

PUBLIC SAFETY TRAINING ACADEMY (PSTA) SITE PLAN NO. 820220050



Description

Request for approval to construct 630 residential dwelling units, including 30% Moderately Priced Dwelling Units, 1,740 square feet of non-residential uses, open spaces, new roads, and a segment of the Life Sciences Center Loop Trail.

No. 820220050

Completed: 3-21-2022

MCPB

Item No.

3-31-2022

Montgomery County

Planning Board

2425 Reedie Drive, Floor 14

Wheaton, MD 20902

Planning Staff

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LOCATION

9710 Great Seneca Highway

MASTER PLAN

Life Sciences Center West District of the 2010
Great Seneca Science Corridor Master Plan

ZONE

Commercial/Residential (CR): CR-1.0: C 0.5, R
1.0, H 150

PROPERTY SIZE

44.8 acres

APPLICANT

The Elms at PSTA, LLC

ACCEPTANCE DATE

November 17, 2021

REVIEW BASIS

Zoning - Chapter 59
Forest Conservation – Chapter 22A



Summary:

- Staff recommends **approval** of the Site Plan.
- The Planning Board approved Preliminary Plan No. 120200100 and Mandatory Referral No. MR2021030 for this Site through MCPB Resolution No. 21-082 dated July 29, 2021 and the MR2021030 transmittal letter dated August 11, 2021.
- The Proposal includes demolition of the remaining PSTA facilities on the Site and the construction of four (4) multi-family buildings, townhouses, and multi-family two-over-two multi-family units for a total of 630 dwelling units for a standard method project density of 0.46 FAR and 30% Moderately Priced Dwelling Units.
- The Applicant proposes to build the residential units, infrastructure, and amenities in the project over nine (9) phases.
- In accordance with Section 59.7.3.4.C of the Zoning Ordinance, an extension request approved by the Planning Director extended the 120-day review period by 30-days, from March 17, 2022 through April 16, 2022.
- The Applicant requests a waiver from Section 59.6.2.9.C.3 of the Zoning Ordinance requirement for perimeter planting to have a canopy tree planted every 30 feet on center which cannot be met due to a utility easement.
- The Applicant requests a waiver from Section 59.6.2.4.B of the Zoning Ordinance to exceed the parking space maximum within a Reduced Parking Area.
- Staff has received public correspondence for this Application.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

SITE PLAN 820220050

Staff recommends approval of Site Plan No. 820220050, including the Final Forest Conservation Plan. The development must comply with the conditions of approval for Preliminary Plan No. 120200100 as listed in the MCPB Resolution No. 21-082 dated July 29, 2021. All site development elements shown on the latest electronic version of the Site Plan 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

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 1,046,126 square feet of total development on the Subject Property, including 1,039,136 square feet of residential uses, for up to 630 units, and 1,740 square feet of retail uses.

2. Height

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

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated January 31, 2022 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide 30 percent MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan.
- c) Before issuance of any building permit for any residential units, the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

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.

Open Space, Facilities and Amenities

4. Public & Common Open Spaces, Facilities, and Amenities

- a) The Applicant must provide a minimum of 7.45 acres (324,522 square feet) of open space on-site and all amenities and streetscape improvements within the Property, as illustrated on the Certified Site Plan.
- b) At the time of issuance of use and occupancy certificate for the final multi-family building on the Subject Property, multi-family building amenities and amenities within the 3.14-acre of forested stream valley buffer must be substantially completed.
- c) A portion of Medical Center Drive must be under construction, between Key West Avenue and Great Seneca Highway, prior to the issuance of any building permit or certificate of occupancy associated with townhouse or two-over-two multifamily residential dwelling units west of Street A.
- d) Medical Center Drive shall be designed, bonded, constructed, and open to traffic in phases, as shown in the Phasing Plan on the Certified Site Plan.
- e) At that later of the issuance of either a building permit, use and occupancy certificate associated with the 71st townhouse dwelling unit or two-over-two dwelling unit (excluding the multi-family buildings on Lots 1 and 2) on the Subject Property, or the final conversion of the sediment control facility on this parcel, the amenities within the Parcel E privately owned public open space along Great Seneca Highway must be substantially completed.
- f) Before the issuance of the 151st townhouse dwelling unit or two-over-two dwelling unit building permit on the Subject Property, the 3.17-acres of privately owned public open space with an athletic field (open space Parcel G) at the intersection of Great Seneca Highway and Medical Center Drive must be substantially completed.
- g) Before the issuance of the 188th townhouse dwelling unit or two-over-two dwelling unit building permit on the Subject Property, the 0.44-acre clubhouse with pool and community room (open space Parcel G) at the intersection of Street A and Public Street C East must be substantially completed.
- h) Before the issuance of either a building permit or use and occupancy certificate associated with the 226th townhouse dwelling unit or two-over-two dwelling unit (excluding the multi-family buildings on Lots 1 and 2) on the Subject Property, the 0.50-acre civic green (open space Parcel B) located at the intersection of Medical Center Drive and Blackwell Road must be substantially completed.
- i) The 0.20-acre mews (open space Parcel C and Parcel D, Block D) must be substantially completed at the time of adjacent unit construction.
- j) Prior to issuance of either a building permit or use and occupancy certificate associated with the 262nd townhouse dwelling unit or two-over-two dwelling unit (excluding the multi-family buildings on Lots 1 and 2), all remaining amenity and open spaces on the Subject Property must be completed and landscaping installed, including open space Parcel A open pet area on Medical Center Drive.

5. Common Open Space Covenant

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

6. Recreation Facilities

- a) The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

7. Maintenance of Public Amenities

The Applicant or successor Homeowners Association is responsible for maintaining all publicly accessible amenities throughout the Site including, but not limited to picnic tables, grilling stations, benches, trellis structures, drinking fountains, tot lots with play structures, dog areas, and bicycle repair stations.

Environment

8. Forest Conservation & Tree Save

The development must comply with the Final Forest Conservation Plan.

- a) Prior to the start of any demolition, clearing, grading, or construction for this development Application, whichever comes first, the Applicant must record a Category I Conservation Easement over all areas of forest retention, forest planting and environmental buffers as specified on the approved Forest Conservation Plan. The Category I Conservation Easement must be in a form approved by the M-NCPPC Office of the General Counsel and may allow temporary disturbance for necessary grading for roads and associated stormwater management facilities, including storm drain and culverts, as shown on the approved Forest Conservation Plan, and must be recorded in the Montgomery County Land Records by deed. Temporarily disturbed areas within the easement must be restored as directed by the forest inspector.
- b) The Book/Page for the forest conservation easement must be referenced on the record plat.
- c) Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the planting of variance mitigation trees, any approved landscape trees receiving credit toward forest conservation requirements, and maintenance for all on-site trees credited toward meeting the requirements of the FCP.
- d) 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.
- e) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.

- f) Prior to certification of the Site Plan, the Applicant must adjust any landscape credit taken on the Forest Conservation Plan worksheet to include only trees that exceed the zoning landscape requirements per Forest Conservation Regulation 22A.00.01.08.G(2); and are not to be planted in a public right-of-way or along private streets, per Regulation 22A.00.01.08.G(5).
- g) Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Muddy Branch watershed to satisfy the reforestation requirement for a total of 11.70 acres of mitigation credit, unless modified and approved by Staff prior to the Certified Site Plan. This reforestation requirement amount may be reduced by any landscape credits that are in compliance with the requirements of Condition 8(f) and approved by Staff. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Muddy Branch watershed or by making a fee-in-lieu payment if mitigation credits are not available.

9. Noise Attenuation

- a) Before issuance of any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that:
 - i. The building shell for residential dwelling units affected by exterior noise levels projected at or above 60 dBA Ldn, as shown on the Phase I Noise Analysis, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b) Before the release of building permits for any residential unit affected by exterior noise levels projected at or above 60 dbA Ldn as shown on the Phase I Noise Analysis, the Applicant /developer/builder must certify to M-NCPPC Staff that the noise impacted units will be constructed in accordance with the recommendations in the Noise Analysis.
- c) If any changes occur to the Site Plan which affect the validity of the noise analysis dated October 13, 2021, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- d) Before issuance of any Use and Occupancy Certificate or prior to any site plan bond reduction approval, whichever is applicable, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
- e) For all noise impacted residential dwelling units, the Applicant/developer/builder must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional

documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; all Deeds of Conveyance of noise impacted units; and by inclusion on all certified subdivision and site plans.

Transportation & Circulation

10. Transportation

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated January 13, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Prior to the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).
- c) Prior to obtaining any right-of-way permit for Medical Center Drive, the Applicant must obtain MCDOT approval for the relocation of the existing driveway at 9850 Key West Avenue.
- d) The grade and material of the Medical Center Drive sidewalk and bicycle facilities, crossing the 9850 Key West Avenue driveway, must be maintained such that the sidewalk and bicycle facilities cross the driveway in a flush condition, subject to approval by Montgomery County DPS Right-of-Way.
- e) Dwelling units with high-visibility driveways or alleyways (as identified on the Certified Site Plan), must have screening in the form of fencing and/or landscaping, as shown on the Certified Site Plan.
- f) Once Medical Center Drive is completed and open to the public, the Applicant must place visible signage on each end of the landscape median stating the following: "This area is reserved for the future construction of the Corridor Cities Transitway."

11. Private Alleys

The Applicant must provide Private Alleys including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the Site Plan within the delineated private alley area (collectively, the "Private Alleys"), subject to the following conditions:

- a) If there are no structures above or below the Private Alleys, the record plat must show the Private Alleys in a separate parcel. If there are structures above or below the Private Alleys, the record plat must clearly delineate the Private Alleys and include a metes and bounds description of the boundaries of the Private Alleys.

- b) The Private Alleys must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq. The Covenant includes, but is not limited to the following requirements/conditions:
 - i. The Applicant or successor homeowners association, at its expense, shall design, construct, and maintain the Private Alleys.
 - ii. The Applicant or successor homeowner association, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Alleys and all improvements located within the Private Alleys, in good condition and repair for safe use and operation of the Private Alleys. The Applicant or successor homeowner association must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant or successor homeowner association must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Alleys). The reserves must be adequate to cover the costs of needed repairs.
 - iii. The Applicant must post and retain signage to notify the public that the Private Alleys are not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Alleys.
- c) Before issuance of the first building permit for a particular block, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Alleys in that block have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including, as applicable, horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

12. Pedestrian & Bicycle Circulation

a) Bicycle Parking:

- i. The Applicant must provide 141 long-term and 8 short-term bicycle parking spaces associated with the multi-family buildings and a total of 30 short-term bicycle parking spaces associated with the open space areas as shown on the Certified Site Plan.
- ii. The long-term spaces must be in secured, well-lit parking areas in all of the multi-family buildings, and the short-term spaces must be inverted-U racks (or approved

equal) installed along the retail frontage for multi-family apartment building No. 1 and located within 90 feet of each building's main front entrance (weather protected preferred). Final details and locations of both long-term and short-term bicycle parking spaces must be shown on the Certified Site Plan.

- b) The Certified Site Plan must reflect bicycle rooms in multi-family buildings No. 1 through No. 4 consistent with the design criteria set forth in Section 59.6.2.6 of the Zoning Ordinance.
- c) The Applicant must provide a total of five (5) bicycle repair stations, one located within each of the four (4) multi-family buildings and one (1) with the construction of the 3.17-acres of open space located at the intersection of Great Seneca Highway and Medical Center Drive, as shown on the Certified Site Plan.
- d) The Applicant must provide a design for the following master planned pedestrian and bicycle facilities, the exact location, design, and construction of which must comply with requirements set forth by the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations or the State Highway Administration, as applicable, with the corresponding right-of-way/access permit(s):
 - i. Key West Avenue (MD 28): Prior to the issuance of the final use and occupancy certificate for the final multi-family residential building, shown on the Certified Site Plan, construct a ten-foot wide (10 ft.) asphalt sidepath along the Property frontage, as approved by MDSHA.
 - ii. Great Seneca Highway (MD 119): Prior to the issuance of the 12th building permit for Block F Units 1-16, construct a ten-foot wide (10 ft.) asphalt sidepath along the Great Seneca Highway Property frontage, as approved by MCDPS.
 - iii. Medical Center Drive (southbound): Construct the 10-foot-wide two-way separated bicycle lanes concurrently with the construction of the abutting dwelling units in Blocks B and C.
 - iv. Medical Center Drive (northbound): Construct a twelve-foot-wide (12 ft.) Life Sciences Center Loop Trail and associated amenities along the Site's Medical Center Drive frontage in accordance with *the LSC Loop Trail Design Guidelines* as follows:
 - 1. The segment of the LSC Loop Trail along Medical Center Drive between Great Seneca Highway and Public Street A must be constructed concurrently with the completion of the adjacent units and in conjunction with the construction of the abutting dwelling units in Blocks G and F and the 3.17-acre open space, whichever comes first.
 - 2. The interim (prior to acquisition of 9850 Key West Avenue right-of-way) segment of the LSC Loop Trail along Medical Center Drive between Blackwell Road to Key West Avenue must be constructed at the time of issuance of Use and Occupancy certificate for the final multi-family building.

3. The remaining ultimate (after acquisition of 9850 Key West Avenue right-of-way) segment of the LSC Loop Trail along Medical Center Drive between Blackwell Road to Key West Avenue must be constructed prior to the final opening of this section of Medical Center Drive to traffic and acceptance for maintenance by MCDOT.
- v. Blackwell Road (westbound): Prior to the issuance of the Use and Occupancy certificate of the final multi-family building, construct five-foot-wide (5 ft.) separated bicycle lanes and depress the grade of the bicycle lanes beneath the grade of the sidewalk and provide a roll curb with a 2-inch to 3-inch curb reveal on Blackwell Road and Medical Center Drive, or as approved by Montgomery County Department of Transportation and Montgomery County Department of Permitting Services.
 - vi. Blackwell Road (eastbound): Prior to the completion of each adjacent townhome unit stick or two-over-two stick, construct five-foot-wide (5 ft.) separated bicycle lanes and depress the grade of the bicycle lanes beneath the grade of the sidewalk and provide a roll curb with a 2-inch to 3-inch curb reveal on Blackwell Road and Medical Center Drive, or as approved by Montgomery County Department of Transportation and Montgomery County Department of Permitting Services.
 - vii. Public Street D: In conjunction with the construction of the stick of five (5) townhouses abutting Public Street D south of Medical Center Drive, construct a ten-foot-wide (10 ft.) asphalt sidepath along Public Street D that connects to Darnestown Road.
- e) Design the following Protected Intersections subject to approval from the Right-of-Way Division and the Fire Department Access and Water Supply Division of the Montgomery County Department of Permitting Services, the Montgomery County Department of Transportation, and, where applicable, the State Highway Administration, prior to obtaining the corresponding right-of-way/access permit(s):
 - i. Key West Avenue and Medical Center Drive/Johns Hopkins Drive
 - ii. Key West Avenue and Great Seneca Highway
 - iii. Blackwell Road and Great Seneca Highway
 - iv. Blackwell Road and Medical Center Drive
 - v. Medical Center Drive and Great Seneca Highway
 - vi. Medical Center Drive and Public Street D
 - vii. Blackwell Road and Public Street A
 - viii. Blackwell Road and Public Street B

13. 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 letter dated March 10, 2022, 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 Preliminary Plan approval.

Site Plan

14. Site Design

- a) The exterior architectural character, proportion, materials, and articulation of the dwelling units must be substantially similar to the schematic elevations shown on all Architectural Sheets, including 1-15 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.
- c) All buildings identified on the Certified Site Plan as having a high-visibility side should treat such elevations with the same palette of materials as the main façade and provide minimum fenestration that must add up to the minimum percentage of the overall side elevation area based on the unit type as defined by the Zoning Code.
- d) Trash enclosures for the multi-family apartment buildings must be architecturally compatible with the principal building structures with a coordinated design as shown on the Certified Site Plan.
- e) Monument signs located near the entrances of Medical Center Drive at Key West Avenue and Great Seneca Highway must be architecturally compatible with the principal building structures with a coordinated design as shown on the Certified Site Plan, and as approved by DPS.
- f) Public Street Tree Spacing will be determined by DPS under the following guidance and subject to final approval by DPS:
 - i. Major species trees should be planted with a maximum spacing of 40 feet on center;
 - ii. Minor species trees should be planted with a maximum spacing of 25 feet on center.

15. Lighting

- a) Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor

lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of the first above grade building permit associated with the phase of the Development Program, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and streetlights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

17. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

18. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution on the approval or cover sheet(s).

- b) The Fire Department Access Plan must be included in the Certified Site Plan.
- c) Include updated architectural:
 - a. Architectural elevations including material call outs for all sides of the multi-family buildings as previously coordinated with Staff and dated March 15, 2022;
 - b. Architectural elevations with material call outs for all sides for typical strings of two-over-two units and townhouses;
 - c. Architectural elevations with material call outs for all sides of the clubhouse;
 - d. Include a plan showing location of all units with a high visibility side; and
 - e. Include a plan showing the location and treatment of all screening to block views into the service alleys from streets and public spaces and end-unit driveways.
- d) Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- e) 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.”
- f) Modify the data table to:
 - i. Reflect development standards approved by the Planning Board.
 - ii. Include the final parking count update required to reflect the Reduced Parking Area.
 - iii. Remove the note about “requirements for high-visibility units” (i.e. 2 windows, etc.).
 - iv. Remove the note about the modified Build-to-Area.
 - v. Remove or revise zero from the lot width at front line for lot dimension.
- g) Provide the revised building footprints for the community pool located at the intersection of Street A and Street C East.
- h) Ensure consistency of all details and layout between Site and Landscape plans including the update of the details and quantities on the materials schedule for landscaping and other site plan elements (Landscape Sheet No. 12).
- i) Provide a table that clearly shows the parking lot tree canopy list to satisfy Section 59.6.2.9.C.2. This table must be separate from the planting list associated with the Forest Conservation Plan.
- j) Update the plan exhibit illustrating the revised access point for 9850 Key West Avenue.
- k) Add a note and update for compliance to square footage and other requirements for all of the applicable recreational elements, including the following:
 - a. Two multi-age play areas to demonstrate that each element meets M-NCPPC Recreation Guidelines.

- b. Rectangular youth soccer field set back 100 feet from the nearest adjacent building and 40 feet from the nearest curb.
- l) Clarify details on the lighting plan:
 - a. Identify any wall mounted fixtures at lobby entrances of the multi-family apartment buildings, as applicable, to correspond with the revised architectural elevations.
 - b. Label the height of parking lot fixtures and cobra heading lighting proposed for Medical Center Drive.
- m) Include the revised construction phasing drawing.

SECTION 2: SITE DESCRIPTION

VICINITY

The Subject Property (“Subject Property” or “Property”- outlined in red in Figure 1 below) is situated to the west of I-270, between the city limits of Gaithersburg and Rockville, with access to Key West Avenue (MD 28).

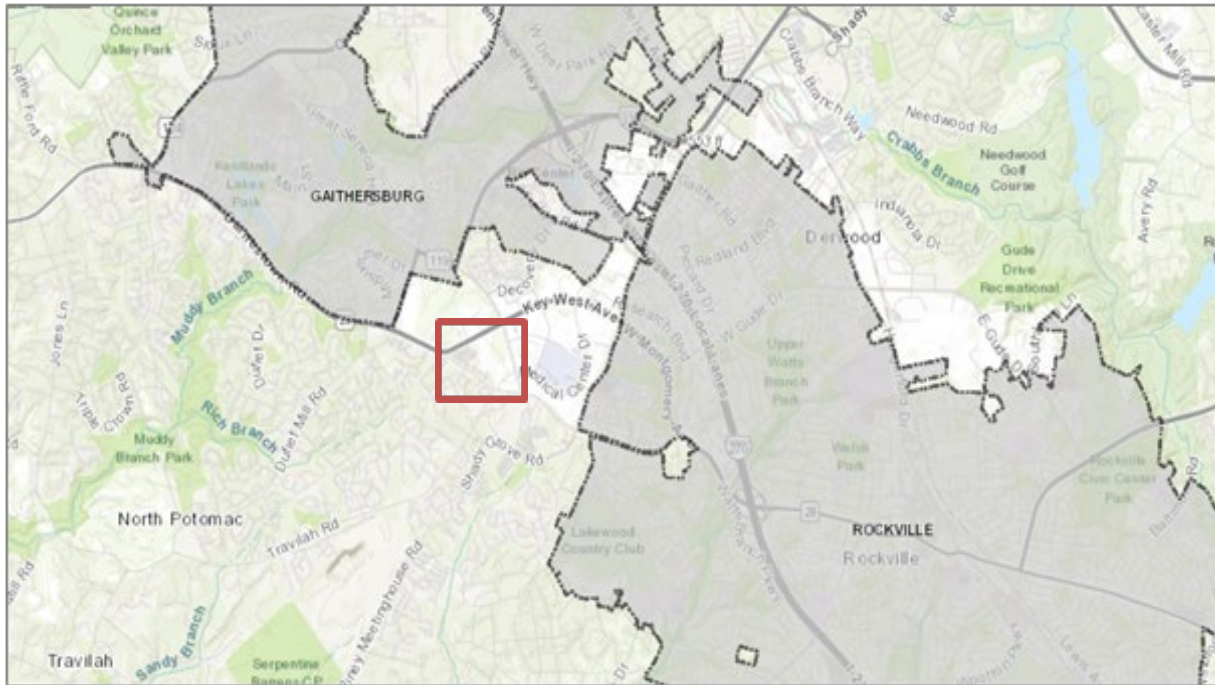


Figure 1: Project Situate (Subject Property vicinity outlined in red)

The Site is generally bordered on the north by Key West Avenue (MD 28), on the east by Great Seneca Highway (MD 119), on the southwest by the Wootton Crossing Townhouses; and bordered on the south by a 6.25-acre parcel owned by Montgomery County that currently serves as the location of the County's Innovation Incubator and the National Cybersecurity Center of Excellence. The Site is constrained by a large underground gas transmission main located along the Site's entire Key West Avenue (MD 28) frontage.

The Site is located within one mile of various sites including a nearby local park, elementary school, Johns Hopkins University, Universities at Shady Grove, the Shady Grove Adventist Hospital, and is approximately two miles south of Downtown Crown in Gaithersburg. Uses located immediately adjacent to and within the vicinity of the PSTA site include offices, retail, institutional and academic buildings, a mix of residential uses, the Academy Primary School and Child Development Center, and a Pepco Substation.

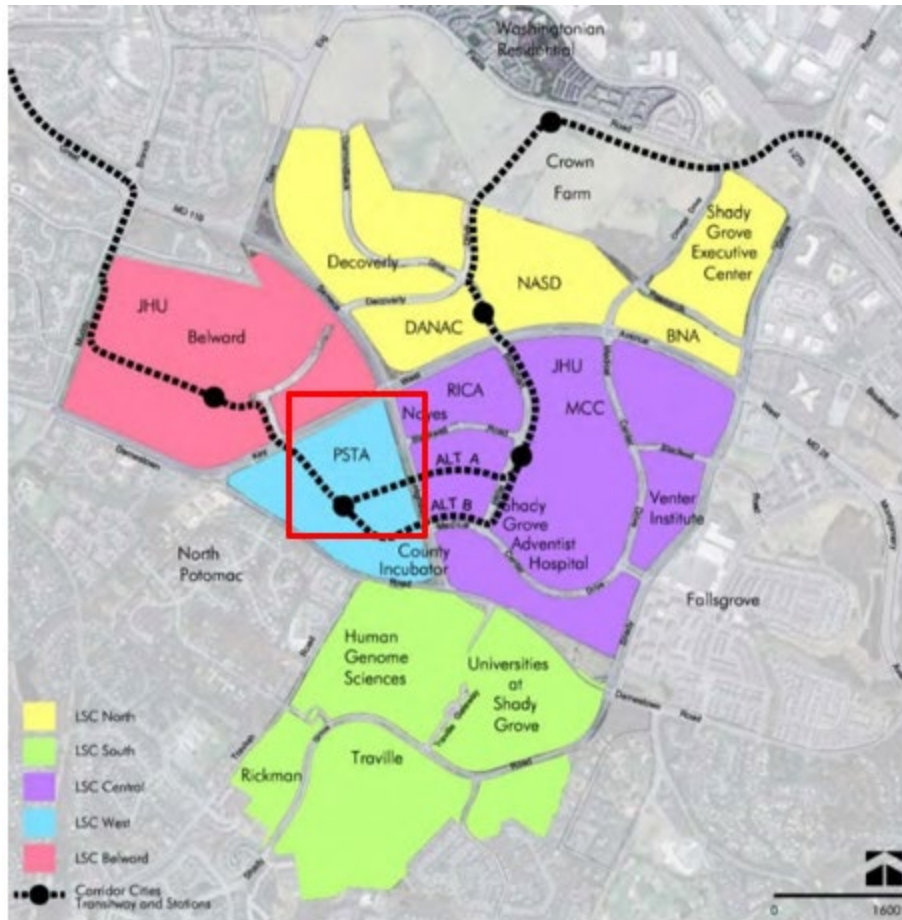


Figure 2: Life Sciences Center Districts (Subject Property highlighted in red)

PROPERTY DESCRIPTION

The Subject Property, located at 9710 Great Seneca Highway, consists of a tract area of 1,953,230 square feet (or 44.84 acres) and is currently owned by Montgomery County. The Applicant, The Elms at PSTA, LLC, is the contract purchaser. The Property consists of existing Parcel 925, Parcel 850, and part of Parcel A, which were subdivided for up to 290 buildable lots and 35 parcels through Preliminary Plan No. 120200100.

The Subject Property is located within the LSC West district of the 2010 Great Seneca Science Corridor Master Plan ("GSSC Master Plan" or "Master Plan"). The LSC West district encompasses approximately 75 acres and contains the 45-acre Property (60% of the LSC West District). Most of the LSC West district is zoned CR 1.0, C-0.5, R-1.0, H-150, including the Site.

There is one existing access point via Medical Center Drive at the southern portion of the Site. There is an existing sidewalk along the Property's Key West Avenue (MD 28) frontage.

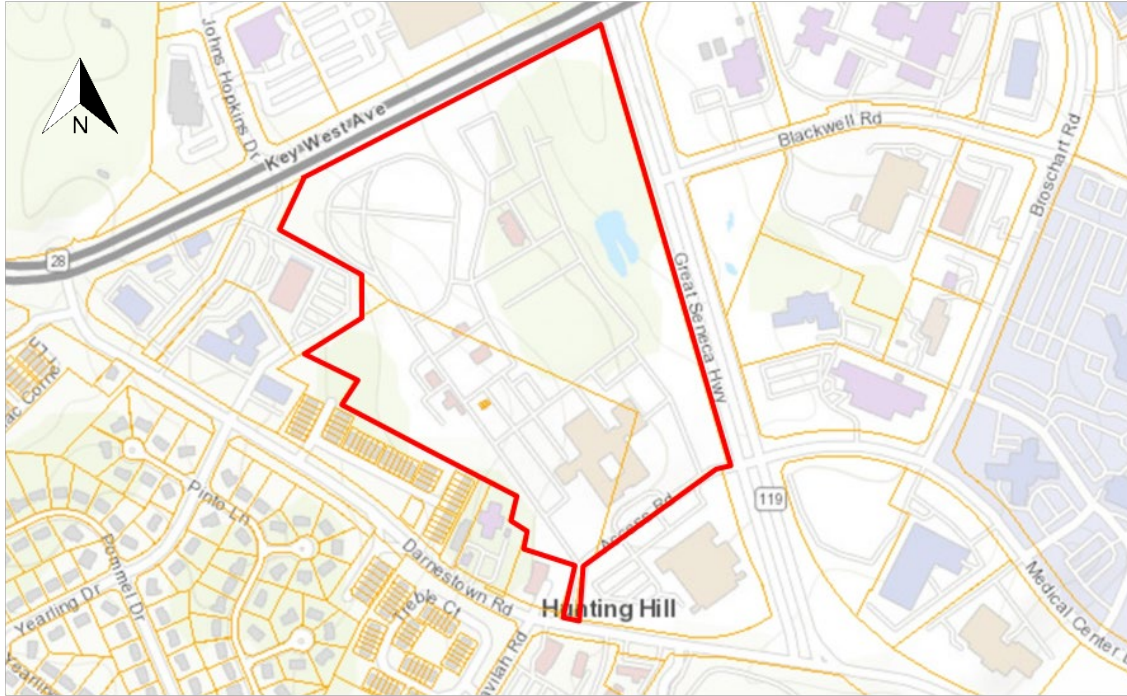


Figure 3: Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

For nearly 40 years, the Subject Property was the location of Montgomery County's Public Safety Training Academy (PSTA), which served the specialized training needs of public safety agencies and was the primary training facility for the County Police Department and Fire and Rescue Services. The PSTA began to experience space limitations and faced significant capital needs for necessary improvements. Additionally, land uses within the area surrounding the former PSTA have undergone a transformation with significant additions of office, research and development, retail, and other commercial, and residential uses. According to Montgomery County's Smart Growth Initiative, "This context coupled with the antiquated and aging nature of the current facility led to the conclusion that a new, modernized PSTA would be built in a more suitable location to best meet multiple public needs."²

In 2010, the Montgomery County Council approved the GSSC Master Plan and associated Sectional Map Amendment, classifying the Property in the Commercial/Residential (CR): CR- 1.0, C-0.5, R-1.0, H-150 zone. Since 2010, several commercial, residential, and retail projects have been approved in the GSSC Master Plan area and are in various stages of construction.

As part of the County's Smart Growth Initiative, the PSTA's relocation was completed in 2016 as an investment strategy to positively impact and improve County government facilities, economic development, and affordable housing. The Initiative primarily focuses on relocating old and overcrowded County government facilities to make way for a sustainable, transit-oriented community, and to boost the economic health and competitiveness of Montgomery County. The PSTA relocation is one of several County Smart Growth Initiative redevelopment projects on County-owned land that have been completed or are currently underway.

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION NO. 420191570

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for this Site on May 29, 2019.

² Montgomery County Smart Growth Initiative: New Public Safety Training Academy - <https://www.montgomerycountymd.gov/cpus/projects/PSTA.html>

An earlier iteration of redevelopment on the Subject Property was evaluated by a different contract purchaser in 2019 through Concept Plan No. 520190090³. That Concept Plan contemplated various uses, such as commercial retail, student housing, and multi-family buildings. The land use mix and commercial density envisioned by the 2010 *Great Seneca Science Corridor Master Plan* and contemplated under Concept Plan No. 520190090 was downsized by Preliminary Plan No. 120200100 in response to present market demand.



PSTA Site Plan No. 820220050 19

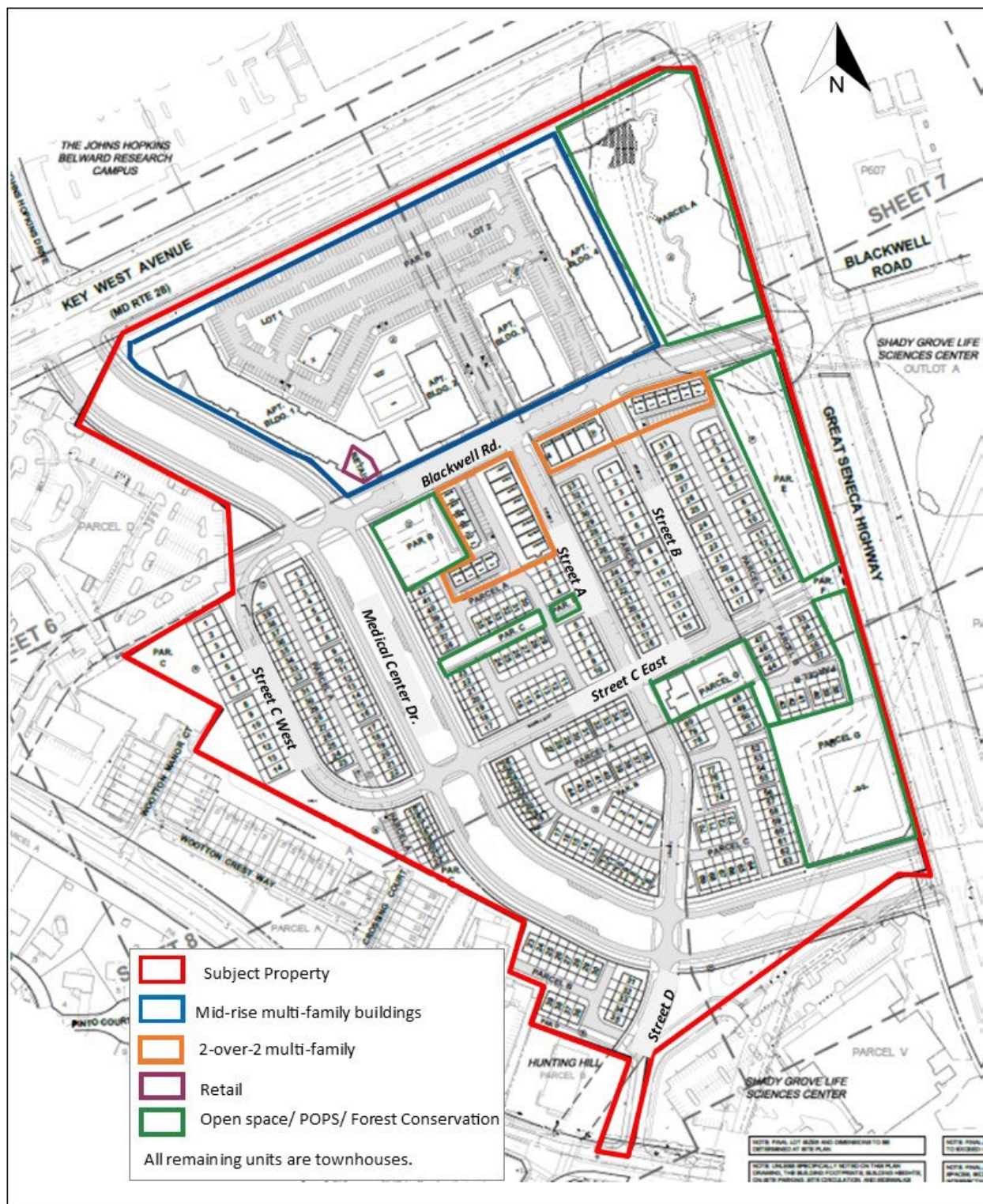
PRELIMINARY PLAN NO. 120200100

On July 12, 2021, Preliminary Plan No. 120200100 was brought before the Montgomery County Planning Board for a public hearing. Per MCPB Resolution No. 21-082 dated July 29, 2021, the Planning Board granted approval to subdivide the Property for up to 290 buildable lots and up to 35 parcels for the redevelopment of the 44.8 acres into approximately 630 dwelling units (298 multi-family mid-rise units, 56 multi-family two-over-two's, and 276 townhouse units) for a standard method project density of 0.46 FAR. A total of up to 1,740 square feet of ground floor retail space will be located in the apartment building at the intersection of Medical Center Drive Extension and Blackwell Road. Both the determination of Adequate Public Facilities (APF) and the Preliminary Plan approval are valid for ten years from the date of approval (July 12, 2021). A Preliminary Forest Conservation Plan was approved with the Preliminary Plan.

The *GSSC Master Plan* recommended that “If a new elementary school is needed, it could be combined with a local park on the northern portion of the LSC West...” Therefore, the Preliminary Plan process contemplated the possible future school site dedication on Parcel V, which is a currently developed parcel that was not included within this Application. The Montgomery County Department of General Services (MCDGS), the owner of the Subject Property and Parcel V, supported the identification of Parcel V as a potential future school site. The Application dedicated 0.59-acres of land from the Subject Property to the County, which will increase the County-owned land area available for Parcel V to be redeveloped as a school site, if needed, in the future.

MANDATORY REFERRAL NO. MR2021030

The Montgomery County Planning Board reviewed a Mandatory Referral submitted by Montgomery County Department of General Services for the disposition of the Subject Property. The 2010 GSSC Master Plan supported “relocating the Public Safety Training Academy and redeveloping the site with a residential community that includes amenities and services, bringing housing opportunities within walking distance of jobs in the LSC.” (pg. 38). The disposition of the Property will allow for the redevelopment of the former PSTA site, helping implement the Master Plan’s vision for a residential community. In 2014, the County Council received the Declaration of No Further Need from the County Executive, which declared the Property was of no further public use and directed the Department of General Services to dispose of the Property. At its regular meeting on July 22, 2021, the Planning Board voted to approve the Mandatory Referral to dispose of approximately 44.8 acres of land at 9710 Great Seneca Highway and confirmed that the site is not needed.



PROPOSAL

The Subject Property contains existing training facilities associated with the former PSTA, including parking lots, paved roads, stormwater management facilities and pad sites for buildings. These facilities will be removed from the Site in preparation for the construction of four (4) multi-family buildings, townhouses, and multi-family two-over-two units for a total of 630 dwelling units (Table 1).

As permitted under the Preliminary Plan, the Site Plan Applicant proposes 1,046,126 square feet of total development, consisting of 1,039,136 square feet of residential development and 1,740 square feet of commercial development. The ground floor 1,740 square feet of retail space will be co-located in the apartment building located at the intersection of Medical Center Drive Extension and Blackwell Road. As proposed, this retail is intended to activate the intersection and will be supported by on-street parking along Blackwell Road.

Table 1: Residential Unit Break-down

Dwelling Unit Type	Quantity		
	Market Rate	MPDU	Total
Multi-family (Two-over-two)	26	30	56
Attached Single-Family (Townhouse)	252	24	276
Multi-family (Mid-rise)	163	135	298
Total	441	189	630

The proposed townhouse units will range in size as follows: twenty-four (24) – 16-foot-wide townhomes; 207 – 20-foot-wide townhomes; and forty-five (45) – 24-foot-wide townhomes. The proposed townhouse units and multi-family units will front either on streets or open space, and those that front onto open space will activate and enliven the open space. The 298 multi-family units will be located in four (4) mid-rise buildings that are 4 to 5 stories high, within the single buildable lot, and with surface parking facing Key West Avenue (MD 28). All four (4) apartment buildings are aligned to have frontage on Blackwell Street, a new master-planned road, and in close proximity to the proposed central civic green and future Corridor Cities Transitway (CCT) station. These various elements are highlighted in further detail below.

One of the buildings located the furthest west fronts onto Medical Center Drive and the building furthest east fronts onto the stream valley buffer/forest conservation area. The Application proposes surface parking to serve the multi-family buildings in order to account for site constraints. Elevation drops by 45 feet from the northwest corner of the multi-family parcel to the southeast corner of that parcel. The Applicant proposes the multi-family units to be placed within four buildings that break up and step down the grade. Based on the Property's zoning, the maximum building height permitted is 150 feet. The Project will adhere with a maximum building height of 75 feet for the townhouses and the multi-family units and a maximum building height of 25 feet for the accessory clubhouse.

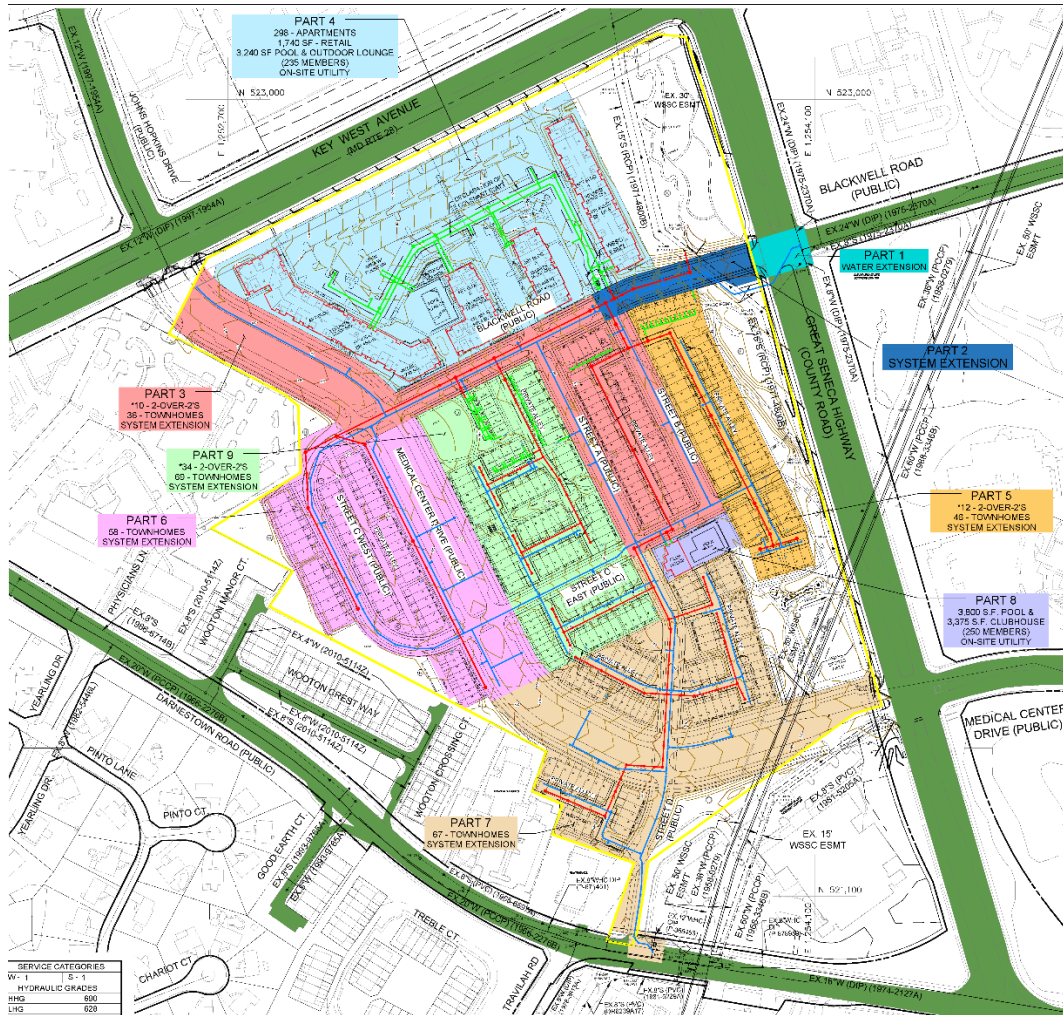


Figure 6: Proposed Site Plan with Public Open Spaces (Property outlined in red)

CONSTRUCTION PHASING

The Applicant proposes to build-out the Project across nine (9) phases which may occur in any order or may be combined. The elements of the Project that are proposed to be included in the Application

are described below. Right-of-way dedication will occur at the time of record plat. Regardless of the build-out phasing, bike, pedestrian, fire and rescue and vehicular connections and access will be available for constructed units.



DEVELOPMENT BY PARTS							
PARTS	# OF UNITS / SQ. FT.						PLAN TYPE
	2-OVER-2	TH	APTS	RECREATION (S.F.)	RETAIL (S.F.)	OTHER	
PART 1							SYSTEM EXTENSION
PART 2							SYSTEM EXTENSION
PART 3	10 ★	36					SYSTEM EXTENSION
PART 4			298	3240	1740	POOL & OUTDOOR LOUNGE (235 MEMBERS)	ON-SITE UTILITY
PART 5	12 ★	46					SYSTEM EXTENSION
PART 6		58					SYSTEM EXTENSION
PART 7		67					SYSTEM EXTENSION
PART 8				7175		POOL & CLUBHOUSE (250 MEMBERS)	ON-SITE UTILITY
PART 9	34	69					
TOTAL =	★ 56	276	298	10415	1740		

Figure 7: Proposed Construction Phases for Units and Infrastructure

As shown in Phase 1, Medical Center Drive will be partially constructed from Blackwell Road to the Property line and from the road centerline to the right-of-way dedication for the northbound traffic lane. Along this partial segment, fire access lanes and a temporary LSC Loop connection from Medical Center Drive to the Key West Avenue 10-foot-wide sidepath would also be realized.

AFFORDABLE HOUSING

The Application is required to provide Moderately Priced Dwelling Units (MPDUs) per Chapter 25A-5 of the Montgomery County Code, as the Project results in the development of more than 20 dwelling units. The Project will exceed the minimum requirement of 12.5% and will provide thirty percent (30%), or 189 units of the total number of residential units or residential square footage as MPDUs. The provision of 30% MPDUs reflect a requirement of Montgomery County for the disposition of public land for private redevelopment. Out of the 189 MPDUs, 135 will be multi-family units, and constructed in accordance with the Montgomery County Department of Housing and Community Affairs (MCDHCA) approval. The final MPDU mix of one-bedroom, two-bedroom, and three-bedroom units will match market rate units and was reviewed and coordinated with MCDHCA as stated in their letter dated January 31, 2022.

ARCHITECTURAL ELEVATIONS

The four (4) multi-family apartment buildings will use of a variety of architectural materials and textures and will include building elements such as balconies, windows of varying sizes, and variable roof height. Ground floor units facing Medical Center Drive located in Building 1 are proposed to have walk-out units. The façade for Building 1 is elongated since it follows along most of the length of Medical Center Drive from Blackwell Road to Key West Avenue. The Applicant will employ the use of hierarchical architectural elements to create interest and avoid a monolithic appearance. The submitted massing diagram and architectural study also feature a portal extension as an architectural focal point with coordinating flat roofs between Buildings 2 and 3, where Public Street A terminates into the parking lot, as shown in Figure 8. The corner section of flat roofs provides an interesting end cap to each building and blends harmoniously with the pitched roof throughout the remainder of each building façade. The Site's architectural profile, for residential units and the clubhouse, is intended to blend a combination of transitional and contemporary styles. The community will have a diversity of style and building materials may consist of a mix of brick, cementitious siding/panels, metal panels, composite panels, and vinyl siding. As conditioned, the Applicant must provide the architecturals for all unit types with the Certified Site Plan.



Figure 8: Schematic Drawing for Proposed Multi-Family Apartment Building No. 2

In addition to the architectural drawings required as a part of this Site Plan application, the Applicant has also developed an internal architectural design guidelines document for the 322 fee-simple townhouses and two-over-two buildings and will be engaging the services of a “Town Architect”. The main goal of this document is to ensure that as new builders join the development team, successive phases of development look cohesive, contribute to walkable urbanism, and ensure the continued use of high-quality building materials, irrespective of the architectural style of fee-simple buildings. The Town Architect will use the architectural design guidelines document to refine various proposals for the design of townhouses and two-over-twos in the future. In the event that the proposed elevations vary significantly from the drawings included in the Certified Site Plan set, as conditioned, the Applicant is required to consult with Planning Staff and request staff approval.

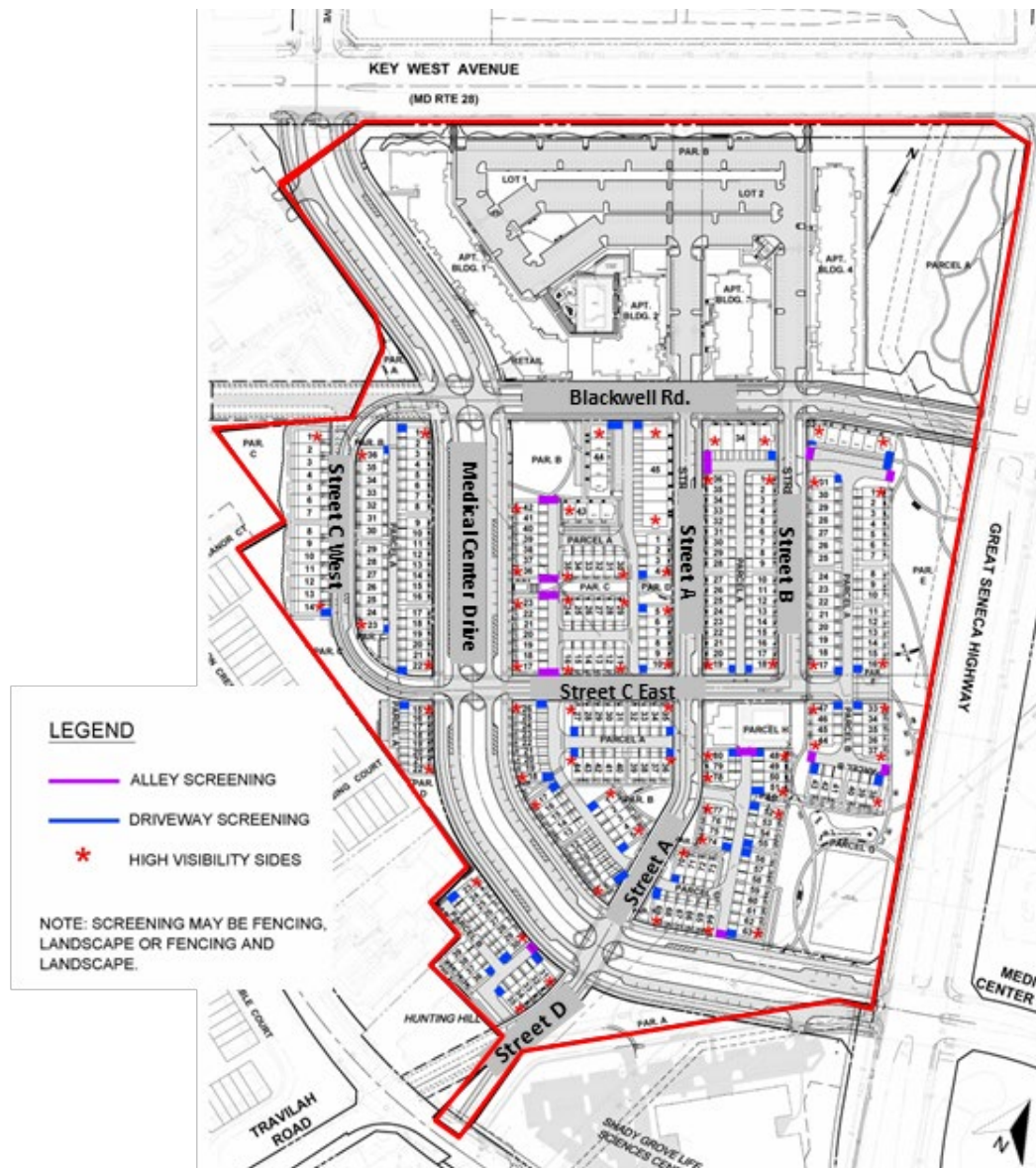


Figure 9: High-Visibility Residential Units

As shown in Figure 9, the Site includes high-visibility end units that face rights-of-ways and open spaces and there are a number of alleyways exposed to the public realm. Architectural treatment throughout the Site will be provided for all highly visible end units for the multi-family two-over-tvos and townhouses. They will feature windows, trim and other detailing that are used on the front of the units, as well as variations in materials on their sides to avoid the appearance of blank walls. Plantings or fencing, or a combination of both, will be provided to screen the alleys and driveways.

Several side elevations of proposed lots are facing public roads and open spaces. As a condition, the high-visibility sides should be treated as the main façade with special material and fenestration that must add up to the minimum percentage of the overall side elevation area based on the unit type as defined by the Zoning Code.

TRANSPORTATION

Access and Circulation

The Site is bounded by Key West Avenue (MD 28) to the north and Great Seneca Highway (MD 119) to the east. There is one existing main access point to the Property via Medical Center Drive at the southern portion of the Site which will be extended into the Site. Access to the Subject Property is proposed at two locations along Great Seneca Highway (MD 119) and at multiple locations along Medical Center Drive. In order to improve future site access, and as conditioned through Preliminary Plan No. 120200100 (Condition No. 27), the Applicant will install new traffic signals at three (3) intersections: 1) intersection of Blackwell Road and Great Seneca Highway, 2) at the intersection of Medical Center and Great Seneca Highway; and 3) Medical Center Drive and Key West Avenue.

The majority of the townhouses and two-over-two units within the Project will have direct vehicular access via private alleyways which vary in width between 16-feet and 20-feet and meet the minimum design standards. All other streets within the Site will be public streets.

In accordance with Preliminary Plan No. 120200100, the Site Plan proposes the construction of seven (7) new public roadways: Public Street A, Public Street B, Public Street C West, Public Street C East, Public Street D, Medical Center Drive, and Blackwell Road – each with on-street parking on both sides or one-side. As approved by the Montgomery County Department of Transportation, all proposed streets will be constructed with modified rights-of-way with the exception of Medical Center Drive.

The Applicant will dedicate and construct the 150-foot-wide-right-of-way for Medical Center Drive with four lanes (one lane in each direction with parking on both sides), along with the pedestrian and bicycle facilities. A total of 52 feet of the 150-foot roadway width will be set aside for the future CCT. The exact time of implementation of the CCT, which has an envisioned alignment along Medical Center Drive through the Site, is presently unknown. The construction of Medical Center Drive will be consistent with Preliminary Plan Condition No. 3 and MCDOT's revised letter dated July 8, 2021.

Currently, there are right-of-way limitations to road construction because the northern portion of Medical Center Drive is off-site and under private ownership, as highlighted in Figure 10.

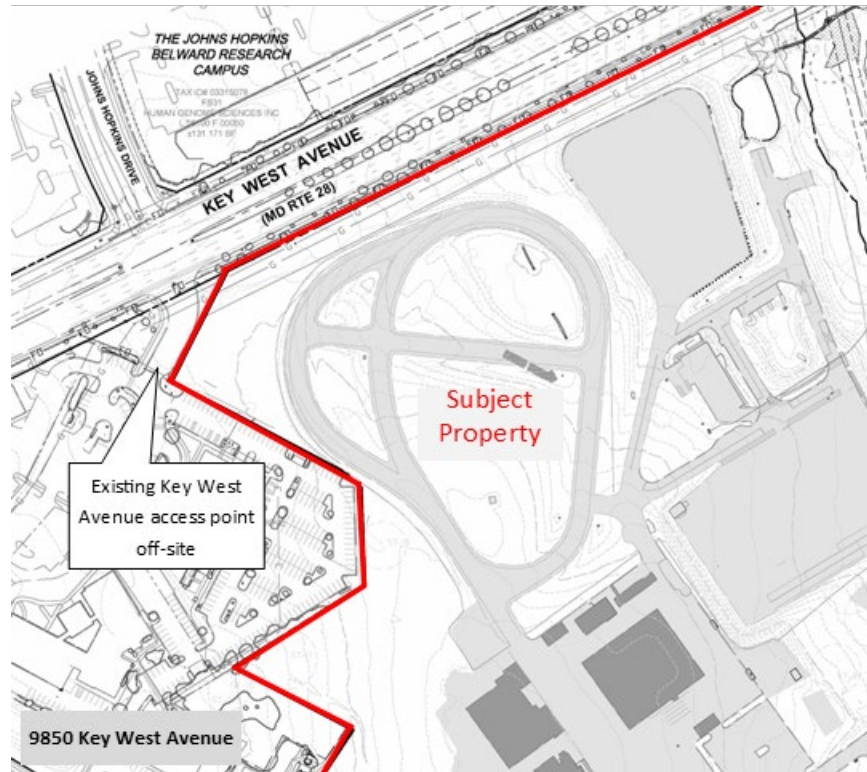


Figure 10: Existing Conditions for Key West Avenue access

As conditioned with the approved Preliminary Plan, the Applicant will construct the planned roadway connections required through the Property, outlined within the *Master Plan of Highways and Transitways* and in accordance with the 2010 *Great Seneca Science Corridor Master Plan*. The redevelopment of the former PSTA facility will as a result, be designed in a manner evocative of grid-patterned streets to facilitate enhanced opportunities for multimodal circulation between the Site and adjacent properties to achieve the key recommendations envisioned by the GSSC Master Plan. As a means of establishing the Key West Avenue and Medical Center Drive intersection that would provide access into the Site and tie directly with the existing Key West Avenue and Johns Hopkins Drive intersection, the existing driveway for the property at 9850 Key West Avenue will be removed. In its place to maintain access into the neighboring property, new ingress and egress will be provided from the Medical Center Drive extension into the property's existing surface parking area, as illustrated in Figure 11.

The Applicant will provide a right turn lane into the neighboring property, facilitating right-in and right-out access, as well as a travel lane for southbound vehicles. In order to reduce conflicts between multimodal travel, the proposed temporary median along Medical Center Drive will be closed to prevent left turn movements.

The segment of Medical Center Drive between Blackwell Road and Key West Avenue is proposed to be built when the right-of-way from 9850 Key West Avenue is acquired prior to recordation of the first plat. The abutting site to the west, located at 9850 Key West Avenue, is improved with an existing

medical office building where the Children's National Hospital is the sole tenant. Additionally, the patrons of several retailers located within the Shady Grove Professional Center shopping center utilize this access point, although discouraged by the 9850 Key West Avenue Property Owner.

Per Preliminary Plan Condition No. 26.a: "The Applicant shall contact the adjacent property owner to acquire the right-of-way necessary to make the connection of Medical Center Drive with Key West Avenue. The Applicant will coordinate with MCDOT if an agreement cannot be reached with the adjacent property owner. If the necessary right-of-way cannot be acquired prior to a Site Plan submission, then a Preliminary Plan amendment will be required."

The proposed location for the reconfigured access point, as illustrated in Figure 11 below, considers engineering requirements for site and stopping distances, existing and future turning movements from Key West Avenue, the site access needs for Children's National Hospital, and the minimization of cut-through traffic to adjacent retail uses. The proposed access point also considers the Applicant's installation of the required traffic signal at the intersection of Key West Avenue and Medical Center Drive, which must be installed prior to opening the new segment of Medical Center Drive to traffic and acceptance for maintenance by MCDOT (Condition No. 26.c.ii).

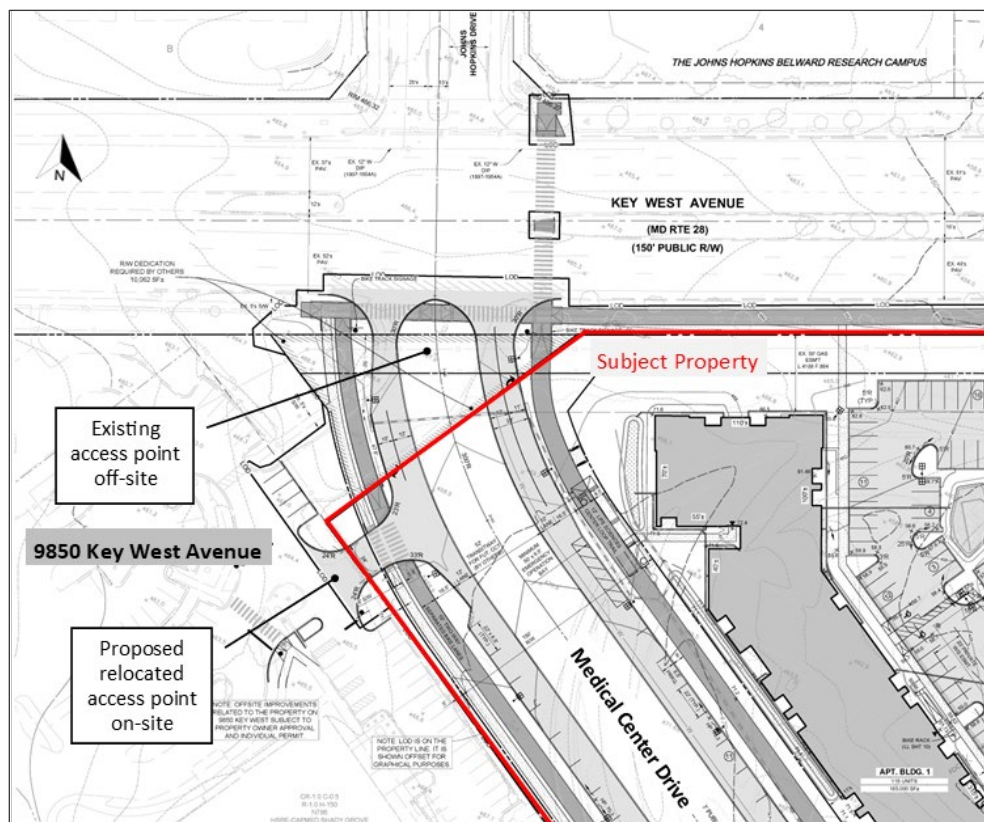


Figure 11: Proposed Reconfiguration of the Driveway Access to 9850 Key West Avenue

A twelve-foot-travel-lane and ten-foot-wide-turn lane will be provided for southbound traffic entering Medical Center Drive from Key West Avenue. A dedicated right-turn lane provides access to 9850 Key West Avenue. As conditioned, prior to obtaining any right-of-way permit for Medical Center Drive, the Applicant must obtain MCDOT approval for the relocation of the existing driveway at 9850 Key West Avenue. Signing and marking will be finalized at the time of right-of-way permitting.

Vehicle and Bicycle Parking

A combined total of 1,540 vehicle parking spaces are provided for the townhouses, the 2-over-2 units, and within the surface parking lot associated with the four (4) multi-family buildings and retail space. Proposed Public Street A and Public Street D serve as two points of vehicular ingress and egress for the surface parking lot. The majority of the townhouses and two-over-two multi-family units will have garage parking accessed from the rear of the units via private alleys. The combined total of vehicle spaces does not include on-street parking spaces.

Bicycle parking is required for the multi-family and retail components of the Project and 149 spaces have been provided in accordance with the Zoning Ordinance. The 2018 *Bicycle Master Plan* envisions a high-quality bicycle parking station within the Site located proximate to the Corridor Cities Transitway (CCT) station. Bicycle parking is proposed near points of demand, such as the public open spaces, the LSC Loop Trail, the future CCT Station, and the Project's sole retail bay.

Non-Motorized Facilities

Along with the dedication and construction of new roads, the Application proposes improvements to the existing major roadways that border the Property – Key West Avenue (MD 28) and Great Seneca Highway (MD 119). The Site Plan proposes construction of non-motorized facilities including a major trail connection and supporting pedestrian connections. The following list defines the interconnected network of proposed sidewalks, and master-planned side paths and bicycle facilities:

- A 10-foot-wide side path along Great Seneca Highway and buffer with adequate separation of no less than six feet between the facility and the roadway.
- A 10-foot-wide side path along Key West Avenue and adequate separation of no less than six feet wide between the facility and the roadway.
- The 12-foot wide, multi-use LSC Loop Trail segment along the entire eastern side of Medical Center Drive throughout the Subject Project, from Key West Avenue to Great Seneca Highway.
- A 10-foot-wide separated bikeway along the western side of Medical Center Drive.
- Five-foot wide separated bikeways on both sides of Blackwell Road.
- A 10-foot-wide bike path along Public Street D from Medical Center Drive that connects into the existing sidewalk along Darnestown Road.

The side paths constructed along Key West Avenue and Great Seneca Highway will provide access to the privately owned public park, forest conservation area, and other community amenities. The Application proposes amenity areas that are accessible by non-motorized modes and include a pool on an apartment parcel, a club house and pool on proposed Public Street C East, and play areas. The two (2) mews proposed with sidewalks are located with the townhouses between Medical Center Drive and Public Street A and will provide pedestrian connections and recreation opportunities. All streets within the Project will have sidewalks. All public sidewalks will be a minimum of 6 feet wide and private sidewalks will be 5 feet wide. The LSC Loop Trail will be designed in accordance with the 2016 *LSC Loop Trail Design Guidelines*.

Transit Connectivity

As envisioned by the Master Plan, and previously noted above under site access, the Project incorporates infrastructure to accommodate the master-planned Corridor Cities Transitway (the “CCT”), a 14-mile bus rapid transit option once funded and implemented will traverse the Life Sciences Center and connect with major nearby destinations. The Preliminary Plan approved the reservation of land for a CCT station located at the intersection of Medical Center Drive and Blackwell Road, central within the Site and near the densest area. The Site Plan proposes a new network of sidewalks and trail facilities that will support increased access to nearby existing bus stops.

This location coincides with the proposed civic green to maximize transit use and park activation. The Project also includes the construction of residential units, both multi-family and townhouses, adjacent to existing and planned transit options to promote the use of alternative modes of transportation as directed by the Master Plan to yield a variety of environmental outcomes. As previously noted, the exact delivery of the CCT and the associated station on the PSTA Site is unknown at this time.

Parking Lot Landscaping and Screening

Although Section 59.4.5.1.A.3 of the Zoning Ordinance (“Commercial/ Residential Zones Intent Statements”), prohibits parking between the building and the street, the Subject Application includes a surface parking lot along Key West Avenue. This design is necessary because it responds to an existing 50-foot-wide gas main easement and associated underground 36-inch-wide gas main that encroaches 25 feet into the Property’s entire Key West Avenue frontage. Additionally, Staff determined that this design satisfies the Commercial/ Residential Zones Intent Statements because the internal pedestrian-scale streets within the Subject Property are fronted by buildings and because the surface parking is adequately screened from Key West Avenue.



Figure 12: Proposed Plant Screen for Key West Avenue Surface Parking (looking westbound)



Figure 13: Sidepath on Key West Avenue adjacent to Surface Parking (looking eastbound)

The Application includes a landscape plan that addresses the parking lot landscape islands and parking lot perimeter landscape requirements and adequate parking lot tree canopy. At the time of Site Plan Certification, the Applicant must ensure the parking lot shade tree list is separate from the planting list associated with the Forest Conservation Plan.

Additionally, perimeter planting for the surface parking lot is required as set forth in Section 59.6.2.9.C.3 of the Zoning Ordinance. More specifically, Section 59.6.2.9.C.3 of the Zoning Ordinance requires that the perimeter planting be a minimum of 6 feet wide, contain a minimum 3-foot hedge/wall, and have a canopy tree planted every 30 feet on center. Required perimeter planting will be provided according to the specifications to the extent feasible. Because of the existing Gas Main Easement along Key West Avenue, the requirement for planting canopy trees 30 feet on center cannot be met. As such, the Applicant requests a waiver from this requirement pursuant to Section 59.6.2.10 of the Zoning Ordinance. Granting a waiver from the requirement to plant canopy trees every 30 feet on center is necessary due to the prohibitions by the easement. Furthermore, the perimeter planting provided will adequately screen the surface parking from Key West Avenue along with parking provided in a safe and efficient manner. Additionally, to provide the illusion of trees within the perimeter planting area, the Applicant proposes to plant canopy trees within the islands closest to the perimeter of the Parking lot.

LANDSCAPING

The Project will incorporate native plants within the streetscape and landscape elements. Additionally, the Site has been designed with bike amenities, seating areas, and pedestrian connections to enhance public open spaces. The Application includes a typical lot landscaping plan for the townhouse units, which include foundational plantings at the base of the dwelling units. An attractive array of grasses, shrubs, and ornamental trees will soften the buildings edges and bring vibrancy to the streetscape.



*Figure 14: Proposed Lot Landscaping and Street Trees along Public Street A
(northbound towards the multi-family apartment buildings)*

The Applicant's street tree plan consists of large deciduous tree species such as American Linden, White Oak, Willow Oak, and Eastern Hornbeam. The MCDOT approval letter issued during the

Preliminary Plan stated that for trees in the County rights-of-way, spacing and species are to be in accordance with the applicable MCDOT standards and tree planting within the public right-of-way must be coordinated with DPS Right of- Way Plan Review Section. In order to provide sufficient tree canopy for pedestrian areas along private and public roads Planning and DPS are currently recommending that Applicants plant major trees at 40 feet on center instead of 50 feet, and plant minor trees at 25 feet on center instead of 30 feet in public streets. As conditioned, the final tree plantings with tighter spacing as described above is subject to the review and approval of DOT and DPS.

The Proposal also includes a screening plan for the townhouses and two-over-two multi-family unit portion of the Project. High visibility sides of residential units, alley terminuses, and end-unit driveways will be screened with fencing (3-6 feet high), landscaping, or a combination of fencing and landscape. This also includes residential dwellings that have their side elevations fronting onto the proposed mews.

LIGHTING

The Site Plan includes required outdoor lighting on private property, along the public rights-of-way, and within surface parking areas via pole-mounting fixtures. Wall mounted lights will be placed at the entrance of each two-over-two and townhouse dwelling unit to manage light levels in the private alleyways and the mews and staircase located between Medical Center Drive and Public Street A. New cobra head light poles will be installed along Medical Center Drive to ensure the travel lanes and center median are well-lit. The remaining public roads will have streetlights with a maximum height of 13-feet which also serves pedestrian movements and safety. No other accent or decorative lighting is proposed throughout the Site or along the Life Science Center Loop Trail. The existing cobra head light poles oriented towards the travel lanes along Great Seneca Highway and Key West Avenue will remain and serve both abutting 10-foot-wide-sidepaths.

OPEN SPACE

Per the GSSC Master Plan recommendation, the Applicant must “provide at least 15 percent of the net tract area as public use space” (page 36), which exceeds the 10% of the site area requirement of the Zoning Ordinance for common open space associated with the multi-family apartment buildings and two-over-two multi-family units and public open space associated with the townhouses.

As shown in Figure 6 (page 23), the Site Plan provides 7.45 acres (324,522 square feet) of open space (16% of the tract) on-site and all amenities and streetscape improvements within the Property, as illustrated on the Certified Preliminary Plan and in the approved Resolution (No. 36) and listed below.

- 0.50-acre civic green
- 3.17-acre park
- 3.14-acre of forested stream valley buffer

- 0.20-acre mews
- 0.44-acre clubhouse with pool

This acreage includes the trails, sidewalks, stream valley buffer, an urban park adjacent to the future CCT station, the large green area and the tot lots integrated into the Site. The Project includes a 0.50-acre civic green located adjacent to the proposed CCT station, at the intersection of Medical Center Drive and Blackwell Road, as recommended in the GSSC Master Plan and shown on the Certified Preliminary Plan. Per Preliminary Plan, out of the 7.45 acres, the proposed Site Plan identifies 6.31-acres as privately owned public space (POPS), that will be accessible to the public via a Public Access Easement, which includes the 3.14-acres of existing forested area at the intersection of Key West Avenue (MD 28) and Great Seneca Highway (MD 119) and a proposed 3.17-acre park at the intersection of Great Seneca Highway and Medical Center Drive.

The 3.17-acre park includes a rectangular field that is prescribed by the GSSC Master Plan. During the Preliminary Plan process, it was determined that this field will not be dedicated to the Parks Department as a local park because it does not meet their minimum acreage requirements for a local park (at least 5 acres and up) with surface parking accommodations and other amenities, but it will be maintained under private ownership with a public access easement. In light of the acres provided, the open space area is aimed to have an athletic field function in a smaller space compared to the regulation size adult field that is recommended. The proposed youth soccer field meets the necessary dimensional requirements of 120 feet by 180 feet and set back 100 feet from the nearest adjacent building and 40 feet from the nearest curb. This park provides the athletic function that is envisioned by the GSSC Master Plan and therefore is in substantial conformance. The Project also proposes 0.44-acres of land for a clubhouse and pool and 0.20-acres of land for the proposed mews, located in a west to east orientation between Medical Center Drive and Public Street A.

RECREATION GUIDELINES

Since the Proposal exceeds 20 new residential units, the Application must meet the demand, supply, and adequacy of recreation facilities based on the M-NCPPC's 2017 *Recreation Guidelines for Private Residential Development*. The Proposal uses a combination of recreation facilities and recreation elements, which are small-scale specialized features to support larger, standalone recreation facilities and enhance the Site. The recreation amenities are provided primarily within the 6.31-acres of the privately owned public spaces (POPS).

Table 2: Proposed Recreation Facility Categories

Recreation Category	Proposed Amenities
Active Connections	pedestrian connection/ trail system and Fitness Trail
Open Lawn Area	Large Open Grass Area Lawn (i.e. 3.17-acre park)
Urban Formal Space	0.50-acre Civic Green & Through-Block Connection (i.e. 2 mews)
Child Play Areas	Two (2) multi-age playgrounds
Passive Outdoor Recreation	Natural Area (i.e. forested stream valley buffer area)
Swimming Sports	Two (2) lounge pools
Bicycle facilities	Bikeways and bicycle repair stations

Open grass lawn areas must be set back 30 feet from building and 30 feet from curb. Other recreation elements proposed for points include picnic tables, seating, and grilling areas. Other recreation elements proposed, but not requested by the Application for credit, include fitness stations along the trails. Other elements include two (2) dog areas - one within the multi-family building area and the other at the northwest corner of proposed Medical Center Drive, where it intersects with Public Street C West and Blackwell Road.

Other urban residential amenities will be provided for residents of the multi-family apartment buildings and the club house such as a resident lounge, yoga room, and community room. The proposed community clubhouse and an associated swimming pool is centrally located within the Site at the southeast corner of the intersection of Public Street A and Public Street C East. The clubhouse may permit access for the entire residential development. Recreation Facilities have been separated by type of residential dwelling that it will primarily serve, as shown in Figure 15 below. Recreational amenities shown below are separated by multi-family units and townhouse units.

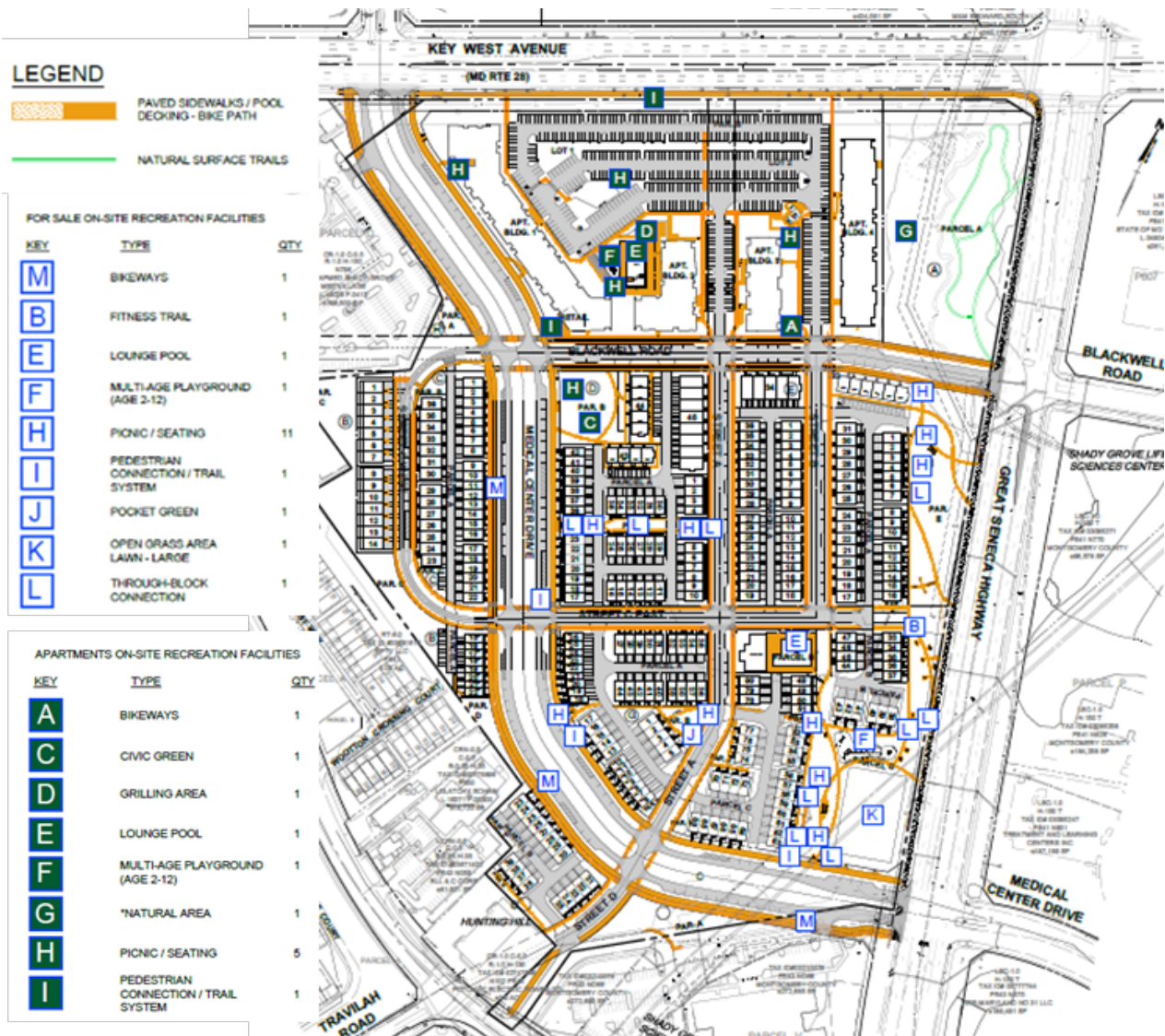


Figure 15: Proposed Recreation Facilities

ENVIRONMENT

A summary of the Chapter 22A and Chapter 19 requirements are outlined below, and additional details are provided in Section 5 of this Staff Report.

Environmental Guidelines

There are perennial streams, intermittent streams, and areas of stream valley buffer and wetlands present on the Site. The Site is not located within a Special Protection Area and contains no known occurrences of rare, threatened, and endangered species. The stream valley buffer encompasses 3.35 acres of the Site.

Final Forest Conservation Plan

The Application includes a Final Forest Conservation Plan (FFCP) that satisfies the Forest Conservation law and regulations and remains in substantial conformance with the Preliminary Forest Conservation Plan (PFCP) approved in July 2021. With recent updates, the Final Forest Conservation Plan will provide 3.0 acres of forest conservation areas at the intersection of Great Seneca Highway and Key West Avenue and along the border with the Wootton Crest townhome community. Details of the Final FCP, such as variance tree approval and landscaping credits, are found in Section 5 of this Report. The Preliminary FCP included five (5) variance trees. As conditioned, the Applicant must provide additional mitigation for a new variance tree that was not included on the PFCP.

Noise Guidelines

The Applicant submitted a Phase I Noise Analysis with the Site Plan submission, as required by the Preliminary Plan approval. In summary, the noise analysis indicated that 60 townhomes, 4 two-over-two multi-family units, and residential units within buildings 1 and 4 will be exposed to exterior noise levels above the 60 dbA Ldn threshold. These units will require further analysis to determine if higher noise-mitigating building materials and construction techniques will be required to keep interior noise levels below the 45 dbA Ldn requirement. Conditions of approval are included in this Staff Report to require this analysis and compliance with the *Noise Guidelines*.

Stormwater Management

In the existing condition, the Subject Property exceeds 40% for imperviousness and is therefore categorized as a redevelopment site per Chapter 19 of the Montgomery County Code for Erosion, Sediment Control, and Stormwater Management. The Application includes environmental site design (“ESD”) techniques that will filter and retain stormwater on-site such as micro-bioretenion areas, flow-splitters, corrugated metal pipe detention units, and cartridge treatment facilities. Per the Applicant, some site constraints to ESD’s include poor infiltration soils, shallow bedrock, right-of-way dedication requirements, existing water lines, and required buffer. Plantings approved by DPS will also be used in ESD’s to the greatest extent practicable. Additionally, all stormwater management facilities necessary to treat the Medical Center Drive right-of-way will be constructed as part of the Project. The Stormwater Management Concept Plan No. 285681 has been reviewed and approved with conditions on June 24, 2021 by the Montgomery County Department of Permitting Services (MCDPS).

SECTION 4: SITE PLAN 820220050 FINDINGS AND ANALYSIS

In accordance with Section 7.3.4.E. of Chapter 59, the Montgomery County Zoning Ordinance, the following Necessary Findings must be satisfied:

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

The findings herein apply only to the Subject Property.

- 2. *To approve a Site Plan, the Planning Board must find that the proposed development:***

- a) satisfies any previous approval that applies to the site;***

The Applicant has demonstrated compliance with the conditions of approval for the previously approved Preliminary Plan No. 120200100 for the Property.

- b) satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;***

Neither a development plan, diagrammatic plan, schematic development plan, nor a project plan were required for the Subject Property.

- c) satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;***

Not applicable.

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

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

The CR zone is intended for larger downtown, mixed-use, and pedestrian-oriented areas in close proximity to transit options such as Metro, light rail, and bus, where retail tenant gross floor area is not restricted. The proposed residential and commercial uses are allowed in the CR Zone and the Site Plan fulfills the general purposes of the zone.

The Proposal was reviewed for compliance with Chapter 59 in relation to maximum density and minimum open space. The Site Plan meets the dimensional requirements for standard method of development in the CR zone (CR-1.0, C-0.5, R-1.0, H-150) as

specified in the Zoning Ordinance. As shown below in Table 3, the proposed development will meet all the dimensional requirements for area, frontage, width, building height, and setbacks in the zones to accommodate the proposed uses.

Table 3: PSTA Site Plan Data Table for CR Zone, Standard Method

Development Standard	Permitted/ Required	Proposed
Tract Area	n/a	2,096,488 sf. (48.12 ac.)
Site Area	n/a	1,953,230 sf. (44.84 ac.)
Total Maximum Density	up to 2,096,488 sf.	1,040,876 sf.
Commercial Density	up to 1,048,244 sf.	1,740 sf.
Residential Density	up to 2,096,488 sf.	1,039,136 sf.
Public Use Space (min.) ⁴	15% (6.73 acres)	16% (7.45 acres)
Common Open Space (min.)	10% (4.48 acres)	10% (4.48 acres)
Public Open Space (min.)	10% (4.48 acres)	10% (4.48 acres)
Lot Coverage (max.)	Set at Site Plan	13% (22,710 sf.)
Lot Dimensions (min.)		
Lot area	800 sf. (townhouse)	900 sf. (townhouse)
Lot width at front building line	12 ft. (townhouse)	16 ft. (townhouse)
Lot width at front lot line	n/a	n/a
Frontage on street/ open space	Required	Provided
Building Height (max.) Multi-family & Townhouse	150 ft. (principal) 25 feet (accessory)	75 ft. (principal) 25 feet (accessory)
Principal Building Setbacks (min.)		
Front setback from public street	5 feet (townhouse) 0 feet (2-over-2)	5 feet (townhouse) 0 feet (2-over-2)
Side street setback	5 feet (townhouse) 0 feet (2-over-2)	5 feet (townhouse) 0 feet (2-over-2)
Side street setback abutting residential townhouses	10 feet (townhouse) 0 feet (2-over-2)	10 feet (townhouse) 0 feet (2-over-2)
Side setback – end unit	2 feet (townhouse) 0 feet (2-over-2)	2 feet (townhouse) 0 feet (2-over-2)
Rear setback	10 feet (townhouse) 0 feet (2-over-2)	10 feet (townhouse) 0 feet (2-over-2)
Minimum lot width at front building line	12 feet (townhouse) n/a (2-over-2)	16 feet (townhouse) n/a (2-over-2)
Minimum lot width at front lot line	n/a	n/a
Build-to-Area (BTA)		
Max. front setback	Set at Site Plan	15 feet
Bldg. in front street BTA	Set at Site Plan	30 feet

⁴ Public use space is a Master Plan requirement that exceeds the Zoning requirement.

The Applicant also complies with zoning requirements for building walls that face a street or open space as demonstrated in Table 4 below.

Table 4: Transparency for Building Walls

Development Standard	Permitted/ Required	Proposed
Townhouses		
Blank Wall (front max.)	35 ft.	35 ft.
Blank Wall (side/rear max.)	35 ft.	35 ft.
Multi-Family		
Ground story (front)	20%	20% or greater
Ground story (side/rear)	20%	20% or greater
Upper story (min.)	20%	20% or greater
Blank Wall (front max.)	35 ft.	35 ft.
Blank Wall (side/rear max.)	35 ft.	35 ft.
Clubhouse		
Ground story (front)	20%	20% or greater
Ground story (side/rear)	20%	20% or greater
Upper story (min.)	20%	20% or greater
Blank Wall (front max.)	35 ft.	35 ft.
Blank Wall (side/rear max.)	35 ft.	35 ft.

ii. **Article 59-6 General Development Standards**

(1) Division 6.1 Site Access

The intent of the site access requirements per Section 59.6.1.1 of the Zoning Ordinance is to ensure safe adequate, and efficient vehicular, bicycle, and pedestrian circulation within and between lots on the same block face and to reduce traffic congestion. The requirement applies to a proposed apartment, multi-use, or general building type within the Residential Multi-Unit, Commercial/ Residential, Employment, Industrial, and Floating zone. The Site Plan illustrates a combination of roads, sidewalks, bikeways, and natural surface trails that allow access at a number of ingress and egress points into the Site for safe, adequate, and efficient circulation. As proposed, site access will be improved in the future condition through a new network of roads that improve porosity across a 40+ acre Site, new traffic control devices including three (3) new traffic signals at major intersections along the periphery of the Site, the right-of-way accommodation for the future CCT, and new non-motorized infrastructure that will connect the new neighborhood to existing transit options nearby and future service on-site.

(2) Division 6.2 Parking, Queuing and Loading

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. Per Section 59.6.2.4.B of the Zoning Ordinance, the Subject Application will meet the on-site parking requirement based on residential unit type and commercial square footage. Per the Zoning Ordinance, the Site must provide a minimum of 594 and maximum of 982 vehicular parking spaces based on unit types and number of bedrooms and retail square footage, whereas the Application proposes 1,487 off-street parking spaces (Table 5), inclusive of the Key West Avenue surface parking lot. A baseline maximum is established for multi-living units within the CR Zone due to the Site's location within a Reduced Parking Area; therefore, the Application proposes to exceed the maximum parking spaces permitted. In accordance with Section 59.6.2.10 of the Zoning Code, the Applicant requests a waiver from the Planning Board to exceed the total number of off-site parking spaces for residential units because there is no approved plan, pending construction, or known funding for the CCT station proposed within the Site. The excess parking is located on the townhome lots with garages and driveway parking. Parking at the multi-family units also exceeds the proposed maximum with a parking ratio of 1.6 spaces per unit. Parking spaces provided for the retail use is below the maximum.

Also, an additional 125 on-street parking spaces are proposed along either one-side or both sides of the public streets which will allow for additional visitor parking for proposed residential units and the POPS park and will aid in traffic calming to make the neighborhood more pedestrian-friendly and walkable.

Table 5: Surface Parking Lot and Parking Requirements

Development Standard	Permitted/ Required	Proposed
Parking Setbacks for Surface Parking Lots (min.)		
Apartments		
<i>Front Setback</i>	behind front building line of building in the BTA	Complies
<i>Side Street Setback</i>	behind side street building line of building in the BTA	Complies
<i>Side Setback</i>	must accommodate landscaping required under Section 6.2.9	Complies
<i>Rear Setback</i>	must accommodate landscaping required under Section 6.2.9	Complies
<i>Front Setback</i>	behind front building line of building in the BTA	Complies

Development Standard	Permitted/ Required	Proposed
Vehicle Parking Spaces		
Combined Total	594 (min.) 982 (max.)	1,487 vehicle spaces
Townhouses (TH) <i>(252) Market – 1 space min./ 2 spaces max. per unit</i> <i>(24) MPDU – 1 space per unit/ 2 spaces max. per unit</i>	<u>Market Rate</u> 252 (min.) 504 (max.) <u>MPDU</u> 24 (min.) 48 (max.) <u>TH Subtotal</u> 276 (min.) 552 (max.)	Market Rate – 818 ⁵ MPDU – 53 Subtotal – 871
Multi-Family Two-over-Twos <i>(26) 3-Bedroom Market– 1 space min./ 2 spaces max. per unit</i> <i>(30) 3-Bedroom MPDU – 1 space per unit</i>	<u>Market Rate</u> 26 (min.) 52 (max.) <u>MPDU</u> 30 (min.) <u>2-over-2 Subtotal</u> 56 (min.) 82 (max.)	Market Rate – 52 MPDU – 37 Subtotal – 89
Multi-Family Apartments⁶ <i>(67) 1-Bedroom Market– 1 space min./1.25 max. spaces per unit</i> <i>(76) 2-Bedroom Market– 1 space min./1.5 max. spaces per unit</i> <i>(20) 3-Bedroom Market–1 space min./ 2 max. spaces per unit</i> <i>(54) 1-Bedroom MPDU – 0.625 space per unit</i> <i>(65) 2-Bedroom MPDU – 0.75 space per unit</i> <i>(16) 3-Bedroom MPDU – 1 space per unit</i>	<u>Market Rate</u> 163 (min.) 238 (max.) <u>MPDU</u> 99 (min.) <u>Multi-Family Apartments Subtotal</u> 262 (min.) 337 (max.)	Market Rate – 346 MPDU – 172 Subtotal – 518
Commercial <i>(1,740 sf. of retail space)</i>	6 (min.) 11 (max.)	9

⁵ Includes 504 garage spaces plus 314 townhouse driveway spaces.

⁶ The baseline parking minimum in the parking table under Section 6.2.4.B may be reduced for MPDUs by multiplying the adjustment factor (0.50) times the baseline minimum.

Development Standard	Permitted/ Required	Proposed
<i>3.5 min.; 6 spaces max./ 1,000 sf. of gross leasable area</i>		
<i>Accessible</i>	14	14
<i>Motorcycle/scooter</i>	10	10
<i>Car-share</i>	5	5
<i>Electric charging ready</i>	16	16
Loading Spaces	1	1
Parking Lot Internal Landscaped Area (min.)	5%	22%
Parking Lot Tree Canopy (min.)	25%	25%
Parking Lot Perimeter Planting width, abutting residential (min.)	10 ft.	10 ft.

Parking and Loading

The total number of parking spaces in the form of garage parking, on-street parking, and surface parking areas meet the requirement per the current 2014 Zoning Ordinance, by providing 1,487 vehicle spaces, 141 long-term bike spaces, and 8 short-term bike racks. Long-term bicycle parking spaces are provided within bicycle rooms on the ground floor of each multifamily residential structure, with short-term spaces proposed adjacent to each respective building entrance. Vehicular parking spaces will be located within the proposed garages, as on-street parking spaces along the internal roadway network, and in the surface parking areas to the north of the multifamily residential structures.

The Site Plan is subject to Section 59.6.2.4.C and Section 59.6.2.6. of the Zoning Ordinance for long-term and short-term bicycle parking. The Applicant is required to provide dedicated bicycle parking in the Site's multifamily buildings. Long-term bicycle parking spaces are provided within bicycle rooms on the ground floor of each multi-family residential structure and short-term spaces are proposed adjacent to each respective building entrance. The Application proposes to provide the following number of spaces per building:

Table 6: Bicycle Parking Requirements

Multi-family Building Number	Applicable Residential Units	Short Term Spaces	Long Term Spaces	Total Spaces
1	116	2	56	58
2	48	2	22	24
3	45	2	20	22
4	89	2	43	45
	298 units	8 bike spaces	141 bike spaces	149 bike spaces

Loading

Designated off-street loading is not required for the proposed 1,740 square foot retail bay at the intersection of Blackwell Road and Medical Center Drive because it is less than 50,000 square feet. Multi-unit living uses with more than 50 dwelling units require one (1) loading space. Required loading for the multi-family buildings will occur in the Site's Key West Avenue surface parking lot, with temporary parking closures on an as-needed basis.

Parking Lot Landscaping and Lighting

Per Section 59.6.2.9.C.1, a surface parking lot with 10 or more spaces must have landscaped islands that are a minimum of 100 contiguous square feet each comprising a minimum of 5% of the total area of the surface parking lot. The Site Plan complies with the 5%, or 8,289 square feet minimum requirement by providing 22% of the parking lot area with new landscaping.

Per Section 59.6.2.9.C.2, each surface parking lot must maintain a minimum tree canopy of 25% coverage at 20 years of growth, as defined by the Planning Board's Trees Technical Manual. A total of 40,783 square feet (25%) of total pavement area must be shaded, whereas the Site Plan complies with 40,783 square feet (25%) for shade.

The Site Plan complies with the parking lot perimeter landscape requirements under Section 59.6.2.9.C.3. Perimeter plantings along the portion of the Property's parking lot that abuts the right-of-way must be a minimum of six-feet-wide. However, the Applicant requests a waiver from Section 59.6.2.9.C.3 of the Zoning Ordinance requirement for perimeter planting to have a canopy tree planted every 30 feet on center which cannot be met due to a utility easement.

The Proposal must comply with Section 59.6.2.9.C.4, parking lot lighting. The Application proposes to install new light fixtures throughout the surface parking lot which will have shielded light fixtures that are appropriately spaced and oriented to reduce light glare. Overall, the proposed Site Plan meets the intent of these parking lot requirements and will not have adverse impacts on the existing community character but will rather enhance safety within the Site.

(3) Division 6.3 Open Space and Recreation

Per Section 59.6.3.1 of the Zoning Code, open space must provide adequate light, air, circulation, and recreation and encourages preservation and enhancement of natural resources, including improvement of water and air quality. The Applicant is providing common open space associated with the multi-family apartment buildings and two-over-two multi-family units and public open space associated with the townhouses based on requirements for building types within CR zones. The Application also satisfies the Master Plan requirement of 15% of the tract to be provided as public use space.

The Site Plan will provide two (2) new privately owned public open spaces known as the 0.50-acre civic green which will feature a grassed area and some landscaping for passive activities and the 3.17-acre park with a playground and rectangular athletic field for active activities. The existing stream valley buffer area, that will be placed under forest conservation protection, offers 3.14-acres of green area with natural surface trails and mature trees that provide environmental benefits. The meadows are counted for the remaining areas of open space. Public access points are provided to each open space area and is visible from abutting public roads and include landscaping and lighting.

Section 59.6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines. The proposed recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table provided with the Application. The Applicant is providing an adequate supply of facilities including bicycle facilities, clubhouse with pool, lawn areas, group seating, and grilling areas in addition to the other facilities.

Table 7: Proposed Onsite Recreation Facilities & Adequacy Results for Townhouse Units

Proposed Onsite Recreation Facilities and their Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	0%	4.76	14.72	8.14	27.91	34.25	3.48
Fitness Trail	1	0%	0	8	12	14	14	7
Bikeways	1	0%	2.38	7.36	8.14	27.91	34.25	3.48
Open Grass Area Lawn - Large (10,000 sf)	1	0%	6	9	15	20	15	6
Playground (Age 2-12) [Multi-age Play]	1	0%	9	11	3	2	4	2
Through-Block Connection	1	0%	3	5	5	10	8	5
Pocket Green	1	0%	3	5	5	8	8	6
Lounge Pool	1	0%	0	0	13.56	74.42	68.51	5.23
Picnic/Seating	11	0%	11	11	16.50	33	33	33
Total Onsite Supply Points=			39.14	71.08	86.34	217.24	219.01	71.19

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	47.60	16.66	39.14	55.80	Adequate
Children	73.60	25.76	71.08	96.84	Adequate
Teens	54.24	18.98	86.34	105.32	Adequate
Young Adults	186.04	65.11	217.24	282.35	Adequate
Adults	228.36	79.93	219.01	298.94	Adequate
Seniors	34.84	12.19	71.19	83.38	Adequate

Table 8: Proposed Onsite Recreation Facilities & Adequacy Results for Multi-family Units

Proposed Onsite Recreation Facilities and their Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	10.00%	5.24	15.08	8.85	34.91	23.60	2.62
Bikeways	1	10.00%	2.62	7.54	8.85	34.91	23.60	2.62
Natural Area	1	0%	2.38	3.43	5.36	21.16	14.30	1.19
Playground (Age 2-12) [Multi-age Play]	1	0%	9	11	3	2	4	2
Lounge Pool	1	0%	0	0	13.41	84.63	42.91	3.58
Civic Green	1	0%	6	9	15	20	15	6
Picnic/Seating	5	0%	5	5	7.50	15	15	15
Grilling Area	1	0%	0	0	2	6	6	5
Total Onsite Supply Points=			30.24	51.05	63.97	218.61	144.41	38.01

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	47.68	16.69	30.24	46.93	Adequate
Children	68.54	23.99	51.05	75.04	Adequate
Teens	53.64	18.77	63.97	82.74	Adequate
Young Adults	211.58	74.05	218.61	292.66	Adequate
Adults	143.04	50.06	144.41	194.47	Adequate
Seniors	23.84	8.34	38.01	46.35	Adequate

(4) Division 6.4 General Landscaping and Outdoor lighting

Division 6.4 of Chapter 59 of the Zoning Code provides minimum standards for quantity, size, location, and installation of general landscaping and outdoor lighting on private property. These standards intend to preserve property

values, strengthen the character of communities, and improve water and air quality. The proposed landscaping and lighting satisfy all applicable elements of the GSSC Urban Design Guidelines.

All proposed trees and plant materials meet the minimum required caliper and height at the time of planting, and some of the site landscaping elements contribute to stormwater management measures (where approved by MCDPS).

The Site illumination levels, energy efficiency, and pole mounted height meet the minimum standards to ensure visibility and public safety, and enhance the buildings architecture, and spaces in between the buildings for pedestrian and bicycle usage. As previously noted, the periphery of the Site and shared-use paths will utilize the existing cobra-head light poles located along Great Seneca Highway and Key West Avenue.

The 2010 *GSSC Urban Design Guidelines* recommends various elements at proposed CCT transit plaza, related to lighting including to maximize sunlight exposure and the use of special lighting to create ambiance and a unique setting (page 13). The Site Plan does not include such lighting; however, lighting could be installed in the future if the CCT station is implemented. The proposed civic green is oriented within the Site to maximize natural daylight.

e) *Satisfies the applicable requirements of:*

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

The Stormwater Management Section of the Montgomery County Department of Permitting Services (MCDPS) issued a letter accepting the stormwater management concept dated June 24, 2021. The Application includes environmental site design (“ESD”) techniques that will filter and retain stormwater on-site such as micro-bioretenion areas, flow-splitters, corrugated metal pipe detention units, and cartridge treatment facilities. Some site constraints to ESD’s include poor infiltration soils, shallow bedrock, right-of-way dedication requirements, existing water lines, and required buffer. Plantings approved by MCDPS will also be used in ESD’s to the greatest extent practicable.

ii. *Chapter 22A, Forest Conservation.*

This Project is subject to the requirements of Article II of Chapter 22A (the Forest Conservation Law) and is in conformance with the Planning Department’s Environmental Guidelines.

Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved for the Site on May 29, 2019. The Site slopes from northwest to southeast to a stream that crosses the eastern side of the Property parallel to Great Seneca Highway. There are 720 linear feet of stream channel on the Site, along with 3.35 acres of stream buffer. The stream drains to the Muddy Branch, which is a Maryland State Use Class I-P stream. There is no 100-year floodplain on the Property. There is a small area of wetlands (0.09 acres) associated with the stream channel. The Site contains 8.58 acres of forest and includes a number of specimen-size trees.

The approved Preliminary Plan included just over 0.8 acres of stream buffer encroachment where Blackwell Road extended enters the eastern side of the Site. The Environmental Guidelines state that “No buildings, structures, impervious surfaces, or activities requiring clearing or grading will be permitted in stream buffers, except for infrastructure uses, bikeways, and trails found to be necessary, unavoidable, and minimized by Park and Planning Department environmental Staff working closely with the utility or lead agency” (Section V.A.1.(b)), and that “Only unavoidable road crossings will be permitted in the stream buffer when it is clearly demonstrated that no feasible alternatives exist, and every effort is made to locate road alignment and/or utilities to create the least disturbance to existing vegetation, grade, wetlands, trout spawning areas in Use III watersheds, etc.” (Section V.A.1(f)). This road extension is required by the GSSC Master Plan. The location is fixed by the location of the existing intersection of Blackwell Road with the east side of Great Seneca Highway. The road extension must align with the road intersection for safe and efficient circulation; therefore, there are no feasible alternatives to this road alignment. Park and Planning environmental Staff worked with the Applicant to reduce the paving to only what is necessary to safely convey the road and accompanying bicycle lanes. Engineering work performed with the preparation of the Site Plan determined that additional encroachment would be required for infrastructure to safely convey the stream through a culvert under Blackwell Road extended and associated grading to tie the slopes into the existing grade. This work increases the stream buffer encroachment by approximately 0.2 acres, bringing the total encroachment to about one (1) acre. Staff met with the Applicant in the field to review the proposed changes and concurs that the additional encroachment is required for the road and its associated infrastructure. Based on the review of the Master Plan required road and associated infrastructure, the submitted plan follows the Environmental Guidelines.

Preliminary Forest Conservation Plan

The approved Preliminary Forest Conservation Plan (PFCP No. 120200100) calculated that 5.87 acres of forest would need to be cleared for development, including some off-site disturbance. Based on the forest removed, net tract area, zoning, and 2.97 acres of forest retention, the preliminary reforestation and afforestation requirement was calculated to be 11.74 acres. A variance was approved with the PFCP to remove five (5) variance trees and to impact, but save, a sixth variance tree. The PFCP approval included a condition of approval requiring mitigation to replace the lost form and function of the variance trees removed. Specifically, the Final Forest Conservation Plan must show the on-site planting of native shade trees totaling at least 40.25 caliper inches using planting stock of no less than three inches caliper, each.

Final Forest Conservation

The Final Forest Conservation Plan submitted with this Site Plan reflects changes from the PFCP that result from Preliminary Plan conditions of approval requiring additional frontage improvements that change the Net Tract Area from 47.04 acres to 47.60 acres. Additional engineering changes the amount of forest cleared from 5.87 acres to 5.85 acres, and changes forest retained from 2.97 acres to 3.00 acres. These changes result in a change in required reforestation from 11.74 acres in the PFCP to 11.70 acres in the FFCP. The submitted FFCP seeks 1.01 acres of landscape credit for tree cover on the site, which could reduce the 11.70-acre reforestation requirement. However, the trees identified on the submitted plans for forest conservation credit overlap with trees that fulfill landscape requirements mandated by the Zoning Ordinance. Per Forest Conservation Regulation 22A.00.01.08.G(2), "Trees receiving credit towards forest conservation requirements must not also be credited towards landscaping requirements." Therefore, forest conservation credit cannot be granted for these trees. Should the Applicant pursue other landscape credits for tree planting on the Site, they must comply with all applicable requirements of the law and regulations. The locations of trees planted for landscape credit must be shown on the plans demonstrating that they comply with the law and regulations, and a table must be provided showing a separate accounting for trees provided in fulfillment of zoning requirements and trees granted forest conservation credit.

A variance was approved with the PFCP to remove five (5) variance trees and to impact, but save, a sixth variance tree. The PFCP approval included a condition of approval requiring mitigation to replace the lost form and function of the variance trees removed. Specifically, the Final Forest Conservation Plan must show the on-site planting of native shade trees totaling at least 40.25 caliper inches using

planting stock of no less than three inches caliper, each. The Certified Final Forest Conservation Plan must show locations for those trees approved by Staff.

Noise Guidelines

The Applicant submitted a Phase I Noise Analysis with the Site Plan, as required by the Condition No. 16 of the Preliminary Plan Resolution. The noise analysis shows that the open space areas adjacent to Great Seneca Highway will be below 65 dbA Ldn, as required by the Preliminary Plan conditions of approval. Interior open spaces will all be below 60 dbA Ldn. To meet compliance with the Planning Department's Noise Guidelines, all residential building interior spaces must not exceed 45 dbA Ldn. The noise analysis indicates that 60 townhomes, 4 two-over-two multi-family units, and residential units within buildings 1 and 4 will be exposed to exterior noise levels above the 60 dbA Ldn threshold. These units will require further analysis to determine if higher noise-mitigating building materials and construction techniques will be required to keep interior noise levels below the 45 dbA Ldn requirement. Conditions of approval are included in this Staff Report to require this analysis and compliance with the Noise Guidelines.

- f) Provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;**

Vehicular Access and Circulation

The final roadway layout for the proposed Site provides safe and efficient access to existing roads and to maximize public open areas. The minimum required parking for each proposed townhouse and two-over-two multi-family units will be provided on each lot via a private garage. The garages will provide adequate parking without dominating the streetscape. The proposed roadway network will improve connectivity and access points into surrounding developments by extending Medical Center Drive, from its current terminus to the east, and by adding several new public roads and alleys.

The Site is accessible via proposed master-planned connections at Blackwell Road and Great Seneca Highway; Key West Avenue and Medical Center Drive; and Great Seneca Highway and Medical Center Drive.

Most of the townhouses and two-over-two multi-family units within the Project will be served by 20-foot-wide-private-alleyways. All other streets within the Preliminary Plan will be public streets. The Preliminary Plan approved the dedication of rights-of-way and the future construction of seven (7) roadway segments: Public Street A, Public Street B, Public Street C West, Public Street C East, Public Street D, Medical Center Drive, and Blackwell Road, which are described below. The Preliminary Plan included a waiver for right-of-way modifications for all proposed streets except for Medical Center Drive, which MCDOT has

accepted as allowed in the County Code Section 50 4.3.E.2.a. Proposed Public Streets A and B provide north to south circulation within the Site. Proposed Public Street A provides direct access to alleys and the proposed mews that connect Public Street A to Medical Center Drive.

As previously noted, the Site Plan will satisfy the minimum requirements for vehicular parking, bicycle parking, queuing, and loading. At the northern end of the Property, Public Street A terminates into the parking lot for the four (4) multi-family apartment buildings. Proposed Public Street B is an essential connection between the public use space at the corner of Medical Center Drive and Great Seneca Highway and the multi-family apartment buildings. While the proposed surface parking lot is adjacent to Key West Avenue, all of the internal streets within the development are framed by buildings or open space in a compact development pattern. With respect to constraints due to an existing gas main easement along the Property's entire Key West Avenue frontage and the internal design of the parking lot which is Code compliant in terms of access aisle widths and spacing for landscape islands, the parking satisfies the intent of the CR Zone as cited in Section 59.4.5.1.A.30. The surface parking lot also proposes two sidewalks that connect to Key West Avenue to support porosity and safe pedestrian circulation.

As conditioned with the approved Preliminary Plan, the Applicant will construct the planned roadway connections required through the property, outlined within the *Master Plan of Highways and Transitways* and in accordance with the 2010 *Great Seneca Science Corridor Master Plan*. As a means of establishing the Key West Avenue and Medical Center Drive intersection that would provide access into the Site and tie directly with the existing Key West Avenue and Johns Hopkins Drive intersection, the existing driveway for the property at 9850 Key West Avenue will be removed. In its place to maintain access into the neighboring property, new ingress and egress will be provided from the Medical Center Drive extension into the Property's existing surface parking area, as illustrated in Figure 11. The Applicant will provide a right turn lane into the neighboring property, facilitating right-in and right-out access, as well as a travel lane for southbound vehicles. In order to reduce conflicts between multimodal travel, the proposed temporary median along Medical Center Drive will be closed to prevent left turn movements.

Protected Intersections

Per the Montgomery County Department of Transportation (MCDOT) revised letter dated July 8, 2021, the Applicant will need to design and provide protected intersections at the following locations:

- Great Seneca Hwy. and Medical Center Dr.
- Great Seneca Hwy. and Blackwell Rd.
- Great Seneca Hwy. and Key West Ave.
- Public Street D and Medical Center Dr.
- Medical Center Dr. and Blackwell Rd.
- Medical Center Dr. and Key West Ave.

The MCDOT letter also indicated that additional design criteria will be provided at the time of Site Plan. The Applicant should utilize agency coordinated design criteria and tools that may be available to satisfy the criteria for the intersections listed above, subject to the review of the Department of Permitting Services.

Public Roadways and Pedestrian and Bike Access

The proposed master-planned rights-of-way align with Preliminary Plan No. 120200100 for the existing Great Seneca Highway and Key West Avenue and the proposed Medical Center Drive, Blackwell Road, and other internal streets. Currently, there are no bicycle and pedestrian accommodations along the existing sections of Key West Avenue or Great Seneca Highway that frame the Site.

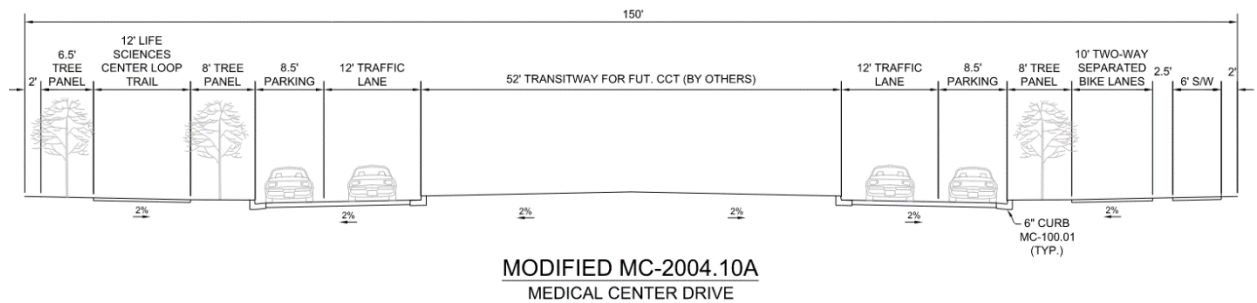
Great Seneca Highway: Great Seneca Highway (MD 119) is master-planned as a 150-foot wide six-lane Controlled Major Highway. This road is currently constructed as envisioned, and no widenings are necessary. The 2018 *Bicycle Master Plan* recommends a sidepath along the west side of the roadway adjacent to the Site. The Applicant proposes to provide the sidepath and adequate separation no less than six-feet wide between the facility and the roadway.

Key West Avenue: Key West Avenue (MD 28) is master-planned as a 200-foot wide eight-lane Controlled Major Highway. The roadway is currently constructed as a six-lane 150-foot-wide roadway. The Preliminary Plan required the Applicant to dedicate the required 25 feet to meet the intent of the Master Plan; however, Planning Staff has not requested the construction of an eighth lane with this Application due to the inconsistency of this request with the Complete Streets Design Guide, which does not envision roads larger than six lanes. State Highway Administration (SHA) concurs with this approach. The Applicant proposes to provide the 2018 *Bicycle Master Plan* required ten-foot-wide

sidepath, which will include separation of no less than six-feet wide between the facility and the roadway.

Medical Center Drive: The 2010 *Great Seneca Science Corridor Master Plan* proposes to extend Medical Center Drive between Great Seneca Highway (MD 119) and Key West Avenue (MD 28). This roadway is master-planned to be a four (4) lane 100- to 150-foot-wide roadway, including two transit lanes, separated bicycle lanes, and the Life Sciences Center Loop Trail. The Applicant provided the cross-section shown in Figure 16, approved during the Preliminary Plan and as coordinated with Montgomery Planning and MCDOT.

Figure 16: Road Cross-Section for Medical Center Drive



Blackwell Road: Blackwell Road currently terminates at Great Seneca Highway (MD 119). The 2010 *Great Seneca Science Corridor Master Plan* proposes an extension of the roadway through the Subject Property and the adjacent Shady Grove Professional Center, terminating at Darnestown Road opposite to Yearling Drive. The extension is master-planned as a two-lane 80-foot-wide Business District Street with one-way separated bike lanes on each side of the street. The Preliminary Plan approved dedication and construction of a 73-foot section, which accommodates the two-lanes, on-street parking, six-foot tree panels, the separated bicycle lanes, and two six-foot sidewalks.

The Applicant's proposed internal street grid, as approved in the Preliminary Plan, meets the intent of the internal roadways called for in the 2010 *Great Seneca Science Corridor Master Plan*. Parcels B and F will be recorded to allow future connections to improve the porosity of the street grid. Per Preliminary Plan conditions, Parcel B, Block A must be dedicated within 180 days of receiving written notice from Montgomery County that the County has approved engineered plans and funds dedicated in the CIP to construct the segment of Public Street A from Blackwell Road to Key West Avenue (Condition No. 40), which would require revisions to the Applicant's surface parking lot. Parcel F, Block F will be dedicated within 180 days of receiving written notice from Montgomery County that

the County has approved engineered plans to construct the segment of Public Street C to Great Seneca Highway (Preliminary Plan Condition No. 39).

An additional master planned bikeway is oriented on the eastern side of Public Street D which provides pedestrian and bicycle connectivity between Darnestown Road and the Site.

Where sidepaths are not present, streets are proposed with six-foot wide sidewalks and adequate separation of six or more feet between the sidewalk and the roadway curb.

Transit

The Subject Property is currently serviced by Montgomery County Ride On bus service which operates on major peripheral road (Routes No. 43, 56, 66, 67, and 301). Bus service is provided between the Lakeforest Mall Transit Center, Montgomery Village Center, the Montgomery County Safety Training Academy, and the Shady Grove Metrorail Station. In the GSSC Master Plan, the PSTA Site was identified as a location for a station stop envisioned for the master-planned Corridor Cities Transitway (the “CCT”). Per MCDOT’s letter for the Preliminary Plan approval, the Applicant will need to coordinate with MCDOT regarding the latest plans for the CCT. While the final plans for the CCT are presently uncertain, the Subject Property may experience increases in existing transit service through other means. The *I-270 Corridor Forward Transit Plan* (“Corridor Forward”) underway is assessing the potential of Corridor Connectors as an alternative re-envisioning of the master planned Corridor Cities Transitway and includes a proposed connector on Medical Center Drive. Additionally, the Montgomery County Department of Transportation envisions proximate service via its proposed Great Seneca Science Transit Network. As Corridor Forward and the Great Seneca Science Transit Network advance, service proposals will be developed that may support future residents of the PSTA Site.

Building Massing and Architecture

A maximum of 150 feet is permitted for principal buildings within this CR Zone. The Applicant proposes the tallest building height of 75 feet. Along with height, architectural plans for the Project address key features such as placement, building fenestration, and pedestrian walkways. With the conditions of approval integrated into the final elevations, the proposed architecture is in keeping with the character of the surrounding neighborhood. More importantly, the architectural details also aid in breaking down the large mass of block-long multi-family apartment buildings to the north of the existing Site.

Open Space and Site Amenities

As previously noted, the Applicant is required to provide 10% open space based on requirements for building types within the Commercial/Residential (CR) zone per Section 6.3.2 of the Zoning Code and the Master Plan recommendation for 15% public use space as a portion of the overall tract.

Other site amenities will enhance the development with recreational elements for active and passive activities, buffered sidewalks, bicycle facilities, parking lot lighting, and landscaping. The Applicant will also construct the master-planned Life Sciences Loop Trail along the new Medical Center Drive which will eventually enhance mobility options and connect all five of the LSC Districts in accordance with the GSSC Master Plan.

g) Substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

The redevelopment Proposal remains in substantial conformance with the recommendations of the GSSC Master Plan as outlined below.

Master Plan Compliance

The Master Plan includes specific recommendations for the PSTA Site as well as general recommendations for the LSC West District. The Site Plan substantially conforms to the major recommendations within the 2010 *Great Seneca Science Corridor Master Plan* (“Master Plan”), as listed and summarized below.

LSC West: A new Residential Community

Generally, the Master Plan provides a blueprint for the future that will transform the Life Sciences Center (LSC) into a vibrant place served by transit and enhanced by activating uses, open spaces, and amenities.

Specifically, the Master Plan states to: “replace the Public Safety Training Academy (PSTA) in the LSC West District with a new residential community that includes supporting retail, open spaces, and community facilities.” Mandatory Referral No. MR2021030 addressed the disposition of the public property for private redevelopment.

LSC West: A new Residential Community (pg. 38)

“Creating a new community on publicly-owned land in the LSC West District provides an opportunity for the County to engage outstanding practitioners of sustainable town planning, layout, and design to help implement this Plan’s vision. Located

between LSC Central and Belward, the new LSC West community will be a hub of activity that draws from the other LSC's districts as well as surrounding neighborhoods. Residents of the new high-density housing in this district will enliven and activate the retail uses and open spaces. An interconnected street grid will create walkable blocks with a synergistic mix of uses, including ground-floor retail and wide sidewalks to accommodate outdoor cafes. The central civic green at the CCT station should be framed by buildings and be large enough for major outdoor activities and gatherings, such as summer concert series."

"Residential buildings with the most density and height should be adjacent to the CCT station and the new LSC West community should include retail, civic spaces, and if needed, a new public elementary school. If a new elementary school is needed, it could be combined with a local park on the northern portion of the LSC West. If the school and if the northern area is chosen, the proposed local street (see B-5 on Map 29 on page 54) should be eliminated to create adequate space for a park/school site. If the school is not needed, a local public park for active recreation should be provided. This park should be large enough to accommodate a regulation size rectangular field. In addition to the park/school site, development should be accompanied by a new urban park to serve as the central civic open space for the residential community. This public green space should be near the CCT station and one-half to one acre in size to create a gathering place and focal point for the community."

Further, the Subject Property is located with the CR Zoning District which allows for a variety of densities and heights. The CR zone promotes different housing types, transportation infrastructure, and major public amenities, all of which the Project provides. The Plan also demonstrates a mix of uses and heights to facilitate compatibility. While the CR Zone offers additional density by an optional method, the Project satisfies the lower density standard method option of up to 0.5 FAR.

Therefore, the Site Plan substantially conforms to the vision of the 2010 *Great Seneca Science Corridor Master Plan* ("Master Plan") and contemplates major elements of the plan vision, while also complying with the requirements of the zoning district as discussed in great detail above.

Density and Building Height

The Master Plan dictates that residential buildings with the most density and height should be adjacent to the CCT station (pg. 38). The GSSC Master Plan envisions the greatest density on the Property being located at the future CCT stop on the Property's Medical Center Drive frontage. In accordance with this recommendation, the Site Plan design locates the proposed multi-family apartment buildings and two-over-two multi-family units near the future CCT stop. At this same location, the Project also includes a space for retail and a central civic green, as envisioned by the GSSC Master Plan. While the Project's overall density is not as intense as what was originally envisioned by the GSSC

Master Plan or the initial PSTA Concept Plan, the proposed density complies with the CR zone's mapped density and as approved in the Preliminary Plan. Buildings within one-eighth mile of the future CCT stations should be at least 60 feet high. In all other areas, the desired minimum building height is 36 feet (three stories of occupied space) in order to retain land for future higher densities (pg. 16). The Project proposes building heights for the multi-family units closest to the future CCT station as 75 feet high.

Affordable Housing

The GSSC Master Plan recommends new housing in the Life Sciences Center to create more opportunities to live near work. Per the Plan, "A range of housing options and amenities is needed to support this development and help achieve County housing goals, including Moderately Priced Dwelling Units and workforce housing." The Proposal consists of a mix of residential units made up of townhouses, two-over-two multi-family units, and multi-family units that are located in close proximity to existing and future transit options, including the planned CCT station at the civic green. The Application proposes to provide 30% MPDUs which is a requirement of Montgomery County for the disposition of public land for private redevelopment. The updated MPDU locations and counts, as provided to MCDHCA and shown on the Site Plan, were reviewed by MCDHCA and consistent with Preliminary Plan expectations.

Public Facilities

The 2010 GSSC Master Plan recommends the inclusion of an elementary school on the PSTA Site, as needed, and possibly combined with a local park which should be large enough to accommodate a regulation size rectangular field (pg. 38). Coordination occurred during the Preliminary Plan review process between the Planning Department, Park Planning and Stewardship, Montgomery County Public Schools (MCPS), Montgomery County Department of General Services (MCDGS), and the Washington Suburban Sanitary Commission (WSSC). It was determined that abutting Parcel V could be the location for a potential school site, which is not within the footprint of the PSTA Site or the application. Parcel V is approximately 6.5 acres and is owned by Montgomery County and is the existing location of the National Cybersecurity Center of Excellence. Detailed planning and design of the school site would occur in the future, if necessary. Within the PSTA property, the Site Plan proposes a 3.14-acre park at the intersection of Great Seneca Highway and Medical Center Drive which includes a rectangular field that is tied to the school/park recommendation. No further action under the Site Plan application is necessary for this master plan consideration for a school site.

Public Open Space

The Master Plan provides open space recommendations that apply specifically to the PSTA Property. The Plan states the LSC will have an open space system that incorporates the area's natural environmental features into a larger network, connecting destinations by paths and trails, and providing opportunities for a range of outdoor experiences. Additionally, page 38 of the Master Plan states “.....*In addition to the park/school site, development should be accompanied by a new urban park to serve as the central civic open space for the residential community. This public green space should be near the CCT station and one-half to one acre in size to create a gathering place and focal point for the community.*”

The GSSC Master Plan has a higher standard for public use space, with a 15% requirement, compared to the Zoning Ordinance requirement for 10% of the site area as open space. The Applicant proposes over 7 acres of public use space under private ownership, equating to 16% of the tract, within the footprint of the Subject Property. These spaces include the preservation of the existing stream valley area, a civic green, and a 3.14-acre park with a regulation-sized field. Spread out throughout the Site, each of these places provided a gathering space for passive and active activities for both residents and visitors. The proposed public use space is also connected to a system of existing and new sidewalks and a future shared-use trail that is the signature feature of the LSC West District. The Site Plan complies with the Master Plan recommendation for public use space and the zoning requirement for common and public open space and remains in conformance with the Preliminary Plan approval.

Urban Form and Open Spaces

Some urban form and open space recommendations that apply to the Subject Property include the following:

- Concentrate the highest density and building heights (150 feet) near the CCT station.
- Create the LSC Loop Trail along Medical Center Drive and Discoverly Drive to connect pedestrians with other transit centers, the network of natural pathways along the stream buffers, and the open spaces.
- Include the following public open spaces:
 - LSC Loop Trail
 - stream buffers that may include natural surface trails

- urban square at the CCT station
- urban promenade connecting buildings
- Provide at least 20 percent of the net tract areas as public use space.
- Buildings and residential entrances oriented to streets.
- Visible retail focused at CCT stations.

As noted above, the Project exceeds the minimum requirement of 15% for public use space, it will deliver the LSC Loop Trail, and each proposed apartment building and townhouse has been oriented towards each fronting park or public right-of-way. Additionally, the 1,740 square feet of retail has been co-located within the apartment building closest to the proposed civic green and is highly visible to the future CCT station.

Transit

Transit is an essential element of the GSSC Master Plan and is the basis for the land use and zoning recommendations and prescribes that a strong public and private commitment to the Plan's transit proposals will help ensure that the LSC is connected internally as well as to the rest of the Corridor.

Presently, several bus routes that provide local and regional connections are located around the perimeter of the Subject Property. As previously noted, the GSSC Master Plan envisions new public transportation options, including the Corridor Cities Transitway (the "CCT"), a 14-mile bus rapid transit option, and the Life Sciences Center Loop Trail ("LSC Loop Trail"), a 3.5-mile pedestrian and cycling trail that will eventually connect into other trails.

Per the Master Plan, "the CCT is the centerpiece of the Plan's vision for the LSC". Accordingly, the Project proposes improvements that will enhance access and convenience to transit options and increase bicycle and pedestrian connections to various modes of transit. New side paths along Key West Avenue and Great Seneca Highway are proposed to complement existing sidewalks to connect to bus stops and to the station stop of the CCT located at the intersection of Medical Center Drive and Blackwell Road.

a. Environment

The GSSC Master Plan provides broad environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions.

Resource Protection and Preservation

The GSSC Master Plan recommends ways to restore environmental functions in the Life Sciences Center as it undergoes redevelopment. To preserve and enhance natural resources and their associated functions, the Plan calls for the following: reduced impacts to natural resource areas, minimization of environmental impacts from new roads, and the use of forest and tree planting to enhance and expand existing resources. The Master Plan also recommends that impacts to the forested area at the corner of Great Seneca Highway and Key West Avenue be minimized (pg. 39). The Site Plan meets the intent of the Master Plan by preserving and protecting the stream valley area on the PSTA site. New roads, parking areas, and buildings comply with the Planning Board's Environmental Guidelines and do not encroach into sensitive areas.

Stream Buffer and Water Quality

Per the Master Plan, *"The LSC's existing stream buffer areas should be integrated with the [LSC] Loop, offering passive outdoor experiences."* The protection of the 3+ acres of forested stream valley buffer area as shown on the Final Forest Conservation Plan contributes to climate resiliency and biological diversity. This stream buffer area will also have a connection to the future LSC Loop Trail via a network of sidewalks and internal natural surface trails.

To protect water quality, the Master Plan includes recommendations such as using techniques included in Environmental Site Design and landscaping with native plants. These goals are being met by a combination of forest conservation, street trees, and landscaping requirements, all of which are native plant species. New tree plantings contribute to increasing tree canopy throughout the Site including through the incorporation of some tree canopy into the surface parking lot (minimum of 25% coverage) and portions of the LSC Loop Trail along Medical Center Drive. The Site Plan also proposes to incorporate Environmental Site Design to the maximum extent practical with the use of micro-bioretenment areas and other techniques to assist with filtering and retaining water on-site.

With conditions of approval outlined in Section 1 of this Staff Report, the Site Plan meets the intent of the Forest Conservation law, the Environmental Guidelines, and the GSSC Master Plan. During the Preliminary Plan the Applicant was conditioned to pursue additional sustainable features to enhance the development, particularly with the four (4) multi-family buildings, including energy conservation and building design features that keep roofs cool, such as green roofs or cool roofs, to further the Master Plan's recommendations. At this time, no additional sustainability measures are proposed with this Site Plan due to the multi-family buildings architecture with pitched roofs. Overall, the

Site Plan remains in substantial conformance with the environmental conditions of the Preliminary Plan approval imposed on the Site.

b. Transportation

To accommodate vehicular circulation through the Property and to surrounding roads, the Preliminary Plan confirmed the dedication of rights-of-way and the Site Plan proposes construction of seven (7) public roadway segments and related infrastructure: Public Street A, Public Street B, Public Street C West, Public Street C East, Public Street D, Medical Center Drive, and Blackwell Road.

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

As stated in the approved Preliminary Plan No. 120200100 the Project will be served by adequate public facilities (APF), including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. The APF validity period was previously approved for ten years from the date of the Resolution. A detailed analysis of the adequate public facilities review is available in MCPB Resolution 21-082.

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

The Subject Property is located within the CR Zone; therefore, this section is not applicable.

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

The Project is compatible with existing and approved adjacent development. The character of the surrounding neighborhood is mixed, but largely of a nonresidential character as defined by the Master Plan's existing conditions. A significant portion of the surrounding area is dedicated to employment primarily for life science and institutional uses. The mixed-use development Project complements the character of this area by introducing 630 residential uses in close proximity to the existing employment and institutional uses to create a greater mix of complementary uses that are accessible to existing and future transit.

As previously noted, the Wootton Crest townhome community abuts the Property to the southwest. The Project will achieve compatibility with the Wootton Crest townhome

community by locating only townhouse units along the boundary adjacent to the Wootton Crest townhome community. While screening requirements do not apply for this property line that abuts this existing community, the Project includes the retention of some mature forest along the shared property line. Additionally, a new hedgerow will be planted along the PSTA Site's southwestern boundary that will provide a greater degree of separation between the two residential communities.

Compatibility with existing abutting land uses is also achieved via multi-modal connections between the PSTA Site and proposed and future infrastructure improvements defined by the Master Plan. The Site Plan includes new sidewalk and bikeway connections that will eventually tie into the broader master-planned Life Sciences Center.

SECTION 5: COMMUNITY OUTREACH

The Applicant advertised and held the required pre-submission meeting with the surrounding community on August 16, 2021. This meeting was conducted in a virtual format, as permitted by the Planning Department's COVID-19 procedures. The Applicant provided notice for the pre-submission community meeting in accordance with the requirements set forth in the Administrative Procedures for Development Review and the Zoning Ordinance. No members of the community or interested stakeholders were in attendance. Following the scheduled meeting, presentation materials were made available by email request and via the Site Plan Application package found on the Planning Department's website.

Planning Staff encouraged the Applicant to reach out again the abutting Wootton Crest Homeowners Association (HOA) Board of Directors who had previously expressed concerns during the Preliminary Plan about areas for parks, walkable green spaces, and the preservation of the 3+ acres of forested area north of the townhouse community. The Applicant complied with Planning Staff's request; however, the Applicant did not receive a response from the Wotton Crest HOA. In response to concerns raised during the Preliminary Plan review stage, the Site Plan addresses the required open space areas, walkability, landscaping, and preservation and protection of some existing forested areas that separate the HOA from the PSTA Site.

Additionally, the Applicant made a presentation to the GSSC Implementation Advisory Committee (IAC) on the Site Plan during the development review process. Questions were raised by members about parking, roadway connections, and the future of the CCT. Staff also received correspondence from the GSSC IAC which is summarized below:

- **Green Space:** The treatment used for the proposed natural surface trail should take into consideration the topography and rain/water cycles to ensure that the area is an effective asset for the community through the year.
 - Response: The proposed natural surface trail will meet all the necessary design/engineering requirements for grading, access accommodations, and drainage.
- **Streetscape and Connectivity:** The streetscape and urban design elements should reflect a more engaging and active street life as envisioned in the Master Plan with strong pedestrian connectivity to neighboring retail space and a strong presence on the streets.
 - Response: The Project complies with the build-to-line requirement to ensure buildings frame the tree-lined streets to promote a cohesive and engaging civic realm. The architecturals for the residential and retail uses consider features such as window size and placement, horizontal and vertical building proportions, and walk-out units that help to ensure that multi-story buildings are relatable to the human-scale.
- **LSC Loop Trail:** As a prominent feature in the Master Plan, this area of the LSC Loop Trail should be built to the high design standards agreed upon for the entirety of the trail.
 - Response: As conditioned, the construction of the LSC Loop Trail and associated amenities must comply with the adopted LSC Loop Trail Design Guidelines.
- **Future Transit –** New homeowners of this residential development should be made aware of future transit improvements incorporated into the plan to avoid objections to any future transit lines or stations.
 - Response: As conditioned, the Applicant is required to place visible signage on each end of the landscape median stating that the area is reserved for the future construction of the Corridor Cities Transitway.

Community Parking – Provide clarity as to the accommodation of public parking related to the proposed athletic field.

- Response: The Site has substantial on-street parking nearby the athletic field for visitors. Connectivity via bikeways and sidepaths is also provided for visitors walking or bicycling to the field and other green spaces.

SECTION 6: CONCLUSION

This Application meets all the applicable requirements established in the Montgomery County Code, Chapter 59, Montgomery County Zoning Ordinance in effect on October 30, 2014 applicable to the CR-Zone and Chapter 22A, Forest Conservation Law, and substantially conforms with the recommendations of the applicable Sector Plan. This Application has been reviewed by other applicable County agencies, all of which have recommended approval of the application with conditions. Staff recommends approval of this Site Plan No. 820220050 with the conditions listed at the beginning of the Staff Report.

ATTACHMENTS

Attachment A: Site Plan

Attachment B: Final Forest Conservation Plan

Attachment C: Prior Approvals

Attachment D: Agency Letters

Attachment E: Parking Waiver Request

Attachment F: Applicant's Architecture Design Guidelines

Attachment G: Public Correspondence