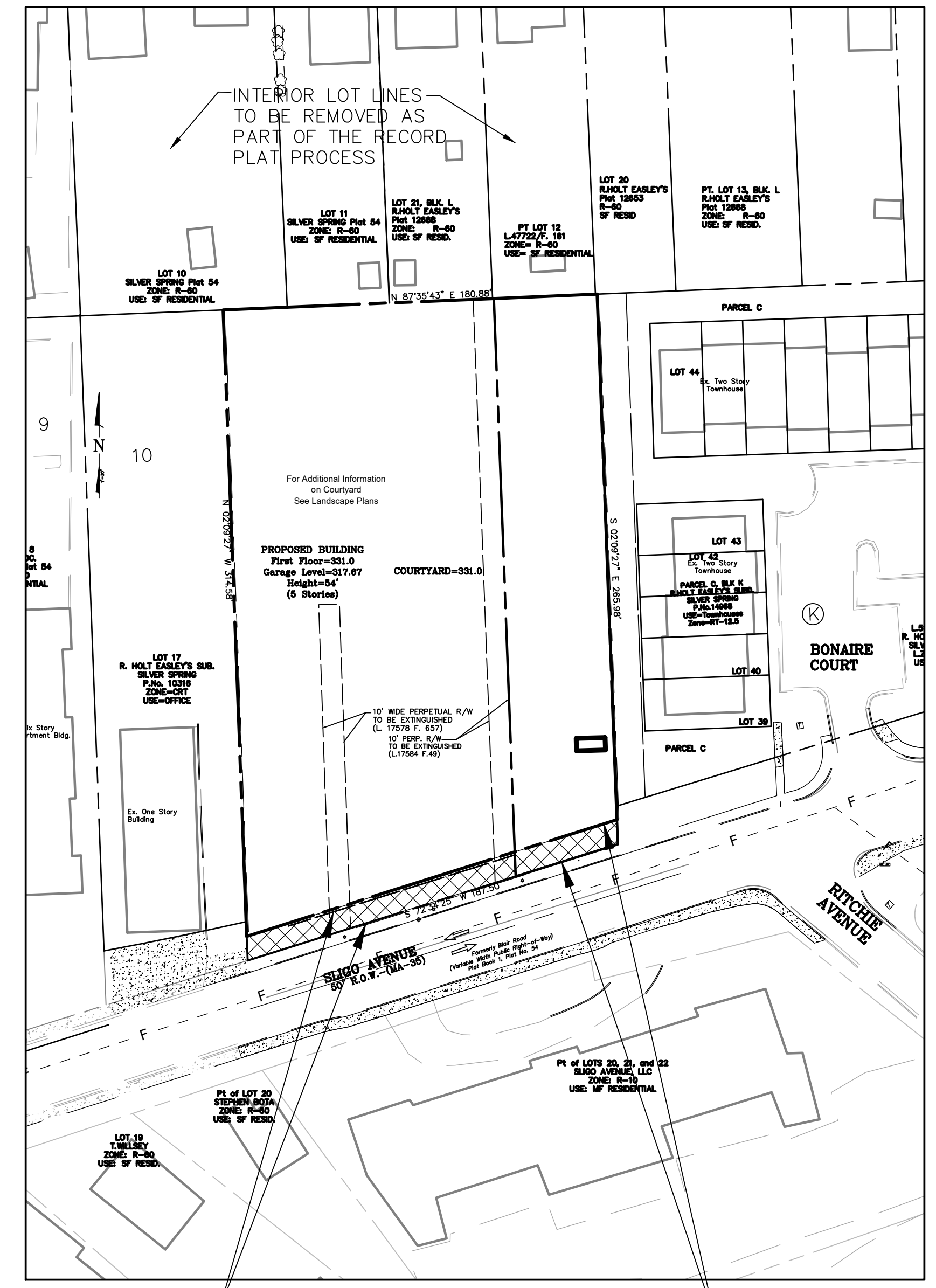
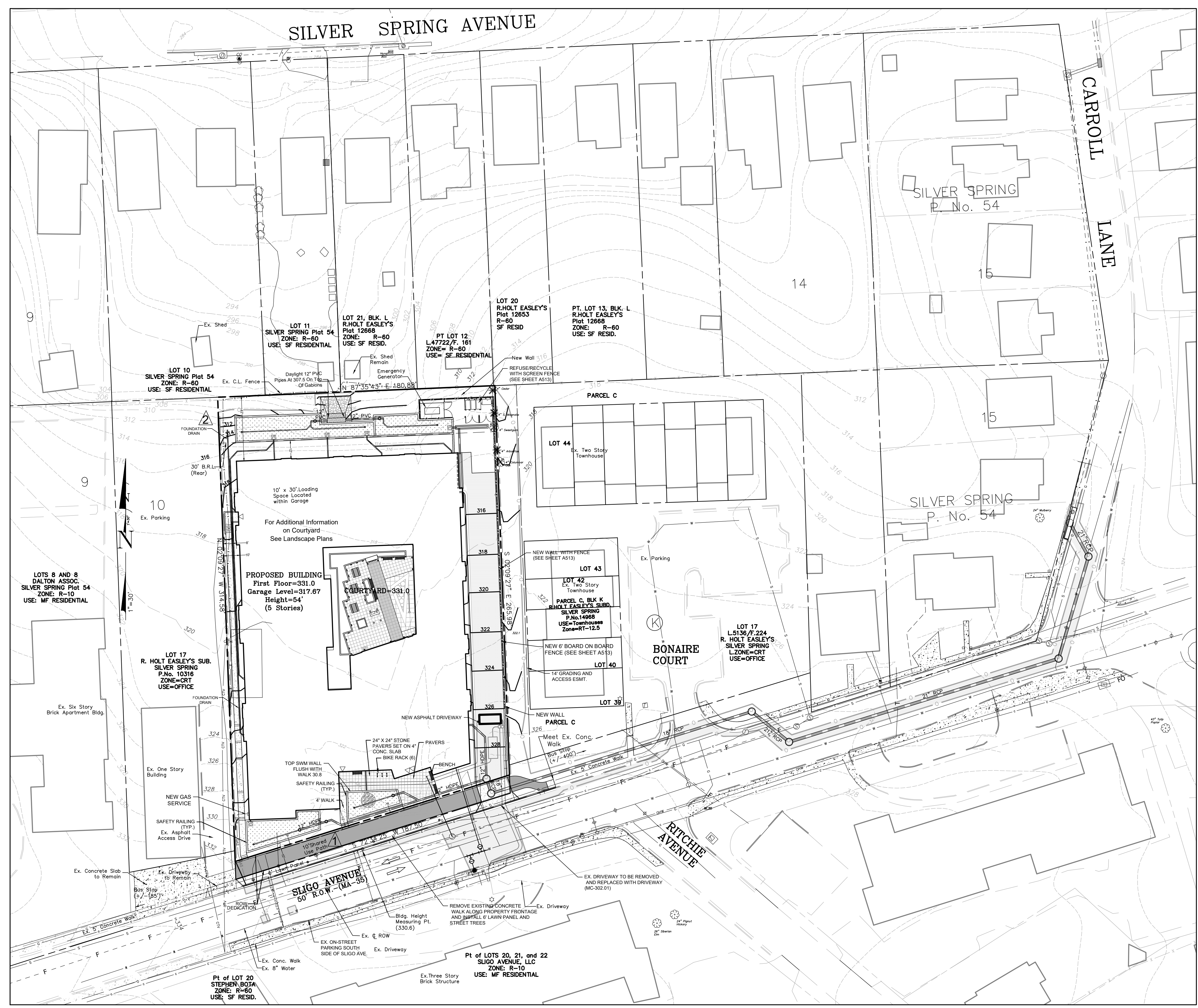


Legend

EXISTING	PROPOSED



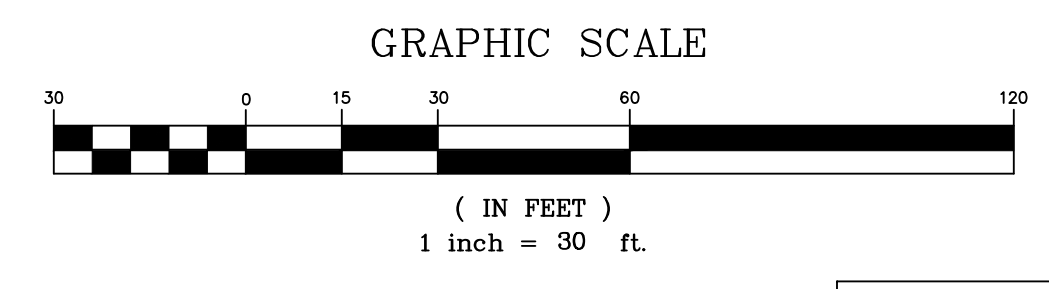
THE BUILDING FOOTPRINTS, BUILDING HEIGHTS, ON-SITE PARKING, SITE CIRCULATION, AND SIDEWALKS SHOWN ON THIS PRELIMINARY PLAN OF SUBDIVISION ARE ILLUSTRATIVE. THE FINAL LOCATIONS OF BUILDINGS, STRUCTURES AND HARDSCAPE WILL BE DETERMINED AT THE TIME OF SITE PLAN. PLEASE REFER TO THE ZONING DATA TABLE FOR DEVELOPMENT STANDARDS SUCH AS SETBACKS, BUILDING HEIGHT, AND LOT COVERAGE FOR EACH LOT. OTHER LIMITATIONS FOR SITE DEVELOPMENT MAY ALSO BE INCLUDED IN THE CONDITIONS OF THE PLANNING BOARD'S APPROVAL.

- SUMMARY OF PLAN CHANGES:**
- REVISE ROADWAY SECTION TO REDUCE SHARED USE PATH FROM 10' TO 8' AND EXPAND LAWN PANEL FROM 6' TO 8'.
 - REVISE CONFIGURATION OF THE STORMWATER MANAGEMENT FACILITY AT THE REAR OF THE PROPERTY TO REDUCE THE LIMITS OF DISTURBANCE.

SURVEYOR'S CERTIFICATE

I hereby certify that the boundary shown hereon is correct based on existing deeds and plats recorded among the Land Records of Montgomery County, Maryland, subject to change upon completion of a final survey. Topography from sources noted hereon.

Date: _____
Macris, Hendricks, & Glascock, P.A.
By: Wayne F. Aubertin
Professional Land Surveyor
Maryland Reg. No. 21330
Expiration: January 7, 2023



- The Site is subject to the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), Section 22A-5(s)(1), MNCPPC # 42021143E, approved March 2, 2021. This project is exempt from Article 2.
- Stormwater management (SWM) for the property will be provided for in accordance with Chapter 19 of the Montgomery County Code and the State of Maryland. The SWM design will incorporate environmental site design (ESD) planning techniques and practices. The Stormwater management system will include micro-bioretenion facilities, green roofs, and impervious area disconnection. Conceptual Stormwater management design will require geotechnical evaluation and testing prior to approval of a Stormwater Management Concept Plan.
- All work in the Sligo Avenue and Carroll Lane subject to review by Montgomery County as part of the Right of Way Improvement plans for storm drain alignment and driveway access.
- Ex. Public Utility Easement within the subject property along Sligo Avenue to be abandoned as part of the Record Plat.
- All interior lot lines and Rights of Ways/Easements to be extinguished as part of the Record Plat. See Existing Conditions Plan.
- All interior lot lines and Rights of Ways/Easements to be extinguished as part of the Record Plat. As part of the Site plan approval (820220170), condition 14. f, the applicant shall make good faith efforts for coordination with neighbors (towards the north and east) regarding removal of off-site and jointly owned trees and address the locations and quantities of replacement trees/landscaping.

OWNER:
SLIGO 42, LLC and SLIGO 60, LLC
c/o TM ASSOC. DEVELOPMENT
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

CO-DEVELOPERS:
GREEN STREET HOUSING, LLC
212 EAST MAIN STREET, # 200
SALISBURY, MARYLAND 21801
443.615.7121

CO-DEVELOPERS:
TM ASSOC. DEVELOPMENT, INC.
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

REVISIONS

NO.	DESCRIPTION	DATE
1	MNCPCC SUBMISSION	03/22
2		

ARCHITECT:
MNER FEINSTEIN ARCHITECTS, LLC
241 East 4th Street | Suite 207
Frederick, Maryland 21701
301.760.7988

LAND USE ATTORNEY:
WIRE GILL, LLP
4800 HAMPPDEN LANE, SUITE 200
BETHESDA, MARYLAND, 20814
HEATHER DLHOPOLSKY
301-263.6275

REVISIONS

NO.	DESCRIPTION	DATE
1	DO SUBMISSION FOR PRICING	05/14/21
	SIF AMENDMENT SUBMITTED	05/04/22

TAX MAP JN43 WSSC 210 NW 01

PLATS 21509 and 54

13TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

SLIGO APARTMENTS

**R.HOLT EASLEY'S
LOTS P10, P12, & 51**

PROJ. MGR	BJD
DRAWN BY	BJD
SCALE	1"= 30'
DATE	03/2022

PRELIMINARY PLAN

PROJECT NO.	17,172,14
SHEET NO.	3 OF 4

PP2.01

EXISTING 10' PUBLIC UTILITY EASEMENT TO BE ABANDONED

LOT EXHIBIT
SCALE: 1"=50'

PROPOSED RIGHT OF WAY DEDICATION (+/-2,190 sf)

811
FOR UTILITY LOCATIONS CONTACT "ONE CALL" AT 811 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION
Call before you dig.



Civil Engineers
Land Planners
Landscape Architects
Land Surveyors
9220 Wightman Road, Suite 120
Montgomery Village, MD 20886
Phone: 301.670.0840
www.mhgs.com
PREPARED BY: BRIAN DONNELLY
Copyright © 2017 by Morris, Hendricks & Glasscock, P.A. All Rights Reserved.

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 16995, Expiration Date: 04/21/2024.

OWNER:
SLIGO 42, LLC and SLIGO 60, LLC
c/o TM ASSOC. DEVELOPMENT
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

CO-DEVELOPERS:
GREEN STREET HOUSING, LLC
212 EAST MAIN STREET, # 200
SALISBURY, MARYLAND 21801
443.615.7121

CO-DEVELOPERS:
TM ASSOC. DEVELOPMENT, INC.
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

ARCHITECT:
MNER FEINSTEIN ARCHITECTS, LLC
241 East 4th Street, Suite 207
Frederick, Maryland 21701
301.760.7988

LAND USE ATTORNEY:
WIRE GILL LLP
4800 HAMPDEN LANE, SUITE 200
BETHESDA, MARYLAND, 20814
HEATHER DLHOPOLSKY
301-263.6275

REVISIONS

NO.	DESCRIPTION	DATE
1	DESIGN DEVELOPMENT SUBMISSION	05/14/21
2	FOR PRICING	12/02/22
3	MNCPPC SP AMENDMENT	03/10/23

TAX MAP J#43 WSSC 210 NW 01
PLATS 21509 and 54
13TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

SLIGO APARTMENTS

**R.HOLT EASLEY'S
LOTS P10, P12, & 51**

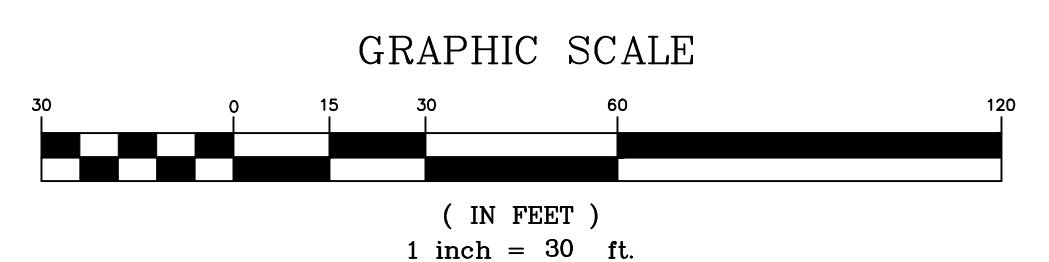
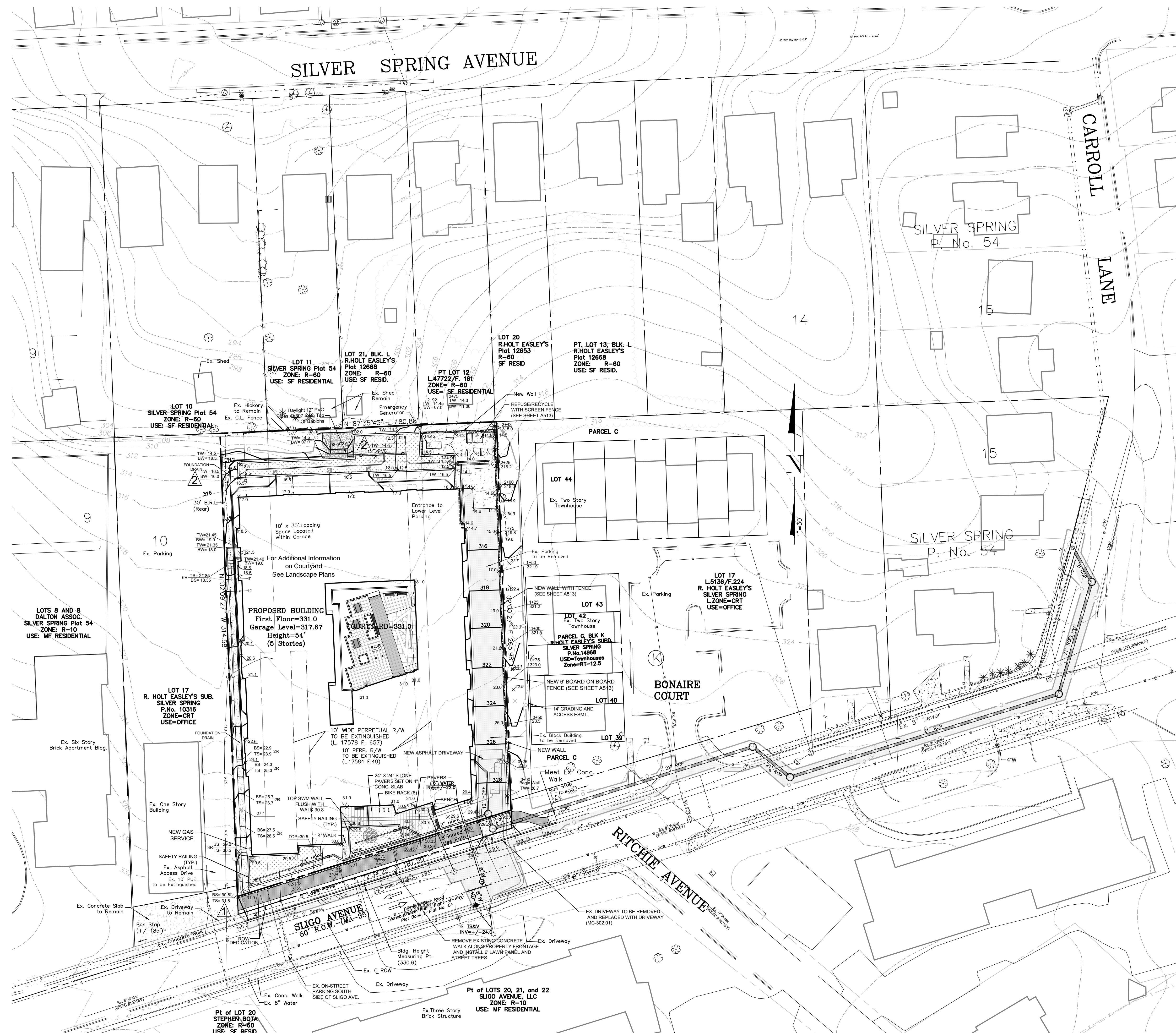
PROJ. MGR	BUD
DRAWN BY	BUD
SCALE	1" = 30'
DATE	03/2023

OVERALL SITE PLAN

PROJECT NO.	17.172.14
SHEET NO.	OF

Legend

EXISTING	PROPOSED



SUMMARY OF PLAN CHANGES:

- REVISE ROADWAY SECTION TO REDUCE SHARED USE PATH FROM 10' TO 8' AND EXPAND LAWN PANEL FROM 6' TO 8'.
- REVISE CONFIGURATION OF THE STORMWATER MANAGEMENT FACILITY AT THE REAR OF THE PROPERTY TO REDUCE THE LIMITS OF DISTURBANCE.

The Site is subject to the requirements of Chapter 22A of the Montgomery County Code (Forest Conservation Law), Section 22A-6(9)(1) MNCPPC # 42021143E, approved March 2, 2021. The project is exempt from Article 2 MNCPPC STAFF MUST INSPECT ALL TREE SAVE AREAS AND PROTECTION DEVICES BEFORE CLEARING AND GRADING.

The Applicant must schedule a preconstruction meeting (Pre-Con), preferably on-site, with staff from Departments of Permitting Services(DPS) responsible for Certified Site Plan (CSP) conformance and compliance, upon approval of the Certified Site Plan. The Pre-Con meeting must occur prior to any site development work commencement and prior to any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the Pre-Con with DPS Certified Site Plan Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times.

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 public right of way permit drawings by the Department of Permitting Services.

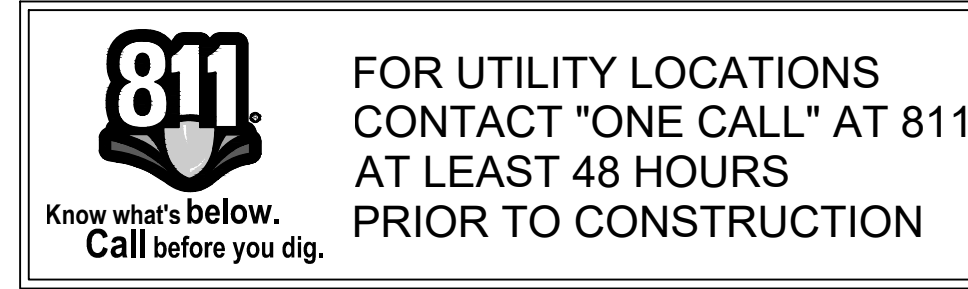
Stormwater Management (SWM) for the property will be provided for in accordance with Chapter 19 of the Montgomery County Code and the State of Maryland. The SWM design will incorporate environmental site design (ESD) planning techniques and practices. The Stormwater management system will include micro-bioretenion facilities, green roofs, and impervious area disconnection. Conceptual Stormwater management design will require Geotechnical evaluation and testing prior to approval of a Stormwater Management Concept Plan.

All work in the Sligo Avenue and Carroll Lane subject to review by Montgomery County as part of the Right of Way Improvement plans for storm drain alignment and driveway access.

Ex- Public Utility Easement within the subject property along Sligo Avenue to be abandoned as part of the Record Plat.

All interior lot lines and Rights of Ways/Easements to be extinguished as part of the Record Plat.
See Existing Conditions Plan

DEVELOPER'S CERTIFICATE
THE UNDERSIGNED AGREES TO EXECUTE ALL THE FEATURES OF PLAN APPROVAL NO. 8829917A INCLUDING APPROVAL CONDITIONS, DEVELOPMENT PROGRAM, AND CERTIFIED SITE PLAN.
DEVELOPER: GREEN STREET HOUSING, LLC THOMAS AYO, JR. CONTACT
ADDRESS: 212 E. MAIN STREET, SUITE 200, SALISBURY, MD 21801
EMAIL: tom@greestreehousing.com
SIGNATURE:





DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

April 28, 2023

Ms. Katie Mencarini, Planner III
Down-County Planning Division
The Maryland-National Capital
Park & Planning Commission (M-NCPPC)
2425 Reedie Drive
Wheaton, Maryland 20902

RE: Preliminary Plan No. 12022011A
Sligo Apartments
Preliminary Plan Letter

Dear Ms. Mencarini:

We have completed our review of the amended preliminary plan uploaded on eplans dated May 20, 2023. A previous plan was reviewed by the Development Review Committee at its April 26, 2022, meeting. The conditions in the preliminary plan letter dated June 01, 2022 (attached), as part of the preliminary plan # 120220110 is still applicable unless revised as part of this application. The following conditions from the previous letter dated June 01, 2022, shall be revised as part of this application:

1. Significant Plan Review Comments #2:

Original Condition: *The roadway cross section for the roadways along the frontage shall be the following:*

Sligo Avenue-From the Property Line to the Face of Curb

- *Proposed 1-ft Maintenance Buffer*
- *Proposed 10-ft Shared Use Path **
- *Proposed 6-ft Tree Panel*

** The 10-ft shared use path shall transition and tie into the existing sidewalks on the east and west end of the property as shown in the plans.*

Revised Condition: *The roadway cross section for the roadways along the frontage shall be the following:*

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Ms. Katie Mencarini
 Preliminary Plan No. 12022011A
 April 28, 2023
 Page 2

Sligo Avenue-From the Property Line to the Face of Curb

- Proposed 1-ft Maintenance Buffer
- Proposed 8-ft Shared Use Path *
- Proposed 8-ft Tree Panel

* The 8-ft shared use path shall transition and tie into the existing sidewalks on the east and west end of the property as shown in the plans.

Expanding the Tree Panel from 6-ft to 8-ft by reducing the proposed shared use path from 10-ft to 8-ft would allow the existing gas line to remain in its existing location, and the desired major species street trees shall be planted in the expanded buffer, avoiding conflicts with the gas line.

2. Significant Plan Review Comments #3:

Original Condition: *At the signing and marking plan, the plan shall show appropriate signage for restricting motorized vehicles (MUTCD Sign R5-3) along the 10-ft wide shared use path. Please coordinate with our Division of Traffic Engineering and Operations at trafficops@montgomerycountymd.gov during the time of signing and marking plan for details.*

Revised Condition: *At the signing and marking plan, the plan shall show appropriate signage for restricting motorized vehicles (MUTCD Sign R5-3) along the 8-ft wide shared use path. Please coordinate with our Division of Traffic Engineering and Operations during the time of signing and marking plan at trafficops@montgomerycountymd.gov for details.*

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development Review Engineer for this project at deepak.somarajan@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
 Development Review Team
 Office to Transportation Policy

Ms. Katie Mencarini
Preliminary Plan No. 12022011A
April 28, 2023
Page 3

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\ 120220110A-Sligo Apartments\Letter\
120220110A-Sligo Apartments-DOT Preliminary Plan Letter

Attachment: Preliminary Plan # 120220110 Letter dated June 01, 2022

cc: SharePoint correspondence Folder FY-23

cc-e: Heather Dlhopsky	Wire Gill LLP
Brian Donnelly	Macris, Hendricks, & Glascock
Grace Bogdan	MNCPPC
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Mark Etheridge	MCDPS WRS
Mark Terry	MCDOT DTEO
Dan Sanayi	MCDOT DTEO
Sandra Brecher	MCDOT CSS
Beth Dennard	MCDOT CSS
Corey Pitts	MCDOT DTE
Rebecca Torma	MCDOT OTP

ATTACHMENTS



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

June 01, 2022

Ms. Grace Bogdan, Planner Coordinator
Down-County Planning Division
The Maryland-National Capital
Park & Planning Commission (M-NCPPC)
2425 Reedie Drive
Wheaton, Maryland 20902

RE: Preliminary Plan No. 120220110
Sligo Apartments
Preliminary Plan Letter

Dear Ms. Bogdan:

We have completed our review of the preliminary plan uploaded on eplans dated May 20, 2022, respectively and the additional documents received via email. A previous plan was reviewed by the Development Review Committee at its April 26, 2022, meeting. We recommend approval of the plan subject to the following comments:

Significant Plan Review Comments

1. At or prior to the recordation of the plat, all existing easements within the area to be dedicated as right-of-way are subject to subordination agreement.
2. The roadway cross section for the roadways along the frontage shall be the following:

Sligo Avenue-From the Property Line to the Face of Curb

 - Proposed 1-ft Maintenance Buffer
 - Proposed 10-ft Shared Use Path *
 - Proposed 6-ft Tree Pael

* The 10-ft shared use path shall transition and tie into the existing sidewalks on the east and west end of the property as shown in the plans.
3. At the signing and marking plan, the plan shall show appropriate signage for restricting motorized vehicles (MUTCD Sign R5-3) along the 10-ft wide shared use path. Please coordinate with our

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178 FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Ms. Grace Bogdan
 Preliminary Plan No. 120220110
 June 01, 2022
 Page 2

Division of Traffic Engineering and Operations at trafficops@montgomerycountymd.gov during the time of signing and marking pan for details.

4. **Storm Drain Analysis:** The revised storm drain analysis was reviewed and is acceptable. No improvements are needed to the downstream public storm drain system for this plan.
5. **Sight Distance:** The sight distance has been approved and is an attachment to this letter.
6. **Transportation Demand Management (TDM):**

The provisions of the amended County Code for TDM are not required as this project is not located in a District (just outside the Silver Spring TMD) so a Project-based TDM Plan is not required. However, the project is in the Purple Line East Policy Area which has a blended NADMS goal of 50% for employees and residents. The proposed project's 98 multi-family residential units are within walking distance to downtown Silver Spring and its retail, amenities, and multiple public transportation options. In addition to the transit-supporting features at the Project and to support efforts to achieve and maintain the 50% NADMS for the policy area, we recommend that the developer:

- a. Identify a contact person at the Project to work with the Department if contacted, to provide information about transportation options or related events to residents and on-site employees.
- b. Assist in communicating the opportunity for residents and on-site employees to participate in the County's commuter survey or data collection, if requested.
- c. Install a monitor in the lobby of the residential building that shows real-time information for bus and nearby Metrorail service as well as information about nearby micromobility devices.
- d. Have a display in the lobby for materials for bike maps and a minimal amount of promotional materials.

The applicant should coordinate with Ms. Sandra Brecher, Chief of the Commuter Services Section. Ms. Brecher may be contacted at Sandra.Brecher@montgomerycountymd.gov or at 240-777-8380.

Standard Plan Review Comments

1. All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Montgomery County Department of Permitting Services (MCDPS) in the package for record plats, storm drain, grading or paving plans, or application for

Ms. Grace Bogdan
Preliminary Plan No. 120220110
June 01, 2022
Page 3

access permit. Include this letter and all other correspondence from this department.

2. Trees in the County ROW – spacing and species to be in accordance with the applicable MCDOT standards. Tree planning within the public ROW must be coordinated with MCDPS ROW Plan Review Section.
3. No steps, stoops or retaining walls for the development are allowed in County ROW. No door swings into county ROW.
4. If the proposed development will alter any existing streetlights, , please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at yazdan.sanayi@montgomerycountymd.gov or at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
5. Relocation of utilities along existing roads to accommodate the required roadway improvements shall be the responsibility of the applicant.
6. Record a covenant for the operation and maintenance of private streets, storm drainage systems, and/or open space areas.
7. Design all access points and alleys to be at-grade with the sidewalk, dropping down to street level between the sidewalk and roadway.
8. Posting of a ROW permit bond is a prerequisite to MCDPS approval of the record plat. The ROW permit will include, but not necessarily be limited to, the following improvements:
 - a. Shared use path, handicap ramps (if needed), and storm drainage and appurtenances along Sligo Avenue.
 - b. Enclosed storm drainage and/or engineered channel (in accordance with the MCDOT Storm Drain Design Criteria) within the County ROW and all drainage easements.
 - c. Permanent monuments and property line markers, as required by Section 50.4.3(G) of the Subdivision Regulations.
 - d. Erosion and sediment control measures as required by Chapter 19 and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the MCDPS and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the MCDPS.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact Mr. Deepak Somarajan, our Development

Ms. Grace Bogdan
Preliminary Plan No. 120220110
June 01, 2022
Page 4

Review Engineer for this project at deepak.somarajan@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Deepak Somarajan

Deepak Somarajan, Engineer III
Development Review Team
Office to Transportation Policy

SharePoint\teams\DOT\Director's Office\Development Review\Deepak\Preliminary Plan\ 120220110-Sligo Apartments\Letter\ 120220110-Sligo Apartments-DOT Preliminary Plan Letter

Enclosures: Sight Distance

cc: SharePoint correspondence Folder FY-22

cc-e: Heather Dlhopsky	Wire Gill LLP
Brian Donnelly	Macris, Hendricks, & Glascock
Katherine Mencarini	MNCPPC
Atiq Panjshiri	MCDPS RWPR
Sam Farhadi	MCDPS RWPR
Mark Etheridge	MCDPS WRS
Mark Terry	MCDOT DTEO
Dan Sanayi	MCDOT DTEO
Sandra Brecher	MCDOT CSS
Beth Dennard	MCDOT CSS
Corey Pitts	MCDOT DTE
Rebecca Torma	MCDOT OTP



MONTGOMERY COUNTY, MARYLAND
 DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
 DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION

Facility/Subdivision Name: R. Holt Easley's P10, P12 and 51 Preliminary Plan Number: 1- Pending

Street Name: Sligo Avenue Master Plan Road Classification: Minor Arterial

[Link To MoCo Road Classification Map](#)

Posted Speed Limit: 30 mph

Street/Driveway #1 (Proposed) Street/Driveway #2 (_____)

Sight Distance (feet)	OK?	Sight Distance (feet)	OK?
Right <u>439</u>	<u>Yes</u>	Right _____	_____
Left <u>600</u>	<u>Yes</u>	Left _____	_____

Comments: _____

Comments: _____

GUIDELINES

Classification or Posted Speed (use higher value)	Required Sight Distance in Each Direction*	Sight distance is measured from an eye height of 3.5' at a point on the centerline of the driveway (or side street) 6' back from the face of curb or edge of traveled way of the intersecting roadway where a point 2.75' above the road surface is visible. (See attached drawing)
<input type="checkbox"/> Tertiary - 25 mph	150'	
<input type="checkbox"/> Secondary - 30	200'	
<input type="checkbox"/> Business - 30	200'	
<input type="checkbox"/> Primary - 35	250'	
<input checked="" type="checkbox"/> Arterial - 40	325'	
<input type="checkbox"/> (45)	400'	
<input type="checkbox"/> Major - 50	475'	
<input type="checkbox"/> (55)	550'	

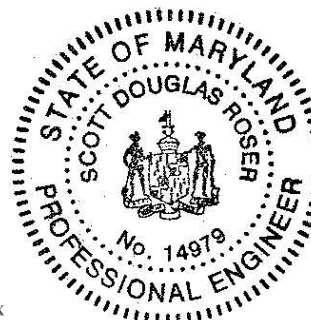
*Source: AASHTO

ENGINEER / SURVEYOR CERTIFICATE

I hereby certify that this information is accurate and was collected in accordance with these guidelines and that these documents were prepared or approved by me, and that I am a licensed Professional Engineer under the laws of the State of Maryland, License No. 14979, Expiration Date 07/02/2022

Scott Douglas Roser
Signature

04/02/2021
Date



Montgomery County Review:

Approved

Disapproved:

By: Deepak Somarajan

Date: 6/1/2022

14979

PLS/P.E. MD Reg. No

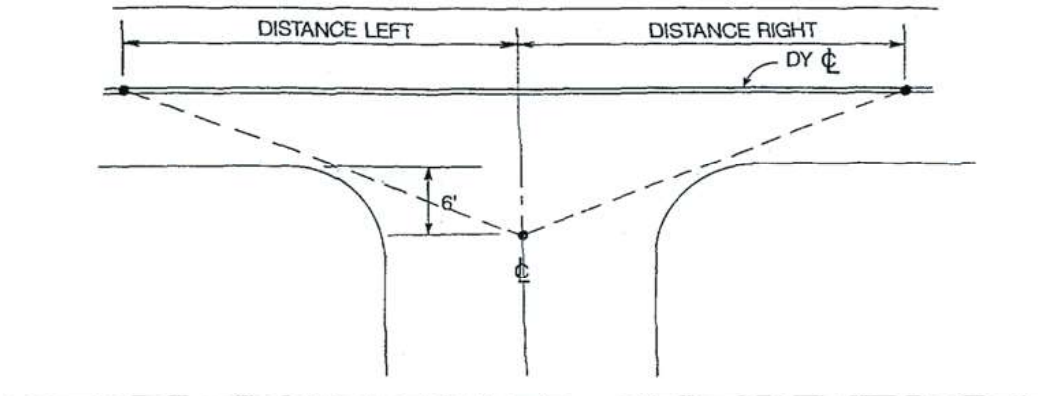
Form Reformatted:
March, 2000



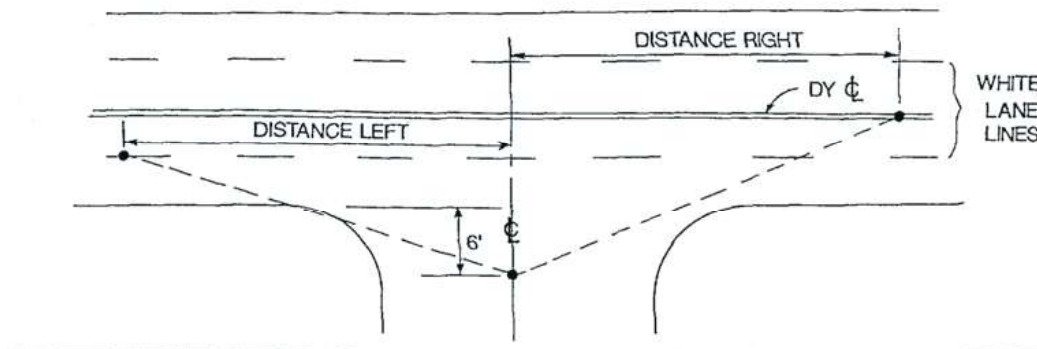
MONTGOMERY COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION
DEPARTMENT OF PERMITTING SERVICES

SIGHT DISTANCE EVALUATION ATTACHMENT

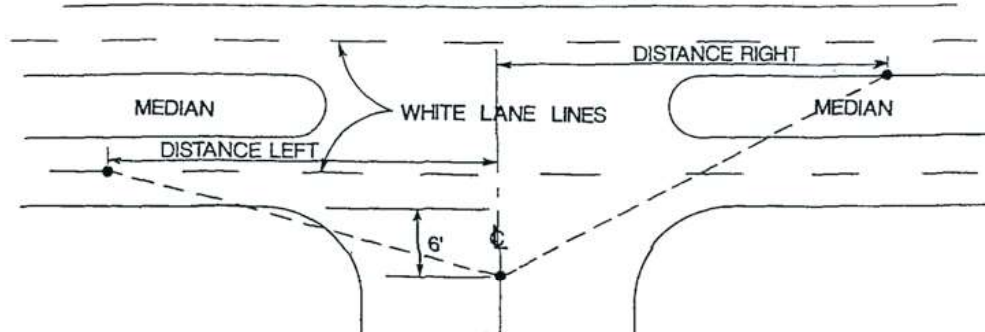
2 LANE UNDIVIDED ROADWAY



MULTI-LANE UNDIVIDED ROADWAY



MULTI-LANE DIVIDED ROADWAY



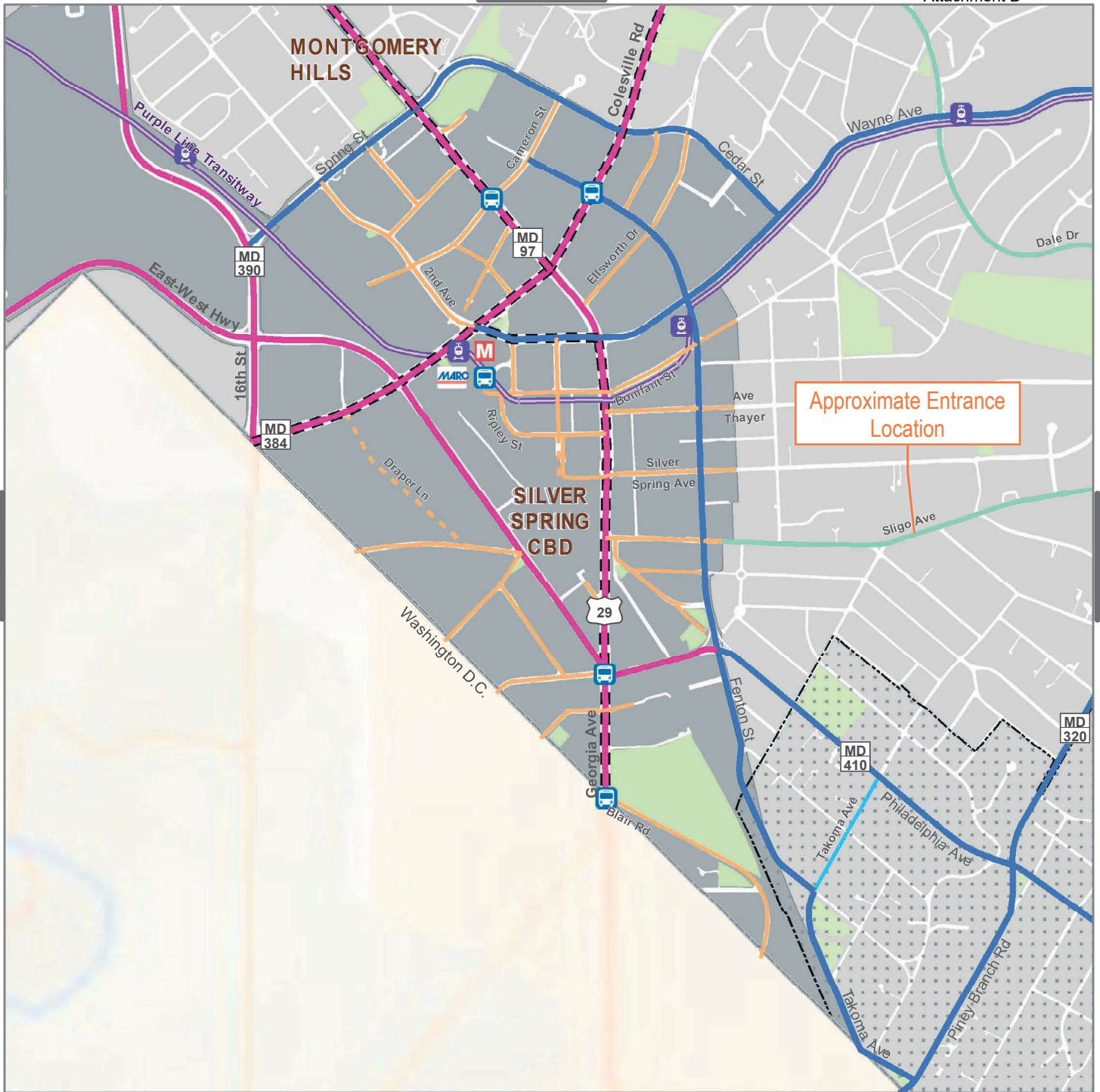
Sligo Avenue Proposed Entrance Sight Distance Images



Looking West Toward Proposed Entrance

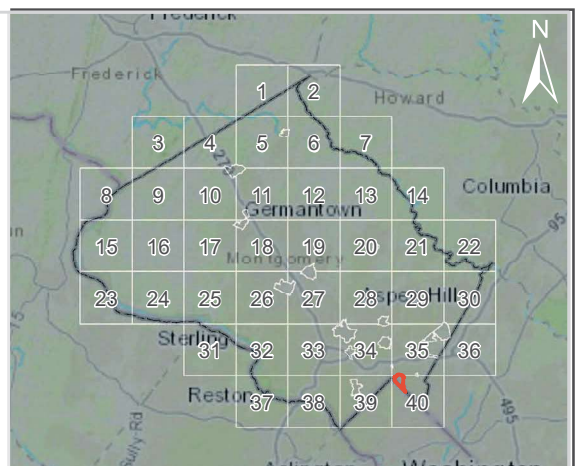


Looking East Toward Proposed Entrance.



Master Plan of Highways and Transitways Designations

- Planned Light Rail
- Major Highway
- Major Highway with Planned BRT
- Arterial
- Arterial with Planned BRT
- Arterial with Planned Light Rail
- Minor Arterial
- Primary Residential
- Business (Planned)
- Business
- Business with Planned Light Rail





**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 31-May-22
TO: Stephen Crum - scrum@mhgpa.com
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Sligo Apartments
120220110 820220170

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **31-May-22**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** See statement of performance based design *****

***** 5/12/2023 Revised hydrant location *****



May 12, 2023

Dr. Marie LaBaw, PhD, P.E.
Zoning and Code Compliance Section
Department of Permitting Services
2425 Reddie Drive, 7th Floor
Wheaton, MD 20902

Re: Sligo Apartments
Fire Department Apparatus Access Plan
Site Plan No. (82000017A)
Preliminary Plan No. (120220110)
713, 715, and 719 Sligo Avenue
MHG Project No. 2017.172

Dear Dr. LaBaw:

On behalf of our Client, Sligo Apartments L.L.C., we hereby propose a revision to the approved Fire Department Apparatus Access plan as part of the Site Plan and Preliminary Subdivision Plan and amendments. The Fire Department Apparatus Access Plan revisions include: a reduction of the width of the shared use path from 10 feet to 8 feet, reconfiguration of the stormwater management facility, and relocation of the proposed fire hydrant.

The building will be fully sprinkled and all of the revisions to the project impacting the approved Fire Department Apparatus Access plan are in accordance with NFPA standards. We therefore request approval of the attached exhibit.

The following Building Code Analysis was provided by the project architects, Miner Feinstein Architects, LLC:

- The type of construction per IBC 2015-2018 table 601:
- Type IA (Podium)
 - 3 Hour fire rated Primary structural frame
 - 3 Hours Exterior Bearing wall
 - 3 Hour Interior Bearing wall
- IIIA (Above Podium)
 - 1 Hour fire rated Primary structural frame
 - 2 Hours Exterior Bearing wall
 - 1 Hour Interior Bearing wall
 - 1 Hours Floor construction and associated secondary members
 - 1 Hours Roof construction and associated secondary members

Dr. Marie LaBaw, PhD, P.E.
 Department of Permitting Services
 Re:
 May 12, 2023
 Page 2 of 2

- (IBC 2015-2018 table 601)
 - SECTION 903 - AUTOMATIC SPRINKLER SYSTEM YES NFPA 13
 - SECTION 905 - STANDPIPE SYSTEM YES NFPA 14
 - SECTION 906 - PORTABLE FIRE EXTINGUISHERS YES NFPA 10
 - SECTION 907 - FIRE ALARM & DETECTION YES NFPA 72
 - SECTION 909 - SMOKE CONTROL SYSTEMS YES
 - SECTION 911 - FIRE COMMAND CENTER YES

- Exterior openings: (Windows and doors) are protected by sprinkler heads at each opening.

Should you have any questions concerning this matter, please don't hesitate to give me a call.



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.
 License No. 16905 Expiration Date: 04/21/2024

FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

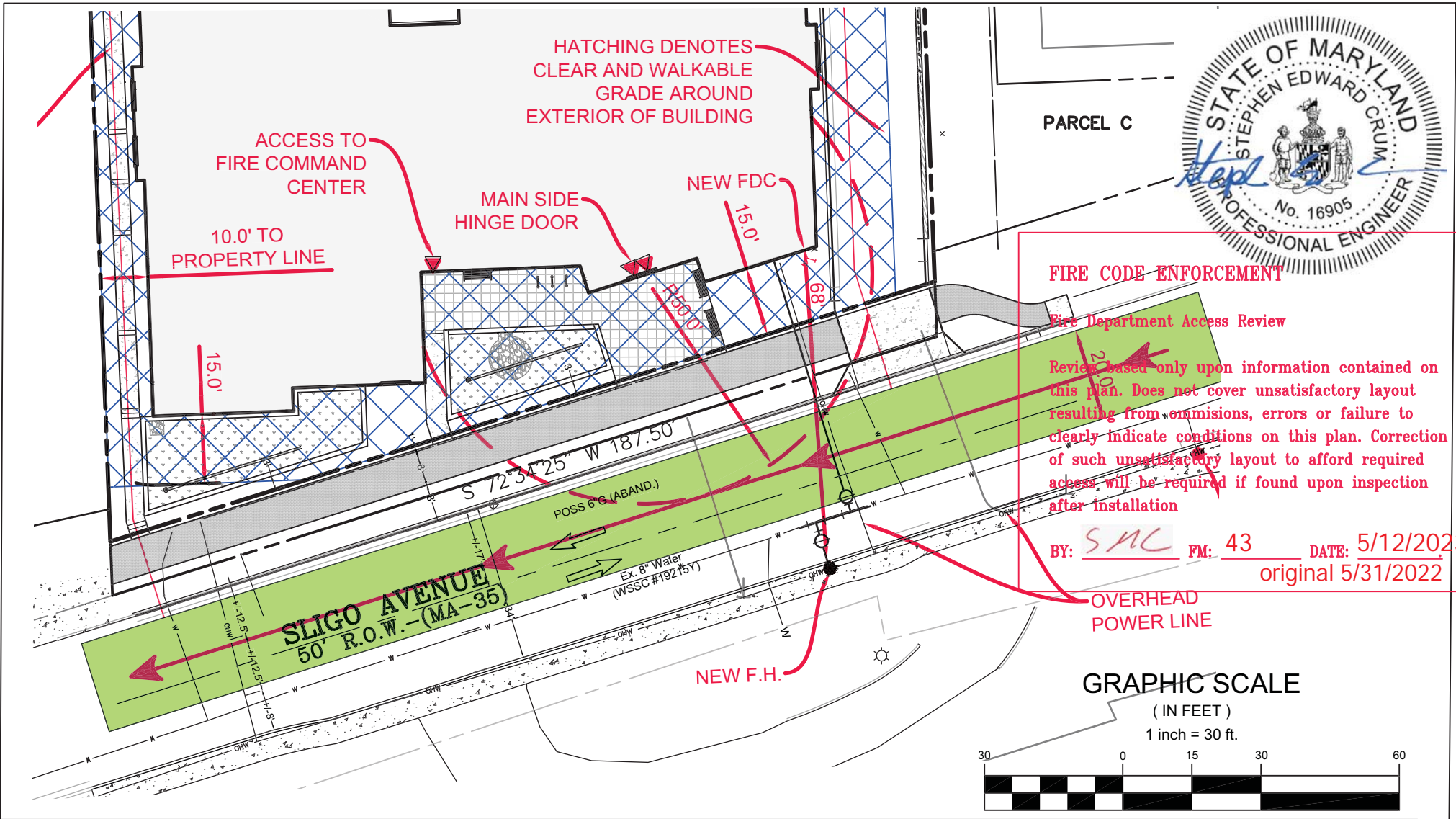
BY: SAC FM: 43 DATE: 5/12/2023
 original 5/31/2022

Sincerely,

Stephen E. Crum

Stephen E. Crum, P.E.

Encl. A/S



Professional Certification
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland. License No. 16905, Expiration Date: 04/21/2024



R.HOLT EASLEY'S LOTS 51,12, & PT. OF LOT 10
SLIGO APARTMENTS
FIRE ACCESS PLAN AMENDMENT

EXHIBIT
PROJ. MGR BJD
DRAWN BY BJD
SCALE 1" = 30'
DATE 05/2023
JOB NO. 17.172.15



**Department of Permitting Services
Fire Department Access and Water Supply Comments**

DATE: 31-May-22
TO: Stephen Crum - scrum@mhgpa.com
Macris, Hendricks & Glascock
FROM: Marie LaBaw
RE: Sligo Apartments
120220110 820220170

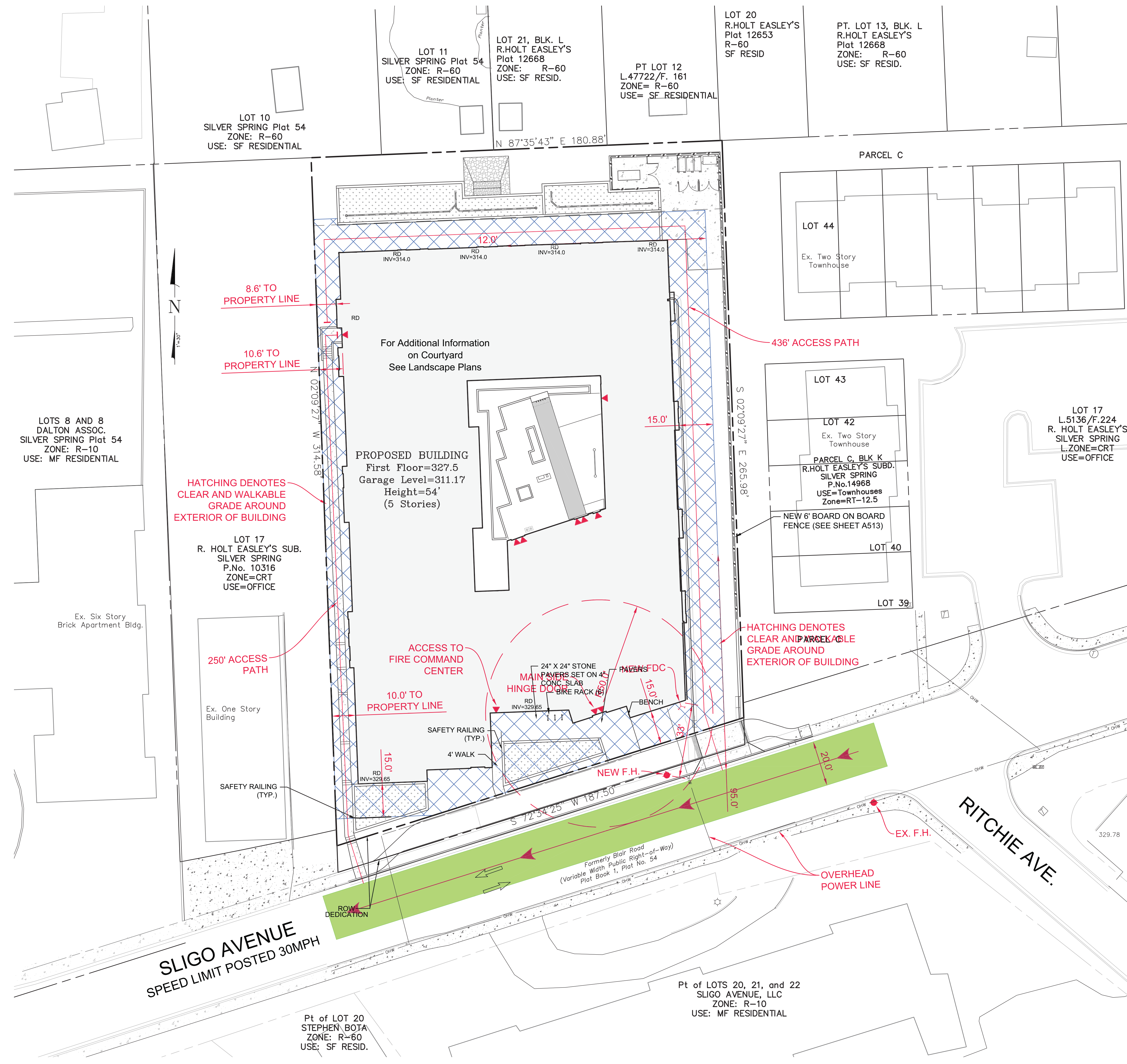
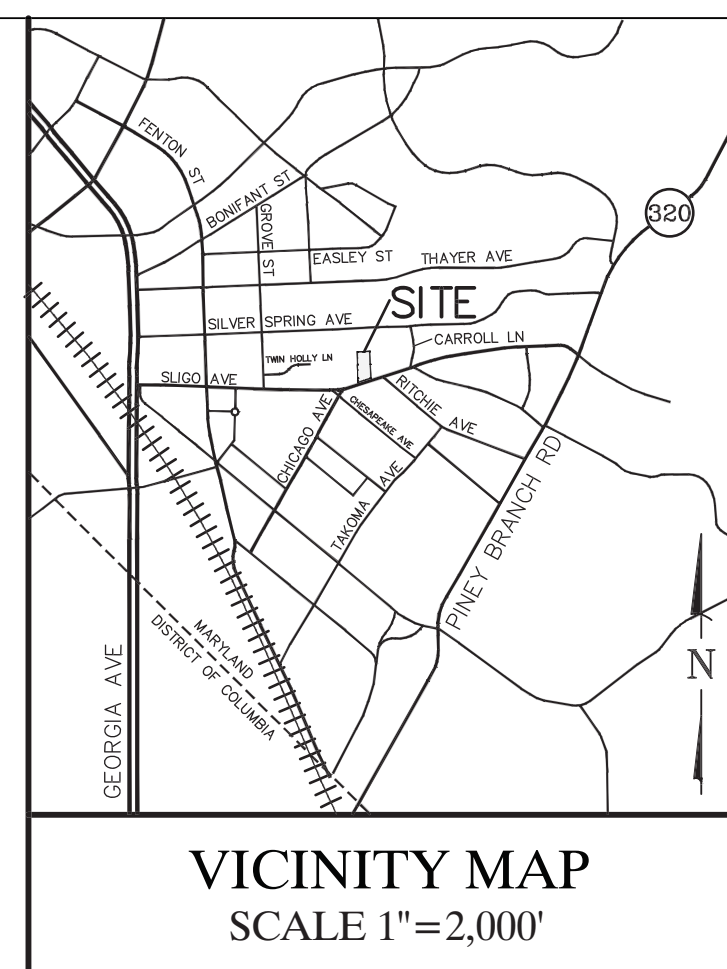
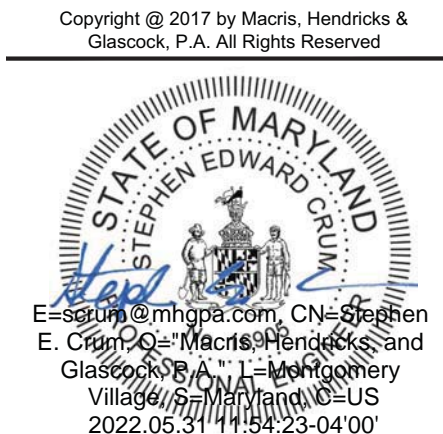
PLAN APPROVED

1. Review based only upon information contained on the plan submitted **31-May-22**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** See statement of performance based design *****



Civil Engineers
Land Planners
Landscape Architects
Land Surveyors
9220 Wightman Road, Suite 120
Montgomery Village, MD 20888
Phone: 301.670.0840
www.mhga.com



The 15'-0" Min. distance between the west property and the building has been reduced to 8' min. The interior building walls will be upgraded to the 2 hours fire rating corridor and units demising walls (compartmentalized to 2 hours fire rated walls). A request will be submitted under a performance based design.

LEGEND

- FIRE DEPARTMENT ACCESS PATH
- 15' CLEAR AND WALKABLE GRADE AROUND BUILDING
- MAIN EXTERIOR DOORS
- FIRE ACCESS PATH

FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: SAC PM: 43 DATE: 5/31/2022

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 16995, Expiration Date: 04/21/2024

OWNER:
SLIGO 42, LLC and SLIGO 60, LLC
c/o TM ASSOC. DEVELOPMENT
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

CO-DEVELOPERS:
GREEN STREET HOUSING, LLC
212 EAST MAIN STREET, # 200
SALISBURY, MARYLAND 21801
443.615.7121

CO-DEVELOPERS:
TM ASSOC. DEVELOPMENT, INC.
1375 PICCARD DRIVE, SUITE 150
ROCKVILLE, MARYLAND 20850
240.428.7799

REVISIONS

NO.	DESCRIPTION	DATE
1		
2	MNCPC SUBMISSION	05/31/2022

ARCHITECT:
MNER FEINSTEIN ARCHITECTS, LLC
241 EAST 4th Street | Suite 207
Frederick, Maryland 21701
301.760.7988

LAND USE ATTORNEY:
WIRE GILL LLP
4800 HAMPTDEN LANE, SUITE 200
BETHESDA, MARYLAND, 20814
HEATHER DLHOPOLSKY
301-263.6275

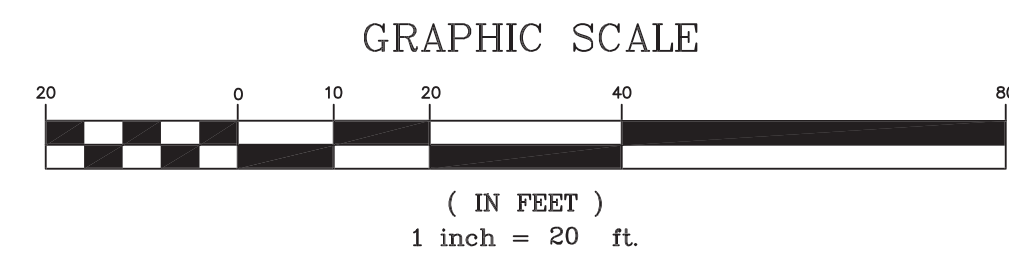
TAX MAP J43 WSSC 210 NW 01
PLATS 21509 and 51
13TH ELECTION DISTRICT
MONTGOMERY COUNTY
MARYLAND

SLIGO APARTMENTS
R.HOLT EASLEY'S
LOT 51, LOT 12 and PT. OF LOT 10

PROJ. MGR BJD
DRAWN BY JDP
SCALE 1"=20'
DATE 04.28.2022

FIRE APPARATUS ACCESS PLAN

PROJECT NO. 17.172.14
SHEET NO. 1 OF 1



DPS-ROW CONDITIONS OF APPROVAL

May 1, 2023

82022017A Sligo Apartments

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan files:

“07-BSITE-82022017A-05.pdf V2” uploaded on/ dated **“4/20/2023”**.

As this revision has been approved by MCDOT preliminary plan 12022011A approval letter dated April 28, 2023, we have no further comment at this point.

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

AUG 10 2022

MCPB No. 22-072
 Preliminary Plan No. 120220110
 Sligo Apartments
 Date of Hearing: July 21, 2022

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on April 6, 2022, Sligo 42 LLC and Sligo 60 LLC (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create one lot on 1.29 acres of CRT 0.75 C 0.75 R 0.25 H 35’ zoned-land, located on Sligo Avenue approximately 400 feet west of Carroll Lane (“Subject Property”) in the Silver Spring/Takoma Park Policy Area and 2000 *East Silver Spring Master Plan* (“Master Plan”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120220110, Sligo Apartments, (“Preliminary Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 11, 2022 setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 21, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Verma, seconded by Commissioner Cichy, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor with Commissioner Rubin being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120220110 to create one lot on the Subject Property, subject to the following conditions:¹

¹ For the purpose 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.

2425 Reddie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320

www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

MCPB No. 22-072
Preliminary Plan No. 120220110
Sligo Apartments
Page 2

General Approval

1. This Preliminary Plan is limited to 1 lot for up to 115,000 square feet for up to 98 multifamily dwelling units.

Adequate Public Facilities

2. The Adequate Public Facilities (“APF”) review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

Plan Validity Period

3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated June 1, 2022 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated June 9, 2022 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
7. 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 May 31, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend

MCPB No. 22-072
Preliminary Plan No. 120220110
Sligo Apartments
Page 3

if the amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

8. Before approval of a record plat for the Subject Property, the Applicant must receive Staff certification of any subsequent Site Plan(s) associated with this Preliminary Plan. Prior to certification of the Site Plan and recordation of the plat, the Applicant may obtain permits for demolition, below-grade excavation, and sheeting and shoring. The record plat(s) and Certified Site Plan must be submitted to M-NCPPC prior to any below-grade activity occurring on site. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks and bikepaths is determined through site plan review and approval.
9. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

Transportation

Existing Frontage Improvements

10. The Applicant must provide the following dedications and show them on the record plat(s) for the following existing roads:
 - a) All land necessary to accommodate 25 feet from the existing pavement centerline along the Subject Property frontage for Sligo Avenue.
11. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS to ensure construction of a 10-foot wide sidepath with a six-foot vegetated buffer along the Property frontage on Sligo Avenue (no PUE is required).

Record Plats

12. There shall be no clearing or grading of the site prior to submission of the record plat to M-NCPPC.
13. The record plat must show all necessary easements.
14. The existing PUE and right-of-way delineated on Plat No. 21509 must be extinguished prior to recordation of plat.

MCPB No. 22-072
 Preliminary Plan No. 120220110
 Sligo Apartments
 Page 4

Certified Preliminary Plan

15. The certified Preliminary Plan must contain the following notes:

a. Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

16. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and all appropriate agency approval letters on the certified set
- b) Include the approved Fire and Rescue Access plan in the certified set.

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.

a) The block design is appropriate for the development or use contemplated

The proposed subdivision is located within an existing block that is appropriate for the proposed multifamily development.

b) The lot design is appropriate for the development or use contemplated

The proposed lot is appropriate for the development proposed. The 1.15-acre rectangular lot will provide one vehicular access point onto Sligo Avenue for the multi-family building and will also provide several frontage improvements for bicycle and pedestrians. The proposed subdivision has been reviewed and approved for stormwater and fire access adequacy by the Montgomery County Department of Permitting Services.

c) The Preliminary Plan provides for required public sites and adequate open areas

MCPB No. 22-072
 Preliminary Plan No. 120220110
 Sligo Apartments
 Page 5

There are no Master Planned sites recommended for this particular Property. As discussed in Finding 2 below, the proposed subdivision will dedicate additional public right-of-way and will implement master planned transportation improvements such as a sidepath and streetscape.

d) The Lot(s) and Use comply with the basic requirements of Chapter 59

The proposed lot will comply with the development standards for CRT zone optional method development and related development standards. As determined at Site Plan, future development will be subject to residential compatibility standards of Section 59.4.8.1 of the Zoning Ordinance.

2. The Preliminary Plan substantially conforms to the Master Plan.

a) Land Use

The Property is located within the *2000 East Silver Spring Master Plan*. The Project conforms to the goals and recommendations of the Master Plan.

- *Preserve the residential character of East Silver Spring neighborhoods*

The Project proposes to redevelop a commercial property with new 98-unit multifamily building with structured parking. The entire Project will be affordable for a variety of income levels. The Project design has been extensively reviewed with Staff to ensure the scale and architecture design is compatible with the surrounding multifamily structures and townhouses.

- *The East Silver Spring Master Plan seeks to preserve existing residential character, encourage neighborhood reinvestment, provide a greater range of housing types, and enhance the quality of life throughout East Silver Spring*

The Project will support the Master Plan's goal to preserve existing residential character and encourage neighborhood investment by redeveloping a property that has been underutilized. The Project will provide new housing stock without displacing any existing residents in a location that is predominantly single family detached homes and older residential buildings.

- *Confirm the existing C-1 and C-O zoning throughout East Silver Spring*

The Subject Property was reconfirmed as C-1 during the adoption of the Master Plan, but during the 2014 Zoning Ordinance update was reclassified to CRT, which is the equivalent zoning under the new Zoning Ordinance.

- *Encourage the use of alternatives to automobile transportation to reduce air pollution*

The Project proposes 98 new units within 1 mile of the Silver Spring Metro Station and 1.5 miles of the Takoma Metro Station. The proposal includes 61 vehicular parking spaces, as allowed by the Reduced Parking Area provisions of the Zoning Ordinance, and 58 bicycle parking spaces in support of encouraging nonauto trips.

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 Preliminary Plan No. 120220110
 Sligo Apartments
 Page 6

- *Continue to provide on-site stormwater treatment with effective technologies where feasible*

The Project proposes a variety of Environmental Site Design techniques to treat stormwater such as green proof planters within the courtyard and two bioretention planters to treat stormwater from the roof drains. The Project received approval of a Stormwater Concept Plan by the Montgomery County Department of Permitting Services Stormwater Division on June 9, 2022.

- *Promote the use of areas designed to increase infiltration within required open or green space*

The location of stormwater infiltration is located in open space areas of the Project such as the courtyard and the public open space along the street frontage. These areas provide a handful of previously described stormwater management features including bioretention facilities.

b) Environment

Environmental Guidelines & Noise Analysis

As previously mentioned, the Property is located within the Sligo Creek watershed which is classified as a Use-Class I watershed by the State of Maryland. The Subject Property contains no forest but does have one significant tree (trees with a diameter at breast height or "DBH" of 24 inches or more) occurring along the northern property line and there are a number of other significant trees within the neighboring properties. There are no documented streams wetlands or associated buffers on or near the Subject Property, and no rare, threatened or endangered species or other environmentally sensitive features are present.

A Traffic Noise Impact and Barrier Analysis was prepared by Hush Acoustics LLC for the Property due to its location along Sligo Avenue and also within 3,000 feet of a railroad, and the results were provided in a report dated May 13, 2022 (Attachment E). A noise analysis is necessary to demonstrate conformance with the 1983 *Staff Guidelines For the Consideration of Transportation Noise Impacts In Land Use Planning and Development* ("Noise Guidelines") by determining the projected interior and exterior noise levels and whether or not mitigation for residential units and outdoor recreational areas is required. The Montgomery County "Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development" stipulate a 65 dBA Ldn maximum noise level for outdoor recreation areas and 45 dBA Ldn for indoor areas.

The results of the analysis for this Property indicate that future unmitigated traffic noise levels above 65 dBA Ldn will impact the building facade closest to Sligo Avenue. However, the interior residential spaces can readily be mitigated to suitable levels (not exceeding 45 dBA Ldn) if windows with the appropriate sound transmission class rating

MCPB No. 22-072
 Preliminary Plan No. 120220110
 Sligo Apartments
 Page 7

(STC) are specified. Standard conditions of approval are recommended to address the noise mitigation requirements.

The analysis also determined that the exterior courtyard space is well protected from transportation noise and no modifications are necessary relative to the outdoor common open space.

c) Transportation

Transportation

Sligo Avenue, a minor arterial has a master-planned right of way of 50 feet, as envisioned by the 2000 *East Silver Spring Master Plan* and later confirmed by the 2018 *Master Plan of Highways and Transitways*. As conditioned, the Site will ensure that 25 feet from the centerline of Sligo Avenue and the Property line will be dedicated to public right-of-way.

The Site frontage will be improved with the 10-foot, buffered sidepath, to be installed by the Applicant, thereby realizing the 2018 *Bicycle Master Plan* recommendation for sidepaths along at least one side of Minor Arterial roadways within “Lower Activity Areas” in the County (page 62). The sidepath will be buffered by street trees and smaller vegetation planted within a 6-foot buffer.

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

a) Roads and other Transportation Facilities

As discussed in Finding 2, the Site will provide the master-planned frontage improvements to achieve the 2018 *Bicycle Master Plan* vision for Sligo Avenue.

b) Local Area Transportation Review (LATR)

A transportation statement, dated January 26, 2022, was submitted with the Project, indicating that the proposed development will generate 38 net new morning peak-hour person trips and 46 net new evening peak-hour person trips when compared to the trips generated by the existing small office building, and specialty trade contractor (Table 3). Because the estimated transportation impact of the Project is less than 50 net new person trips, the Project satisfies the Local Area Transportation Review requirement without further analysis.

Table 3: Project Peak Hour Trip Generation

Total Proposed		Vehicle Rates		Policy Area Vehicle Trips		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM

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Preliminary Plan No. 120220110
Sligo Apartments
Page 8

Existing Use (Credit)						
Small Office Building (2,048 SF)	3	4	3	3	4	5
Specialty Trade Contractor (3,050 SF)	5	6	4	5	7	8
	Subtotal				11	14
Proposed Use						
98 Multi-family Dwelling Units	32	39	27	32	49	60
	Total Net New Trips				38	46

Source: Wells & Associates Transportation Statement, dated January 26, 2022.

c) Other Public Facilities and Services

Schools

The project is served by East Silver Spring ES, Takoma Park MS and Montgomery Blair HS. Based on the FY23 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 4. Applicable FY2023 School Adequacy.

School	Projected School Totals, 2026				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/Deficit		Tier 1	Tier 2	Tier 3
East Silver Spring ES	577	517	89.6%	+60	No UPP	145	176	262
Takoma Park MS	1,322	1,107	83.7%	+215	No UPP	341	480	678
Montgomery Blair HS ²	2,867	2,619	91.3%	+248	No UPP	428	822	1,252

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school's adequacy status and ceilings, as determined in the Annual School Test. Under the FY23 Annual School Test, East Silver Spring ES, Takoma Park MS and Montgomery Blair HS do not require any UPP as identified in Table 4. If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

Calculation of Student Enrollment Impacts

To calculate the number of students generated by the proposed amendment, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family

² Projected enrollment reflects the estimated impact of CIP P651908, which will reassign students between the Downcounty Consortium, Walter Johnson HS and Woodward HS in 2026.

MCPB No. 22-072
 Preliminary Plan No. 120220110
 Sligo Apartments
 Page 9

detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of 98 units that are not age-restricted, the proposed amendment is estimated to generate the following number of students based on the subject Property's location within an Infill Impact Area:

Table 5. Estimated Student Enrollment Impacts.

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	0	0.195	0.000	0.096	0.000	0.139	0.000
SF Attached	0	0.166	0.000	0.091	0.000	0.116	0.000
MF Low-rise	98	0.059	5.782	0.023	2.254	0.032	3.136
MF High-rise	0	0.034	0.000	0.015	0.000	0.016	0.000
TOTALS	98		5		2		3

As shown in Table 5, on average, this project is estimated to generate 5 elementary school students, 2 middle school students and 3 high school students. The number of students generated does not exceed the adequacy ceilings identified for each school in Table 4, therefore no additional UPPs are required and neither are partial payments across multiple UPP tiers.

Other

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service which has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the *Growth and Infrastructure Policy* resolution currently in effect and will be adequate to serve the Property.

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

A Forest Conservation Exemption (42021143E) was confirmed for the project on March 2, 2021. The application qualifies for the exemption under 22A-5(s)(1) because the activity is occurring on a tract of land less than 1.5 acres with no existing forest or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

MCPB No. 22-072
Preliminary Plan No. 120220110
Sligo Apartments
Page 10

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Section on June 9, 2022. The Application will meet stormwater management goals via green roof and bioretention planter boxes. A partial waiver of stormwater management requirements was requested and conditionally granted with the expectation that incorporation of additional stormwater opportunities will be explored during the design phase of the project.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

Not applicable to this Property.

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

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for three years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G, and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

MCPB No. 22-072
Preliminary Plan No. 120220110
Sligo Apartments
Page 11

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 10 2022 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Verma, seconded by Commissioner Cichy, with a vote of 4-0-1; Chair Anderson, Vice Chair Verma, and Commissioners Cichy, and Patterson, voting in favor of the motion, Commissioner Rubin abstaining, at its regular meeting held on Thursday, July 28, 2022, in Wheaton, Maryland and via video conference.



Casey Anderson, Chair
Montgomery County Planning Board

Attachment C

BRIAN DONNELLY
9220 WIGHTMAN RD #120
MONTGOMERY VILLAGE, MD 20886

Thomas Ayd
1375 Piccard Drive, Suite 150
Rockville, MD 20850

Brian Donnelly
9220 Wightman Road, Suite 120
Montgomery Village, MD 20879

Heather Dlhopsky
4800 Hampden Lane Suite 200
Bethesda, Maryland 20814

Adam Stockmaster
1375 Piccard Drive, Suite 150
Rockville, MD 20850

Donald Nuzzio
1375 Piccard Drive, Suite 150
Rockville, MD 20850

Matt Auchey
212 E. Main Street, Suite 200
Salisbury, MD 21801

Alan Miner
241 E. 4th Street
Frederick, MD 21701

Nancy Randall
1110 Bonifant Street, Suite 210
Silver Spring, MD 20910

Hamid Soltani
Miner Feinstein Architects, LLC
241 E. 4th Street
Frederick, MD 21701

320220080 Sligo Apartments

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 22-073
Site Plan No. 820220170
Sligo Apartments
Date of Hearing: July 21, 2022

AUG 10 2022

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on April 6, 2022, Sligo 42 LLC and Sligo 60 LLC (“Applicant”) filed an application for approval of a site plan for the construction of a multifamily residential building up to 115,00 square feet for up to 98 units on 1.29 acres of CRT 0.75 C 0.75 R 0.25 H 35’ zoned-land, located on Sligo Avenue approximately 400 feet west of Carroll Lane (“Subject Property”) in the Silver Spring/Takoma Park Policy Area and 2000 *East Silver Spring Master Plan* (“Master Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820220170, Sligo Apartments (“Site Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 11, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on July 21, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Verma, seconded by Commissioner Cichy, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Patterson and Verma voting in favor with Commissioner Rubin being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820220170 for the construction of a multifamily residential building up to

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www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to
Legal Sufficiency: /s/ Matthew T. Mills
M-NCPPC Legal Department

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115,00 square feet for up to 98 units, the Subject Property, subject to the following conditions:¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 115,000 square feet of total residential development on the Subject Property for up to 98 dwelling units.

2. Height

The development is limited to a maximum height of 48 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan. This height includes an additional height above the mapped height of 35 feet for the provision of MPDUs per Section 59.4.5.2.C.7 of the Zoning Ordinance.

Open Space, Facilities and Amenities

3. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 3,200 square feet of public open space (6 % of net lot area) on-site.
- b) Prior to issuance of the final Use and Occupancy Certificate, the Applicant must construct the streetscape improvements, including the 10-foot sidepath and the six-foot vegetated buffer along the Property's frontage on Sligo Avenue, consistent with the *Complete Street Design Guide*.
- c) Before the issuance of the final Use and Occupancy Certificate for the residential development, all public open space areas on the Subject Property must be completed.

4. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

a) Transit Proximity

The Certified Site Plan must show the distance to the Level 1 transit station (Silver Spring Metro Station), which is located 3,895 feet west of the site.

b) Diversity of Uses and Activities

i. Affordable Housing/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 June 2, 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

¹ For the purpose 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.

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that the amendments do not conflict with other conditions of the Site Plan approval.

- b) The development must provide 24.5 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 unit(s), the MPDU Agreement to Build between the Applicant and the MCDHCA must be executed.
- c) Quality Building and Site Design
 - i. Structured Parking –
 The Applicant must provide a minimum of 60 parking spaces within a below-grade structure.
- 5. Recreation Facilities
 - a) Before Certified Site Plan approval, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
 - b) The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

Environment

- 6. Tree Save Plan
 - a) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
 - b) The development must comply with the Forest Conservation Law and Tree Save Plan as part of FCP Exemption No. 42021143E.
- 7. Noise Attenuation
 - a) Before issuance of any building permit, the Applicant/developer/builder 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 65 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn. The affected units will be identified on the Certified Site Plan.
 - b) If the plan changes in any manner that affects the validity of the noise analysis dated May 13, 2022, for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
 - c) Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of

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Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

Transportation

8. 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 May 27, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in its memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 58 long-term and 6 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room in the parking garage, and the short-term spaces must be inverted-U racks (or approved equal) in a location convenient and clearly visible from the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide one bicycle repair station.
- d) The Applicant must provide 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, before issuance of the final Use and Occupancy Certificate.
- i. Sligo Avenue: 10-foot-wide sidepath with six-foot-wide buffer from traffic.

10. 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 May 31, 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 Site Plan approval.

Site Plan

11. 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

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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 all 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 street lights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

12. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or use and occupancy certificate, whichever comes first, 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, outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. 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.

13. Development Program

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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.

14. 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, all other agency approval letters, development program, and Sketch, Preliminary and Site Plan resolutions on the approval or cover sheet(s).
- b) Add the following notes:
 - i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
 - ii. "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."
 - iii. "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur prior to any site development work commencement and prior to any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times."
- c) Fire and Rescue Access plan should be included in the Certified Site Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) The Applicant shall make good faith efforts for coordination with the neighbors (toward the north and east) regarding proposed removal of offsite and jointly owned trees and address the locations and quantities of replacement trees/landscaping on the revised landscape plans.
- g) Confirm the gas line and (other utilities) fronting the site will not conflict with the street tree plantings and/or move the existing and proposed utility locations as necessary to appropriately accommodate the new plantings.
- h) The landscape planting list shall be revised to utilize native species in keeping with the East Silver Spring Master Plan recommendations regarding Environment and urban forestry principles. However, the plantings associated with the green roof are to be determined by DPS.
- i) Provide details of recreation facilities.

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- j) Revise plans to show reduced stormwater bioretention at the building frontage to provide a more generous front entry plaza.
- k) Revise plans to show a minimum of three street trees along the Sligo Avenue frontage, with a preference of five, to be determined in coordination with the Department of Permitting Services Right of Way Permitting Division.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of [*plan name and number*], submitted via ePlans to the M-NCPPC as of the date of the Staff Report [*or other date*], are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

- 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;

Site Plan 820220170 has been reviewed for conformance with the associated Sketch Plan 320220080 and Preliminary Plan 120220110 previously discussed above.

- 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;

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- 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;

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d) satisfies applicable use standards, development standards, and general requirements under this Chapter;
 - i. ***Division 4.5 CRT Zone***

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Table 6: Sligo Apartments Preliminary and Site Plan Data Table for CRT Zone, Optional Method, Section 59.4.5

Development Standard	Permitted/ Required	Approved
Tract Area	n/a	56,229 sf(1.29 acres)
Prior Dedication	n/a	3,971 sf (0.09 acres)
Proposed Dedication	n/a	2,320 sf (0.05 acres)
Site Area	n/a	49,938 sf (1.15 acres)
Mapped Density CRT-0.75, C-0.75, R-0.25 H-35'		
Residential (GFA/ FAR)	14,057 sf / 0.25	115,000 sf / 2.05 ¹
Commercial (GFA/FAR)	42,171 sf / 0.75	0 sf
Total Mapped Density	42,171 sf / 0.75	115,000 sf / 2.05
MPDU requirement	12.5%	24.5% (98 units) ²
Building Height, max average	35 ft	48 ft ⁴
Public Open Space (min s.f.)	0%	6%
Minimum Setbacks (ft)		
Front	0	11 ft
Rear	30 ft	42 ft
Side (west)	0	8.5 ft
Side (east)	15 ft	23 ft

¹ Zoning Text Amendment 21-07 was adopted by Montgomery County Council on January 18, 2022, which allows projects in the CR and CRT zone to exempt FAR limits of the underlying zone, provided the maximum residential density does not exceed 2.5 FAR if 100% of the units are income-restricted for at least 30 years under a government regulation or binding agreement

² After the expiration of the LIHTC restrictions, the Applicant proposes to keep 24.5% of units on-site as County regulated MPDUs.

³ Zoning Ordinance Section 59.4.5.2.C.7 states that the height limit of the applicable zone does not apply to the extent required to provide MPDUs. The additional height is calculated as the floor area provided for MPDUs above 12.5% divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.

⁴ The square footage provided for MPDUs totals 24,917 square feet and the average floor plate is 23,000 square feet resulting in allowable 24 feet of additional height beyond the mapped 35 feet (59 feet). The Applicant proposes a maximum height of 48 feet.

⁵ The Property is adjacent to a residential townhouse zone to the east, and a single family detached zone in the rear. The Application is subject to the Residential Compatibility Standards of Section 59.4.1.8 of the Zoning Ordinance, requiring 1.5 times the adjacent zone setback for the side and rear.

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Table 6 cont: Sligo Apartments Parking Table Per Section 59.6.2

Parking	Spaces Required	Spaces Provided
Vehicle Parking		
Residential		
MPDUs (24 units);	12 min / 24 max	--
1 Bedroom (27 units);	13.5 min/ 33.75 max	--
2 & 3 Bedroom (43 units);	35.3 min/ 64.5 max	--
Total Residential Parking (98 units)	61 min/ 122.5 max¹	61 spaces²
Bicycle Parking (Long Term/ Short Term)		
Residential	(47/2) 49	--
Bicycle Parking Total	(47/2) 49	(58/6) 64
Loading Spaces	1	1

¹ Minimum parking per market rate unit has been adjusted per Zoning Ordinance Section 59.6.2.3.1.5 to reflect unbundling and Section 59.6.2.3.1.2 to reflect MPDU parking minimums

² Final number of vehicle and bicycle parking spaces to be determined at building permit based on final number of dwelling units and non-residential density. Public Benefit points are based on 450 spaces.

ii. *Division 4.7 Optional Method Public Benefits*

Section 59.4.7.3.D.6.e states that projects that provide a minimum of 20% MPDUs do not have to satisfy any other benefit category under Section 4.5.4.A.2. Regardless, the Applicant proposes to exceed the 50-point requirement utilizing 3 categories. In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes the following public benefits:

Table 7: Sligo Apartments Public Benefit Calculations

Public Benefits	Incentive Density	
	Max Allowed	Approved
59.4.7.3C: Transit Proximity		
Silver Spring Metro Station	25	10
59.4.7.3.D: Diversity of Uses and Activities		
Affordable Housing	n/a	144
59.4.7.3E: Quality of Building and Site Design		
Structured Parking	20	20
TOTAL		174

Transit Proximity

Level 1 – Silver Spring Metro Station

The Applicant requests 10 points for locating a project within ½ mile – 1 mile of a metro station. The Project is located 3,895 feet (¾ mile) from the Silver Spring Metro Station. Per Table 2, Page 16 of the CR Guidelines, properties zoned CRT are allowed 10 points

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for locating a project within ½ mile and 1 mile of an existing or planned metro station. The Planning Board approves 10 points for this category.

Diversity of Uses and activities

Affordable Housing

The Applicant requests 144 points for providing affordable housing in excess of the minimum required (12.5%). The Applicant proposes to provide 24.5% of dwelling units as MPDUs after the expiration of the LIHTC restrictions. Points are calculated based on the percentage of MPDUs greater than 12.5%. The Planning Board approves the Applicant's request.

$$24.5\% \text{ MPDUs proposed} - 12.5\% \text{ MPDUs min} = 12\% * 12 \text{ points per } 1\% \text{ over min} = 144 \text{ points}$$

Quality of building and Site Design

Structured Parking

The Applicant requests 20 points for placing all parking in a below grade structure. Points for this incentive are granted on a sliding scale, based on the percentage of total on-site spaced provided in a below-grade parking structure multiplied by 20 points. The Applicant satisfies the requirements for 20 points because all on-site parking is provided in a below-grade garage.

iii. *Division 6, General Development Standards*

(1) Division 6.1 Site Access

All access to the Site will be provided from a consolidated curb cut on Sligo Avenue at the eastern Property line. The driveway was evaluated for sight-distance and was approved based on the criteria for a minor arterial.

(2) Division 6.2 Parking, Queuing and Loading

Vehicular parking will be provided with a structured parking deck, with 52 standard spaces, one carshare space, four ADA accessible parking spaces and adjacent aisles, and four motorcycle parking spaces. The 61 total spaces meet the minimum required for a project of this size within a Reduced Parking Area, with 24 MPDUs, where parking is unbundled from the units. Staff supports meeting the minimum number of required off-street parking spaces as the Site is located within walking distance of both the imminent Purple Line Station (at the Silver Spring Library) and the Silver Spring Transit Center, which is served by Metrorail, MARC and WMATA bus and RideOn bus service.

The Project proposes an off-street loading facility within the rear portion of the parking deck in accordance with Section 59-6.2.8 of the County Code (Loading Design Standards). The loading facility meets the minimum design criteria for a single-unit truck, providing a space that is 10-feet wide by 30-feet long. The facility is conveniently located adjacent to the trash room, stairs and elevator vestibule.

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All agencies reviewed the driveway, parking deck design and circulation pattern and provided written approval of the Site Plan.

(3) Division 6.3 Open Space and Recreation

As stated previously, while the Property is not required to provide public open space per Section 59.4.5.4.B.1 of the Zoning Ordinance, the Application will provide 6% of the Site Area as public open space in the form of a plaza at the main building entrance. The plaza will be furnished with seating areas and landscaping. The Project will also provide an interior courtyard with picnic seating, community space room, and a fitness room, satisfying the requirements of onsite Recreation Facilities.

(4) General Landscaping and Outdoor lighting

The Applicant proposes landscaping along the Property frontage surrounding the proposed plaza and main entrance, within the proposed interior courtyard, and at the rear of the Property. The Application has been conditioned to require exterior lighting to comply with the latest Illuminating Engineering Society of North America (IESNA) recommendations. As this is an optional method project, the screening requirements of Section 59.6.5 only apply to standard method development.

e) Satisfies the applicable requirements of:

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

As discussed in Preliminary Plan 120220110 Finding 5, the requirements of Chapter 19 have been satisfied.

ii. *Chapter 22A, Forest Conservation.*

As discussed in Preliminary Plan 120220110 Finding 4, the requirements of Chapter 22a have been satisfied.

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

The Proposal will provide a new multifamily building with underground parking and safe circulation patterns for pedestrians, bicycles, and vehicles, while providing open spaces for the residents and surrounding community. The massing has been designed to reduce bulk through depth, material variation, and stepping down in height to neighboring townhouse and residential development.

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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 Property is located within the *2000 East Silver Spring Master Plan*. The Project conforms to the goals and recommendations of the Master Plan.

- *Preserve the residential character of East Silver Spring neighborhoods*

The Project proposes to redevelop a commercial property with a new 98-unit multifamily building with structured parking. The entire Project will be affordable for a variety of income levels. The Project design has been extensively reviewed with Staff to ensure the scale and architecture design is compatible with the surrounding multifamily structures and townhouses.

- *The East Silver Spring Master Plan seeks to preserve existing residential character, encourage neighborhood reinvestment, provide a greater range of housing types, and enhance the quality of life throughout East Silver Spring*

The Project will support the Master Plan's goal to preserve existing residential character and encourage neighborhood investment by redeveloping a property that has been underutilized. The Project will provide new housing stock without displacing any existing residents in a location that is predominantly single family detached homes and older residential buildings.

- *Confirm the existing C-1 and C-O zoning throughout East Silver Spring*

The Subject Property was reconfirmed as C-1 during the adoption of the Master Plan, but during the 2014 Zoning Ordinance update was reclassified to CRT, which is the equivalent zoning under the new Zoning Ordinance.

- *Encourage the use of alternatives to automobile transportation to reduce air pollution*

The Project proposes 98 new units within 1 mile of the Silver Spring Metro Station and 1.5 miles of the Takoma Metro Station. The proposal includes 61 vehicular parking spaces, as allowed by the Reduced Parking Area provisions of the Zoning Ordinance, and 58 bicycle parking spaces in support of encouraging nonauto trips.

- *Continue to provide on-site stormwater treatment with effective technologies where feasible*

The Project proposes a variety of Environmental Site Design techniques to treat stormwater such as green proof planters within the courtyard and two bioretention planters to treat stormwater from the roof drains. The Project received approval of a Stormwater Concept Plan by the Montgomery County Department of Permitting Services Stormwater Division on June 9, 2022.

- *Promote the use of areas designed to increase infiltration within required open or green space*

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The location of stormwater infiltration is located in open space areas of the Project such as the courtyard and the public open space along the street frontage. These areas provide a handful of previously described stormwater management features including bioretention facilities.

- 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. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;**

As discussed in Preliminary Plan 120220110 Finding 2.c, the frontage improvements comply with the applicable master plans. The existing and future roadway and transit networks are adequate to support the Project. The Site is estimated to generate fewer than 50 net new person trips in the peak hour, and therefore no further analysis is required to make a finding for adequacy of the public transportation network.

- 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 not located in a Rural Residential or Residential zone.

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

The Subject Property abuts a single family detached zone in the rear, and a Residential Townhouse zone to the east. The Project must comply with the standards of Section 59.4.1.8 for Residential Compatibility, which includes a greater setback at the side and rear, as well as a gradual increase in height at the rear and east side of the Site. The Application proposes a rear setback of 42 feet which is greater than 1.5 times the R-60 zone (30 feet) and a side (east) setback of 23 feet which is greater than 1.5 times the RT zone (15 feet). The Applicant provided exhibits demonstrating that the height of the building to the rear and east will not protrude beyond a 45-degree angular plane projecting over the Property as required by the Residential Compatibility height provisions.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an**

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insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

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BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is AUG 10 2022 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Vice Chair Verma, seconded by Commissioner Cichy, with a vote of 4-0-1; Chair Anderson, Vice Chair Verma, and Commissioners Cichy, and Patterson, voting in favor of the motion, Commissioner Rubin abstaining, at its regular meeting held on Thursday, July 28, 2022, in Wheaton, Maryland and via video conference.



Casey Anderson, Chair
Montgomery County Planning Board

Attachment D

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