

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED MINUTES AND SUMMARY

SUMMARY

Thursday, November 10, 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, November 10, 2022, beginning at 9:13 a.m. and adjourned at 5:57 p.m.

Present were Chair Jeff Zyontz, Vice Chair Amy Presley, and Commissioners Cherri Branson, David Hill. Roberto Piñero being necessarily absent.

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

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

The Board convened in Closed Session to discuss Item 4 at 10:09 a.m. on the motion of Commissioner Branson, seconded by Vice Chair Presley with Chair Zyontz, and Commissioners Branson, Presley, and Hill voting in favor of the motion. The meeting was closed under the authority of Annotated Code of Maryland, General Provisions Article §3-305(b)(7), to consult with counsel to obtain legal advice; and §3-305(b)(8) to consult with staff, consultants, or other individuals about pending or potential litigation.

Also present for the meeting were Chief Darryl McSwain, MNCPPC Park Police, Mike Riley, Director of Montgomery Parks, John Kroll, Human Resource Management, General Counsel Deborah Borden, Principal Counsel Emily Vaias, Associate General Counsel Amy Foster; and Rachel Roehrich (OGC).

In Closed Session, the Board received a briefing regarding pending litigation.

The Closed Session meeting was adjourned at 10:56 a.m. and the Planning Board reconvened in open session at 11:06 a.m. on the motion of Commissioner Hill, seconded by Commissioner Branson, with Chair Zyontz, Vice Chair Presley, and Commissioners Branson and Hill voting in favor, to continue with the Agenda and discuss Item 6 as reported in the attached Minutes.

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The Planning Board recessed for lunch at 1:08 p.m. and convened in Closed Session to discuss Item 10 at 1:12 p.m. on the motion of Commissioner Branson, seconded by Vice Chair Presley with Chair Zyontz, and Commissioners Branson, Presley, and Hill voting in favor of the motion. The meeting was closed under the authority of Annotated Code of Maryland, General Provisions Article §3-305(b)(3), to consider the acquisition of real property for public purpose and matters directly related to the acquisition.

Also present for the meeting were Mike Riley, Director of Parks; Miti Figueredo, Deputy Director Parks Administration; Gary Burnett, Deputy Director of Park Operations; Andy Frank, Division Chief of Park Development Division; Darren Flusche, Division Chief of Park Planning and Stewardship; David Tobin, Partnerships Manager; Christie Ciabotti, Landscape Architect; Patricia McManus, Section Chief; Principal Counsel Emily Vaias, Senior Counsel Megan Chung; and Rachel Roehrich (OGC).

In Closed Session, the Board received a briefing regarding Long Branch Local Park.

The Closed Session meeting was adjourned at 1:40 p.m., and the Planning Board reconvened in open session at 1:50 p.m. on the motion of Commissioner Branson, seconded by Vice Chair Presley with Chair Zyontz, and Commissioners Branson, Hill and Presley voting in favor, to take up the remainder of Item 6 and Items 11, 7, 12 and 9 in that order, as reported in the attached Minutes.

Item 8 was postponed.

There being no further business, the meeting was adjourned at 5:57 p.m. The next regular meeting of the Planning Board will be held on Thursday, November 17, 2022, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Kimberly Young
Kimberly Mann Young
Technical Writer/Legal Assistant

Rachel Roehrich
Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

1. 5212 Massachusetts Avenue Preliminary Plan 120220170 – MCPB No. 22-098

BOARD ACTION

Motion: 4-0

Vote: Branson/Presley

Other: Piñero absent.

Action: Adopted the Resolution cited above, as submitted.

Emily Vaias offered comments and gave a brief explanation of the adoption of resolutions.

2. Churchill Senior Housing Sketch Plan 320220060 MCPB No. 22-099

BOARD ACTION

Motion: Branson/Presley

Vote: 3-0-1

Other: Piñero absent. Commissioner Hill Abstained.

Action: Adopted the Resolution cited above, as submitted.

B. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no minutes submitted for approval.

C. Other Preliminary Matters

1. Bethesda Downtown Plan Implementation Advisory Committee Reappointment of Members
S. Dickel

BOARD ACTION

Motion: Presley/Branson

Vote: 4-0

Other: Piñero absent.

Action: Approved staff recommendation for approval of the Bethesda Downtown Plan Implementation Advisory Committee Reappointment of Members cited above.

2. Appointments to MNCPPC Audit Committee, Employment Retirement Systems Board of Trustees, and Post-Retirement Insurance Benefits Program Board of Trustees (Section 115 Trust).

Chair Zyontz offered brief comments regarding the appointments to the above Boards and Committees which included Commissioner Branson being appointed to the MNCPPC Audit Committee, Vice Chair Presley was appointed to the Employment Retirement Systems Board of Trustees, and Commissioner Piñero was appointed to the Post-Retirement Insurance Benefits Program Board of Trustees (Section 115 Trust).

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220220110, Cloverly

NR zone; 1 lot; located on the east side of New Hampshire Avenue (MD 650), 900 feet north of Briggs Chaney Road; Cloverly Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Hill/Presley

Vote: 3-0-1

Other: Piñero absent. Commissioner Branson abstained.

Action: Approved staff recommendation for approval of the Record Plats cited above, with the correction to location being on the west side not the east side of New Hampshire Avenue.

Item 3. Regulatory Extension Requests (Public Hearing)

A. 4910-4920 Strathmore Avenue: Extension Request for Preliminary Plan No. 120220160 and Site Plan No. 820220220 – Second request to extend the regulatory review period for one (1) additional month from November 24, 2022 to December 29, 2022

1. Request for approval to consolidate an existing lot (Parcel A) and a portion of an adjacent lot (Parcel B) for its resubdivision into 114 buildable lots and creation of outparcels to allow for future redevelopment which includes the vacant St. Angela Hall retirement home; located at 4910-4920 Strathmore Avenue in Kensington, Maryland 20895 on approximately 15.35 acres of land zoned CRNF 0.75, C 0.25, R 0.75, H 50' (Commercial Residential Neighborhood-Floating); within the 1992 North Bethesda/ Garrett Park Master Plan.

Staff Recommendation: Approval of the extension request

2. Request for approval to redevelop the newly consolidated parcel, which includes the vacant St. Angela Hall retirement home, with up to 113 single family dwelling units and a 145-bed residential care facility, including MPDUs, new access points, and open space on the Site; includes a Final Forest Conservation Plan and modified variance request to remove and impact specimen trees; located at 4910-4920 Strathmore Avenue in Kensington, Maryland 20895 on approximately 15.35 acres of land zoned CRNF 0.75, C 0.25, R 0.75, H 50' (Commercial Residential Neighborhood-Floating); within the 1992 North Bethesda/ Garrett Park Master Plan.

Staff Recommendation: Approval of the extension request

T. Graham/S. Findley

B. Sandy Spring Missing Middle Pilot Project: Preliminary Plan No. 120220050 and Site Plan No. 820220090 – Regulatory Review Extension Request No. 2 – Request to extend the regulatory review period by three (3) months until January 27, 2023

Application to modify 11 lots and create 14 new lots for 11 existing detached dwelling units, 12 duplex units, 7 townhouse units and a community space; located in the northeast quadrant of the intersection of Olney Sandy Spring Road (MD 108) and Skymeadow Way, approximately 450 feet east of Brooke Road; 3.27 acres, R-60 zone, 2015 Sandy Spring Rural Village Plan.

Staff Recommendation: Approval of the extension request

J. Casey

C. Chaberton Solar Santa Rosa, Site Plan No. 820220210, Regulatory Review Extension Request No. 2 – Request to extend the regulatory review period until February 13, 2023

Application to install a solar array system; 10 acres; RC (Rural Cluster) zone; located at 13330 Signal Tree Lane, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

D. Kings Crossing: Preliminary Plan No. 120220020 – Regulatory Extension Request No. 2 – Request to extend the regulatory review period until May 11, 2023

Application to create 11 lots for 11 single-family detached dwelling units; located on the SE corner of the intersection of Autumn Gold Road and Crossview Road, R-200 zone, 5.99 acres, 1989 Germantown Master Plan.

Staff Recommendation: Approval of the extension request

J. Casey

BOARD ACTION

Motion: Presley/Branson

Vote: A-D 4-0

Other: Piñero absent.

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

Item 5. Roundtable Discussion

Planning Director's Report

T. Stern

BOARD ACTION

Motion:

Vote:

Other: Piñero absent.

Action: Received Briefing

Acting Planning Director, Tanya Stern, presented a multi-media presentation regarding the latest Planning Department updates on Master Plans and Community Engagement, and provided an in-depth review of Montgomery Planning's Equity in Planning Agenda from 2020 to present.

The Planning Department has had a presence within the community with recent events including the Fairland and Briggs Chaney Placemaking Festival (1300 visitors and 68 vendors), the Takoma Park Minor Master Plan Amendment (over 100 community members attended the open house), the University Boulevard Corridor Visioning Open House, the Wheaton Downtown Study, and the Great Seneca Plan.

Acting Director Stern then introduced and briefed the Board on Montgomery Planning's Equity in Planning Agenda from 2020 to present. A broader framework for the Planning Department's focus on Racial Equity began when the County Council passed the Montgomery County Racial Equity & Social Justice Act in 2019 and M-NCPPC's Resolution on Solidarity with National Movement to End Injustice and Violence against African Americans was also introduced in 2020. Earlier Equitable Planning efforts also included an Internal Equity Working Group, Vision Zero, Transportation Studies, Housing Studies, and Historic Preservation Studies.

Thrive Montgomery 2050, the new General Plan approved in October 2022, is Montgomery County's first General Plan to identify community equity as a key objective. Thrive Montgomery 2050 presents a long-range vision for the future of growth in Montgomery County and integrated a foundation for future Master Plans and other planning initiatives. The three key objectives of Thrive Montgomery 2050 include Economic Growth, Community Equity, and Environmental Resilience.

Data tools were also developed such as the Equity Focus Areas mapping tool which includes U.S Census tract level data including percent of low-income households, percent of people of color, and percent of people who speak English less than very well. Tools used for Equitable Engagement within the community include in-person and virtual community meetings, pop-ups, placemaking festivals, canvassing, and bus shelter ads.

The Equity Peer Review Group is an internal staff team supporting implementation of equity in the master planning process. The group provides feedback on draft recommendations, planning policies, and community engagement strategies as well as reviewing plan imagery, terminology and accessibility.

In addition, Planning Tools in Progress include the following: Community Equity Index, Mapping Segregation Project, and Equitable Communications Guide.

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The Board asked questions regarding the tracking of what has been implemented through the Master Plans, if Equity Focus Factors are included throughout areas of the County, the overall demographics of the County, and if there was a standard rubric of questions asked during the Peer Review group.

Acting Director Stern offered responses to the Board regarding the tracking and implementation of recent Master Plans as well as responses regarding the Peer Review Group.

Robert Kronenberg, Deputy Director, offered comments regarding annual and biannual monitoring reports that have been done.

Jessica McVary, Planning Supervisor Midcounty Planning, offered comments and responses regarding the Wheaton Master Plan.

Chair Zyontz offered comments on the need for the presentation slides to be placed on the website.

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Item 4. Closed Session

According to MD ANN Code, General Provisions Article, §3-305(b)(7), to consult with counsel to obtain legal advice; and §3-305(b)(8) consult with staff, consultants, or other individuals about pending or potential litigation.

D. Borden

BOARD ACTION

Motion: Branson/Presley

Vote: 4-0

Other: Piñero absent.

Action: Discussion held. See the open session disclosure statement in Summary.

Item 6 . FY24 Operating Budget Discussion – CAS, Commissioners’ Office, Planning, Parks

J. Kroll/T.Stern/N. Steen

BOARD ACTION

Motion:

Vote:

Other: Piñero absent.

Action: Received Briefing.

Mr. John Kroll, EOB-Human Resource Management gave a brief overview of the Budget process, what the Board can expect to see and a timeline of Budget approval. Staff from the Commissioner’s Office, the Planning Department, the Parks Department, and Central Administrative Services (CAS) presented multi-media presentations regarding the FY24 Operating Budget for their respective departments. Further details can be found in the Staff Reports dated November 7, 2022, October 28, 2022, November 2, 2022, and November 3, 2022.

Commissioner’s Office

Chair Zyontz gave an overview regarding the recommended Commissioner’s Office FY24 proposed budget of \$1,368,799.00. This budget reflects the base budget plus one new initiative, one new position and one seasonal summer intern.

Commissioners asked questions and Commissioner Hill objected to the new position.

Planning Department

Karen Warnick, Chief of Management Services, presented a multi-media presentation regarding the Planning Department's FY24 Proposed budget of \$1,782,014, or 7.54% increase over the FY23 Adjusted Adopted budget. The total FY24 Proposed Budget plus New Initiatives would total \$25,430,415.00.

Acting Planning Director, Tanya Stern, proceeded with the multi-media presentation regarding Planning Department’s FY24 request which also includes New Plans and New Initiatives.

The Board asked questions regarding the planned interface with Data Montgomery, sufficiency of data, if there was a qualitative statement to bring new positions in house, if the dollar amounts presented were representing the full cost to the department, the comparisons between contractors versus full-time employees, what the assumed lapse was for the Planning Department, and the potential need for an equity officer.

Staff offered comments to the Boards questions.

Acting Director Stern and Executive Director Asuntha Chiang-Smith offered comments.

Parks Department

Director Mike Riley gave an overview of the Parks budget timeline and expectations.

Nancy Steen then gave a brief overview of the Parks Budget process and presented a multi-media presentation regarding approval to prepare the FY24 Park Fund Operating Budget at the Base

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Budget plus Program Enhancements level. The cost increase of Major Known Commitments and Program Enhancements being proposed is a 4.5% increase of \$5,354,092 (excluding compensation markers.). Including the compensation markers brings the total request to \$9,989,827 or an 8.5% increase. Personnel costs are the largest amount in the base budget with the largest cost pressure being compensation and benefits. The budget request also represents program enhancements including Park Activation, improving customer service, improving quality and playability of ballfields, social equity, and maintaining and improving what Parks has.

Michael Coppersmith (Director of Parks Activation), Haviz Adejo (Parks Permits Manager), Sean Emerson (Manager of Parks Information and Customer Service), Cliff Driver (Regional Operations Manager), Maureen Moyer (Management Services), William Hamilton (Natural Resources Manager), Doug Ludwig (Chief of Northern Parks Division), Andy Frank (Park Development Division), and Trish Swan (Chief of Southern Parks) gave brief overviews of their respective departments and offered comments on the need for the positions requested.

The Board asked questions regarding whether equipment was included, if the money was coming mainly from CIP or Operating, if requested positions could be directly in support of Equity, potential skilled trades internships, potential use of artificial turf, and when Hillendale would be finished.

Staff including Parks Director Riley, Andy Frank, and Maureen Moyer offered responses to the Board's questions.

CAS

John Kroll gave a brief overview of the divisions requesting approval of the FY24 proposed budgets including the Department of Human Resources and Management (DHRM), Central Administrative Services (CAS) Support Services operations, Merit System Board Administration Fund, Finance Department, Office of General Counsel, Office of Inspector General, and Office of the Chief Information Officer. The proposed budgets have been developed following an analysis of program needs along with wage and benefit projections provided by the Corporate Budget Office. Compensation projections are preliminary and will be updated as the Corporate Budget Office continues to refine projections.

Executive Director, Asuntha Chiang-Smith, introduced Katie Knaupe, Deputy Corporate Budget Director, who gave an overview and presented the initiatives for FY24 for the DHRM, CAS and Merit System Board Administration Fund listed below:

DHRM: The FY24 proposed base budget is \$7,546,000, which is an increase of 11.1%, or \$751,865. This increase is driven by inflation, personnel services, and bringing the budget back up to normal levels after budget reductions were applied in FY22. For FY24 there are six critical needs positions that are being asked for which increased the base budget by 10.8% to a total of \$8,277,874.

CAS: This budget includes non-discretionary, shared operating expenses for the bi-county departments and units that make up Central Administrative Services (CAS). The FY24 proposed budget is \$1,650,271 which reflects a 9.4% increase of \$142,210. The main cost driver for this

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budget is rent, which has increased 5.5% compared to FY23 levels due to a reallocation of common space and an increase to the rental rate.

Merit System Board Budget: The FY24 proposed budget is \$168,498, which reflects a 0.4% increase due to an adjustment in personnel services calculations.

Chair Zyontz asked questions regarding the vacancy rate for each department and the assumed lapse of pay percentage.

Executive Director Chiang-Smith offered responses to the Chair regarding the DHRM vacancies and the need for positions and requested budget.

Mr. Kroll offered comments on the possibility of additional cuts to the budget from the County Council and requested to keep the budget as requested in order not lose flexibility.

The Chair asked the remaining Board members if there was support to lowering the assumed lapse of pay percentage, and ultimately, the rest of the Board did not show support. Therefore, the Board will move forward with the budget requested.

Gavin Cohen, Secretary Treasurer, spoke on behalf of the Finance Department and gave a brief overview of the department. Total request for FY24 budget is \$6,400,000 which would be an increase of \$709,287 or 12.5%. The Finance Department is requesting funding for three positions, but the count would only increase by one position. Most important request is for Deputy Chief Financial Officer (CFO) position which would be new for the department. Two financial system support positions are also being requested.

Chair Zyontz asked for clarity regarding the requested positions and Mr. Kroll offered responses.

Debra Borden, General Counsel, gave an overview of the Office of General Counsel and presented a budget change from under \$3,300,000 in FY23, to just over \$3,300,000 for FY24 due to the addition of a new position of Senior Compliance Counsel. Ms. Borden noted a new position has not been requested by the Office of General counsel for about six years.

Renee Kenny, Inspector General, gave an overview of the Office of the Inspector General (OIG). The OIG's FY24 proposed budget does not include any proposed changes. The OIG total proposed budget of \$1.2M includes \$147,789 (13.5%) in increased funding requests when compared to FY23. The OIG's FY24 budget is split between Montgomery County and Prince George's County 42.9%/57.1% respectively.

Mazen Chilet, Chief Information Officer, and Katie Knaupe, Deputy Corporate Budget Director, gave an overview of the FY24 Proposed Office of the Chief Information Officer (CIO) operating and project budgets including Corporate Information Technology (CIT), Office of the CIO and Commission-Wide IT Initiatives (CWIT). The CIT Proposed Base Budget request is \$3,188,330, an increase of 10.0% over the FY23 Adopted Budget. The CIO Proposed Budget request is \$1,873,525, an increase of 12.8% over the FY23 Adopted Budget. The FY24 request to fund

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ongoing, financed, and one new project is \$1,453,804, an 8.8% decrease from FY23 Adopted levels.

The Board asked questions about the new positions requested by CIT and Mr. Chilet offered responses.

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Item 10. CLOSED SESSION

According to MD ANN Code, General Provisions Article, §3-305(b)(3), to consider the acquisition of real property for a public purpose and matters directly related to the acquisition. Topic to be discussed: Long Branch Local Park.

B. Sandberg

BOARD ACTION

Motion: **Branson/Presley**

Vote: **4-0**

Other: **Piñero absent.**

Action: **Discussion held. See the open session disclosure statement in Summary.**

Item 11. Long Branch Local Park

Authorization to acquire 8,880 square feet, more or less, improved, from Hue T. Thai and Viet the Luong, located at 8820 Glenville Road, Silver Spring, MD 20901

Staff Recommendation: Approval and Adoption of the Resolution

B. Sandberg

BOARD ACTION

Motion: Branson/Hill

Vote: 4-0

Other: Commissioner Piñero absent.

Action: Approved staff recommendation for approval of the proposed land acquisition cited above and adopted the attached Resolution.

David Tobin, Park Development, presented a multi-media presentation regarding acquisition of property located at 8820 Glenville Road, which will support the ongoing efforts of the Long Branch Parks Initiative (LBPI) by improving a key park in this historically underserved, diverse community identified as an Equity Focus Area (EFA). Further details can be found in the Staff Report dated November 2, 2022.

This addition to Long Branch Local Park will provide critical space to create an improved, more visible entrance into the park and will support larger and better recreational amenities to serve the Long Branch community. Long Branch Local Park is currently completely hidden from view behind houses and a community center, creating a situation where the park is largely unknown to and underused by the community. The lack of visibility into the park creates a situation that feels unsafe to potential park users and suppresses park visitation, leading to a cycle of increased safety concerns and reduced usage.

Item 7. Ellsworth Place, Preliminary Plan Amendment No. 11987190C

CR 8.0, C-6.0, R-5.75, H-200T; 2.48 acres; Request to extend the approved Adequate Public Facilities validity period by two and one-half (2.5) years per Section 50.4.3.J.7.d of the Subdivision Ordinance; located on Fenton Street between the Colesville Road and Ellsworth Drive intersections; 2000 Silver Spring CBD Sector Plan.

Staff Recommendation: Approval with Conditions

G. Bogdan

BOARD ACTION

Motion: Hill/Presley

Vote: 4-0

Other: Commissioner Piñero absent.

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

Grace Bogdan, Downcounty Planning, presented a multi-media presentation regarding the request for an Adequate Public Facilities extension and Waiver to allow time to determine a more feasible development scenario for the Property given the ongoing changes in market demand. Further details can be found in the Staff Report dated October 28, 2022.

The Site is located in the core of Silver Spring's Central Business District, which is characterized by office, retail, transit, and medium-density multi-family residential uses. The Subject Property consists of one lot totaling 2.48 acres in size, as recorded on Plat No. 17983. The Site, Ellsworth Place, is currently developed with a five-story structure totaling approximately 436,270 square feet of commercial uses.

With this Preliminary Plan Amendment and Adequate Public Facilities (APF) extension and Waiver request, would expand the phasing from 2 phases to 3 phases as follows:

Phase I: up to 491,235 square feet of existing retail space including potential theatre and a cellar space of 91,772 resulting in a gross floor area of 399,463 square feet.

Phase II: up to 491,235 square feet of development consisting of 439,962 square feet of retail space, and up to 51,273 square feet of office space, including a cellar space of 91,772 square feet, maintaining a GFA of 399,463 square feet. The theater may or may not be converted to office space in the future pursuant to this approval, but the footprint of the building will not change whether the theater is used as office space or retail space.

Phase III: completion of the approved maximum development of 739,269 square feet including up to 439,962 square feet of retail space (which includes 91,772 square feet of cellar space), and up to 299,307 square feet of office space.

The proposed extension meets all criteria except for the 60% construction threshold; therefore, a waiver has been requested to reduce this to 53%.

One correction is proposed to Condition 9 to add in the dates.

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The Board asked questions regarding the justification for extension of an additional 2.5 years, if other projects would be delayed due to this project absorbing capacity, potential flexibility of converting office space to housing or other uses, and correction to square footage in the Staff Report.

Staff provided responses to the Board's questions and noted the correction to the square footage on page six of the Staff Report.

Item 8. ——— ~~PSTA Site: Preliminary Plan Amendment No. 12020010B (Public Hearing)~~
POSTPONED

~~Request to modify Preliminary Plan Condition No. 26.a., to change the timing by which a portion of the 9850 Key West Avenue is dedicated to a public right-of-way; Located within the Life Sciences Center West District of the 2010 Great Seneca Science Corridor Master Plan; Located east of Darnestown Road, west of Great Seneca Highway (MD 119) and south of Key West Highway (MD 28); 45 acres of land in the CR-1.0, C-0.5, R-1.0, H-150 Zone.~~

~~Staff Recommendation: Approval with Conditions~~

~~T. Graham~~

BOARD ACTION

Motion:

Vote:

Other:

Action: **POSTPONED TO NOVEMBER 17, 2022**

Item 12. US 29 Mobility and Reliability Study Phase 2, Alternatives Selection

Staff Recommendation: Recommend a preferred alternative to the Montgomery County Department of Transportation and the County Council.

D. Anspacher

BOARD ACTION

Motion: Hill/Branson

Vote: 3 Yea and 1 Nay(Presley)

Other: Piñero absent.

Action: **Approved staff recommendation to transmit recommendations cited during the meeting to the County Council, as stated in a transmittal letter to be prepared at a later date.**

David Anspacher, Multimodal Transportation Supervisor, presented a multi-media presentation regarding the US 29 Mobility and Reliability Study Phase 2. Further details can be found in the Staff Report dated November 3, 2022.

Mr. Anspacher provided an overview and background of the US 29 Mobility and Reliability Study. The goal of the US 29 Mobility and Reliability Study is to identify improvements on US 29 to complement the investment in the US 29 Flash bus service and improve overall corridor travel time and reliability for all modes of transportation. The study evaluates two alternatives: Managed Lanes and Median Bus Lanes. The purpose of this review is to recommend a preferred alternative to the County Council.

The US 29 Mobility and Reliability Study was completed in two parts. The first part was completed in January 2021 with a review by the County Council's T&E Committee. The second part of the study will be under review of the Planning Board.

Part 1 evaluated three concept alternatives to improve travel on the US 29 corridor: No Build, Managed Lanes, and Median Bus Lanes.

On October 15, 2020, the Planning Board reviewed the study and provided comments to the County Council. While the Planning Board agreed with Planning staff's analysis, they endorsed the Managed Lanes alternative rather than recommending redoing the analysis of the Median Bus Lanes alternative, because doing so would have further delayed implementation of the project. Their endorsement of the Managed Lanes alternative recommended it as an interim phase in the build out of the master planned vision of dedicated bus lanes on the entire corridor between Burtonsville and the Silver Spring Transit Center.

On January 27, 2021, the County Council's T&E Committee reviewed the study. Committee members disagreed with the Planning Board and instead supported the Median Bus Lanes alternative and asked MCDOT to conduct additional analysis of the Median Bus Lanes alternative to determine whether the benefits of the Median Bus Lanes alternative could be improved before advancing the project to design. The discussion resulted in a continuation of the study (Part 2) with a focus on improving the performance of the Median Bus Lanes alternative.

In light of the T&E Committee's support for the Median Bus Lanes alternative, Part 2 of the study is focused on improving the Median Bus Lanes alternative and its evaluation by:

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- Refining the alternative to improve transit operations and reduce traffic impacts
- Making the alternative more cost effective
- Refining the HOV and transit mode shift assumptions
- Identifying the independent utility of the spot intersection improvements

Corey Pitts, MCDOT Project Manager, offered a multi-media presentation regarding the findings made by MCDOT of Part 2. Mr. Pitts highlighted the three-primary alternatives MCDOT evaluated which were the No-build approach, Managed Bus/HOV lanes, and dedicated Median Bus lane.

Mr. Pitts noted an optional design for a Franklin Street location, which was requested during previous community outreach and supported by master plans, although the option would only be for the Median Bus Lane alternative and the estimated station cost would be in the range of \$4,000,000.00.

MCDOT received comments from the community regarding neighborhood access and safety within the areas impacted.

Mr. Anspacher continued with the presentation noting the Median Bus Lanes alternative includes strong protection from unauthorized use of transit lane and friction between lanes/turning lanes.

Overall, Staff recommends the following: advance the Median Bus Lanes alternative over the Managed Lanes alternative due to travel time, reliability, and equity; defer a decision on improvements to US 29 between Sandy Spring Road and Tech Road until the Fairland and Briggs Chaney Master Plan is approved; and if Median Bus lanes alternative is advanced, provide a Bus Rapid Transit station at Franklin Avenue at some point as the community has expressed a need for it.

Sharon Canavan, Northwood Four Corners Civic Association (NFCCA), provided testimony in support of the Managed Lanes alternative rather than the Median Bus Lanes alternative. NFCCA further offered comments on the access points as well as concern for safety. MFCCA is opposed to the Median Bus Lanes alternative.

The Board asked questions regarding how the travel time for the study was calculated, if multiple buses using the same lane would impact travel times, clarity on if there is a station located on Stewart Lane with the Median Lanes alternative, and if the potential Franklin Street stop could wait to be built.

Staff and MCDOT offered responses to the Board's questions.

Commissioners Branson and Hill expressed support of the Median Bus Lane alternative as it aligns with policy and Thrive Montgomery 2050, although Commissioner Hill was not in favor of a Franklin Street location at this time.

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Commissioner Hill made a motion to move forward with advancing Median Bus Lane alternative, with the removal of Comments 3 (regarding the Franklin St. station) and 6 (regarding detailed recommendations for Managed Lanes) as set forth in the Staff Report.

Item 9. Leisure World Admin Building: Site Plan No. 82017012B (Public Hearing)

Request to reduce the square footage of the proposed Administration Building/Clubhouse, modify the architectural elevations and reduce the parking requirement; located on northeast corner of Rossmoor Blvd. and N. Leisure World Blvd; on 11.60 acres of land zoned Planned Retirement Community (PRC); within 1994 Aspen Hill Master Plan.

Staff Recommendation: Approval with Conditions

T. Leftwich

BOARD ACTION

Motion: Branson/Hill

Vote: 4-0

Other: Piñero absent.

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.**

Troy Leftwich, Mid-county Planning, presented a multi-media presentation regarding the reduction of square footage of the proposed Leisure World Administration Building/Clubhouse. Further details can be found in the Staff Report dated October 31, 2022.

Reduction to the square footage associated with the previously approved Administration Building only has been proposed with no change to the Clubhouse I addition for total of 61,375 sq. ft. (originally 64,361 sq. ft.) consisting of 39,986 sq. ft. of private club and 21,389 sq. ft. of office use (originally 24,375 sq. ft.). The Applicant determined that the interior space within the new Administration Building could be more efficiently designed, in part due to changes to space needs anticipated post-pandemic. This reduction affects the building footprint, architectural elevations, and a reduction of the required parking spaces from 195 to 189. However, no changes in building materials are proposed, and the new building design does not require an increase in approved building height (36') or the approved gross floor area of the Administration Building. Also, there is no change to the approved gross floor area of the Clubhouse.

An exemption from preparing a Forest Conservation Plan was received on September 26, 2022 (Exemption No. 42023034E) under Section 22A-5(l) of the Montgomery County Forest Conservation Law, and a Tree Save plan has been submitted for approval with the Site Plan Amendment as required by the confirmed exemption. The Tree Save plan includes locations and species planted in mitigation for the removal of two specimen trees associated with the Site Plan Amendment due to some adjustments in the Limits of Disturbance (LOD) that introduced or increased impacts to some trees.

Staff received six emails from four residents and five telephone calls from residents stating opposition and concerns related to the Subject Property and this application. The major concerns included impacts to existing trees, maintaining the historic building, cost to Leisure World residents, questions as to why showers/bathrooms are being provided in the new Admin building, and Americans with Disabilities Act (ADA) access to Clubhouse 1.

Scott C. Wallace, of Miles & Stockbridge, representing the Applicant, offered comments regarding the project and agreed with Staff's proposed conditions.

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Bruce MacDonald, a resident, offered testimony and presented a multi-media presentation offering a background of Leisure World. Mr. MacDonald offered further comments regarding the area for proposed development and the impact on parking as well as concerns with traffic flow.

Richard Ablard, resident/property owner, offered testimony and questioned the value of the new proposed Administration Building as the office space in the current Administrative Building has gone unused.

The Board asked questions and offered comments on the structure of Leisure World and the issues brought before the Board, including whether some concerns could be raised with the County's Commission on Common Ownership Communities.

Bob Kimble, General Manager, Leisure World, offered comments and responses regarding the structure of Leisure World, and Mr. MacDonald and Mr. Ablard offered responses as well.

Commissioner Hill and Chair Zyontz asked questions of Legal, and Principal Counsel Emily Vaias offered responses.