

Montgomery Planning

BLACK HILL TOWNES
PROJECT PLAN AMENDMENT NO. 92012004C,
PRELIMINARY PLAN AMENDMENT NO. 12012021D,
SITE PLAN NO. 820240100, AND
FINAL FOREST CONSERVATION PLAN AMENDMENT NO. F20240570

Description

Request to remove 54.12 acres of undeveloped land from the Project Plan area; and create one (1) 5.74-acre lot for 69 townhouse units (including 12.5% MPDUs), common open space, natural surface trail, and other site-related improvements.

COMPLETED: 3/7/2025

PLANNING BOARD HEARING DATE: 3/20/2025

MCPB ITEM NO. 9

Planning Staff

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LOCATION/ADDRESS

West of I-270 along Crystal Rock Drive and Century Boulevard, Germantown

MASTER PLAN

2009 *Germantown Employment Area Sector Plan*

ZONE

TMX-2 (prior zone)
CR-0.75, C-0.5, R-0.5, H-145 T and Germantown Transit Mixed Use Overlay (current zone)

PROPERTY SIZE

107.70 acres (Overall Property)
5.74 acres (Subject Property)

APPLICANT

Lerner Enterprises

ACCEPTANCE DATE

April 17, 2024

REVIEW BASIS

Chapters 22A, 50, and 59

Summary:

- Staff recommends approval of Project Plan Amendment No. 92012004C, Preliminary Plan Amendment No. 12012021D, Site Plan No. 820240100, and Final Forest Conservation Plan Amendment No. F20240570, with conditions.
- Proposal to remove 54.12 acres of undeveloped land from the Project Plan Area in order to allow the remaining phases of the project to proceed under the CR Zone, standard method of development.
- In addition, the proposal creates one (1) lot for 69 townhouse units with 12.5% MPDUs, common open spaces, and other site related improvements, which replaces the previously approved 440 multi-family units in three (3) high-rise buildings.
- The Applicant proposes to provide a natural surface trail connection from the Site to Crystal Rock Trail in Black Hill Regional Park, common open spaces with nature play elements, a fire pit with seating, and a picnic pavilion.
- As conditioned, Staff recommends design revisions to improve access and visibility to the open space amenity area in the rear of the townhouses.
- To date, no community correspondence has been received.

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SECTION 1: EXECUTIVE SUMMARY

Under the 2004 Zoning Ordinance, a Project Plan application was required for optional method of development on some commercial and mixed-use zones, similar to a Sketch Plan under the 2014 Zoning Ordinance. In the TMX-2 zone, which was the previous zone for this property, this method allowed densities greater than 0.5 FAR with more flexibility and fewer specific development standards, and it required developers to provide additional public facilities and amenities.

On March 14, 2013, the Planning Board approved Project Plan No. 920120040, an optional method of development for the Black Hill site to allow a mixed-use development with a total of 3,284,000 square feet, including 1,097,800 square feet of office use, 91,400 square feet of retail use, 243,240 square feet of hotel use, and 1,618 total residential units (including 190 MPDUs) on 107.70 acres of previously TMX-2 zoned-land. Because the FAR exceeded 0.50, the Applicant was required to purchase Building Lot Termination (BLT) easements¹ per the Germantown Transit Mixed Use Overlay Zone requirements. However, to date, no BTLs have been purchased because the constructed 0.50 FAR threshold has not been met. The approval also required significant public infrastructure, open spaces, and amenities, which have been completed by the developer. Since the approval of the Project Plan, the area has been rezoned from Transit Mixed-Use (TMX-2) to Commercial-Residential (CR).

The Project Plan has undergone two amendments since its approval. The first amendment reduced the number of dwelling units, removed a seniors-only age restriction, and made other minor changes. The second amendment adjusted public amenities and project phasing, along with additional minor revisions.

With the Subject Applications, the Applicant proposes to remove 54.12 acres of undeveloped land from the 107.70-acre Project Plan site, and create one (1) lot for 69 townhouse units. As a result, the FAR will no longer exceed 0.5, and the requirement to purchase BLT easements will no longer apply. The remaining 53.58 acres will continue to include residential, retail, office uses, and public amenities. For the 54.12 acres of undeveloped land outside the amended Project Plan site, the Applicant intends to use the standard development method under the current CR zoning, providing public amenities and open spaces according to CR zoning standards in future applications.

¹ The Building Lot Termination (BLT) program is a farmland preservation tool. A BLT easement restricts residential, commercial, industrial and other non-agricultural uses on a property. The primary purpose of a BLT easement is to preserve agricultural land by allowing higher densities outside of the county's Agriculture Reserve.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

PROJECT PLAN AMENDMENT 92012004C

Staff recommends approval of Project Plan Amendment No. 92012004C to remove 54.12 acres of undeveloped land from the existing 107.70 Project Plan Area (Project Plan Area). The revised Project Plan Amendment Area is approximately 53.58 acres of developed land consisting of residential and commercial uses, public facilities, and amenities.

The Project Plan Amendment must comply with the conditions of approval for Project Plan No. 92012004B as listed in MCPB Resolution No. 18-073 dated July 25, 2018, as amended. The following site development elements shown on the latest electronic version of Project Plan No. 92012004C, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required. Condition No. 8 is removed and Condition Nos. 1 and 5 are modified below. All other conditions remain in full force and effect.

Deleted Condition

~~8. Building Lot Termination (BLTs) Development Right~~

- ~~a. The Applicant must provide proof of purchase and/or payment of 14.17 BLTs to the Department of Permitting Services prior to the issuance of building permits for density in excess of the base 0.5 FAR (or 2,345,760 sf.) of combined non-residential and residential square footage.~~
- ~~b. Prior to the release of each building permit, the Applicant must submit to the Department of Permitting Services a certified running tabulation of the individual building square footage and the cumulative total square footage for this project against the 0.5 FAR.~~

Revised Conditions

~~1. DEVELOPMENT CEILING~~

~~The development is limited to a maximum 0.7 FAR on the 107.70 acres, including the following:~~

- ~~a. Employment uses may not exceed the following:
 - ~~i. 0.31 FAR~~
 - ~~ii. Office Use: 1,097,800 square feet;~~
 - ~~iii. Retail Use: 91,400 square feet; and~~
 - ~~iv. Hotel Use: 350 rooms (243,240 square feet).~~~~
- ~~b. Residential uses may not to exceed the following:
 - ~~i. 0.39 FAR~~
 - ~~ii. Senior adult housing: 140 units; and~~
 - ~~ii. Non-age restricted multi-family: 1,089 units~~~~

1. Development Ceiling

The development is limited to a maximum total of 0.50 FAR on 53.58 acres of land, including the following:

a. Non-Residential Uses: 137,325 square feet

i. Office use: 130,000 square feet

ii. Retail use: 7,325 square feet

b. Residential Uses: 1,010,615 square feet, including 140 Assisted Living beds

5. Public Facilities, Amenities, and Other Design Features

- a. The Applicant must provide ~~51~~ a minimum of 49.9 percent of the net lot area for on-site public use space, as shown on the Project Plan. The final design and details will be determined during the Site Plan review process.
- e. The Public Use Space must include ~~Black Hill Preserve, Preserve Plaza, Village Green North and South, Main Street East and West Park, Main Street Retail Plaza, South Residential Green Linear Parks, Gateway Plaza and Linear Park, Hiker/Biker Trail, Transit Plaza,~~ neighborhood green spaces and public artworks.
- f. The final locations for the retail uses must activate the streetscape along Century Boulevard ~~Blvd near the intersection of the Main Street, and the Public Use Space Main Street Retail Plaza.~~

PRELIMINARY PLAN AMENDMENT 12012021D

Staff recommends approval with conditions of the Preliminary Plan Amendment to create one (1) 5.74-acre lot for sixty-nine (69) residential townhouse units, and abandon an existing storm drain easement.

The Preliminary Plan amendment must comply with the conditions of approval for Project Plan No. 92012004B as listed in MCPB Resolution No. 18-073 dated July 25, 2018, as amended, and Preliminary Plan No. 12012021C as approved on May 24, 2024, as amended and applicable.

All site development elements shown on the latest electronic version of the Preliminary Plan No. 12012021D, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.

The following Conditions modify the previous conditions, and Condition Nos. 20 through 31 are in addition to all other conditions, which remain in full force and effect:

Modified Conditions

1. ~~Approval under this Preliminary Plan is limited to 13 lots, and four parcels, for a maximum of 1,097,800 square feet of office space, 91,400 square feet of retail space, a 350-room hotel, and 1,229 residential units (including 12.5% MPDUs). No more than 140 of the units may be assisted living units.~~ Approval under this Preliminary Plan is limited to a total of 14 lots and four (4) parcels on 171.89 acres of land as follows:
 - a. Maximum total density of 2,458,055 square feet (0.33 FAR).
 - b. Maximum total residential density of 1,025,615 square feet (0.14 FAR), including 649 multi-family dwelling units, 140 assisted living beds, 69 townhouse dwelling units, and a minimum of 12.5 percent Moderately Priced Dwelling Units.
 - c. Maximum total commercial density of 1,432,440 square feet (0.19 FAR).
3. The Preliminary Plan must comply with all conditions of approval for ~~the~~ Project Plan No. ~~92012004B~~ 920120040, as amended and as applicable.

New Conditions

OUTSIDE AGENCIES

20. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter February 26, 2025 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply

with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

21. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements and abandon the existing storm drain easement.
22. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Service (MCDPS) Water Resources Section in its stormwater management concept letter dated March 6, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Preliminary Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

TRANSPORTATION

23. The Applicant must provide all land necessary to accommodate fifty (50) feet from the existing pavement centerline along the Subject Property frontage for Crystal Rock Drive.
24. With any future development applications associated with Lot No. 11, the Applicant must provide pedestrian connectivity between Lot No. 23 and Lot No. 24, which may include, but not limited to, trails access and sidewalks.

RECORD PLATS

25. There shall be no other clearing or grading of the site before recordation of plat(s).
26. The record plat must show necessary easements.

Notes and Labels

27. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").
28. The record plat must reference the public access covenant for the natural surface trail as required by the site plan.

CERTIFIED PRELIMINARY PLAN

29. 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 issuance 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.

30. Before submittal of the Certified Preliminary Plan, the Applicant must add approved resolutions and approval letters on the certified set.

SITE PLAN 820240100

Staff recommends approval of Site Plan No. 820240100, for the construction of 69 townhouse dwelling units (including a minimum of 12.5% MPDUs), common open space areas, natural surface trail, and other site related improvements on the Subject Property (Lot No. 24).

The development must comply with the conditions of Preliminary Plan No. 12012021B as listed in MCPB Resolution No. 18-071 dated July 25, 2018, as amended.

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.²

DENSITY, HEIGHT AND HOUSING

1. Density

The Site Plan is limited to a maximum of 130,000 square feet of residential use for 69 townhouse dwelling units on the Subject Property (Lot No. 24).

2. Height

The development is limited to a maximum height of 50 feet, as measured from the building height measuring points, 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 February 18, 2025, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations 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 12.5 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) on Lot 24, the MPDU agreement to build between the Applicant and the MCDHCA must be amended or executed, as applicable.

OPEN SPACE, FACILITIES AND AMENITIES

² 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.

4. Common Open Space and Amenities

- a) The Applicant must provide a minimum of 51,500 square feet of common open space (22.4 percent of net lot area) on-site.
- b) Before release of the last use and occupancy permit, all common open space areas on the Subject Property must be completed, and landscaping must be completed within the next planting season following issuance of the final land use occupancy permit.

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

Before release of the last use and occupancy permit, the Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP), and all landscaping must be completed within the next planting season following issuance of the final land use occupancy permit.

7. Natural Surface Trail

M-NCPPC Montgomery County Department of Parks (Montgomery Parks)

- a. Park Construction Permit
 - i. Any activity or work on parkland requires an approved Park Construction Permit, including, but not limited to, construction of the natural surface trail, associated amenities, and any required instream work for stream crossings.
- b. Natural Surface Trail Connection to Black Hill Regional Park
 - i. Before release of the 50th residential building permit, the Applicant must construct the Natural Surface Trail Connection to Black Hill Regional Park (Trail) substantially as shown on the Certified Site Plans along with required amenities including, but not limited to, a pedestrian bridge, related stream and outfall stabilization work, and signage.
 - ii. The Trail must be constructed to Montgomery Parks standards utilizing Montgomery Parks preferred natural surface trail construction methods.
 - iii. Instream stabilization work will be designed to Montgomery Parks stream restoration standards and extend upstream and downstream of the bridge crossing and into the outfall channel at the crossing to ensure long-term success of the trail network and stream system.
 - iv. Final trail alignment and design details will be established during the Park Construction Permit Process.
 - v. Montgomery Parks will accept maintenance and operational responsibility for the Trail on parkland. The Applicant will be responsible for maintenance and operation of the sections of trail not on parkland.
- c. The sections of Trail not on parkland must be accessible to the public and subject to a public access covenant.

TRANSPORTATION

8. Transportation

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 February 26, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

OTHER

9. Fire and Rescue

- a) 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 6, 2025, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before approval to release any portion of the site plan performance bond, 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 fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan.

SITE PLAN

10. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations of the submitted architectural drawings, as determined by M-NCPPC Staff with the following modifications:

- a) The exterior architectural character, proportion, materials, and articulation of the MPDU units must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.
- b) The exterior architectural design composition, character, proportion, materials, window, door and eave details, and articulation of all facades units must be substantially similar.
- c) Applicant must provide at least 30 feet of separation between Buildings No. 8 and 9, and between Buildings No. 9 and 10, which align with the two access points from Crystal Rock Drive opposite to existing Baltusrol Drive and halfway between Baltusrol Drive and

Bellerive Drive, to create a clear sight line and provide safe access from Crystal Rock Dr to the rear common open space area and Black Hill Regional Park.

- d) Individual driveways must be separated by at least six-foot planting areas that must accommodate alternating large canopy shade trees and small accent or ornamental trees and shrubs.
- e) To the maximum extent feasible, the pedestrian path between the two open space activity areas must follow the natural contour of the land or the forested edge of the site instead of an orthogonal grid pattern.
- f) Along the rear line of townhomes (Building Nos. 7, 8, 9, 10, and 11) and between the common open space, no fence may exceed a height of 36 inches, and any fence must be semi-transparent. Examples of transparent fences include but are not limited to split rail fences, spaced picket fences, and wrought iron fences.
- g) The Applicant must underground all above grade transformers and utility boxes along Crystal Rock Drive, subject to final approval by Potomac Edison. If not allowed in writing by Potomac Edison, the Applicant must provide an artistic treatment for the above grade transformers and utility boxes in coordination with Staff and Potomac Edison before release of any portion of the Site Plan Surety Bond.

11. Parking Spaces in Excess of the Maximum Number Allowed

In accordance with Section 59-6.2.3.H.2.b and as shown on the Certified Plan, the Applicant must make available to the public, fifteen (15) parking spaces, which are in excess of the maximum number of parking spaces allowed. The Applicant must install signage indicating that such parking spaces are available to the public.

12. Lighting

- a) Before 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 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 streetlights within the public right-of-way.
- e) Private streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate (excluding core and shell), whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by 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 only for facilities located on the Property (not in the public right-of-way), including, but not limited to plant material, on-site lighting, outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees, street lights, and the natural surface trail. 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.

14. Development Program

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

15. 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) 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 before any site development work commencement and before 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.”
- iv. “Without a site plan amendment and with Planning Staff approval, the Applicant may revise plant material, hardscape, light fixtures, right-of-way elements, site furniture, recreational facility elements, and other similar minor elements if such revisions do not alter the conditions of approval or findings.”
- v. “Any work on M-NCPPC Parkland requires an approved Park Construction Permit.”
- vi. “The natural surface trail is accessible to the public.”
- c) Include approved Fire Department Access Plan and recreation facility supply point exhibit sheet.
- 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) Show on-street parking within the existing curb lane, in compliance with the 2024 *Complete Streets Design Guide*, on Crystal Drive along the Site frontage, unless restricted by MCDOT.

FINAL FOREST CONSERVATION PLAN AMENDMENT F20240570

Staff recommends approval of Final Forest Conservation Plan Amendment No. F20240570 (“FFCP”). All site development elements shown on the latest electronic version of the Final Forest Conservation Plan No. F20240570, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions³, which supersede all previous Final Forest Conservation Plan Conditions of Approval for the Black Hill development:

1. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Code of Montgomery County Regulations, Forest Conservation Regulations.
2. 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.
3. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
4. At time of the pre-construction meeting, the Applicant must coordinate with the M-NCPPC Forest Conservation Inspection Staff for the installation of the required variance mitigation trees as required by Condition 6a of the approved Project Plan No. 920120040 and as shown on the FFCP, or demonstrate that this planting has been accomplished.
5. Prior to the installation of the natural surface trail shown on the FFCP through the Category I Conservation Easement, the trail is to be field located with both the M-NCPPC Forest Conservation Inspection Staff and Park Staff.

³ For the purpose of these conditions, the term “Applicant” shall also mean the developer, the owner, or any successor in interest to the terms of this approval.

SECTION 2: SITE DESCRIPTION

VICINITY AND ZONING

OVERALL PROPERTY

The Overall Property (Figure 1) is 107.7 acres and is located west of I-270 along Crystal Rock Drive and Century Boulevard, Germantown, in the North End District of the 2009 *Germantown Employment Area Sector Plan*, and is zoned Commercial-Residential (CR-0.75, C-0.5, R-0.5, H-145 T) with the Germantown Transit Mixed Use Overlay (“Overall Property”). The Overall Property encompasses the existing boundaries of both the Project Plan and Preliminary Plan applications.

Black Hill Regional Park is located northwest of the Overall Property and is zoned Residential Estate-2 (RE-2). Adjacent to the northeast is Interstate 270. Land to the south/southeast is zoned Residential Multi-Unit Low Density-30 (R-30) and Commercial-Residential (CR-2.0, C-1.75, R-1.0, H-145 T), and is developed with townhouse dwelling units, the Zachariah Waters Family Cemetery, and undeveloped land. Land to the west/southwest is zoned RE-2 and Residential Multi-Unit Medium Density-20 (R-20) and is developed with townhouses, a WSSC pumping station, and parkland.

Included within the Overall Property are the boundaries of the Project Plan Amendment Area (the proposed area), the Preliminary Plan Amendment Area (which remains the same) and the Subject Property (the site plan application). These geographies are discussed further below and in Section 3, Proposal Description.

SUBJECT PROPERTY

The 5.74- acre property that is the subject of the Site Plan (Figure 1) is located at the northwest quadrant of Crystal Rock Drive and Century Boulevard in the northwestern section of the Overall Property, in the North End District of the 2009 *Germantown Employment Area Sector Plan*, and is zoned Commercial-Residential (CR-0.75, C-0.5, R-0.5, H-145 T) with the Germantown Transit Mixed Use Overlay (“Subject Property”).

Black Hill Regional Park is located northwest of the Subject Property and is zoned Residential Estate-2 (RE-2). Within the Black Hill development, land to the south/southwest is zoned Commercial-Residential (CR-0.75, C-0.5, R-0.5, H-145 T) with the Germantown Transit Mixed Use Overlay and is developed with multi-family dwelling units with the remaining undeveloped land approved for additional multi-family dwelling units. Land to the west of the Subject Property and north of Century Boulevard is zoned Commercial-Residential (CR-0.75, C-0.5, R-0.5, H-145 T) with the Germantown Transit Mixed Use Overlay; the land is undeveloped and approved for office, hotel, and retail uses.

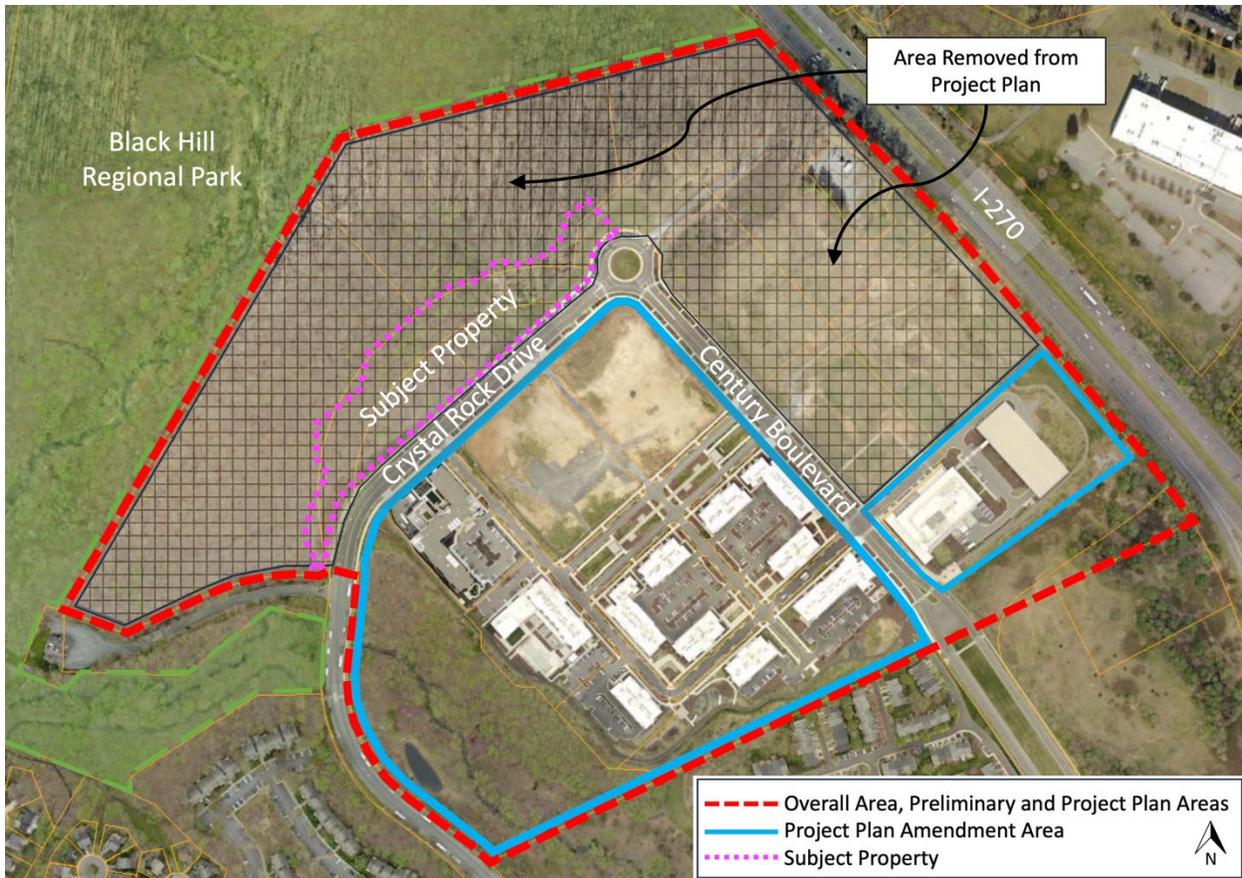


Figure 1 - Vicinity map with Overall Area, Preliminary and Project Plan Areas, Project Plan Amendment Area, and Subject Property

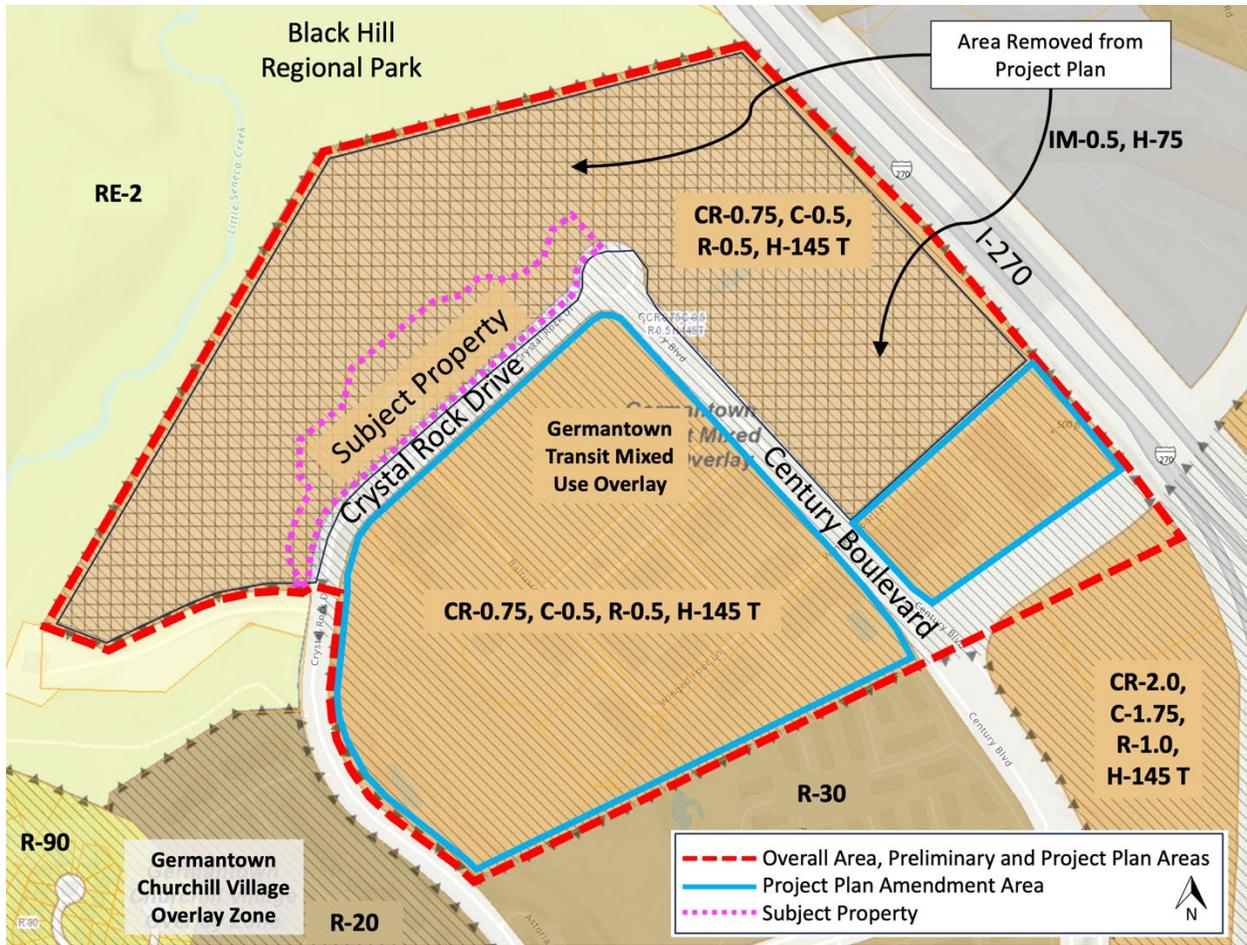


Figure 2 - Zoning map

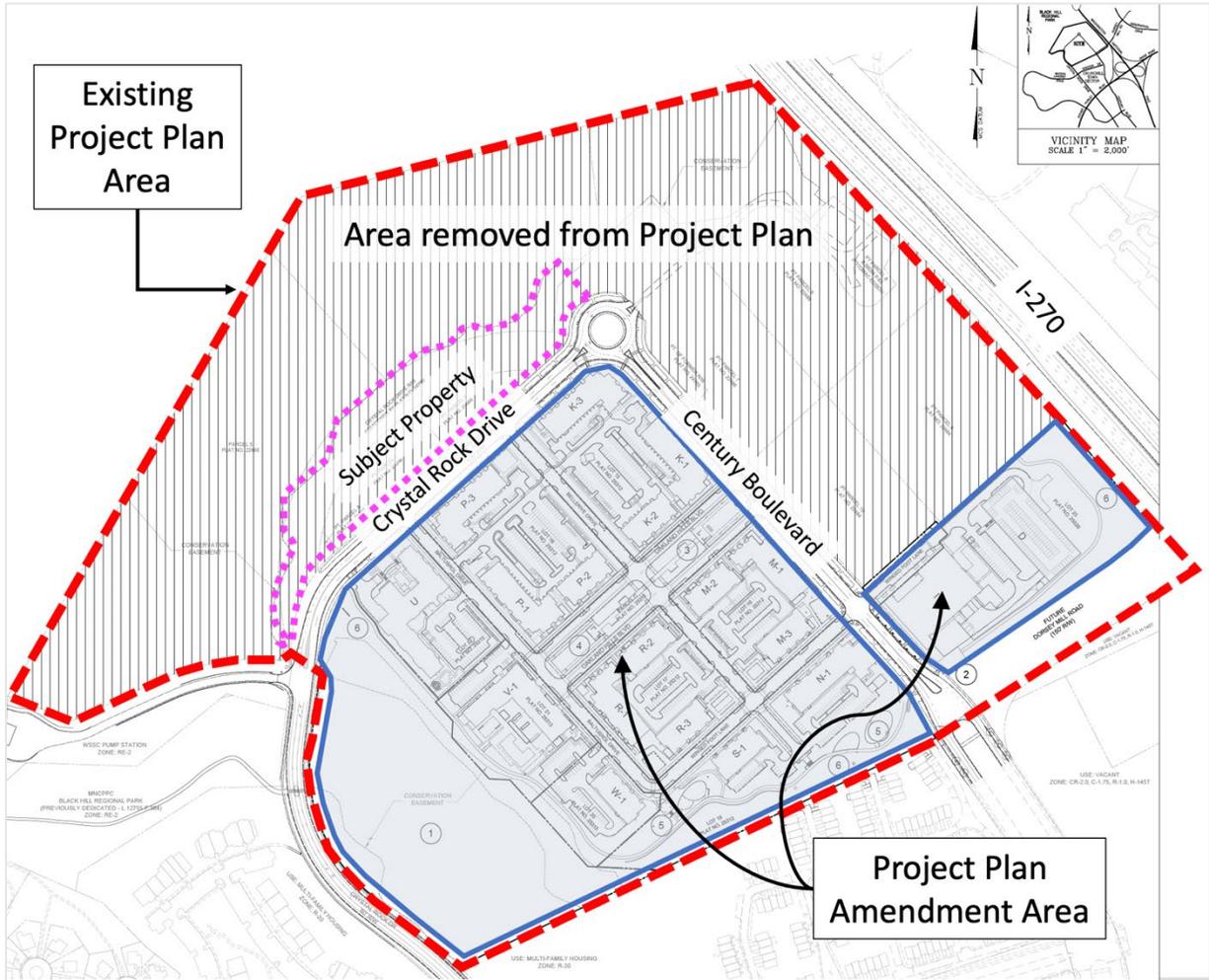


Figure 3 – Proposed Project Plan Amendment Area

PROPERTY DESCRIPTION

The Overall Property consists of 107.7 gross tract acres and is currently developed with approximately 97,000 square feet of office use, 140 assisted living beds, approximately 6,400 square feet of retail use, and 647 multi-family dwelling units, with other undeveloped lots, and associated open space and amenities. Vehicular access to the Overall Property is via Crystal Rock Drive and Century Boulevard.

The Subject Property consists of 5.74 net acres and is presently undeveloped land. The public right-of-way adjacent to the Subject Property is improved with sidewalks, tree planting wells, and Crystal Rock Drive.

On the Subject Property, there are no streams; wetlands; 100-year flood plain; stream valley buffers; steep slopes greater than 25 percent; highly erodible soils greater than 25 percent; rare, threatened or endangered species; or other sensitive environmental features.

The Overall Property and Subject Property are not located within an environmental Special Protection Area. No historic resources or burial sites are known to exist on the Overall Property or Subject Property.

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

PROJECT PLAN

On March 14, 2013 (MCPB No. 13-37 mailing date May 30, 2013), the Planning Board approved an optional method Project Plan No. 920120040 to allow a mixed-use development with a total of 3,284,000 square feet (0.7 FAR), including 1,097,800 square feet of office use, 91,400 square feet of retail use, 243,240 square feet of hotel use, and 1,618 total residential units (including 190 MPDUs) on 107.70 acres of TMX-2 zoned-land.

On March 10, 2016 (MCPB No. 16-024 mailing date May 3, 2016), the Planning Board approved Project Plan Amendment No. 92012004A to modify the conditions of approval, eliminate the age restriction from the multi-family units, decrease the total number of residential units to 1,229 units (including 136 MPDUs), revise the development phasing, change the internal circulation and modify the parking facilities.

On July 19, 2018 (MCPB No. 18-073 mailing date July 25, 2018), the Planning Board approved Project Plan Amendment No. 92012004B to amend public use space amenities and required retail locations, the phasing of public amenities on the site, and to require a project plan amendment if there is a material reduction in the size of non-residential uses within the site.

PRELIMINARY PLAN

On May 23, 2013 (MCPB No. 13-38 mailing date July 8, 2013), the Planning Board approved Preliminary Plan No. 120120210 to create 11 lots for a mixed-use development including 1,097,800 square feet of office use, 91,400 square feet of retail use, 243,240 square feet of hotel use, and 1,618 total residential units (including 190 MPDUs) on 107.70 acres of TMX-2 zoned-land.

On March 10, 2016 (MCPB No. 16-025 mailing date May 3, 2016) the Planning Board approved Preliminary Plan Amendment No. 12012021A to create one additional (1) lot and three (3) parcels for a maximum of 1,097,800 square feet of office space, 91,400 square feet of retail space, a 350-room hotel, and a total of 1,229 residential units (including 12.5% MPDUs), with no more than 140 of the units dedicated to Senior Adult housing units, modify the traffic study, revise the APF, and the stormwater management concept plan.

On July 19, 2018 (MCPB No. 18-071 mailing date July 25, 2018) the Planning Board approved Preliminary Plan Amendment No. 12012021B to create a new 5.8-acre lot and to create a new private street parcel, and to remove a storm drain easement.

On May 24, 2024, the Planning Director approved Preliminary Plan Administrative Amendment No. 12012021C to revise the development phasing schedule to facilitate future project amendments.

SITE PLAN

On June 27, 2013 (MCPB No. 13-93 mailing date August 1, 2013), the Planning Board approved Site Plan No. 820130250 (Infrastructure Plan) for the construction of Crystal Rock Drive and Century Boulevard as public roads.

On March 10, 2016 (MCPB No. 16-026 mailing date May 3, 2016), the Planning Board approved Site Plan No. 820150060 (Residential Phase 2A) for the construction of up to 649 residential units (including 82 MPDUs) and up to 7,325 square feet of commercial uses in multiple buildings south of Crystal Rock Drive and west of Century Boulevard, on the Overall Property

On January 19, 2017 (MCPB No. 17-002 corrected resolution mailing date February 16, 2017), the Planning Board approved Site Plan No. 820160100 (Thrive Assisted Living) to allow an assisted living facility with up to 140 beds, on the Overall Property.

On July 19, 2018 (MCPB No. 18-074 mailing date July 25, 2018), the Planning Board approved Site Plan No. 820180110 (Viasat) for the construction of a 130,000square foot office building on the Overall Property.

See Attachment A for a full listing of previously approved site plan amendments.

PROPOSAL

On April 17, 2024, Lerner Enterprises (“Applicant”) filed Project Plan Amendment No. 92012004C, Preliminary Plan Amendment No. 12012021D, Site Plan No. 820240100, and Forest Conservation Plan No. F20240570 (“Applications”).

PROJECT PLAN

The Applicant proposes to amend the Project Plan to remove 54.12 acres of undeveloped land from the Project Plan Area which would result in 53.58 total acres of developed land (Project Plan Amendment Area) remaining, which includes 1,010,615 square feet of residential uses and 137,325 square feet of commercial uses (“Project Plan Amendment Area”) (Figure 3). This will allow the undeveloped land to be developed under the current CR zone, under the standard method of development. The requirement to purchase BLTs under the Project Plan would no longer be applicable because the FAR does not exceed 0.5.

PRELIMINARY PLAN

Secondly, the Applicant proposes to amend the Preliminary Plan to create one (1) 5.74-acre lot for 69 residential townhouse units and to add previously dedicated parkland of 64.1869 acres to the tract for a total area of 171.89 acres (“Preliminary Plan Amendment Area”) (Figure 4). The remainder of the unbuilt land will remain consolidated into a new record lot of 37.58 acres (proposed Lot No. 11). This proposal replaces the previously approved 440 multi-family units in three (3) high-rise buildings on the Subject Property.

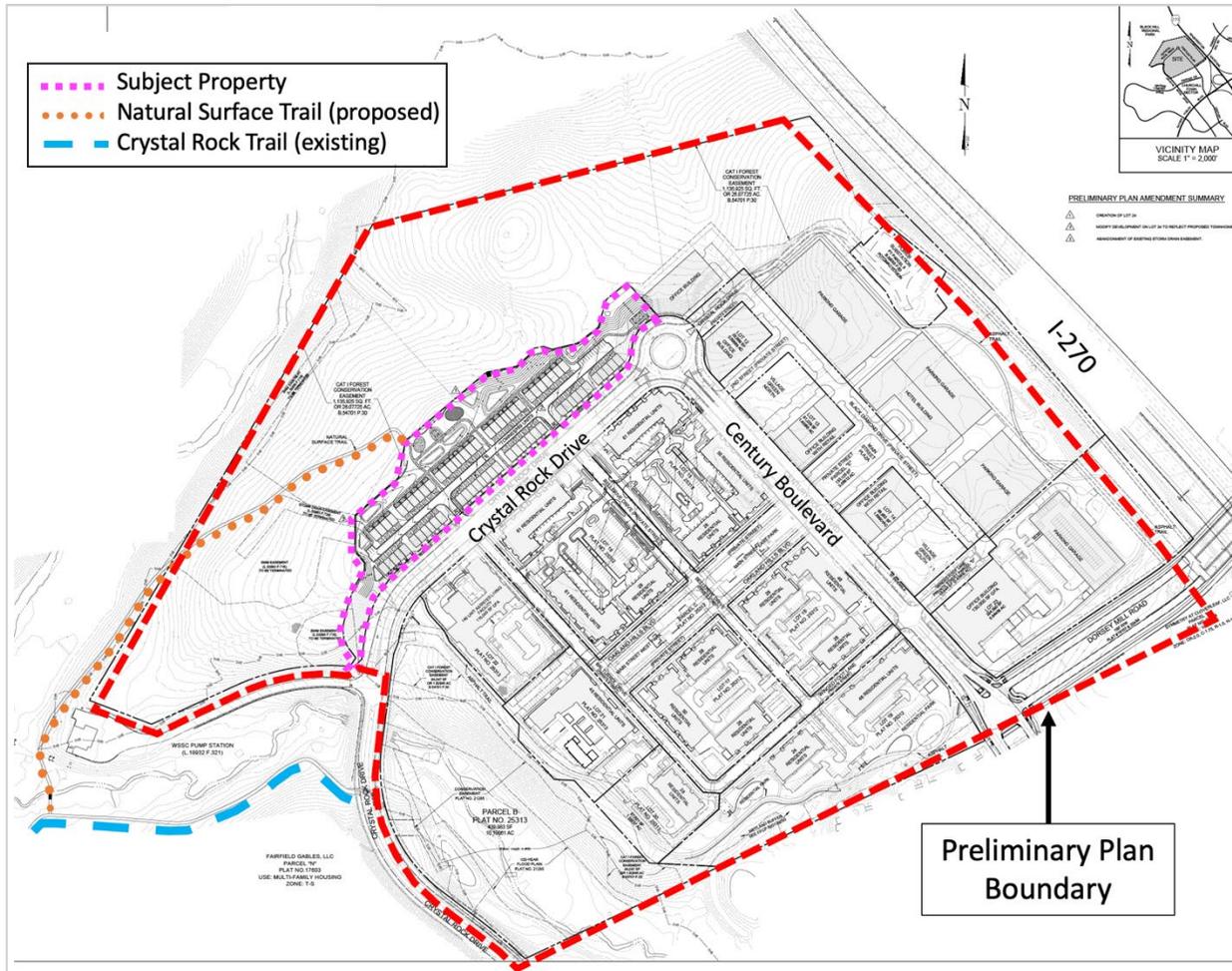


Figure 4 - Proposed Preliminary Plan, Subject Property, and natural surface trail

SITE PLAN

Finally, on the Subject Property, the Applicant proposes a Site Plan to construct 69 townhouse rental units (including 12.5% MPDUs), common open space, a natural surface trail in Black Hill Regional Park, and other site related improvements (“Project”) (Figure 5). Since the units will be offered for rent, the Applicant will retain common ownership, and all units and amenities will be located on Lot

No. 24. As noted above, this proposal replaces the previously approved 440 multi-family units in three (3) high-rise buildings on the Subject Property.

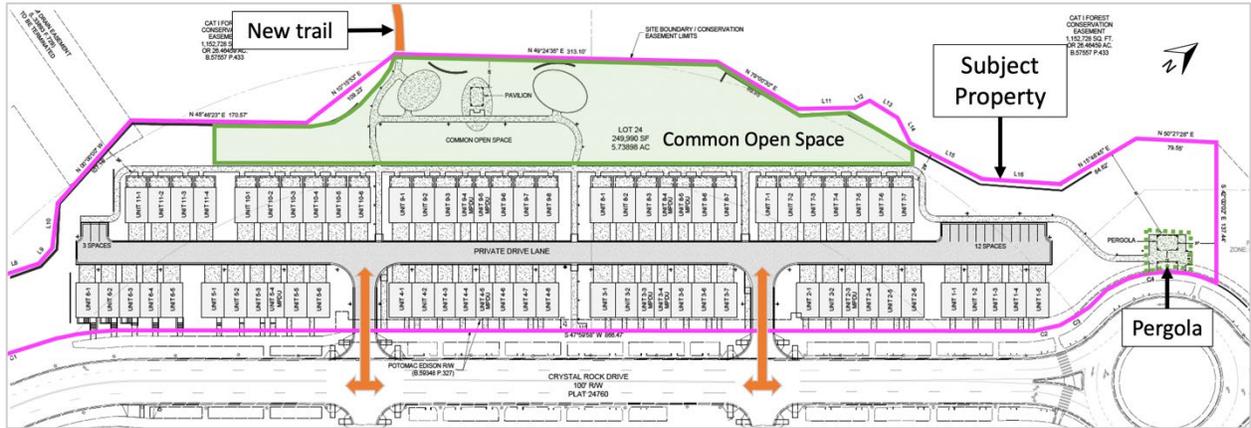


Figure 5 - Subject Property and proposed Site Plan with 69 townhouse units, common open space, and natural surface trail into Black Hill Regional Park

The Applicant worked with Staff to improve the site design and create a strong sense of community. Staff suggested facing buildings towards public areas like Crystal Rock Drive, Black Hill Regional Park, and common open spaces to better connect private and public areas. Key staff recommendations not addressed by the Applicant’s design include:

- Unobstructed views to the common open space and Black Hill Regional Park from the access points on Crystal Rock Drive.
- An internal tree-lined drive with alternating large canopy shade trees and small accent or ornamental trees and shrubs next to each driveway.
- A pedestrian circulation system that adequately and efficiently follows the natural contour of the land or the forested edge of the site instead of an orthogonal grid pattern.
- Undergrounding all above grade transformers and utility boxes along Crystal Rock Drive subject to final approval by Potomac Edison.

The figures below show a series of proposed layouts and Staff recommendations (Figure 6, Figure 7, Figure 8, Figure 9, Figure 10).



Figure 6 - Initial proposed site layout (January 2021)



Figure 7 - Staff recommendation of site layout (February 2021)

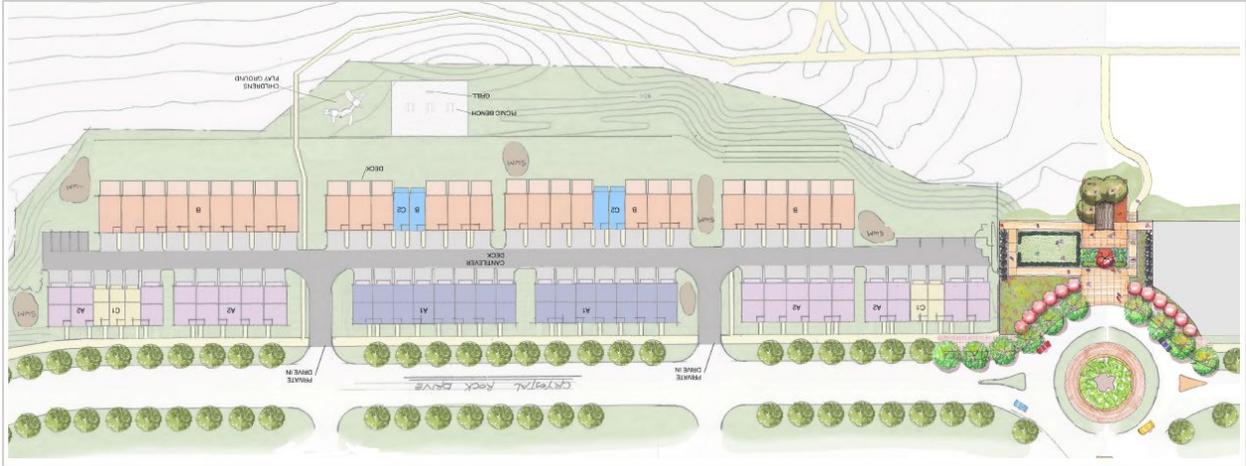


Figure 8 – Applicant’s Revised site layout (July 2022)



Figure 9 - Staff recommendation illustrating a central, tree-lined boulevard (May 2024)

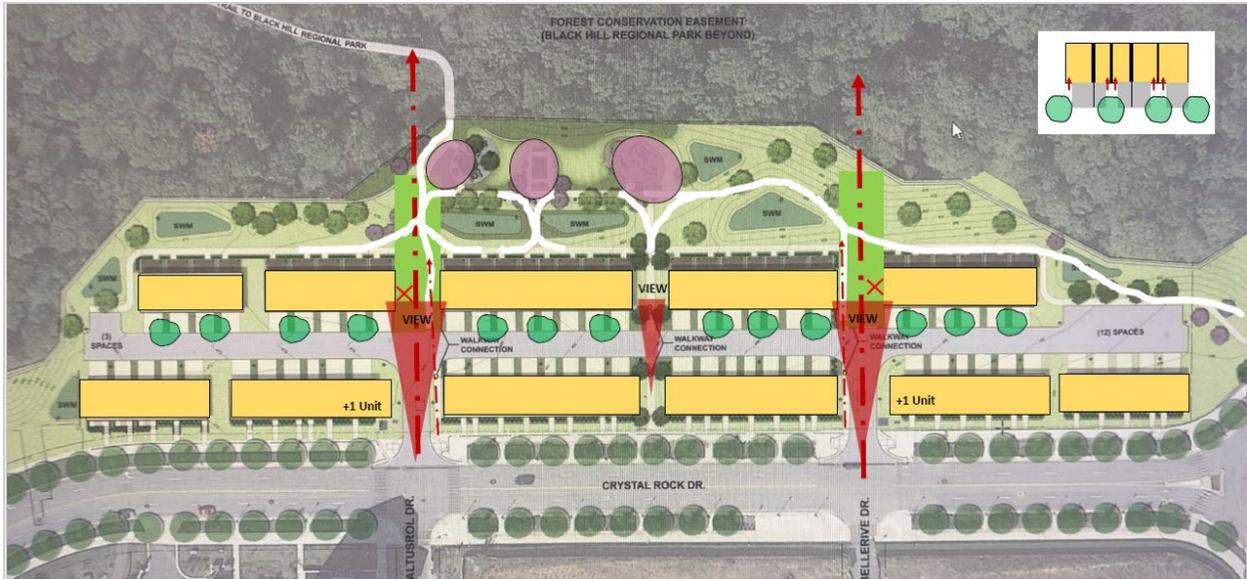


Figure 10 - Staff recommendation of site layout (November 2024)

As shown in Figure 5, the proposed 69 townhouse units are located on undeveloped land between Crystal Rock Drive and Black Hill Regional Park. The Project provides two access driveways from Crystal Rock Drive which serve an interior private drive. There are 37 units facing Crystal Rock Drive and 32 units at the rear and facing Black Hill Regional Park. Garage parking spaces are accessed from the interior private drive. There are also 15 surface parking spaces.

The Project provides a 51,500 square foot common open space. The common open space is located at the rear of the property adjacent to Black Hill Regional Park and it provides a natural playscape area for children, a firepit seating area, moveable seating, and a grill and picnic table seating area. A second open space area is located along the northeast corner of the Subject Property near the traffic circle, and it provides a picnic pavilion with a shade pergola and bench seating.

A sidewalk and pedestrian path links both open spaces together with the internal pedestrian circulation system. Both open spaces are landscaped with groundcover, planting beds, shrubs, and ornamental and shade trees. Finally, the Project proposes to construct a natural surface trail connection in Black Hill Regional Park from the common open space area to Crystal Rock Trail as show in Figure 4.

The proposed architecture shows three (3) story townhouse units with flat roofs and rear-loaded garages (Figure 11 and Figure 12). Balconies are placed on the second floor of each unit along the private drive and on the park side of units facing Black Hill Regional Park.

Finish materials include the combined use of brick, metal panels and overhangs, and siding. The proposed landscape plan consists of shade trees, evergreen trees, ornamental trees, shrubs, and ground cover evenly distributed across the Subject Property and the frontage.



Figure 11 – Architectural rendering of townhomes fronting Crystal Rock Drive



Figure 12 - Architectural rendering of townhomes fronting the internal private drive

SECTION 4: COMMUNITY OUTREACH

Pursuant to Division 7.5 (Notice Standards), the Applicant has complied with all noticing requirements including the mailing of a notice of application letter and posting a notice sign on the Overall Property and Subject Property.

A pre-submittal public meeting was held virtually on December 19, 2023 (Attachment E). Participants made general comments and asked specific questions regarding site topography, project timing, Crystal Rock Drive, lighting, stormwater management, electric appliances, “car-lite” living, and the proposed Dorsey Mill Road overpass. Participant questions/comments and Applicant responses are summarized in Attachment E. There are no outstanding issues regarding public comment.

To date, no community correspondence has been received.

SECTION 5: PROJECT PLAN 92012004C FINDINGS AND ANALYSIS

Pursuant to Sec. 59.7.7.1.B.3 (Exemptions), the Applicant has elected to amend the Project Plan application under the Transit Mixed-Use-2 (TMX-2) Optional Method development standards of the 2004 Zoning Ordinance (“Prior Code”). All findings of approval of Project Plan No. 920120040, as amended, remain in full force and effect except as modified by the findings below:

1. The application would comply with all of the intents and requirements of the zone

As shown in Table 1, the amendment complies with applicable development standards of the TMX-2 zone under the Optional Method. Section 59-C-14.212 provides the purpose and intents of the TMX-2 zone:

Implement the recommendations of the adopted sector plan for Transit Station Development Areas by facilitating mixed-use development with a compatible network of interconnecting streets, open spaces, plazas, and civic and community-oriented uses. Providing flexible development standards, and encouraging designs that produce desirable relationships among individual buildings, the circulation system, public spaces, and adjacent areas, and foster use of non-auto forms of transportation, including pedestrian, bicycle, and public transit.

The Project Plan complies with the intents and requirements of the zone. The Project Plan Amendment Area continues to provide a compatible network of interconnecting streets, open spaces, plazas, and civic and community-oriented uses. There are no proposed development or changes to approved development with the Project Plan Amendment. To date, significant public facilities and amenities have been constructed by the Applicant. These include the construction of Crystal Rock Drive and Century Boulevard, funding of the design of the Dorsey Mill Road overpass, other nearby transportation improvements, corner neighborhood parks, residential green spaces, interconnected walking/cycling trail, and parkland dedication.

As shown in Figure 13, presently there is an interconnected circulation system which fosters the use of non-auto transportation, including sidewalks and a pedestrian/cycling trail system that links commercial uses with residential uses within the Project Plan Amendment Area and with adjoining residential communities.

With the removal of undeveloped land from the Project Plan site, certain previously proposed amenities would no longer be applicable because the location of the proposed amenities would no longer be part of the Project Plan Amendment Area. However as discussed herein and shown in Figure 14 and Figure 15, the land remaining within the Project Plan Amendment Area continues to provide compatible, adequate, safe and efficient public open spaces and amenities. Public open spaces and amenities on the undeveloped land removed from the Project Plan site would be in accordance with future phases of development under the CR zoning standards.

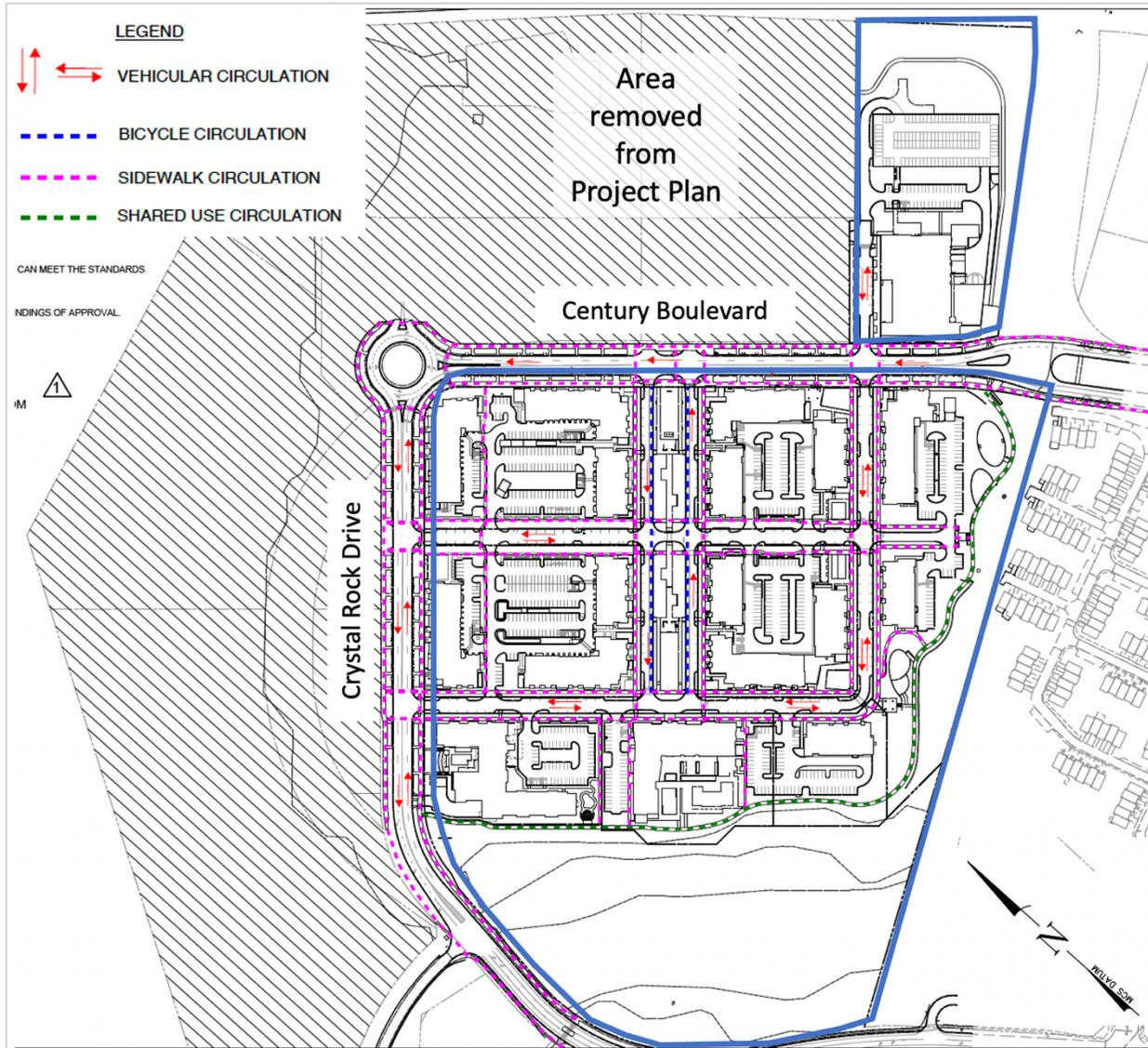


Figure 13 - Existing circulation in the Project Plan Amendment Area

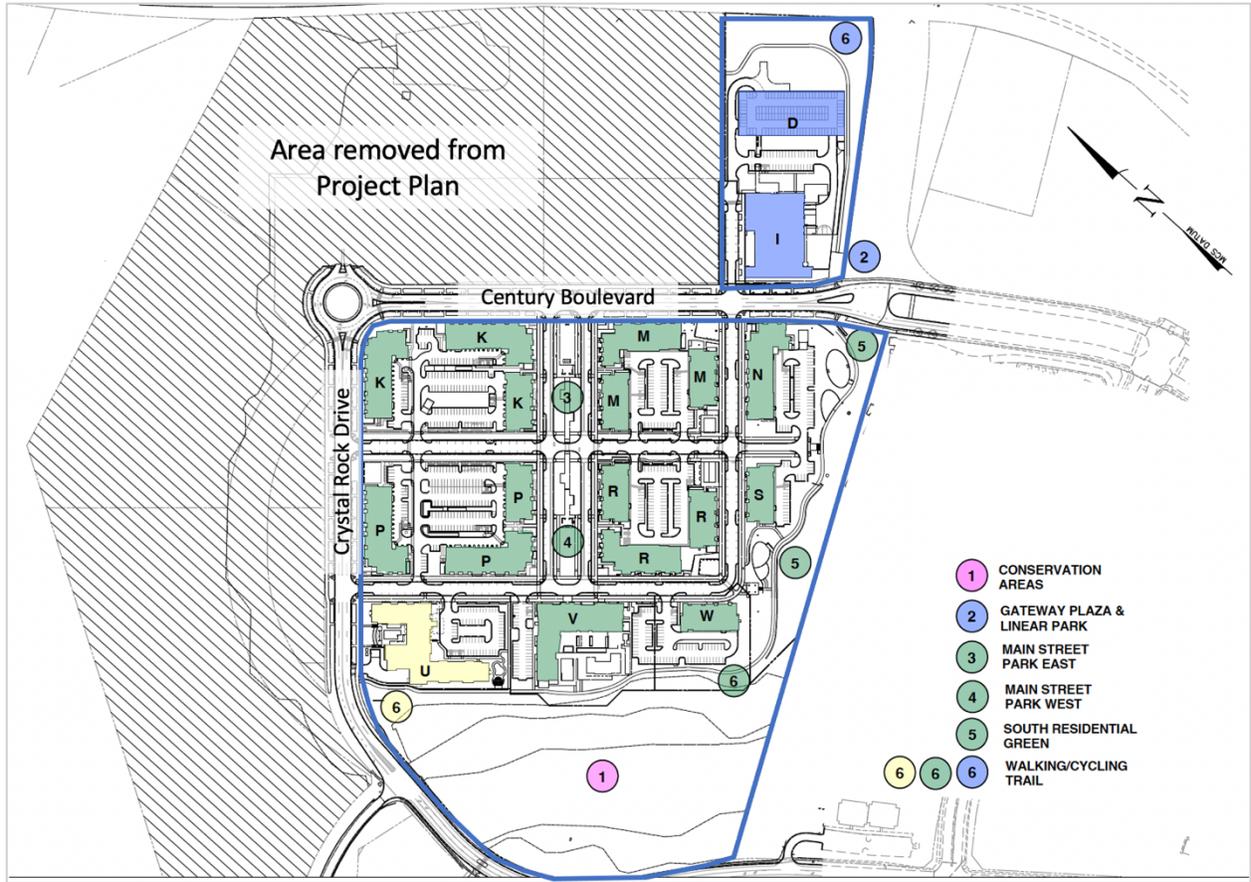


Figure 14 – Existing public amenities in the Project Plan Amendment Area, buildings P and K are pending construction, all other building are completed



Figure 15 - Existing public open space in the Project Plan Amendment Area

Table 1 - Black Hill Townes Project Plan Data Table for TMX-2 zone, Optional Method, Section 59-C-14.24.

Development Standard (59-5.3.5)	Permitted/Required	Approved Project Plan No. 92012004B	Proposed Project Plan No. 92012004C
Gross Tract Area (min)	n/a	107.70 acres	53.58 acres
Prior Dedications (min.)	n/a	7.66 acres	7.66 acres
Net Area (min.)	18,000 SF	115.36 acres	45.92 acres
Commercial Floor Area Ratio (FAR)	Set by Project Plan	1,432,440 SF (0.61)	137,325 SF (0.06)
Office SF (max.)	Set by Project Plan	1,097,800 SF	130,000 SF
Retail SF (max.)	Set by Project Plan	91,400 SF	7,325 SF
Hotel SF (max.)	Set by Project Plan	243,240 SF	0 SF
Residential Floor Area Ratio (FAR)	Set by Project Plan	1,851,560 SF (0.79)	1,010,615 SF (0.43)
Multi-family units	Set by Project Plan	1,089	646
Senior/assisted living units	Set by Project Plan	140	140
Total Floor Area Ratio (FAR)	9,383,040 SF (2.0)	3,284,000 SF (0.70)	1,147,940 (0.50)
Building Coverage (max.) ⁴	Set by Project Plan	35%	35%
Public Use Space (min.) ⁵	20%	51% (2,143,100 SF)	49.9% (998,360 SF)
Building Height (max.)	Set by Project Plan	35 to 143 FT	35 to 143 FT
Setbacks			
Adjacent single-family residential zone (min.)	25 FT	147 FT	147 FT
I-270 setback (min.)	200 FT	200 FT	200 FT
BLT Requirement (min.)	12.5% of any density above 0.5 FAR	14.17 (7.29 residential uses) (6.88 commercial uses)	n/a
Vehicle Parking (min.)	1,063 spaces	6,188 spaces	1,259 spaces ⁶

3. Because of its location, size, intensity, design, operational characteristics and staging the application would be compatible with, and not detrimental to, existing or potential development in the general neighborhood.

The location, size, intensity, design, operational characteristics and staging are compatible with and not detrimental to existing and potential development in the general neighborhood. The Project Plan Amendment is limited in scope to remove 54.12 acres of undeveloped land from the existing 107.7

⁴ Minimum building coverage is established by the Project Plan for the overall development.

⁵ Minimum public use space is established by the Project Plan for the overall development.

⁶ Final number of parking spaces are determined by a subsequent Site Plan.

gross acres, resulting in 53.58-acres of developed land in Project Plan Amendment area. There is no additional development proposed in Project Plan Amendment Area.

As show in Table 1, the proposal reduces the approved but unbuilt office, retail, and residential density, and eliminates hotel density in the Project Plan Amendment Area. The area is reduced by about 48%, leading to a similar reduction in previously approved density. Key density changes include:

- Multi-family units: from 1,089 to 646
- Office space: from 1,097,800 sq. ft. to 130,000 sq. ft.
- Retail space: from 91,400 sq. ft. to 7,325 sq. ft.
- Hotel space: from 243,240 sq. ft. to zero
- Open space: from 2,143,100 sq. ft. of the Overall Area to 998,360 sq. ft. of the reduced Project Plan Amendment Area

Additionally, the requirement to purchase BLTs, pursuant to the *Germantown Employment Area Sector Plan* and the Germantown Transit Mixed Use Overlay Zone, is no longer applicable as the FAR will not exceed 0.5.

In its approval of Project Plan No. 920120040, as amended, the Planning Board found that the approved residential and commercial uses are compatible with the general neighborhood. With the reduced land area and the reduced density, the intensity, design and operational characteristics continue to be compatible with existing and future development because there is a) no development proposed, and b) all densities are reduced, thereby inherently reducing potential impacts to the neighborhood. As such, the design, orientation and operational characteristic of the existing mixed-use development in the Project Plan Amendment Area continue to provide a desirable and compatible transition to the existing townhouse communities to the south/southwest.

SECTION 6: PRELIMINARY PLAN 12012021D FINDINGS AND ANALYSIS

The Preliminary Plan Amendment will create one (1) 5.74-acre lot to allow the construction of 69 rental townhouse units (including 12.5% MPDUs), common open space areas, natural surface trail, and other site related improvements. This Application has been reviewed for compliance with Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State and County agencies.

- 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.**

The Application satisfies all applicable requirements of Chapter 50 (Subdivision Code) for a Preliminary Plan. One lot (Lot No. 24) is created for all 69 townhouse units because the land will remain under common ownership to facilitate the rental of individual townhouse units. As a result of creating Lot No. 24, Lot No. 11 is reduced to approximately 37.58 acres. The size, width, shape and orientation of the proposed lots are appropriate for the location of the subdivision, in accordance with applicable Master Plan recommendations, and for the uses and buildings contemplated by the zoning of the Property.

- a. The block design is appropriate for the development or use contemplated.**

The Project does not propose any new blocks. The proposed lot is within an existing subdivision with an established block design.

- b. The lot design is appropriate for the development or use contemplated.**

The Project meets all applicable sections of the Subdivision Code, including lot design. The Project creates Lot No. 24 for residential uses and adjusts the size of Lot No. 11. The proposed lots are appropriate in size, shape, width, and orientation, taking into account the recommendations of the Master Plan, the existing lot pattern of surrounding properties, and the building types contemplated for the Property.

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

The Property was reviewed for compliance with Section 50.4.3.D (Public Sites and Adequate Public Facilities) of the Subdivision Code. As shown in Figure 5, the Project provides adequate common open space and other open spaces on the site. As shown in Table 2, the Project provides 22.4 percent of the net lot area for common open space for townhouses, which exceeds the minimum 10 percent required. The common open space is adjoining Black Hill Regional Park and will provide the location of a new natural surface trail entrance into the park. There are no Master Planned public sites or recreation area associated with the Property.

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

The Preliminary Plan Amendment Area was reviewed for compliance with the dimensional requirements for the CR zone as specified in the Zoning Ordinance. The proposed lot meets all the dimensional requirements for area, frontage, and width. A summary of this review is included below in Table 2 below.

Table 2 – Black Hill Townes Preliminary Plan Data Table for CR-0.75, C-0.5, R-0.5, H-145T zone, Standard Method, Section 59.4.5.3.C

Development Standard	Permitted/Required	Proposed Preliminary Plan No. 12012021D ⁷
Gross Tract Area (min)	n/a	171.89 acres
Prior Dedications (min.)	10.78 acres	10.78 acres
Prior Parkland Dedication (min.)	0 acres	64.1869 acres ⁸
Site (Net) Area	115.36 acres	96.92 acres
Open Space for Tract >10,000 SF (min.)	10%	Determined by Site Plan
Floor Area Ratio (FAR)		
Commercial	3,743,750 SF (0.50)	1,432,440 (0.19)
Residential	3,743,750 (0.50)	1,025,615 (0.14)
Total Floor	5,615,625 (0.50)	2,458,055 (0.33)
Lot Area Townhouse (min.), Lot No. 24	800 SF	243,990 SF ⁹ (5.74 acres)
Lot Coverage (max.)	n/a	n/a
Building Setbacks (min.)		
Front	Townhouse: 5 FT All Other: 0 FT	Townhouse: 5 FT All Other: 0 FT
Side street	Townhouse: 5 FT All Other: 0 FT	Townhouse: 5 FT All Other: 0 FT
Side, abutting residential zone	n/a	n/a
Side, abutting non-residential zone	Townhouse: 4 FT All Other: 0 FT	Townhouse: 4 FT All Other: 0 FT
Rear, abutting residential zone	n/a	n/a
Rear, abutting non-residential zone	Townhouse: 10 FT All Other: 0 FT	Townhouse: 10 FT All Other: 0 FT
Parking Setbacks (min.)		
Front	Behind front building line in the BTA	Determined by Site Plan

⁷ Preliminary Plan Amendment No. 12012021D is reviewed under the current CR-0.75, C-0.5, R-0.5, H-145 T.

⁸ 64.189 acres was dedicated as parkland but not accounted for in the prior preliminary plan tract area; this amendment incorporates the previously dedicated and recorded parkland of Land Records Book 12755, Page 0384.

⁹ All townhomes are on one lot under common ownership and proposed as rental units.

Development Standard	Permitted/Required	Proposed Preliminary Plan No. 12012021D ⁷
Side street	Behind front building line in the BTA	Determined by Site Plan
Side	Must accommodate landscaping per 59-6.2.9	Determined by Site Plan
Rear	Must accommodate landscaping per 59-6.2.9	Determined by Site Plan
Build-to Area (BTA) (max., setback and min. % of building façade)		
Front	70%	Determined by Site Plan
Building in front street BTA	35%	Determined by Site Plan
Side street		
Building Height, (max.)	145 FT	145 FT
Building Transparency		
Ground story front	20 to 60%, set by building type	Determined by Site Plan
Ground story side/rear	20 to 60%, set by building type	Determined by Site Plan
Blank wall (max.)	25 to 35 FT, set by building type	Determined by Site Plan
Parking Lot Landscape, Internal (min.)	5%	Determined by Site Plan
Parking Lot Tree Canopy (min.)	25%	Determined by Site Plan
Parking Lot Perimeter Planting Width (min.)	6 FT	Determined by Site Plan
Vehicle Parking (min./max.)	3,385 spaces	Determined by Site Plan

2. The Preliminary Plan substantially conforms to the master plan.

The Preliminary Plan Amendment continues to substantially conform to the Master Plan. The Project is located within the North End District of the 2009 *Germantown Employment Area Sector Plan* (“Master Plan”). The vision for the North End District is an “employment location highlighted by additional residential, retail, and hospitality uses.” Generally, the overarching goal of the Master Plan is to create transit-served mixed-use neighborhoods, diverse housing types, and high-quality design. Uses in the immediate vicinity are comprised of multi-family apartment buildings, assisted living beds, retail, and offices. With the addition of 69 townhouse units, the Project contributes to the housing diversity within the neighborhood, by providing family-sized units with a minimum of 12.5 percent MPDUs.

The Master Plan encourages “high quality design that enhances character and identity” to create attractive neighborhoods and urban spaces. The Project provides a strong linear and complementary

presence along Crystal Rock Drive with a row of well-designed walk-up townhouses that activate the streetscape. Setbacks accommodate the pedestrian-oriented public realm with a sidewalk, street trees, and front yard landscaping. Accessed from Crystal Rock Drive, the Project provides a centrally located pedestrian promenade that transverses toward the rear of the Site to the one of two common open space areas and beyond to a new natural surface trailhead into Black Hill Regional Park. Additionally, the Site provides 22.4 percent common open space, which is more than double the minimum standard of 10 percent. The common open space is located between the townhouses and Black Hill Regional Park. The space is designed to promote social gathering, active recreation for children, and physical and visual connection to the forested area of the park. As conditioned, the townhouse architecture provides building articulation on all facades. Finish materials include the combined use of brick, metal panels and overhangs, and siding.

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

As conditioned, public facilities will be adequate to support and service the area of the subdivision. The Subject Property has frontage on Crystal Rock Drive, a public road two (2) travel lanes in each direction (four lanes total). Crystal Rock Drive has an existing 100-foot right-of-way and is classified as a Town Center Boulevard under the *Master Plan of Highways and Transitways*. The total width of Crystal Rock Drive is approximately 44 feet, which provides for two (2) 11-foot-wide travel lanes in one direction and two (2) 11-foot-wide travel lanes in the other direction. The cross-section configuration of Crystal Rock Drive is recommended to change to two (2) 11-foot-wide bidirectional travel lanes and one 11-foot-wide parking lane on each side of the street, except where parking is restricted by MCDOT (Figure 16).

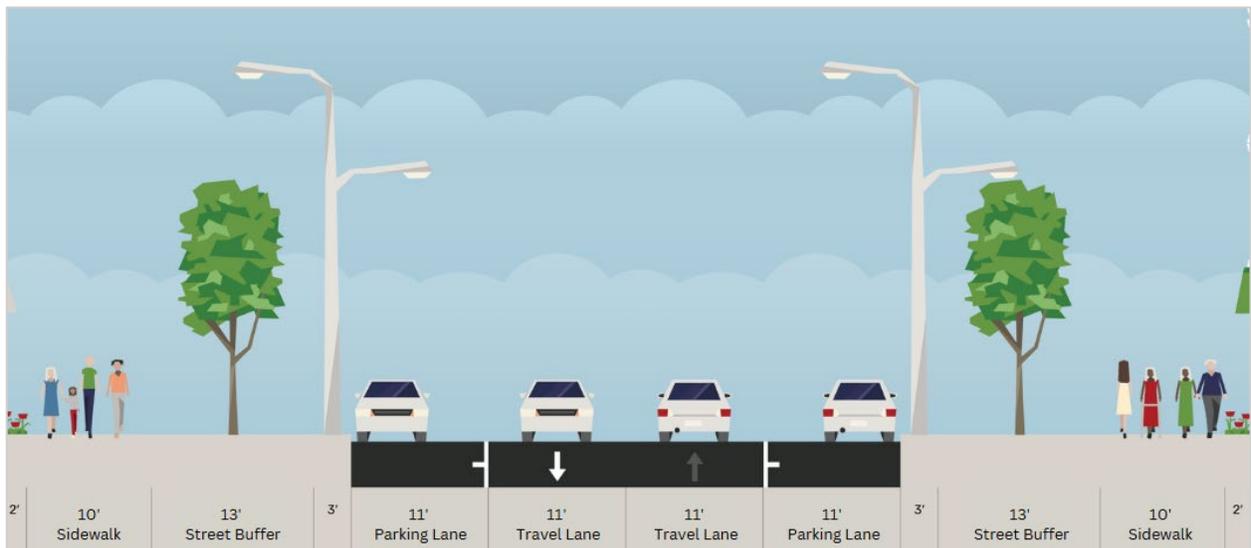


Figure 16 - Proposed cross-section of Crystal Rock Drive

Vehicular and pedestrian access is provided from Crystal Rock Drive. There are no bicycle facilities along Crystal Rock Drive. The existing 10-foot-wide sidewalk along the frontage of the Subject

Property could accommodate and provide access for both pedestrians and bicyclists. The 2018 *Bicycle Master Plan* has no master plan recommendations for the portion of Crystal Rock Drive that fronts the Project. The existing 10-foot-wide sidewalk along the frontage of the Proposed Development is buffered by an existing 13-foot-wide street buffer with trees and a three (3) foot-wide curb and gutter (Figure 16). The existing pedestrian infrastructure will remain unchanged, and no modifications are proposed. The existing pedestrian infrastructure is adequate to fulfill the design parameters requirements for Town Center Boulevards under the 2024 *Complete Streets Design Guide*.

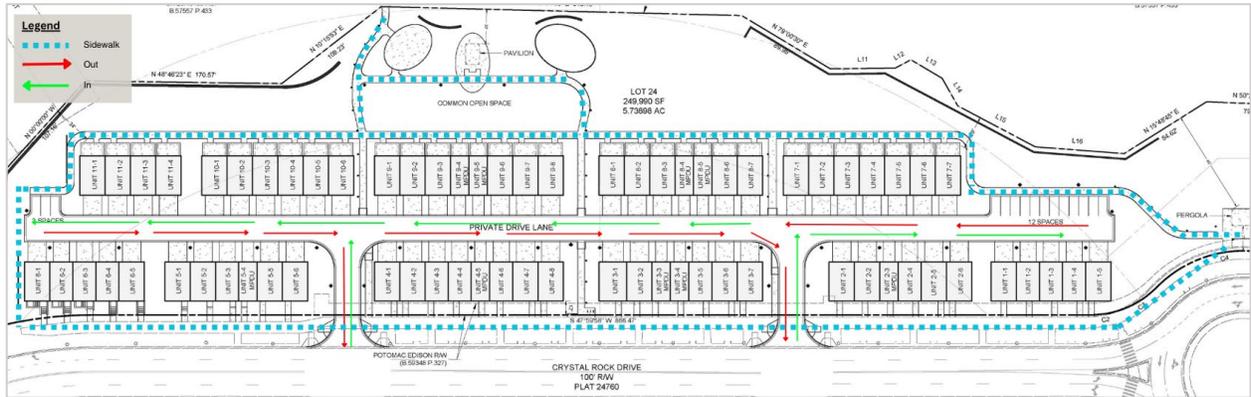


Figure 17 - Proposed motor vehicle and pedestrian circulation

Figure 17 above shows that the existing and proposed pedestrian and vehicular circulation is safe, adequate, and efficient. As discussed above, Crystal Rock Drive will provide the Project with motor vehicle, pedestrian, and bicycle access. As part of this Application, two (2) access points will be constructed from Crystal Rock Drive. Two (2) private driveways will be constructed at grade with the sidewalk, dropping down to street level between the sidewalk and roadway, and will connect to a proposed 22-foot-wide private alley that will provide motor vehicle access to all front and backloaded units in the Subject Property (Figure 17). Internal circulation through the proposed 22-foot-wide private alley is proposed in a two-way configuration, consisting of two (2) 11-foot-wide bidirectional travel lanes.

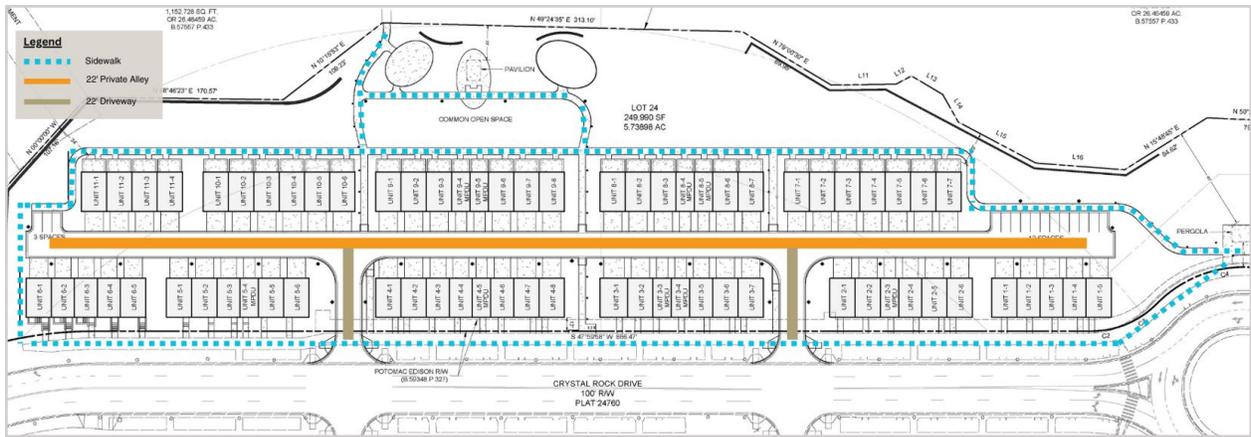


Figure 18 - Proposed street network and access points

LOCAL AREA TRANSPORTATION REVIEW (LATR)

The Subject Property is located in the Germantown Town Center Policy Area, which is classified as an Orange Policy Area under the 2024-2028 *Growth and Infrastructure Policy*. The Applicant’s Transportation Exemption Statement (“TES”) dated January 11, 2024, stated that the Preliminary Plan Amendment and Site Plan will not generate a net increase in person trips with the proposal to replace the previously approved 440 multi-family dwelling units with 69 townhouse units. Instead, a net reduction in the peak hour trips is projected. In the morning peak hour, the change in use and density results in 106 fewer person trips in the morning peak hour and 105 person trips in the evening peak hour. As the estimated change in trips is not 50 or more peak hour person trips, a new or updated transportation impact is not required.

SCHOOLS

The proposed project is located within the Germantown Town Center Policy Area, which is categorized as an Infill Impact Area by the 2024-2028 *Growth and Infrastructure Policy*. Based on the School Impact Area classification and net residential units proposed, this project is estimated to generate a net addition of zero elementary school, middle school, and high school students to the previous approval, as shown in Table 3.

Table 3 - Student Enrollment Impact Estimate (reflects Updated FY2025 Student Generation Rates)

Type of Unit	Net Number of Units	Infill ES Student Generation Rate	ES Student Estimate	Infill MS Student Generation Rate	MS Student Estimate	Infill HS Student Generation Rate	HS Student Estimate
SF Detached	0	0.206	0.000	0.103	0.000	0.156	0.000
SF Attached	69	0.176	12.144	0.095	6.555	0.133	9.177
MF Low-rise	0	0.073	0.000	0.033	0.000	0.049	0.000
MF High-rise	-440	0.041	-18.040	0.017	-7.480	0.019	-8.360
TOTALS	-371		0		0		0

Annual School Test Results

The Application is scheduled to be reviewed on March 20, 2025. Therefore, the results of the Updated FY2025 Annual School Test, approved by the Planning Board on December 19, 2024, and effective since January 1, 2025, are applicable. The project is served by Waters Landing Elementary School, Dr. Martin Luther King, Jr. Middle School, and Seneca Valley High School. The student enrollment and capacity projections of these schools in the Updated FY2025 Annual School Test, which evaluates adequacy for the 2028-2029 school year, are noted in Table 4.

Table 4 - Updated FY2025 Annual School Test Projections (2028-2029 School Year)

School	Program Capacity	Enrollment	% Utilization	Seat Surplus or Deficit
Waters Landing ES	745	721	96.8%	+24
Dr. Martin Luther King, Jr. MS	914	888	97.2%	+26
Seneca Valley HS ¹⁰	2,537	2,429	95.7%	+108

Under the Updated FY2025 Annual School Test results, Waters Landing Elementary School, Dr. Martin Luther King, Jr. Middle School, and Seneca Valley High School are not placed in Utilization Premium Payment (UPP) tiers, as shown in Table 5. In addition, the estimated number of students generated (Table 3) do not exceed the adequacy ceilings identified in Table 5, therefore no higher payment tiers are triggered.

¹⁰ Projected enrollment is modified to estimate the impact of Crown HS (CIP P651909), reflecting the scope of the boundary study approved by the Board of Education on March 19, 2024. Due to the delay of the Damascus HS Major Capital Project (CIP P652102), some of the boundary changes can be implemented in phases.

Table 5 – Updated FY2025 Annual School Test Results

School	Adequacy Status	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Waters Landing ES	No UPP	98	173	285
Dr. Martin Luther King, Jr. MS	No UPP	146	209	346
Seneca Valley HS	No UPP	268	616	996

Therefore, this Application does not require a Utilization Premium Payment as a condition of approval.

OTHER PUBLIC FACILITIES

Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating within the standards set by the GIP currently in effect.

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

The Property is subject to Chapter 22A of the County Code. As conditioned, the accompanying Final Forest Conservation Plan Amendment No. F20240570 complies with the requirements of the Forest Conservation Law, as discussed more fully below. The Property has retained an appropriate amount of existing forest and as a result does not have an afforestation/reforestation requirement. All retained forest has previously been placed into Category I Conservation Easements.

The Project satisfies the applicable requirements of Chapter 19. DPS approved a Site Development Stormwater Management Concept Plan on March 6, 2025. The plan proposes to meet required stormwater management goals via micro-bioretenention and biofiltration areas.

5. 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.

The Applicant has no actual notice or constructive notice of a burial site, and the Property is not included in the Montgomery County Cemetery Inventory.

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

There are no other applicable provisions that are specific to the Property or necessary for approval of the subdivision.

SECTION 7: SITE PLAN 820240100 FINDINGS AND ANALYSIS

Pursuant to Sec. 59.7.3.4 (Site Plan), because the Project's gross floor area is greater than 10,000 square feet and a building is greater than 40 feet in height, and the Subject Property is abutting a residential zone (RE-2 zone), a Site Plan application is required to approve the townhouse project.

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

The findings herein apply only to the 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;***

Preliminary Plan No. 12012021D, as amended, is applicable. With approval of this Site Plan No. 820240100, the Project satisfies all previous approvals applicable to the site.

- 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;***

Not applicable because there are no binding elements of any development plan or schematic development plan that were 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 because the 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.***

The Subject Property is located in the CR-0.75, C-0.5, R-0.5, H-145T zone and the Germantown Transit Mixed Use Overlay. Pursuant to Sec. 59.3.1.6 (Use Table), a Townhouse dwelling unit is permitted in the CR zone. As shown in Table 6 below and discussed in this section, the Project complies with the Master Plan and the CR zone standard method of development standards, as applicable.

Table 6 – Black Hill Townes Site Plan Data Table for CR-0.75, C-0.5, R-0.5, H-145T Zone, Standard Method, Section 59.4.5.3.C

Development Standard	Permitted/ Required	Proposed Site Plan No. 820240100
Tract Area	n/a	171.89 acres (7,487,500 SF) ¹¹
Lot Area (min.)	800 SF	5.74 acres (249,990 SF)
Lot Coverage, Townhouse (max.)	n/a	n/a
Common Open Space for Tract >10,000 SF (min), Townhouses	10%	22.4% (51,500 SF)
Floor Area Ratio (FAR) ¹²		
Commercial	3,743,750 SF (0.50)	0 SF
Residential	3,743,750 (0.50)	130,000 SF on the Subject Property
Total	5,615,625 (0.75)	130,000 SF on the Subject Property
Lot Area Townhouse (min.)	800 SF	243,990 SF ¹³
Building Setbacks (min.) ¹⁴		
Front	5 FT	10 FT
Side, abutting non-residential zone	4 FT	4 FT
Rear, abutting non-residential zone	10 FT	29 FT
Accessory Structure Setbacks (min.) ¹⁴		
Front	5 FT	21 FT
Side	4 FT	37 FT
Rear	4 FT	30 FT
Parking Setbacks, Surface Parking, Townhouse		
Front	n/a	All parking is located in private garages or behind units
Side street	n/a	n/a
Side	n/a	8 FT
Rear	n/a	35 FT
Build-to Area (BTA) (max., setback and min. % of building facade)		
Building in front street BTA	70% within 15 FT	100% within 15 FT
Side street	n/a	n/a
Building Height, (max.)		

¹¹ Tract area established by Preliminary Plan Amendment No. 12012021D.

¹² The permitted FAR is applied to the overall 171.89-acre area of Preliminary Plan Amendment No. 12012021D; with Site Plan No. 820240100, 130,000 square feet of residential density is allocated to Lot No. 24.

¹³ All townhouse units are located on one lot.

¹⁴ Setbacks are measured from the lot line to the nearest townhouse unit.

Development Standard	Permitted/ Required	Proposed Site Plan No. 820240100
Principal building	145 FT	50 FT
Accessory structures	25 FT	25 FT
Building Transparency		
Blank wall (max.)	35 FT	35 FT
Vehicle Parking (min./max.)		
Minimum, 1 space per unit	69 spaces	69 spaces
Maximum, 2 spaces per unit	138 spaces	138 garage spaces 15 public spaces 153 total spaces ¹⁵
Bicycle Parking	Not required for townhouse units	n/a
Off-street loading spaces	Not required for townhouse units	n/a

i. **Division 3.1 Site Access**

As conditioned, access and circulation are safe, adequate, and efficient to serve the Project. As discussed in detail in the Preliminary Plan findings of this report, site access is provided by two driveways from Crystal Rock Drive. On-site circulation is provided by internal private drive constructed to alley standards. The Project also provides an internal pedestrian circulation system between open spaces, residential units, a new trail head connection and natural surface trail, which is all linked to the public sidewalk along Crystal Rock Drive.

ii. **Division 6.2 Parking, Queuing and Loading**

As shown in Figure 17, parking, queuing and loading areas are adequate to serve the site. As shown in Table 6, the number of parking spaces are adequate and meets all zoning requirements. Each unit provides two (2) garage parking spaces and two (2) potential driveway parking spaces. Guest parking is not required by the Zoning Ordinance. However, due to limited parking options in the vicinity for the units and nearby recreational facilities, 15 surface parking spaces provided on the Subject Property for guest/public parking. In accordance with Section 59-6.2.8.B1, off-street loading spaces are not required for single-family attached (townhouse) units.

iii. **Division 6.3 Open Space and Recreation**

In accordance with Section 6.3.5 (Common Open Space) and as shown in Figure 5 and in Table 6, the Project provides allocates 22.4 percent (51,000 square feet) of the net lot area as contiguous common

¹⁵ Pursuant to Sec. 59-6.2.3.H.2.b, the Applicant may provide more parking spaces than allowed by the maximum if all of the parking spaces provided in excess of the maximum number allowed are made available to the public and are not reserved.

open space, which exceeds the minimum of 10 percent. In accordance with the adopted 2017 *Recreation Guidelines* and as show on the plans and in Figure 19, the existing and proposed recreational facilities are safe, adequate, and efficient.

The common open space is located at the rear of the property adjacent to Black Hill Regional Park and it provides a natural playscape area for children ages 2 to 12, a firepit seating area, moveable seating, benches, and a grill and picnic table seating area. A second open space area is located along the northeast corner of the Subject Property near the traffic circle, and it provides a picnic pavilion with a shade pergola and bench seating. Also provided is a natural area (forest conservation easement) and a new trail head connection to a natural surface trail into Black Hill Regional Park. The natural surface trail is connected with the internal pedestrian circulation system and to the public sidewalk along Crystal Rock Drive.

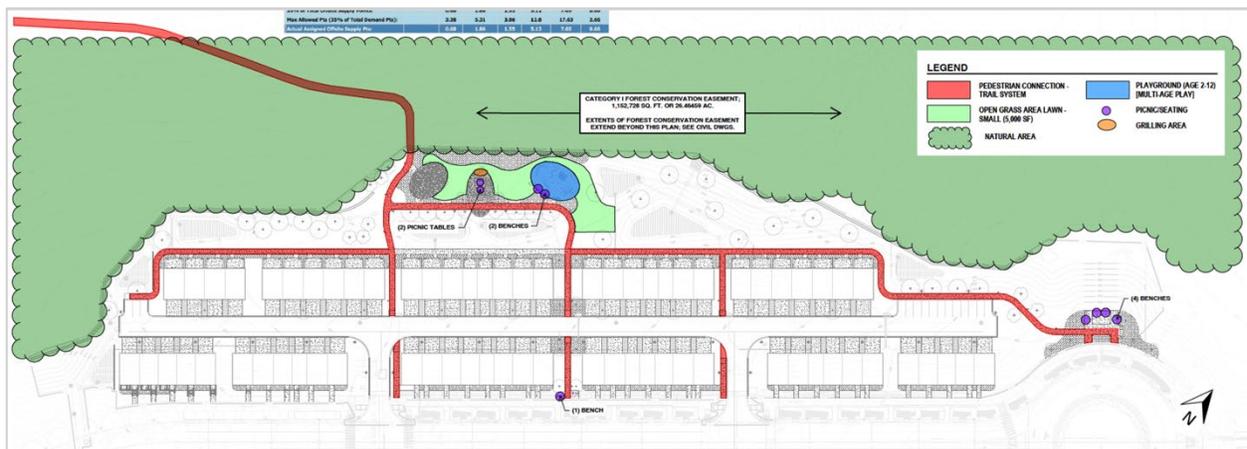


Figure 19 - Recreational facilities diagram

iv. **Division 6.4 General Landscaping and Outdoor lighting**

As shown in Figure 20 below and in Attachment B (Site Plan), and as conditioned the landscape plan satisfies the requirements of Sec. 59-6.4.3. The landscape plan provides numerous shade trees, evergreen trees, ornamental trees, shrubs, and groundcover which is evenly distributed across the Property and along Crystal Rock Drive. Additionally, the landscape plan provides adequate shading for the common open space with shade and ornamental trees.

The internal shared driveway is designed to alley standards with a pavement width of 22 feet. As conditioned, individual driveways must be separated by at least six-foot planting areas that must accommodate alternating large canopy shade trees, and small accent or ornamental trees and shrubs in order to maximize canopy coverage of the shared driveway and advance climate goals. As proposed, nine (9) trees are shown along the internal shared driveway as compared to approximately 69 trees that could be planted, resulting in significantly more shaded and cooler shared driveway.

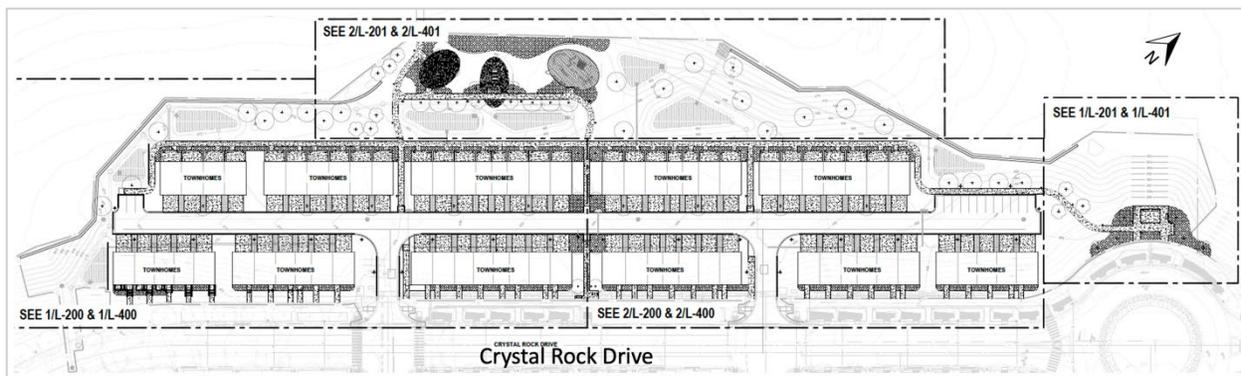


Figure 20 Proposed Landscape Plan

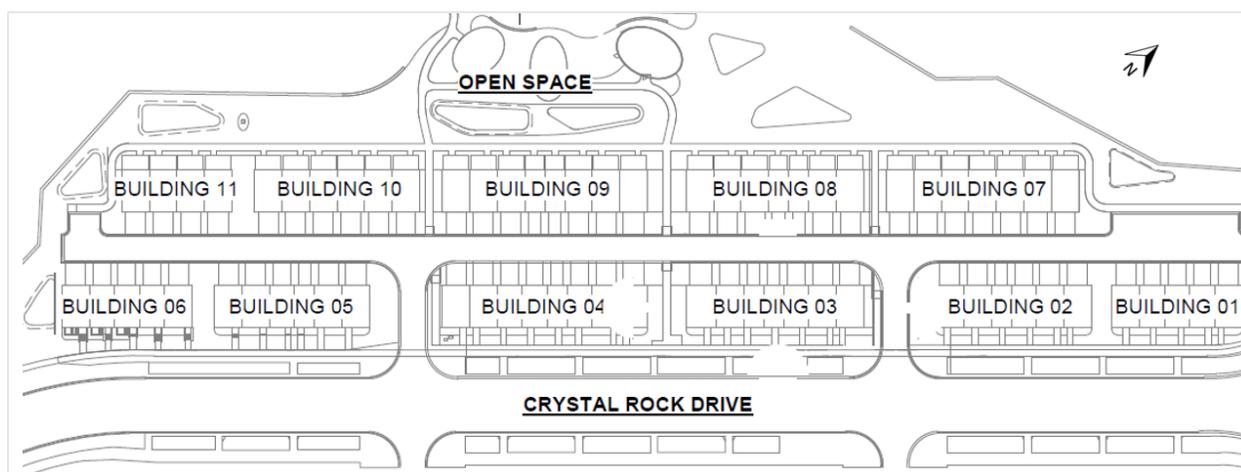


Figure 21 - Building numbers of the proposed townhouse units

e) Satisfies the applicable requirements of:

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

The Project satisfies the applicable requirements of Chapter 19. DPS approved a Site Development Stormwater Management Concept Plan on March 6, 2025. The plan proposes to meet required stormwater management goals via micro-bioretenion and biofiltration areas.

ii. Chapter 22A, Forest Conservation

The Final Forest Conservation Plan No. F20240570 satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Please refer to Section 8 below for the analysis and findings for the Final Forest Conservation Plan Amendment.

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

The Project provides safe, well-integrated parking, circulation patterns, building massing, open spaces and site amenities. A detailed discussion of the adequate parking and circulation pattern is under Section 6 (Preliminary Plan Findings). All loading and trash collection will occur on-site from the internal private driveways.

As conditioned, the building massing with at least a 30-foot separation between Buildings No. 8 and 9, and between Buildings No. 9 and 10, provides safe access and creates an unobstructed and inviting visual connection from access points on Crystal Rock Drive opposite to existing Baltusrol Drive and halfway between Baltusrol Drive and Bellerive Drive towards the rear common open space area and Black Hill Regional Park.

The common open space is located at the rear of the property adjacent to Black Hill Regional Park and it provides a natural playscape area for children, a firepit seating area, moveable seating, a grill and picnic table seating area, and a trail head location. A second open space area is located along the northeast corner of the Subject Property near the traffic circle and provides a picnic pavilion with a shade pergola and bench seating. As shown in Figure 5, the common open space and other open spaces on the Subject Property provide safe and well-integrated shaded tables and seating areas with well-designed pedestrian walkways interconnected on site. A proposed off-site natural surface trail into Black Hill Regional Park, is integrated with the proposed common open spaces and internal and external pedestrian circulation system.

Typically, pedestrians take the path of least resistance and avoid walking at multiple 90-degree corners. However, the pedestrian path within the open spaces linking the guest parking area to the building strings, and then to the Black Hill Park trailhead, has multiple 90-degree corners. As conditioned, the Applicant must consider designing the pedestrian path in a more natural, angled way that aligns with the natural contour of the land and the forested edge of Black Hill Park instead of an orthogonal grid pattern. This will ensure the pedestrian circulation system is adequate, safe, and efficient.

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

As discussed above in Section 6 of this report, the Project substantially conforms with the recommendation of the applicable Master Plan.

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;

The Project will be served by adequate public services and facilities. A detailed discussion of the adequacy of public facilities is included under the Preliminary Plan findings of the Staff Report.

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

Not applicable because the Subject Property is not 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 Project is compatible with existing and approved adjacent development. The Project consist of 69 townhouse units with common open space areas. Property to the southwest is developed with multi-family housing with pending multi-family housing on vacant land. Existing development and proposed development on vacant land consist of a four (4) story multifamily housing projects. As such, the Project and adjoining development are compatible in their residential use, density and scale. Land to the northwest Black Hill Regional Park. The Project has been designed with a common open space area between townhouse units and the park. Access to the rear townhouse units were reoriented so that the front doors face the common open spaces to provide a compatible relationship with the units and the common open space. The common open space area provides a compatible transition between with townhouse units with outdoor amenities, a natural playscape for children, and a new natural surface trailhead connection into the park. The common open space is accessible from Crystal Rock Drive via a centrally located and landscaped walkway which is situated between units and has an unobstructed view between the common open space and Crystal Rock Drive. Undeveloped land to the northeast is zoned the same as the Subject Property and therefore the property is deemed compatible due to the shared zoning, potential uses, and scale. Additionally, the Project provides sufficient setback with an open space buffer between the proposed townhouses and the property lines of undeveloped land to the northeast. There are no other known pending applications on adjacent development.

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 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 because this Project does not include a restaurant with a drive-thru facility.

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

SECTION 8: FINAL FOREST CONSERVATION PLAN AMENDMENT NO. F20240570 FINDINGS AND ANALYSIS

FOREST CONSERVATION

Final Forest Conservation Plan Amendment

The original Final Forest Conservation Plan No. 820130250 was approved on August 1, 2013, as part of a Road and Infrastructure Site Plan for the Overall Property. This original Final Forest Conservation Plan has been amended six times with the most recent Final Forest Conservation Plan Amendment No. 82013025F approved on March 19, 2019. As required by Section 22A-4 of the Montgomery County Code, the Application includes an amendment to the Final Forest Conservation Plan. Final Forest Conservation Plan Amendment No. F20240570 (“FFCP”) was submitted for review to show the proposed revisions to the Subject Property with Site Plan No. 820240100 on April 3, 2024.

The Application satisfies the applicable requirements of the Forest Conservation Law, Chapter 22A of the Montgomery County Code, and complies with the Montgomery County Planning Department’s approved *Environmental Guidelines*. This FFCP was submitted to address the requirements under Sec. 22A.00.01.09.B of the Forest Conservation Regulations to show the proposed construction of the 69 townhouse residential structures, access roads, vehicle parking, sidewalks, common open space, recreational facilities, stormwater management facilities, landscaping, hardscape and the revised lotting configurations for this Application. In addition, the FFCP also shows the natural surface trail connection between the Subject Property and Black Hill Regional Park. This trail is to be field located by the M-NCPPC Inspection Staff and Parks Department Staff.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law (“FCL”) and the Montgomery County Planning Department’s Environmental Guidelines. As required by Chapter 22A, an FFCP was submitted with the Application. The total net tract area for forest conservation purposes is 108.08 acres. The Overall Property is in a CR Zone and is classified as Mixed-Use Development (“MPD”) as defined in Section 22A-3 of the FCL and specified in the Trees Technical Manual. Under the original Final Forest Conservation Plan and subsequent amendments, the Overall Property had contained 65.10 acres of forest of which 31.07 acres were approved to be removed and 34.03 acres of forest retained. This resulted in a total afforestation requirement of 0.0 acres as calculated in the Forest Conservation Worksheet. The Applicant had previously placed the 34.03 acres of retained forest in Category I Conservation Easements. This FFCP does not modify any of these recorded Category I Conservation Easements.

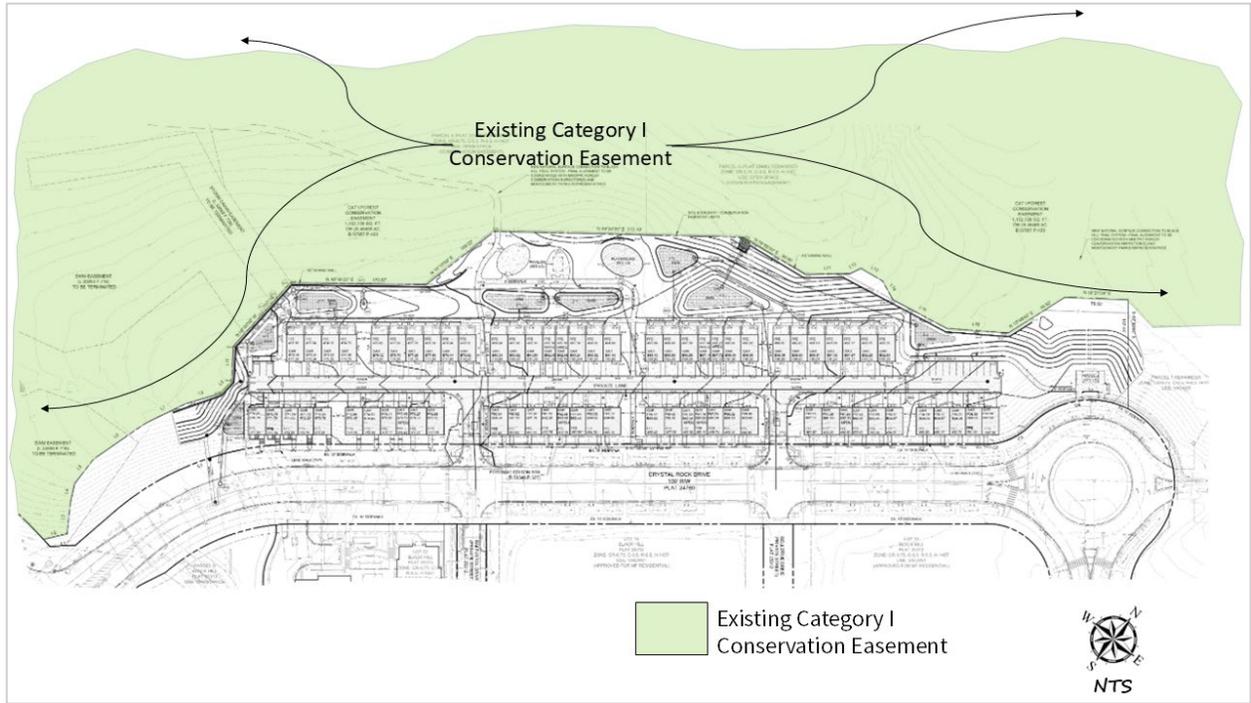


Figure 22 - Existing Category I Forest Conservation Easement

SECTION 9: CONCLUSION

As conditioned, the Project Plan, Preliminary Plan and Site Plan applications each satisfy the findings under Sections 59-D-2.42, 50-4.2 and 59-7.3.4, and the applicable standards of the Zoning Ordinance, substantially conform to the recommendations of the 2009 *Germantown Employment Area Sector Plan* and satisfy the findings of the Subdivision Regulations. The Final Forest Conservation Plan Amendment No. F20240570 satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines. Therefore, Staff recommends approval of the Project Plan, Preliminary Plan, Site Plan, and Final Forest Conservation Plan Amendment with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Prior Approvals and Resolutions

Attachment B: Project Plan, Preliminary Plan, Site Plan

Attachment C: Forest Conservation Plan

Attachment D: Agency Letters

Attachment E: Affidavit of Community Meeting and Minutes