

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED MINUTES AND SUMMARY

SUMMARY

Thursday, July 27, 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, July 27, 2023, beginning at 10:05 a.m. and adjourning at 5:25 p.m.

Present were Chair Artie Harris, Vice Chair Mitra Pedoeem, and Commissioners Shawn Bartley, James Hedrick and Josh Linden.

Items 1 through 7 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 1:31 p.m. and reconvened in the auditorium and via video conference at 2:32 p.m. to discuss Items 8, 9, 11, and 10 as reported in the attached Minutes.

Commissioner Hedrick was necessarily absent for Item 8 and rejoined the meeting virtually at 2:53 p.m. for Item 9.

There being no further business, the meeting adjourned at 5:25 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 7, 2023, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

1. Federal Plaza West Sketch Plan No. 320220100 – MCPB No. 23-072

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

2. Federal Plaza West Preliminary Plan No. 120220140 – MCPB No. 23-07

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

3. Sligo Apartments Preliminary Plan Amendment No. 12022011A - MCPB No. 23-090

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

4. Sligo Apartments Site Plan Amendment No. 82022017A- MCPB No. 23-091

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

5. Kingsview Station Preliminary Plan No. 120210210 – MCPB No. 23-077

BOARD ACTION

Motion: Hedrick/Pedoeem
Vote: 5-0
Other:
Action: Adopted the Resolution cited above, as submitted.

6. Kingsview Station Site Plan No. 820210130 – MCPB No. 23-078

BOARD ACTION

Motion: Hedrick/Pedoeem
Vote: 5-0
Other:
Action: Adopted the Resolution cited above, as submitted.

B. Approval of Minutes

1. Minutes of July 13, 2023

BOARD ACTION

Motion: Pedoeem/Hedrick
Vote: 5-0
Other:
Action: Approved the Planning Board Minutes from July 13, 2023, as submitted.

C. Other Preliminary Matters

BOARD ACTION

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

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220180810, Jesus House

RE-2 zone; 1 parcel; located on the west side of New Hampshire Avenue (MD 650), 970 feet south of the intersection with Harding Lane; Cloverly Master Plan.

Staff Recommendation: Approval

Subdivision Plat No 220210810, Key Bridge Estates

R-90 zone; 5 lots and 1 parcel; located at the northeastern terminus of Smith Village Road; White Oak Master Plan.

Staff Recommendation: Approval

Subdivision Plat No 220220490, United Therapeutics Addition to Silver Spring

CR zone; 1 lot; located in the southwest quadrant of the intersection of Colesville Road (US 29) and Spring Street; Silver Spring Downtown and Adjacent Communities Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220221010, Potomac Chase

R-200 & RE-2 zones; 6 lots; located immediately northeast of the intersection of Jones Lane and High Meadow Road; Potomac Subregion 2002 Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220230370, Creekside at Cabin Branch

RNC zone; 1 lot; located on the west side of Clarksburg Road (MD 121), 1900 feet north of West Old Baltimore Road; Clarksburg Ten Mile Creek Limited Amendment Area.

Staff Recommendation: Approval

Subdivision Plat No 220230620, Amalyn Bethesda

R-90 zone; 6 lots and 1 parcel; located on the north side of Greyswood Lane, 630 feet east of Greentree Road; North Bethesda – Garrett Park Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220230940, Indian Spring Terrace, Section 1

R-60 zone; 1 lot; located on the north side of Indian Spring Drive, 600 feet east of Colesville Road (US 29); Four Corners Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

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

Item 3. Regulatory Extension Requests (Public Hearing)

Bucklodge Tract, Preliminary Plan No. 11989032A, Regulatory Extension Request No. 5 - Request to extend the regulatory review period by one month until September 11, 2023.

Application to subdivide two existing platted lots and three existing platted outlots into four buildable lots for up to four buildings with a total of 66,667 square feet of light industrial uses; located on Buck Ridge Court, north of Bucklodge Road; 22 acres; IM zone and Rural zone; 1985 Approved and Adopted Boyds Master Plan.

Staff Recommendation: Approval of the Extension

J. Server

BOARD ACTION

Motion: Bartley/Hedrick

Vote: 5-0

Other:

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

Arora Estates: Preliminary Plan No. 120230050, Regulatory Review Extension Request No. 2 - Request to extend the regulatory review period from August 13, 2023 to October 13, 2023.

Application to create a four-lot subdivision for four single-family detached units; located at the southwest quadrant of Boswell Lane and Glen Mill Road; 9.26 acres; RE-2 zone, 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

BOARD ACTION

Motion: Bartley/Pedoeem

Vote: 5-0

Other:

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:

Action: Received briefing.

Acting Planning Director Tanya Stern introduced Chris McGovern, IT Systems Manager, who offered a presentation regarding the Geographic Information Systems (GIS), Regulatory Systems, and Mapping Dashboards for Montgomery Planning.

Mr. McGovern began by discussing the Regulatory Systems, which includes ePlans, and the GIS System, which includes MCAtlas. Mr. McGovern briefly displayed how regulatory matters are portrayed on the mapping tool MCAtlas, and discussed the Development Information Activity Center (DAIC) portion of the website which houses all plans and corresponding documents for regulatory matters that have been uploaded and reviewed. It was noted matters and plans before 1995 do not always have documents uploaded into DAIC as most are on microfiche.

Mr. McGovern gave an overview of the Montgomery County Planning Development Dashboard, also found on Montgomery Planning's website under the development webpage. The Development Dashboard contains three dashboards of data which include Residential and Commercial Approvals since 2010, Review Time Averages of Recently Reviewed Plans since 2018, and DAIC Usage. Mr. McGovern discussed each of the dashboards in further detail and explained the data and information portrayed in each.

Mr. McGovern then offered a multi-media slide highlighting a Preliminary Plan example of how the ePlans system coordinates multiple iterative review cycles between the Applicant and Staff from multiple County agencies or jurisdictions.

Lastly, Mr. McGovern spoke briefly regarding the Related Plans Dashboard, which displays the bigger picture for all plans that may be related as well as the lengths of time under review for each.

The Board asked questions regarding number/type of approvals portrayed, tracking average review time timeframes, Applicant time in the overall length of review time, how M-NCPPC is using data to raise standards to streamline the development review process in order to compete with surrounding jurisdictions, potential follow up on construction approvals more than ten years old that have not been constructed to date, and possible incorporation of approved types of units.

Staff, including Acting Planning Director Tanya Stern and Deputy Planning Director Robert Kronenberg, offered comments and responses to the Board's questions.

Item 5. Capital Improvements Program Transportation Priorities (Public Hearing)

Staff Recommendation: Transmit the Planning Board's transportation priorities to the County Council and the Montgomery County Department of Transportation to help inform development of the FY 25 – 30 Capital Improvement Program.

S. Aldrich

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved staff recommendation for approval to transmit comments to the County Council and the Montgomery County Department of Transportation, as stated in a transmittal letter to be prepared at a later date.

Stephen Aldrich, Planner IV, offered a multi-media presentation regarding Transportation Priorities for the Capital Improvements Program (CIP). Further information can be found in the Staff Report dated July 20, 2023.

Mr. Aldrich noted previously a top 100 list of transportation projects were ranked, although this year projects were solely ranked within each category. The Projects were prioritized based on previous Planning Board prioritization including safety considerations, equity considerations, and the bicycle and pedestrian prioritization included in the Planning Board Draft of the Pedestrian Master Plan. Mr. Aldrich stated Staff has included a top ten list to highlight the projects that are believed to be the most important projects to move forward across all categories.

Currently, there are 27 new projects. There are also new projects to support the Silver Spring Downtown and Adjacent Communities Plan, the Fairland and Briggs Chaney Master Plan, Corridor Forward, and the Pedestrian Master Plan and Bicycle Master Plan Monitoring Report. Mr. Aldrich stated the rankings aim to be reflective of the County Council policy actions or direction as well.

Mr. Aldrich provided a breakdown of the total new transportation projects which includes 120 (error noted from the Staff Report which listed 119) projects across nine categories. The breakdown included 46 bikeway projects, 20 road improvement projects, 17 pedestrian projects, and 19 transit projects as well as others.

Mr. Aldrich noted Vision Zero and Equity criteria were reviewed when determining the ranking of projects, and BiPPA scores from the Pedestrian Master Plan were specifically used to prioritize pedestrian and bicycle accommodations.

Mr. Aldrich described the key new projects that made it onto the list for this year and discussed the top transportation projects by category. Mr. Aldrich then gave an overview and discussed the recommendations for the top ten list for all transportation projects.

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David Anspacher, Multimodal Transportation Supervisor, showed a series of maps highlighting the top ten transportation list project locations.

The Board asked questions regarding the prioritization of the top ten transportation list, if the top ten list is coordinated with MCDOT, why bicycle and pedestrian projects were broken out and prioritized differently, actuality of the top ten list making the CIP, and if level of effort projects could be reviewed further and potentially implemented with availability of funds.

Staff, including Chief of Countywide Planning and Policy Jason Sartori and Multimodal Transportation Supervisor David Anspacher, offered comments and responses to the Board's questions.

Item 6. Permanent Closure of Westbard Avenue at River Road No. AB-786 (Public Hearing)

Request to consider the permanent closure of vehicular traffic at the Westbard Avenue and River Road intersection in Bethesda; 2016 Westbard Sector Plan.

Staff Recommendation: Approval and Transmittal of Comments to the Montgomery County Department of Transportation

K. Mencarini

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved staff recommendation, with comments noted by Board, for approval to transmit comments to the Montgomery County Department of Transportation, as stated in a transmittal letter to be prepared at a later date.

Katie Mencarini, Planner III, offered a multi-media presentation regarding the permanent closure of Westbard Avenue at River Road. Further information can be found in the Staff Report dated July 7, 2023.

Ms. Mencarini gave a brief overview of the site vicinity, location, and the 2016 *Westbard Sector Plan*. The subject Petition seeks permanent closure of a public right-of-way at the northwestern terminus of Westbard Avenue. This segment of Westbard Avenue is technically located outside of the 2016 *Westbard Sector Plan* boundary, but the northern end that intersects with River Road is specifically called out, and therefore subject to, the 2016 *Westbard Sector Plan* and the County's General Plan. This segment of Westbard Avenue is a residential roadway and is therefore subject to Chapter 49 of the County Code (Streets and Roads) as well as Countywide plans such as Thrive Montgomery 2050, the 2018 *Master Plan of Highways and Transitways*, and the 2018 *Bicycle Master Plan*. The Petition also lists concerns for traffic safety and relatively high through-traffic volumes on the street, after the realignment of Westbard Avenue and Ridgefield Road is complete and open to motor vehicle traffic.

Letters of support for a permanent closure to all motor vehicle traffic were included in the subject Petition from 23 of the 24 residents on the 5500 block of Westbard Avenue. Ms. Mencarini also noted correspondence was received from the petitioner and The Springfield Civic Association.

Lastly, Ms. Mencarini stated Staff recommends delaying closure until after the realignment of Westbard Avenue is completed to study potential roadway design and traffic operational alternatives at this intersection to ensure the alternatives respond to the updated traffic patterns in the vicinity of the intersection.

Benjamin Mann of 5500 Westbard Avenue Block Civic Association (Applicant) offered comments regarding the road realignment, potential enactment of a cul-de-sac, temporary barriers, and reiterated the Civic Association would not have ownership of the land.

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Michael Chen-Young of 5500 Westbard Avenue Block Civic Association (Applicant) offered comments and a presentation displaying an email with pictures regarding the community support for the permanent closure of Westbard Avenue as well as the safety issues that would be presented if Westbard Avenue was re-opened.

Deepak Somarajan of Montgomery County Department of Transportation (MCDOT) offered comments regarding the road closure and noted MCDOT is waiting on comments from other agencies to determine action.

The Board asked questions regarding location of cul-de-sac if permanent closure was granted, potential issues with reintroducing interim closure to the northern intersection of Westbard Avenue and River Road, clarification regarding the study, and future plans for River Road specifically relating to Thrive Montgomery 2050 and the Complete Street Design Guide.

The Board offered comments regarding the proposed study and potential support for the interim closure of the intersection of Westbard Avenue and River Road if emergency vehicular access could be obtained.

Staff, including Chief of Downcounty Planning Elza Hisel-McCoy, offered comments and responses to the Boards questions.

The Board held further discussion and agreed by consensus to support the interim closure of Westbard Avenue at River Road, when realignment of Westbard Avenue and Ridgefield Road is completed for the duration of MCDOT's analysis and study of a permanent closure, provided that the interim closure is approved by MCDOT and Montgomery County Department of Permitting Services Fire and Rescue, and adequate emergency access to the 5500 Block of Westbard Avenue can be maintained. MCDOT will determine the outcome of a permanent closure.

Item 7. Bethesda Annual Monitoring Report

Briefing on implementation of the Bethesda Downtown plan since June 2022, including updates on development approvals, key monitoring updates, schools, existing and recommended parks and open spaces and transportation.

L. Klevan/S. Dickel

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Stephanie Dickel, Downcounty Planning Regulatory Supervisor, began the presentation by presenting a multi-media presentation describing the Bethesda Downton Sector Plan and how it is implemented. Ms. Dickel gave an overview and explained each of the following in greater detail: the Bethesda Overlay Zone (BOZ), the Park Impact Payment (PIP), the Bethesda Design Advisory Panel (DAP), and the Implementation Advisory Committee (IAC).

Larissa Klevan, Downcounty Master Plan Supervisor, then proceeded by discussing the Bethesda Annual Monitoring Report. Further information can be found in the Staff Report dated July 14, 2023.

Ms. Klevan stated the 2023 Bethesda Downtown Annual Monitoring Report (AMR) provides an update on the implementation of the Bethesda Downtown Sector Plan since last year's report was issued. The Annual Report was reviewed for May 2022-May 2023.

Ms. Klevan then provided updates on the following: development approvals, the BOZ density, schools, parks and open space, PIPs, and transportation. The 2023 AMR also includes a new section, Greening the Downtown, which provides updates on tree canopy and green cover in the plan area.

Some notable topics from the above included: the DAP reviewed 6 new projects and 4 Site Plan approvals, there is 2,152,913 square feet of BOZ density remaining, local schools saw a moderate enrollment increase, construction for the Caroline Freeland Park renovation is anticipated for FY2023-FY2024, and there have been 10 PIPs submitted since 2017 totaling \$14,563,926.00.

Ms. Klevan then discussed comments received from the IAC and noted the report has been updated to include the comments. The next step will be to transmit the AMR to the County Council.

The Board asked questions regarding the makeup of the DAP Panel, how the BOZ Density cap was determined, if there were other areas of the County with a total density cap, methodology for the BOZ Density cap, timeline to provide recommendations to the County Council, need for potential public outreach once the BOZ density cap has been exceeded, if the 2 percent increase for schools happened within the past year, and if development applications would be halted once the BOZ density has been exceeded.

**Item 8. Washington Science Center Parcel M: Site Plan Amendment No. 81983080C
(Public Hearing)**

Request to increase capacity of the existing day care center from 120 children to 190 children, install a play area within the existing forested area at the west of the Subject Property, install a walkway between the existing building and the play area, and install a natural-surface trail that runs north-south in the western forested area of Luxmanor Local Park to the south. Zoned CR-1.5, C-1.5, R-1.0, H-100' (reviewed under the former I-3 zone); 12.92 acres; located at 6120 Executive Boulevard, 600 feet south of the intersection of Josiah Henson Parkway and East Jefferson Street; 2017 2018 White Flint 2 Sector Plan Phase 2 area.

Staff Recommendation: Approval with Conditions

P. Smith

BOARD ACTION

Motion: Pedoeem/ Bartley

Vote: 4-0

Other: Commissioner Hedrick necessarily absent.

Action: **Approved staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions as modified by staff during the meeting, and adopted the Resolution.**

Parker Smith, Planner III, offered a multi-media presentation regarding Washington Science Center Parcel M. Further information can be found in the Staff Report dated July 14, 2023.

Mr. Smith described the site and stated the Application proposes to increase the capacity of the existing child day care center occupying approximately 15,500 square feet of the existing office building from a maximum of 120 children to a maximum of 190 children. The Application also proposes to install a fenced outdoor play area within the forested area to the west of the building, which will be accessed via a walkway, to be constructed by the Applicant, connecting the play area with the existing day care space within the existing building. The proposed new natural play area will be 7,121-square feet and include movable play equipment and a 4-foot-wide rubberized cycle track. The play area surface will be entirely mulch with the exception of the rubberized cycle track.

The Application also proposes to install a natural-surface trail along the west and south sides of the Property, which is a Master Plan recommendation. The north-south trail along the western side of the Property will connect to the adjacent property to the north and to Luxmanor Local Park to the south. The east-west portion of the trail will connect with the north-south portion of the trail at the southwest of the property and will extend east so that the master-planned east-west trail connection can be realized as properties to the east redevelop. The connection to Luxmanor Local Park will also include a pedestrian bridge crossing over the Cabin John Creek tributary stream that will be fully funded by the Applicant in coordination with Montgomery Parks. In all, the total limits of work for the project cover 18,431 square feet, but due to the extensive use of mulch for both the natural surface trails and for the proposed new play area, the limits of disturbance for the project cover only 4,152 square feet.

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Mr. Smith noted a change to Condition 13.d under the Transportation Conditions.

Erin Girard of Miles and Stockbridge offered comments on behalf of the Applicant regarding agreement to all additional improvements and conditions.

The Board asked questions regarding the lack of building footprint increase with additional increase of capacity and if there were any environmental impacts due to the proposed bridge.

Ms. Girard offered comments and responses to the Board's questions.

Item 9. Wheaton Streetscape Standards Update

Planning Staff will brief the Planning Board on the 2023 Wheaton Streetscape Standards Update, which builds on the recommendations of the 2012 Wheaton CBD and Vicinity Sector Plan and the recently approved Wheaton Downtown Study, and includes strategies to promote placemaking that improves connectivity, public open space, and storefront enhancements.

Staff Recommendation: Planning Board guidance and approval of the 2023 Wheaton Streetscape Standards.

L. Estrada

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: Received briefing, provided comments, and approved staff recommendation for approval of the 2023 Wheaton Streetscape Standards.

Carrie Sanders, Chief of Midcounty Planning, described the Wheaton Streetscape Standards Update as a follow up to the Downtown Wheaton Study and gave a brief overview of the project.

Luis Estrada, Planner III, offered a multi-media presentation regarding the Wheaton Streetscape Standards Update. Further information can be found in the Staff Report dated July 21, 2023.

Mr. Estrada gave a brief overview of the Wheaton Downtown Study, which was brought before the Planning Board earlier this year and then discussed the near-term, mid-term, and long-term strategies produced from the Wheaton Downtown Study.

Mr. Estrada stated the purpose of the Wheaton Streetscape Standards is to support the near-term strategies of the Wheaton Downtown Study for revitalization and expanded access through improvements to the pedestrian environment, as well as provide flexible standards with clear components that can be adjusted to the particulars of individual development efforts. Mr. Estrada discussed the process of developing the Wheaton Streetscape Standards which included: engagement of a consultant, stakeholder meetings, and invited comments on the draft Streetscape Standards Update online and during Wheaton Downton Study community open house.

The updated standards incorporate recommendations for paving materials and furnishings used today throughout the downtown area, reducing the number of streetscape types to provide three adaptable types, clear sidewalk zones, coordinated construction of new streetscape with recommended separated bikeway facilities, and establishing landscape character by recommending tree species and plantings to enhance the character of the area's streets. Lastly, Mr. Estrada discussed the three different street types, street tree and groundcover planting approach, and placemaking strategies.

The Board asked questions regarding clarification of the Wheaton Central Business District, street tree spacing and location, and potential implementation of raingarden stormwater management facilities as part of the streetscape.

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The Board offered comments regarding potential for second row of street trees in active zones, stormwater collection, proposed enhancement of Veteran's Park, and promoting excellence in landscaping.

Staff, including Acting Planning Director Tanya Stern and Planning Supervisor Jessica McVary, offered comments and responses to the Board's questions.

Item 11. Willerburn Acres (Public Hearing)

A. Administrative Subdivision Plan No. 620230040: Request to create two lots for two single-family detached units; R-90 zone; one acre; located at 11712 Gainsborough Road; 2002 Potomac Subregion Master Plan.

B. Forest Conservation Plan No. F20230030: Request for approval of a Preliminary/Final Forest Conservation Plan to impact and remove specimen trees and satisfy afforestation/reforestation requirements associated with Administrative Subdivision Plan No. 620230040; R-90 zone; one acre; located at 11712 Gainsborough Road; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with Conditions

P. Estes

A. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Administrative Subdivision Plan cited above, subject to conditions, and adopted the Resolution.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the (Preliminary/Final) Forest Conservation Plan cited above, subject to conditions, and adopted the Resolution.

Phillip Estes, Planner III, offered a multi-media presentation regarding Willerburn Acres applications. Further information can be found in the Staff Report dated July 14, 2023.

Mr. Estes gave a brief overview and stated the Applicant proposes to subdivide one acre of land into two lots with direct access and frontage on Gainsborough Drive. To accommodate the new subdivision, the existing house and associated driveway will be removed. Lot No. 1 will contain approximately 19,602 square feet for a new single-family detached dwelling; Lot 2 will contain approximately 24,198 square feet for a new single-family detached dwelling.

Mr. Estes described the proposed configuration of the lots, vehicular access, and building restriction lines (BRL), as well as the existing neighboring properties that are also flag lots. Access to the proposed lots will be via a shared driveway from Gainsborough Road. The Project also includes a new six-foot wide sidewalk along the Property's frontage, with a six-foot wide buffer from the street per Complete Streets Design Guide.

The Preliminary/Final Forest Conservation Plan (FFCP) shows no forest or environmental features on the one-acre property, and results in an afforestation requirement of 0.17 acres. The Applicant will satisfy this requirement by providing 0.17 acres of mitigation in an M-NCPPC approved

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offsite forest bank or pay a fee-in-lieu if no forest bank credits are available. Mr. Estes further noted the Applicant submitted a tree variance request to remove one on-site tree and impact two off-site protected trees. Four large shade trees will be planted as mitigation for the removal of tree number ST-2.

Additionally, Staff received community correspondence raising concerns about impacts to trees, traffic-related noise, square footage of proposed houses, tree variance, existing landscape on the property, and fire department requirements.

Mr. Estes noted revised Condition Numbers 9 and 10.

Robert Schwartzberg, an adjacent property owner, offered comments in opposition to the subdivision for reasons regarding to the houses lack of neighborhood character, concerns for impact to trees, and stormwater management issues.

Soo Lee-Cho of Bregman, Berbert and Schwartz offered comments on behalf of the Applicant regarding the character of the neighborhood, standards for allowing flag lots, and location of the driveway. Ms. Lee-Cho further stated the Applicant is in agreement with all conditions and offered comments regarding the methodologies of determining impact to trees.

David McKee of Benning and Associates offered comments as Applicant's consultant, regarding the storm drain concerns and noted a storm drain study was performed. Mr. McKee offered further comments regarding the impacts to the trees and the removal of the current driveway to minimize impacts to trees.

The Board asked questions regarding defining flag lots, if the sidewalk would be in the public Right-of-Way, stormwater management facilities, potential impact to trees bordering the adjacent property owner, and further clarification of impacted trees.

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

Item 10. Century (Public Hearing)

A. Sketch Plan Amendment No. 32016002A: Application to allow for a phased, mixed-use development with up to 2,414,100 sq. ft. of total development (1,415,700 sq. ft. of residential and 998,330 sq. ft. of commercial) on 51.7 acres; CR-2.0, C-1.25, R-1.0, H-145T in the Germantown Transit Mixed Use Overlay Zone; located at 20301 Century Boulevard, northwest of Cloverleaf Center; 2009 Germantown Employment Area Sector Plan and 2010 Germantown Urban Design Guidelines.

B. Preliminary Plan Amendment No. 12002095C: Application to create lots for up to 2,063,520 square feet of total development (1,415,700 square feet of residential and 814,550 square feet of commercial) to replace two previously approved office buildings and one previously approved hotel with one new 13-story research & development/office building, two new eight-story hotel buildings (154 rooms), and two new six-story multi-family/retail buildings (233 units) on 51.7 acres; CR-2.0, C-1.25, R-1.0, H-145T in the Germantown Transit Mixed Use Overlay Zone; located at 20301 Century Boulevard, northwest of Cloverleaf Center; 2009 Germantown Employment Area Sector Plan and 2010 Germantown Urban Design Guidelines.

C. Site Plan Amendment No. 82003007F: Application to construct four buildings consisting of up to 346,400 square feet of Multi-family residential uses (233 dwelling units including 20 percent MPDUs), 48,550 square feet of retail/service use, and 199,580 square feet of hotel use (154 rooms) on 10.88 acres; CR-2.0, C-1.25, R-1.0, H-145T in the Germantown Transit Mixed Use Overlay Zone; located at 20301 Century Boulevard, northwest of Cloverleaf Center; 2009 Germantown Employment Area Sector Plan and 2010 Germantown Urban Design Guidelines.
233 units).

Staff Recommendation: Approval with Conditions
J. Server/S. Pereira

A. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved staff recommendation for approval of the Sketch 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.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

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

C. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

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

Jeff Server, Planner III, offered a multi-media presentation regarding Century. Further information can be found in the Staff Report (no date) posted with and for Item 10 on the July 27, 2023 Agenda.

Mr. Server noted corrections to the Staff Report regarding the number of floors, Building Lot Terminations (BLTs), density, and recreation amenities within the site plan area to not include a multi-purpose room and swimming pool as they are existing from previous phases.

Mr. Server gave an overview of the site vicinity and stated the Amendment is part of a multi-phased project, in which Phase 1-A and 1-B are constructed and Phase 1-C is now subject of the Amendment. The proposed development is located in the Cloverleaf District as defined in the 2009 Germantown Employment Area Sector Plan. The Amendment will add residential uses to Phase 1-C, consisting of 233 new multi-family units, including 20 percent Moderately Priced Dwelling Units (MPDUs), and revise the nonresidential mix from office to Research and Development/Office while maintaining hotel uses

Mr. Server discussed the Sketch Plan Amendment proposal as well as architectural depictions of the Research & Development/Office – Buildings C1 and C2, Hotel – Buildings D and E, and Multi-family Residential – Buildings G and H were also shown.

Mr. Server noted the redline changes to Sketch Plan Condition Numbers 1 and 6.

Mr. Server then discussed the Preliminary Plan Amendment proposal and Chris Van Alstyne, Planner III, gave an overview of the transportation for the project. Mr. Van Alstyne noted the project has an exemption from additional LATR review and also received a temporary LATR exemption for Biomedical use. Mr. Van Alstyne further described the access and circulation for the Subject Property and provided a summary of the Adequate Public Facilities (APF) Improvements. Mr. Van Alstyne gave an overview of the summary of Century Boulevard frontage improvements including off-street bicycle and pedestrian improvements. Mr. Van Alstyne noted that an option was explored for an interim road diet for Century Boulevard – North, but it is not moving forward at this time.

Mr. Van Alstyne noted redline changes to Preliminary Plan Condition Numbers 5, 11, 12, and 28.b.

At this time, Mr. Server discussed the Site Plan Amendment proposal, Public Open Space, Forest Conservation, and Noise Mitigation. Mr. Server noted the areas for the open space, locations of reforestation plantings and Category I Conservation Easements, and residential buildings G and H will be impacted by noise levels.

Lastly, Mr. Server noted redline changes to Site Plan Conditions 9.h.iv, 14, 16.e, 19, and 21.i.

Patrick O'Neil of Lerch, Early, and Brewer offered comments on behalf of the Applicant regarding the enhanced affordable housing opportunities and retail the project brings to the area. Mr. O'Neil offered comments regarding Preliminary Plan Condition Number 28 regarding the site's frontage improvements and requested changes to Condition 16.e regarding the undergrounding of utility boxes and transformers be limited to any new proposed utility boxes and transformers. Furthermore, Mr. O'Neil offered a multi-media presentation portraying the Applicant's proposed suggestions and vision for frontage improvements.

The Board asked questions regarding the change in MPDUs, parking, if all Open Space could be used by the public, undergrounding of utilities, location/size/number of existing transformers, and potential to artistically cover existing transformers.

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

Robert Graham of Rogers Consulting, the Applicant's consultant, offered comments regarding the undergrounding of utilities specifically regarding the current/old transformers.

The Board held further discussion regarding the frontage improvements and undergrounding of utilities including the existing transformers. The Board agreed to move forward with the frontage improvements as conditioned by Staff, artistically hide the existing transformers and utility boxes, and undergrounding of all new transformers and utility boxes, subject to PEPCO approval.