

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, January 25, 2024
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, January 25, 2024, beginning at 10:08 a.m. and adjourning at 3:33 p.m.

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

Items 1 through 4 and Items 6 through 8 were discussed in that order and reported in the attached Minutes.

Item 5 was postponed until February 8, 2024.

The Planning Board recessed for lunch at 11:29 a.m. and reconvened in the auditorium and via video conference to return to open session at 12:47 p.m. to discuss Items 11, 9, and 10, as reported in the attached Minutes.

Commissioner Linden left the meeting at 2:57 p.m. during Item 10 and was necessarily absent for the vote.

There being no further business, the meeting adjourned at 3:33 p.m. The next regular meeting of the Planning Board will be held on Thursday, February 1, 2024, 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. CM Muncaster Forest Conservation Plan No. F20230500 – MCPB No. 24-007

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

2. Worldshine/Ruby Drive Preliminary Forest Conservation Plan No. CU202311–
MCPB No. 24-008

BOARD ACTION

Motion: Hedrick/Linden

Vote: 3-0-2

Other: Vice Chair Pedoeem and Commissioner Bartley abstained.

Action: Adopted the Resolution cited above, as submitted.

3. Life Sciences Center Loop Water Quality Plan No. MR2023006– MCPB No. 24-009
4. 4910/4920 Strathmore Preliminary Plan Amendment No. 12022016A –
MCPB No. 24-001
5. 4910/4920 Strathmore Site Plan Amendment No. 82022022A – MCPB No. 24-002
6. 4910/4920 Strathmore Forest Conservation Plan No. F20240120 – MCPB No. 24-003

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0-1

Other: Vice Chair Pedoeem abstained due to being absent.

Action: Adopted the Resolutions cited above, as submitted.

B. Approval of Minutes

1. Minutes for December 7, 2023
2. Closed Session Minutes for December 7, 2023

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Planning Board Meeting Minutes of December 7, 2023 and the Closed Session Minutes for December 7, 2023, as submitted.

C. Other Preliminary Matters

BOARD ACTION

Motion:

Vote:

Other:

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

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220230950, West Chevy Chase Heights

R-60 zone, 1 lot; located on the south side of Highland Avenue, 100 feet east of Maryland Avenue;
Bethesda – Chevy Chase Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

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

Item 3. Regulatory Extension Requests (Public Hearing)

Clarksburg Town Center - Request to extend the regulatory review period until February 29, 2024.

- A. Project Plan Amendment No. 91994004E: Regulatory Review Extension Request No. 3
- B. Preliminary Plan Amendment No. 11995042E: Regulatory Review Extension Request No. 2
- C. Site Plan Amendment No. 82007022I: Regulatory Review Extension Request No. 2

Application to amend a Project Plan, Preliminary Plan and Site Plan to allow three multi-family buildings, commercial retail buildings, and associated amenities; south quadrant of Clarksburg Square Road and Saint Clair Road, Clarksburg; CRT-0.75, C-0.25, R-0.5, H-65; 1994 Clarksburg Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

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

Amy Presley of Trusted Estate Partners offered testimony regarding the Clarksburg extension request, history of Clarksburg Town Center, the previous proposals submitted and rejected by the Planning Board, and the Compliance Program.

Patrick Butler, Chief of Upcounty Planning, offered comments regarding the need for the extension in order to bring the item before the Board in late February.

Kate Kubit of Elm Street Development offered comments regarding working closely with the community to come up with a plan that works for Clarksburg Town Center since 2012. Ms. Kubit further noted a grocer will be the cornerstone of the plan to be presented in late February, and it has taken the better part of a decade to find a grocer to work with the plan, but a grocer has been found and is ready to sign an agreement.

Brickyard Estates: Administrative Subdivision Plan No. 620230150 & Forest Conservation Plan No. F20230390 – Regulatory Extension Request No. 3 - Request to extend the regulatory review period from January 25, 2024 to March 25, 2024.

Application to create three lots for three single-family detached units; located at 7601 Brickyard Road, Potomac; RE-2 zone; 6.64 acres; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval of the extension request

J. Server

BOARD ACTION

Motion: Hedrick/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
J. Sartori

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Planning Director Jason Sartori offered a multi-media presentation regarding a brief update for the Planning Department.

Mr. Sartori stated he held the first all staff meeting for the Planning Department since his appointment as Planning Director on January 24, 2024, and noted it was the first opportunity to present his vision and goals for the department as well as receive feedback from Staff. Some topics of discussion included equity, environmental resilience, economic development, community commitments, and workplace culture.

Mr. Sartori was happy to inform the Planning Board that Senator Kramer withdrew his legislative transportation bill, and noted Staff will continue to review and provide comments on a variety of bills related to housing, pedestrian safety, speed limits, trail lighting, and solar collection systems. General Counsel Debra Borden will also be providing another legislative briefing and update on February 1, 2024. Mr. Sartori stated he joined Chair Harris, Parks Director Miti Figueredo, and Deputy Planning Directors Robert Kronenberg and Bridget Broullire at The Maryland Association of Counties (MACo) Legislative Reception in Annapolis to talk about upcoming work and priorities, and even had a chance to talk with Governor Moore.

Mr. Sartori discussed the bus tour that was held with the County Council for the Takoma Park Minor Master Plan Amendment (TPMMPA), and noted upcoming events related to the TPMMPA including the County Council Public Hearing later tonight and the first committee work session Monday, January 29, 2024.

The APA 2024 National Conference was highlighted, and Mr. Sartori stated Midcounty Planner Zubin Adrianvala's proposal, "Analyze This: Making Sense of Community Feedback" was accepted for an Innovation Talk. Mr. Sartori also stated Rebeccah Ballo and John Liebertz from the Historic Preservation Office will present on the department's innovative, insightful, and inspiring Mapping Segregation Project as well.

Lastly, Mr. Sartori gave an update on East County, noting the opening of the new Sprouts Farmers Market at Burtonsville Crossing, announced the addition of Audrey Vogel, Planner II, to the Upcounty Planning Division, and stated the next Director's Report will highlight an interactive map providing census data.

The Board offered comments regarding the department's great work regarding legislation.

Item 5. POSTPONED - Bowie Mill Bikeway (Public Hearing)

A. Mandatory Referral No. MR2023016: The Montgomery County Department of Transportation proposes to construct a 3.3-mile-long shared use path along Bowie Mill Road between Muncaster Mill Road and Olney-Laytonsville Road, a facility included in the 2018 Bicycle Master Plan.

Staff Recommendation: Approval with Comments

B. Preliminary/Final Water Quality Plan No. MR2023016: The Montgomery County Department of Transportation proposes to construct a 3.3-mile-long shared use path along Bowie Mill Road between Muncaster Mill Road and Olney-Laytonsville Road, a facility included in the 2018 Bicycle Master Plan.

Staff Recommendation: Approval with Conditions

E. Glazier

BOARD ACTION

Motion:

Vote:

Other:

Action: Postponed to February 8, 2024.

Item 6. Annexation petition from the City of Gaithersburg, (ANX-9683-2023), for a vacant five-acre property that is located west of South Frederick Road (MD 355), north of I-370, and south of O'Neill Drive (Public Hearing)

Staff Recommendation: Transmit comments to the City of Gaithersburg Mayor and City Council and the Montgomery County Council.

N. Yearwood

BOARD ACTION

Motion: Bartley/Hedrick

Vote: 5-0

Other:

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

Nkosi Yearwood, Planner III, offered a multi-media presentation regarding an annexation petition from the City of Gaithersburg. Further information can be found in the Staff Report dated January 17, 2024.

Mr. Yearwood described the rules and procedures for annexations, the City of Gaithersburg limits, and background for the proposed annexation. Mr. Yearwood stated The Eugene B. Casey Foundation seeks annexation of a vacant five-acre property, which is located at the northwestern intersection of Shady Grove Road, I-370 and South Frederick Avenue (MD 355) into the City of Gaithersburg from Montgomery County. The property is adjacent to the existing municipal limits of the City of Gaithersburg and the property proposed for annexation is in Gaithersburg's Maximum Expansion Limits (MEL).

Mr. Yearwood stated the annexation petition proposes using the City's Corridor Development (CD) zone for the property to facilitate a three-phased redevelopment with the adjacent Rosedale Apartments. A rezoning of the Rosedale Apartments to the CD zone is contemplated after the annexation. The petitioner also states that conducting a comprehensive redevelopment with one approving jurisdiction is preferred rather than two independent approving bodies. In addition, a uniform zoning classification would facilitate shared parking for the three properties, implementing stormwater and environmental requirements and other development provisions.

The Board asked questions regarding whether annexation is a one-way or dual process, if the limit of expansion should stay within the Municipal MEL, amount of affordable housing due to replacement zoning, whether the parcel was fully forested or not, and the current density versus planned density.

Staff, including Chief of Midcounty Planning, Carries Sanders, offered comments and responses to the Board's questions.

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C. Robert Dalrymple of Selzer Gurvitch offered comments on behalf for the Applicant regarding the affordable housing units that will be provided, as well as, the phased redevelopment of Rosedale Apartments, plans for current tenants of Rosedale Apartments, and the forest on the current parcel.

Gary Unterberg of Rogers Consulting offered comments regarding the number of affordable units that are projected for the future project.

**Item 7. Montgomery Auto Sales Park, Lot 7: Site Plan Amendment No. 81995038A
(Public Hearing)**

Request to add an additional 2,036 square feet of floor area at an existing automobile dealership; located at 3221 Automobile Boulevard; 1.67 acres; GR-1.5 H-85 zone, 2024 Fairland Master Plan.
Staff Recommendation: Approval with Conditions
P. Estes

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, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.**

Phillip Estes, Planner III, offered a multi-media presentation regarding the Montgomery Auto Sales Park, Lot 7. Further information can be found in the Staff Report dated January 12, 2024.

Mr. Estes described the property and vicinity noting the property is within the Montgomery County Auto Sales Park. Mr. Estes stated the Applicant proposes to expand the gross floor area by 2,036 square feet to accommodate four new vehicle service bays, make minor ADA improvements and site changes, add a new row of trees along Briggs Chaney Road, and add additional screening and landscape plan restoration.

The Board asked questions regarding access from Briggs Chaney Road and whether the new row of tree plantings would be to replace the existing trees or supplemental.

Mr. Estes offered comments and responses to the Board's questions.

Item 8. 7025 Strathmore Street, Sketch Plan No. 320240030 (Public Hearing)

CR 1.5 C 0.25 R 1.5 H 70' and the Bethesda Overlay Zone, 1.34 acres; Request for up to 170,000 square feet of density for a multi-family residential development with 15% MPDUs, and up to 81,859 square feet of BOZ density with associated PIP payment; located at 7025-7039 Strathmore Street; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval with Conditions
G. Bogdan

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

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

Grace Bogdan, Planner III, offered a multi-media presentation regarding 7025 Strathmore Street. Further information can be found in the Staff Report dated January 15, 2024.

Ms. Bogdan described the property and vicinity stating the property is located in downtown Bethesda within the South Bethesda District, a block west of Wisconsin Avenue at the corner of Woodmont Avenue and Strathmore Street. Ms. Bogdan discussed the existing conditions of the property noting it is currently developed with garden style apartments.

Ms. Bogdan stated the Applicant proposes to redevelop the site with a new residential building up to 70 feet in height with structured parking access from the public alley. The development envisions a total density of 170,000 square feet for up to 180 units with 15 percent MPDUs. Included in the Proposal is a continuation of a through-block connection to achieve a Sector-Planned pedestrian connection from Wisconsin Avenue to Strathmore Street, and the Application also proposes to use up to 81,859 square feet of Bethesda Overlay Zone with associated Park Impact Payment (to be determined at Site Plan).

Ms. Bogdan noted correspondence was received with concerns regarding access and circulation from the public alley, density, soil remediation, and construction noise and impacts.

Christopher Ruhlen of Lerch, Early and Brewer offered comments on behalf of the Applicant regarding the opportunity to promote and enhance redevelopment for an aging building as well as agreement with Staff's conditions. Mr. Ruhlen offered further comments regarding soil contaminants concerns and the standard practice of soil remediation.

The Board asked questions regarding ownership and maintenance responsibility of the land underneath the public alley, the through block access and usage, soil remediation, proposed unit mix, parking, and unit count.

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

Faik Tugberk of Architects Collaborative, Inc., offered comments regarding the proposed unit mixture and approximate unit count.

Item 11. State Legislative Update

- A. SB 484 Governor’s Housing Bill – Pending hearing date.
Recommendation: Briefing only.
- B. HB 0003 Land Use – Expedited Development Review Processes for Affordable Housing – Requirements
Recommendation: Support with amendments (see attached comments).
- C. HB 0007 Housing Innovation Pilot Program and Housing Innovation Fund – Establishment (Housing Innovation Pilot Program Act of 2024)
Recommendation: Support
- D. HB 0017/SB274 Charter Counties – Comprehensive Plans – Affirmatively Furthering Fair Housing
Recommendation: Support
- E. HB241 Housing and Community Development – Just Community Designation
Recommendation: Support

D. Borden

A. BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

B. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation to Support HB 0003 with amendments and suggested language provided by the Board.

C. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation to Support HB 0007 with comments and questions brought by the Board.

D. BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendation to Support HB 0017/SB274.

E. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation to Support HB 241.

Debra Borden, General Counsel, gave an overview and update on the current legislation. Ms. Borden began by stating the local transportation bill PG/MG 117 was withdrawn by Senator Kramer.

Ms. Borden briefed the Board and gave an overview of Bill SB 484, the Governor's Affordable Housing Bill. Ms. Borden stated the bill includes land use and zoning regulations from the state level that would apply to and sit on top of the local level zoning ordinances. Ms. Borden noted issues with the provisions and language in portions of the bill regarding building height, developments standards, and APF that need to be ironed out. Ms. Borden stated MACo and DHCD are involved with the Bill, as well as departments from both counties, and is hopeful to have specific proposed amendments by the February 1, 2024 Planning Board meeting.

The Board asked questions regarding whether Bill SB 484 will impact state funded projects or local funded projects as well, and Ms. Borden offered comments and responses. The Board further recommended need for the written amendments to be cognizant of what the development design standards will be.

Ms. Borden continued with discussing Bills HB 0003, HB 0007, HB 0017/SB274, and HB241 in greater detail.

The Board asked questions regarding Bill HB 0003 including whether the bill will provide flexibility with an expedited process and potential clarity regarding 501(c)(3) organizations. Ms. Borden offered comments and responses to the Board's questions.

The Board further suggested language wording of owned or controlled.

The Board asked further questions regarding Bill HB 0007 including the dollar for dollar match requirement and whether it is required to be direct funding from the housing authority or could be from other funding sources. Ms. Borden offered comments and stated she will have a conversation with Delegate Stewart regarding the funding sources.

Item 9. Briefing on the Life Science Land Use and Real Estate Compatibility Study

This study explores the potential of and tools for incorporating housing and creating mixed-use, vibrant, and walkable neighborhoods in areas with high life science employment concentrations.

Staff Recommendation: Planning Board Briefing

B. Kraft

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Carrie McCarthy, Chief of Research and Strategic Projects, offered brief comments regarding the need for consultants to provide specialized knowledge and analysis of the Life Sciences industry for this study. Ms. McCarthy further noted the inter-divisional collaboration between Research and Strategic Projects and Midcounty Planning.

Ben Kraft, Research Planner, offered a multi-media presentation regarding the Life Science Land Use and Real Estate Compatibility Study. Further information can be found in the Staff Report dated January 4, 2024.

Mr. Kraft discussed the general background and reasoning for the study. Mr. Kraft noted the study is complimentary to *The Great Seneca Master Plan* and is meant to serve as a resource and guide for other future life sciences areas within the County. Mr. Kraft stated the Montgomery County Economic Development Corporation was also heavily involved with consulting for the study as well, and were one of the interviewees for the consultant to obtain background information about the County and industry.

Mr. Kraft introduced Gina Lavery, Senior Vice President of Econsult Solutions, Inc., and Ms. Lavery provided brief comments and gave an overview of topics to be discussed including the Life Sciences market overview, land use and development, case studies and best practices, and strategic recommendations.

Ms. Lavery described Econsult Solutions, Inc.'s background and experience, as well as, the purpose of the report, noting the report provides insights into the real estate needs of the life sciences industry and explores the feasibility of co-locating housing on or near sites where life sciences or medical centers exist. Ms. Lavery stated the reason for the focus on the Life Science Center (LSC) is the concentration of private sector life sciences establishments and employment within Montgomery County.

The scope of work for the study included specific types of life sciences businesses, the specific real estate needs, compatibility of integrating life sciences with housing and small-scale commercial development, and actionable recommendations to support continued growth of the life sciences industry.

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Brian Licari, of Econsult Solutions, Inc. described what the life sciences industry encompasses, and noted the uniqueness from a real estate perspective due to the different typologies it inhabits. Mr. Licari stated these typologies can be incorporated in a single building or multiple facilities across a campus, and noted the industry is one of the fastest growing industries with a growth rate of 34 percent over a 10-year period, with a substantial investment surge. Mr. Licari also discussed the life sciences ecosystem and key factors for growth both for market (talented workforce, land use, market readiness, and site control) and macro factors (inflation, interest rates, and access to capital).

Mr. Licari discussed where Montgomery County stands with the opportunities for the life sciences industry regarding real estate development growth and listed the challenges as well noting other competing locations within the life sciences industry include Boston and North Carolina. Mr. Licari explained Montgomery County's Evaluation noting the strengths and weaknesses for the County, and discussed the different development typologies that were examined including infill housing development near life sciences locations, mixed-use infill development, vertical mixed-use development, Master Planned mixed-use districts, mixed-use redevelopment.

Ms. Lavery discussed the national case studies selected to study including Mission Bay (CA), University City District (PA), the Philadelphia Navy Yard (PA), Research Triangle Park (NC), Texas Medical Center (TX), and Kendall Square (MA) as well as best practices and described the concept of innovation districts. Ms. Lavery gave an overview of the lessons learned and findings from studying Montgomery County for organizational structure and governance, land use planning and development, innovation and entrepreneurship

Mr. Licari discussed the land use challenges for Montgomery County including the complexities of infill mixed-use development, limited tools, lack of zoning flexibility, lack of connectivity, limited marketability of built environment, lack of funding mechanisms, and lack of strategically aligned resources.

Mr. Licari also explained the study's recommendations listed below in further detail:

1. Expand and create new development practices and standards to encourage the creation of intensive, mixed-use life science districts;
2. Create value-capture tools to encourage development and investments in the public realm;
3. Focus place-based investments in and around life sciences clusters; and
4. Grow an entrepreneurial ecosystem.

The Board asked questions regarding what has been considered and helpful from the study regarding a land use perspective, if high density housing in these centers was wanted if close to other centers providing connectivity, potential marketing tools to create more interest with the development community for the life sciences industry, and does this particular sector of workers prefer to live in the life sciences type of community.

The Board offered further comments regarding buildings being built lacking elements of recommendations, Montgomery County lacking a foundational university producing life sciences professionals, and possibility for more life sciences data trends on a local level versus national.

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Ms. Lavery and Mr. Licari offered comments and responses to the Board's questions.

Staff, including Chief of Midcounty Planning, Carries Sanders, also offered comments and responses to the Board's questions.

Brad Stewart of The Montgomery County Economic Development Corporation also offered comments regarding his experience working within the life sciences industry. Mr. Stewart discussed the atmosphere of the current life sciences areas within Montgomery County and noted possible opportunities for better connectivity. Mr. Stewart further noted the need for a cohesive sense of community and person to person daily connectivity to build professional relationships. Lastly, Mr. Stewart offered comments regarding potential opportunities to develop forward thinking and innovative districts on Belward Campus and the Shady Grove area in Rockville.

Item 10. Elderhome Land LLC (Brookstone Senior Living), Conditional Use No. CU202312 and Preliminary Forest Conservation Plan No. F20230060 (Public Hearing)

Request for Residential Care Facility (Over 16 Persons) pursuant to the 2014 Montgomery County Zoning Ordinance Sections 59.3.3.2.E (Specific Conditions) and 59.7.3.1 (General Conditions) at Outlot A, Block B of the Valley Stream Estates subdivision (southwest corner of Dino Drive and Valley Stream Avenue), Burtonsville; R-200 Zone; 1997 Fairland Master Plan area.

A. Preliminary Forest Conservation Plan No. F20230060:

Staff Recommendation: Approval with conditions (Planning Board Action)

B. Conditional Use No. CU202312

Staff Recommendation: Approval to transmit comments to the Hearings Examiner

M. Beall

A. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 4-0

Other: Commissioner Linden was necessarily 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.

B. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 4-0

Other: Commissioner Linden was necessarily absent.

Action: Approved Staff recommendation for approval to transmit comments to the Hearing Examiner, as stated in a transmittal letter to be prepared at a later date.

Mark Beall, Zoning Planner IV, offered a multi-media presentation regarding Elderhome Land LLC (Brookstone Senior Living). Further information can be found in the Staff Report dated January 9, 2024.

Mr. Beall described the property and vicinity stating the property is located at the intersection of Dino Drive and Valley Stream Avenue in Burtonsville and consists of 5.86 acres, and is currently unimproved and mostly forested.

Mr. Beall explained the Applicant proposes to construct a Residential Care Facility (over 16 persons). The proposed building will contain 88 dwelling units for senior living and 91 total beds for assisted living and memory care. The Applicant is also proposing an associated parking lot, landscaping, and lighting, as well as amenities and service for the residents including courtyards, a fitness pool, gym, beauty salon, spa, music room, pub, a car and driver service, and a restaurant-style dining room. Mr. Beall stated the resident and visitor entrance is centrally located in the

middle of the building while the loading dock and dumpsters are located towards the rear of the building.

Mr. Beall showed portrayals of the project as viewed from the road and proposed building entrance; and discussed the Master Plan conformance as well.

Josh Penn, Planner III, stated the Applicant has submitted a Preliminary Forest Conservation Plan, and the Applicant proposed to remove 3.44 acres of forest from the total of 4.18 acres of existing forest on the Subject Property. Mr. Penn noted the Applicant is also proposing to retain 0.74 acres of forest in Category I Easement. The Applicant proposes to meet the total afforestation/reforestation requirement of 1.63 acres with 0.52 acres of onsite reforestation and 1.11 acres offsite.

Brett Brown, Upcounty Transportation Planner II, discussed the transportation analysis for the project as well as the frontage improvements which include construction of a 10-foot sidepath along Dino Drive frontage consistent with Complete Streets Design Guide.

Mr. Beall stated community correspondence was received listing concerns regarding the use/character not fitting in with the neighborhood/location, increased traffic, entrance location, light spillage, screening and plant types, and water runoff.

Lauren Meyer, an individual, offered testimony regarding forest removal and zoning within the area as well as the potential increase in pollution due to developing the area.

Arpan Ghosh, an adjacent property owner, offered testimony regarding concern for the clearing of forest and lack of adequate notice of the meeting. Furthermore, Mr. Ghosh offered further comments and felt the plan contradicts the Montgomery County Stewardship goals.

Kathy Menasco-Smith, adjacent property owner, offered testimony regarding the removal of forest, the specimen tree list, and requested the habitat for threatened and endangered species to be reassessed including flora and fauna.

Soo Lee-Cho of Bregman, Berbert, Schwartz and Gilday offered comments on behalf of the Applicant regarding the history of the access point off Dino Drive, the design of the project being scaled to a lower density, the three levels of care provided by the proposed facility, amenities being provided, landscaping, and Master Plan recommendation for the site to be designated for elder care. Ms. Lee-Cho offered further comments regarding the concerns for forest removal and noted providing more forest onsite would take away from the parking, which is already proposed to provide the minimum amount spaces required.

The Board asked questions regarding consideration of an alternate access point, clarity regarding the 1.63 acre requirement of replacement plantings, layout of units, landscaping plan and vision, noticing, if public amenities were required by code, where to direct written comments received after the Planning Board meeting, potential need for a traffic signal, consideration for bike lanes and sidewalks, and whether other designs were presented that had less loss of forest.

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

Carl Wilson of the Traffic Group, Inc. offered comments regarding the traffic study performed for the site and noted the site will not generate a significant number of trips to warrant a traffic signal.