

**Lidl – Montgomery Village
Preliminary Plan and Site Plan
Statement of Justification and Narrative Description**

I. Introduction

Lidl US Operations LLC (the "Applicant") is submitting this application for Preliminary Plan and Site Plan approval (collectively, the "Application") for consideration by the Montgomery County Planning Board, for the Property located at 19251 Centerway Road in Montgomery Village, Maryland (the "Property"). The Property is zoned CRT 1.25, C-1.0, R-1.0, H-75' (Commercial/Residential Town) and is currently improved with a long vacant professional office park that has become functionally obsolete. As such, the Applicant proposes to replace the existing buildings with a grocery store with up to 30,000 square feet and future retail shopping center containing up to 25,000 square feet (collectively, the "Project"). The Preliminary Plan will cover the entire Project. However, the Site Plan will be limited to the 30,000 square foot grocery store proposed at the intersection of Montgomery Village Avenue and Centerway Road. The approximately 25,000 square foot retail shopping center will be the subject of a future site plan application, when that development is ready to proceed.

As discussed in detail below, the proposed redevelopment will significantly improve the visual appearance of the Property and provides an opportunity to implement stormwater management techniques, where there currently is none. As will be discussed in detail below, the Project substantially conforms with the *2016 Approved and Adopted Montgomery Village Master Plan* (the "Master Plan"), which includes the Property. The Project also complies with the development standards of the Commercial Residential Town ("CRT") Zone, as set forth in the Montgomery County Zoning Ordinance (the "Zoning Ordinance").

II. Property Description

A. Site Location and Characteristics

The Property is located in the southeast quadrant of the intersection of Montgomery Village Avenue and Centerway Road (the "Intersection"). The Property is comprised of multiple record lots and a single open space parcel, more particularly known as Lots 27, 29-35 in the "Montgomery Village Whetstone Professional Center" subdivision, as recorded among the Land Records of Montgomery County, Maryland at Plat Nos. 9651 and 9993. The Property has a total area of 284,267 square feet (or 6.52 acres) which will also be used as the tract area, as the Project is not claiming credit for any areas previously dedicated to public use.

B. Zoning and Permitted Uses

The Property is zoned CRT 1.25, C-1.0, R-1.0, H-75. Section 3.1.6 of the Zoning Ordinance provides that retail/service establishments up to 50,000 square feet are permitted by right in the CRT Zone. However, the Declaration of Covenants on the Property, as recorded at Liber 53142, Folio 146 limits the size of any individual retail/service use to a maximum of 30,000 square feet.

C. Existing Conditions

The Property is currently improved with a professional office park, comprised of eight vacant office buildings and associated surface parking. The existing buildings have been vacant for a number of years and as a result, are run-down and falling into disrepair. The parking surrounds the existing buildings, creating a sea of parking between the buildings and surrounding streets. Vehicular access to the Property is provided through two curb cuts – one on Montgomery Village Avenue and the other on Centerway Road. As discussed in detail below, the two existing entrances will be retained with the redevelopment.

There is no known stormwater management on-site. As such, the Project provides an important opportunity to substantially improve stormwater management on-site. As discussed in this Statement, the Project will significantly improve the existing conditions on the Property.

D. Surrounding Zoning and Land Uses

The Property is located within the Montgomery Village Avenue commercial center. Immediately confronting the Property to the west is an existing commercial shopping center zoned CRT-1.75, C-0.75, R-1.0, H-75', which is proposed to be redeveloped with a large mixed-use development containing up to 49 townhouses, 34-two-over-two condos, 32 multi-family condos, and up to 165 square feet of retail/service uses (*see* Preliminary Plan No. 120180010). To the south and east is the Whetstone residential community, zoned R-90. Confronting the Property to the north, across Centerway Road is a religious institution and multi-family residential development zoned R-20 and R-200.

Lidl is a European grocery chain that delivers a unique approach to grocery shopping. Approximately 90% of the products sold in Lidl stores are from Lidl's own private label. As such, the proposed Project will provide neighborhood serving retail uses that will complement the other existing and planned commercial uses within the center, and will serve existing and future residents.

III. Project Description

A. Development Program

Pursuant to the CRT Zone, the Applicant proposes to develop the Property under the standard method of development. The Applicant will replace the existing, vacant commercial office buildings on the Property with a neighborhood serving Lidl grocery store, future retail uses and associated off-street parking. To accommodate the redevelopment, the Property will be

subdivided into two lots – one for the Lidl grocery store and the second lot for the future retail development. Each lot will be independent and will provide sufficient access, parking, loading, stormwater management to satisfy the various code requirements.

Lot 36, located directly at the Intersection, will be redeveloped with an up to up to 30,000 square foot Lidl grocery store building and will provide 141 parking spaces. The building will be approximately 25 feet in height and the proposed floor area ratio ("FAR") for Lot 36 will be approximately 0.16. Lot 37 will be redeveloped with an up to 25,000 square foot retail shopping center and 88 parking spaces, and will be subject to a future Site Plan application at which time the development is ready to proceed. As discussed in further detail below, the Project will improve the pedestrian environment through the building location and streetscape improvements.

B. Building Location, Orientation and Transparency

1. Building Placement

The Lidl grocery store building will be located at the corner of Montgomery Village Avenue and Centerway Road, so as to create a defined street presence. The building has been pulled as close as possible to the Intersection. The proposed building location meets the 20 foot build-to area along Centerway Road. However, given the unique shape of the Property, the building complies with the build-to area requirement along Montgomery Village Avenue to the maximum extent practicable. The proposed layout is the minimum necessary to accommodate the physical constraints of the site (*e.g.* chamfered corner at the Intersection and existing storm drain located within an existing Public Storm Drain Easement along the Property's Montgomery Avenue frontage). However, as discussed further below, the Applicant is proposing to locate a public plaza directly at the Intersection to further activate the street. Accordingly, as discussed in Section V.B below, the Project meets the modified build-to area along Montgomery Village Avenue (as permitted by Section 4.5.3.C of the Zoning Ordinance).

The main building entrance is located in the southwest corner of the building, on the southern building façade. The building entrance has been purposefully located in this location to activate the street and facilitate direct pedestrian access from the street. Given safety concerns and operational characteristics of the grocery store, an entrance cannot be provided off of Centerway Road.

The building location will define the street and enhance the pedestrian environment. The additional landscaping, shade and seating proposed will further enhance the pedestrian walkways along both Montgomery Village Avenue and Centerway Road.

2. Architecture and Design

The Lidl grocery store building will provide a modern, contemporary appearance that will significantly improve the aesthetics of the Intersection and area. Lidl has modified its prototypical building to complement the existing buildings in Montgomery Village, and to

address comments received from Planning Department and Montgomery Village Staff, as well as requirements in the Zoning Ordinance.

The Applicant has utilized the existing grade to bury a portion of the northern building façade to minimize the perceived height of the building and promote a more compatible, pedestrian scale along the street. Through this design, the Applicant was also able to eliminate the need for a retaining wall that would otherwise create a barrier between the building and the street.

The building materials and color pallet of the proposed building will complement the surrounding buildings and character of Montgomery Village. The building design incorporates split face architectural block, which is used at nearby school buildings such as Whetstone Elementary and Montgomery Village Middle School. Two different tones of architectural block will be used – a darker gray tone has been used to visually anchor the building to the ground, while a lighter tone block will be incorporated above. The building will also provide a significant amount of storefront glass along Montgomery Village Avenue, which exceeds the code requirement, to provide ample transparency and street activation. Masonry brick and EIFS will be incorporated into the building façades – two different colors of EIFS will be utilized, along with reveal lines that will serve to create a pattern and provide visual relief. The proposed materials will be used to strategically break down the mass of the building, create visual interest and activate the street. All metal accents on the building will be painted or fabricated to match. The building will be constructed with a sloped roof (sloping south to north). However, in response to comments received from the Montgomery Village Commercial Architecture Review Committee (“CARC”), the Applicant has selected a gray rolled roof (as opposed to the white roof that is standard for Lidl’s buildings).

The building facades along Montgomery Village Avenue and Centerway Road have been designed to incorporate a significant amount of glazing for transparency in order to activate the street. Section 4.5.3.C requires 25% transparency along Centerway Road (side) and 40% transparency along Montgomery Village Avenue (front). Transparency is measured as the minimum percentage of windows and doors that must cover a ground story façade and is calculated based on façade wall area between 0 and 12 feet above the adjacent sidewalk. The Applicant has modified the prototypical building architecture to satisfy the intent of this requirement by incorporating extra glazing along both façades. However, where windows are located near the loading bay, along Centerway Road, and would otherwise provide direct views into the internal, back-of-house operations, spandrel glass will be provided instead. Otherwise, all windows will provide direct views into the building’s interior. As shown on the building elevations submitted contemporaneously with this Statement, the building will exceed the transparency requirements, which is to help articulate and activate the street.

C. Parking and Loading

Collectively, for the entire Project, Section 6.2.4 of the Zoning Ordinance requires a minimum of 193 parking spaces and a maximum of 330 parking spaces. Specifically, the Code

requires a minimum of 105 parking spaces and a maximum of 180 parking spaces for the grocery store use, and a minimum of 88 parking spaces and a maximum of 150 parking spaces for the future retail use. Adequate parking will be provided to support the proposed retail uses, so that each lot can stand alone and independently meet its parking requirements. Specifically, the Applicant is proposing to provide a total of 229 parking spaces – 141 parking spaces on Lot 36 and 88 parking spaces on Lot 37. No parking will be provided between the building and the street and landscaped buffers will be provided to screen the proposed parking from the right-of-way and surrounding residential neighborhood.

The Loading area has been thoughtfully designed and positioned to eliminate impacts on surrounding uses. Loading will be provided for the Lidl grocery store through a partially enclosed loading bay on the east side of the building. The loading operations will be further screened from the surrounding residential communities by a large green buffer with landscaping and trees. Loading is located approximately 340 feet from the nearest residential structure. Loading for the future retail pad site is currently proposed to be provided adjacent to the building, via a designated loading zone. However, as discussed above, the future retail pad site will be subject to future Site Plan approval – at which time, when the exact use and density is known, the location and design of the loading will be finalized.

D. Site Layout and Vehicular and Pedestrian Circulation

The proposed redevelopment will significantly improve the pedestrian experience. The Project has been designed to provide a direct pedestrian connection to the main building entrance from the street. In addition, the Applicant will provide streetscape improvements along both Centerway Road and Montgomery Village Avenue. Specifically, the existing sidewalk along Montgomery Village Avenue will be replaced with an eight-foot wide shared-use path that is wide enough for both cyclists and pedestrians. The location of the shared-use path is dictated by the desire to preserve the existing mature trees along the Property's Montgomery Village Avenue frontage, while still accommodating a four to five foot wide lawn panel to buffer the shared-use path from the street. Along Centerway Road, the Applicant will provide new street tree plantings in the existing landscape panel between the curb and sidewalk.

Vehicular access to the Property will be provided from the two existing curb cuts. The access point along Montgomery Village Avenue will be restricted to right-in and right-out, while the access point along Centerway Road will continue to allow for full movements. The access points will remain in the same location as has existed on the Property for a number of years – the Applicant merely proposes to slightly widen the access point along Montgomery Village Avenue to facilitate efficient truck turning movements. The location of the existing entrances meets the intersection spacing requirements, as outlined in Section 50.4.3.E of the County Code. Furthermore, maintaining both access points is important to the marketability and viability of the future retail pad site, as it allow both lots to function independently and have direct site access. As indicated by the Montgomery Village Foundation's Board in its letter dated July 5, 2019 (the "MVF Board Letter") (attached as Exhibit "A"), retaining site access along both Montgomery

Village Avenue and Centerway Road is important to minimizing impacts on traffic and residents' daily driving patterns.

E. Public Open Space and Public Amenities

The proposed Project will provide public open space and green area on-site. The Zoning Ordinance requires 10 percent (or 28,427 square feet) of the net lot area be devoted to public open space. The Project exceed this requirement by providing a total of approximately 62,569 square feet of public open space (or approximately 22%). In connection with the Lidl grocery store development, Lot 36 will provide approximately 46,796 square feet (or 25.3%) of the net lot area as open space. In compliance with the Zoning Ordinance requirements, this public use space will abut a pedestrian route, be a minimum of 15 feet wide, include seating and shade, and be in a contiguous space (*see* Section 6.3.6.B). As suggested by the Montgomery Village Foundation, the public open space will be primarily located in the form of a plaza along Montgomery Village Avenue and a large green area along Centerway Road. The final design and configuration of open space on Lot 37 will be determined in connection with the future site plan.

IV. Master Plan Conformance

The Master Plan has four main themes that guide the Plan recommendations. As discussed below, the proposed Project satisfies the vision:

1. Preserve the character of the Village;

As discussed above, the architectural design incorporates materials commonly found in Montgomery Village. Specifically, the building design incorporates split-face architectural block, which is found at several nearby elementary schools and masonry, which is one of the most prevalent materials found within the village.

The Applicant met with the Commercial Architectural Review Committee (“CARC”) on June 7, 2019. The CARC were very positive about the proposed architecture, with any of the comments included in the MVF Board Letter.

2. Maintain the public recreation and open spaces;

The proposed Redevelopment will provide ample green space and public gathering areas, consistent with the original planning principles of Montgomery Village. The Project provides an approximately 0.75 acre green area, located immediately adjacent to the building along Centerway Road. The green area will be visually and physically separated from the building's loading area by trees and landscaping. This green space will be open to the public and provide opportunities for passive recreation or public gathering.

Additionally, as discussed above, the Applicant has created a welcoming plaza directly at the corner of the Intersection. The Plaza will incorporate landscaping, seating and shade to provide a space for public gathering. This plaza will be activated by the building and the proposed shared-use path.

The Overlay Zone requires that "common and public open space in Montgomery Village must be recorded within a separate lot or parcel with a protective easement or covenant in the land records, in a form approved by the Planning Board." (See Section 4.9.11.C). It is the Applicant's understanding that this provision is not intended to apply to the type of open space being provided by this Project. However, the Applicant is willing to place the open space on Lot 36 in separate parcels, covered by protective easement(s), if required.

3. Encourage reinvestment; and

The Property is currently improved with eight vacant professional office buildings that are falling into a state of disrepair given the long period of vacancy. The existing buildings are surrounded on all four sides by parking and are largely oriented internal to the site. This design is inapposite to the intent and goals of the Commercial/Residential Zone. As such, the Applicant's reinvestment in the Property will turn this vacant, dated professional office development into a pedestrian-oriented, neighborhood serving retail center.

4. Enhance connectivity.

The Project will provide an eight-foot wide shared-use path along Montgomery Village Avenue. The shared-use path will accommodate both pedestrians and bicyclists and will improve connectivity within the Village Center. Furthermore, the building location and design will activate the street.

The Project also meet the following recommendations of the Master Plan:

- Natural Environment
 - Provides enhanced tree canopy in proposed commercial redevelopment and parking areas (page 39);
 - Incorporate native plants to the maximum extent practicable (page 39);
 - Minimizes imperviousness and reduces impervious area, as compared to the existing conditions (page 41); and
 - Reduces large impervious areas by incorporating landscape panels in the design of sites (page 41).
- Encouraging Reinvestment in Village Center
 - Contributes to the establishment of a sustainable and competitive village center (page 50);
 - Provides low-density, compatible development adjacent to existing residential communities (page 50);
 - Creates "complete streets" with building frontages close to the street to create an inviting and safe public realm; landscaping; bike facilities and pedestrian areas (pages 50-51);
 - Creates places for community use that are framed and activated by surrounding development and uses, where the public feels welcome to gather and linger (page 51);

- Utilizes both hardscape and landscape areas within public open space (page 51);

The Master Plan recommends the Property for a mix of use – allowing commercial and/or residential use on this site, which is consistent with the CR zone codified allowances (page 53). The proposed Project, when viewed in context with its surroundings, meets this recommendation and provides for a mix of uses. Residential development is not feasible on the Property. The Applicant explored the ability to provide residential development on Lot 37, but there is not sufficient land area remaining to make residential development feasible.

The Property falls within the Middle Village area of the Master Plan, which is the heart of Montgomery Village. The Property (the Whetstone Professional Center) is identified as a significant and important redevelopment opportunity. To promote compatibility with the surrounding residential communities, the Master Plan recommends concentrating maximum densities and height along Montgomery Village Avenue; providing adequate transitions between new development and existing neighborhoods; and providing open spaces for public use. The Master Plan recognizes that while the CRT zone permits a mix of uses on the Property, it is intended to encourage a development to integrate mobility options, commercial services and amenities and interact with the Village Center (located on the opposite side of Montgomery Village Avenue). (See page 62).

V. Zoning Ordinance Conformance

A. General Requirements

Section 4.5.3 of the Zoning Ordinance provides the following general requirements for standard method of development in the CRT Zone:

1. *70 Percent of the building must be located within 20 feet of the front street, and 35 percent of the building must be located within 20 feet of the side lot line, except that the build-to area maximum front or side street setback may be increased by the minimum setback necessary to avoid a platted public utility easement.*

The Lidl grocery store building will be located directly at the Intersection and has been pulled as close as possible to Montgomery Village Avenue and Centerway Road. The entire building façade along Centerway Road will be located within the 20 foot build-to-area, well in excess of the requirement for 35% of the building to be located 20 feet from the side street (*i.e.* Centerway Road). However, given the truncation of the Property boundary at the Intersection, and an existing Storm Drain Easement along Montgomery Village Avenue, the building cannot achieve full compliance with the build-to area requirement along Montgomery Village Avenue. Nonetheless, the Project complies with this requirement to the maximum extent practicable – the northwest corner of the building has been pulled as close to Montgomery Village Avenue as possible, while still maintaining a 20’ setback along Centerway Road. This layout and divergence from the Code standard is the minimum necessary to accommodate the physical

constraints of the site (e.g. irregular shaped property boundary and existing public utilities/easement).

2. Parking must be located behind the front building line and must provide landscaping as required by Section 6.2.9.

The current professional office center is surrounded by parking on all four sides. The proposed redevelopment improves this condition by locating all parking behind the front building line. The parking will be largely screened from the right-of-way by the proposed Lidl grocery store and future retail shopping center. The parking facilities will also be buffered from the surrounding residential community by a wide landscape buffer.

Landscaping and lighting for the Lidl grocery store will be provided in accordance with the applicable requirements for the CRT Zone, as shown on the Landscape Plan submitted with this Application. Also, approximately 27 percent of the surface parking area will be provided as landscaped islands, which exceeds the 5% code requirement.

B. Montgomery Village Overlay Zone

The Property also falls within the Montgomery Village Overlay Zone. The purpose of the Overlay Zone is to: (1) preserve the unique character of Montgomery Village; (2) protect the existing open space and conservation areas; and (3) ensure a compatible relationship between new and existing development. The proposed redevelopment promotes these goals by transforming this dated and long-vacant property into a pedestrian oriented, neighborhood-retail serving development. As discussed in this Statement, the Project will provide open space in excess of the Zoning Ordinance requirements. The layout of the Property and architecture of the proposed Lidl grocery store building have been strategically designed to enhance compatibility with the surrounding neighborhood and promote the goals of the CR Zone.

C. Modification of Build-to Area Requirements

As a result of the site constraints and inherent limitations of the proposed land use, the Applicant is requesting slight modification of the build-to area requirements. Pursuant to Section 4.5.3.C of the Zoning Ordinance, the Build-to Area setback may be increased by the minimum setback necessary to avoid a platted utility easement. Here, the build-to area along Montgomery Village Avenue has been increased to the minimum extent necessary to avoid the platted Storm Drain Easement at the Intersection, while still maintaining the build-to area along Centerway Road.

Furthermore, the Planning Board has the authority to modify the build-to area requirements during site plan review if the plan (1) deviates from the requirements only to the extent necessary to accommodate the physical constraints of the site or proposed land use, and (2) incorporates design elements that engage the surrounding publicly accessible spaces such as streets, sidewalks and parks.

As discussed above, the divergence from the code requirements for the building location is the minimum necessary to accommodate the physical constraints of the site. The streetscape improvements and design elements proposed will ensure street activation and enhancement of the pedestrian environment. The Applicant is proposing to provide a public plaza directly at the Intersection, which will be activated by the proposed grocery store building. The building has been designed to have ample transparency along Montgomery Village Avenue, which will further activate the space. The landscaping proposed will further enhance the pedestrian walkways along Montgomery Village Avenue and Centerway Road.

D. Development Standards

Section 4.5.3.C of the Zoning Ordinance sets forth various development standards for standard method of development projects in the CRT Zone. The following chart compares these development standards with the proposed Lidl grocery store. As mentioned above, the retail shopping center on Lot 37 will be subject to a future Site Plan approval:

	REQUIRED/ PERMITTED	PROVIDED
Building Height	75 feet max.	25 feet
Setbacks (minimum) <ul style="list-style-type: none"> • Front (Montgomery Village Avenue) • Side (Centerway Road) • Side (Abutting non-residential) • Rear (East) 	<ul style="list-style-type: none"> • 0 feet • 0 feet • 0 feet • 0 feet 	<ul style="list-style-type: none"> • 57 feet • 20 feet • 116 feet • 260 feet
Build-to Area	<ul style="list-style-type: none"> • <u>Front Street</u>: 70% of the building façade must be within 20' of Montgomery Village Avenue • <u>Side Street</u>: 35% of the building façade must be within 20' of Centerway Road 	<ul style="list-style-type: none"> • <u>Front Street</u>: 100% of the building façade is within 62' of Montgomery Village Avenue (the modified BTA). • <u>Side Street</u>: 100% of the building façade is within 20 feet of Centerway Road.

Public Open Space	10% or 18,479 square feet	25.3% or 46,796 square feet
Building Floor Area	1.0 FAR or 184,794 square feet GFA	0.16 FAR or 30,000 square feet GFA
Transparency	<ul style="list-style-type: none"> • Ground story, front (Montgomery Village Avenue): 40% • Ground story, side (Centerway Road): 25% 	<ul style="list-style-type: none"> • 40% (Montgomery Village Avenue) • 25% (Centerway Road)

VI. Findings Required for Preliminary Plan Approval

The purpose of this portion of the Statement is to provide justification that the Preliminary Plan satisfies the applicable provisions of the Subdivision Regulations.

A. Subdivision Regulation Compliance

The Preliminary Plan indicates that the size, width, shape and orientation of the proposed lots will be appropriate for the location of the proposed subdivision and standards of the CRT Zone.

B. Adequate Public Facilities

The public facilities are adequate to support and service the proposed development. The Applicant is submitting a traffic study prepared by Grove Slade, which addresses the Project's projected traffic impacts. The traffic study tests the entire Project (both the proposed grocery store and future retail shopping center). The results of the study show that the proposed Project will generate a maximum of 129 AM peak hour person trips and 384 PM peak hour person trips. The prior professional office center generated 103 AM and 93 PM peak hour person trips. Thus, taking credit for the trips generated by the prior office use and pass-by trips, the Project will generate only 26 net new AM and 155 net new PM peak hour person trips. Accordingly, the study concludes that the nearby local intersections will continue to operate within the permitted congestion standards during the weekday AM and PM peak hours upon completion of the Project.

There is no residential component of the Project and, therefore, the schools will not be impacted.

The Property is already served by existing water and sewer. The Property is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the existing water and sewer lines.

Electric, gas and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently operating in accordance with the Annual Growth Policy and will continue to be sufficient following construction of the Project.

Therefore, the public facilities will be more than adequate to support and service the area of the proposed subdivision.

C. Relation to Sector Plan

The Project's conformance with the Sector Plan is addressed in Section IV above.

D. Forest Conservation

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). A Natural Resources Inventory/ Forest Stand Delineation No. 420191630 ("NRI/FSD") was prepared for the Property and approved by M-NCPPC on April 30, 2019. The NRI/FSD demonstrates that there are no forested areas on-site; however there is a 0.98-acre afforestation requirement. A Preliminary Forest Conservation Plan is being submitted concurrently with the Preliminary Plan and a Final Forest Conservation is being submitted concurrently with the Site Plan for proposed Lot 36 only.

The Property contains no floodplain, protected soils, endangered species, or other natural features that would impact development. The site is not located within a Special Protection Area.

E. Sediment Control/ Water Quality

Applicable requirements under Chapter 19 are addressed in the Stormwater Management Concept Plan, submitted to the Department of Permitting Services ("DPS") for review on June 24, 2019. Given the age of the existing development, there are no known stormwater management facilities located on the Property. As such, the Project provides an opportunity to greatly improve the treatment of stormwater runoff on-site. In connection with the proposed Project, on-site Environmental Site Design Facilities will be provided to effectively treat and reduce the stormwater runoff from the Property. In accordance with 2010 MDE Stormwater Management Regulations, the Project will implement micro-scale Environmental Site Design ("ESD") practices to the maximum extent practicable. The Project proposes to incorporate 16 at-grade micro-bio-retention facilities, five bio-swale facilities and a green roof, collectively meeting 100% of the ESD volumetric requirement.

This Property is not in a Special Protection Area, so no separate water quality monitoring plan is required. A Sediment and Erosion Control Plan will be submitted to DPS for their approval prior to commencement of construction.

VII. Findings Requires for Site Plan Approval

The purpose of this portion of the statement is to provide justification that the Site Plan satisfies the applicable provisions of Section 7.3.4 of the Zoning Ordinance, governing the Planning Board's approval of a site plan application. As set forth below, the Site Plan satisfies each requirement of Section 7.3.4.E:

- 1. The proposed development satisfies any previous approval that applies to the site, including any development plan or schematic development plan in effect on October 29, 2014.*

This subsection does not apply.

- 2. The proposed development satisfies applicable use standards, development standards, and general requirements in the Zoning Ordinance.*

As this Statement demonstrates, the proposed Lidl grocery store complies with the standards and general requirements of the Zoning Ordinance. The compliance of the Project with the development standards of the CRT Zone is discussed in Section V above.

- 3. The proposed development satisfies the applicable requirements of Chapter 19, Erosion, Sediment Control, and Stormwater Management, and Chapter 22A, Forrest Conservation.*

As discussed in Sections VI, the Project will comply with applicable requirements of Chapter 22A and Chapter 19.

- 4. The proposed development provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities.*

As discussed above, the Project proposes to retain the two existing curb cuts, which satisfy the intersection spacing requirements of the Section 50.4.3.E of the Code. Retaining the two existing access points is important to the Montgomery Village Foundation Board (as stated in their July 5th letter), as well as for the marketability and viability of the future retail shopping center on Lot 37. Allowing site-generated traffic to utilize the two existing access points will minimize the impact to traffic along Montgomery Village Avenue and Centerway Road and prevent cut-through traffic along neighborhood roadways. The Project also proposes building architecture and streetscape improvements that will provide for an improved pedestrian environment. Direct pedestrian access to the Lidl grocery store will be provided straight from the Montgomery Village Avenue shared use path and existing bus stop. The plaza at the corner of Montgomery Village Avenue and Centerway Road will activate the street frontage by encouraging pedestrian activity and integrate the development with the neighborhood.

5. *The proposed development substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

As discussed in detail in Section IV above, the Project substantially conforms with the recommendations of the Master Plan.

6. *The proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

As discussed in Section VI above, public services and facilities will continue to be adequate following redevelopment of the Property for a retail/service use, and the proposed redevelopment will not have an adverse effect on existing traffic conditions.

7. *Proposed development on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood.*

This provision is not applicable.

8. *The proposed development is compatible with the existing and approved or pending adjacent development.*

The proposed Project is compatible and will complement the both the existing and planned development surrounding the Property. As discussed above, Lidl is a unique grocery store that is unlike other grocery store offerings in the area. The Lidl grocery store is a neighborhood servicing retail use that will provide necessary services to the surrounding residential neighborhoods and will complement other offerings in the nearby commercial centers. The Project will reinvest in the Property and transform the existing, vacant professional office center into a pedestrian-friendly, architecturally pleasing commercial development.

VIII. Community Outreach

The Applicant held the required pre-submission community meeting on June 27, 2019 at the North Creek Community Center located at 20125 Arrowhead Road in Montgomery Village, Maryland. The Applicant provided notice for the pre-submission community meeting in accordance with the requirements set forth in the Development Review Procedures Manual and the Zoning Ordinance.

The Applicant also held and attended meetings with the CARC on June 7, 2019, the Whetstone community on June 13, 2019, and the Montgomery Village Foundation Board on June 27, 2019. The Applicant has also reached out to the Thomas Choice Condominium Association and offered to hold a separate meeting with their community – but at this time, the Thomas Choice Condominium Association has not expressed interest in arranging such a meeting.

IX. Conclusion

As demonstrated by this Statement, the Project complies with all applicable requirements of the Zoning Ordinance that govern the standard method of development in the CRT Zone. Furthermore, the Project is in substantial conformance with the recommendations of the Master Plan, as discussed above. The Project will result in significant improvements over the existing conditions on the Property and will transform the vacant, run-down professional office center into a neighborhood serving Lidl grocery store, with a future retail shopping center. For all of those reasons, we respectfully request that this Application for a Preliminary Plan and Site Plan be approved.

Exhibit “A”



MONTGOMERY VILLAGE FOUNDATION, INC.

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MONTGOMERY VILLAGE, MARYLAND 20886-1000

(301) 948-0110 FAX (301) 990-7071 www.montgomeryvillage.com

July 5, 2019

Casey Anderson, Chair
Montgomery County Planning Board Members
8787 Georgia Avenue
Silver Spring, MD 20910

Dear Mr. Anderson and Members of the Planning Board:

On behalf of the Montgomery Village Foundation and its elected Board of Directors, I am writing to share with you our comments on the redevelopment planned by Lidl US at 19201 Montgomery Village Avenue in Montgomery Village.

I would like to start by commending Lidl on their outreach to the Montgomery Village community and their cooperation with our commercial architectural review process. In addition to their required public meeting, Lidl has outreached to the Foundation's staff to present preliminary designs and plans for the site, presented a design concept to the Village's Commercial Architectural Review Committee (CARC), reached out to all adjacent Homes Corporations and attended their meetings as invited, and met with the Foundation's Board of Directors at their June monthly meeting. Lidl is also planning to come back to meet with our CARC following the Planning Board approval process to respond to the minor comments the committee had at the concept review meeting, and to get final design approval. The community meetings were well attended by residents representing our diverse community, who asked important questions regarding elements of the plan such as traffic impacts, parking, noise, circulation of delivery trucks, and lighting.

Lidl has presented us with a design that demonstrates they have paid attention to our community's commercial architectural design guidelines, and we are overall very pleased with the direction the development is taking. In particular, we appreciate that Lidl's design activates the corner of Montgomery Village Avenue and Centerway Road and allows pedestrian access from multiple locations, including connectivity with existing sidewalks and community pedestrian paths. Activating this corner also minimizes the impact of the development on the adjacent homes, as does Lidl's proposal to build the loading dock so that it slopes below grade. Traffic circulation and the utilization of the two existing entry points to the property is another design element that will benefit the community. Being able to access the property from both Montgomery Village Avenue and Centerway Road is important to minimizing the impact to traffic on both roads and therefore the impact on residents' daily driving patterns. The CARC was also

impressed with how Lidl's architects and engineers had designed the building to be built into the grade along Centerway Road. This design makes the scale of the building pedestrian-friendly along that elevation and is preferable to building a retaining wall to address the grade issues.

While we are pleased with what we have seen so far from Lidl, we do have one area of concern, which is the condition in which the southern portion of the property will be left while Lidl identifies a retail occupant(s) and goes through the site planning and permitting process for that half of the property. Our strong preference would be for Lidl to remove all existing pavement from that portion of the property when they demolish the existing buildings and convert it to a grassy public open space, with some evergreen shrubbery and trees to add landscaping interest. Our concern is that the southern portion of the property could remain vacant for five years or more as an occupant is identified and secured, plans are approved, and permits are obtained, and we are not interested in the property being an eyesore in the community, particularly amidst the redevelopment that is taking place in the Village over the next several years.

Additional areas of the design that we will continue to keep an eye on throughout the process include the design of the public green space located along Centerway Road next to the loading dock and dumpster area, how the utilities are screened on the roof, the colors of the building and roof, the delivery schedule, the monument and building signage, and how the loading dock and dumpster areas are screened from the parking lot and adjacent residences. The Whetstone Homes Corporation owns much of the open space adjacent to the property, and would be open to discussing with Lidl the possibility of adding additional trees and other screening landscaping on the Homes Corporation's property.

We have appreciated Lidl's commitment to our community throughout the planning process to date, and believe that overall, the design of this site as presented to us will provide a real benefit to our community. We look forward to the redevelopment of this property. Should you have any questions or would like to discuss any of the comments in this letter further, please don't hesitate to reach out to me at 240-243-2322 or dhumpton@mvf.org.

Sincerely,



David B. Humpton
Executive Vice President
Montgomery Village Foundation
10120 Apple Ridge Road
Montgomery Village, MD 20886

cc: Montgomery Village Foundation Board of Directors
Matthew Milholin, Senior Real Estate Manager, Lidl
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