

Montgomery Planning Area 2 Division

7/23/20

Agenda Item 10

Preliminary Plan 120200140

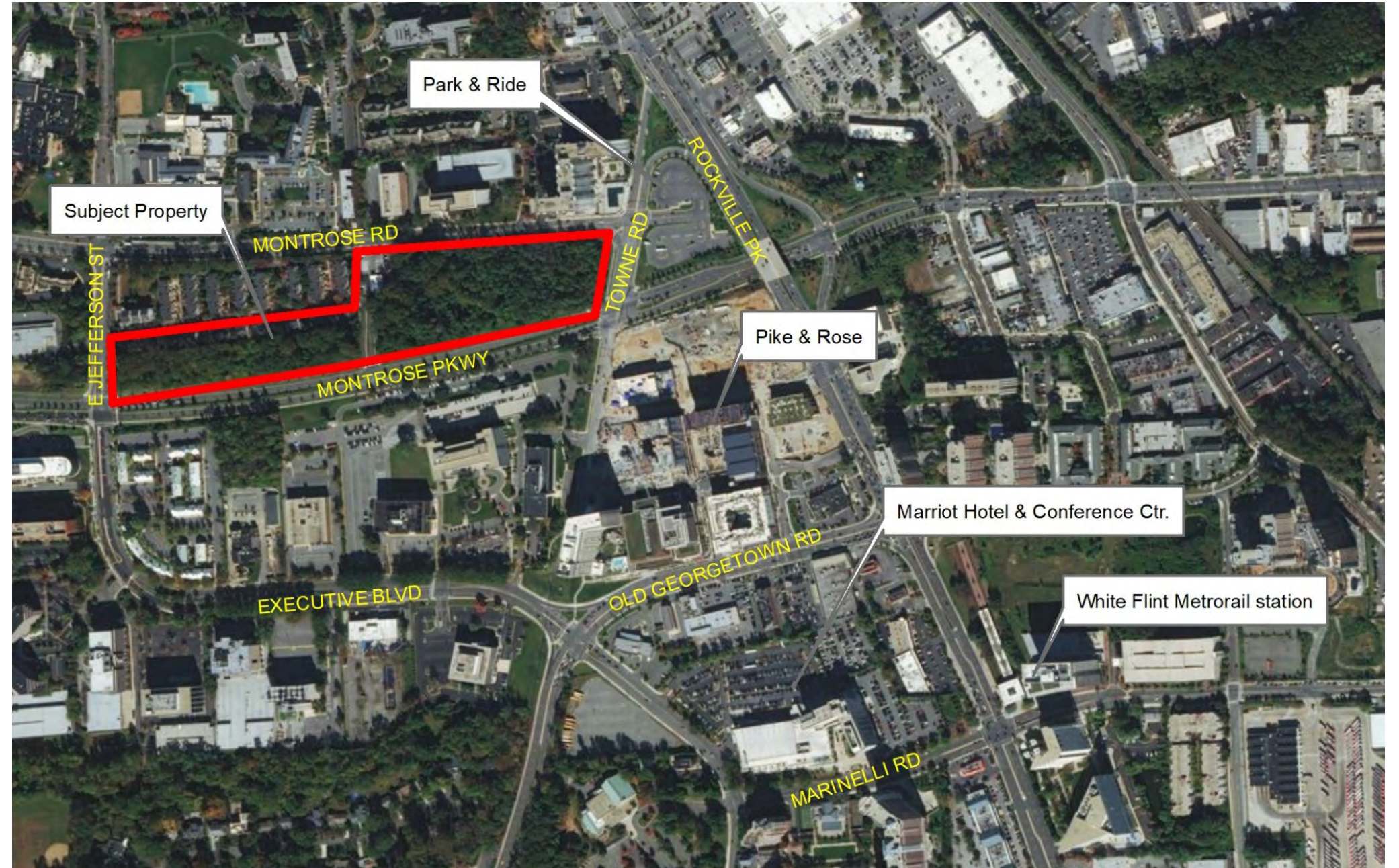


Preliminary Plan Application

#120200140

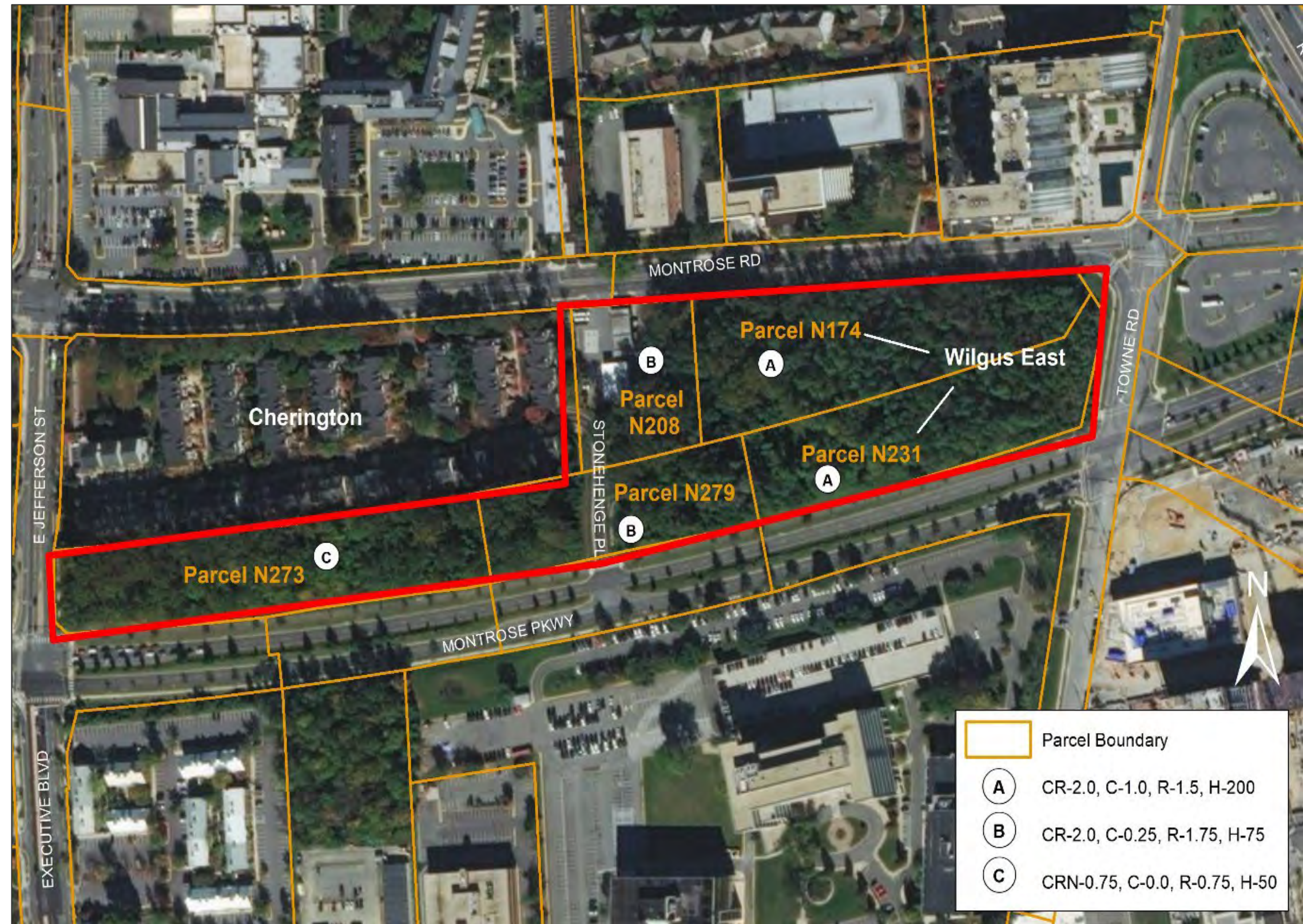


# Vicinity



# Subject Property

- 16.64-acre tract; 5 parcels
- Existing gas station on 1 parcel surrounded by wooded areas
- Split Zoned:
  - CR-2.0, C-1.0, R-1.5, H-200
  - CR-2.0, C-0.25, R-1.75, H-75
  - CRN-0.75, C-0.0, R-0.75, H-50
- 2018 *White Flint 2 Sector Plan*
- Previous Preliminary Plan approval for Wilgus East parcels for 308,400 sf of office
- Wilgus East in White Flint Special Taxing District



# Sketch Plan

- Up to a maximum of 1,274,498 sf. of total mixed-use development
- Four (4) Phases
- Public Benefits in six (6) categories
- Groundwork for Master Plan Compliance
- Major concerns from adjacent townhouse community.



|  |              |   |                             |
|--|--------------|---|-----------------------------|
|  | TOWNHOUSE    |  | LINER UNITS AT GROUND FLOOR |
|  | 2 OVER 2     |  | RETAIL AT GROUND FLOOR      |
|  | MULTI-FAMILY |   |                             |

*Approved Sketch Plan  
July 25, 2019*

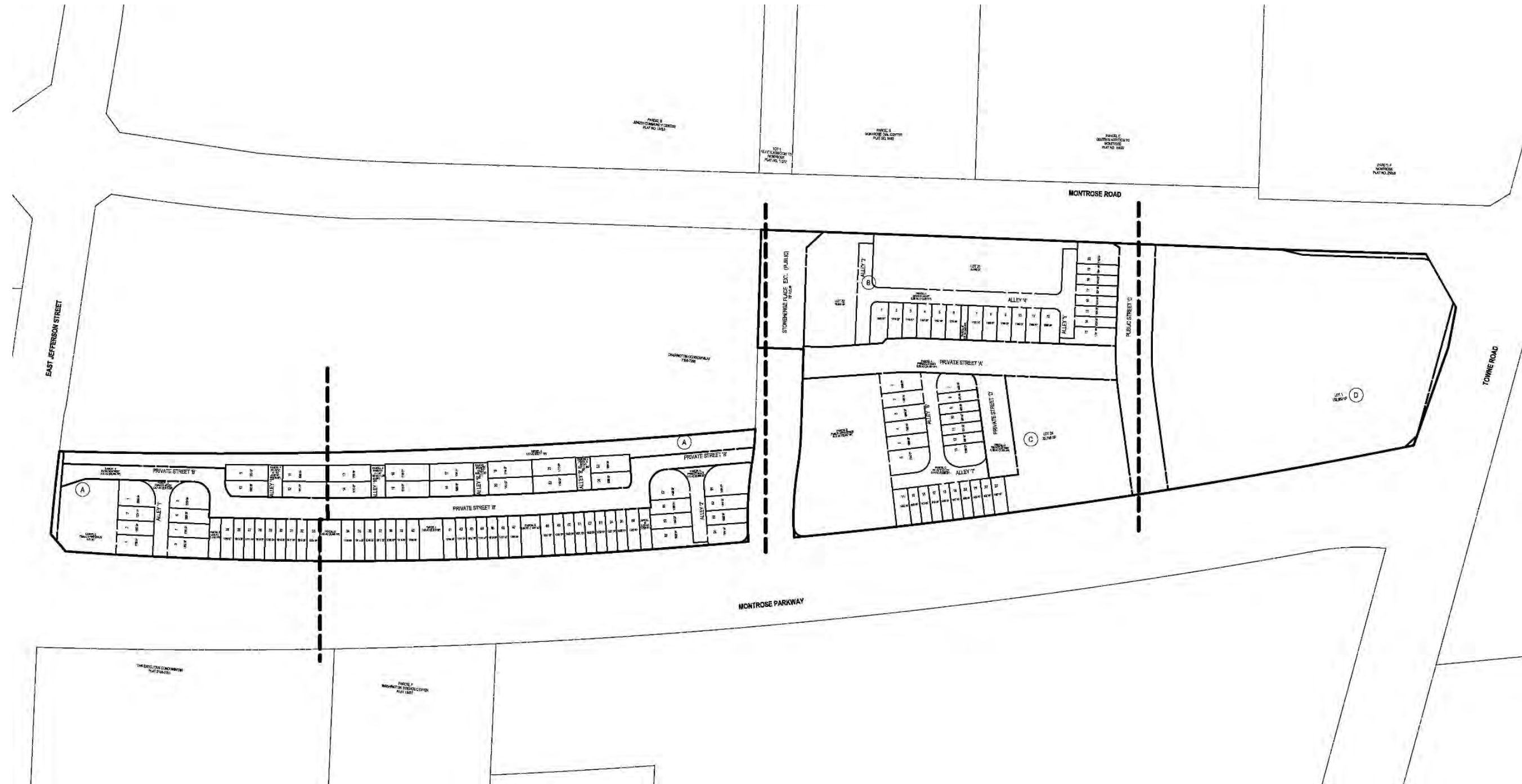
# Proposal

- Up to a maximum of 1,040,789 square feet of total development.
- Up to a maximum of 1,025,789 square feet of residential uses.
- Up to a maximum of 15,000 square feet of commercial uses.
- 15% MPDUs



# Lots and Parcels

- 107 townhouse lots
- 638 multi-family units on four (4) lots
  - Two (2) lots for 34 stacked two-over-two townhouses
  - Two (2) lots for multi-family buildings
- One (1) lot with mixed-uses
- Various park/open space parcels, private road parcels, and HOA parcels



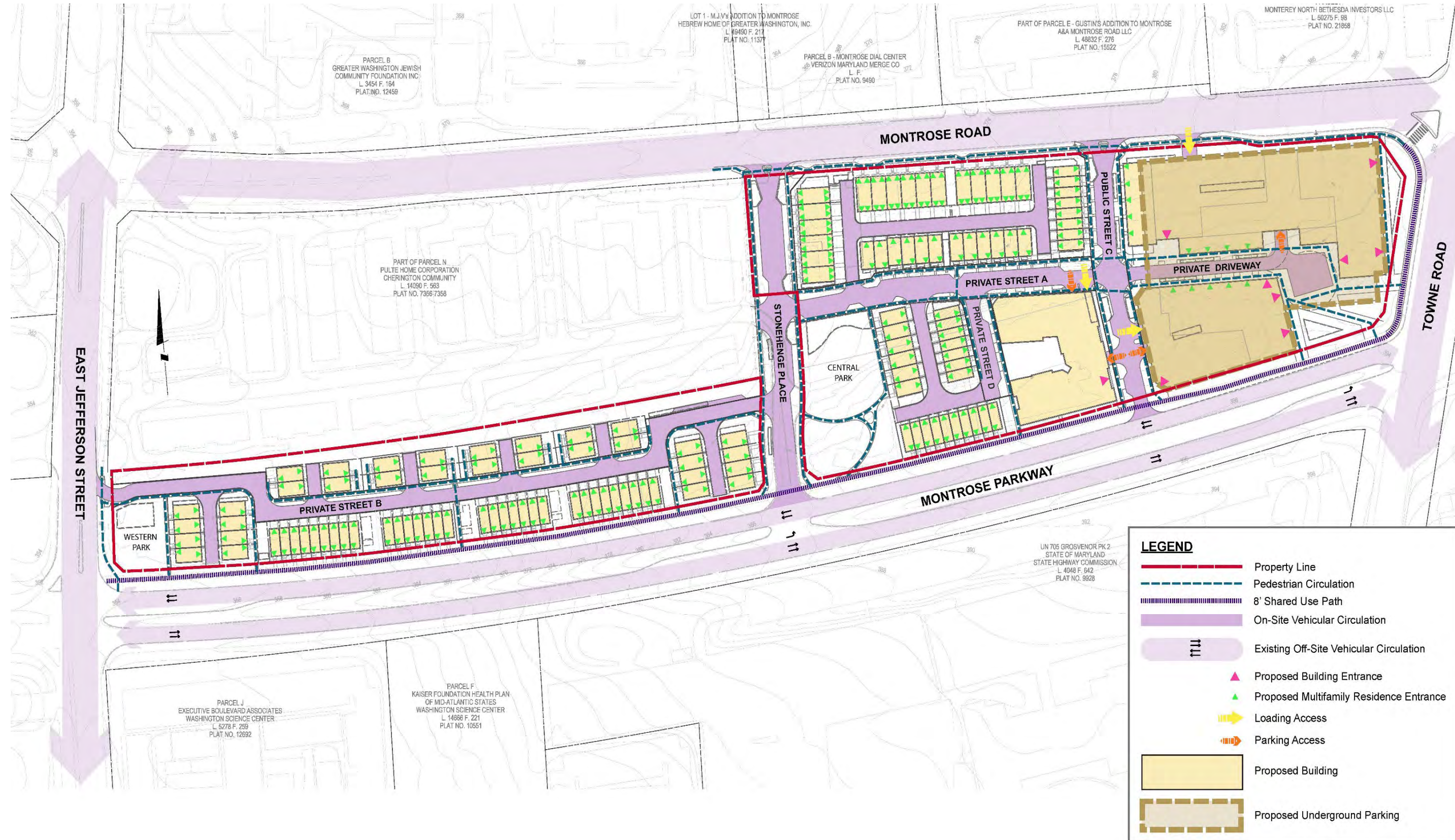
# Proposal

- Stormwater management techniques.
- Financial contribution for new park land and facilities.
  - In lieu of dedication of land for a school site or athletic fields for MCPS use and approximate the size of a local park.
- Undergrounding utilities internal to Site, within public ROW along Towne Road, and relocating on Montrose Rd.



# Vehicular Circulation

- Public and Private Internal Roads and Alleys
  - Private Street A
  - Private Street B
  - Public Street C
  - Private Street D
  - Public Stonehenge Pl. Extension
- On-street parking
- Structured parking garage





# Bicycle Facilities

- 10' wide, 2-way Separated bicycle facilities on Towne Rd.
- Bicycle protected intersection at Towne Road and Montrose Pkwy.
- Portion of master planned Breezeway along Montrose Pkwy.
- Fee-in-lieu payment for E. Jefferson St. bicycle facility and bicycle protected intersection.



# Parks & Open Space

- 3 parks across 1.4 ac.
  - **Western Park (0.21 ac.)**



Western Park Rendering

# Parks & Open Space

- 3 parks across 1.4 ac.
  - Western Park (0.21 ac.)
  - **Central Park (0.75 ac.)**



Central Park Concept



# Parks & Open Space

- 3 parks across 1.4 ac.
  - Western Park (0.21 ac.)
  - **Central Park (0.75 ac.)**



Central Park Programming & Stormwater Management Concept Recommended by MCDPS

# Parks & Open Space

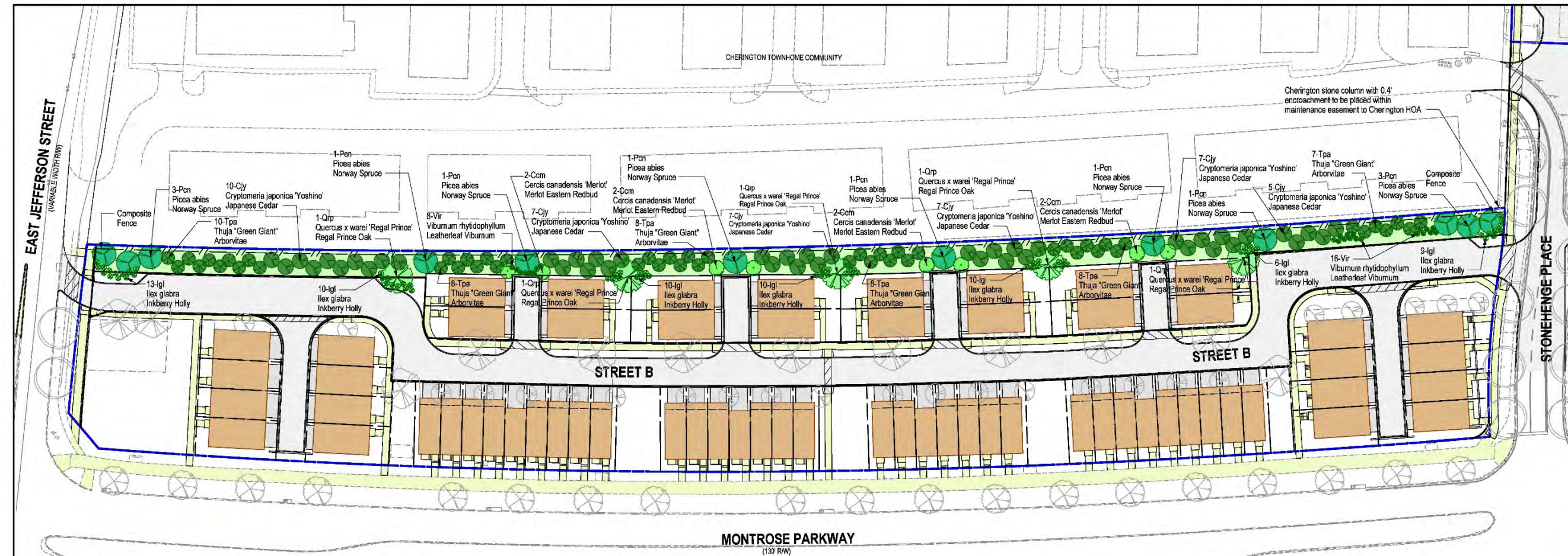
- 3 parks across 1.4 ac.
  - Western Park (0.21 ac.)
  - Central Park (0.75 ac.)
  - **East Urban Plaza (0.44 ac.)**



*Eastern Urban Plaza Rendering*

# Vegetated Buffer

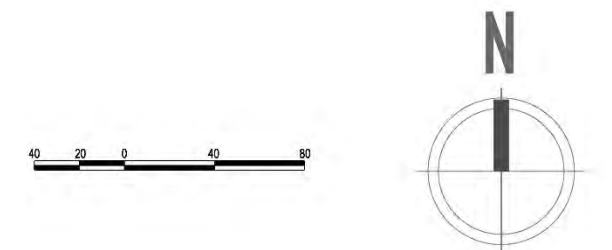
- 20' Landscaped Buffer
  - Separate from Open Space requirement.
- Approximately 0.45 acres
- 250+ Plantings
- Tree planting heights 8-10'
- Shrubs planted at 3'+
- Existing specimen trees can not be maintained due to CRZ impacts
- Accompanied by fence 6'-6" high



| Proposed New Planting Buffer Schedule |     |                |                                       |                        |  |
|---------------------------------------|-----|----------------|---------------------------------------|------------------------|--|
| Sym                                   | Qty | Botanical Name | Common Name                           | Size                   | Remarks  |
|                                       | Qrp | 5              | <i>Quercus x warei 'Regal Prince'</i> | Regal Prince Oak       | 3-3½" cal. Planted height approx. 10'. Approx. 40' height at 10 years.         |
|                                       | Pcn | 12             | <i>Picea abies</i>                    | Norway Spruce          | 8-10' B&B, 1" cal. Planted height approx. 10'. Approx. 45' height at 10 years. |
|                                       | Tpa | 49             | <i>Thuja 'Green Giant'</i>            | Green Giant Arborvitae | 8-10' B&B, 1" cal. Planted height approx. 10'. Approx. 30' height at 10 years. |
|                                       | Cjy | 43             | <i>Cryptomeria japonica 'Yoshino'</i> | Yoshino Cryptomeria    | 8-10' B&B, 1" cal. Planted height approx. 10'. Approx. 45' height at 10 years. |
|                                       | Ccm | 8              | <i>Cercis canadensis 'Merlot'</i>     | Merlot Eastern Redbud  | 5 gallon Planted height approx. 8'. Approx. 15' height at 10 years.            |
|                                       | Vir | 24             | <i>Viburnum rhytidophyllum</i>        | Leatherleaf Viburnum   | 5 gallon Planted height approx. 3'. Approx. 8' height at 10 years.             |
|                                       | Igl | 68             | <i>Ilex glabra</i>                    | Inkberry Holly         | 5 gallon Planted height approx 3'. Approx. 6' height at 10 years.              |

**LEGEND**

- 6'-6" VERTICAL COMPOSITE FENCING WITH FLAT TOP, CAP BOARD, AND TOP & BOTTOM TRIM
- PROPERTY LINE
- BUFFER AREA (APPROXIMATELY 20' x 1060' = 21,200 SF OR 0.49 AC)



*Proposed Plantings Coordinated with Adjacent Cherington HOA*

# Adequate Public Facilities

## Local Area Transportation Review (LATR)

- Wilgus East in White Flint Special Taxing District.
- Fifty-one (51) person trips are expected to be generated in the peak morning hour.
- Sixty-five (65) person trips are expected to be generated in the evening peak hour.
- Signal optimization at E. Jefferson Street and Montrose Pkwy.
- Traffic signal at Stonehenge Place and Montrose Pkwy. installed by County.

## Roads and Other Transportation Facilities

- New internal roads, parking, driveways, bicycle facilities, and sidewalks are adequate.
- Project-based Transportation Demand Management Plan to achieve Sector Plan goal of 42% Non-Auto Driver Mode Share (NADMS).

# Adequate Public Facilities - School Test

Per Unit Student Generation Rates – Southwest Region

|                     | Elementary School | Middle School | High School |
|---------------------|-------------------|---------------|-------------|
| <b>SF Detached</b>  | 0.186             | 0.109         | 0.151       |
| <b>SF Attached</b>  | 0.167             | 0.085         | 0.111       |
| <b>MF Low-Rise</b>  | 0.150             | 0.068         | 0.085       |
| <b>MF High-Rise</b> | 0.041             | 0.018         | 0.025       |

With a net of 107 single-family attached units, 604 multi-family high-rise units and 34 multi-family low-rise units, the proposed project is estimated to generate the following number of students:

| Type of Unit                 | Net Number of Units | ES Generation Rates | ES Students Generated | MS Generation Rates | MS Students Generated | HS Generation Rates | HS Students Generated |
|------------------------------|---------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
| Single Family Detached       | 0                   | 0.186               | 0.000                 | 0.109               | 0.000                 | 0.151               | 0.000                 |
| Single Family Attached       | 107                 | 0.167               | 17.869                | 0.085               | 9.095                 | 0.111               | 11.877                |
| Multi-Family Low to Med Rise | 34                  | 0.150               | 5.100                 | 0.068               | 2.312                 | 0.085               | 2.890                 |
| Multi-Family High Rise       | 604                 | 0.041               | 24.764                | 0.018               | 10.872                | 0.025               | 15.100                |
| <b>TOTALS</b>                | <b>745</b>          |                     | <b>47</b>             |                     | <b>22</b>             |                     | <b>29</b>             |

On average, this project is estimated to generate 47 new elementary school students, 22 new middle school students, and 29 new high school students.



# Adequate Public Facilities - School Test

The project is located in the Walter Johnson High School Cluster. The student enrollment and capacity projections from the FY21 Annual School Test for the cluster are noted in the following table:

| School Level      | Projected Cluster Totals, September 2025 |                  |               | Moratorium Threshold | Estimated Application Impact |
|-------------------|--|------------------|---------------|----------------------|------------------------------|
|                   | Enrollment                               | Program Capacity | % Utilization |                      |                              |
| Elementary        | 4,607                                    | 4,579            | 100.6%        | 888                  | 47                           |
| Middle            | 2,494                                    | 2,449            | 101.8%        | 444                  | 22                           |
| High <sup>1</sup> | 2,127                                    | 2,321            | 91.6%         | 658                  | 29                           |

<sup>1</sup> The projected Walter Johnson HS enrollment has been modified to estimate the impact of redistricting students to Woodward HS in September 2025.

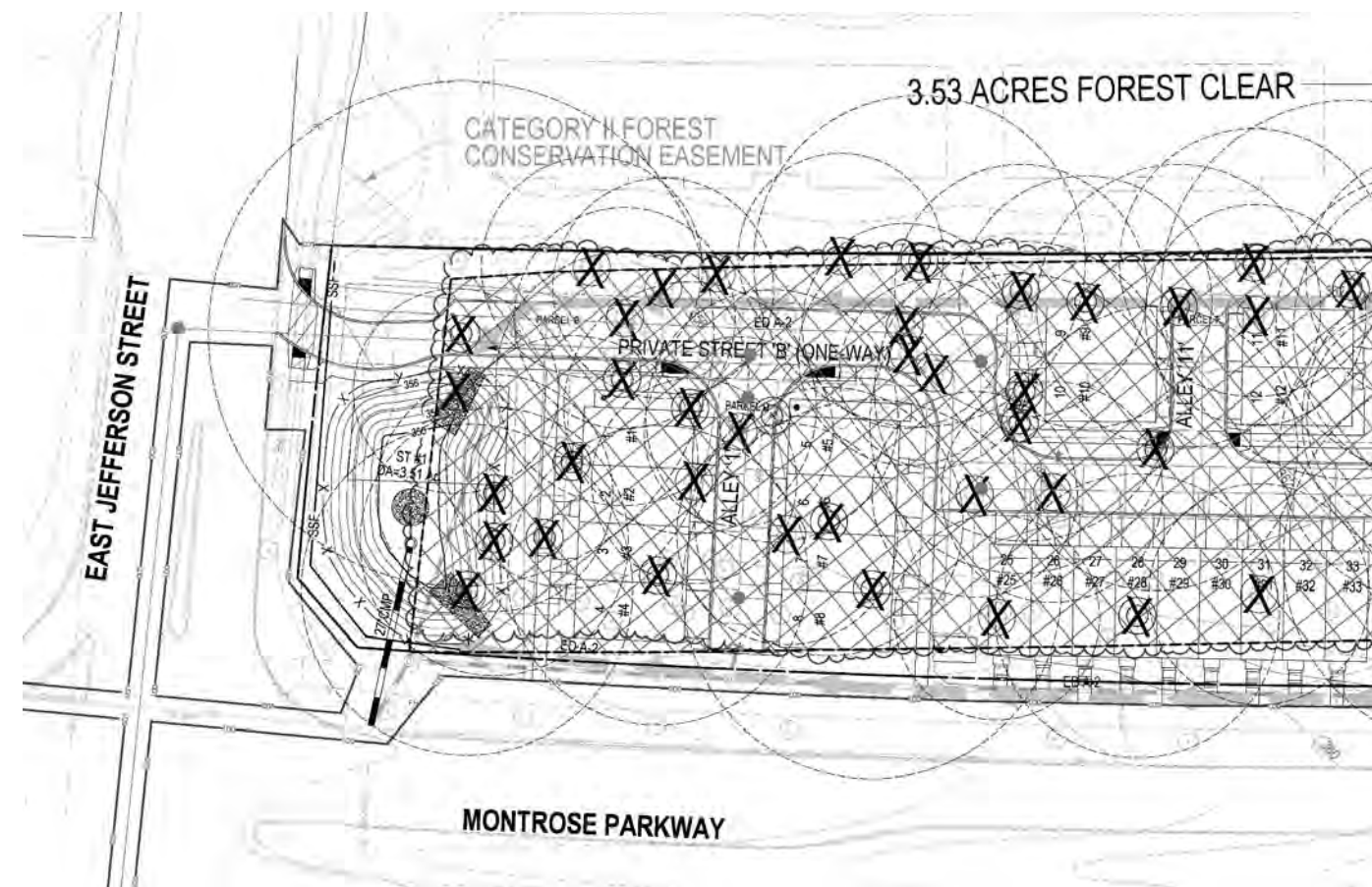
The applicable elementary and middle schools for this project are Luxmanor ES and Tilden MS, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

| School      | Projected School Totals, September 2025 |                  |               |                  | Moratorium Threshold | Estimated Application Impact |
|-------------|---|------------------|---------------|------------------|----------------------|------------------------------|
|             | Enrollment                              | Program Capacity | % Utilization | Surplus/ Deficit |                      |                              |
| Luxmanor ES | 731                                     | 767              | 95.3%         | +36              | 190                  | 47                           |
| Tilden MS   | 1,193                                   | 1,216            | 98.1%         | +23              | 267                  | 22                           |

Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

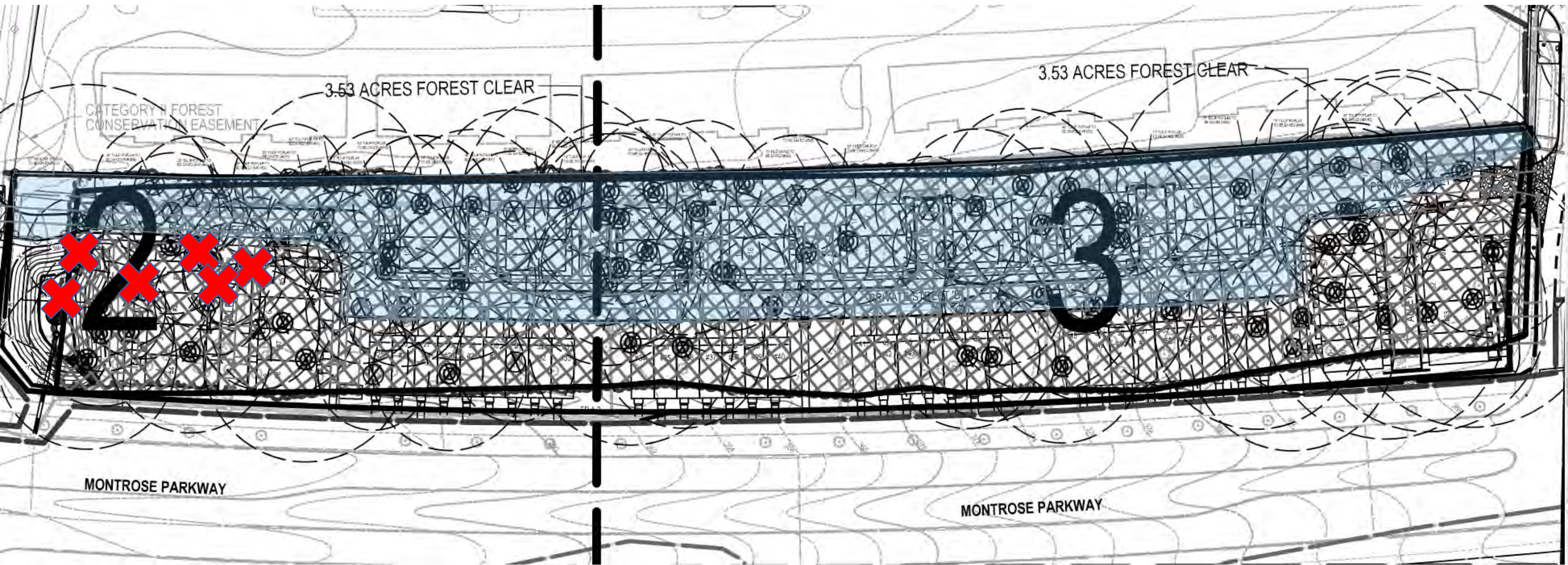
# Preliminary Forest Conservation Plan

- 11.30 acres is forested
- Proposes to clear all 11.30 acres of forest
- Variance request to remove 110 specimen trees of 30"+ DBH
- Assessment to retain the forested area south of the existing Cherington townhouses.

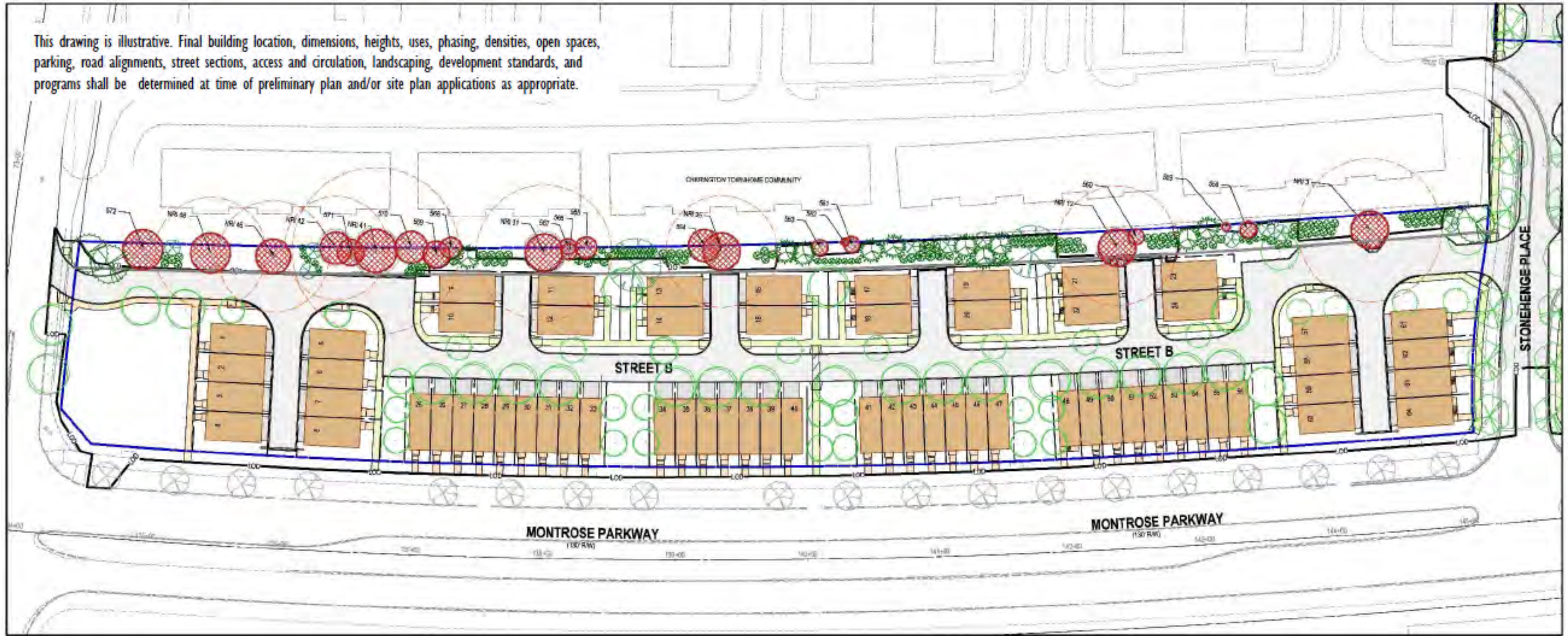


*Portion of Forest Removal Area*





This drawing is illustrative. Final building location, dimensions, heights, uses, phasing, densities, open spaces, parking, road alignments, street sections, access and circulation, landscaping, development standards, and programs shall be determined at time of preliminary plan and/or site plan applications as appropriate.



**LEGEND**

|  |                                  |  |  |
|--|----------------------------------|--|--|
|  | PROPOSED EXISTING TREE TO REMAIN |  | PROPOSED NEW EVERGREEN SHRUB                       |
|  | PROPOSED NEW DECIDUOUS TREE      |  | CRITICAL ROOT ZONE (FOR TREES LARGER THAN 24" DBH) |
|  | PROPOSED NEW EVERGREEN TREE      |  | SAVE ROOT ZONE (NO PLANTING AREA)                  |
|  | PROPOSED NEW ORNAMENTAL TREE     |  |  |

NOTE: TOTAL BUFFER AREA EQUALS APPROXIMATELY 0.45 ACRES (APPROX. 20' X 1000').



Conceptual Proposed Tree Save Buffer

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# Unwarranted Hardship & Tree Variance Findings

- The Planning Board must make the finding that it is not possible to development without forest removal.
- Property has environmental constraints.
- Need to address circulation and queuing for safety, stormwater run-off on-site, and compliance with current State standards.



# Community Outreach and Correspondence

- Applicant held pre-submission meeting where various questions/concerns were raised:
  - Increasing traffic, traffic control signage, and parking;
  - The loss of mature forest, timing of clearing, and tree retention;
  - Impact of an economic downturn on the Project;
  - Stormwater management;
  - Treatment of the proposed landscape buffer;
  - The architecture of the townhomes;
  - Light spill-over on surrounding properties; and
  - Duration of construction and phasing.
- Planning Staff and the Applicant met with the Cherington community on several occasions during Preliminary Plan.
- After the posting of the staff report, public comments received include the following:
  - Cherington HOA: revised buffer, temporary berm to address water run-off, permanent 18-24” berm to raise planting heights, buffer on Castle Gate Rd., re-name Stonehenge Place Extended; address forest removal timing.
  - Natural growth trees should be saved for greenhouse gas concerns to sequester the most carbon dioxide.
  - Save remaining greenspace in the White Flint/Pike and Rose Planning District.

# Analysis and Findings

- Meets all the required Preliminary Plan findings in the Subdivision Regulations;
- Remains in conformance with the approved Sketch Plan;
- Achieves substantial conformance with the *White Flint 2 Sector Plan* and *Bicycle Master Plan*;
- Provides adequate lots, open space, and roadway parcels;
- Pedestrian and vehicular circulation systems will be adequate, safe and efficient to serve the lots;
- Achieves compatible internal and external relationships between existing and pending nearby development;
- Provides adequate school capacity for the amount and type of development proposed;
- Meets the requirements of Chapter 22A;
- Reviewed and supported by all applicable County agencies.



# Staff Report Revisions

Table 1: Development Standards in the CR and CRN Zones

| Description                                      | Required/<br>Permitted (CR-2.0,<br>C-1.0, R-1.5, H-200)   | Required/<br>Permitted (CR-2.0,<br>C-0.25, R-1.75, H-<br>75) | Required/<br>Permitted (CRN-<br>0.75, C-0.0, R-0.75,<br>H-50) | Proposed  |
|--|---|--|---|---|
| <b>Tract Area</b>                                | 410,253 sf.   | 174,332 sf.  | 140,438 sf.   | 725,023 sf. (16.64 ac.)   |
| <b>Maximum Density</b>                           |   |  |   |   |
| Total  | 820,506 sf.   | 348,664 sf.  | 105,328 sf.   | up to 1,040,789 sf.   |
| Commercial                                       | 410, 253 sf.  | 43,584 sf.   | 0 sf.   | 15,000 sf   |
| Residential                                      | 615,380 sf.   | 305,082 sf.  | 105,329 sf.   | up to 1,025,789 sf  |
| <b>Maximum Height</b>                            | 200 ft.   | 75 ft.   | 50 ft.  | up to 50 - 200 ft.  |
| <b>Height Compatibility</b>                      | No structure may protrude beyond a 45-degree angular plane projecting over the subject property, measured from a height equal to the height allowed for a detached house in the abutting or confronting Residential zone. |  |   | N/A   |
| <b>Minimum Public Open Space</b>                 | 10%/54,450 sf   |  |   | Minimum 10%/54,450 sf to be provided; Sketch Plan anticipates up to 11%/60,984 sf |
| <b>Setbacks</b>                                  | Determined by site plan.  |  |   | To be set by site plan  |
| <b>Setback Compatibility</b>                     | The minimum rear setback is equal to 1.5 times the minimum rear setback required for a detached house on the abutting property.   |  |   | N/A   |
| <b>Form</b>                                      | Determined by site plan.  |  |   | To be addressed by site plan  |
| <b>Minimum/ Maximum Parking Spaces Permitted</b> | 3.5 /1,000 sf of gross leasable area (commercial)/ 1 DU or 2 DU (by residential density)  |  |   | Determined by site plan.  |

# Staff Report Revisions

## Transportation Demand Management

Clarification that the Site falls entirely within the North Bethesda Transportation Management District (TMD) as well as in two different Subdivision Staging Policy (SSP) Areas and White Flint 1 and White Flint 2 Sector Plan Areas. The Project will be required to execute one (1) Project-based TDM Plan and DOT will work with the Applicant to develop a TDM program for the entire Site during the review of the Site Plans.

# Staff Report Revisions

## **Applicant Requests 10-year Plan Validity and APF Validity Periods**

### Preliminary Plan Validity

The July 13, 2020 Preliminary Plan Staff Report affirms that the Applicant is seeking approval of a phased Project that will cumulatively exceed the 36-month Preliminary Plan validity period for a single-phased project and an Adequate Public Facilities (APF) validity period that exceeds the 5-year minimum.

Per Section 50.4.1.C.9 of the Subdivision Regulations of the County Code, where an Applicant proposes a multi-phased project, it must submit plat recording and construction phasing schedules that indicate the portions of the Preliminary Plan for which record plats will be obtained during each proposed phase, up to the expiration of the validity period for the determination of APF.

The Applicant is seeking a 10-year (120 month) Plan Validity Period, subject to the following phasing schedule:

- Phase I: Plats recorded for 24 lots (24 townhouse lots) within 36 months from the 30<sup>th</sup> day after the Resolution is mailed;
- Phase II: Plats recorded for 21 lots (19 townhouse lots and two (2) stacked two-over-two multi-family lots) within 36 months from the expiration of the Phase I preliminary plan validity period;
- Phase III: Plats recorded for 64 lots (64 townhouse lots) within 36 months from the expiration of the Phase II preliminary plan validity period;
- Phase IV: Plats recorded for two (2) lots (one (1) lot for multi-family apartment building and one (1) lot for three (3) multi-family high-rise buildings) and 15,000 square feet of retail shared with multi-family units, within 120 months from the expiration of the Phase III preliminary plan validity period.

# Staff Report Revisions

## Applicant Requests 10-year Plan Validity and APF Validity Periods

### Adequate Public Facilities and Phasing

Per Section 50.4.3.J.5.a of the Subdivision Regulations, the applicable validity period for Adequate Public Facilities (APF) remains valid for no less than 5 and no more than 10 years after the Preliminary Plan is approved. The Applicant is seeking a 10-year (120 month) APF Validity Period, subject to the following phasing schedule:

- Phase I: Building permits issued for a minimum of 23 dwelling units, including MPDUs, within 60 months from the 30th day after the Resolution is mailed;
- Phase II: Balance of building permits for the remaining dwelling units, including MPDUs, issued within 60 months from the expiration of the Phase I APF validity period;

To allow a validity period longer than the specified minimum, the Board must find that the size or complexity of the subdivision warrant the extended validity period and would not be adverse to the public interest. The extended 10-year validity period for the determination of APF is appropriate given the expansive 16.64 acres of land that comprises the Project, the multi-phase project and complexity of the subdivision.

It is in the public interest to allow the longer validity period since the Project will incorporate public benefits envisioned by the Master Plan, including structured parking, green roofs, cool roofs, energy conservation and generation, and a through-block connection on top of an underground parking garage requires lengthier timeframes for engineering and construction. Furthermore, the Project proposes new road connections along with a wide range of building types at varying heights (townhouses with different widths, 2-over-2 stacked townhouses, an apartment building, and multiple high-rise mixed-use structures with retail) that will be strategically constructed over a long period of time, based on market demand and financing availability. Staff recommends approval for 10-year Plan Validity & APF Validity Periods.



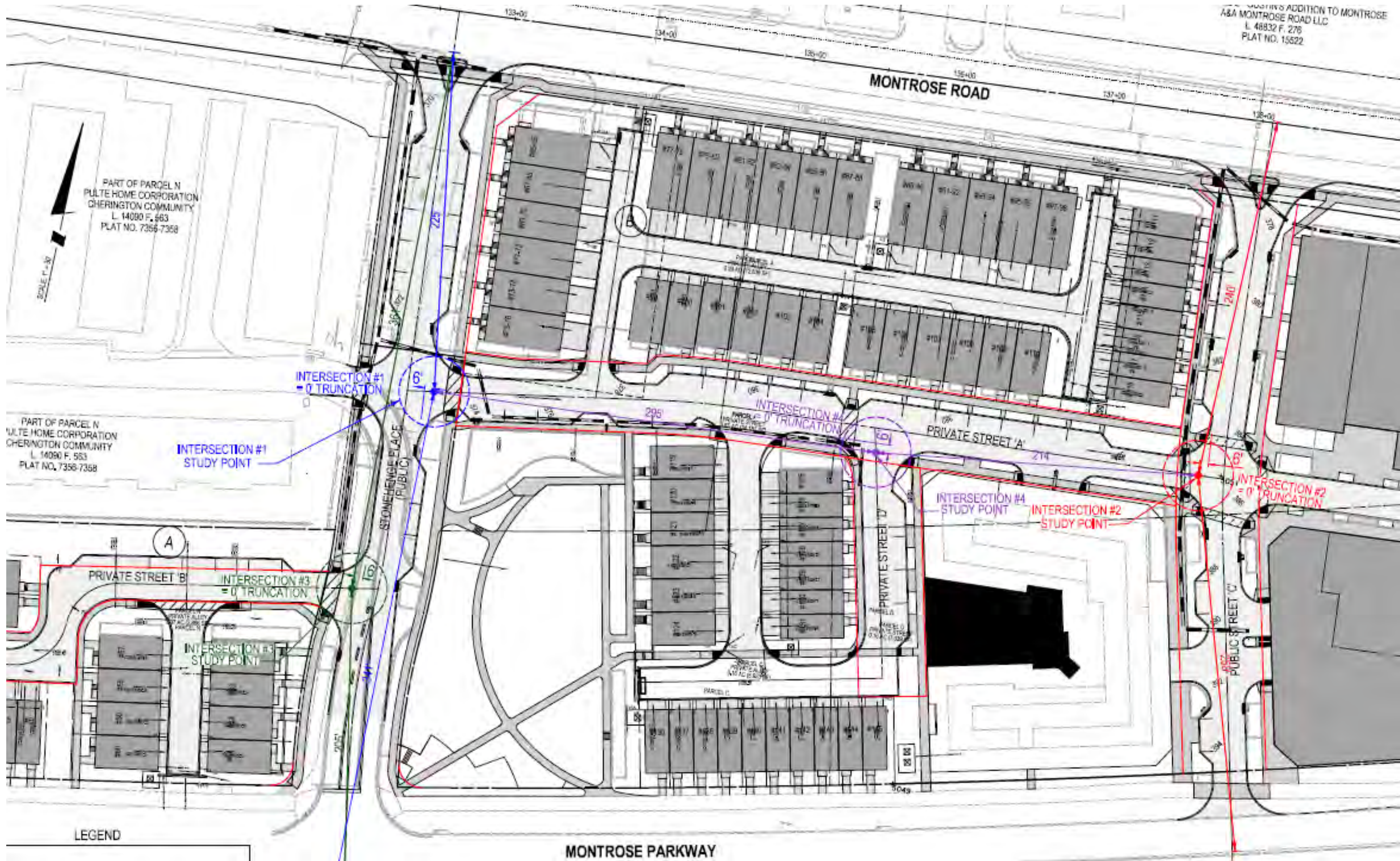
# Staff Report Revisions

## Public Roads

The Applicant has obtained approval of certain design modifications from MCDOT for truncations, cross-sections and right-of-way widths. Staff supports the proposed modifications, as shown on the Preliminary Plan.

## Private Roads

Similarly, Staff supports the proposed modifications to the road code design standards for Private Roads A, B and D, including truncations at public rights-of-way, cross-sections, right-of-way widths and centerline radii. Staff supports the proposed modifications, as shown on the Preliminary Plan.



# Revised Conditions

## General Approval

1. This Preliminary Plan is limited to a maximum of ..... 107 lots, 638 multi-family units on four (4) lots (including two (2) lots for 34 stacked two-over-two ~~townhouses~~ multi-family units and two (2) lots for multi-family buildings), .....

## Adequate Public Facilities, Preliminary Plan Validity, and Outside Agencies

2. The determination of Adequate Public Facilities (“APF”) and Preliminary Plan approval will remain valid for one hundred and twenty (120) months.....

The phasing schedule for the APF validity period is as follows:

- Phase I: Building permits issued for a minimum of 23 dwelling units, including MPDUs, within 60 months from the 30th day after the Resolution is mailed;
- Phase II: Balance of building permits for the remaining dwelling units, including MPDUs, issued within 60 months from the expiration of the Phase I APF validity period;

With respect to the phasing schedule for the Preliminary Plan validity period, plats must be recorded ~~and building permits issued~~ as follows:

- Phase I: Plats recorded for 24 lots (24 townhouse lots ~~and 1 multi-family lot~~) ~~and building permits issued for 127 dwelling units, including MPDUs~~, within 36 months from the 30th day after the Resolution is mailed;
- Phase II: Plats recorded for ~~22-21~~ lots (~~20-19~~ townhouse lots and two (2) stacked two-over-two ~~townhouse~~ multi-family lots) ~~and building permits issued for 54 dwelling units, including MPDUs~~, within 36 months from the expiration of the Phase I preliminary plan validity period;
- Phase III: Plats recorded for 64 lots (64 townhouse lots) ~~and building permits for 64 dwelling units, including MPDUs~~, within 36 months from the expiration of the
- Phase II preliminary plan validity period;
- Phase IV: Plats recorded for two (2) lots (one (1) lot ~~for multi-family apartment building and~~ one (1) lot for three (3) multi-family high-rise buildings) and ~~building permits issued for 500 dwelling units, including MPDUs, and~~ 15,000 square feet of retail shared with multi-family units within 12 months from the expiration of the Phase III preliminary plan validity period.

# Revised Conditions

## Outside Agencies

5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its ~~Stormwater~~ stormwater management concept letter dated June 30, 2020 .....

## Environment

### Noise

8. A noise study must be submitted with the initial Site Plan to M-NCPPC Staff from an engineer that specializes in acoustical treatment, showing existing noise impacts on the Property and the 20-year projected noise impacts based on the proposed development. The Applicant ~~will mitigate outdoor areas to~~ must attenuate any noise impacted units to comply with requirements to keep interior noise levels at or below ~~65 dbA~~ 45 dBA Ldn, and the Applicant must attenuate any impacted outdoor areas at or below 65 dBA Ldn where reasonable and as determined by M-NCPPC, with details to be determined at subsequent Site Plan(s).

## Transportation

10. ~~Prior to the issuance of the final Use and Occupancy Certificate for the first phase of development, the Applicant must restripe the master-planned roadways along the site frontage including East Jefferson Street, Montrose Parkway, Montrose Road, and Towne Road (as applicable) to have travel lanes that are ten feet wide, subject to the satisfaction or deferment of the Montgomery County Department of Transportation.~~

11. ~~Subsequent to MCDOT approval of the traffic signal construction plans and issuance of the right-of-way permit, the Applicant shall furnish and install a traffic signal at Montrose Parkway and Stonehenge Place, subject to the satisfaction of the Montgomery County Department of Transportation. The traffic signal must be operational prior to the issuance of the 43rd townhouse building permit for the site.~~

The County has previously entered into an agreement with the Applicant requiring the County to construct a traffic signal at the intersection of Montrose Parkway and Stonehenge Place at the County’s own cost when required. MCDOT has found that this traffic signal should be installed. To the extent that portions of the Wilgus property is necessary to be utilized for the construction/installation of the future traffic controls/signalization, the Applicant will make such land available to the County at no additional cost to the County.



# Revised Conditions

## Transportation

12. The Applicant shall construct a twelve-foot wide Breezeway along the Site's Montrose Parkway ~~between E. frontage (the "Breezeway").~~ The segment of the Breezeway from East Jefferson Street to Street ~~to Street C during Phase I of the development~~ C must be constructed prior to the issuance of the final Use and Occupancy Certificate for the mid-rise apartment building and the remaining ~~section~~ segment between Street C to Towne Road ~~at the time of Use and Occupancy Permit~~ must be constructed prior to the issuance of the final Use and Occupancy Certificate for the first high-rise multi-family building, ~~maintaining.~~ The Breezeway must maintain no less than six (6) feet ~~separating~~ of separation between the facility and ~~the roadway~~ Montrose Parkway per the *Parking Lots to Places: White Flint 2 and Rock Spring Urban Design Guidelines*. ~~The required facility and separation should be maintained along the entire extent of the Site's frontage.~~

14. Prior to issuance of the final Use and Occupancy Certificate ~~of for a dwelling unit in the first phase of development~~ initial Site Plan, the Applicant must provide a protected bicycle intersection at Montrose Parkway and East Jefferson Street and the master-planned separated bicycle lanes along East Jefferson Street. The Applicant may provide a fee-in lieu of construction to the Montgomery County Department of Transportation subject to MCDOT review and approval.

16. Design and construct, prior to issuance of the final Use and Occupancy Certificate for the first high-rise multi-family building, a protected bicycle intersection, subject to the satisfaction of the Montgomery County Department of Transportation, where the separated bicycle lanes meet the sidepath (to be reconstructed to 12-foot-wide) on Montrose Parkway and Towne Road.

# Revised Conditions

## Transportation

17. The Project must execute a Project-based Transportation Demand Management (TDM) Plan and must obtain approval from the Department of Transportation for the TDM Plan prior to issuance of any building permit ~~the first Use and Occupancy Certificate.~~

~~18. Design and construct prior to issuance of the final Use and Occupancy Certificate and dedicate the segment of "Street A" between Stonehenge Place and "Street C" as a private street, subject to the satisfaction of the Montgomery County Department of Transportation.~~

~~19.~~18. Prior to issuance of the final Use and Occupancy Certificate for the townhouses south of the Cherington community, provide appropriate pedestrian ramps and crossings connecting both sides of Street B at the two locations where the roadway bends sharply southward. Crossings may need to be raised or stop controlled ~~due to poor~~ depending on visibility.

~~21.~~20. Prior to Site Plan approval for the high-rise multi-family buildings, revise the loading program or execute a loading management plan governing the times of day trucks can enter the Site and associated operational safety requirements.

# Revised Conditions

## Transportation

### Existing Frontage Improvements

~~23.~~ 22. Prior to the ~~recording of plat(s)~~ issuance of the final Use and Occupancy Certificate for each respective phase, the Applicant must satisfy all necessary requirements of MCDPS to construct 10-foot two-way separated bike lanes and a six-foot wide sidewalk along the Property frontage on Towne Road, and five-foot wide sidewalks along both E. Jefferson Street and Montrose Road, and a twelve-foot wide shared-use path along Montrose Parkway. Final timing and phasing to be determined at Site plan(s).

### New Streets

~~24-23.~~ The Applicant must dedicate the rights-of-way for Street C and Stonehenge ~~Plan Extension~~ Place Extended to ensure construction of all necessary road improvements ~~for the following public streets,~~ as shown on the Preliminary Plan, to the design standards imposed by applicable road codes, or as modified by MCDOT's approved design exceptions.

### Private Roads

~~25.~~ 24. The Applicant must provide the Private Roads, labeled as Street A, Street B, and Street ~~B-D~~ on the Preliminary Plan...

## Record Plats

~~30.~~ 29. The record plat must reflect the required minimum four-foot-wide public infrastructure area-adjacent to or within all Private Streets.

# Revised Conditions

## Moderately Price Dwelling Units (MPDUs)

~~35.~~ 34. The Applicant shall provide a minimum of 15% MPDUs ~~as required on site~~. The MPDUs may be dispersed as approved by DHCA among the ~~Sketch Plan approval and the future townhouse and stacked two-over-two multi-family units~~. Future Site ~~Plan~~ Plans shall provide 15% MPDUs in ~~each the~~ mid-rise apartment building and within each ~~building for~~ of the three (3) high-~~rises~~-rise buildings, subject to rounding.

## Future Site Plan

~~43.~~ 42. The following items must be addressed prior to filing and during the review of ~~Subsequent the~~ Site ~~Plans that are adjacent to~~ Plan for the townhouse development to the immediate south of the Cherington Community:

- a) ~~The Installation of the~~ 20-foot wide landscape buffer ~~abutting the Cherington HOA townhouse community must be installed as part of any Site Plan that is filed adjacent to area between~~ the Cherington Community to the north and the proposed townhouse development to the immediate south as shown on the preliminary plan. The ~~Cherington~~ landscape design drawings identified as LB-1 and LB-2 dated ~~April 7~~ July 1, 2020 must be given consideration in development of the landscape buffer to be included in the Site Plan submission.

~~44.~~ 43. The applicable Site Plan(s) must include the installation of a 6 feet 6-inch-high fence the length of the vegetated buffer along the Cherington property line. The type of fence, a synthetic wood-like material, and installation timing must be reviewed and approved during review of the Site Plan(s).

~~45.~~ 44. ~~The future~~ As part of the review of the Site Plan for the townhouse development to the immediate south of the Cherington community, the Applicant will coordinate with the adjacent community and Staff regarding surface drainage water that may adversely impact the Cherington community.

~~47.~~ 46. As part of the initial Site Plan, the Applicant shall submit a phasing plan addressing the planting of the buffer area between the Cherington Community to the north and the proposed townhouse development to the immediate south. This buffer area shall be planted as soon as feasibly possible after the clearing and grading of the entire site for the construction of the townhouses and stacked two-over-two ~~townhouses included in the first phase of redevelopment~~ multi-family units.

# Staff Recommendation

- Staff recommends approval of the Preliminary Plan with the revised conditions.

