

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED  
MINUTES AND SUMMARY

SUMMARY  
**Thursday, March 14, 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, March 14, 2024, beginning at 2:07 p.m. and adjourning at 6:47 p.m.

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

Commissioner Bartley arrived at 2:34 p.m. for Item 5.

Items 1 and 2 were discussed as reported in the attached Minutes.

Due to technical difficulties the Planning Board reconvened via video conference at 2:20 p.m. to discuss Items 4, 5, and 7, as reported in the attached Minutes.

Item 6 was removed from the agenda.

The Planning Board recessed for dinner at 5:52 p.m. and reconvened via video conference to return to open session at 6:12 p.m. for the Master Plan Public Hearing for The Great Seneca Plan: Connecting Life and Science, as reported in the attached Minutes.

There being no further business, the meeting adjourned at 6:47 p.m. The next regular meeting of the Planning Board will be held on Thursday, March 21, 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. Cheng Property Burtonsville WAWA – Forest Conservation Plan No. F20240210 – MCPB No. 24-031

**BOARD ACTION**

**Motion:** Hedrick/Pedoeem  
**Vote:** 4-0  
**Other:** Commissioner Bartley was necessarily absent.  
**Action:** Adopted the Resolution cited above, as submitted.

**B. Approval of Minutes**

**BOARD ACTION**

**Motion:**  
**Vote:**  
**Other:** Commissioner Bartley was necessarily absent.  
**Action:** There were no Minutes submitted for approval.

**C. Other Preliminary Matters**

**BOARD ACTION**

**Motion:**  
**Vote:**  
**Other:** Commissioner Bartley was necessarily absent.  
**Action:** There were no Other Preliminary Items submitted for approval.

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

**Subdivision Plat No. 220230890, Pine Crest**

R-60 zone; 1 lot; located on the east side of Eastern Avenue, 175 feet north of Kansas Lane; Takoma Park Master Plan.

*Staff Recommendation: Approval*

**BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 4-0**

**Other: Commissioner Bartley was necessarily absent.**

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

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

**Clarksburg Chase, Preliminary Plan No. 120240040, Site Plan No. 820240050 and Forest Conservation Plan No. F20240180 - Request to extend the regulatory review period for three months until June 6, 2024.**

An 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.

*Staff Recommendation: Approval with conditions*

J. Casey

**Calverton: Administrative Subdivision Plan No. 620230140, Regulatory Review Extension Request No. 2 - Request to extend the regulatory review period from March 14, 2024, to June 20, 2024.**

Application to create a three-lot subdivision for three single-family detached units; located at 3100 Fairland Road; 0.97 acres; R-90 2 zone, 1997 Fairland Master Plan.

*Staff Recommendation: Approval of the extension request*

P. Estes/S. Pereira

**Rich Meadows, Parcel 606: Administrative Subdivision Plan No. 620240010 & Forest Conservation Plan No. F20240060 – Regulatory Extension Request No. 2 - Request to extend the regulatory review period for 6 months, from March 2, 2024 to August 2, 2024.**

Application to create one lot for one single-family detached unit; located at 13635 Darnestown Road, approximately 2,000 feet NW of Masonwood Drive; Potomac; RC zone; 15.17 acres; 2002 Potomac Subregion Master Plan.

*Staff Recommendation: Approval of the extension request*

J. Casey

**BOARD ACTION**

**Motion:** Hedrick/Pedoeem

**Vote:** 4-0

**Other:** Commissioner Bartley was necessarily absent.

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

**Item 4. Roundtable Discussion**

A. Parks Director's Report  
M. Figueredo

B. MPF Foundation Board of Trustees, New Nominee 2024  
*Staff Recommendation: Approval*  
K. Rictor

**A. BOARD ACTION**

**Motion:**

**Vote:**

**Other: Commissioner Bartley was necessarily absent.**

**Action: Received briefing.**

**B. BOARD ACTION**

**Motion: Hedrick/Pedoeem**

**Vote: 4-0**

**Other: Commissioner Bartley was necessarily absent.**

**Action: Approved Staff recommendation for approval of appointing Scott Evan Goldberg to the MPF Foundation of Trustees.**

Montgomery Parks Director, Miti Figueredo, offered a multi-media presentation regarding events and updates for the Parks Department.

Ms. Figueredo noted peak bloom for cherry blossoms is anticipated for March 19, 2024, and highlighted park locations as alternatives to traveling to Washington, D.C. to view the trees. Ms. Figueredo stated Chair Harris accompanied her to the PHP Council Committee meeting to discuss the Parks CIP Budget, and noted the committee approved the Tier 1 restoration approach, which restored \$18.4 million of the original \$24.4 million reduction.

Ms. Figueredo highlighted the Parks events taking place during Women's History Month including a recent panel discussion including Park Police Assistant Chief, Captain Nicole Adams, Director of Brookside Gardens, Stephanie Oberle, and Park Manager II, Shelby Smith, which took place at Park Police Headquarters – Saddlebrook.

Ms. Figueredo spoke about upcoming spring events taking place in the parks including spring break nature camps, the spring plant sale at Brookside Gardens, Acoustics and Ales, and Sunday Serenades.

Ms. Figueredo also introduced the newest member of the canine search and rescue unit, Raya, the bloodhound.

Lastly, Chair Harris discussed the nomination of Scott Evan Goldberg for the MPF Foundation Board of Trustees followed by a vote from the Planning Board to approve and appoint Mr. Goldberg.

**Item 5. 2024 Growth and Infrastructure Policy Update – Preliminary Recommendations**

Planning Department Staff will provide an overview of the preliminary recommendations for the 2024-2028 Growth and Infrastructure Policy update. Planning Board feedback will inform the development of the Working Draft. The Planning Board must transmit the draft 2024-2028 Growth and Infrastructure Policy (GIP) to the County Council by August 1, 2024. The Council will adopt an updated policy by November 15, 2024.

*Staff Recommendation: Receive briefing and provide feedback.*

D. Buckley/L. Govoni

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action: Received briefing followed by comments.**

Darcy Buckley, Planner III, and Lisa Govoni, Acting Housing, Infrastructure, and Zoning Supervisor, offered a multi-media presentation regarding the preliminary recommendations for the 2024 Growth and Infrastructure Policy Update. Further information can be found in the Staff Report dated March 7, 2024.

Ms. Govoni stated the Planning Department is undertaking its quadrennial update of the County's Growth and Infrastructure Policy (GIP), which sets standards for evaluating individual development proposals to determine if the surrounding public infrastructure, such as the transportation network and school facilities, can accommodate the demands of the development. Ms. Govoni also gave an overview of the history of the GIP as well as how adequacy is determined for schools, transportation, water and sewer services, police, fire, and health facilities.

Ms. Buckley spoke about the 2024 update process, themes, and County priorities. Ms. Buckley explained how the recommendations for the 2024 update were determined and gave an overview of the engagement and outreach strategy as well as the feedback received for schools and transportation.

**Schools**

Hey-Soo Baek, Planner III, gave an overview of the schools element and discussed the preliminary recommendations for school impact area boundaries, Annual School Test (AST) adequacy thresholds, housing types for Student Generation Rates (SGRs), multifamily SGR calculation, Utilization Premium Payments (UPPs), and expansion of the early childhood program.

The Board asked questions regarding the difference between school impact taxes and UPPs, who pays the UPP assessment estimate, other potential taxes for single-family homeowners, how other jurisdictions pay for schools, consideration for streamlining the UPP and impact taxes, and potential strategies to reduce impact taxes.

Staff, including Planning Director, Jason Sartori, offered comments and responses to the Board's questions.

The Board offered comments stating the UPP needs to be simple, one fee, and comparable to the jurisdictions surrounding Montgomery County.

### **Transportation**

Ms. Buckley gave an overview of the transportation element and discussed the preliminary recommendations for updates to policy area boundaries, replacing person trips with peak-hour vehicle trips, standardizing transportation adequacy tests, modifying the Proportionality Guide calculation, aligning LATR exemptions with County Policies, revising the impact tax credit to align with County Policies, clarifying SHA expectations in the LATR process, creating a repository for fee-in-lieu payments, and updating the LATR Guidelines.

The Board asked questions regarding off-site LATR improvements and impacts, the trip-based approach, consideration for the vehicle miles traveled approach, fee-in-lieu payments, exempting 3-plus bedroom units from off-site mitigation construction and payment, and proposed CIP projects inclusion with the motor vehicle adequacy test.

Staff, including Acting Chief of Countywide Planning and Policy, David Anspacher, offered comments and responses to the Board's questions.

The Board offered comments and requested further examples of the vehicle miles traveled approach.

### **Impact Taxes**

Ms. Govoni gave an overview of the impact tax element and discussed the preliminary recommendations for calculation of school impact taxes, the cap and carry over system, calculation by square foot, a potential new impact tax category, enterprise zone exemption, opportunity zone exemption, desired growth and investment areas, 25 percent MPDU exemption, three-bedroom unit exemption, office-to-residential conversions, and bioscience exemption.

The Board asked questions regarding comparisons to other jurisdictions, what housing types were included in calculation by square foot, and potential for a lower impact tax incentivizing less parking.

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

The Board also offered comments regarding the three-bedroom unit exemptions, adjusting the multifamily low-rise total development fee, and opportunities to keep parking low and reduced.

**Item 6.           REMOVED - Planning Department Budget Update**

K. Warnick

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action:           ITEM REMOVED.**

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**Item 7. Century: Preliminary Plan Amendment No. 12002095D (Public Hearing)**

Application to subdivide Lot 1 into two lots to create one lot for the existing Thermo Fisher building (49,220 square feet of general/professional office use) and one lot for a new 7-story life sciences and research and development building (189,633 square feet of life science and research and development use); located at the southwest quadrant of Fairchild Drive and Stol Run; CR-2.0, C-1.25, R-1.0, H-145 T & Germantown Transit Mixed Use Overlay Zones; 3.78 acres; 2009 Germantown Employment Area Sector Plan.

*Staff Recommendation: Approval with Conditions*

J. Server

**BOARD ACTION**

**Motion:** Pedoeem/Bartley

**Vote:** 5-0

**Other:**

**Action:** **Approved Staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions and modifications discussed 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 the Preliminary Plan Amendment for Century. Further information can be found in the Staff Report dated March 1, 2024.

Mr. Server stated the application proposes to subdivide existing Lot 1 to create two lots, one lot for the existing Thermo Fisher building and one new, additional lot for a new seven-story research and development building on 3.78 acres. Mr. Server explained the existing Thermo Fisher building will remain in its current state and the new life sciences building will replace the existing surface parking lot. A new structured parking garage will be constructed in order to provide parking for both the Thermo Fisher building and the new life sciences building. Mr. Server also discussed the frontage improvements as conditioned including removal of the southbound right turn lane at the Century Boulevard and Cloverleaf Center Drive intersection, modification to a raised pedestrian refuge island, integration of a four-way stop sign at Century Boulevard and Cloverleaf Center Drive, improved pedestrian crossings at the 4-way intersection of Century Boulevard and Cloverleaf Center Drive, replacement of the eastbound right turn lane on Cloverleaf Center Drive with a curb extension and grass buffer, and installation of a conduit for the future traffic signal at Century Boulevard and Cloverleaf Center Drive.

Scott Wallace of Miles and Stockbridge offered testimony on behalf of the Applicant noting agreement to all of Staff's conditions except Condition 36.e regarding the installation of a conduit at Century Boulevard and Cloverleaf Center Drive. Mr. Wallace offered further comments regarding the cost of installation for the conduit, proposed traffic calming, potential reimbursement for the conduit, and the lack of the constitutionally required nexus between the Application and the proposed condition.

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The Board asked questions regarding the responsible party for conduit installation, cost for conduit installation, proposed traffic calming measures, potential reimbursement for conduit installation, link between the current application and future traffic signal, and parking.

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

Rebecca Torma of MCDOT offered comments regarding the different phase conditions regarding installation of the conduit, potential cost for the conduit installation, proposed traffic calming measures, reimbursement of conduit costs.

Frank Cohen of Sheridan Road Properties, LLC offered comments regarding the traffic mitigation design and parking.

The Board held further discussion regarding the conduit and the Applicant's requirements. The Board requested MCDOT to work with the Applicant for coordination of the conduit installation and potential reimbursement; and agreed the Applicant should ultimately not be responsible for the associated costs.

**The Great Seneca Plan: Connecting Life and Science Public Hearing**

*Staff Recommendation: Receive Public Testimony on the Public Hearing Draft of the Great Seneca Plan: Connecting Life and Science*  
M. Hill

**BOARD ACTION**

**Motion:**

**Vote:**

**Other:**

**Action:           Received testimony.**

The Public Hearing began at 6:12 p.m. Maren Hill, Planner III, read a statement entering items to the Public Record, and gave a recommendation to keep the Public Record open until March 21, 2024. Further information can be found in the Staff Report dated March 8, 2024.

The following individuals offered testimony:

**Virtual via Teams:**

Brad Stewart (MCEDC)  
Joseph Moges (MD SHA)  
Francoise Carrier (Guardian Realty)  
Daniel Cochran (Adventist Healthcare)  
Rob Eisinger (Shady Grove Medical Center)  
Eric Fischer (Trammell Crow Company)  
Anne Khademian (Universities at Shady Grove)  
William DePippo (ARE Maryland)

**In Person:**

Janette Rosenbaum (Individual)

The Public Hearing ended at 6:47 p.m.