

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, May 16, 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, May 16, 2024, beginning at 9:03 a.m. and adjourning at 4:58 p.m.

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

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

Commissioner Linden was necessarily absent for Items 1 through 4, joined the meeting for Item 5 at 9:26 a.m., and was necessarily absent for Item 6.

The Planning Board recessed for lunch at 12:27 p.m. and reconvened in the auditorium and via video conference to return to open session at 1:37 p.m. to discuss Items 7 and 8 as reported in the attached Minutes.

Item 9 was postponed to June 6, 2024.

Commissioner Linden rejoined the meeting at 3:52 p.m. during Item 7.

Commissioner Hedrick left the meeting after Item 7 and was necessarily absent for the rest of the meeting.

There being no further business, the meeting adjourned at 4:58 p.m. The next regular meeting of the Planning Board will be held on Thursday, May 23, 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

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Resolutions submitted for adoption.

B. Approval of Minutes

1. Minutes for April 25, 2024

BOARD ACTION

Motion: Pedoeem/Bartley

Vote: 4-0

Other: Commissioner Linden was necessarily absent.

Action: Approved Planning Board Meeting Minutes of April 25, 2024, 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. 220240950 PSTA

CR zone; 17 lots; located southeast of the intersection of Medical Center Drive and Blackwell Road; Great Seneca Science Corridor Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Pedoeem/Bartley

Vote: 4-0

Other: Commissioner Linden was necessarily absent.

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

Item 3. Regulatory Extension Requests (Public Hearing)

Dunkin' – Muncaster Road, Site Plan Amendment No. 820230060: Regulatory Review Extension Request No. 3 - Request to extend the regulatory review period until September 12, 2024.

Application for a drive-thru facility for a new restaurant in an existing commercial building; 17700 Muncaster Road, Derwood; 0.31 acres; CRT-0.75 C-0.75 R-0.25 H-45; 2004 Upper Rock Creek Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

BOARD ACTION

Motion: Pedoeem/Bartley

Vote: 4-0

Other: Commissioner Linden was necessarily absent.

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

Item 4. Roundtable Discussion

A. Planning Director's Report
J. Sartori

B. Briefing on the Asian and Pacific Islander Population in Montgomery County Profile
L. Savonis/J. Lee

BOARD ACTION

Motion:

Vote:

Other: Commissioner Linden was necessarily absent.

Action: Received briefing.

Montgomery Planning Director, Jason Sartori, offered a multi-media presentation regarding the latest updates for the Planning Department and Luke Savonis, Planner II, offered a multi-media presentation regarding the Demographic Profile of the Asian and Pacific Islander population in Montgomery County. Further information can be found in the report on the Planning Board website agenda for May 16, 2024.

Mr. Sartori discussed Bike to Work Day taking place May, 17, 2024, and welcomed new staff Jane Peuser, Planning Technician, and Marissa Salabie, HR Intern. Lastly, Mr. Sartori congratulated Darrell Godfrey on his promotion to Graphic Designer Supervisor.

Mr. Savonis gave an overview of the most recent data (2022) from the American Community Survey (ACS) for the Asian and Pacific Islander (API) population in Montgomery County.

Mr. Savonis discussed the population characteristics, native- and foreign-born populations, heritage, educational attainment, housing, household types, household income, top occupations, and modes of transportation to work as well.

The Board asked questions regarding API community disbursement throughout the County and Middle East inclusion within API heritage, as well as suggested information on cultural preferences and dislikes be included in future presentations.

Staff, including Carrie McCarthy, Chief of Research and Strategic Projects, and James Lee, Forecaster and Demographic Research Specialist, offered comments and responses to the Board's questions and suggestions.

Item 5. Attainable Housing Strategies Work Session Number 9

In 2021, the County Council requested the Planning Board consider and recommend “zoning reforms that would allow greater opportunities for Missing Middle housing in Montgomery County.” Attainable Housing Strategies is the resulting effort, through which a prior Planning Board prepared recommendations to allow the development of more diverse types of housing, including Missing Middle Housing, in Montgomery County.

Staff Recommendation: Seek guidance from the Planning Board

L. Govoni/B. Berbert

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing followed by discussion.

Ben Berbert, Planner III, offered a multi-media presentation regarding the Attainable Housing Strategies Work Session Number 9. Further information can be found in the Staff Report posted to the Agenda on the Planning Board website for May 16, 2024.

Mr. Berbert noted the work session will focus on large-scale attainable housing, recommended changes to the zoning code, and additional code and policy considerations for implementing attainable housing.

Mr. Berbert gave a brief overview and summary of Staff’s recommendations the Board agreed to during Work Session Number 8, as well as recommendations Staff will bring back to the Board for further discussion in future work sessions.

The Board asked questions regarding a potential recommendation allowing for small-scale housing to move forward before finalization of the pattern book, and Staff offered comments and responses.

Mr. Berbert discussed Staff’s recommendations regarding the redefining of large-scale housing, removing specific references to “small” apartments, current zoning, the corridor approach, and additional Attainable Housing recommendations to include the multiplex building type (triplex and quadplex).

The Board asked questions regarding the division of townhouses totaling four stories between medium-scale and large-scale housing, achieving large scale development in zones that do not exist, timing of zoning for corridors, allowance of large-scale development within a certain distance to corridors, potential for form-based zoning options, and timeline for strategic planning for corridors.

Staff, including Planning Director, Jason Sartori, and Acting Assistant to the Deputy for Development and Design Review, Atul Sharma, offered comments and responses to the Board’s questions.

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The Board held further discussion regarding Staff's recommendation for the current zoning process, incorporating the promoting of Local Map Amendments, form-based zoning options, and prioritizing Master Plan and corridor strategic plans.

The Board agreed with Staff's proposed recommendations for redefining large-scale housing, current zoning, the corridor approach, and additional Attainable Housing recommendations including the multiplex building type.

Mr. Berbert also discussed recommendations for other code and policy considerations including driveway standards, street trees and tree canopy, fire and rescue, and stormwater management. The Board agreed with Staff's recommendations.

The Board asked questions regarding number of driveways for triplexes and quadplexes, and Staff offered comments and responses.

Lisa Govoni, Acting Housing, Infrastructure, and Zoning Supervisor, gave an overview and discussed the recommendations for owner-occupied conversions, community level incentives, role of HOAs and municipalities, collection of impact taxes and applicable rates, adequate public facilities, limitations and conditions of preliminary and site plans, engagement, and stakeholder concerns.

The Board asked questions regarding medium scale housing policies, inclusion of safety for community level incentives, implementation of community level incentives, and potential for a summary of stakeholder concerns.

The Board also suggested Staff explore low-interest bridge loans and catalyst policies for real estate and property taxes for owner occupied conversions.

The Board agreed with Staff's recommendations.

Lastly, Ms. Govoni discussed next steps and topics for future work sessions.

Item 6. Ellsworth Place, Sketch Plan #320240060 (Formerly City Place) (Public Hearing)

Request for up to 825,056 total square feet of density for a mixed-use development consisting of up to 425,593 square feet of residential uses (proposed) and 399,462 square feet of non-residential density (existing and built) with 15 percent MPDUs. Zoned CR-8.0 C-8.0 R-8.0 H-300, 2.48 acres; located at 8661 Colesville Road; 2022 Downtown Silver Spring and Adjacent Communities Plan.
Staff Recommendation: Approval with Conditions

T. Gatling

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 4-0

Other: Commissioner Linden was necessarily absent.

Action: Approved Staff recommendation for approval of the Sketch Plan cited above, subject to conditions as modified during the meeting regarding Condition No. 4, 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 Ellsworth Place. Further information can be found in the Staff Report dated May 6, 2024.

Mr. Gatling stated the Subject Application proposes to add up to 425,593 square feet of residential use, with 15 percent Moderately Priced Dwelling Units (MPDUs), atop the existing commercial development formerly known as City Place resulting in a mixed-use development of up to 825,056 total square feet. The residential use is proposed to be located in a tower atop the mall in place of the previously approved office space. Mr. Gatling also discussed the proposed open space, estimated fee-in-lieu, access and circulation, and public benefits.

Stephanie Helsing (Greater Silver Spring Chamber of Commerce) offered testimony regarding concerns with Condition Number 4 and fee-in-lieu amount.

Gus Bauman of Beveridge and Diamond PC offered comments on behalf of the Applicant regarding concerns regarding the fee-in-lieu amount of Condition Number 4 and financing for the project.

Trey Culpepper of GBT Realty, the Applicant, offered comments regarding the background of GBT Realty, current commercial options available, and access to the residential tower.

Brandon Bell of Gresham Smith, on behalf of the Applicant, offered a multi-media presentation and offered comments regarding the design of the project.

Josh Sloan of VIKA Maryland, LLC, on behalf of the Applicant, also offered a multi-media presentation and discussed the density, open space, public benefits points, and fee-in-lieu amount.

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The Board asked questions regarding residential and loading entrances, considerations or incentives given for not adding additional parking, and how the Applicant determined the public benefits monetary amount.

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

The Board held further discussion regarding the monetary amount listed in Condition Number 4, and Chief of Downcounty Planning Elza Hisel-McCoy offered amended language for Condition Number 4 removing the monetary amount, but stated the Applicant must meet public open space requirements. The Applicant agreed to the amended language.

Item 7. Eastern Silver Spring Communities Plan Existing Conditions and Scope of Work (Public Testimony Accepted)

Staff will brief the Planning Board on the key takeaways from staff’s existing conditions analysis of the Study Area and community engagement efforts so far. Staff will also propose a Scope of Work for the plan, including a proposed Plan Boundary.

Staff recommendation: Approve the Scope of Work for the Eastern Silver Spring Communities Plan
L. Stamm

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Scope of Work with modifications discussed during the meeting including expansion of the Plan Boundary to the Study Boundary excluding the City of Takoma Park and the Takoma Park Minor Master Plan Amendment area.

Lauren Stamm, Planner III, offered a multi-media presentation regarding Eastern Silver Spring Communities Plan Existing Conditions and Scope of Work. Further information can be found in the Staff Report dated April 18, 2024.

Ms. Stamm gave an overview of the plan process and the Study Area which extends from Sligo Creek, west to the Prince George’s County border inside the capital beltway. Staff, including Lisa Govoni, Acting Housing, Infrastructure, and Zoning Supervisor; Larissa Klevan, Planning Supervisor; Ronnetta Zack-Williams, Planner II; Tina Schneider, Planner III; Cristina Sasaki, Planner III; Hye-Soo Baek, Senior Planner Contractor; and Serena Bollinger, Cultural Resources Planner II discussed the existing conditions analysis for land use and zoning, housing, urban design, transportation, the environment, facilities, parks, schools, historic resources, and community engagement.

Lastly, Ms. Stamm explained the proposed Scope of Work for the Eastern Silver Spring Communities Plan, questions and elements to explore, the proposed Plan Area, and next steps for the Plan schedule.

The following individuals offered testimony:

In Person

Tony Byrne (North Woodside Civic Association)
Paul Grenier (MHP)

Virtual via Teams

Dan Reed (Greater Greater Washington)
Carrie Kisicki (Coalition for Smarter Growth)

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Marvin Vasquez (Individual)
John Angel (Individual)
George Hernandez (Individual)

The Board asked questions regarding disadvantaged versus disproportionate, lost tree canopy, low mobility rates and surplus seats for schools, complaints from the community, zoning, and potential tool kit.

Staff, including Elza Hisel-McCoy, Chief of Downcounty Planning and Jason Sartori, Planning Director, offered comments and responses to the Board's questions.

The Board also held further discussion regarding expanding the Plan Area boundary to the Study Area boundary to be as expansive and inclusive as possible. Staff offered further comments regarding the Plan boundary, and the Board agreed by consensus to expand the boundary to the Study Area boundary excluding the City of Takoma Park and the Takoma Park Minor Master Plan Amendment area.

Item 8. Complete Streets Design Guide – Version 1.2

Staff will provide an overview of the Complete Streets Design Guide (CSDG), Version 1.2, which includes modifications to conform to recently approved county law (Bills 24-22 and 34-22) and other changes.

Staff Recommendation: Approve the Complete Streets Design Guide, Version 1.2

S. Aldrich

BOARD ACTION

Motion: Pedoeem/Bartley

Vote: 4-0

Other: Commissioner Hedrick was necessarily absent.

Action: Approved Staff recommendation for approval of the Complete Streets Design Guide, Version 1.2.

Stephen Aldrich, Planner IV, offered a multi-media presentation regarding the Complete Streets Design Guide – Version 1.2. Further information can be found in the Staff Report dated May 9, 2024.

Mr. Aldrich stated in late 2022, the County Council approved Bills 24-22 and 34-22 that incorporate the CSDG street types and many of the standards in the CSDG into Chapters 49, 50, and 59 of the County Code. The two bills went into effect on February 1, 2023 and February 2, 2023, respectively, and included changes that necessitated an update of the CSDG.

Mr. Aldrich noted the new version of the CSDG – Version 1.2 includes the changes made by the County Council as well additional changes to ensure that the CSDG is consistent with evolving practices, and described the major changes in further detail for the Board.

The Board asked if street types are defined in the Master Plans and Staff offered comments and responses.

Item 9. Postponed - Briefing on Recent Research on Economic and Income Trends in Montgomery County

Staff Recommendation: Brief the Planning Board

B. Kraft

BOARD ACTION

Motion:

Vote:

Other:

Action: Postponed to June 6, 2024.