

Montgomery Planning




MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item No.

Date: 12.10.20

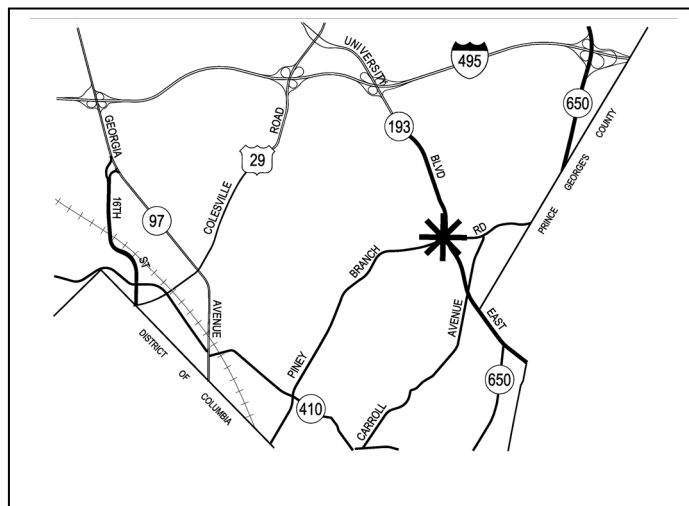
Preliminary Plan 120180090, Long Branch Corner

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Description

- Subdivision to create one lot for up to 7,123 square feet of retail uses and up to and eight multi-family dwelling units.
- Located on the northwest quadrant of the intersection of Piney Branch Road and University Boulevard
- 0.55 acres (24,149 square feet)
- CRT 2.5 C 0.5 R 2.5 H 60' zone
- 2013 *Long Branch Sector Plan*
- Application accepted on August 9, 2018
- Applicant: Angkor Thom, Inc.
- Chapter 50, Chapter 22A

Completed: 11.27.20



Summary

- Staff recommends approval of the Preliminary Plan No. 120180090 with conditions.
- The Application envisions a new 3-story mixed-use building with up to 3,437 square feet of ground floor retail and 8 multi-family dwelling units. An existing 3,686 square-foot retail building will remain.
- The total amount of existing and proposed development on the Site will not exceed 1.0 FAR and may proceed under the Standard Method of Development.
- The Planning Board extended the review period for the Application seven times, to December 31, 2020. During the extended review period the Applicant changed engineering firms, re-surveyed the property, revised the submitted drawings to reflect a Purple Line condemnation along the site frontage, resolved utility issues, and addressed stormwater management comments.
- The Applicant is seeking Alternative Compliance for the Section 59.6.1.4 Design Standards to retain the two existing driveways for this corner lot.
- Due to constraints of the site, the Applicant seeks Alternative Compliance under Section 59.6.8 for Public Open Space.
- The Applicant is requesting approval for a parking waiver for three off-street motor vehicle parking spaces.
- Staff has received community correspondence from a nearby property owner at the time of writing this report.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Preliminary Plan No. 120180090

Staff recommends approval of Preliminary Plan No. 120180090. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.

General Approval

1. This Preliminary Plan is limited to one lot for up to 14,112 square feet of total development comprised of up to 7,123 square feet of non-residential use (3,686 square feet of existing to remain), and up to 8 multi-family dwelling units (6,989 square feet).

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.
3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 24, 2020 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 MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated October 29, 2020 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.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS"), Fire Department Access and Water Supply Section in its letter dated October 11, 2020 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.
6. The Planning Board has reviewed and accepts the Maryland Department of Transportation State Highway Administration (MDOT SHA) email, dated October 26, 2020. The Applicant must comply with each of the recommendations as set forth in the letter, which SHA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
7. Before recording a plat for the Subject Property, the Applicant must satisfy MDOT SHA requirements for access and improvements.

Public Open Space

8. Prior to the issuance of any above-grade building permit, the Applicant must make a payment of \$36,000 to the Long Branch Amenity Fund for the purpose of fulfilling the requirements of Section 59-6.3.6, Public Open Space.

Transportation

Existing Frontage Improvements

9. The Applicant must dedicate all road rights-of-way to the full width mandated by the 2013 *Long Branch Sector Plan* or as otherwise designated on the Certified Preliminary Plan, and show on the record plat(s) the following dedications:
 - a. A dedication of the Piney Branch Road frontage necessary to provide the Sector Plan-recommended 112-foot-wide right-of-way between the Subject Property line and right-of-way centerline.
 - b. A dedication of the University Boulevard frontage necessary to provide the Sector Plan-recommended 124-foot-wide right-of-way, plus an additional 3 feet to accommodate the master-planned separated bikeway, between the Subject Property line and right-of-way centerline.
10. Prior to the first Use & Occupancy Certificate, the Applicant must:
 - a. Install within the Piney Branch Road right-of-way along the Site frontage a five-foot-wide tree panel and 10-foot-wide sidewalk, to tie into existing sidewalks to the west of the property, and
 - b. Install within the University Boulevard right-of-way along the Site frontage an eight-foot sidewalk, an eight-foot grass panel (a placeholder for the future two-way separated bike lanes) and a seven-foot tree panel to tie in to existing sidewalks north of the property per the 2013 *Long Branch Sector Plan Design Guidelines*, as shown on the Certified Preliminary Plan.

Bicycle Parking

11. The Applicant must provide one long-term and two short-term bicycle parking spaces in conformance with the Bicycle Parking Design Guidelines.
 - a. The long-term space must be provided within the mixed-use building to be accessible by the commercial employees.
 - b. The short-term spaces must be located proximate to the main entrance of the new retail uses.

Easements

12. The record plat must show necessary easements.
13. Prior to record plat, the Applicant must relocate or remove the proposed easement for utility pole guy wires, that is described and depicted on SHA Plat 59282 affecting the southwest corner of the site along Piney Branch Road, so as not to encroach upon the minimum 6-foot pedestrian path of travel on the Piney Branch Road sidewalk along the site frontage. If the proposed easement cannot be relocated or removed with agreement from PEPCO, MTA, and MDOT SHA, the Applicant must amend the Preliminary Plan.

Certified Preliminary Plan

14. The Applicant must include all applicable agency letters and the Preliminary Plan Resolution on the approval or cover sheet(s).
15. 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 building permit(s). Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The subject site (Subject Property or Property) is located at 649 East University Boulevard in the northwest quadrant of the intersection of Piney Branch Road (MD Route 320) and University Boulevard East (MD Route 193) in the Long Branch Community. The Site is an unplatted parcel designated P979 on Tax Map JP561. The CRT 2.5 C 0.5 R 2.5 H 60' zoned Property has a tract area of approximately 26,471 square feet (0.61 acres) and a site area of 24,1495 square feet (0.55 acres).

The Property is within the Piney Branch Village area of the *2013 Long Branch Sector Plan* (Sector Plan), (Figure 1). The Property abuts other commercial uses to the west and north. Within the vicinity of the Site are mid-rise apartment buildings, such as the Foxhall Apartments and the Glenville Road apartments. Properties opposite the Site on Piney Branch Road and University Boulevard East are also zoned CRT 2.5, but with additional mapped heights of 85 feet. The Property is located approximately 400 feet from the future Piney Branch Road Purple Line station. Additionally, it is located within the vicinity of the master-planned Bus Rapid Transit Station for the University Boulevard Corridor¹.



Figure 1 – Vicinity Map

¹ This BRT station will be within the vicinity of the intersection of Piney Branch Road and University Boulevard; however, the exact location of the station will be determined as part of the planning phase for the University Boulevard corridor.

The Property consists of a single one-story retail structure that includes 3,686 square feet of commercial use (Figures 2 and 3). There are two driveways providing access to the Site: one on University Boulevard and one on Piney Branch Road. These driveways are proposed to remain. There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no known historic properties on-site.



Figure 2 – Existing commercial building (Piney Branch Road Looking North)



Figure 3: Existing Commercial Building (University Boulevard Looking West)

SECTION 3: PROJECT DESCRIPTION

Proposal

Preliminary Plan No. 120180090 was accepted on August 9, 2018, to create one lot on 0.55 acres of land in the CRT 2.5 C 0.5 R 2.5 H 60' zone for 3,437 square feet of new retail use (3,686 square feet of retail to remain) and 8 multi-family units. The Applicant proposes to develop the Property under the standard method of development.

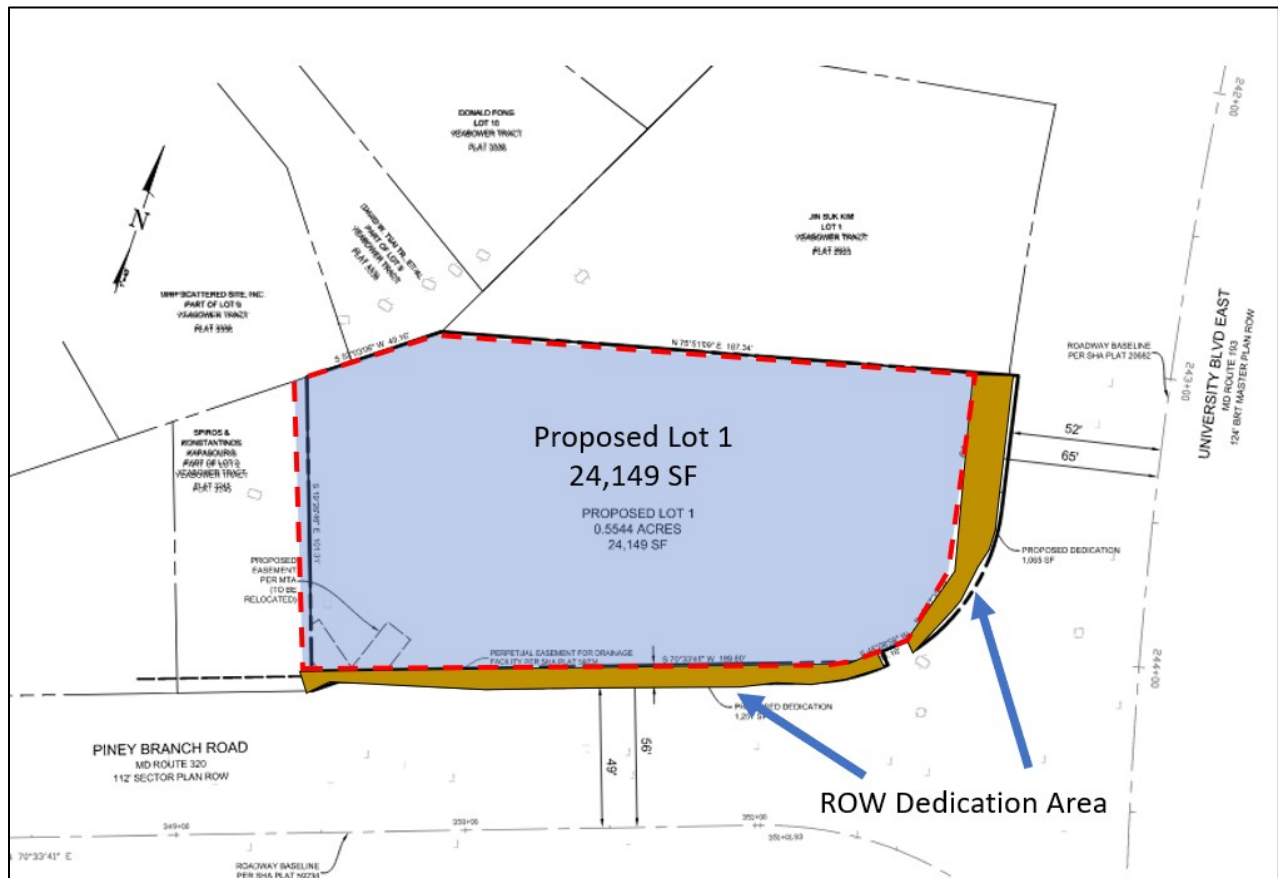


Figure 4 – Lotting Diagram

Vehicular parking will be provided on-site within the existing surface parking lot. Due to site constraints, the Applicant seeks a partial parking waiver pursuant to Section 59.6.2.3.H.2.a for three vehicle parking spaces. The Applicant proposes two car-share spaces within the surface parking lot, which may also reduce the demand for private vehicle parking on-site.

The Project will provide one long-term and two short-term bicycle parking spaces. The long-term space will be accommodated within the envisioned building. The two short-term spaces will be located immediately adjacent to the main entrance of the building.

Circulation

Vehicles will continue to access the site by the two existing driveways, on Piney Branch Road and University Boulevard, both of which operate as right-in, right-out. The Applicant proposes to narrow the driveways to decrease the potential for conflicts between motorists entering and leaving the site with pedestrians, bicyclists, and motorists traveling along the site frontages.

Due to the turning restrictions out of the site, the continued operation of both driveways is necessary to reduce U-turns and unnecessary turning movements along the Piney Branch Road and University Boulevard corridors. For this reason, the Applicant is seeking Alternative Compliance under Section 59-6.8.1 for Section 6.1.4.C., which limits the number of driveways for corner lots to one, so that both existing driveways may remain.

Due to the size of the existing and proposed uses, no on-site loading spaces are required on-site to serve either the existing commercial building or the proposed mixed-use building.

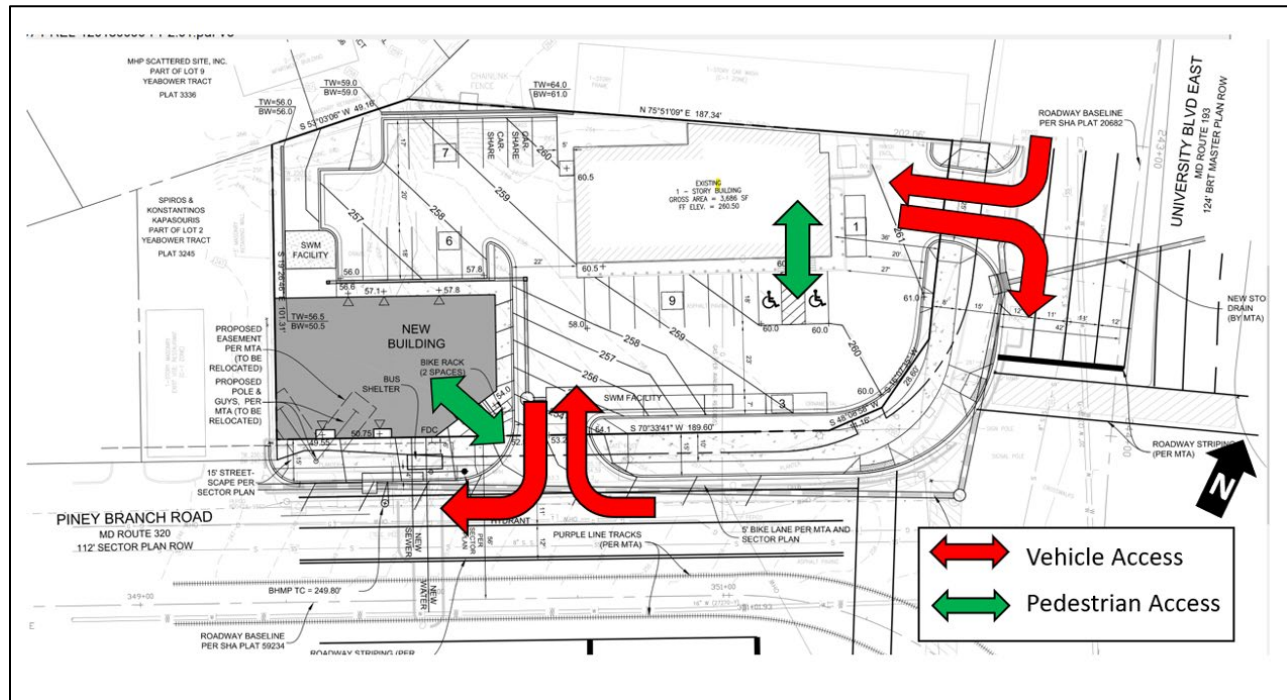


Figure 5 – Site Circulation

Pedestrians will access the site from the existing sidewalks on Piney Branch Road and University Boulevard, which will be improved per the 2013 *Long Branch Sector Plan Design Guidelines*. The Applicant is required to dedicate 2,322 square feet of additional land along the Site's two frontages to improve the safety and comfort of pedestrians and cyclists. Along the Site's Piney Branch Road frontage, the Applicant will widen the sidewalk to 10 feet with a five-foot tree panel. This cross section accommodates for the approved five-foot on-street bicycle lane to be constructed by MTA.

Along the Site's University Boulevard frontage, the Applicant will install an eight-foot grass strip, an eight-foot sidewalk, and a seven-foot tree panel. The Applicant will also contribute \$18,942 toward the realization of the master-planned bikeway along that frontage. The eight-foot grass strip reflects an interim condition and will be converted into the bicycle facility in the future.

Open Space

The Project proposes a multi-use building on a tract that is greater than 10,000 square feet and is required to provide a minimum of 10 percent on-site Open Space. For this Site that would require a minimum of 2,414 square feet.

The Applicant is proposing to maintain the existing commercial structure on the Site and build a 10,426 square foot mixed-use building. Implementation of the Purple Line required acquisition of land by the State which further

reduced this already constrained site. After accounting for the required setbacks, parking, and right-of-way dedications, the Applicant is not able to provide meaningful Public Open Space on site.

The Applicant has chosen to utilize the off-site provision of Section 59-6.3.C.2 of the Zoning Ordinance which allows for a payment in lieu of providing Public Open Space on-site. The standard calculation method for this approach would yield a payment of \$84,525. This is not a cost proportional to this use in this location, particularly given the modest scope of redevelopment. Accordingly, the Applicant has requested Alternative Compliance to require a lower payment amount of \$36,000, as detailed in the findings in Section 4 of this document.

Environment

The Subject Property is located in the Long Branch Sector Plan Area and within the Sligo Creek watershed which is a Use I-P watershed. A Natural Resource Inventory, Forest Stand Delineation (NRI/FSD) was filed for the Site on May 25, 2018. The NRI/FSD served to document and map the locations of all existing environmental on-site features, including topography, wetlands, floodplains, streams, and specimen trees. Aside from the watershed, the Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, or steep slopes. The Subject Property consists of soil designated as Urban Land and slopes gently upward from west to east.

The Site also contains several small to medium sized trees which range from 3" in diameter-at-breast-height (DBH) to 20" DBH. Just offsite, to the northwest corner of the site, there are two trees, a Silver Maple and a White Mulberry, at approximately 24" DBH. While several smaller trees are proposed to be removed in the Subject Application, these significant trees are not expected to be impacted or removed. In addition to the proposed removal of seven trees sized 20" DBH and below, the Applicant has also submitted a Tree Save Plan which proposes the planting of six canopy trees throughout the Site and streetscape (Attachment C).

Forest Conservation

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(S)(1) of the Forest Conservation Law because the proposed activity occurs on a tract of land less than 1.5 acre that contains no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet. This exemption was confirmed on June 20, 2018 (Attachment C).

Stormwater Management

The Applicant has provided a concept stormwater management approval dated October 29, 2020. This report from MCDPS details the approved proposal for on-site stormwater management for the project via Environmentally Sensitive Design to the Maximum Extent Practicable (ESD to the MEP) and with the use of a landscape infiltration facility. Due to the slopes and soils remaining volume is treated structurally by way of a volume-based Storm Filter.

SECTION 4: PRELIMINARY PLAN AMENDMENT ANALYSIS AND FINDINGS

Analysis and Findings

The Preliminary Plan will create one lot on 0.55 acres (24,149 square feet) of land with a maximum density of up to 7,123 square feet of commercial use (3,686 existing to remain and 3,437 proposed) and up to 8 multifamily dwelling units. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable requirements. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

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*

The lot size, width, shape and orientation are appropriate for the location of the subdivision considering the recommendations in the 2013 *Long Branch Sector Plan* and the type of development and use contemplated. The lot was reviewed under and found to be in compliance with the dimensional requirements for the CRT zone as specified in the Zoning Ordinance.

The lot was reviewed for compliance with the dimensional requirements for the CRT-2.5, C-0.50, R-2.5, H-60 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in Table 1 below.

Table 1: Development Standards in the CRT 2.5, C-0.5 R-2.5 H-60 Zone

Standard	Required/Permitted	Proposed
Tract Area	n/a	26,471 SF
Dedication Area	n/a	2,322 SF
Site Area	n/a	24,149 SF (0.55 acres)
Commercial Density	12,074.5 SF (0.5 FAR)	7,123 SF (0.27 FAR)
Residential Density	60,372.5 SF (2.5 FAR)	6,989 SF (0.26 FAR)
Total Density	60,372.5 SF (2.5 FAR)	14,112 SF (0.53)
Front setbacks	0 ft (min)	36 ft Existing Building on University Boulevard 0 ft Proposed Building on Piney Branch Road
Side setbacks	0 ft (min)	0 ft Existing Building 0 ft Proposed Building
Rear setbacks	0 ft (min)	0 ft Existing Building New Building Must Meet Minimum
Min lot width at front	n/a	220 ft Piney Branch Road 99 ft University Boulevard
Max Building Height	60 ft max	60 ft
Open Space	10%	0% ¹
Site Plan Required	No	No

¹ Applicant proposes a payment towards off-site Public Open Space per Section 59.6.3.6.C.2.

The Applicant is seeking Alternative Compliance for Section 59.6.1.4.E as it applies to driveway access, and for Section 59-6.3.C.2 for the off-site Public Open Space payment as detailed below. In addition, the Applicant requests a partial parking waiver per Section 59.6.2.10 for three off-street parking spaces.

Division 6.8.1 Alternative Compliance

The applicable deciding body may approve an alternative method of compliance with any requirement of Division 6.1 through Division 6.6 if it determines this is a unique site, a use characteristic or a development constraint, such as grade, visibility, an existing building or structure, an easement or a utility line. The applicable decision body must also determine that the unique site, use characteristic or development constraint precludes safe or efficient development under the requirements of the applicable Division, and the alternative design will:

- a. satisfy the intent of the applicable Division;*
- b. modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints.*
- c. provide necessary mitigation alleviating any adverse impacts; and*
- d. be in the public interest*

Section 59.6.1.4.E Driveway Access

The Applicant is seeking Alternative Compliance for Section 59.6.1.4.E Driveway Access for a corner lot that has more than one driveway. The Applicant is proposing to maintain the location of the two existing driveways: one on Piney Branch Road and one on University Boulevard. Both driveways are restricted to right-in, right-out movements. The Applicant proposes narrowing the driveways to reduce potential conflicts between motorists entering and leaving the Site and motorists, pedestrians, and/or bicyclists traveling along the Site Frontages. If the driveways were consolidated, motorists leaving the Site would be forced to make excessive and unnecessary U-turns on Piney Branch Road and University Boulevard to travel in certain directions. While U-turns are permitted, they introduce potential safety conflicts that could otherwise be avoided. By keeping the two driveways, with limited right-in, right-out movements, motorists can choose the more desirable point of egress to reduce turning movements on the public roadways. The Applicant's alternative method of compliance meets the intent of the Division by addressing potential safety conflicts on the regional travel network. Narrowing the existing driveways minimizes conflicts between those traveling along the frontages and those entering and leaving the Site. The approach modifies the requirement the minimal amount necessary to maintain safe operation at this complex and heavily trafficked intersection while also providing the necessary mitigation to alleviate potential adverse impacts and serving the public interest. The method satisfies the necessary findings for Alternative Compliance.

Section 59.6.3.6 Public Open Space

The Project proposes a multi-use building on a tract that is greater than 10,000 square feet, and therefore per Section 59-4.5.3.C.1 of the Zoning Ordinance is required to provide a minimum of 10 percent on-site Open Space. For this Site that would require a minimum of 2,415 square feet. The Applicant is proposing to maintain the existing commercial structure on the Site and build a 10,426 square-foot mixed-use building including 8 multi-family dwelling units and 3,437 square feet of new commercial use. Implementation of the Purple Line plans required acquisition of land by the State of Maryland, which significantly affected the amount of land area and available options to configure new development. After accounting for the required setbacks, parking, and right-of-way dedications, the Applicant is not able to provide meaningful public Open Space on-site. Therefore the Applicant has chosen to utilize the off-site provision of Section 59-6.3.C.2 of the Zoning Ordinance which allows for a payment in lieu of providing public space on-site.

The calculation methodology as outlined in Section 59-6.3.6.C.2.A would require a payment of \$84,525. This is not a cost proportional to this use in this location, particularly given the modest scope of redevelopment. The Applicant has requested Alternative Compliance to determine a different payment amount of \$36,000 to satisfy the off-site provision of Public Open Space.

The alternative payment amount of \$36,000 shall:

i. satisfy the intent of the applicable Division;

Section 6.3.1 states the intent of the Open Space and Recreation Division, that "Open space can provide adequate light, air, circulation, and recreation and encourage preservation and enhancement of natural resources, including improvement of water and air quality." Any payment amount for the off-site provision of Public Open Space would be made to the Long Branch Amenity Fund and will be used to provide open space improvements that will meet the intent of the Division.

ii. modify the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints;

The sole reason for this Preliminary Plan is to add the proposed mixed-use building that realizes the Sector Plan goal to increase housing units within the Long Branch Sector Plan area. No Site Plan is required. The full payment of approximately \$84,525 would not proportionally promote the efficient development of this much-needed use on this uniquely constrained site. The development envisioned by the application is modest and the Site constrained by two heavily trafficked roads that will soon accommodate the Purple Line and additional bikeway improvements. These improvements are valuable to the County but limit the development options available on so small a Site, development that includes new housing along the Purple Line. Due to the unique circumstances of this redevelopment, the Applicant's payment of \$36,000 sufficiently reflects the constraints of the project.

iii. provide necessary mitigation alleviating any adverse impacts;

The adverse impacts of not providing Public Open Space on this Site are minimal. The Site is on the edge of the Long Branch Sector Plan area and the retail uses on the Site generate significant vehicular traffic. The Applicant is providing and contributing toward significant improvements to the public realm along the Site frontages for pedestrians and cyclists. These sidewalks are well-traveled community thoroughfares and these improvements to access and safety, at financial cost and with reduced buildable area, will provide the most significant public benefit. The Applicant's suggested contribution to the Long Branch Amenity Fund will allow Public Open Space improvements elsewhere in the Plan area and will address the minimal adverse impact of providing Open Space off-site.

iv. be in the public interest.

As stated above, this Site will be providing additional housing units and neighborhood retail in an area well-served by transit. The Applicant is providing or contributing toward significant improvements to the public realm along the Site frontages for pedestrians and cyclists. These sidewalks are well-traveled community thoroughfares and these improvements to access and safety, at financial cost and with reduced buildable area, will provide the most significant public benefit. The Applicant's suggested contribution to the

Long Branch Amenity Fund will allow Public Open Space improvements elsewhere in the Plan area and will address further the public interest.

Section 59.6.2.10 Parking Waiver

The deciding body may waive any requirement of Division 6.2, except the required parking in parking Lot District under Section 59.6.2.3.H.1, if the alternative design satisfies Section 59.6.2.1. Any request for a waiver of the vehicle parking space requirement under Section 59.6.2.4.B. requires application notice under Section 59.7.5.2.D.

The Applicant seeks a waiver for three off-street vehicle parking spaces. The minimum required number of parking spaces on-site to support the 7,123 square feet of retail (existing and proposed) and 8 multi-family dwelling units is 31 and the Applicant is requesting to provide 28. Section 59.6.2.1 states, "The intent of the vehicle and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner." The requested waiver of roughly 10 percent meets this intent. The expected parking demand on-site for both the commercial and residential uses on the Site will be significantly lower than the minimum capacity required by the Zoning Ordinance due to the proximity of imminent and planned rapid transit in the vicinity of the Site: the Piney Branch Road Purple Line station, the planned BRT stop at the intersection of Piney Branch Road and University Boulevard, and several existing bus lines. Furthermore, separated bikeways are envisioned along both Site frontages and are currently under design by MCDOT as part of the Long Branch Bicycle and Pedestrian Priority Area. The 28 parking spaces will provide adequate parking in a safe and efficient manner. The Applicant has complied with all noticing requirements for the parking waiver and the Applicant satisfies the necessary findings for a parking waiver.

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

The Subject Property is located within the Piney Branch Neighborhood Village area of the *2013 Long Branch Sector Plan*, as shown in Figure 6 (Sector Plan, page 11). This area was described as "home to one of the largest transit transfer points in Montgomery County". The Site area specifically was included among a total of 10 within the Sector Plan Boundary that were identified for "Long Term Redevelopment" (Figure 7, Long Term Redevelopment Site 8, Sector Plan pages 65, 76, and 77).

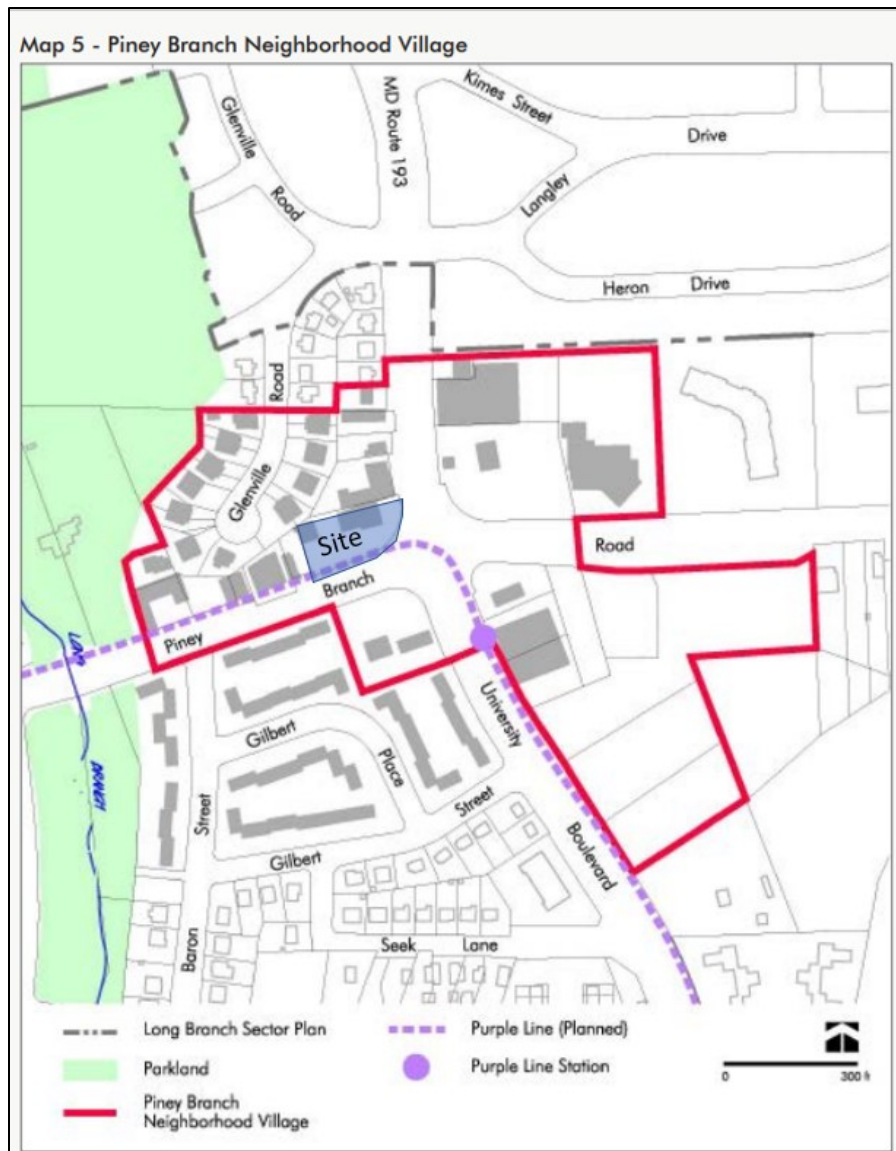


Figure 6 – Piney Branch Neighborhood Village

The Sector Plan recommended rezoning the Site to encourage comprehensive mixed-use development that would maintain existing neighborhood services while allowing for increased residential development. The intent of applying the CRT Zone recommendations was to allow for increased FAR, which could result in additional development that could preserve community affordability. The Sector Plan’s proposal for mixed-use development on commercial properties at and along Glenville Road sought to leverage public investment in the planned Purple Line and other infrastructure improvements (Sector Plan page 76).

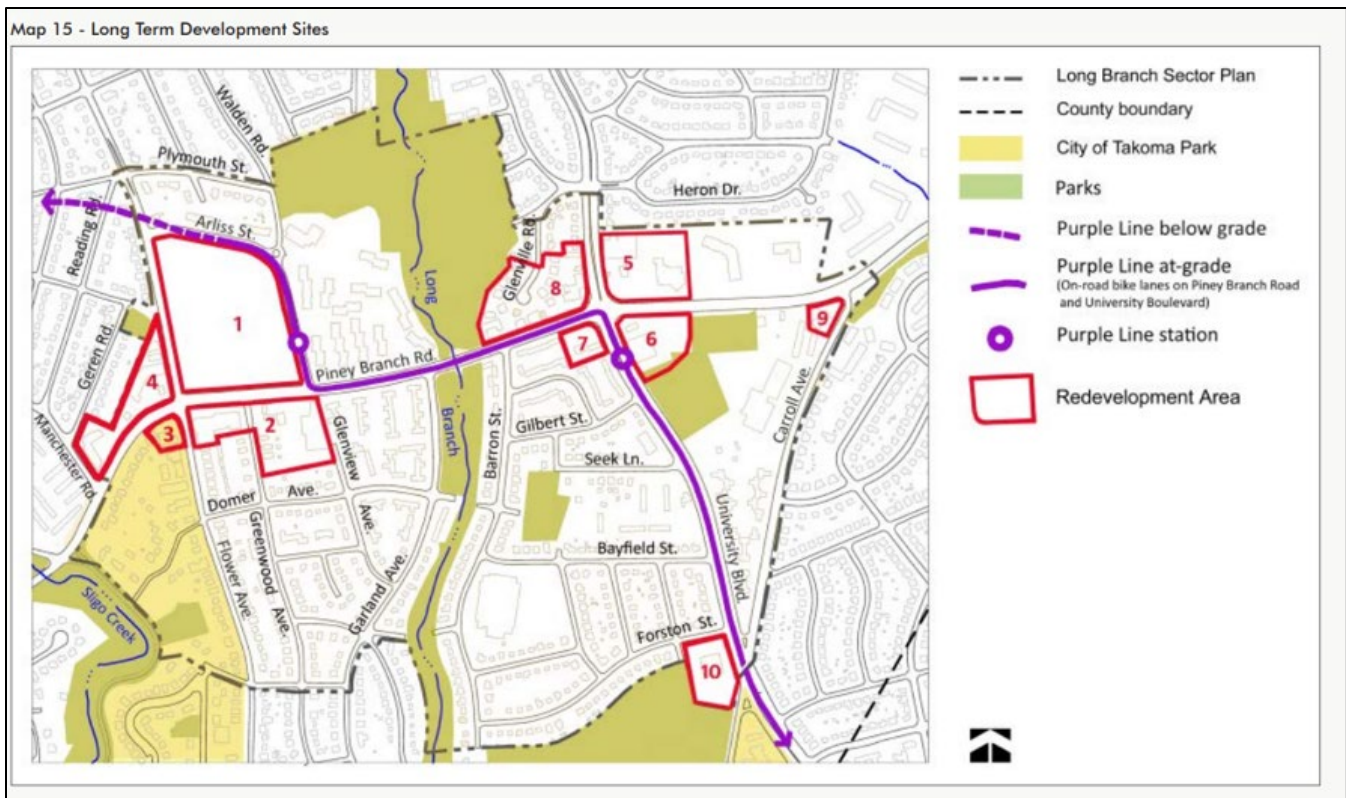


Figure 7 – Long-Term Development Sites

General Recommendations

For each of the 10 Long Term Redevelopment Sites, the Sector Plan outlined site-specific recommendations across four themes: Community, Land Use and Zoning, Mobility, and Sustainability, three of which apply to the Project, as outlined further below. It is important to note that the Sustainability recommendations made for Long-term Redevelopment Site 8 were focused on improving protections for and access to Long Branch Stream Valley Park, which is nearby but not directly pertinent to the Subject Property.

Community

For the Piney Branch Road/University Boulevard Site (Site 8), the Sector Plan recommended the following:

- Provide diverse housing types to serve mixed income and special populations.
- Provide for neighborhood retail and service uses that cater to various income levels.
- Provide well-designed streetscapes incorporating public art along Piney Branch Road, Glenville Road, and University Boulevard.
- Preserve space on-site for small neighborhood serving retail and service uses along Piney Branch Road and University Boulevard.
- Support partnerships between local institutions and community serving organizations.

The Applicant proposes a mixed-use building with 3,437 square feet of neighborhood retail on the first floor and 8 multifamily units on the two floors above. The 3,686 square-feet of existing retail is to remain. While the scale of the proposed density is modest, it upholds the character of the surrounding mid-rise apartment buildings adjacent and abutting the Site.

The Project also includes significant upgrades to the streetscape along the Site's two frontages on Piney Branch Road and University Boulevard. Piney Branch Road will achieve the master-planned canopy corridor with a five-foot tree panel and a 10-foot sidewalk. University Boulevard will be improved with an

eight-foot sidewalk, an eight-foot grass panel (a placeholder for the future two-way separated bike lanes) and a seven-foot tree panel.

The Project proposes right-of-way dedication to accommodate all master-planned roadway, bikeway and streetscape elements along the Site's frontages. The Applicant will provide the necessary width for MTA to build the approved five-foot bike lanes on Piney Branch Road and will pay a fee of \$18,942 as means of participating in the ultimate master-planned vision of the two-way separated bike lanes along the west (Site) side of University Boulevard. The Applicant will also be moving the curb along University Boulevard such that it should not need to move again for the construction of the master-planned bike facilities along the Site frontage.

Land Use and Zoning

The recommendations for land use and zoning for this Site emphasized the need to increase housing stock while transitioning from the Town Center to the adjacent single-unit residential units. The Sector Plan states, "To prioritize housing options in the Town Center that are compatible with adjacent single-family neighborhoods, the Plan recommends a zoning category allowing only the minimum amount of commercial density that may be mapped in the CRT Zone. In addition, the Plan seeks to limit commercial encroachment into the existing residential community and recommends that all nonresidential uses be limited to the property's frontage on Piney Branch Road." (Sector Plan, page 76).

The Project proposes a modest increase in commercial use with an additional 3,437 square feet, with the 3,686 square feet of existing commercial to remain. The Site is located within the heart of the Town Center and does not abut or confront single-family residential units and therefore is an appropriate place for neighborhood-serving retail. The driveway on Piney Branch Road will be maintained for the proposed uses on the Site. At a maximum of 60-feet in height the building will serve a transitional structure towards the single-family neighborhoods to the west of the Site.

Mobility

The mobility theme of the Sector Plan encourages non-motorized travel along Piney Branch Road and University Boulevard with improved pathways and an increase in public bicycle parking capacity.

The Applicant is providing all necessary right-of-way dedication for the implementation of the master-planned two-way separated bike lanes along its two frontages. MTA will construct the interim-term bike lanes on Piney Branch Road and the Applicant will contribute \$18,942 towards the construction of the bike lanes on University Boulevard. Additionally, Applicant is moving the existing curb on University Boulevard to provide the space needed to install the bike lanes in the future once MCDOT has finalized the design of the bicycle facility.

In compliance with Section 59-6.2.4.B. of the Zoning Ordinance, the Applicant will provide a minimum of two short-term and one long-term bicycle parking spaces on-site. The two short-term bicycle parking spaces will be accessible to the public from Piney Branch Road.

The Application is consistent with the goals and objectives of the 2013 *Long Branch Sector Plan*.

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

Access to the Site for all travel modes is provided along the Site's two frontages on Piney Branch Road and University Boulevard. Piney Branch Road is classified as an Arterial with planned light rail and has a master-planned right-of-way width of 112 feet. University Boulevard is classified as a Major Highway with BRT and has a master-planned right-of-way of 124 feet. An additional three feet of right-of-way along University

Boulevard will be dedicated by the Applicant for a total width of 127 feet to achieve the visions of the 2018 *Master Plan of Highways and Transitways* and the 2018 *Bicycle Master Plan*.

Continuous sidewalks are present along both site frontages and both streetscapes will be improved by the Applicant to comply with the 2013 *Long Branch Sector Plan Design Guidelines*. Piney Branch Road will achieve the master-planned canopy corridor with a five-foot tree panel and a 10-foot sidewalk. University Boulevard will be improved with an eight-foot sidewalk, an eight-foot grass panel (a placeholder for the future two-way separated bike lanes) and a seven-foot tree panel.

The Project proposes right-of-way dedication to accommodate all master-planned roadway, bikeway and streetscape elements along the Site's frontages. The Applicant will provide the necessary width for MTA to build the approved five-foot bike lanes on Piney Branch Road and will pay a fee of \$18,942 as means of participating in the two-way separated bike lanes envisioned along the west (Site) side of University Boulevard. The Applicant will also be moving the curb along University Boulevard such that it should not need to move again for the construction of the master-planned bike facilities along the Site frontage.

Transit Connectivity

The immediate area is well served by transit today and will be further enhanced with the opening of MTA's Purple Line. The Piney Branch station of the Purple Line is located approximately 400 feet east of the Site.

Immediately in front of the proposed building is an existing bus stop served by RideOn routes 14, 15, 16, 20, and 24.

The 2013 *Countywide Transit Corridors Functional Master Plan* recommends a BRT route along University Boulevard with a station located at the intersection of Piney Branch Road and University Boulevard. The exact location of the sites is yet to be determined but will likely be within a comfortable walking distance of the Site.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2013 *Long Branch Sector Plan*, the 2013 *Countywide Transit Corridors Functional Master Plan*, and the 2018 *Bicycle Master Plan* recommend the following master plan facilities along the Property's frontage:

1. Piney Branch Road, south frontage, as Arterial with planned light rail, with a minimum right-of-way width of 112 feet (56 feet from centerline). Two-way separated bike lanes are planned along the north (Site) side of the Road.
2. University Boulevard, east frontage, as Major Highway with planned BRT, with a minimum right-of-way width of 124 feet (112 feet from centerline), plus three additional feet from the centerline to accommodate the master-planned two-way separated bike lane on the east (Site) side of the roadway.

Proposed public transportation infrastructure

The Applicant will dedicate 1,257 square feet along Piney Branch Road and 1,065 square feet of right-of-way along University Boulevard from the property to satisfy the master-planned right-of-way widths of the 2018 *Master Plan of Highways and Transitways*, the 2013 *Countywide Transit Corridors Functional Master Plan*, and the 2018 *Bicycle Master Plan*.

Continuous sidewalks are present along both site frontages and both streetscapes will be improved by the Applicant to comply with the 2013 *Long Branch Sector Plan Design Guidelines*. Piney Branch Road will achieve the master-planned canopy corridor with a five-foot tree panel and a 10-foot sidewalk. University Boulevard will be improved with an eight-foot sidewalk, an eight-foot grass panel (a placeholder for the future two-way separated bike lanes) and a seven-foot tree panel.

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

Local Area Transportation Review (LATR)

The transportation impact of Preliminary Plan No. 120180090 was evaluated in accordance with the 2016-2020 *Subdivision Staging Policy* and the 2017 *LATR Guidelines*. The new estimated trips generated by the Site in the morning peak hour is 10 person trips and in the evening peak hour is 25 person trips. Since the Subject Application generates fewer than 50 new peak hour person trips, the Project is not required to conduct a transportation impact study. As a result, adequate public facilities exist to serve the Subject Property.

Schools

The Application proposes 8 new multi-family units. As a project that will be reviewed by the Planning Board on December 10, 2020, the Application is subject to the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable.

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 east region of the County.

Table 2: Per Unit Student Generation Rates – East Region

	Elementary School	Middle School	High School
SF Detached	0.203	0.103	0.144
SF Attached	0.219	0.115	0.160
MF Low-Rise	0.253	0.112	0.148
MF High-Rise	0.088	0.036	0.047

The Application, which proposes a net increase of 8 multi-family high-rise units, is estimated to generate two elementary school students, and 1 high school student, as shown in Table 3.

Table 3: Subject Application Student Generation Estimate

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
MF Low-Rise	8	0.253	2.024	0.112	0.896	0.148	1.184
TOTAL	8		2		0		1

Cluster Adequacy Test

The project is located in the Montgomery Blair High School Cluster. The student enrollment and capacity projections from the FY21 Annual School Test for the cluster are noted in the following table:

Table 4: Montgomery Blair High School Cluster Capacity Projections

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	4,287	4,537	94.5%	1,158	2
Middle	2,670	2,814	94.9%	706	0
High ¹	2,647	2,889	91.6%	819	1

The Moratorium Threshold identified in the table is the number of additional projected students that would cause the projected utilization to exceed the 120 percent utilization threshold and therefore trigger a cluster-wide residential development moratorium. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds 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 Montgomery Knolls Elementary School/Pine Crest Elementary School and Eastern Middle School, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table.

Table 5: Montgomery Knolls /Pine Crest Elementary Schools and Eastern Middle School

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Montgomery Knolls/Pine Crest ES	1076	1315	81.8%	+239	503	2
Eastern MS	990	1,012	97.8%	+22	225	0

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120 percent and the school seat deficit meets or exceeds 110 seats for an 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 numbers of additional projected students that would cause the projected utilization to exceed the 120 percent utilization threshold and the seat deficit threshold. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds for both Montgomery Knolls/Pine Crest ES and Eastern MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project. Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

¹ The projected Montgomery Blair HS enrollment has been modified to estimate the impact of redistricting students among the Downcounty Consortium high schools and to Woodward HS in September 2025.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. Water, sewer, and other utilities are located within the adjacent public roadways. Connections (one or multiple connections) off one or more of these roads adjoining the Property will service the Property, the final design of which will be finalized at building permit. The Application was reviewed by Montgomery County Department of Permitting Services, Fire Department Access and Water Supply Section and emergency vehicle access has been deemed adequate. Local health clinics, police stations and fire stations are all operating within acceptable levels as established by the Subdivision Staging Policy.

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

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(S)(1) of the Forest Conservation Law because the proposed activity occurs on a tract of land less than 1.5 acres that contains no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet. This exemption was confirmed for the Subject Application on June 20, 2018.

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 stormwater concept approval from MCDPS water resources division on October 29, 2020 (Attachment C). The Application will meet stormwater management goals through a variety of techniques including via ESD to the MEP with the use of a landscape infiltration facility. Due to slopes and soils the remaining volume is treated structurally by way of a volume based StormFilter.

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.*

No known burial sites exist on the Subject Property.

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

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

As a Standard Method development with a tract area greater than 10,000 square feet, the Applicant is required to provide 10 percent of the site area as Public Open Space, in this case approximately 2,414 square feet. On a constrained site where the Applicant is proposing to maintain the existing retail use on site and build a mixed use building with 3,437 square feet of ground floor retail and 8 multi-family residential units, the Applicant is not able to provide the required Public Open Space. The Applicant is proposing to instead provide the Public Open Space offsite as allowed under Section 59.6.3.6.C.

When developing an estimate for the off-site open space payment, Staff determined that the calculation methodology as outlined in Section 59-6.3.6.C.2.A would be out of scale with the modest new density proposed. As calculated per that Section, the required payment would total approximately \$84,000. This is not a cost proportional to this use in this location, particularly given the modest scope of redevelopment. The Applicant has requested Alternative Compliance to determine a different payment

amount of \$36,000 to satisfy the off-site provision of Public Open Space. Staff recommends approval of the alternative method for calculating the cost of the public off-site open space contribution and the resulting fee of \$36,000 due to the physical constraints of the site and the relatively modest density proposed. Staff recommends that the contribution be made to the Long Branch Amenity Fund which is an established County budget item that can be used for funding public art, public open space improvements, and towards programmed events, as envisioned by the 2013 *Long Branch Sector Plan*.

SECTION 5: CITIZEN CORRESPONDENCE

The Applicant has met all signage, noticing, and submission meeting requirements. A pre-submission meeting for the Preliminary Plan was held on February 28, 2018 at the Long Branch Community Library (8800 Garland Avenue, Silver Spring, MD 20901). Eight people attended the meeting.

As of the date of this Staff Report, Staff received one email from the management company of the Foxhall Apartments, located on the opposite side of Piney Branch Road. The email noted concern about the potential expansion of the existing beer and wine store and expressed trepidations about the behavior of the customers of the existing retail establishment.

Staff responded to the resident's concerns indicating that the Applicant has complied with all requirements of the Zoning Ordinance and the Subdivision Regulations, and where compliance could not be met, findings for Alternative Compliance have been addressed. It was also explained that no changes to the current retail use are proposed. The Project is proposing a new mixed-use building comprised of eight multi-family dwelling units located in two-levels above 3,437 square feet of ground floor retail on the lot in addition to the existing retail uses to remain. The existing retail use is permitted within the zone and the findings as discussed in this report are being made for the proposed subdivision.

SECTION 6: CONCLUSION

The proposed lot meets all of the requirements established in the Subdivision Code and the Zoning Ordinance and conform to the recommendations of the 2013 *Long Branch Sector Plan*. Access to the lots is adequate and all public facilities and utilities have been deemed adequate to serve this Application. The Application was reviewed by other applicable County agencies, all of whom have recommended approval of the plans. Therefore, Staff recommends approval of the Preliminary Plan No. 120180090, with the conditions as specified.

ATTACHMENTS

Attachment A – Preliminary Plan

Attachment B- MDOT SHA Plat 59282

Attachment C – Agency Letters

Attachment D – Community Correspondence