



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APPROVED
MINUTES**

The Montgomery County Planning Board met in regular session in the Wheaton Headquarters Building in Wheaton, Maryland, and via Microsoft Teams video conference on Thursday, April 07, 2022, at 12:07 p.m., and adjourned at 3:43 p.m.

Present were Chair Casey Anderson, Vice Chair Partap Verma, Commissioners Tina Patterson, and Carol Rubin.

Commissioner Gerald R. Cichy was necessarily absent.

Items 1,3 and 4, discussed in that order, are reported on the attached agenda.

Item 2 was removed from the Planning Board agenda.

The Board recessed at 12:09 p.m. and convened in Closed Session at 12:11 p.m. to take up Item 13, 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 12:11 p.m. in person on the motion of Commissioner Rubin, seconded by Vice Chair Verma, with Chair Anderson and Commissioners Patterson, and Rubin voting in favor of the motion, and Commissioner Cichy absent. The meeting was closed under the authority of Annotated Code of Maryland §3-305(b)(13), to comply with a specific constitutional, statutory, or a judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

Also present for the meeting were Principal Counsel Emily Vaias, and Technical Writer/Legal Assistant, Kimberly Young of the Legal Department.

In Closed Session, the Board approved the Closed Session Minutes of January 13 and 27, 2022, February 3, 2022, and March 17, 2022.

The Closed Session meeting was adjourned at 12:13 p.m.

The Planning Board reconvened in the auditorium and via Microsoft Teams video conference at 12:17 p.m.

Present were Chair Casey Anderson, Vice Chair Partap Verma, Commissioners Tina Patterson, Gerry Cichy, and Carol Rubin.

Item 8, Items 5 through 7, discussed in that order, are reported on the attached agenda.

The Planning Board recessed for lunch at 1:56 p.m. and reconvened in the auditorium and via video conference at 2:41 p.m. to take up Items 10 and 11, discussed in that order, and are reported on the attached agenda.

Items 9 and 12 are postponed until the April 21, 2022 meeting.

There being no further business, the meeting was adjourned at 3:43 p.m. The next regular meeting of the Planning Board will be held on Thursday, April 21, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Kimberly Mann Young

Kimberly Young
Technical Writer
Legal Assistant

Thursday, April 7, 2022
2425 Reddie Drive
Wheaton, MD 20902
301-495-4605

PLANNING BOARD MEETING

1. Preliminary Matters

***A. Adoption of Resolutions**

1. PSTA Site Plan 820220050 – MCPB No. 22-037

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 3-0

Nay:

**Other: Patterson Abstained
Cichy Absent**

Action: Adopted the Resolutions cited above, as submitted.

***B. Approval of Minutes**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Minutes submitted for approval.

***C. Other Preliminary Matters**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

2. Roundtable Discussion

Planning Director's Report - REMOVED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Record Plats (Public Hearing)

Subdivision Plat No. 220220500, Section One of Kenwood

R-90 Zone; 1 lot; located on the east side of Elmwood Road, 360 feet north of Parkway Drive; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 4-0

Nay:

Other: Commissioner Cichy Absent

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

4. Regulatory Extension Requests (Public Hearing)

Grand Park Development Preliminary Plan Amendment No. 12019016A & Site Plan No. 820220040 Extension Request No 2:

Request to extend the regulatory review period for Preliminary Plan Amendment No. 12019016A & Site Plan No. 820220040 for three months, from April 28, 2022, to July 28, 2022; located on the Southeast quadrant of the intersection of Old Georgetown Road and Executive Boulevard; on approximately 5.93 acres of land zoned CR 4, C 2.0, R 3.5, H 250; within 2010 White Flint Sector Plan.

Staff recommends approval of the extension request

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 4-0

Nay:

Other: Commissioner Cichy Absent

Action: Approved staff recommendation for approval of the preliminary plan amendment & site plan extension request cited above.

13. **CLOSED SESSION**

According to MD ANN Code, General Provisions Article, §3-305(b)(13), to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter.

The topic to be discussed is the approval of Closed Session Minutes.

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 4-0

Nay:

Other: Commissioner Cichy Absent

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

8. – Silver Spring Amenity Fund Transfer to Parks Department

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to approve the Budget Transfer Request cited above

In keeping with the March 31, 2022 staff memorandum, Planning Department Staff briefly discussed an \$845,848.70 budget transfer request from the Silver Spring Amenity Fund contributions collected by the Planning Department to the Parks Department for the implementation of Park improvements in the downtown Silver Spring Sector Plan Area.

***5. BLOOM MV I-IV: Preliminary Plan Amendment No. 12017015A & Site Plan Amendment No. 82017013D (Public Hearing)**

A. Request to increase the residential dwelling units, from 494 to a maximum of 514 units; modify the Stewartown Road alignment through the PEPCO easement, modify the cul-de-sac in Area 6A, and change conditions 2e. and 7d; located at the intersection of Montgomery Village Avenue and Stewartown Road, Montgomery Village; on approximately 61.31 acres of land zoned TLD and CRN, within the Montgomery Village Overlay Zone; within the 2016 Montgomery Village Master Plan.

B. Request to increase the residential dwelling units, from 494 to a maximum of 514 units; reallocate units and utilities in Area 6A; make minor revisions to landscape, lighting, and site details; and finalize planting and conservation easement in Park conveyance areas; located at the intersection of Montgomery Village Avenue and Stewartown Road, Montgomery Village; on approximately 61.31 acres of land zoned TLD and CRN, within the Montgomery Village Overlay Zone; within 2016 Montgomery Village Master Plan.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: A. & B. Rubin/ Verma

Vote:

Yea: A. & B. 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Preliminary Plan Amendment and Site 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 proposed Preliminary Plan Amendment and Site Plan Amendment requests, including; increasing the residential dwelling units from 494 to a maximum of 514 units; modifying the Stewartown Road alignment through the PEPCO easement; changing the site plan conditions and reallocating the units and utilities; making minor revisions to the landscape, lighting and site details; and finalizing the planting and conservation easement in the Park conveyance areas.

The Plan area is the former Montgomery Village Golf Course and is located roughly in the center of Montgomery Village, straddling Montgomery Village Avenue and extending generally north toward Arrowhead Road and west to Watkins Mill Road. A PEPCO/Exelon transmission line stretches across the Property on both sides of Montgomery Village Avenue. The Property

contains a portion of the Cabin Branch Stream and 70.38 acres of stream buffer, large expanses of the floodplain, and steep slopes that come down to meet the stream valley.

The Amended Final Forest Conservation Plan includes several changes in the layout of the site, including required road realignments, utilities, and an increase in units. The total afforestation being provided is 26.69 Acres.

Patricia Harris of the applicant's team offered comments.

There followed a brief discussion by the Board with questions to the staff.

***6. 6000 Executive Boulevard: Sketch Plan 320220070 (Public Hearing)**

Request for approval of a maximum of up to 927,420 square feet of development, comprised of up to 741,936 square feet of residential uses and up to 556,452 square feet of non-residential uses, to transform the existing office building surrounded by a surface parking lot into a mixed-use development including residential, office, and retail; located in the southwest corner of the intersection of Executive Boulevard and Old Georgetown Road; on approximately 8.52 acres of land zoned CR-2.5: C-1.5, R-2.0, H-200; within the 2018 White Flint 2 Sector Plan area.

Staff Recommendation: Approval with Conditions

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Sketch 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 proposed Sketch Plan requests to transform the Property from a single office building surrounded by surface parking to an urban, mixed-use development with a variety of building types and open spaces. The mixed-use project is a maximum of 927,420 square feet of development, with up to 556,452 square feet of commercial uses and up to 741,936 square feet of residential uses.

There have been no changes to the previously approved, but invalidated, Project associated with Sketch Plan No. 320180140. Based on the prior Sketch Plan’s approval date of August 1, 2018, the Applicant was required to submit a site plan by August 1, 2021. The Applicant did not satisfy that requirement, due to unforeseen circumstances, therefore the original approval associated with Sketch Plan No. 320180140 was deemed invalid. The Subject Application seeks a new approval of the previously approved Sketch Plan 320180140 without modifying the elements approved under the previous approval.

As originally approved and currently proposed, the project includes an office and retail tower at the corner of Executive Boulevard and Old Georgetown Road, an active adult, age-restricted residential building at a lower height farther west on the site, and an active adult, age-restricted low-to-mid-rise residential building on the southern portion of the Property. The age-restricted buildings will provide 15 percent Moderately Priced Dwelling Units (MPDUs). The existing seven-story office building in the center of the Property will remain, and the Applicant plans to extend the partial top floor and enclose space on the open ground floor and second floor to

expand the usable area. Building height will transition from 200 feet at the corner of Executive Boulevard and Old Georgetown Road to 50 feet closest to the southern property line.

Staff received one email dated February 4, 2022, which raised concerns about soil erosion and stormwater runoff. In response to those concerns, Staff explained that subsequent preliminary plan and site plan applications would evaluate the Project's stormwater management concept.

Françoise M. Carrier, of the applicant's team offered brief comments.

There followed a brief discussion by the Board with questions to the staff.

***7. 12710 Twinbrook Parkway: Sketch Plan 320220020 and Site Plan 820220010 (Public Hearing)**

A. Sketch Plan 320220020: Request for up to 62,538 square feet of residential development with 15% MPDUs, and 4,089 square feet of commercial development; 0.708 acres zoned CR-1.5, C-1.0, R-1.25, H-145' located at 12710 Twinbrook Parkway, approximately 280 feet north of Ardennes Avenue; 2009 Twinbrook Sector Plan.

B. Site Plan 820220010: Request for up to 62,538 square feet of residential development with 15% MPDUs, and 4,089 square feet of commercial development with related stormwater management, circulation, and landscape improvements; 0.708 acres zoned CR-1.5, C-1.0, R-1.25, H-145' located at 12710 Twinbrook Parkway, approximately 280 feet north of Ardennes Avenue; 2009 Twinbrook Sector Plan.

Staff Recommendation: Approval with conditions and adoption of the Resolutions

A. Lindsey

BOARD ACTION

Motion: Rubin/ Verma

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation for approval of the Sketch Plan and Site Plan cited above, subject to conditions to be amended with the language and adopted the attached Resolutions.

Planning Department staff offered a multi-media presentation and discussed proposed Sketch and Site Plan requests to construct a 6-story mixed-use building of up to 66,627 square feet, comprised of up to 62,538 square feet of residential development, including 15 percent Moderately Priced Dwelling Units (MPDUs) and enhanced accessibility units, with up to 4,089 square feet of commercial development.

The site is currently developed with a one-story commercial building and associated surface parking.

The plan proposes demolishing the existing development and constructing the new six-story mixed-use building. The Project will transform a single-use, auto-oriented site into a pedestrian-friendly, mixed-use building. The reduction of curb cuts along the primary road, locating parking away from public view, and creating an urban frontage along Twinbrook Parkway are additional

positive features of this development. The commercial development will help activate the pedestrian realm by providing uses at the street level. Additional right-of-way is being dedicated by deed for the future construction of 20' separated bike lanes. This right-of-way area will be used temporarily as outdoor café seating, which will be regulated by a permit. A Preliminary Plan is not required for the proposed development because the Property is a recorded lot.

The Site will include 32 surface parking spaces, 22 basement level garage parking spaces, 25 long-term bicycle parking spaces in the garage and 12 short-term bicycle parking spaces on the Twinbrook Parkway frontage. The final design of the right-of-way includes an 11' sidewalk, 11' bike path, and an 8' tree panel.

Marissa Valeri of Twinbrook Community Association testified.

Jeff Kozero of the applicant's team offered brief comments.

Soo Lee-Cho, of the applicant's team, spoke briefly about amending the conditions language for approval. The amendments include public benefits condition 3 (c) (2) (b) relating to the MPDU agreement, and condition 8(c) which deals with required payments.

There followed a brief discussion by the Board, including language changes to the conditions.

9. **Briefing on the Asian American Pacific Islander Heritage Grant Project- POSTPONED**

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: POSTPONED TO APRIL 21

***10. Montgomery College Germantown: Preliminary Plan No. 12016024A (Public Hearing)**

Request to change in use from Office to Research & Development and increase the building footprint, without any change to the original approval of up to 150,000 square feet of development; 5.75 acres; LSC 2.0, H-100T; 2009 Approved and Adopted Germantown Employment Area Sector Plan and 2010 Germantown Urban Design Guidelines.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

R. Sigworth

BOARD ACTION

Motion: **Rubin/ Patterson**

Vote:

Yea: **5-0**

Nay:

Other:

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

Planning Department staff offered a multi-media presentation and discussed a proposed amendment to the Preliminary Plan to to change the use from office and professional uses to research & development, while also allowing an increase to the footprint of the building not to exceed the originally approved 150,000 square feet.

The Subject Property is approximately 5.75 acres of unimproved land. It is partially cleared and partially forested. The property is located in the northwest corner of the observation Drive and Exploration Lane intersection.

A new sidewalk, ramp, and crosswalk will be installed along the northern side of Exploration Lane next to a new public utility easement along the Property’s frontage. A new asphalt shared-use path will be installed along the western side of Observation Drive in a new public improvement easement next to an existing public utility easement, with stormwater management facilities, and a lead sidewalk providing a direct connection to one of two main entrances. The new shared-use path and new sidewalk will connect to additional sidewalks which will provide circulation to the parking and the second main entrance to the research and development building, which faces the parking area. The proposed plan meets part of its parking requirements offsite via a shared parking agreement with the adjacent property, Hughes Network Systems.

Modifications to the conditions of approval are specified in the April 7, 2022 staff report, they include 13d -which refers to parking; 18 - which refers to use and occupancy permit; 19 -which is the right-of-way dedication and 20-22 which is the forest conservation plan.

Elizabeth Rogers and Robert Scheer of the applicant's team offered brief comments.

There followed a brief Board discussion.

11. ZTA 22-# Implementation of the zoning recommendations for the Downtown Silver Spring and Adjacent Communities Plan (SSDACP) (Public Hearing)

ZTA 22-## would update Chapter 59 of the Zoning Code to implement the recommendations from the SSDACP, including the removal of the Ripley/South Silver Spring Overlay Zone, creating a new Downtown Silver Spring Overlay Zone, and modifying the Fenton Village Overlay Zone.

Staff Recommendation: Transmit the Request to the District Council to introduce the new ZTA

BOARD ACTION

Motion: Rubin/Verma

Vote:

Yea: 5-0

Nay:

Other:

Action: Approved staff recommendation to transmit comments to the County Council, 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 make a change to Section 4.5 Commercial/Residential Zones, where limits on the density and height of the CR family of zones are described.

The ZTA will also make three changes to the Overlay Zone section (4.9) in the Zoning Ordinance. First, it removes the entire Ripley/South Silver Spring overlay, amends the Fenton Village overlay, and proposes a new Downtown Silver Spring (DSS) overlay zone.

The purpose of the ZTA is to implement specific recommendations from the Silver Spring Downtown and Adjacent Communities (SSDAC) Plan including land use, height, density, affordability, public benefits, design, open spaces, and other elements that require the creation of a new Downtown Silver Spring overlay zone.

The DSS overlay would allow all uses currently permitted within the CR zone, plus allow additional uses as accessory to larger developments to support the food security recommendations in the Plan, like light manufacturing for food processing, and rooftop urban farming. The DSS Overlay will require Moderately Priced Dwelling Units (MPDUs) to be at least 15 percent of any qualifying project, rather than the County minimum of 12.5 percent. Staff recommends the Planning Board transmit a request to the District Council to introduce the proposed ZTA implementing the SSDAC Plan. This draft will be part of the materials considered by the full Council when making their final recommendations on the Plan. It is anticipated that a public hearing on this ZTA would be scheduled for early summer; Planning Staff will bring the ZTA back before the Board before that hearing. The timing of

this ZTA is standard for the amount of time for a ZTA and there will be plenty of opportunities for the public to offer comments along the process.

There followed a brief discussion from the Board including comments about the possibility of a design advisory committee to help with the plan development of the area.

12. Fairland and Briggs Chaney Master Plan – Planning Board Briefing of Existing Conditions - POSTPONED

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: POSTPONED TO APRIL 21