

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, July 25, 2024
2425 Reddie 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 25, 2024, beginning at 9:05 a.m. and adjourning at 2:22 p.m.

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

Vice Chair Pedoeem was necessarily absent.

Commissioner Hedrick was necessarily absent for Items 1 through 4 and joined the meeting for Item 5 at 9:16 a.m.

Items 1 through 9 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch at 12:28 p.m. and reconvened in the auditorium and via video conference to return to open session at 1:19 p.m. to discuss Items 10 through 12 and Item 14, as reported in the attached Minutes.

Item 13 was removed from the agenda.

There being no further business, the meeting adjourned at 2:22 p.m. The next regular meeting of the Planning Board will be held on Thursday, September 5, 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. Shops at Sumner, Sumner Place Apartments, Preliminary Plan Amendment No. 11985202A – MCPB No. 24-067
2. Shops at Sumner, Sumner Place Apartments, Site Plan No. 820230140 – MCPB No. 24-068
3. Shops at Sumner, Sumner Place Apartments, Forest Conservation Plan No. F20240050 – MCPB No. 24-069
4. Olney Acres, Pre-Preliminary Plan No. 720240010 – MCPB No. 24-059
5. Old Angler’s Cove Preliminary Plan No. 12017029A – MCPB No. 24-064
6. Li Meadow Administrative Subdivision Plan No. 620230140 – MCPB No. 24-060

BOARD ACTION

Motion: Linden/Bartley

Vote: 3-0

Other: Vice Chair Pedoeem and Commissioner Hedrick were necessarily absent.

Action: Adopted the Resolutions cited above, as submitted.

1. 8676 Georgia Avenue Sketch Plan No. 320230060 – MCPB No. 24-065
2. 8676 Georgia Avenue Preliminary Plan No. 120230150 – MCPB No. 24-066
3. Kings Crossing Site Plan No. 820240070 – MCPB No. 24-061
4. Kings Crossing Final Forest Conservation Plan No. F20240230 – MCPB No. 24-070

BOARD ACTION

Motion: Hedrick/Linden

Vote: 3-0

Other: Vice Chair Pedoeem was necessarily absent and Commissioner Bartley abstained due to being absent during the original vote.

Action: Adopted the Resolutions cited above, as submitted.

B. Approval of Minutes

1. Minutes for July 18, 2024

BOARD ACTION

Motion: Linden/Bartley

Vote: 3-0

Other: Vice Chair Pedoeem and Commissioner Hedrick were necessarily absent.

Action: Approved Planning Board Meeting Minutes of July 18, 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. 220230990, Kentsdale Estates

RE-2 zone, 1 lot; located immediately southeast of the intersection of Willowbrook Drive and Paytley Bridge Lane. Potomac Sub-Region Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220240350, Waters Village

CRT zone; 1 lot & 1 outlot; located immediately south of the intersection of Waters Road and Wisteria Drive; MARC Rail Communities Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220240410, Arora Estates

RE-2 zone; 4 lots; located southwest of the intersection of Boswell Lane and Glen Mill Road; Potomac Sub-Region Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: **Linden/Bartley**

Vote: **3-0**

Other: **Vice Chair Pedoeem and Commissioner Hedrick were necessarily absent.**

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

Item 3. Regulatory Extension Requests (Public Hearing)

The Seasons, Preliminary Plan Amendment No. 11989193A: Regulatory Extension Request No. 1 – Request to extend the review period from August 1, 2024 to October 3, 2024.

First request to extend review period, from August 1, 2024, to October 3, 2024, for an application to amend Preliminary Plan 119891930 to convert existing commercial office space to multifamily residential uses. CR Zone, 0.58-acres, within the 2017 Bethesda Downtown Sector Plan. Located at 4710 Bethesda Avenue.

Staff Recommendation: Approval of the Extension Request

T. Gatling

Paschal Land, Administrative Subdivision No. 620240080 and Preliminary/Final Forest Conservation Plan No. F20240270 – Regulatory Extension Request No. 2 - Request to extend the regulatory review period for three months until October 25, 2024.

An application to create one 6.16-acre lot for one existing detached dwelling unit; Located at 24724 Peach Tree Road, on the south side of Peach Tree Road, approximately 7,762 feet south of Old Hundred Road; 115.24 acres, AR zone, 1980 Preservation of Agriculture & Rural Open Space Functional Master Plan.

Staff Recommendation: Approval of the extension request

J. Casey

Korean Mission Church, Preliminary Plan No. 120240050 – Regulatory Extension No. 1 - Request to extend the regulatory review period for five months until January 1, 2025.

An application to create one lot for one existing single-family detached dwelling unit and one lot for a religious institution, including adult daycare; Located at 1201 Ashton Road, on the south side of Ashton Road, approximately 3,600 feet west of the Howard County line; 28.22 acres, RC zone and 1998 Sandy Spring/Ashton Master Plan.

Staff Recommendation: Approval of the extension request

J. Casey

Clarksburg Chase, Preliminary Plan No. 120240040, Site Plan No. 820240050 and Forest Conservation Plan No. F20240180, Extension Request No. 3 - Request to extend the regulatory review period for approximately two months until October 10, 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 of the extension request

J. Casey

Rich Meadows, Parcel 606: Administrative Subdivision Plan No. 620240010 & Forest Conservation Plan No. F20240060 – Regulatory Extension Request No. 3 - Request to extend the regulatory review period for four months, August 2, 2024, to January 2, 2025.

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

Staff Recommendation: Approval of the extension request

J. Casey

Tregoning Property: Site Plan No. 820240080 & Forest Conservation Plan No. F20240420 – Regulatory Extension Request No. 1 - Request to extend the review period from August 1, 2024 to October 1, 2024.

Application to create forty-four (44) single-family dwelling units, composed of thirty-eight (38) single-family detached dwelling units and six (6) townhouse dwelling units, including 12.5% MPDUs; located on Kings Valley Road, west of Preakness Drive; RE-1 zone; 37.85 acres (17.81 acres for development, 20.04 acres to remain undeveloped); 1994 Clarksburg Master Plan & Hyattstown Special Study Area.

Staff Recommendation: Approval of the extension request

J. Server

Kingsview Knolls: Preliminary Plan No. 120220180 & Forest Conservation Plan No. F20230340 – Regulatory Extension Request No. 1 - Request to extend review period from August 15, 2024 to February 15, 2025.

Application to create five (5) lots for five (5) single-family detached dwelling units; located on Kingshill Road, 200 feet southwest of Kingsbrook Drive; R-200 Zone & TDR 4.0 Overlay Zone; 1.77 acres; 1989 Germantown Master Plan.

Staff Recommendation: Approval of the extension request

J. Server

Hassnain Residence Preliminary Plan No. 120230140: Regulatory Review Extension Request No. 1 - Request to extend review period from August 29, 2024 to October 30, 2024.

Creation of one lot for one single-family dwelling unit; 1404 Spencerville Road; RE-1 zone; 43,172 sq. ft.; 1997 Cloverly Master Plan.

Staff Recommendation: Approval of the extension request

U. Njeze

Loehmann's Plaza, Preliminary Plan No. 120240100, Site Plan No. 820240120, and Forest Conservation Plan No. F20240680: Regulatory Review Extension Request No. 1 – Request to extend the review period from August 29, 2024, to November 7, 2024.

First request to extend the regulatory review period for ten (10) additional weeks, from August 29, 2024 through November 7, 2024. The Overall Site is an existing strip shopping center with surface parking and a pad site on 9.74-acres of land; Located at 5200 Randolph Road at the southeast quadrant of the intersection of Randolph Road with Parklawn Drive and west of Putnam Road; Commercial Residential (CR-1.75, C-0.5, R-1.5, H-75) Zone; within the Randolph Hills District of the 2018 White Flint II Sector Plan area.

Montgomery County Planning Board
Public Meeting Minutes of July 25, 2024

A. Subdivision No. 120240100: Request approval to subdivide the existing one (1) lot shopping center into four (4) lots for up to 710,000 square feet of residential uses and up to 40,000 square feet of commercial uses and five (5) parcels for public and private roadways and open space.

B. Site Plan No. 820240120: Proposed infill development with up to 710,000 square feet of residential uses and up to 40,000 square feet of commercial uses for a cumulative density of up to 750,000 square feet of mixed-use development, with 15% Moderately Priced Dwelling Units (MPDUs), open space, pedestrian and bicycle improvements, and associated public benefits to support incentive density.

C. Final Forest Conservation Plan No. F20240680: Proposed contribution to an offsite mitigation bank to meet the afforestation planting requirement for the mixed-use development.

Staff Recommendation: Approval the extension request

T. Graham/H. Johnson

BOARD ACTION

Motion: Linden/Bartley

Vote: 3-0

Other: Vice Chair Pedeoem and Commissioner Hedrick were necessarily absent.

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

Item 4. MCPL FY25 Funds Transfer and Appropriation

Staff Recommendation: Approve MCPL FY25 Funds Transfer and Appropriation
K. Warnick

BOARD ACTION

Motion: Linden/Bartley

Vote: 3-0

Other: Vice Chair Pedoeem and Commissioner Hedrick were necessarily absent.

Action: Approved Staff recommendation to approve the Funds Transfer Request cited above.

Karen Warnick, Chief of Management Services, discussed the MCPL FY25 Funds Transfer and Appropriation. Further information can be found in the Staff Report dated July 17, 2024.

Ms. Warnick discussed the Planning Department's request for approval to transfer \$500,000 from the Capital Equipment ISF to the WHQ Building Fund, recognize the \$1.5 million from the County and to place it in the WHQ Building Fund, and appropriate \$2 million in the WHQ Building Fund to provide assistance for the buildout and startup costs for the childcare facility on the third floor of Wheaton Headquarters.

The Board asked if the childcare facility will solely be for employees or open to the Public, and Ms. Warnick offered comments and responses.

Item 5. Adventist Healthcare White Oak Medical Center Site Plan Amendment No. 82008021L, Forest Conservation Plan No. F20240160, and Subdivision Regulation Waiver No. SRW202401 (Public Hearing)

- A. Site Plan Amendment No. 82008021L
- B. Forest Conservation Plan No. F20240160
- C. Subdivision Regulation Waiver No. SRW202401

The Applicant proposes to reinstate and extend the APF validity through a subdivision regulation waiver request. The Site Plan Amendment and Forest Conservation Plan propose transferring permitted density to a new medical office building (MOB 3), providing permanent surface parking adjacent to MOB 3, and providing temporary surface parking in the location of a potential future medical office building (MOB 2); on approximately 48.86 acres of land zoned LSC-1.0-H-200; located on the west side of Plum Orchard Drive, approximately 400 feet southwest of Broadbirch Drive; within the 2014 White Oak Science Gateway Master Plan.

Staff recommendation: Approval of the plans with Conditions

E. Fowler

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

C. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval of the Subdivision Regulation Waiver cited above, subject to conditions, and adopted the attached Resolution.

Erin Fowler, Planner II, offered a multi-media presentation regarding the Adventist Healthcare White Oak Medical Center. Further information can be found in the Staff Report dated July 12, 2024.

Ms. Fowler stated the Applicant requested a Subdivision Regulation Waiver to waive the requirement of Chapter 50 of the County Code regarding requests for Adequate Public Facilities (APF) extensions before expiration of the validity period as the Plan's APF expired in 2023. Ms.

Montgomery County Planning Board
Public Meeting Minutes of July 25, 2024

Fowler also stated the Site Plan Amendment proposes to extend the APF validity through July 25, 2035, transfer up to 61,750 square feet of previously approved density from unbuilt Medical Office Building 2 (MOB 2) to a new Medical Office Building 3 (MOB 3), and adjust parking which will provide 163 surface parking spaces adjacent to the new MOB 3 and 139 temporary surface parking spaces in the place of future potential MOB 2 to serve the main hospital building. MOB 3 will accommodate an outpatient surgical center on the ground floor and medical offices on the top two floors. MOB 2 may be constructed in its approved location, along with the future potential North Parking Garage, when Hospital growth requires them. Due to the transfer of density from MOB 2 to MOB 3, the future potential construction of MOB 2 will require a future Site Plan Amendment for a transfer of density within the site or a Preliminary Plan Amendment to obtain additional density.

Ms. Fowler discussed the access and circulation and Amy Lindsey, Planner III, discussed the Forest Conservation Plan.

Ms. Fowler also noted two letters of support received from the Greater Colesville Citizens Association and the East County Citizens Advisory Board.

Lastly, Ms. Fowler noted corrections to Site Plan Condition Numbers 36 and 40.f, and updated Open Space percentage on the data table, and corrections to findings for the Subdivision Regulation Waiver No. SRW202401 (pages 22-23) and Site Plan Amendment No. 82008021L (pages 24-34) of the Staff Report.

The Board asked questions regarding the staging of approvals and forest removal.

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

Item 6. Public Safety Training Academy (PSTA), Major Site Plan Amendment No. 82022005A (Public Hearing)

Request to modify Site Plan Condition No. 4f, substantial completion of Parcel G Open Space, to accommodate an existing sediment control element during construction; Located within the Life Sciences Center West District of the 2010 Great Seneca Science Corridor Master Plan; Located east of Darnestown Road, west of Great Seneca Highway (MD 119) and south of Key West Highway (MD 28); 45-acres of land in the CR-1.0, C-0.5, R-1.0, H-150 Zone.

Staff Recommendation: Approval with Conditions

T. Graham

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

Tamika Graham, Planner III, offered a multi-media presentation regarding the Public Safety Training Academy (PSTA). Further information can be found in the Staff Report dated July 12, 2024.

Ms. Graham stated the Applicant is requesting approval to modify condition of approval Number 4f associated with the trigger to address sediment control permit requirements prior to substantial completion of the 3.17-acre open space that is currently encumbered by a sediment trap. Once the sediment trap is closed, per the Montgomery County Department of Permitting Services (MCDPS) Inspector, stormwater management facilities must be installed prior to completion of the open space. Ms. Graham also discussed the proposed additional language for Condition 4f and noted no changes are proposed to the construction or phasing of the project.

The Board asked questions regarding the construction progress of Lots 1 and 2, number of units, and reasoning for need of the additional sediment trap.

Kate Kubit of Elm Street Development offered comments regarding the construction progress, number of units, and reasoning for additional sediment trap.

Item 7. 11117 Waycroft Way, Addition to Wickford, Administrative Subdivision No. 620240160 and Final Forest Conservation Plan No. F20240690 (Public Hearing)

A. Administrative Subdivision No. 620240160: Request approval for the demolition of an existing single-family residence and a detached garage on one lot for the platting of two residential lots and construction for two residential dwellings; Located at 11117 and 11121 Waycroft Way within the Wickford Subdivision and the 1992 North Bethesda Garrett Park Master Plan; Located at the intersection of Waycroft Way and Ardwick Lane, east of Snowshoe Lane, and south of Edson Lane; 0.57 acres of land in the R-60 Zone. In accordance with Section 50.6.3.B.4 of the Subdivision Regulations, the Planning Director extended the 90-day review period by 30-days, from July 2, 2024, through August 1, 2024.

B. Final Forest Conservation Plan No. F20240690: Tree variance request to remove seven specimen trees and impact one specimen tree to accommodate the residential development; Located at 11117 and 11121 Waycroft Way within the Wickford Subdivision and the 1992 North Bethesda Garrett Park Master Plan; Located at the intersection of Waycroft Way and Ardwick Lane, east of Snowshoe Lane, and south of Edson Lane; 0.57 acres of land in the R-60 Zone.

Staff Recommendation: Approval with Conditions

T. Graham

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

Tamika Graham, Planner III, offered a multi-media presentation regarding 11117 Waycroft Way. Further information can be found in the Staff Report dated July 12, 2024.

Ms. Graham stated the Applicant proposes to subdivide the 24,900-square-foot tract, comprised of an existing recorded lot and part of a lot, into two new lots for residential uses. Following subdivision, the Applicant proposes to demolish the existing single-family residence and detached garage and rebuild two new houses. Accordingly, the proposal results in an increase of one net new lot for a single-family detached residential dwelling unit.

Ms. Graham discussed the access and circulation and noted the Applicant will also provide a fee-in-lieu sidewalk payment in the amount of \$22,355.75 to Montgomery County Department of Transportation (MCDOT). Ms. Graham also noted a potential accessible connection to the

Montgomery County Planning Board
Public Meeting Minutes of July 25, 2024

Bethesda Trolley Trail from the property was reviewed, although, due to grading and scope it was deemed not possible.

Ms. Graham stated there was no forest on the property and the Application has a 0.09-acre afforestation requirement which will be met in a forest mitigation bank or by payment of fee-in-lieu. There is one specimen tree proposed for removal.

Ms. Graham noted correspondence was received from the community with concerns regarding neighborhood compatibility, road damage from construction vehicles, maintaining access to a nearby trail, and access for adjacent properties during construction.

Ms. Graham noted a revision to Condition Number 16.c regarding a modification to the data table.

The Board asked questions regarding the connection to the Bethesda Trolley Trail, the fee-in-lieu calculation, and afforestation requirements. The Board also discussed the possibility of projects like this being approved by the Director.

Staff, including Matt Folden, Midcounty Regulatory Supervisor and Robert Kronenberg, Deputy Director of Planning and Amy Lindsey, Planner III, offered comments and responses to the Board's questions.

Michael Norton of Norton Land Design offered comments regarding the afforestation calculation and fee-in-lieu calculation.

Item 8. Silver Spring Fiber Hub, Mandatory Referral No. MR2024018 (Public Hearing)

The Montgomery County Department of General Services proposes to redevelop a surface parking lot, located at 8904 Fairview Road in Silver Spring, to relocate the County's existing fiber hub from Public Parking Garage 2, located at 8700 Cameron Street. R-60 Zone, 0.35-acres, within the 2000 North and West Silver Spring Master Plan.

Staff Recommendation: Transmittal of Comments to the Montgomery County Department of General Services

T. Gatling

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval to transmit comments to Montgomery County Department of General Services, as stated in a transmittal letter to be prepared at a later date.

Grace Bogdan gave a brief overview of the background and stated the County has entered into a General Development Agreement (GDA) with United Therapeutics for the redevelopment of County Owned Garage No. 2, located off Cameron Street between Georgia Avenue and Spring Street and relocation of the Silver Spring Fiber Hub. Tsaiquan Gatling, Planner III, offered a multi-media presentation regarding the Silver Spring Fiber Hub. Further information can be found in the Staff Report dated July 15, 2024.

Mr. Gatling stated the Proposal is to relocate the County's existing Silver Spring Fiber Hub from County Parking Garage 2, currently located at 8700 Cameron Street, to a new location at 8904 Fairview Road in Silver Spring. Per the GDA, United Therapeutics will construct a replacement Fiber Hub consisting of two generators, to be screened with landscaping and vegetation. Two existing curb cuts on Fairview Road will also be consolidated into one driveway. Mr. Gatling also noted a correction regarding specimen trees, and stated no specimen/significant trees are proposed to be removed.

Roberta Steinman, an individual, offered testimony regarding concerns for specimen trees, landscaping, proposed sidewalk, and potential opportunity for parkland dedication to Fairview Local Park.

Ronnie Warner of the Department of General Services (DGS) offered comments regarding the current condition of the site, potential plantings for the site, and sidewalk.

The Board asked questions regarding ownership of the property, potential retention of the black walnut tree, and reasoning for sidewalk.

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

Item 9. Garage 22 Georgia Ave Garage – Mandatory Referral No. MR2024011 and Forest Conservation Plan Amendment No. F20240920 (Public Hearing)

- A. Mandatory Referral No. MR2024011
- B. Forest Conservation Plan Amendment No. F20240920

The Montgomery County Department of Transportation (MCDOT) proposes to construct a new public parking garage containing 675 spaces and 3,000 square feet of ground floor uses, located at 8615 Georgia Avenue. CR 5.0, C-5.0, R-5.0, H-260' & the Downtown Silver Spring Overlay Zone, within the 2022 Silver Spring Downtown and Adjacent Communities Plan.

Staff Recommendation: Approval of the Forest Conservation Plan with conditions and transmittal of comments to MCDOT.

G. Bogdan

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval to transmit comments to Montgomery County Department of Transportation, as stated in a transmittal letter to be prepared at a later date, as well as transmittal of a letter to the County Executive noting concerns about the need to construct a new garage and to consider the need for additional housing.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

Grace Bogdan, Planner III, offered a multi-media presentation regarding the Garage 22 Georgia Ave Garage. Further information can be found in the Staff Report dated July 15, 2024.

Ms. Bogdan noted Montgomery County Department of Transportation (MCDOT) and United Therapeutics have entered into a General Development Agreement for the replacement of existing County Parking Garage No. 2 in exchange for the land that the existing garage is located on. Ms. Bogdan stated the Applicant proposes to construct a 7-story Public Parking Garage for approximately 675 spaces that fronts on Georgia Avenue, where the previously proposed office was intended, and the Parking Garage will front entirely on Georgia Avenue and will provide up to 3,000 square feet of active uses along this frontage. The existing surface parking on the eastern portion of the Site is to remain, with interim improvements including reconfiguration of the existing barriers into the alley and stormwater management features. The Forest Conservation Plan will also amend the Limits of Disturbance.

Ms. Bogdan noted per the County's press release announcing the partnership, the surface parking lot is designated for future affordable housing. The entire Site, including the surface parking lot to remain, will be conveyed to MCDOT upon project completion.

Ms. Bogdan described the access and circulation for the property as well as showing architectural portrayals. Ms. Bogdan and Elza Hisel-McCoy, Chief of Downcounty Planning, also further discussed the SSDAC goals and recommendations for the property for potential future development as well.

Ms. Bogdan noted correspondence received expressing timing of construction and parking availability.

William Kominers of Lerch, Early and Brewer offered a multi-media presentation and comments on behalf of the Applicant regarding the creation of Garage 22 and the project team.

Thomas Kauffman of United Therapeutics, the Applicant, offered a multi-media presentation and gave a brief overview of United Therapeutics, the multi-decade relationship with Montgomery County, plans to expand the campus, and future vision. Mr. Kauffman offered further comments regarding foundation for future redevelopment of the site and the contract agreement with current owner.

Robert Graham of Rodgers Consulting offered a multi-media presentation and comments regarding the components of the Site Plan, additional potential development, streetscape, and potential improvement of the commercial alley to the south.

John Judge of Desman offered comments regarding parking, sustainable features the project is providing, layout of the parking garage, and depth of the retail.

JP Spickler of Fox Architects offered comments regarding the building's massing, screening, façade, and potential retail.

Jeremy Souder of MCDOT offered comments regarding the greenspace requirements, potential solar options for the building, timeline for the affordable housing, need for garage replacement, and size of the replacement garage. Mr. Souder offered further comments regarding an RFP for non-parking usage of the entire site.

The Board asked questions regarding ownership of the property, redevelopment of the site, depth of the retail, greenspace requirements, potential solar options, timeline for affordable housing, possible foundation incorporation for future redevelopment, need for garage replacement and size determination, if there was consideration for a Request for Proposals for a non-parking structure for the entire site, and potential improvement of the southern commercial alley.

The Board held further discussion regarding the need for a replacement garage and agreed by consensus to agree with Staff's recommendations as proposed noting concerns in the cover memorandum to MCDOT requesting possible reconsideration of developing the garage with recommendation to meet 35 percent green cover requirement as well as considering installing

Montgomery County Planning Board
Public Meeting Minutes of July 25, 2024

foundations upfront to allow for future development in order to fully meet the housing and Master Plan recommendations for the site. Additionally, the Board requested transmitting a letter to the County Executive noting concerns about the need to construct a new garage and to consider the need for additional housing.

Item 10. Takoma Park Minor Master Plan Amendment, Request to File Sectional Map Amendment Application

Staff Recommendation: Approve the request to File a Sectional Map Amendment (SMA) for the Takoma Park Minor Master Plan Amendment and recommend approval of the SMA which will implement the zoning recommendations in the approved and adopted Takoma Park Minor Master Plan Amendment.

M. Williams

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval to File a Sectional Map Amendment (SMA) for the Takoma Park Minor Master Plan Amendment and approval of the SMA.

Melissa Williams, Planner III, offered comments regarding the Request to File a Sectional Map Amendment (SMA) Application and approval of the SMA. Further information can be found in the Staff Report dated July 17, 2024.

Ms. Williams stated the SMA proposes zoning changes, or reclassifications, for 87 Euclidean Zoning Block acres, including 28 acres of Overlay Zone changes. Roughly 45 acres within the plan area were left unchanged. Ms. Williams further noted there are no pending Local Map Amendment applications in the Plan area.

Item 11. Old Farm Creek Tributary Stream Restoration Project: Final Forest Conservation Plan No. F20240590 (Public Hearing)

Proposal to amend a Final Forest Conservation Plan associated with MR2007203 for a stream restoration project; Located on the Luxmanor Elementary School and Luxmanor Local Park properties, north of Tilden Drive and west of Roseland Drive; 12.99 acres of land zoned R-200; 1992 North Bethesda/ Garrett Park Master Plan area.

Staff Recommendation: Approval with Conditions

H. Johnson

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

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

Halley Johnson, Planner II, offered a multi-media presentation regarding the Old Farm Creek Tributary Stream Restoration Project. Further information can be found in the Staff Report dated July 15, 2024.

Ms. Johnson stated the property includes both Luxmanor Elementary School and Luxmanor Local Park, and the Department of Environmental Protection (DEP) proposes to modify the Limits of Disturbance (LOD) to allow access and construction activities on the property for stream restoration within Old Farm Creek Tributary. The Final Forest Conservation Plan (FFCP) also proposes to remove 0.38 acres of forest on Luxmanor Local Park and reforest 0.64 acres on the Subject Property upon completion of the stream restoration work or pay a fee-in-lieu. Ms. Johnson stated the FFCP also includes a variance request for impact 14 trees and permission to remove one Red Maple tree.

Lastly, Ms. Johnson noted a revision to Condition 12 of the Staff Report noting the project is a stream restoration project.

Sheri Steisel Weiss of the Luxmanor Citizens Association offered testimony regarding support for the stream restoration project.

The Board asked questions regarding stream restoration techniques used for the project, how far the restoration will extend, restoration requirements, and impervious surface areas.

Bill Jones of the Montgomery County Department of Environmental Protection (MCDEP) offered comments regarding restoration requirements, impervious surface areas, stream restoration techniques, and the extents of the stream restoration.

Item 12. Policies to Streamline Conditional Uses

A. Conditional Use and the Planning Board

Approve new criteria determining which Conditional Uses shall have comments provided to the Hearing Examiner by the Planning Board, and which Conditional Uses shall have comments provided by the Planning Director.

Staff Recommendation: Approval of the policy

B. Concurrent Review of Conditional Use and Preliminary Plan

Approve a new policy allowing for the concurrent review of Conditional Use and Preliminary Plan by Planning Staff and the Planning Board.

Staff Recommendation: Approval of the policy

B. Berbert

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval of new criteria determining which Conditional Uses shall have comments provided to the Hearing Examiner by the Planning Board, and which Conditional Uses shall have comments provided by the Planning Director.

B. BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval of a new policy allowing for the concurrent review of Conditional Use and Preliminary Plan by Planning Staff and the Planning Board.

Benjamin Berbert, Planner III, offered a multi-media presentation regarding two policies to streamline Conditional Uses. Further information can be found in the Staff Report dated July 3, 2024.

Mr. Berbert discussed the existing practices and code citation as well as the new proposed policies. Mr. Berbert stated Staff recommends a policy where conditional uses are only reviewed by the Planning Board if the proposed project would also need other regulatory approvals from the Planning Board prior to receiving a building permit. Mr. Berbert noted this could include applications needing a preliminary plan or a forest conservation plan, and conditional use applications that do not require additional regulatory approvals would have recommendations transmitted directly from the Planning Director to the Hearing Examiner, without the need for Planning Board review.

Mr. Berbert also stated Planning Staff recommends two new standard conditions of approval for any preliminary plan that is concurrently heard with a conditional use by the Board. The first

condition would make the preliminary plan approval contingent on a conditional use plan allowing the proposed land use in a manner consistent with the preliminary plan. This would be the assurance that the preliminary plan cannot be acted on or treated as valid if the conditional use is not approved. The second condition is that Planning Staff should not certify the preliminary plan until after the Hearing Examiner issues an approval. If the approved conditional use necessitates minor changes to the preliminary plan that do not impact a finding or condition of approval, Planning Staff must wait 15 days to allow for an objection from the community prior to certifying the plans. If the conditional use necessitates major changes to the preliminary plan that do impact a finding or condition of approval, or creates minor changes but objections are received, the preliminary plans shall not be certified, and a preliminary plan amendment will need to be filed.

The Board asked questions defining minor versus major changes, waiting period for objections, and how many applications are vastly changed by the Hearing Examiner.

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

Item 13. REMOVED - Incentive Zoning Update Study – Working Session #4

Staff will provide the Planning Board with a summary of draft recommendations to update to the Public Benefits Point System for Commercial Residential and Employment Zones. Staff will share recommendations related to public benefit requirements for the applicable zones, the overall structure of the policy and specific public benefits.

A. Sharma

BOARD ACTION

Motion:

Vote:

Other:

Action: Removed.

Item 14. Fairland and Briggs Chaney Implementation Advisory Committee – Appoint Initial Members

Staff Recommendation: Appoint initial slate of members to the Fairland and Briggs Chaney Implementation Advisory Committee, which is established per the recommendations of the 2023 Fairland and Briggs Chaney Master Plan.

A. Vogel/C. Larson

BOARD ACTION

Motion: Hedrick/Linden

Vote: 4-0

Other: Vice Chair Pedoeem was necessarily absent.

Action: Approved Staff recommendation for approval of appointment of an initial slate of eleven members to the Fairland and Briggs Chaney Implementation Advisory Committee.

Clark Larsen, Community Planner III and Audrey Vogel, Planner II, offered a multi-media presentation regarding appointment of initial members to the Fairland and Briggs Chaney Implementation Advisory Committee. Further information can be found in the Staff Report dated July 19, 2024.

Mr. Larsen described the Fairland and Briggs Chaney Plan Area, Master Plan Vision, and Master Plan Recommendation.

Ms. Vogel gave an overview and summary of the process to issue a call for letters of interest, review of prospective candidates, and recommended the following eleven candidates as members of the inaugural Fairland and Briggs Chaney Implementation Advisory Committee, along with associated recommendations for initial staggered terms of service:

- Absa Fall – 2-year term
- Chrystel Akakpo – 3-year term
- Dan Wilhelm – 2-year term
- LaTonya Brooks – 3-year term
- Lester Ortiz – 2-year term
- Jas Singh – 3-year term
- Radwan Chowdhury – 2-year term
- Sylvia Saunders – 3-year term
- Timothy Dugan – 2-year term
- Tracy Cooper – 3-year term
- Troy Horsley – 2-year term