

**Kirk Eby**

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**From:** President MBA <president@muddybranch.org>  
**Sent:** Friday, May 19, 2023 10:48 AM  
**To:** Planning External Mailing  
**Subject:** Nike Missile Site - Public Comment from Muddy Branch Alliance  
**Attachments:** Nike Missile Site Letter.pdf

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Hello,

We would like to include this letter from our board of directors at Muddy Branch Alliance regarding the Nike Missile Site redevelopment project.

This letter is expanded from, and can take the place of, the comments mailed in on May 3, 2023 after further discussion with our team.

Thank you so much for your attention to this matter!  
Julia Rasnake, Communications Chair  
Muddy Branch Alliance



*Muddy Branch Alliance*

ACTING TOGETHER LOCALLY

To: [planning@gaitthersburgmd.gov](mailto:planning@gaitthersburgmd.gov)  
Subject Line: Public Comment for Nike Missile Site Redevelopment  
May 19, 2023  
Dear Planning Commission:

We, the Muddy Branch Alliance Board of Directors, would like to express our support of the redevelopment of the Nike Missile site, as well as express our concerns regarding its environmental impact and suggestions as to how it can be improved.

We support the redevelopment of this site, as its walkable proximity to community resources and public transit will make a car-dependent lifestyle less necessary for residents, and the higher buildings proposed create the opportunity to preserve greater area for tree canopy and green space while still building the developer's desired number of units. We also appreciate the developer's inclusion of moderately priced dwelling units, and recognize the need for the construction of new developments in the context of our community's ongoing housing crisis. The proximity of the site to nearby parks is also a plus, aligning with our desire to promote community access to green and wild spaces.

However, we also have several suggestions to further improve this plan, and to mitigate any harm that it may cause to our watershed. As you know, the Muddy Branch stream lies very close to the site of this development. We care about our region's environment and would like to express some desired changes to the Nike Missile Site redevelopment plan that would better protect and preserve our natural resources. Please consider these recommendations.

1. **Preserve forested areas on the site.** The forest survey noted a variety of mature native trees on the site, which are a natural resource that reduce erosion and stormwater run-off, protecting our water quality in addition to improving air quality and providing habitat for our pollinators and songbirds. However, these trees were not marked as a high priority, even though they are an important resource that will take decades to replace once cut down. Wherever possible throughout the development, mature trees should be incorporated into the design. Not only will these trees act as a buffer for our streams, but they will also make the area more livable and beautiful for future residents. The retention of these trees also aligns with Gaithersburg's commitment to increase the urban tree canopy.
2. **Improve stormwater management.** This site is right next to Muddy Branch Creek, and neighboring the Izaak Walton League, an important local site for environmental conservation. Increase in stormwater runoff will directly impact these important areas, especially if tree buffer is removed. Increasing



the number of permeable surfaces, especially in the proposed parking areas, and landscape infiltration, in addition to the planned stormwater ponds, will have a positive impact.

3. **Reserve green space for residents.** We would like to clarify that patios, blacktops, and other paved community spaces cannot be considered green space. These other open spaces are also of great value to the community, but do not offer the same benefits neither to residents nor to our local ecosystem.
4. **Incorporate native plant installations.** In addition to the lawns described in the plan, we ask that green space be prioritized for native plant installations. As mentioned above, this site lies right next to the Izaak Walton League, the home of our native plant meadow, a project sponsored by the Mayor and City Council in 2019. This native meadow, planted in 2020 and regrowing each spring with almost no maintenance, is a successful proof of concept that these plantings can be low-maintenance, invasive-species resistant, beautiful natural features that enrich our communities and protect our ecosystem. We would be happy to provide a tour to the developers and provide guidance on how they could implement something similar, and request that the City Council require the developers to explore this option.
5. **Expand equitable access to nature** through implementing the above-mentioned changes. Like preserving mature trees and improved stormwater practices, native plant installations also help support the important functions of stormwater infiltration, buffering, and habitat regeneration. However, they also respond to the community's expressed need for greater access to natural areas. Equitable community access to natural areas is an important concern, and incorporating perennial plantings of native species aligns with the redevelopment plan's stated intention to provide a percentage of affordable, moderately priced dwelling units.

Thank you for taking our position into account regarding the importance of protecting our watershed and ecosystem in the Nike Missile Site redevelopment plan.

Sincerely,

Muddy Branch Alliance Board of Directors



**Planning Commission**  
Hybrid (In-Person / Virtual)  
www.gaithersburgmd.gov/meetings  
City Hall 31 South Summit Avenue  
Gaithersburg, MD 20877

**MINUTES**  
**Regular Session**  
Wednesday, May 3, 2023, 7:30 PM

**1. CALL TO ORDER**

The Regular Session of the Planning Commission was called to order at 7:30 PM with Chair John Bauer presiding.

Attendee Name	Title	Status	Arrived
John Bauer	Chair	Present	
Danielle Winborne	Vice Chair	Present	
Matthew Hopkins	Commissioner	Present	
Lloyd Kaufman	Commissioner	Present	
Philip Wessell	Commissioner	Present	
Sharon Cantrell	Alternate Commissioner	Absent	

Staff present: Deputy City Attorney Johnson, Director of Planning & Code Administration Schlichting, Community Planning Manager Mann, Planner Eby, Planner Seiden, Planner Berger, and Engineering Services Division Chief Fields.

**2. APPROVAL OF MINUTES**

**A. Regular Session held April 4, 2023**

*Motion was made to approve the Minutes referenced above.*

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Philip Wessell, Commissioner
<b>SECONDER:</b>	Matthew Hopkins, Commissioner
<b>FOR:</b>	John Bauer, Matthew Hopkins, Lloyd Kaufman, Philip Wessell
<b>ABSTAIN:</b>	Danielle Winborne
<b>ABSENT:</b>	Sharon Cantrell

**3. CONSENT**

**A. AFP-9541-2023: 862 Square Foot 1- and 2-Story Rear Addition with Exterior Landing and Stairs at 309 Booth Street in the MXD (Mixed Use Development) Zone, AMENDMENT TO FINAL SITE PLAN**

*Motion was made to approve the Consent Agenda.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Philip Wessell, Commissioner
<b>SECONDER:</b>	Lloyd Kaufman, Commissioner
<b>FOR:</b>	Bauer, Winborne, Hopkins, Kaufman, Wessell
<b>ABSENT:</b>	Sharon Cantrell

**4. RECOMMENDATIONS TO MAYOR AND CITY COUNCIL**

**A. SK-9497-2023: Sketch Plan for the Nike Site Property at 770 Muddy Branch Road, Proposing a Maximum of 380 Multifamily Dwelling Units and Associated Open Space and Amenities in the MXD (Mixed Use Development) Zone. RECOMMENDATION TO MAYOR AND CITY COUNCIL**

Planner Eby presented this plan. He provided details regarding the joint public hearing. He located and provided background on the property. He presented a rendering of the sketch plan. Planner Eby went over the applicant's supplemental statement in response to the joint public hearing comments. He presented a proposed striping plan for the School Drive stub-out, spoke about the installation of the traffic signal at the intersection of Muddy Branch Road and School Drive, possible vehicle queuing from Timberbrook and this proposed multifamily development, and a circulation plan for the property.

Planner Eby voiced staff's recommendation that the Planning Commission, based on the findings presented in the staff analysis, applicant's testimony, and the evidence in the record, recommend approval of Sketch Plan SK-9497-2023 to the Mayor and City Council with no conditions.

The Commission discussed the proposed traffic signal, traffic impacts, and locations of the proposed buildings, accessibility to surrounding properties, and the reuse of the property.

Planner Eby provided responses to the Commissioners' questions, concerns, and comments during their discussion.

*Motion was made that the Planning Commission, based on the findings presented in the staff analysis, applicant's testimony, and the evidence in the record, find that events since the adoption of the 2003 Master Plan make the land use recommendation in that plan no longer relevant, in accordance with Section 20-18(a) of the City Code.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Lloyd Kaufman, Commissioner
<b>SECONDER:</b>	Danielle Winborne, Vice Chair
<b>FOR:</b>	Bauer, Winborne, Hopkins, Kaufman, Wessell
<b>ABSENT:</b>	Sharon Cantrell

*Motion was made that the Planning Commission, based on the findings presented in the staff analysis, applicant’s testimony, and the evidence in the record, recommend the approval of SK-9174-2022 to the Mayor and City Council with no conditions, determining that events since the adoption of the 2003 master plan make the land use recommendation in that plan no longer relevant, in accordance with section 20-18(a) of the city code.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Lloyd Kaufman, Commissioner
<b>SECONDER:</b>	Danielle Winborne, Vice Chair
<b>FOR:</b>	Bauer, Winborne, Hopkins, Kaufman, Wessell
<b>ABSENT:</b>	Sharon Cantrell

**5. PUBLIC HEARINGS**

**A. ASDP-9525-2023: Add adult medical day care use to existing office use and revise parking chart for 700 Professional Drive in the MXD (Mixed Use Development) Zone, AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN**

Planner Seiden introduced the application and stated it was submitted by the applicant on March 17, 2023 and noted that the plan would be reviewed concurrent with Amendment to Final Site Plan AFP-9535-2023. She located and provided background on the property. She noted that this application comes before the Planning Commission as a public hearing following the courtesy review that was presented to the Mayor and City Council on April 3, 2023. She stated that the Mayor and City Council directed staff to have the amendment be referred to the Planning Commission for public hearing and final action. Planner Seiden introduced Stuart Barr from Lerch Early and Brewer and Qili Li from Worldshine Group.

Stuart Barr, attorney for the applicant, introduced the team working on the project. He provided background on the business, Worldshine Group, including the services they provide noting they recently purchased the property. Mr. Barr confirmed that there were no physical changes proposed to either the property or the building elevations. There were no comments from the public.

Planner Seiden voiced staff’s recommendation that the Planning Commission, based on the exhibits submitted, the applicant’s testimony, and the staff report findings and recommendation, grant ASDP-9525-2023 and adopt the resolution.

The Commission discussed the change in use and were very supportive of the plan.

*Motion was made to close the record on ASDP-9525-2023.*

<b>RESULT:</b>	<b>PASSED [UNANIMOUS]</b>
<b>MOVER:</b>	Lloyd Kaufman, Commissioner
<b>SECONDER:</b>	Danielle Winborne, Vice Chair
<b>FOR:</b>	Bauer, Winborne, Hopkins, Kaufman, Wessell
<b>ABSENT:</b>	Sharon Cantrell

**ASDP-9525-2023: Add adult medical day care use to existing office use and revise parking chart for 700 Professional Drive in the MXD (Mixed Use Development) Zone, AMENDMENT TO SCHEMATIC DEVELOPMENT PLAN**

*Motion was made that the Planning Commission based on the exhibits submitted, the applicant’s testimony, and the staff report findings and recommendation, grant ASDP-9525-*



May 19, 2023

Bob Kyte  
Bohler  
16701 Melford Blvd, Suite 310  
Bowie, MD 20715  
rkyte@bohlereng.com

Re: 770 Muddy Branch  
Concept Stormwater Management Plan No. SWM-9498-2023  
**Conditional Approval**

Dear Bob Kyte,

Based on a review by the City of Gaithersburg's Environmental Services Division, the Concept Stormwater Management Plan for the above-mentioned site is **acceptable**. The plan proposes to meet required stormwater management goals via the use of Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) including micro-bioretenion facilities and planter box micro-bioretenion facilities. Peak flow control of the 10 year storm is proposed in a stormwater detention pond and below grade detention structure. Please note that at the next review the City will reassess the MEP standard and the use/non-use of specific ESD practices. Additionally, maintenance access considerations and the safe placement of stormwater facilities will be further reviewed at the next review.

The following conditions of approval will need to be addressed during the next stormwater management plan stage:

1. Applicant shall provide proposed grading to confirm drainage areas contributing to the proposed stormwater practices.
2. Applicant shall provide further detail with respect to the peak flow control analysis and detention pond sizing.
3. Applicant shall analyze the groundwater recharge requirement for the site and ensure stormwater practices are designed and distributed across the site to meet the requirement.

City of Gaithersburg • 800 Rabbitt Road, Gaithersburg, Maryland 20878-1600  
301-258-6370 • FAX 301-258-6375 • [publicworks@gaithersburgmd.gov](mailto:publicworks@gaithersburgmd.gov) • [gaithersburgmd.gov](http://gaithersburgmd.gov)

MAYOR  
Jud Ashman

COUNCIL MEMBERS  
Neil Harris  
Lisa Henderson  
Jim McNulty  
Ryan Spiegel  
Robert T. Wu

CITY MANAGER  
Tanisha R. Briley

4. Applicant shall demonstrate adequate maintenance access to stormwater practices.
5. Applicant shall demonstrate safe placement of stormwater practices.

This list may not be all-inclusive and may change based on available information at the time. If you have any questions please do not hesitate to contact Pearce Wroe at [Pearce.Wroe@gaithersburgmd.gov](mailto:Pearce.Wroe@gaithersburgmd.gov) or 240-805-1326.

Sincerely,

A handwritten signature in blue ink that reads "Anthony P. Berger". The signature is written in a cursive style with a large, stylized initial 'A'.

Anthony Berger, P.E.  
Director of Public Works.

# BOHLER //

## STORMWATER MANAGEMENT REPORT

PREPARED FOR:

MUDDY BRANCH INVESTMENT, LLC

**LOCATION OF SITE**  
**770 MUDDY BRANCH ROAD**  
**MONTGOMERY COUNTY**  
**GAITHERSBURG, MD 20878**  
**MAP: FS32, PARCEL: P322**  
**BEPC #MB221005.00**

**January 31<sup>st</sup>, 2023**  
**Revised: May 17, 2023**

PREPARED BY:

**BOHLER ENGINEERING**  
**16701 MELFORD BLVD, SUITE 310**  
**BOWIE, MD 20715**  
**(301) 809-4500**

5/17/23

**NICHOLAS B. SPEACH, P.E.**



**MARYLAND LICENSE #40263**

**PROFESSIONAL CERTIFICATION: I, NICHOLAS B. SPEACH, HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED REGISTERED ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NUMBER 40263, EXPIRATION DATE 6/14/23.**

<b>CITY OF GAITHERSBURG</b>	
<b>DEPARTMENT OF PUBLIC WORKS</b>	
<b>STORMWATER MANAGEMENT</b>	
APPLICATION NO. SWM-9498-2023	
CONCEPT PLAN <input checked="" type="checkbox"/>	PRELIMINARY PLAN <input type="checkbox"/>
APPROVAL DATE <i>Anthony P. Reyer</i> May 19, 2023	
BY <i>Anthony P. Reyer</i>	