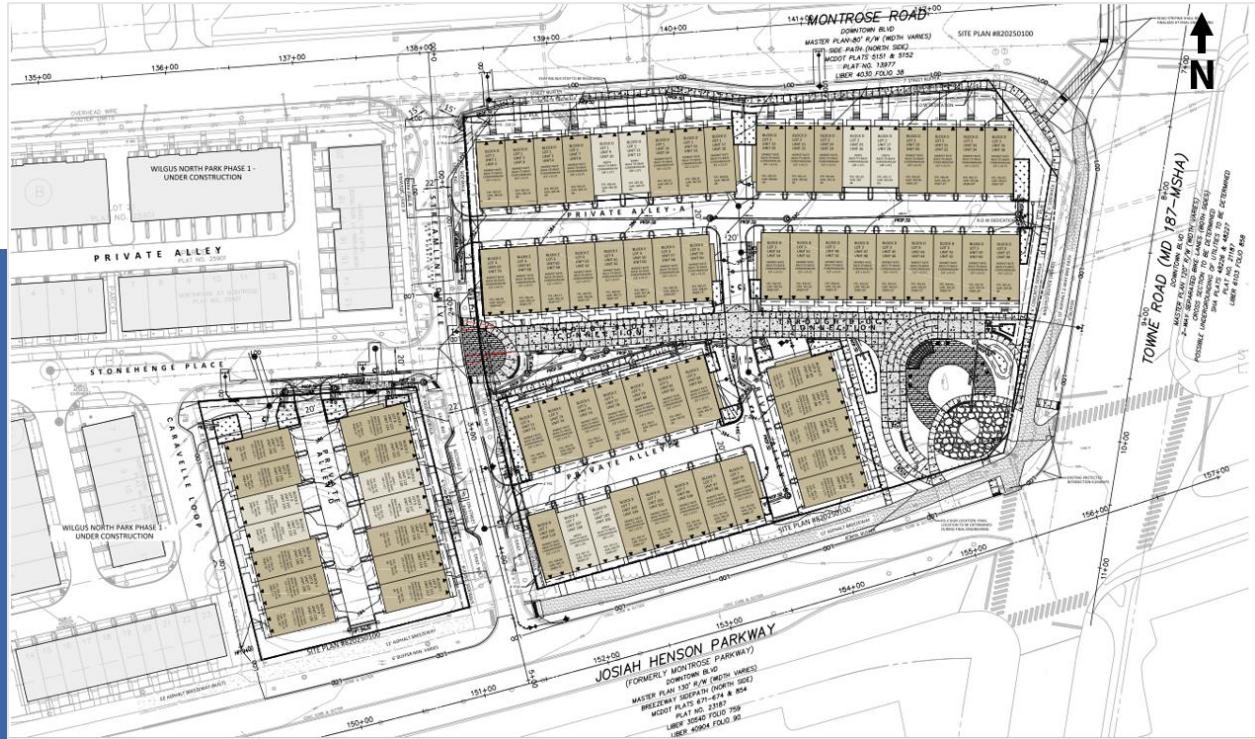


WILGUS II NORTHPARK
PRELIMINARY PLAN AMENDMENT NO. 12020014A
SITE PLAN NO. 820250100
FOREST CONSERVATION PLAN NO. F20250850



Description

Proposal to modify the previously approved development density, uses and lotting program, extend the APF validity period for Wilgus II Northpark Preliminary Plan, and a request to approve the Site Plan for Phase II of the development with 138 townhouse units, with associated infrastructure and open space.

COMPLETED: 12/8/2025

PLANNING BOARD HEARING DATE: 12/18/2025

MCPB ITEM NO. 8

Planning Staff

AB

Adam Bossi, Planner III, West County Planning, Adam.Bossi@montgomeryplanning.org, 301-495-4529

SD

Stephanie Dickel, Supervisor, West County Planning, Stephanie.Dickel@montgomeryplanning.org, 301-495-4527

CH

Elza Hisel-McCoy, Chief, West County Planning, Elza.Hisel-Mccoy@montgomeryplanning.org, 301-495-2115

LOCATION/ADDRESS

Northwest quadrant of the Intersection of Josiah Henson Parkway and Towne Road

MASTER PLAN

2018 White Flint 2 Sector Plan

ZONE

CRN-0.75, C-0.0, R-0.75, H-50; CR-2.0, C-0.25, R-1.75, H-75; and CR-2.0, C-1.0, R-1.5, H-200

PROPERTY SIZE

16.64 acres

APPLICANT

Wilgus Montrose Associates, LLC &

Tri Pointe Homes DC Metro Inc.

ACCEPTANCE DATE

August 6, 2025

REVIEW BASIS

Chapters 22A, 50, & 59

Summary:

- Staff recommends approval of the Applications, with conditions. Proposed is the final phase of development (Phase II) of the Wilgus Property. Phase I construction is nearing completion.
- On February 27, 2025, the Planning Board approved Sketch Plan Amendment No. 32019007A to reduce the total approved development density, remove commercial and multifamily uses, and revise the public benefit schedule accordingly.
- The Preliminary Plan Amendment revises the previously approved development program to conform with Sketch Plan Amendment No. 32019007A.
- The Site Plan for Phase II proposes the construction of up to 138 dwelling units, associated infrastructure and open space.
- 15 % MPDUs are provided across the entire development in accordance with prior approvals.
- The Planning Director approved a two-week extension of the review period for the Applications from December 4, 2025 to December 18, 2025.
- Community correspondence was received regarding the Applications and is addressed below.

TABLE OF CONTENTS

SECTION 1: EXECUTIVE SUMMARY	3
SECTION 2: RECOMMENDATIONS AND CONDITIONS	3
PRELIMINARY PLAN 12020014A.....	3
SITE PLAN 820250100 – PHASE II.....	10
FOREST CONSERVATION PLAN No. F20250850	15
SECTION 3: SITE DESCRIPTION	16
VICINITY.....	16
PROPERTY DESCRIPTION.....	17
SECTION 4: PROJECT DESCRIPTION	19
PREVIOUS APPROVALS.....	19
PROPOSAL.....	23
SECTION 5: COMMUNITY OUTREACH	29
SECTION 6: PRELIMINARY PLAN 12020014A FINDINGS AND ANALYSIS.....	29
SECTION 7: SITE PLAN 820250100 FINDINGS AND ANALYSIS.....	41
SECTION 8: FOREST CONSERVATION PLAN F20250850 FINDINGS AND ANALYSIS.....	52
SECTION 9: CONCLUSION	53
ATTACHMENTS	53

SECTION 1: EXECUTIVE SUMMARY

The Subject Applications propose the second and final phase of residential development of the Subject Property. The Planning Board previously approved a Sketch Plan, Sketch Plan Amendment and Preliminary Plan that set parameters for phased residential development of the overall Property, to include a variety of unit types and specific open space areas. Construction of the Phase I Site Plan with 141 residential units, including townhomes and two-over-two units, and the envisioned open space areas on the western portion of the Property is nearing completion.

Phase II, now proposed, includes 138 four-level, back-to-back townhouse units, complementary infrastructure and open space on the eastern portion of the Property, to complete the overall development. A total of 279 new residential units will be provided by Phase I and Phase II, with 15% MPDUs across both Phases.

The Preliminary Plan Amendment seeks to align the previously approved subdivision with the revised development parameters established with the Property's Sketch Plan Amendment, approved in February 2025, which generally reduced the scale and density of development for the eastern portion of the Property. The Preliminary Plan Amendment also requests to extend the validity period of the approved Adequate Public Facilities determination by five years. The Site Plan provides the detailed design to implement Phase II of the development. The proposed revisions to the development program and design of Phase II are in harmony with prior approvals, complimentary to Phase I and in-line with the vision for the Property.

SECTION 2: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN 12020014A

Staff recommends approval of the Preliminary Plan amendment to modify the previously approved subdivision development density, uses and lotting program, and to extend the APF validity period by five years. All site development elements shown on the latest electronic version of the Preliminary Plan Amendment No. 12020014A as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.¹ The following Conditions 1, 2, 3, 5, 6, 7, 8, 10, 13, 14, 17, 19, 22, 23, 30, and 31 modify the previous approval conditions, and Conditions 44-52 are new, with all other conditions remaining in full force and effect:

Modified Conditions

¹ For the purposes 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.

1. This Preliminary Plan is limited to a maximum of 1,040,789 square feet of total development, including a maximum of 1,025,789 591,198 square feet of residential uses and 15,000 square feet of non residential uses, for a maximum of 745 279 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, nine (9) lots for up to 138 townhouse units with additional various park/open space parcels, private road parcels, and HOA parcels.
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 scheduled for the Preliminary Plan validity period, plats must be recorded 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.

2.a The Preliminary Plan will remain valid for ten (10) years from the initiation date of this Resolution (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat(s) for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Because the Preliminary Plan validity period is longer than the typical five years, a phasing schedule in accordance with Sections 4.1.C.9.b, and 4.2.G.2.b.iv of the Subdivision Regulations are required and as follows:

Phase I: Plats recorded for 107 townhouse lots for 107 townhouse units, and two (two) multifamily lots for 34 two-over-two units, with associated open space and HOA parcels within nine (9) years;

Phase II: Plats recorded for nine (9) lots for 138 townhouses, with associated open space and HOA parcels within ten (10) years.

2.b The Adequate Public Facilities (“APF”) review for the Preliminary Plan was valid for ten (10) years from the original initiation date (as defined in Montgomery County Code Section 50.4.3.J.5) and is extended by an additional five (5) years, to November 15, 2035. Because the APF validity period is longer than the typical five years, an APF phasing schedule in accordance with Section 4.3.J.5.b of the Subdivision Regulations is required and is as follows:

Phase I: Building permits issued for 107 townhouses and 34 two-over-two dwelling units, including MPDUs, within ten (10) years (by November 15, 2030);

Phase II: Building permits issued for 138 townhouse dwelling units, including MPDUs, issued within fifteen (15) years (by November 15, 2035).

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letters dated July 9, 2020, and November 13, 2025 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDOT 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 letters dated May 4, 2020, and October 22, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letters, which MCDPS may amend if the amendment does not conflict with other conditions of 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 letters dated May 12, 2020, and November 14, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letters, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
8. A noise study must be submitted with the initial Site Plan(s) 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 property 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 as determined by M-NCPPC, with details to be determined at subsequent Site Plan(s).

10. The Applicant shall construct a twelve-foot-wide Breezeway along the Site's Josiah Henson 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~~ ~~last residential unit of Phase I~~ 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~~ ~~last residential unit of Phase II~~. The Breezeway must maintain no less than six feet of separation between the facility and Montrose Josiah Henson Parkway per the *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines*.
13. Prior to the issuance of the final Use and Occupancy Certificate for the ~~first high-rise multi-family building~~ ~~last residential unit of Phase II~~, 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 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~~ ~~last residential unit of Phase II~~, 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-feet-wide) on Josiah Henson Montrose Parkway and Towne Road.
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 the day trucks can enter the Site and associated operational safety requirements.~~
19. Prior to the issuance of the final Use and Occupancy Certificate for each respective phase, the Applicant must satisfy all necessary requirements of SHA MCDPS to construct 10-foot two-way separated bike lanes and a sidewalk along the Property frontage on Towne Road, and satisfy all necessary requirements of MCDPS to construct a five-foot-wide sidewalks on ~~both~~ E. Jefferson Street and ~~a six-foot wide sidewalk on~~ Montrose Parkway Josiah Henson Parkway. Final timing and phasing to be determined at Site Plan(s).
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 PEPEC0 7766444 199097 may remain.~~
23. There shall be no clearing or grading of the Site prior to the recordation of plat(s). except for clearing and grading associated with Phase I Site Plan No. 820210080.
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 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 with the final calculation of payment and CIP will to 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.

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.

New Conditions

OUTSIDE AGENCIES

44. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDOT SHA”) in its letter dated November 10, 2025 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MDOT SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
45. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.

OTHER APPROVALS

46. The Applicant must receive Staff certification of Phase II Site Plan No. 820250100 before submitting a record plat application for Phase II. The number and location of site elements including but not limited to buildings, on-site parking, site circulation, sidewalks and shared pathway is determined through site plan review and approval.

ENVIRONMENT AND NOISE

47. If any changes occur to the Preliminary Plan that affect the validity of the noise analysis dated May 5, 2025, acoustical certifications, and/or noise attenuation features, a new noise analysis must be submitted to reflect the changes and new noise attenuation features may be required by Planning Staff.

TRANSPORTATION

Frontage Improvements on Existing Roads

48. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) Within the wider leg of Montrose Road, all land necessary to accommodate fifty-two feet (52 ft) from the existing pavement centerline along the Subject Property frontage.
 - b) Within the narrow leg of Montrose Road, all land necessary to accommodate forty-three feet (43 ft) from the existing pavement centerline along the Subject Property frontage.

- c) All land necessary to accommodate fifty-five feet (55 ft) from the existing pavement centerline along the Subject Property frontage for Josiah Henson Parkway.
- d) All land necessary to accommodate sixty feet (60 ft) from the existing pavement centerline along the Subject Property frontage for Towne Road.

Private Roads

49. The Applicant must provide Private Alleys A, B, C, and D, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private alley area (collectively, the “Alleys”), subject to the following requirements:

- a) The record plat must clearly delineate the Private Alleys and include a metes and bounds description of the boundaries of the Private Alleys.
- b) The Private Alleys 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 in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to the following requirements/conditions:
 - i) The Applicant, at its expense, shall design, construct and maintain the Private Alleys.
 - ii) The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Alleys and all improvements located within the Private Alleys, in good condition and repair for safe use and operation of the Private Alleys. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Alleys). The reserves must be adequate to cover the costs of needed repairs.
 - iii) The Applicant must post and retain signage to notify the public that the Private Alleys are not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Alleys.
 - iv) Approved sub-grade for Private Alleys to be six-inch Graded Aggregate Base (GAB).
- c) Before issuance of the first building permit, 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 Alleys 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, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the alleys have 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.

- d) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Alleys have been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the alleys have been constructed 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 Marshall.

RECORD PLATS

- 50. The record plat must reflect the following building restriction lines (BRL) as shown on the Preliminary Plan:
 - a) A variable two-to-six-foot (2 to 6 ft) BRL from the side lot lines;
 - b) A five-foot (5 ft) BRL from the front lot lines;
 - c) A four-foot (4 ft) BRL from the rear lot lines.

DEVELOPMENTS WITH MPDUS

- 51. The final number of MPDUs will be determined at the time of site plan approval.

CERTIFIED PRELIMINARY PLAN

- 52. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a) Show resolutions and approval letters on the certified set.
 - b) Include the development standards table approved by the Planning Board.
 - c) Include a table on the lotting plan reflecting the total number of lots, parcels and associated areas.
 - d) Show private alley details and cross sections on the certified set.
 - e) Show the five-foot Public Utility Easement on the Towne Road cross section within the frontage.
 - f) Show the six-foot Public Utility Easement on Streamline Drive cross section with its frontage.

SITE PLAN 820250100 – PHASE II

Staff recommends approval of Site Plan No. 820250100 – Phase II, for the construction of 138 townhouses, associated infrastructure and open space. The development must comply with the binding elements and conditions of approval for Sketch Plan Nos. 320190070 (MCPB Resolution No. 19-106, dated August 1, 2019) and 32019007A (MCPB Resolution No. 25-025, dated April 1, 2025), and Preliminary Plan No. 120200140 (MCPB Resolution No. 20-065, dated October 15, 2020), as amended. All site development elements shown on the latest electronic version of the Site Plan, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.

DENSITY, HEIGHT & HOUSING

1. Density

The Site Plan is limited to a maximum of 265,274 square feet of total development on the Subject Property for residential uses, for up to 138 townhouse units.

2. Height

The development is limited to a maximum height of 60 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

OPEN SPACE, FACILITIES AND AMENITIES

3. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 28,719 square feet of public open space (16.66 % of site area) on-site.
- b) Before release of the Site Plan surety bond, the Applicant must construct the streetscape improvements along the Property's frontages consistent with the Certified Site Plan.
- c) Before the issuance of the final use and occupancy certificate for the last residential unit in Phase II, all public open space areas on the Subject Property must be completed.

4. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *2017 CR Zone Incentive Density Implementation Guidelines* for each one.

- a) Major Public Facilities – The Applicant will make a financial contribution to the Montgomery County Department of Parks towards a school or park within the Sector Plan area based on the overall number of dwelling units approved and to be paid on a \$400 (four hundred dollars) per unit basis at the time of building permit. MPDUs are not subject to the contribution.
- b) Transit Proximity – The Property provides Level 2 transit access to the North Bethesda Metrorail Station.
- c) Connectivity between Uses, Activities, and Mobility Options
 - i. Through-Block Connection –The Applicant must provide the pedestrian connection between Streamline Drive and Towne Road/East Urban Park. The pedestrian connection must be shown on the certified site plan.

- d) Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs –
 - a. The development must provide a minimum of 14.49 percent MPDUs², or MCDHCA - approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan. All MPDUs provided are to be three-bedroom units.
 - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
 - c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated November 14, 2025 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.
- e) Quality Building and Site Design
 - i. Public Open Space – The Applicant must provide a minimum of 28,719 square feet of public open space (16.66 % of the site area) on-site.
- f) Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs) – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.304 BLTs to the MCDPS and M-NCPPC staff.

5. Recreation Facilities

The Applicant must provide the required recreation facilities as shown on the certified site plan before issuance of the final Use and Occupancy certificate for the final residential unit.

6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to public open spaces, recreational facilities, sidewalks, through-block connection, landscaping, exterior lighting and other associated amenities.

ENVIRONMENT

7. Noise Attenuation

- a) Before the issuance of the first building permit, the Applicant/developer/builder must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that:
 - i. The building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, Units 1-46, 87-114, and 125-128, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.

² An average of 15% MPDUs are required for the entire Property and provided cumulatively by Phase I (Site Plan No. 820210080) and the Subject Phase II Site Plan No. 820250100.

- b) Before the final inspection for any residential unit affected by excessive noise levels, the Applicant /developer/builder must certify to M-NCPPC Staff that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- c) If any changes occur to the site plan which affect the validity of the noise analysis dated May 5, 2025, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- d) Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- e) For all noise impacted residential dwelling units, the Applicant/developer/builder must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and site plans. A copy of this notification must be provided to the Planning Department and Montgomery County Department of Permitting Services, Site Plan Enforcement Section prior to the issuance of a Use and Occupancy Certificate or final inspection, whichever is relevant, for any noise impacted residential unit.

TRANSPORTATION & CIRCULATION

8. Transportation

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated October 17, 2025 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must show the following master planned pedestrian and bicycle facilities on the certified site plan. The exact location, design and construction of the facilities must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations.
 - i. Towne Road: 10-foot-wide (10 ft) separated bike lane with a 6-foot-wide (6 ft) sidewalk and 6-foot-wide (6 ft) street buffer.
 - ii. Montrose Road: 6-foot-wide (6 ft) sidewalk with a 7-foot-wide (7 ft) street buffer.
 - iii. Streamline Drive: 6-foot-wide (6 ft) sidewalk with 7-foot-wide (7 ft) street buffer.

- iv. Josiah Henson Parkway: 12-foot-wide (12 ft) Breezeway and 6-foot-wide (6 ft) street buffer.

AGENCY COORDINATION

10. Fire and Rescue

- a) 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 October 22, 2025 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before approval to release any portion of the site plan performance bond, 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 fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan, or as amended.
- c) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Alley(s) has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been constructed 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 Marshall.

SITE PLAN

11. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
- b) The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

12. Lighting

- a) Before certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All

onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable site plan elements only for facilities located on the Property (not in a public right-of-way) including, but not limited to landscape and plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, retaining walls, fences, railings, private roads and sidewalks, private utilities, sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved before the approval of the Certified Site Plan.

15. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Update the development data table and public benefits table to be consistent with those approved by the Planning Board.

- b) Show the five-foot Public Utility Easement on the Towne Road cross section within the frontage.
- c) Include the public agency approval letters, development program, and site plan resolution on the approval or cover sheet(s).
- d) Add the following notes:
 - i. “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
 - ii. “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
 - iii. “The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.”
- e) Include approved Fire Department Access Plan.
- f) Modify data table to reflect development standards approved by the Planning Board.
- g) Ensure consistency of all details and layout between Site and Landscape plans.
- h) Show noise impacted units.
- i) Show all private road sections/profiles including curb & gutter, apron, and handicap ramp details.

FOREST CONSERVATION PLAN NO. F20250850

Staff recommends approval with conditions of Final Forest Conservation Plan No. F20250850 (“FFCP”), which amends and replaces FCP No. 820210080. All site development elements shown on the latest electronic version of FFCP No. F20250850, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions³:

1. Except for the demolition and clearing of the existing gas station on Parcel Q, prior to any demolition, clearing, grading or construction for this development Application, the Applicant must record a Certificate of Compliance in a form approved by the M-NCPPC Office of General Counsel for an off-site forest bank within the Cabin John watershed to satisfy the reforestation requirement for a total of 8.15 acres of mitigation credit. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Cabin John watershed or by making a fee-in-lieu payment if mitigation credits are not available.

³ Conditions 1 through 4 were originally approved as part of Site Plan No. 820210080; Condition 1 has been satisfied.

2. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
3. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
4. 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.

SECTION 3: SITE DESCRIPTION

VICINITY

The Subject Property ("Subject Property" or "Property"), shown in Figure 1 and Figure 2 below, consists of approximately 16.64 acres 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, and an area dedicated to public use for Montrose Parkway as depicted on Plat Nos. 13977, 20343, and 23187, which were recorded in the Land Records of Montgomery County on August 12, 1982, February 25, 1997, and July 1, 2005, respectively. The Property is located within the Rockville Pike-Montrose North area of the 2018 *White Flint 2 Sector Plan* area and is generally bounded by Montrose Road to the north, Towne Road to the east, Josiah Henson Parkway to the south, and East Jefferson Street to the west.

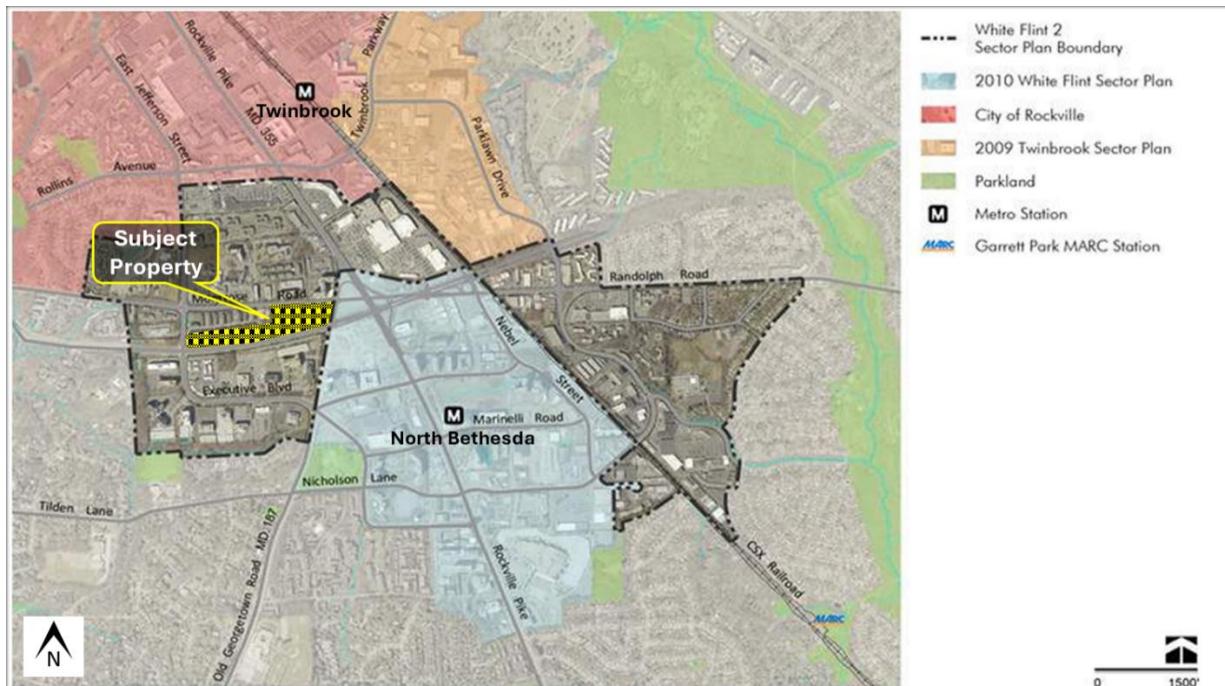


Figure 1 – Subject Property within the White Flint 2 Sector Plan Area

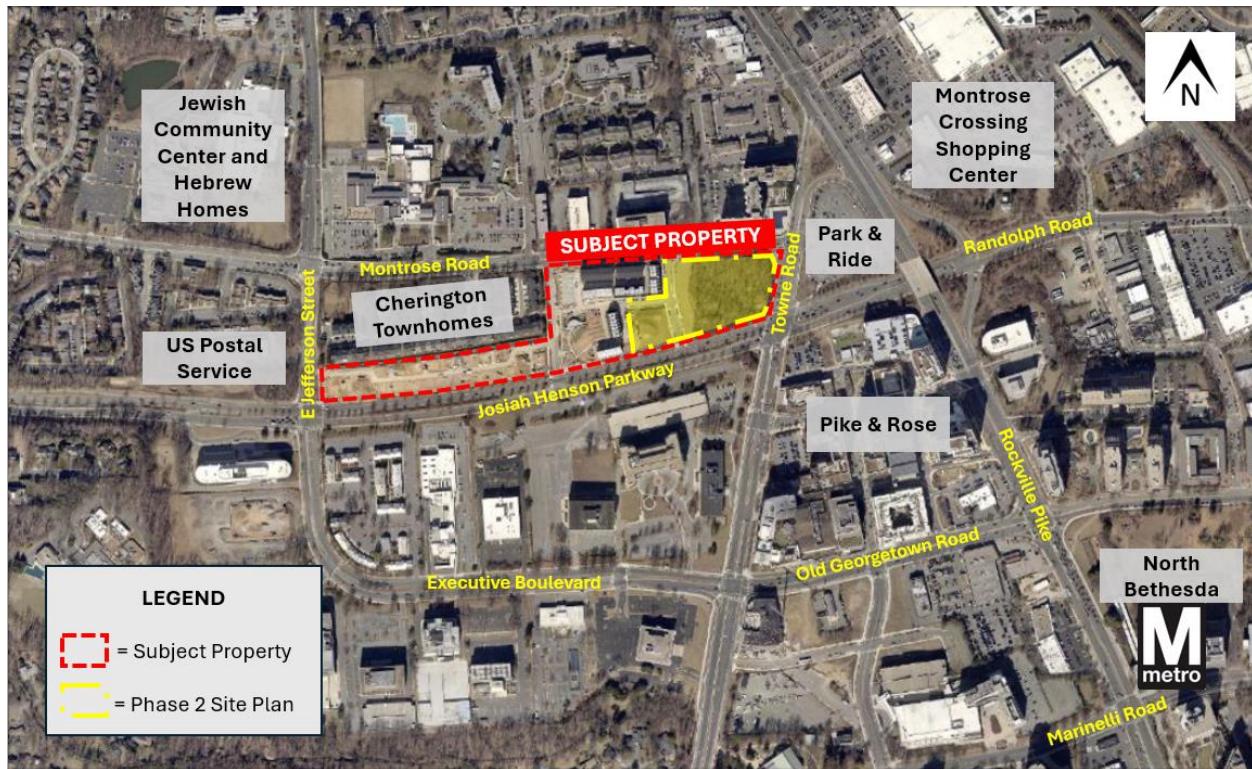


Figure 2 – Vicinity Map

The Property is within a mile of the North Bethesda Metrorail Station and in close proximity to a range of residential, office, retail, commercial, and institutional uses. Generally surrounding the Property are a block of commercial buildings containing approximately 2.3 million square feet of office uses (between Josiah Henson Parkway and Executive Boulevard) and the Pike and Rose mixed-use neighborhood to the south, the Cherington townhouse community, multifamily apartments, and office condominiums to the north, the United States Postal Service Rockville Carrier Annex and low-rise office buildings to the west. The Montrose Road/Rockville Pike Park and Ride facility is located across Towne Road to the east. The Subject Property is also located close to major highways and arterial streets, and is served by the RideOn bus.

PROPERTY DESCRIPTION

Figure 3 illustrates the Subject Property. It is irregularly shaped and has frontage on multiple public rights-of-way. The Property has a tract area of approximately 16.56 acres and a site area of approximately 12.01 acres, after accounting for approximately 4.5 acres of proposed and prior dedications of right-of-way area. The Property is split zoned: CRN-0.75, C-0.0, R-0.75, H-50 on its west side, CR-2.0, C-0.25, R-1.75, H-75 in its center and CR-2.0, C-1.0, R-1.5, H-200 for its eastern portion, as illustrated in Figure 4. Construction of Phase I development of the western and central portions of the Property is nearing completion in accordance with previous approvals for as outlined in Section 4.

Most units are constructed, many are occupied, and most associated infrastructure and open space areas appear near completion. The eastern portion of the Property is proposed for Phase II development with the Subject Applications.

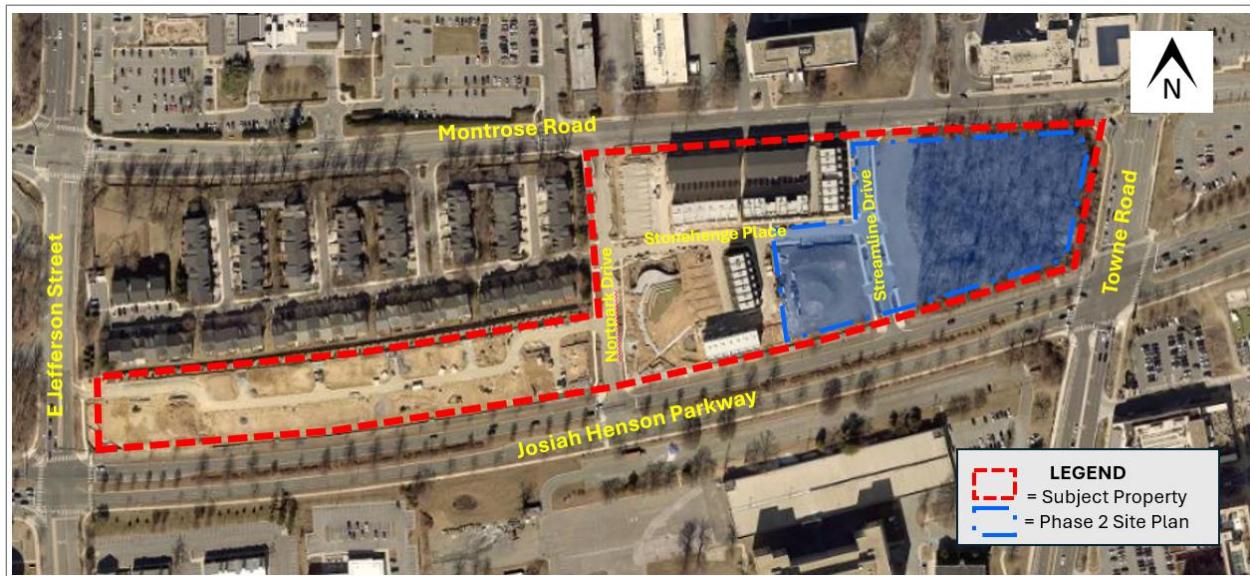


Figure 3 – Subject Property

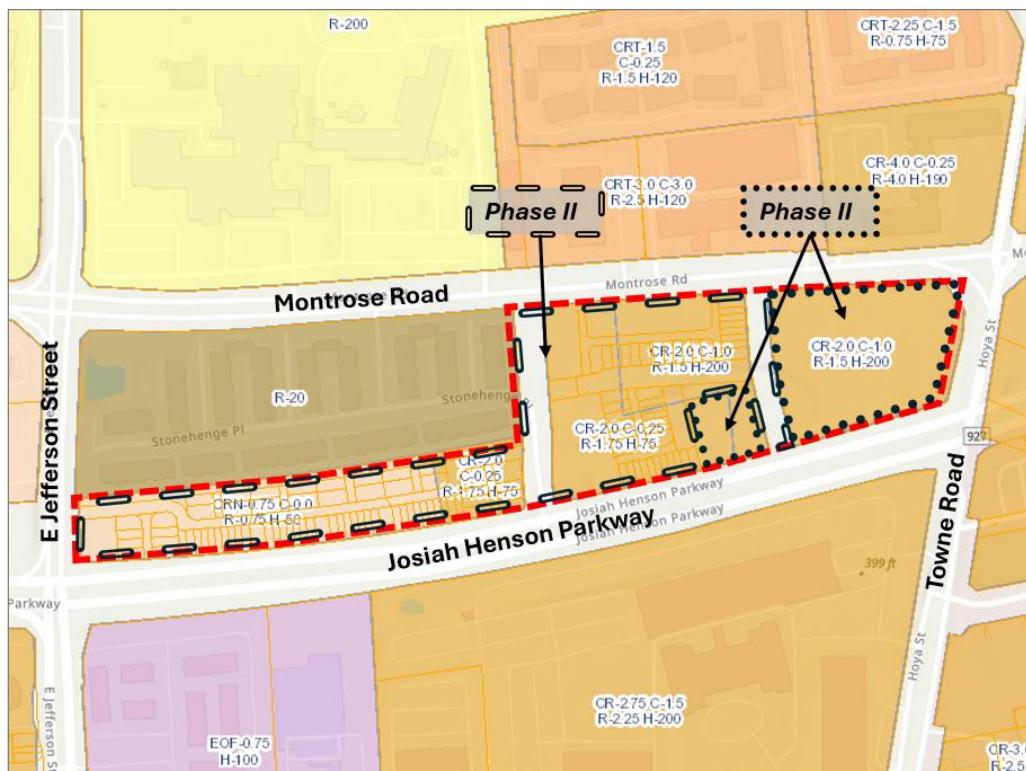


Figure 4 – Zoning of Subject Property

SECTION 4: PROJECT DESCRIPTION

PREVIOUS APPROVALS

The development of the Property was originally envisioned to be accomplished in four phases and deliver a mix of residential unit types including multifamily and townhomes, as well as commercial uses, open space, frontage improvements and associated infrastructure. Phases I-III for the western portion of the Property, as originally envisioned, were consolidated into a single phase, with the development's Phase I Site Plan. The originally envisioned Phase IV for the eastern portion of the Property is now Phase II as illustrated in Figure 5 below. Construction of Phase I on the western portion of the Property is nearing completion. The eastern portion of the Property, the focus of the Subject Applications for Phase II, is partially cleared nearest the Phase I area and wooded adjacent to Towne Road.

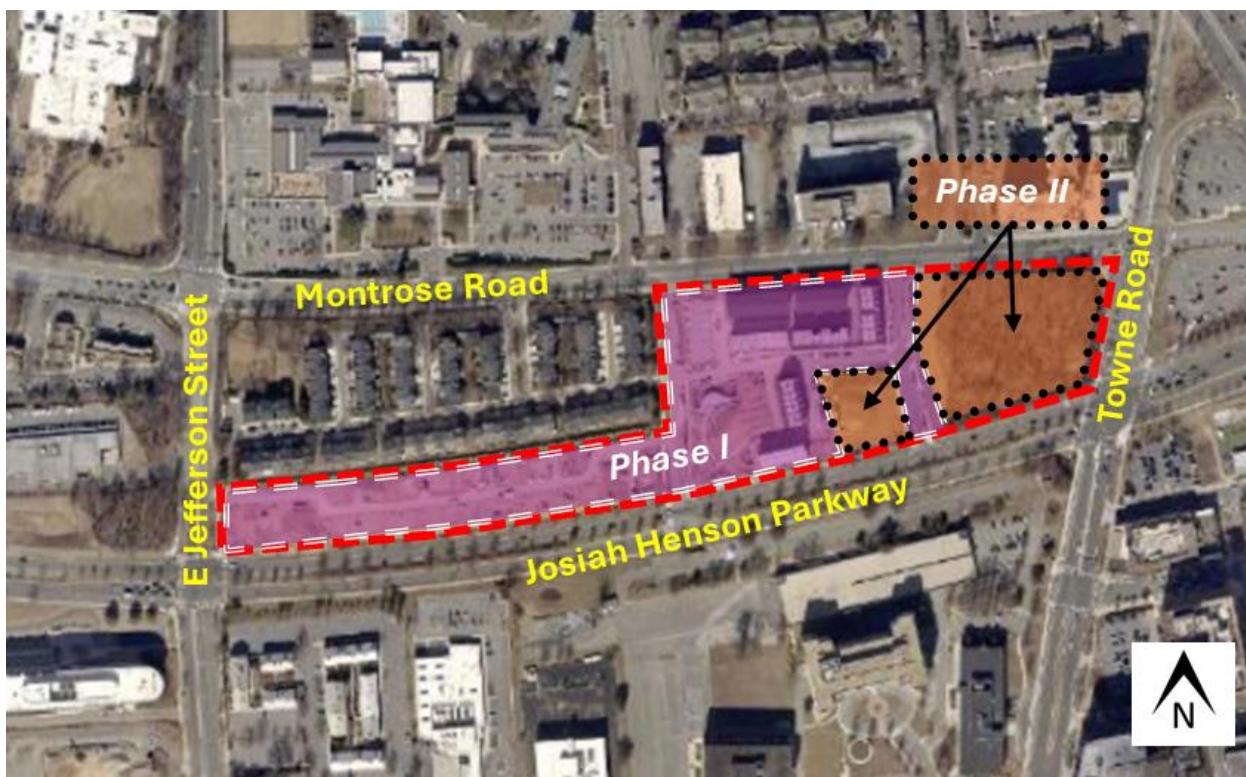


Figure 5 – Development Phasing – Phase I under construction, Phase II proposed

PRELIMINARY PLAN NO. 119990290 AND 11999029A

The Planning Board issued an Opinion on August 30, 2002 to approve two (2) office buildings consisting of 308,400 square feet on 6.6 acres of the Wilgus East Property, at the southwest quadrant of Montrose Road and Towne Road, consisting of Parcel N174 and Parcel N231.

The Applicant appealed this decision⁴, and in the resulting settlement agreement and associated Preliminary Plan Amendment 11999029A (approved by an Opinion of the Planning Board dated October 27, 2004), the Applicant was required to dedicate 2.3 acres of land for the construction of Montrose Parkway and contribute to the Parkway's construction. The 2.3-acre land dedication was recorded in May 2005 under Plat No. 23187 and Montrose Parkway is constructed. Development of the office buildings did not occur.

This Preliminary Plan is superseded by 120200140.

SECTIONAL MAP AMENDMENT H-128

The County Council adopted Resolution No. 18-1084 on April 10, 2018, approving the recommendations of the 2018 *White Flint 2 Sector Plan*. This rezoned the Subject Property from R-200, CRT and EOF zones to CR and CRN zones that generally allowed for higher densities, building heights and mix of uses.

SKETCH PLAN NO. 320190070

The Planning Board approved the Wilgus Sketch Plan No. 320190070 through MCPB Resolution 19-106, dated August 1, 2019, for a mixed-use project of up to 1,274,498 square feet of total development, including up to 1,025,789 square feet of residential development (townhouse and multifamily dwelling units), with 15 percent MPDUs and up to 248,709 square feet of commercial development, to be developed in multiple phases. The Sketch Plan also required a financial contribution towards a school or a park, with details to be determined at site plan.

⁴ Montgomery County Circuit Court Civil Action No. 236745-V.



Figure 6- Illustrative Sketch Plan No. 320190070

PRELIMINARY PLAN NO. 120200140

The Planning Board approved Preliminary Plan No. 120200140 with MCPB Resolution No. 20-065, dated October 15, 2020. In-line with Sketch Plan No. 320190070, the Preliminary Plan approved 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 commercial 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), with additional various open space parcels, private road parcels, and HOA parcels. In addition to the new lots, site access, private roads and circulation, right-of-way dedication for both public streets, and frontage improvements were approved. A Preliminary Forest Conservation Plan was approved with this Preliminary Plan that included a variance for the removal of all 11.30 acres of forest area on the Subject Property, including Protected Trees.

SITE PLAN NO. 820210080

The Planning Board approved Site Plan No. 820210080 for Northpark at Montrose Phase I, shown in Figure 7, by MCPB Resolution No. 21-052 dated July 29, 2021, for the construction of 107 townhouse units, 34 stacked two-over-two multifamily units, and associated infrastructure, including new public and private streets, frontage improvements, and open space. The Site Plan required a contribution to Montgomery Parks for school or park improvements in the Sector Plan area. This Site Plan represents

Phase I of the development of the Wilgus Property, and it encompasses Phases I, II, and III areas as envisioned through Preliminary Plan No. 120200140 (refer to Figure 5). As of the date of this Report, construction of Phase I was ongoing, with a significant portion of the development completed and units occupied.



Figure 7-Phase I Site Plan – Under Construction

SKETCH PLAN AMENDMENT NO. 32019007A

Sketch Plan Amendment No. 32019007A was approved by the Planning Board on February 27, 2025, and memorialized in MCPB Resolution No. MCPB 25-025 dated April 1, 2025. The Amendment removed commercial uses and density, lowered residential density and intensity with a change from mid- and high-rise multifamily buildings to a back-to-back style of townhouse and made resulting revisions to the public benefit package required for Phase II development. These scope revisions focus on the eastern Phase II development area of the Wilgus Property as shown in the Figure below.



Figure 8: Illustrative Sketch Plan Amendment No. 32019007A

PROPOSAL

The Subject Applications include a Preliminary Plan Amendment, Site Plan for the final phase (Phase II) of development of the Wilgus Property in accordance with Sketch Plan No. 32019007A and an associated Forest Conservation Plan.

Specifically, Preliminary Plan Amendment No. 12020014A requests to modify the density, lots, parcels, uses, circulation pattern, and conditions of the previous approval to align with the scope of changes approved earlier in 2025 with Sketch Plan Amendment No. 32019007A, as described above, and to extend the approved APF determination by five years.

The Site Plan proposal transforms vacant land on the east side of the Property into residential blocks that continues the same general development pattern recently built with Phase I on the west side of the Property. The development as a whole will bring this variety of new housing options near North Bethesda Metro Station, public bus service and other nearby established amenities. Phase II will add 138 rear-loaded, back-to-back townhomes with a height of four stories inclusive of 118 market-rate

units and 20 MPDUs (14.5% MPDUs⁵), to the Wilgus Property to complement the townhomes and two-over-two style residential units being delivered with Phase I with associated infrastructure, open space, and associated site features.

Within the Phase II area, the new residential blocks and associated network of private alleys, and sidewalks are anchored by the new East Urban Park, creating a well-designed, pedestrian-oriented community. This development has been designed as a thoughtfully integrated, walkable residential community with smaller, rear-loaded blocks of attached homes.

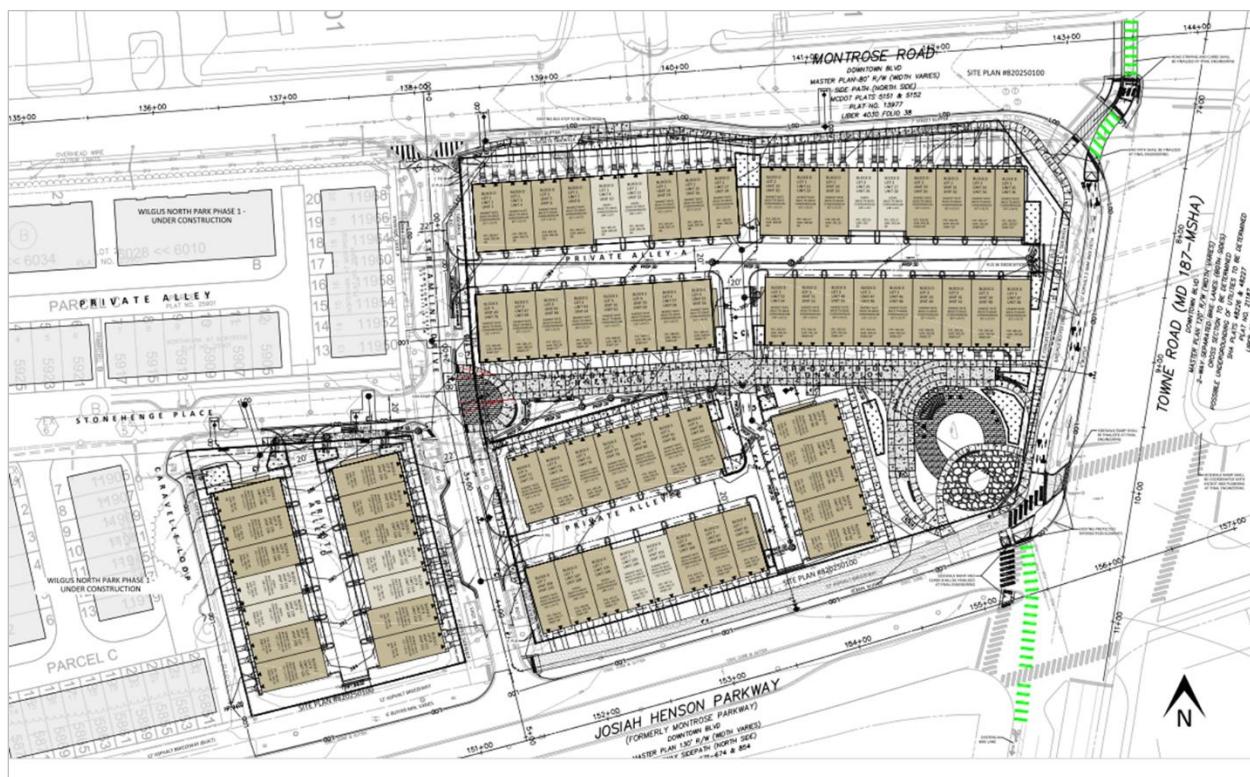


Figure 9- Illustrative Site Plan

BUILDING/ARCHITECTURE

The proposed architecture features a blend of contemporary residential design, characterized by varied elevations and a cohesive material palette, which continues the residential development of Phase I. All townhouse buildings feature a variety of façade treatments that break down massing and enhance visual interest. This back-to-back type of townhouse unit introduces a denser residential typology while preserving pedestrian-friendly street frontages. Building materials include a mix of high-quality masonry, fiber cement, and accent paneling in complementary earth tones. The massing

⁵ An average of 15.0% MPDUs is provided for the overall development.

and articulation of the units reinforce the human scale of the development, with pedestrian entries and porches enhancing ground-level activation.



Figure 10: Illustrative Building Elevations – Front (top image) & Rear (lower image)

OPEN SPACE

The Sketch Plan Amendment set an overall public open space requirement of 12% of the site area, or 1.56 acres across the entire Wilgus Property. This requirement is met with the inclusions of three key privately owned public spaces, a western park, and a central park being delivered with Phase I (0.96 acres), and an eastern park, the East Urban Park (0.44 acres), proposed with the Subject Applications for Phase II.

As shown in Figure 11, the proposed Eastern Urban Park includes a pedestrian through-block connection extending from the eastern reach of the Phase II area to Streamline Drive to the west, as recommended in the Sector Plan. The through-block connection features a flush design that creates a

seamless pedestrian environment for future residents and visitors and provides for emergency fire access.

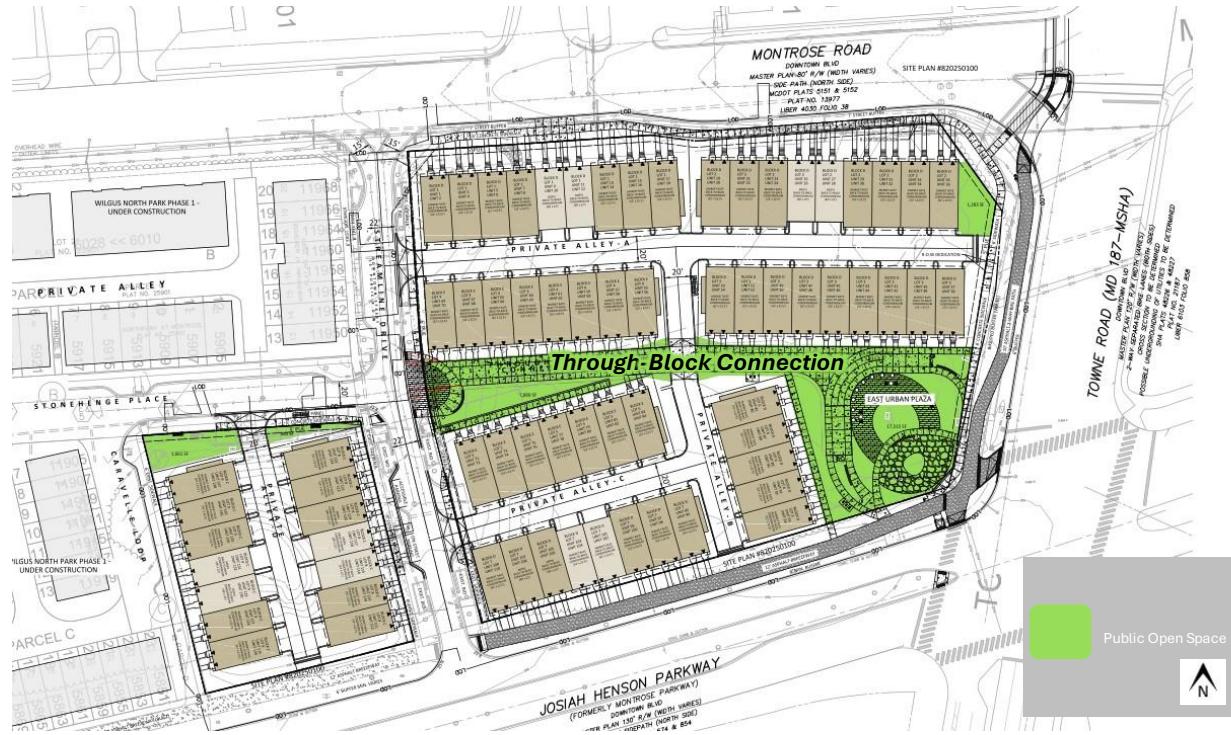


Figure 11: Open Space Exhibit

TRANSPORTATION

Public roadway and frontage upgrades are provided to enhance accessibility and safety for all users, in support of the County's broader goals for multimodal transportation and inclusive infrastructure. The Property is bordered by Josiah Henson Parkway to the south, Towne Road (MD-187) to the east, and Montrose Road to the north and Streamline Drive to the west, a new public road delivered with the Phase I Site Plan. These roads are classified as Downtown Boulevards, with the exception of Streamline Drive, which is classified as a Neighborhood Street. Josiah Henson Parkway, Montrose Road and Streamline Drive are County roads and Towne Road is managed by the Maryland State Highway Administration.

Josiah Henson Parkway has a planned 130-foot-wide minimum right-of-way width and is developed with two travel lanes in each direction, separated by a median. The Project will construct the remainder of a 12-foot-wide asphalt sidepath identified as a Breezeway in the 2018 *Bicycle Master Plan* along Josiah Henson Parkway to Towne Road. The western portion of the Breezeway was delivered with the Phase I Site Plan.

Towne Road has a minimum master planned right-of-way width of 120 feet. It is built with seven lanes adjacent to the Property, providing travel lanes and dual left-turn lanes for both northbound and southbound traffic. This Application will construct a 10-foot-wide bi-directional separated bike lane with pedestrian buffers and sidewalks in the Towne Road frontage. This will connect with the Breezeway at Josiah Henson Parkway. Corners at the intersections of Towne Road at Josiah Henson Parkway and Towne Road at Montrose Road will be upgraded with ADA-compliant curb ramps to enhance accessibility. Additionally, at Josiah Henson Parkway pedestrian and bicycle traffic will have independent crosswalks. At the intersection of Towne Road at Montrose Road, the Applicant is coordinating with MCDOT and SHA to improve the existing pedestrian island to ensure safe crossing for pedestrians and bicyclists.

Montrose Road has a master planned minimum right-of-way of 80 feet. It is built with two travel lanes in each direction. This Application will construct a sidewalks and street buffers consistent with the 2024 *Complete Streets Design Guide* along Montrose Road. These improvements will connect with the Phase I sidewalk and frontage treatments provided in this frontage on the west side of Streamline Drive.

Streamline Drive is the primary internal access route for Phase II and includes two travel lanes, on-street parking, as well as sidewalk and street buffers. This roadway was constructed with Phase I development, with its west side generally configured to align with Phase II's alley network.

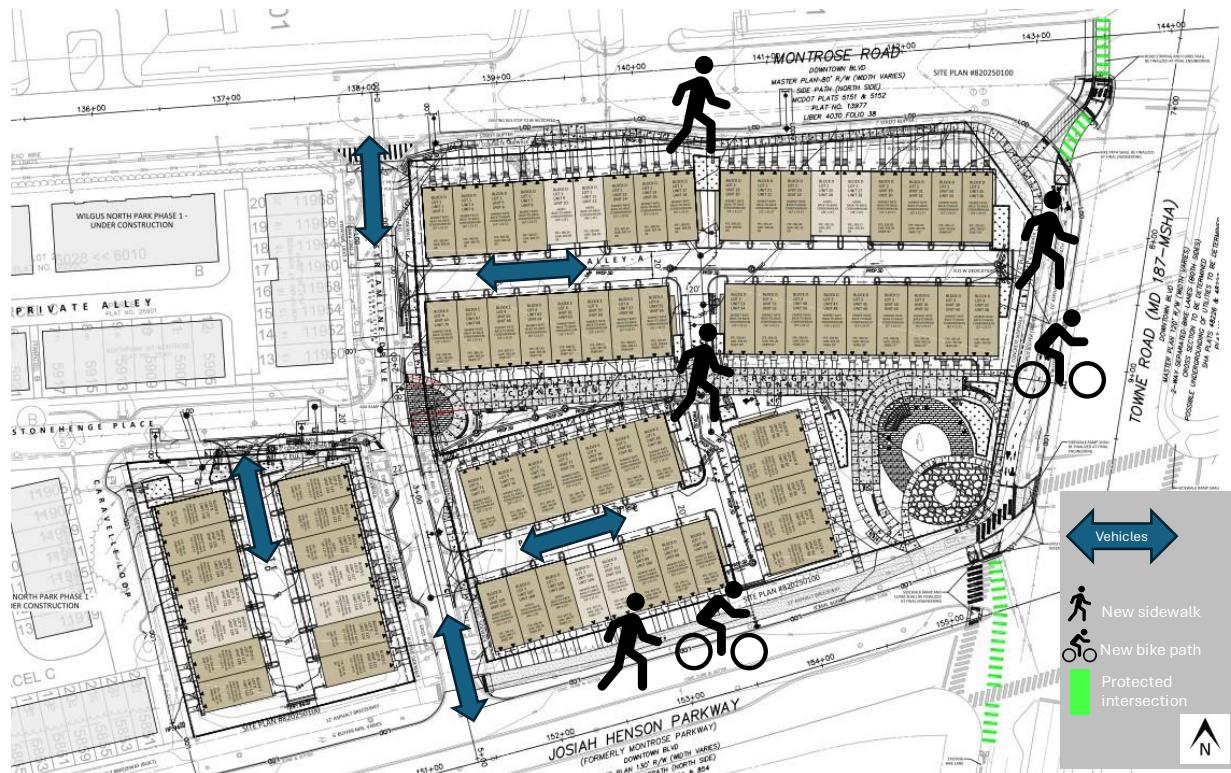


Figure 12–Circulation

Through-Block Connection

The public open space in Phase II incorporates the Sector Plan-recommended through-block connection, serving as a pedestrian-friendly link between Towne Road and the interior sidewalks of the development along Streamline Drive, as illustrated in Figure 11. This connection is a defining feature of the Phase II area, with its wide, linear layout and direct access to East Urban Park contributing significantly to the overall character of the development. Flanked by residential units, landscaping, and trees, the space is designed to foster walkability and visual cohesion. While primarily intended for pedestrian use, the through-block connection also accommodates emergency access for fire and rescue services.

PARKS CONTRIBUTION

Consistent with the Sector Plan recommendation and conditions of previous approvals, Phase II development will provide a contribution to Montgomery Parks for a school or park improvement within the Sector Plan area, for each market-rate unit at the time of building permit. This contribution is further discussed in the Site Plan Findings in Section 7 of this Report.

ENVIRONMENT

Forest Conservation

The Applicant proposes to clear the remaining 2.79 acres of forest approved under Preliminary Forest Conservation Plan No. 120200140 (“PFCP”) and Final Forest Conservation Plan No. 820210080 (“FFCP”). An amended FFCP (Plan No. F20250850) is part of the Subject Application package to reflect the revised development. A full analysis of the Forest Conservation Plan is included in Section 8 of this Staff Report.

Stormwater Management

The Application provides for on-site stormwater management facilities. At the time of publication of this Report, the Applicant was working with DPS to finalize approval of the stormwater concept plan for Phase II. Receipt of DPS approval of the stormwater concept plan is expected prior to the scheduled December 18, 2025 Planning Board hearing on the Subject Applications.

Noise

A noise analysis is included with the Site Plan and shows some proposed dwelling units proximate to Montrose Road, Towne Road, and Josiah Henson Parkway and Streamline Drive will be subject to road noise levels greater than the County standard of 45 dBA Ldn for interior noise. The Applicant will construct these units using materials that will keep interior sound levels below the interior noise standard. This is a common means of dampening the impacts of exterior roadway noise on the interior of buildings.

Noise levels in the proposed Eastern Urban Park, proximate to Towne Road and Josiah Henson Parkway are expected to exceed the County exterior noise standard of 65 dBA Ldn. Mitigation of the road noise in the Eastern Urban Park would require the construction of a sound wall, fencing or similar, sound-dampening barrier that would also restrict visual and physical access to this open space area, which is undesirable for an urban park. Relief from the 65 dBA Ldn exterior noise standard per the provisions of Section 2.2.2 of the *Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development* is appropriate as there are no practical means to mitigate road noise within the East Urban Park without significantly detracting from the intended purpose and use of the space.

UTILITIES

There is no applicable requirement for the undergrounding of existing utilities associated with the proposed development. Consideration has been given to the undergrounding of existing utilities in the public rights-of-way abutting the Phase II site in accordance with prior approvals for the Property as discussed in Section 6 with Preliminary Plan Finding 1.c. The undergrounding of these utilities is not proposed with the Subject Applications.

SECTION 5: COMMUNITY OUTREACH

The Applicant has complied with all submittal and noticing requirements, and a pre-submittal public meeting was held on May 22, 2025. As noted in meeting minutes (Attachment E), two community members participated in the meeting. They asked questions and made comments relative to the Proposal's open space areas, pedestrian connections and unit types. The Applicant's team provided responses to questions.

As of date of this Report, correspondence regarding the applications was received from one community member, which advocated for the Planning Board to require undergrounding of utilities as part of the Proposal (Attachment D).

As noted above, and in Section 6 and Section 7 of this Report, the undergrounding of utilities was reconsidered in early 2025 with the Planning Board's approval of this Project's Sketch Plan Amendment. This approval recognized the reduced scale of the development could make the undergrounding of utilities unfeasible. As required by the Sketch Plan Amendment, an evaluation of the scope and cost for undergrounding utilities was completed by the Applicant and it was determined that undergrounding of utilities would be overly burdensome for Phase II to complete.

SECTION 6: PRELIMINARY PLAN 12020014A FINDINGS AND ANALYSIS

The Planning Board approved Preliminary Plan No. 120200140 MCPB No. 20-065, for up to 1,040,789 square feet of total development, including up to 1,025,789 square feet of residential uses and up to 15,000 square feet of non-residential uses, inclusive of 745 total dwelling units, with 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 ground floor retail on one lot shared with multi-family units, with additional various park/open space parcels, private road parcels, and HOA parcels. on the Subject Property with conditions.

Preliminary Plan Amendment No. 12020014A requests to modify the previous approved subdivision development density, uses and lotting program, and to extend the APF validity period, with updated and new conditions in Section 2 of this Staff Report. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

- 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 lotting program and roadway design for the Preliminary Plan's Phase I, II, and III, now consolidated as Phase I, under Site Plan 820210080, are unchanged by this Amendment.

Phase II of the development (formerly Phase IV of the Preliminary Plan) conforms with the applicable requirements of Chapters 50 and 59 of the County Code as subdivision's size, shape, dimensions, orientation and density of lots, the design of roadways is appropriate given its location and style of residential development proposed.

This Preliminary Plan Amendment replaces the previously approved multi-family and mixed use lots contemplated for Phase II and provides an efficient subdivision of the same area to accommodate nine (9) lots for 138 townhouses, two (2) private road parcels, and four (4) HOA parcels to support the development of the Property with 138 townhouses and the associated network of private alleys, public open space, and other improvements consistent with Sketch Plan 32019007A.

- a) The block design is appropriate for the development or use contemplated***

The modified block design for Phase II is complimentary to that of approved Phase I development and consistent with the block design envisioned with Sketch Plan No. 32019007A. The block design is appropriate for scope and scale of residential development contemplated.

- b) The lot design is appropriate for the development or use contemplated***

The Preliminary Plan Amendment proposes nine (9) lots for townhouses, two (2) private road parcels, and four (4) HOA parcels for infrastructure and open space, to support the development of 138 townhouse units. The proposed lot configuration would allow for these townhouse units to be rentals or condominiums. Individual units will not each have

their own fee-simple lot. The lot design is appropriate for the development and use contemplated.

c) *The Preliminary Plan provides for required public sites and adequate open areas*

iii. *Master Planned Sites*

The 2018 *White Flint 2 Sector Plan* generally envisions the development of the Wilgus Property as contributing to the walkable, pedestrian-friendly environment that is emerging proximate to the Pike and Rose development.

a) *Open Space*

The Sector Plan recommends a minimum of 1.25 acres of public open space be included with the development of the entire Wilgus Property. Sketch Plan No. 32019007A set a higher minimum public open space threshold of 12% of the site area of the overall development (1.56 acres/68,001 square feet). Approved Phase I development includes 0.96 acres of public open space, inclusive of the Western Park and Central Park. The proposed Phase II subdivision provides 0.66 acres of open space, including the East Urban Park. A total of approximately 1.62 acres/70,678 square feet of public open space is provided cumulatively across the overall development (Phases I and II), exceeding the Sector Plan's recommendation and exceeding the requirement of the Sketch Plan Amendment.

b) *Through-Block Connection*

The public open space in Phase II includes the Sector Plan-recommended through block connection. The space will serve as a pedestrian-friendly connection between Towne Road and interior sidewalks of the development at Streamline Drive. The through-block connection is a central feature of the Phase II development area and its wide, linear design and connection to the East Urban Park significantly contributes to the character of the development. The through-block connection will be flanked by homes, landscaping and trees. While its function is primarily pedestrian, the through-block connection is also designed to provide for emergency access for fire and emergency services to this portion of the Property.

c) *Park Contribution*

As envisioned by the Sector Plan and through associated conditions of approval of the associated Sketch, Preliminary and Phase I Site Plan, development of the Wilgus Property requires the Applicant to make a

financial contribution to Montgomery Parks towards a school or park improvement within the Sector Plan area with each site plan. A contribution was required with Phase I Site Plan No. 820210080 for Northpark at Montrose. Similarly, a contribution is required with Phase II Site Plan No. 820250100. As provided in recommended Condition 4 for Site Plan No. 820250100 in Section 2 of this Report, the Site Plan will require a contribution of \$400 per market rate unit to be provided at the time of building permit for each unit.

iv. ***Local Recreation***

The Subject Phase II portion of the development will include private on-site recreational facilities and new privately owned public open space, primarily in a new East Urban Park. These amenities are described in the associated Site Plan No. 820250100. Recreational amenities will be located within public open space areas and frontage areas. The proposed subdivision does not include dedication of land for public recreation purposes but, in line with the Sector Plan, the associated Site Plans are providing financial contributions to Montgomery Parks for school or park improvements.

v. ***Transportation and Utilities***

d) Transportation – Dedication and Frontage Improvements

Josiah Henson Parkway is a Montgomery County-owned Downtown Boulevard with a 130-foot-wide right-of-way, four travel lanes, and a designated 12-foot-wide Breezeway and six-foot-wide street buffer. Towne Road (MD-187), under SHA jurisdiction, has a 120-foot-wide right-of-way, four lanes, and is planned to include a ten-foot-wide bi-directional bike lane and a five-foot-wide public utility easement, along with a six-foot-wide sidewalk with a variable-width pedestrian buffer.

Montrose Road, also owned by Montgomery County, has an 80-foot-wide right-of-way, four lanes, and includes a six-foot-wide sidewalk, seven-foot-wide buffer. Streamline Drive is a two-lane Montgomery County road with a 55-foot-wide right-of-way, a six-foot-wide public utility easement, six-foot-wide sidewalk and a six-foot-wide landscape frontage. All roadways are classified as Downtown Boulevards with the exception of Streamline Drive and are guided by the *White Flint 2 Sector Plan* and the *2018 Bicycle Master Plan*. Streamline Drive is classified as a Neighborhood Street.

a) Through Block Connection

The Sector Plan requires a publicly accessible through-block connection on the Subject Property, and it is provided as discussed in Finding 1.c above.

b) Utilities

The Planning Board initially required for the undergrounding of utilities along the Property's frontage on Towne Road, between Montrose Road and Josiah Henson Parkway (formerly Montrose Parkway). This was first reflected in Preliminary Plan No 120200140⁶ Condition No. 22 which reads:

“The Applicant must underground the existing and future utility poles located along the Property’s frontage on Towne Road, between Montrose Parkway and Montrose Road. The existing utility pole located at the intersection of Montrose Road and Towne Road identified as PEPCO 7766444-199097 may remain.”

In approving Site Plan No. 820210080 for Phase I⁷ the Planning Board included Condition No. 13 regarding undergrounding of utilities with the Subject Phase II application area:

“Before the issuance of the final use and occupancy certificate for the first high-rise multi-family building to be included in a future site plan phase, the Applicant must underground the existing and future utility poles located along the Property’s frontage on Towne Road, between Montrose Parkway and Montrose Road. The existing utility pole located at the intersection of Montrose Road and Towne Road identified as PEPCO 7766444-199097 may remain.”

The scale of development for Phase II been reduced since the 2020 Preliminary Plan approval 2021 approval of the Phase I Site Plan. High-rise multi-family development and 15,000 square feet of commercial uses are no longer in the scope for Phase II. The overall residential unit count anticipated for Phase II was reduced from 604 units to 138 units. The Planning Board contemplated the reduced scale of development in its February 2025 approval of Sketch Plan Amendment No. 32019007A⁸. Relative to undergrounding of utilities, with Condition 7.v of the Sketch Plan Amendment, the Planning Board required “evaluation of the undergrounding of utilities along all public rights-of-way, unless there is a

⁶ Preliminary Plan No. 120200140, MCPB Resolution No. 20-065, dated October 15, 2020

⁷ Site Plan No. 820210080, MCPB Resolution No. MCPB 21-052 dated July 29, 2021

⁸ Sketch Plan Amendment No. 32019007A, Resolution No. MCPB 25-025 dated April 1, 2025

Capital Improvement Program (CIP) project that is already undergrounding the utilities” with any future Preliminary or Site Plans for the Property.

The required evaluation was completed by the Applicant with the Subject Application and focused on the general scope of work and associated cost for undergrounding utilities on the Property’s frontage on Towne Road, between Josiah Henson Parkway and Montrose Road. The projected cost of undergrounding of utilities and associated roadway rehabilitation for Towne Road was estimated to be approximately \$1.6 million. The evaluation concluded that the undergrounding of these utilities would be overly burdensome considering the current scope of the proposed development. Completion of the evaluation satisfies the requirement of the associated Sketch Plan condition.

Staff is not recommending the undergrounding of utilities.

d) *The Lot(s) and Use comply with the basic requirements of Chapter 59*

The Preliminary Plan Amendment meets all applicable sections of the Subdivision Regulations, Chapter 50 and Zoning Ordinance, Chapter 59. The proposed residential use is allowed in the CR zone. The size, width, shape, and orientation of the proposed lots are appropriate for the zone, location and residential use proposed for the Property. As shown in Table 3, under Site Plan Finding 2, the proposed lots comply with the CR zone optional method development standards.

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

a) *Land Use*

The Sector Plan recommended the Wilgus property be developed with tall, high-density buildings and uses on its eastern portion and with lower density of uses and building heights on its western portion. The overall development of the Property was also recommended to include at least 1.25 acres of open space. Phase I for the western portion of the development is approved, with construction nearing completion as of the date of this Report. Phase I is providing 107 townhouses, 34 two-over-two units, associated infrastructure and open space areas, in line with the Sector Plan’s recommendation.

The Preliminary Plan Amendment removes the previously approved high-density multifamily and commercial uses approved for the eastern, Phase II portion of the Property and replaces them with 138, four-level townhouses consistent with Sketch Plan Amendment No. 32019007A. The Preliminary Plan Amendment further updates the lot and parcel design for the Phase II area and modifies the previously approved density and uses to support this development program, as reflected in Table 3 under Site Plan Finding 2. In approving Sketch Plan Amendment No. 32019007A, in February 2025 the Planning Board

determined the reimagined residential development for the eastern portion of the Property substantially conformed with the Sector Plan's density, building height, design and connectivity, affordable housing, public facilities, and open space recommendations. Substantial conformance with these recommendations is also achieved with this Preliminary Plan Amendment.

b) *Environment*

The Preliminary Plan Amendment does not modify prior findings regarding environmental recommendations of the Sector Plan. Associated Site Plan No. 820250100 makes several adjustments to the environmental enhancement items within Proposal's public benefits package in response to the change in proposed building typology. These changes were anticipated in the approval of Sketch Plan Amendment No. 32019007A.

c) *Transportation*

The 2018 *White Flint 2 Sector Plan* includes transportation recommendations that are satisfied through the prior Phase I project, and proposed Phase II, including the provision of frontage improvements on public rights-of-way surrounding the Property, and for the inclusion of certain on-site pedestrian and vehicular features, as follows:

- i) Josiah Henson Parkway has a master planned right-of-way of 130 feet and is owned by Montgomery County. The road is classified as a Downtown Boulevard and includes four travel lanes, two in each direction, separated by a median. The Project will construct and modify a 12-foot-wide Breezeway with accessible crossings, providing improved bicycle and pedestrian access to the site.
- ii) Towne Road (MD-187) has a master planned 120-foot right-of-way and is under the jurisdiction of the Maryland State Highway Administration (SHA). It is classified as a Downtown Boulevard. The Project will construct a 10-foot-wide, two-way separated bike lane, with a six-foot-wide sidewalk and a six-foot-wide street buffer along this frontage.
- iii) Montrose Road has a master planned 80-foot right-of-way and is owned by Montgomery County. It is classified as a Downtown Boulevard. The road connects to Streamline Drive, providing vehicular access to the Site. The Project will construct a six-foot-wide sidewalk with a seven-foot-wide street buffer along this frontage to provide improved pedestrian access.
- iv) Streamline Drive has a 55-foot right-of-way and is owned by Montgomery County. It is classified as a Neighborhood Street and the Project will construct a six-foot-wide sidewalk and seven-foot-wide street buffer along this frontage.

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

The Planning Board previously determined that public facilities are adequate to support and service the subdivision in its approval of Preliminary Plan No. 120200140⁹. Condition No. 2 of this approval provided a 120-month (10-year) APF validity period, which is validity through November 15, 2030.

As part of the Preliminary Plan Amendment, the Applicant requests to extend the validity period of the approved determination of adequate public facilities by 60-months (five-years) from November 15, 2030 to November 15, 2035.

The Preliminary Plan Amendment reduces the scope and scale of the previously approved subdivision and will be less burdensome on public facilities than originally contemplated. As such, the existing, approved determination of adequate public facilities remains valid, with additional findings relative to Phase II of the development addressed herein. Existing and approved improvements to public roads and transportation facilities are unchanged by this Preliminary Plan Amendment. Public right-of-way frontage improvements, private transportation facilities, including alleys, sidewalks, paths and a Sector Plan-recommended pedestrian through-block connection are provided in the amended Phase II portion of the development in a manner that complements the scale of development now contemplated. These features are satisfactorily planned in accordance with relevant criteria, are adequate to support the subdivision, and are acceptable to Planning Staff, MCDOT and MCDPS.

vi. ***Roads and other Transportation Facilities***

c) Existing Facilities

Existing and proposed public transportation facilities and infrastructure improvements are unchanged by this Preliminary Plan Amendment and the previous determination of adequacy remains valid. Josiah Henson Parkway is owned by Montgomery County, has a planned right-of-way of 130 feet, and is classified as a Downtown Boulevard with four travel lanes—two in each direction—separated by a median. Phase I development installed its portion of the 12-foot-wide Breezeway along its frontage. Towne Road (MD-187), under the jurisdiction of the Maryland State Highway Administration, has a planned 120-foot right-of-way and is also classified as a Downtown Boulevard. Montrose Road, owned by Montgomery County, has a planned right-of-way of 80 feet and connects to Streamline Drive, providing vehicular access to the Site. There are existing sidewalks with minimal street buffers in the Site's Montrose Road and Towne Road frontages.

⁹ Preliminary Plan No. 120200140, MCPB Resolution No. 20-065 dated October 15, 2020.

Streamline Drive, with a 55-foot right-of-way, is owned by Montgomery County and is classified as a Neighborhood Street.

d) Proposed public transportation infrastructure

The majority of necessary improvements to public transportation infrastructure for the Property were addressed with the original Preliminary Plan approval and are being implemented with the approved Phase I Site Plan No. 820210080.

This Preliminary Plan Amendment for Phase II provides for the continuation of improvements began with Phase I along Montrose Road and Josiah Henson Parkway. Specifically, Phase II will provide:

- Towne Road: 10-foot-wide (10 ft) separated bike lane with a 6-foot-wide (6 ft) sidewalk and 6-foot-wide (6 ft) street buffer.
- Montrose Road: 6-foot-wide (6 ft) sidewalk with a 7-foot-wide (7 ft) street buffer.
- Streamline Drive: 6-foot-wide (6 ft) sidewalk with 7-foot-wide (7 ft) street buffer.
- Josiah Henson Parkway: 12-foot-wide (12 ft) Breezeway and 6-foot-wide (6 ft) street buffer.

e) Proposed private transportation infrastructure

The Preliminary Plan Amendment provides for a series of private alleys, sidewalks, paths and a Sector Plan-recommended pedestrian through-block connection in the Phase II portion of the development in a manner that complements the scale of development now contemplated. These features are satisfactorily planned in accordance with relevant design, safety and access criteria, are acceptable to Planning Staff, MCDOT and MCDPS, and meet the requirements of the Fire Marshall for emergency access.

vii. ***Local Area Transportation Review (LATR)***

The North Bethesda Metro Station Policy Area is exempt from the requirement to complete an LATR Study. However, the Preliminary Plan includes areas both inside and outside of this exemption area and therefore an LATR study was completed as part of the previous approval process. Since this Amendment is focused exclusively on the portion of the plan area within the North Bethesda Metro Station Policy Area it is considered exempt and the LATR review is satisfied. The expected trip generation will be lower than what was previously planned for the eastern portion of the Preliminary Plan area.

Table 1 - Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates North Bethesda Metro Policy Area	
		AM	PM	AM	PM
Approved	104 Mid-rise residential (ITE 221)	37	46	19	23
	500 High-rise residential (ITE 222)	153	179	77	90
	15,000 Sf retail (ITE 820)	159	133	65	67
	Subtotal	349	358	175	180
Proposed	138 Residential Units Multi Family Low Rise (ITE 220)	66	80	33	40
	Subtotal	-283	-278	-142	-140
			Net Change	-142	-140

Source: *Transportation Exemption Graph Wells + Associates, Inc, 05-23-2025, modified by Planning Staff 11-7-2025*

viii. ***Schools***

For the purposes of school capacity adequacy, the Preliminary Plan Amendment reduces the quantity of residential units from 604 high-rise multifamily residential units to 138 multifamily low-rise for the development, resulting in a lower school enrollment impact than previously approved. Further school capacity analysis is discussed under Preliminary Plan Finding 7.e below.

ix. ***Other Public Facilities and Services***

The Planning Board's previous determination that other public facilities and services are adequate to serve the subdivision remain valid and unchanged by this Preliminary Plan Amendment.

APF VALIDITY EXTENSION REQUEST

Preliminary Plan Amendment 12020014A requests a five-year extension of the APF validity period, from November 15, 2030 to November 15, 2035, which is subject to the required findings of Section 50-4.3.7.a of the Subdivision Regulations as follows:

7. *Extensions.*

a) ***Application. Only the Board may extend the validity period for a determination of adequate public facilities; however, a request to amend any validity period phasing schedule may be approved by the Director if the length of the total validity period is not extended.***

i. ***The applicant must file an application for extension of an adequate public facilities determination or amendment of a phasing schedule before the applicable validity period or validity period phase expires.***

The APF determination extension request filed with the Subject Preliminary Plan Amendment was received in a timely fashion and complies with this required finding.

Preliminary Plan No. 120200140 provided a 120-month (ten-year) validity period for its APF determination, which initiated November 15, 2020, and remains valid until November 15, 2030. The initial ten-year APF determination included an associated phasing schedule, with Phase I requiring building permits be issued for a minimum of 23 dwelling units, including MPDUs, within 60 months and Phase II to include the balance of building permits for the remaining dwelling units, including MPDUs, to be issued within 60 months of the expiration of Phase I APF validity period.

The Preliminary Plan Amendment requests to extend the validity period of the APF determination by an additional 60-months (five years), from November 15, 2030, to November 15, 2035, and adjust the phasing schedule to extend the requirement for all remaining building permits to be issued from within 60 months from the expiration of the Phase I APF validity period (by November 15, 2030) to within 120 months from the expiration of the Phase I APF validity period (by November 15, 2035).

ii. ***The applicant must submit a new development schedule or phasing plan for completion of the project for approval.***

The Applicant proposes to modify the existing development schedule for Phase II by extending the deadline for the issuance of building permits to within 120 months from the expiration of the Phase I APF validity period, in lieu of the previously approved 60-month requirement for the issuance of building permits from the expiration of the Phase I APF validity period.

iii. ***For each extension of an adequate public facilities determination:***

a) ***the applicant must not propose any additional development above the amount approved in the original determination;***

This is the Applicant's first requested extension of the APF validity period. No additional development above the amount approved in the original determination is proposed. The Preliminary Plan Amendment reduces the scale of development previously approved.

- b) *the Board must not require any additional public improvements or other conditions beyond those required for the original preliminary plan;***

No additional public improvements or new conditions of approval are required to support the extension of the APF determination validity period.

- c) *the Board may require the applicant to submit a traffic study to demonstrate how the extension would not be adverse to the public interest;***

The Preliminary Plan Amendment reduces the scope of development of Phase II from 604 residential units and 15,000 square feet of commercial uses to 138 residential units. As presented in the LATR finding above, this results in a significant reduction of anticipated vehicle trips during peak hours and does not necessitate additional traffic study.

- d) *an application may be made to extend an adequate public facilities period for a lot within a subdivision covered by a previous adequate public facilities determination if the applicant provides sufficient evidence for the Board to determine the amount of previously approved development attributed to the lot; and***

This Application requests to extend the APF validity period for the entirety of the Preliminary Plan area and not an individual lot therein.

- e) *if the remaining unbuilt units would generate more than 10 students at any school serving the development, the Board must make a new adequate public facilities determination for school adequacy for the remaining unbuilt units under the school test in effect at the time of Board review.***

The property is served by Luxmanor Elementary School, Tilden Middle School, and Walter Johnson High School. Table 2 below shows the Project's enrollment impact estimate calculation based on the School Impact Area classification and net residential units proposed, using the FY2026-2027 Student Generation Rates. The enrollment impact estimate of the remaining unbuilt units is not more than 10 students at any school level. Therefore, a

new adequate public facilities determination for school adequacy is not necessary.

Type of Unit	Net Number of Units	Infill ES Student Generation Rate	ES Student Estimate	Infill MS Student Generation Rate	MS Student Estimate	Infill HS Student Generation Rate	HS Student Estimate
MF Low-rise	138	x 0.066	= 9.108	x 0.034	= 4.692	x 0.049	= 6.762
TOTAL (rounded down)			9		4		4

Table 2: Student Enrollment Impact Estimate (reflects FY2026-2027 Student Generation Rates)

3. All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan F20250850.

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

DPS approval of the Proposal's Stormwater Management Concept Plan is expected to be received prior to the scheduled December 18, 2025 Planning Board hearing on the Subject Applications.

5. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

Not applicable to this Property.

6. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

No other provisions apply to the Subdivision.

SECTION 7: SITE PLAN 820250100 FINDINGS AND ANALYSIS

Section 59.4.5.4.A.1 requires that Optional Method projects in the CR zone receive an approved Site Plan under Section 59.7.3.4 for any development on a property with an approved Sketch Plan.

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

The findings herein apply only to the Subject Property.

2. *To approve a Site Plan, the Planning Board must find that the proposed development:*

a) satisfies any previous approval that applies to the site;

The Site Plan conforms with the binding elements and conditions of approved Sketch Plan No. 32019007A0, as amended by Sketch Plan No. 32019007A, and the terms and conditions of approved Preliminary Plan No. 120200140, as amended herein under concurrent review with this Site Plan application. In addition, Site Plan No. 820210080 for Phase I included several conditions of approval relative to the multifamily and mixed-use development originally contemplated for Phase II at that time. Those Phase I Site Plan conditions are not applicable to Phase II, as multifamily and mixed-use development are no longer contemplated with Phase II and not proposed with this Site Plan.

b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

d) satisfies applicable use standards, development standards, and general requirements under this Chapter;

i. *Division 4.5.4 – Commercial/Residential Zone Optional Method Development*

The proposed lots and development were reviewed for compliance with the dimensional requirements for the CR zone as specified by the Zoning Ordinance. As

shown in Table 3, the proposed development will meet all applicable dimensional requirements for area, frontage, width and setbacks in the zone and accommodate the proposed residential use.

Table 3 - Wilgus II - Site Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4

	Required/ Permitted			Approved Phase I 820210080	Proposed Phase II
	CR-2.0, C-1.0, R- 1.5, H- 200	CR-2.0, C-0.25, R- 1.75, H- 75	CRN-0.75, C-0.0, R- 0.75, H-50		
Site					
Tract Area	410,253 sf.	174,332 sf.	140,438 sf.	725,023 sf. (16.64 ac.)	721,165 sf. ¹⁰ (16.56 ac.)
Site Area (Entire Site) ¹¹				544,142 sf. (12.49 ac.)	523,132 sf. ¹² (12.01 ac.)
Site Area (Phase I Site Plan)				350,742 sf. (8.05 ac.)	No change
Site Area (Phase II Site Plan)				n/a	172,390 sf. (3.96 ac)
Density (Site area/residential units)	615,380 sf.	305,082 sf.	105,328 sf.	Entire Site: 1,274,498 sf. Phase I: 325,924 sf. / 141 units	Entire Site: 591,198 sf. Phase II: 265,274 sf / 138 units
Public Open Space (min.)	68,001 sf/12% (Entire Site - 1.56 acres) ¹³			41,959 sf. (0.96 ac.)	28,719 sf. (0.66 ac.)
Lot Coverage (max.)	Set at Site Plan		n/a	90% max.	90% max.
Lot Dimensions (min.)					
Lot area	n/a	n/a	800 sf.	940 sf. (townhouse) 1,300 sf. (2 over 2)	Variable, 8,309 sf. to 18,216 sf
Lot width at front building line	n/a	n/a	12 ft.	16 ft. (townhouse) 150 ft. (2 over 2)	Variable, 121 ft. to 216 ft.

¹⁰ Tract area was adjusted with the Planning Board's approval of Sketch Plan No. 32019007A.

¹¹ Site area equals tract area minus any prior and proposed dedications.

¹² Site area was adjusted with the Planning Board's approval of Sketch Plan No. 32019007A.

¹³ Public open space requirement of 12% site area was established with Sketch Plan No. 32019007A, which is more than the 10% minimum otherwise required of CR Zone & recommended by the Sector Plan.

Lot width at front lot line	n/a	n/a	n/a	16 ft. (townhouse) 150 ft. (2 over 2)	Variable, 121 ft. to 216 ft.
Frontage on street/ open space	Required			Provided	Provided
MPDUs	15% average across both phases			15.60% (22 MPDUs of 141 Phase 1 units)	14.49% (20 MPDUs of 138 Phase II units)
Building Height (max.)	200 ft.	75 ft.	50 ft.	50-75 ft. max.	60 ft. max
Principal Building Setbacks (min.)					
Front setback from public street	Set at Site Plan		5 ft.	5 ft.	5 ft. Montrose Rd, Towne Rd, Josiah Hensen Parkway 6 ft. Streamline Drive
Side street setback	Set at Site Plan		5 ft.	3 ft. (CR); 5 ft. (CRN)	n/a
Setback from Carvelle Loop (Private Alley)	Set at Site Plan		n/a	n/a	10 ft.
Side Setback End Unit	Set at Site Plan		2 ft.	5 ft.	Varies 2 ft – 6ft.
Side setback between lot and site boundary	Set at Site Plan		4 ft.	5 ft.	5 ft.
Side Setback abutting all other zones	Set at Site Plan		n/a	5 ft.	n/a
Rear Setback abutting all other zones	Set at Site Plan		10 ft.	4 ft. (CR); 10 ft. (CRN)	4 ft.
Rear setback alley	Set at Site Plan		4 ft.	4 ft.	4 ft.
Rear setback between lot and site boundary	Set at Site Plan		5 ft.	7 ft.	n/a
Build-to-Area (BTA)					
Max. front setback	Set at Site Plan		15 ft.	15 ft.	5 ft.
Bldg. in front street BTA	Set at Site Plan		70%	70%	n/a
Form					
Massing	Set at Site Plan		12 units per row (max.)	10 units per row	9 units (2-unit back-to-back per row)

Building Orientation				
Entrance facing street or open space	Required		Provided	Provided
Entrance spacing	Set at Site Plan	n/a	24 ft.	n/a
Wall Transparency (max.)	Set at Site Plan	35 ft. (front, side/rear)	35 ft.	n/a

Parking Requirements

Type	Dwellings	Min Rate	Max Rate	Min Req	Max Req	Provided
MPDU	20	0.5	2	10	40	40
Market Units	118	1.0	2	118	236	236
On Street Parking				0	3	3
Totals	138			128	279	279

ii. *Division 4.7 Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan proposes 553.30 public benefit points in six categories to satisfy the requirements:

Table 4 - Public Benefit Calculations- Division 59-4.7.1

Public Benefit	Maximum Points Allowed	Approved Phase 1 820210080	Proposed Phase II	Total both Phases
Major Public Facilities				
Central Park	70.00	12.00	n/a	12.00
School and Park Contribution	70.00	12.25	2.76	15.01
Transit Proximity				
Partial Site within ½ mile of Level 2 Transit Station	20.00 (1/2 mile); 15.00 (1/2 -1 mile)	19.43	7.27	26.70

Connectivity and Mobility				
Advance Dedication (Stonehenge Place Extension)	30.00	2.33	n/a	2.33
Through-Block Connections	20	n/a	10.00	10.00
Diversity of Uses and Activities				
Moderately Price Dwelling Units	N/A	5.89	523.88	529.77
Quality Building and Site Design				
Public Open Space	20	n/a	6.66	6.66
Protection and Enhancement of the Natural Environment				
Building Lot Terminations (BLT)	30	1.09	2.73	3.82
Total Points	100 (min. required)	52.99	553.30	606.29

MAJOR PUBLIC FACILITIES

Park Contribution

As recommended by the Sector Plan, and as guided by Sketch Plan Amendment No. 32019007A Condition No. 3, Preliminary Plan No. 120200140 Condition No. 30, and Phase I Site Plan No. 820210080 Condition No. 4, the Subject Site Plan for Phase II will provide a financial contribution to the Montgomery County Department of Parks towards a school or park within the Sector Plan area for each market rate unit within Phase II. There are 138 total units in Phase II, inclusive of 118 market rate units and 20 MPDUs. The financial contribution rate for Phase II is \$400 per market rate unit. This is less than the per unit rate contribution for Phase I, but more than the expected rate for the previously contemplated multifamily units for Phase II. The \$400 per market rate unit rate is acceptable to Montgomery Parks.

$$118 \text{ market rate units} \times \$400 \text{ per unit} = \$47,200 \text{ expected Phase II contribution}$$

The Application requests 12.25 public benefit points for providing a financial contribution towards a school or a park within the Sector Plan area. Staff recommends a proportional contribution per points provided with Phase I, which was granted 12.25 public benefit points for providing a per market rate unit contribution totaling \$209,525.76, or approximately \$17,104 per point awarded with Phase I.

For Phase II staff supports 2.76 public benefit points for the contribution based on the following calculation:

$$\$47,200 \text{ expected contribution} / \$17,104 \text{ per point} = 2.76 \text{ points}$$

TRANSIT PROXIMITY

Level 2 Proximity to a Transit Station

The Planning Board previously determined the entire project (Phase I and Phase II) would be eligible to receive a total of 26.70 public benefit points for the Property's Level 2 transit access. Based on the percentage of the total tract area within $\frac{1}{2}$ mile and $\frac{1}{2}$ - 1 mile of the North Bethesda Metro Station, the Board determined Phase I receives 19.43 public benefit points and Phase II would be eligible to receive 7.27 points. Staff supports the 7.27 points requested with Phase II for Level 2 transit proximity.

CONNECTIVITY AND MOBILITY

Through-Block Connection

One, east-west through-block connection is provided in the Phase II area as recommended for the Property by the Sector Plan. This link provides a new pedestrian connection between Towne Road and the East Urban Park on the east side of the Phase II area with Streamline Derive and Stonehenge Place, and their respective pedestrian infrastructure to the west, in the Phase I area of the development. The through-block connection features an approximately 20-foot-wide paved surface flanked by residential units and landscaping on its north and south sides. The paved area of the connection will also serve as an emergency fire access lane. The through-block connection is attractively designed and provides a safe pedestrian connection across the Phase II site area, in-line with the Sector Plan's recommendations.

The Applicant requests 10 public benefit points for the provision of the Sector Plan-recommended through-block connection. Staff supports this request.

DIVERSITY OF USES AND ACTIVITIES

Affordable Housing

The Applicant requests 123.91 public benefit points for providing more than 12.5 % of the residential units as MPDUs, and for providing three-bedroom MPDUs. An average of 15 % MPDUs is required across Phase I and Phase II development of the Property. Phase I development provided 15.60 % MPDUs and the Subject Application for Phase II provides 14.49 % MPDUs for an average of 15 % across the entire development as required.

Phase II proposes 138 total units, consisting of 118 market rate and 20 MPDUs (14.49% MPDUs). All 20 MPDUs are proposed as three-bedroom units. The *Incentive Density Implementation Guidelines* provides for 12 points for every 1 % of MPDUs greater than 12.5 % and allows an additional five points for every 1 % of three-bedroom MPDUs provided. The Guidelines do not set a limit on the number of public benefit points that can be achieved through the Affordable Housing Category. Staff recommends 523.88 public benefit points for Affordable Housing in accordance with the following calculation:

(Proposed % MPDUs - 12.50 % MPDUs) x 12.00 + (% of 3-bedroom MPDUs provided x 5.00 points) =
number of public benefit points

$$(14.49 - 12.50) \times 12 + (100 \times 5) = 523.88 \text{ points}$$

QUALITY BUILDING AND SITE DESIGN

Public Open Space

The Applicant request 3.99 public benefit points for providing public open space in excess of the minimum requirement of the zone. The minimum public open space required for this Site is ten percent. Phase II has a site area of 172,390 square feet and its minimum public open space requirement is 17,239 square feet. Phase II provides 28,719 square feet (16.66 % of the site area) of public open space, which exceeds the minimum requirement of the zone by 11,480 square feet. Staff recommends 6.66 points based on the following calculation:

(Public open space in excess of the minimum requirement / site area) x 100 = number of public benefit points

$$(11,480 / 172,390) \times 100 = 6.66 \text{ points}$$

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Terminations (BLTs)

The Applicant requests 19.13 points for the purchase of 2.13 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5 percent incentive density floor area, exclusive of any density allocated for MPDUs. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance.

The Applicant's BLT calculation used the total proposed site density approved for Phase I and Phase II by Sketch Plan Amendment No. 32019007A (1,030,661.50 square feet) instead of the project density of 265,274 square feet proposed with Phase II only. As corrected to account for Phase II density only, Staff recommends public benefits points be awarded for the purchase of 0.304 BLTs, for 2.73 points based on the following calculation:

$$((265,274 - (137,777)) * 7.5\%) / 31,500 * 9 = 2.73 \text{ points}$$

iii. ***Division 59-6 General Development Standards***

f) Division 6.1 Site Access

The Site is bounded by four major roadways: Josiah Henson Parkway, Towne Road (MD-187), Montrose Road, and Streamline Drive, which is a

newly constructed public road that runs north to south through the Property:

- Josiah Henson Parkway forms the southern frontage of the Site and serves as an exit access point. It has a master planned right-of-way width of 130 feet and is owned by Montgomery County. The road is classified as a Downtown Boulevard and includes four travel lanes, two in each direction, separated by a median. This road directly connects to Streamline Drive, providing right-in, right-out vehicular access to the Site. Additionally, the Applicant will construct a 12-foot-wide Breezeway and six-foot-wide street buffer in this frontage.
- Towne Road (MD-187) runs along the eastern edge of the Site. It has a master planned 120-foot-wide right-of-way and is under the jurisdiction of SHA. It is classified as a Downtown Boulevard and has seven lanes in the segment adjacent to the Site due to the presence of dual left-turn lanes in both directions. The Applicant will construct a ten-foot-wide, two-way separated bike lane with a six-foot-wide sidewalk and six-foot-wide street buffer along this frontage and improved intersection crossings.
- Montrose Road defines the northern frontage and provides entry access to the Site. It has a master planned 80-foot-wide right-of-way with four travel lanes and is owned by Montgomery County. Like the other two roads, it is classified as a Downtown Boulevard. The road connects to Streamline Drive, providing vehicular access to the Site. The Applicant will construct a six-foot-wide sidewalk with a seven-foot-wide street buffer along this frontage to provide improved pedestrian access.
- Streamline Drive is the primary vehicular access road for Phase II. It has a 55-foot-wide right-of-way and is owned by Montgomery County. It is classified as a Neighborhood Street and includes two travel lanes and on-street parking. A six-foot-wide sidewalk with a seven-foot-wide street buffer is provided.

g) Division 6.2 Parking, Queuing and Loading

The Project will provide 279 on-site parking spaces, consisting of 276 spaces in residential unit garages and driveways, and three on-street spaces, as shown in Site Plan Finding 2.d. This meets the requirements of Section 6.2.3 of the Zoning Ordinance. The final number of parking spaces may be refined at the time of building permit, based on the final unit count.

Private alleys are designed for vehicle access to the new residential units and provide connections to public rights-of-way for residents, visitors, and services. Sufficient space is provided in the alleys for queuing. The type of residential development proposed does not require an off-street loading space and none are proposed. As previously described, the Project's vehicular access is from Streamline Drive.

h) Division 6.3 Open Space and Recreation

The Site Plan incorporates public open space in the form of the East Urban Park and through-block connection. The East Urban Park will be well amenitized with seating, lighting, and landscaping. Sketch Plan Amendment No. 32019007A set a public open space requirement for the entire development (Phase I and II areas) of 12 % of the site area (1.56 acres). This is greater than the 10 % public open space required by the zone. Phase I provided 0.96 acres of public open space and Phase II proposes 0.66 acres, for a total of 1.62 acres of public open space, exceeding the requirement.

Private on-site recreational amenities are provided that are generally accessible to the public within the park space and frontage areas, including seating areas, new and upgraded sidewalks and bicycle lanes. Recreation facilities provided conform with the *Recreation Guidelines*.

i) Division 6.4 General Landscaping and Outdoor lighting

There are no particular screening or landscape requirements applicable to the Phase II site area. The Site Plan provides adequate landscaping and exterior lighting, as well as other amenities to ensure the residential development will be safe and attractive for residents and visitors.

e) Satisfies the applicable requirements of:

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

DPS approval of the Proposal's Stormwater Management Concept Plan is expected to be received prior to the scheduled December 18, 2025 Planning Board hearing on the Subject Applications.

ii. *Chapter 22A, Forest Conservation*

The Application satisfies all of the applicable requirements of the Forest

Conservation Law, Montgomery County Code, Chapter 22A and complies with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan F20250850.

- f) *Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;***

The Site Plan provides parking for each unit served by a network of private alleys for a safe and efficient parking and circulation program. The massing of the back-to-back style townhouse units is appropriate for the unit type and in line with surrounding development. Open space is provided for Phase II in the form of the East Urban Park and associated through-block connection. These public spaces and frontage areas provide various amenities including seating, sidewalks and bicycle lanes. Parking, circulation, building massing, open spaces and site amenities provided help create a well-integrated, safe and efficient development for Phase II.

- g) *Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;***

As discussed in Preliminary Plan Finding No. 1.c.i, and No. 2, the proposed development conforms with the recommendations of the Sector Plan for the Subject Property.

- h) *will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;***

As discussed in Preliminary Plan Finding No. 2.d, the Planning Board previously determined that public facilities are adequate to support the proposed development. The existing APF determination is valid through November 15, 2030. With the associated Preliminary Plan Amendment No. 12020014A, the Applicant requests to extend the validity period of the APF determination by five-years, through November 15, 2035.

- i) *on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and***

This finding is not applicable as the Property is in the CR zone.

j) *on a property in all other zones, is compatible with existing, approved or pending adjacent development.*

The Site Plan for Phase II development of the Property is compatible and complimentary to the existing and pending nearby developments, which include a mix of uses, and the Phase I area of the Subject Property.

3. *To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

This finding is not applicable as this Site Plan does not include a restaurant with a drive-thru.]

4. *For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

This finding is not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 8: FOREST CONSERVATION PLAN F20250850 FINDINGS AND ANALYSIS

All Forest Conservation Law, Chapter 22A requirements are satisfied.

The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code (“FCL”), and requires a Final Forest Conservation Plan Amendment. The Applicant previously obtained approval of a Preliminary Forest Conservation Plan No. 120200140 (“PFCP”), which included the removal of all 11.30 acres of forest area on the Property and an associated tree variance for removal of trees protected under Sec. 22A-12(b)(3) of Chapter 22A. Final Forest Conservation Plan No. 820210080 (“FFCP”) for Phase I Site Plan was approved by the Planning Board on July 3, 2021, and memorialized in the Corrected Resolution No. MCPB 21-052 dated July 29, 2021. Of the total 11.30 acres of approved forest clearing, 8.51 acres were cleared under the Phase I Site Plan.

The Application satisfies the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A, and complies with the Montgomery County Planning Department’s

Guidelines for Environmental Management of Development in Montgomery County (“Environmental Guidelines”). This amended FCP (Plan No. F20250850) was submitted as part of this Preliminary Plan Amendment and Site Plan submission to reflect the revised site development replacing the previously approved multifamily apartment units with townhouses. Of the total 11.30 acres of approved forest clearing, the remaining 2.79 acres are proposed to be cleared under this submission.

The total net tract area for forest conservation purposes is 15.21 acres which includes the Subject Property of 16.64 acres, plus off-site work of 2.33 acres for water line and sewer line installations and stormwater conveyance, and a right-of-way deduction of 3.76 acres. The Subject Property is zoned CR-2.0 and is classified as Mixed-Use Development as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. The PFCP and original FFCP proposed clearing all 11.30 acres of forest, resulting in a total reforestation requirement of 8.15 acres as calculated in the Forest Conservation Worksheet. The Applicant satisfied this requirement through the purchase of 7.59 acres of off-site forest mitigation credit from Poplar Run Private bank and through fee-in-lieu payment

SECTION 9: CONCLUSION

As conditioned, the Preliminary Plan Amendment, Site Plan and Forest Conservation Plan applications each satisfy the applicable standards of the Zoning Ordinance, Subdivision Regulations, and Forest Conservation Law and substantially conform to the recommendations of the 2018 *White Flint 2 Sector Plan*. Therefore, Staff recommends approval of the Preliminary Plan Amendment, Site Plan, and Forest Conservation Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Preliminary Plan Amendment, Site Plan, FCP Plan

Attachment B: Prior Approvals – Sketch Plan Amendment, Preliminary Plan

Attachment C: Agency Letters

Attachment D: Community Correspondence

Attachment E: Affidavit Regarding Community Meeting and Meeting Minutes