



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

MCPB No. 15-148
Site Plan No. 820150120
Glenmont MetroCentre Phase 1.2 and 1.3
Date of Hearing: December 10, 2015

DEC 17 2015

RESOLUTION

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

WHEREAS, under Section 59-7.7.1.B.1 of the Zoning Ordinance, the Planning Board reviewed this site plan under the procedures and standards of the Zoning Ordinance in effect on October 29, 2014, including the zoning then in effect; and

WHEREAS, on June 15, 2012, the Montgomery County Council sitting as the District Council approved Local Map Amendments G-862 and G-863 to rezone a 30.93 acre tract of land ("Parent Tract") to the TS-R zone and approved a Development Plan that allowed up to 1,550 dwelling units, including townhouses, low-rise and mid-rise multifamily buildings, some with retail, live/work units, and up to 90,000 square feet of retail; and

WHEREAS, on September 26, 2013, the Planning Board, by MCPB No. 13-129, approved Preliminary Plan No. 120130080 which was consistent with the Development Plan and outlined the project phasing; and

WHEREAS, on March 26, 2014, the Planning Board, by MCPB No. 14-08, approved Site Plan No. Plan No. 120130080 for 171 townhouse units located on a portion of the Parent Tract, which was consistent with the Development Plan and as outlined in the project phasing as Phase 1.1; and

WHEREAS, on August 12, 2015, Layhill Investment Associates LLC ("Applicant") filed an application for approval of a site plan located on a portion of the Parent Tract for up to 4,000 square feet of retail and up to 260 multi-family dwelling units, including 33 moderately priced dwelling units ("MPDUs") and outlined as Phase 1.2 of the project phasing; and up to 46 townhouses, including 6 MPDUs outlined as Phase 1.3 of the project phasing; on 7.52 acres of CR-2.0, C-0.25, R-2.0, H-120 zoned-land, however being reviewed under the TS-R zone, located at Glenallan Avenue between Georgia Avenue and Layhill Road ("Subject Property"), in the Glenmont Sector Plan ("Sector Plan") area; and

Approved as to
Legal Sufficiency

8/18/15

M-NCPPC Legal Department

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WHEREAS, Applicant's site plan application was designated Site Plan No. 820150120, Glenmont MetroCentre Phases 1.2 and 1.3 ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 30, 2015, setting forth its analysis and recommendations for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 10, 2015, the Planning Board held a public hearing on the Application, and at the hearing the Planning Board heard testimony and received evidence on the Application; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820150120 for 260 multifamily dwelling units, 46 townhouse units, and 4,000 square feet of retail subject to the following conditions:¹

Conformance with Previous Approvals & Agreements

1. Development Plan Conformance

The development must comply with all binding elements of Local Map Amendments G-862 and G-863, County Council Resolution No. 17-502, dated July 17, 2012.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120130080 as listed in MCPB Resolution No. 13-129, dated September 26, 2013.

Department of Permitting Services

3. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") Water Resources Section in its letter dated October 26, 2015, and hereby incorporates them as conditions of

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

approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Stormwater Management easements and facilities.

4. Right-of-Way

The Planning Board accepts the recommendations of MCDPS Right-of-Way Section in its letter dated October 7, 2015 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Environment

5. A Category I Conservation Easement approved by the M-NCPPC Office of the General Counsel must be recorded in the Montgomery County Land Records by deed before demolition, clearing, or grading, and the Liber/Folio for the easement must be referenced on the record plat. The Category I Conservation Easement must cover all areas of forest planting associated with Phases 1.2 and 1.3, as shown on the Final Forest Conservation Plan.
6. All existing buildings and related parking lot and other improvements within the stream valley buffer must be removed either before September 26, 2020, or prior to the issuance of any building permits for the units in the next phase of development as reflected in the Site Plan application that is approved by the Planning Board immediately following this approval, whichever comes first.
7. Prior to approval of the Certified Site Plan, the Applicant must develop a comprehensive plan to provide natural surface trails and fitness equipment within the entire stream valley buffer.
8. Prior to approval of the Certified Site Plan, the Final Forest Conservation Plan must be revised to reflect the natural surface trails and fitness equipment within the stream valley buffer covered by this Site Plan.

Facilities and Amenities

9. Facilities and Amenities

- a. The development must meet all applicable accessibility standards under the Americans with Disabilities Act.
- b. The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to sidewalks, landscaping, and benches.
- c. Prior to approval of the Certified Site Plan, the Applicant must meet the square footage requirements for all applicable recreational elements and demonstrate to Staff that each element meets M-NCPPC Recreation Guidelines.

Fire and Rescue

10. The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service ("MCFRS") Fire Code Enforcement Section in its letter dated October 15, 2015 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Transportation and Circulation

11. The Applicant must enter into a Traffic Mitigation Agreement with the Montgomery County Department of Transportation ("MCDOT") and the Planning Board if and when the Glenmont Transportation District is established pursuant to the condition of approval for Preliminary Plan No. 120130080. Until then, the Applicant must work with MCDOT's Commuter Services Section to assist them in promoting all forms of non-auto modes of transportation.
12. Prior to issuance of the last Use and Occupancy permit, the Applicant must provide 19 bicycle parking spaces including five public bike racks near the multiple family building entrance, four public bike racks near the retail space, and the remainder of the spaces as private bicycle parking spaces within the garage for the multiple family building. The Applicant must show the number and location of all bicycle parking spaces on the Certified Site Plan.

13. The Applicant must provide, and show on the Certified Site Plan, the locations of the required electric vehicle charging stations and car sharing parking spaces as required by Preliminary Plan No. 120130080.

Moderately Priced Dwelling Units

14. The development must provide 39 MPDU units in accordance with the requirements of Chapter 25A. The Planning Board accepts the recommendations of Department of Housing and Community Affairs ("DHCA") in its letter dated September 28, 2015, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

Site Plan

15. Site Design

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

16. Landscaping

- a. Prior to the completion, and occupancy of the last unit of each townhouse row, all adjacent on-site amenities including sidewalks, landscaping, benches, and trash receptacles must be installed.
- b. Prior to issuance of the last Use and Occupancy permit for the multifamily building, all adjacent on-site amenities including sidewalks, landscaping, benches, and trash receptacles must be installed.
- c. Street tree planting may wait until the next planting season.

17. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that exterior lighting conforms to the Illuminating Engineering Society of North America ("IESNA") standards for residential development.

- b. Deflectors must be installed on all fixtures causing potential glare or excess illumination.
- c. The maximum height of the light poles for pedestrian paths and open spaces must not exceed 14 feet including the mounting base.

18. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first building permit, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include all applicable Site Plan elements, including, but not limited to, landscape elements, plant material, on-site lighting, site furniture, private streets, alleys, sidewalks, and trash enclosures.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by inspection and potential reduction of the surety.

19. Development Program

The Applicant must construct the development in accordance with a development program that will be reviewed and approved by Staff prior to the approval of the Certified Site Plan.

20. Certified Site Plan

The Certified Site Plan must include the following revisions and/or information subject to Staff review and approval:

- a. Include the stormwater management concept approval letter, development program, and all current and previous Planning Board approval resolutions.
- b. Modify data table to reflect development standards approved by the Planning Board.
- c. Ensure consistency of all details throughout the certified set.
- d. Include details of the trail and other recreation amenities in the stream buffer area as required by the condition of approval number 6 at the beginning of this report.
- e. Show details of site furniture and recreation in open space areas.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Site Plan No. 820150120, Glenmont MetroCentre, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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

1. *The Site Plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development if required, unless the Planning Board expressly modifies any element of the project plan.*

Development Plan Textual Binding Elements

Required	Approved
<p>1. Development Blocks</p> <p>The precise location, building footprints and square footages of the buildings, and open space, landscaping and recreation space within each Development Block as well as the actual number of parking spaces will be decided at site plan.</p>	<p>The Site Plan is consistent with the layout of buildings, streets/blocks, and building types as depicted on the approved Development Plan and Preliminary Plan.</p>
<p>2. The total number of units on the property for Stage 1 and Stage 2 combined shall not exceed 1,550 dwelling units including MPDUs. Stage 1 shall include 12.5% MPDUs.</p>	<p>The Site Plan includes 306 units (46 townhouse and 260 multifamily units) with 12.5% MPDUs.</p> <p>The approved Phase 1.1 development was for 171 townhouse units with 12.5% MPDUS.</p> <p>If approved, there will be up to 477 new units on the Parent Tract.</p>
<p>3. At the time of preliminary plan of subdivision approval, the Applicant shall submit for Planning Board review and approval, a revised Local Area Transportation Review analysis that re-evaluates Stage 2 of the development so that the Planning Board can make a determination whether the Georgia Avenue/Randolph Road intersection will function at an acceptable level to permit all or a portion of</p>	<p>This binding element was satisfied with the approval of Preliminary Plan No. 120130080.</p>

Stage 2 to move forward.	
4. No building permit applications for Stage 2 of the development will be applied for until either a grade separated interchange is fully funded for construction or other transit or transportation improvements are under construction that would make the intersection of Randolph Road and Georgia Avenue function at an acceptable level as determined by the Montgomery County Planning Board or the Applicant has committed to the use of the Alternative Review Procedure for Metro Station Policy Areas.	This binding element will be further addressed at the start of Stage 2. In the meanwhile, construction of the grade separated interchange at Randolph Road and Georgia Avenue is underway.
5. No building shall exceed 7 stories or 85 feet as measured pursuant to the Montgomery County Zoning Ordinance.	The maximum height for the multifamily building is 85 feet or 7 stories and the maximum height for the townhouses is 50 feet.
6. All private roads shall meet the Montgomery County standards required for emergency vehicle access.	MCDFR has confirmed that all private roads will meet County standards for emergency vehicle access.
7. No structures or impervious surfaces shall be located within the environmental Buffer.	In each relevant development phase the Applicant is incrementally removing the impervious surface in the environmental buffer. No impervious surfaces will be within the environmental buffer by the completion of the last phase.
8. Collectively, the maximum density for Stage 1 and Stage 2 is 50.1 units per acre with MPDUs, in conformance with the Sector Plan density of up to 51 units per acre.	The development of the Parent Tract is still in Stage 1; the density in Phase 1.2 and 1.3 is 40.69 units per acre.
9. Subject to Textual Binding Element Note 4, the completion of any portion of the project is not necessary to commence any subsequent portion of the project.	The phasing is consistent with Preliminary Plan of approval.
10. The Applicant will conduct an operational study at the time of preliminary plan of subdivision to identify and evaluate appropriate operational improvements including: (i) pedestrian crossings between the Glenmont Metrocenter Project and the Glenmont Metro Station, (ii) pedestrian safety along Glenallan Avenue and sight distances for turning movements from the project onto Glenallan Avenue, (iii) gaps in through traffic to allow cars to enter and exit safely to and from the driveways south of Glenallan Avenue	This binding element was satisfied with the Preliminary Plan No. 120130080.

onto Layhill Road, and (iv) cut through traffic along Glenallan Avenue to Randolph Road.

Development Plan Binding Design Principles

Required	Approved
<p>1. Pedestrian Oriented Streets</p> <ul style="list-style-type: none"> The neighborhood street system shall be continuous and interconnected where practical. Neighborhood streets shall be arranged to define the Development Blocks and to create blocks that encourage walkability. Parking shall be provided on streets (parallel spaces) where practical, and in decks and/or parking garages and driveways. Neighborhood streets that radiate from the new "Neighborhood Main Street" shall provide safe and adequate access to Metro. All street shall have a minimum five foot wide sidewalk dimension continuous on both sides of the street. All streets shall have a street tree zone separating the sidewalk from the curb on both sides of the street. All street trees shall be placed in continuous lawn panel, landscaped panel or in tree pits. 	<p>The development provides an internal network of walkable streets in a grid pattern, defining the Development Blocks and creating short blocks to emphasize pedestrian use and street character. The streets are convenient and attractive for pedestrian and bicycle circulation.</p> <p>The internal streets will have on-street parking, street trees, and a sidewalk system that provides connectivity within the Property and to the perimeter sidewalks, bike path systems, and the adjacent Metro Station. All streets will have a minimum five-foot wide sidewalk dimension, a street tree zone separating the sidewalk from the curb, and all street trees are located in landscaped panels or in tree pits.</p>
<p>2. Public Open Space Elements</p> <ul style="list-style-type: none"> A major public use space for the enjoyment of the residents and the greater Glenmont community shall be located in the vicinity of Blocks F, G, and H. The space will be predominately landscaped with seating opportunities and passive recreation opportunities. Minor open spaces will be distributed throughout the project and will be diverse in terms of size, function and type. To the extent practical, open space areas shall incorporate on-grade rain water bio-filtration strategies. 	<p>With this Site Plan an interim 3.33-acre portion of the planned central civic space will be developed into a landscape area next to the multifamily building. There is also a tot lot and an open area approved in Phase 1.1. Additional amenities dispersed throughout the Site include seating areas, open areas, and bicycle and pedestrian circulation systems.</p>

<p>3. Architectural Elements</p> <ul style="list-style-type: none"> • Building front entrance(s) shall front onto the street(s). • Special architectural treatments shall occur at the terminus of vistas or defined view along a street • Garage access for townhouse units shall primarily be rear-loaded and served by alleys. 	<p>Both the townhouse and the multifamily building front along Auden Drive. Similar to some of the townhouses approved in Phase 1.1, the townhouses in the rear of the development do not have front entrances on a street since the townhouse section is laid out as a system of alternate front street or pedestrian mews and rear-loading service alleys. All units will be rear-loaded (driveways from internal alleys). The multifamily building will incorporate facade articulation and special treatment at the corners facing Glenallan Avenue and the future central civic space.</p>
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2. *The Site Plan meets all of the requirements of the zone in which it is located and where applicable conforms to an urban renewal plan approved under Chapter 56.*

Requirements of the TS-R Zone

The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant, and based on other evidence and testimony of record, the Application meets all of the applicable requirements of the TS-R Zone. The Subject Property is not within an Urban Renewal area.

Project Data Table for the TS-R Zone, Development Standards

Development Standard (59-C-8.4)	Permitted/Required	Approved
59-C-8.41. Minimum area		
Minimum Area Required for Development	18,000 square feet	327,571 square feet
59-C-8.42. Density of Development		
(a) Maximum floor area ratio	2.5	1.29
(b) Maximum dwelling units per acre	50.1 ¹	40.69

59-C-8.43. Open Space		
(a) Minimum percentage of net area devoted to public use space	10	11.4
(b) Minimum percentage of net area devoted to active and passive recreational purposes	25 ²	25.4
Total minimum open space (percent)	35	36.8

¹County Council Resolution 17-502, adopting Local Map Amendment G-862 and G-863 limits density to a maximum of 50.1 dwelling units per acre. TS-R allows for a maximum of 150 dwelling units per acre.

² Minimum percentage for projects with a site area of 40,000 square feet or more is 25 or as specified in the applicable master or sector plan.

	Parking Required	Approved
59-E-3.7. Phase 1.2 Vehicle Parking		
Efficiency, 23 units at 1 space/unit	23	
1 Bedroom, 91 units at 1.25 spaces/unit	114	
2 Bedroom, 113 units at 1.5 spaces/unit	170	
MPDU efficiency, 3 units at 0.5 spaces/unit	2	
MPDU 1 Bedroom, 13 units at 0.625 spaces/unit	9	
MPDU 2 Bedroom, 17 units at 0.5 spaces/unit	13	
Total spaces	331	364 (340 garage, 24 on-street)
59-E-2.3 Phase 1.2 Bicycle and Motorcycle Spaces		
Bicycle (one space/20 vehicle spaces)	19	19
Motorcycle (2% of parking)	8	8
59-E-3.7 Phase 1.3 Vehicle Parking		
Townhouses, 40 units at 2 spaces/unit	80	
MPDU Townhouses, 6 units at 1 space/unit	6	
		86 private garage spaces
		4 alley spaces
Total spaces	86	90

59-C-8.5. Special Requirements in the TS-R Zone:

59-C-8.51. Building height limit

The maximum building height permitted for any building shall be determined in the process of site plan review.

The maximum building height for the 46 townhouses is 50 feet and for the multifamily building is 85 feet, as specified in the approved Development Plan.

59-C-8.52. Off-street parking

Parking shall be so located as to have a minimal impact on any adjoining residential properties.

The parking in the Site Plan satisfies this requirement. There is minimal, if any, impact on the adjoining residential properties. The Site Plan provides 37 more parking spaces than required. Parking in the multifamily building is located in the underground parking garage; parking for the townhouse garages is in private garages; and parking for guests is on private streets within the development. Overflow parking into the surrounding neighborhood is unlikely with the on-street guest parking and the surplus parking spaces.

59-C-8.53. Streets

Interior streets may be private or public but private streets must have a minimum width of 20 feet for two-way traffic and 10 feet for one-way traffic and must be paved and maintained in good repair.

The interior streets in the development are private and satisfy the width requirements.

59-C-8.54. Ancillary commercial uses

(a) *The amount of floor devoted to commercial uses cannot exceed the amount or substantially alter the configuration specified for the site in the applicable master or sector plan.*

The 4,000 square feet of retail in the Site Plan does not exceed the amount or substantially alter the configuration specified for the site in the Master Plan.

- (b) *If the master or sector plan does not make a specific recommendation as to the amount of floor area allowed, then commercial uses are limited to the street level only.*

The retail is located at street level in the southwest corner of the multifamily building.

2. *The locations of the buildings and structures, the open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

Building and Structures

The locations of the buildings and structures are adequate, safe and efficient and consistent with the approved Preliminary Plan and Development Plan. All of the buildings are arranged along a grid street pattern and allow for safe and efficient pedestrian circulation within the project by providing adequate sight lines.

Public Open Space

The locations of the open spaces are adequate, safe, and efficient. The Site Plan is providing slightly more than the required ten percent public open space and the required 35 percent active/passive recreation open space. These spaces include landscaped pedestrian areas, and a recessed open space area along the multifamily building. Open space is also provided by the stormwater management bioretention facilities located along the common area in front of the townhouse units.

Landscaping & Lighting

Landscaping and lighting, as well as other site amenities, are provided to ensure that landscaping, lighting, and site amenities are safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Lighting Plan shows that lighting is provided with a residential pole and fixture type and lighting along the townhouse walls is provided by outdoor wall mounted types. The design of the site furnishings will be designed to create an interesting place and ensure accessibility and comfort.

Recreation Facilities

Recreation provided with the Site Plan is adequate, safe, and efficient. The Site Plan recreation calculations take into account both Phase 1.2 and 1.3 development as well as the earlier 1.1 approved development. Therefore, recreation is provided by the Open Play Area and a tot lot approved in Phase 1.1. The project provides a bike path along Glenallan Avenue and 5-foot sidewalks along all private and public streets. The multifamily building will have an indoor community room, exercise room, and a swimming pool. The project will also have an open area that could be used for both passive and active recreation.

Vehicular and Pedestrian Circulation

Pedestrian and vehicular circulation are adequate, safe, and efficient.

Vehicular access to the townhouses in Phase 1.3 is provided by Auden Drive with internal access off of Klee Alley. Vehicular access to the multifamily building in Phase 1.2 will be provided from Macaulay Street, which connects to Glenallan Avenue.

Pedestrian improvements will be done on both Glenallan Avenue and Auden Drive. All sidewalks and sidewalk ramps will be ADA compliant. The sidewalks along Glenallan will be expanded from 4 feet to 10 feet wide to provide for both walking and biking usage.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The development is significantly larger than the primarily low-rise buildings in the area but it is consistent with the Master Plan vision and recommendations for this site. The 25-foot setback from Glenallan will reduce the impact of the building's size on the Georgia Avenue Baptist Church.

5. *The Site Plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

The Forest Conservation Plan complies with the requirements of the Forest Conservation Law, Environmental Guidelines, and Stormwater management Requirements.

Forest Conservation

This Site Plan is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). A Preliminary Forest Conservation ("PFCP") was approved for the entire Parent Tract with Preliminary Plan No. 120130080, showing areas of forest preservation and planting. A Final Forest Conservation Plan ("FFCP") was approved for Phase 1.1 in Site Plan No. 820130270. It included preservation of 2.10 acres of existing forest and planting of 0.68 acres of landscape credit. This Site Plan includes an FFCP, which requires 0.48 acres of forest planting and 0.16 acres of landscape credit.

Consistent with the Planning Board's recommendation during Preliminary Plan review, the Applicant is using the stream valley buffer area protected by Category I Conservation Easement for recreational uses that are compatible with the purposes of the Category I Conservation Easement. Such uses are subject to the following:

1. The Applicant must develop a comprehensive plan for improvements within the Category I Easement area, subject to Staff approval that may be implemented in phases to match the development phases.
2. Any improvements must be confined to areas of forest planting so that the existing forest area remains undisturbed.
3. The Applicant must construct improvements with minimal disturbance to the forest floor.
4. Only natural surface trails and fitness equipment are allowed within the Category I Easement so that there is minimal disturbance to the forest floor.

Forest Conservation Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the critical root zone of a subject tree, requires a variance.

The Planning Board approved a variance, subject to mitigation on the entire 30.70 acre Parent Tract as part of the PFCP approved with Preliminary Plan No. 120138808.

Consistent with the approved PFCP, the FFCP for Phase 1.2 and Phase 1.3 includes the planting of 11 native, 3" caliper mitigation trees within the Phase 1.2 and Phase 1.3 limits of disturbance as mitigation for the removal of specimen trees. The remaining 78 mitigation trees will be planted as part of the future phases of the Glenmont MetroCentre development.

Stormwater Management

MCDPS-Stormwater division approved the stormwater concept on October 26, 2015.

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

BE IT FURTHER RESOLVED, that this Site Plan shall remain valid as provided in Montgomery County Code § 59-D-3.8; and

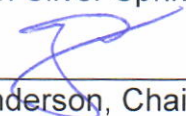
BE IT FURTHER RESOLVED, that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 17 2015 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED, that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

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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 Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Presley and Fani-González voting in favor, and Commissioner Dreyfuss absent, at its regular meeting held on Thursday, December 10, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board