



Poplar Grove, Preliminary Plan No. 120190040 and Site Plan No. 820190060

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Description

A. Poplar Grove, Preliminary Plan No. 120190040:

Application to create 176 lots and 45 parcels to allow for up to 1,206,000 sq. ft. of mixed-use development including 176 townhouse dwellings, 365 multi-family dwellings (including a minimum of 12.5% MPDUs), and up to 520,000 sq. ft. of non-residential uses. The Application includes an abandonment of previously unused right-of-way, and waivers for non-through road termination, horizontal alignments of private streets, and the provision of Public Infrastructure Areas. located on the east side of Century Boulevard between Father Hurley Boulevard and the future Dorsey Mill Road; approximately 19.4 net acres of land; CR 2.0, C-1.75, R-1.0, H-145T and Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Sector Plan.



B. Poplar Grove Phase I, Site Plan No. 820190060:

Application to construct up to 176 townhouse dwellings, including a minimum 12.5% MPDUs totaling 460,000 square feet for a total FAR of 0.39, and the construction of all the public roads in Poplar Grove; located on the east side of Century Boulevard between Father Hurley Boulevard and the future Dorsey Mill Road; approximately 11.4 acres of land; CR 2.0, C-1.75, R-1.0, H-145T and Germantown Transit Mixed Use Overlay Zone; 2009 Germantown Employment Area Sector Plan.

Recommendation – Approval with conditions of the Preliminary and Site Plans

Applicant: Symmetry at Cloverleaf LLC

Submittal Date: 11/08/2018

Review Basis: Chapter 50, Chapter 59, Chapter 22A

Summary

An executive summary is located on the following page.

SECTION 1 – EXECUTIVE SUMMARY

The following Staff Report is the analysis and recommendations for a concurrent submittal of a Preliminary Plan that encompasses the entirety of the Poplar Grove development site, and a Phase I Site Plan for a portion of the total site. These applications follow the Planning Board approval of a Sketch Plan for the entire site, approved by Resolution No. 18-099, dated November 5, 2018. At full build-out, there may be as much as 1,206,000 square feet of mixed-use development, built over at least four phases, some of which are likely dependent on the implementation of the Corridor Cities Transitway or the Dorsey Mill Road bridge. Phase I will construct 176 townhomes, which is just a little over 1/3 the total density proposed by the Preliminary Plan, and includes the Townhouse North and Townhouse South Districts. The Applicant's theme for the development represents an embrace of the presence of the existing Waters Family cemetery, and the site's history as a farm, combined with a modern neo-traditional community. A burial site located at the northern edge of the property will be preserved with the creation of the Waters Memorial Park, providing for community open space and accessibility for the general public.



Figure 1 – Phase I Site Plan

Development of this site however is challenging for many reasons, including the site's location, topography, and shape. The transportation routes connecting this site to the interstate are circuitous, even though the entire eastern border is adjacent to the interstate. In the future Dorsey Mill Road and the CCT will improve access but these projects are many years away. Topography is another challenge with the existing surrounding roads and infrastructure built at a higher elevation than the site, causing the need for a lot of fill, retaining walls, and special consideration to make gravity sewer possible. The narrow and irregular shape nestled between I-270 and Century Boulevard, and the location of an existing regional gas line also present challenges in finding a layout that met the intents of the Master Plan and the requirements of the County Codes. As such, the Applicant has requested and Staff are supporting a number of modifications and waivers to Chapter 50 the Subdivision Code, and to some of the Planning Board and Planning Staff guidelines. Modifications that are discussed in more detail in the Staff Report include a justification for the use of private roads, justification for not providing the standard corner lot truncations, and a request to base the noise guidelines on 65 dBA rather than the implied 60 dBA. Waiver

requests include non-standard termination of non-through roads, private street standards, noise attenuation, and the location of Public Infrastructure Areas for telecommunications.

In addition to the typical analysis and findings of a Preliminary and Site Plan, there is a request for the Planning Board to abandon approximately 3,964 square feet of previously dedicated right-of-way for the Corridor Cities Transitway and Dorsey Mill Road, as allowed under Section 49-68(e) of the County Code for portions of right-of-way not in the public use. The Property also has a previous approval for Provisional Adequate Public Facilities approval, as described in more detail in the Preliminary Plan Findings section on page 39. This Preliminary Plan will convert the existing Provisional Adequate Public Facilities into a full determination of adequacy, and includes a request to extend the validity for 12 years. All of these requests, as conditioned, are supported by Staff.

There are a few disagreements remaining between Staff and the Applicant including the requirement to provide BLT's as part of the Optional Method Public Benefit, and the traffic thresholds that trigger off-site transportation improvements. The Applicant does not support purchasing BLTs with the Phase I Site Plan because the phases density is under the 0.5 FAR threshold for incentive density in the CR zone. Staff is recommending each phase provide a fair share of BLTs since the entire development under one Sketch and Preliminary Plan exceeds the 0.5 FAR threshold and the allowed mix of uses including the townhomes is based on an analysis of the overall development. The Applicant has additional concerns over the development triggers for providing the identified off-site intersection improvements and traffic signals because of perceived fairness and feasibility, which is discussed further in the LATR section of the Staff Report.

As conditioned, Staff recommends approval of both applications because Poplar Grove achieves many of the recommendations of the Sector Plan land use and design elements, is an example of unique and creative solutions to site constraints, and meets the intents of the relevant Codes and guidelines of the development process.

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SECTION 2 – RECOMMENDATIONS AND CONDITIONS

Preliminary Plan No. 120190040: Staff recommends approval with conditions of the Preliminary Plan, including an abandonment of previously unused right-of-way, a waivers for non-through road termination, horizontal alignments of private streets, and the provision of Public Infrastructure Areas. All site development elements shown on the latest electronic version of the plans as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions below:

1. This Preliminary Plan is limited to 176 lots and 45 parcels including parcels for roads, open spaces and future development, for up to 1,206,000 square feet of mixed-use development, including up to 176 townhomes, 365 multi-family residential dwelling and 520,000 square feet of non-residential.
2. The Preliminary Plan will remain valid for up to 144 months (12 years) from the date of the mailing of this resolution. The Phases may occur in any order. The Applicant must meet at least one of the following four development triggers every three years (36 months) to remain valid:
 - a. Record plats for at least 70 lots for 70 townhouse units (Phase IA).
 - b. Record plats for 106 additional (176 total) townhouse units (Phase IB).
 - c. Record plats for parcels E4, E6, F2, And G2 in the Maker and Multi-Family District (Phase II).
 - d. Record plats for parcels A1 – A4 in the Mixed-Use Transit Oriented District (Phase III).
3. Peak hour trips shall be calculated based on each development type allowed by the Preliminary Plan, using the trip generation rates from 2013 LATR Guidelines, based on the density at full build-out and including allowed deductions, consistent with the Provisional Adequate Public Facilities methodology used in Resolution No. 15-149.
4. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for one hundred eighty-six (186) months from the date of mailing of this Planning Board Resolution, including the 12-year extension granted as part of this Preliminary Plan. The Applicant must comply with the following cumulative development triggers for the APF to remain valid:
 - a. Within five years (60 months) from the date of the mailing of this resolution, building permits for at least 70 townhouse units are issued by Montgomery County or equivalent generating at least 34 AM and 58 PM peak hour trips.
 - b. Within eight years (96 months) from the date of the mailing of this resolution, building permits for 176 total townhouse units are issued by Montgomery County or equivalent generating at least 88 total AM and 119 total PM peak hour trips.
 - c. Within 11 years (132 months) from the date of the mailing of this resolution, building permits are issued by Montgomery County or equivalent generating at least 222 total AM and 449 total PM peak hour trips.
 - d. By 15.5 years (186 months) from the date of the mailing of this resolution, all building permits associated with the Preliminary Plan are issued by Montgomery County totaling up to 1,015 total AM and 1,203 total PM peak hour trips.
5. The Following major site amenities shall be included with the Site Plan submission with the corresponding phases of development:

- a. Phase IA and IB shall provide any necessary recreation requirements for residential development, all public street sections, the hardscape for the Fitness Trail, and fencing, signage and seating for the Waters Memorial Park.
 - b. Phase II shall provide the farm production area, and landscaping along the Fitness Trail.
 - c. Phase III shall provide amenities around the Pond, and complete the Waters Memorial Park.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated August 22, 2019 and incorporates them as conditions of the Preliminary Plan approval, except for condition 18b of the MCDOT letter, which the Board modifies to requiring only once Phase III is implemented. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
8. 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 July 3, 2019, and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
9. 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 January 31, 2019, and 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 amendment does not conflict with other conditions of Preliminary Plan approval.
10. The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated May 16, 2019, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
11. The Planning Board accepts the recommendations of the Historic Preservation Commission (HPC) in its letter dated May 14, 2019, and incorporates them as conditions of Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter in addition to the following conditions and clarifications:
 - a) Prior to construction of Phase I improvements to Waters Memorial Park, as determined by site plan, the Applicant shall implement condition 3 of the HPC letter creating a detailed maintenance plan for the park and cemetery.
 - b) Phase I improvements to Waters Memorial Park shall be provided for on a site plan no later than Phase IB.
 - c) Waters Memorial Park shall be a component of any site plan for non-residential use in Phase III of development.

12. Before Staff certification of the Preliminary Plan the Applicant must show any necessary design specifications certified by an engineer specializing in acoustics ensuring that interior spaces of all buildings impacted by transportation noise greater than 65 *dba Ldn* will be mitigated to no higher than 45 *dba Ldn*; that all exterior spaces on lots 1-21 Block B are attenuated to under 70 *dba Ldn*; any outdoor open, amenity and recreation spaces in Blocks B, E and H are attenuated to under 70 *dba Ldn*; and that all other outdoor open, amenity or recreation areas not including roads, alleys or private lots that are impacted by transportation noise will be constructed to attenuate projected noise levels within the outdoor area to under 65 *dba Ldn*.
13. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDOT to construct a 12-foot wide shared use path along the property frontage on Century Boulevard.
14. The Applicant must dedicate the following rights-of-way and ensure construction of all necessary road improvements for the following public streets, as shown on the Preliminary Plan, to the design standards imposed by all applicable road codes. Only those roads [or portions thereof] expressly designated on the Preliminary Plan, "To Be Constructed By _____" are excluded from this condition:
 - a. Public sections of streets A, B, Garden Street and Kinster Drive, consistent with the standards of MC - 2005.01 as modified by MCDOT and shown on the Certified Preliminary Plan.
15. In accordance with the timing mechanisms identified below, the Applicant must ensure construction of the following off-site improvements by satisfying MCDOT requirements for the following:
 - a. Prior to the issuance of the 71st building permit for any townhouse dwelling, the Applicant must construct and have inspected as complete by MCDOT a traffic signal at the intersection of Kinster Drive and Crystal Rock Drive. Signal poles and boxes shall be located to accommodate the ultimate intersection configuration required by condition 15d below;
 - b. Prior to issuance of the 124th building permit for any townhouse dwelling, the Applicant must construct and have inspected as complete by MCDOT a traffic signal at the intersection of Kinster Drive and Century Boulevard.
 - c. Prior to issuance of any building permits that result in a cumulative 352 PM peak hour trips from the Subject Property, the Applicant must reconstruct the northbound and southbound approaches of Crystal Rock Drive at Kinster Drive to include one through/left lane, one through lane and one right turn lane on northbound Crystal Rock Drive, and on southbound Crystal Rock Drive the lane configuration must include one through/left lane and one through/right lane or submit for review and construction to M-NCPPC and MCDOT an alternative improvement that adequately addresses intersection capacity at this intersection.
 - d. Prior to issuing any building permits that result in a cumulative 446 PM peak hour trips from the Subject Property, the Applicant must either construct or provide documentation that permit and bond has been posted to construct a second northbound right turn lane on Crystal Rock Drive at Father Hurley Boulevard;

- e. Prior to issuance of any building permits that result in a cumulative 1,004 PM peak hour trips from Poplar Grove, the Applicant must construct a second left turn lane on eastbound Father Hurley Boulevard at Crystal Rock Drive or submit for review and construction to M-NCPPC and MCDOT an alternative improvement that adequately addresses intersection capacity at this intersection.
- 16. Prior to the construction of any of the off-site improvements identified in condition 15 of this Resolution, the Applicant must submit final engineering drawings to MCDOT for approval.
- 17. The Applicant must provide Private Roads Street A, Street B, Street C, Street E, Alleys 1A-1C, 2A-2D, Alley 3, Alley 4, Alleys 5A-B, Alleys 6A-B, Alley 7 and Alley 8 including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private and public utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
 - a. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the Private Road, the record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
 - b. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
 - c. Prior to issuance of any building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- 18. Prior to acceptance of Private Road C, the Applicant must install an advisory sign warning of a sharp curve posted with a 15mph speed limit, consistent with the Maryland SHA turn advisory speed sign standard W1-1a(1)(L&R) along Private Street C in the locations shown on the certified Preliminary Plan.
- 19. Prior to the issuance of any above grade building permits for the second phase of development, the Applicant shall coordinate with the HOA or community association that represents the Cloverleaf Townhouse condominium development on the north and south side of Kinster Drive to determine what requests for study by MCDOT will be made for Kinster Drive between Crystal Rock Drive and Century Boulevard. The requests may include but are not limited to traffic calming measures, changes in lane markings, added signage, or other appropriate measures that are necessary for pedestrian safety and vehicle speed.

20. Before submitting a record plat application or clearing or grading on the Subject Property, the Applicant must receive Staff certification of Site Plan No. 820190060. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks and bikepaths, open spaces, and recreation amenities is determined through site plan review and approval.
21. There shall be no clearing or grading of the site prior to certification of the Final Forest Conservation Plan.
22. The record plat must show necessary easements.
23. The record plat must reflect all areas under common ownership.
24. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Liber 28045 Folio 578 ("Covenant").
25. The record plat must show the abandonment of 3,964 square feet of existing right-of-way for portions of the Corridor Cities Transitway in Century Boulevard and Dorsey Mill Road, as shown on the Certified Site Plan.
26. Interim uses including but not limited to farmers markets, festivals, community farming or gardens, food or vendor carts, outdoor shows, play spaces, gravel parking for pop-up events, or interactive art installations may be allowed in areas of the Preliminary Plan not yet regulated by a Site Plan, subject to any necessary temporary use permits required by MCDPS. Block A may also be either rough graded consistent with the FFCP, or developed as a paved Park & Ride lot in coordination with MCDOT without Site Plan approval.
27. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.
28. The final location and number of MPDUs will be determined at the time of site plan approval.
29. All Future Site Plans and Site Plan amendments shall include a vehicle trip tracking table on the cover sheet, in a format approved by M-NCPPC, that keeps a cumulative total of how many peak hour peak period trips have been previously Site Plan Approved, and how many are proposed with the current Site Plan. The table must be based on the 2013 LATR Guidelines trip generation rates, and submitted and updated with each current or future site plan or site plan amendment.
30. The Applicant shall implement the following recommendations for implementing transportation management on the Subject Property in coordination with MCDOT, which may modify the specific design standards based on the most current standards and needs at the time of future site plans:
 - a. On the Certified Preliminary Plan, identify the possible location of two bikeshare locations, on private property or open space, sized to accommodate a typical bike share station that measures 53 feet by 7 feet, and has at least 4 or more hours of direct solar exposure. These stations shall be located in accessible and centrally located spaces within the Maker District and the Mixed-Use Transit Oriented Districts (Phases II & III).

- b. The Applicant shall provide one bikeshare station with any development in Phase II, and one bikeshare station with any development in Phase III, unless the Applicant provides proof of coordination that MCDOT no longer needs the station, in which case the applicant shall provide public bike racks, and a bike repair station or other bicycle improvements deemed suitable by MCDOT and M-NCPPC.
 - c. At the time of site plan for any multi-family or office building, displays that include real time transit, static transit, and other TDM information shall be considered for the lobby.
 - d. At the time of site plan for any area in Phase II the Maker District or Phase III the Mixed Use Transit District, at least one real time transit display shall be designed and located in highly trafficked areas within each Phase/District.
31. The Applicant must include the stormwater management concept approval letter, the Fire Department Access approval letter, the MCDOT approval memo and Preliminary Plan Resolution on the approval or cover sheet(s).
32. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

SITE PLAN NO. 820190060: Staff recommends approval with conditions of the Site Plan No. 820190060, Poplar Grove Phase I. The development must comply with the conditions of approval for Sketch Plan No. 320180220 as listed in the MCPB Resolution No. 18-099 dated November 5, 2018, and concurrent Preliminary Plan No. 120190040. All site development elements shown on the latest electronic version of the plans as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions below:

1. Density
The Site Plan is limited to a maximum of 460,000 square feet (0.39 FAR) of residential development on the Subject Property, for up to 176 townhouse units including a minimum 12.5% MPDUs.
2. Height
The development is limited to a maximum height of 60 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.
3. Building Lot Terminations (BLTs)
Before issuance of the 89th building permit, the Applicant must provide proof of purchase and/or payment of 3.2852 BLTs to the Department of Permitting Services (DPS).
4. Moderately Priced Dwelling Units (MPDUs)
The Planning Board accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated May 16, 2019 and hereby 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 or MCDHCA -approved equivalent on-site consistent with the requirements of Chapter 25A and the applicable Master Plan.
- b. Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

5. Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 48,500 square feet of Common Open Space (10% of net lot area attributed to townhomes) to meet the requirements of the Zone and 15,000 square feet of Public Open Space on-site for Public Benefit points.
- b. Open Spaces and landscaping shall be completed within six months, or by the next planting season of the last use and occupancy certificate issued for any adjacent buildings.
- c. The open spaces including the Garden Street, the multi-aged play area, and the multi-purpose court must be completed prior to issuance of the use and occupancy certificate for the 158th dwelling.
- d. Focal elements shall be installed as part of the completion of their respective open spaces.

6. 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.

- a. Transit Proximity – The Applicant is achieving for 10 points with the Phase I Site Plan for being within half a mile of a planned Level two transit facility.
- b. Connectivity between Uses, Activities, and Mobility Options
 - i. Advance Dedication – The total Subject Property is eligible for the Maximum 30 points, and the Phase I Site Plan will receive 10 points.
- c. Quality Building and Site Design
 - i. Exceptional Design – The Phase I Site Plan demonstrates meeting at least four of the criteria for exceptional design. The Site Plan receives two points for its contribution to the overall project.
 - ii. Historic Resource Protection – The Planning Board accepts the recommendations of the Historic Preservation Commission as described in their letter dated May 14, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter. The Site Plan establishes Phase I of the Waters Memorial Park around the existing cemetery including fencing, seating and signage, and the Site Plan receives five points based on the guidelines.
 - iii. Public Open Space – The Applicant must provide a minimum of 15,000 square feet of Public Open Space with Phase I to receive one point.
- d. Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs) – Before issuance of the 89th building permit, the Applicant must provide proof of purchase and/or payment of 3.2852 BLTs to the MCDPS. The Applicant receives 8.75 points for providing BLTs.
 - ii. Vegetated Area – The Applicant must install plantings in a minimum of 12 inches of soil, covering a minimum of 2,500 square feet of the site, in the location shown on the Certified Site plan, for 2.5 points. The Applicant must incorporate at least 2,500

more square feet of vegetated area in a future Site Plan to achieve the minimum 5,000 square foot vegetated area.

7. Recreation Facilities

The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan. The following facilities should be installed in completed in the Common Open Space areas later than the following:

- a. Prior to the issuance of the 60th building permit, the Applicant must complete one of the three recreation amenities below, prior to issuance of the 110th building permit the Applicant must have installed two of the three recreation amenities below, and prior to issuance of the 158th building permit the Applicant must have installed all three of the following recreation amenities below:
 - i. Fitness trail with two outdoor fitness stations located along the eastern edge of the property;
 - ii. Multi-aged play area located in Block H in the South Townhome Neighborhood and
 - iii. Multi-purpose court located in Block D in the North Townhome Neighborhood.

8. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the planter boxes, garden beds, trellises and swings along the Garden Street, retaining walls, fences and railings, the focal elements, recreation amenities, landscaping, open space lighting, private streets and sidewalks, trash receptacles and benches.

9. Site Design

- a. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings in the Certified Site Plan, as determined by M-NCPPC Staff, establishing a modern farmhouse aesthetic. At a minimum all units shall:
 - i. On the front and side facades, include elements of decorative cladding in either a shake, board-and-batten, or clapboard treatment, or be a masonry façade
 - ii. All facades shall utilize brick or stone, cement plank, or a polymer product
 - iii. Include a masonry water table element
 - iv. Have a minimum of two unique façade designs per townhouse stick, with no more than two units in a row that are the same design without utilizing a contrasting color, cladding pattern or façade material. Unique façade designs shall be differentiated by providing at least three of the following strategies:
 1. Box or bay windows
 2. Dormers or reverse gables
 3. Overhangs
 4. Stoops or awnings
 5. Varied window placement
 6. Changes in cladding orientation and treatment patterns, and changes in color.
 - v. The sides of end units shall include the same materials and patterns as the front.

- b. High Visibility End Units
 - i. The following are high visibility end units: 9, 10, and 21 block B; 1,7,12,13,18,25,26, and 41 Block C; 1,6,7,12,17,22,23 and 27 Block D; 1 Block E; 4, 9, 10 and 14 Block H; 1, 6,7,11,12,17,18 and 22 Block J; 1, 8, 9, 16, 17, 23, 24, and 32 Block K.
 - ii. High visibility end units shall include the same architectural patterns and treatment provided on the front of the units, be at least 20% high contrast using a minimum of at least 6 individual features which may include any combination of the following elements: windows, doors, bays, faux windows, banding between different types of siding, or other architectural treatments as determined by Staff.
- c. The exterior architectural character, proportion, materials, and articulation of the MPDUs must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
- d. Any retaining wall section higher than six feet must use a segmental wall that contains plant openings with soil cavities, spaced at no more than 8 feet apart on center, that are at least one course high and 1.5 feet wide.
- e. Landscaping in planter bed types 1, 2, 4, 5A, and 5B in the open space adjacent to the Garden Street must be planted with edible plants including annual and perennial herbs, berries, and vegetables. The planters must be managed by the future HOA or a designee and the planter beds must be maintained to be reasonably free of weeds. Any beds with annual plantings must incorporate cover crops during non-growing seasons.
- f. Final design specifications of the Focal elements shall be reviewed and approved by M-NCPPC Staff prior to their installation.

10. Lighting

- a. Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior open space 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 or BUG-equivalent fixtures.
- c. Deflectors will be installed on all proposed fixtures to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

11. Forest Conservation

The development must comply with the Final Forest Conservation Plan and the following conditions

- a. Prior to any clearing, grading, or demolition on the property, the Applicant must obtain the M-NCPPC General Counsel approval of a Certificate of Compliance agreement for the 1.41-acre off-site forest planting requirement.
- b. The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
- c. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.

12. 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 building shell for residential dwelling units 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 March 29, 2019 for 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 any of the noise impacted units, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- d. For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and should be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and site plans.
- e. Before issuance of Use and Occupancy Certificate for any units in Block B, the 20-foot tall noise wall recommended by the noise analysis must be completed, inspected, and approved by MCDPS.
- f. Before issuance of Use and Occupancy Certificate for units 1-6, 19-25, 26-33 or 34-41 in Block C either the 20-foot tall noise wall recommended by the noise analysis must be constructed, or the building shell of lots 1-21 in Block B must be constructed but do not need to be occupied.

13. Utilities

Within all private road parcels, the Applicant must install an empty utility conduit as shown in the utility plans 19-UTIL-820190060-001 through 003 in ePlans for Ultra Montgomery, or an alternative location if approved by Ultra Montgomery in advance. Access to, use, and maintenance of this conduit shall be made available to future telecommunications companies in conjunction with Ultra Montgomery and Montgomery County.

14. Pedestrian & Bicycle Circulation

The Applicant must provide five-foot-wide sidewalks along both sides of all public and private streets except for the following locations:

- i. The east side of Private Street C may have sections of four-foot-wide sidewalk as shown on the Certified Site Plan.
- ii. The south side of Private Street C in Block D will have no sidewalk until construction of the adjacent parcel is Site Planned.
- iii. The north side of Private Street E will have no sidewalk until construction of the adjacent parcel is Site Planned.

15. Private Streets

The Applicant must provide Private Roads Street A, Street B, Street C, Street E, Alleys 1A-1C, 2A-2D, Alley 3, , Alleys 5A-B, Alleys 6A-B, Alley 7 and Alley 8 including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private and public utility systems and other necessary

improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:

- a. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the Private Road, the record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
- b. The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq.
- c. Before issuance of any building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- d. Prior to Private Street C opening to the public, the Applicant must install an advisory sign warning of a sharp curve posted with a 15mph speed limit, consistent with the Maryland SHA turn advisory speed sign standard W1-1a(1)(L&R) along Private Street C in the locations shown on the certified Site Plan.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, or sediment control permit the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-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 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, outdoor recreational facilities, site furniture, focal elements, mailbox pad sites, trash receptacles, retaining walls, fences, railings, private roads and 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 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.

- d. The applicant should submit three separate cost estimates, site plan surety and maintenance agreements and financial securities that cover onsite landscaping, onsite private roads/streets and alleys and infrastructure associated with the private roads/streets and alleys, and other amenities and features including the Phase I improvements to Waters Memorial Park.

17. 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.

18. Future Site Plans

All public and private roads for the development are initially approved with this Site Plan. Future Site Plans within Poplar Grove may make minor modifications to right-of-way elements within the Public or Private rights of way adjacent to the Site Plan areas subject to the review of M-NCPPC and MCDPS, including adding sidewalks to Private Streets C and E, and upgrading the connectivity and materials within the right-of-way along the Garden Street and Street A, without the need to amend the subject Site Plan.

19. 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, Site Plan resolution and all agency approval letters 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, if any tree-save areas are identified on the Final Forest Conservation Plan."
- 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. Add a vehicle trip tracking data table to the cover sheet that includes how many peak hour peak period trips the Site Plan is projected to generate, based on the 2013 LATR guidelines trip generation rates including allowed deductions , and add the trip generation tables from the 2013 LATR guidelines to the certified Site Plan approval sheet(s).
- f. Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 3 – SITE LOCATION, DESCRIPTION, AND HISTORY

Site Location

The subject site is located on the east side of Century Boulevard, south of the future Dorsey Mill Road right-of-way and west of the interchange of I-270 and Father Hurley Boulevard. The Preliminary Plan site consists of four parcels (P. 635, P. 688, P. 850 and P. N712 on tax map EV341) and is approximately 19.4 net acres in size (“Property” or “Subject Property”). The Property is located in the northern part of the Germantown Employment Area adjacent to the Black Hill mixed use development. The current zoning is CR 2.0, C-1.75 R-1.0 H-145T, and is located within the Germantown Transit Mixed Use Overlay Zone. The submitted Site Plan encompasses approximately 11.4 acres of the Full Property, and is split into two land bays, plus the public road that connects the two land bays (“Site” or “Site Plan Property”).

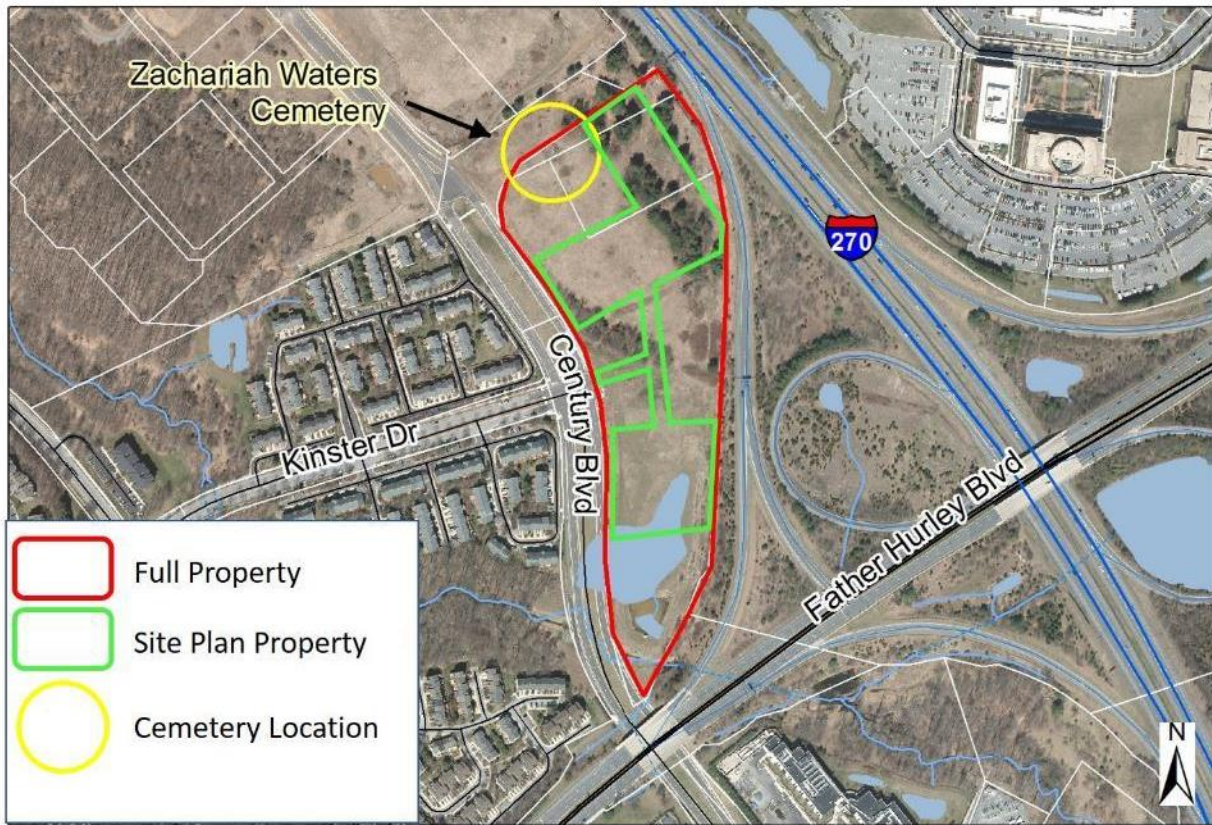


Figure 2 – Site Boundary Map

Site Vicinity

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



Figure 3 – Vicinity Map



Figure 4– Zoning Map

Site Description

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

Located in the far northern portion of the Subject Property, adjacent to the right-of-way for the future Dorsey Mill Road, is a fenced cemetery with gravestones identifying members of the Waters Family, which dates back to the mid 1800's (Figures 3, 4 and 5). Under advisement by M-NCPPC Historic Preservation Staff, both MCDOT and the Applicant undertook preliminary investigations using ground penetrating radar performed by consultants to determine if any anomalies exist in the soil, potentially signifying archeological resources existing beyond the identified boundary of the cemetery. Anomalies that are identified by ground penetrating radar can be caused by a number of things including trash or rubble fill, buried tree stumps, old structure locations or potential remains of farm animals or of humans. The MCDOT study identified several anomalies within the right-of-way for Dorsey Mill Road; many of which could be human remains based on the size, shape and depth of the identified anomaly. Multiple anomalies were also identified in the northern portion of the Subject Property. All of the anomalies on site were tested with consultation from the Planning Department's archaeologist in a manner meant to verify that there were no additional graves present on the site. One unidentifiable culture feature was found, but no graves. The Applicant has satisfied the requirement to delineate the boundaries of the burial ground; it has been defined as the space within the existing metal fencing. No additional anomalies were detected further south on the Property.

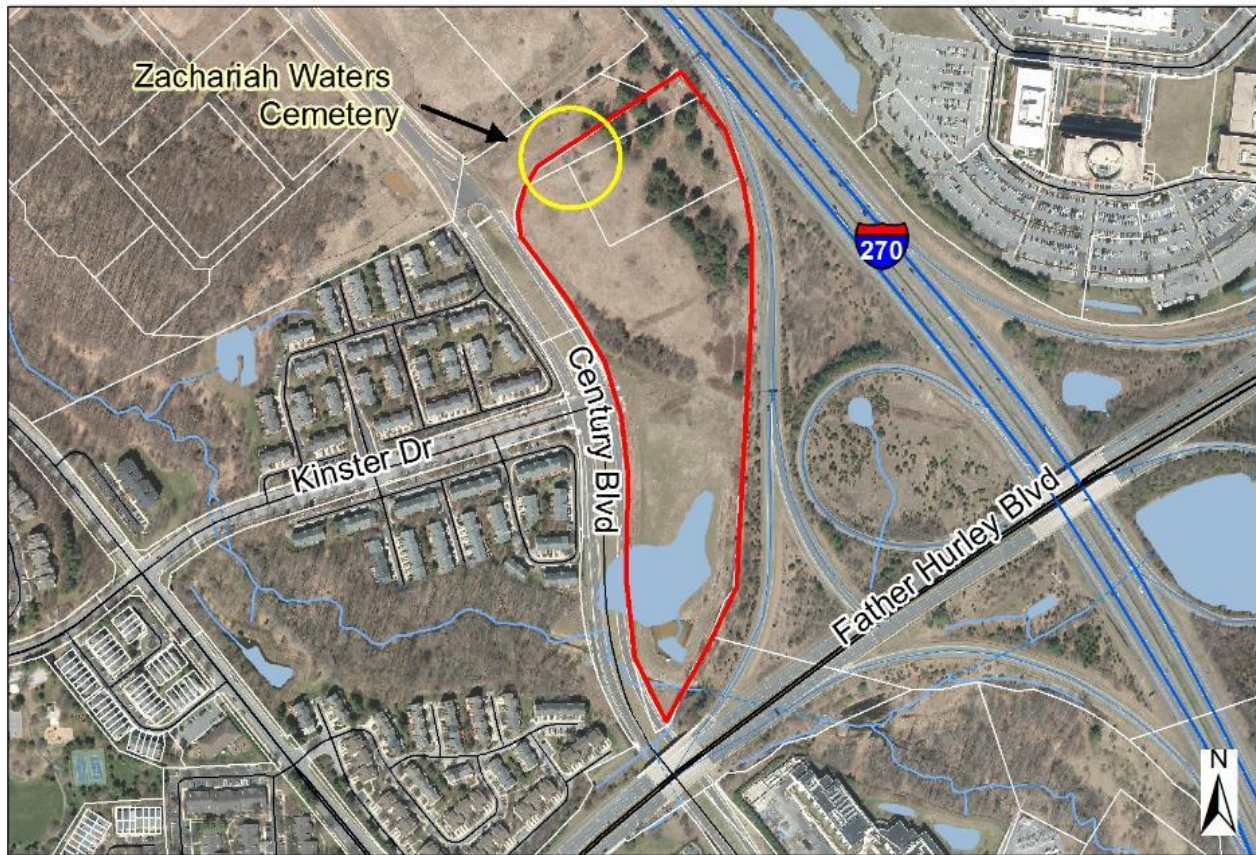


Figure 5 – Existing Aerial Map

Regulatory History

Preliminary Plan No. 119881560 – Cloverleaf Center Germantown

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

Site Plan No. 820020280 – Century Park at Cloverleaf

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

Provisional Adequate Public Facilities (PAPF)

On December 18, 2015, by Resolution No. 15-149 (Attachment D-1), the Planning Board granted approval of a PAPF for Symmetry at Cloverleaf which shares the same Property boundary and Applicant as the current Preliminary Plan Application. The PAPF limits future development to a maximum of 1,558 AM

peak hour trips and 1,762 PM peak hour trips. Inbound AM peak hour trips are limited to no more than 70% and no less than 60% of trip totals, and inbound PM peak hour trips shall be no more than 45% of total trips and no less than 30% of total trips. The resolution contains a number of off-site road improvements that must be studied by the Applicant at the time of Preliminary Plan. The PAPF was granted because the Applicant provided significant land and funding for the construction of Century Boulevard prior to having any development entitlements.

Sketch Plan 320180220 – Poplar Grove

Sketch Plan No. 320180220 was approved by the Planning Board by resolution No. 18-099 dated November 5, 2018 (Attachment D-2). The Sketch Plan encompassed the entire Subject Property and allowed for up to 1,206,000 square feet of mixed-use development including 686,000 square feet of residential and 520,000 square feet of commercial space. The Sketch Plan generally laid out the different districts of development contemplated including possible unit types and total maximum height.

SECTION 4 – PROPOSAL

Preliminary Plan Proposal

Preliminary Plan No. 120190040 was submitted on November 11, 2018 to create 176 lots and 45 parcels on approximately 19.4 net acres of land in the CR 2.0, C-1.75, R-1.0, H-145T Zone (Preliminary Plan). The Preliminary Plan proposes to allow up to 1,206,000 sq. ft. of mixed-use development including 176 townhouse dwellings, and 365 multi-family units. The Preliminary Plan covers the entirety of the Poplar Grove Subject Property and lays out the lots, parcels, roads and open spaces across the entire site.

Site Plan Proposal

Site Plan No. 820190060 was submitted on November 11, 2018 to allow for the construction of up to 176 townhouse units on approximately 11.4 acres of land (Site Plan). The area of the Site Plan corresponds to the North and South Townhome Neighborhoods described in the Preliminary Plan, and are phases 1a and 1b of the phasing plan (Figure 13).

Land Uses and Districts

The Poplar Grove project is envisioned as a mixed-use community unified by architecture and design focusing on urban farming and creating maker spaces, which pay homage to the agricultural past of the Property by the Waters family. Unique attributes include the creation of an urban farming area, creating a natural surface fitness trail, and developing the main north/south street as an amenity called the Garden Street that places open space adjacent to the street, filled with unique planters, spaces for community gardens, and has amenities such as seating, trellises, and swings. The Applicant is also proposing multiple focal elements which will include some installation of sculpture or art that continues the agricultural theme.



ART FOCUSED SPECIAL ELEMENTS:

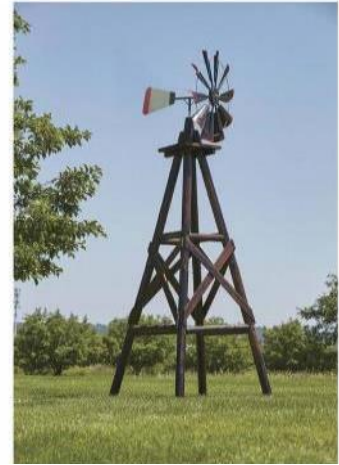


Figure 6 – Examples of focal features emphasizing production and agriculture.



Figure 7– Illustrative townhouse examples

Poplar Grove is divided into distinct development districts including the Mixed-Use Transit Oriented District, the North and South Townhome Neighborhoods, the Maker and Multi-Family District and the pond area. The first two phases which are included in the Site Plan are the North and South Townhome Districts. These are two townhouse neighborhoods located on either side of the central Maker and Multi-family District. The layout within the Townhome Neighborhoods is neo-traditional in design with dwellings that front on streets and open spaces, and are primarily serviced by alleys. Architecturally the townhouses are proposed to resemble modern farmhouses in keeping with the overall urban farming theme of Poplar Grove. Emphasis is given to pitched rooflines either in a traditional sense with the ridgeline paralleling the unit front, broken up with dormers, or rotated with the ridges running perpendicular to each unit's front, creating a dynamic roofline emphasizing the pitch of the roof. The use of both vertical and horizontal

cladding, lapboard, shake siding or other wood resembling products will add to this farmhouse theme. The Phase I Site Plan for the two townhome neighborhoods includes a total of 176 townhouse. The dwellings range between 16 and 20-foot wide with the 16-foot wide units including a one car garage, and the 20-foot wide units a two-car garage. The townhomes will vary between three and four stories in height and include gabled, pitched, and flat roofs.

The Maker and Multi-Family District is planned to be the second phase of development and is located in the center of the Property where the extension of Kinster Drive enters the Property. The Maker and Multi-Family District will also be transected by the Garden Street, helping tie it into the adjacent Townhome Neighborhoods. The Maker and Multi-Family District is envisioned to be a mix of multi-family housing, retail and 'maker space' that would complement and utilize the on-site grown produce. On the northern end of the Property is the Mixed-Use Transit Oriented District, which is located adjacent to the planned CCT station and includes development opportunities for additional multi-family buildings and for two office buildings. The southern end of the Property is the Pond, which is an existing stormwater pond which will receive landscape and amenity upgrades. Immediately east of the Mixed-Use Transit Oriented District and North Townhome Neighborhood is a farm production area that will be leased to an urban farming team with the vision of using or selling many of the on-site produced products in the Maker District.



Figure 8 – Farming Area

The Garden Street is the other element that is anticipated with Phase I development and acts as the unifying feature that connects all of the Districts and Neighborhoods. The street itself will be a public street, but the western side of the street will then be bordered by a continuous linear open space that will include limited areas with vegetable and herb production managed by a farming consultant group, areas of seating, native plantings and standalone amenities including swings and trellises.



Figure 9 – The Garden Street

Transportation and Adequate Public Facilities

The Preliminary Plan is proposing a mix of public and private streets, and private alleys to provide the vehicle circulation on the Property. A primary network of public business district streets will form the primary circulation on the Subject Property and include the extension of Kinster Drive onto the Property, a new Garden Street running the length of the Property, and new northern and southern accesses connecting the Garden Street to Century Boulevard. The remaining streets and all on-site alleys are private and serve primarily as access to the townhouse lots. A justification for the use of private streets was submitted with the application, as were design exceptions for the public streets, and a subdivision waiver for corner lot truncation and for constructing private streets to the same design standard as public streets. Sidewalks are shown along all streets, a new shared use path will be built along Century Boulevard, and multiple pedestrian routes through and around the Property are proposed including a fitness trail which will be made of crushed stone material. While Century Boulevard is already constructed, only the 2.1 acres of land previously set aside for the future transitway was dedicated, leaving the four-acre portion of the roadway to still be dedicated to DOT (Figure 11). The road was built under a joint agreement with DOT that did not require dedication to occur until Preliminary Plan.



Figure 10 – Proposed road network

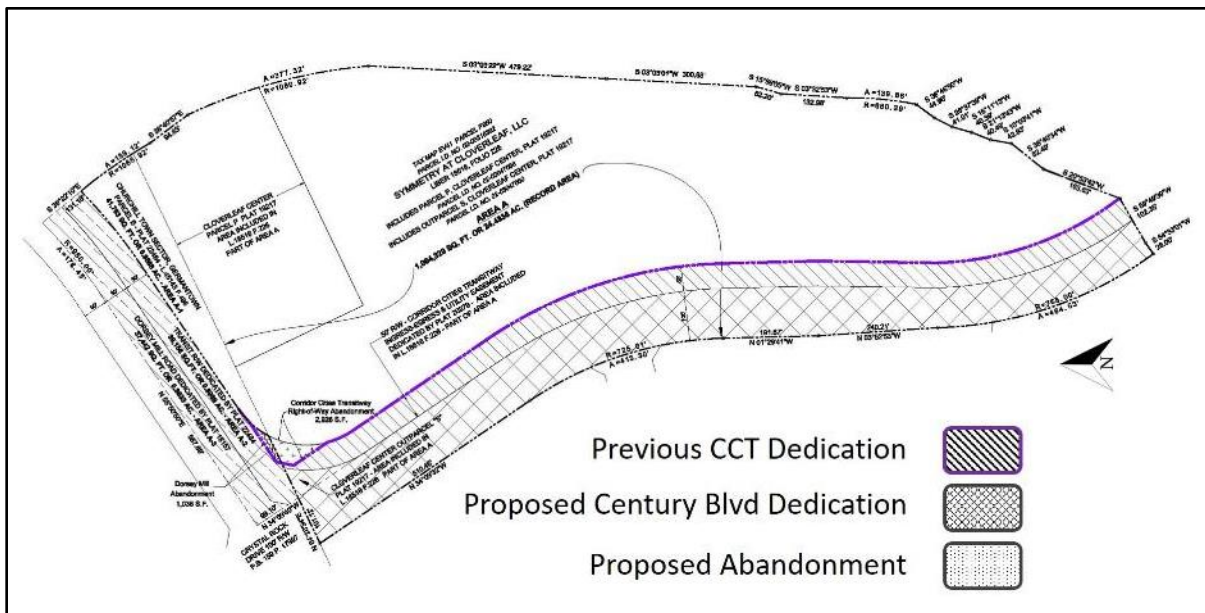


Figure 11 – Dedication Areas

As part of the Preliminary Plan review, the Applicant is requesting amending the existing provisional APF approval to make it a standard APF approval including updating the anticipated peak hour peak period traffic volumes, and adding a school analysis. The Applicant is also requesting an extension of the APF validity date of up to 12 additional years beyond the existing approvals per Section 50.4.3.J.5.e to allow for development of the Property and to correspond with the requested plan validity phasing schedule.

Abandonment

A right-of-way abandonment was requested with the Preliminary Plan to abandon approximately 3,964 square feet of existing right-of-way near the intersection of Century Blvd and the future Dorsey Mill Road (Figure 12). This right-of-way was dedicated or reserved for the CCT back when the CCT was planned to be light rail transit, located on the east side of Century Boulevard. The Applicant provides in their abandonment justification (Attachment F) reasons the right-of-way is no longer needed including new plans for the CCT as a median running bus rapid transit line. The abandonment justification states the right-of-way is not currently in public use and therefore may be abandoned by the Planning Board as part of a Preliminary Plan.



Figure 12 – Proposed Abandonment

Open Spaces and Amenities

The Property will have a mix of Common and Public Open Space areas providing space for recreational amenities that also tie back into the urban agricultural theme. The Preliminary Plan creates numerous parcels for providing open space including the farm production area, the pond area, the central park space and numerous green mews and smaller urban plazas. The Site Plan details a green mews with pedestrian circulation bisecting both townhome neighborhoods perpendicular to the Garden Street, and a fitness trail paralleling the Garden Street, creating a green grid through both neighborhoods. The Townhouse north district includes an additional urban plaza and an area for a full basketball court. The Townhouse South district has a playground area adjacent to the fitness trail, and a plaza overlooking the open space and pond to the south. While the Garden Street proper ends at Street B, an activated plaza will extend south along the axis of the Garden Street to both continue the linear open space element and to bring pedestrians down to the pond area.

Historic Resources

As first discussed in Sketch Plan No. 320180220 for the Subject Property, there is a known cemetery located in the northern portion of the Property, that contains graves from the Waters family dating back to the mid 1800's. Currently there are five gravestones and the site is surrounded by a black fence. The Applicant has proposed turning the area around the identified cemetery into Waters Memorial Park that would be maintained by the future HOAs with new pathways, seating, interpretative signage and landscaping, to be built in phases.

Phasing

The Preliminary Plan proposes four total phases for Poplar Grove for purposes of Plan Validity, but Phases IA and IB are collectively the Phase I Site Plan and are referred to as one phase in this Staff Report. This

first phase is the Townhome North and Townhome South districts which allow for up to 176 townhome units. Phase I also sees the construction of the public streets, the Fitness Trail hardscape, and implementation of part of the Waters Memorial Park. Phase II as identified in the Application is the retail and residential uses in the Maker District for up to 75 multi-family residential units and 50,000 square feet of retail, and will install the landscaping along the Fitness Trail. Phase III is the Mixed-Use Transit District that includes the remaining multi-family with 290 additional units, a remaining 35,000 square feet of retail, and up to 435,000 square feet of office space, and will see the completion of the Waters Memorial Park, and the amenity upgrades around the Pond. The Applicant has requested flexibility to build the later phases in any order, and the off-site transportation improvements are generally based on trips generated rather than phase to ensure adequate transportation as the total Poplar Grove Property builds out.



Figure 13 – Phases

Interim Uses

The Preliminary Plan will likely be built out in phases over many years. The Applicant is proposing to use the land that will be part of later phases of development for interim uses until such time that Site Plans for development are approved. In particular, Block A the Mixed-Use Transit District and Blocks E, F and G of the Maker District may be rough graded and could be used for but are not limited to events such as farming, farmers markets, street and craft markets, pop-up events or festivals, art displays, temporary outdoor gatherings or concerts, food trucks, community gardens, or temporary event parking. The Applicant has also had discussions with MCDOT about the potential for park & ride activities especially in the northern Block A. The Forest Conservation Plans already account for these locations as cleared and graded. The Applicant's plan is to use these temporary events to help draw the attention of potential future residents, retailers and patrons to the Property.

Additionally, The Sketch Plan conditioned MCDOT to study whether a long-term park & ride facility in Block A, associated with the future CCT is appropriate. The condition gave MCDOT three years to conclude that analysis. As of this Staff Report, only one year has passed and the Preliminary Plan notes the potential for a future parking facility underground on Block A.

SECTION 5 – COMMUNITY OUTREACH

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A joint pre-submission meeting for the Preliminary and Site Plans was held on September 11, 2018 at the Germantown Library. The provided sign-in sheets show that 18 community members attended the pre-submission meeting. The Applicant provided a presentation on the applications and took questions from those in attendance. Many of the questions focused on building types, parking and traffic which the Applicant was able to answer. Additionally, there was a lot of discussion about the Waters family cemetery on the Property including plans for protection and future access. As of the writing of this Staff Report, Staff has not received any written correspondence from the community regarding the Preliminary or Site Plan but has received one phone inquiry. The concerns raised over the phone were regarding the impact the additional traffic this project would have on roads in other parts of Germantown and generally in the up-county area. The concern is that our traffic studies do not look far enough out from a subject property to analyze, account for, or provide mitigation for developing traffic problems at numerous intersections including ones along MD 355 in Germantown and Gaithersburg, and capacity problems along I-270. Staff explained that this Application already has an approved APF for vehicle trips and the Application is clarifying the uses and phases that would generate these trips. Staff also explained how the concerns with traffic impacts in other parts of the area are handled through modeling done during the master planning process and the road improvements identified are based on a full build-out of a master plan area, and the improvements are done in coordination between individual development applications and the County.

SECTION 6 – ANALYSIS AND FINDINGS, PRELIMINARY PLAN, 120190040

Findings – Chapter 50.4.2.D

1. *The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59*

- a. *The block design is appropriate for the development or use contemplated*

The block design proposed is appropriate for the mixed-use development proposed by the Preliminary Plan. The blocks are laid out in a neo-traditional pattern with a grid of streets and alleys which will allow the townhouse units to front the streets and provide vehicle access mostly in the rears. The commercial blocks are centered around the main intersection of Kinster Drive and the Garden Street, and at the north end where office and multi-family development is planned around an open plaza.

- b. *The lot design is appropriate for the development or use contemplated*

The proposed lot sizes, widths, shapes and orientations are appropriate for the uses contemplated by the Preliminary Plan. Larger parcels are being created in the northern mixed-use area where future office and multi-family buildings are contemplated, and in the central Maker District where retail is envisioned. These large lots allow for parking facilities and flexibility in the future design of the commercial buildings. The remaining lots are a typical size and orientation for townhouse development in urban areas. All of the lots and parcels either directly abut a public or private road providing for the necessary access to each property.

Corner Lots - Truncation – 50.4.3.f.iii

Chapter 50, The Subdivision Code requires corner lots at intersections be truncated by a straight line joining points located 25 feet back from the theoretical property line corner along each of the two property lines adjacent to the roadway. This additional right-of-way area is intended for adequate sight distance, turning movement channelization or the placement of traffic control devices. The Planning Board has authority to specify more or less truncation than otherwise required. The Preliminary Plan provides for the minimum or greater truncation where possible, but has at some intersections provided less or no truncation at all.

The minimum truncation is provided at all practical locations, including the intersection of Century Boulevard and Kinster Drive because of increased sight distance needs and the likelihood of future traffic signal placement. At other intersections with Century Boulevard and many Internal intersections the Applicant has provided some truncation where it doesn't interfere with preferred townhouse placement. At some intersections however no truncation was provided. Each intersection still meets the minimum sight distance and accommodates ADA compliant pedestrian crossings within the rights-of-way or the private street parcels. Providing full truncation would effectively push the structures away from the street edge which is counter to the neo-traditional urban character that Poplar Grove is planning to achieve.

- c. *The Preliminary Plan provides for required public sites and adequate open areas*

The Preliminary Plan proposes adequate areas for public facilities and open areas. A spine of public roads is being created for the creation of public streets for the Garden Street, Kinster Drive, and the other two access roads from Century Boulevard. A new park space is provided around the existing Waters Family cemetery which will protect the identified resource and provide access

to the cemetery. Other parcels are created throughout the Property allowing for open spaces including playgrounds, a central park, urban greens and a fitness trail.

d. The Lot(s) and Use comply with the basic requirements of Chapter 59

The lots were reviewed for compliance with the dimensional requirements for the CR zone as specified in the Zoning Ordinance. As an Optional Method project the requirements for lot size and necessary setbacks are to be established with Site Plans. Building heights are limited at 145 feet per the zone, and all buildings will be well shorter than the limit. Parcels are being created to provide for open space, and the need for off-street parking is considered as part of the Preliminary Plan Review. The proposed uses of residential, office and retail are all allowed within the CR zone. The Site Plan for the Townhome Neighborhoods is reviewed concurrently with the Preliminary Plan and the detailed zoning data table can be found starting on page 49 of this Staff Report.

2. The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan

2009 Germantown Employment Area Sector Plan

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

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

The Preliminary Plan substantially conforms to the goals and recommendations mentioned above. The Preliminary Plan proposes new roads, blocks and lots to create a new mixed-use community that offers opportunities for employment, retail and housing, all centered around the future CCT station with a proposed total FAR of up to 1.02. The highest intensity of uses will be closest to the CCT station where large parcels are proposed that would accommodate office and multi-family uses. The design for this Mixed-Use Transit district envisioned a large open space area between the proposed buildings, that spans the entire width of the Property from the CCT station to the amenity space along I-270, and also connected to the proposed Waters Memorial Park which will connect Dorsey Mill Road to the same urban open space. This mixed-use area is also identified as an area to possibly meet short term park and ride parking as requested by MCDOT as well as long term CCT parking requested in the

Sector Plan. Future coordination between MCDOT and the Applicant will be required to determine the exact number of timing of the parking spaces. The Applicant has previously dedicated for the CCT, and helped pay to construct a major portion of Century Boulevard to a width that can accommodate the future CCT. Some dedication is still required for Century Boulevard where the road was built on agreement with DOT and the Applicant on the Applicants land.

While the Preliminary Plan slightly deviates from the recommendation in the Sector Plan that this specific Property provide 60% employment uses and only 40% residential uses, the Planning Board considered at the time of Sketch Plan that there is minimal market for employment uses in the Sector Plan area, and a ratio closer to 55% residential and 45% employment uses is substantially consistent. The Preliminary Plan maintains the employment and residential ratios from the Sketch Plan thus also remaining substantially consistent.

Noise Guidelines

The Environmental section of the 1993 General Plan Refinement for Montgomery County contains multiple objectives directing Staff to protect future residents and workers from unacceptable noise levels. The 1983 Staff Guidelines for the Consideration of Transportation Noise ("Noise Guidelines") contain strategies for mitigating the impact of transportation noise on new residential development. The Noise Guidelines map has the Subject Property in the 60 dBA Ldn guideline area based on the suburban nature of development in Germantown in 1983. The Area of Application table however references that areas that are urban, adjacent to freeways, major highways or corridor areas are more appropriately reviewed with a 65 dBA Ldn guideline. The Applicant in their submitted noise analysis (Attachment L) has requested the Preliminary Plan be reviewed using the 65 dBA Ldn guidance as the baseline because the Property is CR zoned for urban like densities and is adjacent to I-270, a major commuter highway. Staff agrees the 65 dBA Ldn is a more realistic value given the changes that have occurred in Germantown since 1983.

Based on the surveyed existing noise levels, almost the entire Property is in excess of 60 dBA Ldn currently, with half of the Property exceeding 65 dBA Ldn under current conditions. The future noise projections for anticipated noise in 20 years has the entire Property over 60 dBA Ldn, and large portions of the eastern and northern portions of the Property closer to I-270 over 70 dBA Ldn. The Applicant looked at various mitigation techniques, however the topography of the property mostly sitting lower than the noise source makes it very difficult to do effective noise mitigation. The Applicant's requested compromise for noise impacts includes construction of approximately 1,100 feet of 20-foot tall noise wall, located within the SHA right-of-way to mitigate as much noise as practical. This results in at least a five and up to nine dBA Ldn reduction in ground level noise across the most noise impacted portions of the Property, and keeps values above 70 dBA Ldn from reaching any of the residential units. Certain residential units and outdoor spaces however are still impacted above 65 dBA Ldn including lots 1-21 in Block B, 1-7 and 39-41 in Block C, 1-5 in Block E, and 1, 2 15-17 in Block H. The Applicant's noise analysis also discusses interior space mitigation of noise, and while certain units closest to the interstate would not be able to open windows without creating noise exposure, construction techniques can allow interior spaces with windows closed to be at or below 45 dBA Ldn, which is consistent with the Noise Guidelines.

Noise Waiver

The Noise Guidelines Section 2.2.2 allow the Board to waive part or all of the guidelines *if use of all feasible exterior attenuation measures cannot protect noise sensitive rooms on upper floors or outdoor patio areas, or if exterior attenuation is not feasible. Exterior noise attenuation measures may be*

infeasible due to economics, aesthetics, or site-related constraints of size, shape, or topography. The Applicant contends they have done everything that is feasible to attenuate for noise impacts to the Property, given the size of I-270 and the topographical constraints. Because I-270 sits higher than the Property, locating the noise wall as close to the noise source as possible is important. The Applicant and SHA are engaged in negotiations to locate a noise wall on SHA right-of-way, however the wall still is expected to be at least 15 feet off the edge of pavement, where elevations are already dropping. A wall up to 34 feet high and 600 feet longer than proposed would be needed to fully meet the 65 dBA Ldn requirement. The result would be only a 4 dBA Ldn reduction over the proposed 20-foot high and approximately 1,100 foot long wall while increasing undesirable aesthetic and economic impacts. Based on the future noise levels with the installed wall and buildings, most of the townhomes on the Property would be located in areas below the 65dBA Ldn level except for the sticks of townhomes closest to I-270 and the exit ramp in Blocks B, C, E and H. Many Common and Public open spaces would also be below 65 dBA Ldn, except for those in Blocks B, E and H. As conditioned, Staff supports the mitigation proposed by the Applicant as the best possible given the constraints and recommends the Board approve the waiver and accept the findings of the provided noise analysis.

3. *Public Facilities will be adequate to support and service the area of the subdivision*

The Public Facilities in the area are adequate to support the Preliminary Plan as proposed. The Applicant currently has a Provisional Adequate Public Facilities (PAPF) approval from December 18, 2015 by Resolution MCPB No. 15-149 (Attachment D-1) to construct development that creates up to 1,558 AM peak hour during the peak period trips and 1,762 PM peak hour during the peak period trips. The PAPF was granted in exchange for the Applicant coordinating with DOT and providing substantial funds toward the construction of Century Boulevard across the Property frontage. As part of this APF review, the PAPF will be converted into a full APF including schools and other public facilities, and the findings are presented for up to a 12 year extension.

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

The Property will have access to Century Boulevard, which is a four-lane road at 150 feet of right-of-way with center median that runs along the western side. North of the Property is land dedicated for the future Dorsey Mill Road which will intersect with Century Boulevard at the northwest corner of the Property, and will continue east connecting to Observation Drive on the opposite side of I-270. The Dorsey Mill Road right-of-way is already fully dedicated, and the Applicant proposes to complete the dedications for Century Boulevard. These right-of-ways include the space necessary for the future construction of the Corridor City Transitway bus rapid transit line. Additionally, along the western Property frontage is an intersection of Kinster Drive and Century Boulevard, with Kinster Drive being planned to extend onto the Property. These existing built roads include bicycle and pedestrian facilities. Sidepaths exist on the north side of Kinster Drive, and on the western side of Century Blvd, and sidewalks are on the opposite side of both roads. The closest current transit connection is approximately 1,600 feet away at the intersection of Kinster Drive and Crystal Rock Drive.

ii. *Proposed public transportation infrastructure*

The Preliminary Plan proposes the creation of four new segments of public streets, identified on the plans as the Garden Street, an extension of Kinster Drive, Street A between Century

Boulevard and the Garden Street, and Street B between Century Boulevard and the Garden Street. These streets represent the three access points onto the Property, and the main north-south running spine. All of these streets are based on modifications to the standard Business District Street, with the modifications generally to provide parking only on one side of the street, and to reduce the width of tree planters and maintenance areas. These streets include public sidewalks on both sides of each street segment. Additionally, the Applicant will be upgrading the sidewalk along the Century Boulevard frontage into a 12-foot-wide sidepath enhancing the bicycle and pedestrian circulation in the area, consistent with the 2018 Bicycle Master Plan recommendations.

iii. *Proposed private transportation infrastructure*

The remaining streets not mentioned above, and all alleys, are proposed as private streets. These streets and alleys will be providing access to the individual townhouse lots and are not expected to carry the same traffic volume as the public streets.

Private Road Justification 50.4.3.E.4.b

The Subdivision Code requires a justification for any proposed private roads, including a list of design elements that do not meet public standards that would not be addressable through a Maintenance and Liability agreement with the County, including why these standards are necessary for the proposed development. The Applicant has provided a justification (Attachment E). The primary reason for providing private streets is that the Applicant does not wish to provide proper terminus (cul-de-sac) required by MCDOT at the end of the dead-end streets because of the large space they occupy and the detriment to urban form that would be caused. The Master Plan encourages a dense mixed-use development, and the Property's adjacency to I-270 and its limited width prevent the streets from connecting off-site or achieving better on-site networks. MCDOT generally does not allow smaller "T-turnarounds" as a permanent situation, therefore the Applicant is seeking relief through private streets. Additionally, a portion of street C near the intersection with Alley 3 and the central open space in Block E is proposed with a centerline turning radius of only 45 feet, which is below the minimum requirement of 100 feet. Staff supports the lesser turning radius because it creates more of a true corner, allowing the units to better front on the street. Based on the submitted justification by the Applicant, Staff supports the inclusion of private streets in the Preliminary Plan.

Waiver of 50.4.3.E.2.e.iii – non-through roads termination

Section 50.4.3.E.2.e does not support the creation of any roads that do not connect to another road unless four determinations are made:

- a. that a through road is infeasible due to a property's shape, size, topography, environment or characteristics of abutting properties;
- b. that the road provides access to no more than 75 dwellings;
- c. the road is properly terminated in a cul-de-sac or other turnaround; and
- d. that the road is less than 500 feet in length.

The Preliminary Plan proposes a few non-through roads, including the northern terminus of Private Street C, and the eastern terminus of Private Streets E and B. The Property is very constrained with the entire eastern edge being I-270 and associated exit ramps in addition to a Washington gas easement, the northern edge being a future street that will include embankments to bridge over I-270, and the southern edge as an existing stormwater facility.

To best utilize the Property and achieve recommended density, it is more efficient to terminate streets rather than create a loop road. Street C does include a fire department compliant turn-around because its length is longer than the 150 feet that the fire department will accept without accommodations, but all three streets do not terminate in any County standard. Because the proposed street design does not comply with determination C above about proper termination, the Applicant is requesting the Board waive this requirement for the ends of Streets B, C and E. The Board has authority to waive any element of Chapter 50 if it makes the following findings from Section 50.9.3:

1. *Due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

As stated above, there are significant constraints along three of the four sides of the Subject Property that limit flexibility and layout. The size of currently acceptable turnarounds such as a cul-de-sac is over 100 feet in diameter and not in keeping with the urban grid of streets anticipated by the Master Plan, the CR zone and by Staff. Streets B and E are less than 150 feet long and serve less than 20 units so the fire department can access the units as designed, and traffic volumes will be very low which minimizes the chance of conflicts created by not having a proper terminus.

2. *The intent of the requirement is still met;*

The intent of a proper terminus is to ensure efficiency and safety of the road network. Standard turnarounds were not required for public safety on Streets B and E, and a modified turnaround has been provided for safety purposes at the end of Street C. The volumes on these streets will be very low and maintenance and snow removal will be privately done and not a burden on MCDOT.

3. *The waiver is:*

- a. *The minimum necessary to provide relief from the requirements;*

Waiving subsection C for providing a proper termination at the end of all non-through streets is the minimum necessary to provide the required relief.

- b. *Consistent with the purposes and objectives of the General Plan*

Granting this waiver would still remain consistent with the General Plan. The alternative available would substantially compromise the design of the site and would likely reduce the total achievable density and programming substantially.

Based on these findings for a waiver, Staff recommends the Board approve the waiver request to not require a proper terminus on the ends of Streets B, C and E and instead allow the designs as shown on the Preliminary Plan drawings.

Waiver of 50.4.3.E.4.c – Standards of Private Streets

Section 50.4.3.E.4.c requires that unless modified by the Board, any private roads should be built to the construction specifications of the corresponding public road concerning paving detail and design, including surface depth and structural design. The road must also be designed with sound engineering principles for safe use including vertical alignment, adequate space for vehicles, pedestrians and bicycles, compliance with ADA, stormwater, lighting, landscaping and utilities. Private roads must conform with the horizontal alignments required in Chapter 50.

The private streets proposed by this Application do not completely conform to standard business district or residential tertiary street sections, but generally remain consistent with the width of pavement, parking lanes and sidewalks, and will meet the same public structural standards of those public streets. Also, the proposed private street sections are substantially similar to the modified public sections being approved by MCDOT elsewhere in Poplar Grove. As stated in the private road justification, one variation in alignment requested by the Applicant is to not terminate the streets in cul-de-sacs. Staff has worked with the Fire Marshal to ensure the streets as proposed meet the required fire and safety access needs, and are designed to adequately serve the number of units proposed on each street section. Staff recommends the Board support not requiring standard code street terminations on the private streets.

The Applicant has proposed a private street that does not meet the standard horizontal alignments found in Section 50.4.3.E.2.g, which require a minimum 100-foot centerline turning radius. The Applicant has proposed a horizontal alignments of 45 feet for a portion of Street C. Horizontal alignment modification is not something the Board is granted authority under 50.4.3.E.4.c to modify, but the Board is allowed to modify any portion of Chapter 50 through a waiver in Section 50.9.3 if it makes the following findings:

1. *Due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

The vision of Poplar Grove is to create an urban mixed-use development, with as much of a grid street pattern as possible. While the northern portion of the Property is wide enough to accommodate two full blocks of development, the central and southern portions of the Property are not. The street layout proposed maintains a grid street pattern which requires in essence a 90 degree turn in the road, which acts as an intersection with only two out of the four approaches. The County road standards are all based on a minimum speed of 25 MPH which dictates the 100-foot minimum turning radius. Staff reviewed AASHTO's *A Policy on Geometric Design of Highways and Streets (2011)* and found that a 15 MPH street can accommodate a centerline turning radii of 42 feet. Staff has conditioned the Applicant install warning curve signs posted for a safe speed of 10 MPH on both approaches to this intersection as an extra precaution to warn motorists of the road curve. With this condition, public health, safety and welfare of the public is maintained.

2. *The intent of the requirement is still met;*

With the required posting of reduced speeds approaching and around the curve in street C, the intent of the minimum centerline turning radius is still met in matching the streets horizontal design and posted speed.

3. *The waiver is:*

- a. *The minimum necessary to provide relief from the requirements;*

Waiving the requirement of meeting the horizontal alignment standards of Chapter 50 for Street C is the minimum necessary to ensure the Application remains in compliance with Chapter 50.

b. Consistent with the purposes and objectives of the General Plan

Granting this waiver would still remain consistent with the General Plan. This waiver does not pose a major safety risk, and enhances the County's vision for Germantown of creating an urban community.

Waiver of 50.4.3.1.3.b – Public Infrastructure Area

In implementing private streets on the Subject Property, Section 50.4.3.1.3.b also needs to be waived by the Planning Board. This code section is a requirement that applicants provide the County an additional Public Infrastructure Area (PIA) at least four-feet wide adjacent to all private roads, or in another appropriate space creating contiguous service corridors that provide for future relocation of utilities, or the provision of new communication facilities. If the PIA is proposed within a road right-of-way, the applicant must construct the conduit to the County's specifications. For Poplar Grove, the Applicant has requested providing the necessary PIA within the private street parcel rather than adjacent to the private street parcel. Because this places the PIA under the road or alley surface, conduit is being provided. While Chapter 50 provides some flexibility for the Board to designate an alternative appropriate space, County staff from MCDOT and Ultra Montgomery have raised concerns that the associated easement with a PIA would prohibit it from being located under a private street parcel under the argument that an easement to the County is effectively the same as dedication. Staff recommends the Applicant still provide the conduit consistent with the PIA intent, but to not grant a specific easement and instead use a Site Plan condition to specify details, location, and the future maintenance and access rights to the conduit. This results in a need to consider a waiver of Section 50.4.3.1.3.b to not actually require the formal establishment of PIAs for Poplar Grove and instead allow the conduit to be controlled by Site Plan conditions. Section 50.9 allows the Planning Board to waive any requirement of Chapter 50, pursuant to three findings as detailed in Section 50.9.3.

1. Due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;

The Preliminary Plan envisions Poplar Grove as a neo-traditional urban neighborhood, and that vision is supported by the Property's zone and the Master Plan. The requirement of a separate four-foot PIA is contrary to creating an urban neighborhood if it is not allowed to co-exist with the private streets or alleys. As conditioned, the Applicant will still provide the intent of a PIA in a way that allows it within the private street parcels. The Applicant will still provide a conduit to provide for future telecommunications, therefore this waiver does not create a lapse in public health, safety or general welfare.

2. The intent of the requirement is still met;

With the agreement to provide an empty utility conduit, with Site Plan governing use and maintenance of the conduit, the intent of creating capacity for future communications infrastructure is still met.

3. *The waiver is:*

a. *The minimum necessary to provide relief from the requirements;*

Waiving the requirement to establish a formal PIA is the minimum necessary to ensure the Application remains in compliance with Chapter 50.

b. *Consistent with the purposes and objectives of the General Plan*

Granting this waiver would still remain consistent with the General Plan. This waiver does not inhibit the County's desires to expand telecommunication infrastructure in the future and has no other impact on any provisions in Chapter 50.

Based on the above findings, Staff recommends the Board grant the waiver of establishing a PIA as required by 50.4.3.1.3.b and instead accepts the requirement that the Site Plan condition the construction, usage rights and maintenance of the utility conduit.

iv. *Abandonment*

The Applicant initially requested the abandonment of approximately 4,200 square feet of land located at the corner of Century Boulevard and future Dorsey Mill Road. This land was initially dedicated to the County for the future CCT alignment and for the construction of Dorsey Mill Road including Outparcel S, shown on Plat 19217, right-of-way shown on Plat 22484, and right-of-way along Century Boulevard shown on Plat 20279 (Attachment C). The abandonment request can be found in Attachment F which was a part of the statement of justification. Section 50.8.4 of the Subdivision Code allows the person who originally filed the plat which dedicated land to the County for public use or their successor in interest to petition the Planning Board to abandon land previously dedicated to the County if the land has not been in public use. This abandonment process is further discussed by Section 49-68 of the Montgomery County Code.

Based on Section 49-68(e) of the County Code, the Planning Board must find "that the right-of-way is not necessary for anticipated future public use or that an alternative alignment or location will not adversely affect the public interest, the Board may authorize the right-of-way to be abandoned by incorporating the abandoned land into an amended plat of subdivision." Additionally, "the amended subdivision plat must require the dedication of any land needed for rights-of-way, easements, and other public uses." The land requested for abandonment does not currently contain any utilities, or other improvements and therefore Staff contends the right-of-way is not currently in public use. Staff coordinated with MCDOT staff to determine if this right-of-way would reasonably be needed for future public use as part of our analysis. The original dedications were done assuming the CCT as a light rail system that would have run on the east side of Century Blvd, while current planning has the CCT as a bus rapid transit line in the median, which utilizes less space. Also, the 2018 bicycle Master Plan recommends a protected intersection at Dorsey Mill Road and Century Boulevard and a separate bike lane along the Property's frontage. Considering these future improvements, 3,964 of the 4,200 requested square feet of abandonment is not necessary for future use and could be abandoned. MCDOT supports this reduced abandonment amount, subject to the Applicant agreeing to accept the relocation of any historic resources or graves found within

the Dorsey Mill right-of-way onto the Subject Property, and the Applicant also accepts the reduced abandonment area.

b. Local Area Transportation Review (LATR)

The Preliminary Plan at full build-out proposes up to 176 townhomes, up to 365 multi-family housing units, up to 85,000 square feet of retail, and up to 435,000 square feet of office space. Based on the 2013 LATR Guidelines methodology employed by the PAPF approval, including allowed deductions for pass-by and internal capture, full build-out will create up to 1,015 AM Peak hour and 1,203 PM peak hour vehicle trips. The trip generation tables from the 2013 LATR Guidelines can be found in Attachment I and will also be uploaded to the certified Preliminary Plan. The scale of development along with incremental and cumulative trip generation by phase is shown in Table 2.

Table 2 - Development Scale and Trip Generation by Phase

Phases	Development	Discrete Peak Hour Trips*		Cumulative Peak Hour Trips*	
		AM	PM	AM	PM
Phase IA	70 townhouses	34	58	34	58
Phase IB	106 townhouses	54	61	88	119
Phase II	75 multi-family and 50,000 sq. ft. retail	134	330	222	449
Phase III	290 multi-family, 35,000 sq. ft. retail and 435,000 sq. ft. office	793	754	1015	1203

*Trip generation rates are based on the 2013 LATR guidelines. Phase trip generation reflect a proportional representation of the total trips at full build out.

The current PAPF approval accounts only for transportation impacts. The PAPF approved up to 1,558 AM peak hour trips and 1,762 PM peak hour trips. Additionally, during the AM period, inbound trips are limited to no more than 70% of the total and no less than 60% of the total. In the PM, inbound trips are limited to no more than 45% of the total and no less than 30% of the total. The PAPF was granted because the Applicant was providing the land and proportional funding toward the construction of Century Boulevard across the Property frontage. This Preliminary Plan amends the PAPF based on the scale of development requested by the Preliminary Plan.

Transportation Mitigation

As part of the PAPF Approval, the 2015 traffic study recommended that certain road improvements were necessary to mitigate the approved trips. These improvements are listed as conditions 5, 6 and 7 of the PAPF resolution. The Preliminary Plan review is the stage that such transportation mitigations are typically determined and therefore staff and MCDOT have coordinated to determine when these improvements should be implemented within the timeline of the proposed development. To understand when the off-site improvements are necessary, an analysis (Attachment I) performed by the Applicant looked at how many trips can be sent through each identified intersection before causing the intersection to fail the CLV standard. This is based on a cumulative accounting of background trips (trips associated with approved but unbuilt area development, in this case predominantly from the approved Black Hill development), as well as trips directly associated with the subject Application. To keep track of when improvements are necessary, the Applicant will be

required to track how many trips each future Site Plan is using out of the total allowed trips, based on the 2013 LATR methodology described above. The trip threshold that requires the mitigation is included in the conditions of approval for the Preliminary Plan.

Condition 5 of the PAPF requires the Applicant submit concept plans or make reference to plans previously submitted for a list of identified off-site road improvements that were deemed necessary as part of the PAPF review. Condition 6 tasks the Preliminary Plan with identifying the timing of the construction of these improvements, at an appropriate time deemed necessary by the Board. The Applicant provided a technical memorandum dated September 11, 2019 (Attachment I) that identifies the methodology for trip generation based on the PAPF, looks at when the identified off-site improvements would be necessary utilizing the LATR guidelines including assuming full build-out of Black Hill, and explores alternative recommendations for the timing of the intersection improvements by implementing alternative methodology recommended by the Applicant. This analysis points out Black Hill's disproportionate impact to many of these off-site intersections and further contends how little of Black Hill has been Site Planned and permitted to date. In determining when the appropriate time to require these improvements, Staff recommends the Board follow the LATR Guidelines that consider the full build-out of background development (Black Hill) as a base, but does recommend an alternative approach to two of the improvements. Each of these improvements from conditions 5 and 6 are discussed in more detail below:

g. Construct a second northbound right turn lane on Crystal Rock Drive at Father Hurley Boulevard

This improvement is a condition of both Black Hill and of Poplar Grove to construct. The Applicant has provided Staff with a concept plan of this improvement. Based on the transportation analysis, the background trips create a need for this improvement before Poplar Grove begins any development, which would suggest Poplar Grove should not be allowed to pull any permits before this improvement is bonded with MCDOT. However, the Black Hill development is required to construct this improvement when they reach 22% of their total PM peak hour trips (512 trips); the current Black Hill site plan approvals have already approved 504 PM peak hour trips. In effect, Black Hill as a background trip contributor cannot generate any more traffic without themselves having to mitigate the right turn movements. Assuming trip levels remain at current levels from Black Hill, Poplar Grove can generate 446 PM peak hour trips before they would cause the intersection to fail. Staff is recommending the Board allow up to 446 PM peak hour trips from Poplar Grove prior to requiring the intersection be improved; such a condition still ensures that neither Black Hill or Poplar Grove can generate trips causing the failure without one of the two developments being responsible for the improvement.

h. Stripe a second southbound left turn lane on Observation Drive at Ridge Road

This improvement has already been constructed by others and is open to the public. Staff has not required any further analysis or documentation of this improvement from the Applicant.

c. Construct the Dorsey Mill Road bridge over I-270

The Dorsey Mill Road bridge has been substantially designed with MCDOT and is awaiting capital funding for construction. The Applicant has provided a participation agreement (Attachment J) demonstrating that they are not responsible for the costs associated with Dorsey Mill Road, therefore this improvement does not need further review.

d. *Construct a second left turn lane on eastbound Father Hurley Boulevard at Crystal Rock Drive*

The Applicant has provided Staff a concept plan for this improvement. The timing for the improvement of this left turning movement is largely contingent on the additional right turn capacity from Crystal Rock Drive onto Father Hurley Boulevard in subsection *a* above. If the right turn movement is not upgraded, background trips including full build-out of Black Hill cause this intersection to fail. Further, the need for this improvement is heavily dependent on Black Hill trips and even a small reduction in total build-out of that site would negate the need for this improvement at all. Assuming all background trips, if the right turn movements from subsection *a* above is improved, the entire intersection operations are improved such that the second left turn from Father Hurley Boulevard onto Crystal Rock Drive is not necessary until 1,004 PM peak hour trips are generated by Poplar Grove. Since the additional right-turn lane improvement is a precondition of the scale of development that would in turn trigger the need for a the left turn lane (e.g., it is not possible to achieve the background trips that would trigger the need for the second left turn lane without first constructing the second right turn lane discussed in subsection *a*), Staff recommends the Board utilize the later trigger of 1,004 PM Poplar Grove generated trips as the implementation trigger.

e. *Reconstruct the northbound and southbound approaches of Crystal Rock Drive at Kinster Drive to include one through/left lane, one through lane and one right turn lane on northbound Crystal Rock Drive, and on southbound Crystal Rock Drive the lane configuration must include one through/left lane and one through/right lane. Adjustments to the number of lanes or intersection configuration can be made as determined with future applications for the development of the Subject Property or by MCDOT.*

The Applicant has provided Staff a concept plan for this improvement. Based on the full background traffic, Poplar Grove triggers the need to make this major intersection reconstruction once there are 352 PM peak hour trips. This is another intersection improvement where the majority of the vehicles will be generated from the Black Hill development, and the Applicant has requested an alternative timing for the intersection reconstruction be considered, in large part because Black Hill is so far from reaching full build-out. Staff acknowledges the Applicants concerns but still recommends the Board follow the standard LATR practice of basing intersection capacity and background trips on full build-out of all developments including Black Hill, which results in the 352 PM peak hour trip threshold.

Condition 7 of the PAPF discusses the need to provide a signal warrant analysis for the intersections of Century Boulevard at Kinster Drive (Property access), and at Crystal Rock Drive at Kinster Drive. When the warrants are met, the Applicant is also required to install the signals. A signal warrant analysis was performed (Attachment G) and it was determined that Phase I met warrants for a signal at Crystal Rock Drive and Kinster Drive, and that development associated with Phase III would trigger a warrant at Century Blvd and Kinster Drive. However, MCDOT has requested both signals be provided in Phase I out of concern over identified delay that could occur at Century Blvd and Kinster drive earlier than the warrant identified. The Applicant would prefer the signals be installed when they are warranted by actual traffic counts rather than up front based on background development. The Applicant also analyzed a scenario with reduced background trip levels based on lesser amounts of traffic coming from Black Hill. Staff

understands the Applicants concerns but defers to MCDOT as the operational agency on when traffic signals should be installed and therefore recommends both signals be provided as part of Phase I. The Kinster Drive at Crystal Rock Signal should be built first as it is also triggered by the signal warrant analysis, and Staff recommends this be complete prior to the 71st residential building permit which equates to starting Phase IB. The Kinster Drive at Century Boulevard site access signal should be complete prior to the 124th residential building permit, which is the halfway point of Phase IB.

Staff recommends the Board approve the amended transportation portion of the APF review, based on the presented analysis and including the conditions offered by Staff.

c. Public Schools

The existing PAPF approval for the Property only covers transportation. As part of the Preliminary Plan, the PAPF is being amended to include a school capacity test.

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The subject property is located in the upcounty region of the County.

Table 3 - Per Unit Student Generation Rates – Upcounty Region

	Elementary School	Middle School	High School
SF Detached	0.210	0.120	0.169
SF Attached	0.248	0.121	0.157
MF Low- to Mid-Rise	0.183	0.077	0.093
MF High-Rise	0.020	0.008	0.010

With a net of 176 townhouse units and up to 365 multifamily (high rise) units, the proposed project is estimated to generate the following number of students:

Table 4 – Student Generation by School Level

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Attached	176	0.248	43.648	0.121	21.296	0.157	27.632
MF High-Rise	365	0.02	7.3	0.008	2.92	0.010	3.65
TOTAL	540		50		24		31

This project is estimated to generate 50 new elementary school students, 24 new middle school students, and 31 new high school students.

Cluster Adequacy Test

The project is located in the Seneca Valley High School Cluster. The student enrollment and capacity projections from the FY20 Annual School Test for the cluster are noted in the following table:

Table 5 – School Level Enrollment, 2024

School Level	Projected Cluster Totals, September 2024			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	2,358	2,398	98.3%	520	50
Middle	1,326	1,345	98.6%	287	24
High ¹	2,201	2,581	85.3%	896	31

The Moratorium Enrollment Threshold identified in the table is the additional enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. As indicated in the last column, the projected Application impacts fall below the moratorium threshold at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Waters Landing Elementary and Martin Luther King, Jr. Middle, respectively. Based on the FY20 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 6 – Individual School Enrollment, 2024

School	Projected School Totals, September 2024				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Waters Landing ES	730	776	94.1%	+46	202	54
Martin Luther King, Jr MS	838	914	91.7%	+76	259	25

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and the school seat deficit meets or exceeds 110 seats for an

¹ The high school level enrollment and capacity reflect upcoming capital projects and boundary changes affecting the Seneca Valley cluster, which will result in reassignments from the Clarksburg and Northwest clusters to the Seneca Valley cluster.

elementary school or 180 seats for a 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. As indicated in the last column, the projected impact of this application falls below both applicable moratorium thresholds for both Waters Landing ES and Martin Luther King, Jr. MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2020 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

d. Other Public Facilities and Services

All other public facilities and services are adequate to service the Preliminary Plan. The plans were reviewed for fire and safety access and were deemed adequate (Attachment M). The gas, telecommunication and electric utility companies also reviewed the plans and gave their approvals. Rather than providing the standard 10' PUE free and clear along all roads, a standard 10' PUE will be located along Century Blvd and the future Dorsey Mill road, and all utilities, including future utilities as requested by Ultra Montgomery will be placed in conduits in utility easements that will generally be located under the private roads or alleys. Water and sewer will be served by WSSC, and health services are operating within the standards set by the Subdivision Staging Policy.

e. APF Extension

The original PAPF was issued for the Subject Property on December 18, 2015 and had a validity period of 85 months (7 years, 1 month), which would have the PAPF expiring on January 18, 2023. The original validity period was set at seven years because at the time there was no clear timeline for plan phasing or anticipated development types. The Preliminary Plan now has a defined proposal for density, and has set forth a plan validity phasing schedule of four phases and up to 12 years, which is further described in Preliminary Plan Finding No. 7 starting on page 46 of this report. The existing PAPF is also being amended and converted into a full APF with the inclusion of schools and other public services and facilities. The Applicant has requested that a 12-year extension be granted for the project, pursuant to Section 50.4.3.J.5.e of the Subdivision Code, for a total of approximately 16 years of APF validity remaining at the time of Preliminary Plan approval.

The referenced above Subsection states *The Board may extend a determination of adequate public facilities once for up to 12 more years beyond the otherwise applicable validity period pursuant to making three findings. These findings are as follows:*

- i. The Preliminary Plan for the development required a significant commitment of funds by the applicant, amounting to at least \$3 million, as adjusted annually by the consumer price index, to comply with specified infrastructure conditions.*

The Applicant has demonstrated a significant commitment in the construction of approximately 2,500 feet of Century Boulevard between Father Hurley Blvd and the future intersection with Dorsey Mill road. The Applicant paid for 100% of design and permit, and 35% of construction costs. The cost provided directly to Montgomery County for the construction portion alone were over \$3.27 million, in addition to other costs related to the road design and permitting.

- ii. *The Applicant has met or exceeded the required infrastructure conditions during the original validity period.*

The Applicant has met the required infrastructure conditions within the current validity period. The Applicant entered into the PAPF agreement in exchange for providing Century Blvd. up front. While other conditions for additional off-site transportation improvements were identified with the PAPF approval, they were based on full build-out impacts and since construction has not occurred on the Subject Property, these additional improvements are not warranted.

- iii. *The Applicant's satisfaction of the required infrastructure conditions provides a significant and necessary public benefit to the County by implementing infrastructure goals of an applicable Master Plan.*

The Applicant providing the land and funding for engineering and design for Century Boulevard represents a significant and necessary public benefit. Century Boulevard is a Master Plan identified roadway that acts as the main transportation infrastructure linking the development projects on the west side of I-270. The road was designed and constructed to include the 50+ foot wide median necessary to accommodate the future CCT which is also a major County and Master Plan priority in Germantown.

Based on the three findings above, Staff recommends the Board consider granting an extension of APF validity under 50.4.3.J.5.e for up to 12 additional years, extending the APF validity to January 18, 2035. This would allow for approximately 3 ½ years of APF validity beyond the expiration of the plan validity, if the four phases and 12 years of plan validity are approved by the Board.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

All requirements of the Forest Conservation Law are met for the Subject Property.

Natural Resource Inventory/Forest Stand Delineation

The Property is covered by two separate Natural Resource Inventory/Forest Stand Delineation (NRI/FSD) approvals. NRI/FSD 420011560 included the entire Property with the exception of Parcel B, which is included in NRI/FSD 420110810. The Property is located within the Little Seneca Creek watershed, classified by the State of Maryland as Use Class IV-P waters. Currently, the Property is undeveloped with scattered trees in the northern part of the Property, and a stormwater management pond in the southern part. The stormwater management facility provides treatment for Century Boulevard. There is an existing stream that has been piped which is located in the southern portion of the Property near the stormwater management facility. This stream travels under Father Hurley Blvd and Century Blvd. There is no forest on the Property or any highly erodible soils. There is one significant tree, a 27" Diameter at Breast Height white pine located within the Dorsey Mill Road right-of-way. This tree will be removed as part of the Dorsey Mill Road construction.

Preliminary Forest Conservation Plan

The entire Property is covered by approved Preliminary Forest Conservation Plan 119881560, which identified two afforestation areas (E & F) totaling 1.41 acres (61,419 square feet) to be located on the Property. These areas have not been planted, and as part of this application, the Applicant proposes to revise the planting location and to meet this forest planting requirement at an off-site location. Staff supports this request as there are no priority planting areas on the Property. All other forest conservation requirements related to this Property have been satisfied through forest planting within the stream buffer on the overall Cloverleaf Center development and within the Black Hills subdivision property.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a conditional stormwater concept approval from MCDPS water resources division on July 3, 2019 (Attachment O). The Application will meet stormwater management goals by providing ESD to the extent possible with green roofs, micro-bioretenion and underground storage structures. In addition, some runoff will utilize the existing pond at the south end of the Property which will be retrofitted.

6. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M*

The Subject Property contains a known burial site, the Waters Family cemetery. Historic Preservation Staff and the Applicant have coordinated to provide a full memo detailing the history and analysis of archeological work done to date (Attachment R). In summary the cemetery contains five identified headstones dating from 1824 – 1864, and the presumed limits of the cemetery having previously been fenced in. When a known cemetery is identified on a Property, the Applicant must satisfy four requirements as specified in 50.4.3.M.1, which have been satisfied as follows:

- a. *The Applicant must use the Montgomery County Planning Board Guidelines for Burial Sites to establish the location of the burial site. Unless Planning Department Staff believes that vandalism concerns dictate otherwise, the corners of the burial site must be staked in the field before preliminary plan submittal. If required, the stakes must be maintained by the applicant until Preliminary Plan approval.*

The review of this Preliminary Plan has occurred before the Planning Board Guidelines have been finalized, but was done in close coordination with M-NCPPC staff to ensure best practices that are being included in the draft guidelines have been adhered to, including extensive coordination and conditions during the Sketch Plan review of the Property. The corners of the known burial site are defined within the existing fence which has been located on the submitted plan drawings.

- b. *An inventory, that may include photographs, of existing burial site elements (such as walls, fences, gates, landscape features, fieldstones, grave locations, and tombstones) and their condition must be submitted as part of the Preliminary Plan application.*

The Preliminary Plan drawings show the location of the existing fence and tombstones visible on the Property. The Applicant then completed a Phase I and Phase II archeological

investigation on portions of the Subject Property in vicinity to the known burial site and submitted a Management Summary (Attachment R) that includes the results of ground penetrating radar identifying five soil anomalies which were further investigated.

- c. *The placement of lot lines must promote long-term maintenance of the burial site and protection of existing elements.*

Based on the results of the field investigations summarized in the Management Summary, all existing elements associated with the burial site are contained within the existing cemetery fence. A larger parcel is proposed to surround the cemetery with the intent of establishing a park to provide access to and future maintenance of the cemetery.

- d. *The burial site must be protected by arrangements sufficient to assure the Planning Board of its future maintenance and preservation, as specified in the Montgomery County Planning Board's guidelines for burial sites.*

As conditioned, the future maintenance will be determined with the Phase 1 Site Plan and will include the construction of the planned park space, which will be maintained by the future HOAs. This will be sufficient to ensure the cemetery will be accessible and maintained in the future.

In addition to the four requirements above, appropriate measures to protect the burial site must be ensured during the development process, and except under defined circumstances, the graves must remain where they are found. This Applicant is agreeing to keep the existing graves in their current locations, and the existing fence around the cemetery serves as an adequate LOD to ensure the site is not disturbed during construction. The Historic Preservation Commission recommended approval to the project subject to conditions (Attachment Q).

The Applicant has also been coordinating with MCDOT on the possibility of relocating possible gravesites identified within the right-of-way for future Dorsey Mill Road into space available within the fenced in cemetery area on the Subject Property. The details of this relocation will be coordinated at a future time between the Historic Preservation Commission, MCDOT and the Applicant, and will be the responsibility of MCDOT to lead, and implement.

- 7. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

Preliminary Plan Validity and Phasing

Preliminary Plan validity is granted by the Planning Board, and is governed by Section 50.4.2.G of the Subdivision Code. Typically, a single phase project approved after March 31, 2017 is eligible for 36 months of plan validity after the plan initiation date. Multi-phase projects however may seek additional plan validity if associated with a phasing plan. Subsection 50.4.G.2.b specifies that each phase shall be assigned its own validity period based on the size, type and location of the project, each phase shall be no more than 36 months in duration, and that the APF validity must be equal to or longer than the cumulative plan validity.

The Applicant has proposed four phases for the Preliminary Plan to provide ample time to find builders for the various development types. Table 6 below shows the four phases the Applicant is requesting, including what lots or parcels would be recorded with each phase. To allow the greatest flexibility,

the Applicant is requesting that any phase can occur in any order, so long as every 36 months (3 years), another one of the phases is met.

Table 7 – Development Phases

Phases	Development	Discrete Phase Trips
Phase IA	Plats for 70 townhouse dwellings	34 AM/58 PM Peak Hour
Phase IB	Plats for 106 townhouse dwellings	54 AM/61 PM Peak Hour
Phase II	Plats for parcels E4, E6, F2, And G2	134 AM/330 PM Peak Hour
Phase III	Plats for parcels A1 – A4	793 AM/754 PM Peak hour

The requested four phases with a cumulative 12 years of plan validity is appropriate for this Preliminary Plan. The phasing in terms of development and trip density is slow in the start and more aggressive in the out-years. Development of the townhouse neighborhoods is the most certain with the concurrent Site Plan submittal. The retail and limited multi-family uses within the Phase II Maker District is likely dependent on the townhouse phases at least being under construction if not nearing completion to establish a market need. In the current office market, the construction of the office space in the Phase 3 Mixed-Use district is likely dependent on either the CCT receiving construction funding or the Dorsey Mill Road being completed; both of which are many years away from implementation. The uncertainty is also justification for allowing flexibility in the order these phases are actually implemented and Staff recommends the Board approve the requested flexibility.

SECTION 7 – ANALYSIS AND FINDINGS, SITE PLAN, 820190060

Findings – Chapter 59.7.3.4.E

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

The Approval of the Site Plan findings will only apply to the Subject Property being reviewed as part of this Application.

2. *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 Site plan satisfies the requirements of Sketch Plan No. 320180220 and Preliminary Plan No. 120190040. The Site Plan is within the binding elements of uses, height, location of public spaces and access points, and implements the public benefit schedule as anticipated. The Site Plan also conforms to the required submittals including details of open spaces and the coordination with other agencies in their necessary reviews.

- 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;*

The Site Plan is not subject to any binding elements of 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;*

The Site Plan is not subject to any green area requirements as a result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

Division 4.5 CR Optional Method

Use and Development Standards

The portion of the Subject Property covered by the Site Plan is approximately 11 acres and is zoned CR 2.0, C-1.75, R-1.0, H-145T and the Germantown Transit Mixed Use Overlay Zone. The following table, Table 8, shows the Site Plans conformance to the development standards of the zone. The sole purpose of the Germantown Transit Mixed Use Overlay Zone is to establish BLT's as a priority for optional method projects, and it requires that 50% rather than the standard 9% of intensive density be acquired through the purchase of BLTs. Poplar Grove has been reviewed using the 50% requirement for BLT purchase and is discussed further in the Public Benefits section starting on page 50 of this report.

Table 8 – Development Standards CR Zone

Development Standards	Required/Allowed	Preliminary Plan 120190040	Site Plan 820190060
Area			
Gross Tract		27.15 AC (1,182,690 SF)	
Dedications (Total)		7.77 AC (339,414 SF)	
Previous		3.86 AC (168,100 SF)	
Proposed		4 AC (174,172 SF)	
Abandonment		0.09 AC (3,964 SF)	
Net Area		19.38 AC (844,382 SF)	11.4 AC (497,933 SF)
Max. Density			
Non-Residential	2,067,707 SF (1.75 FAR)	520,000 SF (0.44 FAR)	0 SF
Residential	1,182,690 SF (1 FAR)	686,000 SF (0.58 FAR)	460,000 SF (0.39 FAR)
Total	2,365,380 SF (2 FAR) ²	1,206,000 SF (1 FAR)	460000 SF (0.39 FAR)
Dwellings			
Townhomes		154 market rate units	154 market rate units
Multi-family		319 market rate units	0 units
MPDUs	12.5% minimum	12.5% minimum	12.5% Minimum
Totals		541 total units	176 units
Min. Setbacks			
Front	0 FT		0 FT
Side	0 FT		0 FT
Side Street	0 FT		0 FT
Rear	0 FT		0 FT
From Century Blvd	0 FT		10 FT
Max. Height			
	145 ft	145 feet	60 feet
Min. Open Space³			
Common	10% Min area of TH (48,352 SF)	48,500	48,500 (10%)
Public	10% Min area all else (34,398 SF)	150,000 SF Min (44%)	15,000 SF ⁴
Total	10% of the Site (84,328 SF)	190,000 SF Min	63,500 SF
Parking			
Vehicle TH	Min 1 Max 2 spaces/unit (352 max)		337 spaces
Vehicle Street			81 spaces

² Density based on zoning. The Sector Plan has a recommendation of only 1 FAR for the Subject Property which is nearly identical to the proposed density.

³ The area of the site associated with townhouse uses vs all other uses has changed slightly from the Sketch Plan to the Preliminary and Site Plans. The required open space amounts have adjusted accordingly.

⁴ No Public Open Space is required with Phase I Site Plan. The provided Public Open Space is excess and will count for public benefit points.

Development Standards	Required/Allowed	Preliminary Plan 120190040	Site Plan 820190060
Vehicle Total			418 spaces
Bicycle	62 Short/188 Long term		
Motorcycle	Total		0 in Phase I
Carshare	2%, up to 10 per facility		0
EV space	1%, up to 5 per facility		0
	1% per facility		0

Public Benefit Points and Categories 59.4.5.4.2

The Site Plan Application is required as part of an optional method CR zoned property to provide public benefits to receive the incentive density. The categories which the Applicant plans to seek categories was analyzed during the previous Sketch Plan application. The following analysis is a refinement of the categories proposed for points as part of the Phase 1 Site Plan. Table 9 demonstrates the categories the Applicant has proposed with the Site Plan including how many points the Applicant is seeking, and how many points Staff recommends the Planning Board award. The table is followed by an analysis of each category and why Staff recommends the points below.

Table 9 – Public Benefits for Phase I Site Plan

Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Recommended
59.4.7.3C: Transit Proximity			
Transit Proximity	30	10	10
59.4.7.3C: Connectivity and Mobility			
Advanced Dedication	30	10	10
Wayfinding	10	0	0
59.4.7.3E: Quality of Building and Site Design			
Exceptional Design	10	2	2
Historic Resource Protection	20	5	5
Public Open Space	20	1	1
59.4.7.3F: Protection and Enhancement of the Natural Environment			
Cool Roof	10	0	0
Vegetated Area	10	2.5	2.5
BLTs	30	0	8.75
TOTAL		30.5	39.25

Transit Proximity

Transit Proximity: The Applicant requests 10 out of 30 points for the category of transit proximity. Transit proximity points are available based on the existing or planned transit level of service, the property zoning, and proximity to the transit facility. The Subject Property is in a CR zone, is adjoining a planned Corridor City Transitway stop with approximately 95% of the Property within ¼ mile of the planned facility, and the transit level of service is Level 2 (planned bus line with a dedicated path). Staff recommends the Property is eligible for the

full 30 points, and supports the Applicants request for 10 of the 30 points be credited to the Phase I Site Plan.

Connectivity and Mobility

Advanced Dedication: The Applicant is requesting 10 out of a total 30 points be awarded to this Site Plan for providing advanced dedication of Century Boulevard along the Property's western side. The Applicant has previously dedicated 3.86 acres of land to the County for Dorsey Mill Road and for the CCT along Century Boulevard, and allowed the County to advance construction of Century Boulevard on another four acres of land. While this four acres was not officially dedicated, an agreement between the County and the Applicant still allowed for construction of the roadway under easement with the requirement to dedicate once plats are required with a new Preliminary Plan (Attachment K). In effect this was a form of dedication, and the net result is a tract area of 19.41 acres. The resulting formula for calculating available points $(D/N) \times 100$ based on 7.74 acres dedicated (D), divided by 19.41 acres of net tract (N) multiplied by 100 results in almost 40, which is more than the maximum 30 that can be awarded for this category. Staff supports the Applicants request that the full 30 points be made available to the Subject Property, with 10 being allocated to the Phase I Site Plan.

Wayfinding: The Applicant requested points for Wayfinding during the Sketch Plan, but these points were planned to be applied to future phases of development when more of the site amenities are developed establishing a need for wayfinding. No points are recommended from this category on the Phase I Site Plan.

Quality of Building and Site Design

Exceptional Design: The Applicant requested two out of 10 possible points for providing exceptional design elements as part of this Site Plan. The Applicant is meeting at least four of six criteria for receiving points through the full build-out of the Property, and clearly demonstrates at least three of these criteria with Phase 1; creating a sense of place that serves as a landmark, introducing materials, building forms and methods unique to the immediate vicinity, and designing a compact infill development where living, working and shopping are more pleasurable. The entire premise of Poplar Grove is to create an urban agricultural theme through unique architecture, focal points of art, the farming and production spaces, and the garden street transecting the entire project. Phase 1 builds the garden street and is implementing architecture fitting with the urban agricultural theme. The layout of the townhomes is also very urban in nature and encourages pedestrian activity. Once the commercial spaces are built all of the townhomes will be a very short walk to the commercial spaces, anchored on the garden street. Staff agrees with the Applicant that some points are appropriate at this time and recommends awarding two points for the partial implementation of Exceptional Design.

Historic Resource Protection: The Applicant requests 5 of the possible 20 points for historic resource protection. Incentive density points are eligible for preserving or enhancing a historic resource designated in the Master Plan for Historic Preservation or the Locational Atlas and Index of Historic Sites by providing improvements and signage, integrating context appropriate landscaping and protecting important viewsheds. The Sketch Plan identified Poplar Grove as potentially eligible for up to 10 points. Phase I Site Plan proposes some protection and access improvement to the existing Waters Family Cemetery by creating a new

perimeter fence and providing interpretive signage. Later phases would finish the Waters Memorial Park with landscaping and seating. The HPC has reviewed the plans for the cemetery and issued a letter in support of protecting the cemetery with the fence, seating and signage being provided in Waters Memorial Park with Phase I, and final improvements shown during Phase III. Staff recommends the Phase I Site Plan therefore be awarded half, or five out of 10 points.

Public Open Space: The Applicant is requesting one point be awarded from this category. The Zoning Ordinance requires a minimum of 10% Public Open space for the portion of the Property used for multi-family and commercial development and a minimum of 10% Common Open Space for the portion of the Property occupied by townhome development. The Applicant over multiple phases plans to provide at least 150,000 square feet of Public Open Space, well in excess of the less than 40,000 square feet that will be required. The Phase I Site Plan is all townhouse residential which is only required to provide Common Open Space however the Site Plan is providing approximately 15,000 square feet of Public Open Space as part of completing the Garden Street and the Waters Memorial Park. Providing Public Open Space in excess of a projects requirement earns points based on the formula $(P/N)*100$ where P is the amount of public open space, and N is the net lot area. The formula is problematic since the net lot area of this phase requires no public open space, but presuming at least 110,000 square feet of excess open space being proposed at full build-out the formula results in 13.1 points. The Applicant is requesting just one point now for the 15,000 square feet of Public Open Space with Phase 1. 15,000 square feet is approximately 13% of the excess Public Open Space, and since 13% of 13 points is a fraction between one and two, staff finds awarding one point to be appropriate with the Site Plan.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant is not requesting any points for BLTs as part of Phase I, because the density included in Phase I does not exceed 0.5 FAR, which is the threshold for when incentive density needs to be provided, and because the cost of BLTs would make developing the townhome portion of the Application cost prohibitive. The Germantown Transit Mixed Use Overlay requires that BLTs be purchased for 50% of the incentive density floor area. The Sketch Plan was approved for up to 591,345 square feet of incentive density, of which 295,672 square feet will need BLTs resulting in up to 9.3864 necessary BLTs. Staff does not support the Applicant's request to not provide any BLTs at this time. Staff acknowledges that Phase I itself does not exceed the incentive density threshold of 0.5 FAR, but notes that these townhouses are part of an overall sketch plan, and suggests a more proportionate amount of BLT's be provided as each phase is reviewed otherwise the last phase will shoulder the full burden of the BLTs, increasing the odds it will never be built and no BLTs will be purchased for the development. The Phase I Site Plan with a FAR of 0.39 represents about 35% of the total development, and with 9.3864 BLT's identified by the Sketch Plan as necessary for the full buildout, a proportional share would be 3.2852 BLTs. Staff is aware that the expense of providing BLTs is high and that the initial development is all residential, however the townhouses are part of the overall development and preceding Sketch Plan, therefore Staff recommends the Applicant provide 3.2852 BLTs which is the appropriate share. As a compromise, staff conditioned the provision of the BLT's at the half-way point of the phase I development which is the 89th dwelling unit, rather than the first building permit of a phase which is typical. The point formula for BLTs is 9 points for each BLT, and a maximum of 25 total points. This total project would be eligible for the full 25

points, so the same proportion of points as the proportion of BLTs (25 points/35%) = 8.75 points which Staff recommends be awarded for this category.

Cool Roof: The Sketch Plan reviewed and approved the use of Cool Roof as a category for public benefit points. The Applicant however is not seeking points from Cool Roof for this Site Plan and intends to achieve the points in future site plans. Staff recommends zero points for Cool Roof at this time.

Vegetated Area: The Applicant is requesting two and a half out of a total 10 points be awarded for vegetated area. Up to five points are available for providing vegetated planting areas at least 12 inches deep and at least 5,000 square feet in size. The Applicant is proposing a 2,500 square foot area as part of Phase I, and therefore requests half the eligible points for providing half of the required area. Staff supports the request with the added condition that the remainder must be provided in a future phase, and recommends the Board award two and a half points.

Division 6 – General Development Standards

i. Division 6.1. Site Access

Site Access is safe and convenient in the Site Plan for vehicles, pedestrians and bicycles. The majority of the townhomes proposed are rear loaded units with driveways and garages oriented toward alleys, and fronts facing streets or open spaces with sidewalks. The longer alleys connect between two streets and shorter alleys are short dead ends where site constraints dictate it. The units located on street C in the easternmost portion of the Property are front loaded with driveways onto the street but safe pedestrian circulation is still provided on the other side of the street. These front load units are necessary due to the 200-foot building setback from the interstate and the desire to create a usable and contiguous farming area.

ii. Division 6.2. Parking, Queuing, and Loading

The provided parking quantity and design is appropriate for the townhouse uses proposed for the Property. The parking requirements as shown in Table 3 are for a minimum of one and maximum of two spaces per townhouse. All of the market rate townhomes are providing for two parking spaces per unit, either in a two-car garage, or a one car garage and an adequately long driveway. The MPDU units are each provided with one parking space in a garage. Additionally, another 81 street parking spaces are provided throughout the site as street parking or in a couple of designated parking facilities. This provides for visitor parking and for the possibility of some households having more than two vehicles. The parking is adequate and strikes a balance in a community currently not served by high quality transit, but that is adjacent to a future CCT station. Bicycle parking is not a requirement of single-family housing types and is not provided with Phase I.

iii. *Division 6.3. Open Space and Recreation*

The Site Plan provides adequate and appropriate open spaces and recreational amenities for the townhouse use proposed. The required open space for townhouse development is Common Open Space, and the CR Zone Table 8 demonstrated that the Site Plan meets the common open space requirements. Common Open Space is intended to serve as communal recreation space and should be located in a central position bordered by streets and lots that have easy access. The main spaces should be at least 50 feet wide except for linear parks or spaces following a trail, and at least 50% of the common open space should be contiguous. The Common Open Spaces include the two central amenity areas including the central green in Block E which provides opportunity for passive recreation, and the park space in Block H which has play equipment. Along the eastern edge of the Property is the fitness trail which is a major amenity of the Site Plan and it helps connect the two primary common areas. The remaining space includes a linear mews in each townhome neighborhood connecting the east sides of the Property through to Century Boulevard. The Applicant is also providing Public Open Space during Phase I of the development even though it is not a required open space type. Public Open Space is meant to be enjoyed and appreciated by the public because of its location and amenities, and the linear park paralleling the west side of the Garden Street serves as that type of open space.

The proposed recreational amenities are also adequate and meet the intent of the Zoning code and the Recreation Guidelines. The provided recreational supply and demand table shows adequate recreation supply for all age groups. The Application does take some off-site supply credit for the Waters Landing Local Park, located just under a half mile walk to the west, however the on-site supply points would be adequate without the nearby park in all but the tot category. Amenities include a multi-age play area, walking and fitness trail, a basketball court, grilling stations and picnic areas.

iv. *Division 6.4. General Landscaping and Outdoor Lighting*

The landscaping and lighting provided in the Site Plan meets the standards and intent of the Zoning Code. A majority of the plantings proposed are street trees on the public or private streets, or are part of the stormwater management facilities. The Applicant however is proposing additional landscaping in most of the open space areas to provide opportunities for shade and to create a more aesthetically pleasing experience. Trees will be located around the main central green to help define the space, and are used in the green mews as visual relief from all the townhouses.

The submitted lighting plans show the fixtures and pole mounting heights that are compliant with the requirements. Other than street lighting, there is lighting proposed in the active recreation areas for safety and for use in the evenings, and along the mid-block pedestrian corridors for safety and guidance. None of the non right-of-way lighting will produce illumination in excess of 0.5 footcandles which complies with the requirement to avoid excessive illumination on adjacent properties.

e. satisfies the applicable requirements of:

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

The Site Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a conditional Site Development Stormwater Management Plan approval from MCDPS water resources division on July 3, 2019. The Application will meet stormwater management goals by providing ESD to the extent possible with green roofs, micro-bioretenment and underground storage structures. In addition, some water will utilize the existing pond at the south end of the Property which will be retrofitted.

ii. Chapter 22A, Forest Conservation

The Site Plan complies with Chapter 22A, Forest Conservation. The Site Plan area is currently covered by two existing Final FCPs:

- Final FCP 119881560 was approved to allow the construction of Century Boulevard.
- Final FCP 82013025B was approved for Parcel B and the construction of Dorsey Mill Road.

The Applicant submitted a Final FCP for the remainder of the Property as part of this Site Plan Application 820190060. The tract area of the Property is 27.15 acres; however, after deducting 8.7 acres for the portions of the Property covered by the approved Final FCPs noted above, this Final FCP 820190060 includes 18.45 acres of the Property. Since there is no existing forest on the Property, there is no forest retention or forest clearing proposed as part of this Application. The remaining 1.41 acres of forest planting required to meet the forest conservation requirements for the Property will be met at an off-site location.

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

i. Parking and circulation

The Site Plan provides for safe and well-integrated circulation and parking. The transportation network is based on a hierarchy of public and private interconnecting roads, short dead-end streets and a separate system of alleys. The main public and private streets provide for three access points to Century Boulevard, and serve as the backbone of transportation circulation through the Property. In the southern townhouse neighborhood where space is more constrained there are a couple of short dead-end streets that provide for emergency vehicle and pedestrian access. These streets are short enough to easily navigate in and out of. The network of alleys provides access to most of the residential garages separate from the main streets. Sidewalks are provided on both sides of all streets, and within the mid-block green mews. These sidewalks serve to access each of the residences, the on-site amenities, and the adjacent network of pedestrian facilities.

Parking is provided for each residential dwelling in an either one or two car integrated garage. The market rate dwellings with only a one car garage provide space for a second vehicle to park in the driveway. Some of these dwellings are designed with upper floors that slightly overhang the driveway allowing for an adequately long driveway space while minimizing the perceived setback from the street or alley. While MPDUs will only have access to a single car

garage on each lot, there is additional street parking provided on most streets which is well distributed throughout the site Plan.

ii. Building massing

The building massing proposed is safe and well-integrated. The building layout is based on creating an urban community where building placement clearly allows building fronts to frame each of the street facades and the open spaces. Breaks in the townhouse sticks have been aligned where possible to create visual green corridors and to provide for alternative pedestrian circulation. The buildings are laid out to respect the required 200-foot setback from I-270, and any necessary setbacks from the existing Washington Gas easement and the proposed utility easements. The height of the townhomes is between three and four stories which is an appropriate scale for a residential neighborhood given the street and open space widths.

iii. Open space, and site amenities

The location of the open spaces and site amenities are safe and well-integrated. The areas of Common Open Space have been well distributed between the two townhome neighborhoods with both districts getting a larger unified space, a linear mews or mid-block like connection, access to the fitness trail, and access to the garden street. Dwelling units face or abut onto all of these open spaces helping frame the space and also keeping them visible and in the public realm. The proposed recreation amenities within the open spaces are also well distributed between the two townhome neighborhoods with both having a mix of passive and active recreation opportunities. The layout also allows future phases amenities to also be readily accessible to the townhomes with the fitness trail or the garden street.

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

The Site Plan substantially conforms with the recommendations of the Sector Plan. This Site Plan is part of a larger mixed use project, and is consistent with the Sketch and Preliminary Plans which were found to be consistent with the Sector Plan. A more detailed analysis of the Sector Plan conformance is found in the Preliminary Plan finding number 2, starting on page 30 of this report.

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

An adequate public facilities review was conducted as part of the Preliminary Plan for the Property, discussed in finding 3 of the Preliminary Plan starting on page 32 of this report. This Site Plan implements a portion of the Preliminary Plan.

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

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

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

The development proposed in the Phase I Site Plan is compatible with existing and approved adjacent development, and with pending adjacent development. The Site Plan proposes two separate neighborhoods of three-story tall townhomes on the east side of Century Boulevard. The only existing development in the vicinity of the Property is a townhouse neighborhood located on the west side of Century Boulevard. These existing townhomes are of a similar scale to the proposed townhomes which will cause no compatibility issues. North of the Property is the Black Hill mixed use project which is approved but mostly undeveloped. The portion of Poplar Grove that is adjacent to Black Hill is not in for site plan review currently. East and south of the Site Plan area is I-270 and a stream valley, which act as inherent buffers between the Subject Property and any existing developments further away.

- 3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

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

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

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

SECTION 8– CONCLUSION

The proposed lots and parcels meet all of the requirements established in the Subdivision Code and Zoning Ordinance, and conform to the recommendations of the Germantown Employment Area Sector Plan. Access to the lots is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Preliminary and Site Plans require a few waivers however the project remains in keeping with the intent of the applicable codes and the General Plan for the County. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, staff recommends approval of the Application, with the conditions as specified.

Attachments

Attachment A - Preliminary Plan Lots

Attachment B - Site Plan Composite

Attachment C – Plats

1 – Plat 19217

2 – Plat 20279

3 – Plat 22484

Attachment D – Resolutions

1 – PAPF & 2015 Trip Generation Table

2 – Sketch Plan

Attachment E - Private Road Justification

Attachment F - Abandonment Justification

Attachment G - Signal Warrant

Attachment H - Signal Sensitivity

Attachment I – Transportation Memorandum and 2013 LATR Trip Generation Tables

Attachment J - Dorsey Mill Rd Agreement

Attachment K - Century Blvd Agreement

Attachment L - Noise Analysis

Attachment M - Fire Marshal Letter

Attachment N - MCDOT Letter

Attachment O - SWM Letter

Attachment P - DHCA Letter

Attachment Q - HP Letter

Attachment R - Burial Site Management Summary