

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

AUG 17 2023

MCPB No. 23-090
Preliminary Plan Amendment No. 12022011A
Sligo Apartments
Date of Hearing: June 29, 2023

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on April 6, 2022, the Planning Board, by Resolution MCPB No. 22-072, approved Preliminary Plan No. 120220110, creating one lot on 1.26 acres of land in the CRT-0.75, C-0.75, R-0.25, H-35' zone, located on Sligo Avenue approximately 400 feet west of Carroll Lane ("Subject Property"), in the Silver Spring/Takoma Park Policy Area and the 2000 *East Silver Spring Master Plan* ("Master Plan") area; and

WHEREAS, on April 24, 2023, Sligo 42 LLC & Sligo 60 LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to make modifications to the approved streetscape along the Property frontage on Sligo Avenue on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12022011A, Sligo Apartments ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated June 12, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on June 29, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Bartley, seconded by Commissioner Hedrick, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick and Linden voting in favor.

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12022011A to make modifications to the approved streetscape along the Property frontage on Sligo Avenue by modifying and restating the following condition:¹

Transportation

Existing Frontage Improvements

11. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure the construction of an eight-foot-wide sidepath with an eight-foot-wide vegetated street buffer along the Property frontage on Sligo Avenue (no PUE is required).

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged, and in full force and effect.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Preliminary Plan Amendment 12022011A requests to change the dimensions of the sidepath and street buffer along the site frontage on Sligo Avenue. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

The Preliminary Plan substantially conforms to the Master Plan.

c) Transportation

Sligo Avenue, a minor arterial, has a master-planned right of way of 50 feet, as envisioned by the *2000 East Silver Spring Master Plan* and later confirmed by the *2018 Master Plan of Highways and Transitways*. As conditioned, the Site will ensure that 25 feet from the centerline of Sligo Avenue and the Property line will be dedicated to public right-of-way.

The Site frontage was originally approved for the 10-foot, buffered sidepath, to be installed by the Applicant, thereby realizing the *2018 Bicycle Master Plan* recommendation for sidepaths along at least one side of Minor Arterial roadways within

¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

“Lower Activity Areas” in the County (page 62). The street buffer was approved at six feet (6 ft).

This Application will modify the dimensions of the streetscape elements to preserve the future street trees and to avoid relocation of a gas line that runs along the Site frontage on Sligo Avenue. The sidepath will be narrowed to eight feet and the street buffer widened to eight feet. The approved eight-foot sidepath meets the intent of the 2018 *Bicycle Master Plan* and meets the minimum dimensions standardized in the 2021 *Complete Streets Design Guide*. The wider, eight-foot-wide buffer will include street trees and vegetation, enhancing the separation between pedestrians and bicyclists, and motorists. At eight-feet wide, this exceeds the minimum width for a street buffer, per the 2021 *Complete Streets Design Guide*. The approved modifications to the streetscape fit within the right-of-way, to be dedicated by the Applicant.

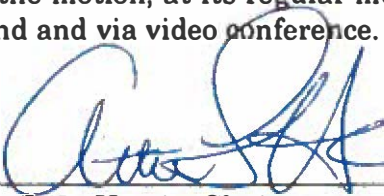
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 17 2023 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, July 27, 2023, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

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Sligo Apartments
Site Plan No. 82022017A