb cut on Summit Avenue, mid-block between Knowles Avenue and Brainard Avenue, on the western frontage of the site. The Sketch Plan request is for up to 102,205 square feet of density including a density transfer of 33,666 square feet of residential Floor Area Ratio (FAR) and a 35 percent Moderately Priced Dwelling Units (MPDUs) density bonus, the Preliminary Plan request is to consolidate the property from six (6) lots into one lot for the construction of a mixed-use building, and the Site Plan request is to construct a mixed-use building with 25 live/work and 75 multi-family units, 22,651 square feet of commercial retail/office, associated parking, and pedestrian and open space facilities. The total proposed residential development, excluding cellar space, is 79,554 square feet or 1.5 FAR. The total proposed commercial development, excluding cellar space, is 22,651 square feet or 0.45 FAR. The total proposed development, excluding cellar space, is 102,205 square feet or 2.02 FAR. The applicant is proposing to transfer density to allow him to develop the proposed mixed-use building. Under Section 59-4.5.2B of the Zoning Ordinance, density transfer from properties in the Commercial/Residential (CR) and Commercial/ Residential/Townhome (CRT) zones is allowed when the properties are located within a quarter mile with a 50 percent increase in public benefit points. The properties are included in the Sketch Plan and Site Plan applications, but no additional development is proposed on either property. 10414 Detrick Avenue will be transferring 12,431 square feet of residential density and 3827 Plyers Mill Road will be transferring 21,235 square feet of residential density. Both sending properties are commercial properties with no residential development. Staff added that as a proposed mixed-use project reviewed under the optional method of development, which is utilizing density transfer over two or more non-contiguous properties, the applicant must exceed the minimum public benefits required. The proposed project proposes 173 public benefit points comprised of streetscape improvements, MPDUs, architectural elevations and structured parking. The proposed project has also received approval from the Town of Kensington.

Staff also added that the project includes a density transfer of 33,666 square feet from two sending sites and a 35 percent density bonus with 12 feet of additional height for providing 25 percent MPDUs. The plan includes 1,125 square feet of public open space on-site and 1,580 square feet of open space improvement off-site. The four levels of commercial and residential development will be constructed above a three-level podium parking garage. The parking garage will have an entrance on Summit Avenue and the adjacent off-site surface parking lot, connecting through to Detrick Avenue. A gateway plaza connects the proposed development to the intersection of Summit Avenue and Knowles Avenue, activated by retail uses. The retail space can also be accessed through the first level of the parking garage. The office uses occupy

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***5. Flats at Knowles Station: A. Sketch Plan No. 320210020; B. Preliminary Plan No. 120210030 & C. Site Plan No. 820210030**CONTINUED

the second level and have access from there to the parking garage, as well as a pedestrian entrance from Summit Avenue. The 25 live/work units occupy the first level above the third level of the parking garage. Floors two through four contain the other 75 residential units.

Staff then discussed the conditions of approval and the Forest Conservation Plan noting that the proposed project is subject to the Montgomery County Forest Conservation Law, but the property is exempt from Article II under Section 22A-5(s)(2). This application received a Forest Conservation Plan Exemption approval on October 4, 2018 and does not have a requirement for a Tree Save Plan or Forest Conservation Plan. This exemption was granted because the proposed activity occurs on a tract of land less than one acre in size that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and the reforestation requirements will not exceed 10,000 square feet.

The following speakers offered testimony: Ms. Louise K. Crane of Byeforde Road; Mr. William Decker of Knowles Avenue; Mr. Darin Bartram of Mitchell Street and member of the Kensington Town Council; and Ms. Jennifer Loukissas of Warner Street.

At the Board's request, Mr. Deepak Somarajan of Montgomery County Department of Transportation (MCDOT), offered comments and answered questions.

Mr. Wes Guckert, President of The Traffic Group Inc., member of the applicant's team, offered comments accompanied by a multi-media presentation.

At the Board's request, Ms. Rebecca Torma of MCDOT also offered comments.

Mr. Tom Brault of Woodside Ventures and Realty Services, member of the applicant's team offered comments.

There followed extensive Board discussion with questions to staff.