

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, October 24, 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, October 24, 2024, beginning at 9:05 a.m. and adjourning at 4:46 p.m.

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

Items 1 through 10 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch and convened in Closed Session at 11:58 a.m. to discuss Item 11 on the motion of Commissioner Hedrick, seconded by Commissioner Linden, with Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden voting in favor of the motion. The meeting was closed under the authority of Annotated Code of Maryland, General Provisions Article § 3-305(b)(7) to consult with counsel to obtain legal advice regarding standards of review.

Also present for the meeting were Senior Counsel, Matt Mills, and Technical Writer, Rachel Roehrich of the Office of General Counsel.

In Closed Session, the Board received a briefing regarding standards of review. The Closed Session began at 12:08 p.m. and ended at 12:52 p.m.

The Planning Board reconvened in the auditorium and via video conference to return to open session at 1:34 p.m. to discuss Items 12 and 13, as reported in the attached Minutes.

Commissioner Linden left the meeting during Item 13 at 4:24 p.m. and was necessarily absent for the remainder of the meeting.

There being no further business, the meeting adjourned at 4:46 p.m. The next regular meeting of the Planning Board will be held on Thursday, October 31, 2024, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Briefing on Montgomery Planning’s Strategic Plan

J. Sartori

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Jason Sartori, Planning Director, offered a multi-media presentation and briefing regarding Montgomery Planning’s Strategic Plan. Further information can be found in the Staff Report posted to the October 24, 2024

Mr. Sartori stated Montgomery Planning’s new FY 2025 – 2030 Strategic Plan serves as a roadmap for how the department will prioritize and execute work over the next five years, and sets a shared vision, reaffirms commitment to core values, defines planning’s unique mission, and outlines the strategies that will guide the department’s work.

Adrianna Weissberg of Due East Partners gave an overview of the strategic planning process that took place over the past eight months gaining feedback from Staff members, community members, and external consultants. Mr. Sartori discussed the many different components that went into developing the Strategic Plan as well as the shared values for the Plan including transparency and integrity, diversity and inclusion, people and the environment, data-driven decision making, and equitable outcomes.

Mr. Sartori also discussed the refreshed mission, which is to collaboratively plan equitable, sustainable, and economically healthy communities, as well as the refined vision for thriving, resilient communities for everyone, today and in the future. Mr. Sartori noted the main priorities of the Strategic Plan include employees, communities and partners, efficiency, innovation, and leadership; and discussed each in greater detail. Lastly, Mr. Sartori gave an overview of the Plan actions and next steps.

The Board offered comments and suggestions regarding providing a lead, team, and timeline for each of the priorities, annual presentation summaries to highlight how the action plans are working, tracking emerging climate change research, building sustainable community relationships, and potential short-term planning accomplishments to advocate for during budgetary requests.

Item 2. Preliminary Matters

A. Adoption of Resolutions

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Resolutions submitted for adoption.

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 3. Record Plats (Public Hearing)

Subdivision Plat No. 220240300, Village Center – Montgomery Village

CRT zone; 2 lots; located on the north side of Stedwick Road, 600 feet west of Montgomery Village Avenue; Montgomery Village Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220241170, Saddle Ridge

RE-2 zone; 3 lots; located on the west side of Highland Farm Road at the intersection of Deercrest Lane; Potomac Sub-Region 2002 Master Plan.

Staff Recommendation: Approval

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

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

Item 4. Regulatory Extension Requests (Public Hearing)

Woodside Park – 9006 Colesville Road Administrative Subdivision Plan No. 620230090, Regulatory Review Extension Request No. 2 – Second request to extend the review period from October 24, 2024, to April 24, 2025.

Second request to create two (2) lots for one existing single-family detached dwelling and one new single-family detached dwelling; R-60 Zone; 0.788 acres; located on the west side of Colesville Road, 170 feet north of its intersection with Woodside Parkway, at 9006 Colesville Road, Silver Spring; 2000 North and West Silver Spring Master Plan.

Staff Recommendation: Approval of the extension

A. Bossi

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

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

The Board asked questions regarding the reasoning for the six-month extension, and Staff offered comments.

Item 5. Roundtable Discussion

Planning Director's Report
J. Sartori

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Jason Sartori, Planning Director, offered a multi-media presentation regarding recent updates for the Planning Department.

Mr. Sartori highlighted the recent regional awards received from the American Planning Association National Capital Area Chapter and the American Planning Association Maryland Chapter including the Planning Excellence Award in Transportation for the Pedestrian Master Plan, the Planning Excellence Award in Advancing Diversity and Social Equity for the Mapping Segregation Project, the Award for Community Engagement/Education for The Great Seneca Plan: Connecting Life and Science, and the Planning Award for the Long Range Planning for the Fairland and Briggs Chaney Master Plan. Mr. Sartori also provided a recap of the Damascus Placemaking Festival that was recently held.

Item 6. ELP Bethesda at Rock Spring, Site Plan No. 820240130, Site Plan Amendment No. 82022012A, and Forest Conservation Plan No. F20240740 (Public Hearing)

- A. Site Plan No. 820240130
- B. Site Plan Amendment No. 82022012A
- C. Forest Conservation Plan No. F20240740

Request to develop Phase 2 including a 1,150,100 square feet of total development with up to 700 residential units in four multi-family building and 5,300 square feet of retail and the construction of a Marketing Center; request to amend Site Plan Phase 1B to shift the construction of the Marketing Center from Phase 1B to Phase 2 and to add lighting along asphalt path; this Application includes request for a parking waiver; Located at 10400 Fernwood Road, Bethesda; approximately 33.64 acres of land zoned CRF-1.5, C-0.75, R-1.5, H-150; within the 2017 Rock Spring Sector Plan area.

Staff recommendation: Approval
P. Smith

A. BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Site 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/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Site Plan Amendment 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.

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 conditions, which will be reflected in an associated draft Resolution to be adopted by the Planning Board at a later date.

Parker Smith, Planner II, offered a multi-media presentation regarding ELP Bethesda at Rock Spring. Further information can be found in the Staff Report dated October 14, 2024.

Mr. Smith stated the Applicant is proposing the development of Phase 1B and Phase 2 of a Continuing Care Retirement Community which includes 700 independent living units with 15

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percent MPDUs in four high-rise buildings, 5,300 square feet of retail along Fernwood Road, the private road extension of Rock Spring Drive, stream restoration of Thomas Branch, and development of the Thomas Branch Linear Open Space. Mr. Parker noted the Site Plan Amendment also proposes to defer construction of the Marketing Building from Phase 1B to Phase 2. The Forest Conservation Plan will also update the existing Forest Conservation Plan for the entire site, amend the existing plan to reflect additional variance trees, and the existing conditions will be brought forward and re-numbered. Mr. Smith also discussed the transportation and parking for the project noting the Applicant requested a parking waiver to provide 375 spaces above the maximum allowed.

Natasha Fahim, Urban Designer, highlighted the site layout and building design for the project as well as the Public Benefits Points awarded.

Lastly, Mr. Smith noted a correction to page 18 of the Staff Report regarding the residential buildings under construction for Phase 1A.

Pat Harris of Lerch, Early and Brewer offered comments on behalf of the Applicant regarding the project, as well as the timeline for the Urban Park and maintenance responsibility. Ms. Harris offered further comments regarding parking, the health center, completion timelines for the different phases, park parking, public facilities, number of units, expected number of employees, parking ratios, and adaptive reuse of the existing parking structure.

Priya Prasad of Erikson Living offered comments regarding student learning, phase completion timelines, public amenities, and parking ratios.

The Board asked questions regarding timeline for the Urban Park, maintenance responsibility for the Urban Park, number of stories for Building 2.2, how the Sector Plan connects the various properties surrounding the project, parking for the health center and Urban Park, student learning, completion timelines, restroom facilities, and expected number of employees.

Staff, including Carrie Sanders, Chief of Midcounty Planning, offered comments and responses to the Board's questions.

Item 7. The Great Seneca Plan: Connecting Life and Science Sectional Map Amendment H-153

Staff Recommendation: Approve the Sectional Map Amendment and transmit to Council.
M. Hill

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation to approve the Sectional Map Amendment H-153 cited above, with transmittal to the District Council.

Maren Hill, Planner III, offered a multi-media presentation regarding The Great Seneca Plan: Connecting Life and Science Sectional Map Amendment (SMA) H-153. Further information can be found in the Staff Report dated October 10, 2024.

Ms. Hill gave an overview of changes to the Great Seneca Plan: Connecting Life and Science Plan for the overlay zone and several rezoning recommendations that will be implemented through SMA H-153.

Item 8. Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendments – County Executive’s AD 2024-4 Administrative Amendment Group – Three Water/Sewer Service Category Change Requests (Public Testimony Accepted)

Staff Recommendation: Transmit Comments to County Executive
J. Pratt

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendations of the Montgomery County Comprehensive Water Supply and Sewerage Systems Plan Proposed Category Map Amendments, and to transmit comments to the County Executive, as stated in a transmittal letter to be prepared at a later date.

Jamey Pratt, Planner III, offered a multi-media presentation regarding Water/Sewer Service Category Change Requests. Further information can be found in the Staff Report dated October 17, 2024.

Mr. Pratt discussed the following category change requests listed below:

- WSCCR 24-PVL-01A: Gary J and J L Hartz
Staff Recommendation: Planning staff has no comment.
- WSCCR 24-OLN-02A: Mario Antonio Calix and Dora Garcia Sanchez
Staff Recommendation: Approve W-1 and S-1
- WSCCR 24-TRV-05A: Rima Saliba and Ralph Chami
Staff Recommendation: Approve W-1 and S-1

Mr. Pratt gave a brief overview and discussed the water/sewer category changes listed above in greater detail.

The Board asked questions regarding the size of the proposed sewer line for WSCCR 24-TRV-05A, and Alan Soukup of Montgomery County Department of Environmental Protection offered comments.

Item 9. Brooke Meadow: Preliminary Plan Amendment No. 11994013A (Public Hearing)

Request for new five-year Adequate Public Facility period for remaining five unbuilt lots on Preliminary Plan No. 119940130, which was approved for 27 lots for 27 single-family dwelling units; located at the northeast quadrant of the intersection of Brooke Road and Chandlee Mill Road; Rural Zone; 25.32 acres; 1998 Sandy Spring / Ashton Master Plan.

Staff Recommendation: Approval with conditions

J. Server

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Preliminary Plan Amendment 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.

Jeffrey Server, Planner III, offered a multi-media presentation regarding Brooke Meadow. Further information can be found in the Staff Report dated October 11, 2024.

Mr. Server noted community correspondence was received noting concerns with potential impacts to the neighborhood.

Mr. Server stated the Applicant is requesting a new Adequate Public Facilities (APF) validity period for the remaining five lots within the existing Brooke Meadow subdivision of 27 lots. To date, the 27 lots have been platted and 21 of the 22 lots have received building permits issued that resulted in the construction of single-family detached residences. Mr. Server noted the remaining lot has yet to be developed and is not a part of this Application. Mr. Server explained only one of the five lots has submitted for a building permit, leaving 4 lots ineligible, and the amendment is necessary to provide the new APF validity period for the group of five lots, rather than one lot at a time.

The Board asked questions regarding the number of parties/Applicants involved, the number of validity period extensions for APF that may be granted, and the process of selling individual lots approved by subdivision.

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

Jeff S. Lewis of Site Solutions, Inc. offered comments regarding the number of Applicants for the project.

Item 10. Gunner’s Lake, Section 10: Site Plan Amendment No. 81987068B (Public Hearing)

Application to remove a tenancy condition and the site plan enforcement agreement and update the parking requirements; located at 12651 Wisteria Drive; 11.1 acres; PD-9 zone, 1989 Germantown Master Plan.

Staff Recommendation: Approval with conditions
P. Estes/S. Pereira

BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Site Plan Amendment 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.

Phillip Estes, Planner III, offered a multi-media presentation regarding Gunner’s Lake, Section 10. Further information can be found in the Staff Report dated October 11, 2024.

Mr. Estes stated the prospective tenant has requested the Applicant remove current restrictions on “fast-food” tenants, which includes rescinding the Site Plan Enforcement Agreement (SPEA), updating parking standards, and installing short-term and long-term bicycle parking spaces for the existing Germantown Square shopping center. Mr. Estes noted there is no increase in density or construction proposed to the property as well. Mr. Estes explained that the restriction on “fast-food” tenants caused confusion and uncertainty, as this use is not defined in the zoning ordinance, and also noted that the site plan conditions of approval in effect obviate the need for the original SPEA.

Matt Gordon of Selzer Gurvitch Rabin Wertheimer Polott, P.C. offered comments on behalf of the Applicant regarding modernization of the shopping center and agreement to all conditions as proposed by Staff. Mr. Gordon offered further comments regarding the updating of parking standards.

The Board asked questions regarding the updating of parking standards and existing fast food uses on the property.

Staff, including Robert Kronenberg, Deputy Director of Planning, Patrick Butler, Chief of Upcounty Planning and Sandra Pereira, Upcounty Regulatory Supervisor, offered comments and responses to the Board’s questions.

Item 11. CLOSED SESSION

According to MD ANN Code, General Provisions Article, Section 3-305(b)(7), to consult with counsel to obtain legal advice.

Topic: Standards of review.

M. Mills

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Advice obtained with discussion. See the open session disclosure statement in Summary Section.

Item 12. Bethesda Downtown Plan Minor Master Plan Amendment, Presentation of Working Draft

Staff will present the Working Draft of the Bethesda Downtown Plan Minor Master Plan Amendment and request the Planning Board approve it as the Public Hearing Draft and set a Public Hearing Date.

Staff Recommendation: Approve the Working Draft of the Bethesda Downtown Plan Minor Master Plan Amendment as the Public Hearing Draft and set a Public Hearing Date.

E. Hisel-McCoy/H. Coppola

BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the Working Draft of the Bethesda Downtown Plan Minor Master Plan Amendment as the Public Hearing Draft, and set a Public Hearing Date for December 2, 2024.

Elza Hisel-McCoy, Chief of Downcounty Planning and Henry Coppola, Parks Long Range Planning Supervisor, offered a multi-media presentation regarding the presentation of the Working Draft for the Bethesda Downtown Plan Minor Master Plan Amendment. Further information can be found in the Staff Report posted to the October 24, 2024 Agenda.

Mr. Hisel-McCoy gave an overview of Downtown Bethesda, community outreach and engagement, and implementation questions. Mr. Hisel-McCoy and Mr. Coppola then discussed the Working Draft of the Bethesda Downtown Plan Minor Master Plan Amendment recommendations in greater detail for development, transportation and adequate public facilities, implementation of Parks recommendations, the Park Impact Payment (PIP), the new recreation center, affordable housing units, redevelopment of Naturally Occurring Affordable Housing (NOAH), and the Bethesda Overlay Zone (BOZ).

The Board asked questions regarding Local Area Transportation Review trips and travel times, school impacts, climate assessment, and the Bethesda Implementation Advisory Committee membership. The Board also offered comments regarding defining NOAH.

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

Item 13. FY26 Operating Budget Discussion – Planning and Parks

- A. Planning Department
- B. Parks Department

J. Sartori/N. Steen/ M. Figueredo

A. BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval to prepare the FY26 Planning Department’s operating budget at the Base Budget plus New Initiatives level.

B. BOARD ACTION

Motion: Hedrick/Bartley

Vote: 4-0

Other: Commissioner Linden was necessarily absent for the vote.

Action: Approved Staff recommendation for approval to prepare the FY26 Park Fund operating budget at the Base Budget plus Program Enhancements levels for the Park Fund.

Staff from the Planning Department and the Parks Department offered multi-media presentations regarding the FY26 Operating Budget for their respective departments. Further information can be found in the Staff Reports dated October 18, 2024 and October 17, 2024 respectively.

Planning

Karen Warnick, Chief of the Management Services Division, stated the Planning Department’s proposed FY26 Operating Budget plus new initiatives request is \$28,347,323 which is an increase of \$1,639,044, or 6.1%, over the FY25 adjusted adopted budget. Ms. Warnick noted the leading drivers for increase include annualization of salary compensation in FY25, health benefits, retirement, and contractual increases.

Jason Sartori, Planning Director, proceeded by discussing the major known commitments, Master Plan and major projects efforts that will be carrying over to FY26, two new Master Plan programs to add to FY26, and proposed new initiatives including both on-going and new positions for the Planning Department in greater detail.

The Board asked questions regarding major known commitments included within the base budget and personnel initiatives. The Board also offered suggestions regarding stronger titling of the Master Plan Support initiative.

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

Parks

Nancy Steen, Parks Budget Manager, stated the total increase for the Parks Department for the FY26 Operating Budget including the proposed major known commitments and program enhancements is \$6,021,519 (excluding the compensation markers), or a 4.5 percent increase over the FY25 adopted budget. With the addition of the compensation markers, the overall increase is \$10,431,491, a 7.8 percent increase over the FY25 adopted budget total.

Matt Harper (Natural Resources Manager), Amanda Aparicio (Horticulture and Urban Forestry Manager), Molly Gallant (Volunteer Services and Community Partnerships Coordinator), Shirl Spicer (Cultural Resources Planning Supervisor), Stephen Fancovic (IT Systems Manager), Hassan Symes (Data Analytics Manager), Holly Thomas (Chief of Horticulture, Forestry, and Environmental Education), Melissa Chotiner (Public Relations and Community Engagement Officer), Christie Ciabotti (Chief of Park Planning and Stewardship), Andy Frank (Park Development Division), Mike Little (Chief of Northern Parks Division), and Trish Swann (Chief of Southern Parks) gave brief overviews of their respective departments and offered comments on the need for the program enhancements requested.

The Board asked questions regarding funding sources for requested program enhancements, increased revenue for nature and outdoor programming for the 55+ community, the pilot program for electric equipment, potential rebate programs for equipment, whether the cost for park updates/facelifts would be ongoing, and reasoning for the risk management increase.

Staff, including Miti Figueredo, Parks Director, offered comments and responses to the Board's questions.