



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 19-106
Sketch Plan No. 320190070
Wilgus
Date of Hearing: July 25, 2019

AUG 01 2019

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on February 15, 2019, Wilgus-Montrose Associates, LLC ("Applicant") filed an application for approval of a sketch plan for a mixed-use development with up to 1,274,498 square feet of total development, with up to 1,025,789 square feet of multi-family and townhouse residential uses and up to 248,709 square feet of commercial uses on 16.64 acres of land split-zoned CR-2.0, C-1.0, R-1.5, H-200, CR-2.0, C-0.25, R-1.75, H-75, and CRN-0.75, C-0.0, R-0.75, H-50, on the property generally bound by Montrose Road to the north, Towne Road to the east, Montrose Parkway to the south, and East Jefferson Street to the west, and is known as Part of Parcel N (N273, N279, and N231), Parcel Q (N208), and Parcel R (N174), in the Washington Science Center Subdivision ("Subject Property"), located within the Rockville Pike-Montrose North district of the 2018 *White Flint 2 Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320190070 Wilgus ("Sketch Plan" 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 July 15, 2019, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on July 25, 2019, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

Approved as to
Legal Sufficiency:

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320190070, Wilgus, for construction of up to 1,274,498 square feet of total development, with up to 1,025,789 square feet of multi-family and townhouse residential uses and up to 248,709 square feet of commercial uses on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum 1,274,498 square feet of total development on the Subject Property, which may include up to a maximum 1,025,789 square feet of multi-unit and townhouse residential uses and up to a maximum 248,709 square feet of commercial uses.

2. Height

The development is limited to a maximum height of 200 feet where parcels are zoned CR-2.0, C-1.0, R-1.5, H-200, 75 feet where parcels are zoned CR-2.0, C-0.25, R-1.75, H-75, and 50 feet where parcels are zoned CRN-0.75, C-0.0, R-0.75, H-50, as measured from the building height measuring point(s) illustrated on the Certified Site Plan.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7.1 and the *CR Zone Incentive*

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

Density Implementation Guidelines must be fulfilled for each public benefit. Final points and phasing will be approved at Site Plan.

a. Major Public Facility achieved through:

- i. Proportional financial contribution towards a school or a park with athletic fields within the Sector Plan area, with details to be determined when the Phase 1 site plan is approved.
- ii. Dedication and construction of a public park identified on the Sketch Plan as the Central Public Park, subject to Parks Department review and approval of the proposed dedication.
- iii. Provision of a bike share station.
- iv. Transit Proximity achieved through the Property's location within 1/4 and 1/2 mile, and 1/2 and 1 mile of the proposed north entrance to the White Flint Metrorail station on Rockville Pike (Level 2).
- v. Connectivity and Mobility achieved by providing advance dedication and through-block connection.
- vi. Diversity of Uses and Activities achieved by providing 15% of the residential units as Moderately Priced Dwelling Units (MPDUs).
- vii. Quality of Building and Site Design achieved through structured parking.
- viii. Protection and Enhancement of the Natural Environment achieved through building lot terminations (BLTs), energy conservation and generation, and green roof and cool roof on high-rise buildings.

4. Public Spaces

The Applicant must provide the two parks and an urban plaza as conceptually shown on the Sketch Plan. While these spaces must be in the approximate location, size, and quantity as shown on the Sketch Plan, the exact size, location and design will be determined at subsequent Preliminary Plan(s) and Site Plan(s).

5. Buffer Area

The Applicant must provide a minimum 20-foot-wide vegetated buffer between the Cherington townhouse community to the north and the proposed townhouse development to the immediate south with landscape screening and any possible retained trees.

6. Master-Planned Breezeway

The Applicant must provide the bicycle master-planned breezeway along the Subject Property's Montrose Parkway frontage, recommended in the Bicycle Master Plan. Facility widths shall be based on the illustrative section shown in

the approved Parking Lots to Places: Urban Design Guidelines for Rock Spring & White Flint 2 Sector Plans (page 113) and will be finalized at Preliminary Plan and Site Plan.

7. Future Coordination for Preliminary Plan(s) and Site Plan(s)

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary Plan or Site Plan:

- a. Provision of appropriate architectural treatments to all building façades facing the public right-of-way.
- b. Dedication of right-of-way along the Subject Property's frontage to the centerline consistent with the *White Flint 2 Sector Plan* and County Bicycle Master Plan as modified by the approved Parking Lots to Places: Urban Design Guidelines for Rock Spring & White Flint 2 Sector Plans dated July 2019.
- c. Execution of Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation (MCDOT).
- d. Conducting an analysis of total roof area in the multi-family portion of the development and the percentage of roof covered by green roof and by cool roof treatments.
- e. Provision of landscape plan(s) to address incorporating substantial plantings of street trees and trees in open spaces to the extent feasible.
- f. Incorporation of street design features that support Vision Zero objectives for safe, pedestrian-oriented streets.
- g. Provision of additional pedestrian connections to other proposed open space areas through design including formal pathways, materials and lighting.
- h. Evaluation of a small dog park or dog run within the park identified on the Sketch Plan as the Central Public Park as a community amenity.
- i. Provision of façade treatments for exposed multi-level garage fronts.
- j. Provision of street activation, particularly with the proposed multi-family dwellings. Widen pedestrian areas along proposed multi-family developments to accommodate greater pedestrian volumes associated with street activation and locate closer to the building façade.
- k. Minimization of parking to the extent feasible.

- l. Continuation of coordination on the design and layout of townhouses and proposed private road through the western portion of the Property.
- m. Continuation of discussion and coordination with MCDOT and Planning Staff on the proposed private road between the two north/south running public roads.
- n. Provision of a warrant analysis assuming future volumes at Montrose Parkway and Stonehenge Place.
- o. Provision of an operational analysis for stop control options at the future intersection of Montrose Road and Stonehenge Place. The operational analysis should include signalization options that coordinate with the nearby signalized intersection of Montrose Road and the Greater Washington Jewish Community Center driveway.
- p. Provision of flush pedestrian and bicycle facility crossings over the "Street C" driveways at Montrose Road and Montrose Parkway, as well as the garage entry on Montrose Road. Where appropriate, provide protected intersections abutting the Subject Property per the 2018 Bicycle Master Plan. These improvements are subject to necessary approvals by MCDOT, MCDPS, and SHA, as appropriate.
- q. Continuation of coordination on the design and grade of pedestrian and bicycle facility crossings over Stonehenge Place at Montrose Parkway, to include MCDOT and MCDPS, as appropriate.
- r. Provision of streetscape details that enhance pedestrian safety and walkability for major roads along the Subject Property's frontage.
- s. Provision of ADA compliant internal pedestrian connections.
- t. Provision of the required number and type of bicycle parking spaces.
- u. Explore preservation of specimen trees within the buffer separating Cherington townhouses and the proposed development.
- v. Evaluation of undergrounding utilities within all public rights-of-way, unless there is a Capital Improvement Program (CIP) project that is already undergrounding the utilities.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 16.64 acres zoned CR-2.0, C-1.0, R-1.5, H-200; CR-2.0, C-0.25, R-1.75, H-75; and CRN-0.75, C-0.0, R-0.75, H-50. The data table below demonstrates the Application's conformance to the applicable development standards of the zones:

Development Standards and Parking Requirements

Section	Description	Required/ Permitted (CR-2.0, C-1.0, R-1.5, H-200)	Required/ Permitted (CR-2.0, C-0.25, R-1.75, H- 75)	Required/ Permitted (CRN- 0.75, C-0.0, R-0.75, H-50)	Proposed
4.5.4.B.2.b	Total Tract Area	410,253	174,332 sf	140,438 sf	725,023 sf (16.64 ac.)
	Maximum Density				
	Total	820,506 sf	348,664 sf	105,328 sf	up to 1,274,498 sf
	Commercial	410, 253 sf	43,584 sf	0 sf	up to 248,709 sf
	Residential	615,380 sf	305,082 sf	105,329 sf	up to 1,025,789 sf
4.5.4.B.2.b	Maximum Height	200 ft.	75 ft.	50 ft.	up to 50 - 200 ft.
4.5.4.A.4/ 4.1.8.B	Height Compatibility	No structure may protrude beyond a 45-degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached house in the abutting or contronting Residential zone.			N/A
4.5.4.B.1	Minimum Public Open Space	10%/54,450 sf			Minimum 10%/54,450 sf to be provided; Sketch Plan anticipates up to 11%/60,984 sf
4.5.4.B.3	Setbacks	Determined by site plan			To be set by site plan
4.5.4.A.4/ 4.1.8	Setback Compatibility	The minimum rear setback is equal to 1.5 times the minimum rear setback required for a detached house on the abutting property.			N/A
4.5.4.B.4	Form	Determined by site plan.			To be addressed by site plan
6.2.4.B	Minimum/ Maximum Parking Spaces Permitted	3.5 /1,000 sf of gross leasable area (commercial)/ 1 DU or 2 DU (by residential density)			Sketch Plan estimates 810 spaces

b. Intent of the Zones

The Sketch Plan conforms to the intent of the CR and CRN Zones as described below.

i. *Implement the recommendations of applicable master plans.*

The Subject Property is located within the Rockville Pike-Montrose North district of the 2018 *White Flint 2 Sector Plan*. As one of five areas within the Rockville Pike-Montrose North district, the Property is located within Area 1, identified as the Cherington Area. The Sector Plan identified the Wilgus Property and indicated that “undeveloped portions of the Wilgus property have the greatest potential for new development. Redevelopment in this area would serve as an important link between the Executive Boulevard District and the Pike & Rose development” (p.37). The Sector Plan envisions the Wilgus properties contributing to a walkable, pedestrian friendly environment.

The rezoning of vacant Parcel N231, which is part of the Wilgus Property, from the EOF-3.0, H-100 Zone to the Commercial Residential CR-2.0, C-1.0, R-1.5, H-200 Zone, was to promote mixed-use development that contributes to the Sector Plan’s public benefits, including housing options and a 1.25-acre neighborhood green. The property is split zoned: CRN 0.75 C-0.0 R0.75 H-50, adjacent to the Cherington townhouses; CR 2.0 C0.25 R1.75 H-75, for the middle portion of the property, including the gas station; and CR 2.0 C-1.0 R-1.5 H-200, for the area immediately west of Towne Road. The Wilgus East Property is permitted to receive excess density transferred from the adjacent Parcel N279, as no commercial development is permitted directly south of the existing Cherington residential community.

Specifically, for the Wilgus property, the Sector Plan notes that the “land use and zoning recommendations for the Wilgus property will permit greater intensities and building heights via the CR Zone on the eastern portion, and lower heights and densities via the CRN Zone on the western portion adjacent to the existing Cherington townhouses. At least 1.25 acres of open space should be provided in the Wilgus property when it is developed, either on the area south

of the existing townhouses and/or as a neighborhood green on the central or eastern portion of the Wilgus property. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping”.

Specifically, for the 3.5-acre property (Parcel N273) that is east of the intersection of Montrose Parkway and East Jefferson Street, the Sector Plan recommends that “during the development review process, pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use. Ensure that new residential development is compatible with the adjacent townhouse community”.

Density and Building Height

The submitted development’s density and building heights are consistent with the Sector Plan’s recommendations. Proposed residential townhouses west of Stonehenge Place are within the 50-foot height limit; residential townhouses and mid-rise buildings, within the middle segment of the development are within the 75-foot height limit; and the area west of Towne Road is within the 200-foot height limit. The overall density is within the Sector Plan’s density recommendations.

Design and Connectivity

The Sector Plan’s design and connectivity recommendations for the Wilgus property are to:

- Establish a pattern of short blocks and internal streets to promote walkability.
- Locate maximum building heights at the eastern end of the property along Towne Road.
- Reduce building heights toward the existing Cherington townhouse development to establish a compatible relationship with the existing residential development.
- Enhance pedestrian areas along Towne Road to improve pedestrian connectivity between northern and southern districts.
- Extend Stonehenge Place as a public street to connect between Montrose Parkway and Montrose Road.
- Create open spaces, including an area with a minimum of 1.25 acres, for public use that are connected to the overall open space network.

- Provide screening via fencing, a hedge, tree planting or other appropriate means between the existing Cherington townhouses to the north, and any new development to the immediate south (p.38).

Overall, the submitted Sketch Plan achieves many of these design and connectivity requirements, including illustrating a total of 1.43 acres of public open space, including a .75-acre central park of which the Applicant seeks to dedicate to the Parks Department. This park and the western open space are linked to the Montrose Parkway. Stonehenge Place and Street "C" are proposed as public streets and building heights transition from the tallest along Towne Road to lower level townhouses, which are primarily adjacent to the existing Cherington townhouses.

Affordable Housing

The Sector Plan's housing chapter requires that "15% MPDUs as the highest priority public benefit for all new residential development unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park ." The development is proposing 15 percent MPDUs for the development; therefore, it is consistent with the Sector Plan recommendations for affordable housing.

Public Facilities

The 2018 Sector Plan recommends that "each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan's direction that the Planning Department will negotiate for maximum dedication of land for a school site and that this be the top priority benefit under the review process of projects proceeding under these plans" (p.96). This Sketch Plan submission indicates that a proportional financial contribution from the Applicant would achieve contributing to the needed school site. This issue must be addressed further at the subsequent preliminary plan.

Public Open Space

The Sector Plan recommends that the Wilgus property should provide a minimum of 1.25 acres of Public Open Space. The Sector Plan states that "at least 1.25 acres of open space should be provided on the Wilgus property when it is developed, either on the area south of existing townhouses and/or as a neighborhood green

on the central or eastern portions of the Wilgus property. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping". The Sector Plan also states that the "location of open space should be defined during the development review process and may include wooded areas and/or a neighborhood green."

The Parks section of the *2018 White Flint 2 Sector Plan* also recommends to "create a minimum 1.25 acre open for public use at the Wilgus property when it redevelops. This could include neighborhood amenities, including a flexible green gathering space, picnic areas, and play features or maybe a wooded area with passive recreation. It should be linked to the Montrose Parkway bikeway by a trail connection".

The Sketch Plan illustrates more than 1.25 acres of Public Open Space, which includes a central park and the otherwise required Common Open Space for the townhouse development on the Property. The Applicant proposes to provide all required open space (Public Open Space and Common Open Space) as Public Open Space. The Planning Board finds this to be more desirable, as Common Open Space is intended for residents and guests, while Public Open Space is intended for and inclusive of the Public at large.

The proposed Sketch Plan achieves most of the Sector Plan's recommendations. Based on the proposed phasing plan, the central open space will be implemented in Phase 1. This park will contribute to establishing a key public amenity in the early stage of the development.

Montgomery County Council Resolution 18-979 approving the *White Flint 2 Sector Plan* included the following requirement to: "pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use". The next stage of the regulatory review process, including review of a Forest Conservation Plan, will allow the full review and assessment of what is appropriate for forest removal and viable for the retention of forest and specimen trees.

Environment/Sustainability

The Sector Plan provides overall environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions. Specific to the Wilgus Property and preserving natural resources, the Sector Plan recommends to “establish a landscaped area between the southern boundary of the existing Cherington townhouse community and the proposed new development on the Wilgus property.”

Important natural resources recommendations are to:

- Incorporate multiple layers of native vegetation in landscaping, including plants that are highly attractive to pollinators, to provide food sources for declining populations of native pollinator species.
- Direct infill development to existing surface parking lots to preserve green spaces.

Important water quality recommendations are to:

- Prioritize environmental public benefit points for tree canopy cover in the CR zone.
- Promote the use of environmental site design (ESD) techniques to reduce impervious areas.

Significant air quality recommendations are to:

- Increasing forest and tree cover.
- Incorporate building design features that keep roofs cool, such as green roofs or cool roofs.
- Prioritize environmental public benefit points for tree canopy cover and energy conservation.
- Promote site and building design for energy conservation.

A variety of public open spaces and cool roofs for the mid-rise and high-rise buildings, along with Building Lot Terminations (BLTs) are the primary environmental sustainability measures included with this Sketch Plan. However, the Applicant should pursue additional sustainable features, as conditioned in Section 1, to enhance the development, including energy conservation to further the Sector Plan’s recommendations.

Public Benefits

The Sector Plan's recommended public benefits are the following:

- Dedication of land for needed school sites as the highest priority public benefits.
- Fifteen (15) percent MPDUs as the highest public benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.
- The provision of major public facilities other than school site, including but not limited to: land for school athletic fields; new neighborhood parks and open spaces; public transportation (new Metrorail station entrance); and undergrounding of utilities.
- Quality building and site design, including but not limited to, exceptional design and public open space.
- Connectivity and mobility, including but not limited to advanced dedication, streetscape improvement, minimum parking, trip mitigation and transit access improvement.
- Diversity of uses and activities, including but not limited to care centers, moderately priced dwelling units, dwelling unit mix, and enhanced accessibility for seniors or the disabled.
- Protection and enhancement of the natural environment, including but not limited to, tree canopy, energy conservation, and generation, and habitat preservation and restoration (p.104).

As proposed, the Sketch Plan will primarily advance the Sector Plan's recommended public benefits, including minimum public open space and affordable housing.

Transportation Network

Montrose Parkway, Montrose Road, Towne Road, and East Jefferson Street all surround the Wilgus property. The Sector Plan recommends the extension from Stonehenge Place Extended (B-2), which is classified as a commercial business street with a minimum right-of-way of 60 feet, from its current terminus to Montrose Road.

Both Montrose Road (A-90), between East Jefferson Street and Towne Road, and Montrose Parkway (A-270), also between East Jefferson Street and Towne Road, are classified as arterials with minimum rights-of-ways of 80 feet and 130 feet, respectively. Towne Road (M-4a) is classified as a major highway with a minimum 120-foot right-of-way, and East Jefferson Street (B-6) is

classified as a commercial business street with a minimum 80-foot right-of-way.

The submitted Sketch Plan shows the surrounding streets and adheres to the Sector Plan's recommended rights-of-way. However, some of the street cross-sections are not consistent with the County's Road Code standards. At Preliminary Plan review for this development, the associated streets should reflect the County's Road Code standards.

Bikeway Network

Montrose Parkway (SP-50) has an existing shared-use path along the southern portion of the Wilgus property, and the Sector Plan confirms this bikeway. The 2018 White Flint 2 Sector Plan proposes a shared use path along Montrose Road (LB-1), a separated bike lane is proposed for Towne Road (LB-11), and either a standard bike lane or separated bike lane is proposed for East Jefferson Street (LB-4). The submitted Sketch Plan should be revised to reflect the bike lane/protected bikeway for East Jefferson Street.

Transportation-SSP and Tax District

Based on the 2016-2020 Subdivision Staging Policy (SSP), the extension of the White Flint Metrorail Station Policy Area (MSPA) and modifications to the Local Area Transportation Review (LATR) standards only impact portions of the Subject Property. Parcels N208, N279, N174, and N231, are excluded from the Local Area Transportation Review (LATR) standards since they are included in the White Flint Special Taxing District. The Special Taxing District, which is an ad valorem tax, uses the property taxes to fund mobility infrastructure required in the phasing recommendations of the White Flint Sector Plan. The area west of Stonehenge Place follows the typical LATR requirements and requires a traffic study, which is under review.

White Flint Staging

A portion of this Sketch Plan, Parcels N208, N279, N174, and N231, is subject to the staging limits in the 2010 *White Flint Sector Plan*. This development will be subject to the updated White Flint staging limits and the implementation rules and procedures established in the Planning Board approved White Flint Implementation Guidelines, including the Staging Allocation Request (SAR).

- ii. *Encourage development that integrates target opportunities for redevelopment of single-use commercial areas and surface parking lots with mix of uses.*

This Application proposes redevelopment of an existing, single-use gasoline service station into a mix of residential and commercial uses and green spaces. The Property is adjacent to a well-established community and the proposed layout allows this project to make use of the existing transportation network, while building additional connections for efficient circulation. There are no surface parking lots on the Property, nor any proposed for the Project.

- iii. *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project will provide single-family and multi-family housing that will enhance the housing choices near the White Flint Metrorail Station. In addition to housing, mobility will be improved by this Project. A corridor from the Breezeway Network - a prominent recommended facility of the approved and adopted *2018 Bicycle Master Plan* - will be implemented and will provide safe and convenient connections to major community destinations, including to the nearby Metrorail station. Mixed with residential, retail services will also be provided on the Property at strategic locations within the development that are most accessible and visible to internal and external users. In compliance with zoning restrictions, there is no proposed surface parking between the buildings and the abutting roads. Proposed buildings will line the street instead of surface parking. Therefore, the proposed development will be pedestrian-friendly since vehicle parking is not the dominant feature. Additionally, the two parks and urban plaza offer necessary amenities for new and existing residents and businesses.

- iv. *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

As envisioned by the Sector Plan, the redevelopment of the Subject Property includes a mix of compatible land uses, various densities, and heights. As previously discussed, the Project locates maximum

building heights at the eastern end of the Property along Towne Road. The Applicant appropriately proposes three multi-use buildings up to 200 feet in height near Towne Road closest to the most intensive development approaching and along Rockville Pike. The Proposed Project tapers down building heights west of the proposed multi-use building and toward the existing Cherington townhouse development to establish a compatible relationship with the existing residential development. Specifically, the Project transitions from the multi-use buildings of up to 200 feet in height along the eastern portion of the Property to townhouses up to 50 feet in height adjacent to the existing Cherington townhouses. Therefore, the Project achieves compatibility with surrounding development by stepping down the proposed densities and building heights near the existing residential development. The heights and densities proposed by the Project are compatible and provide appropriate transitions to the surrounding development.

- v. *Integrate an appropriate balance of employment and housing opportunities.*

The Project provides new residential housing opportunities, including 15% MPDUs, in addition to retail uses that will create many employment opportunities close to the White Flint Metrorail Station and nearby residential communities. Therefore, the Project integrates an appropriate balance of employment and housing opportunities.

- vi. *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

- 2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

As discussed in finding 1b, the Sketch Plan substantially conforms to the recommendations of the Sector Plan.

- 3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The proposed Project is compatible with existing and pending nearby development. Specifically, the Project proposes to locate the tallest mixed-use buildings along the Subject Property's eastern edge along Towne Road and transition to shorter residential buildings on the Property's central and western portions approaching the existing Cherington townhouses. As previously noted, the Project's building heights closest to the Cherington townhouses are 50 feet in building height – not to exceed the maximum permitted by zoning. The Project will set back new townhouses from the shared property boundary at least to the same extent as the abutting Cherington residential structures. The Sector Plan required buffer area with substantial landscaping and trees is also proposed to maintain an appropriate boundary between the existing and proposed townhomes.

The Project also includes a new street system with short blocks (including the extension of Stonehenge Place to Montrose Road), multiple points of access to surrounding roadways, and sidewalks to facilitate non-motorized circulation both internal and external to the Property. These improvements, along with the Project's proposed open spaces, are intended to strengthen linkages between existing neighborhoods to the Subject Property's east and south (including the Executive Boulevard corridor), the Applicant's Project, and Pike and Rose and the Rockville Pike corridor to the east.

The proposed mid-rise and high-rise, high density multi-family dwellings will also be compatible with existing and pending high-density, mixed-use development at Pike and Rose, which includes mid-rise and high-rise residential, shops, restaurants, entertainment venues, and offices. The proposed higher density, 200-foot high buildings with towers A, B, and C will serve as a gateway to key intersections in the White Flint area – Towne Road at the corner of Montrose Road and Montrose Parkway. Diagonal to this area and along the Rockville Pike, Towne Road, Montrose Parkway corridors, are existing significant high-rise, high-density buildings. The Applicant's proposal at the eastern portion of the property aims to create a cohesive environment with existing development at key intersections.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

As described in the Transportation section of the staff report dated July 15, 2019, the proposed Project provides satisfactory vehicular and non-motorized access, circulation, parking, and loading. Vehicle access will be available from existing points and new access points along East Jefferson Street, Montrose Parkway, and Montrose Road. Pedestrian access is provided through a network of existing exterior sidewalks and new interior sidewalks. The dwelling units fronting Montrose Parkway will have a sidewalk leading directly to Montrose Parkway and a through block connection will link residential and commercial areas to the East Urban Plaza and Towne Road. Private roads and alleys will create an internal circulation network to access the Property's parking, primarily in garages, and the loading areas for each building.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

Proposed Public Benefits Points and Phasing

Public Benefit	Incentive Density Points					
	Max Pts. Allowed	Proposed & Approved in Concept	Phase 1	Phase 2	Phase 3	Phase 4
59.4.7.3.A: Major Public Facility						
Central Public Park	70	12	x			
Bicycle Share	n/a	5	TDB			
School & Park Contribution	70	25	TDB			
59.4.7.3.B: Transit Proximity						
Partial Site within ¼ mile of Level 2 Transit Station	20	26.70	x	x		x
	(√2 ml.);					
	15					
	(√2 -1ml.)					
59.4.7.3.C: Connectivity/Mobility						
Advanced Dedication - Stonehenge Pl. Extension	30	2.33	x	x		
Through-Block Connection	20	10	x			x
59.4.7.3.D: Diversity of Uses and Activities						
Affordable housing- 15% MPDUs	n/a	30	x			x
59.4.7.3.E: Quality of Building and Site Design						
Structured Parking	20	10.94				x
59.4.7.3.F: Protection and Enhancement of the Natural Environment						
Building Lot Termination (BLTs)* – Off-Site	30	18.79	----	----	----	----
Cool Roof	10	5	x			x
Energy Conservation & Generation (on high rise building)	30	5	TDB			
Vegetated Roof (on high rise building)	15	7.5	TDB			
Total Points Proposed**		158.26				

TDB - To be Determined.

*Required for optional method CR projects.

**All final points to be verified at the time of site plan approval.

Major Public Facility

Central Park, master plan recommendation: The Applicant requested 12 points for the construction and dedication to the Parks Department of the central park/open space which is the main gateway and open space feature of the proposed development, according to the Sector Plan recommendation. The Applicant will enhance the park/open space with various seating and

gathering opportunities, public art, and connections to nearby public spaces. The park/open space will be delivered with the first phase of the development. Any points awarded are contingent upon the Parks Department accepting dedication of the central park/open space area. Dedication will be determined at Preliminary Plan and the final number of points, if accepted by the Parks Department for dedication, will be determined at Site Plan.

Bicycle Share Station: The Applicant is seeking a total of five (5) public benefit points for a bike share station. The Planning Board supports the Applicant's request for points in this category.

School Contribution: The Sector Plan recommends that "each and every development application should be thoroughly evaluated for a potential school site." The applicant requests up to 25 points for making a proportional financial contribution towards a school or a park with athletic fields within the Sector Plan area.

Transit Proximity

The Applicant requests a total of 26.7 points for the Subject Property's proximity to transit. Approximately 67% of the gross tract area is within 1/2 mile of the White Flint Metrorail station, of which 20.1 points is sought. The remaining 33% of the property, west of Stonehenge Place is beyond the 1/2-mile buffer from the station. For the remaining portion, the Applicant requests 6.6 points. The points for this category will be spread across several phases of the Sketch Plan development.

Connectivity and Mobility

Advanced Dedication: The Applicant requests 2.33 points for advance dedication of the proposed extension of Stonehenge Place from its current terminus to Montrose Road. The Planning Board supports the Applicant's request for points in this category.

Through-block Connections: The Applicant requests 10 points out of a maximum of 20 points for a through-block connection in the form of a shared street over a parking garage. This is associated with the eastern portion of the Subject Property for the high-density dwellings, where the connection leads to a publicly accessible parking facility. Points for this dedication are anticipated during proposed Phases 1 and 4. The Planning Board supports the Applicant's request for points in this category.

Diversity of Uses and Activities

Moderately Priced Dwelling Units: The Applicant seeks to gain approval for 30 points for providing 15% MPDU's, which is one of the highest *White Flint 2 Sector Plan* goals. While a minimum of 15% MPDU's is the legal requirement, projects in the C/R and Employment zones are permitted to earn public benefit points for providing more than 12.5%, even though it is legally required. Points are based on the following calculation: $(15 \text{ (percentage MPDUs provided)} - 12.5 \text{ (percentage MPDUs required)}) \times 12 = 30$. The Planning Board supports the Applicant's request for points in this category.

Quality of Building and Site Design

Structured Parking: The Applicant seeks 10.94 points out of a possible 20 points for providing structured parking in Phase 4 of the development. The request is based on the preliminary calculation of 550 above grade spaces and 260 below grade spaces which comprise 810 total spaces. The Planning Board supports the Applicant's request for points in this category.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 18.79 points permitted for the purchase of approximately 2 BLT's. The Planning Board supports the Applicant's request for points in this category.

Cool Roof: The Applicant requests five (5) points out of a possible ten (10) points for constructing a roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) based on roof slope. The Planning Board supports the Applicant's request for points in this category.

Energy Conservation and Generation: The Sector Plan prioritizes on-site renewable energy for environmental public benefit points. The Applicant seeks 5 points for the high-rise buildings in this category of public benefits to be provided. The Planning Board supports the Applicant's request for points in this category.

Vegetated Roof: The Applicant seeks 7.5 points for the high-rise buildings in this category of public benefits to be provided. The Planning Board supports the Applicant's request for points in this category.

7. The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.

Subsequent to this Sketch Plan application, the Applicant intends to submit a preliminary plan and a site plan application for Phase 1 of the development, but the timing of such application is unknown. Although identified presently as Phases 1, 2, 3, and 4 based on current plans, phases may occur in any order or may be combined. The elements of the Project that are proposed to be included in each phase are defined in the Project Description section of the Staff Report dated July 15, 2019. Public Benefits will be phased as shown in the Outline of Public Benefits Table in the previous section of this resolution.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and


BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Wilgus Sketch Plan No. 320190070, received by M-NCPPC as of the date of the Staff Report July 15, 2019, are required, except as modified by the above conditions of approval; and

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 01 2019 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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 Vice Chair Dreyfuss, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, July 25, 2019, in Silver Spring, Maryland.



 Casey Anderson, Chair
 Montgomery County Planning Board

Attachment B

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

DATE MAILED:

April 1, 2025

MCPB No. 25-025

Sketch Plan Amendment No. 32019007A

Wilgus II at Northpark

Date of Hearing: February 27, 2025

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on August 1, 2019, the Planning Board, by Resolution MCPB No. 19-106, approved the Wilgus Sketch Plan No. 320190070 for a mixed-use development with up to 1,274,498 square feet of total development, with up to 1,025,789 square feet of multi-family and townhouse residential uses and up to 248,709 square feet of commercial uses on 16.64 acres of land split-zoned CR-2.0, C-1.0, R-1.5, H-200, CR-2.0, C-0.25, R-1.75, H-75, and CRN-0.75, C-0.0, R-0.75, H-50, on the property generally bound by Montrose Road to the north, Towne Road to the east, Josiah Henson Parkway to the south, and East Jefferson Street to the west, and was formerly known as Part of Parcel N (N273, N279, and N231), Parcel Q (N208), and Parcel R (N174), in the Washington Science Center Subdivision (“Subject Property”), located within the Rockville Pike-Montrose North district of the 2018 *White Flint 2 Sector Plan* (“Sector Plan”) area; and

WHEREAS, on October 25, 2024, Wilgus Montrose Associates, LLC and Tri Pointe Homes DC Metro Inc. (“Applicant”) filed an application for approval of an amendment to the previously approved sketch plan to revise public benefit points and decrease the overall project density from 1,274,498 square feet (1.76 FAR) to 1,030,662 square feet (1.43 FAR) for residential only and eliminate 248,709 square feet of ground floor commercial density on the Subject Property; and

WHEREAS, Applicant’s application to amend the sketch plan was designated Sketch Plan No. 32019007A, Wilgus II at Northpark (“Amendment,” or “Application”); and

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www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to
Legal Sufficiency:

/s/ Emily Vaias
M-NCPPC Legal Department

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 February 14, 2025, providing its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on February 27, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Linden, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32019007A to revise public benefit points and for construction of up to 1,030,662 square feet of multi-family and townhouse residential uses on the Subject Property by adding and modifying the following conditions:¹

A. Binding Elements.

As originally approved, the following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance and with this Application, the following site development elements are amended:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements are illustrative and subject to refinement at the time of site plan.

B. Conditions. This approval is subject to the following modified Conditions Nos. 1, 3 and 7 which supersede and replace in their entirety Conditions Nos. 1, 3 and 7 from the original Sketch Plan No. 320190070, and all other conditions remain in full force and effect:

1. Density

The Sketch Plan is limited to a maximum of 1,030,662 square feet of total development on the Subject Property, for residential uses.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The

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.

requirements of Division 59.4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points and phasing will be approved at Site Plan.

- a. Major Public Facility achieved through:
 - i. Proportional financial contribution towards a school or a park with athletic fields within the Sector Plan area, with details to be determined when the Phase I site plan is approved.
 - ii. Dedication and construction of a public park identified on the Sketch Plan as the Central Public Park, subject to Parks Department review and approval of the proposed dedication.
 - iii. Provision of a bike share station.
- b. Transit Proximity achieved through the Property's location within 1/4 and 1/2 mile, and 1/2 and 1 mile of the proposed north entrance to the North Bethesda Metrorail station on Rockville Pike (Level 2).
- c. Connectivity and Mobility achieved by providing advanced dedication and through-block connection.
- d. Diversity of Uses and Activities achieved by providing 15% of the residential units as Moderately Priced Dwelling Units (MPDUs).
- e. Quality of Building and Site Design achieved through public open space.
- f. Protection and Enhancement of the Natural Environment achieved through building lot terminations (BLTs).

7. Future Coordination for Preliminary Plan(s) and Site Plan(s)

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary Plan or Site Plan:

- a. Provision of appropriate architectural treatments to all building façades facing the public right-of-way.
- b. Dedication of right-of-way along the Subject Property's frontage to the centerline consistent with the *White Flint 2 Sector Plan* and County Bicycle Master Plan as modified by the approved Parking Lots to Places: Urban Design Guidelines for Rock Spring & White Flint 2 Sector Plans dated July 2019.
- c. Execution of Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation (MCDOT).
- d. [Deleted]
- e. Provision of landscape plan(s) to address incorporating substantial plantings of street trees and trees in open spaces to the extent feasible.
- f. Incorporation of street design features that support Vision Zero objectives for safe, pedestrian-oriented streets.
- g. Provision of additional pedestrian connections to other proposed open space areas through design including formal pathways, materials and lighting.

- h. Evaluation of a small dog park or dog run within the park identified on the Sketch Plan as the Central Public Park as a community amenity.
- i. [Deleted]
- j. [Deleted]
- k. Minimization of parking to the extent feasible.
- l. Continuation of coordination on the design and layout of townhouses and proposed private road through the western portion of the Property.
- m. Continuation of discussion and coordination with MCDOT and Planning Staff on the proposed private road between the two north/south running public roads.
- n. Provision of a warrant analysis assuming future volumes at Montrose Parkway and Stonehenge Place.
- o. Provision of an operational analysis for stop control options at the future intersection of Montrose Road and Stonehenge Place. The operational analysis should include signalization options that coordinate with the nearby signalized intersection of Montrose Road and the Greater Washington Jewish Community Center driveway.
- p. Provision of flush pedestrian and bicycle facility crossings over the “Street C” driveways at Montrose Road and Montrose Parkway, as well as the garage entry on Montrose Road. Where appropriate, provide protected intersections abutting the Subject Property per the 2018 Bicycle Master Plan. These improvements are subject to necessary approvals by MCDOT, MCDPS, and SHA, as appropriate.
- q. Continuation of coordination on the design and grade of pedestrian and bicycle facility crossings over Stonehenge Place at Montrose Parkway, to include MCDOT and MCDPS, as appropriate.
- r. Provision of streetscape details that enhance pedestrian safety and walkability for major roads along the Subject Property’s frontage.
- s. Provision of ADA compliant internal pedestrian connections.
- t. Provision of the required number and type of bicycle parking spaces.
- u. Explore preservation of specimen trees within the buffer separating Cherington townhouses and the proposed development.
- v. Evaluation of undergrounding utilities within all public rights-of-way, unless there is a Capital Improvement Program (CIP) project that is already undergrounding the utilities.
- w. At the time of the Preliminary Plan amendment and Phase II Site Plan, the Final Forest Conservation Plan No. 820210080 must be amended.
- x. Submit an updated noise analysis.

- y. Incorporate the 2018 *White Flint 2 Sector Plan*'s environmental sustainability recommendations into the Phase II Site Plan, such as providing multiple layers of native vegetation in landscaping, maximizing pervious areas wherever feasible, increasing forest and tree cover, using native plants, and encouraging green features (soft landscaping).
- z. Relocate the existing bus stop on Montrose Road east of Streamline Drive.
- aa. Explore providing an entryway and porch on the side elevations of the townhomes along Streamline Drive and the townhouse block west of the Eastern Urban Plaza to activate the internal street and public realm.
- bb. Explore replacing the stormwater management with the green lawn that is located at the intersection of Streamline Drive and Stonehenge Place with seating and lighting elements to activate the green space.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board FINDS, with conditions of approval, that the necessary elements of the Sketch Plan, as amended, are appropriate in concept and appropriate for further review at the site plan and that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved sketch plan, and all findings not specifically addressed remain in effect.

1. The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.

a. Development Standards

The Subject Property includes approximately 16.5 acres zoned CR-2.0, C-1.0, R-1.5, H-200, CR-2.0, C-0.25, R-1.75, H-75, and CRN-0.75, C-0.0, R-0.75, H-50. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

Table 1: Project Data Table for CR & CRN Zones, Optional Method

Development Standard	Previously Approved Sketch Plan No. 320190070	Approved with Sketch Plan Amendment No. 32019007A
Tract Area	725,023 sq. ft. (16.64 ac.)	721,165 sq. ft. (16.56 ac.)
CR-2.0, C-1.0, R-1.5, H-200	410,253 sq. ft.	410,253 sq. ft.
CR-2.0, C-0.25, R-1.75, H-75	174,332 sq. ft.	174,332 sq. ft.
CRN-0.75, C-0.0, R-0.75, H-50	140,438 sq. ft.	140,438 sq. ft.
Tract Area - Prior Dedication	163,895 sq. ft. (3.76 ac.)	160,010 sq. ft. (3.67 ac.)
Tract Area - Proposed Dedication	16,480 sq. ft. (0.38 ac.)	38,023 sq. ft. (0.87 ac.)
Site Area²	544,648 sq. ft. (12.49 ac.)	523,132 sf. (12.01 ac.)
Mapped Density Residential (GFA/ FAR)	1,025,789 sq. ft. (1.41 FAR)	1,030,662 sq. ft. (1.43 FAR)
CR-2.0, C-1.0, R-1.5, H-200	615,380 sq. ft.	542,720 sq. ft.
CR-2.0, C-0.25, R-1.75, H-75	305,082 sq. ft.	382,249 sq. ft.
CRN-0.75, C-0.0, R-0.75, H-50	105,329 sq. ft.	105,693 sq. ft.
Mapped Density Commercial (GFA/FAR)	248,709 sq. ft. (0.34 FAR)	0 sq. ft. (0 FAR)
Total Mapped Density (GFA/FAR)	1,274,498 sf. (1.76 FAR)	1,030,662 sq. ft. (1.43 FAR)
MPDUs	15%	15%
Building Height, max average	Varies (50-200 ft. ³)	Varies (50-200 ft. ⁴)
Public Open Space (min s.f.)	1.4 acres (11%) (60,984 sq. ft.)	1.56 acres (12%) (68,001 sq. ft.)
Eastern Urban Plaza	0.44-acres (19,166 sq. ft.)	0.60-acres (26,052 sq. ft.)
Central Public Park	0.75 acres (32,647 sq. ft.)	0.75 acres (32,647 sq. ft.)
Western Park	0.21 acres (9,302 sq. ft.)	0.21 acres (9,302 sq. ft.)

² Site area is determined by tract area minus any previous and proposed dedications.

³ For building height, up to 200 feet was approved for land in the CR-2.0, C-1.0, R-1.5, H-200 zoning district; up to 75 feet was approved for land in the CR-2.0, C-0.25, R-1.75, H-75 zoning district, and up to 50 feet was approved for land in the CRN-0.75, C-0.0, R-0.75, H-50.

⁴ Up to 60 feet in height is proposed for the back-to-back two-unit dwellings located within the CR-2.0, C-1.0, R-1.5, H-200 and CR-2.0, C-0.25, R-1.75, H-75 zoning districts.

b. General Requirements

i. *Site Access*

Site access will be satisfied through public roads and private alleys.

ii. *Parking, Queuing, and Loading*

The dwelling units will be served by off-street and on-street parking throughout the site.

iii. *Open Space and Recreation*

The Amendment maintains the previously approved open spaces and increasing the size of the Eastern Urban Plaza. Recreation facilities will be addressed with the associated Site Plan.

2. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

The Sector Plan identified the Wilgus Property and indicated that “undeveloped portions of the Wilgus property have the greatest potential for new development. Redevelopment in this area would serve as an important link between the Executive Boulevard District and the Pike & Rose development” (p.37). The Sector Plan envisions the Wilgus properties contributing to a walkable, pedestrian friendly environment, which is already underway with 107 townhomes, 34 two-over-twos, and related park and amenity facilities under construction within Phase I of the Project.

Specifically, for the Wilgus property, the Sector Plan notes that the “land use and zoning recommendations for the Wilgus property will permit greater intensities and building heights via the CR Zone on the eastern portion, and lower heights and densities via the CRN Zone on the western portion adjacent to the existing Cherington townhouses. At least 1.25 acres of open space should be provided in the Wilgus property when it is developed, either on the area south of the existing townhouses and/or as a neighborhood green on the central or eastern portion of the Wilgus property. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping”.

The Sketch Plan Amendment will replace the previously approved mid-rise and high-rise residential at the eastern end of the site – which the Sector Plan envisioned as high density – with two-unit dwellings. The Applicant has justified the shift in unit type due to current market conditions.

The reimagined dwellings on the eastern portion of the Property would be four stories and up to 60-feet in height, making them taller than the townhouses on the central portion of the Site that are 50-feet. This height difference will give the two-unit dwellings a distinct architectural urban frontage, helping to contribute to the vision of the Sector Plan despite the overall decrease in density.

The Sector Plan also has specific guidance for the 3.5-acre property (former Parcel N273) that is east of the intersection of Josiah Henson Parkway and East Jefferson Street. It recommended that “during the development review process, pursue options for preserving all or a portion of the wooded area along Josiah Henson Parkway for passive use. Ensure that new residential development is compatible with the adjacent townhouse community” (p.37). This portion of the site is currently under construction and not being amended through the Subject Application. Although the wooded area was not able to be preserved, the project is providing ample public open space including the Western Park which provides opportunities for passive use.

Density and Building Height

The development’s revised density and building heights are lower than but not specifically precluded by the Sector Plan’s recommendations. Residential townhouses west of Stonehenge Place are within the 50-foot height limit; residential townhouses and mid-rise buildings, within the middle segment of the development are within the 75-foot height limit; and the area west of Towne Road is within the 200-foot height limit and will not be above 60 feet in height. The Sketch Plan Amendment density is still in conformance with the overall density limits in the Sector Plan.

Design and Connectivity

The Sector Plan’s design and connectivity recommendations for the Wilgus property are to:

- Establish a pattern of short blocks and internal streets to promote walkability.
- Locate maximum building heights at the eastern end of the property along Towne Road.
- Reduce building heights toward the existing Cherington townhouse development to establish a compatible relationship with the existing residential development.
- Enhance pedestrian areas along Towne Road to improve pedestrian connectivity between northern and southern districts.
- Extend Stonehenge Place as a public street to connect between Josiah Henson Parkway and Montrose Road.
- Create open spaces, including an area with a minimum of 1.25 acres, for public use that are connected to the overall open space network.

- Provide screening via fencing, a hedge, tree planting or other appropriate means between the existing Cherington townhouses to the north, and any new development to the immediate south (p.38).

Overall, the Sketch Plan Amendment achieves many of these design and connectivity requirements. One of the revisions includes increasing the total amount of Open Space in the project from the previously approved 1.43 acres to 1.56 acres, which further reinforces the Sector Plan goal of quality open spaces that are connected to the broader network. This increase in Open Space is a result of the reduced density and through an extension of the East Urban Plaza (adjacent to the intersection of Josiah Henson Parkway and Towne Road).

Affordable Housing

The Sector Plan's housing chapter requires "15% MPDUs as the highest priority public benefit for all new residential development unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park." The Project will provide 15 percent MPDUs for the development; therefore, it is in substantial compliance with the Sector Plan recommendations for affordable housing.

Public Facilities

The 2018 Sector Plan recommends that "each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals" (p.96). As approved through Condition No. 30 in Preliminary Plan No. 120200140, the Project will provide a financial contribution to the Montgomery Parks Department for land acquisition for parks or capital project(s), in lieu of providing a school site. The final calculation of payment to the Parks Department for Phase II (i.e. Phase IV on the previously approved phasing plan) will be determined at the time of the associated Site Plan.

Open Space

The Sector Plan recommends that the Wilgus property provide a minimum of 1.25 acres of Open Space. The Sector Plan states that "at least 1.25 acres of open space should be provided on the Wilgus property when it is developed, either on the area south of existing townhouses and/or as a neighborhood green on the central or eastern portions of the Wilgus property. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping" (p.37). The Sector Plan also states that the "location of open space should be defined during the development review process and may include wooded areas and/or a neighborhood green."

The Parks section of the 2018 *White Flint 2 Sector Plan* also recommends to "create a minimum 1.25 acres of open space for public use at the Wilgus property when it redevelops. This could include neighborhood amenities, including a flexible green gathering space, picnic areas, and play features or maybe a wooded area with passive

recreation. It should be linked to the [Josiah Henson Parkway] bikeway by a trail connection.”

The Sketch Plan Amendment illustrates more than 1.25 acres of Public Open Space, for a total of 1.56-acres of Open Space across the entire 16-acre site. This includes the Western Park at East Jefferson Street and Josiah Henson Parkway, the Central Public Park in the middle portion of the Site, the Eastern Urban Plaza at Josiah Henson Parkway and Towne Road, and the through-block connection on the eastern portion of the Site. The central open space is currently underway, which will contribute to establishing a key public amenity in the early stage of development.

As stated in the original Sketch Plan approval (No. 320190070), the Montgomery County Council Resolution 18-979 approving the 2018 *White Flint 2 Sector Plan* included the following requirement: “pursue options for preserving all or a portion of the wooded area along [Josiah Henson] Parkway for passive use”. The Applicant has stated that it has addressed this Sector Plan recommendation. Given the proposed development and the site configuration, the existing wooded areas were difficult to preserve while still maintaining a healthy and viable tree population.

Environment/Sustainability

The Sector Plan provides overall environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions. Specific to the Wilgus property and preserving natural resources, the Sector Plan recommends to “establish a landscaped area between the southern boundary of the existing Cherington townhouse community and the new development on the Wilgus property.” The development will provide this landscaped area.

Important natural resources recommendations are to:

- Incorporate multiple layers of native vegetation in landscaping, including plants that are highly attractive to pollinators, to provide food sources for declining populations of native pollinator species.
- Direct infill development to existing surface parking lots to preserve green spaces.

Important water quality recommendations are to:

- Prioritize environmental public benefit points for tree canopy cover in the CR zone.
- Promote the use of environmental site design (ESD) techniques to reduce impervious areas.

Significant air quality recommendations are to:

- Increasing forest and tree cover.
- Incorporate building design features that keep roofs cool, such as green roofs or cool roofs.
- Prioritize environmental public benefit points for tree canopy cover and energy conservation.
- Promote site and building design for energy conservation.

Energy conservation and generation and green roofs and cool roofs on the multifamily buildings are the primary environmental sustainability measures that will be removed with this Sketch Plan Amendment. Therefore, as conditioned in Section 1 of this report, the Applicant is required to pursue additional sustainable features including energy conservation to further the Sector Plan's recommendations. The Applicant has stated that they will explore opportunities for native plantings and large caliper trees to provide shade and reduce heat island effects, as well as potential locations of pervious areas, during the Site Plan review for Phase II (i.e. Phase IV on the phasing plan) of the Project.

Public Benefits

The Sector Plan's recommended public benefits are the following:

- Dedication of land for needed school sites as the highest priority public benefits.
- Fifteen (15) percent MPDUs as the highest public benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.
- The provision of major public facilities other than school sites, including but not limited to: land for school athletic fields; new neighborhood parks and open spaces; public transportation (new Metrorail Station entrance); and undergrounding of utilities.
- Quality building and site design, including but not limited to, exceptional design and public open space.
- Connectivity and mobility, including but not limited to advanced dedication, streetscape improvement, minimum parking, trip mitigation and transit access improvement.
- Diversity of uses and activities, including but not limited to care centers, moderately priced dwelling units, dwelling unit mix, and enhanced accessibility for seniors or the disabled.

- Protection and enhancement of the natural environment, including but not limited to, tree canopy, energy conservation, and generation, and habitat preservation and restoration (p.104).

The Sketch Plan Amendment will primarily advance the Sector Plan's recommended public benefits, including minimum public open space and affordable housing.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

Not applicable; the Sketch Plan is not subject to a development plan or schematic development plan.

4. *For a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, the Sketch Plan satisfies the green area requirement in effect on October 29, 2014.*

Not applicable; the Zoning on October 29, 2014, was not the result of a Local Map Amendment.

5. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

Although density, use, and heights will change under the Sketch Plan Amendment, the Project remains compatible with existing and pending nearby development. The Project's building heights in Phase I that are closest to the Cherington townhouses are 50 feet in building height. The Project will set back new townhouses from the shared property boundary at least to the same extent as the abutting Cherington residential structures and provide a substantial landscaped buffer.

The townhouses, two-over-two stacked townhouses, and the newly introduced back-to-back two-unit dwellings will be compatible with existing and pending high-density, mixed-use development at Pike and Rose, which includes mid-rise and high-rise residential, shops, restaurants, entertainment venues, and offices.

Diagonal to this area and along the Rockville Pike, Towne Road, Josiah Henson Parkway corridors, there exist significant high-rise, high-density buildings. Separated by multilane roadways, the Applicant's housing typology change at the eastern portion of the Property aims to create a cohesive environment with existing development at key intersections.

6. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Sketch Plan Amendment continues to provide adequate multimodal access and circulation. The amended private alleyway networks that connect to Streamline Drive and Stonehenge Place provide access for loading located in the rear of each two-unit dwelling.

The previously approved pedestrian promenade located on the east side of Streamline Drive will be aligned with Stonehenge Place, providing a through-block connection to the open space located at the corner of Josiah Henson Parkway and Towne Road. The promenade also serves as fire access to the back-to-back two-unit dwellings.

Previously approved sidewalks with street buffers on the east side of Streamline Drive and the south side of Montrose Road remain unchanged. As conditioned in the previously approved Preliminary Plan No. 120200140, the Applicant will construct a ten-foot (10 ft) separated two-way bike lane facility and six-foot (6 ft) sidewalk with a six-foot (6 ft) landscape panel on the west side of Towne Road. The Applicant will also construct a twelve-foot-wide (12 ft) bikeway along the entire Josiah Henson Parkway frontage as part of the Breezeway, which is a part of a larger county wide bicycle network. An existing bus stop on the Property frontage located east of the intersection of Streamline Drive and Montrose Road will be relocated as part of the project. These pedestrian and bicycle improvements contribute to safe conditions for travel throughout the site and to surrounding destinations.

7. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. The final determination of public benefit point values will be determined at Site Plan(s).

For the overall development, the Zoning Ordinance requires 100 points in four (4) categories. The Applicant proposes to exceed the minimum point requirement utilizing six (6) categories. At the time of Sketch Plan review only an outline of

public benefits needs to be approved. The following table shows both the categories and points for the public benefits approved at the time of the Phase I Site Plan and the requested revisions under this Sketch Plan Amendment application. The Planning Board finds that this Application continues to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

This Amendment maintains the categories for a public park within the Major Public Facilities category, Level 2 Transit Proximity, advanced dedication for Stonehenge Place extended and a through-block connection within the Connectivity and Mobility category, 15 percent MPDUs within the Diversity of Uses and Activity category, and the purchase of Building Lot Termination ("BLT") easements. Public benefits that will be removed through the Amendment include structured underground parking within the Quality of Building and Site Design category, and vegetative and cool roofs within the Protection and Enhancement of the natural Environment Category. Table 2 shows the Applicant's public benefits across six categories including the additional one for public open space in excess of the minimum 10 percent requirement. As conditioned, the Applicant must evaluate the potential for additional points to be applied in the Protection and Enhancement of the Natural Environment category. Below the table is a summary of the public benefit points approved by the Planning Board. A more detailed review and the final number of points will be determined at the time of the Site Plan for Phase II.

Table 2: Revised Public Benefit Calculations - Division 59-4.7

Public Benefit	Maximum Points Allowed	Total Points Previously Approved⁵	Approved with Sketch Plan Amendment No. 32019007A
Major Public Facilities			
Central Public Park	n/a	12	No Change
Bicycle Share	n/a	5	No Change
School & Park Contribution	n/a	25	No Change; 25
Transit Proximity	n/a	26.70	No Change
Connectivity and Mobility			
Advanced Dedication (Stonehenge Pl.)	n/a	2.33	No Change
Through-Block Connection	20	10	No Change
Diversity of Uses and Activities			
Moderately Price Dwelling Units (15%)	n/a	30	Revise; 240.65
Quality Building and Site Design			
Structured Parking	20	10.94	Remove
Public Open Space	30	n/a	Add; 1.10
Protection and Enhancement of the Natural Environment			
Building Lot Terminations (BLT)	30	18.79	Revise; 14.35
Cool Roof	10	5	Remove
Energy Conservation and Generation (on high-rise bldg.)	15	5	Remove
Vegetative Roof (on high-rise bldg.)	15	7.5	Remove
Total Points	100 pts. (minimum required)	158.26 pts.	337.38 pts.

Major Public Facilities*School Contribution:*

The Sector Plan recommends that “each and every development application should be thoroughly evaluated for a potential school site.” The Sketch Plan was initially approved for 25 points for making a proportional financial contribution towards a school or a park with athletic fields within the Sector Plan area. Under this proposed Amendment, the Applicant requests a reduction to 12.5 points for one phase. The Planning Board does not support this reduction at this time because the final points in this category should reflect all project phases. During the subsequent

⁵ Total public benefit points were subsequently finalized and approved through the Phase I Site Plan No. 820210080.

submission for a Site Plan, the final calculations and points (that reflect the final construction phase) will be determined as additional financial contributions⁶ will be based on a per unit basis to be assessed at the time of building permit.

Diversity of Uses and Activities

Moderately Priced Dwelling Units:

Due to the change in housing typology and bedroom mix, the points for this benefit were recalculated. The Applicant seeks 240.65 points for providing 15 percent MPDUs. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs which is equivalent to 30.65 points for all project phases. Additionally, the Applicant is requesting 210 points for the provision of 3-bedroom townhomes in a total of 42 units. Five (5) points are granted for each. Final calculation will be provided at the time of Site Plan. The Planning Board supports the Applicant's revised request for points in this category.

Quality Building and Site Design

Public Open Space:

The Applicant is requesting 1.10 points for the provision of additional public open space that exceeds that minimum 10% requirement. Final calculation will be provided at the time of Site Plan. The Planning Board supports the Applicant's revised request for points in this category.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT):

Due to the Project's change in density, the points for this benefit must be recalculated. The Applicant requests 14.35 total points for the purchase of approximately 1.6 BLTs. Final calculation will be provided at the time of Site Plan. The Planning Board supports the Applicant's revised request for points in this category.

8. *The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

⁶ As referenced in MCPB Resolution No.21-052 dated July 29, 2021, for the approved Phase I Site Plan, the financial contribution to the Montgomery County Department of Parks (for the Mid-County Park Benefits Payments CIP No. P872201) for up to \$427,603.60 towards a school or park within the Sector Plan area is based upon \$0.80 per square foot of non-MPDU optional method density used within the CR Zone. Additional financial contributions will be paid under future phased site plan(s) on a per unit basis to be assessed at the time of building permit in the amount of \$361.06 per multi-family unit, or other dwelling unit rates as established in 4(a)(i)(a) if amended to include those unit types.

Under the Preliminary Plan No. 120200140 and Phase I Site Plan approvals, the areas subject to density, height, and use changes were identified as Phase IV. The Subject lots will be resubdivided for the back-to-back two-unit dwellings and constructed in a single future phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at the site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Wilgus II at Northpark, Sketch Plan Amendment No. 32019007A, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

April 1, 2025

(which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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 Vice Chair Pedoeem, seconded by Commissioner Hedrick, 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, March 27, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
 Montgomery County Planning Board

October 8, 2020

MEMORANDUM

TO: Casey Anderson, Chair, Montgomery County Planning Board

VIA: Carrie Sanders, Chief, Mid-County Planning *CS*

FROM: Gwen Wright, Planning Director *GW*

RE: Re-Issue Resolution:
MCPB No. 20-065
Preliminary Plan No. 120200140
Wilgus

Attached, please find the Resolution for Preliminary Plan No. 120200140, Wilgus. The Planning Board adopted this version of the resolution on July 23, 2020. However, an earlier and incorrect version of the resolution was inadvertently mailed out to all parties of record on August 13, 2020. The enclosed resolution accurately reflects the changes to conditions of approval and findings that were presented and discussed with the Planning Board at the public hearing on July 23, 2020. The enclosed resolution does not warrant additional Planning Board action and approval because it is consistent with and accurately reflects the Planning Board's initial approval.

Prior signatures on the incorrectly issued resolution will become void. Therefore, signatures from Legal Counsel and the Planning Board Chair are necessary again so that the enclosed resolution, which accurately reflects the Planning Board's approval, can be issued to all parties of record.

GW:CS:tg:ha

Attachment

cc: Patrick Butler, Supervisor, Mid-County Planning
Tamika Graham, Senior Planner, Mid-County Planning



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Attachment B

MCPB No. 20-065
Preliminary Plan No. 120200140
Wilgus
Date of Hearing: July 23, 2020

OCT 15 2020

RESOLUTION

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

WHEREAS, on January 13, 2020, Wilgus-Montrose Associates LLC; ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create up to 107 townhouse lots, two (2) lots for stacked multi-family units, one (1) lot for a low-rise multi-family building, one (1) lot for a mix of 15,000 square feet of ground floor commercial uses and multi-family units, three (3) park parcels, eleven (11) private road parcels, and seven (7) HOA parcels for a maximum of 745 dwelling units and 1,040,789 square feet of total development on 16.64 acres of land in the CR-2.0, C-1.0, R-1.5, H-200', CR-2.0, C-0.25, R-1.75, H-75', and CRN-0.75, C-0.0, R-0.75, H-50' zoning districts, generally bound by Montrose Road to the north, Towne Road to the east, Montrose Parkway to the south, and East Jefferson Street to the west ("Subject Property"), in the Metro Station Policy Area and 2018 White Flint 2 Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's Preliminary Plan application was designated Preliminary Plan No. 120200140, Wilgus ("Preliminary Plan" 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 July 13, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on July 23, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing the Planning Board voted to approve the Application, subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120200140 for up to 107 townhouse lots, two (2) lots for stacked multi-family units, one (1) lot for a low-rise multi-family building, one (1) lot for a mix of 15,000 square feet of ground floor commercial uses and multi-family units, three (3) park parcels, eleven (11) private road parcels, and seven (7) HOA parcels on the Subject Property, subject to the following conditions:¹

General Approval

1. This Preliminary Plan is limited to a maximum of 1,040,789 square feet of total development, including a maximum of 1,025,789 square feet of residential uses and 15,000 square feet of non-residential uses, for a maximum of 745 dwelling units including up to 107 townhouse units on 107 lots, 638 multi-family units on four (4) lots (including two (2) lots for 34 stacked two-over-two multi-family units and two (2) lots for multi-family buildings), and 15,000 square feet of non-residential uses on one lot shared with multi-family units, with additional various park/open space parcels, private road parcels, and HOA parcels.

Adequate Public Facilities, Preliminary Plan Validity, and Outside Agencies

2. The determination of Adequate Public Facilities ("APF") and Preliminary Plan approval will remain valid for one hundred and twenty (120) months from the date of mailing of this Planning Board Resolution, according to the phases outlined below. Because the APF and Preliminary Plan validity periods are longer than the typical five years, phasing schedules in accordance with Sections 4.1.C.9.b, 4.2.G.2.b.iv, and 4.3.J.5.b of the Subdivision Regulations are required. The phasing schedule for the APF validity period is as follows:

- | | |
|-----------|--|
| Phase I: | Building permits issued for a minimum of 23 dwelling units, including MPDUs, within 60 months from the 30th day after the Resolution is mailed; |
| Phase II: | Balance of building permits for the remaining dwelling units, including MPDUs, issued within 60 months from the expiration of the Phase I APF validity period; |

With respect to the phasing schedule for the Preliminary Plan validity period, plats must be recorded as follows:

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.

- Phase I: Plats recorded for 24 lots (24 townhouse lots) within 36 months from the 30th day after the Resolution is mailed;
- Phase II: Plats recorded for 21 lots (19 townhouse lots and two (2) stacked two-over-two multi-family lots) within 36 months from the expiration of the Phase I preliminary plan validity period;
- Phase III: Plats recorded for 64 lots (64 townhouse lots) within 36 months from the expiration of the Phase II preliminary plan validity period;
- Phase IV: Plats recorded for two (2) lots (one (1) lot for multi-family apartment building and one (1) lot for three (3) multi-family high-rise buildings) and 15,000 square feet of retail shared with multi-family units, within 12 months from the expiration of the Phase III preliminary plan validity period.

Outside Agencies

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated July 9, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated June 30, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated May 4, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS Fire Department Access and Water Supply Section may amend if the amendment does not conflict with other conditions of the Preliminary Plan approval.

7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated May 12, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

Environment

Noise

8. A noise study must be submitted with the initial Site Plan to M-NCPPC Staff from an engineer that specializes in acoustical treatment, showing existing noise impacts on the Property and the 20-year projected noise impacts based on the proposed development. The Applicant must attenuate any noise impacted units to comply with requirements to keep interior noise levels at or below 45 dBA Ldn, and the Applicant must attenuate any impacted outdoor areas at or below 65 dBA Ldn where reasonable and as determined by M-NCPPC, with details to be determined at subsequent Site Plan(s).

Forest Conservation

9. The Applicant must comply with the following conditions of approval of the Preliminary Forest Conservation Plan, approved as part of this Preliminary Plan;
 - a) The applicant must submit a Final Forest Conservation Plan for the entire property with the first site plan. The Final Forest Conservation Plan must be consistent with the Preliminary Forest Conservation Plan.
 - b) The Final Forest Conservation Plan must be approved prior to any demolition, clearing, grading or construction occurring on the Property.
 - c) Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Cabin John Creek watershed to satisfy the off-site forest conservation requirements. If the credit is not available in the Cabin John Creek watershed, the offsite requirement may be met by purchasing from a mitigation bank elsewhere in the County, subject to Staff approval.
 - d) The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
 - e) The Limits of Disturbance (LOD) to reconstruct the Master-Planned Breezeway must be added to the Preliminary Forest Conservation Plan and the worksheet appropriately adjusted as part of the Certified Preliminary

Plan. Any other required off-site improvements that will expand the LOD should be added as well.

Transportation

9. The County has previously entered into an agreement with the Applicant requiring the County to construct a traffic signal at the intersection of Montrose Parkway and Stonehenge Place at the County's own cost when required. MCDOT has found that this traffic signal should be installed. To the extent that portions of the Wilgus property are necessary to be utilized for the construction/installation of the future traffic controls/signalization, the Applicant will make such land available to the County at no additional cost to the County.
10. The Applicant shall construct a twelve-foot wide Breezeway along the Site's Montrose Parkway frontage (the "Breezeway"). The segment of the Breezeway from East Jefferson Street to Street C must be constructed prior to the issuance of the final Use and Occupancy Certificate for the mid-rise apartment building and the remaining segment between Street C to Towne Road must be constructed prior to the issuance of the final Use and Occupancy Certificate for the first high-rise multi-family building. The Breezeway must maintain no less than six (6) feet of separation between the facility and Montrose Parkway per the *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines*.
11. The record plat shall show the dedication along the East Jefferson Street frontage ensuring no less than twenty-five feet is available between the edge of the eastern curb and the Property line.
12. Prior to the issuance of the final Use and Occupancy Certificate for a dwelling unit in the initial Site Plan, the Applicant must provide a protected bicycle intersection at Montrose Parkway and East Jefferson Street and the master-planned separated bicycle lanes along East Jefferson Street. The Applicant may provide a fee-in lieu of construction to the Montgomery County Department of Transportation subject to MCDOT review and approval.
13. Prior to issuance of the final Use and Occupancy Certificate for the first high-rise multi-family building, along the Towne Road frontage, between the western curb edge and Property line, the Applicant must provide (from curb to Property line) a six-foot landscaped tree panel, a ten-foot two-way separated bike lane facility, and a sidewalk no less than six feet. The separated bike lanes should be depressed between the landscaping and sidewalk with a minimum of a 2.5" curb reveal.
14. Design and construct, prior to issuance of the final Use and Occupancy Certificate for the first high-rise multi-family building, a protected bicycle

intersection, subject to the satisfaction of the Montgomery County Department of Transportation, where the separated bicycle lanes meet the sidepath (to be reconstructed to 12-foot-wide) on Montrose Parkway and Towne Road.

15. The Project must execute a Project-based Transportation Demand Management (TDM) Plan and must obtain approval from the Department of Transportation for the TDM Plan prior to issuance of any building permit.
16. Prior to issuance of the final Use and Occupancy Certificate for the townhouses south of the Cherington community, provide appropriate pedestrian ramps and crossings connecting both sides of Street B at the two locations where the roadway bends sharply southward. Crossings may need to be raised or stop controlled depending on visibility.
17. Prior to Site Plan approval for the high-rise multi-family buildings, revise the loading program or execute a loading management plan governing the times of day trucks can enter the Site and associated operational safety requirements.

Existing Frontage Improvements

18. To be shown on the record plat, the Applicant must meet the intent of the Bicycle Facilities Guidelines by dedicating 60 feet from centerline to the right-of-way along the Property's frontage of Towne Road for the future bicycle and pedestrian facilities along Towne Road.
19. Prior to the issuance of the final Use and Occupancy Certificate for each respective phase, the Applicant must satisfy all necessary requirements of MCDPS to construct 10-foot two-way separated bike lanes and a six-foot wide sidewalk along the Property frontage on Towne Road, and five-foot wide sidewalks along both E. Jefferson Street and Montrose Road, and a twelve-foot wide shared-use path along Montrose Parkway. Final timing and phasing to be determined at Site Plan(s).

New Streets

20. The Applicant must dedicate the rights-of-way for Street C and Stonehenge Place Extended to ensure construction of all necessary road improvements as shown on the Preliminary Plan, to the design standards imposed by applicable road codes, or as modified by MCDOT's approved design exceptions.

Private Roads

21. The Applicant must provide the Private Roads, labeled as Street A, Street B, and Street D on the Preliminary Plan, including any sidewalks, bikeways, storm

drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan, with final details to be determined at subsequent Site Plan (collectively, the "Private Roads"), subject to the following conditions:

- a) The record plat must show the Private Roads in a separate parcel.
- b) The Private Roads must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
- c) Before issuance of any residential building permit that requires access via a private road, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code MC-2005.02, as modified on this Preliminary Plan, with final details to be determined at subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

Underground Utilities

22. The Applicant must underground existing and future utility poles located along the Property's frontage on Towne Road, between Montrose Road and Montrose Parkway. The existing utility pole located at the intersection of Montrose Road and Towne Road identified as PEPCO 766444-199097 may remain.

Record Plats

23. There shall be no clearing or grading of the Site prior to recordation of plat(s).

Easements

24. The record plat must show necessary easements.
25. Provide a five-foot Public Utility Easement (PUE) along the Property's Montrose Road frontage.

26. The record plat must reflect the required minimum four-foot-wide public infrastructure area adjacent to or within all Private Streets.
27. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

28. The record plat must reflect all areas under common ownership.
29. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Liber 28045 Folio 578 ("Covenant").

Other Payments

School/Park Site

30. In lieu of satisfying the Sector Plan recommendation for the dedication of land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park, the Applicant shall make a financial contribution to the Montgomery Parks Department for land acquisition for parks or capital project(s), based upon \$0.80 per square foot of non-MPDU optional method density used within the CR zoned portion of the Subject Property. The final calculation of payment and CIP will be determined at each Site Plan. The financial contribution shall be phased and paid on a per unit basis at the time of building permit, derived from the percentage of elementary school students generated by each unit type for the entire Preliminary Plan.

Moderately Priced Dwelling Units (MPDUs)

31. The Applicant shall provide a minimum of 15% MPDUs on site. The MPDUs may be dispersed as approved by DHCA among the townhouses and stacked two-over-two multi-family units. Future Site Plans shall provide 15% MPDUs in the mid-rise apartment building and within each of the three (3) high-rise buildings, subject to rounding up.

Certified Preliminary Plan

32. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
33. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking,

site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

34. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
- a) Show resolutions and approval letters on the certified set.
 - b) The Towne Road Section/Bicycle Master Plan Detail adjacent to the Site should include the following elements between the roadway curb and the Property line:
 - i) 6-foot landscaped buffer adjacent to the roadway curb (minimum);
 - ii) 10-foot two-way separated bike lanes; and
 - iii) 6-foot sidewalk (minimum) adjacent to Property line.
 - c) Relabel Central Public Park to Central Park or Neighborhood Park.

Future Site Plan

35. Before clearing or grading of the Property or recording a plat for the Property, the Applicant must receive Staff certification of a Planning Board-approved Site Plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined through Site Plan review and approval.
36. If an approved Site Plan or Site Plan Amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan amendment.
37. Evaluate additional sustainable features, as previously conditioned with Sketch Plan approval, to enhance the development, including energy conservation to further the Sector Plan's recommendations.
38. Continue to coordinate with Planning and Parks on the previous design recommendations provided to enhance the Neighborhood Park.
39. The following items must be addressed prior to filing and during the review of the Site Plan for the townhouse development to the immediate south of the Cherington Community:
- a) Installation of the 20-foot wide landscape buffer area between the Cherington Community to the north and the proposed townhouse development to the immediate south as shown on the preliminary plan. The landscape design drawings identified as LB-1 and LB-2 dated July 1, 2020 must be given

- consideration in development of the landscape buffer to be included in the Site Plan submission.
- b) Careful consideration must be given to the timing to install the buffer plantings. Frequency of watering and care for the new plantings must be included in the required planting schedule.
 - c) Long-term maintenance of the buffer must be assured, with the newly formed HOA for the development being responsible for the buffer. These provisions must be included in the HOA bylaws.
40. The applicable Site Plan(s) must include the installation of a 6-feet - 6-inch-high fence the length of the vegetated buffer along the Cherington property line. The type of fence, a synthetic wood-like material, and installation timing must be reviewed and approved during review of the Site Plan(s).
41. As part of the review of the Site Plan for the townhouse development to the immediate south of the Cherington community, the Applicant will coordinate with the adjacent community and Staff regarding surface drainage water that may adversely impact the Cherington community.
42. Understanding there are utility and easement conflicts adjacent to the extension of Stonehenge Place, the Applicant, at the time of applicable Site Plan, shall continue to explore with MCDOT and/or MCDPS the feasibility of providing a planted buffer between the row of townhomes on Castle Gate Road and Stonehenge Place Extended.
43. As part of the initial Site Plan, the Applicant shall submit a phasing plan addressing the planting of the buffer area between the Cherington Community to the north and the proposed townhouse development to the immediate south. This buffer area shall be planted as soon as feasibly possible after the clearing and grading of the entire site for the construction of the townhouses and stacked two-over-two multi-family units.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and 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:

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The proposed lot sizes and layout of the subdivision are appropriate given its location, the type of use contemplated, and the applicable requirements of Chapter 59 of the Montgomery County Code. The Preliminary Plan will accommodate development on the Property at an appropriate and efficient location, with appropriate building setbacks from existing and proposed roadways and the abutting property. Generally, the parcel plan for the 16.64-acre tract is largely in response to land constraints of the western 6.5-acre portion of the Site, the abutting townhouse development, the larger surrounding roadway network, and internal circulation needs. Consistent with the recommendations of the Sector Plan, the proposed lots accommodate a variety of uses at various development intensities, which includes traditional townhomes, stacked townhomes, high-rise multi-family, and high-rise mixed-use buildings.

The 6.5-acres of land on the western portion of the Site is narrow and has frontage along two existing roadways – Montrose Parkway and E. Jefferson Street. The proposed layout of the 64 townhouse lots has a compatible relationship with the existing Cherington townhouse community to the north, which will be separated by a proposed vegetated buffer. The current arrangement of the 16 townhouse lots closest to the Cherington townhomes has been rotated west to east so that the side facade of only a few units are exposed to the north, which addresses privacy needs and concerns.

The proposed townhouse lots located in the center of the Site are arranged to take advantage of site features such as the proposed Central Park. Also, the proposed townhomes on the west and central sections of the Site can yield smaller lots that are compatible with the existing lot sizes of the abutting townhouse development. Finally, the proposed residential lots in the Project are oriented both north to south and west to east which offers variation in the arrangement and therefore visual interest at the street level.

The Project's roadway design also achieves improved pedestrian, bicycle, and vehicular circulation. Additional parcels are proposed for an internal roadway network and the provided rights-of-way are adequate to support transportation and utilities. As required, all proposed lots front onto a public or private road, sidewalks are provided, and access is adequate to serve the lots for emergency vehicles. As previously noted, the Project includes two new north-south streets (Stonehenge Place extension and Street C) connecting Montrose Parkway and Montrose Road, two new east-west streets (Streets A and B) connecting East Jefferson Place to Stonehenge Place to Street C, and a new through-block shared street connecting two new street intersections with the East Urban Plaza. A third new north-south street (Street D) will offer access between Street A and an alley for those townhouses located between the Central Park and the adjacent apartment building.

The internal streets are designed as short blocks to comply with Chapter 50 of the Montgomery County Code. The short blocks are supportive of walking and bicycling, which is a prominent goal of the *White Flint 2 Sector Plan*. Additionally, a significant length of Private Street B (through the western 6.5-acre portion of the Site) is shifted south towards Montrose Parkway to create a greater degree of separation between the roadway and the Cherington townhouses.

Further, in accordance with Section 50.4.3.B of the Subdivision Regulations, the layout for the four (4) lots for multi-family and mixed-use buildings provides for efficient accessibility and circulation via appropriate sidewalks that connect to other uses within the Site and orients access points for direct building access and parking. The Preliminary Plan also provides for required public sites and adequate open areas. For the above-stated reasons, the proposed lot sizes and layout of the subdivision are appropriate given the location of the Site, the type of use contemplated, and the applicable requirements of Section 50.4.3.C of the Subdivision Regulations.

Further, the Preliminary Plan meets the dimensional requirements for the CRN and CR zones as specified in the Zoning Ordinance, as shown in Table 1 below, in relation to maximum density, height, and minimum open space.

Table 1: Development Standards in the CR and CRN Zones

Description	Required/ Permitted (CR-2.0, C-1.0, R-1.5, H-200)	Required/ Permitted (CR-2.0, C-0.25, R-1.75, H-75)	Required/ Permitted (CRN-0.75, C-0.0, R-0.75, H-50)	Proposed
Total Tract Area	410,253 sf.	174,332 sf.	140,438 sf.	725,023 sf. (16.64 ac.)
Maximum Density				
Total	820,506 sf.	348,664 sf.	105,328 sf.	up to 1,040,789 sf.
Commercial	410, 253 sf.	43,584 sf.	0 sf.	15,000 sf
Residential	615,380 sf.	305,082 sf.	105,329 sf.	up to 1,025,789 sf
Maximum Height	200 ft.	75 ft.	50 ft.	up to 50 - 200 ft.
Height Compatibility	No structure may protrude beyond a 45-degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached			N/A

	house in the abutting or confronting Residential zone.	
Minimum Public Open Space	10%/54,450 sf	Minimum 10%/54,450 sf. to be provided; Sketch Plan anticipates up to 11%/60,984 sf.
Setbacks	Determined by site plan.	To be set by site plan
Setback Compatibility	The minimum rear setback is equal to 1.5 times the minimum rear setback required for a detached house on the abutting property.	N/A
Form	Determined by site plan.	To be addressed by site plan
Minimum/Maximum Parking Spaces Permitted	3.5 /1,000 sf of gross leasable area (commercial)/ 1 DU or 2 DU (by residential density)	Determined by site plan.

Preliminary Plan Validity

The Applicant is seeking approval of a phased Project that will cumulatively exceed the 36-month Preliminary Plan validity period for a single-phased project.

Per Section 50.4.1.C.9 of the Subdivision Regulations of the County Code, where an Applicant proposes a multi-phased project, it must submit plat recording and construction phasing schedules that indicate the portions of the Preliminary Plan for which record plats will be obtained during each proposed phase, up to the expiration of the validity period for the determination of APF. The Preliminary Plan Validity period and phasing schedule is outlined as follows:

- Phase I: Plats recorded for 24 lots (24 townhouse lots) within 36 months from the 30th day after the Resolution is mailed;
- Phase II: Plats recorded for 21 lots (19 townhouse lots and two (2) stacked two-over-two multi-family lots) within 36 months from the expiration of the Phase I preliminary plan validity period;

- Phase III: Plats recorded for 64 lots (64 townhouse lots) within 36 months from the expiration of the Phase II preliminary plan validity period;
- Phase IV: Plats recorded for two (2) lots (one (1) lot for multi-family apartment building and one (1) lot for three (3) multi-family high-rise buildings) and 15,000 square feet of retail shared with multi-family units, within 12 months from the expiration of the Phase III preliminary plan validity period in the conditions of approval.

The Planning Board approves the requested 10-year Plan Validity Period.

2. *The Preliminary Plan substantially conforms to the Sector Plan.*

The Preliminary Plan substantially conforms to the recommendations within the *2018 White Flint 2 Sector Plan*, as outlined below for various areas of emphasis.

a. Land Use

Generally, the Sector Plan intends to: 1) Concentrate additional density in areas with potential to create mixed-use activity centers in support of ongoing County efforts to transform these areas; 2) Promote compatibility among new development, adjacent high-density development, and existing low-density residential communities; and 3) Identify properties that could develop as unique mixed-use neighborhood centers to serve established residential communities.

More specifically, the *White Flint 2 Sector Plan* is organized into four districts. The Subject Property is located within the Rockville Pike-Montrose North District. These districts are further divided into smaller areas to provide more specific recommendations. The Sector Plan identified the Wilgus property and indicated that “undeveloped portions of the Wilgus property have the greatest potential for new development. Redevelopment in this area would serve as an important link between the Executive Boulevard District and the Pike and Rose development” (p.37). The Sector Plan envisions the Wilgus properties contributing to a walkable, pedestrian-friendly environment.

Further, for the Wilgus property, the Sector Plan notes that the “land use and zoning recommendations for the Wilgus property will permit greater intensities and building heights via the CR Zone on the eastern portion, and lower heights and densities via the CRN Zone on the western portion adjacent to the existing Cherington townhouses. At least 1.25 acres of open space should be provided in the Wilgus property when it is developed, either on the area south of the existing townhouses and/or as a neighborhood green on the central or eastern portion of the Wilgus property. If the area south of the Cherington townhouses is developed with residential units, there should be appropriate transitions between the two communities, including landscaping”.

Additionally, for the 3.5-acre property (Parcel N273) that is east of the intersection of Montrose Parkway and East Jefferson Street, the Sector Plan recommends that “during the development review process, pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use. Ensure that new residential development is compatible with the adjacent townhouse community”. An assessment reflecting consideration of these options and requirements is provided under the Forest Conservation Plan discussion in Chapter 5 of the Staff Report and covered by Staff comment at the public hearing.

Density and Building Height

The proposed density and building heights are consistent with the Sector Plan’s recommendations. Proposed residential townhouses west of Stonehenge Place are within the 50-foot height limit; residential townhouses and mid-rise buildings, within the middle segment of the development are within the 75-foot height limit; and the area west of Towne Road is within the 200-foot height limit.

Design and Connectivity

Several of the Sector Plan’s design and connectivity recommendations for the Wilgus Property are to: 1) Establish a pattern of short blocks and internal streets to promote walkability; 2) Reduce building heights toward the existing Cherington townhouse development to establish a compatible relationship with the existing residential development; 3) Create open spaces, including an area with a minimum of 1.25 acres, for public use that are connected to the overall open space network; and 4) Provide screening via fencing, a hedge, tree planting or other appropriate means between the existing Cherington townhouses to the north, and any new development to the immediate south (p.38).

Overall, the Preliminary Plan achieves these design and connectivity requirements, including providing a total of 1.43 acres of public open space, including a 0.75-acre central park. This park and the western open space are linked to Montrose Parkway. Stonehenge Place and Street C are proposed as public streets and building heights transition from the tallest along Towne Road to lower level townhouses, which are primarily adjacent to the existing Cherington townhouses.

Affordable Housing

The Sector Plan’s housing chapter declares that “15% MPDUs as the highest priority public benefit for all new residential development unless the property is required to dedicate land for a school site or athletic fields that be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park.” The development will provide 15 percent MPDUs and proposes that 17 of its required 22 MPDUs for Phase 1 be comprised of lower-level units of two-over-

two multi-family units with the remaining dispersed though the townhouses. The final MPDU location plan will be finalized at the time of Site Plan.

Public Facilities

The 2018 Sector Plan recommends that “each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Department will negotiate for maximum dedication of land for a school site and that this be the top priority benefit under the review process of projects proceeding under these plans” (p.96). During Sketch Plan, it was determined that the Applicant would be subject to a proportional financial contribution that would achieve contributing to the needed school site and would be further addressed at the subsequent Preliminary Plan. As part of this Application package, the Applicant is required to make a payment to the Commission which is required as a condition of approval of the Preliminary Plan to gain public benefit points. The financial contribution from the Applicant will be used to acquire new parkland and new parks facilities on new parkland, and the new parkland and/ or improvements must occur within the boundary of the *White Flint* or *White Flint 2 Sector Plans*.

Public Open Space

The Parks section of the *2018 White Flint 2 Sector Plan* also recommends to “create a minimum 1.25 acre open for public use at the Wilgus property when it redevelops.” The Plan illustrates 1.4 acres of Public Open Space, which includes a central park and the required Common Open Space for the townhouse development on the Property.

The Preliminary Plan park concept reflects prior pre-application feedback in three key areas: public ownership, park design, and tree conservation. Regarding ownership, the Parks Department will not accept the Neighborhood Park; therefore, it will remain in private ownership but with public access. Regarding park design, the proposed park concept considers the topography needs as a way to ensure the park is more visible from the street for broad public invitation and use to overcome the existing down sloping of the proposed park. Additionally, the concept reflects prior Planning and Parks requests for the following: 1) the expansion of the proposed buffer between the proposed bikeshare station and adjacent townhomes to help with tree save and appropriate separation from a public-serving park facility, 2) a terraced approach to dividing up the park by seamlessly transitioning to address the significant grading issues, and 3) improving gathering spaces.

Prior to the Application submittal, additional Planning Department comments included: 1) Conduct more on-the-ground assessment to determine the extent that additional forest can be saved in the neighborhood park area and western

park, 2) Consider an approach that preserves small trees with smaller root zones that have a greater chance of survival than larger trees that may become hazards to adjacent new homes, and 3) address the requirement to provide an alternative assessment for forest preservation per the approving resolution of the Sector Plan.

Forest Retention on Western Portion of the Property

Montgomery County Council Resolution 18-979 approving the *White Flint 2 Sector Plan* included the following requirement to: "pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use."

In response to the Master Plan requirement, the Applicant submitted a response dated April 21, 2020, which outlined three options that were considered: (1) To preserve all of the wooded area in this parcel; (2) to preserve a portion of the wooded area; and (3) to try to preserve individual trees within the required 20-foot landscaped buffer between the new development and the adjacent Cherington townhouse community. The justification detailed in this letter broadly speaks to the hardship of preserving variance trees and the forest on the Property. The details of this justification can be found in the Forest Conservation section of this Resolution.

Because all of the variance-sized trees are within the forest that will be cleared, and because Staff has determined that it is infeasible to preserve all or some of the forest, on Parcel N273 as well as the remainder of the forested site closer to Metro, for the reasons stated above, the Planning Board concludes that the inability to remove the variance trees would render the Site undevelopable.

Given the proposed development and the Site configuration, the existing wooded areas are difficult to preserve while still maintaining a healthy and viable tree population. Instead, the Cherington Community is communicating very helpful and clear expectations on the elements they would prefer to be provided in the landscape buffer and screening. Thus, the Applicant has worked with the Cherington Community and Staff to develop a robust landscaped buffer and screening plan, which has been reviewed and accepted by the HOA (as shown on Sheets LB-1 and LB-2 dated July 1, 2020). The proposed conditions of approval require extensive landscape screening, a fence, coordination between Applicant the Cherington Community, and Staff regarding surface drainage water as part of the review of the Site Plan for the townhouse development to the immediate south of the Cherington Community, and maintenance of landscaping and the fence to ensure the plantings survive and aesthetic appeal is retained. Final details of this buffer/screening area are to be determined at Site Plan.

b. Environment

The *White Flint 2 Sector Plan* provides broad environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions. Important natural resources recommendations include incorporating multiple layers of native vegetation in landscaping to provide food sources for declining populations of native pollinator species and to direct infill development to existing surface parking lots to preserve green spaces. Important water quality recommendations are to prioritize environmental public benefit points for tree canopy cover in the CR zone and promote the use of environmental site design (ESD) techniques to reduce impervious areas. Significant air quality recommendations are to increase forest and tree cover, incorporate green roofs or cool roofs, prioritize environmental public benefit points for tree canopy cover and energy conservation, and to promote site and building design for energy conservation.

A variety of public open spaces and cool roofs for the mid-rise and high-rise buildings, along with Building Lot Terminations (BLTs) are the primary environmental sustainability measures included with this Proposal. However, the Applicant was directed to evaluate additional sustainable features, as conditioned with Sketch Plan approval, to enhance the development, including energy conservation to further the Sector Plan's recommendations. No additional sustainability measures are proposed with this Application. Therefore, Staff recommends carrying this condition into the Site Plan review to be addressed.

Specific to the Wilgus Property and preserving natural resources, the Sector Plan recommends to "establish a landscaped area between the southern boundary of the existing Cherington townhouse community and the proposed new development on the Wilgus Property."

c. Roads and Other Transportation Facilities

Existing transit service and proposed transportation facilities are adequate to serve the development proposed by this Application. The Site is located just under one mile from the Washington Metropolitan Area Transportation Authority's (WMATA) White Flint Metrorail Station. Ride On Bus service is also conveniently located adjacent to the Site with stops serving the 5, 26, 42, and 81 lines. The Ride On 5 line provides service between Twinbrook and Silver Spring; the Ride On 26 line provides service between Glenmont Station and Montgomery Mall; the 42 line provides service between White Flint Station and Montgomery Mall; and the 81 line provides service between Rockville Station and White Flint via Wootton Parkway and Montrose Road.

The Site is located within the White Flint 2 Bicycle and Pedestrian Priority Area (BiPPA). Montrose Parkway (SP-50) has an existing 10-foot-wide shared-use path along the southern portion of the Wilgus property. The 2018 *White Flint 2 Sector Plan* proposes a Shared Use Path along Montrose Road (LB-1), a separated bike lane for Towne Road (LB-11), and either a standard bike lane or separated bike lane is proposed for East Jefferson Street (LB-4). As conditioned, the Preliminary Plan must be revised to reflect the Bike Plan recommendation of a twelve-foot-wide shared-use path along Montrose Road and the ten-foot wide two-way bicycle lanes on Towne Road.

Master-Planned Roadways & Bikeways

The Application is constructing and upgrading master planned transportation facilities.

Montrose Parkway: Montrose Parkway (A-270), classified as a four (4) lane divided parkway, is master-planned to be 130 feet wide and the Site currently meets this width. The 2018 *Bicycle Master Plan* calls for a sidepath along the Site frontage, which will accommodate both pedestrians and bicyclists and function as part of the County's breezeway network. The Applicant is required to widen the existing sidepath along the Site frontage from ten (10) feet to twelve (12) feet. Existing trees within the DOT right-of-way along Montrose Parkway may be impacted and, if so, are required to be replaced by the Applicant.

Montrose Road: The 2018 *White Flint 2 Sector Plan* classifies Montrose Road (A-90) as an 80-foot wide four (4) lane arterial. Today, the ROW segment adjacent to the Subject Property exceeds 80 feet. The *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines* recommend an 82' wide section with a six-foot sidewalk and seven-foot planting strip adjacent to the Site. The Application will provide a six-foot-wide sidewalk with a planting buffer of varied width (no less than seven feet near driveway entries), and a five-foot wide public utility easement (PUE) adjacent to the Site. The master-planned bicycle facility along Montrose Road is located on the north side of the road across from the Property and will not be implemented through this project.

East Jefferson Street: The *White Flint 2 Sector Plan* classifies East Jefferson Street as a four (4) lane 80-foot wide business street; however, the *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines* (page 122) recommends that the Site dedicate an additional ten (10) feet of ROW to provide a six (6) foot planting strip separating the bicycle and pedestrian facilities from the cartway, a ten (10) foot bidirectional separated bicycle lane, and a six (6) foot sidewalk. The Applicant will meet the intent of the Guidelines by providing an additional dedication to ensure no less than 25 feet is available between the roadway curb and the Applicant's Property line for the future bicycle and pedestrian facilities. However, since the Applicant's frontage along East

Jefferson Street is minimal, the Applicant will pay an in-lieu fee rather than construct the master-planned separated bicycle lanes and associated protected intersection.

Towne Road: The *2018 White Flint 2 Sector Plan* classifies Towne Road (M-4a) as a four (4) lane divided major highway with a 120' width (exclusive of turn lanes). The *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines* do not include the segment directly adjacent to the Site, likely because it is constrained by capacity needs. Currently, the portion of Towne Road adjacent to the Site is seven (7) lanes wide, including turn lanes generally understood to service high volumes. The Applicant must provide (from the curb to Property line) a six-foot landscaped tree panel, a ten-foot two-way separated bike lane facility, and a sidewalk no less than six feet. The separated bike lanes must be depressed between the landscaping and sidewalk with a minimum of a 2.5" curb reveal.

The *Bicycle Master Plan* requires protected intersections where bicycle facilities meet. The separated bike lanes will need to transition into the sidepath on Montrose Road. The Applicant must provide a protected intersection where the separated bicycle lanes meet the sidepath on Montrose Parkway.

Stonehenge Place Extended: The *White Flint 2 Sector Plan* classifies the existing north-south segment of Stonehenge Place and its associated extension as a 60-foot business street. The existing right-of-way is approximately 70 feet, and the Applicant proposes to maintain the dimensions of the cartway through the Site. Since the road is proposed to have a target speed of 25 miles per hour, there are no formal bicycle facilities recommended.

Bicycle Parking

The amount and location of bicycle parking will be determined at the time of Site Plan.

Pedestrian Facilities

The Application will provide adequate pedestrian facilities along the Site's frontage, including the Montrose Parkway sidepath, which must be widened to be twelve feet wide. While the pedestrian connections on the eastern side of the Property are sufficient, there are concerns with the connections proposed near Private Street B. The proposed sidewalk near the intersection of proposed Street B and Stonehenge Place is not separated from traffic, whereas six feet of landscaped separation is preferred between the sidewalk and road. Additionally, ramps and adequate crossings are not provided over proposed Street B at this location, nor at the western bend near East Jefferson Street. This is potentially problematic as sidewalk facilities are not provided continuously on both sides of the Site. The Applicant must provide adequate crossing facilities over proposed

Street B to facilitate safe and accessible pedestrian movements. Crossings should be adequately marked and may need to be raised or stop controlled depending on visibility for turning vehicles.

Public Road Modifications

The Preliminary Plan shows the surrounding streets and adheres to the Sector Plan's recommended rights-of-way. However, some of the street cross-sections are not consistent with the County's Road Code standards. The Applicant has submitted a design exception request to MCDOT to deviate from the County's Road Code standards and obtained approval of certain design modifications for truncations, cross-sections and right-of-way widths. The Planning Board supports the proposed modifications, as shown on the Preliminary Plan.

Loading

Trucks must back into proposed Parking Garage C (the easternmost multifamily building on Montrose Parkway) from proposed Street C and this is not acceptable. Therefore, at Site Plan, the Applicant must enter into a loading management plan governing the times of day trucks can enter the Site and associated operational safety requirements.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

a. Local Area Transportation Review (LATR)

Based on the 2016-2020 Subdivision Staging Policy (SSP), the extension of the White Flint Metrorail Station Policy Area (MSPA) and modifications to the Local Area Transportation Review (LATR) standards only impact portions of the Subject Property. Parcels N208, N279, N174, and N231, are excluded from the LATR standards because they are included in the White Flint Special Taxing District. Since the portion of the Site west of Stonehenge Place falls beyond the White Flint Special Taxing District, the Applicant provided a Local Area LATR study to assess the impact of the proposed program for the units located west of Stonehenge Place (impacts for the project along the eastern portion of the Site are included as background traffic on the roadway network).

The study was initially submitted on October 19, 2018 and was revised on May 15, 2020. While the counts in the study are over a year old, the current COVID-19 traffic count guidelines allow the use of counts up to three years old due to reliability concerns for counts generated during the pandemic. The Applicant's trip generation for the 68 units west of Stonehenge Place demonstrates that the Applicant's program did not trigger the pedestrian, bicycle, or transit adequacy tests. The study suggests the intersection of East Jefferson Street and Montrose Parkway will operate above acceptable levels of delay. The Applicant proposes

signal optimization to mitigate this intersection. The proposed mitigation is projected to reduce average intersection delay to 60.2 seconds.

The Applicant prepared a signal warrant analysis to assess whether a signal is necessary at the intersection of Montrose Parkway and Stonehenge Place per the *Manual of Uniform Traffic Control Devices* (MUTCD). The Applicant's analysis suggests that a signal is not warranted; however, the Applicant's assumptions for Montrose Parkway do not factor in prevailing speeds or include appropriate assumptions about the number of lanes of the minor approach (Stonehenge Place). Based on coordination with the Montgomery County Department of Transportation, a signal is warranted at Montrose Parkway and Stonehenge Place. Due to an existing agreement between the Applicant and the County, the County will construct a traffic signal at the intersection of Montrose Parkway and Stonehenge Place at the County's own cost when required.

Transportation Mitigation Agreements

The Site falls entirely within the North Bethesda Transportation Management District (TMD) as well as in two different Subdivision Staging Policy (SSP) Areas and White Flint 1 and White Flint 2 Sector Plan Areas and will be subject to two (2) Transportation Mitigation Agreements (TMAGs). White Flint properties within the Plan area are required to support the mode share goals of the Sector Plan, which has a 50 percent Non-Auto Driver Mode Share (NADMS) goal. Stabilized projects are subject to enforcement surveys and—when necessary—mitigation based on various stages of development per the Master Plan. Staff will continue working with the Applicant during the review of the Site Plan(s) and MCDOT will work with the Applicant to develop a TDM program for the entire Site that supports the NADMS goals of the *White Flint* and *White Flint 2 Sector Plans*.

In accordance with County Code Section 42A-26, Transportation Demand Management Plans for New Development Projects (Project-based TDM Plans), the Wilgus project will be required to execute a Project-based TDM Plan. The Site is located within the following areas:

- North Bethesda TMD
- Red Subdivision Staging Policy (SSP) Area
- Orange SSP Area
- White Flint Sector Plan Area
- White Flint 2 Sector Plan Area

Project-Specific Requirement

One Project-based TDM Plan will be required that addresses the residential and mixed uses located east of Stonehenge Place (in the Red SSP area) and west of Stonehenge Place (in the Orange SSP area). The plan must include transportation demand management strategies that will enable the west side to

contribute to achieving the TMD goal and the east side to achieving the commuting goals for the North Bethesda TMD and the White Flint area. Those goals include achieving a 42% NADMS for both employees and residents and apply under both the *White Flint* and *White Flint 2 Sector Plans*. Plan components include the following:

Level 2: Action Program (Wilgus West/Orange Area)

The Applicant must contribute to achieving the TMD goal by providing a contact person to work with MCDOT, facilitating outreach on-site, providing transportation-related information, and other basic Transportation Demand Management (TDM) actions as outlined in the Staff Report.

Level 3: Results Program (Wilgus East/Red Area)

The Applicant must achieve the TMD/Project goal. Actions must include all strategies outlined above, plus additional strategies outlined in the Staff Report to ensure achievement of the 50/51 percent NADMS goal for the *White Flint Sector Plan* (50% for employees/51% for residents).

b. Schools Test

There is sufficient anticipated school capacity to accommodate the estimated number of students generated by this Project. The Property is located within the Walter Johnson High School cluster and as of July 1, 2020 must comply with the FY2021 Annual School Test. Using the applicable student generation rates, the Project is estimated to generate 47 new elementary school students, 22 new middle school students, and 29 new high school students. Student enrollment and capacity projections from the FY21 Annual School Test for the cluster reveals that the estimated enrollment impacts fall below the moratorium thresholds at each school level. The annual school testing confirmed that there is adequate capacity at the elementary, middle and high school cluster levels and individual school level for the amount of development generated by this Project.

c. Other Public Facilities and Services

The Subject Property is located within the W-1 and S-1 water and sewer categories. Therefore, there are adequate water and sewerage facilities to serve the Project. Additionally, the Project will be serviced by adequate police, fire, and health services.

Utilities

During the time of Sketch Plan, it was recommended that the Applicant add the undergrounding of existing utilities to public benefits to be provided by the Project, due to a specific recommendation of the Sector Plan. Per the Sector Plan, the priority public benefits for optional method development for the

portions of the Site zoned CRT and CR includes “the provision of major public facilities other than school sites, including but not limited to: land for school athletic fields; new neighborhood parks and open spaces; public transportation (new Metro Station entrance); and undergrounding of utilities.”

Accordingly, the Applicant must underground three (3) existing utility poles and associated overhead wires along the Subject Property’s frontage on Towne Road, which will substantially improve life safety for the multi-family high-rise portion of the Project. Beyond addressing public benefit points, this major infrastructure improvement addresses the existing fire and rescue safety concerns that would persist if the poles and wires were to remain. By undergrounding these utilities, the Property will have an enhanced designated area on the ground for operational access, while also allowing aerial access to upper stories, and will substantially decrease emergency response time. The existing utility pole located at the intersection of Montrose Road and Towne Road identified as PEPCO 766444-199097 may remain.

d. Adequate Public Facilities and Phasing

Per Section 50.4.3.J.5.a of the Subdivision Regulations, the applicable validity period for Adequate Public Facilities (APF) remains valid for no less than 5 and no more than 10 years after the Preliminary Plan is approved. The Applicant is seeking a 10-year (120 month) APF Validity Period, subject to the following phasing schedule, as conditioned:

Phase I: Building permits issued for a minimum of 23 dwelling units, including MPDUs, within 60 months from the 30th day after the Resolution is mailed;

Phase II: Balance of building permits for the remaining dwelling units, including MPDUs, issued within 60 months from the expiration of the Phase I APF validity period.

To allow a validity period longer than the specified minimum, the Board must find that the size or complexity of the subdivision warrant the extended validity period and would not be adverse to the public interest. The extended 10-year validity period for the determination of APF is appropriate given the expansive 16.64 acres of land that comprises the Project, the multi-phase project and complexity of the subdivision.

It is in the public interest to allow the longer validity period since the Project will incorporate public benefits envisioned by the Master Plan, including structured parking, green roofs, cool roofs, energy conservation and generation, and a through-block connection on top of an underground parking garage, which require lengthier timeframes for engineering and construction. Furthermore, the

Project proposes new road connections along with a wide range of building types at varying heights (townhouses with different widths, 2-over-2 stacked townhouses, an apartment building, and multiple high-rise mixed-use structures with retail) that will be strategically constructed over a long period of time, based on market demand and financing availability. Therefore, the Planning Board approves the 10-year APF Validity Period.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved by Staff on July 7, 2018 (NRI/FSD No. 420182300). The net tract area for the Preliminary Forest Conservation Plan is 14.96 acres, of which 11.30 acres is forested. The Site contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known habitats of rare, threatened or endangered species. This Site drains to Cabin John Creek, which is a Maryland State Use Class I-P stream. This watershed is not in a Special Protection Area. The submitted Preliminary Plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these Protected Trees, including removal or any disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

The Application includes a variance request in a letter dated April 20, 2020. The Applicant proposes to impact 110 trees that are 30 inches or greater DBH, and that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. These trees are all to be removed as part of the forest clearing. The list of variance trees to be removed is provided in the attachments to the Staff Report.

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would

result in unwarranted hardship, denying the Applicant reasonable and significant use of its Property.

As previously stated in the Master Plan section above, virtually the entire Property is forested, so no development of any consequence can occur without clearing forest. No variance trees occur outside of forest on this Property. The eastern portion of the Site is within the comfortable walkshed to reach the White Flint Metro Station. The *White Flint 2 Sector Plan* recognizes the value of this Property to create dense development near Metro, enabling people to reduce or eliminate single-driver automobile trips. This results in significant environmental benefits, including reduced air pollution and reduced carbon emissions.

While recommending development of the Subject Property, the *White Flint 2 Sector Plan* approved by the County Council also included a requirement specific to Parcel N273 that, "During the development review process, pursue options for preserving all or a portion of the wooded area along Montrose Parkway for passive use."

In a letter from the Applicant dated April 21, 2020, in response to the Master Plan requirement, three options were considered: (1) To preserve all of the wooded area in this parcel; (2) to preserve a portion of the wooded area; and (3) to try to preserve individual trees within the required 20-foot landscaped buffer between the new development and the adjacent Cherington townhouse community. The justification detailed in this letter broadly speaks to the hardship of preserving variance trees on the entire site.

In the April 21 letter, the Applicant states that "The first option Applicant considered is retaining the entire forested area south of the existing Cherington townhouses." The Applicant notes that the proposed development is consistent with the recommendations of the *White Flint 2 Sector Plan* and approved Sketch Plan No. 320190070. Parcel N273 comprises three acres, or 20% of the 14.96 Net Tract Area of the Site and lies just along the outer edge of the walkshed to the White Flint Metro Station. It is both a County and a Planning Department priority to locate development near transit. Retaining the entire forest on Parcel N273 would deny the Applicant the ability to build residential units on 20% of their Site near a Metro Station in conformance with County and Planning Department plans and policies. This constitutes denial of a reasonable and significant use of this Property.

The second option is to retain a portion of this forested area. This is complicated by both the form of the trees in this area, the shape of the

Site, and the required road (Street B). Because the trees in this parcel have grown in a forest setting, their form is different from trees that are grown in the open. Notably, forest-grown trees have tall trunks with their leaf canopy at the top. In addition, their root systems are intertwined with the trees around them. Such trees are stabilized against storms and windthrow by growing as a forest unit. The interior trees are also protected from sun damage and changes to the forest microclimate. Preserving these trees therefore would require that they be saved as part of a large enough block of forest to continue to stand as a unit.

Retaining a forest unit of sufficient size and shape to function as forest is further complicated by both the shape of the Property, which is long and narrow, and the road that is required to serve the development with safe and adequate circulation. The required road narrows the forest area to the point that the remaining trees will become subject to storm damage, windthrow, and sun damage. Furthermore, because the Property drains from east to west, the trees at the western end of the Property will be impacted by required stormwater management treatment facilities. This also compromises the ability to preserve a functional block of forest at that end of the Site. The result is that any forest saved is likely to include impacted trees that could become a hazard to safety.

The third option is to attempt to save some individual specimen trees as a part of the 20-foot landscaped buffer between the new development and the Cherington townhouse community. While a few specimen trees appear to be within that proposed 20-foot-wide buffer strip, the strip itself is not wide enough to contain enough of the trees' critical root zones to ensure survival of the trees. In addition, the forest-grown form of the trees, as indicated above, makes them subject to storm damage, sun damage, and windthrow. These trees would become a safety hazard. Furthermore, a more effective landscaped screen can be designed and planted if the larger trees, which will not serve the screening function as well, are preserved. Therefore, Staff concurs that saving individual specimen trees within the landscaped buffer is not feasible. Staff also explored with the Applicant the preservation of a few of the variance trees in the proposed Central Park but determined that the extent of critical root zone disturbance to construct the park would preclude saving these trees.

Because all of the variance-sized trees are within the forest that will be cleared, and because Staff has determined that it is infeasible to preserve all or some of the forest, on Parcel N273 as well as the remainder of the forested Site closer to Metro, and for the reasons stated above, Staff concludes that the inability to remove the variance trees would render the

Site undevelopable. Therefore, the Planning Board concurs that the Applicant has a sufficient unwarranted hardship to justify granting the variance request.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted.

The Board makes the following findings necessary to grant the Variance:

- 1. Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance of the trees is due to the fact that they are within forest that must be cleared to allow any development to occur on the site. The forest, including the variance trees, is not within regulatory buffers. Other applicants are permitted to clear forest outside of regulatory buffers to enable development. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

- 2. The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The variance trees are being removed due to normal circumstances that require forest clearing to allow for development, and not due to unique choices made by the Applicant that could be changed to save the trees. Therefore, the Planning Board concurs that the requested variance is not based on conditions or circumstances which are the result of actions by the Applicant but due to the design and infrastructure requirements of the Project.

- 3. The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the requirements of development and not a result of land or building use on a neighboring property.

- 4. Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

The variance trees being removed are part of a forest being cleared under the auspices of the Forest Conservation Law. The law requires mitigation in the form of forest planting or preservation. The mitigation will provide water quality functions to replace the benefits of the trees lost. Therefore, the Planning Board has determined that removal of the variance trees will not violate State water quality standards or cause a measurable degradation in water quality.

Mitigation for the variance is at a rate that approximates the form and function of the Protected Trees removed. However, no mitigation is required for variance trees removed within a forest where mitigation is already being provided for forest removed under the Forest Conservation Law.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Division on June 30, 2020. The Application will meet stormwater management goals through a variety of techniques including micro-bioretenention areas, swales, planter boxes, and green roofs.

6. *All private roads meeting the requirements and findings for waivers under Chapter 50-4.3.E.4.*

The Application proposes the following internal Private roads:

- Private Street A, between Stonehenge Extended and Public Street C as a secondary road (MCDOT Standard No. MC-2002.02, as modified);
- Private Street B, between Stonehenge Extended and East Jefferson Street as a tertiary road (MCDOT Standard No. MC-2001.01, as modified);
- Private Street D, as a secondary road (MCDOT Standard No. MC-2002.02), as modified).

Per Section 50.4.3.4.c., the three (3) requested Private roads must be fully accessible to the public; accessible to fire and rescue vehicles, as needed; and designed to meet the minimum standards necessary for approval. The Private roads will be constructed to the minimum public road structural standards, will have a minimum 20 feet of pavement width and adequate turning radii where needed for emergency access, an appropriate paving cross-section elsewhere for private vehicles, and an appropriate circulation and turnaround pattern. However, as noted above, the Private roads will modify public road standards (MC-2002.02 and MC-2001.01). The private roads will be located within a

separate private road parcel and will be shown on the Certified Preliminary and Site Plans and Record Plat, with the standard covenant that ensures they are adequately maintained and remain fully accessible to the public.

The private roads are intended to provide necessary flexibility in right-of-way width and road design, that cannot be achieved under Chapter 49, to provide enhanced sidewalk, curb and crosswalk design features that promote pedestrian circulation. In order to be considered for approval as a private street under Chapter 50, Section 4.3.E.4 of the Subdivision Regulations, a proposed road must not be needed to maintain area circulation, provide continuous corridors to serve the general public and quasi-public needs such as communication, utility, and future potential transportation or other systemic needs that serve the public on a long-term basis, and is not needed to be part of the network modeled for area capacity.

The proposed Private roads and alleys are all internal to the proposed Site, do not serve area circulation and are only needed for circulation within the Project. Private Street A, Street B, and Street D are not part of a continuous corridor and are not part of the network modeled for the area capacity. They are not necessary to serve the general public needs for communication, utility, or future potential transportation. The use of private roads will serve the public good by providing appropriate access while addressing the particular characteristics of the site and overall compatibility with the surrounding neighborhood. The Applicant's justification for the use of Private roads has been accepted.

Similar to the Applicant's modifications of public roads, the Planning Board also supports the proposed modifications to the road code design standards for Private Roads A, B and D, including truncations at public rights-of-way, cross-sections, right-of-way widths and centerline radii. The Planning Board supports the proposed modifications, as shown on the Preliminary Plan, with final details to be determined at Site Plan.

Private Street B

Designed primarily for townhouse access and not to be used as a through street, Private Street B will be a 33-foot right-of-way with a 6-foot wide tree panel and a 5-foot wide sidewalk on the southern side with a Public Utility Easement (PUE). For Street B, the Application proposes to provide a restricted right-out exit onto East Jefferson Street. The right-out curb cut will be located approximately 125 feet from the intersection of Montrose Parkway. The design of Street B has visibility issues at the four "corners" where the road bends southward. It is typically preferred that private roadways be designed to public street standards; however, the private connection allows for the provision of additional housing units. The roadway is traversable by fire and safety vehicles. As a condition of approval, the Applicant must provide, prior to the issuance of the final Use and

Occupancy Certificate for the townhouses south of the Cherington community, appropriate pedestrian ramps and crossings connecting both sides of Street B at the two locations along Street B where the roadway bends sharply southward to reduce the potential for higher-speed, wide-angled turns, which could result in conflicts. Crossings may need to be raised or stop controlled depending on visibility.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 120 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and


BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCT 15 2020 (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 within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

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 Vice Chair Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor at its regular meeting held on Thursday, July 23, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



Attachment C

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Scott Bruton
Director

November 14, 2025

Adam Bossi
Planner III, West County Planning
Montgomery County Planning Department
2425 Reddie Drive, 13th Floor
Wheaton, MD 20902

Re: Wilgus II Northpark
Site Plan # 820250100

Dear Mr. Bossi,

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends approval for up to one-hundred-thirty-eight (138) units including twenty (20) MPDUs (15%) in the overall project, as proposed in the Site Plan, in North Bethesda, Maryland.

The MPDUs must not be developed in clusters greater than four (4) units, to provide a reasonable distribution throughout the site. The development must disperse the MPDUs located in Block C Lot 9 as shown in Exhibit 1 below to meet the reasonable distribution requirements set in Chapter 25A.

An Agreement to Build must be submitted, reviewed, and executed by DHCA before building permits are obtained from the Department of Permitting Services (DPS). The final MPDU layouts will need to be approved by DHCA at the MPDU Agreement to Build stage. The final location of the MPDUs will be determined through the Agreement to Build.

Sincerely,

Adrian Hopson, Planning Specialist III
Affordable Housing Programs Section

Division of Housing

Affordable Housing

Landlord Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca





DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher Conklin
Director

November 10, 2025

Mr. Adam Bossi, Planner III
West County Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan
Preliminary Plan No. 12020014A
Wilgus II Northpark

Dear Mr. Bossi:

We have completed our review of the revised preliminary plan uploaded to eplans on October 14, 2025. A previous version of this plan was reviewed by the Development Review Committee (DRC) at its meeting on August 26, 2025. This plan is tentatively scheduled for the December 18, 2025, Planning Board hearing. We recommend approval of the plan subject to the following comments:

The subject property has street frontage along Towne Road (MD 187) which is maintained by Maryland State Highway Administration (MSHA). Therefore, MCDOT does not have any jurisdiction, and per Montgomery County Code Chapter 50 Section 4.2, MCDOT shall provide recommendations for the attention of the concerned agencies.

Significant Plan Review Comments

1. Towne Road (MD 187) (west side along east project frontage):
 - Towne Road (MD 187) is classified as a Downtown Boulevard with a minimum right-of-way (ROW) of 120 feet. The applicant will provide dedication as shown on the plans. The applicant will construct the following improvements from the curb along the west side of Towne Road (MD 187):
 - i. Minimum 6-foot tree buffer (Width varies 6' to 18')
 - ii. 10-foot separated bike lanes
 - iii. Minimum 2-foot bike/pedestrian buffer (Width varies 2' to 14')
 - iv. 6-foot concrete sidewalk
2. Towne Road (MD 187)/Montrose Road median at southwest corner of intersection:
 - The applicant will be required to modify the existing median to provide a 6-foot sidewalk

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX
www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Adam Bossi
Preliminary Plan No. 12020014A
November 10, 2025
Page 2

and 10-foot separated bike lane transition to the Towne Road proposed project frontage improvements.

3. Montrose Road (south side along north project frontage):
 - Montrose Road is classified as a Downtown Boulevard with a minimum right-of-way (ROW) of 80 feet. The applicant will provide dedication as shown on the plans. The applicant will construct the following improvements from the curb along the south side of Montrose Road:
 - i. 7-foot tree buffer
 - ii. 6-foot concrete sidewalk
 - iii. Minimum 1-foot maintenance strip
4. Josiah Henson Parkway (north side along south project frontage):
 - Montrose Road is classified as a Downtown Boulevard with a minimum right-of-way (ROW) of 80 feet. The applicant will provide dedication as shown on the plans. The applicant will construct the following improvements from the curb along the south side of Montrose Road:
 - i. Minimum 6-foot tree buffer
 - ii. 12-foot asphalt breezeway
 - iii. Minimum 6-foot landscape buffer/maintenance strip
5. Streamline Drive:
 - Under Preliminary Plan 120200140, MCDOT approved the following 55-foot right-of-way cross-section for Streamline Drive from Station 2+50 to Station 5+01, which the applicant will construct under this Preliminary Plan amendment from Station 1+10 to Station 2+02:
 - i. 6-foot P.U.E. (containing a 1-foot P.I.E.)
 - ii. 6-foot sidewalk
 - iii. 6-foot stormwater management/tree panel
 - iv. 8-foot parking
 - v. two 11-foot travel lanes
 - vi. 7-foot stormwater management/tree panel
 - vii. 6-foot sidewalk
 - viii. 6-foot P.U.E. (containing a 1-foot P.I.E.)
6. The Applicant shall contact Mr. Samuel Damesa at samuel.damesa@montgomerycountymd.gov or 240-459-9077, and include William Whelan (william.whelan@montgomerycountymd.gov) on all correspondence, to implement the following recommendations for Transportation Demand Management (TDM) elements on the Subject Property:

The adjoining Northpark at Montrose Phase I property is already under construction with 107 townhomes, 34 stacked, two-over-two multifamily units and related park and amenity facilities. The Northpark I project falls within the North Bethesda Transportation Demand Management (TDM) District and was subject to two different TDM plans: Level 2 Project Action Plan for the Wilgus West/Orange Area and Level 3 Project Results Plan for the Wilgus East/Red Area. The Wilgus II (North Park at Montrose Phase 2) is the second phase project within the remainder portion of Wilgus east of Stonehenge Place (between Montrose Road, Towne Road and Montrose Parkways).

Mr. Adam Bossi
Preliminary Plan No. 12020014A
November 10, 2025
Page 3

The TDM provisions outlined in County Code 42A-26 are applicable to this development project application. Any owner or applicant proposing a new development or construction project within a Transportation Management District (TMD), including applications for subdivision, optional method development, site plan, conditional use, or building permit, must obtain approval from the Department for a Project-Based TDM Plan.

An owner or applicant for a development located in a District in a **Red Policy Area** must submit a **Level 3 Project-based TDM Results Plan** for a project with more than 40,000 gross square feet. The Wilgus II (Northpark at Montrose Phase II) project, located in the North Bethesda Metro Station Policy Area within the North Bethesda TMD and Red Policy Area, proposes to develop more than 40,000 gsf. The Level 3 TDM Results Plan must be approved by MCDOT and submitted **prior to issuance of any building permit by DPS**.

A Level 3 TDM Results Plan requires a commitment by the owner or applicant to achieve a project Non-Auto Driver Mode Share (NADMS) goal of 56%, which is 5% higher than the base Plan 51% NADMS goal for the North Bethesda Metro Station Policy Area, and related commuting goals for that project. The Level 3 TDM Results Plan must be approved by MCDOT and submitted prior to issuance of any building permit by DPS.

The Applicant shall coordinate with MCDOT Commuter Services Section (CSS) staff: Samuel Damesa at Samuel.Damesa@montgomerycountymd.gov or (240) 777-8384 to implement the requirements of the Transportation Demand Management (TDM) plan for the new development project.

7. All previous conditions outlined in the MCDOT letter dated July 9, 2020, remain in effect and will be reviewed with any future preliminary plan amendments. The applicant must provide supporting documentation if any of these conditions are proposed to be revised or removed.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at william.whelan@montgomerycountymd.gov or (240) 777-2173.

Sincerely,

William Whelan

William Whelan
Development Review Team
Office of Transportation Policy

Mr. Adam Bossi
Preliminary Plan No. 12020014A
November 10, 2025
Page 4

cc: Sharepoint/Correspondence/Preliminary Plans folder

cc-e:	Sachin Kalbag	VIKA
	Carlos Pazmino	MNCP&PC
	Richard Brockmeyer	MNCP&PC
	Sandra Brecher	MCDOT CSS
	Chris Damesa	MCDOT CSS
	Matt Johnson	MCDOT DTE
	Sam Farhadi	MCDPS RWPR
	Mark Terry	MCDOT DTEO
	Kamal Hamud	MCDOT TMD



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 22-Oct-25
TO: Ghassan Kouri - khouri@vika.com
VIKA, Inc
FROM: Marie LaBaw
RE: Wilgus II Northpark
820250100 12020014A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **22-Oct-25** .Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** See statement of performance based design *****

***** Applicant shall submit fire lane order for legal recordation when new private street is named and address numbers are assigned to new buildings *****

October 21, 2025

Fire Department Access and Water Supply

ATTN: S Marie LaBaw PhD, PE
Department of Permitting Services
2425 Reddie Drive, 7th Floor
Wheaton, Maryland 20902

Re: *Wilgus II Northpark*
 Performance Based Design Review
 Site Plan #820250100
 Preliminary Plan #12020014A
 Final Forest Conservation Plan #F20250850
 VIKA PROJECT VM50688C

Dear Dr. LaBaw:

On behalf of our client, Tri Pointe Homes (“Applicant”), and in accordance with your comments, we are requesting review and approval of a performance-based design in conjunction with pending Site Plan #820250100, Preliminary Plan #12020014A and Final Forest Conservation Plan #F20250850 for the 4.03-acre Wilgus II Northpark site bounded by Towne Road, Montrose Road, Josiah Henson Parkway, and Streamline Drive, in North Bethesda, Maryland.

As shown on the Fire Department Access (FDA) Plan, an operational fire department apparatus access route (“fire access route”) will be provided meeting the following performance-based requirements of the adopted and amended NFPA 1:

- Collapsible bollards and fire access signage will be provided at the fire access route driveway apron entrance, at Streamline Drive, a public street, to discourage and prevent passenger vehicles from entering the fire access route.
- The fire department access route will meet the minimum clear width of 20 feet to ensure that there are no obstructions for fire and other emergency vehicles to navigate while traveling to or from an incident, with adequate clear space for the apparatus to set up and operate while stationary once arrived at an incident.
- Concrete paving surface and subgrade along the fire access route will be able to support no less than 85,000 LBS, per Administrative Interpretation 09-01 which references NFPA 1 (2006) Uniform Fire Code Chapter 18 Section 18.2.3.4.2. Per NFPA 1 (2006) Section 18.2.3.4.2, to support MCFRS apparatus.
- The fire access route geometry will include turning 25-foot turning radii and dead-end turnarounds


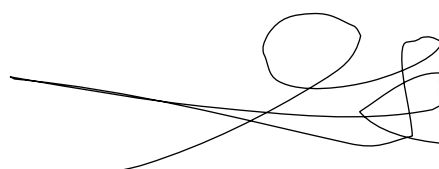
Wilgus II Northpark
Performance Based Design Review
October 21, 2025

The driveway apron, with mountable curb and fire access route, will be visibly different from the adjacent landscaping, planting materials and lawn areas located on both sides. Additionally, the Applicant and future Homeowners Association (HOA) for Wilgus II Northpark will be responsible for maintaining, in good and structurally sound condition, the fire access lane located on Applicant's property, and will also be responsible for keeping the fire access lane free and clear of snow and ice. Prior to issuance of building permit, the Applicant will enter into an agreement with the County and/or other appropriate governmental body to further document these responsibilities.

As such, we believe access to the dwelling units will be quick and efficient in the event of an emergency and for this reason we believe we meet the intent of the code because of our performance-based design.

Please contact me if you have any further questions or need additional information.

Sincerely,



Ghassan Khouri, P.E. #25786 exp: 6/29/2026
Vice President
VIKA Maryland, LLC

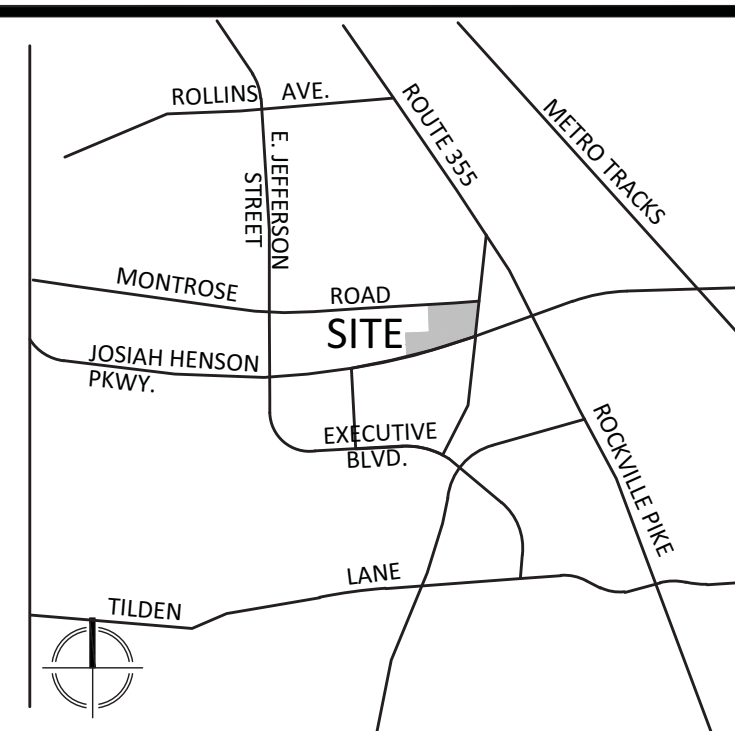
Enclosure: FDA Access Plan and Fire Lane Order

FIRE CODE ENFORCEMENT

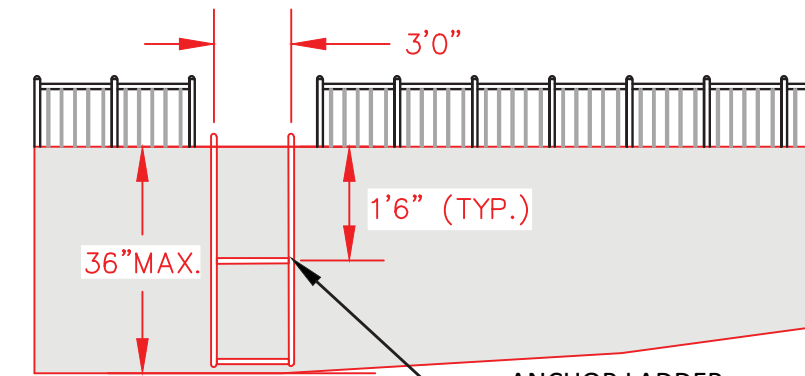
Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SNC FM: DPS DATE: 10/22/2025



VICINITY MAP
SCALE: 1" = 2000'



MBF-7E FIRE ACCESS LADDER ELEVATION DETAIL
NOT TO SCALE

NOT TO SCALE

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SAC FM: DPS DATE: 10/22/2025

[illegible]

WILGUS II
NORTHPARK

PROJECT NUMBER 8
4TH ELECTION DISTRICT
MONTGOMERY COUNTY,
MARYLAND
WSSC GRID: 215NW06
TAX MAP:GQ62

FIRE ACCESS PLAN

820250100



I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A duly LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND. ENGINEER'S NAME: GHASSAN S. KHOURI, P.E. LICENSE No.: 25786 EXPIRATION DATE: JUNE 29, 2026

THE INFORMATION, DESIGN AND CONTENT OF THESE DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO VIKI MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE REPRODUCED, COPIED, COLORED, DIGITALLY CONVERTED, MODIFIED OR USED FOR ANY PURPOSE, IN ANY FORMAT, WITHOUT PRIOR WRITTEN AUTHORIZATION FROM VIKI MARYLAND, LLC. VIOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED DRAWINGS MAY BE UTILIZED FOR CONSTRUCTION PURPOSES.

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DRAWN BY: MC

DESIGNED BY: SK

DATE ISSUED: XX/XX/2025

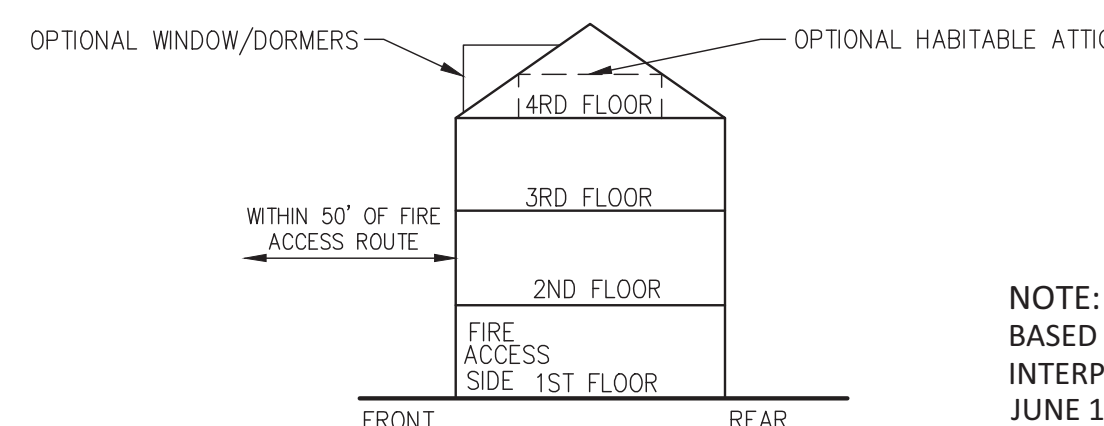
VIKI
PROJECT VM50688C

DRAWING
NO.

SHEET NO. FDA-1


NOTE:
UNITS IN HATCHED AREA ARE UNDER CONSTRUCTION AND
NOT INCLUDED IN THIS PRELIMINARY PLAN AMENDMENT

TOWNHOUSE ACCESS :
TOWNHOUSE FRONT DOOR MAXIMUM 50' TO FIRE ACCESS LANE
NO HEIGHT RESTRICTION




NOTE:
BASED UPON MONTGOMERY COUNTY CODE
INTERPRETATION/POLICY NO. BCP-25-01, DATED
JUNE 13, 2025, FIRE DEPARTMENT CONNECTIONS
ARE NOT REQUIRED ON FOUR STORY TOWNHOUSES.

DEVELOPER'S CERTIFICATE
The undersigned agrees to execute all the features of the Site Plan Approval No. 820250100, including Approval Conditions, Development Program and Certified Site Plan.

Developer's Name: Tri Pointe Homes
Contact Person: Greg Ruff
Address: 12435 Park Potomac Avenue, Suite 600, Potomac, MD 20854
Phone: 301.803.4832
Signature:  Date: 10/21/25

MCDPS No. SWM-XXXXXX



**"FOR LOCATION OF UTILITIES CALL
8-1-1 or 1-800-257-7777 OR LOG ON TO
www.call811.com or <http://www.missutility.net>
48 HOURS IN ADVANCE OF ANY
WORK IN THIS VICINITY"**

The excavator must notify all public utility companies with underground facilities in the area of proposed excavation and have those facilities located by the utility companies prior to commencing excavation. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

LAYOUT: 13-FDA-820250100-FDA-1. Plotted By: felipe.oslocho



MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

Date: 9/18/2025

Fire Lane Establishment Order

Pursuant to Section 22-33, Montgomery County Code, 1971, as amended, you are hereby notified that a Fire Lane has been established as described in this order. You are hereby ordered to post fire lane signs and paint curbs/pavement as identified below. When signs or paint work has been completed, this order will authorize the enforcement of this Fire Lane by appropriate police or fire officials. Compliance with this order must be achieved within 30 days of receipt when any of the following conditions are met:

- One or more structures addressed from the subject road are occupied;
- The road or accessway is available for use and at least one building permit for an address on the subject road has been issued; or
- The road or accessway is necessary fire department access.

LOCATION: Block bounded by Streamline Drive, Montrose Road, Towne Road and Josiah Henson Parkway

Delineate all areas where indicated by signs and/or paint.

- ☐ **SIGNS** -- (See attached diagram for location of sign placement)



(Red letters on white background)

Signs must be posted so that it is not possible to park a vehicle without being in sight of a sign. Signs may be no further apart than 100 feet.

- ☐ **PAINT** -- (See attached diagram when painting is required)

Paint must be traffic yellow with lines of sufficient width to be readily identifiable/readable by motor vehicle operators.

Signature of Order Writer/I.D. #

Cc: Fire Code Enforcement Section
Attachment: Fire Lane Diagram

FIRE LANE ESTABLISHMENT FORM

BUILDING OR SUBDIVISION NAME: Wilgus II NorthparkFIRE LANE LOCATION/ADDRESS: Block bounded by Streamline Drive, Montrose Road, Towne Road and Josiah Henson Parkway

See attached drawing for designated fire lanes:

I have received the drawing and instructions for installing the designated fire lanes on property not owned by state or local government.

NAME AND TITLE OF PROPERTY REPRESENTATIVENAME: Greg Ruff TITLE: Director of Land Entitlements
Tri Pointe HomesSIGNATURE: PHONE: 301.803.4832 DATE: September 18, 2025

ADDRESS (where processed order will be mailed):

12435 Park Potomac Avenue, Suite 600. Potomac, MD 20854-----
The designated fire lanes are the minimum necessary for fire/rescue access and are in accordance with Section 22-33 of the Fire Safety Code.

NAME: _____ SIGNATURE: _____







STA.#: _____ I.D.#: _____ DATE: _____

Comments: _____
-----Fire Lane Installed Per Order

NAME: _____ DATE: _____

Attachment C

LEGEND

-  FIRE VEHICLE ACCESS PATH
-  PROPOSED DOOR LOCATIONS
-  FIRE HYDRANT
-  PROPOSED WATER LINE
-  FIRE LANE SIGN/DIRECTION
-  EMERGENCY VEHICLE ONLY SIGN

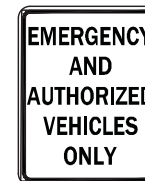
R7-2(A)



R7-2(A)



R7-2(A)



SCALE: 1"=100'



WILGUS II NORTHPARK

MONTGOMERY COUNTY, MARYLAND SUBMISSION: SEPTEMBER, 2025
WSSC MAP: 215NW06
TAX MAP: GQ62

FIRE LANE ESTABLISHMENT ORDER

PAGE 1 of 1



VIKA MARYLAND, LLC ■
ENGINEERS ■ PLANNERS ■ LANDSCAPE ARCHITECTS ■
SURVEYORS ■ SUSTAINABLE DESIGN ■
20251 CENTURY BOULEVARD SUITE 400 ■
GERMANTOWN, MD 20874 ■
(301)916-4100 ■ FAX (301)916-2262 ■
WWW.VIKA.COM ■

Y:\50501-51000\50688\CADD\SITE\PLOT SHEETS\50688200_P_FIRE.dwg, ~ Oct 20, 2025 AT 11:25:16 AM

820250100 Wilgus II Northpark

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820250100-SP3.pdf V4” uploaded on/ dated **“10/14/2025”** and

The following needs to be addressed prior to the certification of site plan:

1. Provide safe truck turning movement for all (especially right turn out) movements at the proposed access points.
2. Provide public sidewalk:
 - a. ensure 1' maintenance strip has been provided.
 - b. ensure/ show all sidewalks/ handicap ramps have matching receiving counterparts, are aligned and ADA connection is provided. Show/ label the existing sidewalks and widths where connection is made.
 - c. Provide adequate PIE/PAE for the proposed public sidewalks and ensure they remain free of any permanent private structures.
 - d. Provide landing area at parking spots while ensuring adequate green panels exist.
3. Remove all proposed pavement markings and signage on public streets from the site plan or provide a note indicating they are for reference only and will be finalized at ROW permit under signing and marking plan.
4. On landscaping plan, provide street trees per approved tree species list at the required spacing and clearances.

And the followings need to be conditions of the certified site plan:

1. All proposed changes will need to be incorporated as a revision, reviewed and approved under ROW permits 383693, 383694 and 383695.

November 10, 2025

Adam Bossi
Planner III, West County Planning Division
Montgomery County Planning Department
2425 Reedie Drive, Wheaton, MD 20902

Dear Mr. Bossi:

Thank you for the opportunity to review the Preliminary and Site Plan Applications (**12020014A**, **820250100**, respectively) for the **Wilgus II Northpark development**. The State Highway Administration (SHA) has performed a cursory review of the plans and are pleased to respond.

Based on preliminary review, a Permit will be required for the improvements in the State's right of way along Towne Rd (MD 187). SHA recommends approval of the above referenced Applications and reserves the right to provide additional comments as needed once final detailed engineering plans and supporting documents are formally submitted to SHA for a comprehensive review in the process of acquiring the Permit.

If you have any questions or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@mdot.maryland.gov.

Sincerely,

Kwesi Woodroffe

for Derek Gunn, P.E.
District Engineer, District 3, MDOT SHA

DG/kw

cc: Mr. Billy Whelan, Montgomery County DOT
Mr. Carlos Pazmino, Montgomery County Planning Department

From: [Al Carr](#)
To: [Fowler, Erin](#)
Cc: [Kronenberg, Robert](#); [Hisel-McCoy, Elza](#); [Somarajan, Deepak](#); rebecca.torma-kim@montgomerycountymd.gov
Subject: Input on 8/26 Wilgus II site plan development review
Date: Thursday, August 21, 2025 11:03:04 AM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Hi Erin,

I see that the Wilgus II site plan is on the agenda for the August 26th Development Review Committee. I wanted to offer some thoughts for the DRC's consideration.

The Wilgus II tract has a frontage of approximately 500 feet along Montrose Rd and 300 feet along Towne Rd. Overhead utilities along both frontages include Pepco feeder lines (13,000 volt primary), Pepco secondary lines (120/240 volt) as well as Verizon/Comcast telecom lines. There are existing MCDOT-owned, pedestrian-scale, underground fed LED street light fixtures along both frontages.

Undergrounding along these frontages would benefit electric reliability for many nearby properties. According to Pepco's online Distribution Feeder Hosting Capacity map, Feeder #15214 runs along the Montrose Rd frontage. It serves Montrose Rd (JCC, Hebrew Home), E. Jefferson St, Josiah Henson Pkwy, Executive Blvd. Pepco feeders #14940 and #14937 (currently out of Parklawn substation, load soon to be transferred to new White Flint substation on Nebel/Marinelli) run along the Towne Rd frontage. Feeder #14940 serves properties on Towne Rd, Montrose Rd, Randolph, Chapman including Rose Village and the proposed new White Flint fire station. Feeder #14937 serves properties on Randolph, Nebel, Chapman (shopping center north of Randolph), Old Georgetown (rear) east of 355, Rockville Pike (Cava shopping center), Towne Rd, Old Georgetown (east of Towne, already partly buried), Executive Blvd, Nicholson (east of Old Georgetown), and Old Georgetown south of Executive Blvd.

The overhead utilities along Towne Rd are nearly identical to the overhead utilities that the planning board required the applicant to bury in the sketch plan approval for 4861 Battery Lane in Bethesda.

Towne Road is classified as a Downtown Boulevard - for which the Complete Streets Design Guide requires Undergrounding of Utilities (Master Plan recommendations supersede this guidance)

Harwood Flats on Nicholson Lane is not a relevant precedent for Wilgus II. In the case of Harwood Flats, the overhead lines included 69,000 substation supply lines. The precedent for Nicholson/Harwood Flats was Connecticut Ave frontage of Chevy Chase Lake Block B.

The Solera/Modena Reserve senior living on Metropolitan Ave in Kensington is an example in which the planning board required undergrounding even though the section plan was silent on the topic.

My estimate of the cost to fully bury the overhead utilities along both Wilgus II frontages is \$1.5 million. This is based on MCDOT's \$1.2 million cost to bury 800 feet of Pepco's 69,000 volt overhead substation supply lines on nearby Old Georgetown Rd west of 355. That project was completed in 2024. Another cost benchmark is the full undergrounding of 700 feet of frontage on Chevy Chase Lake Drive which cost \$1.3 million in 2016.

A less costly option would be partial undergrounding as is commonly implemented on Pepco lines in the District of Columbia. Partial undergrounding involves burying only the 13,000 volt Pepco feeder lines at the tops of the poles. All of the other infrastructure remains, including the wood poles, the Pepco secondary lines and the Verizon/Comcast telecom lines. This results in all of the reliability and tree canopy benefits of undergrounding but at a much lower cost. None of the other overhead lines conflict with the tree canopy or affect reliability.

The Wilgus II property lies within the White Flint Special Taxing District.

Planning staff should recommend partial undergrounding (feeders only) along both frontages on the condition that it be funded by the White Flint Special Taxing District to which the Wilgus II property contributes. Partial undergrounding is a cost effective option that would improve reliability and would facilitate the planting of large overstory trees in the public rights of way. This partially mitigates the substantial loss of forest for Wilgus & Wilgus II. Funding through the Special Taxing District would avoid the potential for the applicant double paying for undergrounding.

Sincerely,

Al Carr
3904 Washington St
Kensington, MD 20895
301 641-8460

----- Forwarded message -----

From: Al Carr <alfred.carr@gmail.com>
Date: Thu, May 22, 2025 at 11:40 AM
Subject: Re: Wilgus II Outreach meeting
To: Harris, Robert R. <rrharris@lercheearly.com>

Thanks Bob.

I hope to attend the pre-submittal community meeting tonight. Please include the following question/comment in the record for the meeting:

The overhead utilities along the Wilgus II site frontages on the west side of Towne Rd and the north side of Montrose Rd are identical in nature to the utilities fronting 4861 Battery Lane in Bethesda. Will the applicant of Wilgus II agree to underground the utilities along Towne Rd and Montrose Rd?

Thank you,

Al Carr
301 641-8460
3904 Washington St
Kensington, MD 20895

On Thu, May 22, 2025 at 11:25 AM Harris, Robert R. <rrharris@lercheearly.com> wrote:

Here you are. I don't know what happened re the notice link. Call me if you have any questions.

Robert R. Harris, Attorney

Lerch, Early & Brewer, Chtd. rising to every challenge for 75 years

7600 Wisconsin Ave | Suite 700 | Bethesda, MD 20814

T 301-841-3826 | F 301-347-1779 | Cell 301-580-1319

rrharris@lercheearly.com | [Bio](#)

[Subscribe to the Zoned In blog](#)

Attention: This message is sent from a law firm and may contain information that is privileged or confidential. If you received this communication in error, please notify the sender by reply e-mail and delete this message and any attachments. Thank you.

www.lercheearly.com

PRE-APPLICATION OUTREACH MEETING MINUTES

Wilgus II Northpark Site Plan No. 820250100

Following the Notice dated May 7, 2025, Applicant held a virtual meeting on May 22, 2025 to discuss an anticipated Preliminary Plan Amendment and Site Plan for the second phase of the Wilgus/Northpark project. The meeting began at 7:02 PM. In addition to Applicant's representatives, two individuals joined.

Applicant discussed the past history of the project, the approved Phase I that is under construction with 141 homes, and the original plans for four multi-family buildings ranging from 7 to 20 stories, and including 604 units, on the eastern end that has become Phase II. Applicant explained that the Phase II Sketch Plan Amendment was approved in February, 2025 allowing for 138 back-to-back townhomes. Applicant explained the configuration of those homes as well as the open space of the project and other features.

Mr. Ben Carlson who indicated that he might be a possible purchaser asked questions about connections of the pedestrian system to the surrounding pedestrian system and the nature of any pedestrian crossings for internal alleys. Both of these questions were answered in the affirmative. He asked about design for the park at the southeast corner and made suggestions to include additional elements. Ms. Karen Hichberg, a resident of the adjoining Cherrington neighborhood, asked about the progress of sales in Phase I in the overall buildout time and indicated that she prefers the back to back townhome configuration over the prior multi-family project and likes the open space as well. The meeting adjourned at 7:30 PM.

AFFIDAVIT OF COMMUNITY MEETING

I hereby certify that a community meeting was held virtually on May 22, 2025 at 7:00 pm through the Zoom Meeting platform, with an optional dial-in number, in advance of the filing of the Preliminary Plan Amendment No. 12020014A and Site Plan Applications for the Wilgus II project located in Rockville, Maryland, generally bounded by Montrose Road to the north, Towne Road to the east, Montrose Parkway to the south and East Jefferson Street to the west. The presentation materials were posted for public access.

I solemnly affirm that notice was properly given and the said community meeting was held in accordance with the Zoning Ordinance requirements and development procedures, as modified by the Planning Department for virtual community meetings in response to the COVID-19 public health emergency.

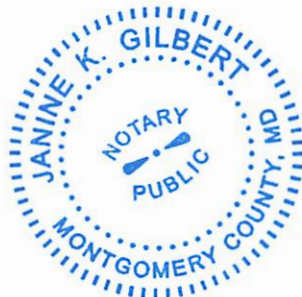

Signature

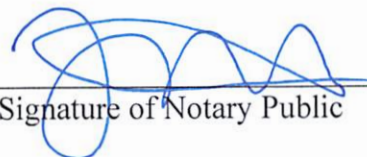
6/5/25
Date

Robert R. Harris
Print Name

Attorney for the Applicant
Title

Sworn and subscribed to before me this 5th day of June, 2025.




Signature of Notary Public

Janine Gilbert
Printed Name of Notary Public

My Commission Expires: 7-19-26