

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, December 5, 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, December 5, 2024, beginning at 9:07 a.m. and adjourning at 1:45 p.m.

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

Items 1 through 7, and Items 9 and 10 were discussed in that order and reported in the attached Minutes.

The Planning Board recessed for lunch and convened in Closed Session at 12:18 p.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)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Also present for the meeting was Principal Counsel, Emily Vaias of the Office of General Counsel.

In Closed Session, the Board discussed Director-level performance evaluations. The Closed Session began at 12:29 p.m. and ended at 1:45 p.m.

There being no further business, the meeting adjourned at 1:45 p.m. The next regular meeting of the Planning Board will be held on Thursday, December 12, 2024, in the Wheaton Headquarters Building in Wheaton, Maryland, and via video conference.

Rachel Roehrich

Rachel Roehrich
Technical Writer/Legal Assistant

MINUTES

Item 1. Preliminary Matters

A. Adoption of Resolutions

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Resolutions submitted for adoption.

B. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Minutes submitted for approval.

C. Other Preliminary Matters

Appointment of new member to the Ashton Village Center Implementation Advisory Committee (AVCIAC)

Staff Recommendation: Approve Appointment

J. Pratt

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval of the appointment of Ali Azimi Bolourian to the Ashton Village Center Implementation Advisory Committee (AVCIAC).

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220220780, Garden of Remembrance Memorial Park

AR zone; 1 parcel; located on the north side of Comus Road, 870 feet east of Shiloh Church Road; Clarksburg Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220240370, Merrimack Park

R-60 zone; 2 lots; located on the north side of Elgin Lane, 200 feet east of Pyle Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220241200, West Chevy Chase Heights

R-60 zone; 1 lot; located on the north side of Chase Avenue, 210 feet east of Tilbury Road; Bethesda-Chevy Chase Master Plan.

Staff Recommendation: Approval

Subdivision Plat No. 220250240 thru 220250270, Creekside at Cabin Branch

RNC zone, 12 parcels; located on the west side of Clarksburg Road (MD 121) and northwest of the terminus of Sourgum Road; Clarksburg Ten Mile Creek Amendment Area.

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 3. Regulatory Extension Requests (Public Hearing)

7749 Old Georgetown Road, Preliminary Plan No. 120240070, Site Plan No. 820240090 & Forest Conservation No. F20241020 Extension Request No. 1 - Request to extend the regulatory review period until January 9, 2025.

An application to create one lot for a 246,000 square foot mixed-use building containing up to 6,000 square feet of ground floor commercial and up to 270 units above. 0.72 acres; located in the southeast quadrant of the intersection of Old Georgetown Road and St Elmo Avenue; CR-5.0, C-5.0, R-5.0, H-175 and the Bethesda Overlay Zone; 2017 Bethesda Downtown Sector Plan.

Staff Recommendation: Approval of Extension Request

G. Bogdan

Burtonsville Wawa: Preliminary Plan No. 10240160, Site Plan No. 820240170, and Forest Conservation Plan No. F2024021A Regulatory Review Extension Request No. 1 - Request to extend review period to January 9, 2025.

Application to create one recorded lot for a proposed Automobile Filling Station demolition and rebuild. CRTF-1.5, C-1.0, R-0.5, H-45; located at 15585 & 15595 Old Columbia Pike; 3.37 acres; 2012 Burtonsville Crossroads Neighborhood Plan.

Staff Recommendation: Approval of Extension Request
P. Estes

Big Woods Manor, Administrative Subdivision Plan No. 620240050 and Preliminary/Final Forest Conservation Plan No. F20240910 Regulatory Review Extension Request No. 1 - Request to extend the regulatory review period until March 31, 2025.

Application to create two lots for new a single-family detached home and retaining an existing single-family home; located at 20925 Big Woods Road, Derwood, MD; R-200 Zone, 1980 Agricultural and Rural Open Space Master Plan.

Staff Recommendation: Approval of Extension Request
M. Clayborne

BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

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

Item 4. Roundtable Discussion

Parks Director's Report
M. Figueredo/D. Tobin/D. Stephens

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

David Tobin, Manager of Public-Private Partnerships, and Doug Stephens, Restoration Ecologist, offered a multi-media presentation regarding the public-private partnership proposal for Springsong Museum at Burnt Mills East Special Park.

Mr. Tobin explained the Montgomery Parks Public-Private Partnership Program and gave an overview of the Springsong Museum proposal. Mr. Tobin noted Springsong intends to fund and operate the museum in and around the Burnt Mills East Special Park devoted to the life, accomplishments, and teachings of Rachel Carson.

Mr. Stephens gave an overview of the Burnt Mills East Special Park site and discussed the concept review process, the current site features, site constraints, regulatory milestones, and concept schematics for the new addition for the Springsong Museum. Lastly, Mr. Tobin discussed the next steps for the project and partnership.

The Board asked questions regarding the site location, locations of the WSSC buildings, parking, potential for shrinking the impervious footprint, restroom availability for trailhead users, and cost and funding for the project.

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

Item 5. Legislative Update

D. Borden

- A. MC/PG 117-25 Montgomery County and Prince George’s County Zoning and Fairness
Staff Recommendation: Oppose
- B. MC/PG 101-25 Montgomery Planning Board Tours
Staff Recommendation: Support
- C. MC 5 -25 Emory Grove Task Force
Staff Recommendation: Support with Amendments

BOARD ACTION

Motion: Pedoeem/Hedrick

Vote: 5-0

Other:

Action: Approved Staff recommendations as listed above.

Debra Borden, General Counsel, briefed the Board on the current proposed state legislation and requested that the Board provide input and direction regarding the Commission’s position on Bills MC/PG 117-25, MC/PG 101-25, and MC 5-25.

The Board asked clarifying questions regarding Bills MC/PG 117-25 and MC 5-25. Ms. Borden offered comments and responses. The Board discussed the proposed legislation and voted to support Staff’s recommendation on Bills MC/PG 117-25, MC/PG 101-25, and MC 5-25, as indicated above.

Ms. Borden also provided a briefing on several additional pieces of legislation for which position statements have not yet been drafted. The bills discussed included: MC/PG 116-25 (Montgomery County – Municipal Authority to Regulate Structures – Alterations), MC 1-25 (Montgomery County – Highways – Maximum Speed Limits), MC 2-25 (Montgomery County – Prohibited Restrictions on Use – Accessory Dwelling Units), and MC 20-25 (State Highway Administration – Montgomery County Streetscapes – Design Approval and Permitting). The Board asked clarifying questions and held discussion on these items. Ms. Borden and Jason Sartori, Planning Director, offered comments regarding a proposal to clarify the language within Bill MC/PG 116-25.

The Board asked questions regarding the implementation of Bill MC 20-25.

Ms. Borden, Jordan Baucum-Colbert, Government Affairs Liason, and Robert Kronenberg, Deputy Director of Planning, offered comments and responses.

Item 6. Forest Conservation Law Changes

Staff is recommending changes to Chapter 22A of the Montgomery County Code, Forest Conservation Law to bring the County law into compliance with recent State amendments and minor clarifying edits.

Staff Recommendations: Approval to transmit to County Council

K. Desmond/C. Sorrento

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for recommended changes to Chapter 22A for transmittal and introduction to the County Council and posting of the proposed Forest Conservation - Trees Regulations in the County Register.

Christina Sorrento, Chief of the Intake and Regulatory Division, and Kelsey Desmond, Forest Conservation Planner III, offered a multi-media presentation regarding Forest Conservation Law Changes. Further information can be found in the Staff Report dated November 15, 2024.

Ms. Desmond stated changes to Chapter 22A of the Montgomery County Code (the Forest Conservation Law) are needed primarily to align the County Forest Conservation Law with the enabling state law, which was recently amended per Senate Bill 05-26 and became effective on July 1, 2024. Other minor changes recommended by Staff are intended to clarify sections of the Forest Conservation Law and Forest Conservation - Trees Regulations. Ms. Desmond also discussed the proposed changes to the Forest Conservation Regulations in greater detail.

The Board asked questions regarding applicability of the mixed income community plan, solar photovoltaic facility reforestation requirements, champion trees, and forest mitigation banks.

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

Item 7. Briefing of the Damascus Placemaking Festival

Planning Staff and members of the community will brief the Planning Board on the recently held Damascus Placemaking Festival.

Staff Recommendation: Brief the Planning Board

A. Vogel

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

Audrey Vogel, Planner II, offered a multi-media presentation regarding the Damascus Placemaking Festival. Ms. Vogel gave an overview of the agencies and partners, consultant team, vision for main street, festival location, and showed a short recap video from the event. Ms. Vogel discussed the turnout numbers for the event and highlighted the original renderings for the event as well as the final outcomes for different areas of the event. Lastly, Ms. Vogel discussed the key takeaways from the event.

The Board asked questions regarding reasoning for interest in acquiring the Druid Theater and overall cost of the placemaking festival.

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

Item 9. 923 Gist Avenue, Blair Section 1, Subdivision Waiver No. SRW202501 (Public Hearing)

Pursuant to Division 50.9 of the Subdivision Ordinance, the Applicant requests a Subdivision Waiver of the requirements of Section 50.8.2.C.1 of the Subdivision Ordinance to allow a record plat to be approved for a Property within downtown Silver Spring without the approval of a Preliminary Plan; 0.18 acres; located approximately 210 feet east of Georgia Avenue; CR-3.0, C-3.0, R-3.0, H-130' and the Fenton Village Overlay Zone; within the 2022 Silver Spring Downtown and Adjacent Communities 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 Subdivision Waiver request, cited above, subject to conditions.

Grace Bogdan, Planner IV, offered a multi-media presentation regarding 923 Gist Avenue, Blair Section 1. Further information can be found in the Staff Report dated November 25, 2024.

Ms. Bogdan stated the Applicant proposes to record one lot totaling 7,200 square feet, which would encompass two recorded lots and an unsubdivided parcel in the rear of the property as shown on the existing plat recorded in 1922. The proposal also includes dedication of approximately ten feet along the site frontage to accommodate the master planned right-of-way for Gist Avenue.

The Board asked questions regarding plans for the remainder of the property behind the two currently built lots, and Staff offered comments and responses.

Item 10. Red Mill Remote ATM Install, Site Plan No. 820240020 (Public Hearing)

Application to install a new Drive-Thru facility on a standalone ATM structure; 7258 Muncaster Mill Road; CRT – 0.75 zone; 28,060 sq. ft.; 2004 Upper Rock Creek Area Master Plan.

Staff Recommendation: Approval with Conditions

U. Njeze

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.

Ugonna Njeze, Planner II, offered a multi-media presentation regarding Red Mill Remote ATM Install. Further information can be found in the Staff Report dated November 22, 2024.

Mr. Njeze stated the Applicant is proposing to construct a new standalone ATM facility with a new accessory drive-thru south of the existing building, placing the proposal in the center of the existing parking lot. Mr. Njeze stated the application will result in the removal of eleven parking spaces and the re-striping of a portion of the existing parking lot. The existing building and retail/and service establishment use will remain, and the Applicant will improve connectivity between the shared use path on Muncaster Mill Road and the existing Shopping Center sidewalk with new pedestrian crosswalk striping and an access ramp.

Item 11. CLOSED SESSION

According to the MD Ann Code, General Provisions Article, § 3-305(b)(1), to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

Topic to be discussed: Directors' Performance Evaluations

BOARD ACTION

Motion: Hedrick/Linden

Vote: 5-0

Other:

Action: Discussion and approval of personnel matters. See the open session disclosure statement in Summary Section.