



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 29, 2021, at 9:06 a.m., and adjourned at 4:48 p.m.

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

Item 1 and Items 3 through 8 are reported on the attached agenda.

Item 2 was removed from the Planning Board agenda.

The Board recessed at 12:50 p.m. and convened in Closed Session at 1:03 p.m. to take up Item 15, 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 Meeting:

The Board convened in Closed Session at 1:03 p.m. via video conference on motion of Commissioner Verma, seconded by Commissioner Cichy, 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)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

Also present at the Closed Session meeting were Director Mike Riley, Deputy Director John Nissel, Deputy Director Miti Figueredo, Brenda Sandberg, Jai Cole, Henry Coppola, Andrew Frank, and Doug Ludwig of the Parks Department; and Principal Counsel Emily Vaias, Senior Counsel Megan Chung, and Sr. Technical Writer/Editor James J. Parsons of the Legal Department.

In Closed Session, the Board received briefing regarding the proposed acquisition of land as an addition to the Olney Manor Recreational Park.

The Closed Session meeting was adjourned at 1:15 p.m. and the Planning Board reconvened via video conference at 1:17 p.m.

Item 16, and Items 12, 9, 14, 10, 11 and 13, discussed in that order, are reported on the attached agenda.

Chair Anderson left the meeting at 3:35 p.m. before discussion of Item 10 and Vice Chair Fani-González assumed the chairmanship for the remainder of the meeting.

At the end of the meeting, Commissioners Verma, Patterson, and Cichy offered goodbye remarks to Vice Chair Fani-González whose last day on the Planning Board will be August 31, 2021.

Planning Department Director Gwen Wright and Deputy Director Robert Kronenberg also offered brief remarks and thanked Vice Chair Fani-González for the support she always provided to the Planning staff.

Vice Chair Fani-González thanked everyone and noted that she enjoyed working with Planning staff and her colleagues on the Board and will miss it a lot.

There being no further business, the meeting was adjourned at 4:48 p.m. The Planning Board will be in recess during the month of August and will reconvene on Thursday, September 9, 2021, in the Wheaton Headquarters Building in Wheaton, Maryland.

M. Clara Moise
Sr. Technical Writer/Editor

James J. Parsons
Sr. Technical Writer/Editor

Montgomery County Planning Board Meeting
Thursday, July 29, 2021
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

1. Consent Agenda

***A. Adoption of Resolutions**

1. Clarksburg Elementary School WQP MR2021006 – MCPB No. 21-055
2. Clarksburg Elementary School Forest Conservation Plan 82005015H – MCPB No. 21-056
3. North Branch Trail at Rock Creek Water Quality Plan No. SC2019012 – MCPB No. 21-020
4. North Branch Trail at Rock Creek Forest Conservation Plan SC2019012 – MCPB No. 21-023

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220200300, 220200340, 220200350, Westwood Square --- CR zone; 8 parcels and 1 out-lot; located along the east and west sides of Westbard Avenue, south of Ridgefield Road; Westbard Sector Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220200570, Amalyn Bethesda --- R-90 zone; 2 parcels; located on the eastern side of Greentree Road opposite Barnett Road; North Bethesda Garrett Park Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220200930 R. Holt Easley's Subdivision--- CR zone; 1 lot; located on the north side of Sligo Avenue, 150 feet east of Fenton Street; Silver Spring Central Business District Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210680 Unity --- AR zone; 1 lot; located on the north side of Damascus Road (MD 650), 680 feet east of Sundown Road; Olney Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210790, Dowden's Station --- D-4 zone; 2 lots; located on the east side of Deets Alley, 175 feet north of Townsend Trail; Clarksburg Master 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**

1. Seneca Meadows Corporate Center Ph.3, Site Plan No. 82000029B---Request to increase the allowable square footage of Office in Building #10 by 6,684 sq. ft. from 72,316 sq. ft. to 79,000 sq. ft., and minor modifications to architecture, parking, loading, on-site circulation, landscaping, and lighting.; located on the west side of Observation Drive, approximately 600 feet south of the intersection of Observation Drive and Seneca Meadows Parkway; 6.55 acres; CR-2.0, C-1.75, R-0.75, H-145T, EOF 0.75, H-100T and Germantown Transit Mixed Use Overlay zone; 2009 Germantown Employment Area Sector Plan
Staff Recommendation: Approval with Conditions ~~of the Extension~~ and Adoption of Resolution

2. Remembrance Park, Preliminary Plan No.120210150 - Regulatory Review Extension Request No. 2---Request to extend the regulatory review period for an additional four months until December 15, 2021: An Application to create one lot for a Cemetery as a Conditional Use (pending application CU-21-06 Reflection Park). Located at 16621 New Hampshire Avenue (MD 650), on the east side of MD 650, approximately 2,800 feet north of Spencerville Road (MD 198) and approximately 2,600 feet south of Ednor Road in Silver Spring; RC Zone, 40.39 acres, 1997 Cloverly Master Plan.
Staff Recommendation: Approval with Conditions

3. Adoption of Corrected Resolution for 809 Easley Preliminary Plan 120200010 MCPB No. 20-111
Staff Recommendation: Adoption of Corrected Resolution

BOARD ACTION

Motion: 1. through 3. CICHY/VERMA

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

Nay:

Other:

Action: 1. Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.
2. Approved staff recommendation for approval of the Preliminary Plan Extension request cited above.
3. Adopted the corrected Resolution cited above, as submitted.

***D. Approval of Minutes**

Planning Board Meeting Minutes of July 8 & July 15, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of July 8 and 15, 2021, as submitted.

2. ~~Roundtable Discussion~~ ~~REMOVED~~

- Parks Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Park Facility Plan: Columbia Local Park---Facility plan for the renovation and repurposing of existing facilities within a 25.2-acre park, located at 14900 Old Columbia Pike, Fairland Master Plan area.

Staff Recommendation: Approve Facility Plan and Cost Estimate

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Park Facility Plan cited above and the proposed cost estimate, as submitted.

Parks Department staff offered a multi-media presentation and discussed a proposed Facility Plan request for the renovation of an existing park. The 25.2-acre park, identified as the Columbia Local Park, is located at the southwestern quadrant of the intersection of Oakhurst Drive and Old Columbia Pike (US29) and is split-zoned, with 22-acre Parcel 655 zoned Rural Estate (RE-1) and 3.2-acre Parcel B zoned Planned Development (PD-2), within the Fairland Master Plan area, and Upper Paint Branch Overlay Zone, and the Upper Paint Branch Special Protection Area (SPA). Parcel 655 is bisected by a forested stream valley that splits the park into two distinct spaces. Active recreation facilities include basketball courts, softball/baseball fields, and a play area on the southern portion of the park near US29, with three tennis courts located on the northern portion of the park. Staff added that anecdotal evidence from Park Police and other park staff indicate a significant amount of suspicious or inappropriate behavior occurs in the northern half of the park. The proposed renovations will address this issue with increased amenities and visibility.

Staff noted that the Parks Department is requesting to renovate the northern portion of the existing park by converting the two existing tennis courts into a dog park with a shaded, 200-square foot large dog area, a 2,700-square foot small dog area, benches, dog drinking fountains, trash receptacles, and multiple shade trees; converting a large, abandoned paved area into a tennis court, four pickleball courts, a futsal court, and a small shaded gathering area; enhancing the paved area just south of the futsal court and west of the pickleball courts with a drinking fountain, benches, picnic tables, and a shade structure; and improving pedestrian access to the northern portion of the park to the surrounding neighborhood with a set of stairs built into the steep slope just north of the dog park.

There followed extensive Board discussion with questions to staff.

4. Columbia Local Park

A. Preliminary/Final Water Quality Plan No. MR2021028---Upper Paint Branch Special Protection Area. Renovation and repurposing of existing facilities within a 25.2-acre park, located at 14900 Old Columbia Pike, Fairland Master Plan area.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

B. Mandatory Referral No. MR2021028---Columbia Local Park. Renovation and repurposing of existing facilities within a 25.2-acre park, located at 14900 Old Columbia Pike, Fairland Master Plan area.

Staff Recommendation: Approval with Conditions and Transmittal of Comments to the Parks Department

BOARD ACTION

Motion: A. & B. CICHY/VERMA

Vote:

Yea: A. & B. 5-0

Nay:

Other:

Action: A. Approved staff recommendation for approval of the Preliminary/Final Water Quality Plan cited above, subject to conditions, and adopted the attached Resolution.

B. Approved staff recommendation for approval to transmit comments to Montgomery Parks Department, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed proposed Preliminary/Final Water Quality Plan and Mandatory Referral requests by the Montgomery Parks Department for the renovation of an existing park. The 25.2-acre park, identified as the Columbia Local Park, is located the southwestern quadrant of the intersection of Oakhurst Drive and Old Columbia Pike (US29) and is split-zoned, with 22-acre Parcel 655 zoned Rural Estate (RE-1) and 3.2-acre Parcel B zoned Planned Development (PD-2), within the Fairland Master Plan area, and Upper Paint Branch Overlay Zone, and the Upper Paint Branch Special Protection Area (SPA). Parcel B is primarily a 0.52-acre stormwater management pond and was dedicated to the Parks Department in 1990.

Staff noted that as part of the proposed renovation of the Columbia Local Park, the Parks Department proposes to implement a Water Quality Plan that will minimize increases in storm flow run-off, minimize increases of ambient water temperature, and minimize sediment loading, which will be met with an overall reduction in site imperviousness and micro bio-retention to provide maximum environmental site design. The existing stream valley that bisects the site is

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4. Columbia Local Park

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forested except for an existing stream-crossing driveway that connects the northern and southern areas of the park. Although the driveway will remain, the plan proposes to remove five parking spaces, or 1,100 square foot area of parking lot, that currently exist in the buffer area, which will reduce impervious surfaces from 10.52 percent to 10.34 percent. No additional impacts to sensitive areas are proposed as part of this project. Staff added that because the proposed renovation is a modification to an existing non-residential property, disturbs no forest, and does not require the approval of a preliminary plan of subdivision, a Forest Conservation Exemption and Tree Save Plan for the property have been approved.

There followed a brief Board discussion with questions to staff.

5. Silver Spring Downtown & Adjacent Communities Plan – Planning Board Briefing

Staff Recommendation: Receive Briefing on Key Preliminary Recommendations, Discuss Issues, and Provide Feedback and Direction Regarding Preliminary Recommendations Before Moving Forward with Preparing the Working Draft of the Plan

BOARD ACTION**Motion:****Vote:****Yea:****Nay:****Other:****Action: Received briefing followed by discussion.**

Planning Department staff offered a multi-media presentation and discussed the key preliminary ideas for the Silver Spring Downtown and Adjacent Communities Plan. According to staff, four major themes for the plan emerged from the Visioning phase that ended in May, which include diversity, resiliency, connectivity, and community health, with the overarching theme of equity woven through all of the plan themes and will be the connective tissue between recommendations across all planning disciplines. Staff added that since June, they have been working on initial key ideas that are being presented to the Planning Board today, which will shape the Plan recommendations.

Staff noted that the Plan area has seven distinct districts, which include the Ellsworth District, Fenton Village, Metro Center, the Ripley District, South Silver Spring, Downtown North, Falklands, and the Adjacent Communities. District-specific recommendations include maintaining the Ellsworth District as a regional art, retail, food, entertainment destination. For Fenton Village, staff envisions a vibrant retail and cultural district with a new central gathering space along a greener Fenton Street. For Metro Center, staff recommends an active plaza in the commercial center of Silver Spring with creative and colorful wayfinding. Staff recommends that the Ripley District be established as a micro-neighborhood with a new open space and a connection to a regional bike trail. Recommendations for South Silver Spring include new residential buildings and retail storefronts, a new urban park, a more walkable and comfortable connection to Jesup Blair Local Park, and a safe connection across the Metrorail tracks to the Ripley District. For Downtown North, staff recommends a mixed-use neighborhood, with Cameron Street as a multimodal street that will connect the district from the United Therapeutics campus to the new South County Recreation Center to the west. Staff recommends flexibility for the northern half of the Falklands District to accommodate future redevelopment. For the Adjacent Communities, staff recommends that they remain largely residential, with strong pedestrian and bike connections into the center of downtown. Staff also recommends a

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5. Silver Spring Downtown & Adjacent Communities Plan – Planning Board BriefingCONTINUED

public realm Green Loop concept that connects the districts via a complete streetscape that is comfortable for pedestrians and bikers and will enhance the experience of moving around downtown Silver Spring for residents, workers, and visitors. This proposed Green Loop will strengthen the existing parks and open space network while also improving tree cover and stormwater management facilities along key local streets in the plan.

Parks Department staff briefly discussed proposed parks for the plan area, which include active recreation destinations, a central civic green, wooded natural areas, and an interconnected system of sidewalks and trails to connect parks and open spaces. Staff also proposes a neighborhood green and walk-to recreational amenities for each neighborhood; a space for a public square, plaza, or green area for each block; space for outdoor recreation for each building; and private outdoor space for each residence.

Planning Department staff then discussed key opportunity sites for development, many of which are located along the proposed Green Loop, including the Parking Lot 4 site on the south side of Silver Spring Avenue in the Fenton Village District, which provides significant development opportunities for retail uses, affordable housing, public open space, and a connection to the Ripley District via Silver Spring Avenue; several sites in South Silver Spring that could provide opportunities for multi-family developments and open spaces to be connected in a green pedestrian network to Jesup Blair Local Park; and sites on Cameron Street in the Downtown North District that could provide a link between the United Therapeutics site and Elizabeth Square, mixed-use development opportunities, and open spaces. Staff added that the proposed development of these sites could be implemented by increasing flexibility in the Commercial/Residential (CR) zone through either district-specific public benefit prioritization or the creation of a Height Incentive Area that will provide benefits in order to achieve maximum height of up to 300 feet.

Staff then added that other key ideas for the Plan area include the establishment of an affordable housing policy, the development of Cool Streets Design Guidelines, support for independent businesses, support for the existing Arts and Entertainment District, and the development of a Concept Plan for Jesup Blair Local Park.

There followed extensive discussion, during which the Board provided guidance to staff.

6. 2710 Washington Avenue, Administrative Subdivision Plan No. 620190130---R-60 Zone, 1.07 acres, request to create 2 single-family lots. Located on Washington Avenue, 200 feet West of Ellingson Drive.; 2000 North & West Silver Spring Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Following a brief Board discussion, approved the applicant’s request for a continuance.

Mr. Patrick O’Neal, attorney representing the applicant, briefed the Planning Board and requested a three-month continuance for the proposed Administrative Subdivision Plan request cited above, to allow the applicant the time to address outstanding issues regarding access from Abilene Drive for the proposed new lot.

Ms. Michele Rosenfeld, attorney representing an adjacent property owner, offered testimony.

There followed a brief Board discussion.

7. **Hillmead (6421 Bradley Blvd), Administrative Subdivision No. 620200160---R-60** Zone, 1.06 acres, request to create 2 single-family lots. Located at 6421 Bradley Blvd, 350 feet SE of Fallen Oak Drive; 1990 Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/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, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Planning Department staff offered a multi-media presentation and discussed a proposed Administrative Subdivision Plan request to subdivide and develop a property. The 1.06-acre site, identified as Lot 8, Block 3, is located on Bradley Boulevard, approximately 350 feet southeast of Fallen Oak Drive, and is zoned Residential within the Bethesda-Chevy Chase Master Plan area and the Cabin John Creek watershed. The property is currently developed with a detached single-family residence.

Staff noted that the applicant proposes to retain the existing single-family residence and subdivide the property into two lots, 26,889-square foot Lot 1 and 19,161-square foot Lot 2 and construct a new single-family residence on Lot 2. An existing paved driveway will be enlarged to meet Fire Access standards and serve as a consolidated driveway entrance for the two lots. Staff added that the applicant will be required to provide a side-path along the Bradley Boulevard frontage that will extend beyond the property frontage and connect with a nearby bus stop and crosswalk at Howell Road.

Staff then briefly discussed the associated Preliminary/Final Forest Conservation Plan, noting that the proposed development will include a new onsite 0.21-acre Category II Conservation Easement, which is proposed to protect substantial portions of the existing steep slopes, highly erodible soils, and associated tree cover. Staff noted that the proposed 0.21-acre conservation easement setting will provide partial forest conservation credit, with the remainder of the Forest Conservation requirements to be met offsite either through credits purchased in an offsite bank or via a payment of fee-in-lieu.

Ms. Soo Lee-Cho, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

There followed a brief Board discussion.

8. Corridor Forward: The I-270 Transit Plan – Planning Board Briefing---This briefing will include an overview of the characteristics, evaluation, and initial modeling results of transit options retained for detailed study and introduce refinements for further evaluation.

Staff Recommendation: Receive Briefing

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion.

Planning Department staff offered a multi-media presentation and discussed the ongoing work on Corridor Forward: The I-270 Transit Plan. According to staff, since the Planning Board was last briefed in February, during which staff recommended six transit options to advance for detailed study, staff has refined and completed a preliminary analysis of those six options, including an evaluation of their strategic merits, an initial assessment of their economic and financial outlook, and a review of each option’s potential implementation challenges and risks. Those options include: A) enhanced MARC rail, including 45 miles of additional mainline track, additional storage capacity, two master-planned stations, and increased service with 15-minute peak period headways and hourly mid-day service; B) a three-station extension of the Metrorail Red Line from Shady Grove to Germantown, with 7.8 miles of new track and six-minute peak period headways; C) completion of the Corridor Cities Transitway (CCT), a 17-mile Bus Rapid Transit (BRT) service with 17 planned stations connecting Shady Grove Metrorail Station, the Universities at Shady Grove, Metropolitan Grove, Germantown, and COMSAT, with five-minute peak period headways; D) a, 11.6-mile western extension of the current Purple Line from the terminus at Bethesda to Tysons in Fairfax, Virginia, with six minute peak period headways; E) a new 27.4-mile rail extension from the Shady Grove Metrorail station to Downtown Frederick, with a six-minute peak period headway; and F) I-270 Corridor BRT between Downtown Frederick and Tysons Corner, including four different Express and Local Service patterns, managed lanes, and off-highway dedicated and mixed-traffic service, with service every 15 to 30 minutes in peak hours and 30 to 60 minutes in off-peak hours.

There followed extensive Board discussion, during which the Planning Board instructed staff to remove Option D from the six transit options, pending further discussion.

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8. Corridor Forward: The I-270 Transit Plan – Planning Board BriefingCONTINUED

Following the evaluation of the six options using a consistent set of metrics, such as change in transit ridership, travel time, vehicle miles traveled, and jobs accessible within a 45-minute transit ride, which staff then considered across four dimensions of performance, identified as the Strategic, Economic, Financial, and Implementation Dimensions, staff developed three potential network packages, all of which include Options B and F. In addition to Options B and F, proposed Network Package 1 would also include Option C. Network Package 2 will include additional BRT service along MD355 leg on Observation Drive and integrated CCT and Veirs Mill Transitway service. Network Package 3 will also include additional BRT service along the MD355 leg on Observation Drive, as well as an extension of the Veirs Mill Transitway to the Life Sciences Center (LSC).

The next steps for the Plan include continued coordination with the public and external agencies, and developing a draft of the preliminary recommendations; completion of the Preliminary Recommendations and a Working Draft of the Plan, and a Planning Board Public Hearing, scheduled throughout the fall and winter of 2021; and completion of the Planning Board Draft and review by the County Council, scheduled for winter and spring 2022.

There followed extensive discussion with questions to staff, during which the Planning Board provided guidance to staff.

15. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition.

The topic to be discussed is the proposed acquisition of land as an addition to the Olney Manor Recreational Park

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

16. Olney Manor Recreational Park---Authorization to acquire 17.07 acres, more or less improved, from Kimble Family Investments, located at 3333 Emory Church Road Olney, MD 20832

Staff Recommendation: Approval and Adoption of the Resolution

BOARD ACTION

Motion: FANI-GONZÁLEZ/PATTERSON

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved and adopted the Resolution authorizing the acquisition of 17.07 acres from the Kimble Family Investments located on Emory Church Road in Olney, Maryland, to be added to the Olney Manor Recreational Park.

Planning Department staff briefly discussed a proposed acquisition of 17.07 acres of land to be added to the Olney Manor Recreational Park.

***12. Traville Parcel N, Building A**

A. Site Plan No. 82001012D---Request to build up to 200,000 sq. ft. for research and development uses and a 562-space garage on Parcel N (18.18 acres); located on Darnestown Road, 500 Feet east of Travilah Road; on approximately 48.61 acres of land zoned MXN; within the 2010 Great Seneca Science Corridor Master Plan area

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

B. Water Quality Plan for Site Plan No. 82001012D - Request to build up to 200,000 sq. ft. for research and development uses and a 562-space garage on Parcel N (18.18 acres); located on Darnestown Road, 500 Feet east of Travilah Road; on approximately 48.61 acres of land zoned MXN; within the 2010 Great Seneca Science Corridor Master Plan area

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. VERMA//FANI-GONZÁLEZ

Vote:

Yea: A. & B. 4-0

Nay:

Other: PATTERSON ABSTAINED

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

B. Approved staff recommendation for approval of the Water Quality Plan associated with the Site Plan request cited above, subject to conditions of approval discussed during the meeting.

Planning Department staff offered a multi-media presentation and discussed a Site Plan application request and the associated Water Quality Plan, as discussed in detail in the July 15 technical staff report. Staff noted that the request is to build up to 200,000 square feet for research and development uses and a 562-space garage on Parcel N consisting of 18.18 acres, part of an approximately 48.61-acre property located on Darnestown Road, 500 Feet east of Travilah Road within the Great Seneca Science Corridor Master Plan area. The property currently consists of three office buildings, Buildings 1A, 1B, and 1C, one structured parking garage, and two surface parking facilities on Parcel M. On Parcel N, the undeveloped portion of the site, there are two surface parking facilities and a continuation of the loop driveway which provides access to both Parcels M and N, which also contain environmental buffers and are improved with the loop driveway and Stormwater management facilities. The application proposes a 200,000-square foot building, building A, of up to 100 feet in height

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***12. Traville Parcel N, Building A --- A. Site Plan No. 82001012D & B. Water Quality Plan**CONTINUED

for research and development use and a five-level parking garage containing up to 562 spaces. Building A will be the first of three buildings planned for Parcel N. Together, these buildings will form a research and development campus that coordinates effectively with the current life sciences campus on Parcel M and with Darnestown Road. Future Buildings C, D, and P2 will require subsequent Site Plan amendments.

Staff also briefly discussed the proposed Water Quality Plan and noted that because the site lies within the Piney Branch Special Protection Area (SPA), approval of a Water Quality Plan is required. The Water Quality Plan approval is shared by the Montgomery County Department of Permitting Services (MCDPS) and the Montgomery County Planning Board. MCDPS is also responsible for approving the stormwater management plan for the site. The Montgomery County Planning Board is responsible for determining that the impervious areas are minimized in the site design, and that the plan is in accordance with the SPA recommendations of the Environmental Guidelines.

Mr. Patrick O'Neil attorney from Lerch, Early & Brewer, representing the applicant, offered comments, and requested that the Planning Board remove Condition of Approval No. 8, which requires the applicant to provide underground utilities.

Mr. Patrick La Vay of Macris, Hedricks and Glasscock, P.A., engineer, and member of the applicant's team, also offered comments and answered questions from the Board.

Mr. William Gaudreau, the applicant, also offered comments and answered questions from the Board.

There followed extensive Board discussion with questions to staff and Mr. O'Neil.

***9. White Oak Town Center**

A. Preliminary Plan 120150100: Request to subdivide the subject property from one lot and one out-lot into 1 lot for 105,000 square feet of commercial development. Located at 12345 Columbia Pike, 150 feet southeast of the intersection of Industrial Parkway and Columbia Pike, Silver Spring; on approximately 6.98 acres of land zoned CR-1.0, C-0.75, R-0.75, H-75; within the 2014 White Oak Science Gateway Master Plan area.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

B. Site Plan 820180240: Request to construct 105,000 square feet of commercial development. Located at 12345 Columbia Pike, 150 feet southeast of the intersection of Industrial Parkway and Columbia Pike, Silver Spring; on approximately 6.98 acres of land zoned CR-1.0, C-0.75, R-0.75, H-75; within the 2014 White Oak Science Gateway Master Plan area.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: A. & B. VERMA/CICHY

Vote:

Yea: A. & B. 5-0

Nay:

Other:

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

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

In keeping with the detailed July 19 technical staff report, Planning Department staff offered a multi-media presentation and discussed proposed Preliminary and Site Plan requests for a 6.98-acre property located on Columbia Pike, 150 feet southeast of the intersection of Industrial Parkway and Columbia Pike in Silver Spring, Maryland. Staff noted that the request is to subdivide the property from one lot and one out-lot into one lot for 105,000 square feet of commercial development. The property is comprised of: Lot 2 and Out-lot B, part of the Montgomery Industrial Park, as recorded among the Land Records of Montgomery County, Maryland at Plat No. 5846. Collectively, the property has a total site area of 303,993 square feet or 6.98 acres and was developed as part of the Montgomery Industrial Park. The property is zoned Commercial/Residential (CR) and is located within the Life Sciences/Food and Drug Administration (FDA) Village Center portion of the White Oak Science Gateway Master Plan area. The property is currently developed with an 87,900-square foot office building and surface parking lot. The developed area of the site is a relatively flat plateau, but at a higher elevation

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***9. White Oak Town Center -- A. Preliminary Plan 120150100 & Site Plan 820180240**CONTINUED

than either industrial Parkway or Prosperity Drive. The developed plateau is nine feet higher than the intersection of Prosperity Drive and Industrial parkway. There are no environmental features onsite and all significant trees were previously removed.

Staff added that the applicant is proposing to redevelop the property with up to 105,000 square feet of commercial development, a proposed grocery store, on the existing Lot 2 and Outlot B. The proposed development will be comprised of two buildings – Building A and Building B, both oriented to Industrial Parkway. A surface parking lot is located between the two buildings. The applicant is proposing to use an off-site drive aisle adjacent to the east as a “spine road” that will provide indirect access from Industrial Parkway for this development and sets up the beginning of a grid pattern for future development on this block. The “spine road” also provides parking for this development. The proposed development removes the existing free right turn from Industrial Parkway onto Prosperity Drive and provides for dedication on Industrial Parkway and Prosperity Drive. Side-paths will be constructed on both road frontages with a streetscape design that provides a safe pedestrian environment. The side-path on Prosperity Drive will connect to an existing side-path terminating at Stonehedge Local Park. The side-path on Industrial Parkway will be extended as additional properties are redeveloped. A Sign/Clock Tower, accent wall and landscaping create a signature design element and identity for this location. Industrial Parkway will serve as an important access route for future development in the White Oak area, including VIVA White Oak. A brick-faced retaining wall provides an opportunity for general signage while mediating the elevation difference, with a ramp for American with Disabilities Act (ADA) and pedestrian access.

Staff also briefly discussed the Final Forest Conservation Plan (FFCP) submitted by the applicant, noting that while there is no forest on the property, there is a forest conservation requirement based on the property area and land use. The forest conservation requirements of 1.29 acres will be met in an off-site mitigation bank or by fee-in-lieu payment if no banks are available. The FFCP shows the proposed development and all disturbance necessary for development. As submitted the plan complies with Chapter 22A, of the Forest Conservation Guidelines.

Mr. William Kominers attorney from Lerch, Early & Brewer, representing the applicant, offered brief comments, and concurred with the staff recommendation, including the proposed addition of three more conditions of approval.

Mr. John Obie of Old Columbia Pike and representing the Paint Branch Park Condominiums Association Board of Directors offered testimony.

At the Board’s request, Mr. Marc Solomon of Finmarc Management Company, the applicant, offered brief comments and answered questions.

There followed a brief Board discussion with questions to staff and Messrs. Kominers and Solomon.

***14. Freeman Property: Administrative Subdivision Plan No. 620190140**---Request to create two lots; located on Sugarland Road, 1,200 feet northeast of Sugarland Lane; 7.65 acres; R-200 zone; 1980 Agricultural and Rural Open Space Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to revised conditions, and adopted the attached Resolution.

Planning Department staff offered a multi-media presentation and discussed a request to create two lots on a 7.65-acre property located on Sugarland Road, 1,200 feet northeast of Sugarland Lane in the Agricultural and Rural Open Space Master Plan area, as discussed in detail in the July 16 technical staff report. There is an existing one-story single-family home with a basement, a two-story barn, a detached garage, a small chicken coop, and a shed on the property as well as a gravel driveway which provides access from Sugarland Road. There is an existing septic system near Sugarland Road that was installed in 2016. There are no sensitive environmental features on the property, which is surrounded on three sides by forest. The property fronts on Sugarland Road, which is designated an "Exceptional Rustic Road" under the *1996 Rustic Roads Functional Master Plan*. No known rare, threatened, or endangered species or habitats exist on the property and there are no designated historic sites on or near the property.

Staff also noted that the proposed request satisfies all the applicable requirements of the Forest Conservation Law (FCL), Montgomery County Code, Chapter 22A, and complies with the Montgomery County Planning Department’s Environmental Guidelines. As required by Chapter 22A, a Final Forest Conservation Plan (FFCP) was submitted with this application. The total net tract area for forest conservation purposes is 7.39 acres which includes the property of 7.65 acres, minus roadway dedication of 0.26 acres. The property is zoned Residential (R-200) and is classified as High Density Residential (HDR) as defined in Section 22A-3 of the FCL and as specified in the Trees Technical Manual. The site contains 4.41 acres of forest. The applicant proposes to remove 2.32 acres of forest and retain 2.09 acres of forest. This results in a total reforestation requirement of zero acre. All retained forest will be protected by being placed into a Category I Conservation Easement. The lots meet all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conforms to the

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***14. Freeman Property: Administrative Subdivision Plan No. 620190140**CONTINUED

recommendations of the 1980 *Agricultural and Rural Open Space Master Plan*. Access and public facilities will be adequate to serve the proposed lots, and the Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

Staff briefly discussed the conditions of approval and noted a revision to one of the conditions specifying that the area containing the septic field, as well as a 10-foot wide buffer, along Sugarland Road will be excluded from the 40-foot Right-Of-Way dedication along the property's frontage on Sugarland Road to allow for continued use of the system.

Staff added that it has received three community letters expressing concerns about this application and requesting a Public Hearing, which are attached to the staff report.

Mr. Gregory Grigorian of Sugarland Road; and Ms. Carol Rae Hansen, Ph.D., and Mr. Andrew Skitt Gilmour of Sugarland Road, Community-County Notice Representative of Sugarland Forest Citizens in Association, offered testimony.

Messrs. David W. McKee and Joshua O. Maisel of Benning & Associates, Inc., representing the applicant, offered brief comments, and answered questions from the Board.

There followed a brief Board discussion with questions to staff.

***10. MHP-Nebel Street: Sketch Plan No. 320210110---**Request for up to 188,500 square feet of residential density with related stormwater management, circulation, open space and landscape improvements; 2.66 acres zoned CR-3.0, C-1.5, R-2.5, H-200’ and CR-4.0, C-2.0, R-3.5, H-250’ ; located on Nebel Street at the intersection of Old Georgetown Road; 2010 White Flint Sector Plan.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

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

In keeping with the July 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed a request for up to 188,500 square feet of residential density with related stormwater management, circulation, open space, and landscape improvements as well as 25 percent Moderately Priced Dwelling Units (MPDUs), on a 2.66-acre property located on Nebel Street at the intersection of Old Georgetown Road in the White Flint Sector Plan area. Staff noted that the property is located 0.3 miles from Rockville Pike in an area that is transitioning from industrial uses to commercial and residential uses. To the north and south on Nebel Street are industrial uses, to the east are the CSX railroad tracks, and to the west, confronting the site across Nebel Street are a mix of low and high-rise multi-family residential structures and commercial developments.

Staff also noted that the property is comprised of approximately 2.66 acres of tract area and is made up of two parcels – P362, North Parcel, and P394, South Parcel. The South Parcel is a 0.17-acre parcel at the southeastern corner of the intersection of Old Georgetown Road and Nebel Street. The South Parcel is directly adjacent to a surface parking lot associated with a Harris Teeter grocery store and has numerous mature trees. The North Parcel is a 2.49-acre parcel on the north side of Nebel Street, zoned Commercial/Residential (CR). It is a forested parcel with a stream running east-west across the property, with an associated stream valley buffer and floodplain. The development area is limited due to the environmental features. The applicant proposes to develop the North Parcel of the site into a multi-family building of up to 188,500 square feet, with an internal structured parking garage. While the final number of units and unit mix will be determined at Preliminary Plan and Site Plan, the Sketch Plan concept shows 18 three-bedroom units, 84 two-bedroom units, 55 one-bedroom units, and 13 efficiency

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***10. MHP-Nebel Street: Sketch Plan No. 320210110**CONTINUED

units, for a total of 170 units. There is a courtyard amenity space on the north elevation, an overlook area at the west end of the development, and an entry plaza at the southeast corner. The proposed floor area ratio (FAR) is at 1.63 FAR and the proposed maximum height is 80 feet. The South Parcel will be used as a Public Open Space and developed as a pocket park. The floodplain and forest at the rear of the building will be enhanced and protected.

Staff then briefly discussed the environment, noting that staff has approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420214300 on August 11, 2020. The 2.66-acre site contains 2.38 acres of forest and 1.898 acres of stream valley buffer, which includes 1.06 acres of floodplains and 0.004 acres of wetlands. The proposed development includes significant encroachments into the stream valley buffer. While environmental regulatory review occurs through the Preliminary and Site Plan processes, a conceptual discussion is important at time of Sketch Plan. The applicant has submitted an environmental enhancement plan that includes management of non-native invasive plants to improve the health and function of the forest and restoration of the stream and adjacent wetlands to mitigate for the buffer encroachment. The Forest conservation requirements will be addressed through the Preliminary and Site Plan processes.

Staff then added that the applicant held an online community meeting on March 22, 2021 prior to plan submission. All posting and noticing requirements have been met. To date, no correspondence has been received on this application.

Ms. Patricia Harris, attorney from Lerch Early and Brewer, representing the applicant, offered comments, and concurred with the staff recommendation.

Mr. Artie L. Harris of Montgomery Housing Partnership (MHP), offered comments and answered questions from the Board.

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

***11. North Bethesda Market II**

A. Sketch Plan Amendment 32011003B: Request to modify massing, building footprints, public open space, internal private streets, phasing, and public benefit categories; located at the northwest corner of the intersection of Rockville Pike and Executive Boulevard, North Bethesda; on approximately 3.64 acres zoned CR 3.0, C-1.5, R-2.5, H 150 and CR 4.0, C-3.5, R-3.5, H 300; within the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

B. Preliminary Plan Amendment 12012006B: Request to reconfigure lots and private street parcels, adjust phasing, and modify the preliminary forest conservation plan to reflect revised site layout; located at the northwest corner of the intersection of Rockville Pike and Executive Boulevard, North Bethesda; on approximately 3.64 acres zoned CR 3.0, C-1.5, R-2.5, H 150 and CR 4.0, C-3.5, R-3.5, H 300; within the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: A. & B. CICHY/VERMA

Vote:

Yea: A. & B. 4-0

Nay:

Other: ANDERSON ABSENT

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

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

In accordance with the July 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed Sketch Plan and Preliminary Plan Amendments requests for the North Bethesda Market II project cited above. Staff noted that the applicant requests to modify massing, building footprints, public open space, internal private streets, phasing, and public benefit categories for the proposed project located on a 3.64-acre property at the northwest corner of the intersection of Rockville Pike and Executive Boulevard in North Bethesda, within the White Flint Sector Plan area. Staff noted that the requests propose a two-phased redevelopment of the Property that maintains the overall vision established through the original Preliminary Plan and Sketch Plan approvals, including a multiple-building, mixed-use, office, residential, and retail development. The Amendments seek to retain the currently approved density of 740,528 total square feet, including up to 268,000 square feet of non-residential use and up to 492,000 square feet of residential use. As a result of changes in market

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***11. North Bethesda Market II --- A. Sketch Plan Amendment 32011003B & B. Preliminary Plan Amendment 12012006B**CONTINUED

conditions and ownership, the applicant is proposing to: i) reallocate the approved density within the Site; ii) adjust the phasing; iii) modify building footprints and placement; iv) reconfigure lots and open space; v) adjust the design of the internal private streets; and vi) modify public benefit categories and points.

Staff also noted that the amendment shifts the taller, up to 300' building, to the south side of the property while retaining lower retail buildings along Rockville Pike. All buildings are planned to have active ground floor uses to help engage the internal/external streets, as well as the public plaza proposed close to the intersection of Executive Boulevard and Rockville Pike. The building design will incorporate transparency and articulation at the building base to provide interest and activation at a human scale, enhancing the pedestrian experience. The proposed architectural aesthetic will incorporate elevation planar changes, architectural details, materials, and massing strategies to break down the perceived mass of the mixed-use buildings. Elements like terraces and balconies will provide outdoor space to the residents, as well as articulation and activation of building facades. The architectural design and details will be developed further during the Site Plan approval process.

Staff then noted that the applicant will purchase Building Lot Termination (BLT) easements or make an equivalent payment to the Agricultural Land Preservation Fund, in an amount equal to five (5) percent of the incentive density floor area. Based on the density proposed by this Sketch Plan, up to 740,528 square feet. The applicant would be required to purchase 1.61 BLTs, based on staff's calculations, as noted in the staff report.

Staff also discussed revisions to the conditions of approval noting that Condition 3a should read "Major Public Facility achieved through extension of a bicycle facility," and the phrases "Through Block Connection," and "Tower Step-back," should be removed from Condition 3c and 3d respectively. Condition 3e should read as follows "Protection and Enhancement of the Natural Environment achieved through public amenities in the sub-categories of Building Lot Terminations (BLTs), ~~Tree Canopy,~~ and Vegetated Roofs, and Cool Roof."

Staff added that this plan application includes an amended Preliminary Forest Conservation Plan (FCP) that reflects the new site layout and Limit of Disturbance (LOD). The Net Tract Area for this plan is 4.31 acres, including off-site disturbance. The property contains no forest, and there are no significant specimen or champion trees on the site. The Net Tract Area and land use category results in an afforestation requirement of 0.65 acres. No variance approval is needed. The applicant proposes to fulfill their planting requirement through off-site forest banking or payment of a fee-in-lieu of planting. Determination of the final mitigation method will be made at the time of the amended Final FCP submission and is dependent on the availability of off-site banking. The plan as submitted complies with Chapter 22A of the Forest Conservation Law.

Mr. Steven Robins, attorney from Lerch, Early & Brewer, representing the applicant, introduced members of the applicant's team, offered brief comments, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.

***13. Creekside at Cabin Branch, Preliminary Plan Amendment No. 12020005A**---Request to amend the school adequacy test with an additional 139 residential dwelling units for a total of 326 units; 402.6 acres; RNC Zone and Clarksburg West Environmental Overlay Zone; located on the northwest quadrant of the intersection of MD Route 121 (Clarksburg Road) and W Old Baltimore Road; 1994 Clarksburg Master Plan & Hyattstown Special Study Area; 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other: ANDERSON ABSENT

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

Planning Department staff offered a multi-media presentation and discussed a request to amend the school adequacy test with an additional 139 residential dwelling units for a total of 326 units on a 402.6-acre property located on the northwest quadrant of the intersection of MD Route 121, Clarksburg Road, and West Old Baltimore Road in the Clarksburg Master Plan and Hyattstown Special Study area and the Clarksburg Ten Mile Creek area Limited Amendment. Staff noted that the Preliminary Plan application consists of three parcels, Parcel P600, Parcel P900, and P222. The site is located in the Rural Neighborhood Cluster (RNC) Zone and in the Clarksburg West Environmental (CWE) Overlay Zone, which limits impervious surfaces for the application to six percent (6%). The property is also within the Ten Mile Creek Special Protection Area (SPA). Access is currently provided from Clarksburg Road via a driveway north of the Historic Cephas House parcel to Parcel 600 to an existing farmhouse. A second driveway exists along Clarksburg Road for access to the existing historic Cephas Summers House.

Staff also noted that the property includes a mix of woodlands, a farmhouse and accessory structures, farm fields, and forest covering much of the stream valleys. The Property drains to three sub-watersheds of the Little Seneca-Ten Mile Creek watershed including two identified by the Master Plan as being the most sensitive sub-watersheds There are no Federal Emergency Management Agency (FEMA) mapped floodplains on or within 100 feet of the site; however, there is a Maryland-National Capital Park and Planning Commission (M-NCPPC) mapped floodplain on the property. There is also a locally designated historic resource on the property located along Clarksburg Road, as referenced in the Master Plan, and known as the Cephas Summers House. The Cephas Summers House is currently accessed from Old

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***13. Creekside at Cabin Branch, Preliminary Plan Amendment No. 12020005A**

CONTINUED

Clarksburg Road. Not part of the site is an existing four-acre parcel – P225, known as the Delaney property, is currently landlocked on the southern portion of the site with an access easement from Old Clarksburg Road through the property.

Staff added that based on the school capacity analysis that it has performed, using the updated FY22 Annual School Test, the additional 139 units proposed with this Amendment are subject to a Tier 2 high school Utilization Premium Payment as conditioned and as discussed in the July 16 technical staff report.

Staff also briefly discussed revisions/corrections to the Conditions of approval, noting that Conditions 1, 5, 11, 24, 29, 44, and 45 have been substantially modified, as discussed in detail in the staff report.

Mr. Robert Harris, attorney from Lerch Early & Brewer, representing the applicant, offered brief comments, and concurred with the staff recommendation.

There followed a brief Board discussion with questions to staff.