



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, September 30, 2021, at 9:01 a.m., and adjourned at 4:02 p.m.

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

Item 1 and Items 3 through 7 are reported on the attached agenda.

Item 2 was removed from the Planning Board agenda.

The Planning Board recessed for lunch at 12:09 p.m. and reconvened via video conference at 1:14 p.m.

Items 8 through 12 are reported on the attached agenda.

There being no further business, the meeting was adjourned at 4:02 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 7, 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, September 30, 2021
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

1. Consent Agenda

***A. Adoption of Resolutions**

1. Sandy Spring Village Preliminary Plan 11987066A – MCPB No. 21-105
2. Sandy Spring Village Site Plan 81988060A – MCPB No. 21-106

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 3-0

Nay:

Other: ANDERSON ABSTAINED

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220200480, Polo Club Estates -- RE-2 zone; 7 lots and 1 parcel; located on the east side of Query Mill Road, 2500 feet southwest of Turkey Foot Road; Potomac Subregion 2002 Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210430, Brighton Knolls -- RC zone; 1 lot; located in the southeast quadrant of the intersection of Brighton Knolls Drive and New Hampshire Avenue (MD 650); Olney Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220210760, Meehan's Addition to Cresthaven -- R-90 zone; 3 lots; located on the west side of Cresthaven Drive, 200 feet south of Royal Road; White Oak Science Gateway Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

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

***C. Other Consent Items**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Other Consent Items submitted for approval.

***D. Approval of Minutes**

Planning Board Meeting Minutes of September 15, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved Planning Board Meeting Minutes of September 15, 2021, as submitted.

2. Roundtable Discussion

- Parks Department Director's Report- **REMOVED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. South Silver Spring Urban Recreational Park---Authorization to acquire 0.957 acres, more or less improved, from Imperial Investment Company, located at 1110 East West Highway, Silver Spring, MD.

Staff Recommendation: Approval and Adoption of the Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the proposed land acquisition cited above and adopted the attached Resolution.

Parks Department staff offered a multi-media presentation and discussed the proposed acquisition of land for the future South Silver Spring Urban Recreational Park. The approximately 1.0-acre site, identified as Parcel N006, the Martens property, is located on the south side of East-West Highway (MD410) and is zoned Commercial/Residential (CR) within the Silver Spring Central Business District (CBD) Sector Plan area. The property is currently developed with an existing 26,443 square-foot free-standing retail building that has been leased by the National Tire and Battery (NTB) auto service center since 1991.

Staff noted that following acquisition, the property will provide needed urban active recreational amenities to serve a growing, high-density residential population in a diverse community with a high deficit of parks and open spaces within walking distance. The new park will also offer a connection to the proposed Central Green Loop and create synergy with the existing Acorn Urban Park.

A one-time start-up cost of \$500,000 will fund the demolition of the existing building, abatement of any existing hazardous materials, and construction of an interim park featuring open lawn, natural surface paths, benches, and picnic tables. The proposed start-up costs will be funded through a combination of available funding sources, potentially including rental revenues, amenity funds from prior Silver Spring developments, and site improvement funds in the Capital Improvements Program (CIP) acquisition projects. Following the proposed improvements, an interim Operating Budget Impact (OBI) of \$5,000 per year is expected for park police monitoring and regular park maintenance, including mowing and trash removal. The negotiated price of \$7,500,000 will be funded through the Advanced Land Acquisition Revolving Fund (ALARF) capital project following review and approval by the Planning Board and the County Council.

There followed a brief Board discussion with questions to staff.

***4. The Avondale, Site Plan No. 820210140**---Request to ~~consolidate two lots and~~ construct a 7-story 55,000 square feet of multifamily use development, comprised of up to 60 multifamily dwelling units to include 15% moderately priced dwelling units (MPDUs), underground parking and penthouse amenity space; Proposes up to 33,121 square feet of BOZ density and associated Park Impact Payment (PIP) to fulfill 70 feet height limit; located in the southeast quadrant of the intersection of Avondale Street and Wisconsin Avenue; 0.26 acres in the CR-1.5, C-0.25, R-1.5, H-70 and Bethesda Overlay Zones; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, 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 Site Plan request to construct a multi-family development. The 0.26-acre, two-lot property is located on the southeast quadrant of the intersection of Avondale Street and Wisconsin Avenue (MD355) and is zoned Commercial/Residential (CR) and Bethesda Overlay Zone (BOZ) within the Bethesda Downtown Sector Plan area and the Lower Rock Creek watershed. The site is currently developed with two existing multi-family residential buildings.

Staff noted that under the Optional Method of development, the applicant proposes to construct a 70-foot multi-family residential building with a maximum density of 55,000 square feet to accommodate up to 60 units, including 15 percent Moderately Priced Dwelling Units (MPDUs). The project will utilize 21,879 square feet of mapped density and 33,121 square feet of BOZ density. Vehicular access to the site will be from Avondale Street via a consolidated curb cut, which will provide access to the designated onsite loading area and a below-grade parking garage. Because the property is located within a Reduced Parking Area, which includes areas located within a CR Zone and within one mile of a transit station, but outside the Bethesda Parking Lot District boundary, the applicant is seeking a partial parking waiver to reduce onsite parking from 24 spaces to 22 spaces. Pedestrian access will be from the established sidewalk network and will be enhanced by streetscape improvements along the Avondale Street frontage. The existing sidewalk will be widened to six feet and will be buffered from motorized traffic by a six-foot tree panel.

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

There followed a brief Board discussion with questions to staff.

5. Montgomery County Public Schools Woodlin Elementary School

A. Mandatory Referral No. MR2021029---R-60 zone, 10.40 acres; Request by Montgomery County Public Schools to replace the existing elementary school and childcare facility with an updated building with a maximum density of 100,000 square feet, and redesign parking and circulation, located on Luzerne Drive at Louis Drive; within the 2000 North and West Silver Spring Sector Plan.

Staff Recommendation: Approval with Recommendations and Transmittal of Comments to Montgomery County Public Schools and the Board of Education

B. Forest Conservation Plan No. MR2021029---R-60 zone, 10.40 acres; Request to replace existing elementary school and childcare facility with an updated building and redesign parking and circulation. Located on Luzerne Drive at Louis Drive; within the 2000 North and West Silver Spring Sector Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. CICHY/VERMA

Vote:

Yea: A. & B. 4-0

Nay:

Other:

Action: A. Approved staff recommendation to transmit comments to Montgomery County Public Schools, as stated in the attached transmittal letter.

B. Approved staff recommendation for approval of the Final Forest Conservation Plan cited above, subject to conditions, 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 Mandatory Referral request and Final Forest Conservation Plan (FFCP) from Montgomery County Public Schools (MCPS) to replace an existing school with an updated building. The 10.4-acre site is located on the northwest side of Luzerne Avenue, bounded by Brookeville Road to the northwest, confronting the western terminus of Louis Avenue, and is zoned Residential within the North and West Silver Spring Master Plan area and the Lower Rock Creek watershed. The site is currently developed with the single-story Woodlin Elementary School, a separate childcare facility, and associated surface parking. Vehicular access to the site is currently from Luzerne Drive

Staff noted that MCPS proposes to demolish the existing school and childcare facility and construct a new two-story, 107,793-square foot building that will accommodate up to 740 students and approximately 65 faculty and staff, with an adjoining single-story childcare facility that will accommodate up to 127 children and 20 faculty and staff. The new building, which will

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5. Montgomery County Public Schools Woodlin Elementary SchoolCONTINUED

have a smaller footprint than the existing building, will front on Brookeville Road. The existing parking lot will be reconfigured and shifted north along the western portion of the site. A new bus loop along Brookville Road will be constructed to eliminate bus traffic on Luzerne Avenue. The remaining southeastern portions of the property, which were formerly part of the building footprint, will be re-landscaped and utilized for open play areas, athletic field, basketball court, and stormwater management, including micro-bioretenion, structural sand filters, and a green roof that will be accessible and function as an outdoor learning area.

Staff then discussed the proposed FFCP, noting that while there is no forest onsite, the proposed combined onsite and offsite work has a 1.61-acre afforestation requirement, 0.48 acres of which will be met with onsite plantings that will be protected within a Category I Conservation Easement. The remaining 1.13 acres of afforestation will be met via credits from an off-site forest bank or via fee-in-lieu. The applicant has also submitted a variance request to remove ten high-priority trees and impact nine others. As mitigation, the applicant will plant 87 caliper inches of native canopy trees onsite. Staff supports the variance request.

Messrs. Seth Adams and Scott McGovern of MCPS offered a multi-media presentation and discussed the design elements of the proposed project.

The following speakers offered testimony: Mr. David Cox, representing the North Woodside Citizens Association; and Ms. Lauren Boylan and Ms. Alison Aughinbaugh representing the Woodlin Parent/Teacher Association.

There followed a brief Board discussion with questions to staff.

6. Takoma Park Minor Master Plan Amendment---Planning staff will present the Scope of Work and Boundary Options.

Staff Recommendation: Approve Scope of Work and Plan Boundary

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Scope of Work and Plan Boundary for the Takoma Park Minor Master Plan Amendment.

Planning Department staff offered a multi-media presentation and discussed the proposed Scope of Work for the Takoma Park Minor Master Plan Amendment, an update to the 2000 Takoma Park Master Plan. According to staff, the purpose of the Plan is to guide future growth on the Washington Adventist Campus, along Maple Avenue, and select surrounding areas, with recommendations to be inspired by engagement with the entire community. Staff offered brief historic background of the Plan area, which extends southwest from the Washington Adventist University campus to East-West Highway (MD410), and includes multi-family residential units along Maple Avenue, the Erie Center on Flower and Erie Avenues, the Takoma Park Community Center and Library on Maple Avenue, and the Takoma Park Public Works buildings on Richie Avenue. Along with County Executive Agencies and the County Council, staff is pursuing a number of county-wide efforts that will inform and guide the planning process and the development of Minor Master Plan Amendment recommendations, including the Vision Zero initiative, the County Council Net Zero Resolution, the THRIVE Montgomery 2050 Update to the General Plan, the Pedestrian Master Plan, the Complete Street Guidelines, the County Racial Equity Bill, and the Planning Department Equity-in-Planning effort.

Staff noted that the equity-focused community engagement strategy includes reaching out to renters and homeowners; civic and neighborhood associations; employers; business owners; local business alliances and organizations; major property owners; those who work, shop, or enjoy entertainment in the city; students; faith-based groups; and those who utilize community facilities. This will be achieved in a four-phase approach that will include the Listening, Visioning, Refining, and Sharing Phases, and will utilize multiple tools and methods, such as canvassing services; internet-based updates using social media, the Plan website, an email newsletter, and listserv software; staff attendance at community events; pop-in visits to local business and community facilities; regular attendance at the meetings of established groups like relevant civic associations and multi-family apartment associations; creative engagement

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6. Takoma Park Minor Master Plan AmendmentCONTINUED

methods such as neighborhood canvassing, interactive mapping, and surveying; 90-minute office-hour sessions; a pilot neighbor-to-neighbor program; and other new initiatives that will be developed as staff begins to meet with community leaders. Staff added that outside consultants will also be utilized for outreach and community engagement.

Staff noted that in order to make key holistic recommendations for the Plan area, they will need to explore numerous elements, including the Washington Adventist University; the identity and character of the community; housing; economic development; transportation, access, and connectivity; energy and environment; parks and open space; historic resources, and community facilities. Staff added that additional elements will be added as the engagement effort and existing conditions analysis begin.

Following approval of the Scope of Work, the next steps for the Plan include an existing conditions analysis and engagement work scheduled for October through November; Visioning and preliminary recommendations scheduled for December through April 2022; development of the staff draft report scheduled for May 2022; a Planning Board Public Hearing and Planning Board worksessions scheduled for June through December 2022; presentation of the Planning Board Draft scheduled for December 2022; review by the County Executive and County Council, and County Council Planning, Housing and Economic Development (PHED) Committee worksessions scheduled for January through May 2023; adoption by the Planning Board scheduled for June 2023; and a Sectional Map Amendment scheduled for July 2023.

Ms. Rosalind Grigsby of the City of Takoma Park offered brief comments.

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

7. Silver Spring Downtown and Adjacent Communities Plan Planning Board Briefing--Briefing to the Planning Board

Staff Recommendation: Receive Staff 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 proposed Silver Spring Downtown and Adjacent Communities Plan, specifically a requested follow-up for items discussed during the July 29 Planning Board Hearing, as well as a presentation from Historic Preservation staff, to address several issues in advance of presentation of the Plan Staff Draft later in October. Staff noted that during the July 29 hearing, there was discussion regarding the possibility of studying an infill Metrorail station, which is a new planned station located between two existing stations, to be located adjacent to Jesup Blair Park. According to staff, in order to secure an infill station, a jurisdiction must present a request to the Washington Metropolitan Area Transit Authority (WMATA), who determines whether the requested station meets best practices standards, which include ridership, walksheds, site considerations, and return on investment, with the Metro Board making the final approval. The jurisdiction is then responsible for financing the implementation and securing the funding, with operations costs shared across surrounding jurisdictions.

Mr. Steven Segerlin of WMATA offered brief comments and answered questions from the Planning Board.

There followed extensive Board discussion, during which the Planning Board instructed staff to include general language in the Plan referencing the need for improved transit along Georgia Avenue (MD97), specifically the former Walter Reed site.

Historic Preservation staff then offered an overview of the broad historical and cultural themes that have been identified as equity priorities within the Plan area, as well as an update on the architectural and cultural resource surveys that were grant-funded by the Maryland Historical Trust, focusing on such issues as racial inequity, transportation, commercial and residential development, retail, housing, racial discrimination, industry and manufacturing, infrastructure, the Civil Rights Movement, segregation, the opening of the Silver Spring Metrorail station, diversity, and revitalization of the Plan area.

There followed extensive Board discussion, during which the Planning Board instructed staff to continue exploring the era prior to 1904, as well as the Ethiopian migration to the area.

***8. Johns Hopkins Medical Office and Surgery Center at Belward: Site Plan No. 820210120**---Request for approval to redevelop the Subject Property, which is the first development within the Belward Farm area, with an approximately 126,200 gross square foot building for medical use with a private road, parking, open spaces, and other amenities to achieve the vision of the 2010 Great Seneca Science Corridor Master Plan for the Belward District within the Life Sciences Center; generally bounded by Darnestown Road/Key West Avenue (MD 28) to the south, Muddy Branch Road to the west, the Mission Hills subdivision to the north, and the Johns Hopkins Belward Research Campus to the east; approximately 11.18-acre portion of the approximately 107 acre Parcel B, Block C that is zoned LSC-1.0 H-150 T.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation to approve the Site Plan request cited above, subject to revised conditions discussed at the meeting, and adopted the attached Resolution.

In keeping with the September 16 technical staff report, Planning Department staff offered a multi-media presentation and discussed a Site Plan request to redevelop the Johns Hopkins Medical Office and Surgery Center at Belward, which is the first development within the Belward Farm area, with an approximately 126,200 gross square foot building for medical use with a private road, parking, open spaces, and other amenities to achieve the vision of the 2010 Great Seneca Science Corridor Master Plan for the Belward District within the Life Sciences Center. The site is bounded by Darnestown Road/Key West Avenue (MD 28) to the south, Muddy Branch Road to the west, the Mission Hills subdivision to the north, and the Johns Hopkins Belward Research Campus to the east. Approximately 11.18 acres of the 107 acres Parcel B, Block C, The Johns Hopkins University Belward Research Campus subdivision, the “Overall Site”, is owned by Johns Hopkins University. The site consists of existing Parcel B, Block C, and is located within the LSC Belward District of the 2010 Great Seneca Sciences Corridor Master Plan "GSSC Master Plan" or “Master Plan.” The LSC Belward District is recommended to be developed as a research campus with a limited amount of employee housing and includes stat housing and a station for the future Corridor Cities Transitway (CCT).

The overall site, including the property, was previously dedicated to agricultural uses, and is comprised of open field areas and stream valleys. There is one existing access point onto

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***8. Johns Hopkins Medical Office and Surgery Center at Belward: Site Plan**CONTINUED

the Overall Site, via a driveway from Darnestown Road, that provides access to the approximately 10-acre historic Belward farmstead. The Overall Site historic Belward Farm includes the 1891 farmhouse, barns, and outbuildings. A 6.98-acre environmental setting was established for the historic properties by the 1996 Preliminary Plan approval. There is an existing five-foot-wide asphalt side-path along the property's Darnestown Road (MD 28) frontage. The property is located within the Life Sciences Center (LSC) of the Great Seneca Science Corridor, and within one to two miles of various destinations including several early childhood centers and elementary schools, the Shady Grove Professional Center, the Traville Shopping Center, Johns Hopkins University, Universities at Shady Grove, the Shady Grove Adventist Hospital, and the former Public Safety Training Academy (PSTA) Site. In addition to commercial and institutional uses, the site is near residential communities, including both townhomes south of Darnestown Road and single-family detached dwelling units west of Muddy Branch Road.

Staff then discussed the Final Forest Conservation Plan (FFCP), noting that it has been filed for approval with this Site Plan request. The FFCP is in substantial conformance with the previously approved Preliminary Forest Conservation Plan (PFCP). The submitted FFCP included minor changes to the plan, resulting in 24.56 acres of forest clearing, most of which was previously cleared, and a forest mitigation requirement of 33.23 acres. Among the changes from the PFCP is the abandonment of a 1.23-acre portion of an existing Category I Forest Conservation Easement. The easement area being removed is being replaced at 1:1 on-site within the expanded easement incorporating the Mission Hills Preserve and stream valley buffer areas, so no additional mitigation is required for the abandonment. This has been reflected in the calculations for the total forest retained, forest cleared, and afforestation and reforestation requirements for the FFCP. During the review, it was determined that only 2.57 acres of a proposed 5.41 acres of forest retention on the eastern 30-acre portion of the property had been protected in forest conservation easements; therefore, credit cannot be granted for the remaining 2.84 acres of the proposed forest retention. The 2.84 acres not protected must be counted as cleared, which will increase the total mitigation requirement to 38.57 acres. These changes must be reflected in the Certified FFCP.

The applicant proposes to fulfill the mitigation requirement through 17.67 acres of new on-site planting, leaving a remaining planting requirement of 20.9 acres to be fulfilled through acquiring off-site forest banking credits, 20.9 36 acres for new forest planting, or 41.8 acres of forest preservation, or payment of a fee-in-lieu if off-site forest banking credits are not available. As noted above, the Mission Hills Preserve must be afforested as a condition of approval for this Site Plan. All forest planted or retained for forest conservation credit must be protected by recording a Category I Forest Conservation Easement. The applicant submitted a variance request on April 2, 2021, because the plan would create an impact to the Commercial /Residential zone (CR) for five (5) trees that are considered high priority for retention under Section 22A-12(b) of the County Code. Three of these trees will be removed; the other two (2) will be impacted but retained. A copy of the variance request letter, specifying the amount of critical root zone disturbance for the trees to be saved, is attached to the staff report.

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***8. Johns Hopkins Medical Office and Surgery Center at Belward: Site Plan**CONTINUED

The GSSC Master Plan recommendations and zoning have identified the Johns Hopkins Belward Farm property primarily for research and development and medical uses. The Master Plan also includes substantial services and infrastructure for this property, including Master Plan roads, right-of-way for the proposed CCT and the LSC Loop trail, and park and recreation facilities. While much of the existing site is unforested, there are a few specimen trees along the eastern entrance driveway and within existing forest areas on the eastern side of the property. The master planned roads and utilities and the grading to accommodate them will impact five specimen trees. Denying the variance request would interfere with efficient development of the site, provision of required street grids, and the infrastructure needed to support the development. The proposed use of the Property for a medical office building and the Master Plan facilities, is significant and reasonable and requires granting of the variance. Staff added that denial of the variance would constitute a hardship for the applicant. This finding must be met when determining if a variance should be considered for the project. Staff added that based on this finding, a variance can be considered.

Staff also briefly discussed some revisions to Condition of Approval no. 10 and noted that no comments have been received from the public regarding this request.

Mr. Roddy Moscoso of Mission Drive, adjacent property owner, offered testimony.

Ms. Barbara Sears, attorney from Miles & Stockbridge P.C., representing the applicant, introduced Mr. Phillip A. Hummel, attorney from Miles & Stockbridge P.C.; Ms. Tonia Burnette from the Johns Hopkins Health System Facilities Division; Ms. Leslie Ford Weber representing the Suburban Hospital Foundation; Mr. Mitch Bonanno of Johns Hopkins University; Mr. Matthew Myers from the Johns Hopkins Health System Facilities and Real Estate Division ; Mr. Troy Hoggard of Cannon Design; Messrs. Peter Stone and Jim Ruff of Pennoni; and Mr. Wes Guckert, President of the Traffic Group, Inc., members of the applicant's team, offered brief comments, and concurred with the staff recommendation.

Ms. Leslie Ford Weber offered a multi-media presentation and discussed the proposed project.

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

***9. 14731 Myer Terrace: Conditional Use Plan No. CU202110**---Request to operate a group daycare with 9-12 children; located at 14731 Myer Terrace, Rockville; on approximately 0.24 acres within the 1994 Aspen Hill Master Plan area.

(NOTE: Action required for Hearing by Hearing Examiner on October 11, 2021)

Staff Recommendation: Recommend Approval and Transmittal of Comments to the Hearing Examiner

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval and transmittal of comments to the Hearing Examiner, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a Conditional Use (CU) request to operate a group daycare with 9 to 12 children in a single-family residence located on Myer Terrace in Rockville, Maryland, on a 0.24-acre property, within the Aspen Hill Master Plan area. Staff noted that, as discussed in detail in the September 16 technical staff report, the applicant has been operating a Family Day Care for up to 8 children, for two through five-year-old children for approximately two years. The existing Family Day Care use occupies the lower level of the house and is a permitted use in the Residential (R-90) zone. The 10,558-square foot lot is located on the northeastern terminal cul-de-sac of Myer Terrace, and is accessed via the rear door of the house that opens into the daycare area. Parents dropping off children may park on the street and walk with their child up the driveway, or park on the driveway itself and use a path leading to the rear of the property. The rear yard of the house is partially enclosed by a combination of fencing and landscaping. There is fencing along the eastern and southern property lines and heavy landscaping along the western property line. The outdoor play area is in the rear yard and separated from adjoining properties by landscaping and fencing. Unrestricted on-street parking is allowed on both sides of Myer Terrace and three parking spaces are provided on the property.

Staff briefly discussed the conditions of approval, and also noted that the site contains no streams, wetlands or buffers, or known habitats of rare, threatened, or endangered species, and that the proposed CU is in conformance with the Environmental Guidelines. The request is not subject to Chapter 22A, the Forest Conservation Law, because the property is less than 40,000 square feet in size and no disturbance is proposed.

Staff added that to date no community correspondence has been received, and the applicant, Ms. Gabriela Gueorguieva of Myer Terrace was not present at the meeting.

There followed a brief Board discussion with questions to staff.

***10. Linthicum West: Preliminary Plan Amendment No. 12005003A**---Application to convert the approval of all 28 single-family detached MPDU dwellings into single-family attached MPDU dwellings, and to convert 4 additional market rate units into MPDUs for a total of 32 MPDUs; Ch. 50 waiver request for limited findings for the extension of the validity period for Adequate Public Facilities (APF) and extension of the validity period for the Plan as well as validity period for APF; 14222 West Old Baltimore Road; 165.25 acres; RE-1 and TDR-2 Overlay; 1994 Clarksburg Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan Amendment request cited above, subject to revised conditions, 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 Preliminary Plan Amendment request to convert the approved 28 single-family detached Moderately Priced Dwelling Units (MPDUs) dwellings into single-family attached MPDUs dwellings, and to convert 4 additional market rate units into MPDUs for a total of 32 MPDUs; to reduce the park dedication area, Chapter 50 waiver request for limited findings for the extension of the validity period for the Adequate Public Facilities (APF), and extension of the validity period for the Plan and the validity period for the APF to 5 years. The 165.25-acre property is located on West Old Baltimore Road in the Clarksburg Master Plan area. Staff noted that the APF previously approved for the property preceded the current school capacity adequacy test requirement. However, the amendment request is subject to a new determination of school adequacy per County Code Section 50.4.3.J.7.a.i.e. for all remaining unbuilt units generating more than 10 students at any school serving the development. This request includes 221 unbuilt single-family detached units and 32 unbuilt single-family attached units. This test has been conducted as part of the review of this application. The project is served by Clarksburg Elementary School, Neelsville Middle School, and Seneca Valley High School. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the detailed September 20 technical staff report.

Staff also noted that The Preliminary Plan Amendment meets the requirements of Chapter 22A. The site has previously satisfied Chapter 22A of the Forest Conservation Law, as

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***10. Linthicum West: Preliminary Plan Amendment No. 12005003A**CONTINUED

part of the review and approval of the Preliminary Forest Conservation Plan (PFCP). Minor revisions made to the Preliminary Plan through the conditions of this amendment will be addressed by amending the FCP with the subsequent Site Plan under review. The PFCP maintains the conceptual location of proposed structures and improvements and the Plan remains in substantial conformance with the PFCP. The property contains environmental features as delineated in the approved Forest Conservation Plan and is located within the Little Seneca Creek watershed, classified by the State of Maryland as Use I-P waters; it is not located within a Special Protection Area (SPA), or the Patuxent River Primary Management Area. The approved site layout is maintained, with minor adjustments to be requested and reviewed as part of a subsequent Site Plan application. The park dedication conveyance will be reduced by 4 acres, from 90-95 acres to approximately 86 acres.

Staff added that to date no community correspondence has been received.

Staff also discussed proposed revisions to the Conditions of approval.

Mr. Stuart Barr, attorney from Lerch Early & Brewer, representing the applicants, Mr. Tom & Ms. Paula Linthicum of Laytonsville Road; Mr. Luis Gonzalez of Lennar; and Mr. Gary Unterberg of Rodgers Consulting, Inc., members of the applicant's team were present at the meeting.

There followed a brief Board discussion with questions to staff.

***11. Ashford Woods: Site Plan No. 820210110**---Application for up to 322 townhouse units and 42 two-over-twos for a total of 364 units, including 25 percent MPDUs; and one +/-39.9 acre parcel for conveyance to M-NCPPC; +/-141.4 acres; R-90, Rural, Clarksburg East Environmental Overlay, and Clarksburg West Environmental Overlay Zones; located in the southwest quadrant of the intersection with Frederick Road and Comus Road; 1994 Clarksburg Master Plan & Hyattstown Special Study Area; 2014 Clarksburg Ten Mile Creek Area Limited Amendment.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Action: Approved staff recommendation for approval of the Site Plan request cited above, subject to conditions, 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 Site Plan request and the associated Final Forest Conservation and Water Quality Plans, as discussed in detail in the September 20 technical staff report. The proposed application is for the construction of up to 322 townhouse units and 42 two-over-twos for a total of 364 units, including 25 percent Moderately Priced Dwelling Units (MPDUs), to be built on a 141.24-acre property, with a 39.9-acre parcel for conveyance to The Maryland National Park and Planning Commission (M-NCPPC). The property is located in the Clarksburg East Environmental Overlay, and Clarksburg West Environmental Overlay Zones, in the southwest quadrant of the intersection of Frederick Road and Comus Road, in the Clarksburg Master Plan & Hyattstown Special Study Area and the Clarksburg Ten Mile Creek Area Limited Amendment. Staff noted that the Site Plan includes 91 MPDU dwelling units which is 25 percent of the total proposed number of units. The Site Plan provides refinement on the design of the various on-site open space areas, recreation amenities, and general architectural character for the residential development. The application also provides dedication to the State Highway Administration (SHA) along MD 355 for a bikeable shoulder and a shared use path. A new network of private streets and private alleys are proposed for the residential development. This application is reviewed under the MPDU Optional Method in the R-90 Zone under Sect 4.4.8 of the Zoning Ordinance, the Rural Zone under Sect. 4.3.3, and the Clarksburg East and West Environmental Overlay Zones.

Staff also noted that the proposed project is providing a wide variety of open space and on-site amenities ranging from passive resource protection, passive lawn space, to active recreation amenity space. Outside of the development area, land will be protected as rural open

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***11. Ashford Woods: Site Plan No. 820210110**CONTINUED

space totaling 105.48 acres or 80.1 percent of the net area of development within the project area. The Western Parcel will be completely designated as rural open space except for 853 square feet of land that will be dedicated for Comus Road right-of-way. An additional 6.08 acres or 4.6 percent of the development envelope will include open space for recreation and amenities consisting of open play fields, clubhouse, and playground within the buildable area. Additional details regarding the open space and the recreation amenities are provided in the analysis section of the staff report. The 2018 Bicycle Master Plan recommends a 10-foot-wide shared use path and 6-foot-wide bikeable shoulder along the frontage with Frederick Road MD 355. As conditioned as part of the Preliminary Plan, both requirements will be addressed through a payment in-lieu of construction for the full cost to implement the facilities, with the amount provided to Montgomery County Department of Transportation (MCDOT), as part of a participation agreement for future construction by MCDOT. The Site Plan will be developed into two phases starting from Frederick Road towards the southwest portion of the site, Phase 1 encompasses development southwest of Frederick Road, with a total of 175 units. Phase 2 encompasses development just east of I-270 and, with a total of 189 units.

Staff added that the proposed plan will retain approximately 51 acres of forest and plant approximately 15 acres of new forest, an additional 3.3 acres of forest may be planted if the potential forest bank is created, resulting in approximately 66 acres of forest on the property that will either be dedicated to the Department of Parks or protected in Category I Conservation Easements and maintained by the future Homeowners Association (HOA). Approximately 15 acres of currently unforested stream buffers on will be forested as part of this development plan. The Impervious surfaces are limited to no more than 11.8 percent or 723,490 square feet of the total area under application for development within the combined Clarksburg East and West Environmental Overlay Zones. The applicant will provide 80 percent or 105.4 acres of rural open space. The applicant is also providing an additional 6.08 acres of open space for recreation and amenities. The recreational amenities provided include a wetland, meadow areas, a community building with a covered patio, open play fields, playgrounds, and seating areas. The trails will provide connectivity throughout the site, which are connected to the residential development and offsite.

Staff also discussed the conditions of approval.

Ms. Barbara Sears attorney from Miles & Stockbridge P.C., representing the applicant, introduced members of the applicant's team, offered brief comments, and concurred with the staff recommendation.

Mr. Michael Natelli of Natelli Communities, the applicant, offered a multi-media presentation and briefly discussed the proposed project, specifically the noise barrier requirement.

There followed a brief Board discussion with questions to staff and the applicant's representative.

***12. White Flint Metro Station Access Improvements Mandatory Referral Request ---**
 Mandatory Referral MR2021032, White Flint Metro Station Access Improvements
 Construction of new pedestrian and intersection improvements on MD 355 (Rockville Pike)
 between Old Georgetown Road and Marinelli Drive, Master Plan -White Flint Master Plan
Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: CICHY/PATTERSON

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation to approve the Mandatory Referral request for the proposed White Flint Metro Station Access Improvements and provided comments and recommendations to be transmitted to State Highway Administration, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a Mandatory Referral request for the White Flint Metro Station Access Improvements, and construction of new pedestrian and intersection improvements on MD 355 (Rockville Pike) between Old Georgetown Road and Marinelli Drive, in the White Flint Master Plan area. Staff noted that the project is on fast track and is scheduled to be completed by next November. The Montgomery County Department of Transportation (MCDOT) is proposing to construct pedestrian access and safety improvements focusing on the north side of the White Flint Metro station. This is a project advanced by the County Executive to provide short-term improvements for access between the White Flint Metro Station and the Pike and Rose development area and other points to the north. The project includes the following improvements: 1) Construction of new 8-foot-wide sidewalks along MD 355, separated from the curb with a 6-foot-wide grass buffer; and 2) Intersection improvements on MD 355 at Old Georgetown Road to improve pedestrian safety including new crosswalks and the elimination of right-turn lane ramps. The current project, which includes full design and construction cost funding, is listed as a Capital Improvements Program (CIP) Project. This project is included in the FY22-FY26 CIP. The planning and design budget listed is \$2.9 million, and this project is scheduled for construction in FY22. The 35 percent design plan presentation drawings are provided as Attachment A to the staff report.

Staff also noted that the proposal for the construction of pedestrian and road improvements 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 the Commission. The law requires the Planning

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***12. White Flint Metro Station Access Improvements Mandatory Referral Request**CONTINUED

Board to review and approve the proposed location, character, grade and extent of any road, park, public way, or ground, public, including federal building or structure, or public utility, whether publicly or privately owned, prior to the project being located, constructed, or authorized. Staff acknowledges that the implementation of master plan transportation recommendations is a challenge faced by the applicant in developing design plans to convert desired master plan recommendations into engineering design drawings. The design process, up to 35 percent design, typically brings clarity with considerably more detail than considered during a master plan, and issues such as environmental impacts, historical impacts, and construction costs may introduce new factors that need to be weighed in developing a final design solution. It is hoped that the Mandatory Referral process aids in this process to develop an optimal, or at least an improved design solution.

Staff recommended approval of this Mandatory Referral request with the following comments: 1) for all sidewalk work, crosswalks at driveways should be at sidewalk level; 2) consider posting “No Turn on Red” on all intersection approaches at the Rockville Pike/Old Georgetown Road intersection; 3) in the northwest corner of the Rockville Pike/Old Georgetown Road intersection, extend the existing sidewalk on Old Georgetown Road in a straight line approaching the intersection. Do not bend the sidewalk closer to the curb by 6 feet. Provide a wider sidewalk in the curb extension section near the corner and maintain a 6-foot wide grass buffer; 4) consider paving treatments in the northeast, northwest and southwest corners of the Rockville Pike/Old Georgetown Road intersection to provide larger pedestrian circulation areas, potentially with plantings and amenities; 5) MCDOT should program a CIP project or expand the White Flint West Workaround project for Old Georgetown Road between Rockville Pike and Towne Road to implement a road diet from 6 to 4 travel lanes and provide improved sidewalks and two-way separated bike lanes on both sides of the road. This should include intersection improvements to accommodate reduced through traffic resulting after the opening of the White Flint West Workaround, particularly the eastbound left turn movement at Rockville Pike, which is projected to be reduced by 74-78 percent; 6) ensure that these interim improvements work/fit with the ultimate cross sections on Old Georgetown Road, consistent with the requested CIP project above. At a minimum, a sketch level concept should be prepared before the White Flint Metro Access improvements are finalized that considers the traffic operational needs on the Old Georgetown Road approaches once the White Flint West Workaround is operational. This concept should include improved sidewalks, two-way separated bike lanes, and buffers consistent with the bicycle Master Plan and the Complete Streets Design Guidelines.

At the Board’s request, Mr. Dan Sheridan, and Ms. Rebecca Park of MCDOT offered comments and answered questions from the Board.

There followed extensive Board discussion with questions to staff and MCDOT representatives, during which the Planning Board provided comments and recommendations to staff to be transmitted to State Highway Administration (SHA).