



**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, October 14, 2021, at 9:02 a.m., and adjourned at 3:45 p.m.

Present were Chair Casey Anderson and Commissioners Gerald R. Cichy and Partap Verma.

Commissioner Tina Patterson joined the meeting at 10:15 a.m. during discussion of Item 10.

Items 1, 2, 4, 6, 8, and 10 are reported on the attached agenda.

Items 3 and 5 were removed from the Planning Board agenda.

The Planning Board recessed for lunch at 10:22 a.m. and reconvened via video conference at 12:39 p.m.

Items 7 and 11 are reported on the attached agenda.

Items 9 and 12 were removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 3:45 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 21, 2021, via video conference.

*M. Clara Moise*

M. Clara Moise  
Sr. Technical Writer/Editor

James J. Parsons  
Sr. Technical Writer/Editor

**Montgomery County Planning Board Meeting**  
**Thursday, October 14, 2021**  
2425 Reddie Drive  
Wheaton, MD 20902  
301-495-4605

**1. Consent Agenda**

**\*A. Adoption of Resolutions**

1. Rose Village Sketch Plan 320210120 – MCPB No. 21-107

**BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** PATTERSON ABSENT

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

**\*B. Record Plats**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**\*C. Other Consent Items**

**1. United Therapeutics 1000 Spring Street Extension Request #1**---CR 3, C 2.0 R 2.75 H-90T, 2.06 acres, located on Colesville Road at Spring Street; 2000 Silver Spring CBD Sector Plan. Request to allow the review period for the Sketch Plan No. 320210090, Preliminary Plan No. 12013019A, and Site Plan82014011B to run concurrently, and allow the review period to extend from November 23 to ~~December 23, 2021~~ January 28, 2022.

*Staff Recommendation: Approval*

**2. Meadowvale, Site Plan No. 820210100 Extension Request No. 2**

Request to extend the regulatory review period for Site Plan No. 820210100 for one (1) month, from October 21, 2021 to November 18, 2021; located at 18857 Cross Country Lane, Gaithersburg, MD, 20879; on approximately 5.17 acres of land zoned R-200/TDR 5.0 & R-90/TDR 5.0; within 1985 Gaithersburg Vicinity Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: 1. & 2. CICHY/VERMA**

**Vote:**

**Yea: 1. & 2. 3-0**

**Nay:**

**Other: PATTERSON ABSENT**

**Action: 1. Approved staff recommendation for approval of the Sketch Plan, Preliminary Plan Amendment, and Site Plan Extension requests cited above.**

**2. Approved staff recommendation for approval of the Site Plan Extension request cited above.**

**\*D. Approval of Minutes**

Planning Board Meeting Minutes of September 30, 2021

**BOARD ACTION**

**Motion: CICHY/VERMA**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: PATTERSON ABSENT**

**Action: Approved Planning Board Meeting Minutes of September 30, 2021, as submitted.**

## 2. Adoption Session, FY 23-28 Capital Improvements Program (CIP) - Department of Parks

*Staff Recommendation: Approve and Adopt the FY23-28 CIP and FY23 Capital Budget*

### **BOARD ACTION**

**Motion:** CICHY/VERMA

**Vote:**

**Yea:** 3-0

**Nay:**

**Other:** PATTERSON ABSENT

**Action:** Approved staff recommendation for approval of the proposed FY23-28 Capital Improvements Program and transmittal to the County Executive and County Council.

Parks Department staff offered a multi-media presentation and discussed the proposed FY23-28 Capital Improvements Program (CIP), focusing on the County Council's action regarding the request to increase the Spending Affordability Guidelines (SAG) for General Obligation (GO) and Park and Planning (M-NCPPC) Bonds, a discussion of any further technical adjustments, and a summary of the FY23-28 CIP. Following a County Council Public Hearing on September 21, and a County Council Government Operations and Fiscal Policy (GO) Committee meeting on September 30, the GO Committee provided a recommendation regarding SAG bond levels to the County Council, which the full Council then considered during their October 5 meeting. While the County Council moved to keep the SAG for GO Bonds at the Council staff-recommended levels of \$300 million for FY23, \$290 million for FY24, \$280 million for FY25, and \$270 million for FY26 through FY28, they did move to increase the SAG for M-NCPPC Bonds from \$6.6-6.7 million to \$8 million for all six years of the FY23-28 CIP. Staff added that at this time, they do not have any technical adjustments to present to the Planning Board, as all projects remain as presented in the prior staff reports and presentations.

Staff then offered a summary of the FY23-28 CIP, which is proposed at \$265,066,000 and represents a 10.6 percent increase from the current CIP. Staff noted that in keeping with recommendations and feedback received during strategy meetings and worksessions, the proposed CIP delivers to Equity Focus Area (EFA) and Energizing Public Spaces (EPS) priority areas, reflects the recommended priorities and evaluation criteria, responds to the SAG, and leverages federal and other funds to improve infrastructure and development in priority areas, utilizes appropriate Maryland Program Open Space (POS) funding, and advances water quality related Capital projects.

The next steps for the CIP include transmittal to the County Executive and County Council, scheduled for no later than November 1; following review, the release of the County Executive's recommendations, scheduled for January 15, 2022; and County Council review, including a County Council Public Hearing scheduled for February 2022, GO Committee review, scheduled for February through April 2022, and County Council adoption, scheduled for May 26, 2022.

There followed a brief Board discussion.

**3. ~~Policy Guidance on Fee-in-Lieu Projects~~ — **REMOVED****

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**4. Mandatory Referral No. MR2022004**---Request for the disposition of county-owned property at 14900 Broschart Road

*Staff Recommendation: Transmit Comments to Montgomery County Department of General Services*

**BOARD ACTION**

**Motion: CICHY/VERMA**

**Vote:**

**Yea: 3-0**

**Nay:**

**Other: PATTERSON ABSENT**

**Action: Approved staff recommendation to transmit comments to Montgomery County Department of General Services, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request by Montgomery County Department of General Services (DGS) to dispose of County owned land. The two-acre property is located on the west side of Broschart Road and is zoned Life Sciences Center (LSC) within the Great Seneca Science Corridor Master Plan area. The site is currently developed with an existing power plant that serves the power needs of three buildings developed in the Shady Grove Life Sciences Center, as well as limited surface parking spaces. Staff added that the Adventist HealthCare Shady Grove Medical Center has leased the site since 1979, and currently operates and maintains the facility.

Staff noted that the County intends to sell the property to Adventist HealthCare to allow for significant capital investments over the next several years, including upgrades to the existing power plant. Staff added that any redevelopment will be subject to applicable master and functional plans and policies at the time of redevelopment. Prior to redevelopment, DGS should meet with staff to ensure compliance with all master and functional plans and policies.

There followed a brief Board discussion with questions to staff.



**5. ~~Great Seneca Science Corridor Implementation Advisory Committee Appointments~~  
~~REMOVED~~**

*Staff Recommendation: Appoint New Members to Serve on the Great Seneca Science Corridor Implementation Advisory Committee*

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**\*6. Adventist HealthCare Shady Grove Medical Center**

**A. Preliminary Plan Amendment No. 12011016A**---LSC zone, 39.16 acres; Request to change timing triggers in the preliminary plan conditions of approval; located on the west side of the intersection of Medical Center Drive and Medical Center Way; 2010 Great Seneca Science Corridor Master Plan area.

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

**B. Site Plan Amendment and Water Quality Plan No. 81999024I**---LSC zone, 39.16 acres; Request to develop an additional 150,622 square feet of hospital uses in a new patient tower with associated Water Quality Plan; located on the west side of the intersection of Medical Center Drive and Medical Center Way; 2010 Great Seneca Science Corridor Master Plan area.

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

**BOARD ACTION**

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

**Vote:**

**Yea: A. & B. 3-0**

**Nay:**

**Other: PATTERSON ABSENT**

**Action: A. Approved staff recommendation for approval of the Preliminary Plan Amendment 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.**

**B. Approved staff recommendation for approval of the Site Plan Amendment and Water Quality 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 proposed Preliminary and Site Plan Amendment requests, including an associated Final Water Quality Plan (FWQP) request, to revise the previously approved timing triggers for certain infrastructure and to increase the square footage of improvements to an existing hospital use. The 39.16-acre property, identified as Parcels 7 through 10, is located in the northwest quadrant of the intersection of Medical Center Drive and Medical Center Way, bounded by Broschart Road to the west and is zoned Life Sciences Center (LSC) within the Great Seneca Science Corridor Master Plan area and the Piney Branch Special Protection Area. The site is currently developed with the Adventist HealthCare at Shady Grove Medical Center, including multiple buildings with associated medical uses, and surface parking lots.

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CONTINUED**\*6. Adventist HealthCare Shady Grove Medical Center**

Staff noted that the applicant proposes to demolish the existing 141,724-square foot emergency department and construct a new 292,346-square foot building consisting of a new emergency department and a new 150,622-square foot tower with patient rooms. The proposed Preliminary Plan Amendment will address and revise the timing for certain infrastructure related conditions in the approved 2014 Preliminary Plan that might otherwise be triggered by the proposed Site Plan Amendment. The applicant will also provide a shared-use path along the Medical Center Drive frontage as an addition to the existing LSC Loop Trail. Staff added that a subsequent Site Plan Amendment will address the design elements of the LSC Loop Trail, with a subsequent Preliminary Plan Amendment addressing the implementation of the hospital internal campus master plan.

Staff then briefly discussed minor corrections to the staff report and Preliminary and Site Plan Amendment Conditions of Approval regarding public open space, the future Site Plan Amendment for the LSC Loop Trail, and surety.

Staff also discussed the proposed FWQP, noting that it covers the entire Adventist HealthCare at Shady Grove Medical Center campus and includes a slight increase of impervious cover from 62.05 percent to 62.35 percent. Staff added that a Final Forest Conservation Plan was also submitted for approval as part of the Plan.

Mr. Patrick O'Neil, attorney representing the applicant, offered brief comments, and concurred with the staff recommendation.

Mr. Dan Cochran, member of the applicant's team, also offered comments.

There followed a brief Board discussion with questions to staff.

**8. South Lake Elementary School, 18201 Contour Road in Montgomery Village**

**A. Preliminary/Final Forest Conservation Plan No. MR2022005**---Request to retain 0.59 acres of forest and provide 1.01 acres of off-site mitigation.

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

**B. Mandatory Referral MR2022005**---Request for the construction of a new elementary school, which includes retaining a portion of the existing building.

*Staff Recommendation: Approval to Transmit Comments to the Montgomery County Public Schools and the Board of Education*

**BOARD ACTION**

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

**Vote:**

**Yea: A. & B. 3-0**

**Nay:**

**Other: PATTERSON ABSENT**

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

**B. Approved staff recommendation to transmit comments to the Montgomery County Public Schools and the Board of Education, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral and associated Preliminary/Final Forest Conservation Plan (P/FFCP) requests by Montgomery County Public Schools (MCPS) to construct a new school building. The 10.2-acre property is located in the northeast side Contour Road and is zoned Residential and Montgomery Village Overlay Zone within the Montgomery Village Master plan area. The site is currently developed with the existing South Lake Elementary School. Open space and play areas are located east of the existing school building, and topographically, are lower than the main building. All vehicular access, including the bus and parent drop-off areas, is from Contour Road.

Staff noted that while retaining the gymnasium and another portion of the existing building, MCPS proposes to construct a new two-story school building at approximately 106,842 square feet in overall size. While the new school will accommodate up to 796 students, it is forecast to be beyond its enrollment capacity upon completion. To accommodate additional capacity, a future portable classroom is also included in the submitted plan. A pre-kindergarten play area will be located west of a central courtyard, with a public plaza proposed along the

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**8. South Lake Elementary School**CONTINUED

western and southern portions of the addition. The existing athletic field, basketball courts, and other play areas will be retained. Two vehicular access points are proposed along Contour Road, with the easternmost entrance proposed to provide access to the bus loop, visitor parking, and a staff parking area in the southeastern portion of the property, and the westernmost entrance proposed to provide access to the student drop-off and pick-up area and additional staff parking in the northwestern portion. The main entrance will be located adjacent to the bus loop. New stormwater management features will be added to the existing stormwater facilities. Staff noted that MCPS submitted a Mandatory Referral request in July 2020 for new portable classrooms and the construction of the southeastern parking area. While the parking area was initially proposed as an interim lot, it was recently constructed and is now proposed as a permanent feature. Since the submission of that Mandatory Referral request, staff and MCPS have worked to revise the proposed project to address safety concerns for pedestrians and to minimize conflicts between vehicles and pedestrians. Key changes from the initial submission include modifications to the access point for the bus loop and staff parking to address concerns for pedestrians, modifications to the bus loop material to provide opportunities for alternative uses or activities, new internal raised pedestrian crossings, a new pedestrian path along the southeast portion of the site, and a new access gate to the southeastern staff parking area to prevent vehicles from crossing the pedestrian route during arrival and dismissal.

Staff then discussed the proposed P/FFCP, noting there are 0.67 acres of existing onsite forest outside of utility easements. The P/FFCP proposes clearing 0.08 acres and retaining 0.59 acres within a Category I Conservation Easement, resulting in a reforestation requirement of 0.16 acres and an afforestation requirement of 0.85 acres, for a total mitigation requirement of 1.01 acres. MCPS proposes to meet this requirement either through off-site forest banking or through a fee-in-lieu payment.

Mr. Seth Adams of MCPS offered brief comments.

There followed a brief Board discussion.

**10. 6607 Greentree Road, Conditional Use No. CU202109**---Request to transmit comments to the Hearing Examiner on a Conditional Use application to operate a Day Care Center for up to 30 students within an existing home, with a maximum of 6 full-time staff persons on-site at 6607 Greentree Road, Bethesda; 0.74 acres ; R-200 Zone; 1990 Bethesda-Chevy Chase Master Plan.

*Staff Recommendation: Approval with Conditions*

**(NOTE: Action required for Hearing by Hearing Examiner on November 5, 2021)**

**BOARD ACTION**

**Motion: CICHY/VERMA**

**Vote:**

**Yea: 4-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit comments to the Hearing Examiner, as stated in the attached transmittal letter.**

Planning Department staff offered a multi-media presentation and discussed a proposed Conditional Use request to increase the maximum number of children at an existing Group Day Care facility. The 32,405-square foot property, identified as Lot 6 Block B, is located on Greentree Road, and is zoned Residential within the Bethesda-Chevy Chase Master Plan area. It is currently developed with a single-family detached residence from which the applicant, who resides on the property, has been operating a 12-child Group Day Care facility since June 2013 for children aged three months to five years. The existing Group Day Care, identified as the Creative Arts and Language School, occupies portions of the main entry and basement of the house. Visitors and patrons of the daycare facility access the site via a loop driveway from Greentree Road, which can also accommodate parking for five vehicles. Residents and employees access the site from and park on a separate driveway from Fernwood Road, which including the attached garage, can accommodate six vehicles. An outdoor play area located in the rear yard of the house is enclosed by wooden vertical board fencing. On-street parking is not available on either of the property’s frontages, and no sidewalks are provided within the vicinity. Staff added that two Conditional Uses and two Special Exceptions have been approved and are located and operated within the defined neighborhood.

Staff noted that the applicant proposes to increase the enrollment of the existing Group Day Care facility from 12 children to that of a Day Care Center to allow a maximum of 30 children. The proposed facility will occupy the same space on the main floor and the basement of the home as the existing day care, and no changes to the indoor care space or hours of operation, which are currently Monday through Friday from 7:00 a.m. through 6:00 p.m., are proposed.

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**10. 6607 Greentree Road**CONTINUED

Staff noted that with the exception of a four-foot fence, a new Americans with Disabilities Act (ADA) compliant ramp, and additional plantings to screen the visitor/parent drop-off onsite parking along the Greentree Road frontage, no exterior changes to the grounds or building are proposed either. In addition to the three residents who staff the current facility, there will be up to three non-resident employees working at the Day Care Center. Parent drop-off and pick-up times are staggered from 7:00 a.m. to 10:00 a.m. and 3:30 p.m. to 6:00 p.m. to minimize the impacts on the adjacent residential streets.

Staff has received correspondence from neighboring property owners expressing concerns regarding the maximum number of students and staff, and the potential for queuing on Fernwood Road. Staff has addressed these issues, as detailed in the October 4 technical staff report.

Ms. Michele Rosenfeld, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

There followed a brief Board discussion.

**7. FY23 Operating Budget Discussion – Commissioners’ Office, Planning Department & Central Administrative Services (CAS)****BOARD ACTION****Motion:** CICHY/VERMA**Vote:****Yea:** 4-0**Nay:****Other:**

**Action:** Received briefing followed by Board discussion, and voted to give preliminary approval to the proposed FY23 Operating Budgets for the Commissioners’ Office, the Planning Department, and the Central Administrative Services (CAS), except for the Office of the Chief Information Officer’s (CIO) FY23 Budget proposal, which will be discussed further at a future Planning Board meeting.

Mr. John Kroll, the Commission’s Corporate Budget Director, and Chair Anderson offered brief opening comments.

**Commissioners’ Office** – Mr. Brian Anleu, Chief of staff for the Montgomery County Planning Board, briefly discussed the proposed FY23 Commissioners’ office budget. Mr. Anleu noted that the proposed FY23 staffing for the Commissioners’ office has changed from FY22, and consists of one full-time Chair, four part-time Commissioners, and three full-time career positions for a Chief of Staff, a Senior Administrative Specialist, and an Administrative Assistant. The FY23 adjustments to personnel costs are based on the transfer of two Technical Writer positions from the Commissioners’ Office to the Legal Department. The Commissioners’ Office is requesting a modest increase of \$1,297 for Supplies and Services, and \$5,000 for staff training and professional development.

There followed a brief Board discussion.

**Planning Department** –In accordance with the October 7 memorandum to the Planning Board, Planning Department Director Gwen Wright and Management Services Division Chief Karen Warnick offered a multi-media presentation and discussed the Planning Department’s proposed FY23 budget. Ms. Wright noted that the FY23 budget request includes the largest budget increase in her tenure as Planning Department Director, and this is in part due to the fact that the FY22 budget was below the normal level for consultant funding to support the long list of master plans and projects. The FY23 budget request includes an increase to bring consultant funding back to the pre-pandemic level for what staff believe are critical initiatives to planning for the future of Montgomery County. Another significant increase is due to the impact of the Planning Department commitment to providing staff raises in FY22, including pay increases due

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**7. FY22 Budget Discussion Session #1 – Planning Department, Commissioner’s Office, and Central Administrative Services (CAS)**CONTINUED

to the Planner Series Classification review and increases for both FY22 merit increases and a FY21 make-up merit increase that staff will receive in June. The proposed FY23 budget also includes one new master plan, Friendship Heights Urban Design Study/Sector Plan, and four new studies to begin in FY23, which are discussed in detail in the memorandum.

There followed extensive Board discussion with questions to Ms. Wright and Ms. Warnick.

**Department of Human Resources and Management (DHRM)** –Mr. John Kroll, the Commission’s Corporate Budget Director and Executive Director Asuntha Chiang-Smith offered comments regarding the proposed FY23 DHRM budget and noted that DHRM utilizes specialized expertise to effectively administer agency-wide programs and initiatives to ensure a fair and equitable workplace, transparent budgeting, and employee well-being and safety. Ms. Katie Knaupe, Deputy Corporate Budget Director briefly discussed the proposed FY23 DHRM budget, which reflects an 8.4 percent increase over the FY22 budget. Ms. Knaupe noted that this increase is driven by personnel services and bringing the budget back up to normal levels after budget reductions were applied in FY22.

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

**Central Administrative Services (CAS)** - The proposed FY23 budget includes non-discretionary, shared operating expenses for the bi-county departments and units that make up Central Administrative Services (CAS). CAS continue to provide cost-effective support to the Departments and Units by funding shared unemployment costs, supplies, telecommunications, succession planning, postage, shredding, and occupancy expenses. The FY23 proposed budget reflects an 9.5 percent increase over the FY22 budget. This increase is driven by the following factors: Occupancy Expenses: The main cost driver for this budget is rent, which has increased 18 percent compared to FY22 levels due to tenant changes, i.e., Prince George’s Parks and Recreation Information Technology and Communications Division was slated to move out of the EOB building before the start of FY22. These plans were delayed, and the division is planning on vacating their space in the fall of 2021. Presumably, CAS will take over this space, which is reflected in an increased occupancy cost for FY23. Executive Office Building repairs and COVID-19 response: Expenses for cleaning, personal protective equipment, supplies, building system maintenance, and necessary updates to the building to address COVID-19 are charged to CAS through rent, which has increased by 4 percent for FY23, and Risk Management: The CAS portion of Workers’ Compensation and liability funding is projected to increase by 6 percent in FY23. There are no new requests for FY23.

There followed a brief Board discussion with questions

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**7. FY22 Budget Discussion Session #1 – Planning Department, Commissioner’s Office, and Central Administrative Services (CAS)**

CONTINUED

**The Merit System Board** is funded equally by Montgomery County and Prince George’s County and the FY23 proposed budget reflects a 2.8 percent increase over the FY22 budget. Personnel Services are proposed to remain flat compared to FY22 levels, and discretionary costs for supplies have been restored to normal levels following budget reductions in FY22.

There followed a brief Board discussion.

**Finance Department** – Secretary-Treasurer Joseph Zimmerman briefly discussed the Finance Department proposed FY23 budget request. Mr. Zimmerman noted that the proposed FY23 base budget request, including major known commitments, will increase by 6.5 percent over the FY22 budget due to three proposed funding requests for a new Payroll Accountant position, the transfer of the Diversity Business Program Manager to DHRM, and funding for the Finance Department’s share of the Commission wide IT initiatives, as discussed in his October 7 memo.

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

**Office of the General Counsel** – Deputy General Counsel Debra Borden briefly discussed the Office of the General Counsel (OGC) proposed FY23 budget. In keeping with the October 8 memorandum to the Planning Board, Ms. Borden noted that the OGC FY23 budget represents a 5.4 percent increase over the FY22 budget. The FY23 proposed budget also accounts for the reduced service level at the Montgomery County Regional Office (MRO) that was required to meet the FY19, FY20, FY21 and FY22 funding cuts in the Montgomery County Administrative Fund. Ms. Borden also discussed the transfer of two Sr. Technical Writers/Editors from the Commissioners’ office to OGC. The OGC’s FY23 budget will reflect the addition of these positions, as well as a corresponding chargeback from the Montgomery County Commissioners’ Office.

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

**Office of the Inspector General (OIG)** – The Commission’s Inspector General Renee Kenney briefed the Board on the proposed FY23 budget for the Office of Internal Audit (OIA). Ms. Kenney noted that the proposed FY23 budget is a 56.3 percent increase over the FY22 budget due to several adjustments to the budget, mainly the proposed addition of two new positions to support the operations of OIG.

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

**Office of the Chief Information Officer (CIO)** – Chief Information Officer Mazen Chilet briefed the Planning Board on the proposed FY23 budget request for the Office of the CIO. Mr. Chilet noted that the CIO budget consists of three parts: 1) Corporate IT (CIT) funded by the two Administration Funds and charge backs from Montgomery and Prince George’s

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**7. FY22 Budget Discussion Session #1 – Planning Department, Commissioner’s Office, and Central Administrative Services (CAS)**CONTINUED

Counties. The proposed FY23 budget reflects a 5.7 percent increase over the FY22 budget; 2) Office of the CIO total FY23 budget would increase by 11.2 percent with the shared portion of the agency-wide Learning Management System (LMS) CWIT initiative.; and 3) Commission-Wide IT Initiatives (CWIT) – The CWIT Internal Service Fund (ISF) budget is developed in coordination with the Information Technology (IT) Council to properly advance agency-wide programs and systems. Continued evaluation and updates to these systems are critical to ensure the security of the agency’s assets, greater efficiency of systems which enhance employee productivity, and effective continuation of operations for the agency to function during times of crisis.

Mr. Chilet noted that within the next five years, our current version of ERP will no longer be supported by the developer. Additionally, the current version does not have capabilities to meet all regulations or provide the ability for end users to securely access the system remotely. This critical investment has been delayed due to budgetary challenges in prior years, yet this upgrade needs to be completed for the agency to comply with requirements, obtain technical support from the developer, provide safe and secure access to all users, and ensure security of the agency’s data. This represents the second year of six for financing a total projected cost of \$4 million.

There followed extensive Board discussion with questions to Mr. Chilet, during which Chair Anderson, supported by the other Commissioners, requested another meeting to discuss additional information regarding the ERP proposed upgrade and a breakdown of the \$4 million cost.

**9. ~~Urban Loading and Delivery Management Study—Final Study Report~~**—The team will brief the Planning Board on the study’s research and best practices, stakeholder engagement, and its findings for the Urban Loading and Delivery Management Study. **REMOVED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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

**11. Capital Crescent Trail**

**A. Forest Conservation Plan (MR2022002)**---Construction of a grade-separated trail connecting the future Capital Crescent Civic Green to the Purple Line-constructed portion of the Capital Crescent Trail via a tunnel within the basement level of the 7272 Wisconsin Avenue building, beneath Wisconsin Avenue and Elm Street and connecting to a portal in Elm Street Park. Includes reconstruction of the north side of Elm Street Park.

*Staff Recommendation: Approval with Conditions*

**B. Capital Crescent Trail Under MD 355 Mandatory Referral (MR2022002)**---Construction of a grade-separated trail connecting the future Capital Crescent Civic Green to the Purple Line-constructed portion of the Capital Crescent Trail via a tunnel within the basement level of the 7272 Wisconsin Avenue building, beneath Wisconsin Avenue and Elm Street and connecting to a portal in Elm Street Park. Includes reconstruction of the north side of Elm Street Park.

*Staff Recommendation: Transmit Comments to Montgomery County Department of Transportation*

**C. Capital Crescent Surface Trail Phase 2 Mandatory Referral (MR2020030)** ---Completion of the Capital Crescent Surface Trail along the east side 47th Street, between Elm Street and Willow Lane.

*Staff Recommendation: Transmit Comments to Montgomery County Department of Transportation*

**BOARD ACTION**

**Motion:** A. through C. CICHY/VERMA

**Vote:**

**Yea:** A. through C. 4-0

**Nay:**

**Action:** A. Approved staff recommendation for approval of the Forest Conservation Plan associated with Mandatory Referral Request #MR2022002, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

B. Approved staff recommendation for approval of Capital Crescent Trail Under MD 355 Mandatory Referral Request #MR2022002, and to transmit comments to Montgomery County Department of Transportation, as stated in the attached transmittal letter.

C. Approved staff recommendation for approval of Capital Crescent Surface Trail Phase 2 Mandatory Referral Request #MR2020030, and to transmit comments to Montgomery County Department of Transportation, as stated in the attached transmittal letter.

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**11. Capital Crescent Trail:****A. Forest Conservation Plan for Mandatory Referral Request #MR2022002****B. Capital Crescent Trail Under MD 355 Mandatory Referral Request MR2022002****C. Capital Crescent Surface Trail Phase 2 Mandatory Referral Request #MR2020030**CONTINUED

In keeping with the October 7, 2021 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request and the associated Forest Conservation Plan. Staff noted that the Capital Crescent Surface Trail Phase 2 project includes the proposed construction of a 10-foot-wide shared-use path along the east side of 47th Street from Willow Lane to Elm Street. The Capital Crescent Trail Under MD 355 Phase 1 proposes the following: 1) complete a short segment of the Capital Crescent Trail to the west of the 7272 Wisconsin Avenue building; 2) fit-out a bicycle storage area in the 7272 Wisconsin Avenue building; 3) provide an interim trail connection between the Capital Crescent Surface Trail Phase 2 and the Capital Crescent Trail Mainline project under construction as part of the Purple Line project; and 4) reconstruct the northern portion of Elm Street Park and the east/west promenade through the park. The Capital Crescent Trail Under MD 355 Phase 2 would include construction of a grade-separated crossing for the Capital Crescent Trail under Wisconsin Avenue that links the developer-built portion of the trail, beneath the 7272 Wisconsin Avenue building, with the Capital Crescent Trail Mainline and Capital Crescent Surface Trail Phase 2; 2) reconfiguration of the interim trail connection between the Capital Crescent Surface Trail Phase 2 and the Capital Crescent Trail Mainline to connect to the Capital Crescent Trail Under MD 355; and 3) redevelopment of the north side of Elm Street Park and the east/west promenade through the park. Montgomery County Department of Transportation is the applicant.

As background information, staff stated that the request for the construction of the Capital Crescent Trail is required to undergo the Mandatory Referral review process under the Montgomery County Planning Department's Uniform Standards for Mandatory Referral Review. State law requires all federal, state, and local governments and public utilities to submit proposed projects for a Mandatory Referral review by Planning Department staff and the Planning Board, and this review is typically performed in context with the relevant master plans, guidelines and policies in effect. The Capital Crescent Trail is an off-road trail that forms a crescent as it travels from Georgetown to Silver Spring via Bethesda. Montgomery County purchased the right-of-way between the District of Columbia and the CSX tracks just west of Silver Spring in 1988. The Maryland-National Park and Planning Commission (M-NCPPC) has jurisdiction over the portion between the DC Line and Bethesda, and Montgomery County Department of Transportation (MCDOT) has jurisdiction over the portion between Bethesda and Silver Spring. In 1990, the National Park Service acquired the Georgetown Branch from Georgetown to Montgomery County. The Capital Crescent Trail is currently paved from Georgetown to Bethesda Avenue in Bethesda. Between Elm Street Park in Bethesda and the Silver Spring Transit Center, the trail is under construction as part of the Purple Line light rail project. This segment will typically be 12 feet wide with two-foot-wide shoulders on each side. The Capital Crescent Surface Trail Phase 1 is currently under construction by MCDOT on Bethesda Avenue and Willow Lane in Downtown Bethesda.

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The Capital Crescent Surface Trail Phase 2 and Capital Crescent Trail Under MD 355 projects would provide the final segments of the trail in Downtown Bethesda, between Bethesda Avenue and Elm Street Park. The proposed designs of the proposed Mandatory Referral projects are a result of nearly 30 years of planning for the trail and what is now known as the Purple Line light rail. The 1990 *Georgetown Branch Master Plan Amendment* was the first master plan to include a trail in the county's master plans, recommending the construction of both a trail and light rail within the Georgetown Branch and Metropolitan Branch rights-of-way between downtown Bethesda and downtown Silver Spring. The light rail was conceived largely as a single-track transit line, with double tracks at the stations to enable passing. The 1994 *Bethesda Central Business District (CBD) Sector Plan* anticipated the challenge of accommodating both the light rail and a trail in an existing tunnel beneath 7272 Wisconsin Avenue, formerly known as the Apex Building, now redeveloped as The Wilson and The Elm, and therefore recommended two trails: a "tunnel" route under Wisconsin Avenue and a "surface" route along Bethesda Avenue, Willow Lane and along Elm Street Park. The plan stated "The tunnel area for the Corridor Cities Transitway (CCT) may be greatly reduced or perhaps eliminated if double tracks for the trolley are needed there. If the CCT does not run through the tunnel, it will follow only a street level route." Over the years the light rail alignment was extended to New Carrollton in Prince George's County, and the need for a double-track system became more important. The 2010 *Purple Line Functional Plan* modified county policy to extend the Purple Line as a dual-track system. To fit two tracks in the tunnel under Wisconsin Avenue, the plan also recommended elevating the Capital Crescent Trail above the Purple Line transitway in the tunnel to accommodate both a high-quality transitway and high-quality trail in this constrained segment within the overall alignment.

In response to the 2010 *Purple Line Functional Plan's* recommendation to elevate the trail above the transitway, the Maryland Transit Administration (MTA) analyzed that option in fall 2011, and determined that elevating the trail in this manner would substantially increase the cost of the trail project and could threaten the structural integrity of the Apex Building. In 2012, the County Council recommended against constructing a trail in a shared tunnel with the Purple Line and instead focus on constructing a high-quality surface trail. In an effort to incentivize redevelopment of the Apex Building to occur in tandem with the Purple Line construction, which would enable MTA to construct a wider Purple Line station platform, a new tunnel for the Capital Crescent Trail, and to provide a bicycle parking station, the County Council approved the 2013 *Bethesda Purple Line Station Minor Master Plan Amendment*. The Apex Building has now been redeveloped as The Wilson and The Elm and provides space for a portion of the future trail in a new tunnel adjacent to the Purple Line station platform. The two proposed Mandatory Referral requests would complete the vision of the Capital Crescent Trail.

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The Capital Crescent Surface Trail Phase 2 project would complete the “surface trail” between Downtown Bethesda and Elm Street Park. It would serve as the main connection for the Capital Crescent Trail through Downtown Bethesda before the Capital Crescent Trail tunnel is complete and would help to relieve some of the congestion that can be expected in the Capital Crescent Trail tunnel, once that project is complete. The project creates a safe environment for pedestrians and bicyclists by providing a raised crossing of Willow Lane and narrowing 47th Street from 24 feet to 12 feet, which would reduce the speed of motor vehicles along Elm Street. The trail width of 10 feet meets minimum standards in the Complete Streets Design Guide for a shared use path. The street buffer varies and is 11 feet wide at the northern end where adjacent to the street, 4 feet when adjacent to the mountable truck apron and 3 feet when adjacent to the loading and emergency vehicle areas, which meets the requirements in the Complete Streets Design Guidelines.

Staff then discussed the Final Forest Conservation Plan (FFCP) in conjunction with the proposed Mandatory Referral request for the Capital Crescent Trail Under MD 355, Phase I, proposed Mandatory Referral request. Staff noted that this proposal requires a Forest Conservation Plan and associated Variance Request for impacts to and removal of specimen trees as well as afforestation requirements associated with the proposed disturbance. Phase 2 of this project is exempt from the requirement to submit a Forest Conservation Plan. Although there is no forest onsite, this request is subject to Chapter 22A of the Forest Conservation Law and as such, MCDOT has provided a FFCP, which shows that within the 2.08-acre site area, and with the additional 0.54-acres of offsite work, there will be a calculated afforestation requirement of 0.32-acres. This requirement, as conditioned, will be met via credits from an off-site forest bank or via fee-in-lieu. The proposed request includes disturbance/removal of trees that are 30 inches Diameter at Breast Height (DBH), therefore a variance is required. MCDOT has submitted a variance request on September 14, 2021 for the impacts to one subject tree and proposed removal of another tree, 2 trees in total, that are considered high-priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Staff recommended approval of the request for a variance from the Forest Conservation Law to impact, but retain, one tree and to remove another one.

Mr. David Helms of Lanark Way, and Ms. Stephanie Piperno of Ontario Road NW, and representing the Washington Area Bicyclists Association (WABA), offered testimony in support of the proposed Mandatory Referral requests.

At the Chair’s request, Ms. Sogan Seirafi, and Messrs. Jon Hutchings, Matt Johnson, and Andrew Conklin of MCDOT offered brief comments

There followed extensive Board discussion with questions to staff.



~~12. CIP Prioritization – Top 100 Transportation Projects~~—Presentation of proposed prioritization of transportation projects that support county master/sector plans, Vision Zero efforts, and equity initiatives. This is a biennial process to inform Montgomery County Government on Planning Board priorities.—**REMOVED**

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

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