## Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

# NOT APPROVED DUE TO THE RESIGNATION OF ALL FIVE BOARD MEMBERS EFFECTIVE WEDNESDAY, OCTOBER 12, 2022

### MINUTES AND SUMMARY

#### **SUMMARY**

Thursday, September 29, 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 29, 2022, beginning at 9:01 a.m. and adjourned at 3:55 p.m.

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

Items 1 through 3 and 5 through 8 were discussed in that order and are reported in the attached Minutes.

Item 4 was removed.

The Planning Board recessed for lunch at 11:27 a.m. and reconvened in the auditorium and via video conference at 12:51 p.m. to take up Items 9 through 11 as reported in the attached Minutes.

There being no further business, the meeting was adjourned at 3:55 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 6, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Kimberly Goung Kimberly Marn Young

Technical Writer/Legal Assistant

Rachel Roehrich Rachel Roehrich

Technical Writer/Legal Assistant

### **MINUTES**

**Item 1.** Preliminary Matters

A. Adoption of Resolutions

1. Kilmarock Block F Subdivision Plan No. 620220050 – MCPB 22-097

**BOARD ACTION** 

Motion: Rubin/Verma

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

### **B.** Approval of Minutes

1. Minutes of September 15, 2022

**BOARD ACTION** 

Motion: Rubin/Verma

Vote: 5-0

Other:

Action: Approved Planning Board Meeting Minutes of September 15, 2022, as submitted.

C. Other Preliminary Matters

**BOARD ACTION** 

Motion: Vote: Other:

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

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

### A. Subdivision Plat No. 220220150, West Bethesda Park

R-90 zone; 2 lots; located immediately east of the terminus of Wahly Drive; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

### B. Subdivision Plat No. 220220610, Section 1, Chevy Chase Terrace

R-60 zone; 1 lot; located on the north side of Davidson Drive, 275 feet west of Wisconsin Avenue (MD 355); Bethesda-Chevy Chase Master r Plan.

Staff Recommendation: Approval

### C. Subdivision Plat No. 220220640, Clarksburg Town Center

CRT zone; 12 lots, 2 parcels; located on the northeast side of the intersection of Clarksburg Square Road and Burdette Forest Road; Clarksburg Master Plan.

Staff Recommendation: Approval

### D. Subdivision Plat No. 220220820, Aspen Knolls

R-90 zone; 13 lots; located at the terminus of Landgreen Street, 300 feet west of Marianna Drive; Aspen Hill Master Plan.

Staff Recommendation: Approval

#### **BOARD ACTION**

Motion: Cichy/Verma Vote: A-D 5-0

Other:

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

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

## A. Century: Sketch Plan No. 32016002A, Preliminary Plan No. 12002095C, and Site Plan No. 82003007F – Regulatory Review Extension Request No. 2

Request to extend the regulatory review period from September 29, 2022 to March 30, 2023. Applications to replace two previously approved office buildings and one previously approved hotel with one new 13-story office building, two new eight-story hotel buildings (154 keys), and two new six-story multi-family/retail buildings (233 units). Located at 20301 Century Boulevard, northeast of Cloverleaf Center; 52 acres; CR-2.0, C-1.25, R-1.0, H-145T in the Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Sector Plan and 2010 Germantown Urban Design Guidelines.

Staff Recommendation: Approval of the extension request R. Sigworth

### B. Shops at Travilah: Site Plan No. 820220140 – Regulatory Review Extension Request No. 2

Request to extend the regulatory review period by two months from October 4, 2022 until December 4, 2022: Application to create one lot for a 5,681 square foot retail building and a 12,762 square foot daycare center; located on the southside of Travilah Road, approximately 250 feet west of its intersection with Piney Meetinghouse Road; 1.96 acres, NR-0.75 H-45 zone, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the extension request

J. Casey

#### **BOARD ACTION**

Motion: Rubin/Verma Vote: A-B 5-0

Other:

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

Item 4.	Roundtable Discussion REMOVED
Planning Dir	ector's Report
<b>BOARD AC</b>	TION
Motion:	<u> </u>
Vote:	
Other:	<u> </u>
Action:	_

## Item 5. 5212 Massachusetts Avenue, Preliminary Plan No. 120220170 (Public Hearing)

A request to abandon unused right-of-way for Massachusetts Avenue, and incorporation of the area back into a lot on the subject property. The abandonment area consists of a parcel that has not been improved or used for the purposes for which is was intended or dedicated, located on Massachusetts Avenue, 150 feet north of Cape Cod Court, R-60 Zone, 1990 Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval with Conditions

K. Mencarini

### **BOARD ACTION**

Motion: Cichy/Rubin

Vote: 5-0

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.

Staff presented a multi-media presentation discussing the Applicant's request to abandon the unused right-of-way along Massachusetts Avenue and incorporate it into the existing recorded lot. If approved, Massachusetts Avenue will consist of 120 feet of right-of-way, as master planned. No development is proposed as part of the Preliminary Plan. Further details can be found in the September 16<sup>th</sup> Staff report.

Correspondence was received from multiple residents surrounding the right-of-way in question raising concerns and offering recommendations. Staff discussed the concerns raised and offered comments to the recommendations.

The Board offered brief questions and comments before moving for approval.

### Item 6. Cool-Streets Design Guidelines and Standards

Presents research on streetscape thermal temperatures and cooling strategies for the Downtown Silver Spring Cool Streets Guidelines funded by a Transportation Land-Use Connections grant from MWCOG.

T. Schneider

### **BOARD ACTION**

Motion: Vote: Other:

**Action:** Received Briefing

Staff introduced Ronald Sessoms, of Rhodeside and Harwell, to offer a multi-media presentation and briefing overview of the Downtown Silver Spring Cool Streets Guidelines. The presentation was prepared by Rhodeside and Harwell under a grant from the Metropolitan Washington Council of Governments. More details can be found in the September 29, 2022 Staff report.

The Guidelines are the first in the county to address the increasing impacts from climate change on the human body and urban landscape. Maryland's Climate Forecast predicts that the state's average summer and winter temperatures will increase by over six degrees Fahrenheit relative to preindustrial averages. The Guidelines will be incorporated into the Silver Spring Design Guidelines as a tool for mitigating the effects of extreme heat on human physiology for a more resilient future.

The study analyzed strategies to reduce urban heat islands and mitigate the impending effects of climate change with a purpose to: help mitigate climate change; create more livable, usable, and tolerable streetscapes; improve local air quality; and positively impact human health and wellness.

The project approach included analyses for Urban Heat, Cool Streets Methodologies, and Implementation. Brief explanations from each analysis are as follows:

### **Urban Heat Analysis**

Shelby Smith, of Atelier Ten, offered a briefing on the Urban Heat Analysis. The intent of the analysis is to determine the efficacy of various design strategies to improve the outdoor thermal comfort of the streetscape in downtown Silver Spring. A range of different surface materials were tested against baseline conditions to understand which strategies could provide the greatest reduction in heat stress. Three outdoor thermal comfort analyses presented included: Baseline UTCI (Universal Thermal Climate Index) Climate conditions, Point-in-time Peak UTCI, and Streetscape Design Analysis. All three analyses are measured by the UTCI, which provides a thermal strain index value that is representative of a "feels like" temperature for the human body. The UTCI includes wind, radiation, humidity, air temperature, and body position.

Key takeaways from the three outdoor thermal comfort analyses were discussed and recommendations for materials, shading, vegetation, and additional strategies were presented.

### **Methodologies**

Ronald Sessoms discussed methodologies incorporating Nature-Based elements and Built Environment elements as well as the effectiveness and costs associated with both to reduce UTCI.

Some recommendations included: increasing the street tree canopy, expanded planting and bioretention areas, use of natural wind circulation, maximizing natural evaporative cooling, implement light colored paving materials, consider building massing, explore opportunities for water misters, remove paving at select locations, and integrate architectural shade structures.

These recommended elements when combined, can reduce the UTCI, or "feels like" temperature by 20- 25°F compared to existing conditions in Silver Spring.

### **Implementation**

Possible implementation considerations presented included the following: incorporation of elements through maintenance projects, pilot/demonstration projects, site development projects, and Capital Improvement Projects (CIP).

Long term considerations would include maintenance of facilities and educating the public and facilities

Planning Staff including Tina Schneider, Elza Hisel-McCoy, and Larissa Klevan all offered comments to the Board relating to the collaboration between departments and agencies such as Montgomery County Department of Transportation and State Highway Administration, equity issues, and the need to incorporate both Nature Based Elements and Build Based elements to reduce urban heat islands and mitigate the impending effects of climate change.

The Board asked questions regarding implementation over the short term, budget impact, as well as the next steps moving forward. The Board also offered comments regarding the incorporation of streetscape in older developed areas with more paving that provide the least amount of shading, focusing on smaller ideas/locations in order to make some improvements, the possibility of cooling stations, and lastly, encouragement to Staff to think about equity focus areas beyond downtown Silver Spring as well.

## Item 7. Silver Spring Downtown and Adjacent Communities Plan Draft Design Guidelines

A. Margolies

### **BOARD ACTION**

Motion: Vote: Other:

**Action:** Received Briefing

Staff presented a multi-media presentation discussing the 2022 Silver Spring Downtown and Adjacent Communities (SSDAC) Plan, which is an update to the 2000 Silver Spring Central Business District Sector Plan. The Plan was adopted and approved by the Planning Board, M-NCPPC and County Council in June 2022. This plan makes recommendations within the Plan area for land use and zoning, housing, economic growth, urban design, transportation, parks and public spaces, environmental resiliency, community facilities and historic resources. More details can be found in the September 22, 2022 Staff report.

Staff briefed the Board on the design guidelines, the users of the design guidelines, and what the design guidelines address. Specifically, an overview of the SSDAC Design Guidelines for Plan-Wide and Districts was discussed.

Plan-Wide guidelines examples include the following:

- Streets/Row: street types will be in coordination with the Complete Streets Design Guide, Green Loop/Stormwater Management in the Right-of-Way, Accessibility, and Cool Streets Guidelines
- Site Design: Environmental Site Design, Service and Loading, and Accessibility
- Building Form: Guidelines for a variety of building types will be included.
- Parks and Public Spaces: Urban Park System, Temporary/Interim Parks, and Privatelyowned Public spaces
- Connections over Rail

#### Districts guidelines would include:

- Specific guidelines for certain areas
- 6-8 individual development sites within the districts
- Key connections (pedestrian, vehicular, open space, nearby destinations)
- Suggested "front" vs "back" of sites
- Working on illustrative renderings with consultant for inspiration

Staff stated the next steps would include the following: continued internal coordination regarding Complete Streets Design Guide and with Downcounty regulatory team, coordination with MCDOT, development of draft document, and return to Planning Board in November/December for briefing.

Hyojung Garland, Parks Master Planner, offered comments on the Parks and Public Spaces.

The Board asked questions and offered comments regarding incorporating connection of the SSDAC Design Guidelines with the Cool Streets Guidelines, reference of mandatory referral to be included in all guidelines, the role of the Planning Board, the balance between different public facilities, and measurably improved performance in both public and private spaces to encourage people to be more active.

Staff offered responses to the Board's questions and comments, and Director Wright offered comments on projects in the public realm as well as balancing decisions and roles in the public's interest.

## Item 8. Proposed Amendment to the Administrative Procedures for Development Review

Staff Recommendation: Approve to transmit to the County Council for introduction

N. Braunstein

### **BOARD ACTION**

Motion: Verma/Rubin

Vote: 5-0

Other:

Action: Received Briefing and approved Procedures for transmittal to the County

Council.

Staff presented a multi-media presentation providing an overview of the proposed amendments to the Administrative Procedures for Development Review that staff recommends be submitted to the County Council for approval. Details can be found in the September 16, 2022 Staff report.

The Administrative Procedures for Development Review (COMCOR 50/59.00.01) went into effect in September 2017. In the five years since the Administrative Procedures have been in effect, changes in other laws and procedures have made it such that various provisions of the Administrative Procedures have become obsolete or in conflict with other requirements. In response to that, the majority of proposed changes in the current amendment are proposed to bring the Administrative Procedures into conformance with these other laws and procedures. In addition, other changes are proposed to further clarify language, correct mistakes, and add necessary missing provisions.

While the vast majority of the proposed changes are minor, several substantive major changes are also proposed, as noted below:

- Add provisions for signature business headquarters plans and biohealth priority campus plans, based on their addition to the zoning ordinance as new plan types.
- Add noticing provisions for forest conservation plans, based on changes to the forest conservation law.
- Proposed amendment requires official notice be sent by regular mail. Additional notice may be sent by email.
- Remove provisions related to the consent agenda, based on changes to the Planning Board's Rules of Procedure
- Clarify that sketch plans may be amended by filing an amendment application or by subsequent site plan approval. Consistent with zoning ordinance.
- Revises deadlines and requirements for witness sign-up and submission of exhibits consistent with Planning Board's Rules of Procedure
- Added two additional items to the list of instances that require the Director to cede authority to act to the Planning Board
- Updated timelines for withdrawal of inactive applications that have not yet been accepted (that are still in intake) after 180 days.

The minor changes include clarifications to existing text, changes to improve grammar and provide consistency in capitalization, and updated citations for external laws and regulations.

The Board asked questions regarding the method of official notices, and why receiving notice by regular mail was determined best, as well as offered comments regarding the same.

Staff, Director Wright, and Emily Vaias, Principal Counsel, offered responses and comments to the Board as to why official notice will be given through regular mail.

### Item 9. Briefing: Trends in Racial and Ethnic Diversity

Research and Strategic Projects Staff will provide an overview of a new ESRI ArcGIS storymap illustrating changes in racial and ethnic diversity across the county by Census tract between 1990 and 2020.

C. McCarthy

### **BOARD ACTION**

Motion: Vote: Other:

**Action:** Received Briefing

Archie Chen, Research and Strategic Projects, presented a multi-media presentation of the storymap created to describe the evolution of racial and ethnic diversity from 1990 to 2020 in Montgomery County, Maryland. The goal of the storymap is to provide a resource to help planners and the public understand the demographic trends in the County and at Census tract geographies over time. The storymap also serves as a tool to quickly depict the concentration of the predominant, majority, or most common racial/ethnic group over time. Details can be found in the September 21, 2022 Staff report.

Montgomery County's Hispanic, Black, and Asian populations have grown steadily reflecting new residents and increasing births since 1990. In 2020, people of color — Hispanic or Latino, Black, Asian, and multi-racial residents — comprised 59% of the total population making Montgomery County more diverse than the nation (42%) and Maryland (53%) and slightly higher than the Washington, D.C. region (58%).

Continued growth in the number of people of color living in the County is expected. In the next 10 years, the Maryland State Data Center forecasts the number of Hispanic, Black, Asian, and multi-racial residents will grow by 21%, rising to 67% of the County's total population in 2030.

Staff illustrated the neighborhood level transformation of Montgomery County's racial and ethnic composition through historical map series. U.S. Census tract-level maps of Hispanic or Latino population and the non-Hispanic populations of Black or African American, Asian and Pacific Islander, and White residents depict local changes from 1990 to 2020.

The Board asked questions and offered comments regarding the Census information and approach of data collection, as well as the possibility of a consultant to brief the Racial Equity and Social Justice Committee.

Tanya Stern, Deputy Director, and Staff offered comments and responses to the Board regarding the Census information and data collected to be used as an initial jumping off point to better understand areas within the community and build future relationships. Deputy Director Stern also offered comments and responses regarding speaking with the Racial Equity and Social Justice Committee.

### Item 10. Churchill Senior Housing, Sketch Plan No. 320220060 (Public Hearing)

Proposal for 326,252 square feet of residential uses and 3,000 square feet for a medical clinic (Phases 3 & 4), in addition to 268,280 square feet of existing residential uses (Phases 1 & 2). The overall development will be a total of 597,532 square feet comprised of 594,532 square feet of residential uses and 3,000 square feet of non-residential uses, including a total of 17 percent Moderately Priced Dwelling Units (MPDUs); located at 21000 Father Hurley Blvd. (west side of Father Hurley Blvd., 500 feet south of Waters Landing Road); 5.49 acres; CRT 2.5, C-0.25, R-2.5, H-90 Zone; 2020 Germantown Plan for the Town Sector Zone.

Staff Recommendation: Approval with Conditions

P. Estes

#### **BOARD ACTION**

**Motion:** Rubin/Patterson

**Vote:** 5-0

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.

Staff presented a multi-media presentation discussing the Project. Further details can be found in the September 19, 2022 Staff Report.

Phase 3 of the project will include an additional 280 apartment units with below grade parking and Phase 4 will include a 140-bed residential care facility and 3,000 square foot medical clinic. Public Open Space will be included, and the 5% requirement will be fulfilled in both Phase 3 and Phase 4. A variance request was submitted for impact to one tree that could not be avoided, although no variance trees will be removed, therefore no mitigation is recommended.

Staff recommended changes to proposed Condition No. 2 for Height and Building Massing and Condition No. 6 for Future Coordination for the subsequent Preliminary Plan and Site Plan. The Board agreed.

Staff received correspondence from community members with comments related to density, height, compatibility, noise, stormwater management, sediment control, vehicular and pedestrian safety, and parking. Staff acknowledged working with the Applicant to ensure the building is compatible.

The Board asked questions and offered comments regarding clarification on building heights, the pedestrian path, and underground parking.

Matthew Gordon, of Selzer Gurvitch, offered comments on behalf of the Applicant team thanking Staff for the collaboration that led to a better overall Sketch Plan, agreement to the revised conditions, and the affordable housing this project will provide to seniors within the community.

Matthew Parreco, Churchill Senior Living, offered comments on Phase 3 as there is a need for more affordable senior housing within the community and appreciates the collaboration and support received for the project.

Brian Donnelly, of Macris, Hendricks & Glascock, P.A., offered brief responses on behalf of the Applicant team regarding the pedestrian path.

## Item 11. Fairland and Briggs Chaney Master Plan – Preliminary Recommendations Planning Board Briefing

Staff Recommendation: Staff will provide a briefing on the preliminary recommendations of the Fairland and Briggs Chaney Master Plan.

M. Jackson/C. Larson

### **BOARD ACTION**

Motion: Vote: Other:

Action: Received a briefing

Staff presented a multi-media presentation summarizing the results from the vision workshops and highlighted the 'big ideas' and other preliminary recommendations for the Fairland and Briggs Chaney Master Plan. Details can be found in the September 22, 2022 Staff Report.

### **Vision Workshops**

Staff held a series of six visioning workshops in June and July 2022, ranging in formats, times, and locations. These workshops were coordinated with the help of Story Tapestries (a non-profit arts organization) to ensure an inclusive and safe space with a variety of communication techniques. Through this hands-on experience, Staff gained insights on existing challenges and explored possible resolutions, which have led to potential plan recommendations. Throughout the six visioning workshops, just over 100 participants provided more than 600 individual comments, reactions, visions, and illustrations.

Workshop Activities included: introduction, break-out groups to incorporate brainstorming, illustrating, map feedback and open discussion, followed by wrap-up and next steps. The Workshop outcomes and community comments included better connectivity, better protected bike lanes, and more places to go to connect to community.

The detailed comments shared by participants of the vision workshops included areas such as: community health and culture; development and design; environment; food access; history, culture and art; housing; parks, recreation and open space; schools and education; and transportation. Comments within these areas influenced the preparation of the preliminary recommendations.

At this time a video of Fairland's Story was presented to the Board.

#### **Draft Concept Framework Plan**

The Draft Concept Framework Plan lays out the overall vision for physical and experiential features of the Master Plan in how the various land use, transportation, parks, and other community amenities fit together as a cohesive whole. The Draft Concept Framework Plan identifies key elements of the existing community landscape, overlaid by aspirational elements to be realized through implementation of the Master Plan.

### **Preliminary Recommendations "Big Ideas"**

### **Activity Centers**

Staff provided multiple possibilities for Activity Centers with the Briggs Chaney Road Corridor being the primary activity center in which a "Main Street" experience will be established. Complete Streets improvements will be applied in this area and long-term transition to a compact, walkable development pattern will be obtained.

Other potential Activity Centers locations were presented including Campus locations for Montgomery College. Staff also described potential redeveloped secondary neighborhood centers which included: the Verizon location, East Randolph Road and Old Columbia Pike (Adventist property).

### US-29 as a BRT Transit Expressway

Enhancing the Tech Road Park & Ride, Briggs Chaney Park & Ride, and Greencastle Park & Ride locations is being explored as well as a proposed Health/Resilience Hub and Learning Center that would be located in close proximity or next to the Bus Rapid Transit (BRT). The proposed Health/Resilience Hub and Learning Center would have the following offered to the community: charging stations, water filling stations, cooling stations, food distribution, bicycle storage, opportunities to learn how to transition from a state of emergency, as well as other related programing.

Prioritizing US-29 as a BRT "Expressway" and attaining a transit first approach on US-29, revisiting US-29 intersections and interchanges, and potential bridge designs/concepts for enhancing the Briggs Chaney Road bridge over US-29 were also presented.

#### Bike-Ped Loops and Greenway Network

Recommendations presented for the Inner and Outer Trail Loops included: complete missing trail and path sections, connect loops to activity centers, include local historic and cultural destinations, and identify the loops with locally relevant names. Potential Trail names included Eastern Branch Heritage Trail, Paint Branch Heritage Trail, and the East County Neighborhood Trail.

Another preliminary idea included a Neighborhood Greenway System to establish an east/west internal neighborhood system in which some trails would be on public lands, along roadways, and across Homeowners Associations. The Greenway System could also accommodate linear parks and community gardens.

### Bi-County Approach for Fairland Recreational Park and Fairland Regional Park

Recommendation to take a bi-county approach to planning, operations, and maintenance of Fairland Recreational Park (Montgomery Parks) and Fairland Regional Park (Prince George's Parks & Recreation), preserve and enhance existing natural resources, and consider additional activities and amenities where most feasible, such as additional pool/water facilities, Agro-Tech

Park, sports fields (that cater to diverse cultures), refreshment facilities, etc. Three phases to renovate Fairland Recreational Park were also presented.

### Next Steps

The Working Draft of the Fairland and Briggs Chaney Master Plan is targeted for Fall 2022, with a public hearing in late 2022 or early 2023. Montgomery Planning anticipates transmitting the Planning Board draft plan to the County Council for review and approval by the Spring of 2023.

The Board asked questions relating to the recommended Activity Centers, coordination with Prince George Planning, Parks and Recreation, and Montgomery College; traffic modeling; incorporation of Cool Streets Guidelines; as well as potential for developable land within the Master Plan area. Staff provided detailed responses to the Board.

The Board also offered comments regarding the reconsideration of design for interchanges/intersections, improvement of aesthetics for BRT stops, additional BRT/Flash sites, enhancement and inclusion of the bridges into the community, as well as the possibility of at least one underpass to be incorporated into the area.

Director Wright offered comments on managing expectations for the area and along US-29, as well as excitement for potentially developing compact uses of land along US-29, as represented in the Activity centers shown in the presentation.