

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, May 30, 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 30, 2024, beginning at 10:03 a.m. and adjourning at 5:04 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 Item 9 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 12:36 p.m. and reconvened in the auditorium and via video conference to return to open session at 1:19 p.m. to discuss Items 6, 7, 10, 8, and 5 as reported in the attached Minutes.

Commissioner Linden left the meeting at 4:09 p.m. and was necessarily absent for the remainder of the meeting.

There being no further business, the meeting adjourned at 5:04 p.m. The next regular meeting of the Planning Board will be held on Thursday, June 6, 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 approval.

B. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Minutes submitted for approval.

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. 220240190, Edgemoor

R-60 zone; 2 lots; located on the east side of Fairfax Road, 250 feet north of Moorland Lane; Bethesda – Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220240540, Garrett Park - Academy of the Holy Cross

CRNF zone; 1 parcel, 2 outlots; located on the south side of Strathmore Avenue (MD 547), 300 feet east of Stillwater Avenue; North Bethesda-Garrett Park Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

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

The Board asked questions regarding reasoning for the re-platting of the Garrett Park plat, and Staff offered comments.

Item 3. Regulatory Extension Requests (Public Hearing)

Iglesia De Cristo Mi El Maryland: Preliminary Plan No.120220040 – Regulatory Extension Request No. 3 - Request to extend the regulatory review period until from May 31, 2024, to November 30, 2024.

Application to create one lot for a religious assembly building and a parsonage; located at 17521 Old Baltimore Road, approximately 410 feet west of Brimstone Academy Court, RNC zone, 7.17 acres, 2005 Olney Master Plan. to create 1

1 lots for 11 single-family detached

Staff Recommendation: Approval of the extension request

J. Casey

Fraley Farm (East), Preliminary Plan No. 120240080: Regulatory Review Extension Request No. 1 - Request to extend the regulatory review period until October 3, 2024.

Application to subdivide the property to create 11 single-family lots and associated HOA parcels; East Quadrant, intersection of Griffith Farm Road and Hayloft Drive, 46 acres; RE-2 zone; 2004 Upper Rock Creek Master Plan.

Staff Recommendation: Approval of the extension request

P. Estes

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

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

Item 4. Roundtable Discussion

Planning Director's Report
J. Sartori

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Montgomery Planning Director, Jason Sartori, acknowledged the delegation, including 26 officials from the Philippines, visiting Montgomery County from Quezon City Liga ng mga Barangay. Mr. Sartori then offered a multi-media presentation regarding the latest updates for the Planning Department.

Mr. Sartori also acknowledged the recent unveiling of the Remarkable Montgomery: Untold Stories Historic Markers and introduced Historic Preservation Supervisor, Rebeccah Ballo, to give a brief overview of the Elsie S. Horad and Romeo W. Horad, Sr. marker that was commemorated this morning at Veteran's Park in Wheaton. Ms. Ballo also recognized and spoke about other Remarkable Montgomery: Untold Stories markers including the Beltway March of 1966: A Call for Housing Justice marker, the Lavinia Margaret Engle marker, and The Commonwealth Farm marker as well.

Mr. Sartori also highlighted the upcoming Damascus Placemaking Festival in October 2024, gave an update of the FY25 Budget, and welcomed summer interns Lucie Powers, Saiful Alam, Marissa Salabie, Kira Dancik, and Haley Berkowitz.

The Board asked questions regarding how location and candidates are chosen for the Remarkable Montgomery: Untold Stories markers, the Damascus Placemaking Festival, comparison of the FY25 to previous years, the Planning Academy, and one-time initiatives not obtained.

Item 9. Attainable Housing Strategies Work Session No. 10

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 policy direction 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 10. Further information can be found in the Staff Report posted to the Agenda for May 16, 2024.

AHOM (Attainable Housing Optional Method)

Geography of AHOM

The Board held further discussion regarding expansion of AHOM to include up to 500 feet from a growth corridor, and rationale for not recommending expansion to a one-mile buffer around transit and infrastructure.

Staff, including Planning Director, Jason Sartori and Acting Planning Supervisor for Countywide Planning and Policy, Lisa Govoni, offered comments and responses to the Board’s comments and questions.

The Board agreed by consensus with Staff’s recommendation for expansion of AHOM to 500 feet and recommended that Staff revisit the determination after a few years to consider whether further expansion would be appropriate.

Minimal Usable Area

The Board asked for clarification regarding the minimum area requirements, and Staff offered comments.

The Board agreed with Staff’s recommendation to eliminate the minimum usable area requirement.

Density

The Board agreed with Staff’s recommendation.

PHD (Priority Housing District)

Geography

The Board agreed with Staff's recommendation to retain the 500-foot buffer but add the R-200 zone.

Small Scale

Lot vs Building Site Frontage Requirements

The Board asked questions regarding driveways and also requested a visual example to show building lot representation.

Staff, including Assistant to the Deputy Director, Atul Sharma, offered comments and responses.

The Board agreed with Staff's recommendation.

Undersized Lots

The Board asked questions regarding platting for substandard lots, and Staff, including Deputy Director of Planning, Robert Kronenberg, offered comments and responses.

The Board agreed with Staff's recommendation.

Pattern Book

The Board offered suggestions regarding interagency coordination before and during the drafting, as well as potential for agencies to share in the cost of drafting.

The Board agreed with Staff's recommendation.

Local Map Amendments

The Board agreed with Staff's recommendations.

Parking

The Board recommended review in regular intervals for possible future adjustments, and Staff amended a recommendation for parking permits be allowed for any residential type (not just single-family detached residences) in residential zones.

The Board agreed with Staff recommendations, as well as Staff's amended recommendation.

AHS Check-In

The Board held further discussion regarding timeframes for AHS check-ins, and the Board agreed with Staff's recommendations with slight modifications including a one-year check-in for housing data, a two-year process check-in, and check-ins every four years thereafter to determine impacts and changes that may need to be made.

Lastly, Ms. Govoni discussed the next steps including Work Session Number 11 with transmittal to the County Council on June 13,2024.

Item 6. Glenmont Forest, Local Map Amendment No. H-149 and Preliminary Forest Conservation Plan No. F20240450 (Public Hearing)

Request to rezone the Property from R-30 to CRF-1.75, C-0.25, R-1.5, H-75', allowing the replacement of an aging apartment complex with up to 2,275 dwelling units and up to 5,000 square feet of neighborhood serving commercial use. Located at 2300 Glenmont Circle, Silver Spring; 32.64 acres; 2013 Glenmont Sector Plan.

A. Local Map Amendment No. H-149

Staff Recommendation: Approval with binding elements and transmittal of comments to the Hearing Examiner for a June 14, 2024 public hearing

B. Preliminary Forest Conservation Plan No. F20240450

Staff Recommendation: Approval with Conditions

E. Tettelbaum/A. Lindsey

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0-1

Other: Commissioner Bartley abstained due to a conflict of interest.

Action: Approved Staff recommendation for approval of Local Map Amendment No. H-149 with binding elements and transmittal of comments to the Hearing Examiner, as stated in a transmittal letter to be prepared at a later date.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0-1

Other: Commissioner Bartley abstained due to a conflict of interest.

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.

Emily Tettelbaum, Planner III, offered a multi-media presentation regarding Glenmont Forest. Further information can be found in the Staff Report dated May 20, 2024.

Ms. Tettelbaum stated the Applicant proposes to rezone 32.64 acres of land from the R-30 to the CRF Zone to allow redevelopment of the existing Glenmont Forest apartment complex with up to 2,275 new dwelling units with flexibility to provide townhouses along the east and south side of the plan area. The Applicant has committed to provide 15 percent of the units as MPDUs and to work with Planning and DHCA Staff at the time of Preliminary and Site Plan to provide at least the same number of two- and three-bedroom units that currently exist on the Property. Up to 5,000 square feet of retail or restaurant use is currently anticipated to be located on the ground floor on future Parcel C, with clear visibility from Randolph Road. Ms. Tettelbaum further noted the project will be developed in five phases.

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Amy Lindsey, Planner III, discussed the Forest Conservation Plan and noted the plan does not include a specimen tree variance with the current application, although the plan could eventually involve removal of 105 protected trees, which would require variance requests that would be considered at the time of each Final Forest Conservation Plan.

Leopoldo Villegas, an Adjacent Property Owner, offered a multi-media presentation and testimony regarding concerns with connecting Glenmont Avenue to Erskine Avenue, traffic volume, pedestrian safety, and environmental impacts.

Steven Robins of Lerch, Early, and Brewer offered comments on behalf of the Applicant regarding the rezoning of the property, forest conservation, and stormwater management enhancements.

Brian Alford of Grady Management offered comments regarding the background of Grady Management and the Duffie Companies, redevelopment of the site, and phasing for the project.

Gary Unterberg of Rodgers Consulting offered a multi-media presentation and comments regarding the zoning and the project's connection to the Glenmont Sector Plan.

Elizabeth Rogers of Lerch, Early, and Brewer offered comments regarding the potential affordable units and number of two/three-bedroom units.

The Board asked questions regarding the bicycle trail connection, existing tenants, type of potential commercial tenant, and number of two/three-bedroom units.

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

Item 7. PLD Lot 25 Redevelopment, Sketch Plan No. 320240070 (Public Hearing)

Request for up to 230,000 square feet of density for up to 7,891 square feet of nonresidential uses and up to 222,109 square feet of multifamily residential uses with 20 percent MPDUs, and up to 110,061 square feet of Bethesda Overlay Zone density. The redevelopment will provide two major public facilities including 145 public parking spaces and 21,760 square feet for a public park on 1.88 acres. Located approximately 130' east of Wisconsin Avenue on the block bounded by Maple Avenue, Tilbury Street, Highland Avenue, and a public alley; zoned CR-3.0, C-2.0, R-2.75, H-70, CRT-0.5, C-0.25, R- 0.5, H-70 and Bethesda Overlay Zone (BOZ); 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 PLD Lot 25 Redevelopment. Further information can be found in the Staff Report dated May 20, 2024.

Ms. Bogdan noted the Applicant has entered into a General Development Agreement with the County to redevelop Parking Lot #25 and Lot #44. Each of the parking lots will be redeveloped by different developers, and this Sketch Plan Application involves only the redevelopment of Parking Lot #25.

Ms. Bogdan stated the Applicant proposes to redevelop the property with a new mixed-use building with a maximum height of 83 feet that will allow for up to 235 units, with 20 percent of the total units being MPDUs, and a portion of the commercial uses to be live-work units. The project proposes to utilize up to 110,061 square feet of Bethesda Overlay Zone density, and the building will include structured parking for up to 248 spaces, in which 145 spaces will be dedicated public parking as a replacement for PLD Lot #25 and Lot #44 to the south. Ms. Bogdan also noted the project proposes to dedicate 14,995 square feet on the east side of the Site as parkland for the Sector Planned Eastern Greenway.

Ivan Galic, an Adjacent Property Owner, offered testimony regarding the vehicular access points.

Aaron Katz, an Adjacent Property Owner, offered testimony regarding sufficient school capacity, street characteristics, and vehicular access.

Matthew Gordon of Selzer Gurvitch offered comments on behalf of the Applicant regarding the joint venture project, the Sector Planned vision and greenway, park maintenance, and location of the live work units.

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Ryan Kim of Monument Realty offered comments regarding the design of the project, reasoning for the vehicular access location, loading, and parking.

The Board asked questions regarding parking, the parking ratio, maintenance of the park, location of the live work units, and height restrictions.

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

Item 10. Democracy Center, Sketch Plan No. 320240050 (Public Hearing)

Request to construct a multi-family development of up to 393 dwelling units, including a transfer of density from existing development; on approximately 15.346 acres zoned CR-1.5 C-1.25, R-0.75, H-200'; within the 2017 Rock Spring Sector Plan area.

Staff Recommendation: Approval with Conditions

A. Lindsey

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.**

Amy Lindsey, Planner III, offered a multi-media presentation regarding Democracy Center. Further information can be found in the Staff Report dated May 20, 2024.

Ms. Lindsey stated the proposed development will construct a multi-family residential building with up to 472,710 square feet of residential uses, including 15 percent MPDUs and a maximum height of 100 feet. The new development will occur on the existing open space, the three office buildings will be retained, and includes structured parking wrapped by the residential building. Ms. Lindsey also stated an approximately 1.3-acre privately-owned public recreation park will be built as part of this development as well.

Ms. Lindsey noted correspondence was received noting concerns with loss of green space, loss of play area, quality of life, and environmental impacts.

Soo Lee-Cho of Bregman, Berbert, Schwartz, and Gilday offered brief comments on behalf of the Applicant and provided responses to the Board regarding the parking and park amenities noting conversation is still ongoing with Montgomery Parks.

Karl Alt of the NRP Group offered brief comments regarding collaboration with Staff and bringing the project to fruition.

The Board asked questions regarding the park amenities, restroom accessibility, and parking.

Item 8. Planning Board Annual Briefing on Updates to the Montgomery County Burial Sites Inventory

B. Crane

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Received briefing and approved Staff recommendation for approval of the Updates to the Montgomery County Burial Sites Inventory

Brian Crane, Cultural Resources Planner III, offered a multi-media presentation regarding updates to the Montgomery County Burial Sites Inventory. Further information can be found in the Staff Report dated May 10, 2024.

Mr. Crane gave a brief overview of the burial sites program and discussed the following recommended burial site inventory changes listed below:

- Three new sites to add to the inventory based on new information;
- One known site record to be moved to a new location based on historical research; and
- One approximate site to reclassify as “known” based on archaeological fieldwork.

Mr. Crane also discussed additional updates on compliance review, field visits, public outreach, and research that took place over the past year as well.

The Board asked questions regarding benefits from ground penetrating radar, burial sites on public and private land, and exhuming grave sites on privately owned land.

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

Eileen McGuckian of the Coalition to Protect Maryland Burial Sites/Montgomery Preservation Inc., offered comments regarding Montgomery County burial sites and cemetery preservation. Ms. McGuckian also offered recommendations for the upcoming year.

Item 5. 2024 Growth and Infrastructure Policy Update – Work Session No. 1 (Schools)

Work session to discuss the recommendations for the Schools Element of the 2024 Growth and Infrastructure Policy update. The Planning Board must transmit the draft 2024-2028 Growth and Infrastructure Policy (GIP) to the County Council by August 1, 2024. Council will adopt an updated policy by November 15, 2024.

Staff recommendation: Provide guidance to Planning Department Staff.

H. Baek/L. Govoni

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing followed by discussion.

Lisa Govoni, Acting Planning Supervisor, and Hye-Soo Baek, Planner III, offered a multi-media presentation regarding the Schools element of the 2024 – 2028 Growth and Infrastructure Policy Update. Further information can be found in the Staff Report found under the Agenda for May 22, 2024.

Ms. Baek discussed the recommendations for schools in the 2024 – 2028 Growth and Infrastructure Policy (GIP) update. Ms. Baek stated there are five recommendations for the Schools element listed below and also discussed comments received for each of the recommendations in greater detail.

Recommendation 2.1: Modify the School Impact Area boundaries so that they align with the proposed Transportation Policy Area boundaries, and classify each area into Infill, Turnover, or Greenfield based on an updated analysis of their latest growth context and potential.

The Board agreed with Staff's recommendation.

Recommendation 2.2: Adjust the seat deficit thresholds of each UPP tier to align with MCPS's CIP guidelines for classroom additions and maintain the existing utilization rate thresholds.

The Board agreed with Staff's recommendation.

Recommendation 2.3: Allow funds collected as UPPs to be used for capital projects adding capacity at schools adjacent to the school for which the funds were collected, as outlined in the School Utilization Report.

The Board asked questions regarding student generation rates and funds used for adjacent schools, and Staff, including Planning Director, Jason Sartori, offered comments and responses.

The Board agreed with Staff's recommendation.

Recommendation 2.4: Reclassify stacked flats and similar housing unit types that deviate from the traditional single-family or multi-family classifications from the current multi-family low-rise category to the single-family attached category.

Ms. Baek noted an error with regard to page 20 of the Public Hearing Draft regarding the number of property records and read the modified language aloud for the Board. Ms. Baek also explained three different classification options for stacked flats and multi-family rates.

The Board offered comments regarding the calculation of student generation rates for stacked flats and multi-family structures as well as recommending Staff review potential ways to reduce and streamline fees.

The Board also asked questions regarding the difference in student generation rates for stacked flats turnover versus infill, unit size of stacked flats, and potential for impact fee phases.

Staff, including Acting Planning Supervisor, Lisa Govoni, offered comments and responses.

The Board requested to revisit the different options when impact taxes are reviewed at a future work session.

Recommendation 2.5: Monitor the countywide early childhood program projections through the School Utilization Report. When the enrollment is projected to be more universal, include them in the elementary school student generation rate calculations.

The Board agreed with Staff's recommendation.

Lastly, Ms. Baek discussed additional comments regarding de minimis payments and UPP funds as well as Staff's responses.

The Board asked questions regarding de minimis payments for the transportation, UPP funds not being collected in the Clarksburg area, and why UPP payments are only for a portion of a seat.

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

The Board agreed with Staff's responses.