

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED MINUTES AND SUMMARY

SUMMARY

Thursday, July 21, 2022

2425 Reedie Drive
Wheaton, MD 20902
301-495-4605

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, July 21, 2022, beginning at 9:10 a.m. and adjourned at 6:06 p.m.

Present were Chair Casey Anderson, Vice Chair Partap Verma, and Commissioners Gerald R. Cichy and Tina Patterson. Commissioner Carol Rubin was necessarily absent. Chair Anderson was necessarily absent from 3:30 p.m. until 4:00 p.m. for item 12.

Items 1, 2, 5, 6, 7, and 9 were discussed in that order and are reported in the attached Minutes.

Item 8 was postponed.

The Planning Board recessed for lunch at 12:42 p.m. and reconvened in the auditorium and via video conference at 1:49 p.m. to take up Items 10, 11, 14, 12, 13, and 15 as reported in the attached Minutes.

There being no further business, the meeting was adjourned at 6:06 p.m. The next regular meeting of the Planning Board will be held on Thursday, July 28, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference

Rachel Roehrich
Rachel Roehrich
Technical Writer/Legal Assistant

Kimberly Young
Kimberly Mann Young
Technical Writer/Legal Assistant

MINUTES

1. Preliminary Matters

A. Adoption of Resolutions

1. 12120 Prices Distillery Rd CU202207 – MCPB No. 22-065

BOARD ACTION

Motion: Verma/Cichy

Vote:

Yea: 3-0-1

Nay:

Other: Patterson Abstained, Rubin Absent

Action: Approved Resolution submitted for adoption.

B. Approval of Minutes

1. Minutes of July 7, 2022
2. Closed Session Minutes of July 7, 2022

BOARD ACTION

Motion: Verma/Cichy

Vote:

Yea: 3-0-1

Nay:

Other: Patterson Abstained, Rubin Absent

Action: Approved Minutes as Submitted.

C. Other Preliminary Matters

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

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

3. Record Plats (Public Hearing)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Record Plats submitted for approval.

4. Regulatory Extension Requests (Public Hearing)

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: There were no Regulatory Extension Requests submitted for approval.

2. Roundtable Discussion

Parks Director's Report

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing.

Park Staff experts on cultural resources, Cassandra Michaud, Archaeologist and Cultural Resource Planner, and Jamie Ferguson, Sr, Historian, provided a multi-media presentation discussing cemeteries on Park property in Montgomery County.

Montgomery Parks promotes stewardship of these important cultural resources through research and documentation, preservation, management, and community/ family access. There are 13 known cemeteries on Parkland and managed by Montgomery Parks. One cemetery is partially located on Parkland and managed by others. There are 5 cemeteries under active research to define their locations.

The cemetery care process includes cleaning up burial sites, finding and recording unmarked and "lost" cemeteries, removing dead trees, conducting conditions assessments, adding needed operational and interpretive signage, Staff educational opportunities, and collecting cemetery data.

The Board asked questions and had discussion regarding incorporating cemeteries within public parks.

Vice Chair Verma announced that Park Director Mike Riley, received the "Local Hero" award from U.S. Representative Jamie Raskin.

5. Easley's Subdivision, Preliminary Plan No. 120210240 & Site Plan No. 820210160 (Public Hearing)

CR-3.0 C-2.0 R-2.75 H-110T and Fenton Village Overlay Zone, 0.14 acres, request to create one lot for the construction of a 10,000 square foot mixed-use building, including 6,820 square feet of residential uses, for up to 6 units, and 3,180 square feet of non-residential uses. Located at 904 Silver Spring Avenue, 125' west of Fenton Street; 2000 Silver Spring Central Business District (CBD) Sector Plan.

Staff Recommendations: Approval with Conditions

M. Fuster

BOARD ACTION

Motion: A-B Cichy/ Patterson

Vote:

Yea: A-B 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Plan and Site Plan 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.

The Planning Staff presented a multi-media presentation proposing one lot for the construction of a 10,000 square foot mixed-use building within the Fenton Village Overlay Zone in the Silver Spring Central Business District (CBD). The Project will construct a 4-story mixed-use building with ground floor retail/restaurant and 6 apartment units. Specific details can be found in the July 11, 2022, staff report.

The Property was previously developed with a single-family detached house that was used for commercial office and associated parking and was recently demolished.

Corrections to site plan conditions include site plan condition 4a, addressing the visual amenity must be approved by Staff; and 4b addressing issuance of the first use and occupancy permit.

Michele McDaniel Rosenfeld of the Law Office of Michele Rosenfeld, Bobby Athanasakis, and Shahriar Etemadi of the Applicant Team offered brief comments and introduced themselves to the Board.

The Board gave brief remarks about the project.

6. Sligo Apartments (Public Hearing)

CRT-0.75 C-0.75 R 0.25 H- 35', 1.29 acres; located on Sligo Avenue approximately 400 feet west of Carroll Lane; 2000 East Silver Spring Master Plan.

A. Sketch Plan No. 320220080

Request for up to 115,000 square feet of residential density for multifamily affordable housing development.

B. Preliminary Plan No. 120220110

Request to create one lot for up to 98 multifamily units

C. Site Plan No. 820220170

Request to construct a new multifamily affordable housing building up to 115,000 square feet for up to 98 units with structured parking.

Staff Recommendation: Approval with Conditions

G. Bogdan

BOARD ACTION

Motion: A-C Verma/Cichy

Vote:

Yea: A-C 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Sketch Plan, Preliminary Plan, and Site Plan 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 Staff presented a multi-media presentation proposing a project for Sligo Apartments which includes 115,000 square feet of residential density for the construction of a 4-story building, stepping down to 3 stories on the east side and rear. This is a Speed-to-Market Project as the Project will deliver 100% affordable housing and has obtained 9% Low Income Housing Tax Credit (LIHTC) funding. The Speed-to-Market program is designed to compress the time for project approval by combining the regulatory process. In this case, since it meets the affordable housing provision it takes the process from 3 steps to 1 step. Specific details can be found in the staff report dated July 11, 2022.

The Subject Site is currently developed with two 1-story commercial buildings occupied by a landscaping business and storage yard. The Applicant proposes to demolish the existing buildings. The Site would consolidate access to one driveway at the eastern portion of the Site, leading to a below-grade parking garage. The building's main entrance will front onto a public plaza on the Sligo Avenue frontage, which will be improved with a master planned 10-foot-wide shared use path along the Sligo Avenue frontage. The Property is adjacent to a townhouse zone to the east and a single-family detached zone to the rear.

Staff addressed Correspondence including stormwater, lighting, proper screening for trash, construction impacts, and parking concerns.

Staff also made a correction to Condition #11 of the preliminary plan to require that prior to the recordation of the plat, the Applicant must satisfy all necessary requirements of MCDPS to ensure the construction of a 10-foot wide side path with a six-foot vegetated buffer along the Property frontage on Sligo Avenue (no PUE is required).

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The Applicant team members Heather Dlhopsky and Adam Stockmaster offered comments about the project.

The Board offered brief comments.

7. Rochambeau – The French International School, Preliminary Plan Amendment No. 12002079B (Public Hearing)

Request to convert previously approved private educational institutional office campus to 203,891 square feet of a private school for up to 700 students on an existing lot and to amend the Final Forest Conservation Plan; R-60, 11.20 acres; 1990 Bethesda Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

G. Bogdan/K. Mencarini

BOARD ACTION

Motion: Verma/Cichy

Vote:

Yea: 3-1

Nay: 1 (Patterson)

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Plan 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 Staff offered a multi-media presentation describing the proposed project to convert a previously approved private educational institutional office campus to 203,891 square feet of the private school for up to 700 students on an existing lot and to amend the Final Forest Conservation Plan.

This Preliminary Plan was originally approved in 2002 to allow the creation of one lot on 11.41 acres in the R-60 zone for 170,000 square feet of office space, as allowed by the Board of Appeals Case S-862-A and A-5599. Special Exception Amendment S862-C was approved by the Board of Appeals in August of 2021 to allow a private school for up to 700 students, comprised of 200 nursery school students and 500 elementary school students. The approval also set limits on school-related activities such as Saturday School, Summer Camp, and limits the number of onsite Staff for each type of activity. Special Exception Amendment S862-C included a Transportation Management Plan that limits the manner in which students and faculty access the school, including mandatory bussing of students and travel routes. Specific details can be found in the staff report dated July 11, 2022.

The redevelopment for the school is currently underway, including the removal of three buildings (the residence, barn, and carriage house) as well as renovation and nominal enlargement of the existing office buildings associated with the recently approved Special Exception Amendment S-862-C. The Site access is currently comprised of two entrances on Rockville Pike, a driveway to an adjacent parking lot along the northern Property line, and through a limited-use entrance on Alta Vista Terrace. Access to the Property will be provided through a consolidated curb cut on Rockville Pike, in accordance with directions from the Maryland Department of Transportation State Highway Administration (MDOT SHA) and Montgomery County Department of Transportation (MCDOT). To achieve this configuration, the existing northern driveway on Rockville Pike will be closed and the existing southern driveway will be shifted approximately 60 feet to the north.

The Applicant proposes to amend the Final Forest Conservation Plan to modify the boundary of the recorded Category II Easement to be adjacent to the modified utility easement, and as a result,

there will be no net loss of the previously recorded easement totaling 25,526 square feet. In addition to the easement modification, Staff determined that replacement trees were necessary for the loss of the 5 trees. As conditioned, the Applicant will be required to plant a total of 24 trees to address the loss of the landscape buffer/screening provided by the 5 mature evergreen trees which were removed.

Staff corrected two of the Conditions for approval of the Plans: Condition 14, to reference the MCDOT letter, and Condition 18, to include the language of the Final Forest Conservation Plan.

Staff addressed Correspondence including: SHA conditional approval, traffic with Transportation Management Plans (TMP), and concerns about previous violations received by the school.

The following individuals offered testimony: Kristin Welsh-Simpson an adjacent neighborhood resident; David Seid an adjacent property owner; Becky Umhofer an adjacent property owner; Richard Levine of Locust Hill Citizens Association; Allen Myers, President of Maplewood Citizens Association; and Carl Wilkerson an adjacent neighborhood resident.

Applicant team Jody Kline with Miller, Miller & Canby, and Helene Fabre with Rochambeau offered testimony explaining their dedication to the neighborhood and the impact of the school on the neighborhood.

Rebecca Torma and Michael Paylor with the Montgomery County Department of Transportation offered comments about the traffic impacts of the school on the surrounding neighborhood.

Katie Wagner with Gorove-Slade on the Applicant's team addressed concerns about traffic.

Board offered comments about the traffic but did not offer any additional conditions.

8. — ~~Takoma Park Minor Master Plan Amendment Plan Visioning~~

Presentation of the TPMMA Community Engagement Update Report and discussion of the plan process and next steps **(POSTPONED)**

M. Williams

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: POSTPONED

9. MHP Nebel Street (Public Hearing)

A. Preliminary Plan No. 120220090, MHP – Nebel Street

Request for one (1) open space parcel and one (1) buildable lot for up to 172,720 square feet of development for a multifamily residential building comprised of up to 163 dwelling units, including 25.8% MPDUs; located on Nebel Street at the intersection of Old Georgetown Road, east of Rockville Pike (MD 355); 2.66 acres of land in the C-3.0 C-1.5 R-2.5 H-200 and C-4.0 C-2.0 R-3.5 H-250 Zones; within the 2010 White Flint Sector Plan area. In accordance with Section 50.4.1.E the Planning Director extended the 120-day review period by 30-days, from June 28, 2022, through July 28, 2022.

B. Site Plan No. 820220150, MHP – Nebel Street

Request to develop the property with up to 163 dwelling units, including 25.8% MPDUs and associated public benefits; the project will provide significant affordable housing on an environmentally constrained parcel; to implement the approved Sketch Plan (No. 320210110) for incentive density, the Application provides transit proximity, MPDUs, structured parking, and exceptional design as public benefits; located on Nebel Street at the intersection of Old Georgetown Road, east of Rockville Pike (MD 355); 2.66 acres of land in the C-3.0 C-1.5 R-2.5 H-200 and C-4.0 C-2.0 R-3.5 H-250 Zones; within the 2010 White Flint Sector Plan area. In accordance with Section 59.7.3.4.C of the Zoning Ordinance, the Planning Director extended the 120-day review period by 30-days, from June 28, 2022, through July 28, 2022.

Staff Recommendation: Approval with Conditions

T. Graham

BOARD ACTION

Motion: A-B Verma/ Patterson

Vote:

Yea: A-B 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Plan and Site Plan 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.

Staff offered a multi-media presentation describing the proposed project to transform a vacant and environmentally constrained parcel of land into 163 multifamily dwelling units; including a minimum of 25% Moderately Priced Dwelling Units (MPDUs). The proposed maximum building height of 80 feet, or six stories, is in keeping with the existing surrounding context. The South Parcel will be improved as a privately owned public open space that will be available to both residents and the general public. Specific details can be found in the staff report dated July 11, 2022.

Staff proposed some modifications to the conditions including: Condition 6 which includes approval letters from the Montgomery County Department of Permitting Services; Condition 2 about density allocation request before the Planning Board; Condition 4 of the Site Plan addressing Public Open Space and net lot area; and Condition 19b regarding pedestrian and bicycle circulation.

Patricia Harris of Lerch, Early & Brewer, represented the Applicant Team and offered a multi-media presentation and comments about the project. Artie Harris and Stephanie Roodman of

Montgomery Housing Partnership/Applicant also offered brief comments as well. They further went on to discuss that they are willing to do all staff conditions except the project condition of underground utilities due to the expense of such endeavors.

The Board offered comments and suggestions about ways to mitigate the costs of undergrounding utilities including changing conditions #3, 11, and 24 to help minimize the cost of open space requirements, forest conservation, and stormwater management projects.

10. Grand Park Development (Public Hearing)

A. Grand Park Development Preliminary Plan Amendment No. 12019016A: Request to modify conditions, including: a change of use from multi-family residential to 210 residential care facility units, modify park dedication requirements, and modify the Adequate Public Facilities validity period; located on Southeast quadrant of the intersection of Old Georgetown Road and Executive Boulevard; on approximately 5.93 acres of land zoned CR 4.0, C 2.0, R 3.5, H 250; within 2010 White Flint Sector Plan.

B. Grand Park Development Site Plan No. 820220040: Request to construct a Residential Care Facility for up to 210 units (285,000 square feet), including a minimum of 13% MPDUs and up to 16,000 square feet of retail uses for a total project density of up to 301,000 square feet; providing 35.9% open space, including a park dedication; in accordance with Section 59.7.3.3.I., the Site Plan will amend the conditions and binding elements of Sketch Plan No. 320190040 to allow the previously approved residential use to include residential care facility units; located on Southeast quadrant of the intersection of Old Georgetown Road and Executive Boulevard; on 2.14 acres of land zoned CR 4.0, C 2.0, R 3.5, H 250; within 2010 White Flint Sector Plan.

Staff Recommendation: Approval with Conditions

T. Leftwich

BOARD ACTION

Motion: A-B Verma/Patterson

Vote:

Yea: A-B 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Plan Amendment and Site Plan 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.

Staff offered a multi-media presentation describing the proposed project as the first building of a three-building project, which was originally approved for up to 1,051,012 square feet of total development. Specific details can be found in the staff report dated July 11, 2022.

The Applicant proposes to develop up to 210 Residential Care Facility units (up to 122 independent dwelling units, with 13 percent MPDUs); 38 assisted living units; 24 mild cognitive impairment units; 26 memory care units; and corresponding amenity and common spaces. The development will also include up to 16,000 square feet of ground floor retail.

Staff's presentation included several changes to proposed conditions. For the Preliminary Plan these included: Condition 2 - adequate public facilities ("APF"); Condition 26a. - Iterim Park improvements; Condition 26d.- Phase 2 of the building process and the permanent park improvements; Conditions 29 and 30 - automatic legislative extensions and on-street parking; Condition 31 -record plats need to reference a Traffic Mitigation Agreement (TMAg); Condition 32 – abandonment. For the Site Plan these included: Condition 23 - abandonment; Condition 3a and b - timing for covenant; Condition 4b - streetscape improvements in phase 1; Conditions 5cii and 5e - correcting minimum parking spaces; Condition 5f - Building Lot Terminations (BLTs); Condition 18 - noise attenuation; Condition 24b - TMAg; Condition 25a. - parking; Condition 29 - correct Code reference; Condition 31bi - remove reference to the age-restricted covenant; and Condition 32 - density allocation.

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Patricia Harris of Lerch, Early & Brewer, offered brief comments on behalf of the Applicant team.

The Board asked questions of the Staff about timelines for the buildings.

11. Discoverly Hall (Public Hearing)

A. Preliminary Plan Amendment No. 11985245B, Discoverly Hall

Change of use from “Office” to “Research and Development” and/ or “Medical/Scientific Manufacturing;” 113,000 square feet at 9513 Key West Avenue and 82,000 square feet at 15200 Omega Drive; located in the Employment-Office (EOF) 1.5, H-75 Zone; within the 2010 Great Seneca Science Corridor Master Plan area.

B. Site Plan Amendment No. 81988015F, Discoverly Hall

Change of use from “Office” to “Research and Development” and/ or “Medical/Scientific Manufacturing;” 113,000 square feet at 9513 Key West Avenue and 82,000 square feet at 15200 Omega Drive; the amendment does not include changes to the building footprints or other site elements; located in the Employment-Office (EOF) 1.5, H-75 Zone; within the 2010 Great Seneca Science Corridor Master Plan area.

Staff Recommendation: Approval with Conditions

T. Graham

BOARD ACTION

Motion: A-B Verma/Patterson

Vote:

Yea: A-B 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Plan Amendment and Site Plan Amendment 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.

Staff offered a multimedia presentation describing the proposal to change the currently approved office use at 9513 Key West Avenue (Parcel Z) and 15200 Omega Drive (Parcel BB) to Research and Development and Medical/Scientific Manufacturing and Production to allow flexibility for future tenants. The 37-acre Overall Site is currently improved with five (5) office buildings, which are a mix of three-, four-, and six-stories, and a five-story structured parking garage. Specific details can be found in the staff report dated July 11, 2022.

The Amendments seek to modify the allowable use in two (2) of the existing office buildings on the Overall Site from Office to Research and Development (limited use) and Medical/Scientific Manufacturing and Production (permitted use). The Amendment will not include changes to the exterior of the buildings, building footprints, building height, on-site parking, or circulation. The Applicant’s rationale for this change in use request is to respond to the increasing demand for a wide array of bio-medical/life science research and development-related building spaces in Montgomery County, specifically in the Shady Grove Life Sciences Center area. Flexibility with either industrial or commercial use, or a combination of both, will allow the Applicant to efficiently accommodate the needs of future bio-medical/life science research and development tenants.

Staff proposed modifications to the conditions. For the Preliminary Plan these include: Condition 1 - categories of building type for Parcels Z and BB; and Condition 2 - designating the sole use of the building. For the Site Plan these include: Condition 1 - maximum density; and Condition 2 – designating sole use .

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Patricia Harris with Lerch, Early, & Brewer on behalf of the Applicant Beacon Capital, and Jeff Kovach with Beacon Capital offered brief comments and a multi-media presentation introducing themselves and addressing their previous work in different areas of the United States.

The Board offered brief comments.

14. Predictive Safety Analysis Briefing

This briefing will include a summary of the analysis approach and results, as well as a discussion of the study's recommendations.

J. McGowan

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received Briefing.

The Planning Staff (Jesse McGowan, David Anspacher, and Jason Sartori) provided a multi-media presentation discussing predictive safety studies. As part of Montgomery County's Vision Zero goal to eliminate traffic deaths and severe injuries by 2030, Montgomery Planning is using a new strategy to improve road safety for drivers, bicyclists and pedestrians called the Predictive Safety Analysis. This proactive data-driven approach works to prevent severe and fatal crashes before they happen. Specific details can be found in the staff report dated July 14, 2022.

The briefing summarized key findings and applications of the Predictive Safety Analysis. The Predictive Safety Analysis estimates the expected number of crashes at a given roadway segment or intersection through Safety Performance Functions (SPFs). SPFs are equations (or models) that predict the number of crashes on roadway segments and at intersections based on exposure (the amount of walking, bicycling and driving), roadway characteristics, and other variables. This analysis then allows the county to prioritize where and how to most effectively invest in safety improvements through capital projects, development approvals, and master planning.

Between 2015 and 2019, there were over 59,000 crashes in Montgomery County, resulting in over 1,200 severe injuries and nearly 150 fatalities. The key findings from the study are: prioritization needs to look beyond crash history; much of the County's crash risks are in the suburbs; downtowns and town centers have the highest average crash risk; safety improvements in Equity Emphasis Areas should be prioritized.

This specific study focused on all crashes, not just injuries and fatalities, they included pedestrian, bicycle, and motor vehicles. The study involved 6 key steps: compile data; estimate volumes; identify key crash types; develop safety performance functions; identify high-risk locations; and identify countermeasures.

The Board offered brief comments and questions about the study.

12. 4608 North Park Avenue, Chevy Chase, Locational Atlas Listing

Work session, Public Hearing, and Action on Addition to the Locational Atlas & Index of Historic Sites

Staff recommends that the Planning Board not list the property to the Locational Atlas & Index of Historic Sites.

K. Rohn

BOARD ACTION

Motion: Patterson/ Cichy

Vote:

Yea: 3-0

Nay:

Other: Anderson Temporarily Absent and Rubin Absent

Action: Approved staff recommendation to deny Applicant's request to add property to the Atlas and Index of Historic Sites.

Planning Staff presented a multi-media presentation about the Pyles House recommendation to be listed as an Historic Site. On February 3, 2022, the Village of Friendship Heights submitted a written request that 4608 North Park Avenue be considered for listing in the Locational Atlas & Index of Historic Sites. The Historic Preservation staff completed archival research and an architectural survey and determined that the property does not satisfy the historical, cultural, architectural, or design significance criteria for designation. The Historic Preservation Commission (HPC) held a work session and public hearing on June 22, 2022, regarding the Locational Atlas request. The HPC heard a presentation from staff, testimony from the property owner and their representatives, and testimony on behalf of the Village of Friendship Heights. After deliberation, the HPC found that the subject property fails to meet designation criteria and recommended that the Planning Board not list the Pyles House in the Locational Atlas & Index of Historic Sites.

Staff did not find that the property met the historical, cultural, architectural, or design significance criteria for designation outlined in §24A-3 of the Montgomery County Code and recommends that the site not be listed to the Locational Atlas & Index of Historic Sites. Specific details can be found in the staff report dated June 24, 2022.

The following individuals offered testimony; Alfred Muller of Friendship Heights Village Council; and Bob Harris of Lerch, Early, & Brewer representing the current property owners.

The Board asked questions about the potential of the property being torn down and the purchase of the property from outside buyers.

13. Briefing on the Wheaton Downtown Study

Staff Recommendation: Discuss progress on the Wheaton Downtown Study and provide guidance to staff.

L. Estrada

BOARD ACTION

Motion:

Vote:

Yea:

Nay:

Other:

Action: Received briefing followed by discussion and guidance to staff.

Planning Staff offered a multi-media presentation discussing the Wheaton Downtown Study. The study was initiated to further the implementation of the 2012 Wheaton Central Business District and Vicinity Sector Plan, which encouraged investment while building on Wheaton's strengths and maintaining its special character. The Study's goals are to update the vision for Wheaton as a connected and diversified center; reflect changes in the area while building on the recommendations of the Sector Plan and Design Guidelines; incorporate recommendations of recent planning efforts; and to identify growth opportunities and resources for small property owners and businesses.

To identify strengths, challenges, and opportunities in the Wheaton downtown area, staff interviewed property owners, public agencies, Council staff, and stakeholders active in the Wheaton area; gathered input from staff from the Mid-County Regional Services Center, the Wheaton Urban District, and the Wheaton Urban District Advisory Committee; connected with groups offering support to businesses such as the Latino Economic Development Center and the Montgomery County Economic Development Corporation.; and conducted a public open house on June 14, 2022, to invite community feedback. A virtual open house was also held on June 27, 2022.

The study focused on evaluating development progress; promoting complete communities; improving multimodal safety; and establishing an urban design vision for Wheaton. The plan wants to focus on areas such as placemakers, transportation, open space, streetscape, and improving or updating areas.

The priority concerns received include improving area connectivity, walkability, and safety; creating more public open space; expanding the A&E district and Urban District funding to sponsor art projects that enhance local character and improve maintenance; maintaining area affordability for small businesses; and incentivizing small scale developments.

Staff will continue to work with consultants to complete the market analysis and will engage property owners to produce illustrative case studies for small-scale development to discover potential barriers and define guidance suitable for the upcoming Façade Improvement Program by DHCA. Staff anticipates returning to the Planning Board with a draft study this fall.

The Board offered questions and comments to staff addressing the uniqueness of Wheaton and the different features offered. The Board also suggested different possibilities for the downtown area

such as removing vehicular access from downtown Wheaton areas; encouraging walkable areas; improving crowded parking areas with shared parking; applying resources to street improvements; changing phrases from open spaces to active spaces or something that defines the purpose for the area; incorporating activities such as skateboarding or community gardening; and keeping small business while still encouraging new development.

15. Miles Coppola, Preliminary Plan No. 120220010 (Public Hearing)

A. Preliminary Forest Conservation Plan

B. Preliminary Plan. Request to create 159 lots for 144 Townhouse units and 192 multi-family units, for a total of 336 dwelling units, including 15 percent MPDUs, with associated open spaces; along Clarksburg Road (MD-121), approximately 770 feet south of Frederick Road (MD-355); 98.35 acres; R-90, R-200, CRT-2.0, C-2.0, R-2.0, H-120 and Clarksburg East Environmental Overlay Zone; 1994 Clarksburg Master Plan & Hyattstown Special Study Area & 2014 Ten Mile Creek Area Limited Amendment.

Staff Recommendation: Approval with Conditions

M. Kishter

BOARD ACTION

Motion: A-B Cichy/Verma

Vote:

Yea: A-B 4-0

Nay:

Other: Rubin Absent

Action: Approved staff recommendation for approval of the Preliminary Forest Conservation Plan and Preliminary Plan 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.

The Upcounty Planning Staff, Mary Jo Kishter and Chris Van Alstyne presented a multi-media presentation about the Miles Coppola project. The application subdivides the existing 98.35-acre property, known as Miles Coppola property, into 159 lots for a residential development consisting of 144 townhouse units and 192 multi-family units for a total of 336 dwelling units, including 15 percent (or 51 units) Moderately Priced Dwelling Units (MPDUs), with associated open spaces and environmental protection. Two development areas known as area 1 and area 2 which will be connected in the end with walkable paths. Specific details can be found in the staff report dated July 11, 2022.

As part of the Preliminary Plan, the Applicant is requesting a tree variance as part of the Preliminary Forest Conservation Plan. The application will retain approximately 55.87 acres of existing forest and plant approximately 4.12 acres of new forest, resulting in approximately 60 acres of forest on the Property protected in Category I Conservation Easements and maintained by the future Homeowners Association. These areas will be accessible through proposed natural surface trails. The proposal also includes a total of 80.32 percent of the property devoted to rural open space and 2 percent of the building envelope includes additional open space for recreation and amenities. The tree variance request includes the removal of 11 trees but will retain 4.

The application provides extensive frontage improvements along the three public road frontages: a sidewalk along the west side of Frederick Road/ MD 355, a side path and bike lane along the north side of Clarksburg Rd., side path along the north side of the proposed interim bypass, and side path along the south side of Redgrave Place along the frontage of Clarksburg Elementary. Additionally, regional connectivity to Little Bennett Regional Park and Black Hill Regional Park is provided with an extensive network of trails that link up to the neighboring properties to the north and south.

The Application will provide Master Plan bike improvements on Clarksburg Rd. as well as the interim Clarksburg Bypass. As conditioned, a traffic signal may be constructed at the intersection of the future MD-355 Bypass and Frederick Road (MD 355) if required by SHA. Staff supports the proposed road design modifications, reduced standard centerline radius, and the use of curbs, gutters, and the use of private roads.

Staff discussed correspondence received about the environmental impacts due to the 355 Bypass and fault with the proposed Forest Conservation Plan.

Staff proposed revisions to the conditions including: Condition 2 - Adequate Public Facilities (APF) at 100 dwelling units; Condition 3 - amending time for each phase; Condition 4 - other recommendations; Condition 15.c.i. - Md 355 Bypass connection; Condition 22 - phasing for entering development area 2; Conditions 24a, b, and d - MCPS involvement with connections to the sidepath, construction of a private street and a striped bike lane; Condition 25b - construction of a sidepath; Conditions 26a through d - safety requirements with constructing interim bypass, final designs, sidepath and sidewalk; Condition 28b - instruction on Private roads and Alleys; and Condition 41 - location of MPDUs. Also, Attachment 2 in Staff Report needs to be the updated version of the plan.

Bob Harris with Lerch, Early, & Brewer on behalf of the Applicant, offered brief comments and asked to modify the condition related to MPDUs, reducing it from 15% to 12.5% because a density bonus is no longer needed.

The Planning Staff agreed to the reduced MPDU requirement.

The Board offered comments and suggestions.