

SITE PLAN JUSTIFICATION STATEMENT
Westwood Shopping Center
Site Plan No. 820180190
Updated January 2019

I. INTRODUCTION

Applicant, Equity One (Northeast Portfolio), LLC (“Applicant”), by its attorneys, Linowes and Blocher LLP, submits this Site Plan Justification Statement to demonstrate conformance of the proposed development with all applicable review requirements and criteria. The subject property, which is owned by the Applicant, contains a gross tract area of approximately 540,524 square feet, or approximately 12.4 acres, and includes the property located at 5400 Westbard Avenue, more particularly known as Lot A-4 on Plat No. 5498 and unplatted Parcel 360 (“Property”). The Property is zoned CRT 2.0, C 0.75, R 1.25, H 60 and is identified as Site 1 in the Westbard Sector Plan, approved and adopted in July 2016 (“Sector Plan”).

Pursuant to the applicable provisions of Section 59.7.3.4 of the Montgomery County Zoning Ordinance (“Zoning Ordinance”), Applicant submits this site plan application for the proposed redevelopment of the Property, under the standard method of development, with approximately 70 single-family attached residential units, approximately 200 multi-family residential units, and approximately 171,232 square feet of commercial/retail uses (“Project”). The Project will significantly revitalize an aging strip shopping center, enhance community connectivity, and create desirable public open spaces in accordance with the recommendations of the Sector Plan, as discussed in more detail below. Applicant therefore respectfully requests that the Montgomery County Planning Board of The Maryland-National Capital Park and Planning

Commission (“Planning Board”) grant approval of the requested site plan application (“Application”).

Contemporaneously with the submission of this Application, the Applicant is also submitting amended plans for Preliminary Plan Application No. 120170170 covering the Property (the “Amended Preliminary Plan”), and requests that these applications be processed concurrently.

II. BACKGROUND AND PRIOR APPROVALS

Preliminary Plan Application No. 12070170 (“Preliminary Plan”), covering a larger, approximately 25.7-acre tract of land, of which the Property is a part, was filed on December 20, 2016 (“Preliminary Plan”), seeking approval of approximately 1,800,000 square feet of new and existing mixed use development, including 510,000 square feet of commercial gross floor area and up to 874 dwelling units on 113 lots. Although a Development Review Committee Meeting on the Preliminary Plan was held on January 10, 2017, and subsequent meetings and resubmissions occurred relative thereto through April 2017, the processing of the Preliminary Plan thereafter stalled, as explained further below.

On April 26, 2017, the Planning Board approved Sketch Plan No. 320170010 (“Sketch Plan”), covering the same area as that encompassed by the Preliminary Plan, for up to 510,000 square feet of non-residential uses, up to 1,290,000 square feet of residential uses, and a total cumulative density limit of up to 1,800,000 square feet. Condition No. 6 of the Sketch Plan approval required the Applicant to perform an archeological assessment of Parcel 175 included in the Preliminary Plan, and Condition No. 6 vi specifically stated that, “[t]he Assessment must be completed prior to the hearing date for the ... Preliminary Plan.” The Applicant thereafter

entered into mediation with a number of interested parties regarding, among other issues, the conduct of the assessment and agreed as part of that mediation to not proceed with the required archaeological assessment while mediation was ongoing. As a result of the mediation and condition of approval, the Preliminary Plan was largely inactive from approximately April 2017 through October 2017.

Mediation ceased in late September 2017, and the Sketch Plan was subsequently abandoned on January 18, 2018. The revised Preliminary Plan being filed contemporaneously herewith removes Parcels P 238, P 240 and P 175¹ from that application and seeks to reduce the proposed density from the original submission by approximately 976,000 square feet to approximately 823,610 overall square feet of mixed-use development, consisting of approximately 176,232 square feet of commercial and 647,378 square feet of residential density, comprised of approximately 410 multi-family and 104 single-family attached dwelling units. As noted above, that revised application is being filed contemporaneously herewith.

III. EXISTING CONDITIONS AND SURROUNDING AREA

The Property is approximately 12.4 acres in size, which includes approximately 44,428 square feet of area from previous dedications for Westbard Avenue. The Property is currently improved with an approximately 101,637-square-foot single-story strip retail shopping center and a large expanse of surface parking. There is very little vegetation on the site and no stormwater controls.

¹ These parcels have been purchased by the Housing Opportunities Commission (“HOC”) and are no longer under the ownership of the Applicant.

The property abuts Westland Middle School, in the R-60 zone, to the south, the four-story Kenwood Condominium building, in the R-20 zone, to the west, single-family residential uses in the R-60 zone to the north, and Westbard Avenue and confronting commercial and multi-family residential uses in various CRT zones to the east.

IV. PROPOSED PROJECT

The Application proposes the construction of a three-phase development. The first phase consists of a commercial building with a grocery anchor on the south side of the Property (the “South Building”). The second phase consists of 70 townhouse units on the west side of the Property, adjacent to the Kenwood Place condominium property. The third phase consists of a mixed-use building with street-level retail and approximately 200 multi-family units above the retail on the north side of the Property (the “North Building”).

The South Building is proposed at three stories (maximum of 60 feet) in height. On the street level there is structured parking wrapped with retail buildings facing onto Westbard Avenue and a new internal private road. Loading will occur on this level on the south side of the building, via an access point from Westbard Avenue devoted exclusively to loading and refuse functions. The structured parking within the building will be accessed both by a right-in, right out, access point on Westbard Avenue, as well as from a full-movement intersection along the internal private road, at the northwest corner of the building. Elevator access to the grocer, to be located on the third floor, will also be proximate to that intersection and access point. The second level of the South Building will contain additional structured parking wrapped with retail and office uses on the north and east sides. The top floor of the building will contain approximately 100 additional parking spaces, which will be uncovered at that level, as well as

the grocery store anchor. The step-down of the proposed South Building from east to west at this top level provides a transition down to the adjacent townhouse community, resulting in a compatible transition between the two uses.

The North Building is proposed at five stories (maximum of 60 feet) in height. The North Building will provide one level of below-ground parking for the residents of the multifamily component of the building. The ground floor of the North Building will contain parking lined by retail uses on the south, north and east that activate the planned open spaces to the north and south, as well as the Westbard Avenue streetscape. The west side of the building, facing the proposed townhouse community, will be activated by both residential lobbies at the corners of the building

The second level of the North Building will contain parking spaces, and the third, fourth and fifth floors contain approximately 200 residential units framing three courtyard areas. Loading for the retailer to be located in the northeast corner of the North Building will occur via the private road along the north side of the building. In this location, the loading dock and trash collection areas have now been consolidated to minimize the width of the loading area. Additionally, the use of this loading area is expected to be infrequent due to the fact that it serves a single retailer. Loading for the remainder of the commercial components of the Northern Building will occur along the private road on the west side of the building.

The residential townhouses proposed on the western portion of the Property will enhance the larger redevelopment by adding a single-family housing option in close proximity to the new retail uses and providing a buffer between the retail and adjacent residential community. These units also help to frame the private street on the west side of the North Building. This townhouse community includes a number of open spaces for the enjoyment of residents, and is integrated

into the larger redevelopment in such a way as to provide easy access for residents to the amenities located throughout the larger property and in the adjacent area.

The Project also proposes significant new open spaces, as recommended by the Sector Plan. The first space, on the north side of the Project, is the Springfield Neighborhood Park, which is proposed at approximately one-half acre in size. This space includes play areas and a garden and is anticipated to be used for both active and passive recreational uses. The second open space is the Civic Green, an urban plaza proposed to be located between the North Building and the South Building. This space, which is also proposed at one-half acre in size, will consist of numerous focal features and gathering spaces, including a large expanse of lawn, shaded seating areas, a water feature, a stage for concerts and similar activities, and a retail pavilion on the west side to provide constant activity and anchor the space. This green area is located adjacent to the internal drive, which does not have curbs in order to facilitate the incorporation of that space, when closed to vehicular traffic, into the open civic green to accommodate larger events.

The Application will also significantly enhance pedestrian and bicycle circulation to and through the Property via the provision of an improved streetscape along the Property's Westbard Avenue frontage, including the incorporation of bicycle lanes, as well as a series of sidewalk connections into the site and through the open areas and private streets.

Access to the Property will be provided via three primary curb cuts along Westbard Avenue that lead into the internal private street network that runs along the north, west and south sides of the North building, as well as a right-in, right-out entrance to the parking structure within the South Building. An additional curb cut at the Property's southernmost point also provides access to the service and loading area for the South Building.

V. FINDINGS REQUIRED FOR SITE PLAN APPROVAL

Section 59.7.3.4.E.2 of the Zoning Ordinance sets forth the findings that the Planning Board must make before approving a site plan application. The following analysis establishes the Application's satisfaction of, and conformance to, these standards:

2. *To approve a site plan, the Planning Board must find that the proposed development:*

a. *satisfies any previous approval that applies to the site;*

As noted above, the Sketch Plan has been abandoned and is therefore no longer applicable to the Property. There are no other relevant previous approvals for the site. The Application conforms to the Preliminary Plan.

b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable to the Application, as the Property is not subject to any development plan or schematic development plan.

c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable, as the zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

d. *satisfies applicable use standards, development standards, and general requirements under this Chapter.*

The Project satisfies the applicable use standards, development standards, and general requirements of Chapter 59 of the Zoning Ordinance, as explained more fully below:

Use Standards

Section 59.3.1.6 of the Zoning Ordinance lists the uses that are permitted in the CRT Zone. The Project proposes both non-residential (retail/commercial) and residential (multi-family and single-family dwelling units) uses, which are permitted in the CRT Zone. The Applicant's final identification of the specific non-residential uses to be developed on the site will comply with the use standards provided in Section 59.3.1.6. of the Zoning Ordinance.

Development Standards for the Standard Method of Development in the CRT Zone

Section 59.4.5.3.C of the Zoning Ordinance lists the development standards for development under the standard method in the CRT Zone. The Application meets the majority of these development standards, as delineated in the development standards chart included on the Site Plan Cover Sheet. The Application does, however, seek slight modifications to the requirements of Section 4.5.3.C.5 of the Zoning Ordinance regarding Form, particularly with regard to transparency and building entrance spacing, as more fully described below:

a. North Building

Section 59.4.5.3.C.5 of the Zoning Ordinance specifies that multi-use buildings should have entrances spaced no more than 75 feet apart. Due to topography and grading issues, the only entrance proposed along the north elevation of the North Building is the parking structure access, which is approximately 110 feet from the eastern side of the building. Section 59.4.5.3.C.5 of the Zoning Ordinance specifies that the Planning Board may adjust the Form requirements at the time of Site Plan where the Planning Board find that the proposed design "1) deviates from the Building Orientation and Transparency requirements only to the extent

necessary to accommodate the physical constraints of the site or the proposed land use, and 2) incorporates design elements that engage the surrounding publicly accessible spaces, such as streets, sidewalks, and parks.” As noted above, the topography of the site is such that multiple entrances on the north elevation are not feasible. Despite the lack of entrances, however, the design of this elevation does engage the public realm, including the provision of a courtyard that will overlook the confronting Springfield Neighborhood Park.

The North Building also requires modifications to the transparency requirements of Section 4.5.3.C.5 of the Zoning Ordinance. More specifically, the standards require a ground floor, side yard minimum transparency for a multi-use building of 30%. While the transparency at the ground floor level of the north (side) elevation is approximately 29%, in an abundance of caution, the Applicant is seeking a modification to this requirement. Additionally, while the Zoning Ordinance is unclear whether the 20% transparency requirement for “upperstory” is intended to apply to each upper floor individually or all upper stories collectively, to be conservative, the Applicant is also seeking a modification to the requirements for the second story of the north elevation.² This level of the north elevation is screening a number of building services and is treated architecturally as the entablature zone for the base of the building, which requires a solid wall. The transparency at this level is therefore only approximately 8%, and the blank wall is approximately 92 feet wide, in excess of the maximum blank wall requirement of 35 feet for a side elevation. There is, however, edge landscaping proposed on the level above,

² To the extent that Planning Staff and/ or the Planning Board determines that the transparency requirements should apply to upper stories collectively, this modification would not be necessary, as the transparency of the upper stories of the north elevation collectively exceeds the 20% requirement.

which is intended to grow over the top edge of the second level to add additional interest and soften the appearance of the wall.

Finally, the west elevation of the north building requires a modification to the entrance spacing requirement, as the maximum separation between the proposed residential office and parking entrance is approximately 120 feet. This elevation is, however, appropriately activated with two main residential entrances and two residential amenity/ support space entrances, in addition to the parking entrance.

b. South Building

As noted above, whether upper stories are viewed individually or collectively by the Zoning Ordinance is somewhat unclear. The upper stories of the north elevation of the South Building, if taken collectively, would exceed the 20% requirement with approximately 28% transparency. In isolation, however, the third level would only achieve approximately 18% transparency. Therefore, to the extent necessary, a modification is requested for this elevation. The third level contains the proposed grocery use and excessive glass along this level would conflict with the merchandising of the space. Clearstory windows have been included, however, to provide transparency above the grocery merchandising area, and the architecture at this level has been design so as to imply fenestration and provide human scale. Portions of this level have also been set back to reduce their presence when viewed from the street level.

The east elevation of the North Building may also require a modification to the transparency requirement if floors are viewed individually. Collectively, this elevation achieves approximately 26% transparency, well in excess of the 20% required. Individually, however, the third level has only approximately 16% transparency. As noted above, this level is the proposed grocery level, and portions of this level have been set back as much as 17 feet to reduce its visibility from the ground plane.

General Development Requirements

Article 59.6 of the Zoning Ordinance contains general development requirements. The Application meets all of these requirements, as follows:

(i) Site Access (Division 6.1)

Access to the Project (vehicular, loading, pedestrian, and bicyclist) is proposed from Westbard Avenue. There will be a total of four curb-cuts along Westbard Avenue that will provide access to the private road network, direct access into the South Building's garage, and access to the South Building's loading area.

(ii) Parking, Queuing, and Loading (Division 6.2)

The parking associated with the Project will be located primarily in structured parking. The South Building's parking will be accessed either from the northwest corner of the building, via an internal private street, or from the east side of the building, directly from Westbard Avenue. The North Building's parking will be accessed entirely from the private road network on the north and west sides.

More than the minimum number of vehicle parking spaces required for the Project pursuant to Section 59.6.2 of the Zoning Ordinance is provided, as shown on the tables included

on the Site Plan Cover Sheet. All of the proposed parking spaces will comply with the design standards identified in Section 59.6.2.5 of the Zoning Ordinance. Similarly, the proposed loading spaces will comply with the dimension, location and maneuvering requirements identified in Section 59.6.2.8 of the Zoning Ordinance.

Bicycle parking will also be provided in accordance with Section 59.6.2.4.C of the Zoning Ordinance and will satisfy the bicycle parking design standards identified in Section 59.6.2.6 of the Zoning Ordinance.

(iii) Open Space and Recreation (Division 6.3)

Section 59.6.3.2 of the Zoning Ordinance references Division 4.5 as the controlling standard for open space requirements in the CRT Zone. Under the standard method of development, the Project will require 10% open space for the multi-use portions of the development and is proposing to meet this requirement, as shown on the Public Open Space Plan included with the Application. The public open space will be provided primarily in the new Civic Green and the new neighborhood park.

The single-family attached portion of the development also requires 10% common open space and proposes to meet this requirement, as shown on the Open Space Plan included with the Application. As reflected on the Site Plan, the Application will also comply with the standards and requirements for recreational facilities pursuant to Section 59.6.3.9.

(iv) General Landscaping and Outdoor Lighting (Division 6.4)

Landscaping and lighting will be provided in accordance with Section 59.6.4.1 of the Zoning Ordinance to ensure that the Project is safe, compatible with the surrounding community, and improves water and air quality. The Project will include new street lighting along the Property's Westbard Avenue frontage and a comprehensive lighting scheme within the Project

using a combination of lighting techniques, all designed to be attractive and safe. As shown on the landscape plans included with the Application, the Project also includes significant landscaping, utilizing a variety of tree and shrub species, that provides significant tree canopy and screening where appropriate.

(v) *Screening Requirements (Division 6.5)*

Pursuant to Section 59.6.5.2.C.2 of the Zoning Ordinance, the Project is required to provide screening between the North Building and the single-family neighborhood to the north that is within the R-60 zone. This area will contain the proposed Springfield Neighborhood Park and will have plantings that meet or exceed the requirements of this section.

(vi) *Outdoor Display and Storage (Division 6.6)*

This Division is inapplicable because the Project does not propose any outside display or storage.

(vii) *Signs (Division 6.7)*

The Applicant will obtain all necessary approvals from the Montgomery County Department of Permitting Services (“MCDPS”) for proposed signage on the Property.

e. satisfies the applicable requirements of:

- (i) *Chapter 19, Erosion, Sediment Control, and Stormwater Management;*
and

Pursuant to Chapter 19 of the Montgomery County Code, the Applicant will provide sediment and erosion control and water quality and quantity treatment for stormwater in accordance with applicable laws. A concept stormwater management plan has been submitted with this application. In addition to meeting the technical stormwater management requirements, the Project will also conform with the specific recommendations of the Section Plan regarding

stormwater improvements, as discussed more fully below. As urban redevelopment, sediment control measures will not conflict with the proposed Site Plan.

(ii) *Chapter 22A, Forest Conservation*

Pursuant to Chapter 22A of the Montgomery County Code, the Applicant will provide forest conservation in accordance with applicable laws and regulations. A Forest Conservation Plan demonstrating compliance with applicable codes is included in the Application.

- f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The building locations and overall site design proposed in the Application, including the proposed open spaces, circulation systems and landscaping, will be adequate, safe and efficient. As noted above, the majority of the parking provided for the Project is located internal to the buildings and screened from view. The circulation patterns to the parking and around the site are logical and safe, and open spaces and amenities are located in highly visible locations easily accessed by pedestrians and cyclists. Finally, building massing is arranged on the site so as to provide an appropriate street edge along Westbard Avenue, as envisioned by the Sector Plan, while stepping down in height to the west to ensure maximum compatibility. Overall, the proposed development will provide a high degree of safety, convenience, and amenity for site residents, as well as for area residents generally.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Site Plan substantially conforms to the Sector Plan’s specific guidance for the Property as well as its area-wide planning goals.³ A stated objective of the Sector Plan is “[d]esigning mixed-use buildings that offer residents a range of retail, office and housing options,” which the Application achieves through the proposed creation of a significant new mixed-use development offering residents a range of retail, office and housing options. *See* Sector Plan, p. 8. The Sector Plan also places special emphasis on the need for affordable housing within the Sector Plan area, and the Application will contribute to this objective by providing additional MPDU units in the planning area. *Id.* at 24. With regard to the Property in particular, the Sector Plan calls for “dividing the existing super-block composed of the Westwood Shopping center...and associated large surface parking lots...into smaller streets and blocks with ground floor, street-facing retail and residential and community uses.” *Id.* at 74. The Project conforms to this recommendation, proposing the division of the Property into two blocks, as shown on the Site Plan, with street-facing retail and various residential uses.

The provision of open and recreational space and improvement of connectivity are major themes of the Sector Plan, which calls for “[a]dding a network of green open spaces connected by trails and bikeways that provide places for outdoor recreation, gathering and relaxation.” *Id.* at 8. More specifically, the Sector Plan recommends the creation of a neighborhood park, no less than 1/3 acre in size, on the north side of the Property, adjacent to the Westbard Avenue and Ridgefield Road intersection. *See, e.g., Id.* at pp. 12, 74-75. The Application would result in the realization of this objective through the provision of such a neighborhood park, proposed at

³ Although many recommendations of the Sector Plan pertaining to the Property are linked to the Optional Method of development, numerous other Sector Plan objectives can still be achieved under the standard method currently being applied, as described herein.

½ acre in size, on the north side of the Property, adjacent to the intersection of Westbard Avenue and Ridgefield Road. Additionally, the Sector Plan calls for the creation of a civic green, no less than one-third acre in size, on the Property to “provid[] a central town green” and to serve as “a place for informal gatherings, quiet contemplation or large special event gatherings.” *See, e.g., Id.* at pp. 8, 74-75. In furtherance of this objective, the Application proposes a civic green approximately one-half acre in size on the Property that will “incorporate[] a central lawn as the main focus with adjacent spaces providing complementary uses” and will likely “include gardens, water features, [and] shade structures.” *Id.* at 74.

The Sector Plan also recommends significant environmental improvements such as increasing canopy cover, preserving large trees, promoting green roofs, and incorporating stormwater best practices in the area. *Id.* at 10-11, 76. The environmental features of the Project promote these objectives. Specifically, the Sector Plan recommends the establishment of “a minimum 50 percent canopy cover for all roads, on-street parking and ground level parking lots.” *Id.* at 76. As shown on the Tree Canopy exhibit included with the Application, the Project will achieve a minimum of 50 percent canopy cover over the roads and on-street parking internal to the Project. The Sector Plan also makes a specific recommendation to “[r]educe impervious surface parking areas,” which the Project will achieve through replacement of acres of existing surface parking with the proposed redevelopment. *Id.*

With regard to stormwater, the Sector Plan acknowledges that much of the existing development in Westbard was completed prior to stormwater regulations and that projects will be subjected to the current County and State regulations as redevelopment occurs. *Id.* at 58. To maximize the benefits of upgraded stormwater management, the Sector Plan also recommends that “SWM treatment [] be done on-site wherever feasible, and the use of waivers should be

limited.” *Id.* These objectives are achieved with the proposed redevelopment, which will treat 100 percent of the stormwater from the Project on-site without the need for waivers. With regard to Westwood I in particular, the Sector Plan also recommends that any future redevelopment of that property “address the currently unmitigated storm flows that drain from the Kenwood Place condominium into the Giant Food site...by installing stormwater buffer strips along and within the perimeter of the Westwood Shopping Center site.” *Id.* The revised plan moves the townhouse units proposed along the property line shared with Kenwood further east to accommodate a buffer between the units and the property line to assist in the collection of stormwater. In accordance with the Sector Plan’s recommendation, the storm flows from Kenwood Place will be collected in a swale along the joint property line and directed to stormwater facilities or to the receiving stormdrain system.

With regard to tree and forest preservation, in addition to more general recommendations, the Sector Plan recommends that “[a]ny redevelopment should make efforts to preserve the large trees along the entrance driveway to the Kenwood Place Condominium and the property boundary between the condominium and Westwood Shopping Center.” *Id.* As shown on the Forest Conservation Plan included with the Application, these large trees are all preserved and, where practicable, the smaller trees along the Kenwood driveway are also preserved, as shown on the current layout.

From a transportation perspective, the Sector Plan recommends “[t]ransforming existing streets into multi-modal transitways and adding new connections.” *Id.* at 8. The Sector Plan also contains specific recommendations regarding the streetscape associated with Westbard Avenue, including a cross section on page 38, aimed at addressing the Sector Plan’s goals of “enhance[ing] roadways to accommodate multi-modal transportation options” and “improve[ing]

bicycle and pedestrian infrastructure.” *Id.* at 33-34. In furtherance of these objectives, the Application proposes significant streetscape improvements along the Property’s frontage that will include areas for cars, pedestrians and bicycles, and create a welcoming pedestrian area along Westbard Avenue, with the possibility of outdoor dining. The Sector Plan also calls for a “transit hub” on or near the Westwood I Property that is to include space for “a bikeshare station” and a “[r]eal-time information display for transit service.” *Id.* at 44. As part of the resubmitted plans, a transit hub is now shown along Westbard Avenue proximate to the office entrance for the Southern Building. This hub will feature a new bus shelter with a real-time information display, as well as a bikeshare station, in conformance with the Sector Plan recommendations.

To acknowledge the history of the Westbard area, the Sector Plan also recommends that projects “[u]se building materials for new construction that have significance to the area and, if they are unavailable, use similar substitutes.” *Id.* at 63. The Sector Plan specifically recognizes “brick and Stoneyhurst stone,” “Indiana limestone,” and “Westbard granite” as such significant materials. Because the procurement of these materials is difficult and will be uncertain throughout the life of the Project, the townhomes will be designed using materials that are compatible in appearance, size and shape. The primary exterior material of the front of the townhouses units will be brick veneer with pre-cast banding and accents, both reflective of the history of the Westbard area. The remainder of the Project will also be predominantly masonry, with brick heavily utilized on both the North and South Buildings. Additionally, the small retail kiosk in the Civic Green will heavily feature a stone exterior, reminiscent of the history of the area. Both the North and South Buildings will also include masonry detailing common to local historic examples.

The Sector Plan also states that “historically-oriented interpretive signage, markers and commemorative art” are a “priority in new development” and that developers should coordinate the content and location of such signage, markers and art with the County Historic Preservation Office. *Id.* at 63-64. In conformance with this condition, the Applicant will coordinate with the County Historic Preservation Office to ensure these recommendations are addressed prior to certified site plan.

For all the foregoing reasons, the Project will achieve the Sector Plan’s objective of “enhancing Westbard’s community character and identity” through placemaking. *Id.* at 54. As noted above, the Project includes significant and attractive open spaces framed by buildings with materials echoing the area’s history, and activated streets featuring wide sidewalks, outdoor seating, and significant landscaping and tree canopy. The Applicant believes that, as designed, the Project will create “great public spaces for gathering, events and play.” *Id.*

- h. 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. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads and storm drainage.*

Because the Preliminary Plan for the Property was filed prior to January 1, 2017, the Project is subject to the 2013 LATR Guidelines. As more fully described in the Traffic Study included with the Application, the Project will be served by adequate transportation facilities.

Other available public facilities and services are also adequate to serve the proposed Site Plan. With regard to schools, the Property is also situated in the Whitman School Cluster.

Pursuant to both the FY18 and FY19 Annual School Test, the Whitman Cluster, as well as the individual school test for Wood Acres Elementary School and Pyle Middle School, are adequate under applicable capacity criterion. Police stations, firehouses, and health clinics are considered adequate under the 2016-2020 Subdivision Staging Policy unless there is evidence that a local area problem will be generated. There are no circumstances present that would rebut this presumption of adequacy.

The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Property.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Property is located in the CRT zone. Therefore, this section is inapplicable to the Project.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

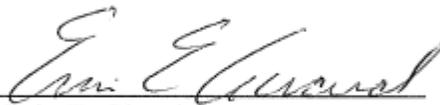
The buildings included in the Application have been carefully designed and situated on the Property to be compatible and in scale with the existing and future surrounding uses. The North and South Buildings front onto Westbard Avenue, across from which are existing multi-family and commercial uses. The South Building steps down to the west to provide an appropriate transition to the adjacent proposed townhomes, and the Project as a whole transitions to single-family residential on the west side to provide a compatible relationship with the adjacent Kenwood Place condominium project.

VI. CONCLUSION

For the foregoing reasons, the Application conforms to all necessary requirements and criteria for approval. The Applicant therefore respectfully requests that the Planning Board grant approval of this Site Plan Application. The above analysis and submitted plans establish that the Application satisfies the required findings that the Planning Board must make to approve a Site Plan Application in accordance with the Zoning Ordinance.

Respectfully submitted,

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