



Ourisman Ford at Montgomery Mall, Site Plan No. 82009014B



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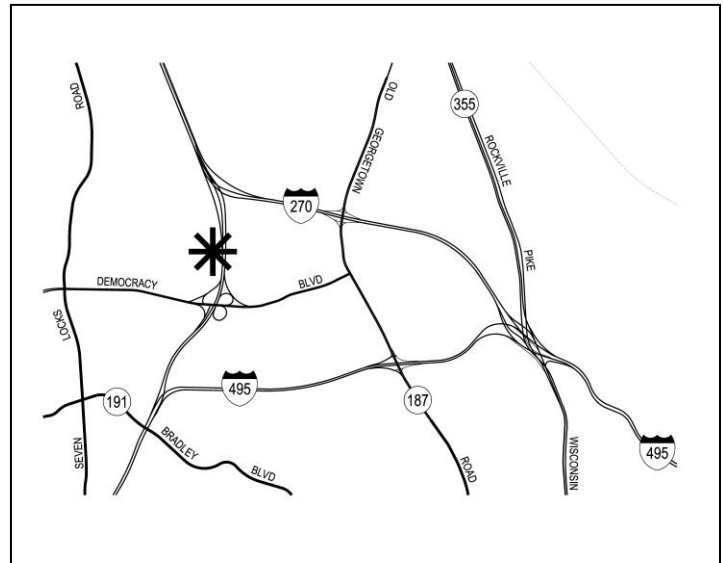
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Staff Report Date: 8-27-18

Description

Request to redevelop the existing car dealership with up to 344 multi-unit dwellings, residential amenities, and structured parking.

Location: northeast corner of the intersection of Motor City Drive and Westlake Terrace;
Master Plan: 2017 *Rock Spring Sector Plan*;
Zone: CRT-2.5 C-1.5 R-2.0 H-150;
Property Size: 4.08 acres;
Acceptance Date: March 29, 2018;
Applicant: FP Whitro Westlake, LLC;
Review Basis: Chapter 59, Zoning Ordinance.



Summary

- Staff recommends approval with conditions.
- The Planning Board approved Site Plan 820090140 under the former C-2 Zone in 2009 to redevelop the Property with 340 dwelling units and 50,869 square feet of general retail uses, but the approval was not implemented.
- The Adequate Public Facilities (APF) finding pursuant to the 2009 Site Plan remains valid until November 15, 2022, and the Applicant must complete the Policy Area Mobility Review (PAMR) improvements that were required as a condition of approval of Site Plan No. 820090140.
- Sketch Plan 320170100, approved by the Planning Board on November 30, 2017, allows the Applicant to pursue development approvals under the current CRT Zone.
- The Subject amendment eliminates the retail uses approved under the original Site Plan (and required in the C-2 zone), requests four additional dwelling units, and proposes a revised site design.
- Although the Applicant is requesting 344 units, Staff recommends approval of 343 units (3 units more than approved under Site Plan No. 820090140) due to the development moratorium in the Ashburton Elementary School service area.
- Staff has not received any correspondence about this Application.
- On July 12, 2018, the Planning Board approved a timely request to extend the regulatory review period from August 2, 2018 until September 6, 2018.

TABLE OF CONTENTS

SECTION 1: RECOMMENDATIONS AND CONDITIONS.....	3
SECTION 2: SITE DESCRIPTION AND BACKGROUND	8
SECTION 3: PROJECT DESCRIPTION.....	10
SECTION 4: ANALYSIS AND REQUIRED FINDINGS	15

SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 82009014B. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320170100 as listed in the MCPB Resolution No. 17-104 dated November 30, 2017.

All 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 except as modified by the following conditions, which supersede all previous site plan conditions.¹

Density, Height & Housing

1. Density

The Site Plan Amendment is limited to a maximum of 355,822 square feet of residential development with 343 dwelling units.

2. Height

The development is limited to a maximum height of 75 feet, as measured from the building height measuring point and as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

The Planning Board accepts the recommendations of the Department of Housing and Community Affairs (DHCA) in its letter dated July 13, 2018 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

- a) The development must provide 12.5 percent MPDUs on-site consistent with the requirements of Chapter 25A.
- b) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the Department of Housing and Community Affairs (DHCA) must be executed.

Open Space, Facilities and Amenities

4. Public Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 17,786 square feet of public open space (10% of net lot area) on-site.
- b. Before the issuance of a Use and Occupancy certificate for the final residential unit, all public open space areas on the Subject Property must be completed.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.

¹ For the purposes 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.

- a) Major Public Facilities
Before the issuance of the Use and Occupancy certificate for the final residential unit, the Applicant must provide a bike share station as shown on the Certified Site Plan.
 - b) Transit Proximity
 - c) Connectivity between Uses, Activities, and Mobility Options
Minimum Parking – The Applicant must not construct more than 373 parking spaces.
 - d) Diversity of Uses and Activities
Enhanced Accessibility for the Disabled –The Applicant must construct seven dwelling units that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard.
 - e) Quality Building and Site Design
Structured Parking – The Applicant must provide all on-site parking spaces within an above-grade structure.
 - f) Protection and Enhancement of the Natural Environment
 - i. Cool Roof – The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.
 - ii. Vegetated Area – The Applicant must install plantings in a minimum of 12 inches of soil, covering a minimum of 5,045 square feet of the site.
6. Common Open Space Covenant
Before the release of any building permit, the Applicant must execute and record among the Land Records of Montgomery County the Common Open Space Covenant recorded at Liber 28045 Folio 578 (Covenant).
7. Recreation Facilities
The Applicant must provide, at a minimum, the recreation facilities as shown on the Certified Site Plan.
8. Public Amenities
- a) The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to urban plaza, benches, and pedestrian connections.
 - b) Before issuance of any building permit, the Applicant must submit final design for the focal element and public art seating in the urban plaza for Staff review and approval.

Environment

9. Forest Conservation
Before any land disturbing activities, the Applicant must pay the required fee-in-lieu to meet the Forest Conservation mitigation requirement.
10. Noise Attenuation
- a) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that:
 - i. The location of the noise mitigation techniques to attenuate current noise levels to no more than 65 dBA Ldn for the areas of common outdoor activity are adequate.

- ii. The building shell for residential dwelling units affected by exterior noise levels projected above 65 dBA Ldn will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b) If the plan changes in any manner that affects the validity of the noise analysis dated October 18, 2017 regarding acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
- c) Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.

11. Stormwater Management

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated April 10, 2018 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Transportation & Circulation/ Adequate Public Facilities (APF)

12. Transportation

- a) Before the release of any building permit the Applicant must:
 - i. Enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the North Bethesda Transportation Management District (TMD).
 - ii. Execute a deed of dedication for a total of 45 feet from centerline along the Property frontage on Westlake Terrace. The deed must be reviewed and approved by the Commission's Office of General Counsel and the Montgomery County Department of Permitting Services (DPS), and must be recorded in the Land Records of Montgomery County.
 - iii. To satisfy the Policy Area Review (PAMR) test pursuant to the 2009 APF approval, the Applicant must contribute \$120,000 to the Montgomery County Department of Transportation (MCDOT) for ADA compliant Accessible Pedestrian Signals (APS) at the following intersections:
 - i. Rock Spring Drive- Fernwood Road and Marriott Driveway; and
 - ii. Rock Spring Drive and Rockledge Drive.

13. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 102 long-term and 6 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room adjacent to the covered parking area, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide a sidewalk and tree panel that are each at least seven-feet wide along the Property's Motor City Drive frontage.

14. Validity

The Adequate Public Facility Review (APF) will remain valid until November 15, 2022, per the original resolution dated October 15, 2009.

15. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated July 16, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.

16. Right-of-Way (ROW) Permit

All proposed non-standard pavers in the public ROW are subject to review and approval by MCDPS at the time of ROW permit (and MCDOT lab for testing). If approved, a maintenance and liability agreement is required.

Site Plan

17. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.

18. Lighting

- a) Prior to Certified Site Plan, 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) 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.
- d) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- e) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

19. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.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 plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, private sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- 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.

20. 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.

21. 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 Sketch Plan and Site Plan resolutions on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) 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."
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Include the Knox box and extra stairway to the plans per the approved fire access plan.
- g) Identify the location of the focal element and public art seating in the urban plaza.
- h) Revise all sheets as necessary to indicate the approval of 343 dwelling units.
- i) The Applicant must send a copy of the draft deed of dedication to Planning Board staff reflecting dedication for a total of 45 feet from the centerline of Westlake Terrace. The deed must be in a form acceptable to the Commission's Office of General Counsel.
- j) The Applicant must provide a sidewalk and tree panel that are each at least seven-feet-wide along the Property's Motor City Drive frontage.

SECTION 2: SITE DESCRIPTION AND BACKGROUND

Site Vicinity

The Property is surrounded by a mix of existing commercial, institutional, multi-family residential, office, and retail uses. Immediately to the north of the Property is an existing multi-story office building with a surface parking lot. To the east across the I-270 spur is the Rock Spring Office Park. To the south across Westlake Terrace is the Westfield Montgomery Mall site including the Transit Center with Metrobus and Ride On buses. A United States Post Office and Home Depot store are located to the northwest and west, respectively. Further to the west, condominiums and townhouses are located on the west side of Westlake Drive, along with the entrance to the Cabin John Regional Park (Figure 1).

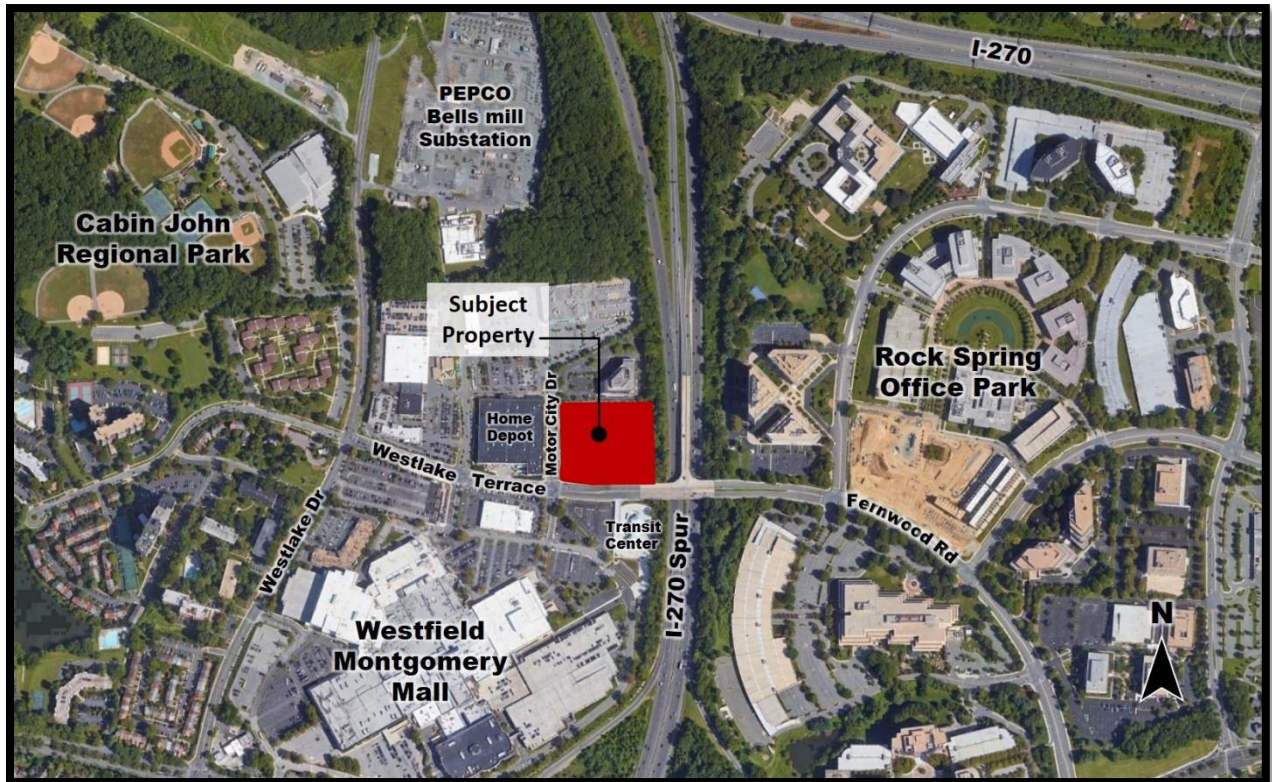


Figure 1: Vicinity Map

Site Description

The Property is located at the northeast corner of the Motor City Drive and Westlake Terrace intersection and is the site of a former Ourisman Ford Automobile Dealership. It has a gross tract area of 117,911 square feet, or 4.08 acres, and is known as Parcel B of the Montgomery Mall Auto Park Subdivision, recorded in January 1980. It is currently improved with a 37,300-square-foot building and a surface parking lot (Figure 2). The Property slopes down from the southeast to the northwest and contains no significant environmental features. A Pepco easement encumbers a 15-foot wide area along the south side of the Property and an approximately 60-foot wide area along the eastern (Interstate I-270) side of the Property.



Figure 2: Aerial view of Property

Prior Approvals/Background

In October 2009, the Planning Board approved Site Plan No. 820090140 for this Property to allow a mixed-use development under the previous C-2 Zone for 340 dwelling units including 12.5% MPDUs, 42,000 square feet of retail, and 12,000 square feet of restaurant space in a 75-foot high building with a 645-space parking garage. This site plan was never implemented, partly because the retail space was not marketable.²

In 2014, the Countywide Zoning Rewrite and subsequent District Map Amendment rezoned the Property from C-2 to CRT-2.5, C-1.5, R-2.0, H-75, and the Sectional Map Amendment associated with the 2017 *Rock Spring Sector Plan* rezoned the Property to CRT-2.5 C-1.5 R-2.0 H-150. The Planning Board approved Sketch Plan No. 320170100 on November 30, 2017 allowing the Applicant to pursue entitlements under the CRT Zone.

² Site Plan Amendment 82009014A was previously submitted by a contract purchaser, but a final application was never accepted. The contract has since expired and the contract purchaser no longer has authorization to file the application.

SECTION 3: PROJECT DESCRIPTION

The proposed Project will replace the existing structure and surface parking lot associated with the former automobile dealership with a new residential development consisting of 344 residential units, with 12.5% MPDUs in a 75-foot tall building³. The proposed Project will achieve the maximum allowed residential density of 2.0 FAR.

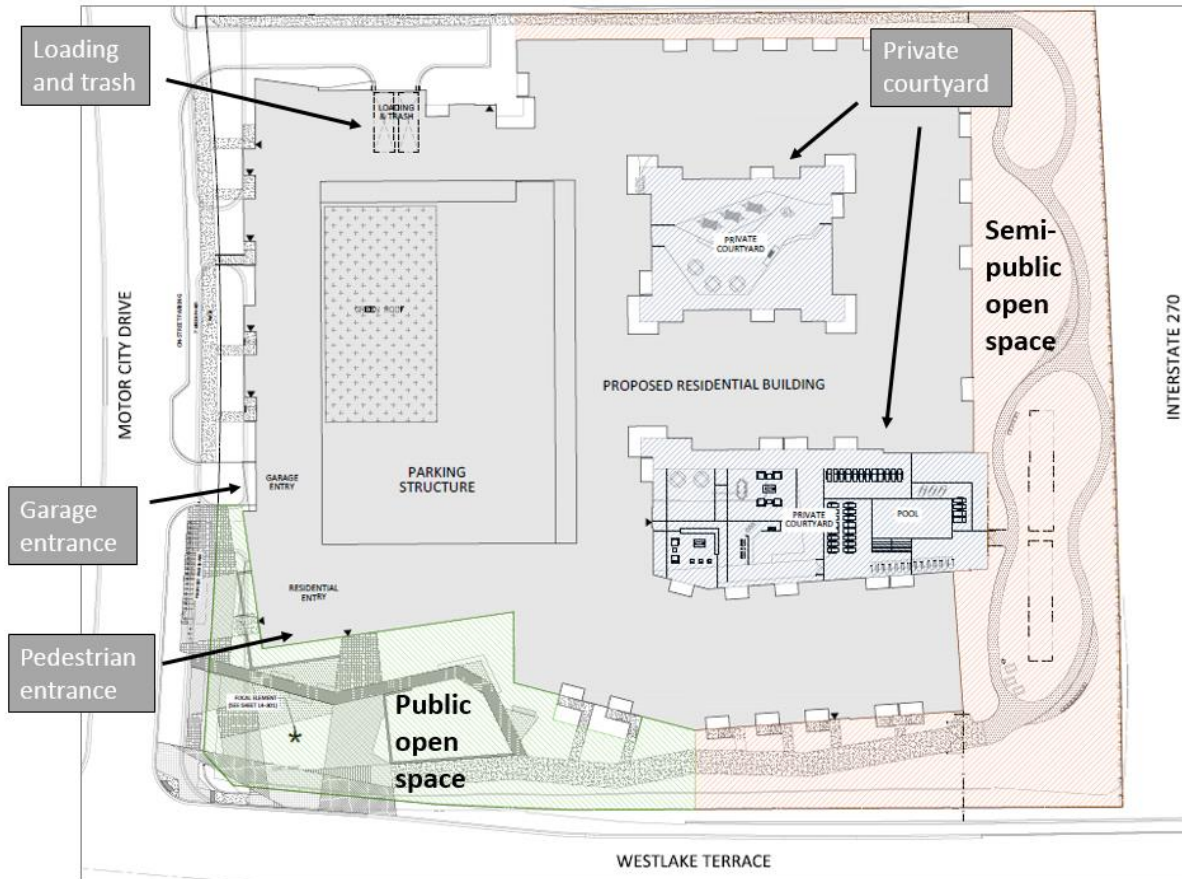


Figure 3: Site Plan

Building

The proposed architecture builds upon the massing approved in the Sketch Plan. The most prominent façade of the proposed building faces Westlake Terrace at its intersection with Motor City Drive and features a chamfered section that emphasizes the proposed urban plaza and the pedestrian entrance into the lobby. The building façade is highly articulated and uses a variety of materials, including brick and cement panels, and various colors to create texture and visual interest. Ground floor walk-up units with stoops are located along Westlake Terrace and Motor City Drive to help activate the existing street frontages.

³ The Applicant requested approval of 344 units, but Staff recommends approval of 343 units due to the development moratorium in the Ashburton Elementary School service area.

The proposed building is oriented to maximize solar exposure in the winter and shade for the interior courtyards in the summer. The Project intends to distinguish itself from recent development east of Interstate 270 along the Red Line corridor by providing larger units with more bedrooms.

The parking garage will have vehicular access from Motor City Drive; the service dock is on the north side of the building accessed via a short driveway from Motor City Drive. The structured parking garage will be above ground but wrapped on all sides with residential units and hidden from street view. A portion of Motor City Drive will include parallel parking along the Property frontage.



Figure 4: Perspective from the intersection of Motor City Drive and Westlake Terrace (facing northeast)



Figure 5: Perspective showing stoops along Motor City Drive

Open Space and Recreation

The proposed public open space is an urban plaza located at the corner intersection of Motor City Drive and Westlake Terrace (Figure 6). The plaza includes hard and soft landscape areas, trees, public art seating, a small lawn area, and a focal element. The design of the plaza is intended to activate the streetscape and encourage pedestrian and bicycle connections to the surrounding area.

In addition to the public open space, the Applicant proposes a semi-public pedestrian trail around the south, east, and north side of the building. The southern part of the trail is the required 12-foot wide Pepco access easement to the eastern side of the Property which is also part of the easement. In addition to adhering to the requirements of the Pepco easement, the trail and open space along I-270 are intended to provide active and passive recreation opportunities primarily for residents; these areas are not counted towards the 10% public open space requirement. However, they will be accessible to the public during daylight hours. The Project also includes two private courtyards, one with an outdoor swimming pool facing the I-270 spur, and the other entirely enclosed within the residential building. An eight-foot noise barrier is proposed along the eastern portion of the Property to mitigate noise from adjacent I-270. Further recreational amenities include a fitness room, an area for outdoor games, and landscape elements for children.



Figure 6: Conceptual Design of Urban Plaza



Figure 7: Precedent Image for Public Art Seating in Urban Plaza



Figure 8: Trail along the southern side of the building.



Figure 9: Perspective of the building's I-270 frontage with view of rear courtyard and recreation area/Pepco easement.

SECTION 4: ANALYSIS AND REQUIRED FINDINGS

Section 7.3.4.E.2, *Necessary Findings*, states that to approve a site plan, the Planning Board must find that the proposed development:

- a. *Satisfies any previous approval that applies to the site;*

The previous Site Plan approval (820090140) will be superseded by this Site Plan Amendment.

The Subject Application satisfies Sketch Plan 320170100, approved by the Planning Board on November 20, 2017. The Site Plan Amendment implements the approved Sketch Plan by adhering to the binding elements for maximum density and height; approximate location of lots and public dedications; general location and extent of public open space; general location of vehicular access points, and public benefit schedule.

- b. *Satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This finding is not applicable as this Property is not subject to a development plan or schematic development plan.

- c. *Satisfies under Section 7.7.1.B.5 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 finding is not applicable because the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *Satisfies applicable use standards, development standards, and general requirements under this chapter;*

- i. Use and Development Standards

The proposed multi-unit living use is permitted in the CRT-2.5 C-1.5 R-2.0 H-150 zone, and therefore has no use standards. As demonstrated in Table 1, the Project satisfies the development standards for the CRT Zone optional method of development.

Table 1: CRT Zone Optional Method Development Standards (Section 4.5.4.B)		
Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	177,911 sf (4.084 ac)
Proposed Dedication- Westlake Terrace	n/a	52 sf (0.001 ac)
Site Area	n/a	177,859 sf (4.083 ac)
Density (max)		
Total Density	444,647/2.5 FAR	355,822 sf/2.0 FAR
Residential Density	355,822 sf/2.0 FAR	355,822 sf/2.0 FAR
Commercial Density	266,788/1.5 FAR	n/a
Building Height (max)	150 ft	75 ft
Public Open Space (min)	10% (17,786 sf)	10% (17,786 sf)
Minimum Setbacks	Established at site plan	10 ft

ii. Public Benefits

As demonstrated in Table 3, the Project will provide at least 50 public benefit points in a minimum of three categories as required under Section 4.5.4.A.2.

The *Rock Spring Master Plan* recommends that all optional method projects in the master plan area should provide 15% MPDUs as the highest priority public amenity for new residential developments, unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park. The Sketch Plan review was initiated long before the Council's PHED Committee added this recommendation to the Planning Board Draft and the County Council adopted the Master Plan. Therefore, this Project does not include 15% MPDUs as a public amenity to earn benefit points; nor does it dedicate land for a school or athletic field. At the time of Sketch Plan approval, the Planning Board agreed with the Applicant's assertion that this recommendation was added to the Draft Master Plan at a very late stage in the development review process (approximately one week before the publication of the Sketch Plan Staff Report), and that the Sketch Plan application had already gone through significant Staff review, including the Development Review Committee (DRC) without consideration of this eleventh-hour revision to the Draft Master Plan. Instead, the Planning

Board found that the Applicant was proposing appropriate amenities to help the Project achieve needed benefit points given the circumstances. Therefore, the Applicant is not required to provide 15% MPDUs, as substantial compliance has been achieved.

Table 2: Public Benefit Points			
Public Benefit Categories/Amenities	Max Points Allowed	Points Requested	Recommended for Approval
59-4.7.3.A: Major Public Facilities			
Bikeshare Station	40	5	5
59-4.7.3.B: Transit Proximity			
Level 2 Transit Proximity	25	15	15
59-4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	5	5
59-4.7.3.D: Diversity of Uses and Activities			
Enhanced Accessibility	20	6	6
59-4.7.3.E: Quality Building and Site Design			
Structured Parking	20	10	10
59-4.7.3.F: Protection and Enhancement of the Natural Environment			
Cool Roof	10	5	5
Vegetated Area	10	10	5
TOTAL		56	51

Major Public Facility

Bikeshare Station: The Project includes a 19-dock bikeshare station and the Applicant is requesting five points, which is consistent with the amount granted for bikeshare stations approved with comparable projects.

Transit Proximity

The Property is located across Westlake Terrace from the Westfield Montgomery Mall Transit Center, a future stop for the master planned Bus Rapid Transit Corridor that will run along Westlake Terrace. The Zoning Ordinance classifies this type of stop as Level 2 transit proximity. In the CRT Zone, a Property that confronts a Level 2 transit stop may be granted 15 points, as requested by the Applicant.

Connectivity and Mobility

Minimum Parking: The Applicant is requesting points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale up to a maximum of 10 points for providing no more than the minimum number of required parking spaces on-site. The minimum required number of on-site spaces is 323 and the Applicant is proposing 373 parking spaces. The Applicant is requesting 5 points in this subcategory as allowed using the calculation below from the Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines (CR Guidelines).

$$\frac{[423 \text{ (maximum allowed spaces)} - 373 \text{ (proposed spaces)}]}{[423 \text{ (maximum allowed spaces)} - 323 \text{ (minimum spaces required)}]} * 10 = 5$$

Diversity of Uses and Activities

Enhanced Accessibility for Seniors or the Disabled: Seven of the proposed ground-level units will be constructed with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards, or an equivalent County standard. The Applicant requests six points, consistent with the following formula in the CR Guidelines:

$$7(\text{ANSI 117.1 units}) / (343 \text{ total units}) * 300 = 6.1$$

Quality Building and Site Design

Structured Parking: The Applicant is proposing to include all off-street parking in an above-grade parking garage, which will be wrapped around on all sides with residential units. The Applicant is requesting 10 points in this subcategory, consistent with the CR Guideline formula:

$$(373 \text{ (above grade spaces)}) / 373 \text{ (total spaces)} * 10 = 10$$

Protection and Enhancement of the Natural Environment

Cool Roof: The Applicant requests five points for constructing any roof area (that is not covered by a vegetated roof) with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. The C/R Guidelines indicate that five points are appropriate for development on sites greater than one acre.

Vegetated Area: The Applicant proposes 10 points for the installation of plantings on the eastern portion of the site in a minimum of 12 inches of soil that covers 5,045 square feet. The C/R Guidelines indicate that 5 points are appropriate for a vegetated area that covers at least 5,000 square feet and does not include vegetated roofs or stormwater management facilities.

iii. Parking

Table 3: Parking Requirements (Division 6.2)			
	Minimum Spaces Required	Maximum Spaces Allowed	Spaces Provided
Vehicle Parking (Reduced Parking Area)¹			
Efficiency (38 market rate; 5 MPDUs ²)	41	41	
1 BR (157 market rate; 22 MPDUs)	168	211	
2 BR (106 market rate; 16 MPDUs)	114	171	
Total Vehicle Spaces	323	423	373
Bicycle Parking			
344 du	100 (95 long term)	n/a	102 long-term, 6 short-term
Loading Spaces	1	n/a	1

¹ Spaces for electric vehicles, car-share and motorcycles are provided as required in Section 6.2.3.

² The Applicant is using a 0.5 adjustment factor for MPDUs as allowed under Section 6.2.3.1.

iv. Open Space and Recreation

The Project's 17,786 square feet designated as public open space (the urban plaza) adheres to the requirements of Division 6.3 (Open Space and Recreation). This area only contains allowed features and does not contain any prohibited improvements per Section 59.6.3.3 of the Zoning Ordinance. Furthermore, the public open space abuts public sidewalks, includes areas for pedestrian circulation, landscaping, seating, shade, artwork and recreation, is in a contiguous space that abuts other public open space, sidewalks, or pedestrian routes, and is neither fragmented nor disconnected. The tabulations included in the Application also demonstrate compliance with recreation facility guidelines. Recreation facilities include an outdoor pool, a pedestrian connection/trail system, and a grilling area.

e. *Satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section issued a letter dated April 10, 2018 to reconfirm approval of the Stormwater Management Concept Plan originally approved on August 9, 2017.

ii. *Chapter 22A, Forest Conservation*

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for this Property on October 1, 2007. The Property contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically adjacent steep slopes, or known occurrences of Rare, Threatened, and Endangered species. This Site Plan Amendment is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

Forest Conservation

This site has a previously approved Final Forest Conservation Plan (FFCP No. 820090140). The Property contains no forest, and no forest was cleared as a part of the original approval. The Net Tract area remains the same, as does the forest conservation mitigation requirement of 0.67 acres of forest planting. The Limits of Disturbance are being amended only slightly. No variance trees are being impacted. The Applicant proposes to satisfy the mitigation requirement through payment of a fee-in-lieu of planting. Because the original FFCP had approval to mitigate by payment of a fee-in-lieu, this remains acceptable for this amendment. The plan as submitted is in compliance with Chapter 22A, Forest Conservation.

Noise

The Applicant submitted a noise study indicating that a noise barrier and enhanced building materials will be needed to mitigate interior and exterior noise levels in impacted portions of the development. The Site Plan Amendment includes an eight-foot noise barrier along the eastern portion of the site as recommended by the noise study. The noise study indicates that a Building Shell Analysis will be performed to determine exact materials and ratings needed for construction. Enhanced building materials must be incorporated into the building materials to mitigate interior noise levels to meet the 45 bBA Ldn standard.

- f. *Provides safe, well integrated parking, circulation patterns, building massing and, where required, open space and amenities;*

Parking and Circulation Patterns

Vehicles will access the Project's above-grade structured parking facility via a dedicated entrance off of Motor City Drive near the signalized intersection at Westlake Terrace. The parking structure is designed to be shielded from view as it sits below the roofline and is entirely wrapped by the Project's residential uses. The Project incorporates a separate loading and service area, which is appropriately located in the rear of the Property and accessed via a drive aisle off of Motor City Drive in order to prevent any conflicts with resident and visitor traffic accessing the parking garage entrance. The Project accommodates proper circulation for fire and emergency vehicles. An existing traffic signal at the intersection of Westlake Terrace and Motor City Drive will facilitate vehicle movements to and from the Property and to Interstate 270.

Enhanced landscaping, as well as the inclusion of a bikeshare station, will encourage pedestrian and cyclist activity. The Project's open spaces, including the entry plaza at the corner of Westlake Terrace and Motor City Drive and the "leisure trail," as well as improved streetscaping along both street frontages will facilitate pedestrian and bicycle movement around the entire perimeter of the Property. Existing crosswalks with countdown pedestrian signals at the intersection of Westlake Terrace and Motor City Drive also promote safe circulation to the Transit Center, the Westfield Montgomery Mall, the nearby retail uses, and Cabin John Regional Park.

Building Massing

The building is designed with the entry plaza as a focal point for the development with chamfered corners framed by the Project's interior residential amenities. The building's incorporation of walk-up units with ground floor entries and stoops along both Motor City Drive and Westlake Terrace promote street level activity and connections with surrounding development. Building facades are highly articulated and include balconies to provide visual interest along all street frontage.

Open Space and Amenities

The Project's public open space entry plaza is sited in a central location with art, trees, landscaping, benches, an open lawn area, and pathways to offer a welcoming gathering area and encourage connections to nearby uses. The open areas extend around the building's southern and eastern boundary to provide space for walking trails, swaths of plantings, picnic areas, seating areas with moveable furniture, and a game lawn to promote both active and passive recreation. Two contrasting courtyards will provide additional private amenity areas for residents: one with a lounge, grilling area, and swimming pool with deck that is open to the "leisure trail," and the other enclosed with a terrace, plantings, and seating for quieter activities.

- g. *Substantially conforms with the recommendation of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Property is within the "Rock Spring West/Mixed-Use Regional Marketplace" District of the 2017 *Rock Spring Master Plan*, and the proposed development satisfies one of the plans overarching goals to create opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses and public spaces (p 18). The Master Plan includes the Property in the discussion of pipeline development in the area and describes how these approved but unbuilt projects would support the "central spine" concept in the Master Plan by delivering "a mix of uses and improvements

to the public realm that will start to reshape the Plan area into a connected, cohesive community that is more pedestrian and bicycle friendly for employees, residents, students, and visitors” (pgs 16 and 17).

The Applicant has incorporated the following applicable design guidance from the *Rock Spring Master Plan* in the proposed Site Plan:

Buildings (p22)

- *Concentrate development intensity along Westlake Drive and Westlake Terrace and proximate to the Transit Center on the West Side. To the extent possible, activate the frontage of Westlake Terrace.*
- *Implement quality building and site design considerations, such as building orientation to take advantage of passive heating, lighting, and ventilation.*
- *Prioritize consolidation of frontage along the central spine, and the introduction of residential uses to balance existing commercial uses.*

The proposed Project establishes a gateway into the Rock Spring district and begins the transformation of this area at a highly visible location along the “Central Spine”. The Project adds new housing along Westlake Terrace across the street from the Transit Center and provides a plaza and the main building entrance along Westlake Terrace that will activate this street. At the Sketch Plan stage, the Applicant conducted a solar study to demonstrate that the building orientation will maximize solar gain in the winter months and provide shade for the interior courtyards and the pool area in the summer. The Project will bring residential units to a predominantly commercial area directly across the street from the Transit Center and transform a former automobile dealership site into a block with urban street frontages and public and private open spaces.

Connectivity and Open Space (p.23)

- *Improve the public realm along existing connections with wider sidewalks and landscaped areas to enhance pedestrian access between developing properties, the central spine, and adjacent communities.*
- *Consolidate the areas designated for public open space as part of the development process into usable, substantial, active, programmed, and accessible spaces.*

The Project proposes a public plaza at the corner of Westlake Terrace and Motor City Drive, which will also act as the main pedestrian entrance to the building. This space will be an attractive addition to the network of sidewalks and other open spaces in the surrounding neighborhood. Further, the Project will improve the pedestrian experience along Westlake Terrace and Motor City Drive with landscaped areas and wider sidewalks. The proposed Project also improves an existing PEPCO easement along I-270 to provide a walking loop around the site that will connect to the network of public sidewalks in the area.

The proposed development also satisfies several of the Master Plan’s environmental and sustainability goals by increasing the tree canopy and reducing the amount of impervious surface on

a site that is almost completely covered with asphalt. The Project also offers opportunities to reduce reliance on single-occupant vehicles by locating housing close to a bus transit hub.

- h. Will be served by adequate public facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required, the Planning Board must find that the proposed development will be served by adequate services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The Resolution for the original site plan for this Property (No 820090140), adopted by the Planning Board on October 15, 2009, found that there were adequate facilities to serve the proposed development. Although the resolution did not specify a specific expiration of the Adequate Public Facilities (APF) validity period, the minimum APF validity period at the time was seven years for any plan approved on or after April 1, 2009, but before April 1, 2017. After factoring in the 30-day appeal period, the Planning Board's APF finding as part of its Site Plan approval would have expired on November 15, 2016. Subsequent to the original APF approval, the County Council passed three separate automatic two-year extensions of all valid plans, adding another six years of validity to the original approval. Thus, the Planning Board's finding of APF made in the original Site Plan Resolution remains valid until November 15, 2022.

Since the prior APF is still valid, the Subject Application is only evaluated based on the change in use proposed in this amendment – the elimination of the commercial uses and the addition of four residential units. As discussed in detail below, the proposed Project falls within the Ashburton Elementary School service area, which is in moratorium. An additional three units would fall within the de minimis exemption; therefore, Staff recommends conditioning this approval to a maximum of 343 dwellings units rather than the requested 344 units.

Schools

Site plan application #820090140 for Ourisman Ford Montgomery Mall was approved with conditions by the Planning Board on September 17, 2009 for 340 multifamily high-rise units. The applicant remains entitled to those 340 units until the adequate public facilities ordinance validity period expires on November 15, 2022. The proposed amendment (#82009014B) would increase the number of multifamily high-rise units to 344, for a net increase of four units. The amendment is scheduled for Planning Board review on September 6, 2018, therefore the applicable annual school test is the FY19 Annual School Test, approved by the Planning Board on June 21, 2018 and effective July 1, 2018.

Cluster Service Area Status and Adequacy

The project is located in the Walter Johnson High School (WJ) Cluster service area, which for FY19 is conditionally open for new residential development. The student enrollment and capacity projections from the FY19 Annual School Test for the WJ Cluster are noted in the following table:

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold
	Enrollment	Program Capacity	% Utilization	
Elementary	4,586	4,541	101.0%	5,450
Middle	2,333	2,429	96.0%	2,915

High	2,718 ⁴	2,330	116.7%	2,797
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The Moratorium Enrollment Threshold identified in the table is the enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. Current projections for the cluster fall within the threshold at each level, therefore the cluster service area remains open to new residential development.

School Service Area Status and Adequacy

The project is located within the North Bethesda MS and the Ashburton ES service areas. For FY19, the North Bethesda MS service area is open for new residential development; however, the Ashburton ES service area is under a residential development moratorium. As such, no development application or amendment that exceeds the de minimis threshold of three units can be approved within the Ashburton ES service area.

Based on the FY19 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds	
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit	120% Utilization	Surplus/ Deficit
Ashburton ES	943	770	122.5%	-173	925	880
No. Bethesda MS	1,188	1,229	96.7%	+41	1,475	1,409

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds identified in the table above are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. The projected enrollment falls below both applicable moratorium thresholds for North Bethesda MS. The projected enrollment at Ashburton ES, however, exceeds both applicable moratorium thresholds, therefore the school's service area is under a residential development moratorium for FY19.

Analysis Conclusion

Due to the residential development moratorium currently in place on the Ashburton ES service area, the Planning Board cannot approve the applicant's proposed amendment. If the applicant, however, limits the amendment to a net of three additional dwelling units (bringing the project's total to 343 dwelling units), it can be approved under the moratorium's de minimis exemption, which allows approval of applications or amendments with a net effect of three units or less.

⁴ The projected cluster high school enrollment of 3,118 has been modified to reflect the estimated impact of a future boundary change that will reassign students from Walter Johnson HS to a reopened Charles W. Woodward HS prior to September 2023.

Transportation

Master-Planned Roadways, Bikeway, and Transitway

The master-planned transportation facilities are designated below in accordance with the following:

- 2017 *Rock Spring Master Plan*
- 2005 *Countywide Bikeways Functional Master Plan*
- Draft *Bikeways Master Plan*
- 2013 *Countywide Transit Corridors Master Plan*

Westlake Terrace is designated as a business district street, B-3, in the *Rock Spring Master Plan* with a recommended 90-foot right-of-way. There is currently less than 45 feet from Westlake Terrace's centerline along one segment of the roadway where up to nine feet of additional right-of-way must be dedicated by a deed of dedication.

The *Rock Spring Master Plan* and the draft *Bikeways Master Plan* recommend a separated bikeway with two-way bike lanes on the south side of Westlake Terrace. Westlake Terrace currently has striped bike lanes on both sides of the roadway that will remain in the interim until the bikeway is constructed on the south side of the road.

The *Countywide Transit Corridors Functional Master Plan* recommends a Bus Rapid Transit route (Corridor 6 North Bethesda Transitway) that includes a segment along the Property's Westlake Terrace frontage, with a stop at the Transit Center across the street.

The I-270 West Spur is designated as a freeway, F-1a, with a recommended 300-foot right-of-way.

Motor City Drive is designated as a business district street with a 70-foot right-of-way in the *Rock Spring Master Plan*.

Transit Service

The following bus routes operate along the site frontage of Westlake Terrace and stop at the Montgomery Mall Transit Center located on the opposite side of Westlake Terrace:

- Ride-On route 6 operates between the Grosvenor Metrorail Station and the Montgomery Mall Transit Center with half-hour headways on weekdays only.
- Ride-On route 26 operates between the Glenmont Metrorail Station and the Montgomery Mall Transit Center with half-hour headways on weekdays and weekends.
- Ride-On route 42 operates between the White Flint Metrorail Station and the Montgomery Mall Transit Center with half-hour headways on weekdays and Saturdays.
- Ride-On route 47 operates between the Rockville Metrorail Station and the Bethesda Metrorail Station with half-hour headways on weekdays and weekends.
- Ride-On route 96 operates between the Grosvenor Metrorail Station and the Montgomery Mall Transit Center with half-hour headways on weekdays only.
- Metrobus routes J2 and J3 operate between the Silver Spring Metrorail Station/Paul Sarbanes Transit Center and the Montgomery Mall Transit Center with half-hour headways on weekdays and weekends.

Pedestrian and Bicycle Facilities

The Applicant has proposed to upgrade the existing sidewalks along the Property's Motor City Drive frontage and the Westlake Terrace/Motor City Drive intersection including dual handicap ramps at the northeast corner of the intersection and other pedestrian improvements. The improvements are necessary to provide a safe pedestrian connection from the Property to Westfield Montgomery Mall and the Transit Center located on the opposite side of Westlake Terrace. The existing five to six-foot sidewalk along the retaining wall on Westlake Terrace will remain, but the sidewalk will be upgraded at the corner of the intersection with Motor City Drive.

The Applicant is providing a 19-dock bikesharing station on the site in addition to six short-term inverted-U bike racks, or approved equivalent, and 102 long-term bicycle parking spaces in a bike room in the garage.

Transportation Demand Management

The Property is located within the western limits of the North Bethesda Transportation Management District (TMD). The Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and MCDOT to participate in the North Bethesda Transportation Management District (TMD) in order to assist the County in achieving and maintaining the 41% non-auto-driver mode share for residential trips as recommended in the *Rock Spring Master Plan*.

Adequate Public Facilities (APF) Test for Prior Site Plan Approval

The 2009 Site Plan (820090140) approval limited the development to 340 mid-rise apartment units and 50,869 square feet of general retail/restaurant uses under the *2009-2011 Growth Policy*. A traffic study was submitted with Site Plan No. 820090140 to satisfy the Local Area Transportation Review (LATR) test because the proposed land uses would generate 30 or more peak-hour vehicular trips within the weekday morning (6:30-9:30 am) and evening (4:00-7:00 pm) peak periods. Based on the results of the 2009 traffic study, the CLV values at all ten studied intersections were less than their congestion standard and, thus, the LATR test was satisfied.

A Policy Area Mobility Review (PAMR) test was also required for the 2009 APF approval. To satisfy the PAMR test, the Applicant was required to mitigate new site-generated peak-hour trips within the weekday evening peak hours by providing pedestrian improvements at three intersections connecting the Transit Center at Montgomery Mall and the office buildings in Rock Spring Park (Table 4).

Table 4: Intersection Improvements Required by 2009 APF PAMR Approval					
Intersection	Dual Handicap Ramps	Accessible Pedestrian Signal Pushbuttons	Pedestrian Crosswalks & Stop Bars	Pedestrian Countdown Signal Heads	Trips Mitigated
Rockledge Drive & Rock Spring Drive	8 ramps at 2 of the 4 corners	At all 4 corners	Not Needed	Not Needed	32
Rockledge Drive-Marriott's	8 ramps at 2 of the 4 corners	At all 4 corners	On each intersection leg	In the southeast corner	32

driveway & Fernwood Road					
Rock Spring Drive- Marriott's driveway & Fernwood Road	8 ramps at 2 of the 4 corners	At all 4 corners	Not Needed	Not Needed	32
Trips Mitigated	72	24	0	0	96

All of the handicap ramps were upgraded by the County. Accessible Pedestrian Signals (APS) were installed in 2014 at the intersection of Rockledge Drive- Marriott Driveway and Fernwood Road. At the intersection of Rockledge Drive & Rock Spring Drive and the intersection of Rock Spring Drive- Marriott's driveway & Fernwood Road, the County has APS improvements included in the Capital Improvements Program (CIP).⁵ To satisfy the 2009 PAMR test, the Applicant must contribute to the CIP project, with the amount to be determined by MCDOT.

LATR for Subject Application

The proposed changes in land use will result in a net reduction in the number of peak-hour trips and, thus, a traffic study is not required to satisfy the LATR.

Other Public Facilities

The proposed development will be served by public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services including police stations, firehouses and health care are currently operating in accordance with the Subdivision Staging Policy and will continue to be sufficient following the construction of the Project. Electric, gas and telecommunications services will also be available and adequate.

- i. *On a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood;*

Not applicable, the Subject Property is zoned CRT.

- j. *On a property in all other zones, is compatible with the existing and approved or pending adjacent development.*

The Project is compatible with existing and pending nearby development. The Project's building strongly defines the street edge and introduces urban inspired design on a highly visible corner in an area that is transitioning from an auto-centric built environment. A public open space plaza at the intersection of Westlake Terrace and Motor City Drive, the inclusion of ground level walk-up units with stoops and patios, the incorporation of significant landscaping along street frontages, and the Property's location directly across the street from the Transit Center all encourage increased pedestrian and cyclist activity around the Property. The Project's landscape design, which includes new green areas and open spaces for recreation and relaxation, effectively buffers the Property from Interstate 270 and takes advantage of the adjacent tree line. The Project's proposed building

⁵ CIP Project No. 507154, Traffic Signals Account Code 405/50522/60530.

height of up to 75 feet is appropriate with nearby structures. The building type and use is also compatible with the anticipated redevelopment of the Westfield Montgomery Mall confronting the Property to the south.

CONCLUSION

Based on the review by Staff and the other relevant agencies, and the analysis contained in this report, Staff finds that the proposed Site Plan Amendment meets all the required findings and complies with the applicable Zoning Ordinance standards. Staff recommends approval of this Site Plan Amendment No. 82009014B, subject to the conditions and findings contained herein.

ATTACHMENTS

1. Site Plan 820090140 Resolution
2. Sketch Plan No. 320170100 Resolution
3. Noise Study (Executive Summary)
4. Agency Letters

OCT 15 2009

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

MCPB No. 09-123
Site Plan No. 820090140
Project Name: Ourisman Ford at Montgomery Mall
Date of Hearing: September 17, 2009

MONTGOMERY COUNTY PLANNING BOARD

RESOLUTION

WHEREAS, pursuant to Montgomery County Code Division 59-D-3, the Montgomery County Planning Board ("Planning Board") is vested with the authority to review site plan applications; and

WHEREAS, on March 18, 2009, Withro Holdings, LLP/FP Westlake, LLC, ("Applicant") filed an application for approval of a site plan for a mixed-use development with 340 dwelling units, including 43 MPDUs (12.5%), 42,000 gross square feet of retail use, and 12,000 gross square feet of restaurant space, and a parking waiver for 118 parking spaces ("Site Plan" or "Plan") on 4.08 acres of C-2-zoned land, located in the northwest quadrant of the intersection of Motor City Drive and Westlake Terrace ("Property" or "Subject Property"); and

WHEREAS, Applicant's site plan application was designated Site Plan No. 820090140, Ourisman Ford at Montgomery Mall (the "Application"); and

WHEREAS, Planning Board staff ("Staff") issued a memorandum to the Planning Board, dated September 7, 2009, setting forth its analysis of, and recommendation for approval of the Application subject to certain conditions ("Staff Report"); and

WHEREAS, following review and analysis of the Application by Staff and the staff of other governmental agencies, on September 17, 2009, the Planning Board held a public hearing on the Application (the "Hearing"); and

Approved as to
Legal Sufficiency:


M-NCPPC Legal Department

WHEREAS, at the Hearing, the Planning Board heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on September 17, 2009, the Planning Board approved the Application subject to conditions on the motion of Commissioner Wells-Harley; seconded by Commissioner Alfandre; with a vote of 3-0, Commissioners Alfandre, Hanson, and Wells-Harley voting in favor, and Commissioners Cryor and Presley being absent.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the relevant provisions of Montgomery County Code Chapter 59, the Montgomery County Planning Board APPROVES Site Plan No. 820090140 for a mixed-use development with 340 dwelling units, including 43 MPDUs (12.5%), 42,000 gross square feet of retail use, and 12,000 gross square feet of restaurant space, and a parking waiver for 118 parking spaces, on 4.08 gross acres in the C-2 zone, subject to the following conditions:

Environment

1. Forest Conservation

- a. The applicant must satisfy all conditions of the final forest conservation plan prior to Montgomery County Department of Permitting Services (MCDPS) issuance of sediment and erosion control permit(s), as appropriate.
- b. Submission of the final forest conservation plan consistent with Section 109.B. of the forest conservation regulations. Worksheet must be revised to include only native trees, and trees outside public rights of way for credits towards meeting forest conservation requirements.

2. Noise Mitigation

- a. The applicant must investigate design options and propose noise mitigation measures that are consistent with the intent of the performance criteria identified in the "Conclusions" section of the Polysonics Corp. technical noise study entitled "Traffic Noise Testing - Ourisman Site - Montgomery Mall" dated June 11, 2009. Details showing noise appropriate site design and mitigation must be submitted for Environmental Planning and Development Review staff review and approval prior to certified site plan approval.
- b. Certification from an acoustical engineer that the building shell for residential dwelling units to be constructed within the projected 65 dBA Ldn noise contour is designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The certification shall be provided to M-NCPPC Environmental Planning staff for concurrence prior to issuance of building permits.
- c. The builder shall provide a signed commitment to construct the impacted units in accord with the acoustical design specifications. Any changes to the

building shell construction that may affect acoustical performance after issuance of building permit shall be approved by an acoustical engineer and M-NCPPC Environmental Planning staff prior to their implementation.

3. Stormwater Management

The proposed development is subject to Stormwater Management Concept approval conditions dated January 26, 2009, unless amended and approved by the Montgomery County Department of Permitting Services.

4. LEED Certification

The Applicant must achieve a LEED (Leadership in Energy and Environmental Design) Certified Rating Certification at a minimum. The Applicant must make good faith efforts to achieve a LEED Silver rating. Before the issuance of any use and occupancy certificate, the Applicant must inform M-NCPPC staff of the LEED Certification Level for which they are applying. If this level is less than a Silver rating, before the issuance of the final use and occupancy certificate the Applicant must provide to staff a written report, for public record purposes only, from the Applicant's LEED consultant analyzing the feasibility of achieving a LEED-Silver rating and identifying the minimum additional improvements required to achieve the LEED Silver rating, including their associated extra cost.

Transportation & Circulation

5. Maximum Development

The Applicant must limit the proposed mixed-use development to a maximum of 340 mid-rise apartments and 50,869 leasable square feet of general retail uses.

6. PAMR

The Applicant must satisfy Policy Area Mobility Review (PAMR) by providing pedestrian safety ADA-compliant improvements at the signalized intersections of Rockledge Drive/Rock Spring Drive, Rock Spring Drive-Marriott's driveway/Fernwood Road, and Rockledge Drive-Marriott's driveway/Fernwood Road. The three intersections are along the walking route that connects the Westfield Montgomery Mall and its Transit Center with the office buildings in the adjacent Rock Spring Park. At each corner of the three intersections, ADA-compliant dual handicapped ramps and accessible pedestrian signals must be installed. At Rockledge Drive-Marriott's driveway/Fernwood Road only, the pedestrian crosswalks and stop bars need to be upgraded at each intersection approach. In addition, a countdown pedestrian signal head is needed at the southeast corner. The pedestrian safety improvements must be permitted and bonded by the Montgomery County Department of Permitting Services (DPS) prior to release of any building permit.

7. Traffic Mitigation Agreement

The Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation (MCDOT) to participate in the North Bethesda Transportation Management District (TMD) and assist in achieving and maintaining its non-auto driver mode share goals. By Certified Site Plan, the Applicant must submit for staff review a draft Traffic Mitigation Agreement. The Traffic Mitigation Agreement must be fully executed prior to release of any building permit.

8. Pedestrian Improvements

The Applicant must provide ADA-compliant dual handicapped ramps and accessible pedestrian signals at each corner of the two signalized intersections of Westlake Terrace with Motor City Drive. The pedestrian safety improvements must be permitted and bonded by DPS prior to release of any building permit.

9. Bicycle Storage

The Applicant must provide twenty (20) inverted-U bike racks along the site's frontage and ten (10) bike lockers in the garage within 50 feet of the elevator to serve the residents and visitors of the apartment building. Transportation Planning staff will determine the ultimate locations of the bike racks and lockers prior to site plan certification.

Site Plan

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheet A3.2-3.5A of the submitted architectural drawings, as determined by M-NCPPC Development Review and Urban Design staff.

11. Lighting

- a. The lighting distribution and photometric plan with summary report and tabulations must conform to IESNA standards for mixed-use development.
- b. All onsite down- light fixtures must be full cut-off fixtures.
- c. Deflectors shall be installed on all fixtures causing potential glare or excess illumination, specifically on the perimeter fixtures abutting the adjacent residential properties.
- d. The height of the light poles shall not exceed the height specified in the certified site plan, including the mounting base.

12. Landscape Surety

The Applicant shall provide a surety (letter of credit, performance bond) in accordance with Section 59-D-3.5(d) of the Montgomery County Zoning Ordinance with the following provisions:

- a. The amount of the surety shall include plant material, on-site lighting, recreational facilities, and site furniture within the relevant block of development. Surety to be posted prior to issuance of first building permit within each relevant block of development and shall be tied to the development program.
- b. Provide a cost estimate of the materials and facilities, which will establish the initial bond amount.
- c. Completion of plantings by block, to be followed by inspection and bond reduction. Inspection approval starts the 1 year maintenance period and bond release occurs at the expiration of the one year maintenance period.
- d. Provide a screening/landscape amenities agreement that outlines the responsibilities of the respective parties and incorporates the cost estimate. Agreement to be executed prior to issuance of the first building permit.

13. Development Program

The Applicant must construct the proposed development in accordance with a development program that will be reviewed and approved prior to the approval of the Certified Site Plan. The development program must include the following items in its phasing schedule:

- a. Street lamps and sidewalks must be installed as construction is completed. Street tree planting may wait until the next growing season.
- b. On-site amenities including, but not limited to, sidewalks, benches, trash receptacles, and bicycle facilities must be installed prior to release of any residential building occupancy permit.
- c. Clearing and grading must correspond to the construction phasing to minimize soil erosion and must not occur prior to approval of the Final Forest Conservation Plan, Sediment Control Plan, and M-NCPPC inspection and approval of all tree-save areas and protection devices.
- d. The development program must provide phasing of stormwater management, sediment and erosion control, afforestation, trip mitigation, and other features.

14. Certified Site Plan

Prior to 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 final forest conservation approval, stormwater management concept approval, development program, inspection schedule, and site plan resolution on the approval or cover sheet.

- b. Add a note to the site plan stating that "M-NCPPC staff must inspect all tree-save areas and protection devices prior to clearing and grading".
- c. Add a note that "All plant substitutions must be approved by M-NCPPC" and provide a list of alternative species.
- d. Modify data table to reflect development standards enumerated in the staff report.
- e. Ensure consistency off all details and layout between site plan and landscape plan.
- f. Minor changes to landscape, lighting, and recreation facilities.
- g. Final location, design, and details of any noise walls on-site.
- h. Provide a drawing elevation for the surface adjoining the recreational putting green on the east; show landscaping and planting.
- i. Show noise attenuation for the exterior recreational spaces, including the pool area.
- j. Provide façade design for roof top mechanical equipment and/or mechanical penthouse(s).
- k. Provide a drawing showing line-of-sight visibility of roof top equipment and lighting standards, & signage (from public streets and I-270 and ramps).
- l. Demonstrate compliance with MCFRS requirements.

BE IT FURTHER RESOLVED, that all site development elements as shown on Ourisman Ford at Montgomery Mall drawings stamped by the M-NCPPC on August 20, 2009, shall be required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED, that having given full consideration to the recommendations and findings of its Staff as set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference, and upon consideration of the entire record, the Montgomery County Planning Board FINDS, with the conditions of approval, that:

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

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the subject site.

2. *The Site Plan meets all of the requirements of the C-2 zone and where applicable conforms to an urban renewal plan approved under Chapter 56.*

The proposed use is allowed in the C-2 Zone and the site plan fulfills the purposes of the zone by providing a mix of residential and commercial uses convenient to a Metro Bus Station to be developed on the adjacent Montgomery Mall site.

As the project data table on page 12 indicates, the site plan meets all of the development standards of the zone. With respect to building height, setbacks, green space, and density the proposed development is under all the maximum standards allowed.

Sections of the C-2 zone (59-C-4.35), including the purpose clause, allowed uses (e.g. dwelling units), and building height provisions, were invalidated by a recent court case but were not formally removed from the code by the County Council. There remains some ambiguity as to which standards apply, particularly to building height (i.e., 65' for 75'). Staff is prepared to recommend a maximum building height for this project of 75', but subsequent action by the County Council, or possibly other body, may be incompatible with this approach. Staff is pursuing corrective/clarifying action parallel to this review.

The requested partial waiver of the total number of parking spaces required by the Zone, reducing the on-site parking from 763 spaces to 645 spaces, is consistent with the intent of providing transit-oriented housing and commercial uses.

Requirements of the C-2 zone

The Staff Report contains a data table that lists the Zoning Ordinance required development standards and the developments standards proposed for approval. The Board finds, based on the aforementioned data table, and other [uncontested] evidence and testimony of record, that the Application meets all of the applicable requirements of the C-2 Zone. The following data table sets forth the development standards approved by the Planning Board and binding on the Applicant.

Data Table

Development Standards Approved by
the Board and Binding on the Applicant

Gross Tract Area (acres)	4.08
Gross Tract Area (square feet)	177,911
Building Height (feet)	75

Building Setbacks (feet)	
Motor City Drive	12
Westlake Terrace	42
North side	13
East side	60
Green Area (% of lot)	31.6
Floor Area Ratio (FAR)	2.36
Building Area (square feet)	420,500
Max. Commercial Density (FAR)	0.45
Max. Commercial Density (square feet) – total	54,000
Max. Retail Density (square feet)	42,000
Max. Restaurant Density (square feet)	12,000
Dwelling units	340
MPDUs (%)	12.5 (43 du)
Parking Spaces	645

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

a. Buildings and Structures

The buildings and structures of the proposed development are located along the street, setting the correct standard for definition and activation of the public street as this area redevelops. The location provides easy access to the building from adjoining sidewalks and parking. Staff finds the locations of the buildings and structures to be adequate and efficient, while meeting the aesthetic concerns of the area, and not to pose safety concerns on the site.

b. Open Spaces, Landscaping, and Recreation Facilities

The central open space, the internal retail street accessible to the public, provides a well-designed pedestrian environment with opportunities for multiple activities. This area provides attractive streetscape, landscape,

and lighting. A secondary open space sequence, accessible only to residents, provides a variety of recreational facilities, including an outdoor pool, to complement indoor exercise and meeting spaces. The plan further includes and maintains a landscaped buffer along the busy adjacent roads, Interstate 270 and the Westlake Terrace overpass, to improve screening for residents. The open spaces, landscaping, and recreation facilities are adequate, safe, and efficient.

c. Vehicular and Pedestrian Circulation

Pedestrian access from adjacent sidewalks adequately and efficiently integrates this site into the surrounding area. The vehicular circulation design efficiently directs traffic into the site with minimal impacts to pedestrian circulation. The pedestrian and vehicular circulation systems are adequate, safe, and efficient.

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

The proposed development sets a high standard for urban design in the redevelopment of this area. It faces the streets, opens to the sidewalks, and provides activating uses. This area is currently dominated by automobile-oriented uses and the proposed development is a strong beginning for its reorientation to transit-oriented pedestrian-friendly development. The structure itself is in scale with nearby redevelopment and is located such that it will not adversely impact existing or proposed adjacent uses. The proposed structure and uses are compatible with the surrounding existing, proposed, and planned uses and development.

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

A final forest conservation plan (FFCP) date stamped received by the Environmental Planning Division on March 18, 2009, has been submitted for approval. The plan shows no existing forest and/or specimen and champion trees on-site. The FFCP shows the site's forest conservation requirement of 0.67 acres to be met partially with afforestation tree planting credit of 0.29 acres and the remaining 0.38 acres by in-lieu payment.

County DPS has issued concept stormwater management plan approval on January 26, 2009. The proposed method includes on-site detention and required

review of the landscape plan as part of the Sediment Control/Stormwater Management Plan.

BE IT FURTHER RESOLVED, that this resolution constitutes the written opinion of the Planning Board in this matter and incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

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

OCT 15 2009 BE IT FURTHER RESOLVED, that the date of this resolution is _____ (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 Commissioner Wells-Harley, seconded by Commissioner Hanson, with Commissioners Hanson, Presley, and Wells-Harley voting in favor of the motion, and with Commissioner Alfandre recused and Commissioner Cryor absent, at its regular meeting held on Thursday, October 1, 2009, in Silver Spring, Maryland.



Royce Hanson, Chairman
Montgomery County Planning Board

ATTACHMENT 2



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

MCPB No. 17-104

Sketch Plan No. 320170100

Ourisman Ford at Montgomery Mall

Date of Hearing: November 30, 2017

JAN 22 2018

RESOLUTION

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

WHEREAS, on June 19, 2017, FP Whitro Westlake, LLC ("Applicant") filed an application for approval of a sketch plan for construction of up to 355,822 square feet for a multi-unit, 75-foot high, apartment building with 12.5% Moderately Priced Dwelling Units (MPDUs) on a former automobile dealership site, with public open space, recreation amenities, structured parking, hardscape, landscape and stormwater management improvements on 4.08 acres of CRT-2.5, C-1.5, R-2.0, H-75 zoned land, located at the northeast corner of the Westlake Terrace and Motor City Drive intersection ("Subject Property") within the *Rock Spring Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320170100 Ourisman Ford at Montgomery Mall ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated November 17, 2017, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on November 30, 2017, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on November 30, 2017 the Planning Board voted to approve the Application, subject to certain binding elements and conditions, on the motion of Commissioner Cichy, seconded by Commissioner Dreyfuss, with a vote of 3-1;

Approved as to
Legal Sufficiency:

M-NCPPC Legal Department

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

Commissioners Andersen, Cichy, and Dreyfuss voting in favor, Commissioner Patterson voted against the motion, Commissioner Fani-Gonzalez was absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320170100, Ourisman Ford at Montgomery Mall, for construction of up to 355,822 square feet for a multi-unit, 75-foot high, apartment building with 12.5% Moderately Priced Dwelling Units (MPDUs) on a former automobile dealership site, with public open space, recreation amenities, structured parking, hardscape, landscape and stormwater management improvements on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

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 are illustrative.

B. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 355,822 square feet of residential uses. The total number and distribution of units will be determined at Site Plan review.

2. Height

The building height must not exceed 75 feet.

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 50 and must be chosen from at least three categories as required in Section 59-4.5.4.A.2. The requirements of Division 59-4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan.

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

- a. Major Public Facilities, achieved through provision of a bikeshare station;
 - b. Transit Proximity, achieved through Level 2 proximity to an existing transit center;
 - c. Connectivity and Mobility, achieved through minimum parking;
 - d. Diversity of Uses and Activities, achieved through providing enhanced accessibility;
 - e. Quality Building and Site Design, achieved through structured parking; and
 - f. Protection and Enhancement of the Natural Environment, achieved through a cool roof and vegetated areas.
4. Future Coordination for Site Plan
- In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed when filing a Site Plan:
- a. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guidelines requirements;
 - b. Submit a noise study for noise generated by traffic on the I-270 spur;
 - c. Coordinate with the Montgomery County Department of Transportation (MCDOT) Commuter Services Section regarding placement of a bikeshare station; and
 - d. Provide dedication to achieve 45 feet from centerline along Westlake Terrace in a deed of dedication.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that, as conditioned, the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan, and that the Sketch Plan satisfies Section 59.7.3.3.E., which requires that the sketch plan must:

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

a. Use Standards

Section 4.5.1.C. Commercial Residential Town (CRT) states that, *"The CRT Zone is intended for small downtown, mixed-use, pedestrian-oriented centers and edges of larger, more intense downtown. Retail tenant ground floor footprints are limited to preserve the town center scale. Transit options may include light rail, Metro, and bus."*

The proposed Sketch Plan meets the CRT Zone's objectives by adding multi-unit residential uses to an area that is currently dominated by non-residential uses including Westfield Montgomery Mall, and Rock Spring office district to the east (the latter has recently added a townhouse development along Westlake Terrace/Fernwood Drive). The proposed entrance plaza at the corner of Westlake Terrace and Motor City Drive will add more pedestrian activity along these streets. The Project will put approximately 340 multi-unit apartments across the street from an existing transit center that provides rapid bus service to the Grosvenor Metro Station.

b. Development Standards

The Subject Property includes approximately 4.08 acres zoned CRT-2.5, C-1.5, R-2.0, H-75. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

Development Standards Table for the CRT 2.5, C1.5, R2.0, H75 Zone

Development Standard Section 59- 4.5.4	Permitted/Required	Approved
Gross Tract Area (sf)	177,911 sf	177,859 sf
Maximum Total Density (CR)	2.5 FAR (444,778 sf)	2.0 FAR (355,822 sf)
Maximum Non-residential (C)	1.5 FAR (266,867 sf)	0.0 FAR (0 sf)
Maximum Residential (R)	2.0 FAR (355,822 sf)	2.0 FAR (355,822 sf)
Maximum Building Height (feet)	75	75
Minimum Public Open Space	10% (or 17,786 sf)	10% (or 17,786 sf)
Minimum/Maximum Parking Multi-family	Minimum: 1 space/unit; Maximum: 1 space/studio, 1.25 space/one bedroom, 1.5/two bedroom = 323	TBD at Site Plan

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

The Property is within the Rock Spring West District of the 2017 *Rock Spring Master Plan*. The Plan includes this property in the discussion of pipeline development in the area and describes how these approved but unbuilt projects would support the “central spine” concept in the plan by delivering “a mix of uses and improvements to the public realm that will start to reshape the Plan area into a connected, cohesive community that is more pedestrian

and bicycle friendly for employees, residents, students, and visitors” (pgs. 16 and 17).

The Applicant has incorporated applicable design guidance from the *Rock Spring Master Plan* in the Sketch Plan :

- *Concentrate development intensity along Westlake Drive and Westlake Terrace and proximate to the Transit Center on the West Side. To the extent possible, activate the frontage of Westlake Terrace.*
- *Implement quality building and site design considerations, such as building orientation to take advantage of passive heating, lighting, and ventilation.*
- *Prioritize consolidation of frontage along the central spine, and the introduction of residential uses to balance existing commercial uses.*

The proposed project adds new housing along Westlake Terrace across the street from the Transit Center. It provides a plaza and the main building entrance along Westlake Terrace that will activate this street. The Applicant conducted a solar study to demonstrate that the building orientation will maximize solar gain in the winter months and provide shade for the interior courtyards and the pool area in the summer. The project will bring residential units to a predominantly commercial area directly across the street from the Transit Center, and transform a former automobile dealership site into a block with urban street frontages and public and private open spaces.

Connectivity and Open Space guidelines of the Master Plan are to:

- *Improve the public realm along existing connections with wider sidewalks and landscaped areas to enhance pedestrian access between developing properties, the central spine, and adjacent communities.*
- *Consolidate the areas designated for public open space as part of the development process into usable, substantial, active, programmed, and accessible spaces.*

The project includes a public plaza at the corner of Westlake Terrace and Motor City Drive, which will also act as the main pedestrian entrance to the building. This space will be an attractive addition to the network of sidewalks and other open spaces in the surrounding neighborhood. The project also improves an existing PEPCO easement along I-270 to provide a walking loop around the site that will connect to the network of public sidewalks in the area.

The *Rock Spring Master Plan* recommends that all optional method projects in the master plan area should provide 15% MPDUs as the highest priority public amenity for new residential developments, unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park. The Sketch Plan review was initiated long before the Council's PHED Committee added this recommendation to the Planning Board Draft of the Master Plan, and therefore does not include 15% MPDUs as a public amenity to earn benefit points; nor does it dedicate land for a school or athletic field. The Planning Board agrees with the Applicant's assertion that this recommendation was added to the Draft Master Plan at a very late stage in the development review process (approximately one week before the publication of the Staff Report), and that the Sketch Plan application has gone through significant Staff review, including the Development Review Committee without consideration of this eleventh - hour revision to the Draft Master Plan. Instead, the Planning Board finds the Staff had been working with the Applicant to provide appropriate amenities to help the project achieve needed benefit points. Therefore, as a matter of equity, the Planning Board supports that the Applicant not be required to provide 15% MPDUs.

3. *satisfy under Section 7.7.1.B.5 the binding elements of 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 this provision includes and is not in addition any open space requirement of the property's zoning on October 30, 2014;*

The Property's zoning on October 29, 2014 was not the result of a Local Map Amendment.

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

The proposed building height of 75 feet will be compatible with the existing Pinnacle Business Center to the north and to the buildings in the Rock Spring Office Park to the east on the other side of the I-270 spur. The

Pinnacle Business Center is approximately six stories and the buildings across the I-270 spur are mid-to hi-rise. The Property is the first in the area to be developed under the CRT Zone, as recommended in the *Rock Spring Master Plan*. As several nearby sites undergo redevelopment in the future, they will have similar building heights as this building and compatibility will be achieved as envisioned in the *Rock Spring Master Plan*.

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

Available Transit Service

Five Ride On bus routes and two Metrobus routes operate along Westlake Terrace with stops at the Montgomery Mall Transit Center that is across Westlake Terrace from the proposed project.

Pedestrian Facilities

The Applicant will upgrade the existing sidewalks along Westlake Terrace and Motor City Drive with handicap ramps, crosswalks, and other pedestrian improvements, which will provide a safe pedestrian connection from the site to Montgomery Mall, the Transit Center, and other pedestrian facilities in and around the area.

Master-Planned Roadways and Bikeways

The following master plans have recommendations for planned transportation facilities adjacent to the Subject Property:

- 2005 *Countywide Bikeways Functional Master Plan*,
- 2013 *Countywide Transit Corridors Functional Master Plan*,
- 2017 *Rock Spring Master Plan*, and
- The Draft Bicycle Master Plan.

Westlake Terrace is designated as a business district street, B-3, in the *Rock Spring Master Plan*, with a recommended 90-foot-wide right-of-way. The current right-of-way is smaller than 90 feet; the Applicant must dedicate nine feet of additional right-of-way at Site Plan review. The *Countywide Transit Corridors Functional Master Plan* recommends Corridor 6, North Bethesda Transitway, along Westlake Terrace.

Dwight Eisenhower Highway (I-270) West Spur is designated as a freeway, F-1a, with a recommended 300-foot-wide right-of-way. The Maryland State Highway Administration (SHA) has two on-going projects along the segment of I-270 adjacent to the Property: 1) the I-270 Congestion Management Project; and 2) Capital Improvements Program (CIP) Project No. AW518B11,

West Side Mobility Study for express toll lanes along I-270 between I-495 and I-370.

Motor City Drive is a designated business district street, B-7, in the *Rock Spring Master Plan* with a recommended 70-foot-wide right-of-way. It currently has 35 feet from its centerline to the Property's edge.

No bikeway is recommended in the applicable master plans.

The existing and proposed vehicular, bicycle, and pedestrian circulation facilities will be appropriate. The proposed parking and loading will be adequate to serve the proposed development. The total number of parking spaces will be determined at Site Plan review.

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, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit points will be made at Site Plan.

For optional method developments in the CRT Zone, the Zoning Ordinance requires a minimum of 50 points in at least three categories. Although at the time of Sketch Plan review, only the categories need to be approved, the table below shows both the categories and points for public benefits requested in the Application to demonstrate the project's ability to meet the requirement to provide sufficient public benefits points. The Site Plan review will include the specific details of each requested subcategory, demonstrate how each will be implemented, and make recommendations to the Planning Board for the number of points that should be granted for each public benefit.

The *Rock Spring Master Plan* recommends that all optional method projects in the master plan area should provide 15% MPDUs as the highest priority public amenity for new residential developments, unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park. The Sketch Plan review was initiated long before the Council's

PHED Committee added this recommendation to the Planning Board Draft of the Master Plan, and therefore does not include 15% MPDUs as a public amenity to earn benefit points; nor does it dedicate land for a school or athletic field. The Planning Board agrees with the Applicant's assertion that this recommendation was added to the Draft Master Plan at a very late stage in the development review process (approximately one week before the publication of the Staff Report), and that the Sketch Plan application has gone through significant Staff review, including the Development Review Committee (DRC) without consideration of this eleventh-hour revision to the Draft Master Plan. Instead, the Planning Board finds the Staff had been working with the Applicant to provide appropriate amenities to help the project achieve needed benefit points. Therefore, as a matter of equity, the Applicant is not required to provide 15% MPDUs.

Public Benefit Calculations Table

Public Benefit Categories/Amenities	Max Points Allowed	Points Requested
59-4.7.3.A: Major Public Facilities		
Bikeshare Station	40	5
59-4.7.3B: Transit Proximity		
Level 2 Transit Proximity	25	15
59-4.7.3C: Connectivity and Mobility		
Minimum Parking	10	5
59-4.7.3.D: Diversity of Uses and Activities		
Enhanced Accessibility	20	6
59-4.7.3E: Quality Building and Site Design		
Structured Parking	20	10
59-4.7.3.F: Protection and Enhancement of the Natural Environment		
Cool Roof	10	5
Vegetated Area	10	10
Total	135	56

Major Public Facility

Bikeshare Station: Bikeshare stations provide public amenity at a convenient location where increased density creates a greater need for civic uses and greater demands on public infrastructure. The Applicant is proposing a bikeshare station and requesting 5 points in this category; the Planning Board approves the request.

Transit Proximity

The Property is adjacent (across Westlake Terrace) to the Westfield Montgomery Mall Transit Center for the master-planned bus line running

along Westlake Terrace, which is defined as Level 2 transit in the Zoning Ordinance. The Planning Board approves 15 points in concept.

Connectivity and Mobility

Minimum Parking: The Applicant is requesting points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points to providing a maximum allowed to 10 points for providing no more than the minimum number of required parking spaces on-site. The minimum required number of on-site spaces is 323 and the Applicant is proposing 373 parking spaces. The final number of parking spaces will be determined at Site Plan. The Planning Board approves 5 points in concept.

Diversity of Uses and Activities

Enhanced Accessibility for Seniors or the Disabled: Points in this category are granted for a development that increases the mix of land uses, types of housing, economic variety and community activities; contributes to development of more efficient and sustainable communities; reduces the necessity of automobile use; and facilitates healthier lifestyles and greater social interaction. Up to seven of the proposed ground-level units will be constructed with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards, or an equivalent County standard. The Planning Board approves 6 points in concept.

Quality Building and Site Design

Structured Parking: Points are granted in this category for high quality design that is especially important in urban, integrated-use settings to ensure that buildings and uses are visually compatible with each other and adjacent communities, and the pattern of development is harmonious. Due to increased density in these settings, buildings tend to be highly visible and high-quality design helps attract residents, patrons, and businesses to these areas. All off-street parking will be provided in a parking garage, which will be wrapped around on all sides with residential units. The Planning Board approves 10 points in concept.

Protection and Enhancement of the Natural Environment

Cool Roof: Up to 10 points are granted in this subcategory for constructing any roof area (that is not covered by a vegetated roof) with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, a minimum SRI of 25 for slopes above 2:12. A cool roof is included in the project and meets these standards. The Planning Board approves 5 points in concept.

Vegetated Area: Up to 10 points for installation of plantings in a minimum of 12 inches of soil, covering at least 5,000 square feet. This area does not include vegetated roofs or stormwater management facilities. A vegetated area on the eastern part of the Site will be provided. The Planning Board approves 10 points in concept.

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

The Project will be constructed in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the *Rock Spring Master Plan*, or other requirements; and

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

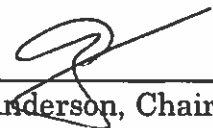
BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Ourisman Ford at Montgomery Mall Sketch Plan No. 320170100, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JAN 22 2018 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, January 11, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

ATTACHMENT 3



October 18, 2017

Margaret Kimball
Foulger-Pratt
12435 Park Potomac Avenue, Suite 200
Potomac, Maryland 20854

Traffic Noise Impact Analysis: Ourisman
Location: Montgomery County, MD
Report #5731

Dear Ms. Kimball,

Polysonics has completed a Traffic Noise Impact Analysis for the Ourisman project located in Montgomery County, Maryland.

We performed a 24-hour on-site traffic noise measurement. Forecasted traffic volumes and proposed grading information were used to determine future unmitigated noise contours for the site.

The Montgomery County Noise Guidelines stipulate a 65 dBA L_{dn} maximum noise level for outdoor recreation areas and 45 dBA L_{dn} for indoor areas.

The results of the analysis indicate that future traffic noise levels will be above 65 dBA L_{dn} in the private courtyard, pool area, and other open space. A barrier will need to be located on the eastern section of the property to meet the Montgomery County Noise Guidelines.

Future noise levels calculated at upper floor receiver locations indicate that all facades of the building will be impacted above 65 dBA L_{dn} , with the highest noise level reaching 77 dBA L_{dn} . Enhanced building materials such as modified windows, doors, and wall construction will be necessary for these impacted units.

Please let me know if you would like any further information.

Sincerely,
Polysonics

Christopher Karner
Senior Consultant
Direct line: 540-341-4988 x-2102



POLYSONICS

Acoustics & Technology Consulting

TRAFFIC NOISE IMPACT ANALYSIS:
OURISMAN

MONTGOMERY COUNTY, MD

REPORT #5731

PREPARED FOR: FOULGER-PRATT

PREPARED BY: CHRISTOPHER KARNER

OCTOBER 18, 2017

the sound of experience

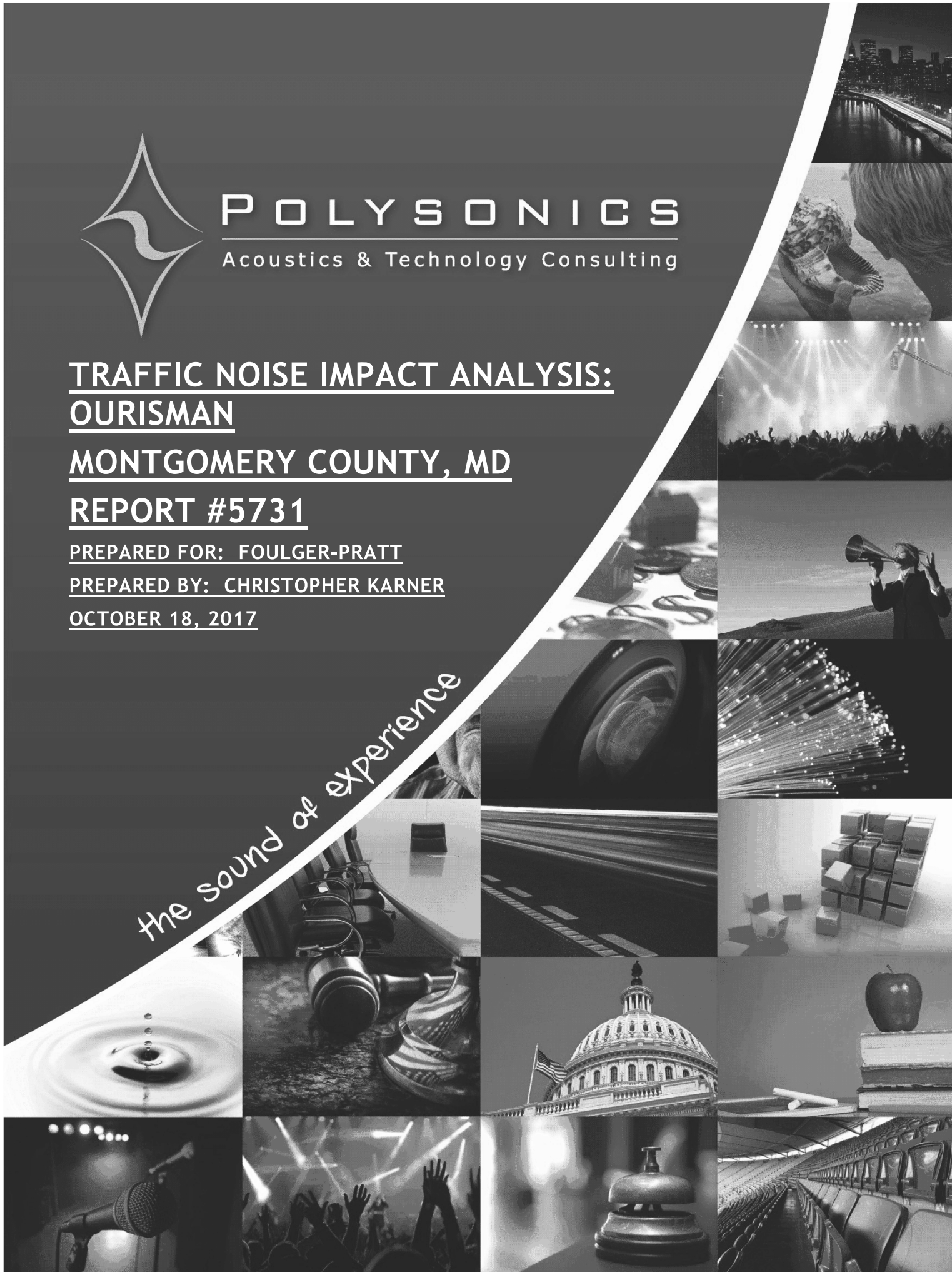


TABLE OF CONTENTS

EXECUTIVE SUMMARY	3
MONTGOMERY COUNTY NOISE GUIDELINES	3
MEASURED NOISE CONDITIONS	4
TRAFFIC NOISE MODEL	4
OUTDOOR NOISE IMPACT	7
BARRIER ANALYSIS	7
PRELIMINARY INDOOR NOISE IMPACT	8
RESULTS AND CONCLUSIONS	9
APPENDIX	10
MONTGOMERY COUNTY NOISE GUIDELINE MAP	11
24-HOUR TRAFFIC NOISE SURVEY	13
NOISE CONTOURS	16
BARRIER ANALYSIS	19
FAÇADE IMPACT	24

LIST OF TABLES

TABLE 1: MONTGOMERY COUNTY TRAFFIC NOISE GUIDELINES	3
TABLE 2: 24-HOUR NOISE SURVEY RESULTS	4
TABLE 3: INPUT PARAMETERS – I-270	5
TABLE 4: INPUT PARAMETERS – WESTLAKE TERRACE	6
TABLE 5: INPUT PARAMETERS – I-270 SOUTH TO WESTLAKE TERRACE RAMP	6
TABLE 6: INPUT PARAMETERS – WESTLAKE TERRACE TO I-270 NORTH RAMP	6
TABLE 7: ESTIMATED STC RATINGS FOR IMPACTED UNITS	8

LIST OF FIGURES

FIGURE 1: EXTERIOR NOISE GUIDELINES	12
FIGURE 2: SOUND LEVEL METER LOCATION	14
FIGURE 3: 24-HOUR TRAFFIC NOISE SURVEY RESULTS – M1	15
FIGURE 4: 2017 GROUND LEVEL NOISE CONTOURS	17
FIGURE 5: 2040 GROUND LEVEL NOISE CONTOURS	18
FIGURE 6: PROPOSED BARRIER	20
FIGURE 7: MITIGATED NOISE CONTOURS	21
FIGURE 8: BARRIER MATERIALS	22
FIGURE 9: PROPOSED BARRIER DETAIL	23
FIGURE 10: FAÇADE IMPACT – FLOOR 1	25
FIGURE 11: FAÇADE IMPACT – FLOOR 2	26
FIGURE 12: FAÇADE IMPACT – FLOOR 3	27
FIGURE 13: FAÇADE IMPACT – FLOOR 4	28
FIGURE 14: FAÇADE IMPACT – FLOOR 5	29

EXECUTIVE SUMMARY

Polysonics has completed a Traffic Noise Impact Analysis for the Ourisman project located in Montgomery County, Maryland.

We performed a 24-hour on-site traffic noise measurement. Forecasted traffic volumes and proposed grading information were used to determine future unmitigated noise contours for the site.

The Montgomery County Noise Guidelines stipulate a 65 dBA L_{dn} maximum noise level for outdoor recreation areas and 45 dBA L_{dn} for indoor areas.

The results of the analysis indicate that future traffic noise levels will be above 65 dBA L_{dn} in the private courtyard, pool area, and other open space. A barrier will need to be located on the eastern section of the property to meet the Montgomery County Noise Guidelines.

Future noise levels calculated at upper floor receiver locations indicate that all facades of the building will be impacted above 65 dBA L_{dn} , with the highest noise level reaching 77 dBA L_{dn} . Enhanced building materials such as modified windows, doors, and wall construction will be necessary for these impacted units.

Details of this study are provided herein.

MONTGOMERY COUNTY NOISE GUIDELINES

The Montgomery County “Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development” regulate traffic noise impact on residential developments. The noise guidelines are shown in Table 1.

TABLE 1: MONTGOMERY COUNTY TRAFFIC NOISE GUIDELINES

Maximum Guideline Value	Area of Application
55 dBA L_{dn}	Permanent rural areas and where residential zoning is 5 or more acres.
60 dBA L_{dn}	Residential areas of the county where suburban densities predominate. Noise attenuation is recommended to allow attainment of this level.
65 dBA L_{dn}	This guideline is applied to the urban ring, freeway, and major highway corridors. Noise attenuation is strongly recommended to achieve this level.
45 dBA L_{dn}	Interior noise level guideline. Applicable if a waiver of exterior noise guidelines is granted. Exterior noise levels exceeding the applicable guideline are to be attenuated by the building shell.

The outdoor limits apply to outdoor recreational activity areas, such as the private courtyard, pool area, and other open space.

We performed a review of the Montgomery County Areas of Application for Exterior Noise Guidelines for Residential Areas and Other Noise Sensitive Land Uses. The map is used to determine which guideline to apply to the site.

The site location on the map is shown in Figure 1 in the Appendix. Based on the site location and the language shown in Table 1, Polysonics determined that the noise guideline for the site is 65 dBA L_{dn} .

MEASURED NOISE CONDITIONS

From September 19th to 21st, 2017, Polysonics conducted a traffic noise measurement at the project site to determine current traffic noise impact from I-270 Spur, Westlake Terrace, and the adjacent ramps. The traffic noise measurement was made at one location on the property, designated as M1 on Figure 2.

The instrumentation used for the survey included one Bruel & Kjaer Type 2236 Integrating Sound Level Meter. This instrument is capable of measuring noise levels and calculating statistical results over the measured time period. The unit meets ANSI S1.4 standards for Type I Sound Level Meters and was calibrated prior to the measurement survey, traceable to the National Institute of Standards and Technology (NIST). All measurements were made in the standard dBA metric, which best simulates human hearing and is in accordance with Montgomery County guidelines.

L_{eq} is a metric describing the average noise level measured over a given time period. One-minute L_{eq} results were measured and logged into the instrument. The one-minute L_{eq} results from the 24-hour traffic noise measurement during September 20th, 2017 can be seen in Figure 3.

The L_{eq} result is used to determine the Day-Night average noise level, L_{dn} . L_{dn} is a 24-hour, time-averaged noise level with a 10-dBA "penalty" added during the nighttime hours of 10:00 p.m. to 7:00 a.m. to account for human sensitivity to noise at night. The Montgomery County noise guidelines are written in terms of L_{dn} .

The measured L_{dn} at the measurement location during September 20th, 2017 is shown in Table 2.

TABLE 2: 24-HOUR NOISE SURVEY RESULTS

Measurement Location	Measured L_{dn}
M1	74.8 dBA

No periods of precipitation were reported by the weather station at Montgomery County Airpark during the measurement. Periods of wind exceeding 10 mph occurred on September 20, 2017 between 1:56 p.m. and 2:00 p.m. The wind was brief enough that the measurement results were unaffected.

TRAFFIC NOISE MODEL

Noise levels were calculated using the Federal Highway Administration's Traffic Noise Model (TNM) Version 2.50.

TNM is a three-dimensional computer model that is used to determine traffic noise impact to surrounding areas of interest. The model considers factors such as topography, type of vehicle, and vehicle speed. The average noise level is calculated at selected receiver points. TNM has

POLYSONICS

been adopted by Montgomery County and FHWA.

We performed evening rush-hour traffic counts at the site from 5:01 p.m. to 5:50 p.m. on Tuesday September 19th, 2017. The results from the on-site measurements during this time were compared to a calibration model in TNM, which used the exact same inputs as observed during our traffic counts (speed, vehicle classification, geographic location, etc.).

It is generally accepted that if the calibration model is within 3 dB, the calibration is acceptable. Once calibrated, the same model can then be used with present and future Average Daily Traffic (ADT) values to predict and evaluate the traffic noise levels of various scenarios.

The results from the calibration model were 0.8 dB below the on-site measurements. With this excellent agreement between the model and measured results, TNM can be used to accurately predict future noise levels.

The 2017 and 2040 Average Annual Daily Traffic (ADT) volumes were obtained from the Maryland State Highway Administration.

Vehicle classification percentages were obtained from the Maryland State Highway Administration traffic counts for I-270. For the other roadways, we used our on-site rush hour traffic counts.

The percent of nighttime traffic was obtained from our traffic noise measurements.

The roadway information shown in Tables 3 through 6 was used to analyze traffic noise levels adjacent to the site.

TABLE 3: INPUT PARAMETERS – I-270 SPUR

Parameter	TNM Input
Vehicle Speed	55 mph
2017 ADT	133,825
2040 ADT	146,600
Autos	96.5%
Medium Trucks	1.2%
Heavy Trucks	1.9%
Buses	0.2%
Motorcycles	0.2%
Percent Nighttime Traffic	30%

TABLE 4: INPUT PARAMETERS – WESTLAKE TERRACE

Parameter	TNM Input
Vehicle Speed	30 mph
2017 ADT	21,000
2040 ADT	40,400
Autos	93.9%
Medium Trucks	1.5%
Buses	4.2%
Percent Nighttime Traffic	30%

TABLE 5: INPUT PARAMETERS – I-270 SOUTH TO WESTLAKE TERRACE RAMP

Parameter	TNM Input
Vehicle Speed	55 mph
2017 ADT	2,391
2040 ADT	2,950
Autos	100%
Percent Nighttime Traffic	30%

TABLE 6: INPUT PARAMETERS –WESTLAKE TERRACE TO I-270 NORTH RAMP

Parameter	TNM Input
Vehicle Speed	55 mph
2017 ADT	5,031
2040 ADT	5,800
Autos	100%
Percent Nighttime Traffic	30%

A grid of receivers was placed at 5 feet above the ground (representative of the height of a human ear) and along the façade of the proposed building at the height of each floor.

For the existing traffic model, current topography and 2017 traffic volumes were utilized. For the future traffic model, future topography and traffic data were used.

The current and proposed topography, current and proposed building locations, and the locations of the roadways were obtained from the 1470_SURVEYBASE.dwg, 170090 FPv20.dwg, 170090 KTG_Y_DTB_24x36_Horizontal.dwg, and 1470100.dwg files obtained from Foulger-Pratt on September 19th and 20th, 2017. Terrain not included in the CAD files was obtained from Google Earth. Floor heights were taken from the Conceptual Design from ktgy, dated August 30, 2017.

We modeled the existing and proposed building and the barriers along the northern side of Westlake Terrace and the entrance/exit ramps as barriers. We modeled the elevation change between I-270 and the site as terrain lines.

Detailed inputs for TNM are available upon request.

OUTDOOR NOISE IMPACT

The Montgomery County Noise Guidelines state that impact occurs if traffic noise levels exceed 65 dBA L_{dn} in outdoor recreational activity areas at this site location. Outdoor recreational activity areas include the private courtyard, pool area, and other open space.

The 2017 ground noise contours can be seen in Figure 4.

The 2040 ground noise contours can be seen in Figure 5.

As can be seen in Figure 5, the private courtyard, pool area, and open space are impacted by noise levels above 65 dBA L_{dn} . Therefore, a noise barrier will be required.

BARRIER ANALYSIS

Polysonics performed a Barrier Analysis with a barrier along the easternmost property line. We included the barrier in our model and raised the barrier until receiver locations in the noise-sensitive areas were below 65 dBA L_{dn} . The barrier location and height can be seen in Figures 6.

As seen in Figure 6, the barrier will need to be 8 feet tall.

The mitigated L_{dn} noise contours can be seen in Figures 7.

As seen in Figures 7, the resultant noise contours on the site are below the Montgomery County Noise Guidelines.

While solid wood barriers are typically utilized for noise mitigation, other high density, solid materials may be applied. The HUD Noise Guidebook states that any barrier should have a transmission loss of at least 10 dB more than the required transmission loss. The required transmission loss for these yards is at most 6 dB. Therefore, a barrier with a transmission loss of at least 16 dB will be required.

Figure 8 is an excerpt from the Noise Guidebook, showing various barrier materials and transmission losses. Any material with a transmission loss of 16 dB can be used to reduce noise levels to meet the standard.

A detail showing a noise barrier that would meet 16 dB can be seen in Figure 9.

PRELIMINARY INDOOR NOISE IMPACT

The Montgomery County Noise Guidelines state that a noise impact occurs if indoor noise levels due to traffic at the buildings exceed 45 L_{dn} . Indoor limits apply to noise sensitive spaces inside residential living units such as bedrooms, living rooms, dens, etc.

A residential unit of standard construction is expected to reduce exterior noise levels to interior levels by 20 dBA without modification. Standard construction assumes vinyl siding and STC 26

off-the-shelf windows/exterior doors. Therefore, residential units located outside the 65 dBA L_{dn} noise contour are expected to meet the required interior noise level of 45 dBA L_{dn} with standard construction.

Upper floor noise levels are typically higher than those at ground level, since the shielding effects of localized topography and the absorption offered by grass and vegetation are diminished with height above the ground.

The façade noise level impact can be seen in Figures 10 through 14.

Any unit impacted by 65 dBA L_{dn} or above may require building shell modifications. As can be seen in Figures 10 through 14, this includes nearly all facades of the building. Enhanced building materials (such as modified windows, doors, and wall construction) may be necessary for the residences.

As can be seen in Figures 10 through 14, the highest noise impact of the building is at 77 dBA L_{dn} . Therefore, the highest expected interior noise level is 57 dBA L_{dn} , above the 45 dBA L_{dn} limit.

General recommended STC ratings of materials for impacted units are listed in Table 7.

TABLE 7: ESTIMATED STC RATINGS FOR IMPACTED UNITS

Noise Impact	Building Element	Standard Ratings
<65 dBA L_{dn}	All	Standard Construction
65 dBA L_{dn}	Walls	36 STC
	Windows and Doors	29 - 33 STC
70 dBA L_{dn}	Walls	36 - 45 STC
	Windows and Doors	30 - 36 STC
75 dBA L_{dn}	Walls	45+ STC
	Windows and Doors	36 - 40 STC
77 dBA L_{dn}	Walls	45+ STC
	Windows and Doors	38 - 42 STC

A wall rating of STC 36 is a typical vinyl structure. A wall rated STC 45 is achieved with Resilient Channels, Genie Clips, or the use of HardiPlank. Ratings higher than STC 45 will require a masonry façade, such as brick or stone.

Table 7 provides general recommendations and ranges expected to achieve 45 dBA L_{dn} within the interiors of the units. The recommendations in Table 7 are expected to be modified once a Building Shell Analysis is performed. A Building Shell Analysis is part of the scope of this project and will follow at a later date, once architectural drawings are available. A Building Shell Analysis will allow us to determine the exact STC ratings for the exterior walls, windows, and doors required to meet the indoor requirement of 45 dBA L_{dn} .

RESULTS AND CONCLUSIONS

- The Montgomery County Noise Guidelines require outdoor recreational activity areas to be 65 dBA L_{dn} or lower.
 - The private courtyard, pool area, and other open space will exceed the Montgomery County Noise Guidelines and will require a noise barrier
 - Polysonics proposed an 8' barrier long the eastern property line.
 - The barrier will lower the noise level within the noise-sensitive areas to 65 dBA L_{dn} or lower.
- The Montgomery County Noise guideline for indoor residential noise levels at the site is 45 dBA L_{dn} .
 - The facades of building will be impacted by noise levels up to 77 dBA L_{dn} .
 - Enhanced wall construction and acoustically rated windows and doors will be required for all units.

ATTACHMENT 4



DEPARTMENT OF PERMITTING SERVICES

Isiah Leggett
County Executive

Diane R. Schwartz Jones
Director

April 10, 2018

Mr. Ghassan Khouri
VIKA, Inc.
20251 Century Boulevard, Suite 400
Germantown, MD 20874

Re: Stormwater Management
CONCEPT RECONFIRMATION
Ourisman Ford Montgomery Mall
SWM Concept #: 232468

Dear Mr. Khouri:

Your request for a stormwater management reconfirmation for the above site has been evaluated. The original approved SWM concept dated August 9, 2017 is hereby reconfirmed. Please adhere to all conditions required as part of that approval.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,

Mark C. Etheridge, Manager
Water Resources Section
Division of Land Development Services

Cc: SM File #: 232468

82009014B Ourisman Ford at Montgomery Mall

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-SITE-82009014B-SP3.pdf V4” uploaded on/ dated **“7/2/2018”** and
“08-LL-82009014B-L5-101.pdf V3” uploaded on/ dated **“7/2/2018”**.

The following needs to be a condition of the certified site plan:

1. All proposed non-standard pavers in the public ROWs are subject to review and approval by MCDPS at the time of ROW permit (and MCDOT lab for testing). If approved, a maintenance and liability agreement is required.



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Isiah Leggett
County Executive

Clarence J. Snuggs
Director

July 13, 2018

Ms. Emily Tettelbaum
Area 2 Division
Montgomery County Planning Department
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: Ourisman Ford
Site Plan Amendment No. 82009014B

Dear Ms. Tettelbaum:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval. At certified site plan, DHCA will need to review and approve any changes to the proposed bedroom mix.

Sincerely,

Lisa S. Schwartz
Senior Planning Specialist

cc: Jamie Chapman, VIK A Maryland LLC

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Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 16-Jul-18
TO: Ghassan Kouri - khoury@vika.com
VIKA, Inc
FROM: Marie LaBaw
RE: Ourisman Ford Montgomery Mall
8200*9014B

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **16-Jul-18**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** If additional FDC is required for garage, shall be located within direct line of sight from vehicular entry and no more than 100 feet from a hydrant measuree as the firefighter walks *****