



**Preliminary Plan No. 120130080, Glenmont Metrocenter**

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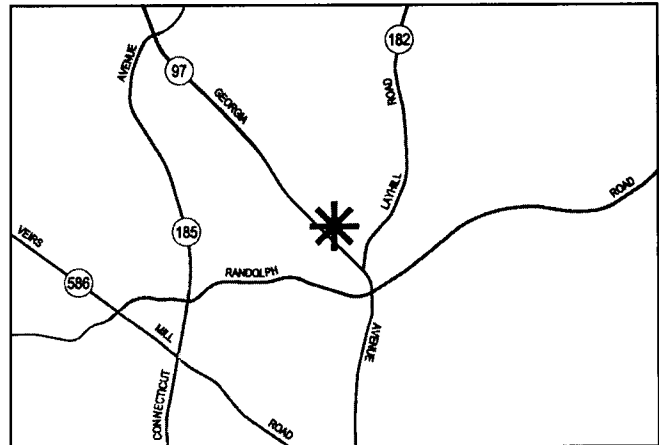
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Completed: 8/30/13

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**Description**

- Request to convert 9 parcels and 49 lots into 229 lots with 1,325 multi-family units, 225 townhouse units and 90,000 square feet of commercial; to be platted in phases.
- Located on the north side of Glenallan Avenue, between Layhill Road and Georgia Avenue;
- Subject Property is 30.93 acres in the TS-R Zone, in the 1997 Glenmont Sector Plan area;
- Applicant: Layhill Investments, LLC
- Filing Date: December 20, 2012.



**Summary**

- Staff recommends approval of the Preliminary Plan and Preliminary Forest Conservation Plan with conditions.
- The County Council approved the Development Plan on July 17, 2012.
- This Preliminary Plan will establish the required street network and public facilities framework as required by the Sector Plan. The proposed lots will be served by public water and sewer, and the majority of the residential units proposed will be served by network of private streets. Pursuant to Section 50-29(a)(2), if the Board were to approve the proposed lot configuration, the Board would need to find the private streets to have attained the status of public streets.
- Staff has not received correspondence from residents or adjacent property owners.

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#### **PROJECT DESCRIPTION**

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## **SECTION 1: PRELIMINARY PLAN RECOMMENDATION AND CONDITIONS OF APPROVAL**

Staff recommends approval of Preliminary Plan 120130080 subject to the following conditions:

1. Approval is limited to a maximum density of 2,500,000 square feet of total development, which includes up to 90,000 square feet of retail uses and up to 2,410,000 square feet of residential uses for up to 225 townhouses and 1,325 multi-family units, including 14.5% moderately priced dwelling units (MPDUs).
2. A Category I Conservation Easement must be recorded by deed over the retained forest on-site prior to Phase 1.1 Certified Site Plan approval and reflected on the future record plat for the phase of development that includes this area.
3. The Site Plan approval following the approval of the Site Plan for Phase 1.1 must include a condition requiring all existing buildings to be removed from the Category I conservation easement as shown on the Approved Preliminary Forest Conservation Plan.
4. The Applicant must record the entire Category I Conservation Easement by plat and provide the forest plantings as shown on the approved Final Forest Conservation Plan as soon as the Certified Site Plans that include the removal of the existing buildings within the future easement area have been approved.
5. The forest conservation plantings associated with each phase must be completed within one year or two growing seasons upon the completion of the construction of each phase.
6. The implementation of the project's forest conservation mitigation requirements, which includes forest retention, onsite and offsite afforestation, reforestation and landscape credit, may be phased. The phasing of the total forest conservation mitigation must be proportionate to the area proposed for disturbance relative to the total project net tract area. The phasing triggers, forest conservation mitigation type, amount of mitigation, and disturbance areas are to be defined on the Final Forestation Conservation Plan and revised as needed with subsequent Site Plans.
7. The Applicant must plant minimum three-inch caliper, native trees as mitigation for the removal of specimen trees. The species, amount and location of plantings must be identified on the Final Forest Conservation Plan and must be planted in areas with adequate soil volume, not within 10-feet of stormwater/Environmental Site Design facilities and not located within or overlapping public utility easements or other easements.
8. No outfalls or stormwater related facilities will be allowed in the Category I Conservation Easement.
9. The Final Forest Conservation Plan must include detailed and specific tree protection measures for on and off-site trees affected by the Limits of Disturbance (LOD).
10. In the event the LOD is revised on the Final Forest Conservation Plan (FFCP) and the WSSC easement is further impacted by LOD, the Applicant must revise the Forest Conservation Worksheet to include the area and forest within the LOD.
11. The Applicant must provide a revised noise analysis as part of the Phase 1.1 Site Plan that includes the baseline noise and the 20-year projected noise levels for the entire site and to include a lot layout that matches the lot design of the approved Preliminary Plan.
12. Prior to issuance of building permits for noise affected units, the following must be provided to the Maryland-National Capital Park and Planning Commission (M-NCPPC) staff:
  - a. The Applicant must provide certification to M-NCPPC staff from an engineer that specializes in acoustical treatment that the building shell for residential units affected by exterior noise levels above 65 dBA, Ldn will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA, Ldn, as identified in the noise analysis report dated May 4, 2013, as revised per condition above.

- b. The builder must certify that noise-impacted lots will be constructed in accordance with recommendations of the engineer that specializes in acoustical treatment.
- 13. The Applicant must construct a ten-foot-wide shared use path along the entire frontage of Glenallan Avenue to replace the existing four-foot-wide sidewalk, per applicable Site Plan phase.
- 14. The Applicant must construct a five-foot-wide sidewalk along the entire frontage of Layhill Road to replace the existing sidewalk that is approximately four-feet-wide as part of the SHA improvements and is subject to SHA approval and permit.
- 15. The existing sidewalk along Georgia Avenue is approximately five feet wide, but may need to be modified/upgraded per the future entrance permit with SHA.
- 16. The Applicant must construct five-foot-wide sidewalks on all streets within the development as shown on the Preliminary Plan. Final location will be determined at the time of site plan review.
- 17. The Applicant must dedicate, and the record plat(s) must reflect, an additional five feet of right-of-way (ROW) for a total of 45 feet from the centerline along the entire frontage of Glenallan Avenue, as depicted on submitted plans.
- 18. The Applicant must enter into a Traffic Mitigation Agreement with the Montgomery County Department of Transportation (MCDOT) and the Planning Board if and when the Glenmont Transportation Management Organization is established.
- 19. The new internal streets: Private Street #1, Private Street #2, and Private Street #2A, as shown on the Preliminary Plan, may be implemented as private streets subject to the following conditions:
  - a. The Board must determine the final extent, delineation, and alignment of the private streets as the site plans for each phase are approved.
  - b. Private streets must be located within their own parcel, separate from the proposed development.
  - c. Public access easements must be granted for the roadways and must be reviewed and approved by MCDOT and M-NCPPC.
  - d. The design of the roads must follow, or improve on, the corresponding Montgomery County Road Code standard (2005.02 modified) for a similar public road, unless approved by MCDOT and the Planning Board at the time of site plan for each phase.
  - e. Installation of any public utilities must occur within public use easements.
  - f. The streets may not be closed for any reason unless approved by MCDOT.
  - g. The public access easements must be volumetric to accommodate uses above or below the designated easement areas.
  - h. Montgomery County may require the Applicant to install appropriate traffic control devices within the public use or access easements, and the easements must grant the right to the County to construct and install such devices.
  - i. Maintenance and Liability Agreements will be required for each Easement Area by MCDOT at the time of record plat. These agreements must identify the Applicant's responsibility to maintain all of the improvements within their easement areas in good condition and in accordance with applicable laws and regulations.
  - j. Montgomery County will inspect these streets and ensure that each has been constructed in accordance with the corresponding Road Code standard for a similar public road.
  - k. The Applicant is obligated to remove snow and provide repairs to keep the roads in working order and open and if, for any reason, the Applicant does not, the County must have the right, but not the obligation, to remove snow and/or provide repairs.
  - l. The boundary of the easements must be shown on the record plat.
- 20. The Applicant must provide bicycle parking in conformance with section 59-E-2.3 of the Montgomery County Code as specified on each Site Plan.

21. The Planning Board has accepted the recommendations of the MCDOT in its letter dated August 27, 2013 and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
22. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
23. All entrances on Georgia Avenue and Layhill Road must meet the requirements stated by the Maryland State Highway Administration (SHA) in two letters dated May 1, 2013 and July 1, 2013. In addition, the Applicant must construct all entrances on Glenallan Avenue that meet the requirements stated by MCDOT in a letter dated August 27, 2013.
24. The Planning Board has accepted the recommendations of the SHA in two letters dated May 1, 2013 and July 1, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letters, which may be amended by SHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
25. Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by SHA.
26. The Applicant must work with WMATA and MCDOT for the location and design of a new mid-block crossing of Glenallan Avenue to be approved as part of, and constructed at the time of the Site Plan for Phase 2.1. This new crossing may include pedestrian activated beacons and warning lights, advanced warning signs, reflective pavement markings, and pedestrian refuges.
27. Prior to approval of the Phase 1.1 Site Plan, the Applicant must perform signal warrant studies for the two crosswalks to determine if pedestrian or vehicular signals are warranted.
28. The Planning Board has accepted the recommendations of the Montgomery County Department of Permitting Services (DPS) stormwater management concept approval letter dated April 23, 2013, and hereby incorporates them as conditions of the Preliminary Plan approval. Therefore, the Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DPS provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
29. Each phase, sub-phase and Site Plan of the project must include at least 12.5% MPDUs.
30. As long as the overall combined density of the areas of the project that are developed, approved for development, and proposed for site plan approval does not exceed the base density of 42 units per acre, provision of 12.5% MPDUs will be acceptable.
31. As each new Site Plan is proposed, the overall percentage of MPDUs must be consistent with the requirements of Section 25A-5(c) of the Montgomery County Code when the submitted Site Plan is aggregated with previously completed and approved sections of the development.
32. No clearing or grading of the Subject Property, or recording of plats must occur prior to Certified Site Plan approval.
33. Final approval of the number and location of buildings, dwelling units, on-site parking, and site circulation will be determined at Site Plan.
34. In the event that a subsequent Site Plan approval(s) substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or right-of-way location, width, or alignment, the applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.
35. The certified Preliminary Plan must contain the following note: "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 review. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for this lot. Other limitations for site development may also be included in the conditions of the Planning Board's approval."

36. All necessary easements must be shown on the Record Plat.

37. The Preliminary Plan will remain valid for one hundred and twenty-one (121) months from the date of mailing of the Planning Board Resolution for this Planning Board action. Record plats may be recorded in stages based upon the following schedule:

- Stage I (expires 61 months from the date of mailing of the Planning Board Resolution): 485 residential units and 4,000 square feet commercial uses in Building D (only if it contains a commercial component).
- Stage II (expires 121 months from the date of mailing of the Planning Board Resolution): 1,065 residential units and 86,000 square feet of commercial uses (or 90,000 square feet of commercial uses if Building D does not have a commercial component).

Prior to the expiration period, the final record plat for all remaining lots within each stage must be recorded, or a request for extension must be filed.

38. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for one hundred and forty-five (145) months from the date of mailing of the Planning Board Resolution for this Planning Board action, based upon the following staging schedule:

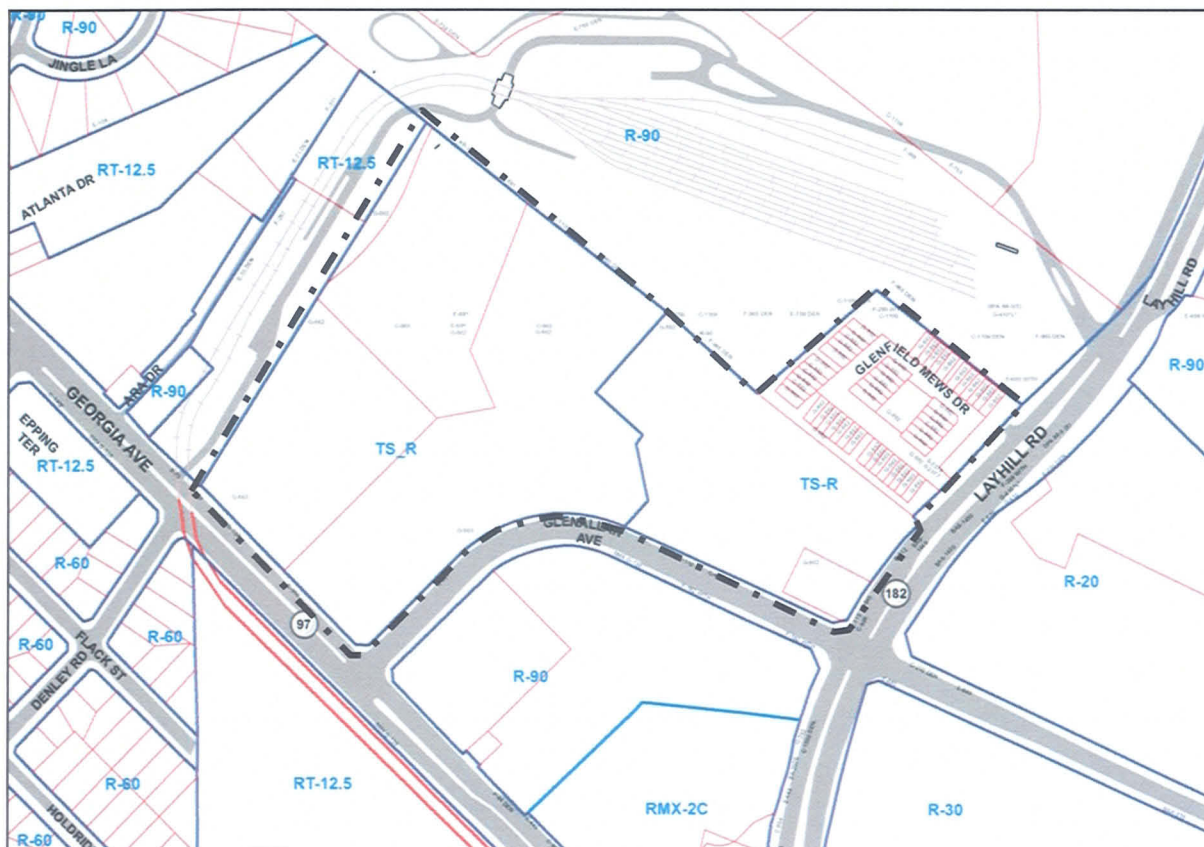
- Stage I (expires 85 months from the date of mailing of the Planning Board Resolution): Issuance of building permits for 485 residential units and 4,000 square feet commercial uses in Building D (only if it contains a commercial component).
  - Stage II (expires 145 months from the date of mailing of the Planning Board Resolution): Issuance of building permits for remaining 1,065 residential units and 86,000 square feet of commercial uses (or 90,000 square feet of commercial uses if Building D does not have a commercial component).
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## SECTION 2: CONTEXT AND PROPOSAL



### SITE DESCRIPTION

The Glenmont Metrocenter Property (Subject Property) is bounded by Georgia Avenue to the west, Layhill Road to the east, Glenallan Avenue to the south, and the WMATA maintenance yard to the north. The Glenmont Metro Station is directly across Glenallan Avenue. The Subject Property was developed during the 1960s with an apartment complex called Privacy World. The 30.93-acre property consists of Lots 1 through 49 and Parcels A, B and C, Block 1 in the Glenmont Mews Subdivision, and Parcels A, B, C, E, F, and G in the Glenmont Park Subdivision.

The Subject Property is in the 1997 *Glenmont Sector Plan*. The entire site was rezoned on July 17, 2012 by Local Map Amendment (G-862 and G-863) to TS-R and is currently improved with 18 apartment buildings containing 352 units, surface parking lots and a former bank building, now unoccupied. The buildings are spread out on the site, with parking lots, roads, grass and, particularly in the western half of the site, trees interspersed among them. The site also has playgrounds, paved roads and a pool. The buildings are oriented towards their parking lots, mostly perpendicular to Glenallan Avenue, and virtually the entire site is fenced. The site is currently served by public water and sewer.



Zoning Map

	Zoning Line
	Subject Property Line



The subject property is irregularly shaped. The high point topographically is in the southeast corner of the site, at the intersection of Glenallan Avenue and Layhill Road. From that point, the site slopes down to the west and northwest, reaching its low point where a stream fragment runs through the northwest corner of the site. The only forested areas on the site are in the vicinity of the stream. The present development was built before current environmental standards were developed, and it includes buildings and a road within the environmental buffer area for the stream. The vast majority of the site is within a five-minute walk of the Glenmont Metro Station.

The surrounding area contains a mix of uses and zones. To the northwest is the terminus of the Metro system's Red Line, on land classified as R-T 12.5 Zone, and to the north is a Metro maintenance/storage yard in the R-90 Zone. There is a sharp drop in grade between the subject site and the WMATA storage yard, and most of the northern edge of the subject site is separated from the maintenance yard by a forested area on WMATA property.



*Vicinity Map*



To the southeast, across Layhill Road, is the Winexburg apartment complex in the R-20 Zone, which has over 600 dwellings on 33 acres. All but one of the buildings has three stories. The complex has the tallest building in the area, with nine stories. This complex, including the tall building, is only partially visible from the street because it sits well below street grade. South of the Winexburg complex, across Glenallan Avenue is Glen Waye Gardens, a condominium complex in the R-30 Zone with 214 units in three-story, multi-family buildings on 15 acres of land.

On the south side of Glenallan Avenue, from the subject site, two-thirds of the road frontage is WMATA property occupied by two Metro driveways, a 1,200-space Metro parking garage and a Park-and-Ride area. The corner of Georgia Avenue and Glenallan Avenue is occupied by the Georgia Avenue Baptist Church. South of the church along Georgia Avenue is WMATA property that contains the Metro entrance and a bus loading area. Both the church and the Metro property are zoned R-90. The area south of the Metro parking garage, where Georgia Avenue intersects Layhill Road, is classified as RMX- 2C Zone, and is occupied by a small commercial building and a gas station. Across Georgia Avenue from the Subject Property is the WMATA Triangle, which contains an 1,800-space parking garage on its southern half.

Beyond the adjoining and confronting properties, the surrounding area contains single-family neighborhoods in the R-60 and R-90 zones, as well as townhouses, apartment buildings and a church on Georgia Avenue. Just south of the WMATA garage site, on the west side of Georgia Avenue, is the Glenmont Greenway, a narrow strip of park land that WMATA originally bought to have access for construction of the Red Line tunnel. The Glenmont Shopping Center, in the RMX-2C Zone, is located at the northern corner of the intersection of Georgia Avenue and Randolph Road. Less than a mile south on Georgia Avenue is the Wheaton Library, Wheaton Community Center and Wheaton Regional Park.

## PROJECT DESCRIPTION

### Previous Approvals

The Subject Property was zoned R-90 in the 1954 Regional District Zoning. The 1958 County-wide Comprehensive Zoning confirmed the R-90 zoning of the site. Between 1963 and 1984 the District Council granted reclassifications of various portions of the site as follows:

Application No.	Net Area	Zone Change	Date Adopted
C-965	26.926 acres with frontage on both Georgia Avenue and Layhill Road.	R-90 to R-30	05/21/63
E-122	2.54 acres with frontage on Layhill Road (Norwood Road)	R-90 to R-30	02/02/65
E-113	0.44 acres with frontage on Layhill Road (Norwood Road)	R-90 to R-30	02/02/65
E-691	1.68 acres (roadbed of former P-9) with frontage on Glenallan Avenue	R-90 to R-30	02/08/66
F-945	0.50 acres at the corner of Glenallan Avenue and Layhill Road	R-30 to O-M	06/1976
G-410	4.359 acres with frontage Layhill Rd. <sup>1</sup>	R-90 to RT-12.5	05/22/84

<sup>1</sup> Although Zoning Applicant No. G-410 reclassified the 4.3-acre portion in the northeast corner of the Subject Property, to the R-T 12.5 Zone for 49 townhouses and lots were recorded following a preliminary plan; the townhouse site plan was not implemented and has expired.

The 1978 Sectional Map Amendment for the Glenmont Transit Area retained the site's R-90 and O-M zoning.

On November 29, 2006, Application No. G-862 was filed requesting reclassification from the R-T 12.5, R-30 and O-M Zones to the TS-R Zone for 23.9 acres of land located at the intersection of Georgia Avenue and Glenallan Avenue in Silver Spring, Maryland. Another concurrent application No. G-863, requested reclassification from the R-30 Zone to the TS-R Zone of 7.0514 acres of land adjacent to the land covered by Application No. G-862. The two applications comprised the entire 30.9 acres of the Subject Property.

In a report dated May 23, 2007, the Planning Staff recommended approval. The Montgomery County Planning Board (Planning Board) considered the applications on June 14, 2007 and, by a vote of 4 to 0, recommended approval.

On October 18, 2007, the County Council discussed and remanded the application back to the Hearing Examiner to provide the Applicant with the opportunity to present additional evidence (i) concerning traffic conditions at the intersection of Randolph Road and Georgia Avenue, such as a queuing and delay analysis; (ii) to show what steps the Applicant is willing to take to mitigate its traffic impacts, which may include but need not be limited to the at-grade improvements already proposed; and (iii) to demonstrate that the proposed mitigation would prevent adverse traffic impacts on the surrounding area from Stage 1 or the combined Stage 1 and Stage 2 of the proposed project.

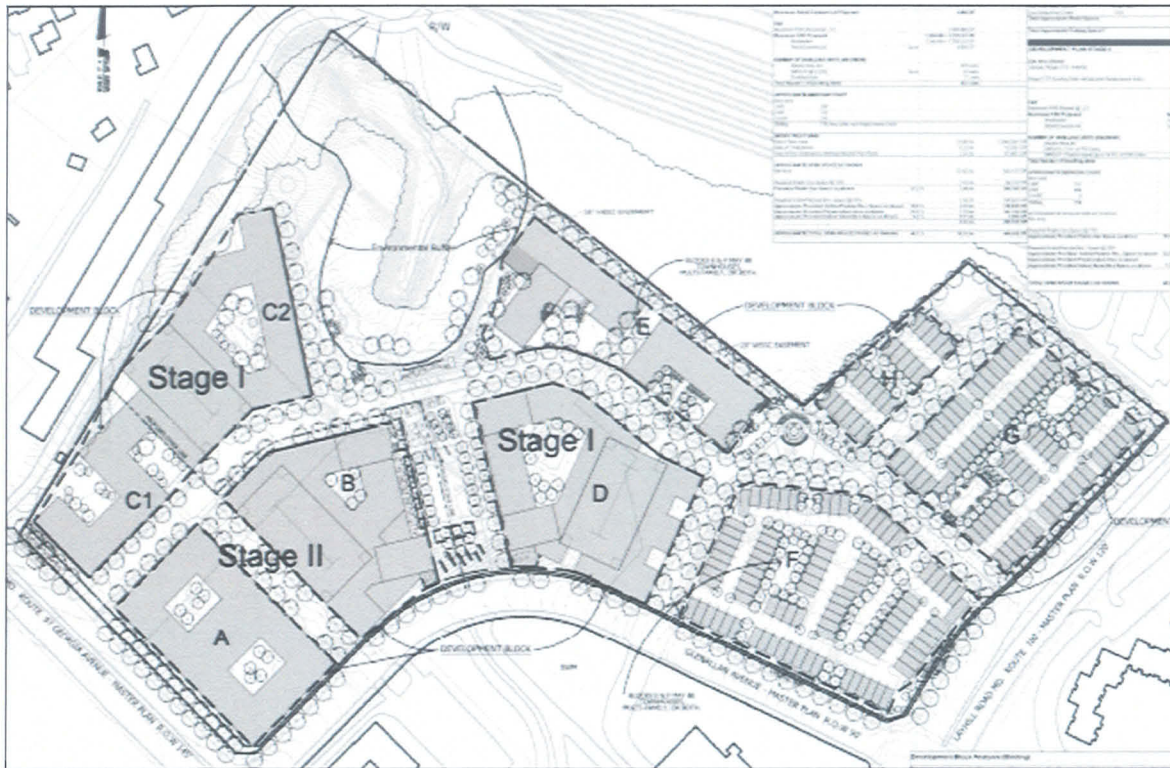
On June 15, 2012, the Hearing Examiner found that the Applicant had met its burden of proof, by a preponderance of the evidence, that queues at the intersection of Georgia Avenue and Randolph Road will be within the LATR standards, without mitigation other than the planned grade separated interchange and that the traffic impacts of the project will be compatible with the surrounding neighborhood and in the public interest. The County Council approved G-862 for the reclassification from the R-T 12.5, R-30 and O-M Zones to the TS-R Zone of 23.9 acres of land located at the intersection of Georgia Avenue and Glenallan Avenue and G-863, the reclassification from the R-30 Zone to the TS-R Zone of 7.0514 acres of land adjacent to the land covered by Application No. G-862. The final Development Plan was certified by the Hearing Examiner on July 30, 2012.

### **Approved Development Plan**

The approved Development Plan consists of up to 1,550 dwelling units and 90,000 square feet of retail. The dwelling units would be made up of townhouses, low-rise and mid-rise multifamily buildings, some over retail, and possible live/work units. At the time, the Applicant anticipated that if the full 1,550 units were built, the breakdown of dwelling unit types would be 190 to 250 townhouses and 1,300 to 1,360 multi-family units. The overall residential density proposed for the site was 50.4 dwelling units per acre, including a 19.3 percent MPDU bonus, which is just under the maximum residential density recommended in the Sector Plan.

The project was proposed in two stages, in keeping with phasing recommendations in the Sector Plan. Stage 1 would consist of up to 500 new dwelling units (the maximum recommended for Stage 1 in the Sector Plan), the replacement of up to 275 existing dwelling units, and approximately 4,000 square feet of retail space (well within the Sector Plan recommendation for up to 200 jobs in Stage 1). The 77 existing units in the Stage 2 portion of the site would remain in place through Stage 1. Thus, at the end of Stage 1, the subject property would have a total of up to 852 dwelling units (500 new, 275 replacement and 77 existing). Stage 2 would consist of replacing the 77 remaining older units and constructing up to 698 new units, for a total of up to 775 units in Stage 2, and up to 1,550 dwelling units

in the new community as a whole. Stage 2 would also add retail (and possibly commercial) space up to 90,000 square feet.



*Approved Development Plan*

#### *Textual Binding Elements for Glenmont Metrocenter*

The following textual binding elements, below, provided additional parameters and limitations for the development, including an important staging provision.

1. The Development Plan contains "Development Blocks" which identify those areas of the property that will be developed. Within these Development Blocks, the plan reflects product type, density of the development, general building locations, open space, landscaping and recreation areas and parking spaces. The development Block Analysis identifies:
  - a. The Development Block.
  - b. Use types.
  - c. Approximate range of units.
  - d. Approximate range of Retail/Commercial.
  - e. Height Ranges.
  - f. Approximate setbacks from curb to face of buildings.

The precise location, building footprints and square footages of the buildings, and open space, landscaping and recreation space within each Development Block as well as the actual number of parking spaces will be decided at site plan. Minor modifications to the size and shape of the Development Blocks may be made at the time of site plan.

2. The total number of units on the property for Stage 1 and Stage 2 combined shall not exceed 1550 dwelling units including MPDUs (up to 14.5% of the total number of units based on 1550 dwelling units) with no more than 500 new units to be approved as part of Stage 1 of the development (existing units that are replaced with new units do not count toward the 500 unit cap requirement for Stage 1). Stage 1 shall include 12.5% MPDUs. The total number of residential units (including the total number of MPDUs in the development and the percentage requirement of MPDUs as contained in Chapter 25A of the Montgomery County Code) and the amount of retail/commercial uses will be determined at site plan. Units may be shifted between Development Block areas so long as: (i) the range of units within each Development Block does not vary by more than 10% and (ii) the total number of units in the entire development does not exceed 1550. The total amount of retail/commercial shall not exceed 90,000 square feet and will be within the range shown on the Development Block Analysis.
3. At the time of preliminary plan of subdivision approval, the Applicant shall submit for Planning Board review and approval, a revised Local Area Transportation Review analysis that re-evaluates Stage 2 of the development so that the Planning Board can make a determination whether the Georgia Avenue/Randolph Road intersection will function at an acceptable level to permit all or a portion of Stage 2 to move forward pursuant to the County's established rules and procedures for determining the adequacy of public facilities or the Applicant has committed to the use of the Alternative Review Procedure for Metro Station Policy Areas.
4. No building permit applications for Stage 2 of the development will be applied for until either a grade separated interchange is fully funded for construction or other transit or transportation improvements are under construction that would make the intersection of Randolph Road and Georgia Avenue function at an acceptable level as determined by the Montgomery County Planning Board or the Applicant has committed to the use of the Alternative Review Procedure for Metro Station Policy Areas. The Applicant may incorporate the following mitigation measures as part of the subdivision application: physical roadway improvements, pro rata payments toward the programmed Georgia Avenue/Randolph Road interchange, Local Area Transportation Review mitigation measures (e.g., real-time transit signs, pedestrian count-down signals, bike racks, etc.), transit enhancements/incentives, establishing a neighborhood circulator shuttle, pedestrian safety measures and/or other improvements.
5. No building shall exceed 7 stories or 85 feet as measured pursuant to the Montgomery County Zoning Ordinance.
6. All private roads shall meet the Montgomery County standards required for emergency vehicle access.
7. No structures or impervious surfaces shall be located within the Environmental Buffer.
8. The Glenmont Sector Plan, adopted September 1997 (the "Sector Plan") recommends a maximum base density for the entire property of 42 units per acre, which results in a maximum density of 51 units per acre with MPDUs. As shown, Stage 1 reflects a maximum density of 32.45 units per acre with MPDUs and Stage 2 reflects a maximum density of 119.40 units per acre with MPDUs. Collectively, the maximum density for Stage 1 and Stage 2 is 50.1 units per acre with MPDUs, in conformance with the Sector Plan density of up to 51 units per acre.
9. Subject to Textual Binding Element Note 4, the completion of any portion of the project is not

necessary to commence any subsequent portion of the project.

10. The Applicant will conduct an operational study at the time of preliminary plan of subdivision to identify and evaluate appropriate operational improvements including: (i) pedestrian crossings between the Glenmont Metrocenter Project and the Glenmont Metro Station, (ii) pedestrian safety along Glenallan Avenue and sight distances for turning movements from the project onto Glenallan Avenue, (iii) gaps in through traffic to allow cars to enter and exit safely to and from the driveways south of Glenallan Avenue onto Layhill Road, and (iv) cut through traffic along Glenallan Avenue to Randolph Road. Any operational improvements to be provided are subject to the approval of the applicable governmental agencies.

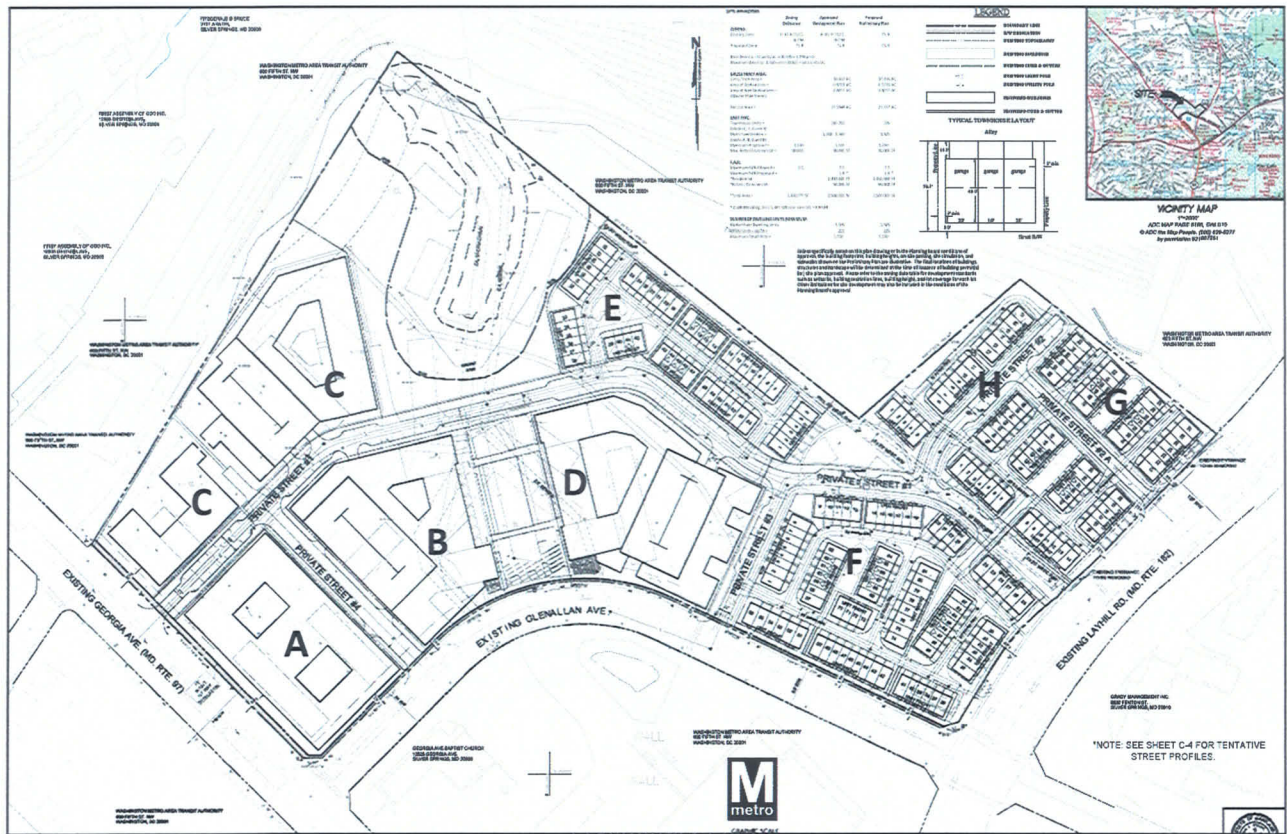
The binding elements permitted the Applicant to develop Stage II either if (i) the intersection of Georgia Avenue and Randolph Road operates within acceptable LATR levels or (ii) the project meets the requirements of the Alternative Review Procedures for projects in Metro Station Policy Areas.

### **Proposed Project**

The Preliminary Plan (Attachment A) proposes a total of 1,550 dwelling units and 90,000 square feet of retail/commercial in accordance with the approved Development Plan (G-862 and G-863). The TS-R Zone allows a maximum density of 2.5 FAR, and the Preliminary Plan proposes the development at 1.9 FAR, with 1,325 multi-family units, 225 townhouse units, totaling 1,550 residential units, which includes 14.5% MPDU's (225 units). The multifamily buildings, located on Blocks A, B, C, and D will be up to 7 stories tall, with a maximum height of 85 feet, per the Development Plan and the townhouses located on Blocks E, F, G and H are proposed to be 3-4 stories tall, with a maximum height of 50 feet.

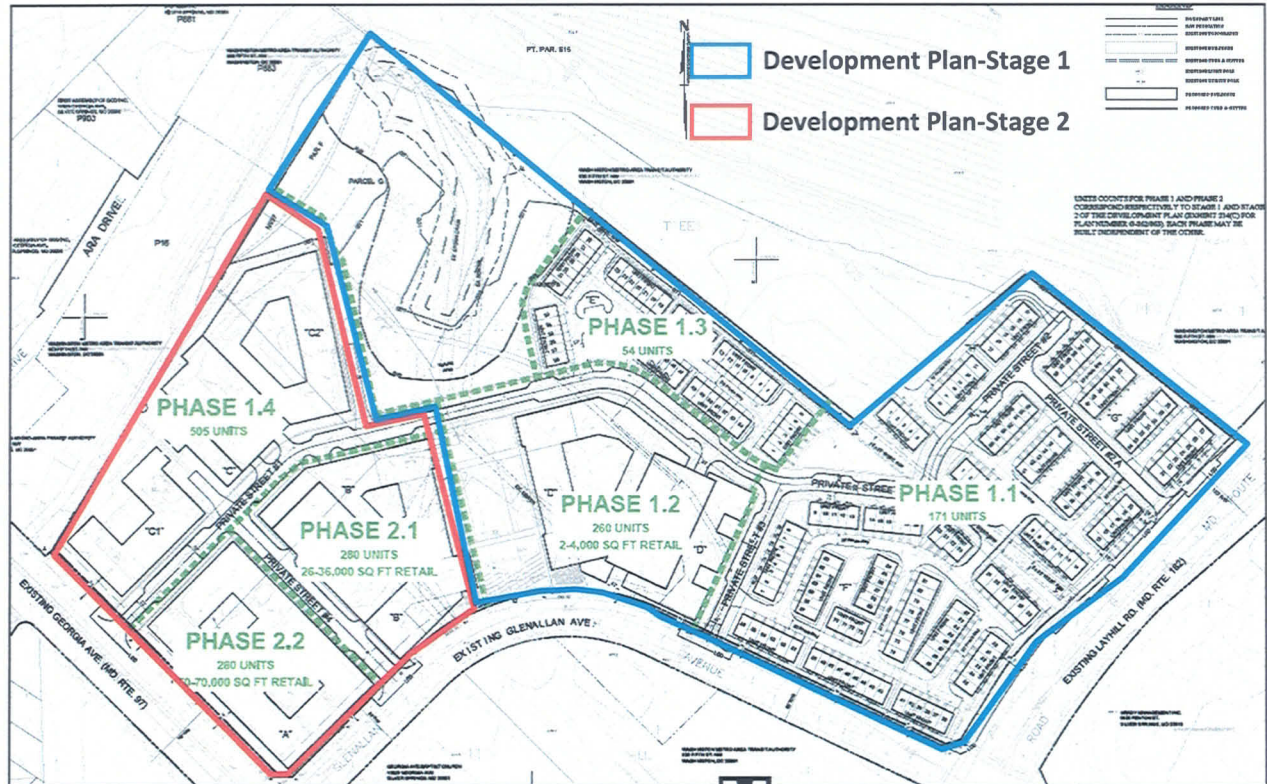
Vehicular access to the Subject Property will be provided from Layhill Road, Georgia Avenue and Glenallan Avenue: one access point along Georgia Avenue; one access point along Layhill Road; and two access points along Glenallan Avenue. The Applicant is proposing pedestrian improvements along Layhill Road, Glenallan Avenue and Georgia Avenue. Structured above ground parking will be provided for the multi-family uses and retail uses. All proposed townhouse units will provide rear-loaded garages, which will be accessed through the proposed private alleys. The internal streets will be constructed to the public road standards and be provided as internal private roads within their own separate and distinct parcels, and will have perpetual public use and access easements. The location of the main internal road is depicted on the revised Preliminary Plan and reflects the location that has been accepted by SHA. The internal road meanders through the site rather than providing a straight connection that lined up with Denley Road across Georgia Avenue and Winexburg Manor Drive on Layhill Road to avoid conflict with the entrance to the WMATA rail yard on Georgia Avenue. SHA has indicated that it would not allow median-breaks for the internal road at the intersections of Georgia Avenue or Layhill Road. SHA also indicated that the intersection of the internal road at Layhill Road must be located far enough from the Glenallan Avenue/Layhill Road intersection to permit safe turning movements that do not interfere with possible southbound queues on Layhill Road arising from the Glenallan Avenue/Layhill Road intersection. In addition, the internal road could not follow the illustrative location shown in Sector Plan due to the negative environmental impacts on the forest conservation area of the site.





The Preliminary Plan also outlines the phases within the two stages consistent with the approved Development Plan, as shown in the following table and plan:

	Phase	Block	Unit Count	Unit Type	Commercial/Retail	Floors	Max. Height
Stage 1 per Development Plan (depicted in solid blue line)	1.1	F, G & H	171	Townhouse Units		4	50'
	1.2	D	260	Multifamily Units	Up to 4,000 square feet	6	85'
	1.3	E	54	Townhouse Units		4	50'
<b>Subtotal for Stage 1</b>			<b>485</b>	<b>Units</b>	<b>Up to 4,000 square feet</b>		
Stage 2 per Development Plan (depicted in solid red line)	1.4	C	505	Multifamily Units		7	85'
	2.1	B	280	Multifamily Units	Up to 36,000 square feet	6	85'
	2.2	A	280	Multifamily Units	Up to 70,000 square feet	5	85'
<b>Subtotal for Stage 2</b>			<b>1065</b>	<b>Units</b>	<b>Up to 90,000 square feet</b>		
<b>TOTALS</b>			<b>1550</b>	<b>Units</b>	<b>Up to 90,000 square feet</b>		



Phasing Plan

## SECTION 3: ANALYSIS AND FINDINGS

### CONFORMANCE TO THE SECTOR PLAN

The project is located within the Glenmont Center as identified by the 1997 *Glenmont Transit Impact Area and Vicinity Sector Plan*. The Planning Board made the finding that the Development Plan for Local Map Amendment Nos. G-862 and G-863 were consistent with all of the general and specific recommendations stated in the 1997 Glenmont Sector Plan. The 1997 Sector Plan recommendations have not changed and the proposed project is substantially the same.

#### Pending 2013 Glenmont Sector Plan

The update to the 1997 *Sector Plan for the Glenmont Transit Impact Area and Vicinity* is underway. At the time of this report, the Planning Board has approved and transmitted the Planning Board Draft Glenmont Sector Plan to the County Executive and County Council on May 30, 2013. Therefore, the TS-R zone is still applicable and, even if the new zoning was in effect, the approved development plan will be grandfathered.

The May 2013 *Planning Board Draft Glenmont Sector Plan* is a refinement of the 1997 Sector Plan and does not depart from the overall vision and goals outlined in the 1997 Sector Plan. The pending Plan also focuses on encouraging mixed-use development in the center with a goal of transforming the core from an auto-oriented development into a walkable, mixed-use community. The site specific recommendations closely mirror those in the 1997 Sector Plan and they are as follows:

- *Rezone the property from TS-R to CR 2.0, C 0.25, R 2.0, H 120.*
- *Provide, as a priority, the CR Zone public benefits of Public Open Space and Care Center.*
- *Provide an east-west road through the property, parallel to Glenallan Avenue, from Georgia Avenue to Layhill Road as either a public or private road (see Mobility section for new road criteria).*
- *Develop the east side of Georgia Avenue as a pedestrian-friendly green boulevard with pedestrian-scaled lighting, street furniture and additional plantings outside the right-of-way with a double row of trees.*
- *Provide a safe and convenient pedestrian and bike crossing of Glenallan Avenue for Metro users.*
- *Protect and restore the environmental buffer and investigate options for stream restoration through the redevelopment process.*
- *Preserve as much of the existing forest as possible. (page 26)*

As stated above, the TS-R Zone is still applicable and therefore CR Zone public benefits do not apply. The Applicant is providing a large useable open space area which will serve as the community gathering space, and is providing the recommended east-west road through the property as contemplated by the Sector Plan. Although the Preliminary Plan does not illustrate in detail all proposed improvements to pedestrian and bike facilities, the Applicant has agreed to the streetscape guidelines described in the Sector Plan and will detail them as part of the site plan application. The Binding Design Principles of the zoning approval demonstrates the Applicant's commitment to provide a high quality pedestrian and bike network system. The Applicant will be required to construct the new crosswalk (opposite the WMATA Kiss-and-Ride entrance) when a site plan is filed for the area identified as Phase 1.2 in the Preliminary Plan. Finally, the Applicant proposes to reclaim and preserve the stream and surrounding area as an



environmental buffer, and proposes to place 4.11 acres of land onsite in a Category I Conservation Easement. Therefore, Staff finds the proposed Preliminary Plan is in substantial conformance with both the 1997 and pending Glenmont Sector Plans.

## **PUBLIC FACILITIES**

The proposed redevelopment will increase both pedestrian and vehicular traffic in and around the Glenmont Metro Station. This increase in traffic can be safely accommodated by the existing and planned road and pedestrian networks, with recommendations below.

### Site Location/Vehicular Circulation

The site is located within the Glenmont Metro Station Policy Area. Currently, the site has one entrance from Georgia Avenue, five entrances/curb cuts from Glenallan Avenue and two unused curb cuts along Layhill Road. The proposed development will have four vehicular entrances; two on Glenallan Avenue and one each on Georgia Avenue (MD 97) and Layhill Road (MD 182).

### Transportation Demand Management

A traffic mitigation agreement is recommended because the subject site will have a non-residential component located within the Glenmont Metro Station Policy Area.

### Master/Sector-Planned Roadways and Bikeways

In accordance with the 1997 Glenmont Sector Plan and the 2005 approved and adopted *Countywide Bikeways Functional Master Plan*, the nearby classified roadways and bikeways are as follows:

1. Georgia Avenue, MD 97, between Denley Road and Layhill Road (along the frontage of the site) is designated as a six-lane divided major-highway, M-8 with a recommended 145-foot wide Right-Of-Way (ROW) with a Master Planned shared use path, which is part of the Georgia Avenue Busway/Bus Rapid Transit (BRT) network.
2. Layhill Road, MD 182, between the northern Sector Plan boundary and Glenallan Avenue is designated as a four-lane divided major highway, M-16, with a recommended 120-foot wide ROW with bike lanes, BL-18, on each side.
3. Glenallan Avenue is designated as an arterial, A-56 with a recommended 90-foot ROW. The ROW should include a minimum six-foot wide sidewalk, a tree panel and a bikeway along the north side of the roadway. The Applicant is dedicating an additional five-feet of ROW for Glenallan Avenue, which will result in the applicant providing 45' of ROW from the centerline. This will result in a ROW of 85', the remaining 5' of ROW necessary to meet the 90' of ROW required of the Sector Plan will be provided by WMATA, if and when the property on the south side of Glenallan redevelops.
4. Denley Road between Layhill Road and Georgia Avenue is designated as a primary road, P-15 with a recommended 70-foot ROW. The ROW should include a minimum of five-foot wide sidewalk, and green panel along both sides of the roadway. This roadway may be a public or private and must meet the applicable Montgomery County Road Code Standard.

### Available Transit Service

Transit service is available near the site as follows:

- The Glenmont Metrorail Station is located on the block across Glenallan Avenue.
- Metrobus routes Y5, Y7, Y8 and Y9 run along Georgia Avenue.
- Ride-On routes 26, 39 and 49 run along Layhill Road.

### Transportation Adequate Public Facilities Review

#### Transportation Policy Area Review

The 2012-2016 Subdivision Staging Policy (SSP) and the Local Area Transportation Review (LATR) and Transportation Policy Area Review (TPAR) Guidelines give any development submitted before January 1, 2013 the option to satisfy either PAMR or TPAR. The Applicant has opted to satisfy the TPAR test. The 2012-2016 SSP was passed by the Montgomery County Council in November of 2012. The resulting LATR/TPAR Guidelines were not published until March 2013 at which point the traffic study for this redevelopment had already been submitted and accepted by planning staff. The proposed project does not need to make any TPAR payment because it is located in the Glenmont Metro Station Policy Area, which according to the 2012-2016 SSP, is exempt from the transit adequacy test of the APFO, and is adequate for the roadway test of the APFO.

#### Local Area Transportation Review

A traffic study is required to satisfy the LATR component of the APF test when a proposed land use generates a total of 30 or more peak-hour trips within the weekday morning (6:30 A.M.–9:30 A.M.) or evening peak periods (4:00 P.M.–7:00 P.M.). This redevelopment will generate more than 30 peak-hour trips, as detailed below:



Table 1: Site Trip Generation<sup>1</sup>

	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
<b>Proposed Residential Development</b>						
Apartments (1,325 DUs less existing 180 DUs) <sup>2</sup>	92	369	461	356	183	539
Less Internal Capture (for 1,325 Apartments) <sup>3</sup>	(7)	(5)	(12)	(42)	(34)	(76)
Less Metro Reduction <sup>4</sup> (-18%)	(17)	(66)	(83)	(64)	(33)	(97)
<b>New Net External Apartment Trips</b>	<b>68</b>	<b>298</b>	<b>366</b>	<b>250</b>	<b>116</b>	<b>366</b>
<b>Townhouse (225 DUs)</b>	<b>19</b>	<b>95</b>	<b>114</b>	<b>96</b>	<b>47</b>	<b>143</b>
Less Internal Capture	(1)	(1)	(2)	(11)	(9)	(20)
Less Metro Reduction <sup>4</sup> (-18%)	(3)	(17)	(20)	(17)	(8)	(25)
<b>New Net External Townhouse Trips</b>	<b>15</b>	<b>77</b>	<b>92</b>	<b>68</b>	<b>30</b>	<b>98</b>
<b>New Net External Residential Trips</b>	<b>83</b>	<b>375</b>	<b>458</b>	<b>318</b>	<b>146</b>	<b>464</b>
<b>Proposed General Retail Development</b>						
Retail Trips (90,000 SF w/Major Food Chain Store)	119	110	229	476	440	916
Less Internal Capture <sup>3</sup>	(6)	(8)	(14)	(43)	(53)	(96)
<b>Subtotal</b>	<b>113</b>	<b>102</b>	<b>215</b>	<b>433</b>	<b>387</b>	<b>820</b>
Less 34% Pass by (PM Peak Only) <sup>5</sup>	0	0	0	(147)	(132)	(279)
<b>Net New External Retail Trips</b>	<b>113</b>	<b>102</b>	<b>215</b>	<b>286</b>	<b>255</b>	<b>541</b>
<b>Total Net New External Trips</b>	<b>196</b>	<b>477</b>	<b>673</b>	<b>604</b>	<b>401</b>	<b>1005</b>

1. M-NCPPC Trip Generation Rates

2. Apartments to be Built = Total Proposed Apartments (1325) – Existing Apartments (180) = 1145 Dwelling Units

3. Internal Capture Based on rates established in ITE Trip Generation Handbook, Second Edition.

AM Internal Capture based on Mid-day rates to take into account neighborhood retail including coffee shops & grocery stores for conservative purposes.

Internal Capture reflect[s] synergy between 1325 Apartments, 225 Town Homes and 90,000 SF of Retail

4. Metro Reduction based on Montgomery County LATR/PAMR Guidelines.

5. Pass-by (for retail) percentage based on information provided in ITE Trip Generation Handbook, Second Edition.

The attached Table 2 shows the calculated Critical Lane Volume (CLV) values, resulting from the above trip generation data, taken from the Applicant's traffic study at the analyzed intersections for the following traffic conditions:

- Existing: Traffic conditions as they exist now.
- Background: The existing condition plus the trips generated from approved but un-built nearby developments.
- Total: The background condition plus the site-generated trips.

Table 2 shows that the CLV values at all of the analyzed intersections during the weekday morning and evening peak-hours will be less than their applicable congestion standard of 1,800 for the intersections located within the Glenmont Metro Station Policy Area (MSPA), 1,475 for the intersections located within Aspen Hill Policy Area or 1,600 for the intersections located within Kensington/Wheaton Policy Area.

Table 2: Calculated CLV Values at Nearby Intersections

Analyzed Intersection	Weekday Peak Hour	Congestion Standard	Traffic Condition		
			Existing	Background	Total
Randolph Road & Dalewood Drive	Morning	1,600	879	1081	1,107
	Evening		714	752	772
Georgia Avenue & Aspen Hill Road	Morning	1,475	822	837	866
	Evening		838	857	896
Georgia Avenue & Hewitt Avenue	Morning	1,475	783	847	890
	Evening		1,013	1,069	1,097
Georgia Avenue & Hathaway Drive	Morning	1,600	960	1,039	1,053
	Evening		1,001	1,054	1,082
Georgia Avenue & Denley Road /Site Access Driveway	Morning	1,800	448	453	546
	Evening		760	183	1,015
Georgia Avenue & Glenallan Avenue	Morning	1,800	779	1,017	1,008
	Evening		1,179	1,367	1,640
Georgia Avenue & Glenallan Avenue With Improvements <sup>1</sup>	Morning	1,800	779	1,020	1,011
	Evening		1,179	1,170	1,276
Georgia Avenue & Urbana Drive	Morning	1,800	613	565	627
	Evening		624	599	701
Georgia Avenue & Layhill Road	Morning	1,800	1,060	1,073	1,215
	Evening		972	991	1,124
Georgia Avenue & Randolph Road	Morning	1,800	1,448	1,494	1,635
	Evening		1,404	1,517	1,603
Georgia Avenue & Randolph Road w/ Grade Separated Interchange <sup>2</sup>	Morning	1,800	1,448	1,494	1,100
	Evening		1,404	1,024	1,185
Georgia Avenue & Shorefield Road	Morning	1,600	1,146	1,189	1,259
	Evening		1,104	1,151	1,237
Glenallan Avenue & Church Driveway /Site Driveway West	Morning	1,800	313	281	452
	Evening		345	318	611
Glenallan Avenue & Site Driveway Middle (Future Intersection)	Morning	1,600	--	--	495
	Evening		--	--	556
Glenallan Avenue & East Driveway	Morning	1,800	497	535	695
	Evening		509	656	737
Layhill Road & Middlevale Road	Morning	1,600	970	1,002	1,006
	Evening		853	880	889
Layhill Road & Briggs Road	Morning	1,800	1,119	1,133	1,137
	Evening		1,092	1,111	1,121
Layhill Road & Proposed Site Access (Future Intersection)	Morning	1,800	--	--	914
	Evening		--	--	398
Layhill Road & Glenallan Avenue	Morning	1,800	874	973	1,068
	Evening		1,023	1,174	1,245
Randolph Road & Glenmont Circle	Morning	1,800	850	918	918
	Evening		731	804	804
Glenallan Avenue & Randolph Road	Morning	1,800	1,219	1,337	1,384
	Evening		1,059	1,176	1,210
Randolph Road & Middlevale /Garden Gate Road	Morning	1,600	984	1,095	1,107
	Evening		828	929	954

<sup>1</sup> Background and Total Future Conditions analyzed with improvements, i.e. dual lefts on the eastbound approach.

<sup>2</sup> Intersection analyzed as a four-legged intersection for Total future conditions.

For LATR purposes, the 2013 LATR/TPAR Guidelines require any project with an estimated traffic volume of more than 1600 CLV at the impacted intersections to conduct a Highway Capacity Manual (HCM) analysis. Since the traffic study for this project was submitted before the current (2013) LATR/TPAR Guidelines were published in March 2013, this application is not subject to the 2013 Guidelines, but rather the 2012 version of the Guidelines (the Guidelines that were in effect when the application was submitted). The 2012 Guidelines did not require an HCM analysis for intersections projected to operate at or above the 1600 CLV threshold. For LATR purposes, the proposed project is subject to the 1800 CLV standard. The projected CLV volumes for all intersections analyzed in the traffic study are well below 1800 CLV.

#### Bicycle and Pedestrian Facilities

Along Glenallan Avenue, the sidewalk along the property frontage will be expanded from the current four feet to a 10-foot wide hiker/biker sidewalk.

Along Layhill Road, the existing sidewalk is approximately four feet wide, and will be upgraded to five feet wide as part of the SHA improvements and is subject to SHA approval and permit.

Along Georgia Avenue, the existing sidewalk is approximately five feet wide, but may be need to be modified/upgraded per the future entrance permit with SHA. Within the development, all streets will be private and have five-foot wide sidewalks.

The redeveloped property will have two pedestrian crossings across Glenallan Avenue (one existing and one planned). At the time of the first Site Plan application, the applicant must perform a signal warrant analysis at the existing crosswalk to determine if a vehicular or pedestrian signal is needed. If a traffic signal is warranted, the applicant must pay for and construct the signal, subject to MCDOT approval.

In a similar way, at the time of the Site Plan application for Phase 1.2 or the construction of the planned crosswalk, the applicant must perform a signal warrant analysis to determine if a pedestrian or vehicular signal is warranted.

At Site Plan phase, the applicant must evaluate street lighting and provide required street lighting as needed. The Applicant must coordinate with SHA, MCDOT and WMATA as necessary.

#### Other Public Facilities and Services

Other public facilities and services are available and will be adequate to serve the proposed dwelling unit(s) or use. The Subject Property is currently served by public water and sewer.

The application has been reviewed by the Montgomery County Fire and Rescue Service who have determined that the Property has appropriate access for fire and rescue vehicles.

Other public facilities and services, such as schools, police stations, firehouses and health services are currently operating within the standards set by the Growth Policy Resolution currently in effect.

The proposed project is within the Kennedy School Cluster. Currently, the Kennedy School Cluster is adequate (under 105%) at all three school levels; however, there is capacity for only two more students at the middle school level. At the high school level there is capacity for 54 additional students before utilization goes above 105%.

Glenmont Metrocenter is exempt from the School Facilities Payment because it is located in an Enterprise Zone even though it will put the Kennedy School Cluster over the 105% utilization rate at the middle and high school levels.

### Operations Study

In addition to a Traffic Impact Study, the Applicant's traffic consultant prepared an "Operations Study," pursuant to Binding Element #10 for the approved Development Plan for rezoning applications G-862 and G-863, which states that "The Applicant will conduct an operational study at the time of preliminary plan of subdivision to identify and evaluate appropriate operational improvements including: (i) pedestrian crossings between the Glenmont Metrocenter Project and the Glenmont Metro Station, (ii) pedestrian safety along Glenallan Avenue and sight distances for turning movements from project onto Glenallan Avenue, (iii) gaps in through-traffic to allow cars to enter and exit safely to and from the driveways south of Glenallan Avenue onto Layhill Road and (iv) cut-through traffic along Glenallan Avenue to Randolph Road. Any operational improvements to be provided are subject to the approval of the applicable government agencies."

Below is staff's review of the Operations Study's response to those four items:

- 1) Pedestrian crossings between the Glenmont Metrocenter Project and the Glenmont Metro Station.

The Operations Study depicts four total crosswalks; one existing crosswalk each at the intersections of Georgia Avenue/Glenallan Avenue and Layhill Road/Glenallan Avenue; and two mid-block crossings of Glenallan Avenue (one existing and one proposed). During phase 1 of the redevelopment (Townhouses), most residents will have access to the Glenmont Metrorail Station via the existing crosswalks at Layhill Road and Glenallan Avenue and the existing mid-block crossing.

The Operations Study noted that the "visibility of pedestrians is limited in some areas along Glenallan Avenue where the tree canopy adjacent to the sidewalks is low, making it difficult for both pedestrians and motorists to see activity on the sidewalk and street." Therefore the Applicant must maintain the Subject Property to ensure that any and all foliage on their property is maintained to provide safe and adequate sight-distance for pedestrians and vehicles. In addition, MCDOT must also ensure that any and all foliage within the ROW is maintained to provide safe and adequate sight-distance for pedestrians and vehicles.

The Applicant will be required to construct the new crosswalk (opposite the WMATA Kiss-and-Ride entrance) during the Phase 1.2. This new entrance must be built with MCDOT's approval and standards. These standards may include, but will not be limited to performing a signal warrant analysis, installation of ADA compliant ramps and the provision of adequate street lighting. The Applicant must have approval for the new crosswalk from both MCDOT and WMATA at Site Plan approval.

- 2) Pedestrian safety along Glenallan Avenue and sight distances for turning movements from the project onto Glenallan Avenue.

The applicant is proposing a 10-foot wide sidewalk on the north side of Glenallan Avenue along their frontage with a five-foot wide green panel. This sidewalk width is sufficient for

pedestrians and cyclists to both travel safely along Glenallan Avenue between Georgia Avenue and Layhill Road.

The Applicant has provided a sight-distance analysis for their proposed four entrances: two along Glenallan Avenue and one each along Georgia Avenue and Layhill Road. The applicant provided sight-distance analyses indicated that all four entrances meet the respective standards of both MCDOT and SHA. Sight-distance will be evaluated by SHA at Site Plan review process for an Access Permit.

- 3) Gaps in through-traffic to allow cars to enter and exit Layhill Road safely to and from driveways south of Glenallan Avenue onto Layhill Road.

The Operations Study looked at the gaps in traffic along Layhill Road, to assess if there would be sufficient gaps in traffic along northbound Layhill Road for cars exiting the Glen Way Gardens condominiums to: 1) make a right-turn onto northbound Layhill Road and continue on Layhill Road; or 2) make a right-turn onto northbound Layhill Road and weave to the far left lane in order to make a left-turn onto westbound Glenallan Avenue.

Using standards based on the HCM, the Operations Study found that after build out of the proposed redevelopment, there will be sufficient gaps in northbound traffic to allow cars exiting Greenery Lane North and Greenery Lane South to make turning movements as described above.

A 6.2 seconds per vehicle gap, (per HCM 2000 standard for “Base Critical Headway” for right-turn from minor street; Exhibit 17-5), provides a total of 343 (AM peak hour) and 345 (PM peak hour) gaps in traffic. These gaps are sufficient to accommodate the combined 29 turning vehicles in the AM peak hour and 12 in the PM peak hour that currently exit from the Glen Way Gardens condominiums.

In addition, an 8-second gap standard (which exceeds the highest critical gap in HCM for left turn from a minor street onto a major street of four lanes – 7.5 seconds) for traffic exiting the Glen Way condominiums and wishing to weave to the left-most lane in order to turn left onto westbound Glenallan Avenue will be sufficient for exiting traffic. An 8-second gap will yield a total of 244 (AM peak hour) and 232 (PM peak hour) gaps in traffic to accommodate exiting traffic from Glen Way Gardens condominiums. These gaps are sufficient to accommodate the combined 29 turning vehicles in the AM peak hour and 12 in the PM peak hour.

- 4) Cut-through traffic along Glenallan Avenue to Randolph Road.

The Operations Study looked at traffic volumes of cars traveling along Glenallan Avenue between Georgia Avenue and Randolph Road. The concern is that cars wishing to avoid the intersection of Georgia Avenue and Randolph Road would use Glenallan Avenue, thus adding “cut through” traffic to Glenallan Avenue. It should be noted that “cut through” traffic is considered an issue on residential streets, not on Arterial roadways such as Glenallan Avenue. Arterial roadways are designed to connect other major roadways (Georgia Avenue, Layhill Road and Randolph Road, in this case). As an arterial, Glenallan Avenue is meant to provide an alternative for vehicles between Randolph Road and Georgia Avenue to avoid the Randolph Road/Georgia Avenue intersection.



The Operations Study estimates approximately 150 vehicles (15% of the AM peak volume) traveling from Georgia Avenue southbound to Randolph Road eastbound and therefore avoiding the Georgia/Randolph intersection. During the PM peak hour, this volume is approximately 175 vehicles (18% of PM peak volume) traveling from Georgia Avenue southbound to Randolph Road eastbound. In the reverse direction, from Randolph Road westbound to Georgia Avenue northbound, the majority of the traffic is the result of local traffic along Glenallan Avenue. The Operations Study looked at cut-through traffic from Glenallan Avenue through Glen Way Gardens to Randolph Road. Based on the volume of traffic entering and exiting the residential community, the turning movements do not indicate that cut-through traffic is occurring in any measurable quantity.

Staff concludes that, with the recommended conditions, the proposed Preliminary Plan satisfies the applicable transportation APF tests.

## **ENVIRONMENT**

### **Environmental Guidelines**

The Subject Property is currently developed with garden style apartment buildings, parking lots and related infrastructure. The northeastern portion of the site consists of an open field and the northern corner of the property contains 2.90 acres of high priority forest.

As depicted on the approved Natural Resource Inventory/Forest Stand Delineation (#420121220) approved on February 23, 2012, the site contains 582 linear feet of stream with associated steep slopes and 0.13 acres of wetlands. The property is within the Northwest Branch watershed – a Use IV<sup>1</sup> watershed and is not located in a Special Protection Area. As requested by DPS, an additional floodplain analysis to identify the limits of a 100-year floodplain along this stream, and its boundary was identified on the Preliminary Forest Conservation Plan. The stream, steep slopes, wetlands and floodplain limits are included within a stream valley buffer (SVB) on-site.

### **Preliminary Forest Conservation Plan**

This property is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code), and a Preliminary Forest Conservation Plan (PFCP) has been submitted for Planning Board approval (Attachment C). The total tract area of the PFCP is equal to 31.44 acres. However, a deduction of 0.65 acres for an existing WSSC easement, a portion of which is forested, on the Forest Conservation Worksheet resulted in a net tract area of 30.79 acres. This deduction accounts for the existing WSSC easement not located within the limits of disturbance (LOD) of the proposed redevelopment. In the event the LOD is revised on the Final Forest Conservation Plan (FFCP) and the WSSC easement is further impacted by LOD, the Applicant must revise the Forest Conservation Worksheet to include the area and forest within the LOD.

The PFCP proposes the removal of 0.25 acres of forest and retention of 2.65 acres, which results in a total of 2.58 acres of reforestation and afforestation requirements. The Applicant proposes to meet this requirement by planting landscape trees for a total of 0.29 acres, 1.82 acres of forest planting, and meeting the remaining 0.47 acres of the planting requirement off-site.

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<sup>1</sup> Use IV - Waters that are capable of holding or supporting adult trout for put and take fishing, and that are managed as a special fishery by periodic stocking and seasonal catching (cold or warm waters).

The Applicant is proposing to phase the proposed development on-site and, ultimately, to phase the planting requirements of the Final Forest Conservation Plan (FFCP). Staff is recommending that the submission and approval of FFCP follow the phasing order of the Site Plan, such that each phase of the FFCP is to be reviewed concurrently with each phased Site Plan to effectively review and approve the planting requirements that each phase is proposing. The forest conservation plantings proposed must be completed within one year, or two growing seasons, upon the completion of construction of each phase. This will ensure that the forest conservation plantings are installed within a timely manner and will replace the tree canopy that is being removed from each phase.

In order to guarantee that the existing forest is retained on-site, Staff is requiring that a Category I Conservation Easement be recorded by deed as part of the Site Plan approval of Phase 1.1 regardless of phasing order. In addition, prior to approval of any Site Plan following the approval of the Site Plan for Phase 1.1, all existing buildings must be removed from the rest of the planned adjacent Category I Conservation Easement and the Applicant will be required to record the Category I conservation easement by plat and provide the forest plantings as shown on the approved FFCP as a condition of approval for any other phase following the approval of the Site Plan for Phase 1.1.

The PFCP submitted by the Applicant does not depict any outfalls associated with the stormwater management facilities located on-site. Since the Applicant has not provided the location of the outfalls associated with the stormwater facilities on-site, a condition of approval of the PFCP will stipulate that no outfalls or stormwater related facilities will be allowed within the Category I Conservation Easement. This condition is necessary to prevent the overlap of DPS maintenance easements along stormwater outfalls within the Category I Conservation Easement.

#### Forest Conservation Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. These include trees that measure 30 inches or greater Diameter at Breast Height (DBH); are part of a historic site or designated with a historic structure; are designated as a national, State, or County champion trees; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. Any impact to these trees, including removal of the subject tree or disturbance within the critical root zone (CRZ) of a subject tree, requires a variance. An applicant for a variance must provide written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law.

The Applicant submitted a variance request on March 27, 2013 for the impacts to and removal of specimen trees as depicted on the attached PFCP (Attachment C). The Applicant is requesting a variance to remove 44 specimen trees (trees >30" DBH) and to impact the critical root zones of 11 specimen trees that are considered high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law. These trees are identified in Tables 1 and 2, below.

**Table 1: Specimen trees to be removed**

Tree Number	Common Name	DBH	Condition
46	White Oak	45	Very Good
47	Hickory	30	Good
48	White Oak	42	Good
49	Northern Red Oak	38	Good
50	White Oak	31	Good
52	White Oak	33	Good
53	Dawn Redwood	33	Good
54	Dawn Redwood	32	Good
55	Dawn Redwood	31	Fair
56	Dawn Redwood	33	Good
59	Sycamore	42	Good
62	White Oak	41	Good
63	Red Maple	34	Fair
64	Red Maple	34	Fair
216	Tulip Poplar	39	Fair
217	Tulip Poplar	39	Poor
227	Tulip Poplar	35	Good
228	White Oak	38	Good
229	White Oak	36	Good
233	Northern Red Oak	39	Good
235	Northern Red Oak	44	Good
236	Black Oak	30	Fair
240	Tulip Poplar	30	Fair
243	Tulip Poplar	31	Fair
244	White Oak	34	Good
252	White Pine	38	Fair
255	Southern Red Oak	46	Fair
256	Southern Red Oak	48	Poor
258	Black Oak	35	Good
259	White Oak	33	Good
261	Southern Red Oak	44	Good
263	White Oak	37	Good
264	White Oak	44	Good
265	Tulip Poplar	41	Poor
266	Southern Red Oak	30	Fair
273	Southern Red Oak	47	Poor
275	Tulip Poplar	30	Good
279	White Oak	32	Good
280	Tulip Poplar	34	Poor
281	Southern Red Oak	30	Good
292	Red Maple	31	Poor
299	Mulberry	32	Fair
300	Red Maple	30	Fair
T-8	Red Oak	36	Good

**Table 2: Specimen trees to be impacted but retained**

Tree Number	Common Name	DBH	Condition	CRZ Impact
218	Northern Red Oak	33	Good	4%
222	Northern Red Oak	32	Good	23%
224	Tulip Poplar	31	Fair	31%
246	Northern Red Oak	37	Good	30.7%
247	White Oak	34	Good	20%
248	Northern Red Oak	34	Good	5.5%
250	Tulip Poplar	31	Good	2%
253	Sycamore	32	Good	40%
254	Southern Red Oak	49	Good	38%
289	Northern Red Oak	32	Good	6%
290	White Oak	34	Good	2.5%

The proposed project will cause significant impacts to the critical root zones of Trees #253 and #254. These impacts appear to be detrimental to the survivability of these trees. Refinement of the limits of disturbance and tree protection measures will be required at FFCP to ensure the survival of these trees. If it is determined at the FFCP that the limits of disturbance cannot be reduced and the impacts would require the removal of these trees, the Applicant will be required to obtain a new variance approval from the Planning Department prior to any tree removal. In addition, tree #254 is located off-site to the west of the property. In the event, the proposed limits of disturbance necessitates the removal of this tree, the Applicant will be required to obtain permission from the landowner before removing the tree.

#### **Unwarranted Hardship Basis**

As per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by the need to redevelop the existing garden apartments into a maximum of 1,150 dwelling units and 90,000 square feet of retail as detailed by the Development Plan and rezoning application that was approved by the Montgomery County Council, sitting as the District Council, on July 17, 2012. Demolishing the existing buildings on-site will require the need to remove specimen-sized trees growing adjacent to the existing buildings and within existing parking lots and other related infrastructure. The Applicant is also proposing to retain the existing forest on-site and restore the SVB with forest plantings; thereby, reducing the developable area on-site to only include the southwestern, central and eastern portions of the site. By limiting the developable area of the site, the design layout of the multifamily buildings, townhouses, parking, roadways, and placement of stormwater management facilities is very restricted. Placement of the buildings and road network could not avoid the removal of specimen trees on-site; therefore, Staff concurs that the Applicant has a sufficient unwarranted hardship to consider a variance request.

The proposed development is in accordance with the TS-R Zone and the Glenmont Sector Plan, but it will require the removal of 44 specimen trees and impact the critical root zones of 11 specimen trees. Many of these trees are spread out across the entire site and are in close proximity to the existing buildings and infrastructure. Demolishing the existing buildings and infrastructure in order to prepare the site for redevelopment will necessitate the removal of trees #52-56, #227, #233, #235, #236, #252, #275, #292, and #300. In addition, removing the existing buildings presently within the SVB to restore and replant

the buffer will require impacts to the critical root zones but not removal of specimen trees #218, #222, #246-248, #250, #289, and #290. In order for the Applicant to restore and protect the SVB, the limits of proposed development must be located outside the limits of the SVB; thereby limiting the developable area to the southwestern, central and eastern portions of the Subject Property. Redevelopment of the site will require the removal of 0.25 acres of existing forest along the western boundary to accommodate the proposed multifamily building. The Applicant was able to reduce the impacted forest from 0.57 acres of forest removed to 0.25 acres of forest removed by redesigning Building "C" and related stormwater management in the western portion of the site. Removal of this forest will include the removal of four specimen trees #216, #217, #228 and #227. The following trees will need to be removed for the installation of the roadway and infrastructure and for the proposed townhouses or mixed-use multifamily structures: trees #8, #46, #47-#50, #59, #62#64, #228, #229, #233, #235, #240, #243, #244, #255, #256, #258, #259, #261, #263-266, #273, #279-281, and #299. These trees are located under proposed buildings and roadways that would require significant redesign and loss of units to avoid. Trees #224, #253, #254 will be impacted by the proposed development within the western portion of the site; however, the impacts to the critical root zones will not require removal of the tree.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board, in order for a variance to be granted.

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant. The centralized locations and distribution of the existing specimen trees would require their removal for redevelopment of the site. In addition, because of the close proximity of the many of the specimen trees to the existing buildings, demolishing these buildings and the existing infrastructure will require the removal and/or impacts to the critical root zones of the specimen trees. Due to the unique constraints of the property caused by the restoration of the SVB, it is staff's opinion, that granting the variance will not confer a special privilege on the Applicant.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is based on the layout of the existing buildings on the site and environmental conditions that warrant the protection and restoration of the SVB to protect sensitive environmental features rather than on conditions or circumstances which are the result of actions by the Applicant.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the proposed site design and layout of existing development on the Subject Property and not a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

Because the specimen trees proposed for removal will be mitigated with new tree plantings, any water quality benefits that would be lost by removing the specimen trees will ultimately be replaced by the planting of the proposed mitigation trees. In addition, the specimen trees to be removed are not located within the SVB or within a Special Protection Area. The Applicant is proposing a comprehensively designed and integrated stormwater management system that relies



exclusively on Environmental Site Design practices. Therefore, staff believes that the project will not violate State water quality standards or cause measurable degradation in water quality.

**Mitigation for Trees Subject to the Variance Provisions** – The Applicant proposes to disturb the critical root zones of 11 specimen trees and to remove a total of 44 specimen trees, four of which are located within an existing forest stand and will be mitigated for as part of 2.58 acre planting requirement. The Applicant is proposing to plant 121 native canopy trees with a minimum of 3” caliper in size on-site as depicted on Sheet 3 of 3 of the PFCP. This mitigation follows the Staff’s recommendation that replacement should occur at a ratio of approximately 1” caliper for every 4” DBH removed. Because these trees will be planted for mitigation for specimen trees removed, they do not count toward afforestation requirements.

While the number of mitigation plantings follow Staff’s recommendation for specimen tree replacement, the locations of the plantings proposed by the Applicant are not acceptable. These plantings are very close together and in areas that do not provide adequate soil volumes for the tree plantings to achieve the canopy size and function of the specimen trees they are replacing.

In addition, the PFCP submitted by the Applicant depicts specimen tree mitigation being planted very close to stormwater/Environmental Site Design (ESD) facilities and overlapping and/or within the public utility easement (PUE). In order to ensure the specimen tree mitigation is planted in a manner that replaces the size and function of the specimen trees they are replacing, staff is recommending as a condition of the approval of the PFCP that the mitigation specimen trees be planted in areas with adequate soil volume, not within 10-feet of stormwater/ESD facilities and not located within or overlapping the PUE and other easements.

Staff believes the best way to ensure that the mitigation is properly executed is to evaluate the mitigation tree plantings at each submission of the phased FFCP. Staff may determine at later phases of the FFCP that mitigation for specimen tree removal would best be obtained by planting in off-site locations; thereby, safeguarding that the proposed forest planting within the stream valley buffer and Category I conservation easement is achieved.

**County Arborist’s Recommendation on the Variance** - In accordance with Montgomery County Code Section 22A-21(c), the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a recommendation prior to acting on the request. The request was forwarded to the County Arborist on March 27, 2013 (Attachment D). On April 22, 2013, the County Arborist issued her recommendations on the variance request and recommended the variance be approved with mitigation (Attachment E).

**Variance Recommendation** - Staff recommends that the variance be granted.

#### Noise

A noise analysis is necessary to determine the projected interior and exterior noise levels requiring mitigation for residential units and outdoor recreational areas. The Montgomery County “Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development” stipulate a 65 dBA Ldn maximum noise level for outdoor recreation areas and 45 dBA Ldn for indoor areas.

The Applicant prepared a highway noise analysis, dated May 4, 2013 (Attachment F), for the Subject Property to assess the current and projected 2040 outdoor noise levels along Layhill Road and Glenallan Avenue in the eastern portion of the Subject Property. This noise analysis does not depict the correct proposed lot and interior road layout that is depicted on the submitted Preliminary Plan nor does the submitted noise analysis address the baseline noise levels of the remainder of the Subject Property. A revised noise analysis for the entire site and a revised lot and interior road layout is required for the Staff to accurately assess the noise on the Subject Property.

The submitted noise analysis for this property indicates that future unmitigated traffic noise levels above 65 dBA Ldn will impact the townhouse lots along Layhill Road, the townhouse lots along Glenallan Avenue, and the townhouse lots along Private Street #2 and Private Street #2A. Consistent with the noise guidelines, dwelling units that are impacted by traffic noise levels over 65 dBA, Ldn should have interior noise no greater than 45 dBA, Ldn. Most residential units meet the interior noise level through current construction methods, but, on occasion, additional acoustical noise mitigation is necessary. The noise analysis study recommends using upgrades including resilient channels for non-brick walls of end units facing Layhill Road, using windows rated at Sound Transmission Class (STC) 28-32 along Layhill Road and Glenallan Avenue, and using doors rated up to STC 31 along Layhill Road and Glenallan Avenue.

The projected noise levels for outdoor recreational areas identified within Phase 1.1 are at or below 65 dBA, Ldn without any noise mitigation. Therefore, no additional noise mitigation measures are necessary.

An additional noise analysis within the central and western portions of the site along Georgia Avenue and Glenallan Avenue is necessary to assess the traffic noise impacts on the multifamily residences and outdoor recreational areas within these locations. In order for the Staff to adequately address noise issues related to this project, the Applicant must submit additional highway noise analysis for the central and western portions of the site at the Site Plan for Phase 1.1.

#### Stormwater Management

DPS issued a letter accepting the Stormwater Management Concept for the Subject Property on April 23, 2013 (Attachment G). The Stormwater Management Concept proposes to meet required stormwater management goals via the use of green roof, green street/tree panels, and micro-bioretenment.

#### **Conclusion**

This plan is in compliance with M-NCPPC's *Environmental Guidelines*. Staff recommends that the Planning Board approve the PFCP with the conditions cited in this Staff Report. The variance approval is assumed in the Planning Board's approval of the PFCP.

## COMPLIANCE WITH THE SUBDIVISION REGULATIONS AND ZONING ORDINANCE

This application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. With the improvements proposed, access and public facilities will be adequate to support the proposed lots, density, and uses. The size, shape, width and orientation of the proposed lots are appropriate for the location of mixed uses and lots as recommended in the Sector Plan, and further the Sector Plan goals to allow for a transition from suburban development to a more urban and walkable community in close proximity to Metro service. Further, the lots are designed to meet all other requirements of the Subdivision Regulations, including access, frontage, dedication for public uses, adequacy of public facilities and conformance to Sector Plan recommendations. The Subject Property meets all dimensional requirements of the TS-R Zone as specified in the Zoning Ordinance and shown in the following table.

*Zoning Table for the TS-R Zone*

Development Standard	Required/Permitted	Proposed
Minimum Lot Area Required for Development	18,000 sq. ft.	2,500,000 sq. ft. (30.94 acres)
Density		
(a) Maximum floor area ratio	2.5	1.9
(b) Maximum dwelling units per acre	51	50.1
Open Space		
(a) Minimum % of net area devoted to public use space	10%	16.7%
(b) Minimum % of net area devoted to active and passive recreational purposes	25% <sup>1</sup>	29.6%
Total minimum open space	35%	46.3%
Maximum Building Height	Determined at Site Plan	Maximum 7 stories or 85 feet <sup>2</sup>

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<sup>1</sup> Minimum percentage for projects with a site area of less than 40,000 square feet is 20 percent. Minimum percentage for projects with a site area of 40,000 square feet or more is 25 percent or as specified in the applicable master or sector plan.

<sup>2</sup> The height of the buildings has been approved as part of Binding Element #5 of the approved Development Plan. The development plan limited the maximum building height anywhere on site to 7 stories or 85 feet; maximum height at the corner of Layhill Road and Glenallan Avenue to 65 feet; and a maximum height on the rest of Layhill Road to 50 feet. These height limits were negotiated after the Planning Board's consideration of the applications, and are lower than the maximum height of ten stories recommended in the Sector Plan. The height limits are lower on Layhill Road in response to community concerns raised at the Development Plan approval about the prominence of the corner of Layhill Road and Glenallan Avenue, which is the highest topographic point in the area, as well as compatibility with three-story apartment buildings located across Layhill Road from the site.

### **Resubdivision of Existing Townhouse Lots**

Typically, in order to approve an application for resubdivision, the Planning Board must find that each of the proposed lots complies with all seven of the resubdivision criteria, set forth in Section 50-29(b)(2) of the Subdivision Regulations, which states:

Resubdivision. Lots on a plat for the Resubdivision of any lot, tract or other parcel of land that is part of an existing subdivision previously recorded in a plat book shall be of the same character as to street frontage, alignment, size, shape, width, area and suitability for residential use as other lots within the existing block, neighborhood or subdivision.

However, this provision of the Subdivision Regulations only applies to residentially zoned properties as opposed to property that is zoned mixed-use, residential/commercial, and the Subject Property is located in the TS-R Zone. Additionally, the Planning Board, the Hearing Examiner and the County Council all made compatibility findings as part of the Development Plan review. Notably, the County Council concluded that the form of development set forth in the Development Plan and, subsequently incorporated into the proposed Preliminary Plan, is "compatible with land uses in the surrounding area." (Attachment J, County Council Resolution 17-502, Page. 17). Thus, Staff finds that Section 50-29(b)(2) does not apply as part of the Preliminary Plan review.

### **Lots Without Frontage on a Public Street**

Pursuant to Section 50-29(a)(2) of the Subdivision Regulations, "except as otherwise noted in the zoning ordinance, every lot shall abut on a street or road which has been dedicated to public use or which has acquired the status of a public road". Some of the proposed townhouse lots front on common greens and have alleys that provide vehicular access to the rear of the lots. These lots will not have frontage on a street or road which has been dedicated to public use or which has acquired the status of a public road. However, the TSR Zone does not have a frontage requirement. As specifically stated above, "except as otherwise noted in the zoning ordinance", the proposed lots are not required to have frontage in the TSR Zone. Therefore, although some of the townhouse lots do not have frontage on a public street or road or a private road that has acquired the status of a public road, Staff finds the application still complies with Section 50-29(a)(2) of the Subdivision Regulations.

### **Plan Validity Conformance**

Pursuant to Section 50-20(c)(3)(A)(iii) of the Subdivision Regulations, the Planning Board can make the Adequate Public Facilities (APF) determination as follows:

...for no less than 7 and no more than 12 years after the preliminary plan is approved, as determined by the Planning Board at the time of approval, for any plan approved on or after April, 1, 2009 and before April 1, 2015.

In accordance with Sections 50-20(c)(3)(B) of the Subdivision Regulations, the Applicant requests an APF validity period that is the maximum specified in the Subdivision Regulations, a total of 12 years. The Applicant believes that the phasing and recordation schedule, described below, promotes the public interest for a variety of reasons. First, the schedule permits the Applicant to manage the pre-construction issues inherent to such a complex project, including the orderly demolition of existing buildings, the rerouting of utilities and the construction of interim public spaces and access points. In addition, the schedule allows an orderly implementation of required new public infrastructure and

amenities to accompany the development of new uses. The project is a very large, complex, multi-use development that will require many years for build-out. It is the first step in revitalizing the Glenmont area and, as such, is subject to uncertain and constantly evolving market conditions. Lastly, the schedule recognizes that the project marks a new direction for the future of Glenmont and may take some time to gain momentum.

Consistent with Subdivision Regulations Section 50-20(c)(3)(B) and 50-35(h)(2)(B), the Applicant is proposing a development staging schedule for the recordation of plats and the validity period for the APF approval. This schedule is based on the phases of development set forth in the below table. Given the size and complexity of the proposed development, the Applicant is requesting that the Planning Board approve the following phasing and recordation schedule:

<b>Date (from the final and unappealable approval of the Preliminary Plan)</b>	<b>Recordation Compliance (Section 50-35(h)(2)(B))</b>	<b>APF Compliance (Section 50-20(c)(3)(B))</b>
Within 5 years	Record Plats for 485 units and 4,000 sf of commercial uses in Building D (only if it contains a commercial component)	
Within 7 years		Building Permits issued for 485 units and 4,000 sf of commercial uses in Building D (only if it contains a commercial component)
Within 10 years	Record Plats for 1,065 units and 86,000 sf of commercial uses (or 90,000 sf of commercial uses if Building D does not have a commercial component)	
Within 12 years		Building Permits issued for 1,065 units and 86,000 sf of commercial uses (or 90,000 sf of commercial uses if Building D does not have a commercial component)

Staff concurs that the longer validity period is needed to implement all phases of a project of this size and complexity. Staff recommends approval of the requested validity periods as stated in the table above.

Additionally, consistent with Subdivision Regulations 50-34(g) and 50-35(h)(2)(B), the Applicant has submitted a recording and construction schedule and a phasing schedule. The Applicant is proposing a development staging schedule for the recordation of plats and the validity period for the APFO approval. This schedule is based on two phases of development. Given the size and complexity of the proposed development, the Applicant is requesting that the Planning Board approve the phasing and recordation schedule as shown in the table.

Details regarding the phasing and recordation plan may be further articulated as part of the Site Plan approval (as permitted pursuant to Section 50-24(g) of the Subdivision Regulations). The phases may be constructed in a different order, and/or more than one phase at the same time.

#### **COMPLIANCE WITH PRIOR APPROVALS**

The application complies with all applicable binding elements of County Council Resolution No. 17-502 approving Local Map Amendments G-862 and G-863.

#### **CITIZEN CORRESPONDENCE AND ISSUES**

The Applicant conducted a pre-filing community meeting on November 13, 2012 and a subsequent community meeting with the Glenmont Exchange on November 19, 2012. The Applicant has complied with all submittal and noticing requirements, and staff has not received correspondence from community groups or citizens as of the date of this report.

#### **CONCLUSION**

The application meets all requirements established in the Subdivision Regulations and the Zoning Ordinance and substantially conform to the recommendations of the 1997 Glenmont Sector Plan. Access and public facilities will be adequate to serve the proposed lots, and the application has been reviewed by other applicable County agencies, all of whom have recommended approval of the plan. Therefore, staff recommends approval of the application with the conditions specified at the beginning of this report.

#### **ATTACHMENTS:**

- A. Preliminary Plan
- B. Sector Plan References
- C. Preliminary Forest Conservation Plan
- D. Applicant's Variance Request
- E. Letter from County Arborist
- F. Highway Noise Analysis
- G. Stormwater Concept Approval from DPS
- H. Agency Approval Letters
- I. Planning Board LMA
- J. Zoning Application Nos. G-862 and G-863