



Montgomery Village Center, Site Plan Amendment No. 82018002D

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Completed: 7/1/21

Description

Request to construct the second phase (Phase 1B), which includes 49 townhouses and 34 two-over-two townhouses, for a total of 83 residential units; reallocation of MPDUs from the condo units to the townhouses; request for a parking waiver to allow for a reduced amount of retail spaces; revise the Forest Conservation Plan; update of utilities, stormwater, grading and common open space.

Location: Southeast quadrant of the intersection of Montgomery Village Avenue and Centerway Road.

Zone: CRT-1.5, C-0.75, R-1.0, H-75.

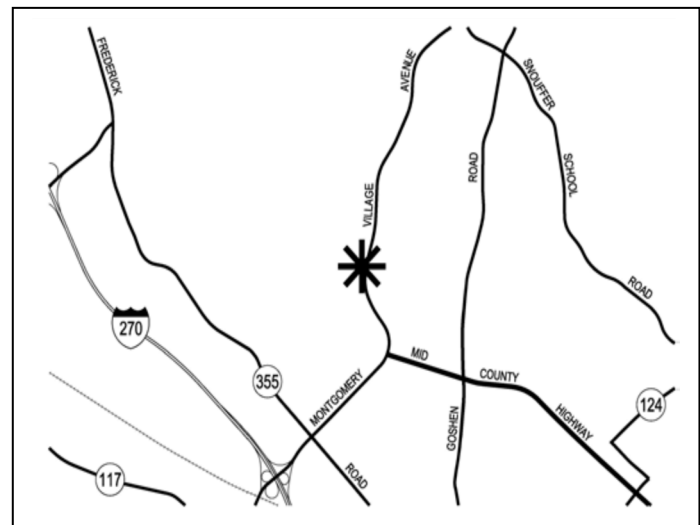
Master Plan: 2016 *Montgomery Village Master Plan*.

Property Size: 18.78 acres.

Application Accepted: March 11, 2021.

Applicant: W-ARC MV Owner VII, LLC.

Review Basis: Chapter 59 and Chapter 22A.



Summary

- Staff recommends approval with conditions.
- The Applicant has requested a Parking Waiver of 48 spaces as a part of this Site Plan amendment. Staff supports this request to reduce the retail parking space allocation.
- In accordance with Section 59.7.3.4.C, the 120-day review period was extended by the Planning Director, on May 13, 2021, until July 15, 2021.
- Staff has not received any community correspondence regarding this Site Plan Amendment.

SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan Amendment No. 82018002D for Phase 1B of Montgomery Village Center. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 32017002A, Preliminary Plan No. 120180010. 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.¹

All prior conditions of approval remain in full force and effect except for modified conditions No. 3, 5 and 13 and additional conditions No. 14-19 below.

Modified Conditions

Environment

3. Forest Conservation & Tree Save

- a. The Applicant must record a certificate of compliance for the purchase of off-site mitigation credit from an approved forest mitigation bank in the land records prior to any clearing and grading occurring on site.
- b. The Sediment and Erosion Control Plan and Storm Water Management Plan must be consistent with the limits of disturbance and the associated tree/forest preservation measures of the FFCP.
- c. The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Additional tree save measures not specified on the FFCP may be required by the M-NCPPC forest conservation inspector at the pre-construction meeting.
- d. Prior to Certified Site Plan, the Forest Conservation Plan must be modified if necessary, so that no trees used for credit are within a stormwater management easement or structure.

Open Space, Facilities and Amenities

5. Common Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 10% Public Open Space for Phase 1A, and the Applicant is providing a total of 35,519 square feet of public open space, which equates to approximately 14.7% of the site area for this phase.
- b. Before the issuance of the final use and occupancy certificate for the development, all public open space areas on the Subject Property must be completed.
- c. The Applicant must provide a minimum of 10% Common Open Space for Phase 1B, and the Applicant is providing a total of 22,132 square feet of common open space, which equates to approximately 15.8% of the site area for this phase.

Site Plan

13. 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:

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

- a. Include the stormwater management concept approval letter, approval letters from applicable agencies, the Forest Conservation Exemption, development program, and Sketch Plan, Preliminary Plan, and Site Plan resolutions on the approval or cover sheet(s).
- b. 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.”
- c. Modified Site Plan data table to reflect development standards approved by the Planning Board.
- d. Ensure consistency of all details and layout between Site and Landscape plans.
- e. The Applicant must provide the final Wayfinding Plan with final design, locations and installation details approved by Planning Staff prior to Certified Site Plan.
- f. The architectural articulation of the three pad sites along Montgomery Village Avenue shall show activation to the street using fenestration and signage.
- g. The final location of the bikeshare station must be shown on the Certified Preliminary Plan and Certified Site Plan, and easements for public access must be provided if located on private property.
- h. The location for long-term bike parking for the condo building must be shown and is subject to review and approval by M-NCPPC staff.
- i. Shutters on all elevations must have the correct width for the windows they are attached to such that both shutters would cover the entire window if closed.
- j. In order to reduce the perceived height of the buildings, all false dormers must be eliminated from the roof line of townhomes if are not providing any light and air into the units.

New Conditions

14. Density

The Site Plan is limited to a maximum of 49 townhouses and 34 two-over-two condos for a total of 83 units for Phase 1B on the Subject Property.

15. Height

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

16. Fire and Rescue

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 amended letter dated January 18, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

17. Covenant

The record plat must reference the Common Open Space Covenant recorded at Book 28045 Page 578 (Covenant).

18. Site Design

- a. The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A1 to A3 of the submitted architectural drawings, as determined by M-NCPPC Staff.
- b. 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.

19. 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.

SECTION 2: SITE DESCRIPTION

Site Location

The Montgomery Village Center (“Subject Property” or “Property” – outlined in red in Figure 1 below) is located west of the intersection of Montgomery Village Avenue and Centerway Road on a block bounded by Montgomery Village Avenue, Club House Road, Watkins Mill Road, and Stedwick Road, within the Middle Village area of the 2016 *Montgomery Village Master Plan* (Master Plan). Various uses surround the Property and include Montgomery Village Professional Center to the east; Sunrise at Montgomery Village, an assisted living facility, to the northeast; a mix of small retail, townhouses, and Montgomery Village Health Care to the north and west; a gas station, Montgomery Village Middle School, and other various uses to the west; and commercial and retail uses to the south. The Property is surrounded by a variety of residential uses, including a mix of single-family detached houses, townhouses and condominiums, in various residential zones.



Figure 1: Property Vicinity Map

Site Description

The 18.78-acre Property is zoned CRT 1.5, C-0.75, R-1.0, H-75 and is also within the Montgomery Village Overlay Zone. The Property has a total of 226,673 square feet of development, including 198,591 square feet of retail uses and 28,082 square feet of professional offices. The retail uses consist of approximately 35 retail stores totaling 130,649 square feet, three pad sites that total 7,680 square feet, a 30,131-square foot grocery building that had been razed as a part of Phase 1A. The office use consists of garden style townhomes converted into approximately 31 professional offices. There are a total of 1,026 parking spaces in various parking lots on the Property. The existing access points to the Property are from Montgomery Village Avenue to the East, Watkins Mill Road to the West, and Stedwick Road and Club House Road from the south and north sides, respectively. The existing shopping center has struggled to retain its tenants due to the lack of visibility from Montgomery Village Avenue, low consumer demand, and outdated façades and layout. The Site is currently under construction for the first phase of development, designated "Phase 1A" and consisting of the commercial portion of the Project.



Figure 2: Oblique View of the Montgomery Village Center

Previous Approvals

The Planning Board approved a Sketch Plan on December 28, 2016 (MCPB Resolution 16-137) for a mixed-use development consisting of up to 615,000 square feet total development, including up to 450,000 square feet of residential uses and up to 165,000 square feet of retail/service uses. The Planning Board approved an amendment to the Sketch Plan, designated 32017002A on June 4, 2018 (MCPB Resolution 18-036) to replace a multi-family building with townhouses and modify the public benefit schedule.

The Planning Board approved Preliminary Plan No. 120180010 (MCPB Resolution 18-037) on June 4, 2018, to create up to 55 lots for 115 dwelling units (49 townhouses, 34 two-over-two condos, 32 multi-family condos, including 12.5% MPDUs (15 total dwelling units), and up to 165,000 square feet of retail/service uses; various stormwater management, public/common open space, private roads, and HOA parcels.

The Planning Board approved Site Plan No. 820180020 (MCPB Resolution 18-038) on June 25, 2018, for a 32-unit multi-family condo building (including two MPDUs) for a total of 35,100 square feet of residential uses, and up to 165,000 square feet of retail/service uses in the first phase (Phase 1A) of development. The Planning Board approved Site Plan Amendment No. 82018002A (MCPB Resolution 19-048) on May 21, 2019, to modify Condition No. 4 to reflect the revised/approved stormwater management concept; reduce building footprint for the main retail building; modify the three retail pad sites; modify the shared-use path to avoid existing street lights; and modify the property lines for the condos. The Planning Director approved Minor Site Plan Amendment No. 82018002B on November 20, 2020, making modifications to the center retail pad. Site Plan Amendment No. 82018002C was withdrawn by the Applicant.

SECTION 3: PROPOSAL

Proposal

Montgomery Village Center, Site Plan Amendment No. 82018002D represents the second phase (Phase 1B) of the Montgomery Village Center project, which consists of mixed-use development providing new retail, housing, and open space amenities to the Montgomery Village community and surrounding neighborhoods. This Subject Application includes 49 townhouses and 34 two-over-two townhouses, for a total of 83 dwelling units. The Subject Site Plan Amendment seeks to reallocate the MPDUs from the condo units to the townhouses, per the request of the Montgomery County Department of Housing and Community Affairs (DHCA). The Common Open Space will provide landscaping details, lighting, seating, and lawn areas. The Applicant is requesting a parking waiver for the amount of spaces provided for the retail (see parking waiver section).

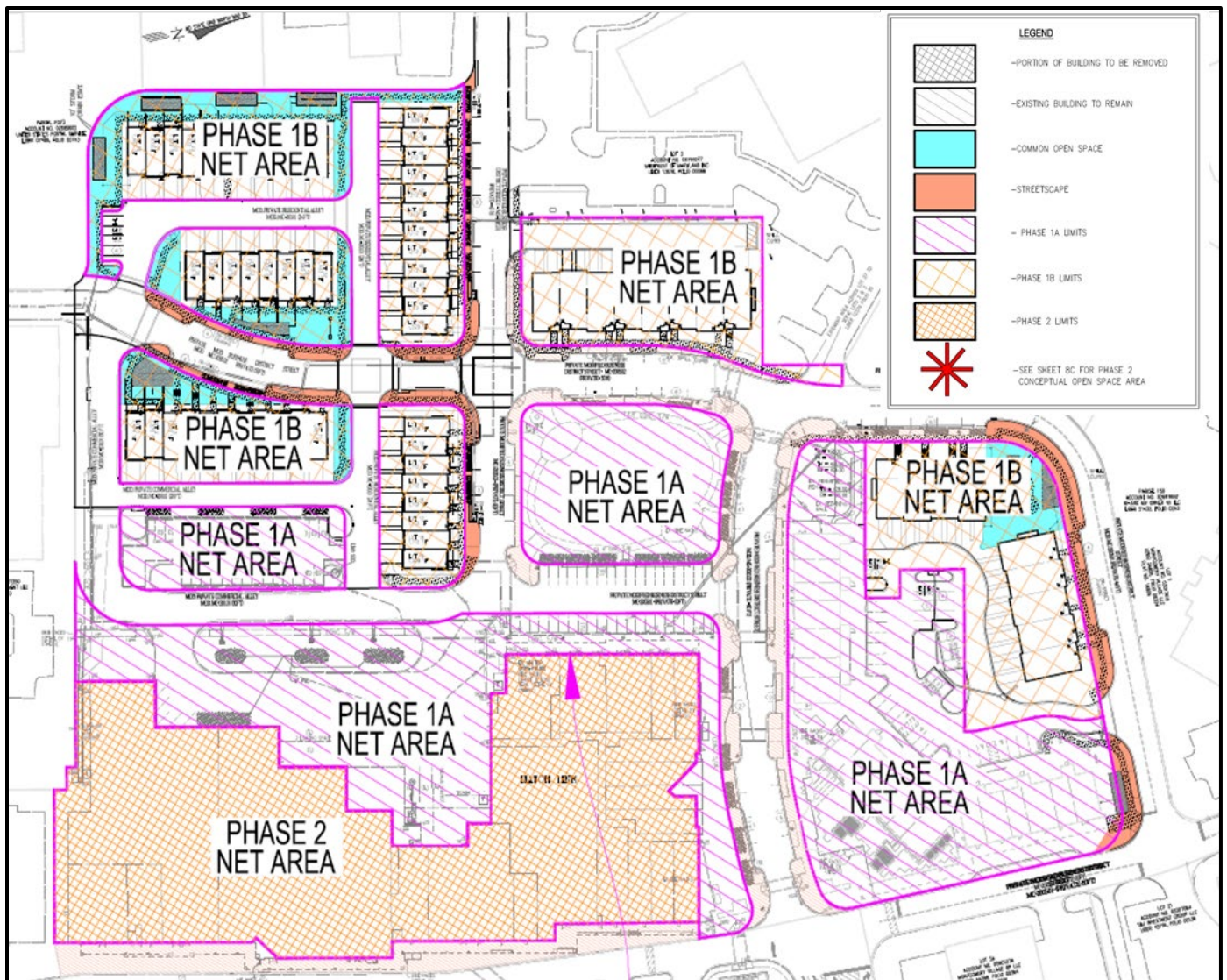


Figure 3: Montgomery Village Center Phase 1B

Architecture

Phase 1B of this development will accommodate the construction of 49 townhomes and 34 dwelling units at the two-over-two buildings, while providing additional open space.

The townhomes will be all rear loaded and have three stories. The proposed lot sizes range from 1,072 to 1,529 square feet. The townhome units will have variety of exterior finishes on the main elevation including brick, vinyl and stone with simplified massing, roof lines, and architectural detailing. The architectural elements such as second floor bay windows as well as double height bay windows will break the homogenous elevation of a string. Most entrances will have stoops with different door colors to create a sense of individuality for each townhome. In the middle of some strings a two-story porch element will create a semi-public area with potential outdoor seating for the future residents. At the rear, the townhouses will have rear balconies and garage entrances. (See Figure 4)

The two-over-two buildings will be all rear loaded as well and have four stories. This residential building type has offered simpler front elevations with brick exterior finishes at the first story and three levels of vinyl in different colors on the upper levels. Occasionally, double height bay windows will break the simple façade in the stick. At the rear, the two-over-two buildings will have rear balconies and garage entrances for both units. On the high visible elevations these buildings will offer additional windows on the side elevations to match the front window elevation trim. (See Figure 4)



Townhomes

2/2 Townhomes

Figure 4: Proposed Architecture

The open space parcel is a highly visible gateway into the development and will be framed by the residential townhomes as well as the existing condo and commercial use. This open space will offer a large lawn surrounded with path and seating areas enhanced with landscaping elements creating a sense of place for the development and the surrounding community.

As conditioned, Planning Staff supports the proposed architecture and design for the proposed residential development.

SECTION 4: SITE PLAN AMENDMENT ANALYSIS AND FINDINGS

The Planning Board found that Site Plan No. 820180020, as amended, was consistent with both Sketch Plan 320170020, as amended, and Preliminary Plan 120180010, met the requirements of the CRT 1.5, C-0.75, R-1.0, H-75 and Montgomery Village Overlay zones; satisfied Forest Conservation and water quality requirements and complied with other applicable regulatory requirements. The Planning Board further determined that the Project was compatible with other uses and other site plans when considering existing and proposed adjacent development.

The Amendment complies with the general requirements and development standards of the Zoning Ordinance, Subdivision Regulations and substantially conforms with the goals and recommendations of the 2016 *Montgomery Village Master Plan*. The elements of the proposed Site Plan Amendment No. 82018002D remain consistent with the original findings, as modified.

2d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

- i. *Division 4.5 Commercial/Residential Zones and Division 4.4 Residential Zones*

Development Standards

The Site covers approximately 18.78 acres Zoned CRT 1.5, C-0.75, R-1.0, H-75 and Montgomery Village Overlay zones. The data table below shows the Application's conformance to the development standards of Section 59-4.5.4.

Table 1: Site Plan Amendment Data Table

GROSS TRACT AREA	18,784 AC. OR 818,252 SF						
AREA DEDICATED TO PUBLIC USE	0 AC.						
AREA PREVIOUSLY DEDICATED TO PUBLIC USE	0 AC.						
TOTAL NET AREA OF PRELIMINARY PLAN	13.00 AC. OR 566,394 SF						
NET SITE AREA (PHASE 1A)	5.53 AC. OR 240,980 SF						
NET SITE AREA (PHASE 1B)	3.22 AC. OR 140,120 SF						
NET SITE AREA (PHASE 2)	4.25 AC. OR 185,361 SF						
CRT 1.5, C-0.75, R-1.0, H-75	ZONING ORDINANCE DEVELOPMENT STANDARDS (REQUIRED)			OVERALL PROPOSED SITE PLAN			
DEVELOPMENT STANDARDS:	2OVER2	TOWNHOUSE		2OVER2	TOWNHOUSE	CONDOS	TOTAL
CRT 1.5, C-0.75, R-1.0, H-75 (OPTIONAL METHOD)							
DENSITY, FAR (MAX)	1.0			1.0	0.86		
UNITS				34	49		83
MPDU'S (MIN)	12.5% OR 11****			6	5		11
UNITS, TOTAL:				34	49		83
LOT AREA (MIN)	N/A	800 SF		N/A	800 SF (MIN)		
LOT WIDTH AT FRONT BUILDING LINE (MIN)	25'	12'		174'	16'		
LOT WIDTH AT FRONT LOT LINE (MIN)	10'	N/A		174'	N/A		
LOT COVERAGE (MAX)	90%	N/A		39.15%	N/A		
BUILDING HEIGHT:							
CRT 1.5, C-0.75, R-1.0, H-75 (OPTIONAL METHOD)							
PRINCIPAL BUILDING (MAX)		75'		50'	43'		
ACCESSORY STRUCTURE (MAX)	25'	25'		N/A - NONE PROPOSED			
MASSING:							
UNITS PERMITTED IN ONE ROW	N/A	12'		N/A	12'		
BUILDING SETBACKS (FT):							
FRONT SETBACK (MIN)	5'	5'		5'	5'		
SIDE STREET SETBACK (MIN)	5'	5'		5'	5'		
SIDE SETBACK, ABUTTING RESIDENTIAL ZONES (MIN)	6'	4'		N/A	N/A		
SIDE SETBACK, ABUTTING ALL OTHER ZONES (MIN)	4'	N/A		4'	16'		
SIDE SETBACK, END UNIT (MIN)	N/A	2'		N/A	5'		
SIDE SETBACK BETWEEN LOT AND SITE BOUNDARY	N/A	4'		N/A	11'		
REAR SETBACK, ABUTTING ALL ZONES (MIN)	15'	10'		47'	137'		
REAR SETBACK, ALLEY (MIN)	4'	4'		26'	20'		
REAR SETBACK BETWEEN LOT AND SITE BOUNDARY	N/A	5'		47'	137'		
BUILD-TO AREA (MAX SETBACK & MIN % OF BLD FACADE):							
FRONT SETBACK (MAX)	N/A	15'		15'	10'		
BUILDING IN FRONT STREET BTA (MIN)	N/A	70%		100%	100%		
SIDE STREET SETBACK (MAX)	N/A	N/A		5'	5'		
BUILDING IN SIDE STREET BTA (MIN)	N/A	N/A		67%	100%		
OPEN SPACE:							
PHASE 1A (MIN)		10%*			14.74%		
PHASE 1B (MIN)		10%*			15.80%		
PHASE 2 (MIN)		10%*			12.47%		
PUBLIC BENEFIT POINTS:							
PUBLIC BENEFIT POINTS (MIN)		50			55		
NUMBER OF BENEFIT CATEGORIES (MIN)		3			5		
PARKING SETBACKS FOR SURFACE PARKING LOTS:							
FRONT SETBACK (MIN)	N/A			N/A			
SIDE STREET SETBACK (MIN)	N/A			N/A			
SIDE SETBACK (MIN)	N/A			N/A			
REAR SETBACK (MIN)	N/A			N/A			
REAR SETBACK, ALLEY (MIN)	N/A			N/A			
BUILDING ORIENTATION:							
ENTRANCE FACING STREET OR OPEN SPACE		REQUIRED			REQUIREMENT MET		
ENTRANCE SPACING (MAX)		N/A			N/A		
TRANSPARENCY, WALLS FACING STREET OR OPEN SPACE:							
GROUND STORY, FRONT (MIN)	N/A	N/A		N/A	N/A		
GROUND STORY, SIDE/REAR (MIN)	N/A	N/A		N/A	N/A		
UPPER STORY (MIN)	N/A	N/A		N/A	N/A		
BLANK WALL, FRONT (MAX)	N/A	35'		N/A	35' MAX		
BLANK WALL, SIDE/REAR (MAX)	N/A	35'		N/A	35' MAX		
ALLOWED BUILDING ELEMENTS:							
GALLERY/AWNING	N/A	N/A		N/A	N/A		
PORCH/STOOP	YES	YES		YES	YES		
BALCONY	YES	YES		YES (OPTIONAL)	YES (OPTIONAL)		
	2OVER2	TOWNHOUSE	CONDOS	2OVER2	TOWNHOUSE	CONDOS	TOTAL
PARKING:							
RESIDENTIAL SPACES (1/DWELLING UNIT)	34	49	32	68	104	42	214
RETAIL SPACES (EX. & PROP. SURFACE PARKING)**		537			489 (-48 PARKING DEFICIT)		
BICYCLE PARKING SPACES (0.5/DWELLING UNIT)		N/A			0		
CAR-SHARE SPACES (1 FOR 1ST 149 SPACES + 1/100 SP THEREAFTER; 5 SPACES MAX)		1 + (709-149)/100 = 6.60			7***		
LOADING SPACES (1 SP FOR 50 D.U.+)		N/A			N/A		
LOADING SPACES (2 SP FOR 50 TO 200,000 GFA)		N/A			N/A		
HANDICAP SPACES (20+1/100 SP OR FRACTION OVER 1000)		N/A			N/A		
CARPPOOL SPACES		N/A			N/A		
* AS APPROVED PER SKETCH PLAN No. 320170020 NET SITE AREA CALCULATION IS PROVIDED FOR CALCULATION OF OPEN SPACE PURPOSES ONLY TO MEET REQUIREMENTS SET FORTH BY THE MONTGOMERY COUNTY ZONING ORDINANCE ARTICLE 59-4 SECTION 4.5.4(B)1. THIS APPLICATION DOES NOT PROPOSE ANY AREAS DEDICATED.							
** UNLESS OTHERWISE NOTED ON PLAN, ALL SURFACE PARKING IS FOR RETAIL USE.							
*** ONE CAR-SHARE SPACE LOCATED NEAR AN ENTRANCE IS EQUAL TO 2 REQUIRED PARKING SPACES FOR RESIDENTIAL USES OR 3 REQUIRED PARKING SPACES FOR COMMERCIAL USES. 5 SHOWN AS EXISTING PER PRIOR SITE PLAN. 2 PROPOSED W/ THIS PLAN.							
**** MPDU REQUIREMENT IS 12.5% OF TOWNHOUSES AND 2OVER2 AND EXCLUDES CONDOS. (49+34) * 12.5% = 11 MPDUs							
NOTES:							
1. PARKING TABULATION MEETS CRT DEVELOPMENT STANDARDS.							
2. MPDU'S FINAL LOCATION SUBJECT TO CHANGE WITH FINAL SITE PLAN AND MPDU'S ARE SUBJECT TO APPROVAL OF MONTGOMERY COUNTY DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (DHCA).							
3. THERE ARE NO LONGITUDINAL DRY UTILITIES PROPOSED ALONG THE SITE FRONTAGE WITH THIS PLAN.							
4. CURB RADII HAVE BEEN MINIMIZED TO A MAXIMUM OF 25 FT IN AREAS WHERE FEASIBLE. MAIN ENTRANCE RADII ARE 30 FT TO ALLOW ACCESS BY WB-62 AASHTO TRUCK FOR LOADING PURPOSES.							

Section 59- 4.9.10.C. Development Standards (Montgomery Village Overlay Zone)

The proposed development complies with the standards of the Montgomery Village Overlay Zone by providing the Common and Public Open Space within a separate parcel with a protective easement or covenant in the land records.

ii. Division 6.1. Site Access

As conditioned, the Project provides safe, adequate, and efficient circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists and integrates the project into the surrounding area.

iii. Division 6.2 Parking, Queuing, and Loading

The Project’s surface parking spaces will continue to be separated by internal private roads. Access to parking is provided from multiple points internally, and the primary loading space (existing) is provided on the north side of the existing retail building. Parking, queuing, and loading will be provided in an adequate, safe, and efficient manner.

Parking Waiver

The Applicant requests a parking waiver in accordance with Section 59.6.2.10 of the Zoning Ordinance (“Parking Waiver”) to provide fewer than the minimum number of vehicle parking spaces for the retail use required by Section 59.6.2.4.B, (“Vehicle Parking Spaces”).

Although the total number of vehicle parking spaces for the proposed residential uses exceeds the minimum parking requirement by 99 spaces, the commercial component of the development has a deficit of 48 vehicle parking spaces (see table below). This shortfall is the result of a combination of factors, including removal of surface lot parking spaces in favor of new residential construction, new internal street connections, and the provision of new open space.

Table 2: Vehicle Parking Waiver

Section 59.6.2.4	Development Standard	Permitted/ Required			Proposed			
		2over2	Townhouse	condos	2over2	Townhouse	condos	Total
	Residential spaces 1 per dwelling unit (min)	34	49	32	68	104	42	214
	Retail (all surface parking lots)	537 (min)			Retail			489 (-48)

The parking waiver allows a reduction in the amount of retail parking, but the proposed parking will satisfy Section 6.2.1 because there are several design features of Montgomery Village Center that complicate the ability to provide the amount of parking required under the Zoning Ordinance.

The existing buildings that will be retained in their current locations, albeit enhanced in their appearance, makes it difficult to provide additional parking to serve the non-residential uses. It is challenging to provide more parking at Montgomery Village Center to serve retail uses because of the configuration of the existing buildings that will continue in operation.

The project establishes new thru block connections that were added as part of Phase 1A (Centerway Road extended through to connect to Watkins Mill Road and, separately, to Stedwick Road). However, those travel lanes used surplus land that could otherwise be devoted to parking spaces, as does the public open space in the center of the Center. Both of the design elements required removal of potential parking space area.

The deciding body may waive any requirement of Division 6.2, except the required parking in a Parking Lot District under Section 6.2.3.H.1, if the alternative design satisfies Section 6.2.1. Staff supports the requested parking waiver as it furthers the vision of the Master Plan by concentrating additional density within sustainable activity centers, which foster gathering spaces and mixtures of land uses.

iv. Division 6.3 Open Space and Recreation

The Project will provide the required Common Open Space. Phase 1B includes 15.74% percent of Common Open Space for the area, which meets the minimum 10% requirement. The development will provide adequate, safe, and efficient open space for Phase 1B. Phase 1B does not affect the prior approved open space for Phase 1A.

The Applicant has demonstrated that by providing the Common Open Spaces, sidewalks, picnic and seating areas, and landscaping/lawn areas, the development satisfies the Recreational Guidelines.

Table 3: Recreational Facilities Adequacy (Scenario 17788)

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	12.30	4.31	11	15.31	Adequate
Children	18.60	6.51	16	22.51	Adequate
Teens	13.96	4.89	23	27.89	Adequate
Young Adults	50.11	17.54	34	51.54	Adequate
Adults	52.09	18.23	29	47.23	Adequate
Seniors	8.11	2.84	18	20.84	Adequate

v. *Division 6.4 General Landscaping and Outdoor Lighting*

The project provides adequate landscaping and lighting, as well as other site amenities, to ensure that these facilities will be safe, adequate, and efficient for residents and visitors. The Project will continue to include streetscaping along many new and existing streets, with widened sidewalks, street trees, shared-use paths, and lighting.

As shown in the Development Standards table and findings above, the proposed Site Plan Amendment meets all the general requirements and development standards of Divisions 59-4.4 and 59-4.5 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance, when considering the Parking Waiver requested pursuant to Section 59.6.2.10.

ii. satisfies the applicable requirements of Chapter 22A, Forest Conservation.

This Amendment amends the Final Forest Conservation Plan as it relates to the changes for Phase 1B by reducing the amount of on-site tree canopy retention and confirms the original variance approval remains valid.

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for this site on September 1, 2018 (NRI/FSD No. 420170040). The property contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, known occurrences of Rare, Threatened or Endangered species, or forest. The site is within the Great Seneca Creek watershed, which is a Maryland State Use Class I-P stream. This plan is in compliance with the *Environmental Guidelines*.

Final Forest Conservation Plan

A Final Forest Conservation Plan was approved with the original Site Plan approval (No. 820180020). The Net Tract Area used in the Forest Conservation calculations is 18.37 acres. Consistent with the Preliminary Forest Conservation Plan (No. 120180010), the afforestation requirement is 2.76 acres. The original FFCP approved a combination of on-site tree canopy retention, on-site forest canopy planting, and the purchase of off-site forest bank credits to reach the total afforestation requirement of 2.76 acres. This FFCP amendment reduces the amount of on-site tree canopy retention from 0.52 acres to 0.45 acres, and increases the on-site landscape tree planting for afforestation credit to 1.55 acres. The off-site forest banking mitigation remains at 0.77 acres of forest planted (or 1.54 acres of existing forest protected). The total afforestation mitigation credit being provided is 2.77 acres.

A variance was approved with the Preliminary Forest Conservation Plan (No. 120180010) allowing the removal of three specimen trees totaling 64 inches diameter. The original FFCP required additional tree planting to replace the lost water quality benefits of the variance trees removed, based on a formula of one inch (caliper) of new trees planted for each four inches diameter removed, using planting stock of no less than 3 inches caliper. This resulted in a variance tree mitigation requirement to plant at least 23.5 caliper inches of new trees to replace the specimen trees being removed. FFCP 820180020 showed the locations of eight willow oak (*Quercus phellos*)

trees, each at least three inches caliper, planted in mitigation for the specimen trees removed, for a total of 24 caliper inches of replacement trees. Four of those mitigation trees are being disturbed by changes in the site layout associated with this Site Plan Amendment. To compensate, this FFCP amendment shows the locations of four new willow oak trees that will restore the total mitigation provided for variance tree removal to 24 inches.

The original variance approval also permitted disturbance to the Critical Root Zone (CRZ) of two additional trees that are to be disturbed, but retained. The variance allowed up to two percent disturbance to the CRZ of specimen tree B, and up to four percent disturbance to the CRZ of specimen tree E. The amended FFCP does not increase either of those amounts. Therefore, the original variance approval remains valid for this amendment.

Recommendation

The submitted plan is compliance with Chapter 22A, Forest Conservation, and in conformance with the Planning Board's *Environmental Guidelines*. Staff recommends approval with conditions.

SECTION 5: CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. A pre-submission meeting for the Site Plan was held on Monday October 26, 2020 virtually via Zoom platform. As of the date of this report, Staff has not received any correspondence regarding the proposed amendment.

SECTION 6: CONCLUSION

The proposed development meets all of the requirements established in the Zoning Ordinance and conforms to the recommendations of the *2016 Montgomery Village Master Plan*. 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 at the beginning of the Staff Report.

ATTACHMENTS:

1. Site Plan
2. Agency Letter

ATTACHMENT 2



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 18-Jan-18
TO: Ryan G David - rdavid@urban-ltd.com
Urban Ltd
FROM: Marie LaBaw
RE: Montgomery Village Center
120180010 820180020

PLAN APPROVED

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

***** 820180020D Amendment - additional residential units *****