

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, July 18, 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, July 18, 2024, beginning at 9:34 a.m. and ending at 7:22 p.m.

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

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

The Planning Board recessed for lunch at 11:36 a.m. and reconvened in the auditorium and via video conference to return to open session at 12:34 p.m. to discuss Items 10 and 11, as reported in the attached Minutes.

Commissioner Bartley left the meeting during Item 10 at 1:59 p.m. and was necessarily absent until returning at 3:18 p.m. during Item 11.

The Planning Board adjourned at 3:51 p.m. and reconvened in the auditorium and via video conference at 5:38 p.m. for the Planning Board Speaker Series panel discussion “Housing Conversation: From Research to Reality”, as reported in the attached Minutes.

The Planning Board Speaker Series ended at 7:22 p.m. The next regular meeting of the Planning Board will be held on Thursday, July 25, 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. Democracy Center Sketch Plan No. 320240050 – MCPB No. 24-054

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Adopted the Resolution cited above, as submitted.

B. Approval of Minutes

1. Minutes for June 13, 2024
2. Minutes for June 20, 2024

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Planning Board Meeting Minutes of June 13, 2024 and June 20, 2024, as submitted.

C. Other Preliminary Matters

1. Adoption of Corrected Resolution for Wildwood Manor Site Plan Amendment No. 82004016E – MCPB No. 24-042

BOARD ACTION

Motion: Linden/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for adoption of the Corrected Resolution cited above.

Item 2. Record Plats (Public Hearing)

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Record Plats submitted for approval.

Item 3. Regulatory Extension Requests (Public Hearing)

Darnestown Meadows, Administrative Subdivision No. 620240110: Regulatory Review Extension Request No. 1 - Request to extend review period, from July 18, 2024 to October 24, 2024.

Application to create 2 lots; 15575 Germantown Road; RC; 12.93 Acre; 2002 Potomac Subregion Master Plan.

Staff recommendation: Approval of the Extension Request

U. Njeze

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
B. Broullire

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Bridget Broullire, Acting Deputy Planning Director, offered a multi-media presentation regarding recent updates for the Planning Department.

Ms. Broullire gave a brief update for the Planning Department beginning with Chair Harris' appointment as Chair to the Full Commission, highlighted the Planning Board Speaker Series beginning tonight, and congratulated Katie Mencarini and Jake Eatmon on their respective promotions to Upcounty Planner IV and ITI Systems Engineer. Lastly, Ms. Broullire welcomed Kayden Austin-Vaias, the new intern for the Commissioner's Office.

Patrick Butler, Chief of Upcounty Planning offered brief comments regarding recent placemaking events and introduced Audrey Vogel, Planner II and Don Zeigler, Planning Supervisor, who discussed the upcoming Damascus Placemaking event.

Ms. Vogel gave an overview of the project including the project area, festival dates, agencies and partners, consultant team, and project goals. Ms. Vogel also discussed the kickoff meeting that occurred on June 3, 2024, which generated approximately 98 attendees, as well as the feedback received from the community regarding what makes Damascus special and what the community envisioned for the future of Damascus.

**Item 5. 504 E Randolph Rd – McDonalds SBS Site Plan Amendment No. 82002017A
(Public Hearing)**

Request to add a second drive-thru lane for an existing fast-food restaurant, update parking lot landscaping, and supersede all previous approvals; zoned NR-0.75, H-45 (reviewed under C-1 zoning); located on East Randolph Road, 75 feet east from the intersection of New Hampshire Ave; located within the White Oak Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution

T. Leftwich

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Site Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

Troy Leftwich, Planner III, offered a multi-media presentation regarding 504 E Randolph Rd – McDonalds SBS. Further information can be found in the Staff Report dated July 8, 2024.

Mr. Leftwich stated the Applicant is seeking to expand the existing single-lane drive-thru lane into two lanes and will be retaining the existing 3,062 square foot building along with 65 parking spaces. The proposed improvements include: widening of the drive-thru lane in the rear of the site to accommodate a second drive-thru lane, rebuilding a retaining wall in the rear of the site, realigning the access drive in the rear of the site north of the drive-thru, closing the middle of the three curb cuts along the property frontage, generally bringing the Site Plan into alignment with the site as it exists today, creating new landscaping islands within the existing surface parking lot, and maintaining the fencing along the rear of the site.

Mr. Leftwich also discussed the access and circulation for the site and noted a correction to the Staff Report and Condition Number 6 regarding the date of the stormwater management concept letter from the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section.

The Board asked questions regarding right turn lanes, road improvements, and the dual lane expansion.

Heather Dlhopsky of Wire Gill LLP offered comments regarding right turns lanes, road improvements, access to the site, and the dual lane expansion.

David Weiner-Light of Kimley Horn offered comments regarding the dual lane expansion.

Item 6. Silver Spring Healthcare Center, Preliminary Plan Amendment No. 12016011B (Public Hearing)

Request to amend conditions 1 and 9, data table, and resolution sheet to reflect the approved Special Exception Modifications; 13908 New Hampshire Avenue; R-200 Zone; 5.9 acres; White Oak Master Plan.

Staff Recommendation: Approval with Conditions and Adoption of Resolution
E. Tettelbaum

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions, and adopted the attached Resolution.

Emily Tettelbaum, Planner III, offered a multi-media presentation regarding the Silver Spring Healthcare Center. Further information can be found in the Staff Report dated July 3, 2024.

Ms. Tettelbaum stated the Applicant acquired the Property in 2023 and seeks to bring the Preliminary Plan approval into alignment with the Special Exception modification approvals previously granted by the Board of Appeals.

Ms. Tettelbaum noted the Preliminary Plan Amendment Application requests approval to:

- Modify Condition No. 1 for consistency with an approved Modification for Special Exception No. S-2881, granted by the Board of Appeals by Resolution effective as of November 2, 2017, to reflect an increase in the maximum number of beds allowed from 136 to 144;
- Modify Condition No. 9, the bike rack detail, and the bike rack location for consistency with the approved Special Exception Site Plan and the constructed facility;
- Add Special Exception Modification Resolutions to the resolution sheet(s); and
- Update the data table for consistency with approved Special Exception S-2881, as amended.

The Board asked about how the Amendment related to the existing Special Exception approval.

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

Item 7. Old Angler's Cove: Preliminary Plan No. 12017029A (Public Hearing)

Request to extend the Preliminary Plan validity period by an additional 12 months from the initiation date of this Preliminary Plan Amendment; 10640 Macarthur Boulevard Potomac; 1.87 acres; R-200 Zone; 2002 Potomac Subregion Master Plan.

Staff Recommendation: Approval with Conditions

M. Clayborne

BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Preliminary 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.

Mariah Clayborne, Planner II, offered a multi-media presentation regarding Old Angler's Cove. Further information can be found in the Staff Report dated July 8, 2024.

Ms. Clayborne stated the original Preliminary Plan was approved in 2019 for three new lots for three single-family detached homes. Ms. Clayborne noted the Preliminary Plan Amendment will not change the original proposal, but will extend the validity period by 12 months.

Lastly, Ms. Clayborne stated no formal correspondence was received, although, three phone calls were received noting concerns with construction noise.

Vincent G. Biase of Lerch Early and Brewer offered comments regarding the request to extend the validity period.

Item 8. Shops at Sumner, Sumner Place Apartments: Preliminary Plan Amendment No. 11985202A, Site Plan No. 820230140 and Forest Conservation Plan No. F20240050; SE intersection of Sangamore Road and Sentinel Drive; NR-0.75, H-45 Zone; 13.51 acres; 1990 Bethesda Chevy Chase Master Plan (Public Hearing)

A. Preliminary Plan Amendment No. 11985202A: Request to add up to 118 multi-family dwelling units to an existing shopping center.

B. Site Plan No. 820230140: Request to remove an existing bank (3,025 square feet) and a portion of the existing surface parking lot to construct a new infill multifamily building up to 117,608 square feet for up to 118 multi-family dwelling units, a minimum of 15.2% MPDU's, with structured parking, , with 224,274 square feet of non-residential uses (retail, restaurant, and office) to remain onsite.

C. Forest Conservation Plan No. F20240050: Request to modify previously approved forestry elements.

Staff Recommendation: Approval with Conditions

K. Mencarini

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to modified 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/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Site Plan cited above, subject to modified conditions, 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/Linden

Vote: 5-0

Other:

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

Katie Mencarini, Planner III, offered a multi-media presentation regarding the Shops at Sumner, Sumner Place Apartments. Further information can be found in the Staff Report dated July 8, 2024.

Montgomery County Planning Board
Public Meeting Minutes of July 18, 2024

Ms. Mencarini stated the Applicant is requesting to construct a new infill multifamily building of up to 117,608 square feet, with up to 118 multi-family dwelling units, including a minimum of 15.2 percent MPDUs, with structured parking. A total of 224,274 square feet of non-residential uses (retail, restaurant, and office) are to remain onsite. The new residential building will replace an existing portion of the Site's surface parking lot as well as a bank pad structure, and the Forest Conservation Plan will resolve issues with an overlapping sewer and Category I Forest Conservation Easement in the southeast portion of Parcel E.

Ms. Mencarini also noted the Applicant is seeking additional density beyond the mapped residential Floor Area Ratio (FAR) and additional height by providing more than 12.5 percent of the gross residential floor area as MPDUs, as well as approval for a parking waiver for the design of the existing portion of the parking lot, which is outside the proposed limits of disturbance, to remain in its existing condition.

Ms. Mencarini discussed the updated and amended conditions for Preliminary Plan Amendment Condition No. 13 and Site Plan Condition No. 14.f., as well as Conditions No. 4, 4.f, and 6 of the Forest Conservation Plan.

Matthew Gordon of Selzer Gurvitch offered comments on behalf of the Applicant regarding the project, community outreach, and noted a clarification to Site Plan Condition No. 10.b regarding balconies. Mr. Gordon offered further comments regarding the reduction in size of the building.

Robert Miller of WC and AN Miller Development Company offered comments regarding the history of the area, long term stewardship of the property, and proposed residential enhancements. Mr. Miller offered further comments regarding approximate number of units lost due to reduction in size.

Faik Tugberk of Architects Collaborative, Inc. offered comments regarding the building's relationship to the adjacent condo building, reduction in size of building, and removal of balconies. Mr. Tugberk offered further comments regarding the unit makeup.

The Board asked questions regarding loading, parking, number of units lost due to size reduction, unit make up, and LATR requirements.

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

Item 10. 8676 Georgia Avenue, Sketch Plan No. 320230060, Preliminary Plan No. 120230150 (Public Hearing)

A. Sketch Plan No. 320230060: Request for up to 550,000 total square feet of density for a mixed-use development with up to 525,000 square feet of residential density and up to 25,000 square feet of retail/service establishment density, with 15 percent MPDUs, and adaptive reuse of designated Historic Tastee Diner, on 1.04 acres. Located at the southern quadrant of the intersection of Georgia Avenue and Cameron Street, Silver Spring; zoned CR-5.0 C-5.0 R-5.0 H-300 and Downtown Silver Spring Overlay Zone; 2022 Silver Spring Downtown and Adjacent Communities Plan.

Staff Recommendation: Approval with Conditions

B. Preliminary Plan No. 120230150: Request to create a single lot for up to 525 multifamily residential units and up to 25,000 square feet of retail/service establishment uses. Located at the southern quadrant of the intersection of Georgia Avenue and Cameron Street, Silver Spring; zoned CR-5.0 C-5.0 R-5.0 H-300 and Downtown Silver Spring Overlay Zone; 2022 Silver Spring Downtown and Adjacent Communities Plan.

Staff Recommendation: Approval with Conditions

A. Bossi

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

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.

B. BOARD ACTION

Motion: Hedrick/Pedoeem

Vote: 4-0

Other: Commissioner Bartley was necessarily absent.

Action: Approved Staff recommendation for approval of the Preliminary 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.

Adam Bossi, Planner III, offered a multi-media presentation regarding 8676 Georgia Avenue. Further information can be found in the Staff Report dated July 8, 2024.

Mr. Bossi stated the Applicant proposes to redevelop two low-density commercial properties, replacing them with a single, mixed-use, high-rise building within downtown Silver Spring's urban core with a restored and adaptively reused Historic Tastee Diner featured at its base, including up to 550,000 square feet of gross floor area, inclusive of up to 525 multifamily residential units with 15 percent MPDUs and up to 25,000 square feet of ground floor retail/service establishment uses.

Mr. Bossi discussed the architecture, orientation, and transportation/access to the site as well as noting Staff requested a finalized traffic management plan which would typically only be required at Site Plan.

Mr. Bossi noted correspondence was received during the review process from neighbors that expressed concerns focused on site access and loading, traffic generation, and scale of the proposed development.

Lastly, Mr. Bossi noted a correction to Preliminary Plan Condition No. 1.

The following offered testimony:

In Person

Lee Turcotte (Cameron Hill HOA, Inc.)
Deborah Chalfie (Art Deco Society of Washington)
Catherine Fitzwater (Adjacent Property Owner)
Lira Gallagher (Adjacent Property Owner)
Kathleen Lanigan (Adjacent Property Owner)
Mike English (Individual)

Virtual vis Teams

Tony Byrne (Individual)
Stephanie Helsing (Greater Silver Spring Chamber of Commerce)
Rohit Rawat (Individual)
Rachel Alexander (Adjacent Property Owner)
Patrick Kearney (Adjacent Property Owner)
Carrie Kisicki (Coalition for Smarter Growth)
Dave Methvin (Adjacent Property Owner)

Stacy Silber of Lerch, Early & Brewer offered a multi-media presentation and comments on behalf of the Applicant regarding the community outreach, existing conditions, community concerns, building massing and design, and access/circulation to the site.

Brian Corcoran of Roadside Development, the Applicant, offered brief comments and a multi-media presentation regarding the company's development and profile. Mr. Corcoran offered further comments regarding size of trucks needed for grocery deliveries, potential modeling of garage/loading doors, and unit mix.

William Ikeler of Roadside Development offered comments regarding the architectural nature of the garage/loading doors, and view from the adjacent townhouses.

Katie Wagner of Grove Slade offered comments regarding the loading area, access, and turning radius for trucks ranging in size to tractor-trailer size.

Montgomery County Planning Board
Public Meeting Minutes of July 18, 2024

Jeff Edelstein of Roadside Development offered comments regarding the commercial aspect of the project, incorporation of the Tastee Diner, and potential name change.

The Board asked questions regarding historic designation of the Tastee Diner, relocation of the diner, the loading area location, loading times, potential frequency of delivery trucks, zoning, proposed size of the grocery store, size of trucks needed for grocery deliveries, potential modeling of loading/garage doors, view from the adjacent townhouses, unit mix, and noise analysis.

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

Item 11. 2024-2028 Growth and Infrastructure Policy Update

Montgomery Planning is undertaking the quadrennial update of the Growth and Infrastructure Policy (GIP). On Thursday, May 23, 2024, the Planning Board held a public hearing for the 2024 GIP draft. Over five weeks, the Planning Board reviewed and provided policy direction on each recommendation throughout a series of work sessions. During this session, the Planning Board will finalize and approve its recommendations for the 2024 update to the county's Growth and Infrastructure Policy.

Staff Recommendation: Planning Board Approval of draft and transmittal to County Council
L. Govoni/D. Buckley

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: **Approved Staff recommendation for approval of the draft 2024-2028 Growth and Infrastructure Policy Update and corresponding development impact tax bill with transmittal of comments to County Council, as stated in a transmittal letter to be prepared at a later date.**

Lisa Govoni, Acting Housing, Infrastructure, and Zoning Supervisor, Darcy Buckley, Multimodal Transportation Planner III, and Hye-Soo Baek, Senior Planner Contractor, offered a multi-media presentation regarding the 2024-2028 Growth and Infrastructure Policy Update. Further information can be found in the Staff Report dated July 11, 2024.

Ms. Govoni, Ms. Buckley, and Ms. Baek discussed additional testimony received and proposed revisions for:

- School Impact Tax: State Aid Language (Appx. B (Code Revisions); Page 82, Section 52-55, Tax Rates);
- DGIA Legacy Language (Recommendation 4.4, Appx. B (Code Revisions); Page 79, Section 52-49, Tax Rates);
- Effective Dates (Appx. A (Draft GIP), Page 2);
- Mixed Income Housing Communities (Recommendation 3.11b, Appx. A (Draft GIP), Page 16); and
- The Great Seneca Life Sciences Policy Area.

The Board asked questions regarding reasoning for inclusion of the Belward Farm Property within a Red policy area, and Maren Hill, Planner III, offered comments and responses.

The Board agreed with Staff's proposed recommendations.

Staff discussed new Recommendation 4.8b regarding convening a working group across County government to explore additional financing and funding mechanisms to better meet infrastructure needs.

Montgomery County Planning Board
Public Meeting Minutes of July 18, 2024

The Board held further discussion regarding the proposed language and agreed to modified language to include external parties as follows: “working group across County government with external stakeholders.”

Ms. Baek, Ms. Buckley, and Ms. Govoni the discussed the redlined recommendations for schools, transportation, and impact taxes; and provided a brief summary of changes for the Public Hearing Draft. The draft policy, redlined changes to the policy, and draft proposed bill were also discussed briefly as well. Lastly, Ms. Buckley recognized the entire 2024 GIP Update Team.

The Board asked questions regarding the tracking of stacked flats and map design.

Staff offered comments and responses to the Board’s questions, and suggestion the addition of legends under each map to indicate types of areas portrayed.

The Board agreed with Staff’s proposed redlined changes and draft Bill.

Planning Board Speaker Series, “Housing Conversation: From Research to Reality”

Intersection: Land Use and Housing Supply, a National and Local Perspective

Local land use regulations, such as zoning, are the most direct way that jurisdictions can regulate housing supply, but what else should planners be focusing on? What can planners do to increase housing supply? Join the Planning Board to hear about tools being used nationally to increase housing supply, followed by an analysis of the local housing market.

Panel: Yonah Freemark, Principal Research Associate, Urban Institute, and Lisa Sturtevant, Chief Economist, Bright MLS

Moderator: Artie Harris, Chair, Montgomery Planning Board

BOARD ACTION

Motion:

Vote:

Other:

Action: Panel discussion.

Chair Harris gave brief opening remarks regarding the housing shortage for Montgomery County, and introduced panelist Dr. Lisa Sturtevant, Chief Economist of Bright MLS. Chair Harris also gave a brief overview of Dr. Sturtevant’s background.

Dr. Sturtevant offered a multi-media presentation and discussed Montgomery County housing market trends, average salaries in Montgomery County, Montgomery County population change, housing preferences, and Montgomery County’s community without a middle income.

Chair Harris also introduced Yonah Freemark, Principal Research Associate for the Urban Institute and gave a brief overview of Mr. Freemark’s background and career. Mr. Freemark offered a multi-media presentation and discussed today’s zoning policies, theories of zoning change, effective strategies for zoning reform, and other issues that can affect land use policies.

A question and answer session followed the presentations with comments and responses from Dr. Sturtevant and Mr. Freemark.