




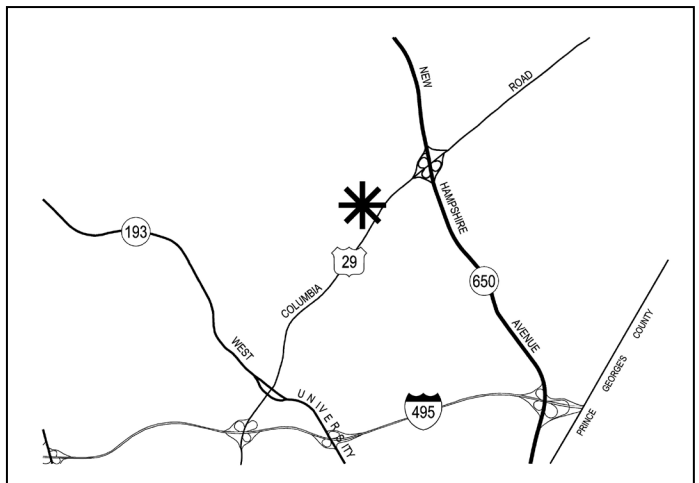
## White Oak Apartments, Preliminary Forest Conservation Plan H-141

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**Completed:** August 27, 2021

### Description

- Preliminary Forest Conservation Plan associated with a Local Map Amendment for the rezoning of 7.83 acres from the CR-0.75, C-0.75, R-0.25, H-75 Zone to the CRF-1.25, C-0.25, R-1.25, H-85 Zone to construct a residential multi-unit project.
- Location: 2220 Broadbirch Drive, White Oak within the 2014 *White Oak Science Gateway Master Plan* area.
- Applicant: White Oak Apartments LLC.
- Acceptance date: May 18, 2021.
- Public Hearing by the Hearing Examiner: 9/24/21.
- Review Basis: Chapter 22A.



### Summary

- Staff recommends approval with conditions.
- The Applicant proposes to:
  - Clear 0.11 acres of forest.
  - Retain 0.24 acres of forest in a Category I Conservation Easement.
- Per Section 59-7.2.1, the Planning Board must make a recommendation to the District Council on the Preliminary Forest Conservation Plan concurrently with the Floating Zone Plan.
- No community correspondence has been received as of the date of this Staff Report.

## **RECOMMENDATION AND CONDITIONS**

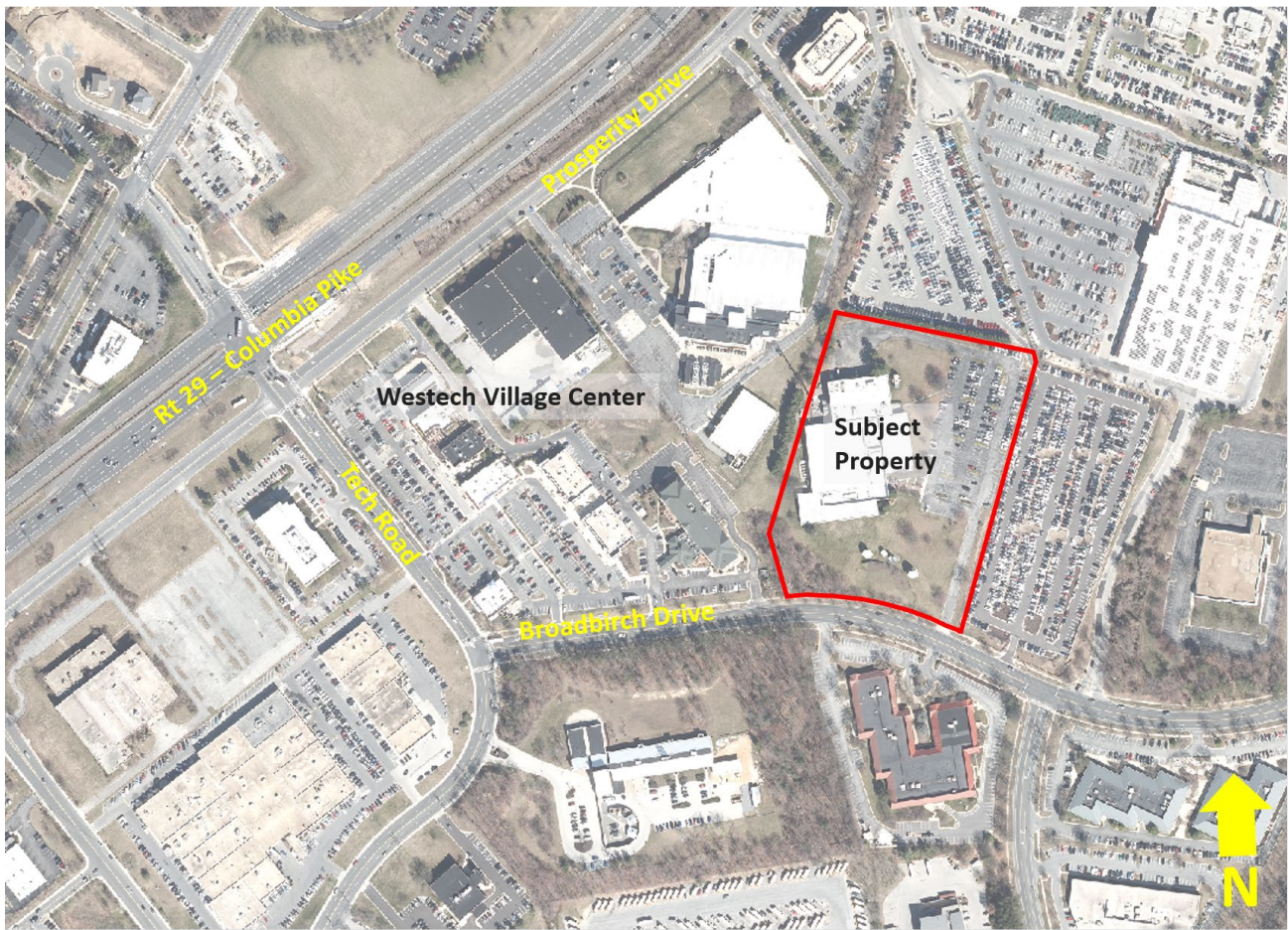
Pursuant to Chapter 22A of the County Code, the Board's actions on Forest Conservation Plans are regulatory and binding. Staff recommends approval of the Final Forest Conservation Plan, subject to the following conditions:

1. The Applicant must submit a Final Forest Conservation Plan to be reviewed and approved in conjunction with Site Plan approval.
2. The Final Forest Conservation Plan must include:
  - a. Additional planting areas between the existing forest and proposed pedestrian connection.
  - b. An invasive management plan for the existing forest.
  - c. Detailed and specific tree protection measures.
  - d. Limits of Disturbance (LOD) consistent with the LOD on the Sediment and Erosion Control Plan.

## PROJECT DESCRIPTION AND BACKGROUND

### Project Description

The Applicant proposes to rezone the Property and construct a multifamily residential project, with up to 447,510 square feet or 1.25 FAR, consisting of 390 dwelling units and associated parking, circulation, open space, and stormwater management. The Floating Zone Plan includes a five-story multifamily building and 14 multi-family attached units.



**Figure 1: Vicinity Map (site outlined in red)**

### Site Description

The Subject Property (Property) is a 7.83-acre site located on Broadbirch Drive in White Oak. The Property is currently occupied with a vacant office building and associated parking and satellite dishes. The Property is partially forested, with a low point in the southwest corner of the site. There is a system of deeply incised channels in this location as well. The Property is located in the Paint Branch watershed.





**Figure 2: Subject Property**

## ANALYSIS

### Environmental Guidelines

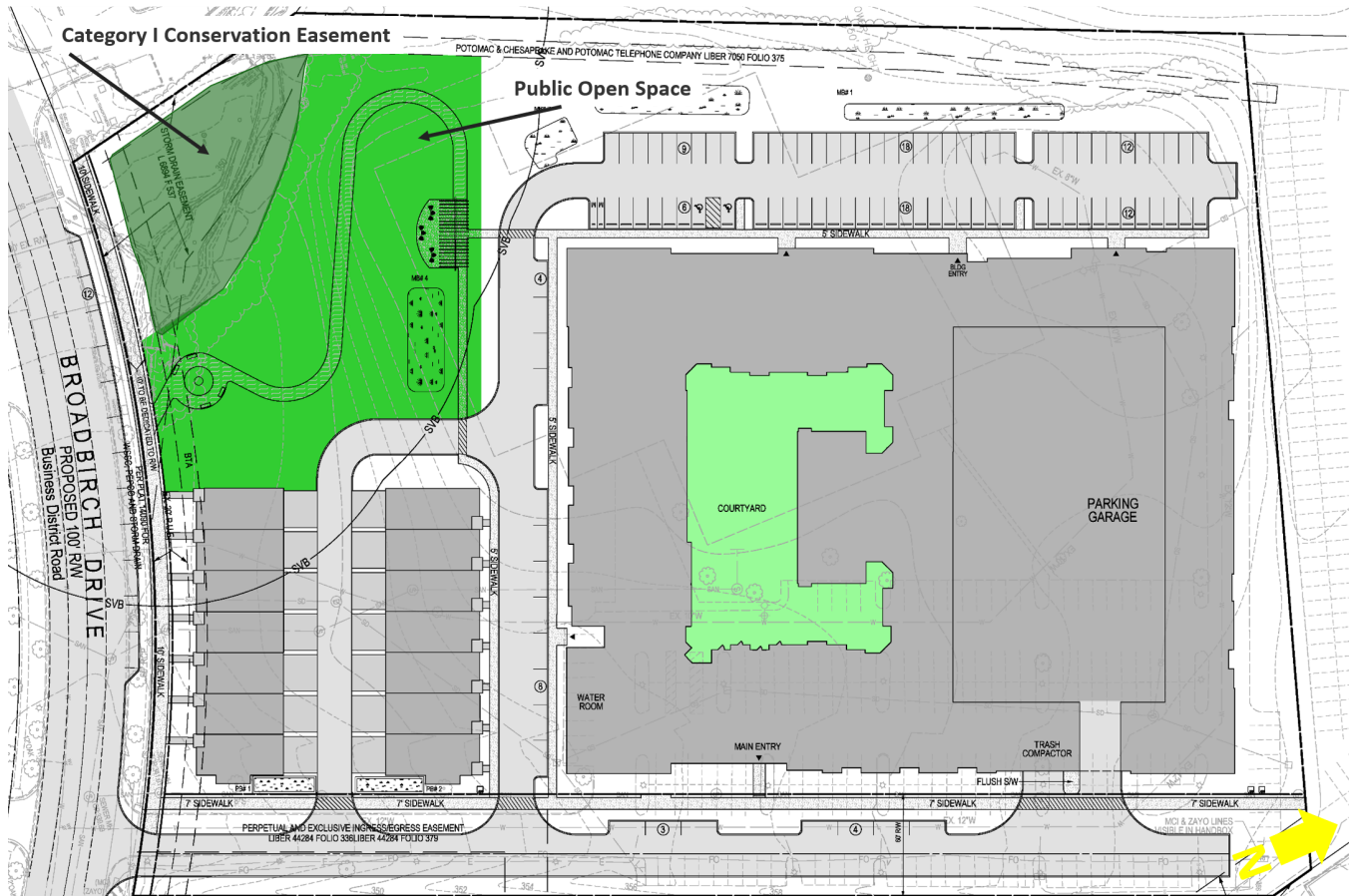
Staff approved a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD No. 420211170) for the Subject Property on April 14, 2021. There are 0.35 acres of forest on the Property. Multiple pipes outfall into a series of incised channels and there are utility and stormdrain easements on portions of the southwest corner. Staff observed evidence of groundwater involvement and there are historic observations and records of stream and wetlands in this location, therefore the channels have been designated as an intermittent stream and buffered. The channel system flows into two pipes at Broadbirch Drive and becomes part of the stormdrain system before daylighting into the West Farm tributary of the Paint Branch. The Property has 1.51 acres of stream valley buffer associated with the intermittent stream. The existing development is partially within the stream valley buffer.

The *Guidelines for Environmental Management of Development in Montgomery County* (Environmental Guidelines) provides guidance on appropriate techniques for protecting natural resources during the development process. The proposed development encroaches into the stream valley buffer but the Applicant will protect the channels and forest and integrate the natural areas into the proposed open space.

In this case, the Applicant's proposal provides adequate protection of the stream and surface water flowing through the channel because:

1. The stream fragment is the only remaining daylighted portion of this tributary until it surfaces ¼ mile away; and
2. The majority of water flowing through the channel is runoff from surrounding developments that has been concentrated into pipes and outfalls into the channel.

The Applicant is proposing development that avoids the stream and provides long term protection. Due to the extremely degraded nature of the existing system and the short length of exposed channels, increased preservation of the stream valley buffer will not result in increased water quality. The proposed design will protect and enhance the forested area and most of the stream valley buffer, creating an asset from a degraded environmental feature.



**Figure 3: Proposed Development**

### Forest Conservation

The Property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code) and the Applicant has submitted a Preliminary Forest Conservation Plan (PFCP) in conjunction with the Floating Zone Plan (Attachment 1). The Property has 0.35 acres of forest located in the southwest corner of the property, within the stream valley buffer. The Applicant is proposing to remove 0.02 acres of forest and protect 0.24 acres of forest in a Category I Conservation Easement. The remaining 0.09 acres of forest are numerically shown as cleared due to existing and proposed easements. Through the regulatory process, the Applicant will explore additional tree plantings onsite and will meet any remaining forest conservation requirements off-site.

### CONCLUSION

Staff concludes that the proposed Preliminary Forest Conservation Plan meets the requirements of Chapter 22A Forest Conservation Law. Staff therefore recommends that the Planning Board approve the Preliminary Forest Conservation Plan, with the above conditions.

### Attachment

1. Preliminary FCP



