

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

APR 26 2022

MCPB No. 22-040
Preliminary Plan No. 12017015A
BLOOM MV I-IV
Date of Hearing: April 7, 2022

RESOLUTION

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

WHEREAS, on December 26, 2017, the Planning Board, by Resolution MCPB No. 17-110, approved Preliminary Plan No. 120170150, creating 494 lots (26 detached houses, 2 duplexes and 466 townhouses) and various stormwater management, common open space, private road and HOA parcels, and parcels for dedication to the Montgomery Village Foundation and potential dedication to M-NCPPC Parks, on 147 acres of land in the Montgomery Village Overlay Zone and the CRN- 0.5 C-0.0 R-0.5 H-65 and TLD zone, located at the intersection of Montgomery Village Avenue and Stewartown Road ("Subject Property"), within the Montgomery Village Master Plan ("Master Plan") area; and

WHEREAS, on August 26, 2021, Green Bloom MV Development, LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to increase the residential dwelling units from 494 to a maximum of 514 units; modify the Stewartown Road alignment through the PEPCO easement and modify the cul-de-sac in Area 6A; change site plan conditions 2e. and 7d; reallocate units and utilities in Area 6A; make minor revisions to landscape, lighting and site details; and finalize planting and conservation easement in Park conveyance areas on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12017015A, BLOOM MV I-IV ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, Applicant opted to have this Preliminary Plan reviewed under the Subdivision Regulations in effect on August 26, 2021; and

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

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 March 28, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on April 7, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to certain conditions, by motion of Commissioner Rubin, seconded by Vice Chair Verma, with a vote of 5-0; Chair Anderson, Commissioners Cichy, Patterson, Rubin, and Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12017015A to increase the residential dwelling units from 494 to a maximum of 514 units; modify the Stewartown Road alignment through the PEPCO easement and modify the cul-de-sac in Area 6A; change site plan conditions 2e. and 7d; reallocate units and utilities in Area 6A; make minor revisions to landscape, lighting and site details; and finalize planting and conservation easement in Park conveyance areas by *modifying* the following conditions:¹

Modified Conditions

1. SUBDIVISION

This Preliminary Plan is limited to 494 514 lots for 26-27 detached houses, ~~two~~ ~~duplexes~~, and ~~466-487~~ townhouses with a minimum of ~~68~~ 71 moderately priced dwelling units, two parcels for proposed dedication to the Montgomery Village Foundation, three parcels for potential dedication to M-NCPPC Parks, and associated stormwater management, common open space, private roads, and homeowners association (HOA) parcels.

3. OTHER AGENCIES

a. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letters dated September 26, 2017, October 6, 2017, and February 28, 2022, and hereby incorporates them as conditions of the Preliminary Plan approval. Except for condition nos. 8c, 9b and 9c in the September 26, 2017 letter, the Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

* * *

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.

e. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its amendment letter dated ~~September 29, 2017~~ March 23, 2022, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect.

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:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan, and all findings not specifically addressed remain in effect.

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

Traffic Signal Warrant Analysis

Consistent with the previous review of the Preliminary Plan, the Applicant's revised Traffic Signal Warrant Analysis (dated September 1, 2017) at the two Stewartown Road intersections with Montgomery Village Avenue and Watkins Mill Road continues to be under review by MCDOT. If the traffic signals are warranted at either or both intersections by MCDOT, the Applicant must install the required traffic signal(s) prior to the opening of Stewartown Road. This condition of approval is addressed in the MCDOT approval letters.

Bikeshare and Bicycle Parking

In coordination with MCDOT, the Applicant proposed two bikeshare stations: one at the Montgomery Village Foundation (MVF) Park in Area 1, at the corner of the intersection of Montgomery Village Avenue and Stewartown Road, and one in Area 4. Although MCDOT previously required that the Applicant provide the bikeshare stations in association with Preliminary Plan No. 120170150, the County has moved away from the installation of new Capital Bikeshare stations and has instead opted for the construction of new micro-mobility corrals. As notated within the MCDOT letter dated February 28, 2022, the micro-mobility corrals must include concrete pads measuring a minimum of 54 feet by 7 feet in size, and include amenities such as: bike

racks, flex posts, and lighting. The Applicant has been instructed in the placement of the corrals at locations that will be determined by MCDOT.

Local Area Transportation Review (LATR)

As a result of the filing of the original traffic study occurring prior to January 1, 2017, the approved Preliminary Plan application was reviewed under the former 2012-2016 Subdivision Staging Policy (SSP). The traffic study, pursuant to the 2013 LATR guidelines, analyzed multimodal impacts and provided mitigation measures associated with the previously approved 494 units. However, given the Applicant's current request as part of this Preliminary Plan Amendment to increase the number of residential dwelling units to a maximum of 514 units, the Applicant was required to submit a new traffic study to review the potential impacts tied to the increase of 20 units. Due to the filing of this new revised traffic study being submitted on January 21, 2022, it was required to be reviewed under the 2020-2024 Growth and Infrastructure Policy, since the increase in residential dwelling units will generate an increase to the total approved peak-hour vehicle trips within the weekday morning and evening peak periods (6:30 to 9:30 AM and 4:00 to 7:00 PM).

The Subject Amendment will generate a total of 486 AM peak hour person trips and 562 PM peak hour person trips. This revised trip generation represents an increase of 11 AM peak hour person trips and 15 PM peak hour person trips compared to the original approval.

Although the Subject Amendment proposes a net increase of 20 dwelling units, only Areas 1, 2, and 6 feature increases in density, whereas Area 3 residential density is decreased. Given the limited increase in peak hour person trips and the area-specific density increases, the following intersections were studied in the revised traffic study:

- Montgomery Village Avenue / Greenside Terrace
- Montgomery Village Avenue / Stewartown Road
- Montgomery Village Avenue / Brassie Place
- Watkins Mill Road / Crested Iris Drive / Stewartown Road

Traffic counts at the four revised traffic study intersections were collected on Tuesday, December 7, 2021, when Montgomery County Public Schools were in session, from 6:30 to 9:30 AM and from 4:00 to 7:00 PM, in accordance with the 2021 LATR Guidelines. Data for the other 19 previously studied intersections are unchanged as part of this analysis. Based on the revised traffic study results, the study intersections are within the acceptable limits (1,425 CLV) of the Montgomery Village/Airpark Policy Area. As shown in Table 1, all of the previously approved and revised study intersections are within the Montgomery Village/Airpark Policy Area congestion standard.

Table 1. Peak Hour Intersection Critical Lane Volume

Studied Intersection	Traffic Condition					
	Existing		Background		Total	
	AM	PM	AM	PM	AM	PM
13. Watkins Mill Rd/Crested Iris Dr*	703	675	704	677	777	794
14. Montgomery Village Ave/Meadowcroft Ln	531	482	473	442	515	462
15. Montgomery Village Ave/Greenside Ter*	449	474	448	480	486	495
16. Montgomery Village Ave/Stewartown Rd*	487	696	489	702	592	781
17. Montgomery Village Ave/Brassie Plc*	491	527	493	533	579	628
18. Arrowhead Rd/Rothbury Dr	384	519	384	519	389	547
19. Stewartown Rd/Site Entrance (Area VI)	n/a	n/a	126	140		
20. Stewartown Rd/Site Entrance (Area V)			151	181		
21. Montgomery Village Ave/Site Entrance (Area III)			475	440		
22. Montgomery Village Ave/Site Entrance (Area III)			482	458		
23. Montgomery Village Ave/Site Entrance (Area VI)			544	542		

Vision Zero Statement

The purpose of the Vision Zero Statement is to assess High Injury Network and safety issues, review traffic speeds, describe in detail how safe site access will be provided, and provide potential solutions to mitigate roadway dangers. The Applicant was required to analyze existing traffic safety conditions within 400 feet of the Site frontages within Areas 1, 2, 3, and 6, which includes a review of the High Injury Network, review of historical crash data within the last five (5) years, and analysis of traffic speeds along two (2) segments within the TIS boundary. The Vision Zero statement is limited to Montgomery Village Avenue and Watkins Mill Road due to their proximity to the four development Areas.

Neither Montgomery Village Avenue or Watkins Mill Road are classified as High Injury Network roadway segments within 400 feet of the Site frontages.

The Applicant reviewed crash history within 400 feet of the Site frontages and determined that 16 crashes were recorded between 2017 and 2021. Of the 16 crashes, none involved either bicycles or pedestrians. Out of the 16 total crashes, four occurred at the Montgomery Village Avenue-Stewartown Road intersection and 12 occurred at the Watkins Mill Road-Crested Iris Drive intersection. There were four total crashes resulting in injuries at the Watkins Mill Road-Crested Iris Drive intersection, however none were fatal.

The Applicant conducted speed studies at two (2) locations within the TIS boundary:

1. Montgomery Village Avenue between Stewartown Road and Brassie Place
2. Watkins Mill Road between Crested Iris Drive and Cove Ledge Court

The posted speed limits on both Montgomery Village Avenue and Watkins Mill Road within the study area is 35 MPH. The 85th percentile speeds for each segment were calculated based on the recorded observations collected during each respective speed study. All 85th percentile speeds were above the posted speed limits, with an average of 52.1 MPH speeds measured along Montgomery Village Avenue and an average of 46.7 MPH speeds measured along Watkins Mill Road.

Other Public Facilities and Services

Overview and Applicable School Test

the FY22 Annual School Test, approved by the Planning Board on June 17, 2021, and effective July 1, 2021, is applicable to this Application. This Subject Amendment proposes an increase of 20 single-family attached units.

School Adequacy Test

The Project is served by Whetstone ES, Montgomery Village MS and Watkins Mill HS. Based on the FY22 Annual School Test, the student enrollment and capacity projections for these schools are noted in the following table:

Table 2. Applicable FY2022 School Adequacy

School	Projected School Totals, 2025				Adequacy Status	Adequacy Ceilings		
	Program Capacity	Enrollment	% Utilization	Surplus/ Deficit		Tier 1	Tier 2	Tier 3
Whetstone ES	750	757	100.9%	-7	No UPP	78	143	256
Montgomery Village MS	853	792	92.8%	+61	No UPP	187	232	360
Watkins Mill HS	1,947	1,729	88.8%	+218	No UPP	398	608	900

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 FY22 Annual School Test, Whetstone ES, Montgomery Village MS and Watkins Mill HS do**

not require any UPP as identified in Table 2. 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 Subject 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 detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net increase of 20 units that are not age-restricted, the Subject Amendment is estimated to generate the following number of students based on the subject property's location within a Turnover Impact Area:

Table 3. 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	0.185	0.000	0.108	0.000	0.154	0.000
SF Attached	20	0.225	4.500	0.123	2.460	0.159	3.180
MF Low-rise	0	0.107	0.000	0.058	0.000	0.070	0.000
MF High-rise	0	0.051	0.000	0.024	0.000	0.030	0.000
TOTALS	20		4		2		3

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

Analysis Conclusion and Condition of Approval

Prior to issuance of each building permit for the 20 single-family attached units in this Preliminary Plan Amendment, the Applicant must obtain an assessment from Montgomery County Department of Permitting Services (MCDPS) for Utilization Premium Payments (UPPs) consistent with County Code and the Growth and Infrastructure Policy, as follows:

No UPP condition required.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is APR 26 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 Commissioner Rubin, seconded by Vice Chair Verma, with Commissioners Patterson, Rubin, Cichy, and Chair Anderson voting in favor at its regular meeting held on Thursday, April 21, 2022, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board