

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APPROVED
MINUTES AND SUMMARY

SUMMARY
Thursday, January 30, 2025
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, January 30, 2025, beginning at 9:14 a.m. and adjourning at 12:10 p.m.

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

Items 1 through 4, Item 8, and Items 5 through 7 were discussed in that order and reported in the attached Minutes.

There being no further business, the meeting adjourned at 12:10 p.m. The next regular meeting of the Planning Board will be held on Thursday, February 6, 2025, 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. The Blairs – Site Plan Amendment No. 82014017C – MCPB No. 25-008
2. Montgomery Auto Sales Park Lots 17 and 18: Preliminary Plan Amendment No. 11985027B – MCPB No. 25-017
3. Montgomery Auto Sales Park Lot 18: Site Plan Amendment No. 82014014A -MCPB No. 25-018
4. Montgomery Auto Sales Park Forest Conservation Plan No. F20240980 – MCPB No. 25 - 019

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

Action: Adopted the Resolutions cited above, as submitted.

B. Approval of Minutes

BOARD ACTION

Motion:

Vote:

Other:

Action: There were no Minutes submitted for approval.

C. Other Preliminary Matters

Appointment of Planning Board Vice Chair

BOARD ACTION

Motion: Linden/Hedrick

Vote: 5-0

Other:

Action: Approved the re-appointment of Vice Chair Mitra Pedoeem from September 2024 through August 2025.

Item 2. Record Plats (Public Hearing)

Subdivision Plat No. 220240620 and 220240670, Ashford Woods

R-90 zone; 49 lots, 14 parcels; located on the west side of Frederick Road (MD 355) at the intersection of Snowden Farm Parkway; Clarksburg Ten Mile Creek Amendment Area.

Staff Recommendation: Approval

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

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

Item 3. Regulatory Extension Requests (Public Hearing)

National Park Seminary: Preliminary Plan Amendment No. 12005054A, Site Plan No. 820200050, and Forest Conservation Plan No. 82005024H, Regulatory Extension Request No. 3 - Request to extend regulatory review period, from February 27, 2025 to October 23, 2025.

Three applications to revise the layout of the proposed townhouses, condominium building, parking, and address associated impacts to forest retention areas; located 740 Feet North of the intersection of Smith Drive and Linden Lane; PD-15 zone; 4.23 acres; 2000 North and West Silver Spring Master Plan.

Staff Recommendation: Approval of the extension request.

M. Fuster

Garrett Park Administrative Subdivision No. 620240230 Extension Request No. 2 - Request to extend the regulatory review period until April 17, 2025.

Application to create two residential lots for the construction of one new single-family detached dwelling unit; located at 10701 Keswick Street, Garrett Park, MD; R-90 Zone; 1.38 acres; 1992 North Bethesda/Garrett Park Master Plan.

Staff recommendation: Approval of the extension request.

E. Fowler

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

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

Item 4. Roundtable Discussion

Planning Director's Report
J. Sartori

BOARD ACTION

Motion:

Vote:

Other:

Action: Received briefing.

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

Mr. Sartori discussed new housing legislation, More Housing N.O.W. (New Options for Workers), that will be introduced by the County Council in the near future, and stated the legislative package seeks to build more homes and types that are affordable for working families along certain County corridors. Mr. Sartori also gave an overview of the proposed bill components and discussed the proposed corridors.

Lisa Govoni, Housing, Infrastructure, and Zoning Supervisor, discussed the 2024 HAND update for residential building permits, residential units built, affordable housing production, AMI units, and housing policies that exist in Montgomery County.

Lastly, Mr. Sartori welcomed new Planning Staff Amber Ford, Caila Prendergest, and Brandi Cypress. Mr. Sartori also noted recent reclassifications for Jonathan Casey and Ben Kraft as well.

The Board asked questions about the More Housing N.O.W. legislation regarding the workforce housing percentage requirement, how AMI will be defined, potential for buffers around the corridors, and optional method development requirements. The Board also asked questions about the 2024 HAND Update regarding near term pipeline units, affordable units preserved, permit totals compared to previous years, possible usage of down payment assistance funds in 2024, and comparisons with other jurisdictions.

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

Item 8. Legislative Update

D. Borden

- SB 0190 (HB 0080) Land Use – Transit-Oriented Development – Alterations
- SB 0395 (HB 0084) Transportation – Major Highway Capacity Expansion Projects and Impact Assessments
- MC/PG 116-25 Montgomery County – Municipal Authority to Regulate Structures – Alterations
- SB 0058 - Parental Engagement Leave (Informational Position Statement)
- MC 15-25 Department of Commerce – Montgomery County Agricultural Reserve Study

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation to support Bill MC/PG 116-25 with amendments.

Debra Borden, General Counsel, gave an overview and briefed the Board on Bills HB 0080, HB 0084, MC 15-25, SB 0058, and MC/PG 116-25. Further information on the bills can be found under the Agenda for January 30, 2025.

Ms. Borden discussed Bill SB 0190 (HB 0080) and the Board asked questions regarding tax provisions, applicability to existing parking and development, and what would define a rail station.

Ms. Borden offered comments and responses to the Board’s questions. The Board also suggested further defining rail systems to include commuter rail in jurisdictions including Metro and the light rail as well as the inclusion of the MARC rail.

The Board asked questions on Bill SB 0395 (HB 0084) regarding if there is a description for major highways, when a study will need to be done, and what projects would qualify.

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

Ms. Borden recommended providing no comments at this time, and the Board suggested monitoring the Bill for now with possible comments at a later date.

Ms. Borden offered comments regarding Bill MC/PG 116-25. The Board offered comments regarding potential restrictions on duplexes and triplexes for built out localities, but voted to support the Bill, with amendments, as it defines what can and cannot be done for 2-4 structures.

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Ms. Borden offered comments regarding Bills SB 0058 and MC 15-25, and noted that no positions were required at this time. The Board asked questions as to who was performing the study for Bill MC 15-25, and Staff, including Jason Sartori, Planning Director, offered comments and responses.

Item 5. 2024 Bethesda Annual Monitoring Report

Annual briefing on implementation of the Bethesda Downtown Sector Plan, including updates on schools, parks, and transportation.

Staff Recommendation: Transmit comments to the County Council.

G. Bodgan

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval to transmit comments to the County Council, as stated in a transmittal letter to be prepared at a later date.

Grace Bogdan, Planner IV, offered a multi-media presentation regarding the 2024 Bethesda Annual Monitoring Report (AMR). Further information can be found in the Staff Report dated January 23, 2025.

Ms. Bogdan stated since the last AMR in 2023, Staff has been working to migrate the information from the AMR online document to a new implementation monitoring webpage to be updated twice a year. Ms. Bogdan gave an overview of the implementation progress for recommendations on transportation, parks, and schools and discussed the current status including: roadway network performance, average vehicle delay, traffic queuing analysis, park projects, park acquisitions, park development approvals, and Park Impact Payments. Hye-Soo Baek, Planner III, discussed the 2023-2024 school enrollment, six-year school enrollment projected trends, scheduled capital projects and solutions impacting the school cluster, and school recommendations in greater detail. Lastly, Ms. Bogdan stated the AMR was presented to the Bethesda Implementation Advisory Committee on January 6, 2025, and the Committee provided comments.

The Board asked questions regarding future plans for PIP funds, how surplus capacity is determined, elementary schools in close proximity to Bethesda Elementary School, possibility of utilizing adjacent schools for seat deficits rather than charging developers UPP's, potential transportation actions items and responsibility of follow up, and further explanation of storage/turn lanes.

Staff, including Dave Anspacher, Chief of Countywide Planning and Policy, and Jun Yang, Transportation Planner II, offered comments and responses to the Board's questions.

Item 6. Falkland North, Preliminary Plan Amendment No. 12007056C (Public Hearing)

Request to extend the validity period for the approved Preliminary Plan from March 1, 2025 to October 28, 2029, and to amend the adequate public facilities phasing schedule. On 9.77 acres, located at the northeast quadrant of the intersection of 16th Street and East-West Highway, Silver Spring; zoned CR-3.0, C-3.0, R-3.0, H-175' and Downtown Silver Spring Overlay Zone; 2022 Silver Spring Downtown and Adjacent Communities Plan.

Staff Recommendation: Approval with Conditions

A. Bossi

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

Action: **Approved Staff recommendation for approval of the Preliminary Plan Amendment cited above, subject to conditions with modifications to Conditions 29 and 30, 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 Falkland North. Further information can be found in the Staff Report dated January 20, 2025.

Mr. Bossi stated the Applicant is requesting to extend the validity period of the Preliminary Plan from March 1, 2025 to October 28, 2029, and to consolidate the previously approved two-phase Adequate Public Facilities (APF) schedule into a single-phase program, valid to October 28, 2029. Mr. Bossi noted the Applicant presented justification relevant to delays in recording a plat for the property caused by significant, unusual, and unanticipated events, beyond the Applicant's control. These factors include on-going, on-site construction for the Purple Line, which is expected to continue through 2027, as well as the intent to bring forth future amendments to the property's underlying development approvals or submission of a new Mixed-Income Communities Plan.

Mr. Bossi noted one piece of correspondence was received after the posting of the Staff Report with general questions and Staff responded.

Elizabeth Rogers of Lerch, Early, and Brewer offered brief comments on behalf of the Applicant regarding the Applicant's intent to amend the development approvals for development of more future affordable housing. Ms. Rogers offered further comments regarding other reasons for the delay in development and net gain in housing the project will bring.

The Board asked questions regarding other reasons for the delays other than the Purple Line, how many residents currently reside on the property, if there will be an increase in units, and potential timeline.

Danny Ross of True Ground Housing Partners offered brief comments regarding moving forward with the project in a timely manner, the number of current residents, and potential timeline.

Item 7. Proposed Zoning Text Amendment for the Bethesda Overlay Zone (Public Testimony Accepted)

This ZTA would amend the Bethesda Overlay Zone consistent with the recommendations in the Bethesda Downtown Plan Minor Master Plan Amendment.

Staff Recommendation: Transmit the draft ZTA the District Council for introduction.

B. Berbert

BOARD ACTION

Motion: Pedoeem/Linden

Vote: 5-0

Other:

Action: Approved Staff recommendation for approval to transmit comments to the County Council, as stated in a transmittal letter to be prepared at a later date.

Benjamin Berbert, Planner III, offered a multi-media presentation regarding the proposed Zoning Text Amendment (ZTA) for the Bethesda Overlay Zone. Further information can be found in the Staff Report dated January 24, 2025.

Mr. Berbert stated the ZTA would amend the Bethesda Overlay Zone to implement recommendations of the Bethesda Downtown Plan Minor Master Plan Amendment including incentivizing additional affordable housing, prioritizing a new recreation center, and removing the development cap. Mr. Berbert discussed Staff's recommendations for: building height, BOZ Density, density qualifications, Moderately Priced Dwelling Units (MPDUs), public benefits, public open space, development procedures, and the height incentive area.

Mr. Berbert also noted recommended modified language for the "C" and "R" density qualifications to include commercial or residential FAR as well as the addition of the Site Plan Validity section and recommendations, which was not included in the Staff Report.

The Board asked questions regarding plans filing for the two-year standard site plan applications, language/signage for public-private parks, PIP reductions, and security authority for Privately-Owned Public Space (POPS).

Staff, including Henry Coppola, Parks Long-Range Planning Supervisor, offered comments to the Board's questions