

**SHADY GROVE STATION: PRELIMINARY PLAN AMENDMENT NO.
12012008H, WESTSIDE AT SHADY GROVE (BLOCK U): SITE PLAN
NO. 820260010, FINAL FOREST CONSERVATION PLAN NO.
F20260080**

Description

Application to convert 43,000 sq. ft. of approved and unbuilt retail use density into 40 townhouse units and create 40 lots, including a minimum of 12.5 percent workforce housing units.

COMPLETED: 1/16/2026

PLANNING BOARD HEARING DATE: 1/29/2026

MCPB ITEM NO. 12

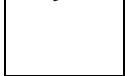
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LOCATION/ADDRESS

Southeast quadrant of Shady Grove Road and
Crabbs Branch Way

MASTER PLAN

2006 Shady Grove Minor Master Plan
Amendment

ZONE

CRT-1.0, C-0.25, R-0.75, H-90, TDR

PROPERTY SIZE

90.09 net acres (Overall Property)
3.34 net acres (Subject Property)

APPLICANT

EYA/CSP Associates

ACCEPTANCE DATE

October 1, 2025

REVIEW BASIS

Chapters 22A, 50, and 59

Sec. 59-7.7.1.B (Exemptions), the Applications
are reviewed under the TOMX-2.0/TDR zone and
the optional method development standards
and procedures in effect on October 2, 2014.



Summary:

- Staff recommends approval of Preliminary Plan Amendment No. 12012008H, Site Plan No. 820260010, Final Forest Conservation Plan No. F20260080, with conditions.
- In 2012, the Planning Board approved Preliminary Plan No. 120120080 (MCPB No. 12-89), creating 752 townhouse lots, 1,458 multi-family residential units, 41,828 square feet of retail and 131,422 square feet of office development on the Overall Property.
- The Overall Property is located directly north of the Shady Grove Metro Station and spans the east and west sides of Crabbs Branch Way. The property subject to the Site Plan is limited to 3.34 acres at the intersection of Shady Grove Road and Crabbs Branch Way.
- The Applications will convert 43,000 sq. ft. of approved and unbuilt retail use density into 40 townhouse units and create 40 lots on the Subject Property, including a minimum of 12.5% workforce housing units.
- The Project includes an open lawn play area, multipurpose sports court, community gardens, and other amenities.
- To date, no community comments have been received.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN AMENDMENT 12012008H

Staff recommends approval with conditions of Preliminary Plan Amendment No. 12012008H to convert 43,000 sq. ft. of approved and unbuilt retail use density into 40 townhouse units and create 40 lots on the Subject Property, including a minimum of 12.5 percent workforce housing units.

All site development elements shown on the latest electronic version of the Preliminary Plan Amendment No. 12012008H as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.¹ The following Conditions modify previously approved Condition Nos. 1, 2, 3, and 10, as modified below. Conditions Nos. 36 to 50 are new conditions, and all other previously approved conditions remain in full force and effect.

Modified Conditions

1. This Preliminary Plan is limited to a maximum of 756 townhouse units on 756 lots (including 40 townhouse units on 40 lots on Block U), a maximum of 1,458 multi-family units on up to 119 lots (includes 109 lots for two-over-two units and ten (10) lots for multi-family buildings), 41,828 square feet of retail space on up to three (3) lots shared with multi-family units, a maximum of 7,268 square feet of office use shared with a multi-family building on one (1) lot, ~~and 43,000 square feet of general retail development on one (1) lot~~. Additional lots are permitted for common areas, including parcels for private streets, clubhouses, park and school sites, and other County facilities. Ten (10) percent of the total number of residential units, excluding Moderately Priced Dwelling Units (MPDUs) or resulting MPDU bonus density units, must be Workforce Housing units, and fifteen (15) percent of the total number of residential units, excluding Workforce Housing units, must be MPDUs.
2. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Water Resources Section, in its stormwater management concept letter~~s~~ dated June 13, 2012, and January 8, 2026, and hereby 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 MCDPS provided that the amendments does not conflict with other conditions of the Preliminary Plan approval.
3. The Planning Board has accepted the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letters dated June 13, 2012 ~~and~~, July 20 2012, and December 11, 2025, and hereby incorporates them as conditions of the Preliminary Plan approval, The Applicant must comply with each recommendation in the letter, which MCDOT may amend,

¹ For the purposes of these conditions, the term “Applicant” shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

provided the amendment does not conflict with any other conditions of the Preliminary Plan approval, except that any performance guarantees necessary to ensure that the trip reduction goals under Condition #4 are maintained will be determined by subsequent site plans. The Applicant must comply with each of the recommendations set forth in ~~both the~~ letters, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

10. ~~The Planning Board has accepted the recommendations of Montgomery County Fire and Rescue (MCF&R) Services in its letter dated May 23, 2012 and hereby incorporates them as conditions of the Preliminary Plan approval. These conditions may be amended by MCF&R, provided the amendments do not conflict with other conditions of the Preliminary Plan approval. 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 letters dated May 23, 2012 and [dated] and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.~~

New Conditions

ADEQUATE PUBLIC FACILITIES

36. The Adequate Public Facilities ("APF") review for the Preliminary Plan Amendment for the 40 lots on the Subject Property will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).

PLAN VALIDITY PERIOD

37. The Preliminary Plan Amendment for the 40 townhouse units on the Subject Property will remain valid three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and before the expiration date of this validity period, a final record plat for the 40 lots on the Subject Property delineated on the approved Preliminary Plan Amendment must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

38. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
39. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated January 13, 2026, and incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

FUTURE SITE PLAN APPROVAL REQUIRED

40. Before clearing, grading, or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board-approved site plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bikeways, will be determined through site plan review and approval.
41. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

TRANSPORTATION

Frontage Improvements on Existing Roads

42. Before the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS or MCDOT, as applicable, to ensure construction of a five-foot wide sidewalk with a four-foot street buffer along the Subject Property frontage on Shady Grove Road.

Private Roads

43. The Applicant must provide the Private Alley, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private alley area (collectively, the “Private Road”), subject to the following requirements:
 - a) The record plat must show the Private Road in a separate parcel.
 - b) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions in the Montgomery County Code § 50-4.3.E et seq regarding private roads. The Covenant includes, but is not limited to, the following requirements/conditions:
 - i) The Applicant, at its expense, shall design, construct and maintain the Private Road.
 - ii) The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground

parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.

- iii) The Applicant must post and retain signage notifying the public that the Private Road is not publicly maintained and providing contact information to handle complaints, concerns or questions regarding the Private Road.
 - iv) Approved sub-grade for private roads must be a six-inch Graded Aggregate Base (GAB), or applicable MCDOT road classification standard.
- c) Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Preliminary Plan or a subsequent Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
- d) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been constructed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshall.

RECORD PLATS

- 44. There shall be no clearing or grading of the site before the recordation of the plat(s).
- 45. The record plat must show necessary easements.
- 46. The record plat must reflect common ingress/egress and utility easements over all shared driveways.

Notes and Labels

- 47. The record plat must reflect all areas under common ownership.
- 48. The record plat must reference the Common Open Space Covenant recorded in Montgomery County Land Records at Book 28045, Page 578 ("Covenant").

CERTIFIED PRELIMINARY PLAN

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

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

50. Before submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a) Show resolutions and approval letters on the certified set
- b) Show private roadway details and cross sections on the certified set.

SITE PLAN 820260010

Pursuant to the exemption provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Site Plan was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. Section 59-C-13.234 requires that Optional Method development on a property with a proposed FAR above 0.5 in the TOMX 2.0/TDR zone receive an approved Site Plan in accordance with Section 59-D-3. Staff recommends approval of Site Plan No. 820260010 for the construction of 40 townhouse dwelling units. The development must comply with the conditions of approval Preliminary Plan No. 12012008H, 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 40 townhouse dwelling units on the Subject Property, including a minimum of 12.5 percent workforce housing units.

2. Height

The development is limited to a maximum height of 50 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Workforce Housing Units (WFHUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated January 13, 2026, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each recommendation 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 a minimum of 12.5 percent WFHUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25B and the applicable Master Plan.
- c) Before issuance of any building permit for any residential unit(s), the WFHU agreement to build between the Applicant and the MCDHCA must be executed.

OPEN SPACE, FACILITIES AND AMENITIES

4. Public Use 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.

- a) The Applicant must provide a minimum of 29,185 square feet of public use space (20 percent of net lot area) on-site.
 - b) Before the release of the surety bond for the residential development, all public use space areas on the Subject Property must be completed.
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
The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP).
7. Maintenance of Public Amenities
The Applicant is responsible for maintaining all publicly accessible amenities, including, but not limited to, the community gardens, multi-use sports court, and open lawn area.

NOISE

- 8. Before the issuance of the first building permit, the Applicant/developer/builder must provide certification to M-NCPPC Staff from an engineer specializing in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, (Lot Nos. 1 to 10, 17 to 23, and 38 to 40) will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- 9. Before the final inspection for any residential unit on Lot Nos. 1 to 10, 17 to 23, and 38 to 40, the Applicant must certify to M-NCPPC Staff that the noise impacted units have been constructed in accordance with the certification of the engineer who specializes in acoustical treatments.
- 10. For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective purchasers that those homes are impacted by transportation noise. Such notification may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents and must be included in any noise impacted sales contracts, any illustrative site plan(s) on display within any sales related offices(s); in Homeowner Association documents; with all Deeds of Conveyance of noise impacted units; and by inclusion on all signature subdivision and site plans. A copy of this notification must be provided to the Planning Department and Montgomery County Department of Permitting Services, Site Plan Enforcement Section, prior to the issuance of a Use and Occupancy Certificate or final inspection, whichever is relevant, for any noise impacted residential unit.
- 11. If any changes occur to the Site plan that affect the validity of the noise analysis dated November 24, 2025, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.

TRANSPORTATION AND CIRCULATION

- c) 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 November 6, 2025, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of the Site Plan approval.

AGENCY COORDINATION

12. 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, and hereby incorporates them as conditions of approval. The Applicant must comply with each recommendation in the letter, which MCDPS may amend, if the amendments do not conflict with other conditions of Site Plan approval.
- a) 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, or as amended.
- b) Before approval to release any portion of the site plan performance bond, the Applicant must deliver to the Planning Department and MCDPS inspector certification by a professional engineer licensed in the State of Maryland that the Private Road has been constructed in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on the Preliminary Plan or Site Plan, including in-place density testing of the roadway soil sub-grade, aggregate base, and asphalt, and that the road has been constructed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshall.

SITE PLAN

13. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the submitted architectural drawings, as determined by M-NCPPC Staff.
- b) The exterior architectural character, proportion, materials, and articulation of the Workforce Housing Units must be substantially similar to the exterior architectural character, proportion, materials, and articulation of the market-rate units.

14. 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 right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

15. 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-D-3.5(d) 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, recreational facilities, site furniture, mailbox pad sites, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and upon completion of all improvements covered by the surety for each phase of development, a site plan completion inspection will be conducted. The surety may be reduced based upon the inspector's recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

16. Development Program

The Applicant must construct the development in accordance with a development program table, which will be reviewed and approved before the Certified Site Plan is approved.

17. 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 during construction.”
- c) Include the approved Fire Department Access Plan.
- d) Modify the 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 noise impacted units.
- g) Show all private road sections/profiles, including curb and gutter, apron, and handicap ramp details.
- h) Demonstrate that each recreational element proposed in the Recreation Plan satisfies the relevant specifications in the applicable M-NCPPC Recreation Guidelines.

Staff recommends approval with conditions of the Final Forest Conservation Plan No. F20260080 (“FFCP”), which amends and replaces FFCP No. 82013022H, to allow the development of 40 lots for 40 townhouse units and associated infrastructure and open space. All site development elements shown on the latest electronic version of FFCP No. F20260080, as of the date of this Staff Report submitted via ePlans to the M-NCPPC, are required except as modified by the following conditions.³

1. The Final Forest Conservation Plan, associated variance, and the Shady Grove Station Public Infrastructure Improvements are approved subject to the following conditions:
 - a) Prior to any land disturbing activities, other than demolition of the existing buildings by Montgomery County or related site work, the Applicant must provide a Certificate of Compliance for 8.94 acres of off-site forest banking to satisfy the planting requirements for Shady Grove Station-Westside.
 - b) Prior to the release of the first building permit for Phase I, the Applicant must provide a Certificate of Compliance for 1.55 acres of off-site forest banking to satisfy a portion of the planting requirements for the public infrastructure improvements. This may be combined with the 8.94 acres listed above, for a total off-site banking requirement of 10.49 acres.
 - c) Prior to the release of the first use and occupancy permit for Phase I, the Applicant must provide nine *Acer rubrum* (red maple) trees along the Metro Access Road as shown on Sheet FCP-11 to fulfill the remainder of the planting requirement for the Public Infrastructure Improvements.
 - d) Prior to the release of the first use and occupancy permit for Phase I, the Applicant must provide three *Quercus phellos* (willow oak) trees as shown on Sheet FCP-12 to mitigate for the removal of Variance tree #T-51. The three replacement trees must have a minimum of 3" caliper each.
2. The Applicant must secure additional required forest banking credits to mitigate for 0.26 acres prior to issuance of the first use and occupancy permit for the Site Plan.
3. Before recordation of the plat and the start of any demolition, clearing, grading, or construction, whichever comes first, for Preliminary Plan No. 12012008H and Site Plan 820260010, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Rock Creek watershed or Priority Area to satisfy the reforestation requirement of 0.03 acres of mitigation credit. If no off-site forest banks exist within the Rock Creek watershed or Priority Area, then the off-site requirement may be met by purchasing 0.04 acres of mitigation credits from a mitigation bank within Montgomery County outside of the Rock Creek watershed or Priority Area, subject to Staff approval. If forest mitigation bank credits are not

³ Condition No. 1 was approved as part of Site Plan No. 820130220 and has been satisfied. Condition No. 2 was approved as part of Site Plan No. 82013022B and has been satisfied.

available for purchase, a fee-in-lieu payment must be made to M-NCPPC for the appropriate mitigation credits outside of the same watershed or Priority Area.

4. The Applicant must schedule the required site inspections with the M-NCPPC Forest Conservation Inspection Staff, per Section 22A.00.01.10 of the Code of Montgomery County Regulations (“COMCOR”), Forest Conservation Regulations.
5. 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.
6. 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.

SECTION 2: SITE DESCRIPTION

VICINITY

The Overall Property consists of 90.09 net acres of land bordering Metro Access Road to the east, Metro and MARC railroads to the south/southwest, and Shady Grove Road north; the 2006 *Shady Grove Minor Master Plan* Amendment (“Master Plan”); and zoned Commercial Residential Town (CRT-1.0, C-0.25, R-0.75, H-90), CRT-0.75, C-0.25, R-0.5, H-80, and Commercial Residential (CR 1.5, C-0.25, R-1.0, H-100) (“Overall Property”) (Figure 1 and Figure 2).

Within the Overall Property, land west of Crabbs Branch Way is known as the West Side at Shady Grove. The land east of Crabbs Branch Way is known as East Side at Shady Grove. The Subject Property, discussed further below, is located on the West Side at Shady Grove. The general vicinity consists of suburban residential communities and commercial development (Figure 1). As shown on the zoning map (Figure 2), to the north of the Overall Property and across Shady Grove Road, is the Grove shopping center and Montgomery County fleet management and maintenance facility, which are zoned Commercial Residential (CR 1.5, C-0.5, R-1.0, H-80) and Employment Office (EOF-0.75, H-60), respectively. To the northeast of the Overall Property is the interchange of Shady Grove Road and Metro Road Access Road. To the east is the Park Overlook residential community in the Townhouse Medium Density (TMD) and Commercial Residential Neighborhood (CRN 1.0, C-0.0, R-1.0, H-60) zones. To the southeast, open space is zoned Residential-90 (R-90). Adjacent to the southwest are the CSX and the Metro railroad tracks, Metro Red Line Shady Grove station, and a railcar maintenance yard, which is zoned Moderate Industrial (IM-2.5, H-50).

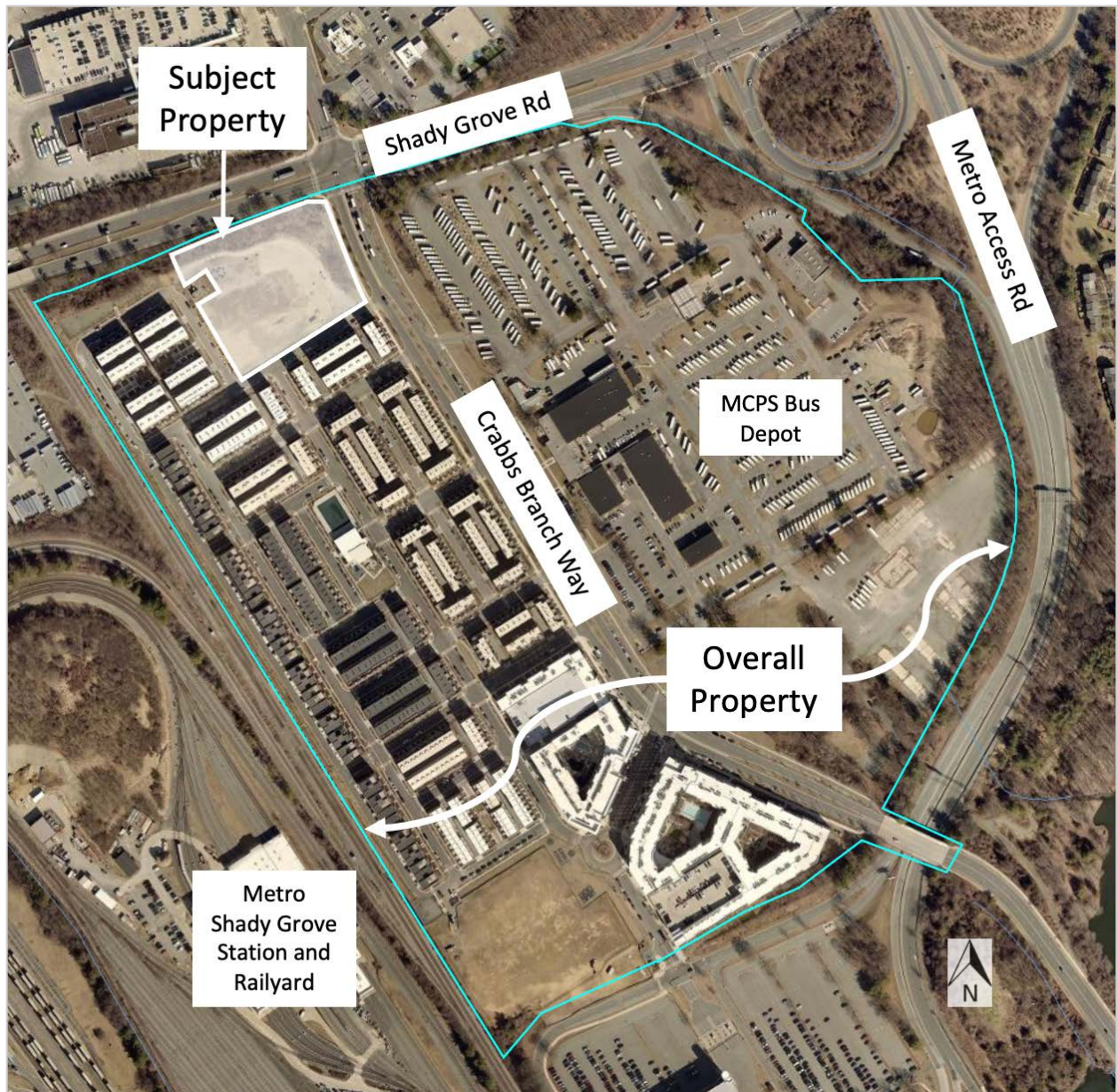


Figure 1 - Vicinity map of Overall Property and Subject Property

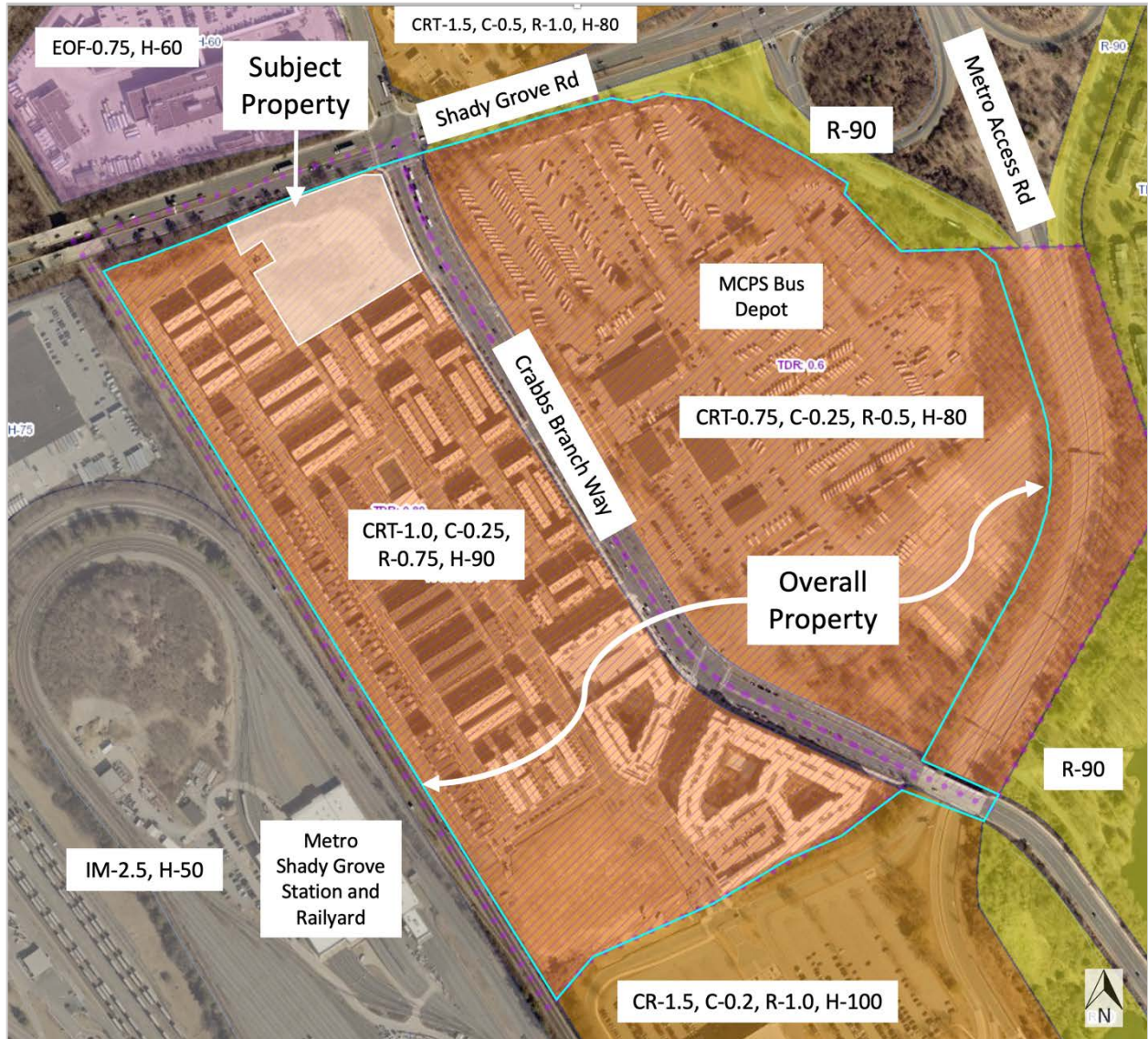


Figure 2 - Zoning map

PROPERTY DESCRIPTION

The Subject Property consists of 3.34 net acres of undeveloped land at the southwest quadrant of Shady Grove Road and Crabbs Branch Way; and is zoned Commercial Residential Town (CRT-1.0, C-0.25, R-0.75, H-90) ("Subject Property" or "Property"). As shown in Figure 3, the Subject Property is irregularly shaped with approximately 300 feet of frontage along Crabbs Branch Way, approximately 400 feet of frontage along Front Street, and approximately 380 feet of frontage along Front Loop. To the southeast, south, and southwest of the Subject Property are townhouses. To the northeast, across Crabbs Branch Way, is the Montgomery County Public Schools Shady Grove Bus Depot. To the northeast, across Shady Grove Road, is the Montgomery County fleet management and maintenance facility.

Presently, the Subject Property is mostly graded and has been used as a construction staging site for the nearby townhouses. Along the frontage of Shady Grove Road is a dense stand of trees with additional trees distributed along the Crabbs Branch Way frontage. All surrounding property is zoned Commercial Residential (CRT-1.0, C-0.25, R-0.75, H-90), except for the property across Shady Grove Road, which is zoned Employment Office (EOF-0.75, H-60).

There are no known burial sites on the Overall Property or Subject Property. The Overall Property and Subject Property are not included in the Montgomery County Cemetery Inventory.



Figure 3 - Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

The previous approvals for the Overall Property are the following:

- On September 11, 2012, the Planning Board approved Preliminary Plan No. 120120080 (MCPB No. 12-89), creating 752 townhouse lots, 1,458 multi-family residential units, 41,828 square feet of retail and 131,422 square feet of office development on the Overall Property.
- On April 23, 2014, the Planning Board approved Preliminary Plan Amendment No. 12012008A (MCPB No. 14-22), which permitted execution of the required Traffic Mitigation Agreement ("TMAg") at building permit and allowed modifications to the cross-sections of certain roads as part of the development of the Overall Property.
- On November 3, 2014, the Planning Board approved Preliminary Plan Amendment No. 12012008B (MCPB No. 14-96), which permitted the modification to alley pavement widths from 20 feet to 18 feet; landscaping in alleys and deeper decks for residential units with a deck option; adjustments to lot lines; and modifications to the location of Moderately Priced Housing Units and Workforce Housing units on the Overall Property.
- On May 7, 2015, the Planning Board approved Preliminary Plan Amendment No. 12012008C (MCPB No. 15-48), to permit separate TMAg applicable to each phase covered within a specific Site Plan for the various phases of the approved Shady Grove Station development on the Overall Property.
- On November 30, 2017, the Planning Board approved Preliminary Plan Amendment No. 12012008D (MCPB No. 17-103), to replace the unbuilt 131,422 square feet of office use with up to 43,000 square feet of general retail space on the Overall Property.
- On February 25, 2019, the Planning Board approved Preliminary Plan Amendment No. 12012008E (MCPB No. 19-009), to replace one (1) multi-family lot and 752 townhouse lots with 751 townhouse lots and 50 two-over-two townhouse lots on the Overall Property.
- On October 1, 2020, the Planning Board approved Preliminary Plan Amendment No. 12012008F (MCPB No. 20-092) to add 7,268 square feet of approved office space on the Overall Property; and Preliminary Plan Amendment No. 12012008G (MCPB No. 23-052) to modify Block Rand a portion of Block T by substituting previously approved but unbuilt 24-foot-wide townhouses with 20-foot-wide townhouses; increasing the overall project density by 5 townhouse units, from 751 units to 756 units; and modifying the lot lines for the townhouses on the Overall Property.

PROPOSAL

On October 1, 2025, EYA/CSP Associates (“Applicant”) filed Preliminary Plan Amendment No. 12012008H, Site Plan No. 820260010, Final Forest Conservation Plan No. F20260080 to convert 43,000 sq. ft. of unbuilt retail use density into 40 townhouse unit and create 40 lots⁴ on the Subject Property, including a minimum of 12.5% workforce housing units (“Applications”) (Figure 4).

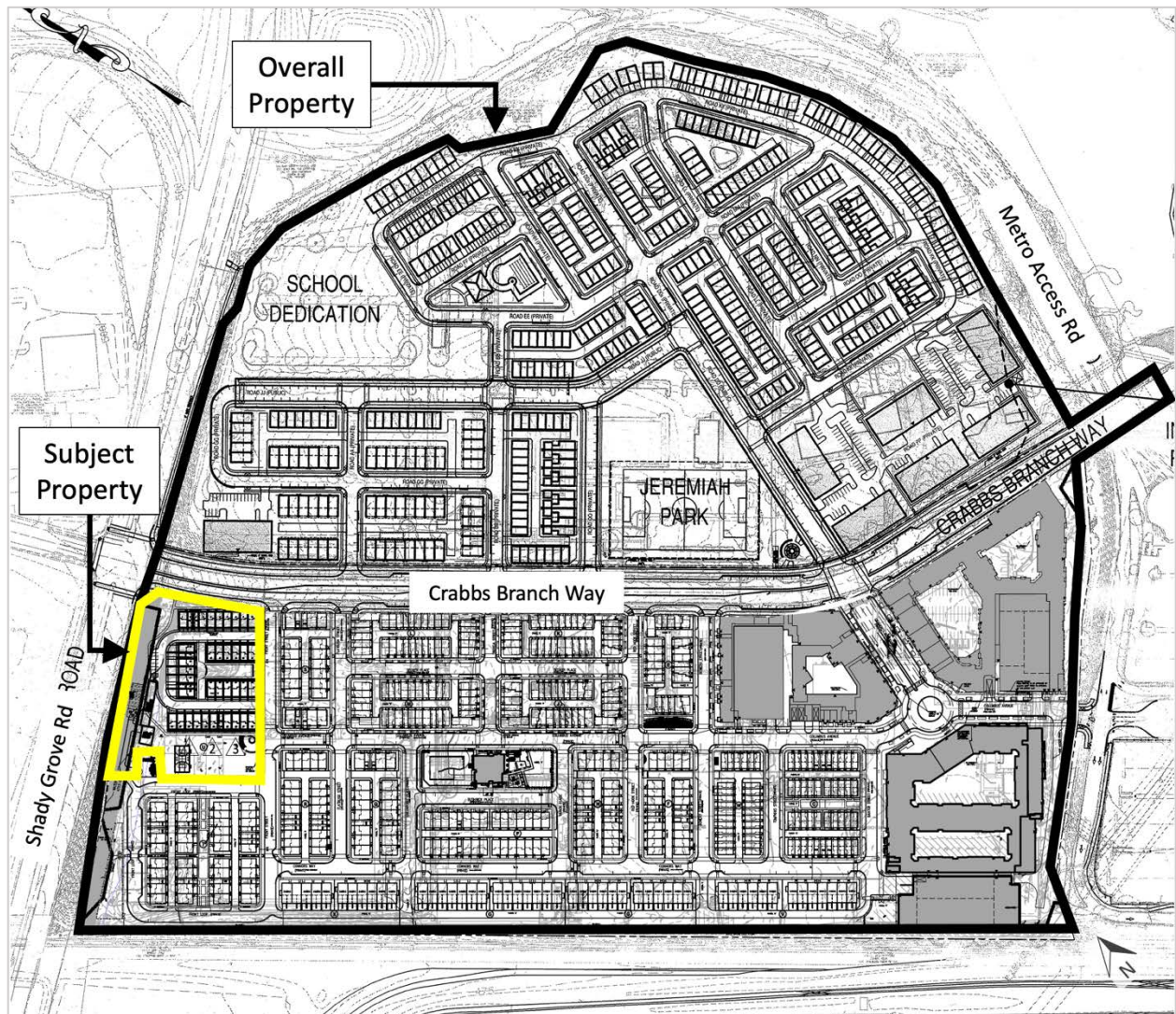


Figure 4 - Proposed Preliminary Plan Amendment

⁴ Forty previously approved but unbuilt townhomes from Shady Grove East area are transferred to the Subject Property. There is no increase in density of the Overall Property.

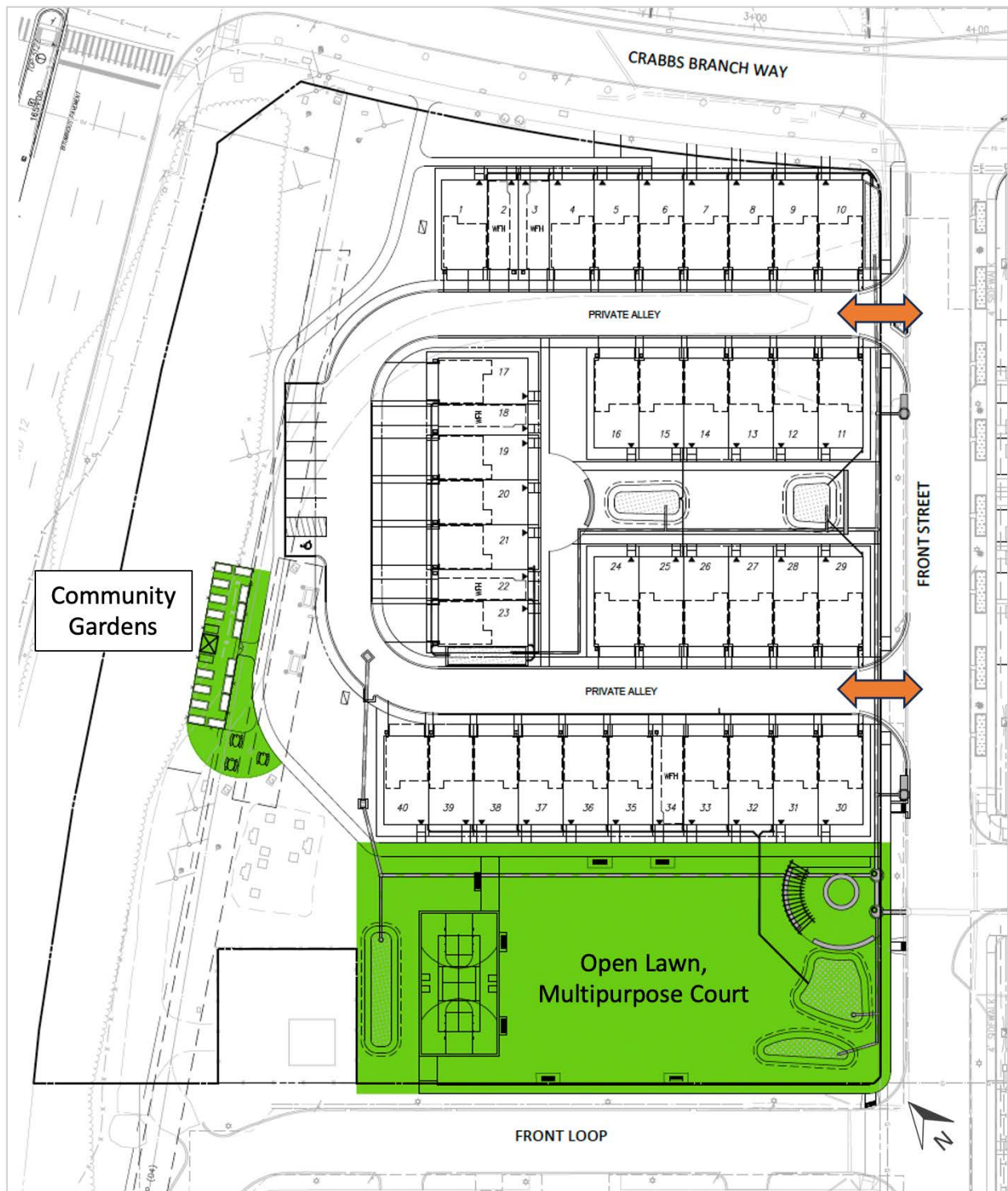


Figure 5 - Proposed Site Plan with 40 townhouse units and public use space



Figure 6 - Front elevations architecture



Figure 7 - Rear elevations architecture

SITE LAYOUT AND ARCHITECTURE

As shown in Figure 4 and Figure 5, the Project proposed 40 rear-loaded townhouse units. The townhouse units are arranged around a U-shaped private alley. Townhouse units face a centrally located open courtyard space, adjacent to Front Street. Figure 6 and Figure 7 show the proposed front elevation and rear elevation architecture. Finish materials consist of brick veneers, horizontal siding, painted trim and cornice.

OPEN SPACE

As shown in Figure 5, the Project includes 20 percent public open spaces. The public open spaces are primarily located along the southwestern corner of the site and consists of an open lawn area, a multi-purpose court, seating areas, and landscaping. Additionally, in the eastern portion, there is space for community gardens and additional seating spaces. The open spaces are easily accessible to the public via sidewalk connections and by their proximity to Front Street and Front Loop.

TRANSPORTATION

Proposed vehicular access within the Subject Property is from a U-shaped private alley that connects to Front Street with two points of access. The eastern intersection of the Private Alley and Front Street will be limited to right-in and right-out turns access only, with a mountable curb island to maintain it as a fire access lane. Each townhouse unit provides a two-car garage, and seven units have driveway space to accommodate two additional parking spaces. Additionally, eight visitor parking spaces are provided along the private alley, including one ADA parking space. Internal to the Site, a sidewalk is proposed to connect the community garden to the sidewalk along Crabbs Branch Way.

SECTION 4: COMMUNITY OUTREACH

The Applicant has complied with all submittals and noticing requirements, and a pre-submittal public meeting was held on July 17, 2025.

During the pre-submittal meeting, participants' concerns included potential parking constraints, capacity limits with HOA amenities, and a suggestion to survey residents on amenity needs. The Applicant indicated that parking is a challenge; however, all proposed units will comply with code requirements and have two-car garage parking, and some driveways will accommodate additional parking. Further, the Applicant indicated that the Project would provide additional community amenities (green space and a community garden). Additionally, the Applicant acknowledged they studied alternative designs that incorporated more active recreation facilities (e.g., a sports court) and recognized that current maintenance challenges of the existing green space on the clubhouse block are difficult due to the relatively small size and higher use of the space. However, the Applicant explained that the proposed approximately half-acre green space proposed for the Project is larger and suggested that the intensity of use would be lower. The Applicant is also considering irrigation to ensure the proposed green space receives adequate watering.

The development team also presented the Project to the Shady Grove Implementation Advisory Committee in November 2025. The Committee members, including representatives from the Shady Grove Westside community, were supportive of the proposal.

To date, no additional comments have been received.

SECTION 5: PRELIMINARY PLAN 12012008H FINDINGS AND ANALYSIS

Preliminary Plan Amendment No. 12012008H requests to convert 43,000 square feet of unbuilt retail use density into 40 townhouse units and create 40 lots (including 12.5 percent workforce housing units) on the Subject Property. The proposed Preliminary Plan Amendment does not alter the intent of the previous findings, which remain applicable, except as modified below.

- 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.***

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable subdivision regulations. The proposed parcel sizes, widths, shapes, and orientation are appropriate for the subdivision's location, taking into account the recommendations of the Master Plan, the existing development patterns of surrounding properties, and the uses, buildings, and facilities contemplated for the Subject Property.

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

The block design is appropriate for the development and use contemplated. As shown in Figure 5, new residential blocks are proposed with access from Front Street. The block design consists of strings of townhouse lots fronting and served by an internal private alley. The blocks are of an appropriate length and width to accommodate pedestrian and vehicular circulation, fire department access, public open spaces, and private residential lots.

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

As shown in Figure 4, the Application meets all applicable sections of the Subdivision Code, including the lot design. The Project creates 40 lots for 40 townhouses. The dimensions of the lots will accommodate the townhouses and other necessary infrastructure to serve them. The lot design is also consistent with the size, shape, and width of other townhouse lots in the vicinity of the Subject Property.

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

The Application provides for required public sites and adequate open space areas. Sites for a future school, public park, and library are provided. The Overall Property provides 23.37 percent (52,066 square feet) of public open space, exceeding the 20 percent minimum open space requirement for the TOMX-2 zone. No additional

required public sites are required. There are no changes to public sites or open areas, except for the Subject Property, which is discussed in the Site Plan section of this staff report.

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

The Application was reviewed for compliance with the dimensional requirements for the TOMX-2.0/TDR as specified in the 2004 Zoning Ordinance. The Project meets all applicable development standards of Chapter 59. A summary of this review is shown in Table 1 below.

Table 1 - Shady Grove Station Westside-Block U, Data Table for the TOMX-2.0/TDR, Optional Method, Section 59-C-13.23

Development Standard	Approved/Required	Proposed
Tract Area, Overall Property	90.3404 acres	90.3404 acres
Net Lot Area, min., Subject Property	18,000 SF	145,304 SF
Density, Overall Property TOMX-2.0/TDR, FAR	3,935,227.70 SF West Side: 1.40 East Side: 0.91	3,935,227.70 SF (no change) West Side: 1.46 East Side: 0.91
Townhouse Units	756	756 (no change)
Multi-family Units	1,458	1,458 (no change)
Office	7,268 SF	7,268 SF (no change)
General Retail	43,000 SF	0 SF
Auxiliary Retail	41,828 SF	41,828 SF (no change)
Library	6,859 SF	6,859 SF
MPDUs, min.	307	307 (no change)
Workforce Housing Units, min.	170	170 (no change)
Public Use Space, 20% min.	18.07 acres (20%)	21.11 acres (23.37%)
Building Height, max.	Optional Method – n/a	79 FT
Building Coverage, max.	Optional Method – n/a	29.20%
Minimum Setbacks, min.	-	-
From an adjacent TOMX zone	Optional Method – n/a	15 FT
From an adjacent commercial or industrial zone	Optional Method – n/a	n/a
From an adjacent single-family residential zone	Optional Method – n/a	n/a
From a public right-of-way	Optional Method – n/a	n/a

Development Standard	Approved/Required	Proposed
Parking ⁵	2,335 spaces	2,225 spaces ⁶
Site Plan Required	Yes	Yes

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

The Project substantially conforms to the Master Plan. The overarching vision of the Master Plan is for a mixed-use and pedestrian-oriented community with attractive streetscapes, distinctive architectures, and a sense of place. A key recommendation of the Master Plan is to increase the number of housing units within the vicinity of the Shady Grove Metro Station. Replacing previously approved but unbuilt retail with townhomes near transit, along with a connected street grid, commercial uses, and a future library, advances the Sector Plan's vision for a mixed-use, pedestrian-oriented community. This Project provides additional housing within walking distance to the Shady Grove Metro Station. Additionally, introducing residential uses on Block U supports sustainability through compact, infill development, green public spaces, advanced stormwater management, and improved access to non-auto transportation modes.

The Preliminary Plan Amendment introduces additional townhomes, including workforce housing units, to expand housing options and create pedestrian-friendly open spaces that enhance livability. Street-oriented townhomes, sidewalks, and roads within Block U will improve connectivity by creating new pedestrian paths and bikeways that link existing neighborhoods to the mixed-use development. Integrated open spaces will provide opportunities for recreation, social interaction, and community well-being. By concentrating housing near existing transit and commercial services, the Project supports mixed-use, transit-oriented development and increases the number of homes within walking distance of Metro. The five proposed workforce housing units advance public benefits by promoting affordability and diverse housing choices close to transit.

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

As conditioned, public facilities are adequate to support and serve the subdivision area.

a) Roads and other Transportation Facilities

⁵ Required parking is provided and was approved for the Overall Area by Preliminary Plan No. 12012008H, as amended. Final number of parking spaces are determined with Site Plan approval; pursuant to Sec. 59-6.2.4, the number of parking spaces provided may be adjusted by DPS at building permit.

⁶ Pursuant to Sec. 59-E-3.33.a and 59-E-3.32.a, parking reductions are provided for proximity to a transit station.

i. ***Existing Facilities***

The Subject Property has frontage along Shady Grove Road and Crabbs Branch Way. The right-of-way width along the property frontage on Shady Grove Road varies but is a minimum of 150 feet wide. Along Shady Grove Road, there is a sidewalk with no street buffer and a bus stop with a shelter near the intersection with Crabbs Branch Way. Crabbs Branch Way has 120 feet of right-of-way dedicated and has an eight-foot-wide sidewalk with a buffer.

ii. ***Proposed public transportation infrastructure***

The Master Plan of Highways and Transitways calls for a minimum of 150 feet of right-of-way along Shady Grove Road and 100 feet of right-of-way along Crabbs Branch Way; no additional dedication is required for either road. The Bicycle Master Plan calls for a Breezeway along this portion of Shady Grove Road; however, due to significant grading challenges, this improvement is not a feasible for the applicant to provide. Therefore, the Applicant will instead upgrade the Shady Grove Road frontage by providing a five-foot sidewalk with a four-foot street buffer, improving the pedestrian level of comfort and not precluding the ability for others to construct the master planned facility in the future.

iii. ***Proposed private transportation infrastructure***

There will be a U-shaped Private Alley from Front Street to provide vehicular access to the proposed townhomes. There will also be internal sidewalks leading to the fronts of the townhomes and a sidewalk connecting the community garden to the sidewalk on Crabbs Branch Way. Internal sidewalks will also connect to the sidewalks on Front Loop and Front Street.

b) Local Area Transportation Review (LATR)

This Preliminary Plan Amendment proposes to substitute the approved but unbuilt 43,000 square feet of general retail space for Block U, Shady Grove West, with 40 approved but unbuilt townhomes from Shady Grove Station East. The most recent amendment to the Preliminary Plan (No. 12012008G) added five (5) townhome units. It was the subject of a traffic statement dated January 11, 2023, and approved by the Planning Board on May 16, 2023.

As shown in Table 2, the originally approved Preliminary Plan land uses would have generated 795 AM peak-hour trips and 988 PM peak-hour trips. The proposed Preliminary Plan Amendment generates 657 AM peak-hour trips and 857 PM peak-hour trips, which is 138 fewer AM trips and 131 fewer PM trips than the originally approved Preliminary Plan.

Table 2 - Trip Generation Analysis

Trip General Analysis	Land Use	Trip Generation Rates: AM	Trip Generation Rate: PM
Previously Approved (Combined East and West Sides from 2012 LATR)	-	-	-
-	Office (131,422 SF)	161	150
-	Retail (41,828 SF)	49	189
-	Residential (2,210 DU)	585	649
Subtotal Approved Program	-	795	988
Proposed (Combined East and West Sides)	-	-	-
-	Office (7,268 SF)	7	10
-	Retail (41, 828 SF)	57	195
-	Residential (2,214 DU)	593	652
Subtotal Proposed Program	-	657	857
Net Change	-	-138	-131

Source: Transportation Exemption Statement from Wells and Associates, September 4, 2025, modified by staff

The Preliminary Plan Amendment will not result in increases to the approved peak-hour trip generation totals or include roadway network changes, and thus the previous LATR study remains valid.

c) Schools

The Subject Property is located within the Shady Grove Policy Area, which is categorized as an Infill Impact Area by the 2024-2028 Growth and Infrastructure Policy. The FY 2026 Annual School Test, approved by the Planning Board on June 26, 2025, and effective on July 1, 2025, is applicable.

Washington Grove Elementary School, Gaithersburg Middle School, and Gaithersburg High School serve the Subject Property. The enrollment and capacity projections of these schools are reflected in the FY 2026 Annual School Test, which evaluates for the 2029-2030 school year, and the default Utilization Premium Payment (UPP) tier placements are shown in Table 3 below.

Table 3 – FY 2026 Annual School Test Projections (2029-2030 School Year) and UPP Tier Placements

School	Program Capacity	Enrollment	Utilization Rate	Seat Surplus or Deficit	UPP Tier Placement
Washington Grove ES	550	508	92.4%	+42	No UPP
Gaithersburg MS	1,028	894	87.0%	+134	No UPP
Gaithersburg HS ⁷	2,444	2,276	93.1%	+168	No UPP

Based on the FY 2026 Annual School Test results above, the Subject Property is not subject to any UPP by default. However, if the Project's enrollment impact estimate exceeds the adequacy ceiling for a school in subsequent UPP tiers shown in Table 4, a partial payment is required.

Table 4 – FY 2026 Annual School Test Adequacy Ceilings

School	Tier 1 Adequacy Ceiling	Tier 2 Adequacy Ceiling	Tier 3 Adequacy Ceiling
Washington Grove ES	116	152	235
Gaithersburg MS	254	340	494
Gaithersburg HS	328	657	1,024

Table 5 shows the Project's enrollment impact estimate, calculated based on the School Impact Area classification and the proposed net residential units, using the FY 2026-2027 Student Generation Rates.

Table 5 – Student Enrollment Impact Estimate (Reflects FY 2026-2027 Student Generation Rates)

Type of Unit	Net Number of Units	ES Student Generation Rate	ES Student Estimate	MS Student Generation Rate	MS Student Estimate	HS Student Generation Rate	HS Student Estimate
SF Attached	40	x 0.165	= 6.600	x 0.088	= 3.520	x 0.137	= 5.480
Total ⁸	-	-	6	-	3	-	-

The enrollment impact estimate during an average year throughout the life of this project is six (6) elementary school students, three (3) middle school students, and five (5) high school students. This does not exceed the adequacy ceilings identified in

⁷ 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 the boundary changes can be implemented in phases.

⁸ Total numbers have been rounded down.

Table 5. Therefore, a Utilization Premium Payment is not required.

d) Other Public Facilities and Services

The Subject Property is served by public water and sewer and is classified in the W-1 and S-1 categories. Public water and sewer mains currently serve the Property, which will be adequate to serve the proposed subdivision.

Dry utilities, including electricity, gas, and telephone are also available to the Subject Property. Other utilities, public facilities and services, such as electric, telecommunications, police stations, firehouses and health services are currently operating in accordance with the Growth and Infrastructure Policy (GIP) in effect.

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

The Application satisfies all applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A. It complies with the Montgomery County Planning Department's Environmental Guidelines, as further discussed in the findings for Forest Conservation Plan No. F20260080.

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

DPS approved a Stormwater Management Concept on January 8, 2026. For the Subject Property, the plan proposes meeting the required stormwater management goals via micro-bioretenention facilities, permeable pavement, and a bio-swale.

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

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

7. 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 Subject Property or necessary for approval of the subdivision.

SECTION 6: SITE PLAN 820260010 FINDINGS AND ANALYSIS

Site Plan Amendment No. 81998037A requests to approve 40 townhouse units (with a minimum of 12.5 percent WFHs) on the Subject Property.

Pursuant to the exemption provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Site Plan was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014. Section 59-C-13.234 requires that Optional Method development on a property with an FAR above 0.5 in the TOMX 2.0 zone receive an approved Site Plan in accordance with Section 59-D-3. The proposed Amendment does not alter the intent of the previous findings except as modified below.

- 1. The site plan conforms to all non-illustrative elements of a development plan or diagrammatic plan, and all binding elements of a schematic development plan, certified by the Hearing Examiner under Section 59-D-1.64, or is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan.**

This finding is not applicable because there is no previously approved development plan, diagrammatic plan, schematic development plan, or project plan covering the Subject Property.

- 2. The site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56.**

Table 6 - Shady Grove Station Westside-Block U, Data Table for the TOMX-2.0/TDR, Optional Method, Section 59-C-13.23

Development Standard	Permitted/ Required	Proposed
Net Lot Area, min.	18,000 SF	145,308 SF (3.34 acres)
Prior Dedication	n/a	0 SF
Site Area (Subject Property)	n/a	145,308 SF (3.34 acres)
Site Residential Density (FAR/GFA)	2.0 FAR/290,616 SF	0.79 FAR/115,500 SF (35 units)
Workforce Housing, min.	12.5% (5 units)	12.5% (5 units)
Public Use Space, 20% min.	29,062 SF (0.67 acres)	29,062 SF (0.67 acres)
Building Height, max.	Optional Method – n/a	50 FT
Building Coverage, max.	Optional Method – n/a	29.20%
Minimum Setbacks, min.	-	-
From an adjacent TOMX zone	Optional Method – n/a	15 FT
From an adjacent commercial or industrial zone	Optional Method – n/a	n/a

Development Standard	Permitted/ Required	Proposed
From an adjacent single-family residential zone	Optional Method – n/a	n/a
From a public right-of-way	Optional Method – n/a	n/a
Parking, 2 spaces per unit min. (40 units)	80	72 ⁹

3. *The locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient.*

LOCATION OF BUILDINGS AND STRUCTURES AND OPEN SPACES

The building and structure locations are adequate, safe, and efficient. Each townhouse row fronts a private road or a designated public use space (see Figure 5). Along Front Street, a centrally located public use space serves as a key community feature. An additional public use space on the southern portion of the property includes an open lawn play area, a multi-purpose sports court, and seating areas. A community garden is proposed along the western edge. All open spaces are interconnected by sidewalks and pedestrian paths. The layout aligns with the Master Plan vision for mixed-use neighborhoods featuring diverse housing types and high-quality design.

LANDSCAPING AND LIGHTING

As shown on the Landscape and Lighting Plan (Attachment A), the proposed landscaping and lighting are adequate, safe, and efficient. The proposed landscaping includes street trees, shade trees, evergreen trees, ornamental and understory trees, shrubs, perennials, grasses, and groundcover. The Project also provides plantings to effectively screen existing utility structures adjacent to the Site.

RECREATION FACILITIES

Pursuant to the exemption provision of Section 59.7.7.1.B.3 of the Zoning Ordinance and in accordance with the adopted 1992 *Recreation Guidelines*, as shown on the Recreation Supply Plan (Attachment A), the proposed recreational facilities are safe, adequate, and efficient. The Project provides on-site recreational facilities for all age groups. The Applicant will provide an on-site pedestrian path linking Crabbs Branch Way with Front Loop and Front Street; an open play area; a multi-purpose sports court; community gardens; and areas for picnics, seating, and community

⁹ Pursuant to Sec. 59-E-3.33.a, a 10 percent reduction in the standard parking requirement is allowed if such units are located within a transit station development area; an additional five percent reduction is also allowed where such units are located within 1,600 feet of a Metro rail station entrance.

gatherings. The current residents of the West Side at Shady Grove community (as members of the homeowner's association) and the new residents of the proposed 40 townhomes (also part of the homeowner's association) will be able to enjoy the existing amenities within the larger community and the new amenities included in the Project.

PEDESTRIAN AND VEHICULAR CIRCULATION SYSTEMS

As fully discussed in the Preliminary Plan findings section of this report, the pedestrian and vehicular circulation systems are adequate, safe, and efficient. Front Street provides direct vehicular access to the Subject Property. Sidewalks along Front Street, Front Loop, and Crabbs Branch Way provide pedestrian access to the Subject Property. The new private alley loop provides for an internal vehicular and pedestrian circulation system for the Project.

4. *Each structure and use are compatible with other uses and other site plans, and with existing and proposed adjacent development; and*

Each structure and use is compatible with other uses and site plans, as well as with existing and proposed adjacent development. The Project adds townhouse and workforce units within an established residential neighborhood, maintaining a consistent development pattern and appropriate building heights. Design elements—such as street-oriented layouts with minimal setbacks, rear parking and service access, and alley-loaded units—align with nearby townhome development. Architectural materials and site furnishings are also consistent with adjacent properties.

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law*

The Site Plan Amendment meets all applicable requirements of Chapter 22A regarding forest conservation as described in the Final Forest Conservation Plan Amendment No. F20260080 findings section of this report, Chapter 19 regarding water resource protection, and any other applicable laws.

SECTION 7: FOREST CONSERVATION PLAN F20260080 FINDINGS AND ANALYSIS

All Forest Conservation Law, Chapter 22A requirements are satisfied. The Property is subject to the Montgomery County Forest Conservation Law, Chapter 22A of the County Code, and requires a Final Forest Conservation Plan Amendment. A Final Forest Conservation Plan was approved with Site Plan No. 820130220 and further amended with Site Plans No. 82013022B, 82013022E, and 82013022H to show updated limits of disturbance and development plans.

Final Forest Conservation Plan (FFCP) Amendment No. F20260080 amends and replaces all previously approved forest conservation plans on the Property. FFCP No. F20260080 proposes an additional 0.04 acres of disturbance outside of the previously approved limits of disturbance, located within an existing WSSC right of way (ROW). The acreage of ROW was deducted from the net tract area because it exists and was not proposed for use or disturbance. The proposed additional disturbance includes the clearing of 0.02 acres of Priority Urban Forest area¹⁰, as mapped by the Maryland Department of Natural Resources. Per Sec. 22A-12(b) of Forest Conservation Law, the FCP must retain certain vegetation and specific areas in an undisturbed condition unless specific findings are made.

Priority Forest Removal Findings

The following determinations are based on the required findings for the removal of priority forest:

1. *The development would make maximum use of any available planning and zoning options that would result in the greatest possible forest retention.*

The Subject Property (Block U) is a part of the Overall Property, which has an existing Final Forest Conservation. FFCP No. F20260080 includes the development of forty (40) additional townhouses, while only causing a small additional area of disturbance, which includes 0.02 acres of forest. The development has made maximum use of any available planning and zoning options to minimize the impacts on the forest on the Property. Reasonable efforts have been made to protect the specific areas and vegetation listed in the plan. The Applicant has restrained development from the forested WSSC right-of-way and is proposing to remove 0.02 acres of forest to allow for grading associated with the proposed community gardens.

2. *The development proposal cannot be reasonably altered.*

The proposed development meets the requirements for the forty (40) additional townhouses, while providing adequate recreation facilities and amenities for the residents. There are no additional opportunities to save the existing forest by altering the development proposal, such as increasing building heights, rearranging circulation, or an alternative building layout.

Priority Forest Removal Recommendation

Staff recommends approval of the request to remove 0.02 acres of priority forest as the Applicant cannot avoid or minimize the forest loss while still meeting the Sector Plan's goals and the zone's requirements.

¹⁰ Natural Resources Article, Section 5-1607.

SECTION 8: CONCLUSION

As conditioned, the Preliminary Plan Amendment No. 12012008H, Site Plan No. 820260010, Final Forest Conservation Plan Amendment No. F20260080 applications each satisfy the applicable standards of the Zoning Ordinance, Subdivision Regulations, Forest Conservation Law, and substantially conform to the recommendations of the 2006 *Shady Grove Minor Master Plan Amendment*. Therefore, Staff recommends approval of Preliminary Plan Amendment No. 12012008H, Site Plan No. 820260010, Final Forest Conservation Plan Amendment No. F20260080 with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Preliminary Plan Amendment, Site Plan, Final Forest Conservation Plan Amendment

Attachment B: Applicant's Statement of Justification

Attachment C: Prior Approvals

Attachment D: Agency Letters

Attachment E: Affidavit of Community Meeting and Minutes