

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**DATE MAILED:**

**February 2, 2026**

MCPB No. 25-144  
Preliminary Plan Amendment No. 12020014A  
Wilgus II Northpark  
Date of Hearing: December 18, 2025

## **RESOLUTION**

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

WHEREAS, on October 15, 2020, the Planning Board, by Resolution MCPB No. 20-065, approved Preliminary Plan No. 120200140 creating 111 lots and 745 units on 16.64 acres of land in the 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 zones, located at the northwest quadrant of the Intersection of Josiah Henson Parkway and Towne Road (“Subject Property”), in the North Bethesda and North Bethesda Metro Station Policy Areas and 2018 White Flint 2 Sector Plan (“Sector Plan”) area; and

WHEREAS, on June 27, 2025, Wilgus Montrose Associates, LLC ad Tri Pointe Homes DC Metro Inc. (“Applicant”) filed an application for approval of an amendment to the previously approved preliminary plan(s) to modify the previously approved development density, uses and lotting program, and extend the Adequate Public Facilities validity period on the Subject Property; and

WHEREAS, Applicant’s application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12020014A, Wilgus II Northpark (“Preliminary Plan,” “Amendment,” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Site Plan No. 820250100 and Forest Conservation Plan No. F20250850; and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated December 8, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

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Approved as to  
Legal Sufficiency:           /s/ Allison Myers            
M-NCPPC Legal Department

WHEREAS, on December 18, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Pedoeem, seconded by Vice Chair Linden, with a vote of 4-0; Chair Harris, Vice Chair Linden, Commissioners Bartley and Pedoeem voting in favor, and Commissioner Hedrick necessarily absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12020014A to modify the previously approved development density, uses and lotting program, and extend the APF validity period on the Subject Property by modifying Conditions No. 1, 2, 3, 5, 6, 7, 8, 10, 13, 14, 17, 19, 22, 23, 30, and 31, restating in their entirety Conditions No. 4, 9, 11, 12, 15, 16, 18, 20, 21, 24-29 and 32-43, and adding new Conditions No. 44-52 as follows:<sup>1</sup>

1. This Preliminary Plan is limited to a maximum of 625,594 square feet of residential uses for a maximum of 279 dwelling units, including up to 107 townhouse units on 107 lots, two (2) lots for 34 stacked two-over-two multi-family units and nine (9) lots for up to 138 townhouse units with additional various park/open space parcels, private road parcels, and HOA parcels.
2. Plan Validity and Adequate Public Facilities (APF) Validity
  - 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 is required and is as follows:  

Phase I: Plats recorded for 107 townhouse lots for 107 townhouse units, and two (2) 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.
  - 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

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

five (5) 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.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letters dated June 30, 2020, and December 9, 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 MCDPS - Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its 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-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).

9. The Applicant must comply with the following conditions of approval of the Preliminary Forest Conservation Plan, approved as part of this Preliminary Plan;
  - a. The applicant must submit a Final Forest Conservation Plan for the entire property with the first site plan. The Final Forest Conservation Plan must be consistent with the Preliminary Forest Conservation Plan.
  - b. The Final Forest Conservation Plan must be approved prior to any demolition, clearing, grading or construction occurring on the Property.
  - c. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Cabin John Creek watershed to satisfy the off-site forest conservation requirements. If the credit is not available in the Cabin John Creek watershed, the offsite requirement may be met by purchasing from a mitigation bank elsewhere in the County, subject to Staff approval.
  - d. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
  - e. The Limits of Disturbance (LOD) to reconstruct the Master-Planned Breezeway must be added to the Preliminary Forest Conservation Plan and the worksheet appropriately adjusted as part of the Certified Preliminary Plan. Any other required off-site improvements that will expand the LOD should be added as well.
  
9. <sup>2</sup>The County has previously entered into an agreement with the Applicant requiring the County to construct a traffic signal at the intersection of Montrose Parkway and Stonehenge Place at the County’s own cost when required. MCDOT has found that this traffic signal should be installed. To the extent that portions of the Wilgus property are necessary to be utilized for the construction/installation of the future traffic controls/signalization, the Applicant will make such land available to the County at no additional cost to the County.
  
10. The Applicant shall construct a twelve-foot-wide (12 ft) breezeway along the Site’s Josiah Henson 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 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 last residential unit of Phase II. The Breezeway must maintain no less than six (6) feet of separation between the facility and

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<sup>2</sup> MCPB Resolution No. 20-065 included two Condition No. 9s, which are both restated herein.

Josiah Henson Parkway per the *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines*.

11. The record plat shall show the dedication along the East Jefferson Street frontage ensuring no less than twenty-five feet is available between the edge of the eastern curb and the Property line.
12. Prior to the issuance of the final Use and Occupancy Certificate for a dwelling unit in the initial Site Plan, the Applicant must provide a protected bicycle intersection at Montrose Parkway and East Jefferson Street and the master-planned separated bicycle lanes along East Jefferson Street. The Applicant may provide a fee-in lieu of construction to the Montgomery County Department of Transportation subject to MCDOT review and approval.
13. Prior to the issuance of the final Use and Occupancy Certificate for the last residential unit of Phase II, 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 along the Towne Road frontage, between the western curb edge and Property line. The separated bike lanes must be depressed between landscaping and sidewalk with a minimum of a 2.5-inch curb reveal.
14. Prior to issuance of the final Use and Occupancy Certificate for the first last residential unit of Phase II, the Applicant must design and construct 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 twelve (12) feet wide) on Josiah Henson Parkway and Towne Road.
15. The Applicant must execute a Project-based Transportation Demand Management (TDM) Plan and must obtain approval from the Department of Transportation for the TDM Plan prior to issuance of any building permit.
16. Prior to issuance of the final Use and Occupancy Certificate for the townhouses south of the Cherington community, provide appropriate pedestrian ramps and crossings connecting both sides of Street B at the two locations where the roadway bends sharply southward. Crossings may need to be raised or stop controlled depending on visibility.
17. [DELETED by Preliminary Plan Amendment No. 12020014A.]
18. To be shown on the record plat, the Applicant must meet the intent of the Bicycle Facilities Guidelines by dedicating 60 feet from centerline to the right-of-way along the Property's frontage of Towne Road for the future bicycle and pedestrian facilities along Towne Road.

19. Prior to the issuance of the final Use and Occupancy Certificate for each respective phase, the Applicant must satisfy all necessary requirements of Maryland State Highway Administration (“MDOT SHA”) to construct ten-foot (10 ft) 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 (5 ft) sidewalk on E. Jefferson Street and a six-foot-wide (6 ft) sidewalk on Montrose Road, and a twelve-foot-wide (12 ft) shared-use path along Josiah Henson Parkway. Final timing and phasing to be determined at Site Plan(s).
20. The Applicant must dedicate the rights-of-way for Street C and Stonehenge Place Extended to ensure construction of all necessary road improvements as shown on the Preliminary Plan, to the design standards imposed by applicable road codes, or as modified by MCDOT’s approved design exceptions.
21. The Applicant must provide the Private Roads, labeled as Street A, Street B, and Street D on the Preliminary Plan, including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan, with final details to be determined at subsequent Site Plan (collectively, the “Private Roads”), subject to the following conditions:
  - a. The record plat must show the Private Roads in a separate parcel.
  - b. The Private Roads must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
  - c. Before issuance of any residential building permit that requires access via a private road, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code MC-2005.02, as modified on this Preliminary Plan, with final details to be determined at subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
22. [DELETED by Preliminary Plan Amendment No. 12020014A.]
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 as approved in Site Plan No. 820210080.

24. The record plat must show necessary easements.
25. Provide a five-foot Public Utility Easement (PUE) along the Property's Montrose Road frontage.
26. The record plat must reflect the required minimum four-foot-wide public infrastructure area adjacent to or within all Private Streets.
27. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
28. The record plat must reflect all areas under common ownership.
29. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Liber 28045 Folio 578 ("Covenant").
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), with the final calculation of payment 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.
31. The Applicant shall provide a minimum of 15% MPDUs on site. The MPDUs may be dispersed as approved by DHCA.
32. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
33. The certified Preliminary Plan must contain the following note:  
*Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.*
34. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
  - a. Show resolutions and approval letters on the certified set.
  - b. The Towne Road Section/Bicycle Master Plan Detail adjacent to the Site should include the following elements between the roadway curb and the Property line:
    - i. 6-foot landscaped buffer adjacent to the roadway curb (minimum);
    - ii. 10-foot two-way separated bike lanes; and

- iii. 6-foot sidewalk (minimum) adjacent to Property line.
  - c) Relabel Central Public Park to Central Park or Neighborhood Park.
- 35. Before clearing or grading of the Property or recording a plat for the Property, the Applicant must receive Staff certification of a Planning Board-approved Site Plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined through Site Plan review and approval.
- 36. If an approved Site Plan or Site Plan Amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan amendment.
- 37. Evaluate additional sustainable features, as previously conditioned with Sketch Plan approval, to enhance the development, including energy conservation to further the Sector Plan's recommendations.
- 38. Continue to coordinate with Planning and Parks on the previous design recommendations provided to enhance the Neighborhood Park.
- 39. The following items must be addressed prior to filing and during the review of the Site Plan for the townhouse development to the immediate south of the Cherington Community:
  - a. Installation of the 20-foot wide landscape buffer area between the Cherington Community to the north and the proposed townhouse development to the immediate south as shown on the preliminary plan. The landscape design drawings identified as LB-1 and LB-2 dated July 1, 2020 must be given consideration in development of the landscape buffer to be included in the Site Plan submission.
  - b. Careful consideration must be given to the timing to install the buffer plantings. Frequency of watering and care for the new plantings must be included in the required planting schedule.
  - c. Long-term maintenance of the buffer must be assured, with the newly formed HOA for the development being responsible for the buffer. These provisions must be included in the HOA bylaws.
- 40. The applicable Site Plan(s) must include the installation of a 6-foot - 6-inch-high fence the length of the vegetated buffer along the Cherington property line. The type of fence, a synthetic wood-like material, and installation timing must be reviewed and approved during review of the Site Plan(s).
- 41. As part of the review of the Site Plan for the townhouse development to the immediate south of the Cherington community, the Applicant will coordinate with the adjacent

community and Staff regarding surface drainage water that may adversely impact the Cherington community.

42. Understanding there are utility and easement conflicts adjacent to the extension of Stonehenge Place, the Applicant, at the time of applicable Site Plan, shall continue to explore with MCDOT and/or MCDPS the feasibility of providing a planted buffer between the row of townhomes on Castle Gate Road and Stonehenge Place Extended.
43. As part of the initial Site Plan, the Applicant shall submit a phasing plan addressing the planting of the buffer area between the Cherington Community to the north and the proposed townhouse development to the immediate south. This buffer area shall be planted as soon as feasibly possible after the clearing and grading of the entire site for the construction of the townhouses and stacked two-over-two multi-family units.

### **Outside Agencies**

44. The Planning Board has reviewed and accepts the recommendations of the 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 MDOT SHA's requirements for access and improvements.

### **Other Approvals**

46. Before approval of a record plat or any demolition, clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan Amendment.

### **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 narrower 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 Section 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 (6 in) 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 Amendment, 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 (5 ft) Public Utility Easement on the Towne Road cross section within the frontage.
  - f. Show the six-foot (6 ft) Public Utility Easement on Streamline Drive cross section with its frontage.
  - g. Show adequate clearance between the pedestrian and bicycle facilities and the remaining and relocated utility poles.

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

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

- 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 No. 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, and location and design of roadways is appropriate given its location and style of residential development provided.

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 Amendment No. 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 Amendment 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 includes 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. This lot configuration allows for these townhouse units to be rentals or condominiums, as 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***

***i. 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 Property. Sketch Plan Amendment 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 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 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 the 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 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, the Phase II Site Plan No. 820250100, associated with this Preliminary Plan Amendment, will make a Parks contribution per each market rate unit in Phase II, to be provided at the time of building permit for each unit.

**ii. *Local Recreation***

The Subject Phase II portion of the development will include private on-site recreational facilities and 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 subdivision does not include dedication of land for public recreation purposes but, in line with the Sector Plan, the associated Site Plan provides a financial contribution to Montgomery Parks for school or park improvements.

iii. ***Transportation and Utilities***

a) ***Transportation – Dedications 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, 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, which is a Neighborhood Street. Frontage improvements and right-of-way dedications are guided by the *White Flint 2 Sector Plan* and the 2018 *Bicycle Master Plan*. Streamline Drive is classified as a Neighborhood Street.

b) ***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.

c) ***Utilities***

The original Planning Board approvals for the Property required the undergrounding of utilities along the Property's frontage on Towne Road, between Montrose Road and Josiah Henson Parkway (formerly Montrose Parkway).

The scale of development for Phase II was reduced since the 2020 Preliminary Plan approval and 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 of development 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. 32019007A<sup>3</sup>. 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 Capital Improvement Program (CIP) project that is already undergrounding the utilities” with any future Preliminary or Site Plans for the Property.

As there are no relevant CIP projects proposed, the Applicant completed the required evaluation, focusing 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 development. Completion of the evaluation satisfies the requirement of the associated Sketch Plan condition.

Based on the evaluation provided, the Planning Board does not require undergrounding of utilities for Phase II.

***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 residential use is allowed in the CR zone. The size, width, shape, and orientation of the lots are appropriate for the zone, location and residential use of the Property. As shown in the table below, the lots comply with the CR zone optional method development standards.

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<sup>3</sup> Sketch Plan Amendment No. 32019007A, Resolution No. MCPB 25-025 dated April 1, 2025

**Table 1: Wilgus II – Phase II Subdivision Data Table for CR Zone, Optional Method, Section 59.4.5.4**

	Required/ Permitted			Previously Approved Phase I 820210080	Approved 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		
<b>Site</b>					
Tract Area	410,253 sf.	174,332 sf.	140,438 sf.	725,023 sf. (16.64 ac.)	721,165 sf. <sup>4</sup> (16.56 ac.)
Site Area (Entire Site) <sup>5</sup>				544,142 sf. (12.49 ac.)	523,132 sf. <sup>6</sup> (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)
<b>Density (Site area/residential units)</b>	615,380 sf.	305,082 sf.	105,328 sf.	Entire Site: 1,274,498 sf. Phase I: 325,924 sf. / 141 units	Entire Site: 625,594 sf. Phase II: 300,000 sf / 138 units
<b>Public Open Space (min.)</b>	10% Site Area <sup>7</sup>			41,959 sf. (0.96 ac.)	28,719 sf. (0.66 ac.)
<b>Lot Coverage (max.)</b>	Set at Site Plan		n/a	90% max.	90% max.
<b>Lot Dimensions (min.)</b>					
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.
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
<b>MPDUs</b>	15% average across both phases			15.60% (22 MPDUs of 141 Phase 1 units)	14.49% (20 MPDUs of 138 Phase II units)

<sup>4</sup> Tract area was adjusted with the Planning Board’s approval of Sketch Plan Amendment No. 32019007A.

<sup>5</sup> Site area equals tract area minus any prior and proposed dedications.

<sup>6</sup> Site area was adjusted with the Planning Board’s approval of Sketch Plan No. 32019007A.

<sup>7</sup> A minimum public open space requirement of 12% site area was established with Sketch Plan No. 32019007A, which is more than the 10% minimum otherwise required by the CR Zone and recommended by the Sector Plan.

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

**a) *Land Use***

The Sector Plan recommends that the 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 was previously approved, with its construction nearing completion as of the date of this Resolution. 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. In approving Sketch Plan Amendment No. 32019007A, 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 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 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. 120200140<sup>8</sup>. Condition No. 2 of this approval provided a 120-month (10-year) Adequate Public Facilities (APF) validity period, which is validity through November 15, 2030.

**APF Validity Extension Request**

Preliminary Plan Amendment No. 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.***

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<sup>8</sup> Preliminary Plan No. 120200140, MCPB Resolution No. 20-065 dated October 15, 2020.

- 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 extends 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's modified development schedule for Phase II extends 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 Local Area Transportation Review (LATR) finding below, this results in a significant reduction of anticipated vehicle trips during peak hours. Therefore, the Board finds that the Amendment does not necessitate submission of an 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 extends 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. The table 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 ten students at any school level. Therefore, a new adequate public facilities determination for school adequacy is not necessary.

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

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

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 compliments the scale of development now contemplated. These features are satisfactorily planned in accordance with relevant criteria, are adequate to support the subdivision.

i. ***Roads and other Transportation Facilities***

a) ***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 Property. There are existing sidewalks with minimal street buffers in the Property’s Montrose Road and Towne Road frontages. Streamline Drive, with a 55-foot right-of-way, is owned by Montgomery County and is classified as a Neighborhood Street.

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

***c) 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 compliments the scale of development now contemplated. These features are satisfactorily planned in accordance with relevant design, safety and access criteria, and meet the requirements of the Fire Marshall for emergency access.

ii. ***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 3: Trip Generation Analysis Table**

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates North Bethesda Metro Policy Area	
		AM	PM	AM	PM
Previously approved with 120200140	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
	<b>Subtotal</b>	<b>349</b>	<b>358</b>	<b>175</b>	<b>180</b>
Approved with 12020014A	138 Residential Units Multi Family Low Rise (ITE 220)	66	80	33	40
	<b>Subtotal</b>	<b>-283</b>	<b>-278</b>	<b>-142</b>	<b>-140</b>
			<b>Net Change</b>	-142	-140

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

iii. ***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 units for the development, resulting in a lower school enrollment impact than previously approved.

iv. ***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.

**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 No. F20250850.

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

The Board finds that this requirements is satisfied, as DPS approved a Stormwater Management Concept Plan on December 9, 2025. Stormwater management goals are to be achieved through the use of structural and environmental site design practices.

**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.***

This provision is not applicable to this Application, as the Applicant has no actual or constructive notice of any burial site on the 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.

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

**February 2, 2026**

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

and

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

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Pedoeem, seconded by Commissioner Bartley, with a vote of 4-0-1; Chair Harris, Vice Chair Linden, and Commissioners Bartley and Pedoeem, voting in favor of the motion, Commissioner Hedrick abstaining, at its regular meeting held on Thursday, January 22, 2026, in Wheaton, Maryland and via video conference.



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Artie L. Harris, Chair  
Montgomery County Planning Board