



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 25, 2021, at 9:02 a.m., and adjourned at 3:19 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 6 are reported on the attached agenda.

Commissioner Patterson left the meeting during discussion of Item 5.

The Planning Board recessed for lunch at 12:44 p.m. and reconvened via video conference at 1:09 p.m. with all the Commissioners present.

Items 7 through 10 and Item 12 are reported on the attached agenda.

Item 11 was removed from the Planning Board agenda.

Commissioner Verma left the meeting after discussion of Item 9.

There being no further business, the meeting was adjourned at 3:19 p.m. There is no Planning Board meeting scheduled for April 1, 2021. The next regular meeting of the Planning Board will be held on Thursday, April 8, 2021, via video conference.

M. Clara Moise

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons

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Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, March 25, 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. 220200400, Friendship -- IM zone; 1 lot, 1 parcel; located west of the Capital Crescent Trail, 125 feet south of River Road (MD 190); Westbard Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220200470, Old Georgetown Estates -- R-200 zone; 4 lots, 2 parcels; located at the western terminus of Tall Tree Terrace; North Bethesda / Garrett Park Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210090, Century XXI -- CR zone; 2 parcels; located on the south side of Century Boulevard, 200 feet east of Aircraft Drive; Germantown Sector 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**

Lake Potomac, Preliminary Plan No. 12013028A – Regulatory Extension No. 2---Request to extend the regulatory review period from March 25, 2021 until April 22, 2021: An application to reinstate Preliminary Plan No. 120130280, which was approved for the creation of four lots for four single-family dwelling units. Located in the southeast quadrant of the intersection of Stoney Creek Road and Stoney Creek Way; 2002 Potomac Subregion Master Plan; RE-2 zone; 11.11 acres.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

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

***D. Approval of Minutes**

Planning Board Meeting Minutes of March 11, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of March 11, 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 status of current health orders from the County Executive and County Council, which now allow gatherings of up to 50 people in parks and 25 people at indoor facilities, permits for larger outdoor gatherings, basketball to be played at parks, rental of larger park activities buildings for up to 25 people beginning in April, the trains and carousel at Wheaton Regional Park to open at 25 percent capacity on April 9, and youth hockey to be played in ice arenas at 10 percent capacity; the recent Parks Speaker Series presentation, “Post-COVID People, Parks and Cities: Learnings from a Pandemic,” by Mr. Gil Penalosa, with his next presentation, “Our Third Act,” scheduled for May, and a presentation by Patsy Eubanks Owens on April 20 regarding ways parks can best serve teens and young adults; a recent tour by Mr. Riley, Deputy Directors John Nissel and Miti Figueredo, and Chair Anderson of the “Facets of Hope” outdoor art exhibit at Brookside Gardens in memory of the more than 1,400 Montgomery County residents who have died from COVID-19; the upcoming two-part racial equity training, *Race in America*, for all Parks Department supervisors; the March 15 release of the County Executive’s FY22 Operating Budget recommendations, with a Planning Board briefing scheduled for later today; the upcoming observance of Autism Awareness and Acceptance Month, with this year’s theme, “Shine Brighter Together,” to feature a series of programs and events throughout April; the status of ongoing labor negotiations with the Municipal and County Government Employees Organization (MCGEO), with the COVID-19 schedule rotation program for represented maintenance and trades staff to be ended and replaced with eight hours of COVID-19 administrative leave granted every two weeks; the status of the Open Parkways Program, with a one-mile segment of Little Falls Parkway from River Road to Arlington Road to be open only to pedestrian and bicycle traffic on weekends from 7:00 a.m. Saturday through 6:00 p.m. Sunday, starting March 27; and the status of ongoing 2021 summer camp registrations for golf, ice skating, hockey, outdoor adventure, field sports, and tennis camps.

There followed extensive Board discussion with questions to Mr. Riley.

3. FY22 Operating Budget Discussion on the County Executive Recommendation*Staff Recommendation: Briefing and Discussion***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

Corporate Budget Manager John Kroll briefed the Planning Board on the County Executive's recommended FY22 Operating Budget, as discussed in the March 24 staff memorandum to the Planning Board. According to Mr. Kroll, the County Executive's recommendations, which were released on March 15, include total reductions of \$4,299,019, or 2.81 percent, from the Montgomery County portion of the proposed FY22 budget for both the Administration and Park Funds. The necessary non-recommended reductions from the Administration Fund to meet the County Executive's recommendations include FY22 budget reductions of \$35,927 from the Commissioner's Office, \$609,802 from the Planning Department, and \$70,414 from Non-Departmental. Mr. Kroll noted that additional reductions, for \$122,313 in total reductions from the Commissioners' Office budget, are being used to cover the pro-rated portion of the Administration Fund Non-Departmental reductions, which otherwise would have impacted compensation and reclass markers. To meet the target reductions for the Park Fund, non-recommended reductions include \$3,332,462 from the Parks Department FY22 proposed budget. Mr. Kroll added that additional reductions in Central Administrative Services (CAS) Support Services are being used to help cover Department of Human Resources and Management (DHRM) and to cover the Inspector General's portion.

Planning Department: Planning Department Director Gwen Wright discussed the proposed \$609,802, or 2.8 percent, reduction to the Planning Department FY22 budget, which will be achieved partially through cutting funding for: 1) the proposed Innovative Housing Tool Kit for a savings of \$50,000; 2) the Redlining/Segregation Mapping Tool for \$100,000 in savings; and 3) consultant funding for the Wheaton Downtown Study for \$75,000 in savings. Ms. Wright hopes that funds for these projects can be restored.

There followed a brief Board discussion with questions to Ms. Wright.

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3. FY22 Operating Budget Discussion on the County Executive RecommendationCONTINUED

Department of Human Resources and Management (DHRM) – Executive Director Asuntha Chiang-Smith discussed the proposed reductions to DHRM FY22 budget, which totals \$100,287. The proposed reductions will be achieved by delaying necessary agency-wide trainings for \$19,747 in savings, reducing funding for actuarial services for \$40,000, and reducing funding for temporary services for \$17,434 in savings.

There followed a brief Board discussion.

Central Administrative Services (CAS) Support Services – Ms. Chiang-Smith also discussed the proposed reductions to the CAS Support Services FY22 budget, which total \$131,225. According to Ms. Chiang-Smith, the reduction will be met through the continued use of the Executive Office Building (EOB) by the Prince George’s Department of Parks and Recreation Information Technology and Communications Division, who were to vacate the space, which would then be used by CAS staff. Because Prince George’s Parks and Recreation will be retaining this space in FY22, the rent CAS Departments would pay in FY22 will be reduced. Ms. Chiang-Smith added that the proposed budget re-allocation will cover CAS Support Services, the Office of the Inspector General, and a portion of the DHRM budget reductions.

There followed a brief Board discussion with questions to Ms. Chiang-Smith.

Finance Department – Secretary-Treasurer Joseph Zimmerman then discussed the proposed reductions to the Finance Department FY22 budget, which total \$149,907. The reduction is proposed to be achieved through delaying service improvements to the Montgomery Parks and Prince George’s Parks and Recreation Departments for Capital Improvements Program (CIP) project accounting, delaying implementation of the Supplier Diversity Program, decreasing the service level for Enterprise Resource Planning (ERP) Reporting services, and delaying improvements to current service levels.

There followed a brief Board discussion.

Legal Department – Deputy General Counsel Debra Borden briefly discussed the non-recommended reductions to the Legal Department proposed FY22 budget, which total \$82,880. The reductions are proposed to be met by a delay to fill a vacant Administrative Specialist position for 12 months.

There followed a brief Board discussion.

Office of the Chief Information Officer (CIO) – Chief Information Officer Mazen Chilet discussed proposed reductions to the CIO FY22 budget, specifically Corporate Information Technology (IT) funds, which total \$77,965. The reductions are proposed to be met by a delay to fill a vacant IT Systems Manager position for a savings of \$22,190, a planned PC peripheral refresh for \$49,775 in savings, and a reduction of \$6,000 for travel expenses.

There followed extensive Board discussion with questions to Mr. Chilet.

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3. FY22 Operating Budget Discussion on the County Executive RecommendationCONTINUED

Parks Department – Parks Department Director Mike Riley discussed non-recommended reductions to the Park Fund FY22 budget, which total \$3,332,462. The reductions and savings are proposed to be met partially through proposed reductions in funding for known operating commitments, including contractual increases for \$156,705 in savings, inflationary increases for \$107,035, current and projected salary increases for \$133,126, and the seasonal cost marker for benefits and minimum wage for \$27,739 in savings. According to Mr. Riley, if these commitments are not restored, it will result in a reduced services budget for the Department in FY22. Other reductions and savings include a delay in hiring a full-time position and seasonal staff to conduct and document facility condition assessments of Parks Department's aging infrastructure for \$148,600 in savings, a delay in hiring a Project Manager I for \$29,280, a delay in the purchase of temporary signage, kiosks, tablets and other equipment that will be used to manage events for \$65,000, and a delay in funding improvements to meet the County mandate to reach 100 percent elimination of greenhouse gas emissions by 2035 for \$150,000 in savings.

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

4. **9119 Redwood Avenue, Administrative Subdivision No. 620210040**---R-200 zone, 1.647 acres; request to create 3 single family lots located at 9119 Redwood Avenue, approximately 410 feet south of Bradley Boulevard; 1990 Bethesda/Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/VERMA

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 subdivide a lot for single-family detached residences. The 1.65-acre property, identified as Lot A and Part of Lot 1, is located on the east side of Redwood Avenue, approximately 410 feet south of its intersection with Bradley Boulevard, and is zoned Residential within the Bethesda-Chevy Chase Master Plan area. The site is currently developed with a single-family house, a detached garage, and a circular shaped driveway with two access points from Redwood Avenue, which will remain.

Staff noted that the applicant proposes to subdivide the parcel into three lots with direct access and frontage on Redwood Avenue. Proposed Lot A, at approximately 24,355 square feet, with the existing residence, and proposed Lots B and C, at 29,627 and 22,756 square feet, respectively, will each be developed with a new single-family detached residence. Staff noted that the proposed future single-family dwelling footprints are illustrative, with final design and location to be determined at the time of building permit issuance. Access to the proposed lots will be via separate driveways along Redwood Avenue. Although there are no existing sidewalks in the immediate vicinity, the applicant proposes a new five-foot wide sidewalk along all frontages. Staff also discussed minor revisions and corrections to the staff report and Conditions of Approval.

Staff then discussed the accompanying Preliminary/Final Forest Conservation Plan (P/FFCP), noting that the proposed project requires 0.25 acres of afforestation, which will be met via credits purchased from an off-site forest bank or via fee-in-lieu if no planted forest mitigation

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4. 9119 Redwood Avenue, Administrative Subdivision No. 620210040

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banks are available. The applicant has also submitted a variance request to remove ten high-priority trees and impact nine others, which will be mitigated with 93 caliper inches of on-site plantings. Staff supports the variance request.

Staff has received correspondence from neighboring property owners expressing concerns regarding the proposed increase in density and traffic, the proposed tree removal and new sidewalk, and stormwater management. Staff has addressed each of these issues, as detailed in the March 15 technical staff report.

The following speakers offered testimony: Ms. Tina Small, adjacent proper owner; Mr. Don Rogers adjacent property owner; Ms. Sophia Ein of Redwood Avenue; Ms. Susan Scholl of Arrowood Road; Mr. Robert Warren, adjacent property owner; Ms. Beth Javda, adjacent property owner; and Mr. Michael Cardozo of Arrowood Road.

Mr. Mark Etheridge of Montgomery County Department of Permitting Services (DPS) – Water Resources, answered questions from the Board and noted that the project has proposed adequate stormwater management measures.

There followed extensive Board discussion with questions to staff.

***5. 4824 Edgemoor Lane, Site Plan No. 820210040**---CR 2.5 C 0.5 R 2.5 H 120 zone and the Bethesda Overlay zone, 0.18 acres, Request for up to 89,000 square feet of residential development, including an allocation of up to 67,353 square feet of Bethesda Overlay Zone density; located in the southwest quadrant of the intersection of Edgemoor Lane and Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/VERMA

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan request for the construction of a multi-family residential development. The 8,659-square foot property is located on the southwest quadrant of the intersection of Edgemoor Lane and Woodmont Avenue and is zoned Commercial/Residential and Bethesda Overlay Zone (BOZ) in the Bethesda Downtown Sector Plan area. The site is currently developed with a detached house serving as a professional office use. Staff noted that following the approval of 2020 Sketch and Preliminary Plans, the property was consolidated into a single lot for up to 92,000 square feet of residential uses to accommodate up to 77 multi-family dwelling units and a future BOZ density allocation of up to 70,353 square feet.

Staff noted that following the demolition of the existing detached house, the applicant proposes to construct a residential building with a maximum density of up to 89,000 square feet of development to accommodate up to 76 multi-family units, including 15 percent Moderately Priced Dwelling Units (MPDUs), utilizing 21,647 square feet of mapped density and 67,353 square feet of BOZ density, in a building up to 119 feet in height. Staff noted that the use of BOZ density will require a Park Impact Payment (PIP) of \$746,272, with an additional PIP of \$7,463 for one additional Public Benefit point. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the property frontages, consistent with the Bethesda Streetscape Standards. As conditioned in the 2020 Preliminary Plan, the applicant will contribute toward the master planned separated two-way bike lanes along Edgemoor Lane and Woodmont Avenue. Vehicular access to a below-grade automated garage system will be via a consolidated curb cut on Woodmont Avenue on the

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***5. 4824 Edgemoor Lane, Site Plan No. 820210040**CONTINUED

southeastern corner. Loading access will be located just south of the garage entrance. Staff noted that since the 2020 approval of the Sketch Plan, the applicant has worked with the Bethesda Downtown Sector Plan Design Advisory Panel (DAP) to refine the building's southern façade along the Chase Condominium property line and to achieve a minimum separation for the proposed building towers. The architecture now reflects an average tower separation of 35.05 feet, with a minimum tower separation of 30 feet, which the DAP voted to support at their June 2020 meeting. Staff then briefly discussed minor corrections and revisions to the Conditions of Approval.

Staff has received correspondence from neighboring property owners expressing concerns regarding building compatibility and scale of development, specifically the tower separation standards; pedestrian and traffic safety; and potential construction impacts. Staff has addressed each of these issues, as detailed in the March 12 technical staff report.

Ms. Penny Dash, adjacent property owner, and Ms. Michele Rosenfeld, attorney representing the adjacent Chase at Bethesda Condominiums, offered testimony.

Ms. Patricia Harris, attorney representing the applicant, offered comments, and concurred with the staff recommendation, but requested that Condition 10 regarding tower separation clarifies that the standards apply solely to the building's towers.

There followed extensive Board discussion with questions to staff and Ms. Harris, during which staff offered revised language for Condition 20, which states that above the fourth floor on the southern façade, the applicant must provide an average building separation of 35 feet with a minimum separation distance of 30 feet, as approved by the DAP, to which Ms. Harris was amenable.

***6. MGCDC-CentroNia, Preliminary Plan 120210050**---Request for Preliminary Plan approval (associated with Conditional Use CU202008) for a Day Care Center for 180 children, to be established on the 2.02 acre, former Silver Spring Library site in the R-60 Zone; located at 8901 and 8907 Colesville Road, approximately 390 feet north of Spring Street, within the 2000 North and West Silver Spring Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 4-0

Nay:

Other: PATTERSON ABSENT

Action: Approved staff recommendation for approval of the Preliminary 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 Preliminary Plan request to open a Day Care Center in an existing building. The 2.02-acre property, identified as Parcels P959 and P933, is located on the east side of Colesville Road (US29), approximately 350 feet north of its intersection with Spring Street, bounded by Ellsworth Drive to the east, and is zoned Residential in the North and West Silver Spring Master Plan area. The site is currently developed with the vacant former Silver Spring Library building and two surface parking lots along the Ellsworth Drive frontage. Access to the site is from a one-way through-drive entering from US29 and exiting onto Ellsworth Drive, and an entry to the eastern parking lot from Ellsworth Drive. The Ellsworth Urban Park, which provides a landscaped dog park and playground, abuts the site to the north. The northern parking lot currently has 30 parking spaces that are reserved exclusively for park patrons through a longstanding, informal agreement with Montgomery County Libraries.

Staff noted that the applicant proposes to consolidate the property into one lot, construct an approximately 15,000 square foot two-story addition, and adaptively re-use the former library building as a 31,000-square foot Group Day Care facility for up to 180 children between the ages of three months and five years and 60 employees. Vehicular access will be provided through three existing curb cuts. One inbound-only access point is provided off US29, in the southwest corner of the property, which connects to the internal access drive. Two access points are located along Ellsworth Drive. The northernmost access point provides inbound movement access, while the southern access point is right-out only. Delivery and trash collection vehicles will access the site from the driveway on US29 and will exit onto Ellsworth Drive. Vehicle parking will be

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***6. MGCDC-CentroNia, Preliminary Plan 120210050**CONTINUED

provided to the north and east of the existing building. A small number of parking spaces are located along the internal access drive to the southwest of the existing building. As conditioned, 12 parking spaces must be made available for use by the adjacent Ellsworth Urban Park during non-drop-off and pick-up hours, holidays and weekends by the Group Day Care facility use, the time periods and usage of which shall be agreed upon by the Montgomery County Parks Department and the applicant prior to release of building permit. Also as conditioned, the applicant will dedicate approximately 22 feet of frontage along US29 to provide a Master Plan recommended 60-foot right-of-way and widen the existing sidewalk where necessary along the US29 and Ellsworth Drive frontages to achieve a minimum width of five feet. The applicant will also provide Americans with Disabilities Act (ADA) compliant improvements internal to the site. Staff also briefly discussed minor revisions to the Conditions of Approval.

Staff then discussed the accompanying Final Forest Conservation Plan (FFCP), noting that the project as proposed has an afforestation requirement of 0.34 acres, which will be met by either the purchase of credits from an off-site Forest Conservation Bank or by a fee-in-lieu payment if the applicable credits from a Forest Conservation Bank are not available. The applicant has also submitted a variance request to impact three specimen trees in addition to the four trees approved for impact in a variance request associated with a 2020 Conditional Use request. Staff added that they do not recommend mitigation for those trees that are retained and not overly impacted.

The following speakers offered testimony: Ms. Mary Reardon, representing Montgomery Preservation, Incorporated (MPI); Ms. Denise Perme, representing the Chelsea Heights Homeowners Association Board of Directors; Ms. Lara Eisenberg of Ellsworth Drive; Ms. Marcia Stickle, representing the Silver Spring Historical Society; and Mr. George French of Albany Avenue.

Ms. Patricia Harris, attorney representing the applicant, offered comments, and concurred with the staff recommendation, but requested revisions to two of the Conditions of Approval. For Condition 4 regarding the provision of two electronic vehicle (EV) charging stations, Ms. Harris requested language stating that the EV charging stations are not required. For Condition 23 regarding the requirement that 12 individually signed parking spaces along the northern most row of parking spaces be provided for park patrons, Ms. Harris requested that the time limit for Park patrons be reduced from three to two hours, that the applicant be permitted to chain the parking lot from dusk to dawn, and additional language clarifying that the condition is to be implemented just prior to the issuance of a Use and Occupancy Certificate.

There followed extensive Board discussion with questions to staff and Ms. Harris, during which Chair Anderson addressed Ms. Harris' requested revisions, recommending that Condition 4 states that the applicant must comply with all relevant legal requirements, and for Ms. Harris to address the matter with the Montgomery County Department of Permitting Services (DPS).

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***6. MGCDC-CentroNia, Preliminary Plan 120210050**

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Regarding Condition 23, Chair Anderson agreed with the request to reduce the time limit for park patrons, but recommended additional language stating parking arrangements must be agreeable to Parks Department's operational needs.

Following additional discussion, Legal Counsel to the Planning Board recommended including language in the conditions stating that modifications based upon mutual agreement are acceptable, as long as they are consistent with the Conditional Use agreement, to which the Planning Board was amenable.

***7. Park Montgomery Local Map Amendment & Preliminary Forest Conservation Plan**

A. Local Map Amendment H-140: Request to rezone a 3.29 acre property from R-H to CRTF-1.6, C-0, R-1.6, H-140 to allow the construction of a ~~second~~ new multi-family structure for up to 76 units with an existing 141 unit apartment building to remain, with 15% ~~13.2%~~ of total units (217) as MPDUs; located at 8860 Piney Branch Road approximately 900 feet east of University Boulevard; 3.29 acres; 2013 Long Branch Sector Plan.

Staff Recommendation: Approval with Conditions

B. Preliminary Forest Conservation Plan H-140: Request for approval with conditions of a preliminary forest conservation plan associated with Local Map Amendment H-140 to allow the construction of a ~~second~~ new multi-family structure for up to 76 units with an existing 141 unit apartment building to remain, with 15% ~~13.2%~~ of total units (217) as MPDUs; located at 8860 Piney Branch Road approximately 900 feet east of University Boulevard; 3.29 acres; 2013 Long Branch Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. FANI-GONZÁLEZ/CICHY

Vote:

Yea: A. & B. 5-0

Nay:

Other:

Action: A. Approved staff recommendation for approval of the Local Map Amendment request cited above, subject to conditions discussed at the meeting.

B. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, discussed at the meeting, and as stated in the attached adopted Resolution.

In keeping with the March 12 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Local Map Amendment (LMA) request and the associated Preliminary Forest Conservation Plan (PFCP). Staff noted that the request is to rezone a 3.29-acre property from Residential-High-Rise zone (R-H), i.e., multiple-unit, high-rise planned residential, to Commercial Residential Transit Floating zone (CRTF), to allow the construction of a new multi-family structure for up to 76 units with the existing 141-unit apartment building to remain, with 15 percent of the total units of 217 for the two buildings, as Moderately Priced Dwelling Units (MPDUs). The property is located on the northern side of Piney Branch Road (MD 320), approximately 800 feet east of the intersection at University Boulevard (MD 193) in the Long Branch Sector Plan area. Many of the properties fronting on

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***7. Park Montgomery Local Map Amendment & Preliminary Forest Conservation Plan**CONTINUED

Piney Branch Road are developed with multi-family residential buildings at varying densities and setback far from the road. Directly to the west of the site is a 13-story condominium building, and directly to the east are three-story garden apartments. A detached single-family neighborhood is located to the rear of the property. Confronting the property on the south side of Piney Branch Road is El Calvario Church, a gas station, townhouses, and New Hampshire Estates Park and Elementary School. The property is improved with a 14-story multi-family building containing 141 units with one access point from Piney Branch Road with surface parking and a two-story parking structure. The existing building is supported by the County Housing Initiative Fund, and a large portion of those units are reserved for households at 60 percent area median income (AMI), while some units are market rate affordable.

Staff then discussed the Preliminary Forest Conservation Plan and added that the property topography slopes significantly from north to south with the grade dropping approximately 36 feet towards the Piney Branch Road frontage. The property contains a small portion of forest, approximately 12,875 square feet, located along the eastern boundaries, which features several mature trees. There are no other environmentally sensitive features such as wetlands, 100-year floodplain or stream valley buffers, and the Site is not located within a Special Protection Area (SPA). There are no cultural facilities or historic sites located within or adjacent to the site nor any known endangered species or critical habitats. Staff also noted that the property has direct access from Piney Branch Road (MD 320), which is classified as a 4-lane major highway with a master-planned 120-foot right-of-way. Immediately adjacent to the western boundary of the site is a bus stop served by Montgomery County Ride On routes 16, 20, and 24, providing connections between the Silver Spring Central Business District and the City of Takoma Park. The Purple Line light-rail transit service, currently under construction, will include a station at University Boulevard and Piney Branch Road, approximately 800 feet west of the Site. Within the vicinity of the Purple Line transit station is a planned station for the University Boulevard Bus Rapid Transit (BRT) route, which will connect the Takoma/Langley Transit Center to the Wheaton Metro Station.

Staff also briefly discussed the conditions of approval, as well as affordable housing, the Master-Planned Roadways, Bikeways and Transitways, and the floating zone intent, as they relate to this request.

Ms. Heather Dlhopsky attorney from Wire Gill LLP, representing the applicant offered brief comments and concurred with the staff recommendation.

Mr. Louis Kiang of Enterprise Community Development Inc., member of the applicant's team, also offered a brief presentation and answered questions from the Board.

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

***8. North Branch Trail, Rock Creek, Water Quality Plan and Forest Conservation Plan**

A. Final Forest Conservation Plan SC2019012: Partially within the Upper Rock Creek SPA. Construction the North Branch Trail from the southwest side of Lake Bernard Frank to Muncaster Mill Road. This section is not in the SPA. Construction of a trail segment between the ICC bike trail and the hiker-biker trail being built as part of the preserve at Rock Creek. This section is located within the SPA. Within the 2004 Upper Rock Creek Master Plan area and the 1994 Aspen Hill Master Plan area.

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

B. Preliminary/Final Water Quality Plan SC2019012: Upper Rock Creek Special Protection Area (SPA). Construction of a trail segment between the Intercounty Connector (ICC) bike trail and the hiker-biker trail being built as part of the Preserve at Rock Creek. Master Plan - Upper Rock Creek (2004)

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

BOARD ACTION

Motion: A. & B. CICHY/VERMA

Vote:

Yea: A. & B. 5-0

Nay:

Other:

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

B. Approved staff recommendation for approval of the Preliminary Water Quality Plan, subject to conditions discussed at the meeting, and as stated in the attached adopted Resolution.

Parks Department and Planning Department staff offered a multi-media presentation and discussed the North Branch Trail at Rock Creek Regional Park Final Forest Conservation Plan (FFCP) and Preliminary/Final Water Quality Plan (PFWQP). As detailed in the March 12 technical staff report, staff noted that the request is to construct the North Branch Trail from the southwest side of Lake Bernard Frank to Muncaster Mill Road, and this section is not in the Special Protection Area (SPA), and construction of a trail segment between the Intercounty Connector (ICC) bike trail and the hiker-biker trail being built as part of the preserve at Rock Creek. This section is located within the SPA, within the Upper Rock Creek Master Plan area and the Aspen Hill Master Plan area.

Staff noted that the proposed FFCP meets the requirements of Chapter 22A of the

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***8. North Branch Trail, Rock Creek, Preliminary and Final Water Quality Plan and Final Forest Conservation Plan**CONTINUED

Montgomery County Code. A Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) was approved for the site on July 28, 2017. The existing trail and proposed trail improvements are within the Rock Creek Regional Park. The project area is largely within sensitive areas along the east side of Lake Bernard Frank and along the North Branch of Rock Creek. The northernmost section of the trail is in the Upper Rock Creek Special Protection Area. A Forest Conservation Plan has been submitted for review as part of this request, as Attachment A to the staff report. Approximately 5.11 acres of forest will be removed for the improvements to the trail, primarily in the northern segment where there is no existing trail. The affected area has 10.21 acres of existing forest, 5.10 of which will continue to be protected. No forest mitigation plantings are required.

Staff then briefly discussed the Preliminary/Final Water Quality Plan and noted that the request meets the Water Quality Plan requirements of Chapter 19 of the Montgomery County Code for the Upper Rock Creek Special Protection Area. Staff recommended approval of the PFWQP subject to the following conditions: i. Impervious surfaces should be limited to no more than what is shown on the plan; and ii. Prior to the start of any clearing or grading, the applicant must have the associated amended Final Forest Conservation Plan approved that matches the final trail improvements shown on the sediment control plan.

Staff also added that it has not received any citizen correspondence and is not aware of any outstanding issues associated with this project.

There followed a brief Board discussion with questions to staff.

***9. Briefing on the Speed to Market Initiative** --- Briefing on the Speed to Market Initiative, a public-private working group that included the Montgomery County Department of Permitting Services, the Department of Transportation, Montgomery Planning, representatives from the County Executive’s office and private industry, resulting in a recommended a series of initiatives to streamline business development and growth in the County.

Staff Recommendation: Approval of Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve and adopt the Resolution for the Speed to Market Initiative.

Planning Department Deputy Director Robert Kronenberg offered a multi-media presentation and briefed the Planning Board on the Speed to Market Initiative report. Mr. Kronenberg noted that a public-private working group that included a number of County agencies, Montgomery County Planning and the private industry, initiated discussions starting in the fall of 2020 to identify coordination efforts that would address regulatory burdens for development in the County. The working group consisted of Montgomery County Department of Permitting Services, Montgomery County Department of Transportation, Montgomery County Planning, and the private industry. After numerous meetings, this group recommended a series of initiatives to streamline business development and growth in the County, while ensuring substantive community participation. The initiative was inspired by the immediate desire to assist businesses that have suffered economic losses due to the COVID-19 health crisis. The long-term impact of the initiative will be to ease many of the regulatory burdens for development in the County.

Staff added that the working group created an action plan, that identified short- and long-term strategies to address specific issues with plan submission, review, and approval, and how to facilitate these applications in a timely and efficient manner. Since many regulatory and permitting entities are involved in the initiative, approval and implementation of the working group’s recommendations will come at various stages. A number of the identified changes are currently in process. One of the major goals of the Speed-to-Market Initiative is to streamline the approval process for development projects by consolidating the processes of planning and land-use approvals. This would involve consolidation of the sketch, preliminary and site plan processes for major optional method projects that are viewed as significant priorities in the

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***9. Briefing on the Speed to Market Initiative**CONTINUED

County. Some of the circumstances that merit this action include, but are not limited to, applications for projects that are designated Strategic Economic Development Projects, projects that have specialized benefits above standard requirements, and projects that are extremely straightforward, have strong community support and can be reviewed expeditiously. A Concept Plan, which goes through the Development Review Committee (DRC) and not to the Board, would be required to identify any major red flags prior to the concurrent regulatory applications. The consolidated process also requires approval by the Planning Director. After the streamlining initiative was developed, we have met with the Maryland State Highway Administration and Washington Suburban Sanitary Commission. Members from the private industry are setting up meetings with other utility companies which do not regularly participate in the DRC process with hopes of greater involvement.

Staff added that Montgomery County Planning will work to carry out the recommendations and next steps outlined in this report. Staff recommended approval and adoption of the Resolution submitted to the Planning Board and approval of the change to the Planning Department policy to implement a more collaborative process

Mr. Doug Firstenberg of Stonebridge Carras Co., and Ms. Mitra Pedoeem, Director of Montgomery County Department of Permitting Services (DPS) offered comments.

There followed a brief Board discussion with questions to staff and the speakers.

***10. Briefing on Montgomery Planning Vision Zero Work Plan**

Staff Recommendation: Briefing and Planning Board Discussion

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 the update to the Vision Zero Work Plan, including a summary of the Department's recent Vision Zero accomplishments and ongoing projects. Staff noted that this briefing will also provide an overview of the county's upcoming Vision Zero 10-Year Strategy. Staff noted that Vision Zero is a multi-disciplinary effort that requires the support of all county agencies to be successful. The Montgomery County Planning Department has an important role to play in Vision Zero and can support Montgomery County's program with community engagement, data analysis, master planning, development review and capital project review, among other things. The Planning Department prepared a Vision Zero Work Plan describing the tasks that the department can undertake to support the county's Vision Zero program. At a high level, the work plan focuses on better understanding the county's safety challenges and solutions needed to address those challenges, and then both sharing our findings with the public and integrating those lessons learned into our planning processes. The work plan includes four sections: i) Building Knowledge and Collaborative Partnerships; ii) Problem Verification; iii) Develop Solutions; and iv) Incorporate Solutions into Work Program. Shared with the Planning Board in January 2020, this work plan includes a description of each task, the justification for the task, the required resources, and the anticipated timeline to completion. A copy of the work plan is included as Attachment C to the report. Over the past year, Planning Department staff has made significant progress in advancing actions included in the Vision Zero Work Plan. Most actions are expected to be completed by the end of 2021. Staff anticipates updating the work plan in 2022.

Staff added that Vision Zero plays a role not just in transportation-focused plans and studies, but it should also be considered and addressed in master plans. The Vision Zero in Master Plans effort will develop a step-by-step process for master planners to integrate Vision Zero into functional, area and sector master plans. This effort will include modules associated with each stage of the planning process, i.e., Pre-Planning and Scope of Work, Public Engagement, Existing Conditions Analysis, Recommendations, and Plan Development and Messaging. These modules will address several topics, such as data needs, relevant stakeholders

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***10. Briefing on Montgomery Planning Vision Zero Work Plan**CONTINUED

and resources, analysis guidance, effective communication strategies, and approaches to reconciling diverse recommendations. This is a short-term effort, expected to be completed in summer 2021. The County Executive's Office is currently leading the development of a Vision Zero 10-Year Strategy to guide the county towards achieving Vision Zero by 2030. The strategy is being developed through three interagency working groups :i) Complete Streets is addressing street design and engineering, as well as speed management; ii) Multimodal Future is addressing improved mobility options, land use planning, and vehicle design and technology; and iii) Culture of Safety is addressing education, enforcement and regulation, and post-crash emergency response. Seven Planning Department staff participated in the working groups, and each working group included at least one Planning Department staff member. The draft Vision Zero 10-Year Strategy is expected to be released to the public for feedback this spring and is expected to be finalized by early summer. The Planning Board will be provided with an opportunity to review and comment on the draft once it has been released.

There followed a brief Board discussion with questions to staff.

***12. Zoning Text Amendment No. 21-01: Sign Ordinance – Bus Shelter Advertising---** ZTA 21-01 amends the list of exempt signs to include signs legally affixed to bus shelters or information kiosks installed through a license agreement with the County.

Staff Recommendation: Transmit Comments to the County Council

(NOTE: Action required for the County Council Public Hearing of April 6, 2021)

BOARD ACTION

Motion: FANI-GONZÁLEZ/CICHY

Vote:

Yea: 5-0

Nay:

Action: Approved staff recommendation for approval to transmit comments to the County Council regarding Zoning Text Amendment request, ZTA 21-01, as stated in the attached transmittal letter.

In keeping with the March 18 technical staff report, Planning Department staff discussed a Zoning Text Amendment (ZTA) request introduced by the County Council President at the request of the County Executive, with the backing of the Montgomery County Department of Transportation (MCDOT). The County Council Public Hearing date for the ZTA is set for April 6, 2021. The proposed ZTA would amend the list of exempt signs from Division 6.7, to include a sign legally affixed to a bus shelter or transit center information kiosk under a license agreement with the county. Staff noted that Division 6.7 of the Montgomery County Zoning Ordinance regulates the size, location, height, and construction of signs within public view. Section 6.7.3, which would be amended by this ZTA, identifies signs that are exempt from the regulations of Division 6.7.

Staff noted that Montgomery County had a franchise agreement with a private firm that installed and maintained the advertisements on bus shelters and information kiosks. This agreement lapsed and it has been determined that entering into a licensing agreement for future maintenance would be more beneficial to the county. The update proposed by this ZTA is purely technical in nature since other county endorsed signage on bus shelters and information kiosks are already exempt from Division 6.7 of the Zoning Ordinance. ZTA 21-01 as introduced makes only one modification to the Zoning Ordinance, under Division 6.7 Signs, specifically Section 6.7.3 exempt signs. The amendment states that the following signs are exempt from Division 6.7, i.e., signs legally affixed to a bus shelter or transit center information kiosk under an approved franchise agreement, or a license agreement with the County, or located in a public parking structure and not visible beyond the property line, does not require a permit. This simple text addition allows either a franchise agreement or a license agreement to be executed between the county and the company that does the installation and maintenance of the signs.

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***12. Zoning Text Amendment No. 21-01: Sign Ordinance – Bus Shelter Advertising**

CONTINUED

There is no change to the type, size, location, or content of the signs that would be exempt. Staff supports the changes requested by the county.

Staff added that it supports the requested text change in ZTA 21-01 allowing a license agreement as the contractual method for the installation and maintenance of bus shelter and information kiosk signs because it has no substantive effect on the actual signage. Staff recommends the Planning Board transmit comments in support of the text change as introduced.

There followed a brief Board discussion with questions to staff.

11. ~~Scope of Work for the Fairland and Briggs Chaney Master Plan~~---The Fairland and Briggs Chaney Master Plan is a comprehensive update to a portion of the 1997 Fairland Master Plan. Staff will provide an overview of the proposed scope of work, which includes the proposed plan boundary and study area, and requests approval. **REMOVED**

Staff Recommendation: Approval of the Scope of Work

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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