



MONTGOMERY COUNTY PLANNING DEPARTMENT THE
MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item #
Date: 03/20/08

MEMORANDUM

DATE: March 10, 2008

TO: Montgomery County Planning Board

VIA: Rose Krasnow, Chief, Development Review Division *RK*
Ralph Wilson, Zoning Supervisor, Development Review Division *RW*

FROM: Elsabett Tesfaye, Planner Coordinator (301) 495-1301 *ET*

SUBJECT: 1. **Preliminary Forest Conservation Plan for Parcel P146, Shady Grove Metro.**
2. **Local Map Amendment No. G-875 "PARCEL P146 SHADY GROVE METRO"**, request for reclassification of a 4.26-acre parcel of land from the R-90 Zone to the PD-35 Zone for property known as Parcel 146, located at Redland Road between the CSX Railroad Tracks and Crabbs Branch Way in Derwood, Maryland.

FILING DATE: October 26, 2007
PLANNING BOARD HEARING March 20, 2008
PUBLIC HEARING: April 7, 2008

Staff Recommendation:

- I. Staff recommends **APPROVAL** of the Preliminary Forest Conservation Plan for Parcel P146, Shady Grove Metro—Local Map Amendment No. G-875 with the following conditions:

Subsequent submissions will need additional consideration to the following regulations:

- 1) All planning and design options shall be examined in subsequent reviews to determine if any forest can be saved and how reforestation to the conservation threshold level can be provided onsite, as specified in Section 22A-12-f-3. Landscaping cannot be used to meet these minimum retention requirements.
- 2) Remaining reforestation requirements may be met offsite.

- 3) At the time of site plan review, the Final FCP must provide the details to determine canopy credits for native trees towards the overall forest conservation requirements.

II. Staff recommends **APPROVAL** of Local Map Amendment No. G-875 for the following reasons:

- (1) The proposed Local Map Amendment and the Development Plan are consistent with the purpose clause and all applicable standards for the PD-35 Zone.
- (2) The proposed reclassification is in conformance with the land use recommendations of the 2006 Shady Grove Sector Plan.
- (3) The proposed reclassification is compatible with existing and planned land uses in the surrounding area.
- (4) Public facilities are adequate to serve the proposed development.

As noted, a number of sector plan, transportation, environmental and other related issues that were identified by planning staff need to be addressed at the time of preliminary plan and site plan review. Staff recognizes that the proposed Development Plan reflects a measurable effort made on the part of the developer to address the various issues raised by staff and the community and to incorporate design elements consistent with the general guidelines of the Shady Grove Sector Plan. The Development Plan satisfies the Sector Plan's specific recommendation for the subject neighborhood (Metro East—Old Derwood) by locating the single-family units along Chieftain Avenue and multi-family units along Redland Road.

Staff finds that the proposed Local Map Amendment with the associated Development Plan is consistent with the purpose clause and all applicable standards of the PD-35 Zone, and is in accord with the land use recommendations of the 2006 Shady Grove Sector Plan.

DEVELOPMENT DATA SUMMARY

Location and Identification	The south side of Redland Road between the CSX Railroad and Crabbs Branch Way in Derwood Maryland
Site Size	4.26 AC
Current Zone and Use:	R-90 single-family residential
Applicant	Keystone Real Estate Investments, LLC
Master Plan	2006 Shady Grove Sector Plan
Proposed Zone and Use	PD-35 Zone for the construction of a 156-unit development, including 117 multi-family units in one building, 36 townhouse units and 3 single-family detached units. The development includes 13% Moderately Priced Units (MPDUs) all of which will be located within the multi-family building. The project includes 227 parking spaces.
Height: One-family Detached Townhouse Multi-Family Building	40 ft/3-story 55 ft/4-story 65 ft/4-story
Density: (a) Market Rate units (b) MPDUs (5% optional) TOTAL	$35 \text{ DU/AC} \times 4.26 = 149 \text{ DU}$ $\frac{7 \text{ DU}}{156 \text{ DU}}$
MPDUs Using bonus density of 5% (optional)	13%, all in multi-family building (numbers will be determined at site plan review).
Phasing	1 Phase
Green Area	50%
Parking spaces	227 Spaces

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ATTACHMENTS:

- i. Aerial
- ii. Plans and Drawings
- iii. Referral comments

I. STATEMENT OF THE CASE

Local Map Amendment No. G-875 was filed on October 26, 2007. The applicant is requesting reclassification from the R-90 zone to PD-35 of 4.26 acres of land known as Parcel P146 Derwood, located at the south side of Redland Road between the CSX



Railroad tracks and Crabbs Branch Way in Derwood, Maryland. As required by §59-D-1.1 the application is accompanied by a Development Plan.

As shown on the Development Plan the proposed development consists of a total of 156-units including 117 multi-family units in one building, 36 townhouse units and 3 single-family detached units. The development includes 13% MPDUs in order to achieve a 5% density bonus. All of the MPDUs will be located within the multi-family building. The project includes 227 parking spaces.

II. DESCRIPTION OF PROPERTY



The subject property is located between Redland Road (north) and Chieftain Avenue (south) with frontages on both streets. The property is also bisected east-west by Yellowstone Way, a 60-foot wide secondary residential street. Approximately 1.3 acres of the property is located on the east side of Yellowstone Way, and this portion of the property is unimproved and contains a few trees, brush and grassy area. Approximately 3.0

acres of the property is located west of Yellowstone Way; this portion of the property contains a vehicle storage area, a paved parking lot and approximately 1.56 acres of forested area.

The applicant's land use report describes the property's topography as follows:

"The property slopes approximately 30 feet from the high point in the northwest corner of the property along Redland Road to the far northeast corner of the property, east of Yellowstone Way. Redland Road slopes across the frontage of the property, dropping in elevation approximately 20 feet from the northwest corner of the property to Yellowstone Way. Yellowstone Way is relatively flat..."

III. PLANNING AND ZONING HISTORY

The site was placed in the R-R Zone when the zone was enacted and mapped in the 1954 Regional District Zoning. The 1958 County-Wide Comprehensive Zoning confirmed the R-R zoning of the site (The R-R Zone was renamed R-200 in 1973). The 1971 Sectional Map Amendment (SMA) for Gaithersburg Vicinity (F-657) reclassified the subject property to I-1. The 1977 Shady Grove Sector Plan confirmed the I-1 Zone for the property. The 2006 Shady Grove Sector Plan recommended a base zone of R-90 with a recommendation for development under the PD-35 Zone by Local Map Amendment. The 2006 Shady Grove SMA implemented the Sector Plan's recommendation for rezoning the property.

IV. SURROUNDING AREA

In a floating zone application, the surrounding area must be identified so that compatibility is evaluated properly. The "surrounding area" is defined less rigidly in connection with a floating zone application than in evaluating a Euclidean Zone application. The surrounding area for this application is referenced in the 2006 Shady Grove Master Plan (page 31, Density Distribution Map) as Metro East—Old Derwood. This area is generally defined by the following boundaries:

North	Redland Road
East	Crabbs Branch Way
South	Indiana Drive
West	CSX Tracks

The land use within the neighborhood boundaries is predominantly residential with single-family detached residences and townhomes. The area also contains a site that is approved for proposed residential development (Baldwin Landing) for 52 single-family detached and townhomes. The area also includes a vehicle emission inspection station and an office building. Outside of the neighborhood boundaries, to the north, is located a large multi-level parking garage that serves the Shady Grove Metro Station located farther northwest. West of the neighborhood across the CSX tracks, a mixture of industrial and commercial uses exist. The areas to the east and south outside of the neighborhood boundaries consist of single-family detached dwellings, townhomes and garden apartments.

Immediately north of the subject site across the Redland Road is the Metro parking facility with a multi-level structure and surface parking lot in the TOMX-TDR Zone. To the east, the property abuts a vacant parcel of land owned by Montgomery County in the R-90 Zone. To the south across Chieftain Avenue, confronting the subject property, are single-family homes and the Derwood Bible Church property. The church property is approved for a residential development of 52 single-family-detached dwellings and townhomes under the R-90/TDR Zone. To the west, the property abuts the State Highway Vehicle Emissions Inspection Program Station in the R-90 Zone.



V. PROPOSED DEVELOPMENT

The applicant requests a rezoning of 4.26 acres land from the R-90 Zone to the R-35 Zone and has submitted a Development Plan for the subject property pursuant to §59-D-1.1. The plan proposes construction of a 156-unit residential development, including 117 multi-family units in one building, 36 townhouse units and 3 single-family detached

units. The development includes 13% Moderately Priced Units (MPDUs) all of which will be located within the multi-family building. The project includes 227 parking spaces.

The proposed Development Plan indicates that the project will be constructed in one phase. The proposed development is not dependent on any capital improvements being provided by the county.

VI. MASTER PLAN

Community-Based Planning staff supports approval of the rezoning request. Upon reviewing the proposal for consistency with the Shady Grove Sector Plan, Community Based Planning staff has offered the following comments:

Sector Plan Recommendations:

The Approved and Adopted (2006) Shady Grove Sector Plan recommends the following for the Thomas Somerville property:

- Rezone the site from I-1 to R-90 and permit PD-35 zoning to allow residential development at 35 dwelling units per acre.
- Limiting building heights along Redland Road to no higher than four stories.
- Locating single-family detached or duplex units along Chieftain Avenue with building heights limited to 3 stories as a transition to the R-200 Old Derwood Community.
- Provide structured or underground parking on the larger parcel. (p.41)

The Sector Plan's general comments for the Old Derwood neighborhood include the following:

- Relocate non-residential uses within the Old Derwood community to more appropriate industrial areas.
- Permit four-story, multi-family development fronting Redland Road with building setbacks to match those along Redland Road in the King Farm.
- Maintain the existing interconnected street pattern and deter non-local traffic through the neighborhood with traffic circles at the intersection of Yellowstone Way and Chieftain Avenue, and at Derwood and Squire Court.
- Provide new sidewalks along all new development and extend such sidewalks where feasible into the existing community to improve pedestrian safety.
- Create a pedestrian pathway connection from Yellowstone Way to Crabbs Branch Way via a public easement on common green space to improve pedestrian access to Metro.

- Provide adequate recreation areas to meet residents' needs within the neighborhood, eliminating the need to cross major roads.
- Maintain the existing historic resources and develop an interpretive program that celebrates Derwood's history.
- Ensure that all new development and redevelopment are compatible with existing residential development and historic resources.
- Require all new development to participate in the Urban Service District and in funding a private community center, if provided.
- Support use of the Transfer Development Rights (TDRs) as bonus density under the provision of PD zoning (p. 40)

Consistent with Sector Plan

The proposed Development Plan is consistent with the Sector Plan recommendations since single-family units along Chieftain Avenue and multi-family units along Redland Road are provided as per Sector Plan guidelines. The proposed density is within the allowable PD-35 zone.

The Development Plan indicates building heights that ensure that 4-story buildings are established along Redland Road. Also, building setbacks should be consistent with multi-family buildings within the King Farm, achieving a continuous building setback.

The surrounding roadways are recommended to have a 60 foot right-of-way for both Yellowstone Way and Chieftain Avenue. The Sector Plan does not specify the ROW for Chieftain Avenue, but doesn't not recommend changing or increasing the ROW for this street.

Future Review

At the time of preliminary plan or site plan review, Community Based Planning Division recommends the following changes to the proposal:

- Relocate the proposed recreation (tot lot) to a more central and compatible location.
- Encourage the acquisition of the portion of County-owned land located directly to the east of the subject site in order to relocate storm water management and create a usable open space at the corner Yellowstone Way and Chieftain Avenue.
- Provide plaques describing the historic significance of the Old Derwood Community given that this site is the gateway property leading into Old Derwood.

- Provide a modified traffic island within the intersection of Yellowstone Way and Chieftain Avenue to help deter cut through traffic, slow down travel speeds, and form a “gateway” feature leading into the Old Derwood Community.

VII. PLANNED UNIT DEVELOPMENT—(PD) ZONE—§59-C-7.1

§59-C-7.11—Purpose

It is the purpose of this zone to implement the general plan for the Maryland-Washington Regional District and the area master plans by permitting unified development consistent with densities proposed by master plans. It is intended that this zone provide a means of regulating development which can achieve flexibility of design, the integration of mutually compatible uses and optimum land planning with greater efficiency, convenience and amenity than the procedures and regulations under which it is permitted as a right under conventional zoning categories. In so doing, it is intended that the zoning category be utilized to implement the general plan, area master plans and other pertinent county policies in a manner and to a degree more closely compatible with said county plans and policies than may be possible under other zoning categories.

It is further the purpose of this zone that development be so designed and constructed as to facilitate and encourage a maximum of social and community interaction and activity among those who live and work within an area and to encourage the creation of a distinctive visual character and identity for each development. It is intended that development in this zone produce a balanced and coordinated mixture of residential and convenience commercial uses, as well as other commercial and industrial uses shown on the area master plan, and related public and private facilities.

It is furthermore the purpose of this zone to provide and encourage a broad range of housing types, comprising owner and rental occupancy units, and one-family, multiple-family and other structural types.

Additionally, it is the purpose of this zone to preserve and take the greatest possible aesthetic advantage of trees and, in order to do so, minimize the amount of grading necessary for construction of a development.

It is further the purpose of this zone to encourage and provide for open space not only for use as setbacks and yards surrounding structures and related walkways, but also conveniently located with respect to points of residential and commercial concentration so as to function for the general benefit of the community and public at large as places for relaxation, recreation and social activity; and, furthermore, open space should be so situated as part of the plan and design of each development as to achieve the physical and aesthetic integration of the uses and activities within each development.

It is also the purpose of this zone to encourage and provide for the development of comprehensive, pedestrian circulation networks, separated from vehicular roadways, which constitute a system of linkages among residential areas, open spaces, recreational areas, commercial and employment areas and public facilities, and thereby minimize reliance upon the automobile as a means of transportation.

Since many of the purposes of the zone can best be realized with developments of a large scale in terms of area of land and numbers of dwelling units which offer opportunities for a wider range of related residential and nonresidential uses, it is therefore the purpose of this zone to encourage development on such a scale.

It is further the purpose of this zone to achieve a maximum of safety, convenience and amenity for both the residents of each development and the residents of neighboring areas, and, furthermore, to assure compatibility and coordination of each development with existing and proposed surrounding land uses.

This zone is in the nature of a special exception, and shall be approved or disapproved upon findings that the application is or is not proper for the comprehensive and systematic development of the county, is or is not capable of accomplishing the purposes of this zone and is or is not in substantial compliance with the duly approved and adopted general plan and master plans. In order to enable the council to evaluate the accomplishment of the purposes set forth herein, a special set of plans is required for each planned development, and the district council and the planning board are empowered to approve such plans if they find them to be capable of accomplishing the above purposes and in compliance with the requirements of this zone.

Reclassification of the subject property from the R-90 zone to the PD-35 zone satisfies the design, housing, amenity, circulation, and other purposes of the PD zone. Staff finds that development of the site under the PD-35 zone is proper for the comprehensive and systematic development of the County, will accomplish the purposes of the zone, and will be in substantial compliance with the General Plan and the applicable master plan.

Development of the property under the PD-35 zone will provide a range of dwelling types to satisfy the intended purpose of the zone within the immediate neighborhood, which is adjacent to the Shady Grove Metro Station. The proposed development provides for a unified form of development at an overall density and mixture of unit types that are generally consistent with the recommendations of the Shady Grove Sector Plan. The proposed development also encourages maximum social and community interaction through pedestrian and vehicular linkages and as such, it would provide for the safety, convenience and amenity of residents and assure compatibility with the surrounding residential, commercial, industrial and transit oriented uses.

§59-C-7.12. —Where applicable.

§59-C-7.121 —Master plan. No land can be classified in the planned development zone unless such land is within an area for which there is an existing, duly adopted master plan which shows such land for a density of 2 dwelling units per acre or higher.

The subject site is governed by the approved and adopted 2006 Shady Grove Sector Plan, which shows the site for development at a density of 2 dwelling units or higher.



§59-C-7.122.—Minimum area. No land can be classified in the planned development zone unless the district council finds that the proposed development meets at least one of the following criteria:

- (a) That it contains sufficient gross area to construct 50 or more dwelling units under the density category to be granted;

- (e) That the site is recommended for the PD zone in an approved and adopted master or sector plan and so uniquely situated that assembly of a minimum gross area to accommodate at least 50 dwelling units is unlikely or undesirable and the development of less than 50 dwelling units is in the public interest.

The proposed development is consistent with the 2006 Shady Grove Sector Plan that recommends the subject property for PD-35. The proposed development is well above the minimum gross area required by the PD zone to accommodate 50 or more dwelling units.

§59-C-7.13. —Uses Permitted.

§59-C-7.131. —Residential. All types of residential uses, including accessory uses are permitted. The proposed PD-11 is classified as a medium density development with the following required minimum percentage for each dwelling unit type.

		Minimum (maximum) percentage			
		One family		Multi-Family	
Density category		Detached	Townhouse and Attached	4-Story or Less	Over 4-Stories
High: PD-28, PD-35 & PD-44	Less than 200 200 or more	P* P	P p	P 25	50 50

*P Permitted but not required

As proposed and depicted on the Development Plan, the proposed development is consistent with this requirement.

§59-C-7.14. —Density of Residential Development.

- (a) An application for the planned development zone must specify one of the following density categories and the district council in granting the planned development zone must specify one of the following density categories:

Density Categories	Max. Density (du/ac)
High: PD-35	50

The application specifies that the property will be developed at the PD-35 density category as recommend in the approved and adopted sector plan.

- (b) The District Council must determine whether the density category applied for is appropriate, taking into consideration and being guided by the general plan, the area master or sector plan, the capital improvements program, the

purposes of the planned development zone, the requirement to provide moderately priced dwelling units in accordance with Chapter 25A of this Code, as amended, and such other information as may be relevant. Where 2 or more parts of the proposed planned development are indicated for different densities on a master plan, a density category may be granted which would produce the same total number of dwelling units as would the several parts if calculated individually at the density indicated for each respective part and then totaled together for the entire planned development.

- (c) The density of development is based on the area shown for residential use on the master plan and must not exceed the density permitted by the density category granted. However, the maximum density prescribed by Subsection (a) may be increased to accommodate the construction of Moderately Priced Dwelling Units as follows:
 - (1) For projects with a residential density of less than 28 dwelling units per acre, the number of Moderately Priced Dwelling Units must not be less than either the number of density bonus units or 12.5 percent of the total number of dwelling units, whichever is greater.
 - (2) For projects with a residential density of more than 28 dwelling units per acre, the number of Moderately Priced Dwelling Units must be at least 12.5 percent of the total number of dwelling units in accordance with Chapter 25A

The Zoning Ordinance places the PD-35 Zone in the High Density Development category with a maximum of 35 dwelling units per acre. Given the size of the property, a total of 149 units (not including MPDU's) are allowed. Full development (including the 5% bonus MPDUs for providing 13% MPDUs) the would permit 156 units. The applicant proposes a total of 156 units. The density requested for this development will not exceed the density permitted.

§59-C-7.15—Compatibility

- (a) All uses must achieve the purposes set forth in section §59-C-7.11 and be compatible with the other uses proposed for the planned development and with other uses existing or proposed adjacent to or in the vicinity of the area covered by the proposed planned development.
- (b) In order to assist in accomplishing compatibility for sites that are not within, or in close proximity to a central business district or transit station development area, the following requirements apply where a planned development zone adjoins land for which the area master plan recommends a one-family detached zone:

- (1) No building other than a one-family detached residence can be constructed within 100 feet of such adjoining land; and
- (2) No building can be constructed to a height greater than its distance from such adjoining land.

The proposed development is compatible with existing and future land uses in the area in terms of use, density and bulk. The applicant has placed specific maximum height limits for the proposed multi-family building and the townhomes to ensure that compatibility exists between the uses being proposed and other uses, existing or proposed, adjacent to the proposed development.

§59-C-7.16. —Green Area.

Green area must be provided in amounts not less than indicated by the following schedule

Density Categories	Green Area % of Gross Area
High: PD-35*	50

*Green area may be reduced to 35% to allow the construction of all workforce housing units on site.

The Development Plan satisfies the 50 percent minimum green area requirement for the High Density PD-35 Zone.

§59-C-7.17—Dedication of Land for Public Use

Such land as may be required for public streets, parks, schools and other public uses must be dedicated in accordance with the requirements of the county subdivision regulations, being chapter 50 of this Code, as amended, and the adopted general plan and such adopted master plans and other plans as may be applicable. The lands to be dedicated must be so identified upon Development Plans and site plans required under the provisions of Article 59-D.

The application satisfies all public use dedication requirements. The applicant's Land Use Report indicates that a total of approximately 0.54 acres of land will be dedicated to public use along the property's frontages on Redland Road and Chieftain Avenue.

§59-C-7.18—Parking Facilities.

Off-street parking must be provided in accordance with the requirements of article 59-E.

A total of 193 parking spaces are required. According to the parking schedule on the Development Plan, a total of 227 off-street parking spaces are provided. The calculation includes a 15 percent reduction taken due to the location of the property within 1,600 feet of a Metro Station (59-E-3.33(a)). The proposed off-street parking is consistent with zoning ordinance requirements. The following table shows the breakdown of the parking spaces:

Unit Type	Number of units	Required spaces per DU	Required No of spaces	Proposed No. of Spaces
Townhomes	36	2 sp/du	72	72 Garage/Driveway
Single-family Detached	3	2 sp/du	6	6 Garage
Multi-family: studio	33	1.0 sp/du	33	33 parking Garage
One Bedroom	41	1.25 sp/du	51	51 Parking garage
Two Bedroom	43	1.50 sp/du	65	65 parking garage
Total			227	227
15% Metro Reduction			-34	To be determined
			193	227

The applicant indicated that approximately 11 on-street additional parking spaces are also proposed.

§59-C-7.19—Procedure for application and approval.

- (a) **Application and Development Plan approval must be in accordance with the provisions of division 59-D-1.**
- (b) **Site plans must be submitted and approved in accordance with the provisions of Division 59-D-3.**

If the proposed zoning reclassification and the accompanying Development Plan are approved, site plan review will be required in accordance with the provisions of Division 59-D-3.

VIII. DEVELOPMENT PLAN

The District Council must evaluate five specific areas set forth in §59-D-1.61 of the Zoning Ordinance:

- a. **Compliance with use and density recommendations of the sector plan and conformity with other County plans and policies.**

The Development Plan substantially complies with the use and density recommendations of the sector plan. The 2006 Shady Grove Sector Plan recommends a PD-35 Zone for the subject property. The Development Plan implements the objectives of the sector plan by providing a higher-density, transit and pedestrian-oriented, residential development in close proximity to the metro station. The proposed 156 residential units (with 5 % bonus density) are within the maximum density allowed in the PD-35 Zone. The proposed development will not conflict with the county's Capital Improvements Program (CIP) or other applicable county plans and policies.

(b) Compliance with purposes and standards of the zone; provision of maximum safety, convenience and amenity of residents; and compatibility.

The proposed development satisfies this requirement. The proposed development complies with the purposes, standards, and regulations of the PD-35 Zone. Maximum safety will be provided through vehicular accesses and sidewalk systems and innovative site design. The applicant stated that each component of the project maintains an appropriate scale, both in terms of activity and layout, to achieve compatibility with the adjacent single-family community as well as the nearby Metro station. Staff agrees with this assessment.

The Development Plan also provides an efficient and coordinated vehicular and pedestrian circulation system. The applicant proposes to construct sidewalks along Yellowstone Way and Chieftain Avenue where none exist currently. The proposed development will be adequately buffered from the adjoining, non residential uses to the west and the Metro Parking facility to the north through extensive landscaping.

(c) That the proposed internal vehicular and pedestrian circulation systems and points of external access are safe, adequate, and efficient.

The review and analysis of the subject proposal by the Transportation Planning staff reveals that the proposed access to the site, as shown on the Development Plan, is safe and adequate. The internal pedestrian circulation and walkways, as shown on the Development Plan, provide for the safe and adequate movement of pedestrian traffic. Additional measures, to be considered at site plan review, are recommended by the Transportation Planning staff (see attached Transportation Staff Memorandum) to ensure adequacy and efficiency of pedestrian and vehicular circulation and access near and at the subject property.

(d) Prevention of Soil Erosion and Preservation of Natural Features of the Site.

The site does not contain any streams, wetlands, or floodplains. There are no steep slopes or highly erodible soils on-site. The property is subject to the Montgomery County Forest Conservation Law and a Preliminary Forest Conservation Plan (FCP) must be approved by the Planning Board. The Environmental Planning

staff has recommended approval of the Preliminary FCP submitted by the applicant (see Environmental Planning's comments below (Item X)).

The applicant has submitted a stormwater concept plan to the Department of Permitting Services. The Environmental Planning staff has offered the following comments:

The site is not within a Special Protection Area or Primary Management Area, and there are no environmental features including streams, wetlands, steep slopes associated with erodible soils and severe slopes, and areas of floodplain.

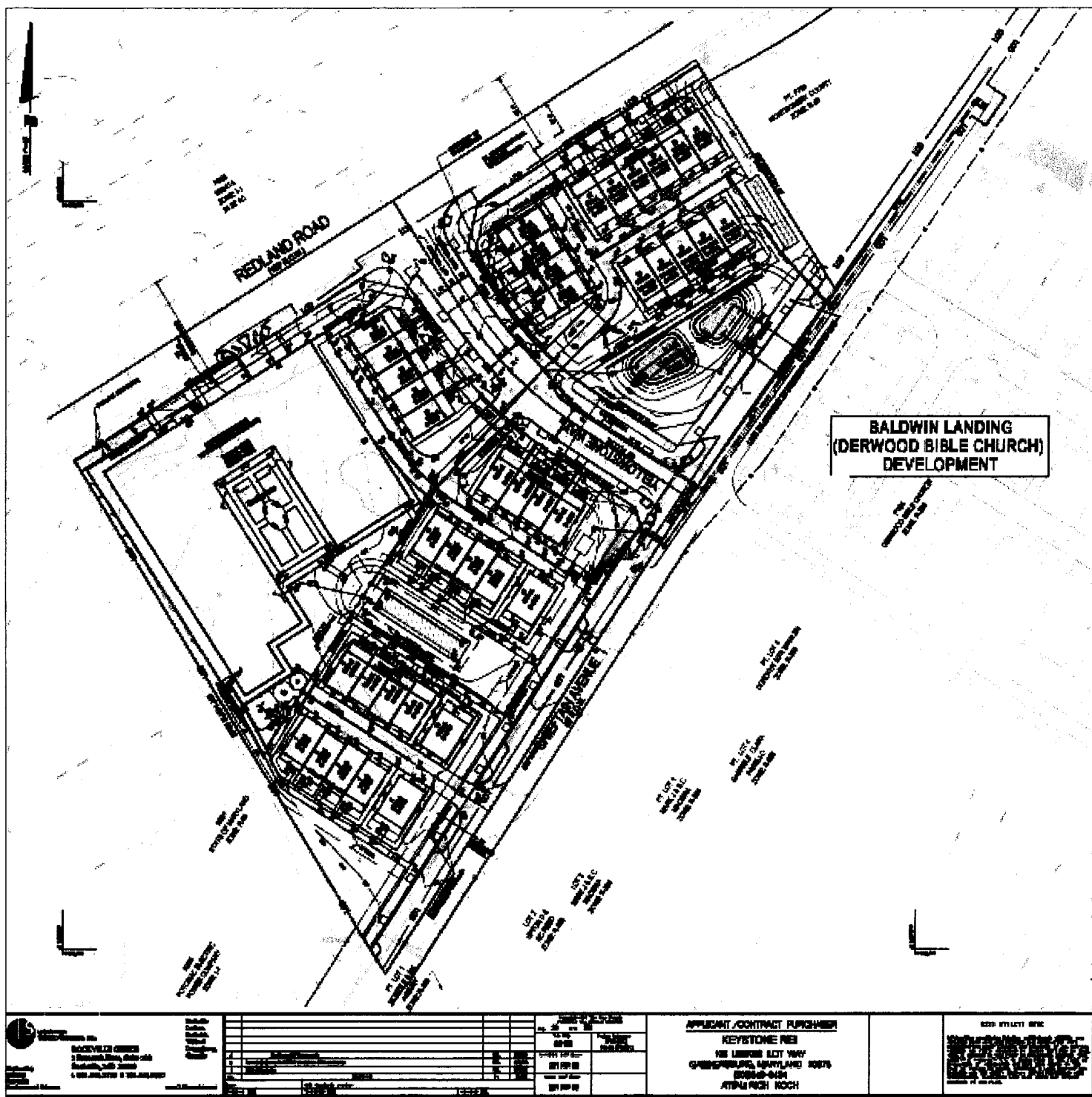
An on-site ground-level stormwater management facility with two ponds and an underground facility are shown on a revised Development Plan dated as received on February 21, 2008. All three of these facilities are located in the northeast portion of the site. Final approval of a stormwater management concept will occur in subsequent reviews. Maryland-National Capital Park and Planning Environmental Planning staff does not believe there to be any prohibitions to stormwater management facilities for the proposed high density residential uses, but the final determination will occur later.

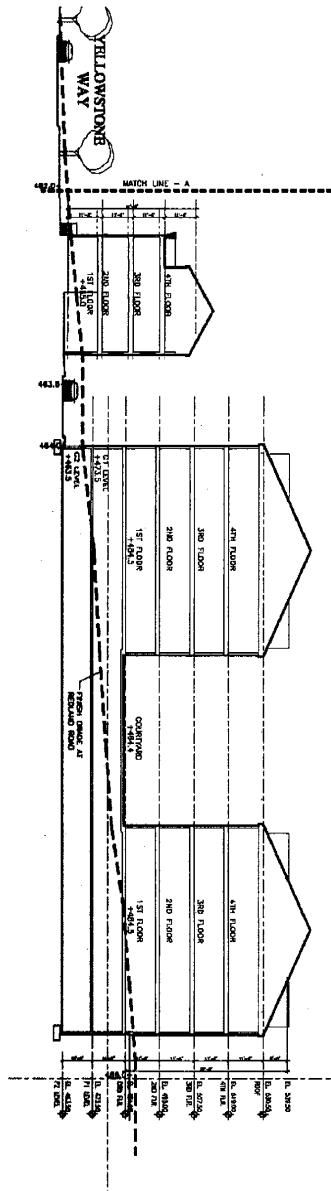
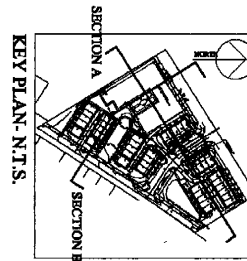
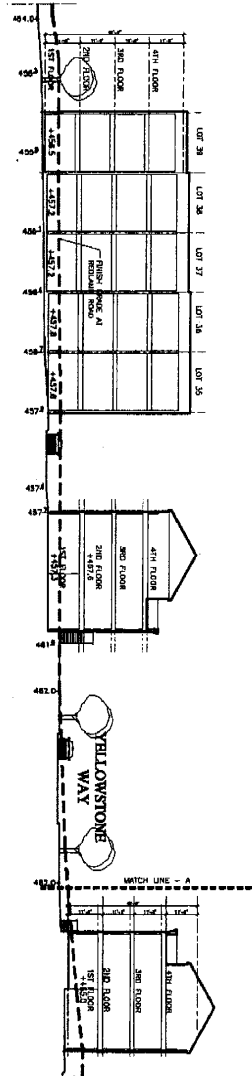
The site is located in the Upper Rock Creek watershed. This watershed has a Use IV associated with it.

- (e) **That any documents showing the ownership and method of assuring perpetual maintenance of any areas intended to be used for recreational or other common or quasi-public purposes are adequate and sufficient.**

The applicant in this case is the current owner of the property. Site plan conditions and/or Home Owners Association documents and agreements showing methods of assuring maintenance will be required as part of site plan review and will be included as part of site plan enforcement agreement.

DEVELOPMENT PLAN





1 SITE SECTION A
SCALE 3/16" = 1'-0"

0 5 10 20
SCALE 1/16" = 1'-0"

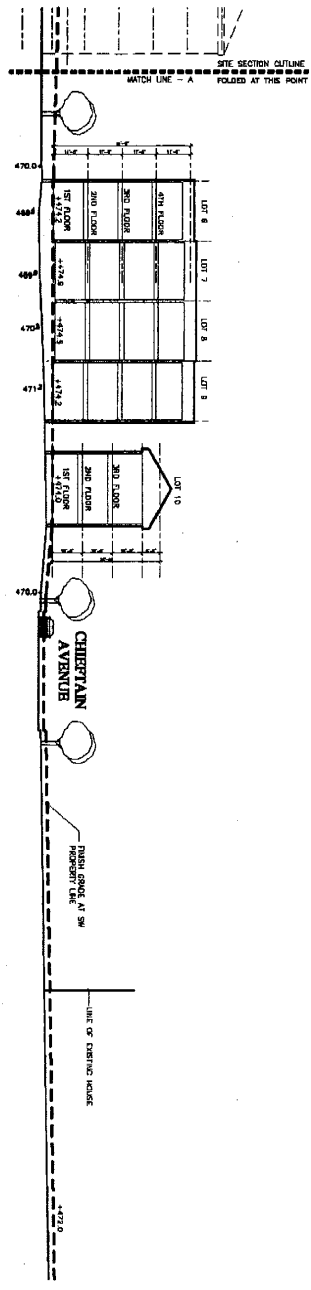
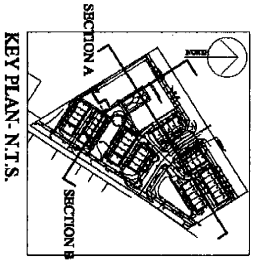
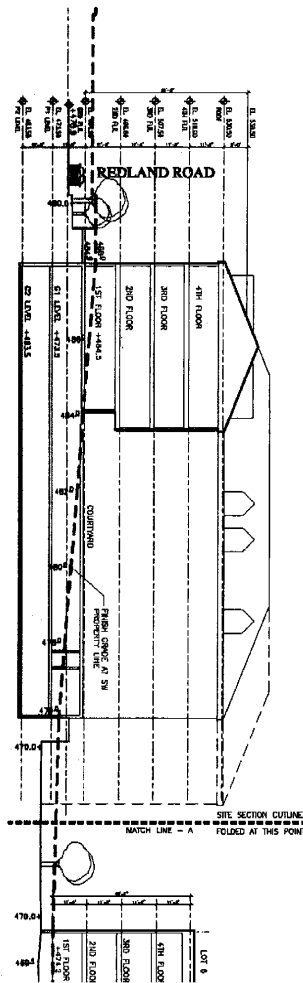
NOT FOR CONSTRUCTION

PARCEL P146 SHADY GROVE METRO
ROCKVILLE, MARYLAND 20855

SITE SECTION A

HEWLETT
101-101-101-101
101-101-101-101

DVA
DONNALLY VUJIC ASSOCIATES, L.L.C.
architects in planning & interior
400 Professional Drive Suite 200 • Goldenspring, Maryland 20879-3493
301-590-8900 • Fax 301-590-8430 • EMAIL: DVA-ARCH.COM



1 SITE SECTION B
SCALE 1/8" = 1'-0"

0 5' 10' 20'
SCALE 1/16" = 1'-0"

NOT FOR CONSTRUCTION

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A602	DATE	10/1/07
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	REVISION	
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	9	10/1/07
	10	10/1/07

<p>PARCEL P146 SHADY GROVE METRO</p> <p>ROCKVILLE, MARYLAND 20855</p> <p>SITE SECTION B</p>

KEYSTONE
1013 Landon Lane
Columbia, MD 21046

DVA
DONNALLY VUJIC ASSOCIATES, L.L.C.

Architecture • Planning • Interiors

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701-590-8900 • Fax: 701-590-8430 • EMAIL: DVA-ARCH.COM

IX. ADEQUATE PUBLIC FACILITIES

(i) Water and Sewer Service

The Washington Suburban Sanitary Commission (WSSC) staff has indicated that the changes proposed by this application will not impact the water or sewer systems. The WSSC staff further stated that water and sewer service to the property has been conceptually approved with a slightly different mix of units (WSSC Job No. DA4810Z08-eight houses 43 townhomes and 88 multi-family units).

(ii) Transportation

The applicant has been working diligently with the Transportation staff of MNCPPC and the staff of the Department of Public Works and Transportation (DPWT) to ensure that all transportation issues have been addressed. The Transportation Planning staff has indicated that adequate solutions to be addressed at preliminary plan are available to satisfy or mitigate any transportation related potential impact concerning the proposed project and has offered the following comments:

Site Location, Vehicular Access, and Parking

The subject site is located between Redland Road and Chieftain Avenue on both sides of Yellowstone Way. Vehicular access points are proposed from Yellowstone Way and Chieftain Avenue and as a right turn into/right-turn out only from Redland Road. The sight distance from these access points must be adequate and satisfy DPWT. The location of on-street and off-street surface parking spaces must satisfy DPS and DPWT requirements at the time of site plan review.

Available Transit Service

Shady Grove Metrorail Station is located approximately 1,600 feet to the north of the subject site. Ride-On routes 53, 57, and 59 operate along the Redland Road frontage. Transit service does not operate along Yellowstone Way or Chieftain Avenue.

Pedestrian Facilities

Sidewalks exist along Redland Road. The applicant proposes to construct sidewalks along Yellowstone Way and Chieftain Avenue where none exist today. The pedestrian circulation will be reviewed at site plan to determine the ultimate width and other design features of sidewalks, crosswalks, handicapped ramps, and other pedestrian amenities.

Master-Planned Roadway and Bikeway

In accordance with the *Shady Grove Sector Plan*, Redland Road is designated as a business district street, B-1, with a recommended 100-foot right-of-way and a shared-use roadway (Class III) bike path, B-10. Yellowstone Way and Chieftain Avenue are not listed in the Shady Grove Sector Plan. Yellowstone Way is a 60-foot-wide secondary residential street, and Chieftain Avenue is a 50-foot-wide tertiary residential street.

Transportation Demand Management Requirements

The applicant will be required to satisfy the following transportation demand management requirements:

1. Participate in the Greater Shady Grove Transportation Management Organization (TMO) because the site is located within the Transportation Management District (TMD) with 117- multi-family unit apartment building.
2. Assist the County in striving to achieve the transit ridership goal of 35% for residents living within the *Shady Grove Sector Plan* area. This requirement could be met by offering transit subsidies to residents.
3. The applicant must enter and execute a Traffic Mitigation Agreement with the Planning Board and DPWT to participate in the Greater Shady Grove TMO prior to site plan certification.

Policy Area Mobility Review

The Policy Area Mobility Review (PAMR) test under the *FY 2007-2009 Growth Policy* must be satisfied because this site is located within the Shady Grove Policy Area. The required PAMR mitigation is 5% of the new site-generated peak-hour trips within the weekday morning peak-hours (6:30 to 9:30 a.m.) and evening peak hours (4:00 to 7:00 p.m.).

Local Area Transportation Review (LATR)

The table below shows the number of peak-hour trips generated by the proposed residential land uses within the weekday morning and evening peak hours:

Land Use	Number of Units	Weekday Peak Hour	
		Morning	Evening
Single-Family Detached Units	3	3	3
Townhouses	39	19	33
Multi-Family Apartments	117	50	56
Total Trips	159	72	92

In accordance with the *Local Area Transportation Review and Policy Area Mobility Review Guidelines*, a traffic study was submitted to satisfy Local Area Transportation Review (LATR) because the proposed land uses generate 30 or more peak-hour trips within the weekday morning and evening peak periods. Based on the results of this traffic study, the table below shows the calculated Critical Lane Volume (CLV) values at studied intersections.

Intersection	Weekday Peak Hour	Traffic Condition		
		Existing	Background	Total Future
1. Redland Road & Sommerville Road	Morning	741	767	777
	Evening	765	780	790
2. Redland Road & Yellowstone Way	Morning	565	586	645
	Evening	698	734	805
3. Redland Road & Crabbs Branch Way	Morning	1,515	1,633*	1,641*
	Evening	1,682	1,432*	1,436*
4. Derwood Road & Indianola Drive	Morning	655	660	675
	Evening	644	650	663
7 Frederick Road (MD 355) & Indianola Drive - Watkins Pond Boulevard	Morning	1,462	1,482	1,485
	Evening	1,248	1,264	1,267

*At the intersection of Redland Road and Crabbs Branch Way, the background and total future CLV values were calculated with the improvements in the DPWT's Capital Improvement Program (CIP) Project No. 500010, "Redland Road from Crabbs Branch Way to Needwood Road". At this intersection, the improvements include a separate right-turn lane on northbound Crabbs Branch Way and a combined right-turn/second through lane on eastbound Redland Road that was converted from the existing separate right-turn lane. The CIP project is funded for construction through 2010 with construction anticipated to start in June 2008 and finish a year later. Refer to the attached project information.

After reviewing the traffic study, a new combination of residential land uses was proposed that is slightly different than the one that the LATR was based on. The new combination of residential land uses results in a reduction of 4 trips in the

weekday morning peak hour and 6 trips in the evening peak hour. These changes are not significant enough to alter the results of the CLV values in the table above. At all seven studied intersections, the CLV values are less than the congestion standard of 1,800 CLV for the Shady Grove Policy Area and, thus, the LATR test is satisfied.

As part of the Adequate Public Facilities (APF) test for transportation requirements related to the subject rezoning case, Transportation Planning staff recommends the following:

1. The applicant must limit this development to a maximum of 3 single-family detached units, 39 townhouses, and 117 multi-family housing units.
2. The applicant must satisfy the APF test under the *FY 2007-2009 Growth Policy* by submitting a Policy Area Mobility Review (PAMR) study or statement with trip reduction measures that would reduce 5% of the new peak-hour trips generated by the proposed land use (or 5 vehicular trips). An implementation plan must be executed prior to release of any building permit.
3. The applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the Greater Shady Grove Transportation Management Organization (TMO) to assist in achieving the transit ridership goal of 35% for residents living within the *Shady Grove Sector Plan*. The agreement must be signed and executed prior to site plan certification.
4. The applicant must dedicate 5 more feet of right-of-way along the Chieftain Avenue frontage for a total of 25 feet from the centerline at the time of preliminary plan review.
5. The applicant must satisfy DPWT and the Montgomery County Department of Permitting Services (DPS) requirements for adequacy of the sight distance, curb turning radii and ultimate location of parking spaces at the time of site plan review.
6. The applicant must provide bike racks near the front entrance and bike lockers near the elevator in the garage for residents and visitors. Transportation Planning staff shall determine the ultimate location of the bike racks and lockers at the time of site plan review.

(iii) Schools

The Montgomery County Public School (MCPS) finds capacity adequate in the Magruder Cluster (see attached letter from MCPS). The proposed development is

expected to generate approximately 14 elementary school, 10 middle school, and 8 high school students.

The MCPS reviewed an earlier version of the Development Plan that proposed 115 multi-family units, 33 townhouses and 5 single-family detached dwellings. The Development Plan has since been revised to reflect a slightly different mix of and total number of units with 117 multi-family units, 36 townhouses and 3 single-family detached dwellings. Staff does not believe that the change would impact the MCPS's findings of adequate capacity.

X. ENVIRONMENT

Upon reviewing the subject application and the Preliminary Forest Conservation Plan, Environmental Planning staff has offered the following comments and recommendations:

Forest Conservation

The site is subject to the Montgomery County Forest Conservation law. An approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420080030 was signed on August 7, 2007. There are 1.56 acres of forest onsite; however, there are no specimen trees at this location. The NRI/FSD identifies the existing forest as Forest Stand 1, a stand that has a low priority retention rating primarily due to the predominance of invasive vines including a large variety of non native trees. The existing trees are in fair to poor health, also a contributing factor in the stand's retention rating.

Two forest standards apply to this site: 1) standard forest conservation requirements (Section 22A-12; and 2) minimum retention (Section 22A-12(f) of the Forest Conservation Law). Taking the minimum retention requirements first, the proposed PD-35 zoning category has a 20% (0.85 acre) onsite forest retention requirement. A revised Preliminary FCP stamped as received on February 15, 2008, includes a justification statement in support of a Planning Board finding that on-site forest retention is not possible. The basis of the Justification Statement is the Shady Grove Sector Plan recommends high density residential development for this site because of its proximity to the Shady Grove Metro Station. This justification is inadequate, as the significant flexibility of the PD zone could allow both the density and forest save on other sites.

However, the Sector Plan also recommends a mix of housing at this location in the PD-35 zone; building height restrictions; and SFD /duplexes along Chieftain Avenue for compatibility. In addition, above-ground stormwater management facilities must be provided onsite. Compliance with all these master plan objectives and regulatory standards does not support the possibility to fully achieve the 20% onsite forest retention requirement. Base on this information, Environmental Planning staff supports a Board finding that onsite forest retention to the 20% minimum standard is not possible on this site.

In addition, where the minimum retention is not possible, the applicant must provide the “*maximum possible onsite retention in combination with onsite reforestation and afforestation, not including landscaping.*” (Section 22A-12(f-3). Therefore, all planning and design options shall be examined in subsequent reviews to determine if any forest can be saved, and how reforestation to the conservation threshold level can be provided onsite. Landscaping cannot be used to meet these minimum retention requirements.

At the time of site plan review, the Final FCP must provide the details to determine canopy credits for native trees towards the overall forest conservation requirements.

Environmental Guidelines

The site is not within a Special Protection Area or Primary Management Area, and there are no environmental features including streams, wetlands, steep slopes associated with erodible soils and severe slopes, and areas of floodplain.

Stormwater Management

An on-site ground-level stormwater management facility with two ponds and an underground facility are shown on a revised Development Plan dated as received on February 21, 2008. All three of these facilities are located in the northeast portion of the site. Final approval of a stormwater management concept will occur in subsequent reviews. Maryland-National Capital Park and Planning Environmental Planning staff does not believe there to be any prohibitions to stormwater management facilities for the proposed high density residential uses, but the final determination will occur later.

Water Quality

The site is located in the Upper Rock Creek watershed. This watershed has a Use IV associated with it.

Environmental Planning staff recommends approval of the Preliminary Forest Conservation Plan (FCP) for Zoning Application No. G-875. Based on information available at this time as noted, staff can support a Planning Board finding that onsite retention of forest to the conservation threshold minimum of 0.85 acre is not possible, in accord with Section 22A-12-f of the Forest Conservation law, and still achieve the multiple design directives specified in the Master Plan.

Subsequent submissions will need additional consideration of the following regulations:

1. All planning and design options shall be examined in subsequent reviews to determine if any forest can be saved, and how

reforestation to the conservation threshold level can be provided onsite, as specified in Section 22A-12-f-3. Landscaping cannot be used to meet these minimum retention requirements.

2. Remaining reforestation requirements may be met offsite.
3. At the time of site plan review, the Final FCP must provide the details to determine canopy credits for native trees towards the overall forest conservation requirements.

XI. COMMUNITY CONCERNS

The Shady Grove Advisory Committee has indicated its support for the proposed rezoning and development plan. Community Based Planning staff's memorandum dated February 25, 2008 states the following:

Rich Koch, developer of the rezoning proposal, presented the Development Plan to the Shady Grove Advisory Committee on February 19, 2008. Overall, the Committee was supportive of the proposal. Members of the Committee asked about a traffic light at Yellowstone and Redland Road and a traffic circle at Chieftain Avenue and Yellowstone Way, both recommended in the Sector Plan. Mr. Koch indicated that a signal warrant analysis may be submitted to Department of Public Works and Transportation (DPWT) but he did not believe a signal would be approved. He indicated that the proposal may be modified to include a circle, if DPWT approves it. The Advisory Committee will request that Montgomery County sell the adjacent County-owned property to accommodate open space and consolidated stormwater management for the Somerville and Derwood Bible properties.

XII. CONCLUSION

Staff finds that the proposed Local Map Amendment with the associated Development Plan will be consistent with the purpose clause and all applicable standards for the PD-35 Zone, and will be in accord with the land use recommendations of the 2006 Shady Grove Sector Plan. Therefore, staff recommends approval of the PD-35 Zone and the proposed Development Plan. Furthermore, staff recommends approval of the proposed Preliminary Forest Conservation Plan with the conditions found at the beginning of this report.

ATTACHMENTS

G-875 PARCEL P146-SHADY GROVE METRO



Map compiled on March 10, 2008 at 12:27 PM | Site located on base sheet no. 221HW08 | Date of Orthophoto: April 2006 - Used with permission from Montgomery County Government

NOTICE

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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14,400 scale aerial photography using stereo photogrammetric methods.

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M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

1101 MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

4307 Georgia Avenue - Silver Spring, Maryland 20904-1101





BALDWIN LANDING
(DERWOOD EISEL CHURCH)
DEVELOPMENT

CONCEPTUAL LANDSCAPE AND LIGHTING PLAN

PARCEL P146
SHADY GROVE METRO

PROJECT INFORMATION
PROJECT NAME: SHADY GROVE METRO
PROJECT LOCATION: 14600 SHADY GROVE AVENUE, WASHINGTON, DC 20044
PROJECT NUMBER: 14600-SG-METRO
PROJECT DATE: 10/1/2014
PROJECT STATUS: PRELIMINARY
PROJECT OWNER: SHADY GROVE METRO
PROJECT ARCHITECT: [REDACTED]
PROJECT LANDSCAPE ARCHITECT: [REDACTED]

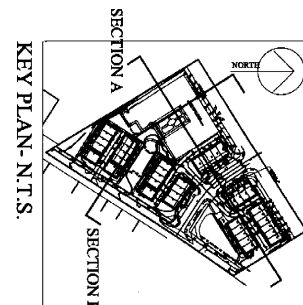
NO.	DESCRIPTION	DATE	BY	CHKD.
1	PRELIMINARY DESIGN	10/1/2014	[REDACTED]	[REDACTED]
2	REVISION			
3	REVISION			
4	REVISION			
5	REVISION			
6	REVISION			
7	REVISION			
8	REVISION			
9	REVISION			
10	REVISION			

APPROVED FOR CONSTRUCTION
DESIGNED BY: [REDACTED]
LANDSCAPE ARCHITECT: [REDACTED]
DATE: 10/1/2014

NOT TO SCALE
SEE EXHIBIT A FOR SITE PLAN
SEE EXHIBIT B FOR LANDSCAPE PLAN
SEE EXHIBIT C FOR LIGHTING PLAN
SEE EXHIBIT D FOR TRAFFIC CIRCULATION PLAN
SEE EXHIBIT E FOR UTILITIES PLAN
SEE EXHIBIT F FOR GEOTECHNICAL PLAN
SEE EXHIBIT G FOR ENVIRONMENTAL PLAN
SEE EXHIBIT H FOR HISTORIC PRESERVATION PLAN
SEE EXHIBIT I FOR ARCHITECTURAL RENDERINGS
SEE EXHIBIT J FOR OTHER INFORMATION

PROJECT INFORMATION
PROJECT NAME: SHADY GROVE METRO
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PROJECT OWNER: SHADY GROVE METRO
PROJECT ARCHITECT: [REDACTED]
PROJECT LANDSCAPE ARCHITECT: [REDACTED]

Architectural drawing of the Yellowstone Way building, showing a cross-section and elevation. The drawing includes labels for floors (1st, 2nd, 3rd, 4th), a courtyard, and a parking garage. It also shows a match line and a section line A-A.



KEY PLAN-N.T.S.

0 8' 16' 32'

SCALE: 1/16" = 1'-0"

NOT FOR CONSTRUCTION

ROCKVILLE, MARYLAND 20855

SITE SECTION A

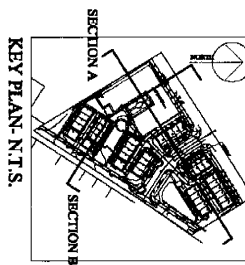
KEYSTONE
103 Lockes Lot Way
Gaithersburg, MD 20878



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301-590-8900 ■ Fax 301-590-8620 ■ EMAIL: DVA-ARCH.COM

A601



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NOT FOR CONSTRUCTION

0 1' 2'

SCALE: 1/16" = 1'-0"

SITR SECTION B

KEYSTONE.
103 Ludlum Ln Way
Oelberberg, MD 20878



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MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 29, 2008

MEMORANDUM

TO: Elsabett Tesfaye, Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning *EA*

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

SUBJECT: Zoning Application Case No. G-875
Shady Grove Metro
Shady Grove (Metrorail) Policy Area

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review and approval of the subject zoning application for the proposed rezoning of Parcel P146 from the R-60 zone to the PD-35 zone.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to the zoning application case:

1. The applicant must limit this development to a maximum of 3 single-family detached units, 39 townhouses, and 117 multi-family housing units.
2. The applicant must satisfy the APF test under the *FY 2007-2009 Growth Policy* by submitting a Policy Area Mobility Review (PAMR) study or statement with trip reduction measures that would reduce 5% of the new peak-hour trips generated by the proposed land use (or 5 vehicular trips). An implementation plan must be executed prior to release of any building permit.
3. The applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Public Works and Transportation (DPWT) to participate in the Greater Shady Grove Transportation Management Organization (TMO) to assist in achieving the transit ridership goal of 35% for residents living within the

Shady Grove Sector Plan. The agreement must be signed and executed prior to site plan certification.

4. The applicant must dedicate 5 more feet of right-of-way along the Chieftain Avenue frontage for a total of 25 feet from the centerline at the time of preliminary plan review.
5. The applicant must satisfy DPWT and the Montgomery County Department of Permitting Services (DPS) requirements for adequacy of the sight distance, curb turning radii and ultimate location of parking spaces at the time of site plan review.
6. The applicant must provide bike racks near the front entrance and bike lockers near the elevator in the garage for residents and visitors. Transportation Planning staff shall determine the ultimate location of the bike racks and lockers at the time of site plan review.

DISCUSSION

Site Location, Vehicular Access, and Parking

The subject site is located between Redland Road and Chieftain Avenue on both sides of Yellowstone Way. Vehicular access points are proposed from Yellowstone Way and Chieftain Avenue and as a right turn into/right-turn out only from Redland Road. The sight distance from these access points must be adequate and satisfy DPWT. The location of on-street and off-street surface parking spaces must satisfy DPS and DPWT requirements at the time of site plan review.

Available Transit Service

Shady Grove Metrorail Station is located approximately 1,600 feet to the north of the subject site. Ride-On routes 53, 57, and 59 operate along the Redland Road frontage. Transit service does not operate along Yellowstone Way and Chieftain Avenue.

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Local Area Transportation Review (LATR)

The table below shows the number of peak-hour trips generated by the proposed residential land uses within the weekday morning and evening peak hours:

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EA:tc
Attachment

cc: Glenn Cook
Jon Hutchings
Chuck Kines
Jody Kline
Karen Kumm-Morris
Fiona Thomas



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

INTEROFFICE MEMORANDUM

To: Elsabett Tesfaye
Coordinator
Development Review Division

From: Joshua Sloan *JS*
Coordinator
Development Review Division

Via: Robert Kronenberg, Supervisor *RK*
Development Review Division

Subject: G-875: Parcel P146 Shady Grove Metro

Date: 2/28/2008

RECOMMENDATION OF SITE PLAN SECTION STAFF

Because the pending Development Plan Application will require site plan approval, site plan review Staff have been asked to comment on various design issues. The development plan proposes changing the existing R-90 zoned land to PD-35 and would create 156 units (including a 5% MPDU density bonus) on 3.79 net acres (4.26 acre gross tract area).

According to Section 59-C-7.19, development in the PD Zones is subject to site plan review but several issues have already been raised that would typically fall within the purview of this later review process. Because many Development Plans come to the Planning Board with a number of Binding Elements that encumber a property when a number of design details have not been fully investigated, it is Staff's position that these elements be enumerated here but not set as binding elements of the current Application.

Sector Plan

Page 41 of the draft Shady Grove Sector Plan has several recommendations for this site, called the "Thomas Somerville Site":

- Rezone to PD-35 for residential development to 35 units per acre.
- Maximum building height of four stories along Redland Road.
- Single-family detached units fronting on Chieftain Avenue; three story maximum.
- Structured or underground parking on the lot southwest of Yellowstone Way.

The proposed development plan generally complies with all of these recommendations.

Site Layout

The general layout – detached units on Chieftain Avenue, interior townhouses, and a multi-family building on Redland road – is an effective way to increase density towards the Metro. The three

detached units on Chieftain Avenue, however, do not front directly on Chieftain Avenue and we recommend that either they be designed with side entrances or that they are detailed to present an appropriate façade to the street. The use of townhouse models that incorporate balconies within their building footprint is important to the success of the tight layout.

We understand that the Applicant is negotiating with Montgomery County to purchase an otherwise undevelopable parcel to the north of the subject site, PT P789. If this land is purchased by the Applicant we have the following recommendations:

- Move the stormwater management ponds to the north of the site.
- Relocate the townhouses north of Yellowstone Way to front on Yellowstone and Chieftain Avenue.
- Extend the interior private road through the site to enter/exit on Chieftain Avenue across from the proposed Baldwin Landing private road.

Circulation

Regarding vehicular circulation, if site distance is adequate along Redland Road, the right-in/right-out garage access to the multi-family building is appropriate. But Staff is concerned that all of the tenants of the 117 unit building who wish to travel southwest on Redland Road will have to exit from Yellowstone Way via the interior of the site, which is less desirable than direct access to Redland Road. An alternative means of egress should be pursued so that the townhouse units directly east of the multi-family building are not cut off by so much traffic.

Interior sidewalks and connections to sidewalks on Redland Road to the Metro and Yellowstone Way to the recently acquired park site are imperative.

Open Space & Recreation

Despite recent changes, the playground area is still on the far southwestern end of the site and should be more centrally located and more visible for security reasons. If this area can be moved when and if the adjacent parcel is purchased, Staff feels that a more central location would be better. The open space between units 6-10 and 11-15 should remain as flat and functional as possible for free-play and passive recreation; seating should be provided around this central feature.

The open space on the western corner of Yellowstone Way and Chieftain Avenue appropriately mirrors the entry feature diagonally across the intersection proposed by the Baldwin Landing Development; seating may be placed here, too. One possible "found space" in the southern corner of the subject site may be developed as a small seating or picnic area.

Landscaping & Lighting

The landscaping and lighting concept is appropriate at this stage of the planning process and should not be unduly detailed until the more specific design stages are undertaken.

Recommendation

Given the stipulations above, Site Plan Staff recommends approval of Application G-875.

JCS



MEMORANDUM

February 27, 2008

TO: Elsabett Tesfaye, Planner Coordinator, Development Review

VIA: Stephen D. Federline, Supervisor, Environmental Planning

FROM: Lori Shirley, Planner Coordinator, Environmental Planning

SUBJECT: Preliminary Forest Conservation Plan for
Zoning Application No. G-875
Parcel 146, Shady Grove Metro, Rockville

Staff Recommendation

Environmental Planning staff recommends **approval** of the Preliminary Forest Conservation Plan (FCP) for Zoning Application No. G-875. Based on information available at this time as noted below, staff can support a Planning Board finding that onsite retention of forest to the conservation threshold minimum of 0.85 acre is not possible, in accord with Section 22A-12-f of the Forest Conservation law, and still achieve the multiple design directives specified in the Master Plan.

Subsequent submissions will need additional consideration to the following regulations:

- 1) All planning and design options shall be examined in subsequent reviews to determine if any forest can be saved, and how reforestation to the conservation threshold level can be provided onsite, as specified in Section 22A-12- f-3. Landscaping cannot be used to meet these minimum retention requirements.
- 2) Remaining reforestation requirements may be met offsite.
- 3) At the time of site plan review, the Final FCP must provide the details to determine canopy credits for native trees towards the overall forest conservation requirements.

Discussion

The proposal is for a high density residential development in the PD-35 (Planned Development - high) zone. The site is currently zoned R-90 and a portion of which is used as a gravel and asphalt commercial parking lot and storage facility. The remainder of the property is an undeveloped, open meadow and forest. The property is located in a highly urban area nearby the Shady Grove Metro Station.

There are two items for Planning Board review for the Parcel 146, Shady Grove Metro site: the requested zoning to PD-35 and the Preliminary Forest Conservation Plan. This memorandum covers staff's review and recommendations on the Preliminary Forest Conservation Plan for the proposed project.

The Board's action on the Preliminary Forest Conservation Plan is regulatory and binding. The Planning Board must act on the Forest Conservation Plan before it can act on the zoning request.

Forest Conservation

The site is subject to the Montgomery County Forest Conservation law. An approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420080030 was signed on August 7, 2007. There are 1.56 acres of forest onsite; however, there are no specimen trees at this location. The NRI/FSD identifies the existing forest as Forest Stand 1, a stand that has a low priority retention rating primarily due to the predominance of invasive vines including a large variety of non native trees. The existing trees are in fair to poor health, also a contributing factor in the stand's retention rating.

Two forest standards apply to this site: 1) standard forest conservation requirements (Section 22A-12; and 2) minimum retention (Section 22A-12(f) of the Forest Conservation Law). Taking the minimum retention requirements first, the proposed PD-35 zoning category has a 20% (0.85 acre) onsite forest retention requirement. A revised Preliminary FCP stamped as received on February 15, 2008, includes a justification statement in support of a Planning Board finding that on-site forest retention is not possible. The basis of the Justification Statement is the Shady Grove Sector Plan recommends high density residential development for this site because of its proximity to the Shady Grove Metro Station. This justification is inadequate, as the significant flexibility of the PD zone could allow both the density and forest save on other sites.

However, the Sector Plan also recommends a mix of housing at this location in the PD-35 zone; building height restrictions; and SFD /duplexes along Chieftain Avenue for compatibility. In addition, above-ground stormwater management facilities must be provided onsite. Compliance with all these master plan objectives and regulatory standards does not support the possibility to fully achieve the 20% onsite forest retention requirement. Base on this information, Environmental Planning staff supports a Board finding that onsite forest retention to the 20% minimum standard is not possible on this site.

In addition, where the minimum retention is not possible, the applicant must provide the *"maximum possible onsite retention in combination with onsite reforestation and afforestation, not including landscaping."* (Section 22A-12(f-3). Therefore, all planning and design options shall be examined in subsequent reviews to determine if any forest can be saved , and how reforestation to the conservation threshold level can be provided onsite. Landscaping cannot be used to meet these minimum retention requirements.

At the time of site plan review, the Final FCP must provide the details to determine canopy credits for native trees towards the overall forest conservation requirements.

Environmental Guidelines

The site is not within a Special Protection Area or Primary Management Area, and there are no environmental features including streams, wetlands, steep slopes associated with erodible soils and severe slopes, and areas of floodplain.

Stormwater Management

An on-site ground-level stormwater management facility with two ponds and an underground facility are shown on a revised Development Plan dated as received on February 21, 2008. All three of these facilities are located in the northeast portion of the site. Final approval of a stormwater management concept will occur in subsequent

Zoning Application No. G-875; Parcel 146, Shady Grove Metro, Rockville

reviews. Maryland-National Capital Park and Planning Environmental Planning staff does not believe there to be any prohibitions to stormwater management facilities for the proposed high density residential uses, but the final determination will occur later.

Water Quality

The site is located in the Upper Rock Creek watershed. This watershed has a Use IV associated with it.

If you have any questions regarding these comments, please contact me at either extension 4551 or electronically at lori.shirley@mncppc-mc.org.

LS:ls

G:/DevRev/se_zon_mr/G-875_Parcel146_ShadyGroveMetro_LS_docx



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

February 25, 2008

Memorandum

To: Elsabett Tesfaye, Development Review

From: Karen Kumm Morris and Nkosi Yearwood *HY KKM*
Community Based Planning Division

Subject: Somerville Parcel P146, G-875

Staff Recommendation: APPROVAL

Somerville Parcel P 146, rezoning case G-875, is a residential development immediately south of the Shady Grove Metro Station. Community-Based Planning Division recommends the approval of the rezoning proposal since it is consistent with the Shady Grove Sector Plan.

Proposed Development Plan

The development plan is located at the corner of Yellowstone Way and Redland Road within the Old Derwood neighborhood. The property, approximately 4.2 acres, is divided by Yellowstone Way and located between Redland Road and Chieftain Avenue. The plan proposes 156 dwelling units that include 3 single family units, 39 townhouses and 117 multifamily units.

Sector Plan Recommendations

The Approved and Adopted (2006) Shady Grove Sector Plan recommends the following for the Thomas Somerville property:

- Rezone the site from I-1 to R-90 and permit PD-35 zoning to allow residential development at 35 dwelling units per acre.
- Limiting building heights along Redland Road to no higher than four stories.
- Locating single family detached or duplex units along Chieftain Avenue with building heights limited to 3 stories as a transition to the R-200 Old Derwood Community.
- Provide structured or underground parking on the larger parcel. (p.41)

The Sector Plan's general comments for the Old Derwood neighborhood include the following:

- Relocate non-residential uses within the Old Derwood community to more appropriate industrial areas.

- Permit four-story, multi-family development fronting Redland Road with building setbacks to match those along Redland Road in the King Farm.
- Maintain the existing interconnected street pattern and deter non-local traffic through the neighborhood with traffic circles at the intersection of Yellowstone Way and Chieftain Avenue, and at Derwood and Squire Court.
- Provide new sidewalks along all new development and extend such sidewalks where feasible into the existing community to improve pedestrian safety.
- Create a pedestrian pathway connection from Yellowstone Way to Crabbs Branch Way via a public easement on common green space to improve pedestrian access to Metro.
- Provide adequate recreation areas to meet residents' needs within the neighborhood, eliminating the need to cross major roads.
- Maintain the existing historic resources and develop an interpretive program that celebrates Derwood's history.
Ensure that t new development and redevelopment are compatible with existing residential development and historic resources.
- Require all new development to participate in the Urban Service District and in funding a private community center, if provided.
- Support use of the Transfer Development Rights (TDRs) as bonus density under the provision of PD zoning (p. 40)

Consistent with Sector Plan

The proposed plan is consistent with the Sector Plan recommendations since single family units along Chieftain Avenue and multi-family units along Redland Road as per Sector Plan guidelines. The proposed density is within the allowable PD-35 zone.

The development plan should indicate building heights to ensure that 4-story buildings are established along Redland Road. Also, building setbacks should be consistent with multi-family buildings within the King Farm to achieve a continuous building setback.

The surrounding roadways are recommended to achieve a 60 foot Right-Of-Way for both Yellowstone Way and Chieftain Avenue. The Sector Plan does not specify the ROW for Chieftain Avenue but it did not recommend changing or increasing the ROW for this street.

Future Review

At the time of preliminary plan or site plan review, Community Based Planning Division recommends the changes to the proposal:

- Relocate the proposed recreation (tot lot) to a more central and compatible location.
- Encourage the acquisition of a portion of County-owned land directly to the east of the subject site to relocate storm water management and create a usable open space at the corner Yellowstone Way and Chieftain Avenue.

- Provide plaques describing the historic significance of the Old Derwood Community given that this site is the gateway property leading into Old Derwood.
- Provide a modified traffic island within the intersection of Yellowstone Way and Chieftain Avenue to help deter cut through traffic, slow down travel speeds and form a “gateway” feature leading into the Old Derwood Community.

Community Comments

Rich Koch, developer of the rezoning proposal, presented the development plan to the Shady Grove Advisory Committee on February 19, 2008. Overall, the Committee was supportive of the proposal. Members of the Committee asked about a traffic light at Yellowstone and Redland Road and a traffic circle at Chieftain Avenue and Yellowstone Way, both recommended in the Sector Plan. Mr. Koch indicated that a signal warrant analysis may be submitted to Department of Public Works and Transportation (DPWT) but he did not believe a signal would be approved. He indicated that the proposal may be modified to include a circle, if DPWT approves it. The Advisory Committee will request that Montgomery County sell the adjacent County-owned property to accommodate open space and consolidated stormwater management for the Somerville and Derwood Bible properties.



MONTGOMERY COUNTY PUBLIC SCHOOLS
MARYLAND
www.montgomeryschoolsmd.org

February 15, 2008

Ms. Elsabet Tefaye
Community-Based Planning Division
Maryland-National Capital Park and Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

Dear Ms. Tefaye:

This letter is sent in response to Zoning Application No. G-875, known as "Parcel 146, Shady Grove Metro, Tax Map G522." This property is located at Redland Road at Yellowstone Way, Rockville, Maryland.

This rezoning would result in up to 115 multi-family dwelling units, 33 townhouse dwelling units, and five single family detached dwelling units. Based on average yield factors derived from the Maryland National Capital Park and Planning Commission 2005 Census Update Survey, the impact of this project is estimated to be approximately fourteen (14) elementary, ten (10) middle, and eight (8) high school students.

This property is located within the Candlewood Elementary School attendance area, the Shady Grove Middle School attendance area, and the Col. Zadok Magruder High School attendance area. Enrollment at Candlewood Elementary School, Shady Grove Middle School, and Col. Zadok Magruder High School is currently within capacity and is projected to stay within capacity. See enclosed pages from the Montgomery County Public Schools FY 2009-2014 Capital Improvements Program.

The current growth policy school test finds capacity adequate in the Magruder Cluster.

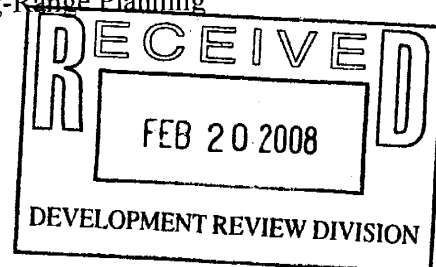
Sincerely,

Bruce H. Crispell, Director
Division of Long-Range Planning

BHC:lt

Enclosure

Copy to: Mr. Bowers, Mr. Lavorgna, Ms. Turpin



Division of Long-range Planning

2096 Gaither Road, Suite 201 ♦ Rockville, Maryland 20850 ♦ 240-314-4700 ♦ Fax 240-314-4707

Tesfaye, Elsabet

From: Forbes, Beth [bForbes@wsscwater.com]
Sent: Friday, February 08, 2008 4:12 PM
To: Tesfaye, Elsabet
Subject: WSSC Comments on Zoning Application No. G-875
Attachments: G-875 - WSSC Letter of Findings.pdf

Elsabet,

The following are WSSC's comments on Zoning Application No. G-875.

Reclassifying the subject property as proposed will not impact the WSSC's systems or facilities.

Attached is a copy of a recent letter of findings for this property, the Somerville-Shady Grove Metro project (WSSC Job No. DA4810Z08). Water and sewer service to the property has been conceptually approved with a slightly different mix of units.

If you need any further information on this property, please do not hesitate to contact me.

Regards,

Beth Forbes, P.E.
Development Services Group
WSSC
301-206-8819

November 5, 2007

Mr. Rich Koch
Keystonerei
103 Leekes Lot Way
Gaithersburg, MD 20878

Re: Phase I Letter of Findings, WSSC Project No. DA4810Z08, Somerville-Shady Grove Metro

Dear Mr. Koch:

A hydraulic planning analysis has been completed on the Somerville – Shady Grove Metro project. The project has been conceptually approved. Please refer to the enclosed 200'-scale sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

HYDRAULIC SUMMARY TABLE	
Proposed Development: 8 Proposed Houses, 49 Proposed Townhouses, 88 Proposed Apartments	
200-ft Sheet: 221NW08	
SEWER	WATER
WWTP Service Area: Blue Plains	Hydraulic Zone Group: Montgomery High Zone
Available Safe Capacity: 24 mgd of average flow as of September 2004	
Sanitary Sewer Service Status: Adequate	Pressure Zone: 660A
Mini-Basin Number: 05-150	High Grade: 685 feet
	Low Grade: 621 feet
	Water Storage Status: Adequate
	Water Supply/Transmission Status: Adequate

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued.

ASSESSMENT PAYOFF REQUIRED

The subject property to be developed has an existing benefit assessment. This project will not be granted a System Extension Permit until the existing assessment balance is paid. **If paid by May 31, 2008, the amount required is \$8,183.94.** Assessment payoff should be made immediately if plat is recorded before the System Extension Permit is granted. Failure to make payment of the Assessment payoff may result in the balance being transferred to the new subdivision lots.

Mr. Rich Koch
Keystonerei
RE: DA4810Z08
November 5, 2007
Page 2

PROPERTY MAY BE ASSESSED

If a connection is made to an existing main line and goes into service, a front-foot-benefit assessment and any deferred connection costs will be levied against the property served. A yearly charge will appear on your County property tax bill for a set period of time -- currently 23 years. For details contact the Property Assessment Unit on 301-206-8126.

SANITARY SEWER CONDITIONS

SEWER MAY BE AVAILABLE TO SOME PROPOSED UNITS

An existing sewer may be available to provide service to some units proposed in this project. Sewer service may be obtained by constructing service connections to these units. Each property connecting to the existing lines will be assessed at the rate prevailing at the time of the main's construction (see "PROPERTY WILL BE ASSESSED" above).

REQUIRED SANITARY SEWER MAIN SIZES

All proposed gravity sewer is to be 8-inch diameter gravity sewer.

REVISE SEWER MAIN ALIGNMENT

Revise the sewer main alignment as shown on the enclosed sketch. In the vicinity where the proposed sewer is due to connect to the existing sewer, the alignment of the proposed sewer should be slightly revised to connect directly to existing sewer manhole #05-150-029-M.

EXTRA-DEPTH SEWER

Due to the topography, it will be necessary to construct extra-deep sewer ranging from 10 to 20 feet. Sewers greater than 10 feet deep should have a right-of-way width at least twice the depth of the sewer. Any pipe deeper than 20 feet (trench bottom) will require a special design that takes into consideration future maintenance of the deep sewer.

WATER MAIN EXTENSION CONDITIONS

WATER AVAILABLE

An existing water line may be available to provide service to some proposed units. Water service may be obtained by building service connections to these units without a public extension. Each property connecting to an existing line will be assessed at the rate prevailing at the time of the main's construction (see "PROPERTY WILL BE ASSESSED" above).

Mr. Rich Koch
Keystonerei
RE: DA4810Z08
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Page 3

PRESSURE REDUCING VALVES REQUIRED

Due to high water pressure conditions (greater than 80 psi), the on-site plumbing system requires pressure reducing valves for buildings with first floors below 500 feet.

RIGHT-OF-WAY CONDITIONS

OFF-PROPERTY RIGHTS-OF-WAY MAY NEED TO BE OBTAINED

The proposed sewer extension may require the acquisition of rights-of-way from other property owners. It is the Applicant's responsibility to obtain these rights-of-way.

ADHERE TO MINIMUM RIGHT-OF-WAY WIDTHS

The minimum right-of-way width for a normal (14 inches diameter or less) extension, either water or sewer, installed at normal depth is 20 feet. A minimum right-of-way width of 30 feet is required when both normal-diameter water and gravity sewer lines are installed in the same right-of-way at normal depth. Installation of deep or large water and/or sewer mains will require additional right-of-way width. The minimum horizontal clearance between a building and the outside diameter of a WSSC pipeline is 15 feet. Based on WSSC requirements, the minimum spacing between adjacent buildings with both water and sewer lines between them should be at least 40 feet and, in some cases, greater when connections, fire hydrants, or deep sewer or water lines are involved. Balconies and other building appurtenances are not to be within the right-of-way. Additionally, water and sewer pipeline alignment should maintain 5 feet horizontal clearance from storm drain pipeline/structures and other utilities.

CONNECTION AND ON-SITE CONDITIONS

ON-SITE PROCESS REQUIRED

The on-site process is usually required for water lines greater than 2 inches in diameter or sewer lines greater than 4 inches. Please submit on-site information to the WSSC Permit Services Unit at the One-Stop-Shop. Contact Permit Services at 301-206-4003 or at www.wsscwater.com for more information on submitting on-site plans.

We are still awaiting an in-house review of the Database Search Request or the Phase I Environmental Site Assessment already submitted. Additional conditions may be added to those listed above based on our review's results.

Mr. Rich Koch
Keystonerei
RE: DA4810Z08
November 5, 2007
Page 4

The next step in the process is Phase 2, Review for System Integrity. Your submission package should include the Review for System Integrity Checklist and all checklist items, including the review fee. Should you want to schedule a pre-design meeting, please contact either Peter Domaruk (301-206-8769, PDomaru@wsscwater.com) or Paul Bonaccorsi (301-206-8750, PBonacc@wsscwater.com).

If you have any questions or concerns, please feel free to contact me at 301-206-8817 or bMaclar@wsscwater.com.

Sincerely,

Bruce MacLaren
Development Project Manager
Development Services Group

WBM:jtn

Enclosure

cc: Loiederman Soltesz Associates, Inc. – Ms. Eva Mortenson
Montgomery County Government – Department of Environmental Protection –
Mr. Alan Soukup



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

DATE: November 6, 2007

TO: John Carter, Division Chief, Community Based Planning Division
Melissa Banach, Strategic Planning Division
Mary Dolan, Environmental Planning Division
Taslima Alam, Development Review Division
Daniel Hardy, Transportation Planning Division
Karl Moritz, Research & Technology Division
Tanya Schmieler, Park Planning and Development Division
Scott Whipple, Historic Preservation Unit
Khalid Afzal, Community Based Planning Team 5
Bruce Crispell, Montgomery County Public Schools
Steven Foster, State Highway Administration
Greg Leck, Montgomery County Public Works & Transportation
Officer in Charge, Dept. of Fire & Rescue Services
Elizabeth Forbes, WSSC

FROM: Ralph Wilson
Development Review Division

PLEASE REPLY TO: Elsabett Tesfaye

SUBJECT: Zoning Application No. G-875

The above-cited zoning application is being referred to your division for comment.

Community Planning, Environmental Planning, and Development Review should comment on any aspects relevant to their responsibilities. Transportation Planning should evaluate roadway configuration. Park Planning and Development should comment on any park planning issues involved.

We would appreciate your comment by **Monday, February 11, 2008.**

Thank you for your assistance.

Enclosure: Zoning Application
Schematic Development Plan



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

Date: February 4, 2008
To: Elsabett Tesfaye
Development Review Division
From: Neil Braunstein ^{MB}
Development Review Division
Subject: Zoning Application G-875

The application proposes to change the zoning on a 4.26 acre parcel from R-90 to PD-35, in support of a proposed subdivision containing five one-family detached residences, 33 townhouses, and 115 multiple-family dwellings.

This proposal was reviewed as a discussion item at the DRC meeting of December 17, 2007. At that time, subdivision reviewers provided verbal comments but no written memo.

Because proposed lots front on private streets, the Planning Board must make a finding (at the time that a preliminary plan is approved) that the proposed streets have attained the status of a public road. One aspect of that finding is that the streets provide an appropriate circulation pattern. Subdivision review staff is concerned that this finding cannot be properly made with respect to this subdivision because there are several instances of dead-end streets with no provision for vehicles that need to turn around. The private street that access townhouse lots 29-33 and 34-38 should be made into a through street by means of a connection to Redland Road or Chieftain Avenue. Dead-ends at other locations should be designed with appropriate turn-arounds, such as hammerheads.