



**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, July 8, 2021, at 9:03 a.m. and adjourned at 3:34 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.

The Planning Board recessed for lunch at 11:22 a.m. and reconvened via video conference at 12:47 p.m.

Items 7 and 8 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 3:34 p.m. The next regular meeting of the Planning Board will be held on Thursday, July 15, 2021, via video conference.

*M. Clara Moise*

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Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, July 8, 2021**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4605

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

6940 Seven Locks Road – Franklin Property Subdivision 620210070 – MCPB No. 21-054

**BOARD ACTION**

**Motion:** VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

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

**\*B. Record Plats**

**Subdivision Plat No. 220210340, Ridgeview RNC zone** -- 2 parcels; located on the west side of Day Ridge Place, 300 feet west of Ridge Road (MD 27); Damascus Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation for approval of the Record Plat cited above, as submitted.

**\*C. Other Consent Items**

**1. Hammer Hill, Preliminary Plan No. 120210180 and Site Plan No. 820210090–Regulatory Review Extension Request No. 1** -- Request to extend the regulatory review period from July 23, 2021 to January 20, 2022: Application to create one (1) lot for a Daycare Center (Over 30 persons) and a Clinic (Up to 4 Medical Practitioners) and to construct a 13,600 square foot Daycare Center (Over 30 persons) with associated appurtenances; located at 23310 Frederick Road; 2.83 acres; CRT-0.5, C-0.5, R-0.5, H-45 and Clarksburg East Environmental Overlay Zone; 1994 Clarksburg Master Plan and Hyattstown Special Study Area; 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

*Staff Recommendation: Approval of the Extension Request*

**2. Liberty Mill Road, Preliminary Plan No. 12017021C – Regulatory Review Extension Request No. 1**---Request to extend the regulatory review period by three months until October 7, 2021; an Application to create one lot for a Residential Care Facility with up to 130 beds (associated with Conditional Use 20-09); located at 19115 Liberty Mill Road, southeast quadrant of the intersection of Liberty Mill Road and Dawson Farm Road; 1989 Germantown Master Plan; R-200 zone; 3.59 acres

*Staff Recommendation: Approval of the Extension Request*

**BOARD ACTION**

**Motion: 1. & 2. VERMA/FANI-GONZÁLEZ**

**Vote:**

**Yea: 1. & 2. 5-0**

**Nay:**

**Other:**

**Action: A. Approved staff recommendation for approval of the Hammer Hill, Preliminary Plan and Site Plan – Regulatory Review Extension Request No. 1, as submitted.**

**B. Approved staff recommendation for approval of the Liberty Mill Road, Preliminary Plan – Regulatory Review Extension Request No. 1, as submitted.**

**\*D. Approval of Minutes**

- Planning Board Meeting Minutes of June 24, 2021

**BOARD ACTION**

**Motion:** VERMA/FANI-GONZÁLEZ

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action:** Approved the Planning Board Meeting Minutes of June 24, 2021, as submitted.

**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 THRIVE Montgomery 2050 Update to the General Plan and the on-going worksessions with the County Council; the Attainable Housing Strategies on-going worksessions with the Planning Board and the recommendations to be transmitted to the County Council in September; the Corridor Forward Plan with a variety of alternatives for providing transit along the I-270 Corridor with a public meeting on narrowed-down alternatives scheduled for July 17 at 7 pm; the Design Excellence Award ceremony scheduled to take place at the Wheaton Headquarters lobby on October 21, with staff accepting nominations for projects that should be considered through July 19; the dedication of the plaza in front of the Headquarters building on July 9 at 7:00 p.m., with summer concerts scheduled to take place on the plaza all summer long from 6 to 9 pm. Ms. Wright also briefly talked about the mural to be installed at the Wheaton Headquarters building and noted that it is coming along and will be dedicated in an upcoming ceremony to be attended by Planning Board Commissioners.

Ms. Wright then offered a multi-media presentation, including a brief discussion, about the planting of trees in Montgomery County in cooperation with Montgomery Countryside Alliance.

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

**3. Chevy Chase Lake Block B**

**A. Preliminary Plan Amendment, 12002020E** -- CRT-2.0 C-1.0 R-1.75 H-120 and CRT 2.0 C 2.0 R 2.0 H 80', 6.19 acres. Request to modify access points and internal street circulation and relocate two mitigation plantings in the Forest Conservation Plan. Southeast quadrant of the intersection of Connecticut Avenue and Manor Road; Chevy Chase Lake Sector Plan.

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

**B. Site Plan Amendment, 82016019D** -- CRT-2.0 C-1.0 R-1.75 H-120 and CRT 2.0 C 2.0 R 2.0 H 80', 6.19 acres. Request to modify access points and internal street circulation and relocate two mitigation plantings in the Forest Conservation Plan, reduce public open space, and make minor changes to hardscape, landscape, and lighting. Southeast quadrant of the intersection of Connecticut Avenue and Manor Road; Chevy Chase Lake Sector Plan.

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

**BOARD ACTION**

**Motion: A. & B. CICHY/FANI-GONZÁLEZ**

**Vote:**

**Yea: A. & B. 5-0**

**Nay:**

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

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

Planning Department staff offered a multi-media presentation and discussed proposed Preliminary Plan and Site Plan Amendment requests for the Chevy Chase Lake Block B project, as discussed in the June 28 technical staff report. Staff noted that the applicant requested to modify access points and internal street circulation and relocate two mitigation plantings in the Forest Conservation Plan; reduce public open space, and make minor changes to hardscape, landscape, and lighting. The 6.19-acre property located in the southeast quadrant of the intersection of Connecticut Avenue and Manor Road is in the Chevy Chase Lake Sector Plan area. Staff noted that the property was formerly developed with low-rise retail buildings and associated surface parking lots, known as the Chevy Chase Lake Shopping Center, and the former T.W. Perry hardware store, all of which have been removed to accommodate the project. An existing gas station at the southwestern corner of the site will be retained until a future phase of development. The property contains no forest, and there are no streams or wetlands onsite. The site is located within the Lower Rock Creek watershed and is currently under development for the approved multi-use Development.

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**3. Chevy Chase Lake Block B -- A. Preliminary Plan Amendment, 12002020E & B. Site Plan Amendment, 82016019D**

CONTINUED

Staff also noted that the previously approved Forest Conservation Plan included mitigation plantings for the removal of specimen trees. This Amendment will modify the locations of six (6) variance mitigation plantings within the neighborhood plaza, but the required caliper inches remain unchanged. The applicant worked with staff to ensure that the mitigation trees will have sufficient soil depth and area for mature growth. The proposed Amendments do not reduce the size between Buildings B1 and B2, but rather provide a qualitative redesign of the space and internal circulation. The conditioned requirements for the planned neighborhood square and the public open space continue to be met with the Amendments, and the amenities originally provided within the neighborhood square remain.

Mr. Steve Robins, attorney representing the applicant, introduced members of the applicant's team, offered brief comments, and concurred with the staff recommendation.

Mr. Justin Kennell of Bozzuto Development Co. offered brief comments.

There followed a brief Board discussion with questions to staff and Mr. Robins.



**4. Shady Grove Sector Plan Minor Master Plan Amendment – Sectional Map Amendment**

*Staff Recommendation: Approve the request to file the Shady Grove Sector Plan Minor Master Plan Amendment Sectional Map Amendment*

**BOARD ACTION**

**Motion:** FANI-GONZÁLEZ/VERMA

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved staff recommendation to approve the request to file the Sectional Map Amendment for the Shady Grove Sector Plan Minor Master Plan Amendment.

Planning Department staff briefly discussed the request to file Sectional Map Amendment (SMA) H-142, with the technical staff report, to implement the 2021 Shady Grove Sector Plan Minor Master Plan Amendment zoning recommendations.

Staff noted that the Sector Plan recommends new mixed-use development for properties surrounding the Shady Grove Metrorail Station and key properties, including the Grove Shopping Center and Shady Grove Plaza. The existing residential properties, which were approved and built with the Planned Development (PD) Zone, are rezoned to new zones since the PD Zone cannot be utilized per the 2014 Zoning Ordinance. In addition, some existing single-family residential properties in the Old Derwood neighborhood will be rezoned to either the R-60 or R-90 Zones since these properties do not meet the minimum lot size for the R-200 Zone.

There followed a brief Board discussion with questions to staff.

**5. Briefing: Study of Mixed-Use Development Trends***Staff Recommendation: Briefing***BOARD ACTION****Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by Board discussion.**

Planning Department staff offered brief remarks and introduced Messrs. Alex Stokes and Stan Wall from the consulting firm HR&A Advisors, who offered a multi-media presentation and briefed the Planning Board on the countywide Study of Mixed-Used Development Trends. The study analyzed mixed-use development from 2010-2020, looking at both on-the-ground development as well as approved projects in the Development Pipeline. The study had the following objectives: 1) understanding of the characteristics of mixed-use properties in different parts of Montgomery County as well as national trends in mixed-use, relative to trends in the county; 2) understanding what aspects of mixed-use are doing well in Montgomery County, what is not working as well, and why; 3) commending improvements to Montgomery County policies to enhance mixed-use development; and 4) improving The Maryland-National Park and Planning Commission (M-NCPPC) Planning's data collection on mixed-use properties.

The study focused on vertical mixed-use, most of which takes the form of residential over retail in a single building and on a single parcel, though there are some exceptions. Staff recognizes that there are important differences between the "horizontal" form, the mixing of uses alongside one another, on separate parcels, and the vertical form. Mixed-use development is steadily growing as a share of total development, with Pipeline projects even more weighted toward mixed-use than recent development. Between 2010 and 2020, mixed-use development made up nearly 50 percent of new commercial and multifamily developments delivered. Consistent with national trends, that mixed-use projects are becoming more common than single use, the Pipeline shows that split increasing to 60 percent. Mixed-use development is predominantly anchored by residential uses with ground floor retail as the secondary use. They are primarily located down-county and along the I-270 corridor. The scale is generally mid-rise in form, with high-rise buildings occurring most frequently in Bethesda and Silver Spring. To that point, the study notes that Rockville, Bethesda, Silver Spring, Gaithersburg, and North Bethesda make up 88% of total mixed-use square footage. Mixed-use development takes on many forms in the county, depending on the size and scale of the project, as well as where it is

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**5. Briefing: Study of Mixed-Use Development Trends**CONTINUED

Geographically situated. Typologically, the study breaks mixed-use projects down by Residential, Office, and other anchored types. As previously stated, residentially anchored mixed-use buildings are by far the most dominant typology, as seen in the table below, followed by office anchored projects. Examples of other anchored projects include hotel or assisted living anchored projects as well as developments without ground floor retail.

A significant number of denser mixed-use projects are located down-county with more notable concentrations around the Bethesda, North Bethesda, Wheaton and Silver Spring metro stations, plus smaller mostly residential projects in the Rockville-Gaithersburg area. There have been 61 mixed-use developments between 2010 and 2020. The study reports that there are several drivers of success and failure regarding ground floor retail. Mixed-use developments near, or within, already vibrant areas succeed better than those situated in more remote locations or on back-streets. Connectivity and customer attraction are more difficult when buildings are near large, vacant areas or parking lots. Similarly, the vacancy of ground floor retail is considered a “negative amenity,” behaving similarly to vacant areas and parking lots. The study notes that, while retail can act as a demand driver for residential, blanket retail requirements can have mixed results, particularly if the developer doesn’t really know the appropriate retail market. The study discusses the relationship between ground floor retail and COVID-19, saying that there will likely be continued vacancies in ground floor space, as typically used. However, there could be potential opportunities to reconsider these typical uses for things such as alternative workspaces like coffee shops or co-workspaces. There are even opportunities for the growth of retail in more residential neighborhoods.

Finally, concerning the mixed-use market in a post-Covid-19 environment, the study suggests short-term strategies such as “dressing up” vacant space, incorporating the use of public art, and allowing for altered uses of ground floor retail space for temporary child-care or co-working space, as well as rental assistance and/or small business grants to assist in continuing active ground floor spaces that will enable mixed-use development to be seen in the healthiest light.

There followed a brief Board discussion with questions to staff and Messrs. Stokes and Wall.

**6. Reflection Park**

**A. Conditional Use CU-21-06 and Variance A-6693:** Request for a Conditional Use for a Cemetery on a 40.39-acre property located at 16621 New Hampshire Avenue, on the east side of the road, approximately 2,800 feet north of its intersection with Spencerville Road (MD 198) and approximately 2,600 south of Ednor Road. in Silver Spring, MD, a single unrecorded parcel, Parcel P911, (Tax Account No. 05-00272622), RC zone, 1997 Cloverly Master Plan.

*Staff Recommendation: Approval with Conditions*  
**(Action required for Hearing by Hearing Examiner on July 30, 2021)**

**B. Preliminary Forest Conservation Plan CU-21-06:** Preliminary Forest Conservation Plan associated with a Conditional Use for a Cemetery on a 40.39-acre property located at 16621 New Hampshire Avenue, on the east side of the road, approximately 2,800 feet north of its intersection with Spencerville Road (MD 198) and approximately 2,600 south of Ednor Road. in Silver Spring, MD, a single unrecorded parcel, Parcel P911, (Tax Account No. 05-00272622), RC zone, 1997 Cloverly Master Plan.

*Staff Recommendation: Approval with Conditions*

**BOARD ACTION**

**Motion: A. & B. VERMA/PATTERSON**

**Vote:**  
**Yea: A. & B. 5-0**  
**Nay:**

**Action: A. Approved staff recommendation for approval of the Conditional Use and Variance request cited above, subject to conditions, and as stated in the attached transmittal letter to the Hearing Examiner.**

**B. Approved staff recommendation for approval of the Preliminary Forest Conservation Plan associated to the above-mentioned Conditional Use, subject to conditions, as discussed during the meeting, and which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

In accordance with the June 25 detailed technical staff report, Planning Department staff offered a multi-media presentation and discussed a Conditional Use and Variance request and the associated Preliminary Forest Conservation Plan (PFCP) to build a Cemetery on a 40.39-acre property with a single unrecorded parcel, Parcel P911, located on New Hampshire Avenue, on the east side of the road, approximately 2,800 feet north of its intersection with Spencerville Road (MD 198) and approximately 2,600 south of Ednor Road in Silver Spring, Maryland, in the Cloverly Master Plan area.

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**6. Reflection Park ---- A. Conditional Use CU-21-06 and Variance A-6693 & B. Preliminary Forest Conservation Plan**CONTINUED

Staff noted that the property is flag shaped, with its 206-foot-wide narrowest edge abutting New Hampshire Avenue, from which it is accessed, and measures 993 feet wide at the eastern rear property line. The approved Natural Resources Inventory and Forest Stand Delineation (NRI/FSD) reveals that the property contains 40.29 acres of forest. Several streams exist on site and traverse the property. There is no wetland identified per National Wetlands online inventory; however, the NRI/FSD indicates that 0.03 acres along channel wetlands were found during site inspection. The site drains to the lower Patuxent River, Rocky Gorge Watershed. There are no rare, threatened, or endangered species on the property and it is not designated as historic. The initial phase of the proposed development will include the three smaller buildings, maintenance, office, and pavilion, which will be located at the western most portion of the property near the entrance. The applicant's Statement of Justification (SOJ) indicates that the maintenance building will be used to store the equipment used in the maintenance of the grounds and forests on the property. Another small building which is identified on the plan as a pavilion will serve as greeting and information kiosk. The small office building will serve as a temporary office to staff who will be handling sales and administration of the cemetery. The office function will be moved to the multi-purpose Community Building that will be constructed at the later phases of the proposed development.

Staff also added that a total of 79 parking spaces will be provided to service the cemetery. Only 20 of the total 75 spaces will be constricted In Phase I of the project. 16 of the 20 spaces will be located in the proximity of the three small structures near the entrance to the Cemetery and the remaining four spaces are located about 350 feet north of the entrance from the cemetery, on either side of the long winding driveway. With respect to graves, the applicant's SOJ states that graves are purchased in advance or around the time of death by the family. Each gravesite will typically occupy a space of 4 feet by 5 feet with the actual grave itself dug with dimensions of 3 feet by 7 feet to a depth of approximately 4 feet. The applicant's SOJ further states that the facility would have a total of seven employees: Four office staff, including the Executive Director, and three grounds people responsible for the excavation of graves, maintenance of the grounds, and set up tents and chairs for burial services. Hours of operation for the facility will be between 8:30 a.m. until dusk. Most burials are expected to take place between 9:30 a.m. and 3:30 p.m. The applicant expects that the cemetery will be open seven days (7) days a week for visitation; however, over the first several years of operation, funerals are not expected to occur every day of the week.

Staff then stated that the proposed use substantially conforms to the recommendations of the 1997 Cloverly Master Plan and the 1993 Functional Master Plan for the Patuxent River Watershed. The Master Plan's recommendations relevant to the area containing the property are aimed at protecting water quality and rural residential character through low-density zoning and imperviousness limits. The proposed use will maintain a very natural and mostly forested setting on the site, which will result in a much more rural character than even the large residential lots that are possible in the area. The one area where the Conditional Use Plan may need to be

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**6. Reflection Park ---- A. Conditional Use CU-21-06 and Variance A-6693 & B. Preliminary Forest Conservation Plan**CONTINUED

slightly revised is in the landscaping proposed near New Hampshire Avenue, which does not appear to be as naturalistic as envisioned by the Master Plan. Final landscaping can be determined at the time of Preliminary Plan review. Staff also discussed the Preliminary Forest Conservation Plan (PFCP) and noted that the project proposes to clear 25.63 acres of existing forest and based on the land use category and the forest conservation worksheet, there is no planting requirement generated for this application. The applicant proposes to retain 14.66 acres of existing forest on site, which will be saved and protected, as well as all environmental buffers, in a Category I Conservation Easement. The applicant also submitted a variance request, which staff supports.

Mr. Jody Kline, attorney representing the applicants, introduced members of the applicant's team, offered brief comments, and concurred with the staff recommendation.

Messrs. Haroon Mokhtarzada and Basil Eldadah, the applicants, offered brief comments and answered questions from the Board.

There followed a brief Board discussion with questions to staff.

**7. Resolution of Adoption for the Approved Ashton Village Center Sector Plan  
Staff Recommendation: Approve the Resolution of Adoption for Transmission to the Full Commission.**

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: VERMA/CICHY**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to approve the Resolution of Adoption for the approved Ashton Village Center Sector Plan for transmission to the Maryland-National Capital Park and Planning Commission (M-NCPPC), the Full Commission.**

**8. Attainable Housing Strategies Worksession #1** -- Planning Board work session on the Attainable Housing Strategies initiative and recommendations to the County Council on adding more diverse housing options in Montgomery County

*Staff Recommendation: Briefing*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received Briefing followed by Board discussion.**

Planning Department staff offered a multi-media presentation and discussed the public comments received during the June 24 Planning Board briefing on the Attainable Housing Strategies (AHS) report. Staff noted that at the request of the County Council who directed Planning staff to review and analyze housing options in Montgomery County, the Planning Department launched the AHS, an initiative aimed at evaluating and refining various proposals to spur the development of more diverse types of housing, including Missing Middle Housing in Montgomery County. In keeping with the July 1 staff report, Planning Department staff provided the Planning Board with an overview of the public comments received during the June 24 AHS briefing and requested the Planning Board's guidance on specific high-level recommendations, as discussed in detail in the July 1 staff report.

Staff noted that through the Attainable Housing Strategies initiative, Planning staff led an evaluation process over a three-month period in which various proposals were reviewed and refined in an effort to spur the development of more diverse types of housing in Montgomery, including Missing Middle Housing. This process also provided opportunities for public feedback which has been incorporated into staff's preliminary recommendations. This report provides the findings of the analysis and presents recommendations to the Planning Board on developing tools that can encourage the creation of a more diverse range of housing typologies. Planning staff's initial high-level recommendations are targeted to the Corridor-Focused Growth area from the Thrive Montgomery 2050 Growth Map. While many people have expressed support for the AHS initiative and recommendations, several key themes have emerged that highlight the community's concerns related to the project. Some of these concerns require further collaborative efforts with other agencies and development partners which will be addressed in future action.

Staff then discussed the summary table of the concerns raised by community members and staff's responses, as detailed in the staff report.

There followed extensive Board discussion with questions to staff.