



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 28, 2021, at 9:09 a.m., and adjourned at 4:40 p.m.

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

Items 1 and 2, and Items 5 and 6 are reported on the attached agenda.

Items 13 and 4 were removed from the Planning Board agenda.

The Planning Board recessed for lunch at 11:40 a.m. and convened in Closed Session at 12:09 p.m. to take up Item 16, a Closed Session Item.

In compliance with State Government Article §3-305(b), Annotated Code of Maryland, the following is a report of the Board's Closed Session:

The Board convened in Closed Session at 12:09 p.m. via video conference on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy and Verma voting in favor of the motion, and Commissioner Patterson temporarily absent. The meeting was closed under authority of Annotated Code of Maryland §3-305(b)(10)(ii), to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including the development and implementation of emergency plans; and §3-305(b)(15)(ii)(3), to discuss cybersecurity, if the public body determines that public discussion would constitute a risk to network security information, including information that is related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity.

Also present for the meeting were Executive Director Asuntha Chiang-Smith, John Kroll, and Katie Knaupe, of the Department of Human Resources Management; Director Mike Riley and Deputy Director Miti Figueredo of the Parks Department; Secretary/Treasurer Joe Zimmerman of the Finance Department; Director Gwen Wright and Deputy Director Tanya Stern of the Planning Department; Chief Information Officer Mazen Chilet of the Office of the Chief Information Officer; Brian Anleu of the Chair's Office; and Deputy General Counsel Debra Borden, Principal Counsel Emily Vaias, and James Parsons of the Legal Department.

In Closed Session, the Board received briefing regarding cyber-security issues for the Commission.

The Closed Session meeting was adjourned at 1:46 p.m.

The Planning Board reconvened via video conference at 1:54 p.m.

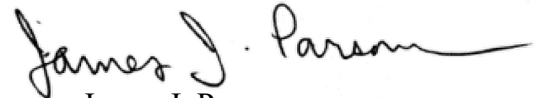
Items 7 through 9, and Items 12 through 15 are reported on the attached agenda.

Items 10 and 11 were removed from the Planning Board agenda.

There being no further business, the meeting was adjourned at 4:40 p.m. The next regular meeting of the Planning Board will be held on Thursday, November 4, 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 28, 2021
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

1. Consent Agenda

***A. Adoption of Resolutions**

1. Shops at Travilah Preliminary Plan 120210090 – MCPB No. 21-096
2. Cashell Estates Preliminary Plan 12016021/a – MCPB No. 21-115

BOARD ACTION

Motion: 1. & 2. CICHY/VERMA

Vote:

Yea: 1. 4-0
2. 3-0

Nay:

Other: 2. PATTERSON ABSTAINED

Action: Adopted the Resolutions cited above, as submitted.

***B. Record Plats**

Subdivision Plat No. 220220010, Seneca Park Senior Housing – R-90 zone; 1 parcel; located on the eastern side of Frederick Road (MD-355), 950 feet south of the intersection of Plummer Drive; Germantown Sector Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

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

***C. Other Consent Items**

Iglesia Vida Nueva Church: Preliminary Plan No. 120210020, Regulatory Review Extension Request No. 2---Request to extend the regulatory review period for an additional three months until February 5, 2022; Application to create one lot for a religious assembly with capacity for up to 294 persons; 4.1 acres; RE-2C Zone; located approximately 800 feet from the intersection of Old Columbia Pike and Randolph Road; 1997 Fairland Master Plan.

Staff Recommendation: Approval of the Extension Request

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

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

***D. Approval of Minutes**

Planning Board Meeting Minutes of October 14, 2021

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved the Planning Board Meeting Minutes of October 14, 2021, as submitted.

2. Roundtable Discussion

- Parks Department Director's Report

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

Parks Department Director's Report – Parks Department Director Mike Riley offered a multi-media presentation and briefed the Board on the following ongoing and upcoming Parks Department events and activities: the October 12 presentation of the Fall 2021 Semi-Annual Report to the County Council, which focused on mini-refresher improvements at the Acorn and Flower Avenue Urban Parks, the reinstatement of the alcohol allowance for the Picnic in the Parks program, Capital Projects that were delivered in 2021, upcoming projects, grants and federal funding that are currently being pursued, the Trails and Equity Engagement program, school athletic field renovations, the status of the community engagement survey for the Parks, Recreation, and Open Space (PROS) Master Plan, an overview of the Enterprise facilities revenues for Little Bennett Campground, South Germantown Driving Range, and the Black Hill boats, and recent special events at parks, including the Summer Concert Series, the Salsa in the Parks event, Opera in the Park, the Craft & Sip event, the Friendship Picnic event, and the Paint with Your Pup event; the October 18 ribbon cutting ceremony for the first dedicated pickleball court in the Parks system, located at the Bauer Drive Local Park; the upcoming Nightmare on Elm Street event scheduled for October 30 at Elm Street Urban Park; the upcoming dedication of a sculpture of sports journalist Shirley Povich interviewing Washington Senators pitcher Walter Johnson, scheduled for November 6 at the Shirley Povich Field at Cabin John Regional Park; and the upcoming community celebration at the Maydale Nature Classroom, scheduled for November 6.

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

~~3. — FY23 Operating Budget — Follow up (if needed) —~~ **REMOVED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

~~4. **Corridor Forward: The I-270 Transit Plan Working Draft**—The staff will present the Working Draft of Corridor Forward. **REMOVED**~~

~~*Staff Recommendation: Approve the Working Draft of Corridor Forward: The I-270 Transit Plan as the Public Hearing Draft and Schedule the Public Hearing Date*~~

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

***5. Pike and Rose Phase II, Site Plan Amendment 82013012G**---Site Plan 82013012G: Request to change the building massing and architecture of Building 9, for the construction of a commercial building of up to 300,000 square feet of total development comprised of up to 288,000 square feet of office space and up to 12,000 square feet of street-level retail; Adjust the hardscape, landscape, and public art elements to reflect the revised architecture, and eliminate an existing vehicular access point from Meeting Street. Located on the northwest corner of the intersection of Rockville Pike and Meeting Street; on approximately 10.32 acres of land zoned CR-4.0 C-3.5 R-3.5 H-300; within the 2010 White Flint Sector Plan area.

Staff Recommendation: Approval with Conditions and Adoption of the Resolution

BOARD ACTION

Motion: **PATTERSON/VERMA**

Vote:

Yea: **4-0**

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed Site Plan Amendment request to revise the previously approved design, massing, square footage, height, hardscaping, and landscaping for two proposed office buildings. The 24.4-acre site, part of the Pike and Rose mixed-use development, is located on the north side of Old Georgetown Road (MD187), bounded by Rockville Pike (MD355) to the east, Montrose Parkway to the north, Towne Road to the west, and is zoned Commercial/Residential (CR) within the White Flint Sector Plan area. Staff noted that the proposed Amendment is limited to Building 2, located on the northwest portion of the site, and Building 9, located on the eastern portion at the northwest quadrant of the intersection of Meeting Street and MD355. Staff then briefly discussed previous approvals.

Staff noted that the applicant proposes to revise the architectural design and massing of Building 9, a previously approved office building, which will decrease the approved square footage by 36,000 square feet and height by 48 feet; revise the surrounding hardscape and plantings; revise the approved parking from 372 above grade parking spaces to 282 below-grade spaces and 243 above-grade spaces; and change edge conditions on the north side of Block 13 to eliminate an entrance from private road Meeting Street. The applicant also proposes to increase the total commercial density in Building 2 from 260,000 to 275,000 square feet to correct the building density requested in a previously approved Site Plan Amendment. Vehicular access will be provided by two access points from Trade Street, one of which will

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***5. Pike and Rose Phase II**

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provide access to structured parking, with the second providing access to a separate loading dock that will be used exclusively for loading and service.

Mr. Scott Wallace, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

Mr. Jay Brinson, member of applicant's team, offered brief comments.

There followed a brief Board discussion.

6. Silver Spring Downtown & Adjacent Communities Plan – Working Draft Recommendations Presentation

Staff Recommendation: Approve Working Draft and Schedule the Public Hearing Date

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Working Draft of the Silver Spring Downtown and Adjacent Communities Plan as the Planning Board Public Hearing Draft and set the Public Hearing for December 2, 2021.

Planning and Parks Department staff offered a multi-media presentation and discussed the staff recommendations for the proposed Working Draft of the Silver Spring Downtown and Adjacent Communities Plan. According to staff, the plan focuses on four major themes – diversity, connectivity, resiliency, and community health. The overarching theme of equity is woven through all the plan themes and is the connective tissue throughout the plan. All goals and recommendations support one or more of the themes. The key recommendations for the Plan area include the implementation of the Silver Spring Building Height Incentive Zone (BHIZ) and the Connectivity and Infrastructure Fund (CIF) to support a world-class arrival experience at the Transit Center, build a new bridge connection across the rail tracks, and strategic utility and streetscape infrastructure improvements; a vision and recommendations for each district to redevelop key sites and build on its unique character and assets; a Green Loop to expand and unify access for all residents to green, safe, and inviting sidewalks, bikeways, and parks and open spaces; the creation of numerous new and enhanced parks and open spaces, including a major renovation of Jesup Blair Park; support of the expansion of bio-science, technology, and education uses; and an update of the Zoning Code for better flexibility of development, increase affordable housing, support small business growth, and realize Sector Plan goals.

Staff noted that the Plan area consists of eight distinct districts, which are the Ellsworth District, Fenton Village, Metro Center, the Ripley District, South Silver Spring, Downtown North, Falklands, and the Adjacent Communities. Staff then discussed the goals and key recommendations for each district regarding connectivity, land use and zoning, housing, economic growth, and urban design, as detailed in the October 21 technical staff report.

Parks Department staff then discussed the district goals for parks and open space, as detailed in the October 21 technical staff report.

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**6. Silver Spring Downtown & Adjacent Communities Plan – Working Draft
Recommendations Presentation**CONTINUED

Planning Department staff then discussed district-specific recommendations regarding transportation, the proposed bicycle network, transit, pedestrian safety, and infrastructure, proposed new connections, parking, transportation demand management, environmental and economic resiliency, addressing extreme heat, priority tree planting, cool streets design guidelines, energy, water quality, food security, community facilities, schools, historic resources, preservation of cultural and heritage resources, and implementation of a Legacy Business Registration, as detailed in the October 21 technical staff report.

Following approval of the Working Draft, the next steps for the proposed Plan include a Planning Board Public Hearing on December 2, worksessions, and approval of the Planning Board Draft, scheduled throughout fall and winter 2021 and 2022; a County Council Public Hearing, County Council review and worksessions and County Council approval scheduled for spring 2022; and approval of an associated Sectional Map Amendment (SMA), scheduled for fall 2022.

There followed extensive Board discussion with questions to staff, during which the Planning Board offered guidance regarding traffic, pedestrian safety, and funding, and requested more specificity regarding the concept of neighborhood character in the Plan, and more information regarding single-room occupancy units within the Plan area.

16. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(10)(ii), to discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including the development and implementation of emergency plans; and §3-305(b)(15)(ii)(3), and to discuss cybersecurity, if the public body determines that public discussion would constitute a risk to network security information, including information that is related to an assessment, made by or for a governmental entity or maintained by a governmental entity, of the vulnerability of a network to criminal activity.

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

7. **2710 Washington Avenue, Administrative Subdivision Plan No. 620190130---R-60** Zone, 1.07 acres, request to create 2 single-family lots. Located on Washington Avenue, 200 feet West of Ellingson Drive.; 2000 North & West Silver Spring Master Plan

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Administrative Subdivision 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 Administrative Subdivision Plan request to subdivide a property for the construction of single-family detached dwelling units. The 1.07-acre property, identified as Lot 46, is located on the south side of Washington Avenue, approximately 200 feet west of its intersection with Ellingson Drive, and is zoned Residential within the North and West Silver Spring Master Plan area and the Lower Rock Creek Watershed. Currently, the site is developed with an existing single-family detached residence along the northern portion, which will remain. An existing outlot associated with the project, identified as Outlot A, is located on a cul-de-sac at the eastern terminus of Abilene Drive. The owner of Outlot A is related to the applicant and has granted approval of its use for access from Abilene Drive.

Staff noted that the applicant proposes to create 18,933-square foot proposed Lot 140 for the existing residence and 22,443-square foot Lot 141 to accommodate a new residence. Lot 140 will continue to front on, and be accessed via Washington Avenue, with Lot 141 to be accessed from Abilene Drive via existing Outlot A. As a condition of approval, the applicant will construct five-foot wide sidewalk connections along and just beyond both property frontages. The proposed project also includes a new onsite Category I Conservation Easement on Lot 141, which will meet or exceed forest conservation requirements, and a modified Building Restriction Line (BRL) to maintain approximately 15 feet of separation between the BRL for the new home and the conservation easement. Staff added that an updated Forest Conservation Plan and variance request must be submitted prior to approval of the record plat.

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

There followed a brief Board discussion.

8. Takoma Park Public Library: Mandatory Referral No. MR2021018-- Renovation /reconstruction of the public library building located at 101 Philadelphia Avenue. On 3.73 acres of land zoned R-60; within the 2000 Takoma Park Master Plan.

Staff Recommendation: Approval with Conditions and Transmit Comments to the City of Takoma Park

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Mandatory Referral request cited above, subject to conditions, and to transmit comments to the City of Takoma Park, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral request by the City of Takoma Park to replace an existing library with a new, improved facility. Staff added that the request includes an associated Forest Conservation Exemption. The 3.73-acre property, identified as Parcel A, is located on the north quadrant of the intersection of Philadelphia and Maple Avenues, and is zoned Residential within the Takoma Park Master Plan area and the Sligo Creek watershed. The site is currently developed with the Takoma Park Municipal Center, which in addition to the existing 7,800-square foot library includes other City facilities, such as City Council offices, a community center, and a Police station, all of which are located within the remainder of the attached building along the northeast side of the proposed new library. While there are no stream buffers or wetlands onsite, there is a localized 100-year floodplain that is not associated with a stream, river, or tidal influence, but rather is due to the depressional setting of the site, which is lower in elevation than parts of the surrounding landscape.

Staff noted that following demolition of the existing library, the City proposes to construct a new 17,000-square foot library, which will also include related facility upgrades such as a lounge and the Parks and Recreation Department office, bringing the total area of new construction to approximately 18,925 square feet. The existing vehicular circulation will be retained. To address the floodplain and the potential for flooding, the floor elevation will be at least one foot above the floodplain level. Minor site modifications will also be made to pedestrian circulation patterns and infrastructure, as well as the storm drain network in the vicinity of the proposed library addition. Staff noted that the parking lot elevation in the vicinity

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8. Takoma Park Public Library

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of the library entrance will be raised to accommodate the higher finish floor elevation of the new library. However, no additional substantial changes will be made to the remainder of the existing site infrastructure.

Staff added that they have included an additional condition of approval in response to the recommendations set forth in a letter from the Maryland Department of Transportation/State Highway Administration (MDOT/SHA).

Ms. Jessica Clarke of the City of Takoma Park offered brief comments.

There followed a brief Board discussion with questions to staff.

***9. Liberty Mill Road, Preliminary Plan No. 12017021C---** Request to amend the Preliminary Plan for the creation of one 3.59-acre lot for a Residential Care Facility (Over 16 persons) with up to 125-beds (associated with Conditional Use 20-09); located at 19115 Liberty Mill Road; 3.59 acres; R-200 Zone; 1989 Germantown 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 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 Preliminary Plan Amendment request to create a single lot for the construction of a Residential Care Facility. The 3.63-acre property, identified as Parcel 515, is located on the southwest quadrant of Liberty Mill and Dawson Farm Roads, and is zoned Residential within the Germantown Master Plan area. The site is currently developed with a 2,584-square foot, two-story single-family detached residence, and several detached accessory buildings. Though the property has frontage on Liberty Mill Road and Dawson Farm Road, access is only from Liberty Mill Road via a semi-circular driveway with two separate driveway aprons. Along with three significant trees, the remainder of the site consists primarily of lawn and ornamental grass, landscape, and a variety of trees. A 40-foot wide Washington Suburban Sanitary Commission (WSSC) easement for a 30-inch sewer main is located along the southern and western property lines, with an overlapping storm drain easement for a 24-inch storm drain line following the southern property line. There is also a portion of a stream valley buffer on the southeast corner, which is generated by an off-site stream. Staff then briefly discussed previous approvals, specifically a 2017 Conditional Use for a 64-bed Residential Care Facility with 44 parking spaces, and a 2020 Conditional Use for a Residential Care Facility with up to 125 beds within a single building.

Staff noted that following the demolition of the existing residential unit, the applicant proposes to create one 3.59-acre lot and expand the approved project and building from a 64-bed Residential Care Facility for over 16 people to a 125-bed Residential Care Facility. The proposed facility will be accessed from Liberty Mill Road via a new driveway. The applicant will provide bicycle parking for 16 bicycles. As conditioned, the applicant will also provide a 10-foot-wide

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***9. Liberty Mill Road**

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shared use path on the north side of Liberty Mill Road from Dawson Farm Road to Pepper Court, improve the existing bicycle/pedestrian crossings at the intersection of Dawson Farm and Liberty Mill Roads to ensure Americans with Disabilities Act (ADA) compliance and bicycle crossing safety, and upgrade the existing bus stop on Dawson Farm Road with a ten by seven-foot concrete pad.

Ms. Casey Cirner, attorney representing the applicant, offered comments, and concurred with the staff recommendation.

There followed a brief Board discussion.

~~10. Ashton Village Center Sector Plan: Proposed Sectional Map Amendment H-144—~~
The Sectional Map Amendment (SMA) will implement recommendations contained in the 2021 Ashton Village Center Sector Plan by amending the zoning map accordingly. The SMA is associated with a proposed Zoning Text Amendment to revise the Sandy Spring/Ashton Rural Village Overlay Zone. **REMOVED**

Staff Recommendation: Approval to File SMA H-144

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

~~11. — Request to Introduce a Zoning Text Amendment to modify the Sandy Spring/Ashton Rural Village (SSA) Overlay Zone~~— Following the approval of the Ashton Village Center Sector Plan, the SSA Overlay Zone is being revised to incorporate the recommendations of the Sector Plan and remove provisions of the overlay zone that are no longer needed. **REMOVED**

Staff Recommendation: Approve Request to Transmit Zoning Text Amendment for Introduction to the District Council

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

12. ZTA 21-06 Exemptions, Density Transfer and Historic Resources---ZTA 21-06 adds a new exemption to Section 7.7.1.D establishing a process for approving certain specified non-residential uses on historic sites protected through a density transfer.

Staff Recommendation: Transmit Comments to the County Council
(NOTE: Action required for the County Council Public Hearing of November 2, 2021)

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to the County Council, as discussed during the meeting, and as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Zoning Text Amendment (ZTA) that would create a new residential exemption for sites containing a structure or resource of historic significance. As introduced by the County Council President at the request of the Planning Board, proposed ZTA 21-06 would create a new residential exemption establishing special provisions, including limited commercial uses within existing or new structures on sites that contain a resource of historic significance, if the property is in a residential zone and is otherwise protected from development through a density transfer. Specifically, the ZTA would permit a limited list of commercial retail and professional uses in existing or new structures, pending site plan approval by the Planning Board, and a favorable recommendation from the Historic Preservation Commission (HPC), on parcels that contain a site, structure, or area of historic significance in a residential zone protected under a density transfer. The exemption will also add Medical and Dental Clinics, with up to Four Medical Practitioners to the list of acceptable uses. Approval of any proposed development by the Planning Board and the HPC will be contingent on three findings: 1) that any proposed modifications to buildings, structures, or the land must be consistent with the intent of protection of the historic resource; 2) that the development shall not introduce operational characteristics that would encroach upon or destroy the historical, archaeological, or architectural character or value of the site; and 3) that the project must be recommended for approval by the HPC prior to approval of the Site Plan by the Planning Board.

In response to the conclusion rendered by the Office of Legislative Oversight (OLO) in their October 19, 2021 Racial Equity and Social Justice (RESJ) Impact Statement, staff noted that the scope of the impact analysis was inconsistent with the scope of the ZTA actual

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12. ZTA 21-06 Exemptions, Density Transfer and Historic Resources

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impact, and that the analysis fails to demonstrate how the specific changes proposed by the ZTA support the conclusion that the ZTA would widen racial and social inequities.

Mr. Phillip Hummel, attorney from Miles and Stockbridge, representing the owner of the Samuel Wade Magruder House in Bethesda, Maryland, offered testimony.

There followed extensive Board discussion with questions to staff, during which the Planning Board instructed staff to include language in the comments to the County Council stating that while the Board has noted the findings from the OLO RESJ Impact Statement, they respectfully disagree and believe that the County Council should move forward with the ZTA as submitted.

13. North High Street Extension Facility Planning Study Briefing---Planning Study Briefing by the Montgomery County Department of Transportation on the North High Street Extension facility planning study, Olney, Maryland.

Staff Recommendation: Approval to transmit comments, including selection of a Preferred Design Alternative, to Montgomery County Department of Transportation

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion and approved staff recommendation to transmit comments, including the selection of a Preferred Design Alternative, to Montgomery County Department of Transportation, as stated in the attached transmittal letter.

Following brief remarks by Planning Department staff and the introduction of Ms. Angel Cheng, and Messrs. Dan Sheridan and Corey Pitts, County Department of Transportation (MCDOT) representatives, Ms. Cheng offered a multi-media presentation and discussed the proposed North High Street Extension Facility Planning Study. Ms. Cheng noted that MCDOT is conducting a facility planning study for North High Street in Olney, Maryland. The project involves the extension of a two-lane business district street to connect to Morningwood Drive at a three-leg intersection, and the project elements include one travel lane in each direction, on-street parking, and sidewalks as well as side-path improvements along North High Street between Georgia Avenue (MD 97) and Morningwood Drive. MCDOT offered a multi-media presentation to the Planning Board on the study to-date, including the development of two alternative design concepts. MCDOT requested the Planning Board feedback on the design alternatives. The North High Street project is being funded through the Transportation – Facility Planning program, and this project is funded for facility planning only. The concept plan presentation drawings are provided as attachment to the October 21 technical staff report.

Staff then discussed its recommendations noting that staff does not support either Alternative #1, as it does not provide a protected bicycle facility on North High Street, or Alternative #2, as it creates severe property impacts to the five residential properties along the north side of North High Street. Staff recommended that MCDOT continue to explore the best configuration and operations for the intersection of Morningwood Drive and North High Street.

At the Board's request, Mr. Dan Sheridan of MCDOT offered comments.

There followed a brief Board discussion with questions to staff and MCDOT representatives.

14. New Avenue Bikeway, Section B MD 650---Mandatory Referral MR2021024, New Avenue Bikeway, Section B MD 650. Construction of bikeway improvements along the west side of New Hampshire Avenue between Polar Avenue and Auburn Avenue. Master Plan - Takoma Park Master Plan (2001)

Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Mandatory Referral request cited above, with comments to be transmitted to the City of Takoma Park, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral request by the City of Takoma Park regarding the construction of bikeway improvements along the west side of New Hampshire Avenue between Polar and Auburn Avenues in the Takoma Park Master Plan area. Staff noted that the City of Takoma Park has embarked on this ambitious project to creatively redesign the under-utilized service lanes on the southbound side on New Hampshire Avenue as a two-directional bikeway, while still providing vehicular access to properties. The adjacent properties are residential and commercial, and the proposed improvements include a continuous bikeway along southbound MD 650 and related stormwater management improvements. The location of the planned New Avenue Bikeway is shown in Figure 2 in the October 21 staff report with three proposed sections. Section B is the most southern section and is the subject of this Mandatory Referral request review. Section A came before the Planning Board for review on February 18, 2021, and Section C will be the subject of a future Mandatory Referral request. The City of Takoma Park has completed the concept and preliminary design phases of the New Avenue Bikeway Section B Improvements.

Staff also noted that this project is anticipated to improve pedestrian and bicycle safety along the southbound side of New Hampshire Avenue (MD 650) within the project limits. This project will utilize the available low-volume/low-speed frontage roads as buffer separation for the bikeway from the southbound MD 650 travel lanes. Where there is not adjacent frontage road, a grass or paved buffer will be provided between the proposed bikeway and the southbound MD 650 travel lanes. Key facility types for the proposed bikeway include a shared use path/side-path and southbound shared lane with contra-flow bike lane. Also proposed under this project are Americans with Disabilities Act (ADA) compliance and pedestrian safety upgrades to sidewalk facilities, driveways, bus stops and signalized intersection crossings, with improved connectivity

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14. New Avenue Bikeway, Section B MD 650---Mandatory Referral MR2021024CONTINUED

to transit, and residential/commercial property along the corridor. The proposed project will improve bicycle connectivity and connections; however, the improvements are limited by sub-standard buffers and bare minimum bikeway widths. The contraflow bikeway segment is extremely sub-standard, as unbuffered bike lanes are not a preferred design solution. This is somewhat mitigated as this occurs on a frontage road, not on MD 650 itself, but a striped buffer between the bike lane and the southbound lane would be preferable. This could be accomplished by removing on-street parking along this section. This design does not provide tree-lined sidewalks as envisioned in the Master Plan and does remove some trees located on the City of Takoma Park property.

Staff added that this project is located primarily within the New Hampshire Avenue (MD 650) right-of-way and within the Sligo Creek watershed, a tributary of the Anacostia River. There are no wetlands, streams and/or associated buffers, 100-year floodplains, or rare, threatened, or endangered species onsite. Just south of the site, a tributary to the Takoma Branch stream runs parallel to Poplar Avenue but will not be impacted by this application. Further, no forest stream buffer will be impacted. The City of Takoma Park is required, by the Maryland Department of Natural Resources (MD-DNR), to strictly adhere to the approved sediment and erosion control plans. This request is subject to Chapter 22A of the Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan. No forest is proposed to be impacted and further tree root impacts will be assessed and identified at semi-final design plans as the project develops. Currently, six trees have been identified for removal due to the associated work. All tree removals and possible impacts are inside of the state right-of-way and will be permitted through MD-DNR. The City of Takoma Park will provide tree replacement plantings, at a 1:1 ratio, for all roadside trees impacted as required by MD-DNR.

Ms. Roz Grigsby of Maple Avenue and representing the City of Takoma Park offered comments.

There followed extensive Board discussion with questions to staff.

15. Wilson Delay Lot 1: Administrative Subdivision Plan No. 620210020---Request to create one lot; located on West Hunter Road, 4,000 feet west of Darnestown Road; 12.45 acres; AR zone; 1980 Agricultural and Rural Open Space Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed an Administrative Subdivision Plan request to create one lot for the construction of one new single-family detached dwelling unit with an access driveway on a 12.45-acre property located on West Hunter Road, 4,000 feet west of Darnestown Road in the Agricultural and Rural Open Space Master Plan area. Staff noted that the surrounding properties are predominantly agricultural with single-family detached residential homes on large estate lots, farmhouses and farms, and unimproved parcels. The surrounding properties range in size and are mostly single-family detached houses. The site abuts residential properties to the north, south, east, and west. Further down West Hunter Road is the Town of Beallsville and the Monocacy Cemetery, which contain a mix of Neighborhood /Residential (NR) zoned and Residential (R-200) zoned properties, and to the north of the Town of Beallsville is the Darby Store Cultural Park. The property is a 12.45-acre parcel, with roughly half of the parcel actively used for agricultural purposes and the other half forested. The site is undeveloped with no structures and is located within the Little Monocacy River watershed, which is classified by the State of Maryland as Use Class I-P waters. The site includes 6.26 acres of forest onsite and three trees at 30 inches Diameter at Breast Height (DBH). There are no sensitive environmental features on the property, which is surrounded on the eastern property line by forest and fronts on West Hunter Road, which is designated as a "Rustic Road" under the 1996 *Rustic Roads Functional Master Plan*. No known rare, threatened, or endangered species or habitats exist, and there are no designated historic structures on or near the property.

Staff added that the proposed residence will utilize a new on-site private well and septic system. The request has been reviewed by Montgomery County Department of Permitting Services (MCDPS) - Well and Septic Section, which has determined that the proposed well and septic locations are acceptable and has approved the plan submitted by the applicant. Although

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15. Wilson Delay Lot 1: Administrative Subdivision Plan No. 620210020CONTINUED

this is an Administrative Subdivision Plan usually acted on by the Planning Director, this request requires Planning Board action because the proposed lot is larger than the 5-acre maximum within the Agricultural/Residential (AR) zone as per Section 50.6.1.B.5. of the Zoning Ordinance. The property qualifies for an exemption from the minimum lot area requirements and lot width requirements of the AR zone under Section 59.7.7.1.D.9. of the Zoning Ordinance. The request includes an agricultural exemption from the requirements of Chapter 22A of the Forest Conservation Law for the portion of the site that is remaining in agricultural production. The applicant has submitted a Preliminary/Final Forest Conservation Plan (P/FFCP). The FFCP shows a total of 6.26 acres of forest on the Net Tract Area of the property. The FFCP proposes to remove 1.50 acres and retain 4.67 acres of forest. When the numbers of the Net Tract Area, land use category, total amount of existing forest, forest removed, and forest retained are calculated, it results in a total afforestation/reforestation requirement of zero acre. All the retained forest will be protected by a Category I Conservation Easement. The request substantially conforms to the 1980 *Preservation of Agriculture and Rural Open Space Functional Master Plan* by supporting active agricultural production, retaining prime soils, and maintaining the existing rural character. No improvements are requested for West Hunter Road consistent with the rustic road designation.

Staff added that a letter was received from a neighbor expressing concerns regarding the location of the proposed septic field, the location of the future residence, tree clearance along the eastern property line, and whether any trees would be removed along West Hunter Road. In response, staff has worked closely with the applicant to relocate the proposed residence to preserve as much existing forest as possible and improve access to the house from West Hunter Road. The request was reviewed by the Rustic Roads Advisory Committee and has received an approval letter attached to the staff report.

Mr. Dhavalkumar Patel of Vanmar Associates, Inc., representing the applicant, Ms. Nancy Cawley of Pine Creek Court, were both present at the meeting.

There followed a brief Board discussion with questions to staff.

13. North High Street Extension Facility Planning Study Briefing---Planning Study Briefing by the Montgomery County Department of Transportation on the North High Street Extension facility planning study, Olney, Maryland.

Staff Recommendation: Approval to transmit comments, including selection of a Preferred Design Alternative, to Montgomery County Department of Transportation

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by Board discussion and approved staff recommendation to transmit comments, including the selection of a Preferred Design Alternative, to Montgomery County Department of Transportation, as stated in the attached transmittal letter.

Following brief remarks by Planning Department staff and the introduction of Ms. Angel Cheng, and Messrs. Dan Sheridan and Corey Pitts, County Department of Transportation (MCDOT) representatives, Ms. Cheng offered a multi-media presentation and discussed the proposed North High Street Extension Facility Planning Study. Ms. Cheng noted that MCDOT is conducting a facility planning study for North High Street in Olney, Maryland. The project involves the extension of a two-lane business district street to connect to Morningwood Drive at a three-leg intersection, and the project elements include one travel lane in each direction, on-street parking, and sidewalks as well as side-path improvements along North High Street between Georgia Avenue (MD 97) and Morningwood Drive. MCDOT offered a multi-media presentation to the Planning Board on the study to-date, including the development of two alternative design concepts. MCDOT requested the Planning Board feedback on the design alternatives. The North High Street project is being funded through the Transportation – Facility Planning program, and this project is funded for facility planning only. The concept plan presentation drawings are provided as attachment to the October 21 technical staff report.

Staff then discussed its recommendations noting that staff does not support either Alternative #1, as it does not provide a protected bicycle facility on North High Street, or Alternative #2, as it creates severe property impacts to the five residential properties along the north side of North High Street. Staff recommended that MCDOT continue to explore the best configuration and operations for the intersection of Morningwood Drive and North High Street.

At the Board's request, Mr. Dan Sheridan of MCDOT offered comments.

There followed a brief Board discussion with questions to staff and MCDOT representatives.

14. New Avenue Bikeway, Section B MD 650---Mandatory Referral MR2021024, New Avenue Bikeway, Section B MD 650. Construction of bikeway improvements along the west side of New Hampshire Avenue between Polar Avenue and Auburn Avenue. Master Plan - Takoma Park Master Plan (2001)

Staff Recommendation: Approval with Comments

BOARD ACTION

Motion: VERMA/CICHY

Vote:

Yea: 4-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Mandatory Referral request cited above, with comments to be transmitted to the City of Takoma Park, as stated in the attached transmittal letter.

Planning Department staff offered a multi-media presentation and discussed a proposed Mandatory Referral request by the City of Takoma Park regarding the construction of bikeway improvements along the west side of New Hampshire Avenue between Polar and Auburn Avenues in the Takoma Park Master Plan area. Staff noted that the City of Takoma Park has embarked on this ambitious project to creatively redesign the under-utilized service lanes on the southbound side on New Hampshire Avenue as a two-directional bikeway, while still providing vehicular access to properties. The adjacent properties are residential and commercial, and the proposed improvements include a continuous bikeway along southbound MD 650 and related stormwater management improvements. The location of the planned New Avenue Bikeway is shown in Figure 2 in the October 21 staff report with three proposed sections. Section B is the most southern section and is the subject of this Mandatory Referral request review. Section A came before the Planning Board for review on February 18, 2021, and Section C will be the subject of a future Mandatory Referral request. The City of Takoma Park has completed the concept and preliminary design phases of the New Avenue Bikeway Section B Improvements.

Staff also noted that this project is anticipated to improve pedestrian and bicycle safety along the southbound side of New Hampshire Avenue (MD 650) within the project limits. This project will utilize the available low-volume/low-speed frontage roads as buffer separation for the bikeway from the southbound MD 650 travel lanes. Where there is not adjacent frontage road, a grass or paved buffer will be provided between the proposed bikeway and the southbound MD 650 travel lanes. Key facility types for the proposed bikeway include a shared use path/side-path and southbound shared lane with contra-flow bike lane. Also proposed under this project are Americans with Disabilities Act (ADA) compliance and pedestrian safety upgrades to sidewalk facilities, driveways, bus stops and signalized intersection crossings, with improved connectivity

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14. New Avenue Bikeway, Section B MD 650---Mandatory Referral MR2021024CONTINUED

to transit, and residential/commercial property along the corridor. The proposed project will improve bicycle connectivity and connections; however, the improvements are limited by sub-standard buffers and bare minimum bikeway widths. The contraflow bikeway segment is extremely sub-standard, as unbuffered bike lanes are not a preferred design solution. This is somewhat mitigated as this occurs on a frontage road, not on MD 650 itself, but a striped buffer between the bike lane and the southbound lane would be preferable. This could be accomplished by removing on-street parking along this section. This design does not provide tree-lined sidewalks as envisioned in the Master Plan and does remove some trees located on the City of Takoma Park property.

Staff added that this project is located primarily within the New Hampshire Avenue (MD 650) right-of-way and within the Sligo Creek watershed, a tributary of the Anacostia River. There are no wetlands, streams and/or associated buffers, 100-year floodplains, or rare, threatened, or endangered species onsite. Just south of the site, a tributary to the Takoma Branch stream runs parallel to Poplar Avenue but will not be impacted by this application. Further, no forest stream buffer will be impacted. The City of Takoma Park is required, by the Maryland Department of Natural Resources (MD-DNR), to strictly adhere to the approved sediment and erosion control plans. This request is subject to Chapter 22A of the Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan. No forest is proposed to be impacted and further tree root impacts will be assessed and identified at semi-final design plans as the project develops. Currently, six trees have been identified for removal due to the associated work. All tree removals and possible impacts are inside of the state right-of-way and will be permitted through MD-DNR. The City of Takoma Park will provide tree replacement plantings, at a 1:1 ratio, for all roadside trees impacted as required by MD-DNR.

Ms. Roz Grigsby of Maple Avenue and representing the City of Takoma Park offered comments.

There followed extensive Board discussion with questions to staff.

15. Wilson Delay Lot 1: Administrative Subdivision Plan No. 620210020---Request to create one lot; located on West Hunter Road, 4,000 feet west of Darnestown Road; 12.45 acres; AR zone; 1980 Agricultural and Rural Open Space Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

BOARD ACTION

Motion: CICHY/VERMA

Vote:

Yea: 4-0

Nay:

Other:

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Planning Department staff offered a multi-media presentation and discussed an Administrative Subdivision Plan request to create one lot for the construction of one new single-family detached dwelling unit with an access driveway on a 12.45-acre property located on West Hunter Road, 4,000 feet west of Darnestown Road in the Agricultural and Rural Open Space Master Plan area. Staff noted that the surrounding properties are predominantly agricultural with single-family detached residential homes on large estate lots, farmhouses and farms, and unimproved parcels. The surrounding properties range in size and are mostly single-family detached houses. The site abuts residential properties to the north, south, east, and west. Further down West Hunter Road is the Town of Beallsville and the Monocacy Cemetery, which contain a mix of Neighborhood /Residential (NR) zoned and Residential (R-200) zoned properties, and to the north of the Town of Beallsville is the Darby Store Cultural Park. The property is a 12.45-acre parcel, with roughly half of the parcel actively used for agricultural purposes and the other half forested. The site is undeveloped with no structures and is located within the Little Monocacy River watershed, which is classified by the State of Maryland as Use Class I-P waters. The site includes 6.26 acres of forest onsite and three trees at 30 inches Diameter at Breast Height (DBH). There are no sensitive environmental features on the property, which is surrounded on the eastern property line by forest and fronts on West Hunter Road, which is designated as a "Rustic Road" under the 1996 *Rustic Roads Functional Master Plan*. No known rare, threatened, or endangered species or habitats exist, and there are no designated historic structures on or near the property.

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15. Wilson Delay Lot 1: Administrative Subdivision Plan No. 620210020CONTINUED

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