



Poplar Grove: Sketch Plan No. 320180220

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Completed: 09/21/18

Description

Poplar Grove: Sketch Plan No. 320180220: Application for up to 1,206,000 square feet (1.02 FAR) of development, including up to 686,000 square feet (0.58 FAR) of residential (including a minimum 12.5% MPDUs), and up to 520,000 square feet (0.44 FAR) of commercial uses on 19.41 acres of net lot area located on the east side of Century Boulevard between Father Hurley Boulevard and the future Dorsey Mill Road; CR 2.0, C-1.75, R-1.0, H-145T and Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Sector Plan.

Recommendation – Approval with conditions

Applicant: Symmetry at Cloverleaf LLC

Application Accepted: June 26, 2018



Summary

- Staff recommends approval of the Sketch Plan with conditions.
- The 90-day Sketch Plan review period was extended for two weeks to October 4th, 2018 by the Planning Director.
- The Application requests approval of incentive density categories for optional method of development in the CR Zone. The Germantown Transit Mixed Use Overlay Zone establishes a high priority on the use of Building Lot Termination as an incentive density, requiring that 50% of the incentive density is met through the purchase of BLTs, which is one of the four categories the Applicant is requesting.
- The Property contains the Waters Family Cemetery, which will be protected and enhanced with a memorial park.
- The Applicant envisions Poplar Grove as a community that pays tribute to the history of the Property as part of the Waters family farm by creating a unique urban aesthetic based on urban gardening and farming.
- The Sector Plan, and MCDOT both identify the possible need for future CCT and park-and-ride parking on the Subject Property which Staff is recommending be studied more thoroughly. The Applicant has raised concerns about the equity, timing, and potential for delay incurred by these requests.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATION AND CONDITIONS	3
SECTION 2: SITE DESCRIPTION Site Vicinity and Analysis	6
SECTION 3: PROJECT DESCRIPTION Regulatory History, Proposal, CCT Parking and Park-and-Ride	10
SECTION 4: COMMUNITY OUTREACH	18
SECTION 5: PROJECT ANALYSIS AND FINDINGS	18
SECTION 6: CONCLUSION	26

SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Sketch Plan No. 320180220, for up to 1,206,000 square feet of mixed-use development on 19.41 net acres of land, zoned CR 2.0, C-1.75, R-1.0, H-145T and is within the Germantown Transit Mixed Use Overlay Zone.

The site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required for the following elements, except as modified by the conditions below:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan drawings are illustrative and subject to refinement at the time of Site Plan.

Approval of the Sketch Plan is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 1,206,000 square feet of total development including up to 520,000 square feet of commercial development and up to 686,000 square feet of residential development.

2. Height

The development is limited to a maximum height of 145 feet, as shown on the Sketch Plan.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval. The categories approved for refinement at site plan are the following:

- a. Transit Proximity, achieved from the future Germantown Town Center Corridor Cities Transitway ("CCT") station;
- b. Connectivity and Mobility, achieved through advanced dedication and wayfinding;
- c. Quality Building and Site Design through Exceptional Design, Historic Resource Protection, and Public Open Space; and
- d. Protection of the Natural Environment, achieved through building lot termination, vegetated area, and cool roof.

4. Site Design and Public Benefits

- a. Prior to Preliminary Plan approval for Block J, the Applicant must choose between either townhouse or multi-family development.
- b. At the time of each site plan approval, the Applicant must submit the necessary documentation showing how the plans satisfy the Zoning Ordinance and Incentive Density Implementation Guideline requirements, including meeting the following phased criteria:

- i. Explaining how each site plan contributes to meeting the Exceptional Design goals established by the Sketch Plan;
- ii. Tracking for how much Common and Public Open Space has been provided out of the total required by the Sketch Plan;
- iii. Placement and language on the proposed wayfinding; and
- iv. Calculations on what the pro-rata share of Building Lot Terminations (BLTs) required is for that site plan.

5. Historic Resources

- a. Prior to the submission of a Preliminary Plan, the Applicant must stake the suspected location of the Waters Family burial site on the Subject Property, show the suspected location of the burial site on the Preliminary Plan documents, and submit a resource inventory of existing and suspected burial site elements, and the results of the archaeological investigations conducted to identify potential grave locations and cemetery boundaries, consistent with the requirements of Chapter 50.
- b. As part of the preliminary plan, the Applicant must reflect a separate parcel for the burial site and the Waters Memorial Park, develop a long-term maintenance program for maintaining the burial site, develop a process for protecting the burial site during future construction activities, and coordinate with MCDOT on the possible relocation of remains (at the County's cost) located on MCDOT property to the Waters Memorial Park.
- c. Prior to Planning Board approval of any site plan or site plan amendment that involves land included in the area identified by a preliminary plan as part of the Waters Family burial site, the Applicant shall have the area investigated by a qualified professional archaeologist, using a scope of work approved by Staff.
- d. Prior to Planning Board approval of any site plan or site plan amendment containing the Waters Memorial Park, the Applicant must present all planned improvements for the cemetery and the Waters Memorial Park to the Historic Preservation Commission (HPC). The HPC may issue a recommendation to the Planning Board on the work planned in the Park.
- e. The Applicant shall establish ingress easements providing public access to the Waters Cemetery on the plat(s) for the first phase of development.

6. Open Space

The Applicant must provide a minimum of 150,000 square feet of Public Open Space and a minimum of 40,000 square feet of Common Open Space on-site per the design criteria listed in the Zoning Ordinance. The final location, design and sizes of the open spaces will be finalized at Site Plans.

7. Building Lot Terminations (BLTs)

Prior to release of the first building permit within each phase of development, the Applicant must provide proof of purchase and/or payment for the required BLTs associated with that phase.

8. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide on the Subject Property a minimum of 12.5% of the total units as Moderately Priced Dwelling Units. The development must provide MPDUs in accordance with Chapter 25A.

9. Transportation

At the time of Preliminary Plan, the Applicant must address the following:

- a. Submit a design exception package including the necessary cross-sections and justifications for approving the Garden Street, Public Street A, Public Street B2, and Kinster Drive as public streets

- b. Provide the appropriate justification to Staff, including anticipated road cross-sections and construction standards, for all other streets shown on the Sketch Plan as private.
- c. Complete the dedication of approximately 7.74 acres to complete the right-of-way for Century Boulevard.

10. Future Coordination for Site Plan

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan, as appropriate:

- a. Ensure adequate Fire and Rescue access to all buildings and structures;
- b. Provide full detail for all Public and Common Open Spaces;
- c. Provide for pedestrian access to the Property through the proposed areas of open space in addition to sidewalks along the three vehicle access points;
- d. Submit a Noise analysis;
- e. Submit a Transportation Impact Statement showing the proposed development is at or under the maximum number of trips approved by the provisional APF determination;
- f. SWM concept plan submittal and approval as part of the preliminary plan, and subsequent SWM plan with site plans;
- g. Coordination with MCDOT and M-NCPPC on the necessary design exceptions for implementing the public streets, where applicable;
- h. Show compliance with the Recreation Guidelines for all residential development phases.
- i. Site Plans shall identify areas intended for interim uses including what necessary site improvements are proposed and what uses may be allowed within the interim use areas.
- j. On the Preliminary Plan, the Applicant shall officially designate location(s) for future CCT park-and-ride parking. The preliminary plan shall include a condition that commissions a maximum three year long study coordinated by MCDOT regarding the needs, timing and funding of a potential CCT park-and-ride location on the Subject Property.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Location and Vicinity

The subject site is located on the east side of Century Boulevard, south of the future Dorsey Mill Road right-of-way and west of the interchange of I-270 and Father Hurley Boulevard. The site consists of four parcels (P. 635, P. 688, P. 850 and P. N712 on tax map EV341) and is approximately 19.4 net acres in size (“Property” or “Subject Property”). The Property is located in the northern part of the Germantown Employment Area adjacent to the Black Hill mixed use development. The current zoning of the Property is CR 2.0, C-1.75 R-1.0 H-145T, and is located within the Germantown Transit Mixed Use Overlay Zone.



Figure 1 – Vicinity Map

Immediately surrounding the Subject Property is a mix of mostly residential and mixed-use development projects, and I-270. West of the Property, on the opposite side of Century Boulevard, is a townhouse condominium community on land zoned R-30. North of the Property, on the opposite side of the future Dorsey Mill Road, is the Black Hill mixed use community, with a mix of multi-family residential and office uses under construction in the CR zone. The eastern and southern Property boundaries are the exit ramp from southbound I-270 to Father Hurley Boulevard. On the opposite side of I-270 is the Milestone Business Park with three existing office buildings and an industrial building. The Milestone site is approved for the addition of three multi-family buildings and retail uses but construction has not begun. Black Hill Regional Park is located just 1/3 of a mile north of the Subject Property, and the Germantown Town Center is approximately one mile to the south.



Figure 2 – Zoning Map

Site Analysis

Currently, the Subject Property is undeveloped and is mostly rolling meadow with a hedge row dividing the Property. There are additional trees in the northern area, and a stormwater management pond providing stormwater treatment for Century Boulevard in the south. The terrain is gentle to moderate, with the highest elevations in the northeast along I-270, and the lowest elevation in the south near the stormwater facility. The Property is located in the Little Seneca Creek watershed, classified by the Maryland Department of Environment as a use IV-P watershed. In the southern portion of the Property, near the stormwater facility, there is an existing stream that has been placed in a pipe that goes under Father Hurley Blvd, the Subject Property and Century Blvd. There are no natural steep slopes or identified threatened or endangered species on the Property.

Waters Cemetery

Located in the far northern portion of the Subject Property, adjacent to the right-of-way for the future Dorsey Mill Road, is a fenced cemetery with gravestones identifying members of the Waters Family, which dates back to the mid 1800's (Figures 3, 4 and 5). Under advisement by MNCPPC Historic Preservation Staff, both MCDOT and the Applicant undertook preliminary investigations using ground penetrating radar performed by consultants to determine if any anomalies exist in the soil, potentially signifying archeological resources existing beyond the identified boundary of the cemetery. Anomalies that are identified by ground penetrating radar can be caused by a number of things including trash or rubble fill, buried tree stumps, old structure locations or potential remains of farm animals or of humans. Finding the anomalies is the first step in a multi-step process in determining if there are archeological resources including burial sites around the existing cemetery. The MCDOT study identified several anomalies within the right-of-way for Dorsey Mill Road; many of which could be human remains based on the size, shape and depth of the identified anomaly. Multiple anomalies were also identified in the northern

portion of the Subject Property. These Anomalies and the area bordering the known cemetery will require further investigation by the Applicant before construction work can commence on the Property. No additional anomalies were detected further south on the Property. As the Property proceeds through future steps in the development application process, the source of the discovered anomalies will be identified, and if any are determined to be burial sites, a detailed analysis and future coordination will occur between MNCPPC Historic Preservation Staff, the State of Maryland and the Applicants team to determine the best way to protect the resources.



Figure 3 – Aerial Map

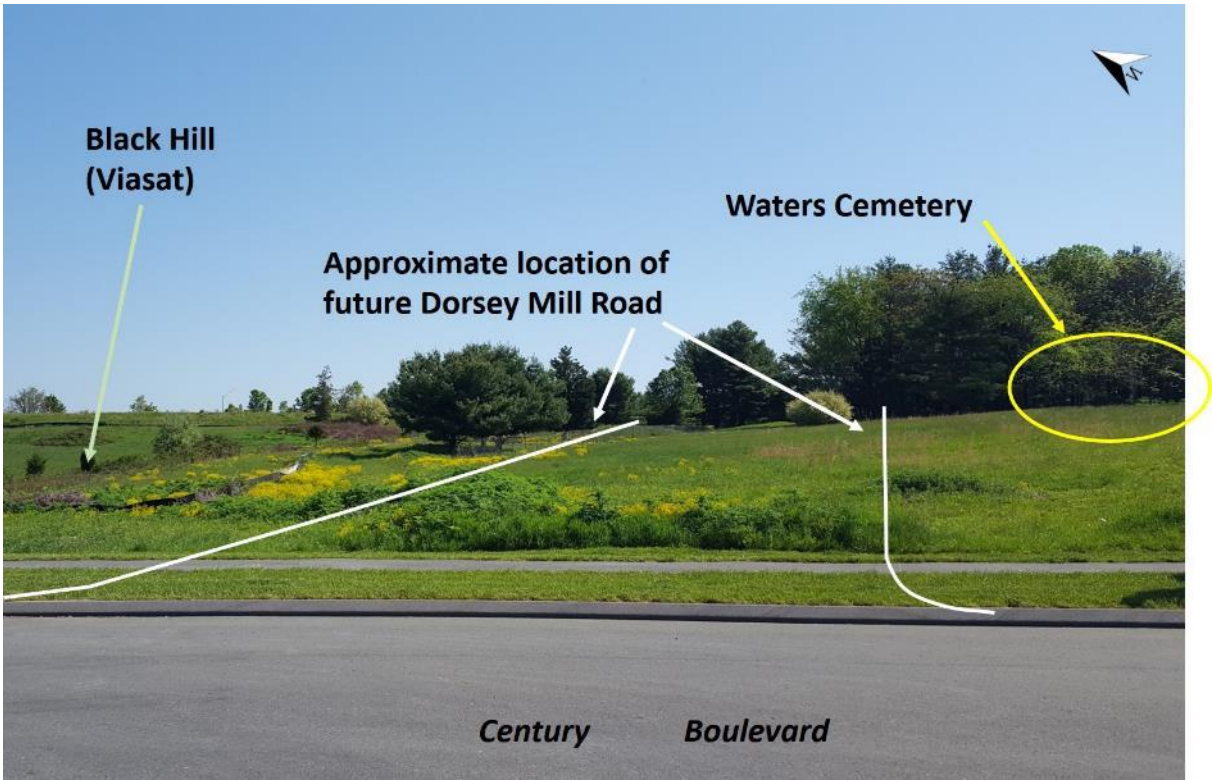


Figure 4 – Waters Cemetery from century Blvd



Figure 5 – Waters Cemetery Gravestones

SECTION 3: PROJECT DESCRIPTION

Regulatory History

Preliminary Plan No. 119881560 – Cloverleaf Center Germantown

Preliminary Plan No. 119881560 was submitted in May 1988 to create 14 lots on 151 acres of I-3 zoned land, to facilitate the development of up to 1.2 million sq. ft. of office, a 134-bed hotel, 7,500 sq. ft. of retail and 881 multi-family dwelling units. The 151 acres includes the Subject Property, as well as land on either side of Century Boulevard south of the Subject Property. It was amended twice, in June 1994 and July 1996 to modify the phasing and APF validity, and again in 2001 to create a separate 2-acre lot for an office building. A part of the Preliminary Plan geography was developed but the portion of the Preliminary Plan that includes the Subject Property was never developed and has since expired.

Site Plan No. 820020280 – Century Park at Cloverleaf

Site Plan No. 820020280 was submitted on February 22, 2002 for two flex industrial buildings and two office buildings, totaling approximately 519,000 square feet of employment area. Two revisions to the site plan were filed, but the project was ultimately withdrawn on September 11, 2008 due to inactivity.

Provisional Adequate Public Facilities (PAPF)

On April December 18, 2015, by Resolution No. 15-149, the Planning Board granted approval of a PAPF for Symmetry at Cloverleaf which shares the same Property boundary and Applicant as the current Sketch Plan Application. The PAPF limits future development to a maximum of 1,558 AM peak hour trips and 1,762 PM peak hour trips. Inbound AM peak hour trips are limited to no more than 70% and no less than 60% of trip totals, and inbound PM peak hour trips shall be no more than 45% of total trips and no less than 30% of total trips. The resolution contains a number of off-site road improvements that must be studied by the Applicant at the time of Preliminary Plan. The PAPF was granted because the Applicant provided significant land and funding for the construction of Century Boulevard prior to having any development entitlements.

Proposal

Sketch Plan No. 320180220 was accepted on June 26, 2018 and proposes up to 1,206,000 square feet of new construction, with a maximum of 686,000 square feet of residential uses and 520,000 square feet of commercial uses in a new transit-oriented mixed-use community (Sketch Plan or Application). The Applicant envisions Poplar Grove as a community that pays tribute to the history of the Property as part of the Waters family farm by creating a unique aesthetic based on urban gardening and farming. The name Poplar Grove is a tribute to the name of the property when it was owned and farmed by the Waters family. Most of the commercial density is shown as two possible office buildings located in the northern portion of the Property, closest to the future CCT station. Additional commercial retail uses are shown near the center of the Property as both stand alone commercial sites and as possible ground floor retail in a multi-family building. The residential density is split into two areas on either side of the retail center, and is proposed as a combination of multi-family housing and townhouse dwellings.



Figure 6 – Proposed Land Uses

The Sketch Plan Application is divided into a series of blocks, and proposes two alternatives for development for the residential uses on what is identified as Block J; developed as either townhouses or multi-family housing. Illustrating this request, Figure 6 (above) has been modified to show the building use as both residential mixed-use and residential townhome. The Applicant however is not proposing retail for Block J, so if developed as the multi-family option, it would be an all residential building. The townhouse alternative is shown in plan view in the top of Figure 7, showing how the layout of Block J would be similar to townhouse block L, with townhouse units facing the proposed public and private streets, with central courtyards and a service alley in the middle of the block. The bottom of Figure 7 shows a plan view of Block J as a multi-family building that would fill the entire block with building but would generally keep the public and private road network the same. Both options have been reviewed by Staff as part of the review of the Sketch Plan and the Applicant has provided all plan documents showing both alternatives.

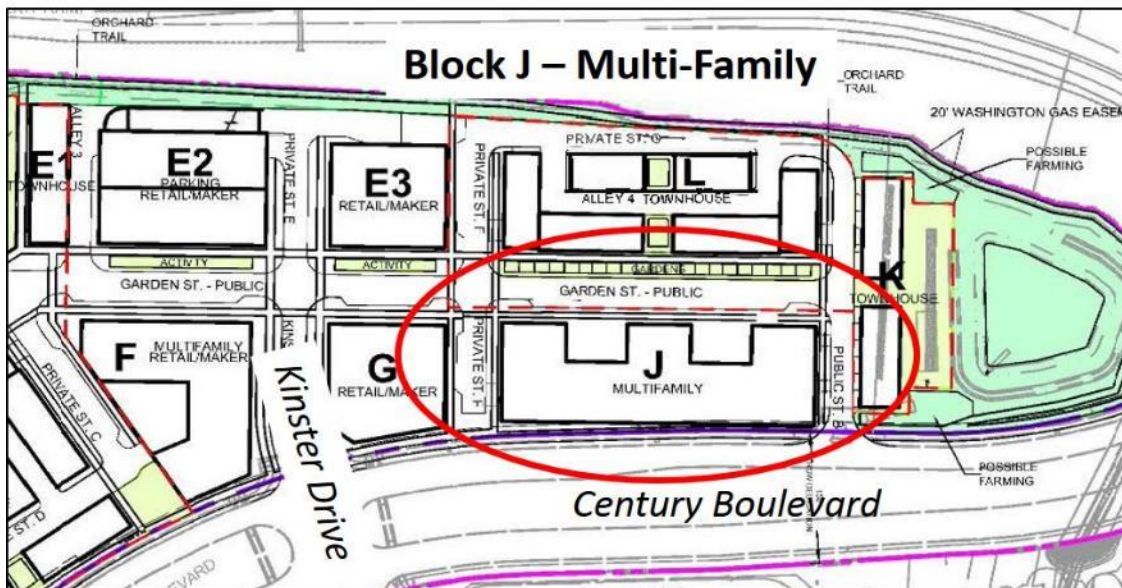
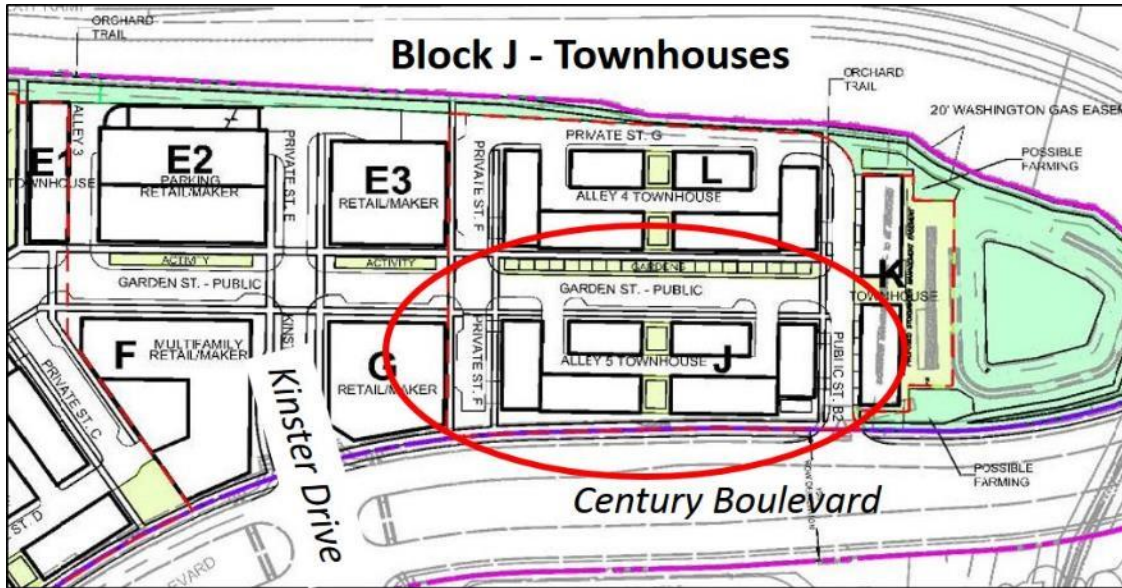


Figure 7 – Block J options

Districts and the Garden Street

The Sketch Plan is organized into four different districts (Figure 8), each with a unique character and collection of land uses. The *North Townhome* and *South Townhome* Neighborhood Districts are planned as primarily one-family attached dwellings. The townhouses would be laid out with a series of alleys and Common Open Space courtyards that tie back to *The Garden Street* and a community trail called *The Orchard Trail*. Development of the Townhome Neighborhoods would likely be part of the first phase of development in Poplar Grove, and would include improvements to The Park, located near the middle of the Sketch Plan. The multi-family alternative for Block J would also potentially allow a multi-family building the South Townhome Neighborhood as described previously.

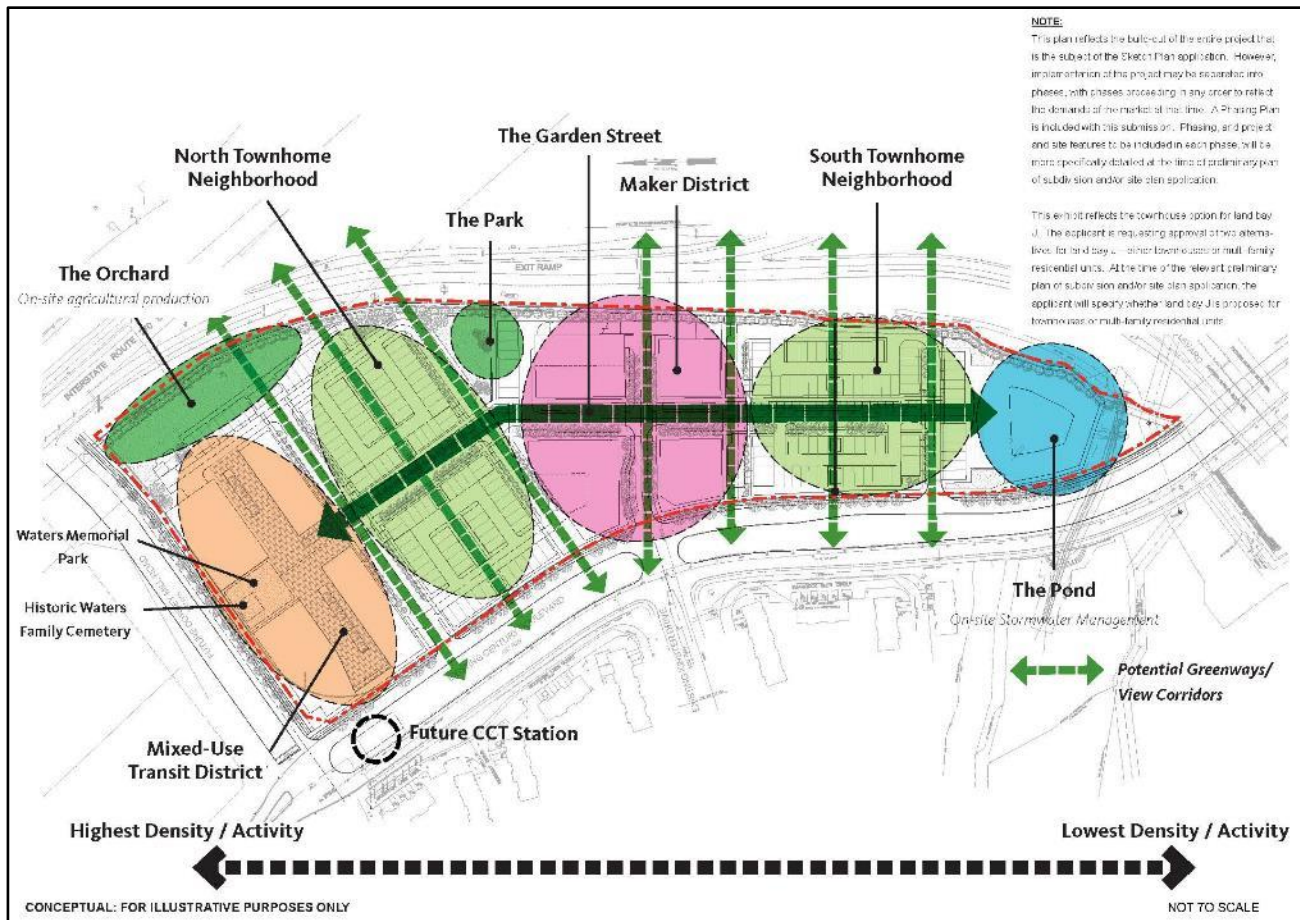


Figure 8 – Poplar Grove Districts

The *Maker District* is in the center of Poplar Grove, where *The Garden Street* intersects with Kinster Drive extended. This district would serve as the center of activity to the future residents, and would include retail and restaurant uses and possible maker spaces. Most buildings are envisioned as one-two stories high, with the option for multi-family housing on upper floors of one of the buildings. This district would likely be developed after the townhomes are developed, but before the *Mixed-Use Transient District*.

At the northernmost part of the Property is the *Mixed-Use Transit District*. This district has the highest intensity of proposed land uses and is located adjacent to the future CCT station planned for near the intersection of Century Boulevard and Dorsey Mill Road. This district would contain multi-family residential, office/employment uses and some opportunity for additional ground level retail. The buildings would be oriented around a large central plaza providing for outdoor amenity space. This plaza extends most of the width of the Property from the future CCT station back to the community orchard space. Included in this plaza is the future *Waters Memorial Park* and *Waters family cemetery*. The new park is intended to preserve and showcase the cemetery in its original location. While the development of the multi-family housing and office buildings will likely be a later phase of development due in part to its dependency on the CCT, the *Waters Memorial Park* will be partially improved and will be accessible as part of the first phase of development.

Central to the entire Sketch Plan is *The Garden Street*, a main street that traverses north and south through the entire Property, linking each of the Districts, and acting as an anchor to the urban farming/maker theme. The Garden Street is proposed to be public, with a linear area of Public Open Space paralleling the street, creating a promenade filled with amenities and gardens.

Structures and massing

The overall layout and massing of the structures places the tallest and largest buildings toward the northern portion of the Property, closest to the future CCT transit station, with lower intensity uses further to the south away from the future transit (Figure 9). Building heights range from a maximum of 14 stories in the office buildings, to a minimum of one to two stories in some of the retail buildings. Most buildings will be between two and five stories with the lower part of that range in the proposed townhouse areas, and the higher part of the range in the future multi-family buildings. The arrangement of the streets and buildings will help create a new street edge along Century Boulevard, and the road and open spaces along The Garden Street through the center of the community. The expected height difference on Block J between the townhouse and the multi-family development options is only one to two stories with a taller and larger building more likely with the multi-family option. Both development options for Block J will create a similar building edge along the streets, with the primary difference being the presence of an alley and courtyards internal to the townhouse development that would not exist in the multi-family option.



Figure 9 – Building Height and Massing

Open Spaces

The Sketch Plan provides for two types of open space; Common Open Space, and Public Open Space. Common Open Space is a requirement of the townhouse building type in the CR zone, and is shown in the Sketch Plan as the courtyard areas contained within the townhouse communities, as well as the primary park space centralized to the development. The Common Open Space would be built as part of the townhouse development phases and will need to provide the recreation and amenities necessary for the future residents. The remainder of the Sketch Plan proposes Public Open Space, which is the open space standard for multi-family, mixed-use and commercial buildings. Large areas of proposed Public Open Space include the large plaza and the Waters Memorial Park located in the Mixed-Use Transit District, the linear garden and amenity area along The Garden Street, and the gardening and amenity area at the southern portion of the Property adjacent to the existing stormwater facility. The final required amounts of Common vs. Public Open Space is dependent on the ultimate land use on Block J, but the Applicant has shown that in either scenario, they can exceed the minimum required amounts for each open space type.



Figure 10 – Open Space Exhibit

Circulation

Vehicle circulation proposed by the Sketch Plan consists of a mix of both public and private streets (Figure 11). The proposed public streets include The Garden street, and the three streets that access Century Boulevard. The streets and alleys that will serve as internal access to the townhouse development areas are proposed to be private. The Property is adjacent to freeway ramps to the east and abuts unfavorable grades to the north, resulting in the modified grid pattern that is proposed, only providing access to Century Boulevard. The large plaza shown in the Mixed-Use Transit district will generally be closed to private vehicles but will be designed to accommodate emergency vehicle access. Parking and loading for these structures will need to be located in underground garages.

Bicycle and pedestrian circulation will mirror the vehicle circulation with sidewalks on both sides of all streets, plus full pedestrian access in the mixed-use plaza, and the addition of an orchard trail that will run the full length of the eastern Property edge. Bicycles will be allowed on all streets, and a shared use path is planned along the frontage with Century Boulevard and the future Dorsey Mill Road.

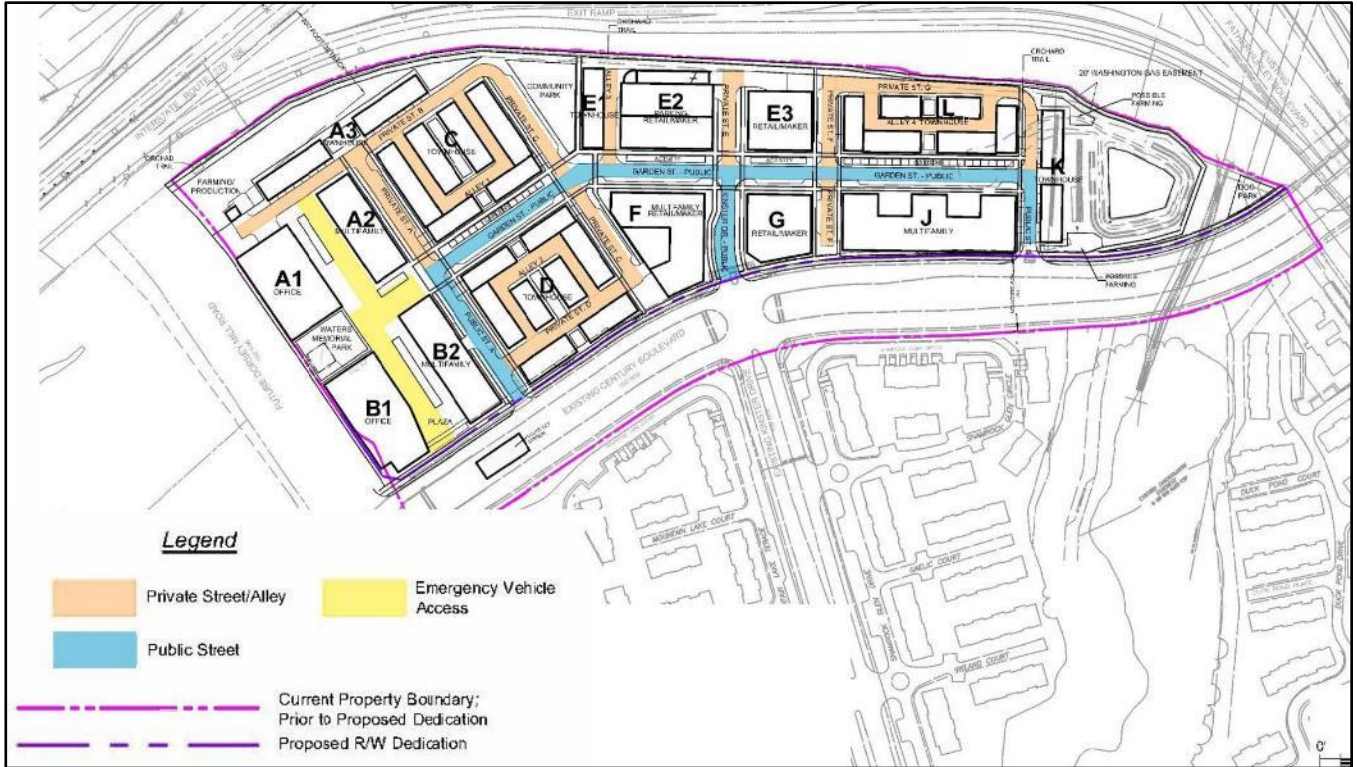


Figure 11 – Proposed Street Layout

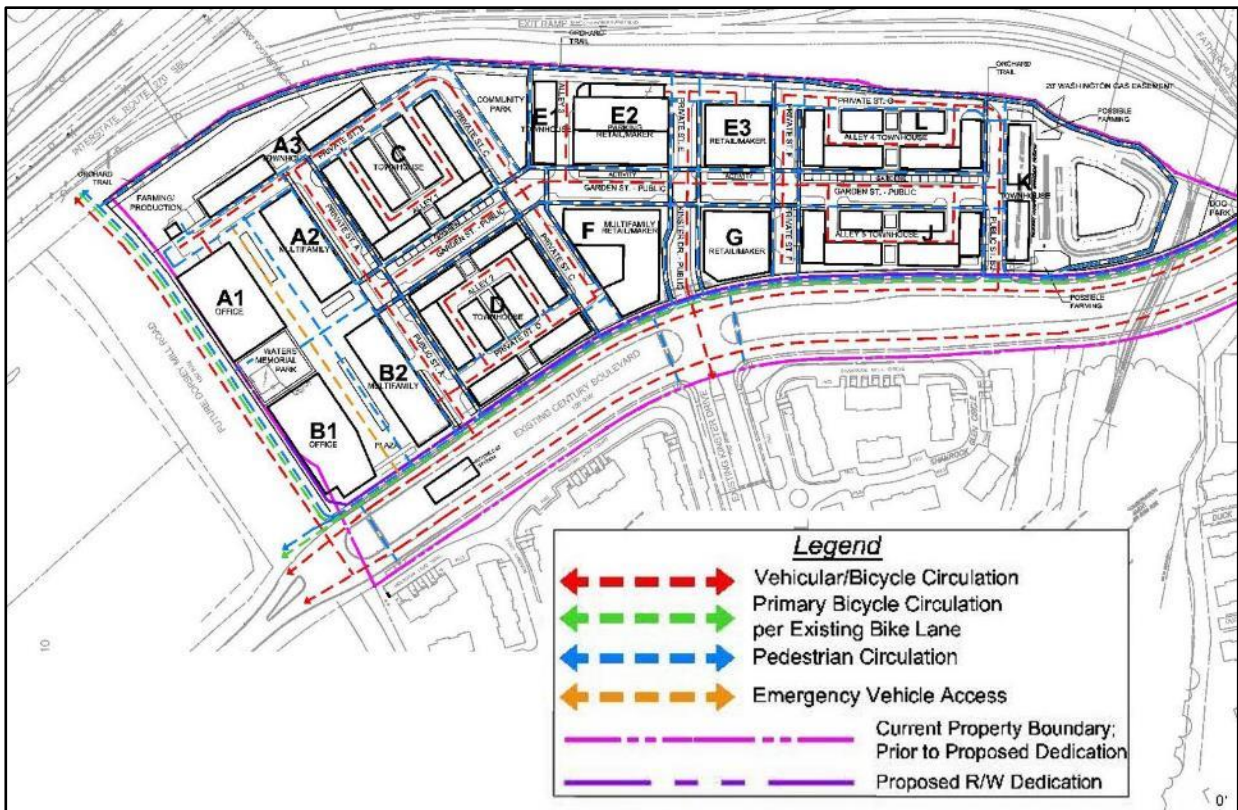


Figure 12 – Circulation

Phasing and Interim uses

The Sketch Plan has provided a phasing plan for development, showing four phase areas, Phase 1A, 1B, 2 and 3. While the development of each phase may proceed in any order, the numerical order provided in the phasing plan is the order of development the Applicant anticipates at this time. The first phases will be the residential townhouse developments in both the north and south district. If Block J is developed as townhouses it will be part of Phase 1A, however if Block J is developed as multi-family housing it's likely part of Phase 2. Following the first residential development will likely be the commercial retail and restaurant maker space in the center of the Property. The development of Phase 3 is likely dependent on the future CCT construction schedule because the transit is necessary to support that level of density. The Applicant has requested the ability to have interim uses on portions of the Subject Property that remain undeveloped during earlier phases. Interim uses may include surface parking, landscaped area, or hardscape area capable of accommodating outdoor community events such as craft shows or farmers markets. Future Site Plans will identify specifically where these activities may occur.



Figure 13 – Phasing

CCT Parking and Park-and-Ride

Part of the Sketch Plan proposal includes a note on the Parking and Loading Access exhibit identifying that the underground parking garage(s) that will generally be located under buildings A1, A2, B1 and B2 could be expanded upon to accommodate some number of parking spaces for users of the CCT once the transitway is open for service. The need for potential user parking at the CCT station was first identified in an early planning study for the transitway, and was echoed on page 65 the Sector Plan that states “Park-and-ride facilities should be supplied on both the west and east sides of I-270 near the Manekin and Dorsey Mill stations with at least 250 public spaces at each station incorporated into private development projects.” The quote from the Sector Plan does not identify how these 250 spaces should be distributed between properties adjacent to the CCT stations, in what form the parking should be built, and who the responsible party is for paying to construct and maintain the parking is. In addition to the CCT parking requirement in the Master Plan, MCDOT has indicated they are also looking for more immediate park-and-ride capacity in this portion of Germantown and a portion of the Subject Property has been identified by MCDOT as a possible location. Because of the amount of uncertainty around these two parking

facility needs, MCDOT has suggested placing a three-year hold on approving any site plans on the portion(s) of the Subject Property that are of interest, while a full study is conducted identifying the existing and future park-and-ride needs in the area, the constraints of providing public parking on the Subject Property, and how it will be implemented.

While the Applicant understands the language in the Sector Plan indicates the need for some CCT parking on the Subject Property, they contend that the land closest to the CCT is already constrained with the elevation change adjacent to the future Dorsey Mill Road, the location of the Waters family cemetery, and the land use recommendations in the Sector Plan for density around the transit stations. The Applicant believes any CCT parking on the Property would need to be below grade structured parking to not negatively impact the site design or the ability to achieve Sector Plan recommended density, and believes construction of structured parking is a cost constraint that should be the responsibility of MCDOT. The Applicant also has concerns about utilizing a portion of the Property long term for general park-and-ride facilities because it would similarly impact the design quality and density yield of the Application.

For purposes of this Sketch Plan, Staff finds identifying the potential location for CCT parking to be adequate to meet Sector Plan conformance. As conditioned, the details of if, when, where and by whom it should be constructed can be worked out as part of the future preliminary plan application. Additionally, Staff was aware that the Subject Property is one of many properties that were under consideration for additional park-and-ride facilities, but agrees with the Applicant that in the long run it could negatively impact the design of the Property if not placed in below grade structured parking.

SECTION 4: COMMUNITY OUTREACH

The Applicant has met all noticing requirements for a Sketch Plan. Notice was sent to all adjacent and confronting property owners and registered homeowners and community associations within one mile, and the Property is posted with signs notifying of the Application. A pre-submittal public meeting was held on June 5, 2018 at Waters Landing Elementary School. Based on the submitted minutes, there were two members of the community who attended. The Applicant gave a presentation and took questions and comments. As of the writing of this report, Staff received one question asking if we had the materials that were presented at the pre-submission meeting and staff advised the individual to reach out to the Applicant's legal counsel for those documents. No other comments have been received.

SECTION 5: PROJECT ANALYSIS AND FINDINGS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: "To approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The Sketch Plan must:"

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the general development requirements and standards of Section 59.4.5.4, optional method of development in the CR zone, as shown in Table 1:

Table 1 - Sketch Plan Data Table, CR zone		
Development Standard	Permitted/ Required	Proposed
Gross Tract Area	n/a	27.15 acres
Net Lot Area	n/a	19.41 acres
Density (GFA/ FAR)*		
Residential Density	1 FAR (1,182,690 sq ft)	Up to 0.58 FAR (686,000 sq ft)
Commercial Density	1.75 FAR (2,069,707 sq ft)	Up to 0.44 FAR (520,000 sq ft)
Total FAR/GFA	2 FAR (2,365,380 sq ft)	Up to 1.02 FAR (1,206,000 sq ft)
Max. Building Height	145 ft	145 ft
Min. Site Wide Public Open Space	10% of Multi-Family & Commercial Site Area ¹	
if Block J is townhomes	10% (44,807 sq ft)	40% (150,000 sq ft)
If Block J is Multi-family	10% (50,412 sq ft)	30% (150,000 sq ft)
Min. Site Wide Common Open Space	10% of Townhouse Site Area ²	
If Block J is townhomes	10% (39,755 sq. ft.)	10% (40,000 sq ft)
If Block J is Multi-family	10% (34,150 sq ft.)	11% (40,000)
MPDUs	12.5% Min	12.5% or more

The Sketch Plan also conforms to the applicable General Development Requirements of the zoning ordinance in Division 59.6:

Site Access

The Sketch Plan includes an access and circulation exhibit showing how vehicle and pedestrian circulation will occur on the site. Vehicle access to the Property is provided through three vehicle entrances from Century Boulevard including two right-in/right-out only movements at the northern and southern portions of the frontage, and one full movement intersection in the center. Each vehicle entrance will also have sidewalks, and pedestrian circulation and access is further connected to the Century Boulevard right-of-way with sidewalks located within areas of open space that connect the roadway to the internal development. Vehicle access to each townhouse unit is provided through a network of private streets and alleys adjacent to rear loaded garages. The Sketch Plan also provides a concept of where vehicles will access the future parking structures for the multi-family and office buildings from the street network. Sidewalks will be provided on both sides of all streets providing pedestrian access to each building, and master planned bikeways will be provided along Century Boulevard and Dorsey Mill road ensuring access for bikes.

Parking and Loading

Final parking numbers are not calculated for the Sketch Plan, but the Application has planned for adequate parking. Each townhouse unit will have a private two-car garage for the necessary single-family parking. Parking garages both above and below grade will in the long term provide parking for the multi-family and commercial developments. In the short term, the Applicant has requested the ability to utilize the area of future phases for temporary surface parking or outdoor amenity space which may be used by the retail and restaurant uses. The final number of parking spaces and placement of the garages will be determined based on the size of the buildings on future site plans.

¹ If Block J is townhomes, Public Open Space requirements are based on 448,069 sq. ft. of site area. If Block J is Multi-Family, Public Open Space requirements are based on 504,122 sq. ft. of site area.

² If Block J is townhomes, Common Open Space requirements are based on 397,554 sq. ft. of site area. If Block J is Multi-Family, Common Open Space requirements are based on 341,501 sq. ft. of site area.

Open Spaces and Recreation

As demonstrated in the Sketch Plan Data Table (Table 1), the Sketch Plan provides for adequate amounts of both Public and Common Open Space. The Common Open Space is a requirement of the townhome development and is being met at Sketch Plan with courtyards within the townhouse neighborhoods, The Park, and The Orchard Trail. The Public Open Space is a requirement of all other development types and includes the area adjacent to The Garden Street, the Mixed-Use Transit district plaza and the Waters Memorial Park. The development of Block J as townhouses or multi-family housing was looked at and the quantities of Open Space is adequate in either scenario. Because of the types of amenities proposed by the Sketch Plan including the Garden Street and the farming areas, the design of many of the Common and Public open spaces are linear, however there are some areas that are larger and able to accommodate a broad range of recreational activities. At the time of site plan the design and confirmation of adequacy of the open spaces will be finalized, and adequacy for meeting recreation will be assessed.

The Sketch Plan also conforms to the intent of the CR zone as described below.

i. Implement the recommendations of applicable master plans.

The Sketch Plan substantially conforms to the recommendations of the 2009 Germantown Employment Area Sector Plan ("Sector Plan"). The Sector Plan's vision statement states "This Plan establishes a vision that will transform Germantown's central employment corridor into a vibrant town center and mixed-use uptown districts. The Germantown of the future will be the center of business and community life in upper Montgomery County". The Sector Plan further envisions Germantown completing an economic core, increasing employment, and organizing development around transit. Further areawide recommendations include a zoning strategy for mixed use development and a vision for establishing an urban form which includes interconnecting transportation options, creating gathering spaces, establishing centers, and creating meaningful street character.

The Subject Property is specifically located in the North End District of Germantown which provides specific recommendations including clustering development at the future CCT station, and Property specific recommendations to develop at an average density of 1.0 FAR with a mix of uses including 60% employment and 40% residential, to locate retail near transit and along Century Boulevard, and to take advantage of visibility from I-270. The future land use map also identifies the Subject Property as a location for creating an urban open space accessible to Century Boulevard. In addition, there is a planned need for possible parking for the future CCT station and the Sector Plan stated it should be provided by private development adjacent to the planned stops.

The Sketch Plan substantially conforms to the goals and recommendations mentioned above. The Sketch Plan proposes a new mixed-use community that will provide opportunities for employment, retail and housing, all centered around the future CCT station with a proposed FAR of 1.02. The highest intensity of uses will be closest to the CCT station, and the general orientation of the buildings will provide a highly activated street edge along Century Boulevard, including views into the community's proposed retail uses. The design of the Mixed-Use Transit district meets the intent of providing an urban open space because it's proposed to be a large plaza between the four buildings, that spans the entire width of the Property from the CCT station to the amenity space along I-270, and also connected to the proposed Waters Memorial Park which will connect Dorsey Mill Road to the same urban open space. The Applicant has identified where they would be able to meet the required CCT parking by identifying the future parking garage

under blocks A and B as the most likely location. Future coordination between MCDOT and the Applicant will be required to determine the exact number of timing of the parking spaces.

The Applicant in their statement of justification discusses the recommendation in the Sector Plan that this specific Property provide 60% employment uses and only 40% residential uses. The Applicant contends that there is minimal market for employment uses in the Sector Plan area, and it's extremely difficult to speculatively build office space without identified tenants. The Sketch Plan proposes to generally reverse the ratio, providing closer to 55% residential and 45% employment uses. In Staff's analysis of the Applicants request, considering similar requests and approvals of reduced employment from other near-by developments such as Black Hill and the nearby Century site, Staff agrees the modified ratio of employment to residential is appropriate and still in keeping with the intent statements of the Sector Plan.

- ii. *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

While this Application is not re-developing an existing single-use commercial site, it is proposing a new mixed-use community with no surface parking at full build-out.

- iii. *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Sketch Plan will facilitate a combination of housing types including one-family and multi-family options, including providing new MPDU units. The Property's adjacency to the CCT and the location of the higher intensity uses near the future station will encourage transit mobility, and the new shared use paths along Century Boulevard and Dorsey Mill Road will enhance the area bicycle network. The centralized area of retail will provide an opportunity for small maker businesses and restaurant users to locate within the community, providing services to both new and existing residences. The current Sketch Plan drawings show building placement consistent with prohibiting parking between the buildings and the street, and continued conformance to this will be further reviewed during the site plan process.

- iv. *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Sketch Plan is utilizing the flexibility and mix of uses allowed in the CR zone with the various types of housing, retail and office uses proposed. Density on the Property is highest in the north, near the future CCT station and along Century Boulevard, and lower toward the south, and closer to the interstate. The high-rise employment uses adjacent to the future CCT transit station and Dorsey Mill Road overpass provide visibility from the highway and are adjacent to other planned and approved employment uses. Most of the remaining residential buildings will be five or fewer stories tall, with nearly half of the Property being built as two to three story tall townhouses. This is in character with the existing townhouse condominiums located on the west side of Century Boulevard. Slightly taller buildings fronting along Century Boulevard keeps an appropriate scale to the road considering the width, and the narrower internal streets will be framed with slightly shorter buildings.

- v. *Integrate an appropriate balance of employment and housing opportunities.*

The Sketch Plan will integrate an appropriate balance of employment and housing in this area of Germantown. As stated earlier, the Sector Plan identified the Subject Property for substantial employment uses. While the Application does not propose employment development as high as anticipated, it still provides over 500,000 square feet which is substantial, and is balanced with the amount of housing proposed for the Property. Much of the existing development in the area is existing commercial and the increased residential use is also consistent with the Sector Plan.

- vi. *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Sketch Plan will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit. A more detailed analysis of these public benefits is described in finding 6 of this Staff Report. Final determination of public benefit points will be determined at the time of Site Plan.

- 2. *substantially conform with the recommendations of the applicable master plan;*

As discussed in Finding 1.i. above, the Sketch Plan substantially conforms to recommendations of the 2009 Germantown Employment Area Sector Plan. The Sketch Plan lays out an entire new community with a mix of housing, retail and employment uses, on a grid network of streets, adjacent to the future CCT.

- 3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

- 4. *Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under that provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.*

The Subject Property's zoning on October 29, 2014 was not the result of a Local Map Amendment. The zoning was TMX-2 as a result of Sectional Map Amendment No. G-887, which implemented the current Sector Plan zoning.

- 5. *achieve compatible internal and external relationships between existing and pending nearby development;*

As described in greater detail in finding 1 iv earlier in this report, the Sketch Plan proposes uses and intensities that will achieve compatible internal and external relationship between existing and pending nearby development. The Sketch Plan clusters the highest intensity development with high-rise office and mid-rise multi-family in the northern portion of the Property near the future CCT, which is also adjacent to the employment uses approved in the existing Black Hill development to the north. These buildings will be placed in a way that allows for ample open space and protection of the Waters family cemetery. The mid-rise multi-family buildings will act as a transition within the Property between the office uses and the townhomes. The remainder of the Property will be either townhomes or low-rise multi-family development with a small central area of retail. The scale of the retail is mostly one to two stories tall and will serve as a neighborhood serving destination, in keeping with the adjacent townhomes. The scale of the retail and housing is also appropriate for the existing residential across Century Boulevard.

6. *provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The Application provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Sketch Plan proposes a grid of both public and private streets that will provide vehicular, bicycle and pedestrian access efficiently throughout the site. A new shared use path along Century Boulevard will enhance bicycle access between the Property and the rest of Germantown, and a pedestrian trail along the eastern side of the Property will provide pedestrian recreational opportunities. Parking for the townhomes will be in-unit garages, and the multi-family and commercial parking will be in various above and below grade parking structures. Potential loading areas have also been identified for each of the multi-family and office buildings and they are generally located off of alleys or at the ends of streets, minimizing disruption to the general circulation.

7. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, Staff finds that the following outline of public benefits supports the Applicant’s request for incentive density (Attachment F) and is appropriate for the community surrounding the site, as described below. For the proposed development, the Zoning Ordinance requires a minimum of 100 points in four categories, and the Applicant is proposing over 100 points in a total of four categories. Although at the time of Sketch Plan review only the categories need be approved, Table 2 shows both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the project’s ability to meet the requirement to provide sufficient benefit points.

Table 2 - Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3C: Transit Proximity		
Transit Proximity	30	30
59.4.7.3C: Connectivity and Mobility		
Advanced Dedication	30	30
Wayfiding	10	5
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design	10	5
Historic Resource Protection	20	10
Public Open Space	20	7
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Cool Roof	10	5
Vegetated Area	10	10
BLTs	30	30
TOTAL		132

Transit Proximity

Transit Proximity: The Applicant requests 30 points for the category of transit proximity. Transit proximity points are available based on the existing or planned transit level of service, the property zoning, and proximity to the transit facility. The Subject Property is in a CR zone, is adjoining a planned Corridor City Transitway stop with approximately 95% of the Property within ¼ mile of the planned facility, and the transit level of service is Level 2 (planned bus line with a dedicated path). The points available for transit proximity are 30 based on the table in the Zoning Ordinance, and Staff supports the request at this time.

Connectivity and Mobility

Advanced Dedication: The Applicant is requesting 30 points for providing advanced dedication of Century Boulevard along the Property's western side. The gross tract area of the Property is 27.15 acres, and the Applicant previously provided 7.74 acres of land to the County for Century Boulevard resulting in a net tract area of 19.41 acres. The resulting formula for calculating available points based on 7.74 acres dedicated, divided by 19.41 acres of net tract results in a number larger than the maximum 30 that can be awarded for this category. Staff supports the request for points at this time.

Wayfinding: The Applicant requests five points for providing wayfinding that helps orient visitors to the various amenities throughout and adjacent to the Property. Points of interest would include the Waters Memorial Park and cemetery, the community park, The orchard, the retail at the core of the Maker District, the future CCT station, and could include directions to Black Hill Regional Park and the Germantown Town Center. Because of the Property's size and attributes, Staff is supporting the request at this time.

Quality of Building and Site Design

Exceptional design: The Applicant is requesting 5 out of 10 possible points for providing exceptional design. The Applicant in their statement of justification has outlined how they believe they will meet at least five of the design criteria making the Application eligible for points. The Application proposes a unique urban agriculture theme that is intended to showcase the Property's history including the Water's family, the Waters Memorial Park and Cemetery, the Maker District, and the inclusion of urban farming throughout the open spaces in the community. The Applicant's narrative describes how this will create a new landmark for Germantown, enhancing the public in an original manner, introducing a form unique to the area while achieving compact mixed-use development. The details of compliance with the criteria will be reviewed at Site Plan, but Staff supports the request at this time.

Historic Resource Protection: The Applicant requests 10 of the possible 20 points for historic resource protection. Incentive density points are eligible for preserving or enhancing a historic resource designated in the Master Plan for Historic Preservation or the Locational Atlas and Index of Historic Sites by providing improvements and signage, integrating context appropriate landscaping and protecting important viewsheds. The existing Waters Family Cemetery is proposed for protection and enhancement as part of the Sketch Plan, including incorporating it into the Waters Memorial Park which will include improved access, interpretive signage, and landscaping. Staff supports the request for points at this time.

Public Open Space: The Applicant is requesting seven points for providing public open space in excess of the minimum open space requirements of the zone. The Zoning Ordinance requires a minimum of 10% Public Open space for the portion of the Property used for multi-family and commercial development and a minimum of 10% Common Open Space for the portion of the Property occupied by townhome development. The Sketch Plan shows the Applicant is providing approximately 100,000 square feet more Public Open Space than is required which represents almost 12% of the net tract area. Final design of these open spaces will be reviewed as part of future Site Plans to confirm eligibility. Staff supports the request for the Public Open Space category at this time.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 30 points for the purchase of BLT easements or equivalent payment. BLTs are generally required for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Because this Application is in the Germantown Transit Mixed Use Overlay, the Zoning Ordinance requires that BLTs be purchased for 50% of the incentive density floor area. The Sketch Plan calls for up to 591,345 square feet of incentive density, of which 295,672 square feet will need BLTs resulting in up to 9.3864 necessary BLTs. Staff supports the Applicant's request at this time for providing BLTs.

Cool Roof: The Applicant has requested five points for providing a cool roof. A cool roof must not be vegetated and have a minimum solar reflectance index of 75 on roof slopes below a ratio of 2:12. The Zoning Ordinance suggests a maximum of five points for providing a cool roof on properties greater than one acre in size. Final roof details will be determined at Site Plan and Staff supports the current request at this time.

Vegetated Area: The Applicant is requesting a total of 10 points for providing vegetated area on the Property that contains a minimum of 12 inches of soil, covering at least 5,000 square feet of area. The Applicant is requesting the full 10 points available because they are exceeding the zoning code minimum requirements by including the vegetated area as a part of excess open space, and plans to use it as community garden area with a maintenance program. The details and determination of total points will be worked out at site plan but Staff supports the request at this time.

8. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Sketch Plan has submitted a phasing plan for the provision of the structures, uses, rights-of-way, sidewalks, dedications, public benefits and probable future applications. The Subject Property already has a provisional APF approval that was granted in December of 2015 for the dedication and construction money for the portion of Century Boulevard along the Property frontage. The Applicant plans to submit the Preliminary Plan for approval immediately after approval of the Sketch Plan, and at that time the necessary public roadway dedications for the public streets internal to the Property will occur, in addition to the establishment of the private street parcels and the final limitations of the type of and intensity of development proposed on the Property. There will be three or four subsequent site plans that correspond to the development phases, with the first site plan also expected soon after the Sketch Plan is approved. The Sketch Plan phasing exhibit divides the Property into Phase 1A, 1B, 2 and 3. The anticipation is phases 1A and 1B will more than likely occur as one phase, although the option is there to occur as two. Phases 1A and 1B are the two townhouse development neighborhoods. Included in this first phase is implementation of all of the public roads, all areas of Common Open Space and the Waters Memorial Park. Phase two is implementation of the commercial and multi-family buildings in the Maker District, establishment of the orchards and The Orchard Trail, and establishment of adding amenities around the stormwater pond. The final phase is completion of the Mixed-Use Transit District. Timing on the final phase is likely dependent on funding and construction of the CCT, or a much-improved market for high density housing and office uses in Germantown. If Block J is developed as townhouses, it will be considered part of Phase 1A, and if Block J is developed as multi-family housing it is considered part of Phase 2.

As stated in the Proposal section of this report, the Applicant has requested the ability to have interim uses on portions of the Subject Property that remain undeveloped during earlier phases. Interim uses may include surface parking, landscaped area, or hardscape area capable of accommodating outdoor community events such as craft shows or farmers markets. The Applicant will need to provide a forest conservation plan that

covers the entire Property to allow for these interim uses, but Staff does not object to the request, pending future review at Site Plan.

The Sketch Plan also includes proposed phasing for the provision of Public Benefits and the public amenities (Table 3). Each phase is contributing a portion of the total points requested by the Sketch Plan, including partial points for transit proximity, advanced dedication and BLTs in each phase. Some public benefits such as wayfinding or cool roof are not provided until later phases because their implementation is dependent on the development type anticipated in the later phases. The amenities shown in table 3 will be provided with the phase they are shown in as they are intended to provide the necessary open spaces, recreation and amenities for the future residents and employees. The infrastructure phasing is less tied to the phase of construction and instead the first actual phase of development, regardless of which phase that is on the phasing plan, will provide the public road network for the Subject Property.

Table 3 - Public Benefit Phasing				
Public Benefits (Point Distribution)	Phase 1	Phase 2	Phase 3	Total Points
<i>Transit Proximity</i>	10	10	10	30
<i>Advance Dedication</i>	10	10	10	30
<i>Wayfinding</i>		2.5	2.5	5
<i>Exceptional Design</i>	2	2	1	5
<i>Historic Preservation Resource- Waters Memorial Park</i>	10			10
<i>Public Open Space</i>	1	3	3	7
<i>BLTs</i>	10	10	10	30
<i>Cool Roof</i>		2.5	2.5	5
<i>Vegetated Area</i>	2	8		10
Total Points Per Phase	45	48	39	132
Amenities	Phase 1	Phase 2	Phase 3	
<i>Community Park</i>	x			
<i>Community Trail</i>	x			
<i>Dog Park</i>			x	
<i>Farming/Production</i>		x		
<i>Garden Street Garden/Amenity Zone</i>	x	x		
Infrastructure	Phase 1	Phase 2	Phase 3	
<i>Public Roads</i>	x			
<i>Private Streets associated with each phase</i>	x	x	x	
<i>Structured/Underground Parking</i>		x	x	
<i>*Phases may be constructed in any order. Infrastructure and Public Benefit Points Listed under Phase 1 will be provided with first phase built.</i>				

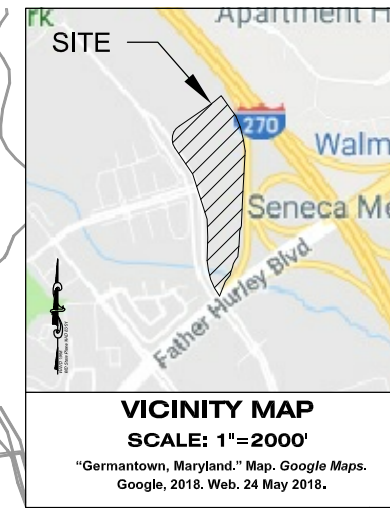
SECTION 6: CONCLUSION

The Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2009 Germantown Employment Area Sector Plan. Therefore, Staff recommends approval of the Sketch Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Sketch Plan Drawing
- B. Extension Request

Attachment A



Poplar Grove

APPLICANT:
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 Contact: Meredith Byer, RLA

Traffic Engineers:
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 11400 Commerce Park Drive, Suite 400
 Reston, VA 20191
 PH: 703.674.1307
 Contact: Ed Papazian

PP#: 320180220

No.	DATE	BY	Description

REVISIONS

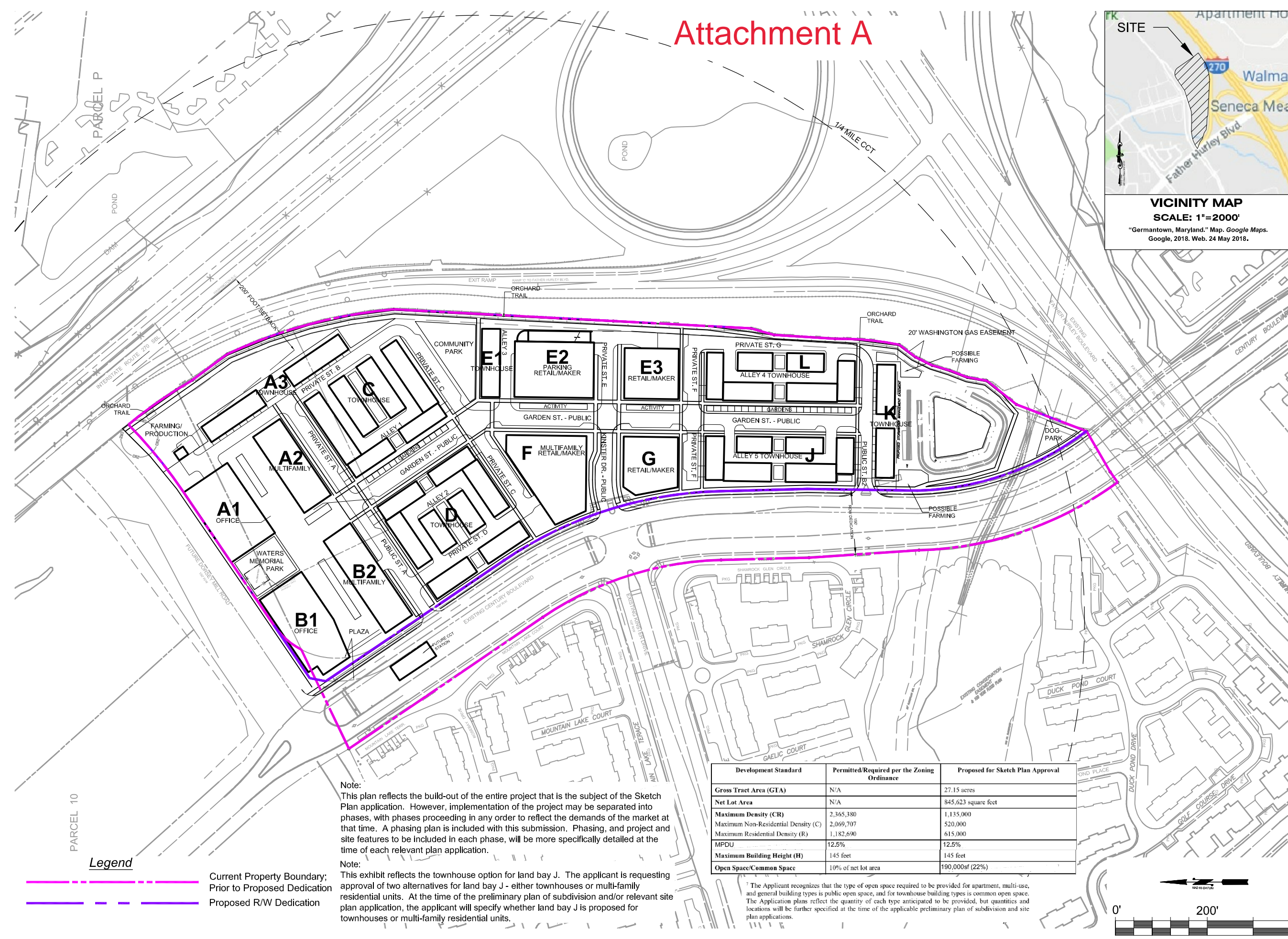
SHEET TITLE

**SKETCH PLAN:
 RELATIONSHIPS OF
 EXISTING / PROPOSED
 BUILDINGS & ROW
 (BLOCK J: TOWNHOUSE)**

PROJECT NO. 50099721

07-SKETCH4-320180220-001

SHEET NO.



PARCEL 10

Legend

- - - - - Current Property Boundary; Prior to Proposed Dedication
- - - - - Proposed R/W Dedication

Note:
 This plan reflects the build-out of the entire project that is the subject of the Sketch Plan application. However, implementation of the project may be separated into phases, with phases proceeding in any order to reflect the demands of the market at that time. A phasing plan is included with this submission. Phasing, and project and site features to be included in each phase, will be more specifically detailed at the time of each relevant plan application.

Note:
 This exhibit reflects the townhouse option for land bay J. The applicant is requesting approval of two alternatives for land bay J - either townhouses or multi-family residential units. At the time of the preliminary plan of subdivision and/or relevant site plan application, the applicant will specify whether land bay J is proposed for townhouses or multi-family residential units.

Development Standard	Permitted/Required per the Zoning Ordinance	Proposed for Sketch Plan Approval
Gross Tract Area (GTA)	N/A	27.15 acres
Net Lot Area	N/A	845,623 square feet
Maximum Density (CR)	2,365,380	1,135,000
Maximum Non-Residential Density (C)	2,069,707	520,000
Maximum Residential Density (R)	1,182,690	615,000
MPDU	12.5%	12.5%
Maximum Building Height (H)	145 feet	145 feet
Open Space/Common Space	10% of net lot area	190,000sf (22%)

The Applicant recognizes that the type of open space required to be provided for apartment, multi-use, and general building types is public open space, and for townhouse building types is common open space. The Application plans reflect the quantity of each type anticipated to be provided, but quantities and locations will be further specified at the time of the applicable preliminary plan of subdivision and site plan applications.



SCALE 1" = 200'

Layout is Illustrative, subject to change at preliminary plan.

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Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1

Request #2

M-NCPPC Staff Use Only

File Number	_____	MCPB Hearing Date	_____
Date Received	_____		

Plan Name: Poplar grove **Plan No.** 320180220

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 9/20/18

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable.)

Benjamin Berbert		MNCPPC	
<i>Name</i>		<i>Affiliation/Organization</i>	
8787 Georgia Avenue			
<i>Street Address</i>			
Silver Spring		MD	20910
<i>City</i>		<i>State</i>	<i>Zip Code</i>
(301) 495-4644		benjamin.berbert@montgomeryplanning.org	
<i>Telephone Number</i>	<i>ext.</i>	<i>Fax Number</i>	<i>E-mail</i>

We are requesting an extension for 1 months until 10/18/2018

Describe the nature of the extension request. Provide a separate sheet if necessary.

The Applicant submitted an extension request for one (1) week of review time anticipating limited necessary changes to their submission (attached). Additional concerns were raised by Staff that have been worked out with the Applicant; however the delay in review has extended beyond one week. Staff is therefore requesting a one month extension to cover the already experienced delay plus a cushion for any future unexpected issues. The item is tentatively on the Board Agenda for October 4 and Staff believes meeting this date is attainable.

Signature of Person Requesting the Extension

Signature

9/11/2018

Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from 9/20/18 until 10/18/18.

Steven Wright
Signature

9/14/18
Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

ATTACHMENT



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

Request #1 Request #2

File Number	_____	MCPB Hearing Date	_____
Date Received	_____		_____

Plan Name: Poplar Grove Plan No. 320180220

This is a request for extension of: Project Plan Sketch Plan
 Preliminary Plan Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: 9-20-18

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

Owner, Owner's Representative, Staff (check applicable)

Heather Dhopolsky Linowes and Blocher LLP
Name Affiliation/Organization
7100 Wisconsin Avenue, Suite 800
Street Address
Bethesda MD 20814
City State Zip Code
301-961-5270 301-654-0504 hdhopolsky@linowes-law.com
Telephone Number ext. Fax Number E-mail

We are requesting an extension for 30 days months until 10-20-18
(anticipated 9-27-18 hearing date)

Describe the nature of the extension request. Provide a separate sheet if necessary.

Please see attached cover letter.

Signature of Person Requesting the Extension

[Signature]
Signature

7-20-18
Date

ATTACHMENT

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.

July 20, 2018

Heather Dlhopsky
301-961-5270
hdlhopolsky@linowes-law.com

VIA EMAIL

Mr. Benjamin Berbert
M-NCPPC
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Poplar Grove, Sketch Plan No. 320180220 (the "Application"): Request for Extension of Review Period

Dear Mr. Berbert:

On behalf of Symmetry at Cloverleaf LLC (the "Applicant"), we are submitting this request for an extension of the review period for the Application. The Application was tentatively scheduled for a public hearing before the Montgomery County Planning Board on September 20, 2018. However, given the compressed schedule between the Development Review Committee ("DRC") meeting (held on July 17th) and the required resubmittal date prior to the public hearing (July 20th), there was insufficient time for the Applicant to revise their plans in response to the DRC comments in only this three-day period. As a result, the Applicant is submitting this request for a 30-day extension of the review period for the Application, though we anticipate that the revised Application materials will be submitted by July 27th, in sufficient time to permit a September 27, 2018 Planning Board hearing date.

Enclosed, please find the completed Regulatory Plan Extension Request form for the Application. Please contact us should you have any questions or require any additional information.

Very truly yours,

LINOWES AND BLOCHER LLP



Heather Dlhopsky

Enclosure

cc: Ms. Nicole Totah

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