

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

## APPROVED MINUTES AND SUMMARY

### SUMMARY

**Thursday, September 8, 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, September 8, 2022, beginning at 9:36 a.m. and adjourned at 12:20 p.m.

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

Items 1 through 7, 9 through 11, and 8 were discussed in that order and are reported in the attached Minutes.

The meeting was adjourned at 12:20 p.m. The Planning Board members who were in-person, Chair Anderson, Vice-Chair Verma, Commissioners Patterson and Rubin, met to conduct an administrative function pursuant to GP § 3-104, from 12:30 p.m. until 1:30 p.m. at Thai Taste Express restaurant in Wheaton, MD, to discuss the schedule for hiring a new Planning Director, with the goal to have a new Director hired by mid-November 2022.

The next regular meeting of the Planning Board will be held on Thursday, September 15, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

*Kimberly Young*  
Kimberly Mann Young  
Technical Writer/Legal Assistant

*Rachel Roerich*  
Rachel Roerich  
Technical Writer/Legal Assistant

MINUTES

**Item 1. Preliminary Matters**

**A. Adoption of Resolutions**

1. Washington Science Center Parcel M Site Plan 81983080B – MCPB No. 22-082

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 4-0-1

**Nay:**

**Other:** Patterson Abstained

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

2. Chevy Chase Center Preliminary Plan 11999083A – MCPB No. 22-083
3. Chevy Chase Center Site Plan 82001013H – MCPB No. 22-084
4. Chevy Chase Center Site Plan 82001021J – MCPB No. 22-085
5. Hammer Hill Preliminary Plan 120210180 – MCPB No. 22-086
6. Hammer Hill Site Plan 820210090 – MCPB No. 22-087

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

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

**B. Approval of Minutes**

1. Minutes of July 21, 2022

**BOARD ACTION**

**Motion:** Verma/Patterson

**Vote:**

**Yea:** 4-0-1

**Nay:**

**Other:** Rubin Abstained.

**Action:** Approved Planning Board Meeting Minutes, as submitted.

2. Minutes of July 28, 2022

**BOARD ACTION**

**Motion:** Verma/Rubin

**Vote:**

**Yea:** 4-0-1

**Nay:**

**Other:** Patterson Abstained.

**Action:** Approved Planning Board Meeting Minutes, as submitted.

**C. Other Preliminary Matters**

1. Corrected Resolution for Montgomery Industrial Park Site Plan 81990069C-MCPB No. 22-068

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 4-0-1

**Nay:**

**Other:** Patterson Abstained

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

2. Corrected Resolution for North Bethesda Parcel H Site Plan 820220100-MCPB No. 22-066

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

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

**Item 2. Record Plats (Public Hearing)**

**A. Subdivision Plat No. 220170690-220170710, Grafton Hill**

CRT zone; 55 lots, 13 parcels; located on the south side of Lewis Drive, 650 feet west of High Corner Street; Damascus Master Plan.

*Staff Recommendation: Approval*

**B. Subdivision Plat No. 220210600, B. F. Gilbert's Addition to Takoma Park**

R-60 zone; 2 lots; located on the south side of Ethan Allen Avenue (MD 410), 375 feet east of Jackson Avenue; Takoma Park Master Plan.

*Staff Recommendation: Approval*

**C. Subdivision Plat No. 220220410-220220470, Northpark at Montrose**

CRN zone; 109 lots, 22 parcels; located in the northeast quadrant of the intersection of Josiah Henson Parkway and East Jefferson Street; White Flint Sector Plan – Phase 2.

*Staff Recommendation: Approval*

**D. Subdivision Plat No. 220220570, American University Park**

R-60 zone; 1 lot; located on the east side of Park Avenue, 375 feet north of Western Avenue; Bethesda – Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**E. Subdivision Plat No. 220220700, Cunningham's Subdivision – Takoma Park**

R-40 zone; 2 lots; located on the west side of Garland Avenue, 175 feet south of Carroll Avenue (MD 195); Takoma Park Master Plan.

*Staff Recommendation: Approval*

**F. Subdivision Plat No. 220220740-220220770 Seneca Farms**

RC zone; 27 lots, 3 outlots and 4 parcels; located on the west side of Seneca Road (MD 112), 1,400 feet south of Spring Meadows Drive; Potomac Sub-Region 2002 Master Plan.

*Staff Recommendation: Approval*

**G. Subdivision Plat No. 220220990, Woodhaven**

R-90 zone; 1 lot; located on the north side of Woodhaven Boulevard, 550 feet north of Hawthorne Road; Bethesda – Chevy Chase Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

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

**Item 3. Regulatory Extension Requests (Public Hearing)**

**A. Preliminary Plan No. 120210230, 1910 University Blvd Senior Housing, Regulatory Extension Request No. 4**

Request to extend the regulatory review period from July 28, 2022 to December 29, 2022; subdivision for an existing Religious Assembly use and a proposed 90-unit Independent Living Facility for Seniors; on approximately 3.56 acres zoned R-60; within the 2012 Wheaton CBD and Vicinity Sector Plan area.

*Staff Recommendation: Approval of the Extension Request*

E. Tettelbaum

**B. Reddemeade: Preliminary Plan No. 120190010 – Regulatory Extension Request No. 1**

Request to extend the regulatory review period from October 13, 2022, to February 13, 2023: Application to create six (6) lots for six detached houses; located at 1701 Ednor Road; 32.85 acres; RC Zone; 1997 Cloverly Master Plan.

*Staff Recommendation: Approval of the Extension Request*

R. Sigworth

**C. Sketch Plan No. 320220100 & Preliminary Plan No. 120220140, Federal Plaza West, Regulatory Extension Request No. 1**

Request to extend the regulatory review period from September 15, 2022 to December 15, 2022; The Applications propose to redevelop a surface parking lot and vacant commercial development into a mixed-use development with up to 500 residential units and 108,965 square feet of commercial development; On approximately 6.52 acres zoned CRT-2.25 C-0.75 R-1.5 H-150; Within the 2018 White Flint 2 Sector Plan area.

*Staff Recommendation: Approval of the Extension Request*

A. Lindsey

**D. Jerome Freibaum Lot 4 Administrative Subdivision 620210080 Extension Request No. 2**

Second extension request to extend the review period from September 15, 2022 to December 22, 2022, to create two (2) lots for one single-family detached dwelling on each; R-60 Zone; 0.59 acres; Located on the north side of Elgin Lane, approximately 155 feet east of its intersection with Pyle Road; 1990 Bethesda-Chevy Chase Master Plan.

*Staff recommendation: Approval of the extension request*

A. Bossi

**E. 4901 Battery Lane Preliminary Plan 120220100 and Site Plan 820220160 Extension Request No. 2**

Second request to extend review period, from September 17, 2022 to December 30, 2022, to create one lot for the construction of 417,367 square feet of residential development, for a maximum of 372 multi-family dwelling units, with a minimum of 15% MPDUs, 277,704 square feet of BOZ density and associated PIP payment; CR-1.5 C-0.5 R-1.5 H-120' and Bethesda Overlay Zone (BOZ); Located on the north side of Battery Lane, approximately 450 feet west of its intersection with Woodmont Avenue; 2017 Bethesda Downtown Sector Plan.

*Staff recommendation: Approval of the extension request*

A. Bossi

**F. Batson Road Property, Administrative Subdivision Plan No. 620220080, Regulatory Review Extension Request No. 1**

Request to extend the regulatory review period for three months until December 22nd, 2022: Application to convert one (1) deeded parcel (P445) into one (1) buildable lot for a new single-family detached dwelling unit; located at the northwest corner property on Batson Road and

Montgomery County Planning Board  
Public Meeting Minutes of September 8, 2022

Brogden Road; 8.31 acres; Rural Cluster (RC) Zone; 1997 Cloverly Master Plan Functional Master Plan for Patuxent River.

*Staff recommendation: Approval of the extension request*

A. Duprey

**G. Bucklodge Tract, Preliminary Plan No. 11989032A, Regulatory Extension Request No. 1**

Request to extend the regulatory review period by three months until January 11, 2022: Application to subdivide two existing platted lots and three existing platted outlots into four buildable lots for up to four buildings on 22 acres; located on Buck Ridge Court, north of Bucklodge Road; 22 acres; IM zone and Rural zone; 1985 Approved and Adopted Boyds Master Plan.

*Staff recommendation: Approval of the extension*

J. Server

**BOARD ACTION**

**Motion:** Rubin/Patterson

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action:** Approved Staff recommendation for approval of the Regulatory Extension Requests cited above.

**Item 4. Roundtable Discussion**

A. Parks Director's Report

**BOARD ACTION**

**Motion:**

**Vote:**

**Yea:**

**Nay:**

**Other:**

**Action: Received briefing.**

Montgomery Parks Director, Mike Riley, began his briefing by introducing three topics of discussion including upcoming fall Parks events, the volunteer program, and lastly, an update on the pedestrian and bicycle access to the Garden of Lights show at Brookside Gardens.

Mr. Riley offered a brief multi-media presentation to discuss a few of the upcoming fall festivals hosted by Parks which included the Urban Tree Summit, Acoustics and Ales, Salsa in the Park, Parks Ale Trail, Sunday Serenade, Fall Elixirs and Mixers, and the Rocky Horror Picture Show. Mr. Riley further explained that Parks facilitates not only the events highlighted but also many other events that are partnered with third-party entities as well. All fall events hosted by Parks can be found on the public Parks website or via the Parks newsletter as well.

Secondly, Mr. Riley took great pride in speaking of the Parks volunteer program. Mr. Riley highlighted a recent event in which 50 volunteers from the University of Maryland worked for two hours in Fairland Recreational Park cleaning up trash and removing invasive vines at the site of the soon-to-be-opened Fairland Bike Park. The volunteers removed 2.8 tons of trash and saved 25 trees from killer vines. Mr. Riley stated the tremendous teams in the Volunteer Service Office, Trails Crew, and Weed Warriors program made the event a success.

Lastly, Mr. Riley offered comments and updates regarding the Garden of Lights show at Brookside Gardens, which included the bicycle and pedestrian access that will be newly added this season. There will be an access point off Shorefield Road off Georgia Avenue which will provide an ADA accessible trail to Brookside Gardens. Mr. Burnett, Deputy Director explained that temporary lighting will begin in the parking lot at Shorefield Road leading down a well-lit trail with portable lights to the back gate of Brookside Gardens. There will be a booth manned by employees to check tickets for entrance into the Garden of Lights show. Once entering past the booth at the back-entrance string lights will guide guests to the entrance of the Garden of Lights show and Visitor's Center at Brookside Gardens. Work and modifications to the trail have already begun and the test date is scheduled for November 16, 2022.

Commissioner Rubin asked brief questions, with brief responses from Mr. Burnett regarding the parking at the Shorefield Road entrance, as well as additional light fixtures at the location and along the trail.

**Item 5. Silver Spring International Middle School MR2022022 (Public Hearing)**

R-60 zone, 16.5 acres; Request by Montgomery County Public Schools to demolish the existing auditorium and reconstruct a 22,523 square foot addition in its place for a gymnasium and associated athletic facilities to the Silver Spring International Middle School, for a maximum density of 240,473 square feet (net decrease in gross floor area of 10,877); located on Wayne Avenue at Dale Drive; within the 2000 North and West Silver Spring Sector Plan.

*Staff Recommendation: Approval with comments*

K. Mencarini

**BOARD ACTION**

**Motion: Verma/Rubin**

**Vote:**

**Yea: 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation to transmit comments to Montgomery County Public Schools and Board of Education.**

Planning Department Staff offered a multi-media presentation regarding the mandatory referral for Silver Spring International Middle School. The Mandatory Referral proposes demolishing the existing abandoned auditorium and replacing it with a new athletic facility that will occupy roughly the same footprint. The purpose of this Project is to solve accessibility and remoteness issues of the existing physical education program located in the detached field house, improve security and circulation, and improve the overall architectural experience of the facility. More details can be found in the August 29, 2022 Staff report.

Correspondence was received from the Friends of Sligo Creek, discussing the removal of trees and the increase of impervious surfaces related to the Purple Line Project. Seth Adams of MCPS briefly offered comments about the project and the stormwater management that is affected by the Metro Purple Line.

Commissioner Rubin requested that MCPS draft a formal response to the letter from Friends of Sligo Creek. She also stated that Mandatory Referrals, in general, should be followed up with a briefing to update the Board and the public on the outcome of the Board's recommendations.



**Item 6. The Claiborne (Public Hearing)**

CR 3.0, C-3.0, R-3.0, H-110 & Bethesda Overlay Zone, 0.41 acres; Request to construct a mixed-use building with a maximum density of 97,000 square feet, comprised of up to 92,000 square feet of residential uses for up to 84 multi-family dwelling units with 15% MPDUs and up to 5,000 square feet of ground floor restaurant/retail uses, including an allocation of up to 36,273 square feet of Bethesda Overlay Zone density and 7,741 square feet of density from four sending properties; located in the east quadrant of the intersection of Auburn Avenue and Norfolk Avenue; 2017 Bethesda Downtown Sector Plan.

*Staff recommendation: Approval with Conditions*

G. Bogdan

**BOARD ACTION**

**Motion:** Rubin/ Verma

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Site Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

Planning Staff offered a multi-media presentation regarding the Claiborne. While the Claiborne Site Plan had a building permit application accepted by the Montgomery County Department of Permitting Services (MCDPS) within two years of the resolution mailing, the building permit was not obtained within two years of acceptance, therefore Site Plan No. 82017003C was revoked. Site Plan No. 820220190 remains substantially similar to the previous approval, with minor changes that reflect updates in regulations since 2019, however, there are no proposed changes to the building footprint, height, massing, density, or architecture from the previously approved Site Plan No. 82017008C, as amended. This Site Plan incorporates all relevant changes to the project included in Site Plan Amendments 82017008A through 82017008C and completely supersedes those approvals. More details can be found in the August 26, 2022 Staff report.

Planning Staff explained the plan was reviewed for updates between 2020 and 2022, and the Applicant is proposing to construct a new 97,000 square foot mixed-use building for up to 84 units with 15% Moderately Priced Dwelling Units (MPDUs). The max height will be 110' along Auburn Avenue stepping down to 90' at the southern property line. The Applicant is also proposing streetscape enhancements, offsite streetscape improvements and financial contribution to Norfolk Avenue shared street.

The Board offered brief comments and questions.

Kenric Walwyn, DBT Development Group, LLC, of the Applicant team explained that the project is a condominium design that will provide more for-sale housing in an area where condominiums are lacking. The building will have one three-bedroom unit but will mainly consist of one-bedroom and two-bedroom units.

Heather Dlhopsky, Wire Gill LLP, representing the Applicant, offered brief comments celebrating the streetscape design at the corner of Norfolk Avenue and Auburn Avenue.

**Item 7. Forest Conservation Plan Amendment No. 81999044A for forest conservation easement changes on Horizon Hill Lot 38, 10813 Red Barn Lane, Potomac, MD 20854 (Public Hearing)**

In response to a violation, a request for approval of a forest conservation plan amendment to abandon 0.13 acres (5,663 square feet) of Category I Conservation Easement and provide mitigation offsite and onsite. Lot 38, 6.12 acres, RE-2 Zone, 2002 Potomac Subregion Master Plan. S. Peck

**BOARD ACTION**

**Motion:** Rubin/Verma

**Vote:**

**Yea:** 5-0

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Forest Conservation 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.**

Stephen Peck, Forest Conservation Inspector, presented a multi-media presentation discussing the Plan Amendment which is in response to a violation. The Subject Property was created by Site Plan No. 819990440 and includes a 6.12-acre lot with a 4.73-acre forest conservation easement. A Notice of Violation was issued on December 1, 2021 for mowing and maintaining a yard approximately 7,000 square feet of Category I Conservation Easement. The property includes a house and a detached garage. The Applicant would like to build a pool behind the house This Amendment will resolve the pending violation by on-site mitigation, plantings and protection of a stream valley buffer trail, and off-site by adding 0.26 acres of forest planting in an existing unforested Category I Conservation Easement on Lot 41 in the same subdivision and same watershed Additional details can be found in the August 26, 2022 Staff report.

Staff proposed a revised Condition No. 9 related to when construction can begin on the property and the required steps.

No correspondence was received.

The Board offered brief comments and questions to the homeowner regarding the forest conservation violation, and the need to maintain the conditions of the plan.

Gary Farha, owner of the property, offered brief comments addressing what led to the violation and the steps he plans to do to ensure that there are no future violations.

**Item 9. Olney Acres, Preliminary Plan No. 120220070 (Public Hearing)**

Application to subdivide an existing lot into a one-acre lot for an existing residential care facility (Alfred House) and an outlot; located on Cashell Road, 75 feet southwest of Archwood Way; approximately 4.96 acres, zoned RE-1; 2005 Approved and Adopted Olney Master Plan.

*Staff recommendation: Approval with Conditions*

J. Server

**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, 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 discussing the proposed application to subdivide an existing 4.96-acre lot into a 0.98-acre lot for an existing residential care facility (Alfred House) and an outlot of approximately 3.98 acres. The Application does not propose any construction on the Subject Property. The only physical changes proposed are the demolition and removal of existing structures and reconfiguration of the existing driveway apron on the proposed outlot. More details can be found in the August 26, 2022 Staff report.

No correspondence was received regarding this project.

Francoise Carrier of Bregman, Berbert, Schwartz, offered comments on behalf of the Applicant and accepted all conditions as proposed.

The Board offered brief comments.

**Item 10. ZTA 22-08 Commercial/Residential Zones – MPDUs (Public Hearing)**

ZTA 22-08 clarifies the applicability of the moderately priced dwelling unit provisions in the CRN Zone

*Staff Recommendation: Transmit Comments to County Council.*

(Action required for County Council public hearing of 9/13/2022)

L. Govoni

**BOARD ACTION**

**Motion: Rubin/Patterson**

**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 Staff offered a multi-media presentation regarding the proposed Zoning Text Amendment (ZTA). This ZTA clarifies that developments in the CRN Zone providing more than the required minimum of moderately priced dwelling units (MPDUs) qualify for the density bonus provisions of Section 4.5.2.C. The intent is to clarify that MPDU development provisions apply to the CRN Zone and apply site plan review to all MPDU incentive density projects. A Council Public Hearing is scheduled for September 13, 2022, more details can be found in the September 1, 2022 staff report.

Amendments to the following sections were presented: 4.5.3.A: ‘In General’, 4.5.3.B: ‘Procedure for Approval’, and the table of 4.5.3.C: ‘CRN, CRT, and CR Zones, Standard Method Development Standards’.

Planning Staff supports the concept for ZTA 22-08 with the minor amendments clarifying that all of the C/R zoned properties may use MPDU incentives, and that site plans are required for all such projects.

Commissioner Rubin thanked Staff for the improved clarity to the ZTA.

**Item 11. ZTA 22-09 Accessory Structures – Use Standards (Public Hearing)**

ZTA 22-09 amends the accessory structure standards in residential zones to create specific standards for certain types of pool enclosures.

*Staff Recommendation: Transmit Comments to County Council.*

(Action required for County Council public hearing of 9/13/2022)

J. Sartori

**BOARD ACTION**

**Motion: Patterson/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 Staff offered a multi-media presentation discussing the proposed Zoning Text Amendment (ZTA). This ZTA would create special provisions for properties with accessory structures that include pool enclosures, allowing the cumulative footprint of accessory structures to exceed current limits under certain conditions. The ZTA would modify the Development Standards table for each residential zone to create a new standard under Specification for Principal Building and Accessory Structure Setbacks allowing additional flexibility for certain pool enclosures. Planning staff does not support this ZTA as it seems too specific, creates policy conflicts and loopholes, and would require substantial additional clarity and amendments to mitigate these concerns. More details can be found in the September 1, 2022 staff report.

Francoise Carrier of Bregman, Berbert, and Schwartz, offered a multi-media presentation and comments on behalf of two Montgomery County homeowners who would like to enclose their pools to be able to enjoy them year-round. She further stated the ZTA includes language to avoid the structures being used for other prohibited uses and the language was reviewed by the Department of Permitting Services.

The Board asked questions of Staff and of Ms. Carrier about concerns for the ZTA. The Board agrees with the ZTA but would recommend updating and improving the language in the Code to address the issue of accessory buildings and structures.

**Item 8. 1910 University Blvd Senior Housing (Public Hearing)**

A. Conditional Use No. CU202204, 1910 University Boulevard W: Request for approval of a 90-unit Independent Living Facility for Seniors; Located on University Boulevard West on approximately 1.67 acres zoned R-60; within the 2012 Wheaton CBD and Vicinity Sector Plan area.

*Staff Recommendation: Approval and transmittal of comments to Hearing Examiner*

B. Preliminary Forest Conservation Plan No. CU202204, 1910 University Blvd Senior Housing: Request for approval of Preliminary Forest Conservation Plan to allow construction of a 90-unit Independent Living Facility for Seniors; Located on University Boulevard West on approximately 1.67 acres zoned R-60; within the 2012 Wheaton CBD and Vicinity Sector Plan area.

*Staff Recommendation: Approval with Conditions*

E. Tettelbaum

**BOARD ACTION**

**Motion: A-B Rubin/Patterson**

**Vote:**

**Yea: A-B 5-0**

**Nay:**

**Other:**

**Action: Approved staff recommendation for approval of the Preliminary Forest Conservation Plan cited above, subject to conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date. Also, approved staff recommendation to transmit recommendations to the Hearing Examiner related to the Condition Use request cited above, with the additional condition added by Staff regarding signage, , as stated in the attached letter.**

Planning Staff offered a multi-media presentation regarding the Conditional Use and Preliminary Forest Conservation plans CU202204 regarding 1910 University Blvd Senior Housing. The conditional use is limited to a 90-unit Independent Living Facility for Seniors resulting from a partnership between Mission First Housing (nonprofit affordable housing provider) and the local Har Tzeon-Agudath Achim Synagogue. Thirty percent of the dwelling units must be reserved for Moderately Priced Dwelling Units (MPDU) , and ninety percent of the dwelling units must be income restricted.

The 3.65-acre property located within the R-60 zone includes Parcel B (the existing Synagogue) and an unplatted parcel, which is currently being used as a food pantry, surface parking lot and play equipment area. If the conditional use is approved the lot would be subdivided into two lots under a subsequent Preliminary Plan application.

The Independent Living Facility is subject to a Joint Use Parking agreement in which thirty-seven spaces for the senior housing will be provided on the Synagogue lot. Prior to Certification of the Preliminary Plan, the parties to the Joint Use Parking Agreement must execute that document, record it among the Land Records of Montgomery County and provide a copy of the executed and recorded agreement to the Planning Department and to the Office of Zoning and Administrative Hearings.

Montgomery County Planning Board  
Public Meeting Minutes of September 8, 2022

The Applicant will have a 0.53-acre afforestation requirement and has requested a variance for removal or Critical Root Zone (CRZ) impact to ten protected trees.

One additional condition will be added to the Conditional Use proposal to be listed as Condition #6 in which the Applicant must install signage prohibiting left turns onto University Boulevard. The Applicant is aware of the added condition and has agreed to do so. More details can be found in the August 29, 2022 staff report as well.

Jody Kline of Miller, Miller & Canby, representing the Applicant, offered comments on the project and stated all conditions are acceptable to the Applicant.

Michael Goodman of VIKA Engineering offered comments regarding the green roof that will be included on top of the building.

John Bleiweis, President of Har Tzeon-Agudath Achim Synagogue (HTAA), offered comments and expressed several benefits the project offered. Mr. Bleiweis explained the project will offer affordable senior housing to the local Jewish community, will include upgrading all stormwater management concerns on the property by Mission First, and the new pedestrian path will provide a safe place to walk.

Commissioners asked questions and offered brief comments.