



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

MCPB No. 17-064
Site Plan No. 820170010
Topgolf - Germantown
Date of Hearing: July 20, 2017

AUG 01 2017

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, on November 23, 2016, Topgolf USA Germantown LLC (“Applicant”) filed an application for approval of a site plan for construction of a 64,232-square foot building with up to 102 golf hitting bays and associated on-site restaurant on 12.1 acres of CR2.0 C-1.5, R-1.5, H-145 zoned-land and Germantown Transit Mixed Use Overlay Zone, located on the east side of Century Boulevard, approximately 700 feet east of the intersection with Aircraft Drive (“Subject Property”), in the Germantown Policy Area and Germantown Employment Area Sector Plan (“Sector Plan”) area; and

WHEREAS, Applicant’s site plan application was designated Site Plan No. 820170010, Topgolf - Germantown (“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 July 7, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 20, 2017, the Planning Board held a public hearing at which it 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 certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820170010 for a 64,232-square foot building with up to 102 golf hitting bays

Approved as to Legal Sufficiency *Christina Sout* 7/13/17
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and associated on-site restaurant, on the Subject Property, subject to the following conditions:¹

Conformance with Previous Approvals & Agreements

1. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 12007065B.

Environment

2. Forest Conservation & Tree Save

The development must comply with the conditions of approval for the Final Forest Conservation Plan (“FFCP”), approved as part of this Site Plan, as follows:

- a) Prior to the start of any demolition, clearing or grading on the Subject Property, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank for the 2.67 acres of off-site afforestation/reforestation required per the FFCP.
- b) Applicant must have all required site inspections performed by M-NCPPC Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- c) The Applicant must comply with all tree protection and tree save measures shown on the approved FFCP. Tree save measures not specified on the FFCP may be required by the M-NCPPC Forest Conservation Inspector.
- d) The limits of disturbance (LOD) on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved FFCP.

Public Use Space, Facilities and Amenities

3. Public Use Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 66,500 square feet of public use space (13.2% of net lot area) on-site.
- b) Prior to Certified Site Plan, Applicant must work with M-NCPPC Staff to incorporate additional design elements that engage the public open space and sidewalk on Century Boulevard, including, but not limited to, the following:
 - i. Steps through the terraced planters (“Staircase”) leading up to the building’s main entrance in a similar manner as the steps provided through the terraced planters facing the parking lot.
 - ii. Re-align the path connection between the Century Boulevard sidewalk and the Staircase to the building’s main entrance so that it is perpendicular to Century Boulevard and aligns to the Staircase.

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.

- iii. Activate the approximately 9,900 SF lawn area located between the building and Century Boulevard with site elements, such as, an expanded lawn games area, sitting, landscaping, and/or art.
- c) Before the issuance of Use and Occupancy certificate for the commercial development, all public use space areas on the Subject Property must be completed, except for the landscaping, which may be deferred until the next planting season.

4. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to benches, interpretive signs, bird houses, lawn games, bike racks and locker, light fixtures, and landscaping.

Transportation & Circulation

5. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 2 long-term and 6 short-term bicycle parking spaces.
- b) The long-term spaces must be in an outdoor bicycle locker, and the short-term spaces must be inverted-U racks (or approved equal) installed next to the main entrance of the building, as identified on the Certified Site Plan.
- c) All internal sidewalks and pedestrian paths must be a minimum of five feet wide.
- d) Prior to issuance of Use and Occupancy for the commercial development, the Applicant must construct an eight-foot wide brick sidewalk across the Subject Property Frontage on Century Boulevard, tying into the existing five-foot wide sidewalk at the northern site boundary.

6. Fire and Rescue

The Planning Board accepts the recommendations of the MCDPS Fire Department Access and Water Supply Section in its letter dated June 5, 2017, 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.

Site Plan

7. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings submitted via ePlans, as determined by M-NCPPC Staff.
- b) Applicant must provide LED color changing mesh panels as shown on architectural elevations of the Certified Site Plan.

8. Landscaping

- a) The Applicant must install the site elements as shown on the landscape plans submitted to MNCPPC, or approved equivalent.
- b) Prior to Certified Site Plan, the Applicant must work with M-NCPCC Staff to supplement the plant material along the northern retaining wall with several groupings of evergreen trees and additional vines, subject to final approval by MCDPS – Water Resources Section.

9. Lighting

- a) Prior to issuance of any above-grade building permit, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b) All onsite down-lights must have full cut-off fixtures.
- c) Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.
- g) Lighting for the outdoor recreation field is prohibited between 2:00 AM and 7:00 AM.

10. Site Plan Surety and Maintenance Agreement

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

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to site furniture, benches, interpretive signs, bird houses, lawn games, bike racks, bike lockers, retaining walls, fences, railings, private roads,

- private utilities, paths, sidewalks, on-site lighting, and landscaping and associated improvements of development.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.
 - d) The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

11. Development Program

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

12. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, development program, and Site Plan Resolution on the approval or cover sheet(s).
- b) Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- c) Modify data table to reflect development standards approved by the Planning Board.
- d) Ensure consistency of all details and layout between Site and Landscape plans.
- e) Show wayfinding signage within the Property guiding visitors to I-270.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Topgolf – Germantown, 820170010, 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 development satisfies any previous approval that applies to the site.*

The Site Plan conforms to all conditions of Preliminary Plan 12007065B, which is being approved concurrently.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

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

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

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

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Development Standards

The Subject Property is approximately 12.1 acres and zoned CR2.0 (C-1.5, R-1.5, H-145). Although the Subject Property is also within the Germantown Transit Mixed Use (GTMU) Overlay Zone, the requirements of the Overlay Zone do not apply because this Application is being developed under the standard method. The Application is using the standard method of development and satisfies the applicable development standards of Section 4.5 Commercial/Residential Zone, and Section 6.2 Parking as shown in the following data table:

Data Table

Development Standard	Required/ Permitted	Approved by the Planning Board
Site Area (acres)		
Gross Tract Area (GTA)	n/a	12.1 (527,125 SF)
Dedication	n/a	0.58 (25,131 SF)
Net Lot Area	n/a	11.52 (501,996 SF)
Site		
Public Open Space, Site >10,000 SF	10% (50,200 SF)	13.2% (66,500 SF)

Development Standard	Required/ Permitted	Approved by the Planning Board
Lot and Density		
Min Lot Area	n/a	11.52 (501,996 SF)
Min Lot width at front building line	n/a	578'
Min Lot width at front lot line	n/a	573'
Max CR Density (Commercial)	1.5 (790,688 SF)	0.12 (64,232 SF)
Placement		
Min Principal Building Setback		
Front Setback	0'/ 10' PUE	10'
Side Street Setback	0'	n/a
Side Setback, abutting other CR Zones	0'	256'
Rear setback, Abutting other Zones	0'	26'
Min Accessory Structures Setbacks		
Front Setback, behind building line	0'	19'
Side street setback	0'	n/a
Side Setback	0'	38'
Rear Setback	0'	5'
Min Parking Setbacks for Surface Parking Lots		
Front Setback	Must be behind front building line of building in the BTA	58'
Side Street Setback		n/a
Side Setback		10'
Rear Setback		8'
Build-to Area (BTA)		
Max Front Setback (BTA)	20'	10'
Min Building in front street BTA	70%	30% ²
Max Side Street Setback	20'	n/a
Min Building in side street BTA	35%	n/a
Max Height		
Principal Building	145'	70'-4" ³
Accessory Structure (net support poles)	145'	186' ⁴
Form		

² As conditioned, the Applicant must incorporate additional design elements that engage the public open space and sidewalk on Century Boulevard in order for the Planning Board to support modifications to the Build-to-Area and Building orientation requirements per Section 4.5.3. of the zoning ordinance.

³ Measured from building height benchmark along Century Boulevard to top of upper parapet.

⁴ Measured from building height benchmark along Century Boulevard. The Board of Appeals for Montgomery County granted a variance for the height of the net support poles on June 8, 2017.

Development Standard	Required/ Permitted	Approved by the Planning Board
Building Orientation		
Entrance facing street or open space	required	conditioned ²
Transparency		
Ground story, front (min)	40%	49.5% (west elevation)
Ground story, side/rear (min)	25%	31.7% (south elevation)
Upper story (min)	20%	20.9% (west elevation)
Blank Wall, front (max)	35'	33'-8" x 12'-3" (west elevation)
Blank wall, side/rear (max)	35'	49'-4" x 14'-2" (south elevation)
Section 6.2 Parking		
Vehicle Spaces ⁵		
Recreation (51,327 SF)	103 to 257 (2 to 5/1,000 GFA)	
Restaurant (12,905 SF)	52 to 155 (4 to 12/1,000 GFA)	
Total	155 to 412 (min – max)	358 spaces
Handicap Accessible	8	6 car & 2 van
Motorcycle Spaces	7 (2% of total veh sp)	7
Car Share Spaces	3	3
Convertible Charging Station Spaces	4	4
Bicycle Spaces		
Recreation (51,327 SF)	6 (1/1,000 GFA)	
Restaurant (12,905 SF)	2 (1/1,000 GFA)	
Total	8 (6 ST & 2 LT)	8 (6 ST & 2 LT)
Parking Lot Green Area		
Parking Lot Area	n/a	132,760 SF
Parking Lot Green Area	5% (6,638 SF)	16.7% (22,218 SF)

Modification of Build-To-Area and Building orientation requirements

⁵ The Subject Property is in a Reduced Parking Area.

The placement of the building is such that the side façade is in the front street Build-To Area. The total amount of side façade that faces the Build-To Area on Century Boulevard is approximately 85 feet, and is staggered into three portions recessed from the Build-To Area by different distances. The façade portion within the maximum front setback of 20 feet represents only about 30 percent of the total side façade amount.

The building orientation is such that the building's main entrance does not face Century Boulevard or open space as required. Instead, the main entrance faces the surface parking lot area with a grand staircase through the terraced planters.

Sections 4.5.3.C.3.b and 4.5.3.C.5.a state that the Build-to Area requirements and Building Orientation requirements, respectively, may be modified by the Planning Board during site plan review. The Planning Board must find that the plan: (1) deviates from the Build-to-Area/Building Orientation requirements only to the extent necessary to accommodate the physical constraints of the site or the proposed land use; and (2) incorporates design elements that engage the surrounding publicly accessible space such as streets, sidewalks, and parks.

The Planning Board finds that the Site Plan deviates from the Build-to Area and Building Orientation requirements to accommodate the physical constraints of the site, such as, topography and elevation drop, as well as the unique programmatic requirements of this entertainment facility. However, as conditioned and fully discussed below, the Applicant must incorporate additional design elements that engage the public open space and sidewalk on Century Boulevard in order for the Planning Board to support modifications to the Build-to-Area and Building orientation requirements per Section 4.5.3. of the zoning ordinance.

b. General Requirements

i. *Site Access*

Access to the Subject Property provides safe and convenient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face. Vehicular access to the Property is provided by a single right-in/right-out intersection that is already constructed along Century Boulevard. The access drive is located on the southern edge of the Subject Property and was constructed within a shared use and access easement with the neighboring development to the south. The access is perpendicular to Century Boulevard and acts as a primary drive aisle, with each parking row and drive aisle perpendicular to the access drive.

Pedestrian and bicycle access to the Property is provided along Century Boulevard with an eight-foot wide brick sidewalk across the Subject Property Frontage, which ties into the existing five-foot wide sidewalk at the northern site boundary. As conditioned, steps through the terraced planters leading up to the building's main entrance in a similar manner as the steps provided through the terraced planters facing the parking lot, will provide adequate access between the building's main entrance and the lead-in sidewalks off Century Boulevard.

ii. *Parking, Queuing, and Loading*

The Site Plan provides adequate vehicle, motorcycle, and bicycle parking, in a safe and efficient manner, to serve the development. Vehicle parking in the CR Zone within a Reduced Parking Area is calculated as the sum of the number of spaces required for each applicable land use, which in this case are recreation & entertainment facility, and restaurant. The Site Plan provides a total of 358 spaces, which falls within the 155 to 412 range required by the Zone. The total of 358 spaces includes handicapped accessible spaces, car share spaces, and convertible electric charging station spaces.

The Site Plan provides a total of 7 motorcycle spaces, located along the eastern edge of the Subject Property adjacent to the I-270 ramp. The Site Plan provides a total of 8 bicycle parking spaces consisting of 6 short-term spaces and 2 long-term spaces. As required, short-term bicycle spaces are available to the public, and conveniently located within 90 feet from the main entrance of the building, which is a well-lit area and clearly visible. As required, long-term bicycle spaces are provided in an outdoor bicycle locker.

iii. *Open Space and Recreation*

As conditioned, the Site Plan adequately meets the Public Open Space requirements as detailed in the Open Space Applicability section of the zoning ordinance. The Public Open Space provided is devoted to public use and enjoyment and attracts public appreciation due to its location, amenities, and additional design elements to be provided. The Site Plan exceeds the minimum 10 percent requirement, by providing a total of 13.2 percent, or 66,500 SF, of the tract area as Public Open Space that is divided into two major areas. As required, both of these areas abut the public sidewalk along Century Boulevard, exceed the 15-foot minimum width, include seating and shading, and are one contiguous space.

First, the patio and lawn area is located between the building's main entrance and the Century Boulevard ROW. Consistent with the Zoning Ordinance requirements and Sector Plan's recommendations, this space is intended to serve primarily three goals: 1) street activation, 2) connectivity, and 3) placemaking.

Street activation is achieved with an outdoor patio with sitting for restaurant patrons, which is integral to the facility and serves as a semi-public extension of the indoor uses and activities. Although the patio has direct access and free circulation with the interior of the facility, it has controlled access from the public open space and sidewalk. Additionally, due to topography, the outdoor patio is raised above the public sidewalk on Century Boulevard by approximately 13 feet. For these reasons, the outdoor patio area is not counted towards the public open space calculations, even though it provides much needed activation along Century Boulevard.

Carved out of the patio, and roughly three feet lower, is an approximately 600 SF area for lawn games, which contributes to the activation of the public open space. Although this area can be freely accessed by the public, because of its size, location and design, as a depression within the patio, it is not easily perceived as public. As conditioned, the Planning Board recommends extending the lawn games area to the southwest to increase it in size.

Connectivity between the sidewalk on Century Boulevard and the main entrance of the building is partially achieved with two separate lead-in sidewalks from Century Boulevard that lead to the terraced planters near the main entrance of the building. As conditioned, the terraced planters must accommodate steps facing the public sidewalk and the public open space in addition to the steps facing the parking lot. Division 4.5.3 requires that the building's main entrance face a street or open space. By providing additional steps that face the street and open space, the Site Plan will provide adequate access and circulation for pedestrians wanting to access the building, and improve the building's presence on Century Boulevard.

Placemaking goals are highlighted throughout the Sector Plan, which specifically identifies this Property as a landmark site. The Planning Board recommends better articulation of the lawn area to create a more usable public open space with distinguishing features to celebrate it as a landmark site. The recommendations to expand the lawn games area, re-align the path connection and provide additional access to the main entrance of the

building will reinforce this Property as a landmark site and better anchor the Topgolf facility in the fabric of the Germantown Town Center.

The second public open space is located between the northern edge of the Subject Property and the outfields. This area is more informal and serves primarily as a stormwater management facility, with a recreational and educational component. Amenities and features include a hard-surface path with benches, bird houses, and interpretive signs that educate the public on the themes of wildlife habitat, water run-off and infiltration, and plants in the biofilter.

The Site Plan is exempt from complying with the Montgomery County Recreation Guidelines since no residential units are proposed.

iv. *General Landscaping and Outdoor Lighting*

The Site Plan meets the standards for the provision of landscaping and outdoor lighting as required by Division 6.4. The landscaping provided, with an emphasis on native species, is appropriate for this development by achieving several objectives. Consistent with the requirements of Sec 59.6.2.9.C, the Site Plan provides tree canopy coverage for the surface parking lot area, includes landscaped areas (islands) and perimeter plantings. The Site Plan exceeds the minimum 25 percent coverage requirement by providing 37 percent tree canopy coverage at 20 years of growth, consisting of mostly large shade trees and some ornamental trees. It also exceeds the minimum landscaped island requirement of 5 percent of the total area of surface parking by providing 18.8 percent, or 23,212 square feet, of landscaped islands within the parking lot. The landscaped islands are located between every row of parking, and include landscaped stormwater management facilities in addition to the large canopy trees described above. The perimeter planting requirements are met on the northern and southern sides of the parking area with a combination of existing trees and vegetation in the ROW to remain, new canopy trees to be provided, and landscaping in stormwater management ESD facilities. The western side of the parking area abuts another parking lot in which case perimeter plantings are not required.

Landscaping, consisting of a mix of evergreen trees, shrubs, ornamental grasses and vines, is adequately used for screening of the retaining wall along the outfields. The major stormwater management facility provided, which is located between the outfields and the northern edge of the Subject Property, will be heavily planted with a variety of native plant material to achieve ESD goals. All landscaping within stormwater management easements will be reviewed, approved and inspected by MCDPS, Water

Resources Section. Smaller plant material, including understory trees, shrubs and herbaceous, are used to delineate spaces, such as the outdoor patio, and to highlight specific features, such as the terraces leading up to the main entrance of the building. Ultimately, the landscaping provided will strengthen community character, and improve water and air quality.

On-site lighting in the surface parking area and public open spaces will create enough visibility to provide safety but not so much as to cause glare on the adjacent roads or properties. Additional lighting within the building, especially the open northeastern façade with the golf hitting bays, and the associated outfield, which is integral to the operation of this entertainment facility, was also determined not to cause glare on the adjacent roads or properties while enabling the operation of the entertaining facility. The photometric plan shows how the lighting meets the illumination requirements to avoid light in excess of 0.5 footcandles from spilling over the Subject Property line. Parking lot lighting consists of pole mounted light fixtures with maximum height of 22 feet. Pedestrian lights located along the path connecting the Century Boulevard sidewalk to the building's main entrance are pole mounted light fixtures with maximum height of 9 feet.

v. *Screening*

This Division is not applicable because the Site Plan includes a General building type in the CR Zone, which abuts other General building types in the CR Zone. Based on Division 6.5.2.C.2, screening is not required between these adjacent zones or building types.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services Water Resources Section on March 16, 2017. The Application will meet stormwater management goals through the use of micro-bioretenion, a wet pond with extended detention, a sand filter, and structural filtration. The Applicant will also be replacing an existing on-site quantity control pond with underground detention systems

b. Chapter 22A, Forest Conservation

The Application is in compliance with the Environmental Guidelines and the requirements of Chapter 22A of the Montgomery County Forest Conservation Law. The Final Forest Conservation Plan No. 82010015B

(FFCP) was submitted as an amendment and included with the Site Plan No. 820170100, on November 4, 2016. The submitted FFCP amendment generally conforms to the Preliminary Forest Conservation Plan (PFCP) for this project, which was approved by the Planning Board on December 4, 2008 as part of the Preliminary Plan 120070650 approval. For future clarity, the Planning Board is adopting the FFCP amendment into the new Site Plan, and the approved FFCP amendment will take on plan No. 820170010 thereafter.

The submitted FFCP differs from the approved PFCP in two matters. One, the overall limit of disturbance (LOD) for the project has increased because of off-site improvements now required by the Applicant, thereby increasing the overall net tract area by 1.35 acres. This increases both the afforestation and reforestation conservation threshold amounts by 0.21 acres and ultimately increases the overall reforestation requirement by 0.43 acres. Two, the submitted FFCP shows a different land use from the approved PFCP. However, in both cases the requirements specified under Chapter 22A are being met.

When the numbers of the total tract area, land use category, total amount of forest, forest removed and forest retained are entered into the Forest Conservation Worksheet, it results in a total afforestation/reforestation requirement of 2.67 acres. The Applicant meets this requirement by purchasing credits for 2.67 acres in an M-NCPPC approved off-site forest mitigation bank.

As conditioned, the FFCP meets all applicable requirements of Chapter 22A.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

The Site Plan provides for safe and well-integrated parking, circulation patterns, building massing, and open spaces and site amenities. Access to the Property is provided by a single right-in/right-out intersection that is already constructed along Century Boulevard. The access drive, which is located on the southern edge of the Subject Property, acts as a primary drive aisle, with each parking row and drive aisle perpendicular to the access drive. The parking area efficiently accommodates circulation patterns for patron/visitor, loading, and emergency vehicles. Additionally, patrons and visitors are guided to the main entrance of the building with a marked pedestrian route through the parking lot to the building's main entrance. Pedestrian access from Century Boulevard is provided with two

lead-in sidewalks, one of which is associated with the open space/outdoor seating area provided.

The building location and orientation are a response both to the shape of the Property, the necessary relationship between the structure and the playing outfield, and the preferred operation requirements of Topgolf. The Subject Property is longer in a north/south orientation, and Topgolf prefers players to hit their balls in a northerly orientation. The parking area is located in one large area south of the structure.

The three-story building is generally long and skinny with a solid façade on the building front and sides, and an open frame with golf hitting bays at its rear. The building front faces south over the parking lot, but is angled slightly to be highly visible from Century Boulevard. The front façade includes the front door, a grand staircase, signage and façade articulation. The open golf bays are on the north side of the structure, and are stacked three bays high by 34 bays wide. Extending over 600 feet from the north side of the building is the outfield area where patrons hit the golf balls into. The outfield is a specific design unique to Topgolf with varied topography and numerous recessed areas that facilitate the scoring in the games offered by Topgolf.

As conditioned, the open spaces and site amenities are safe and well-integrated with the building massing and uses, and circulation on Century Boulevard. The two main open space areas front on Century Boulevard and are directly accessed off the brick sidewalk along the Property's frontage. One public open space is located between the building's main entrance, and the Century Boulevard ROW. Activation of this space is heavily contingent upon the outdoor patron area for the restaurant, which is integral to the facility and serves as a semi-public extension of the indoor uses and activities. Additionally, this space also includes an area for lawn games which can be freely accessed by the public.

The other public open space is located between the northern edge of the Subject Property and the outfields. This area is more informal and serves primarily as a stormwater management facility with educational and recreational features added, including a hard-surface path with sitting, bird boxes and interpretive exhibits.

- 7. The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Site Plan substantially conforms to the recommendations of the applicable Sector Plan. As discussed in detail in the concurrent Preliminary Plan

Amendment No. 12007065B Resolution, the use and structure will help implement the vision for the Town Center of Germantown, including use, open spaces and activation.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

As discussed in the concurrent Preliminary Plan Amendment No. 12007065B Resolution, the development in the Site Plan will be served by adequate public facilities, including transportation, police and fire protection, water, sanitary sewer, storm drainage, and other public facilities.

9. *The development is compatible with the character of the residential neighborhood.*

The Property is not located in a Rural Residential or Residential zone.

10. *The development is compatible with existing and approved or pending adjacent development.*

The Site Plan is compatible with other uses and other site plans, as well as with existing adjacent development. The Site Plan includes entertainment and restaurant uses that are compatible with existing hotel and restaurant uses to the south of the Property, the movie theater and office uses to the west, and additional hotel and office uses to the north. Within the Town Center Core, the Topgolf facility is compatible with existing entertainment and cultural resources, including the Germantown Library, Germantown Urban Park and the Black Rock Center for the Arts.

Surrounding the outfield is a series of poles, up to 186 feet in height, designed to hold up the required safety nets. The Montgomery County Board of Appeals granted a variance to the height of the poles to exceed the height limit in the zone up to 170 feet as measured from the lower level first floor elevation of the principal building. Compatibility and visual mitigation of the poles and netting is achieved by painting them in a light grey color, which minimizes their appearance, and the netting is a thin black mesh, which is nearly invisible from both inside the facility and from the public streets surrounding the Property.

The architectural treatment of the building is compatible with adjacent development and reinforces the Sector Plan's vision of a landmark site. The front façade includes various materials and large areas of glass in addition to two panels of color changing LED washing metal mesh. The two short sides of the building,

roughly facing east and west, are wrapped in similar materials as the front, and include numerous windows.

11. There is a need for the approved use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the approved location will not result in a multiplicity or saturation of similar uses in the same general neighborhood.

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

12. The decrease in gross floor area devoted to Retail/Service Establishment uses will not have an adverse impact on the surrounding area.

Not applicable, the Subject Property is not zoned C-1 or C-2.

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 § 59-7.3.4.H; 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 AUG 01 2017 (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).

* * * * *

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 Vice Chair Wells-Harley, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Dreyfuss absent at its regular meeting held on Thursday, July 20, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board