



OFFICE OF THE PRESIDENT

March 22, 2019

Mr. Casey Anderson  
Chair, Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Mandatory Referral MR2019011—Catherine and Isiah Leggett Math and Science Building on the Takoma Park/Silver Spring Campus of Montgomery College

Dear Mr. Anderson:

This letter is written in response to the approval of the referenced project, with recommendations, by the Montgomery County Planning Board as contained in your letter of February 20, 2019. A copy of your letter is enclosed for convenient reference as Exhibit I.

Thank you for your approval of this important project, which will bring modern math and science classrooms and labs to the benefit of down county students. As you know, every student seeking a college degree must take math and science courses, which makes this facility crucial to 21st century learning and the completion of a degree. Given your project approval, you also know the College took great care in designing the Catherine and Isiah Leggett Math and Science Building to balance the needs of our neighbors, students, and fiscal prudence.

The Board of Trustees of Montgomery College (the "Board") met and considered your approval letter on March 18, 2019. The Board, by unanimous decision, directed that I write to inform you of the discussion and its vote on this matter. A copy of the Board of Trustees' official resolution 19-03-027 incorporated by reference is enclosed as Exhibit II.

The Trustees were very pleased with the Planning Board's thorough and supportive review of this project involving the demolition of Falcon Hall and the Science South Building—both aged and out-of-date—and the construction of the Catherine and Isiah Leggett Math and Science Building. They were pleased that the Planning Board and staff found the location, character, and extent of the College's project to be consistent with the approved and adopted Takoma Park Master Plan, dated December 2000. The Board particularly appreciated the attention given to the project by the Planning Board members, as well as the hard work of the professional staff.


The Board, by a unanimous vote, accepted the approval and the majority of the recommendations outlined in the February 20 letter. However, the Board decided to decline to implement two of the 14 recommendations. The two recommendations that will not be accepted are the relocation of PEPCO overhead electric service to underground and improvements to intersections beyond the property boundary of the College. Both of these projects are beyond the scope of the Leggett Building project and not within purview of the College to implement. The recommendations, and the College's response to each, are contained in Exhibit III.

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Again, the Board of Trustees is grateful for the support of the Planning Board, with this approval, for the Catherine and Isiah Leggett Math and Science Building. It is an important project and key to ensuring Montgomery College can meet our obligations to county residents for high quality locally provided affordable postsecondary education. The College will continue to work cooperatively with all stakeholders to balance the needs of our neighbors, students, and fiscal prudence as the final design is completed and to stay engaged with the community during demolition and construction.

On behalf of the students we serve, thank you again for your work and that of your staff with Montgomery College and for our surrounding community.

Very truly yours,

A handwritten signature in black ink, appearing to read "DeRionne P. Pollard". The signature is fluid and cursive, with a large initial "D" and a long, sweeping tail.

DeRionne P. Pollard, PhD  
President

Enclosures

cc: Montgomery County Planning Board  
Norman Dreyfuss, Vice Chair  
Gerald R. Cichy, Commissioner  
Natali Fani-Gonzalez, Commissioner  
Tina E. Patterson, Commissioner



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

February 20, 2019

DeRionne P. Pollard, Ph.D.  
President, Montgomery College  
9221 Corporate Boulevard  
Rockville, MD 20850

**SUBJECT: Transmittal of Comments for the Proposed Montgomery College Catherine and Isiah Leggett Math and Science Building, Mandatory Referral No. MR2019011**

Dear Dr. Pollard:

At its regularly scheduled meeting on February 14, 2019, the Montgomery County Planning Board reviewed Mandatory Referral No. MR2019011 for the construction of a new three level math and science building on the site of the existing Falcon Hall and Science South buildings (both to be removed). The Planning Board voted to approve the application with recommendations, on the motion of Commissioner Fani-Gonzalez, seconded by Vice Chair Dreyfuss, with a vote of 4-0, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-Gonzalez, and Patterson voting in favor, and Commissioner Cichy absent. The recommendations include:

1. Submit a Mandatory Referral application for future updates to the Montgomery College Facilities Master Plan. The application would allow for a comprehensive review of the campus plan including proposed location, character, building massing and access of new structures. This comprehensive review would inform the review of individual site development.
2. Address the provisions of approval in the City of Takoma Park Resolution 2018-63 with particular attention to issues of stormwater management, compatibility, hazardous materials handling and atmospheric venting.
3. Continue to coordinate with the Maryland Historical Trust (MHT) in their evaluation of the proposed project.
4. Underground utilities along the Fenton Street frontage, consistent with the remainder of the block.
5. Reduce the perceived bulk and scale of the building as viewed from New York Avenue through strategies such as increased modulation or articulation of the east façade as the

design is refined. Compatibility and visual impact are important factors in the further development of the design.

6. Improve all sidewalks along the campus frontage such that they are a minimum of five-foot wide, taking care to avoid damaging large canopy trees. Coordinate with Montgomery County Historic Preservation staff to confirm if a Historic Area Work Permit is required for the sidewalk widening.
7. Coordinate with the City of Takoma Park regarding the right-of-way width for Fenton Street, which is master-planned as a two-lane arterial with 80-feet of right-of-way. The current right-of-way varies along the campus frontage, measuring 50 feet in front of the proposed building. This segment of Fenton Street is owned and maintained by the City of Takoma Park, and at this time the City Council has declined to request an increase in right-of-way width as part of the Mandatory Referral Process.
8. Coordinate with the City of Takoma Park regarding the spacing of driveways on Fenton Street as shown on the Mandatory Referral Plan. The driveways appear to lack adequate spacing consistent with the County's Zoning Ordinance, which states that a maximum of two driveways may be permitted for every 300 feet of site frontage along any street (Section 6.1.4.D of the County Code).
9. Coordinate with the City of Takoma Park to address the pedestrian facilities identified to be non-compliant as part of the pedestrian adequacy analysis.
10. Address the comments from MCDOT in their letter dated January 25, 2019.
11. Coordinate mitigation for the loss of smaller trees with the Takoma Park City Arborist.
12. Consider a standard green roof to the proposed modular tray green roofs to provide greater opportunity for root expansion and long-term plant survival.
13. Coordinate with the City of Takoma Park to address stormwater management concerns of neighboring properties.
14. Explore opportunities to provide athletic and aquatic facilities to replace the facilities that will be lost with the demolition of Falcon Hall for students, faculty, staff and the surrounding community.

DeRionne Pollard, Ph.D.

February 20, 2019

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The Planning Board appreciates the opportunity to review this project. Our staff is available as needed to further engage in the development of the project design, and we look forward to working with your staff on subsequent reviews.

Sincerely,

A handwritten signature in black ink, appearing to read 'Casey Anderson', written over a printed name.

Casey Anderson  
Chair

cc: Sandra Filippi, Director of Planning + Design, Montgomery College

## EXHIBIT II

APPROVED BY THE BOARD OF TRUSTEES RESOLUTION NO. 19-03-027

**BOARD OF TRUSTEES  
MONTGOMERY COLLEGE**  
Rockville, Maryland

Agenda Item Number: 9A  
March 18, 2019

**RESPONSE TO MONTGOMERY COUNTY PLANNING BOARD MANDATORY REFERRAL  
RECOMMENDATIONS, TAKOMA PARK/SILVER SPRING CAMPUS CATHERINE AND  
ISIAH LEGGETT MATH AND SCIENCE BUILDING PROJECT, APPLICATION MR2019011**

### BACKGROUND

Maryland law (Land Use Article Sections 20-301 through 20-305) requires all federal, state and local governments planning construction projects to refer their plans for review by the Maryland National Capital Park and Planning Commission (the "Commission") and/or the Montgomery County Planning Board (the "Planning Board"). This process is called mandatory referral, and though Montgomery College, as an instrumentality of the State, is not subject to zoning laws, it is subject to the mandatory referral process. Applicable State law makes clear that the entity that submits its plans for review to the Commission or Planning Board may overrule any disapproval and proceed with the activity (Land Use Article Section 20-303), and also authorizes the Commission to establish uniform standards of review (Land Use Article Section 20-305).

In accordance with its "Uniform Standards for Mandatory Referral Review," upon application and review, the Planning Board will recommend approval (with comments, if appropriate) or disapproval of a Mandatory Referral Application. The Chair of the Planning Board will then send a letter to the head of the applicant public agency containing the Planning Board's decision and rationale and requesting a response stating how the agency will proceed with the proposal and explaining any variations from the Planning Board's decision and recommendations. It is recommended this response be provided within 30 days. As noted above, the Planning Board's decision and recommendations are advisory only.

This resolution concerns the mandatory referral process for the Catherine and Isiah Leggett Math and Science Building on the Takoma Park/Silver Spring Campus and is reflected in application MR2019011. On February 20, 2019, the College received a letter from the Chair of the Planning Board approving the mandatory referral application submitted for the Leggett Building with 14 recommendations. This action would authorize the president to respond to the chair of the Montgomery County Planning Board regarding the recommendations of the Planning Board with respect to the Leggett Building mandatory referral application. The letter will inform the Planning Board of the College's intentions as to each of the recommendations and demonstrate the College's commitment to meet the spirit of a majority of the recommendations.

Unlike reviews in a local jurisdiction (e.g., City of Rockville) that are subject to a separate provision in the Land Use Article (Section 3-205) requiring a vote by at least two-thirds of the Board of Trustees' entire membership to overrule the decision and recommendation, the attached resolution may be approved by a majority vote.

### RECOMMENDATION

It is recommended that the Board of Trustees approve the College's response to the mandatory referral application MR2019011 and authorize the president to send a letter to the chair of the Planning Board informing it of this action with further information relating to the College's intentions as to each of the recommendations as outlined to demonstrate the College's commitment to meet the spirit of a majority of the recommendations.

### BACKUP INFORMATION

Letter from the Chair of the Planning Board, dated February 20, 2019  
College Response to Planning Board recommendations, dated March 22, 2019

### RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

### RESOURCE PERSONS

Mr. Mills  
Mr. Dietz

**BOARD OF TRUSTEES  
MONTGOMERY COLLEGE**  
Rockville, Maryland

Resolution Number: 19-03-027  
Adopted on:

Agenda Item Number: 9A  
March 18, 2019

**Subject: Response to Montgomery County Planning Board Mandatory Referral Recommendations, Takoma Park/Silver Spring Campus Catherine and Isiah Leggett Math and Science Building Project, Application MR2019011**

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WHEREAS, On December 14, 2018, Montgomery College submitted a mandatory referral application to the Montgomery County Planning Board for the proposed construction of the Catherine and Isiah Leggett Math and Science Building on the Takoma Park/Silver Spring Campus; and

WHEREAS, On February 14, 2019, the Montgomery County Planning Board met to consider the application and voted unanimously to approve the College's application, finding that the location, character, and extent of the development represented by the project in the application was consistent with the applicable Takoma Park Master Plan; however, the Planning Board's approval also contained fourteen (14) recommendations; and

WHEREAS, On February 20, 2019, the College was officially notified in writing of the Planning Board's approval and recommendations; and

WHEREAS, Pursuant to the "Uniform Standards for Mandatory Referral," it is recommended that the College submit a response to the Planning Board within 30 days stating how the College will proceed with the proposal and explaining any variation from the Planning Board's decision and recommendations; and

WHEREAS, In response to the Planning Board's written approval, dated February 20, 2019, College staff recommend that the Board of Trustees affirmatively overrule Recommendations 4 and 9, respond that the College currently intends to comply with Recommendation 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, and 14, and that the College indicate to the Planning Board that it will take Recommendation 1 under advisement; and

WHEREAS, The Board of Trustees desires to communicate this additional information with respect to the intentions of the College regarding each of the recommendations; now therefore be it

Resolved, That the Board of Trustees overrules Recommendation 4 and 9 set forth in the Planning Board's approval letter, dated February 20, 2019, related to the mandatory referral of the Catherine and Isiah Leggett Math and Science Building; that the College currently intends to comply with Recommendations 2, 3, 5, 6, 7, 8, 10, 11, 12, 13, and 14; and that the College will take Recommendation 1 under advisement; and be it further

Resolved, That the president of the College is authorized to send a letter to the Montgomery County Planning Board informing it of this action together with further information relating to the College's intentions as to each of the recommendations.



## EXHIBIT III

### MONTGOMERY COUNTY PLANNING BOARD RECOMMENDATIONS WITH MONTGOMERY COLLEGE RESPONSE

#### **Recommendations** (from Planning Board Transmittal of Comments Dated February 20, 2019)

1. Submit a Mandatory Referral application for future updates to the Montgomery College Facilities Master Plan. The application would allow for a comprehensive review of the campus plan including proposed location, character, building massing and access of new structures. This comprehensive review would inform the review of individual site development.

**Montgomery College's Response** The College will take this recommendation under advisement and will consider submitting future plans. To clarify, the plans required by the state are simply facility plans not land use plans. Specifically, Title 13B Maryland Higher Education Commission, Subtitle 07 Community Colleges, Chapter 04 Construction Procedures, 02 Facilities Master Plans requires "A summary of individual projects with title, brief description, and projected cost in constant dollars" only. COMAR does not stipulate concept development which would inform review for "proposed location, character, building massing and access of new structures". Nonetheless, the College will consider this request for the next submission to the state.

2. Address the provisions of approval in the City of Takoma Park Resolution 2018-63 with particular attention to issues of stormwater management, compatibility, hazardous materials handling and atmospheric venting.

**Montgomery College's Response** The College will address the provisions of approval in the City of Takoma Park Resolution 2018-63.

3. Continue to coordinate with the Maryland Historical Trust (MHT) in their evaluation of the proposed project.

**Montgomery College's Response** The College submitted the required Maryland Historical Trust Project Review Form and application attachments electronically and in paper version on August 14, 2018. MHT logged the project as no. 201804435. A link to the Concept 2.5 renderings was provided to the MHT reviewer on November 2, 2018. The Schematic Design was sent to the MHT reviewer on January 25, 2019, a day after formal issuance. The College will continue to coordinate with MHT.

4. Underground utilities along Fenton Street frontage, consistent with the remainder of the block.

**Montgomery College's Response** This recommendation refers to moving PEPCO'S aerial electrical lines underground. This project while well intentioned is beyond the scope of the the College's proposed project and not within the purview of the College as the College has no jurisdiction or authority over PEPCO, a public utility.

5. Reduce the perceived bulk and scale of the building as viewed from New York Avenue through strategies such as increased modulation or articulation of the east façade as the design is refined. Compatibility and visual impact are important factors in the further development of the design.

**Montgomery College's Response** The College will continue to explore design options to reduce the perceived bulk and massing as viewed from New York Avenue.

6. Improve all sidewalks along the campus frontage such that they are a minimum of five-foot wide, taking care to avoid damaging large canopy trees. Coordinate with Montgomery County Historic Preservation staff to confirm if a Historic Area Work Permit is required for sidewalk widening.

**Montgomery College's Response** The College will continue to study this recommended improvement and coordinate as appropriate.

7. Coordinate with the City of Takoma Park regarding the right-of-way width for Fenton Street, which is master-planned as a two-lane arterial with 80-feet of right-of-way. The current right-of-way varies along the campus frontage, measuring 50 feet in front of the proposed building. This segment of Fenton Street is owned and maintained by the City of Takoma Park, and at this time the City Council has declined to request an increase in right-of-way width as part of the Mandatory Referral Process.

**Montgomery College's Response** The City of Takoma Park mayor and council voted on February 13, 2019 to amend resolution No. 2018-63 (Regarding the Montgomery College Math and Science Building) to clarify that no change in the width of the Fenton Street right of way is needed by the City. The College supports the City's position. Therefore, this recommendation has been satisfactorily addressed at this time.

8. Coordinate with the City of Takoma Park regarding the spacing of driveways on Fenton Street as shown on the Mandatory Referral Plan. The driveways appear to lack adequate spacing consistent with the County's Zoning Ordinance, which states that a maximum of two driveways may be permitted for every 300 feet of site frontage along any street (Section 6.1.4.D of the County Code).

**Montgomery College's Response** The College will comply with this recommendation.

9. Coordinate with the City of Takoma Park to address the pedestrian facilities identified to be non-compliant as part of the pedestrian adequacy analysis.

**Montgomery College's Response** Pedestrian access to this campus is important. However, there are three (3) non-complaint pedestrian facilities outside the scope of work/limits of disturbance for this project. The College does not accept the recommendation to correct these three (3).

10. Address the comments from MCDOT in their letter dated January 25.

**Montgomery College's Response** MDOT/SHA concurs with the findings in the report for the project per their February 5, 2019 letter. Therefore, this recommendation has now been addressed.

11. Coordinate mitigation for the loss of smaller trees with the Takoma Park City Arborist.

**Montgomery College's Response** The College will continue to coordinate mitigation for the loss of smaller trees with the Takoma Park Urban Forester (formerly known as arborist).

12. Consider a standard green roof to the proposed modular tray green roofs to provide greater opportunity for root expansion and long-term plant survival.

**Montgomery College's Response** The College will consider a standard green roof.

13. Coordinate with the City of Takoma Park to address stormwater management concerns of neighboring properties.

**Montgomery College's Response** The College will continue to coordinate stormwater management concerns with the Takoma Park Engineer.

14. Explore opportunities to provide athletic and aquatic facilities to replace facilities that will be lost with the demolition of Falcon Hall for students, faculty, staff and the surrounding community.

**Montgomery College's Response** The College knows that health and wellness can have a positive impact on academic success. The College plans to continue all health-related courses (fitness, self-defense, yoga, etc.) in other campus buildings when Falcon Hall is closed. Athletic equipment will be relocated so that students can strength and weight train, too. College leadership is exploring potential partnerships with existing recreational facilities and the new aquatic facility in downtown Silver Spring. When fiscally feasible, the College will seek to provide an athletic facility on the campus. The Student Health and Wellness Center (SHAW) addresses food insecurity, homelessness, personal care, and other programs to support student health and wellness.