Summary

- Staff recommends approval of Preliminary Plan No. 12012008F and the Site Plan No. 82013022G.
- The proposed changes meet all development standards, and do not significantly modify the original findings of the approval.
- Staff has not received community correspondence regarding this amendment.
RECOMMENDATIONS AND CONDITIONS

Preliminary Plan No. 12012008F

Staff recommends approval of Preliminary Plan Amendment No. 12012008F. All site development elements shown on the latest electronic version of Preliminary Plan Amendment No. 12012008F submitted via ePlans as of the date of this Staff Report are required. All previously approved plans (Preliminary Plan: 120120080, 12012008A, 12012008B, 12012008C, 12012008D and 12012008E), findings, and conditions of approvals remain in full force and effect, except as modified herein:

General Approval

1. Density
   This Preliminary Plan is limited to a maximum of 751 townhouse units on 751 lots, a maximum of 1,458 multi-family units on up to 119 lots (includes 109 lots for two-over-two units and ten (10) lots for multi-family buildings), 41,828 square feet of retail space on up to three (3) lots shared with multi-family units, a maximum of 7,268 square feet of office use shared with a multi-family building on one (1) lot, and 43,000 square feet of general retail development on one (1) lot. Additional lots are permitted for common areas, including parcels for private streets, clubhouses, park and school sites, and other County facilities. Ten (10) percent of the total number of residential units excluding Moderately Priced Dwelling Units (MPDUs) or resulting MPDU bonus density units must be Workforce Housing units, and fifteen (15) percent of the total number of residential units excluding Workforce House units must be MPDUs.

4. Concurrent Site Plan Approval
   a) Before clearing or grading the Subject Property, the Applicant must receive Staff certification of Site Plan No. 82013022G. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, and site circulation is determined through Site Plan review and approval.

   b) If a Site Plan 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 Certified Site Plan.

Site Plan No. 82013022G

Staff recommends approval of Site Plan Amendment No. 82013022G. All site development elements shown on the latest electronic version of the Site Plan Amendment No. 82013022E submitted via ePlans as of the date of this Staff Report are required. All previously approved plans (820130220, 82013022A, 82013022B, 82013022C, 82013022D, 82013022E, and 82013022F), findings, and conditions of approvals remain in full force and effect, except as modified herein:

1. Preliminary Plan Conformance
   The Applicant must comply with the conditions of approval for Preliminary Plan 120120080 and all subsequent Preliminary Plan Amendments.
2. **Site Plan Conformance**
   The Applicant must comply with the conditions of approval for Site Plan 820130220 and all subsequent Site Plan Amendments.

3. **Density**
   This Site Plan is limited to a maximum of 406 residential townhouses, 1,114 multifamily residential units (includes 100 for two-over-two units), 7,268 of office uses within Multi-Family Building D, and 41,828 square feet of non-residential (retail) development, and space for a public library.

7. **Fire and Rescue**
   The Planning Board accepts the recommendations of the Montgomery County Fire and Rescue Service (MCFRS) Fire Code Enforcement Section in its letter dated August 4, 2020 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCFRS may amend if the amendments do not conflict with other conditions of Site Plan approval.

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

14. **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.

15. **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 development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).
    b) Add a note to the Site Plan stating “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
SITE DESCRIPTION

Vicinity

Shady Grove Station (Property or Subject Property), outlined in blue in Figure 1 below, is on the location of the former Montgomery County Service Park (CSP). Shady Grove Station is located south of Shady Grove Road, north of Redland Road, east of the CSX rail tracks, and west of the Shady Grove Metro Access Road. Crabbs Branch Way runs north-south through Shady Grove Station, dividing the area into two segments.

Immediately northeast of the intersection of Shady Grove Road and Crabbs Branch Way is the Grove Shopping Center in the CRT Zone. The David F. Bone Equipment Maintenance and Transit Operations Center (EMTOC) occupies the area northwest of the intersection of Shady Grove Road and Crabbs Branch Way in the EOF zone.
Site Analysis

Preliminary Plan No. 12012008F covers the Subject Property (Property) and is 90.085 acres, located on the east and west sides of Crabbs Branch Way. Site Plan No. 82013022G covers the Site and is composed of 41.76 acres on the west side of Crabbs Branch Way.

The Site is located at the southwest corner of the intersection of Shady Grove Road and Crabbs Branch Way and is currently zoned CRT-1.0 C-0.25 R-0.75 H-90T (TDR 0.89 Overlay) and CRT-0.75 C-0.25 R-0.5 H-60T (TDR Overlay 0.6). The redevelopment of the Site is underway; one multi-family building (Building A) and a portion of the townhouse community have been constructed.

The Property lies within the Rock Creek Watershed. There are no known historical or culturally significant resources on the site, and the site is served with public water and sewer.

PROJECT DESCRIPTION

Previous Approvals

The Planning Board has approved the following plans and amendments on the Site:

Preliminary Plan

- Preliminary Plan No. 120120080, Shady Grove Station, on September 11, 2012 for a maximum of 752 townhouse units on up to 752 lots; a maximum of 1,458 multi-family units on up to 95 lots, including 84 lots for 2-over-2 units and 11 lots for multi-family buildings; 41,828 square feet of retail space on up to 3 lots shared with multi-family units; and a maximum of 131,422 square feet of office development on 1 lot.
- Preliminary Plan Amendment No. 12012008A on April 23, 2014, which allowed the execution of the Traffic Mitigation Agreement (TMAg) at building permit and allowed modifications to the cross-section for Roads I and P.
- Preliminary Plan Amendment No. 12012008B on November 3, 2014 to: i) modify the alley pavement widths from 20 feet to 18 feet; ii) allow landscaping in alleys and deeper decks for residential units with a deck option; iii) revise lot lines; and iv) modify the location of Moderately Priced Dwelling Units (MPDUs) and Workforce Housing units.
- Preliminary Plan Amendment No. 12012008C on May 7, 2015, which allowed separate TMAgs applicable to the phase covered within a specific site plan for the various phases of the approved Shady Grove Station development.
- Preliminary Plan Amendment No. 12012008D on December 5, 2017 which allowed the conversion of an unbuilt 131,422 square feet of office use with up to 43,000 square feet of general retail space.
- Preliminary Plan Amendment No. 12012008E on February 5, 2019 replaced one multi-family lot and 752 townhouse lots with 751 townhouse lots and 50 two-over-two townhouse lots.

Site Plan

- Site Plan No. 820130220, Shady Grove Station-Westside, on January 23, 2014 for up to 1,521 residential dwelling units, 41,828 square feet of retail, and space for a public library on approximately 41.8 gross acres.
- Site Plan Amendment No. 82013022A, Shady Grove Station-Westside, on October 23, 2014, to modify the approved Site Plan to reduce the residential alley pavement widths from 20 feet to 18 feet, installation of additional landscaping in alleys, minor adjustments to lot lines, and modification to the location of MPDUs and Workforce Housing units layout.
- Site Plan Amendment No. 82013022B, Shady Grove Station-Westside, on February 9, 2017, to modify the approved Site Plan to revise party walls of select townhomes, update the footprint of Building A and interior courtyards, update the location of electric transformers, update materials and design of garage screening, and revise the Final Forest Conservation Plan infrastructure improvements for the trail and WMATA entrance approved under Mandatory Referral MR2014019 and Site Plan 820130220.

- Site Plan Amendment No. 82013022C, Shady Grove Station, on June 4, 2018, to transfer 61 multi-family units from Building C (reduced from 263) to Building D (increased to 273), increase maximum building height to 79 feet, adding one story to parts of Building D, amend building architecture elevations, amend streetscape plans, revise select townhouse party walls, and update plans for final Building A designs.

- Site Plan Amendment No 82013022D, Shady Grove Station on May 5, 2018 amended the FFCP through Administrative Amendment.

- Site Plan Amendment No 82013022E, Shady Grove Station on February 25, 2019 replaced 202 units of multi-family and 69 townhouse units with 55 townhouses and 100 two-over-two.

- Site Plan Amendment No 82013022F, Shady Grove Station on January 8, 2020 made the following changes:
  - Minor adjustments and refinements to the open spaces, includes modifications to the Block E park along Columbus Avenue, limited hardscaping to the pedestrian circulation and seating areas; adjust the landscaping and relocate the benches and bicycle parking.
  - Refinements to the pocket parks in Blocks C and T that include enhancements to the seating areas, paving, and additional landscaping.
  - Adjustments to the West Side dog parks to match existing forest conservation easements.
  - Refinements to the dog park near the intersection of Connors Way and Baxter Street to reflect current pedestrian and maintenance access to the area.
  - Minor revisions to the elevations and floor plans of the two-over-two townhouses.
  - Refinements to Block N’s clubhouse, including the building shape and finished floor elevations. Also, minor changes to the size and capacity of the pool, pool deck, park area, patio and tot lot.
  - Adjustments to the locations of the streetlights, mailboxes, and plantings.

Proposal

The Preliminary Plan Amendment reflects the incorporation of 7,268 square feet of office use in Multi-Family Building D, which is made possible through a shifting of unit mix and unit dimensions. The Site Plan Amendment consists of minor adjustments to Multi-Family Building D’s architectural elevations, courtyard design, building footprint, and utility layout. The Amendment also includes streetscapping enhancements related to the new office use that will establish and frame the office lobby area to make it prominent along the street, further activate Columbus Avenue, and encourage additional pedestrian circulation.

Additionally, the Amendment alters the unit mix in Multi-Family Building D and Multi-Family Building B. Applicant proposes to shift five dwelling units from Multi-Family Building D to Multi-Family Building B. Within Multi-Family Building D, the Amendment seeks to add ten new three-bedroom dwelling units, all of which will be provided as MPDUs or HOC equivalent affordable housing units. The total number of multi-family dwelling units approved in the Preliminary Plan (up to 1,458 multi-family dwelling units) and in the West Side Site Plan (up to 1,114 multi-family dwelling units) remains the same with the requested shifting and the addition of three-bedroom dwelling units in Multi-Family Building D.
Lastly, the Site Plan Amendment updates the amount of vehicular spaces in parking garages to reflect the addition of the office space and the shifting/modification to the unit mix in Multi-Family Buildings D and B. The final number of vehicular parking spaces will be determined at the time of building permit.

Community Outreach

The Applicant has met all noticing requirements. As of the posting of this Staff Report, Staff has not received any correspondence about this Amendment.

FINDINGS

Preliminary Plan

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

Adequate Public Facilities (APF)
Adequate public facilities continue to be adequate to serve the proposed development.

Traffic Statement
The March 30, 2020 traffic statement, prepared by Wells+ Associates. Inc. and submitted with the Preliminary Plan Amendment, details that the development program proposed in the Preliminary Plan Amendment (7,268 square feet of office uses, 84,828 square feet of retail, 2,209 dwelling units) will generate fewer overall trips during the peak hour than the development program and associated determination of adequate public facilities approved in the Preliminary Plan. Furthermore, the traffic statement notes that no changes to vehicular access are proposed with the Preliminary Plan Amendment. The traffic statement concludes that the Preliminary Plan Amendment will neither result in any increase to the approved peak hour trip generation nor include roadway network changes. The previously planned, designed, and constructed improvements are adequate to serve the Site.

All Other Findings
All other findings remain valid, unchanged and in full force and effect.

Site Plan

Pursuant to the grandfathering provisions of Section 7.7.1.B.1, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014, since the original site plan was approved on November 14, 2013. The proposed modifications do not alter the intent of the original Site Plan and the subsequent previously approved amendments.

2. The Site Plan meets all requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.

While this Amendment proposes a change in use, all other development standards remain unchanged from prior approvals. There is no urban renewal plan associated with this Site.
The Site Plan Amendment consists of minor adjustments to Multi-Family Building D’s architectural elevations, courtyard design, building footprint, and utility layout. The Amendment also includes streetscaping enhancements related to the new office use that will establish and frame the office lobby area to make it prominent along the street, further activate Columbus Avenue, encourage additional pedestrian circulation.

All Other Findings
All other findings remain valid, unchanged and in full force and effect.
CONCLUSION

The Preliminary Plan and Site Plan Amendments continue to meet all requirements established in the Subdivision Regulations and the Zoning Ordinance, and the proposed modifications to the approved Preliminary Plan and Site Plan will not alter the overall character, or significantly impact the development with respect to the original findings and conditions of all previous approvals. The development remains compatible with the existing and proposed development adjacent to the Site and with respect to the surrounding neighborhood. Access and public facilities will continue to be adequate to serve the proposed lots and units, and the uses continue to conform with the Sector Plan. The Applications have been reviewed by other applicable county agencies, all of whom have recommended approval of the Applications. All previous conditions of approval and Planning Board findings remain in full force and effect, unless modified by this Amendment. Thus, Staff recommends approval of the Preliminary Plan No. 12012008F and Site Plan No. 82013022G, with the conditions listed at the beginning of this report.

ATTACHMENTS

1. Preliminary Plan Amendment
2. Site Plan Amendment
3. Agency Approval Letters
DATE: 18-Sep-13
TO: Michael Goodman
VIKA, Inc
FROM: Marie LaBaw
RE: Shady Grove Station
120120080 820130220

PLAN APPROVED

1. Review based only upon information contained on the plan submitted 18-Sep-13. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.

2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

*** 3/29/2018 Site Plan Amendment C - approval of minor modifications to building footprint, unit layouts, and Building D lobby shift ***

*** 11/18/2018 Site Plan Amendment E - approval of reconfigured blocks T, C, U, G, B ***

*** 4/1/2020 Revised pool access at Columbus Ave community building ***

*** 8/4/2020 Amendment G: see scope of work ***
July 17, 2020

Marie LaBaw
MCDPS - Fire and Rescue
255 Rockville Pike
Rockville, MC 20850

Re: Fire Access Plan Revision
Shady Grove Station – Multi-Family Building D
Site Plan Amendment 82016022G
VIKA # VM1791P

Dear Ms. LaBaw,

EYA/CSP Associates has submitted application 82013022G for the purpose of refining the architecture and adding office space within Building D. By way of history, the fire access plan associated with Site Plan 820130220 was approved 9/18/2013 and subsequently revised three times with the following dates and details:

<table>
<thead>
<tr>
<th>Revision Date</th>
<th>Scope of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 29, 2018</td>
<td><strong>Site Plan Amendment ‘C’:</strong> minor modifications to building footprint, unit layouts, and Building D lobby shift. Fire access was not altered with this revision.</td>
</tr>
<tr>
<td>November 11, 2018</td>
<td><strong>Site Plan Amendment ‘E’:</strong> reconfiguration of blocks T, C, U, G, and B. Fire access in and around these blocks were revised with this revision.</td>
</tr>
<tr>
<td>April 1, 2020</td>
<td><strong>Site Plan Amendment ‘F’:</strong> minor modification to location of emergency access point to pool deck of community building in block N. Fire access was not altered with this revision.</td>
</tr>
</tbody>
</table>

Specifics of this requested amendment are as follows:

- Minor modifications to the building footprint
- Shift 5 units to future building ‘B’ while maintain the overall number of multi-family units
- Adjustments to locations of FDCs
- Minor shift in Building ‘D’ lobby location on Gramercy Boulevard
- Addition of office space on ground floor with entry door located on Columbus Avenue.
These requested changes to Building D are all within general conformance to the originally approved building and streetscape footprint in the West Side Site Plan. If you have any questions or need more information, please do not hesitate to contact us so that we may discuss this matter further.

Sincerely,

VIKA Maryland, LLC

Michael B Goodman

Michael B. Goodman, P.E.
Vice President