

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED MINUTES AND SUMMARY

SUMMARY

Thursday, May 4, 2023

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, May 4, 2023, beginning at 9:01 a.m. and adjourned at 6:49 p.m.

Present were Chair Jeff Zyontz, Vice Chair Roberto Piñero, and Commissioners Shawn Bartley and James Hedrick.

Commissioner Mitra Pedoeem was necessarily absent.

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

Commissioner Shawn Bartley was necessarily absent for Items 1 through 7 and joined the meeting for Item 8 at 11:07 a.m.

The Planning Board recessed for lunch at 11:36 a.m. and reconvened in the auditorium and via video conference to return to open session at 1:01 p.m. to discuss Items 10 through 15 as reported in the attached Minutes.

The Planning Board recessed for dinner at 4:52 p.m. and reconvened in the auditorium and via video conference to return to open session at 6:04 p.m. to discuss Item 9 as reported in the attached Minutes.

There being no further business, the meeting was adjourned 6:49 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 11, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

1. Jerome Freibaum Lot 4, Administrative Subdivision No. 620210080 – MCPB No. 23-038

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

Action: Adopted the Resolution cited above, as submitted.

B. Approval of Minutes

1. Minutes for March 30, 2023
2. Closed Session Minutes for March 30, 2023
3. Minutes for April 20, 2023

BOARD ACTION

Motion: Piñero/Hedrick

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

Action: Approved Planning Board Meeting Minutes of March 30, 2023 and April 20, 2023, as submitted.

4. Minutes for April 13, 2023

BOARD ACTION

Motion: Piñero/Hedrick

Vote: 2-0-1

Other: Chair Zyontz abstained. Commissioners Bartley and Pedoeem absent.

Action: Approved Planning Board Meeting Minutes of April 13, 2023, as submitted.

C. Other Preliminary Matters

Request for Reconsideration Filed by Robert S. Wallach, Penny Dash, and Neil Goldstein of 4824 Edgemoor, Site Plan Amendment No. 82021004A (Resolution Date: April 11, 2023; Hearing Date: March 9, 2023)

BOARD ACTION

Motion:

Vote:

Other: Commissioners Bartley and Pedoeem absent.

Action: There being no motion, the Request for Reconsideration was Denied.

Request for Reconsideration Filed by Al Carr, on behalf of the Sierra Club of Montgomery County, and Denisse Guitarra of Preston Place, Preliminary Plan No. 120220130 and Site Plan No. 820220180 (Resolution Date: April 10, 2023; Hearing Date: March 9, 2023)

BOARD ACTION

Motion:

Vote:

Other: Commissioners Bartley and Pedoeem absent.

Action: There being no motion, the Request for Reconsideration was Denied.

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220210840, 220210850, 220210860, 220210870, 220210880, Amalyn Bethesda

R-90 zone; 114 lots, 20 parcels; located immediately north of the Capital Beltway (I-495) at the western terminus of Renita Lane; North Bethesda – Garrett Park Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

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

Item 3. Regulatory Extension Requests (Public Hearing)

BF Gilberts Subdivision of Takoma Park, Administrative Subdivision No. 620210160, Extension Request No. 3 - Request to extend the review period from May 7, 2023 to October 26, 2023.

R-60 zone, 0.60-acres, within the 2000 Takoma Park Plan; Request to create two lots for one single-family dwelling unit on each lot. Located at 37 Oswego Avenue in the City of Takoma Park, approximately 437ft S of Ritchie Avenue.

Staff recommendation: Approval of the Extension Request
T. Gatling

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

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

Federal Plaza West, Sketch Plan No. 320220100 and Preliminary Plan No. 120220140, Extension Request No. 4 - Request to extend the regulatory review period from April 27, 2023 to June 22, 2023.

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

BOARD ACTION

Motion: Piñero/Hedrick

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

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

Item 4. Roundtable Discussion

Planning Director's Report
T. Stern

BOARD ACTION

Motion:

Vote:

Other: Commissioners Bartley and Pedoeem absent.

Action: Received briefing.

Acting Planning Director Tanya Stern offered a multi-media presentation regarding Planning Department celebrations during the month of May:

Asian American, Native Hawaiian, and Pacific Islander Month

Planning U's Diversity and Heritage Branch has organized a series of interesting events and activities throughout the month including: discussions on topics such as the immigrant experience, the model minority myth, Black and Asian solidarity throughout history, a belly dance lesson, and a guided online tour that explores nature in the arts of Asia.

Historic Preservation Month

During the month of May, the Planning Department will promote historic places, heritage tourism, social and economic benefits of historic preservation. Acting Director Stern also noted the Planning Department will be teaming up with Peerless Rockville and Preservation Maryland on May 12, 2023 for a Preservation Pop-Up community event at the Historic Red Brick Courthouse in Rockville.

Jewish American Heritage Month

In recognition of Jewish American Heritage Month, Montgomery History is teaming up with the American Jewish Committee to host a Zoom Conversation for "Not in My Neighborhood" with Montgomery County Historian Rebecca Ballo on May 23, 2023, to examine legal housing discrimination— known as racial restrictive covenants— that prohibited Jews, Blacks, Asians, and others to own or rent homes in some Montgomery County neighborhoods in the first three quarters of the 20th Century.

Bike Month

It was highlighted that Bike to Work Day will take place on May 19, 2023, and there will be a pit stop at Wheaton Headquarters for the first time. Acting Director Stern further noted the Pedestrian Master Plan work sessions will continue during the month of May, and the Statewide Bicycle and Pedestrian Master Plan is anticipated to be completed by the end of 2023.

Lastly, Acting Director Stern introduced Mauricio Vasquez, the Director of Programs of the Hispanic Chamber of Commerce of Montgomery County.

Item 5. Budget Transfer Request FY23 Operating Budget – Montgomery Parks

Staff Recommendation: Approve Transfer Request
N. Steen

BOARD ACTION

Motion: Piñero/Hedrick

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

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

Montgomery Parks Deputy Director of Administration Miti Figueredo introduced Budget Administrator Nancy Steen who discussed the Budget Transfer Request for the FY23 Operating Budget. Further information can be found in the Staff Report dated April 27, 2023.

Ms. Steen stated the Department of Parks is seeking the Board's approval to transfer \$4,422,752 of available funding from Personnel Services in the Park Fund and \$59,608 for Property Management to Non-personnel (Supplies and Materials, Other Services & Charges, Capital Outlay) to fund the requests. The Parks Department is also requesting to move a compensation marker of \$61,800 funded in Non-Departmental to Personnel Services for the Park Police Division and Non-Departmental Capital Improvements Program debt service savings of \$388,366 to Support Services to pay additional Capital Equipment Internal Service Fund (ISF) debt service.

Ms. Steen discussed the specific funding requests detailed in the Staff Report.

Park Police Chief Darryl McSwain offered comments and explained the mutual benefits the funding for the Public Safety and Security Upgrades would provide for both the Maryland-National Park and Planning Commission and the community. Chief McSwain further stated the project would enhance the safety for the Park Police as well as the continuity of operations.

The Board asked questions pertaining to the Public Safety and Security Upgrades project regarding hardware/software needs, future fees, sufficient funding for employee training, and licensing costs.

The Board asked further questions pertaining to other budget allocations regarding why money for debt service is still needed if it will be prepaid and if the transfer of funds from personnel service would affect future hiring.

Staff including Chief McSwain offered comments and responses to the Board's questions.

Item 6. Briefing on the Board-approved 2022 Wheaton Regional Park Master Plan

Staff Recommendation: Receive briefing in advance of the Forest Conservation Plan hearing that follows, to better understand the park, and the goals and recommendations of the park master plan.

C. Kines

BOARD ACTION

Motion:

Vote:

Other: Commissioners Bartley and Pedoeem absent.

Action: Received briefing.

Montgomery Parks Deputy Director of Administration Miti Figueredo gave a brief background of the Wheaton Regional Park Master Plan.

Chief of Park Planning and Stewardship Darren Flusche introduced the Montgomery Parks team who worked on the Wheaton Regional Park Master Plan and offered a multi-media presentation regarding Wheaton Regional Park. Further information can be found in the Staff Report posted on the website and listed under the May 4, 2023 Agenda.

Mr. Flusche gave a background and overview of Wheaton Regional Park, the community outreach and engagement performed during the Wheaton Regional Park Master Plan. Following nearly two years of community outreach and stakeholder engagement, the Planning Board approved the 2022 Wheaton Regional Park Master Plan on June 23, 2022.

Chuck Kines, Park Planner III, then provided an overview of the Wheaton Regional Park Master Plan and highlighted key recommendations for the following Park Activity Areas: the Shorefield Area, the Rubini Athletic Complex Area, the Equestrian Center, Brookside Nature Center, Brookside Gardens, the Forest/Wooded Area, and the Natural Resources Stewardship.

Mr. Flusche spoke to the implementation for several projects that are currently underway as well as some projects that will be started in the near future within Wheaton Regional Park.

The Board asked questions regarding the implementation timeline, future of the Wheaton Regional Train, and protection of the interior forest and high-quality forest areas.

Staff, including Natural Resources Manager Bill Hamilton, offered comments and responses to the Board's questions.

Item 7. Wheaton Regional Park, Forest Conservation Plan No. F20230090 (Public Hearing)

Request to create a Forest Conservation Plan over Wheaton Regional Park to allow the for implementation of the Wheaton Regional Park Master Plan; On approximately 538.66 acres zoned R-90; Within the 1990 Master Plan for Kensington-Wheaton and 2001 Kemp Mill Master Plan.

Staff Recommendation: Approval with Conditions

A. Lindsey

BOARD ACTION

Motion: Piñero/Hedrick

Vote: 3-0

Other: Commissioners Bartley and Pedoeem absent.

Action: Approved staff recommendation for approval of the 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.

Amy Lindsey, Planner III, offered a multi-media presentation regarding the Wheaton Regional Park Forest Conservation Plan. Further information can be found in the Staff Report dated April 21, 2023.

The Subject Property is located at 2000 - 2002 Shorefield Road, Silver Spring. The Property is surrounded by single family detached residences, multi-family residences, and institutional uses. The Property has frontage on Arcola Avenue, Kemp Mill Road, Glenallan Avenue, and Shorefield Road. The Subject Property is approximately 538 acres and is comprised of 37 parcels and four tracts of land. There are 371.32 acres of forest and 141.60 acres of stream valley buffer on the Property, with tree cover in many unforested areas.

Currently, the Property is subject to a number of overlapping Forest Conservation Plans (FCPs) and Forest Conservation Exemptions. Pursuant to the conditions of an existing FCP on the Property, Montgomery Parks is proposing a new comprehensive FCP that includes the entirety of Wheaton Regional Park. The FCP does not approve any disturbance for future projects but creates a framework where it categorizes the Property into three categories – currently developed (unforested), potentially disturbed (forested), and permanently protected (forested) – and provides procedures for how FCP amendments in each category will be processed when actual disturbance is proposed.

The FCP meets Montgomery County Forest Conservation Law by permanently preserving approximately 329.66 acres of forest, which is above the 160.45-acre numerical break-even point. All areas of potential clearing are counted as removed for forest conservation worksheet purposes but may not be removed without approval of an amendment including limits of disturbance. Areas of retained forest are considered protected by the equivalent of a Category I Conservation Easement.

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Staff received several letters of correspondence and phone calls throughout the review of FCP No. F20230090, however, nearly all of the correspondence was related to Parks issues outside the scope of the Forest Conservation Plan. Staff summarizes the comments of one resident regarding the importance of planting diversity in forested areas.

The Board asked questions regarding triggers for park development plans, notice procedures for Director-level amendments, potential need for clearing trees from trails, and clarification on variance requests.

Staff, including Chief of Park Planning and Stewardship Darren Flusche and Natural Resources Manager Matthew Harper, offered comments and responses.

Item 8. Diener School, Conditional Use and Preliminary Forest Conservation Plan No. CU202306 (Public Hearing)

A. Conditional Use No. CU202306 – Request for Conditional Use approval to allow conversion of an existing office building to a private educational institution in Phase 1, with a building addition for a gymnasium in Phase 2, for up to 120 students and 57 Staff members. R-60 Zone, 2.52-acres, located at 9312 Old Georgetown Road, approximately 550ft N of Alta Vista Road, within the 1990 Bethesda-Chevy Chase Master Plan

B. Preliminary Forest Conservation Plan No. CU202306 – Request for approval of a Preliminary Forest Conservation Plan associated to impact and remove specimen trees and satisfy afforestation/reforestation requirements associated with a conditional use application CU202306. R-60 Zone, 2.52-acres, located at 9312 Old Georgetown Road, approximately 550ft N of Alta Vista Road, within the 1990 Bethesda-Chevy Chase Master Plan

Staff Recommendation: Transmit Conditional Use comments to the Hearing Examiner and Approval with Conditions of the Preliminary Forest Conservation Plan

T. Gatling

A. BOARD ACTION

Motion: Hedrick/Piñero

Vote: 4-0

Other: Commissioner Pedoeem absent.

Action: Approved staff recommendation to transmit recommendations to the Hearing Examiner regarding the Conditional Use request cited above, as stated in a letter to be drafted at a later date.

B. BOARD ACTION

Motion: Piñero/Hedrick

Vote: 4-0

Other: Commissioner Pedoeem absent.

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.

Tsaiquan Gatling, Planner III, offered a multi-media presentation regarding the Diener School. Further information can be found in the Staff Report dated April 10, 2023.

The Application proposes to convert an existing two-story office building, currently occupied by special exception holder the American Podiatric Medical Association, into a private educational institution, otherwise known as a private school. The Diener School is a non-profit independent school that supports the academic and social needs of students from kindergarten to eighth grade with learning differences. This Conditional Use Application supports the relocation of the Diener School, currently located in North Bethesda, to the Subject Property located at 9312 Old Georgetown Road in Bethesda on 2.5 acres in the R-60 Zone.

Mr. Gatling noted the Application proposes a phased approach to construction, the timing of which is dependent upon fundraising efforts. The Applicant expects an estimated timeframe of five to seven years between Phase 1 and Phase 2. Phase 1 will focus on the essential elements required for the function of The School's program as well as required frontage improvements and access/circulation. The main component Phase 2 is the proposed 11,000 square-foot gymnasium addition to the rear of the building.

All access to the Property for both phases of development will be provided by the two existing driveways on Old Georgetown Road: one for ingress (northern driveway) and one for egress (southern driveway). Due to the presence of an existing concrete median on Old Georgetown Road, the egress-only driveway will function as a right-out only in the southbound direction.

Along with the Conditional Use Application, the Applicant has submitted a Preliminary Forest Conservation Plan (FCP). While the proposal limits construction activity mainly to the already-developed portions of the site, afforestation requirements and a variance request for the impact to mature trees are included in the FCP.

Lastly, Mr. Gatling stated Maryland State Highway Administration (SHA) has not finalized review of the Transportation Impact Study (TIS) and has not issued a final letter recommending approval with conditions as of today. Further agency approvals are forthcoming, and MCDOT has issued letter in agreement with Applicant's TIS deferring further review to SHA. Mr. Gatling also noted SHA approval of the TIS is not required at this stage.

Allen Myers, Maplewood Citizens Association, appeared but did not offer testimony at this time.

Jillian Copeland, Individual, offered testimony in support of the Diener School and need for expansion to meet the needs of the community.

Francoise M. Carrier of Bregman, Berbert, and Schwartz offered comments on behalf of the Applicant regarding the tight timeline of the project and noted the Applicant's agreement to Staff's conditions.

Kathy Chumas, Head of the Diener School and Applicant offered comments regarding the Diener School and the need for the increased space.

The Board asked questions regarding potential adverse comments from SHA, parking spaces immediately adjacent to play area, sufficient widening of entry/exit for emergency vehicles, parking waivers, and signage for entry/exit.

Staff, including Planner III Katherine Mencarini, offered comments and responses to the Board's questions.

Pat LaVay of MHG offered comments regarding the parking waiver, and need for waivers during both phases of construction.

Item 10. Grand Park Development Site Plan Amendment No. 82022004A (Public Hearing)

Request to reduce the approved residential square footage for Phase 1 (Building 3) from 285,000 square feet to 276,500 square feet and retain 16,000 square feet of commercial density for a total of 292,500 square feet. The project will maintain all plan and design requirements established in Site Plan No. 820220040; located on Southeast quadrant of the intersection of Old Georgetown Road and Executive Boulevard; on 2.14 acres of land zoned CR-4, C-2.0, R-3.5, H-250; within 2010 White Flint Sector Plan.

Staff Recommendation: Approval with Conditions

T. Leftwich

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 4-0

Other: Commissioner Pedoeem 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, Planner III, offered a multi-media presentation regarding Grand Park Development. Further information can be found in the Staff Report dated April 21, 2023.

The Subject Property is surrounded by commercial, high-density residential, and mixed-use development.

Mr. Leftwich stated the proposal reduces the previously approved overall square footage from 301,000 square feet to 292,500 square feet. There are no changes to the building architecture, site layout, circulation, site design, or any other items that are plan related. The purpose of the amendment is to reduce the residential density reflected on the resolution at the Applicant's request. The project will maintain all plan and design requirements established in Site Plan No. 820220040.

Patricia Harris of Lerch, Early, and Brewer offered comments on behalf of the Applicant to provide clarity regarding the need for an amendment and the overall density of the site.

Item 11. Shady Grove Station Preliminary Plan Amendment No. 12012008G & Shady Grove Station West Side Site Plan Amendment No. 82013022H (Public Hearing)

Request to modify Block R and a portion of Block T by substituting previously approved but unbuilt 24-foot-wide townhouses with 20-foot-wide townhouses and increase the overall approval by 5 townhouse units; located on North of Shady Grove Metro Station, south of Shady Grove Road and west of Crabbs Branch Way; on 44.82 acres of land zoned CRT-1.0 C-0.25 R-0.75 H-90T (TDR 0.89 Overlay) and CRT-0.75 C-0.25 R-0.5 H-60T (TDR Overlay 0.6); within the 2006 Shady Grove Sector Plan.

Staff Recommendation: Approval with Conditions

T. Leftwich

A. BOARD ACTION

Motion: Hedrick/ Piñero

Vote: 4-0

Other: Commissioner Pedoeem absent.

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.

B. BOARD ACTION

Motion: Hedrick/Piñero

Vote: 4-0

Other: Commissioner Pedoeem 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, Planner III, offered a multi-media presentation regarding Shady Grove Station. Further information can be found in the Staff Report dated April 21, 2023.

The Amendment proposes modifications to Block R and a portion of Block T, within the West Side of Shady Grove Station, by substituting approved but unbuilt 24-foot-wide townhouses with 20-foot-wide townhouses. The modification results in an increase of five townhouses from the previously approved Preliminary Plan and Site Plan, as amended. The net increase of five townhouse units to the Preliminary Plan will result in a total of 756 townhouse lots for the overall property and will increase the West Side Site Plan (No. 82013022H) to a total of 411 townhouse units, which includes one additional Workforce Housing Unit (WFHU) for a total of 26 WFHUs. The Amendment proposes changes to the lot lines for the townhouses, but no changes to the block layout, block design, right-of-way widths, or alignments.

Staff received one letter expressing concerns regarding adequate open space for current residents.

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Phillip Hummel of Miles and Stockbridge, P.C. offered comments on behalf of the Applicant regarding the project and noted the Applicant is in agreement with Staff's proposed conditions.

Adam Hayes of EYA/CSP Associates (the Applicant) offered comments regarding the project and addressed the concerns regarding amenities and adequate open space.

The Board asked questions regarding open space requirements, concerns of noise, acoustics, or pollution due to location, impact on the number of bedrooms within the units, and potential impact on the number of school age children.

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

Item 12. Great Seneca Plan: Connecting Life and Science – Community Engagement Report

Staff Recommendation: Receive a briefing on the community engagement efforts conducted for the Great Seneca Plan, feedback received to date, and next steps for outreach and engagement.

J. McVary

BOARD ACTION

Motion:

Vote:

Other: Commissioner Pedoeem absent.

Action: Received briefing.

Jessica McVary, Master Plan Supervisor, gave an overview of the community engagement that has been done for the Great Seneca Plan: Connecting Life and Science and introduced the team including Planning Interns Kenneth Derryberry and Pamela Nkwantabisah.

Mr. Derryberry and Ms. Nkwantabisah offered a multi-media presentation regarding the Community Engagement Report for the Great Seneca Plan: Connecting Life and Science. Further information can be found in the Staff Report dated April 28, 2023.

The Great Seneca Plan is a comprehensive Master Plan Amendment to the *2010 Great Seneca Science Corridor Master Plan*. The Plan will evaluate recommendations for land use, zoning, urban design, transportation, environment, and community facilities, as well as incorporate countywide initiatives and policies.

The Great Seneca Plan Community Engagement Report details the approach employed for outreach and engagement, community members who engaged in the process, and feedback received to date. Some of the strategies for community engagement included: engagement within the community, informationally, connections with community organizations.

Mr. Derryberry gave an overview of the community engagement activities and community feedback received over the past year for the Plan. Mr. Derryberry then discussed the Plan area demographic data.

Some of the strategies included: community pop-ups, canvassing, visioning meetings, Chinese Culture and Community Services Center, Identity, Inc., Universities at Shady Grove, ReactMap, Online Questionnaires, and Life Sciences and Commercial Stakeholders.

Ms. Nkwantabisah discussed who the planners heard from during the community outreach and engagement including the demographics of most of the participants as well as the age range.

Some of the ideas and concerns expressed by the community included: transportation, housing environment, urban design and development, schools, Parks and Recreation, Economy and Real Estate, Public Health and Safety.

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Ms. Nkwantabisah then discussed the next community engagement steps for the project, which included: continued meetings with stakeholders about the big ideas for the Plan, creation of an online big ideas map, continued public meetings to discuss recommendation during Fall 2023, and presentation of the Working Draft to the Planning Board in Fall 2023.

The Board asked questions regarding the success rate of door-to-door outreach and interpretation of community comments.

Staff, including Acting Planning Director Tanya Stern, Chief of Midcounty Planning Carrie Sanders, and Planner II Maren Hill offered comments and responses to the Board's questions and comments.

Item 13. ZTA 23-03 Bethesda Overlay Zone – Extensions (Public Hearing)

This ZTA would grant a one-time, one-year extension to existing deadlines for filing for a building permit within the Bethesda Overlay Zone (BOZ).

Staff Recommendation: Transmit comments to the District Council in support of ZTA 23-03 (Council Public Hearing date of 5/16/2023)

B. Berbert

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 4-0

Other: Commissioner Pedoeem absent.

Action: Approved staff recommendation to transmit comments to the County Council, as stated in a transmittal letter to be drafted at a later date.

Benjamin Berbert, Planner III, offered a multi-media presentation regarding ZTA 23-03 for the Bethesda Overlay Zone. Further information can be found in the Staff Report dated April 27, 2023.

This ZTA modifies the development procedures in the Bethesda Overlay Zone (BOZ), by granting a one-time, one-year extension to the existing deadlines applicable for projects that utilize BOZ density as part of their approval.

The intent of this ZTA is to provide one-time relief to the building permit deadlines set forth in the BOZ section of the Zoning Code. The recent convergence of continued inflation, rising interest rates, and tightened commercial lending have created headwinds for large development projects facing these regulated deadlines to move forward.

Staff recommended that the Planning Board support ZTA 23-03, as introduced, with a minor modification to clarify that the deadline is based on the submittal of a building permit application, rather than issuance of the building permit.

The Board offered comments regarding the proposed language and Staff offered responses.

Item 14. Amherst Avenue Separated Bike Lanes Mandatory Referrals (Public Hearing)

Staff Recommendation: Approval and transmit comments to the Montgomery County Department of Transportation

E. Glazier

BOARD ACTION

Motion: Hedrick/Piñero

Vote: 4-0

Other: Commissioner Pedoeem absent.

Action: Approved staff's recommendation for approval and transmit comments, as amended during the meeting, to the Montgomery County Department of Transportation, as stated in a transmittal letter to be drafted at a later date.

David Anspacher, Multimodal Transportation Supervisor, offered a multi-media presentation regarding the Amherst Avenue Separated Bike Lanes. Further information can be found in the Staff Report dated April 7, 2023.

The proposal is for Montgomery County Department of Transportation (MCDOT) to construct separated bike lanes on Amherst Avenue which requires the Mandatory Referral review process under the Montgomery County Planning Department's Uniform Standards for Mandatory Referral Review.

The Amherst Avenue Bikeway Project is identified in the Bicycle Master Plan as one of the highest priority bikeways in Montgomery County. It would substantially improve the safety and comfort of the bicycle experience for people travelling to and through the Wheaton Central Business District by installing a bikeway from Windham Lane to Arcola Avenue that would be comfortable for people of all ages and bicycling abilities. On December 3, 2020, Planning staff briefed the Planning Board on five potential designs for this bikeway. The Planning Board identified a recommended alternative and transmitted comments to County Council. The County Council supported the Planning Board's recommended alternative and in the intervening years, additional public engagement has occurred, and the bikeway design has progressed to 35 percent design plans.

Angel Cheng of MCDOT also offered a multi-media presentation describing the area of the project and the project background. Ms. Cheng discussed both the existing conditions along the roadway as well as the proposed conditions. Ms. Cheng noted the proposed condition will require some removal of metered parking spaces as well as some relocation for residential parking spaces.

Ms. Cheng described the proposed conditions at intersections and summarized the potential impacts along sections of the roadway. Of the configuration options considered for the Amherst Avenue Bikeway Project from Prichard Road to Reddie Drive, Ms. Cheng noted based on community feedback Option 5 was developed. In total, the construction costs for the project will total approximately \$4 million.

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Lastly, Ms. Cheng discussed the anticipated schedule with the anticipated start of construction would be Fall 2025.

Mr. Anspacher then discussed the public engagement and Planning staff's recommendations for the project, as detailed in the Staff Report.

Peter Gray, Washington Area Bicyclist Association (WABA), offered testimony and stated the only improvement WABA would suggest is to widen the 8-foot bike lanes.

Shawn Janzen, Brownstones at Wheaton Metro Homeowners Association, offered testimony in support of Option 5 and retaining street parking spaces.

Diane Lynne, Wheaton Forest Civic Association, offered testimony and suggestions for traffic calming including, solar powered blinking stop signs, installation of speed cameras, and signage portraying the shared lanes.

The Board asked questions regarding reasoning for proposed length of the bike lane, potential connection to other bike paths, projections of use for cyclists or other multimodal devices, possible way to address traffic calming measures or speed management, and potential for wayfinding measures to direct travelers to Wheaton Regional Park.

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

Steve Zeender of Stantec Consulting Services offered comments regarding the bicycle count projections and the bicycle lane design.

The Board held further discussion regarding the different options presented, parking, and possible ways to address speed management.

The Board agreed by consensus to provide an additional comment recommending speed management measures.

Item 15. Clarksburg Chase, Pre-Preliminary Plan No. 720230020 (Public Hearing)

Application for 101 dwelling units (49 single-family units and 52 townhouses); Located at 22600 Clarksburg Road, Northwest quadrant of the intersection of Gosnell Farm Drive and Clarksburg Road; 136.18 acres, RNC zone and Clarksburg West Environmental Overlay zone, 1994 Clarksburg Master Plan & Hyattstown Special Study Area and the 2014 Ten Mile Creek Area Limited Amendment.

The Applicant is requesting binding advice from the Planning Board, regarding 1) Layout and mix of unit type, 2) Access and Circulation and 3) Impervious Calculations.

Staff Recommendation: Approval with Conditions
J. Casey

BOARD ACTION

Motion: **Hedrick/Piñero**

Vote: **4-0**

Other: **Commissioner Pedoeem absent.**

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

Jonathan Casey, Planner II, offered a multi-media presentation regarding Clarksburg Chase. Further information can be found in the Staff Report dated April 21, 2023.

The Applicant has submitted a Pre-Preliminary Plan Application requesting a binding decision by the Planning Board on the following three issues:

1. Confirmation that the general layout is appropriate, including the single point of access, the tear drop cul-de-sac at the western end of the site and the general mix/location of unit types.
2. Confirmation that the impervious cover limit of 6% in the Clarksburg West Overlay Zone is calculated based on the Gross Tract Area.
3. Confirmation that the pedestrian and bicycle improvements included in the Subject Application, when combined with the recently constructed bikeway and pedestrian system along Maryland 121, and through Cabin Branch, meet the requirements under the 2014 Ten Mile Creek Master Plan, 2018 Bicycle Master Plan and Subdivision Regulations for these features

The Applicant proposes to develop the 136-acre Subject Property with 101 dwelling units, including 47 single-family detached dwelling units, and 52 townhouses (including 13 MPDUs/12.5 percent).

The Application proposes two new public roads – Public Roads A and B - of which Public Road A serves as the single access point on Old Clarksburg Road, aligning with Gosnell Farm Drive.

Internal sidewalk connections serve pedestrian circulation on Public Road A and Public Road B. Both roads contain sidewalks on both sides, with the sidewalk on Public Road A terminating at the Old Clarksburg Road and Gosnell Farm Drive intersection.

Public Road B extends to the west along the ridge and terminates in a teardrop style cul-de-sac, lined with the remaining detached houses. The development also provides access from the cul-de-sac to an existing home on Parcel 90 (not included in this subdivision).

A variety of housing types are proposed with the development, and all 52 townhomes are oriented to face one of the public roads or an interior open space, and incorporate rear loaded garages, accessible by an internal alley system. The alleys serve as access, but also create a grid by connecting the two roads. The Applicant proposes to disperse the 13 MPDUs throughout the townhouse portion of the development. The 49 single family detached units will be located around the perimeter of the site, interwoven with various openings and pathways to the abundant open space surrounding the development, and two new detached houses will be built along Old Clarksburg Road.

Chris Van Alstyne, Planner III, discussed the shared use path proposed in Condition No. 6. Staff also noted that originally proposed Condition No. 2 from the Staff Report could be removed, as it was confirmed to be not applicable to the proposal.

Bob Harris of Lerch, Early and Brewer offered comments on behalf of the Applicant including further discussion regarding the rural open space and stream valley buffer. Mr. Harris noted the Applicant agrees with Staff's conditions with the exception of the proposed second access point for pedestrian and bicycle access.

The Board asked questions regarding the frontage between the existing house and proposed development, Parks' willingness to accept the rural open space as dedication, potential school impacts and walkability to school, protection of the forest and stream valley, connectivity and composition of the proposed bicycle path, and ownership of land area for the proposed bicycle path.

Staff, including Chief of Upcounty Planning Patrick Butler, offered comments and responses to the Board's questions.

The Board held further discussion regarding proposed Condition No. 6 and revised the condition to recommend that the design of the connection from the Property to the property owned by State Highway Administration would be subject to feasibility and determined at the Preliminary Plan stage.

Item 9. Fairland and Briggs Chaney Master Plan Public Hearing

Staff Recommendation: Public Hearing to receive testimony on the Fairland and Briggs Chaney Master Plan.

M. Jackson/C. Larson

BOARD ACTION

Motion:

Vote:

Other: Commissioner Pedoeem absent.

Action: Received testimony. Decided by consensus to keep the Public Record open until May 19, 2023 to receive additional written testimony.

Clark Larson, Planner III, offered a multi-media presentation regarding the Fairland and Briggs Chaney Master Plan Public Hearing. Further information can be found in the Staff Report dated April 20, 2023.

The Fairland and Briggs Chaney Master Plan is a corridor-focused amendment to the 1997 Fairland Master Plan that seeks to establish a renewed vision for a portion of Columbia Pike (U.S. 29) over the next 10 to 20 years. The Plan embraces a future for this corridor as a more complete, equitable, transit-oriented, and compact community.

Anticipating potential significant impacts from future development and a growing population in the eastern region of the county, the Plan also seeks to address inequities pertaining to housing opportunities, impacts stemming from and resiliency to climate change, enhancements to underutilized properties through infill development and redevelopment, and improvements to existing systems (e.g., parks, circulation, and food) to meet the needs of residents, workers, and visitors in the Plan Area and beyond. The Plan also prioritizes the goals and policies of Thrive Montgomery 2050, the General Plan for Montgomery County.

Mr. Larson briefly listed the Plan's Key Recommendations:

1. Establish Community Gateways and Activity Centers as compact, mixed-use centers focused on frequent transit service, safe pedestrian movement, expanded housing and shopping choices, greater tree canopy and "cool" surfaces at summer hot spots, attractive community gathering spaces, and cultural and historic landmarks.
2. Prioritize U.S. 29 (Columbia Pike) as a "transit-first" corridor that provides frequent and convenient regional connections from the plan area to Silver Spring, Washington D.C., and Howard County.
3. Complete a continuous network of trails and paths connecting Activity Centers, neighborhoods, parks, and community facilities, both within and beyond the Master Plan Area.

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4. Establish a Resilience Hub in East county as a community center for daily community needs and a destination for reliable electricity, water, temporary shelter, food, indoor heating and cooling, social services, and fellowship during public emergencies.
5. Support a healthy community food system that includes healthy grocery and dining destinations, farmers' markets, and community gardens.

The following individuals offered testimony:

In Person:

Timothy Dugan (Verizon MD, LLC)
Karen Senecal (Potomac Conference Corporation of Seventh-Day Adventists)
Pamela Nkwantabisah (Individual)
Ed Novak (Individual)

Virtual via Teams:

Seth Grimes (Washington Area Bicyclist Association)
Dan Reed (Greater Greater Washington)
Scott Wallace (MileOne Auto Park)
Manikandan Panickar (Individual)
Brandi Panbach (Individual)

Mr. Larson recommended that the Public Record open until May 19, 2023 at 5:00 p.m. for additional written testimony to be submitted to the Planning Board. Staff will summarize the testimony and conduct the first work session with the Planning Board on May 18, 2023.

The Public Hearing was adjourned at 6:49 p.m.