Resolution No.: 20-850
Introduced: June 10, 2025
Adopted: June 17, 2025

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: District Council

SUBJECT: Application No. H-156 for Amendment to the Zoning Ordinance Map, Patrick L. O'Neil, Esq. and Vincent G. Biase, Esq., Attorneys for the Applicant, TriPointe Homes DC Metro Inc.; OPINION AND RESOLUTION ON APPLICATION; Tax Account No. 02224811.

OPINION

TriPointe Homes DC Metro Inc. (TriPointe or Applicant) submitted Local Map Amendment (LMA) Application No. H-156 (Application) on August 19, 2024.[1] The Application seeks to rezone the subject Property from its current IM-2.5, H-50' (Moderate Industrial) zoning classification to the CRNF-1.25, C-0, R-1.25, H-60' (Commercial Residential Neighborhood Floating Zone) zoning classification (the "Application"). (Exhibit 1).

Staff recommended approval of the application. (Exhibit 27). At a meeting held on December 19, 2024, the Planning Board recommended approval of the LMA Application as well as a Preliminary Forest Conservation Plan (PFCP) for the proposed development. (Exhibit 28). On December 24, 2024, the Office of Zoning and Administrative Hearings (OZAH) issued notice scheduling a public hearing for February 6, 2025. The public hearing was held as noticed on February 6, 2025. The record closed on February 20, 2025. The Hearing Examiner issued her report recommending approval on April 7, 2025. The Council approved a resolution extending the time to act on LMA H-156 on May 6, 2025. The deadline was extended to July 29, 2025.

To avoid unnecessary detail in this Opinion, the Hearing Examiner's Report is incorporated herein by reference. Based on its review of the entire record, the District Council finds that the application meets the standards required for approval of the requested rezoning for the reasons set forth by the Hearing Examiner.

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[1] The Application was certified by Maryland-National Capital Park and Planning Commission staff ("Staff" or "Technical Staff") on July 23, 2024, and accepted for filing by the Office of Zoning and Administrative Hearings) OZAH on August 19, 2024.

Subject Property

The subject property is comprised of approximately 13.86 net acres total and recorded as Parcel D in the "Gude North" Subdivision among the Land Records of Montgomery County, Maryland (the "Land Records") at Plat No. 13905. The current zoning is IM-2.5, H-50' and the Applicant is requesting to change the zone to CRNF-1.25, C-0.0, R-1.25, H-60'. (Exhibit 1; Exhibit 27 p. 7; T.24).

The record demonstrates that the Property is currently developed with four office buildings that range from one- to three-stories in height and an associated surface parking lot with 649 spaces. The existing offices are occupied by tenants such as FedEx, an electrical equipment supplier, a data center, an engineering firm, an insurance agency, among others. According to the Maryland State Department of Assessments and Taxation ("SDAT") records, the existing office complex was built in 1984 and has approximately 177,126 square feet of above grade floor area. The existing buildings are angled away and setback from the roadways (Crabbs Branch Way and Standish Place), with the surface parking located between the buildings and the street on all sides. The Property's current vehicular access is provided via four curb cuts off Standish Place. (*Id*. p.10).

Surrounding Area

The "surrounding area" is identified and characterized in a Floating Zone application to assess whether the development proposed by the Floating Zone Plan (FZP) will be compatible with the properties directly impacted by the use. Those properties that are directly impacted form the boundaries of the surrounding area. Once delineated, the surrounding area is "characterized" to compare the compatibility of the development proposed by the Floating Zone with the character of the area.

The Hearing Examiner agreed with the Staff-defined surrounding areas, which was also accepted by the Applicant's expert, that the neighborhood is bordered by Indianola Drive and the homes that front onto Indianola Drive to the north and east, East Gude Drive to the south, and the Metro Rail Line to the west. The neighborhood contains predominantly moderate industrial (zoned IM-2.5, H-50' and IM-2.5, H-70') and single-family detached residential (zoned R-90 and R-200) uses as illustrated in Figure 1 (Vicinity/Staff Delineated Neighborhood); Figure 2 (Zoning Vicinity Map) and Figure 4 (Zoning Property Map) of the Technical Staff Report reproduced at pages 10 and 11 of the Hearing Examiner's Report.

Proposed Development

TriPointe seeks to have the property rezoned for purposes of redeveloping the existing suburban office complex and surface parking lot into a new residential community with up to 210 dwelling units, constructed within a single phase. According to Staff, at this time, the dwelling unit types are anticipated to be two-over-twos and rear-loaded townhouses, with the final unit mix to be determined at the time of Site Plan. As currently proposed, the two over-twos are dispersed along the northern and southern portions of the Property along Standish Place, and the townhouses are interior to the site. (Exhibit 27, p. 12). The Applicant's proposed plans are outlined in detail in

Applicant's Land Planning Report which further explains that a maximum of 210 dwelling units can be accommodated on the site, which amounts to 754,818 gross square feet of development and a FAR of 1.25 of development. The number of dwelling units and mix of units will be established during the Site Plan phase and will not exceed 210 or the FAR allowed for the site. (Exhibit 19, p.8).

The FZP includes the following four binding elements:

1. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) as approved by the Montgomery County Department of Housing and Community Affairs (MCDHCA), consistent with the requirements of Chapter 25A.
2. The development must provide at least 10 percent (10%) of the site area as open space, allocated proportionally by use (townhouse and multifamily) between Common and Public Open Space.
3. The Central Park open space, identified illustratively on the FZP, must be made accessible to the public. The final size, design, and programming of the Central Park will be determined at time of Site Plan.
4. Vehicular access to the Site will be limited to Standish Place.

Criteria for Approval

To approve an LMA, the District Council must find that the proposal will meet the standards required by the Zoning Ordinance and that it will be consistent with the coordinated and systematic development of the Regional District. See, *Md. Land Use Art.*, §21-101(a) and (b). While many of the site-specific requirements for development are addressed by later approvals, the Zoning Ordinance contains various standards, or "Necessary Findings," that the Council must make to approve the application. *See, Zoning Ordinance,* §59.7.2.1.E. These standards incorporate the requirements of other sections of the Zoning Ordinance, and most fall within three main categories: (1) conformance with the Master Plan, (2) compatibility with the surrounding area and adjacent properties, and (3) whether the project is supported by adequate public facilities.

Conformance with the Master Plan[2]

Applicant's expert witness, Mr. Michael Goodman, a Civil Engineer and Executive Vice President of VIKA Maryland, testified on Applicant's behalf that the property is located within the 2006 Shady Grove Sector Plan, which was also subject to the 2021 Minor Master Plan Amendment. T. 89. This is confirmed by Technical Staff. (Exhibit 27, p. 20-21).

[2] Section 59-7.2.1.E.2.a. of the Zoning Ordinance requires the District Council to find that the FZP "substantially conforms with the recommendations of the applicable master plan, general plan, and other applicable County plans." Section 59-7.2.1.E.2.b requires the FZP to be "in the public interest," which includes a review of conformity with County plans and policies and whether the development will be consistent with the coordinated and systematic development in the Regional District under State law. Section 59-7.2.1.E.2.c requires the application to satisfy the intent of Floating Zones. The intent of Floating Zones incorporates compliance with the applicable master plan. *Zoning Ordinance,* §59-5.1.2.A.1.

According to the Staff Report, the office park property at 7501 Standish Place is in the Crabbs Branch Office Park District in the 2021 Shady Grove Minor Master Plan Amendment (Master Plan) area. The Master Plan notes that the Crabbs Branch Office Park is an "office park with a broad array of technology, biotechnology, industrial/flex, and office development uses in the 100-acre area" (p. 64). The Master Plan confirmed the Moderate Industrial (IM 2.5, H-50') Zone or similar IM zones for several properties in the office park. According to the Staff Report, residential development was not specifically recommended or addressed for properties in the office park.

According to Staff, although the Master Plan does not provide property-specific recommendations, the Project advances the Master Plan's broader vision for the Shady Grove area as a mixed-use and pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented with amenities and mobility options (p. 1). This vision is achieved by the redevelopment's proposed varying housing typologies, internal network of private streets and alleys creating a smaller and more compact development pattern, and the new central park area that will serve as an amenity for the future residents and surrounding community members. (*Id*). Staff analysis is that the Master Plan envisions the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options" (p. 1). The Project conforms with the Master Plan's overall vision of creating a mix of residential uses within a walkable neighborhood format. (*Id*.)

Regarding the County's General Plan, Thrive Montgomery 2050, which is the County's long-range planning guide for development and growth, Staff concluded that the proposed rezoning is strongly aligned with two of the General Plan's overarching objectives – promoting compact growth along corridors and diversifying and adding to the housing stock for the county. (Exhibit 27, p. 23). Staff further sited the "Housing for All" for portion of Thrive stating that:

> "Page 131 of the General Plan states: Montgomery County has an insufficient supply of housing. The current supply does not meet the needs of current or future households. A significant mismatch of supply and demand exists, where demand exceeds supply, raising the price of housing for both renters and those who want to own their home."
>
> "The proposed redevelopment would provide up to 210 additional dwelling units to Montgomery County residents, helping to address the insufficient supply of housing. One of the primary recommendations of the Housing chapter is to encourage the production of more housing to better match supply with demand (p. 132). Another key recommendation is to diversify the housing stock across incomes, building types, and geography, which this development achieves through its diversity of unit types (townhouses and two-over-twos) and will achieve through its unit sizes, which will be refined during subsequent regulatory reviews."
>
> "Specific policies the Application addresses from the Housing for All chapter include:
>
> - Expand opportunities to increase residential density, especially along major corridors and in locations where additional housing can assist in the development of Complete Communities.

- Facilitate the development of a variety of housing types in every part of the county but especially in areas near transit, employment, and educational opportunities (p. 132)"

(Exhibit 27, p.23 – 24).

The District Council agrees and finds that the proposed development conforms with the 2006 Shady Grove Sector Plan, which was also subject to the 2021 Minor Master Plan Amendment. In addition, the Project will provide government regulated units (a minimum of 15% MPDUs) where none currently exist. The Property is adjacent to many industrial employment establishments, creating a central and desirable location for housing approximately one mile south of the Shady Grove Metro Station. Furthermore, the integration of housing into the existing underutilized office and surface parking complex supports the Master Plan's vision for a mixed-use and pedestrian-oriented community with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options.

Compatibility

Several sections of the Zoning Ordinance require the District Council to decide whether the FZP is compatible with adjacent uses and the surrounding area.[3] The Hearing Examiner found that the FZP would be compatible with both adjacent properties and the surrounding area. Based on this record, the District Council finds that the proposed development is compatible with the surrounding area.

Based on this record, the District Council agrees with the Hearing Examiner's recommendation - agreeing with Staff - that the Project will transform this aging office park and expanses of surface parking on-site into a high-quality residential community organized around a series of smaller compact, tree-lined street blocks. The new street grid, proposed perimeter landscaping, and strategically sited dwelling units fronting along Standish Place will promote compatibility and appropriately transition the Site into the surrounding community. The office heights directly surrounding the Subject Property are between 50 and 80 feet, making the proposed 60 feet compatible with the surrounding uses. The planned location of the open space (Central Park Space) on Crabbs Branch which is a public street provides interconnectivity between this development and surrounding properties. Furthermore, the residential use would be appropriately integrated with the Derwood Station residential neighborhood just east of Crabbs Branch Way. This standard has been met.

[3] The application must satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter. *Zoning Ordinance,* §59.7.2.1.E.1.c. The intent of the Floating Zones requires the applicant to "ensure protection of established neighborhoods" by "establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses" and "providing development standards and general compatibility standards to protect the character of adjacent neighborhoods." *Id.,* Section 59.5.1.2.C.1 and 2.

Adequacy of Public Facilities/Public Interest

The District Council must also find that public facilities will be adequate to serve the FZP.[4]

The FZP must comply with the Planning Board's Local Area Transportation Review (LATR) Guidelines. *Zoning Ordinance,* 59.7.2.1.E.1.c. Evidence in this record demonstrates that the proposed Project will result in a reduction of overall site generated traffic and will therefore fall below the threshold of 50 net new peak hour person trips necessary for a traffic study. (Exhibit 27, p. 30).

The District Council agrees with the Hearing Examiner's finding that the Project is expected to result in a reduction of overall site generated traffic and will therefore fall below the threshold of 50 net new peak hour person trips necessary for a traffic study. Further, expert testimony indicated that the Project will meet all applicable adequacy of public facilities requirements as demonstrated by school and transportation tests.

The Hearing Examiner's Report alludes to testimony of Applicant's expert witness that the site is served by water sewer, electric and communication which are all immediately adjacent to the property and that even though the office building at the site does not use gas, there is gas adjacent to it as well. T. 92. He further testified that these utilities are adequate to support the propose new housing, and that they had some initial coordination with the Washington Suburban Sanitary Commission, and they have expressed that there are no capacity issues for water and sewer and have also been working with the Applicant's dry utility consultant who specializes with the electric and gas and they have also stated that there are no capacity issues. *Id.*

The Intent of Floating Zones (§59.5.1.2)

The District Council must determine whether the FZP fulfills the intent of the Floating Zones. Several of these have already been addressed.[5] The balance of those (from Section 59-5.1.2) are:

Section 59-5.1.2.A.3. Implement comprehensive planning objectives by:

[4] Section 59.7.2.1.E.2.e requires that an Applicant demonstrate that traffic generated from the proposed development "does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts . . ." The adequacy of other facilities is part of the Council's determination that an application will be "in the public interest…" and that it be "it will be consistent with a coordinated and systematic development of the Regional District" under State law. Zoning Ordinance, §59-7.2.1.E.1.b; *Md. Land Use Art*., §21-101(a) and (b). The intent of the Floating Zones is to "implement comprehensive planning objectives by…ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure…" Zoning Ordinance, §59-7.2.1.E.1.b; 59-5.1.2.A.2.

[5] The intent of Floating Zones contained in Sections 59-5.1.2.A.1 and 2 and 59-5.1.2.C of the Zoning Ordinance has already been addressed in the Council's findings relating to the compatibility of the FZP with surrounding uses and the adequacy of public facilities. The balance of the Floating Zone intent clauses are discussed here.

> *3. allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property…*

The Hearing Examiner found that the FZP meets this standard because the Project, among other things, "…capitalizes on the Project's convenient and transit-accessible location to increase the amount of housing available in an area with the infrastructure to support it. The Project represents efficient and sustainable land use by redeveloping an underutilized site that will connect future residents to the surrounding community and regional destinations". (Hearing Examiner Report p. 30). The District Council agrees and finds that the application meets this intent of the Floating Zones.

> *Section 5.1.2.B. Encourage the appropriate use of land by:*
>
> *1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;*
>
> *2. allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population;*
>
> *3. ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation; and*

The District Council finds that the development proposed meets this intent. The record demonstrates that this rezoning supports the County's objective of providing a range of housing types, including affordable housing, near a major transit facility that will improve the environment and will not overburden public facilities with vehicle trips. The proposed residential uses are in balance with and are supported by the existing and planned infrastructure with flexible applicability to changing economic, demographic, and planning trends as supported by Thrive 2050, which was approved after the Master Plan. The Project meets the intent of the CRNF Floating Zone to serve a diverse and evolving population with multiple unit types and a neighborhood design that is built on compact street blocks to encourage pedestrian activity.

Purpose of the Commercial Residential Floating Zones (Section 59.5.3.2)

In addition to meeting the intent of Floating Zones, the FZP must meet the purpose of the specific zone requested because a floating zone was not specifically recommended by the Master Plan. Per Section 59.5.3.1 of the Zoning Ordinance there are three (3) categories of Commercial/Residential Floating zones. The purpose of the Commercial/Residential Floating zones is to:

A. allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;
B. allow flexibility in uses for a site; and

C. provide mixed-use development that is compatible with adjacent development.

The FZP uses the proximity to the Shady Grove metro station to accomplish the County's goal of increasing housing near mass transit and seeks to improve this project transition the surrounding neighborhood through the provision of public open space. This standard has been met.

Applicability of a Floating Zone (§59.5.1.3)

Section 59.5.1.3 of the Zoning Ordinance has some specific applicability requirements. A Floating zone must not be approved for property that is in an Agricultural or Rural Residential zone.[6] This provision does not apply because the subject problem is not in an agricultural or rural residential zone. If a Floating zone is recommended in a master plan, there are no prerequisites for an application.[7] Similarly this provision does not apply because the applicable Master Plan did not recommend a Floating Zone. Therefore, the specific requirements and prerequisites outlined in Section 59.5.1.3.C of the Zoning Ordinance must be analyzed instead:

1. The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested;

According to Staff, no density bonus (MPDU or otherwise) is proposed as part of the Project. The Project is proposed at 1.25 FAR and 60-feet in height, which is within the maximum density for the current IM-2.5, H-50' zone, excluding the height. The Project will comply with (1) the maximum allowable residential density of 1.25 FAR and (2) the maximum 60-foot height of the requested CRNF 1.25, C-0.0, R-1.25, H-60' Floating Zone. (Exhibit 27, p. 25).

3. Non-Residential Base Zone – When requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.

Staff correctly pointed out and the Hearing Examiner agreed that the Property is currently located in a Moderate Industrial (IM) zone, which is a non-residential base zone. Accordingly, there are no prerequisites for this Application. (Hearing Examiner Report p. 35).

Uses and Building Types Permitted (Section 59.5.1.3)

Section 59.5.3.3 of the Zoning Ordinance limits the land uses allowed in the Commercial/Residential Floating Zones (CRNF) to "only" those uses allowed in the CRN Zone. Multi-unit living is permitted in the CRN Zone and this standard is met. Any building type is allowed in the Commercial/Residential Floating Zone; thus, the multi-family buildings are permitted in the requested zone.

Development Standards for CRNF-1.25, C-0.0, R-1.25, H-60' Zone (Section 59.5.1.3.C)

[6] Subsection A

[7] Subsection B

According to Staff, the design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subsequent Preliminary Plan and Site Plan review. The Project will meet the Development Standards for the CRNF-1.25, C-0.0, R-1.25, H-60' Zone. (Exhibit 27, p. 29)

Requirements of Article 59.6

Article 59.6 of the Zoning Ordinance contains general development standards for most developments. These standards regulate the number and design of parking spaces, drive aisles, landscaping, lighting, and public and private open space. Based on the undisputed evidence at this stage, the Applicant's proposal will be able to meet these standards, subject to review and modification of the particulars during site plan review.

Conclusion

Based on the foregoing analysis and after a thorough review of the entire record, including the Hearing Examiner's Report issued April 7, 2025, the District Council concludes that the proposed reclassification and development will meet the standards set forth in the Zoning Ordinance, and that it will be consistent with the coordinated and systematic development of the Regional District under State law.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District located in Montgomery County, Maryland, approves the following resolution:

> Local Map Amendment (LMA) H-156, requesting reclassification from the existing Industrial Moderate Zone (IM-2.5) to the Commercial Residential Neighborhood – Floating Zone (CRNF-1.25 C-0.0 R-1.25 H-60 Zone) of Parcel "D" in the subdivision known as "Gude North" as per plat thereof filed among the land records of Montgomery County, Maryland in Plat Book 118 as Plat No.13905, and identified as 7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place (Tax Account No. 02224811), is hereby **approved** as requested and subject to the specifications and requirements of the Floating Zone Plan (Exhibit 45), provided that the Applicant files an executed Declaration of Covenants (Exhibit 44) reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with §§59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

This is a correct copy of Council action.

Sara R. Tenenbaum
Clerk of the Council

BEFORE THE COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND SITTING AS THE DISTRICT COUNCIL FOR THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN MONTGOMERY COUNTY, MARYLAND

Office of Zoning and Administrative Hearings
Stella B. Werner Council Office Building
100 Maryland Avenue, Room 200
Rockville, Maryland 20850
(240) 777-6660

IN THE MATTER OF:	*	
	*	
TriPointe Homes DC Metro Inc.	*	
Applicant	*	
	*	
	*	
	*	Local Map Amendment
	*	Application No. H-156
For the Application	*	
	*	
Patrick L. O'Neil, Esq. and	*	
Vincent G. Biase, Esq.	*	
	*	
Lerch, Early & Brewer, Chtd	*	
Attorneys for the Applicant	*	
	*	

* *

Before: Khandikile Mvunga Sokoni, Hearing Examiner

HEARING EXAMINER'S REPORT AND RECOMMENDATION

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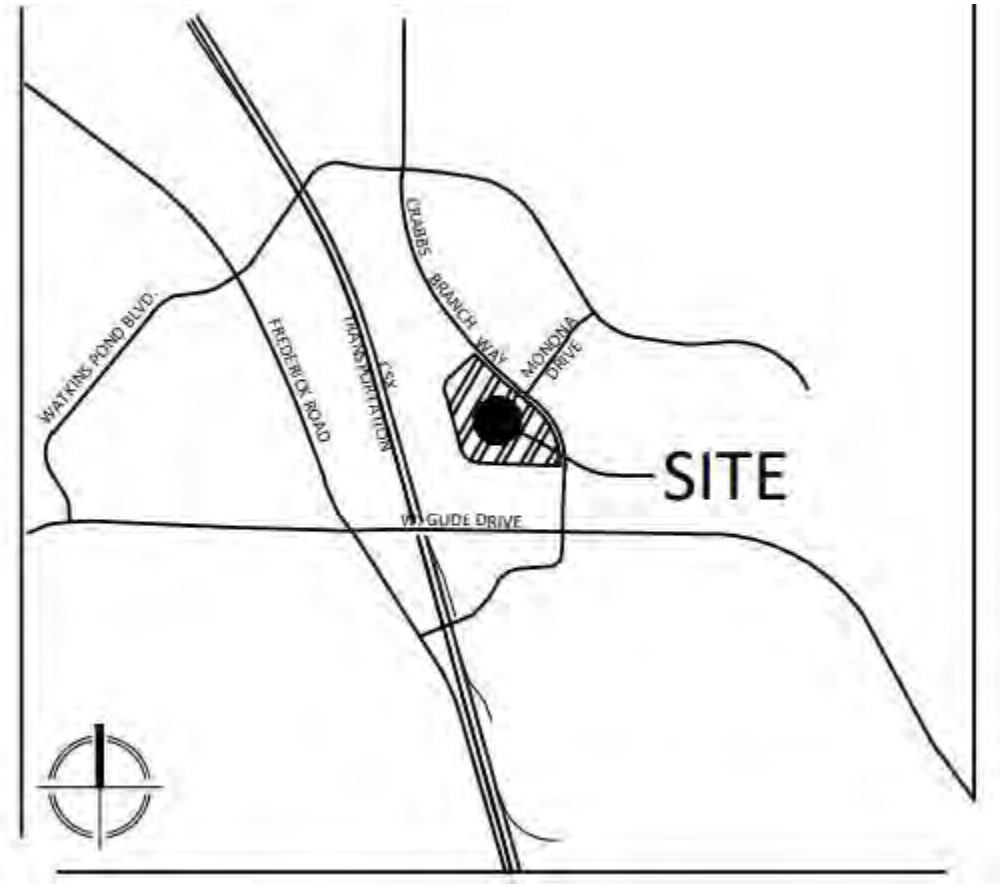
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I. CASE SUMMARY

Applicant:	TriPointe Homes DC Metro Inc.
LMA No. & Date of Filing:	H-156, filed August 19, 2025.
Location:	7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place (shown below).



[1]

Current Zone:	Industrial Moderate Zone (IM-2.5, H-50').
Current Use:	48,810-square-foot, four-story office building with a surface parking lot.

[1] Depiction taken from Applicant's Floating Zone Plan prepared by Applicant's Engineers, Vika Maryland, LLC. (Exhibit 45).

Requested Zone:	Commercial Residential Neighborhood – Floating Zone (CRNF-1.25, C-0.0, R-1.25 H-60 Zone).
Proposed Use:	Construction of up to 210 dwelling units on the Property.
MPDUs:	Binding element requiring a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) as approved by the Montgomery County Department of Housing and Community Affairs (DHCA), consistent with the requirements of Chapter 25A of the Montgomery County Code.
Consistency with Master Plan:	Located within the 2006 Shady Grove Sector Plan, as amended by the 2021 Shady Grove Minor Master Plan Amendment. Consistent with the Master Plan.
Neighborhood Response:	None on record.
Planning Board Recommends:	Approval
Technical Staff Recommends:	Approval
Hearing Examiner Recommends:	Approval
District Council Votes Needed to Approve:	6

II. STATEMENT OF THE CASE

Tri Pointe Homes DC Metro Inc (the "Applicant"), by and through its attorneys, Lerch, Early & Brewer, Chtd., submitted Local Map Amendment (Floating Zone) ("LMA") application number H-156 on August 19, 2025[2]. The Application sought to rezone the approximately 13.86-acre site located at 7501 Standish Place, Derwood, Maryland, Tax Account Number 02224811 (the "Property"). The Applicant more specifically identified the Property as "Parcel D" in the "Gude

[2] The Application was certified by Maryland-National Capital Park and Planning Commission staff ("Staff" or "Technical Staff") on July 23, 2024, and accepted for filing y OZAH on August 19, 2024. (Exhibit 1).

North" Subdivision, recorded in the Land Records of Montgomery County, Maryland in Plat Book 118 as Plat No. 13905. Specifically, the Applicant's proposal is to rezone the Property from its current IM-2.5 H-50 (Moderate Industrial) zoning classification to the CRNF-1.25, C-0, R-1.25, H-60' (Commercial Residential Neighborhood Floating Zone) zoning classification (the "Application"). According to the Applicant, the Application is intended to allow future redevelopment of the Property with a cohesive mix of townhomes and two-unit condominiums located within a new, organized street block system featuring common and public open space, as well as various residential amenities (the "Project"). (Exhibit 38).

The subject property is owned by IP DSC Moco Metro Park LLC. Applicant provided a Letter of Authorization signed by Nicholas R. Smith, Vice President, authorizing the filing of this application by TriPointe Homes DC Metro Inc. (Exhibit 2).

Applicant provided an Affidavit of Posting confirming that signs were posted around the perimeter of the subject property in accordance with requirements of the Zoning Ordinance and OZAH procedures. (Exhibit 41). Notice of the public hearing was mailed and posted on OZAH's website on December 24, 2024, setting a hearing date for February 6, 2025. Exhibit 29. The public hearing proceeded as scheduled on February 6, 2025. The Applicant presented four witnesses: Giovanni Esposito, Applicant's Land Entitlements Manager; Mr. Sachin Kalbag and Michael Goodman, Applicant's land planner and civil engineer respectively, with VIKA Maryland; and Nick Driban with Lenhart Traffic Consulting Incorporated, Applicant's Traffic Engineer and Transportation Consultant. T. 10, 11.[3]

At the public hearing, the Applicant submitted revisions to its Floating Zone Plan (FZP)[4]. On January 28, 2025, Applicant substituted prior submissions with an Amended Recreation Plan;

[3] References to the Transcript of the hearing are denoted with T. (page number).
[4] The original submission of the FZP was subsequently replaced by Exhibit 31 on January 28, 2025, and then again at the February 6, 2025 hearing with Exhibit 45 which was introduced as a hard copy at the hearing and the electronic

Amended Grading and Utility Plan; Amended Fire Department Access Plan; Amended Open Space Plan; Amended Circulation Plan (Exhibits 32, 33, 34, 35 and 36 respectively). On February 3, 2025, Applicant substituted its prior submission with an Amended Concept Storm Water Plan. (Exhibit 37). On February 4, 2025, Applicant substituted prior submissions with an Amended Statement of Justification; Amended Traffic Statement and Amended Preliminary Forest Conservation Plan (PFCP) Composite. (Exhibits 38, 39 and 40).

III. FACTUAL BACKGROUND

A. Subject Property

The subject property is comprised of approximately 13.86 acres total and recorded as Parcel D in the "Gude North" Subdivision among the Land Records of Montgomery County, Maryland (the "Land Records") at Plat No. 13905. The current zoning is IM-2.5, H-50', and the Applicant is requesting to change the zone to CRNF-1.25, C-0.0, R-1.25, H-60'. T.24. Applicant's Counsel clarified at the hearing that the total acreage is 13.86 although there are parts of the application that refer to 12.72 acres which is the net land area. Id.

According to Technical Staff, the eastern portion of the Property is located along Crabbs Branch Way, approximately 500 feet north of its intersection with East Gude Drive. The Property is bounded by a private road Standish Place to the north, west, and south. The site is irregularly shaped – rounded along the three sides that border Standish Place, with right-angle intersections where Standish Place meets Crabbs Branch Way on the eastern side of the Property. (Exhibit 27 p. 7).

The Property is currently developed with four office buildings that range from one- to three-stories in height and an associated surface parking lot with 649 spaces. The existing offices are occupied by tenants such as FedEx, an electrical equipment supplier, a data center, an engineering

copy was submitted with the Hearing Examiner's permission on February 12, 2025 prior to closing of the Record.

firm, an insurance agency, among others. According to the Maryland State Department of Assessments and Taxation ("SDAT") records, the existing office complex was built in 1984 and has approximately 177,126 square feet of above grade floor area. The existing buildings are angled away and setback from the roadways (Crabbs Branch Way and Standish Place), with the surface parking located between the buildings and the street on all sides. The Property's current vehicular access is provided via four curb cuts off Standish Place. (*Id*. p.10).

On the following pages are images and photographs of the subject property from the Staff Report.



Figure 3: Aerial view of the Property



Figure 4: Zoning Property Map



Figure 6: Subject Property existing conditions, looking northeast towards Crabbs Branch Way



Figure 7: Subject Property existing conditions, looking northwest towards Standish Place



Figure 8: Key map of existing Site conditions photos

B. Surrounding Area

The surrounding area is typically identified and characterized in a Floating Zone case. The boundaries are defined by those properties that will experience the direct impacts of the use. This area is then characterized to determine whether the FZP will be compatible with the impacted area.

The Staff-defined Neighborhood (Neighborhood) is bordered by Indianola Drive and the homes that front onto Indianola Drive to the north and east, East Gude Drive to the south, and the Metro Rail Line to the west (Figure 1). The neighborhood contains predominantly moderate industrial (zoned IM-2.5, H-50' and IM-2.5, H-70') and single-family detached residential (zoned R-90 and R-200) uses as illustrated in Figure 1 (Vicinity/Staff Delineated Neighborhood); Figure 2 (Zoning Vicinity Map) and Figure 4 (Zoning Property Map) of the Technical Staff Report reproduced below (Exhibit 27, p. 5 and 6).



Figure 1: Vicinity/Staff-Defined Neighborhood



Figure 2: Zoning Vicinity Map

Exhibit 27, p. 6

Technical Staff provided a detailed description of the surrounding area as follows:

North: Directly north of the Site, across Crabbs Branch Way, is the American National Red Cross building (zoned IM-2.5, H-50'). To the north, across Standish Place, there are additional moderate density industrial office parks, with tenants such as a software company, a medical equipment supplier, a cleaning service, and engineering consultants. Further north along Crabbs Branch Way are industrial office parks up to Indianola Drive and part of the Derwood Station single-family residential neighborhood (zoned R-90). The Shady Grove Metro Station and associated mixed-use development in the CR zone are approximately one mile northwest of the Subject Property.

East: To the east of the Property, along Crabbs Branch Way, is the American Society of Plant Physiology building (zoned IM-2.5, H-50') and an office building (zoned CRT-2.5, C-2.0, R-0.5, H-80') with tenants such as a fingerprinting service, a real estate office, and a house cleaning service. Further east is a continuation of the Derwood Station single-family neighborhood (zoned R-90 and R-200).

South: Immediately south of the Property, along Standish Place, are industrial uses (zoned IM-2.5, H-50' and IM-2.5, H-70'), such as an FDA office, a publisher, and a media office.

West: Directly west of the Property across Standish Place are additional industrial uses (zoned IM-2.5, H-50') with tenants such as a media company, telehealth services, and an

engineering consultant. One block west of the Property is the rail line for WMATA Metro. Id. p. 5.

C. The Applicant's Proposal

The Applicant is proposing to rezone the Property from approximately 13.86 acres of land from the Moderate Industrial (IM-2.5) Zone to the Commercial Residential Neighborhood Floating (CRNF-1.25, C-0.0, R-1.25, H-60') Zone to accommodate the redevelopment of the existing suburban office complex and surface parking lot to a new residential community with up to 210 dwelling units, constructed within a single phase. According to Staff, at this time, the dwelling unit types are anticipated to be two-over-twos and rear-loaded townhouses , with the final unit mix to be determined at the time of Site Plan. As currently proposed, the two over-twos are dispersed along the northern and southern portions of the Property along Standish Place, and the townhouses are interior to the site. (Exhibit 27, p. 12). The Applicant's proposed plans are outlined in detail in Applicant's Land Planning Report which further explains that a maximum of 210 dwelling units can be accommodated on the site, which amounts to 754,818 gross square feet of development and a FAR of 1.25 of development. The number of dwelling units and mix of units will be established during the Site Plan phase and will not exceed 210 or the FAR allowed for the site. (Exhibit 19, p.8).

Applicant called Mr. Sachin Kablag a Land Planner with Vika Maryland LLC, as an expert witness, who testified that he has 25 years of experience in land planning, development architecture and urban design. T. 28. Mr. Kablag explained that the property is currently sited with approximately four office buildings between one and three stories, two of which are interconnected and mostly vacant. It is surrounded by a parking lot - about 600 parking spaces – which he described as "…a very typical development from the Seventies where the office building is located towards the center and surrounded by a parking lot". T. 34. He explained that the proposed development

will improve the character of the surrounding neighborhood and support some of the single-family and townhome communities towards the north and will enhance the immediate vicinity by taking this very large property and reducing it to more compact, walkable blocks of street facing condominiums and townhomes. T. 36, 37. The Staff report explains that the Project is organized around a grid of private streets and alleys that create small blocks, with residences positioned close to the streets. The exact location of the access points will be based on sight distance and finalized at the time of Site and Preliminary Plan. Vehicular access will be restricted to Standish Place, but the Project will be accessible via Crabbs Branch Way to pedestrians. The Applicant is proposing to consolidate the current four access points into three access points, maintaining two of the existing and adding one on the northern boundary of Standish Place. An activated one-acre central park space is located directly off Crabbs Branch Way. A pedestrian promenade frames the western side of the central park. (Exhibit 27, p. 12).

1. Floating Zone Plan

Under Zoning Ordinance §59.7.2.1.B.2.g., every application for rezoning to a Floating Zone must be accompanied by a Floating Zone Plan (FZP) that contains required information and often a list of "binding elements" that restrict future development of the property. The Applicants have submitted the required plan. Exhibit 45. An excerpt of the FZP showing the proposed building layouts, drive aisles, road reservations, and forest conservation areas is reproduced on the following page.



Exhibit 27, Figure 10 at p. 13

2. Binding Elements and Process

The Applicant's Floating Zone Plan has the following four (4) binding elements:

1. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) as approved by the Montgomery County Department of Housing and Community Affairs (MCDHCA), consistent with the requirements of Chapter 25A.
2. The development must provide at least 10 percent (10%) of the site area as open space, allocated proportionally by use (townhouse and multifamily) between Common and Public Open Space.

3. The Central Park open space, identified illustratively on the Floating Zone Plan, must be made accessible to the public. The final size, design, and programming of the Central Park will be determined at time of Site Plan.
4. Vehicular access to the Site will be limited to Standish Place.

Consequently, and consistent with these binding elements, Staff recommended that regarding process, at the time of Preliminary Plan and/or Site Plan approval, the Applicant must address the following:

a) The final design and amenities of the Central Park and open spaces throughout the site, consistent with the Open Space Exhibit included in the Floating Zone Plan.
b) The distribution of the MPDUs across unit types, as approved by MCDHCA.
c) The Crabbs Branch Way Street design in compliance with the Complete Streets Design Guide.
d) The alignment and location of site access points on Standish Place.
e) The delivery of a noise study due to proximity to Crabbs Branch Way and the rail line to the west of the Subject Property.

(Exhibit 27, p. 3).

3. Access

The Staff Report outlines how the Project is organized around a grid of private streets and alleys that create small blocks, with residences positioned close to the streets. The exact location of the access points will be based on sight distance and finalized at the time of Site and Preliminary Plan. Vehicular access will be restricted to Standish Place, but the Project will be accessible via Crabbs Branch Way to pedestrians. The Applicant is proposing to consolidate the current four access points into three access points, maintaining two of the existing and adding one on the northern

boundary of Standish Place. An activated one-acre central park space is located directly off Crabbs Branch Way. A pedestrian promenade frames the western side of the central park. The pedestrian promenade has been incorporated in the site's Fire Department Access plan and will also serve as a fire access lane in times of emergency. (Exhibit 27, p. 12; T. 41).

Vehicular access to the Site is provided via Standish Place, a private, two-lane road that connects to Crabbs Branch Way on both ends and surrounding the Subject Property. Standish Place serves the Site and several adjacent properties. As currently proposed, three access points will connect to Standish Place. Private Street A will replace an existing access along the south side of the Property and create a new access connection on the north side of the Property. This street provides both north to south and east to west circulation within the Property. Several private alleys will also connect to Private Street A and provide access to parking for the proposed residences. Private Street B, which runs east to west between Standish Place and Private Street A, will replace an existing driveway access on the west side of the Property. (Id., p. 17).

As noted earlier in this Report, the proposed Floating Zone Plan has a binding element that limits vehicular access to the Site to Standish Place. The following pages contain Applicant's illustrations of vehicular and non-motorized circulation.

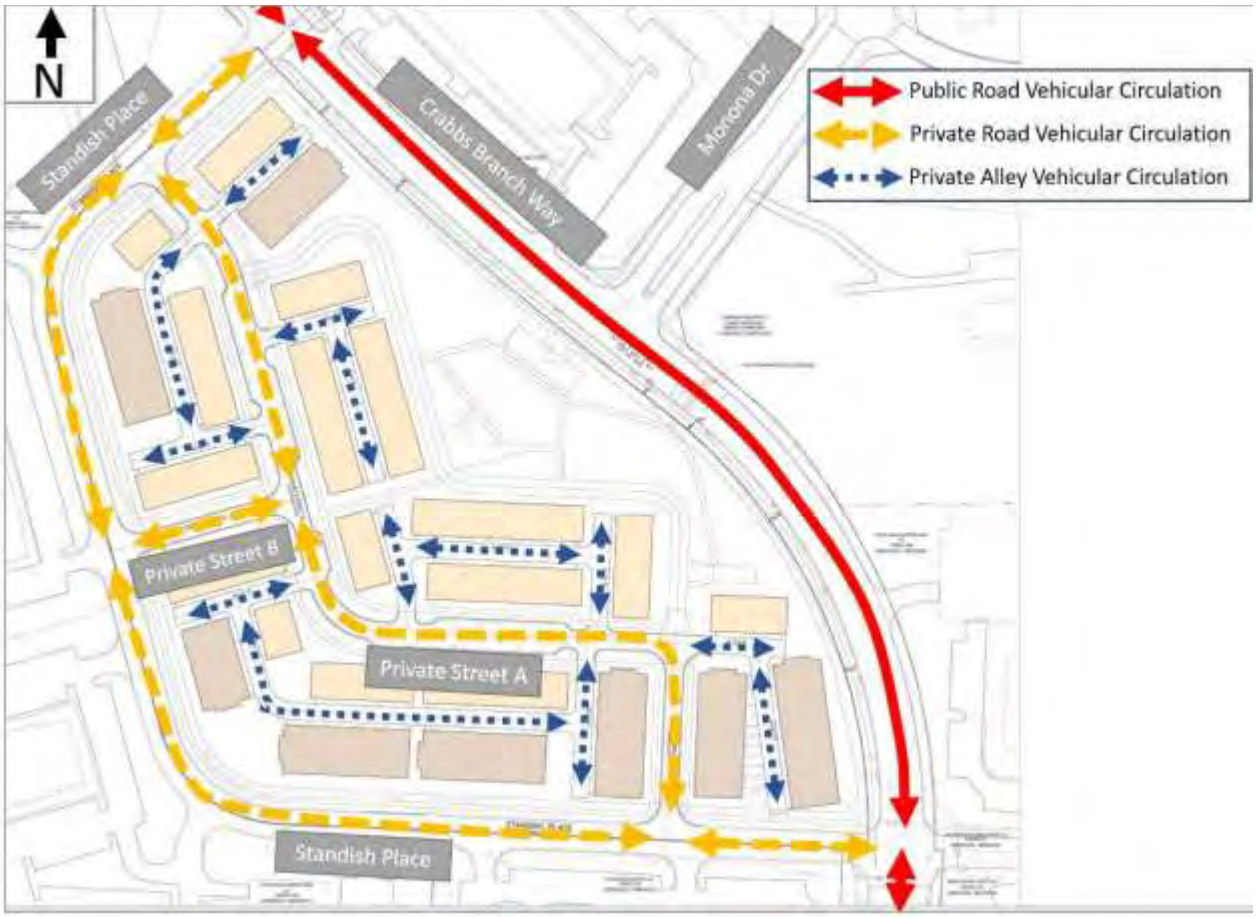


Exhibit 27, p. 18. Figure 15
Vehicular Circulation

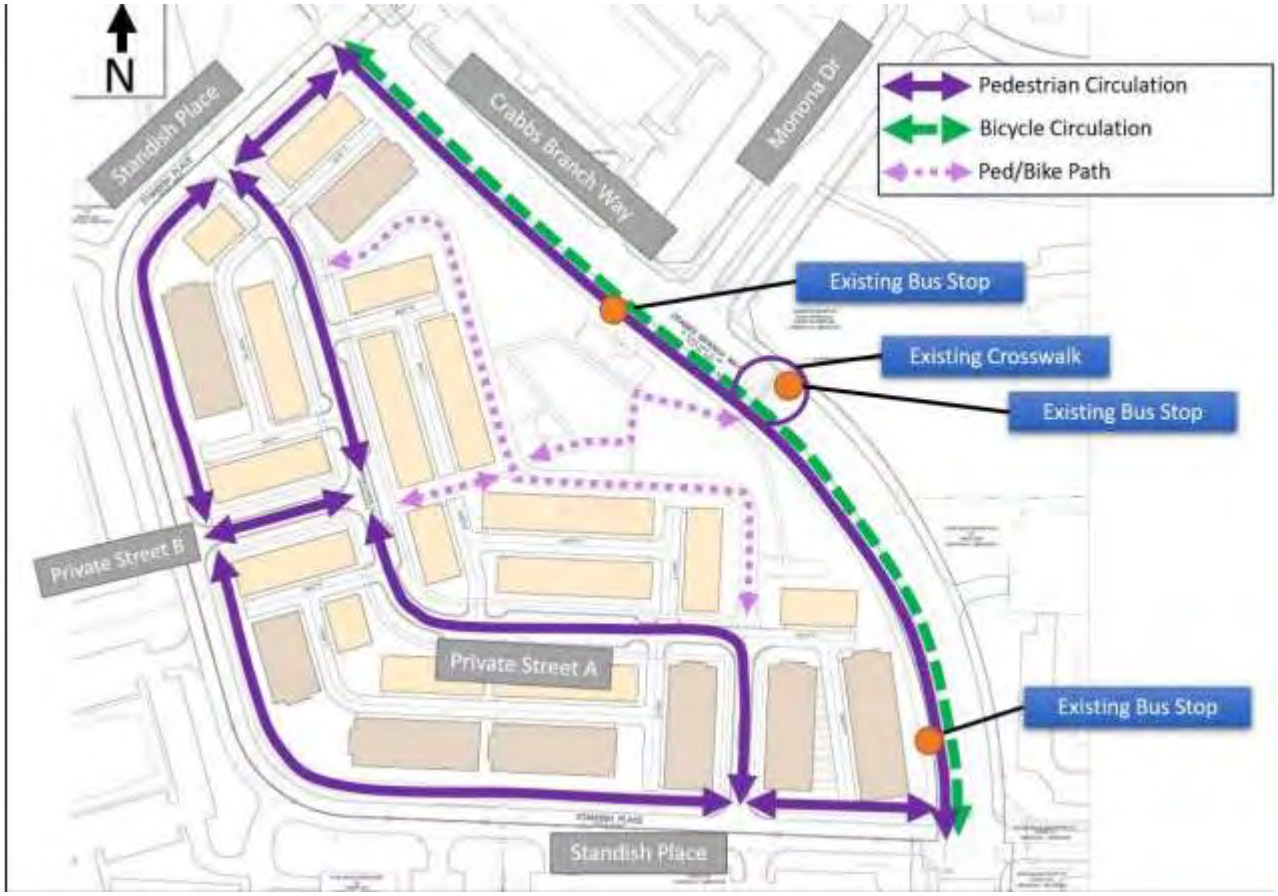


Exhibit 27, p. 18. Figure 16
Non-motorized Circulation

4. Environment

Planning Staff outlined in the Technical Report (Exhibit 27 at p. 31) that this Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

The Staff Report outlines that a Natural Resources Inventory[5]/Forest Stand Delineation[6] No. 420241620 was approved on April 9, 2024. The Site includes no streams, stream buffers, wetlands, forests, or other environmental features. The Property is in the Rock Creek Watershed, a Use Class IV Stream. (*Id*. p. 19). The NRI/FSD identifies areas of steep slopes 25% and greater located primarily on the northern and eastern boundaries. The Property contains several specimen trees. There are no known occurrences of rare, threatened, or endangered species on the Property. The Application is in conformance with the Environmental Guidelines as there is no disturbance proposed within any environmental features. The Subject Property is currently developed and contains no forest, streams, stream buffers, or other environmental features. (Id. p. 31)

A Preliminary Forest Conservation Plan No. F20250010 was reviewed and approved by the Planning Board. (Exhibit 28). The Subject Property is proposed to be zoned CRNF-1.25, C-0.0, R-1.25, H-60', which according to Staff is classified as Mixed-Use Development Area as defined in Section 22A-3 of Chapter 22A of the Montgomery County Forest Conservation Law (FCL) and specified in the Trees Technical Manual. The afforestation requirement is 15% of the net tract area and the conservation threshold is 20%. With the addition of 0.46 acres of off-site disturbance, the Net Tract Area is 13.19 acres. There is no forest on the Property and the forest

[5] Hereafter NRI
[6] Hereafter FSD

conservation requirement is 1.98 acres, which will be met off-site or by payment of fee-in-lieu. (Exhibit 27, p. 31).

Applicant also presented to the Planning Board an application for a tree variance for the removal of six (6) specimen trees from the property. (Exhibit 27, Attachment C).

The following table from Applicant's tree variance application lists the six (6) specimen trees for which Applicant sought a variance to impact or remove:

Tree No.	Botanical Name	Common Name	D.B.H. (in.)	CONDITION	RECOMMENDATION
6	*Quercus phellos*	Willow Oak	30.5	Good	Remove (77% CRZ Impact)
13	*Quercus phellos*	Willow Oak	31	Fair	Remove (82% CRZ impact)
14	*Quercus phellos*	Willow Oak	30.5	Good/Fair	Remove (98% CRZ impact)
28	*Fagus grandifolia*	American Beech	35.5	Good/Fair	Remove (78% CRZ impact)
33	*Quercus rubra*	Northern Red Oak	31	Good	Remove (100% CRZ impact)
36	*Quercus phellos*	Willow Oak	30	Good/Fair	Remove (100% CRZ impact)

* Diameter at Breast Height

Exhibit 24, p. 1

Following Planning Board action, Applicant submitted an Amended Preliminary Forest Conservation Composite Plan. (Exhibit 40)

D. Community Concerns

There were no appearances at the public hearing from anyone expressing concern about this application. The Planning Staff's Technical Report stated that no correspondence was received from the public in connection with this application, and that the Applicant had met all signage and notice requirements. (Exhibit 27, p. 20). Staff did not receive correspondence about the Subject Application. (Id). Per Section 59.7.5.1, the Applicant is not required to hold a pre-application

community meeting for a Local Map Amendment application.

IV. FINDINGS AND CONCLUSIONS

A floating zone is a flexible device that allows a legislative body to establish development standards and uses for a particular district before "attaching" to individual properties. The zone may be applied to individual properties with the approval of a Local Map Amendment.

For approval, the District Council must find that the proposal will meet the standards required by the Zoning Ordinance and that it will be consistent with a coordinated and systematic development of the Regional District. See, Md. Land Use Art., §21-101(a) and (b). While many of the site-specific requirements for development are addressed by later approvals, the Zoning Ordinance contains various standards, or "Necessary Findings" that the Council must make. These standards incorporate the requirements of other sections of the Zoning Ordinance, as set forth below.

A. The "Necessary Findings" Required by Zoning Ordinance §59.7.2.1.E.2.

1. Substantial Conformance with the Master Plan

Several sections of the Zoning Ordinance require an applicant to demonstrate that the proposed rezoning conforms to the applicable Master Plan:

> ***Section 7.2.1.E.1.a. For a Floating zone application the District Council must find that the floating zone plan will:***
>
> ***a. substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;***
>
> * * *
>
> ***Section 59.7.2.1.E.1.b: …further the public interest…***
>
> * * *
>
> ***Section 59.7.2.1.c: …satisfy the intent and standards of the proposed***

zone…

* * *

Section 59.5.1.2.A.1. (Intent of Floating Zones): Implement comprehensive planning policies by… furthering the goals of the general plan, applicable master plan, and functional master plan…

Applicant's expert witness, Mr. Michael Goodman, a Civil Engineer and Executive Vice President of VIKA Maryland, testified on Applicant's behalf that the property is located within the 2006 Shady Grove Sector Plan, which was also subject to the 2021 Minor Master Plan Amendment and that his is familiar with this project having served as the Civil Engineer on the application. T. 89. This is confirmed by Technical Staff. (Exhibit 27, p. 20-21).

According to the Staff Report, the office park property at 7501 Standish Place is in the Crabbs Branch Office Park District in the 2021 Shady Grove Minor Master Plan Amendment (Master Plan) area. The Master Plan notes that the Crabbs Branch Office Park is an "office park with a broad array of technology, biotechnology, industrial/flex, and office development uses in the 100-acre area" (p. 64). The Master Plan confirmed the Moderate Industrial (IM 2.5, H-50') Zone or similar IM zones for several properties in the office park. According to the Staff Report, residential development was not specifically recommended or addressed for properties in the office park. The proposed rezoning seeks to change the Property's zone from the Moderate Industrial (IM 2.5, H-50') to the Commercial Residential Neighborhood Floating (CRNF 1.25, C0.0, R-1.25, H-60'). Although the Master Plan does not provide property-specific recommendations, the Project advances the Master Plan's broader vision for the Shady Grove area as a mixed-use and pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented with amenities and mobility options (p. 1). This vision is achieved by the redevelopment's proposed varying housing typologies, internal network of private streets and

alleys creating a smaller and more compact development pattern, and the new central park area that will serve as an amenity for the future residents and surrounding community members. (*Id*). Staff analysis is that the Master Plan envisions the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options" (p. 1). The Project conforms with the Master Plan's overall vision of creating a mix of residential uses within a walkable neighborhood format. (*Id*.)

Regarding the County's General Plan, Thrive Montgomery 2050 which is the County's long-range planning guide for development and growth, Staff concluded that the proposed rezoning is strongly aligned with two of the General Plan's overarching objectives – promoting compact growth along corridors[7] and diversifying and adding to the housing stock for the county[8]. (Exhibit 27, p. 23). Staff further provided the following analysis of this rezoning proposal in light of Thrive:

"Compact Growth: Corridor-Focused Development
The map on page 71 of the General Plan identifies Shady Grove (where the Subject Property is located) as a "large activity center," meaning it is envisioned as the highest intensity area generally characterized by significant residential and/or commercial density, either existing or planned, and typically close to high-quality transit. This suggests that the Shady Grove area generally has the infrastructure to support additional development to "maximize the efficiency of land use and public investment" (p. 73). This project in particular proposes infill residential development on a property where the existing suburban office space has been largely vacant over a significant period of time. "Specific policies from the Compact Growth chapter addressed by the Application include:

> • Improve the environmental sustainability of growth by encouraging infill and redevelopment to curb sprawl and bring areas built out in an era with little or no environmental regulations up to robust standards for stormwater management and other state-of-the-practice environmental standards.
> • Limit growth beyond corridors to compact, infill development and redevelopment in Complete Communities to prevent sprawl (p. 73).
>
> "Housing for All

[7] At page 70
[8] at page 121

> Page 131 of the General Plan states:
> Montgomery County has an insufficient supply of housing. The current supply does not meet the needs of current or future households. A significant mismatch of supply and demand exists, where demand exceeds supply, raising the price of housing for both renters and those who want to own their home.
>
> "The proposed redevelopment would provide up to 210 additional dwelling units to Montgomery County residents, helping to address the insufficient supply of housing. One of the primary recommendations of the Housing chapter is to encourage the production of more housing to better match supply with demand (p. 132). Another key recommendation is to diversify the housing stock across incomes, building types, and geography, which this development achieves through its diversity of unit types (townhouses and two-over-twos) and will achieve through its unit sizes, which will be refined during subsequent regulatory reviews.
>
> "Specific policies the Application addresses from the Housing for All chapter include:
> • Expand opportunities to increase residential density, especially along major corridors and in locations where additional housing can assist in the development of Complete Communities.
> • Facilitate the development of a variety of housing types in every part of the county but especially in areas near transit, employment, and educational opportunities (p. 132)"

(Exhibit 27, p.23 – 24).

Staff concluded that the Project would further the public interest by providing more housing within the county, yielding up to 210 additional residential units, at a convenient, transit-accessible location along a compact growth corridor. (Exhibit 27, p.24). In addition, the Project will provide government regulated units (a minimum of 15% MPDUs) where none currently exist. The Property is adjacent to many industrial employment establishments, creating a central and desirable location for housing approximately one mile south of the Shady Grove Metro Station. Additionally, the integration of housing into the existing underutilized office and surface parking complex supports the Master Plan's vision for a mixed-use and pedestrian-oriented community with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options" (*Id*).

The Planning Board concluded that the proposed CRNF-1.25, C-0.0, R-1.25, H-60' Zone

and the associated Floating Zone Plan are consistent with the 2021 Shady Grove Minor Master Plan Amendment; satisfy all applicable requirements and findings for approval of a Local Map Amendment as specified in the Montgomery County Zoning Ordinance, and that the applicant has met the burden of proof by showing that the proposed zone is in the public interest and will not alter the character of the surrounding neighborhood. (Exhibit 28).

The Hearing Examiner finds that the proposed FZP is consistent with and furthers the goals of the plans and the public interest.

2. Compatibility[9]

Several sections of the Zoning Ordinance require the District Council to analyze the compatibility of the proposed FZP with adjacent uses and the surrounding area. The application must:

> ***Section 7.2.1.E.1.c.: satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter***;
>
> * * *
>
> ***Section 5.1.2.C. (Intent of Floating Zones). Ensure protection of established neighborhoods by:***
>
> ***1. establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;***
> ***2. providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and***
> ***3. allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.***
>
> * * *

[9] Section 59.7.2.1.E.1.d also addresses compatibility, but only when the existing zone is a Residential Detached Zone: " …when applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood." The IM-2.5 zone is not a residential detached zone. *Zoning Ordinance,* §59.2.1.3.C.1. For this reason, the Hearing Examiner need not address this standard.

Section 5.3.2.C. (Purpose of Commercial/Residential Zones). The purpose of the Commercial/Residential Zones is to … provide mixed-use development that is compatible with adjacent development.

Section 7.2.1.E.1.d. be compatible with existing and approved adjacent development…

Staff determined that the project would be compatible with adjacent and surrounding development. Applicant's experts testified that to proceed the project would have to undergo site plan approval as well, which is where most of the development standards are set. T. 54.

Staff opined that the Project achieves compatibility with its surrounding context through deliberate building placement (lot size, setbacks, overall density) and appropriate siting of proposed residential uses. The maximum FAR of 1.25 is consistent with the current zone's FAR, and the proposed height increase of 10 feet (from 50 to 60 feet) is consistent with the surrounding buildings – the office property directly east is 80 feet, and the office property immediately south is 70 feet. Massing is strategically located orthogonal to the street to foster a consistent neighborhood character and provide direct and primary access to each dwelling unit.

Redevelopment of the Property replaces four aging, low-rise office buildings—featuring significant setbacks evocative of 1980s era office parks and expanses of surface parking located between the buildings and streetscape—with a compatible, walkable residential community. Density is regulated by applicable zoning limitations on contiguous dwelling units in a building group and required vehicular circulation and access. The development standards, discussed below, will produce a compatible site design and layout that is harmonious with the character of the existing context.

The addition of residential uses to the area will not cause a negative impact on the surrounding neighborhood. (Exhibit 27, p. 27-28).

Conclusion: Based on this record, the Hearing Examiner agrees with Staff that the Project will

transform this aging office park and expanses of surface parking on-site into a high-quality residential community organized around a series of smaller compact, tree-lined street blocks. The new street grid, proposed perimeter landscaping, and strategically sited dwelling units fronting along Standish Place will promote compatibility and appropriately transition the Site into the surrounding community. The office heights directly surrounding the Subject Property are between 50 and 80 feet, making the proposed 60 feet compatible with the surrounding uses. The planned location of the open space (Central Park Space) on Crabbs Branch which is a public street provides interconnectivity between this development and surrounding properties. Furthermore, the residential use would be appropriately integrated with the Derwood Station residential neighborhood just east of Crabbs Branch Way. This standard has been met.

3. Adequate Public Facilities/Public Interest

Several sections of the Zoning Ordinance require an applicant for a Floating Zone to demonstrate that public facilities will be adequate to serve the property. The Council must find that the application meets the following standards:

> ***Section 7.2.1.E.1.e: generate traffic that does not exceed the critical lane volume or volume/capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impacts; and…***
>
> * * *
>
> ***Section 7.2.1.E.1.b: further the public interest…***
>
> * * *
>
> ***Section 7.2.1.E.1.c.: satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter***;
>
> * * *

Section 5.1.2.A.2: (Intent of the Floating Zones). "…implement comprehensive planning objectives by…ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure…"

Technical Staff analyzed this Project against the 2020-2024 Growth and Infrastructure Policy which requires mode-specific adequacy tests for any project estimated to generate 50 or more net new peak hour person trips. (Exhibit 27, p. 30). The current use on the Site is a 180,058 square foot office building. The proposed maximum of 210 residential units, consisting of 120 single-family attached units and 90 multifamily housing units (two-over-twos) are estimated to generate a net decrease of 199 person trips in the morning peak hour and a net decrease of 161 person trips in the evening peak hour. Therefore, the LATR review is satisfied. A summary of the trip generation analysis is provided in Table 3 of the Staff Report reproduced on the next page:

Table 3: Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Derwood Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	Office (180,058 square feet)	278	225	261	255	366	357
Proposed	Single Family Attached Housing (120 units)	57	68	54	64	88	105
	Low Rise Multifamily Housing (90 units)	51	59	48	55	79	91
					Net Change	-199	-161

Source: Transportation Exemption Statement from Lenhart Traffic Consulting, Inc., October 28, 2024, modified by staff

Exhibit 27., p. 30

Mr. Michael Goodman testified that the site is currently served by water sewer, electric and communication which are all immediately adjacent to the property and that even though the office building at the site does not use gas, there is gas adjacent to it as well. T. 92. He further testified that these utilities are adequate to support the propose new housing, and that they had some initial coordination with the Washington Suburban Sanitary Commission, and they have expressed that there's no capacity issues for water and sewer and have also been working with the Applicant's dry utility consultant who specializes with the electric and gas and they have also stated that there are no capacity issues. Id.

B. The Intent and Standards of the Zone (Section 59.7.2.1.E.2.c)

As already stated, Section 59.7.2.1.E.2.c of the Zoning Ordinance requires the District Council to find that the FZP "satisfy the intent and standards of the proposed zone." The Zoning Ordinance includes an "intent" clause for all Floating Zones and a "purpose" clause" for any particular zone requested. Several of these have already been analyzed earlier in this Report. The balance of the intent findings for Floating Zones and the purposes of the ILF Zone are discussed below.

1. Intent of Floating Zones (Section 59.5.1.2)

The intent of Floating Zones is in Section 59.5.1.2 of the Zoning Ordinance. The Hearing Examiner has already discussed whether the application has met the intent Sections 59.5.1.2.A.1 and 2. This section discusses whether the FZP meets the remaining intents of the CRF Zone.

Section 59.5.1.2.A.3 … The intent of the Floating zones is to:

A. Implement comprehensive planning objectives by…

3. allowing design flexibility to integrate development into circulation

networks, land use patterns, and natural features within and connected to the property…

Staff found that the FZP meets this standard because the Project, among other things, "…capitalizes on the Project's convenient and transit-accessible location to increase the amount of housing available in an area with the infrastructure to support it. The Project represents efficient and sustainable land use by redeveloping an underutilized site that will connect future residents to the surrounding community and regional destinations". (Id. p. 26.)

Mr. Sachin Kalbag, Planning and Design Leader with VIKA testified on Applicant's behalf about the infrastructure and buildings in the surrounding area. He testified that south of the subject property are some industrial warehouses, with the same IM-2.5 H-50' zoning as what is on the site now; that to the north of Crabbs Branch there is a two-story American Red Cross building, and further north of that there are some single-family homes that are zoned R-200 and R-90. Mr Kalbag further testified that about a mile north of the property is the Shady Grove Metro Station, and further to the west of the property is MD 355 or Rockville Pike. He testified that this project takes this very large property with approximately four office buildings between one and three stories surrounded by a 600-space parking lot, and break them down into more compact blocks and then orients the buildings to be street facing. T. 38. The project seeks to locate a public space at the intersection of Monona and Crabbs Branch anchoring the property at that intersection. T. 39

B. Encourage the appropriate use of land by:
1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;
2. allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population; and
3. ensuring that development satisfies basic sustainability requirements including:

a. locational criteria,
b. connections to circulation networks,
c. density and use limitations,
d. open space standards,
e. environmental protection and mitigation;

Mr. Kalbag testified that this project meets the housing for all goals of the general plan by providing a wider variety of housing stock in this area which is also crucial to reducing environmental impacts. T. 46. He described this type of housing stock as the "missing middle" because they are not exactly single-family homes, nor are they luxury condos. They are townhouses with a higher number of moderately priced housing units than is required by the County. T. 50. He also explained that the project will utilize existing water and sewer lines that will not require off-site upgrades and will also meet all applicable adequacy of public facilities requirements as demonstrated by school and transportation tests. T.47.

Conclusion: The Hearing Examiner agrees with Staff and finds that this rezoning supports the County's objective of providing a range of housing types, including affordable housing, near a major transit facility that will improve the environment and will not overburden public facilities with vehicle trips. The proposed residential uses are in balance with and are supported by the existing and planned infrastructure with flexible applicability to changing economic, demographic, and planning trends as supported by Thrive 2050, which was approved after the Master Plan.

The Project meets the intent of the CRNF Floating Zone to serve a diverse and evolving population with multiple unit types and a neighborhood design that is built on compact street blocks to encourage pedestrian activity. Proposed building groups are sited orthogonal to the street and modulated so not to exceed eight dwelling units in length in order to maintain appropriate

pedestrian scale.

The Project proposes tree-lined compact street blocks featuring continuous sidewalks, strategically sited around a central park area and pedestrian promenades that promote walkability and healthy living. Modern stormwater management will be implemented on-site through environmental site design to advance sustainability on□site and within the surrounding neighborhood. This standard has been met.

2. Purpose of the Commercial Residential Floating Zones (Section 59.5.3.2)

In addition to meeting the intent of Floating Zones, the FZP must meet the purpose of the specific zone requested because a floating zone was not specifically recommended by the Master Plan.[10] Per Section 59.5.3.1 of the Zoning Ordinance there are three (3) categories of Commercial/Residential Floating zones. These zones are mapped using the zone's initials followed by the maximum allowed total, commercial, and residential densities and maximum allowed height as limited by Division 5.3. Zones are established at density increments of 0.25 FAR and height increments of 5 feet:

Commercial Residential Neighborhood – Floating (CRNF# C# R# H#)

Commercial Residential Town – Floating (CRTF# C# R# H#)

Commercial Residential – Floating (CRF# C# R# H#).

Applicant here seeks to rezone the subject property to CRNF-1.25, C-0.0, R-1.25 H-60 Zone.

The purposes of the CRNF Zone are in Section 59.5.3.2. The Hearing Examiner has already discussed the Section.

Section 5.3.2. Purpose
The purpose of the Commercial/Residential Floating zones is to:
A. allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;

[10] Zoning Ordinance Section 59.5.3.5.A.2

B. allow flexibility in uses for a site; and
C. provide mixed-use development that is compatible with adjacent development.

Staff concluded that the FZP met this standard, restating that the FZP. The proposed development capitalizes on the Project's convenient and transit-accessible location to increase the amount of housing available in an area with the infrastructure to support it. The Project represents efficient and sustainable land use by redeveloping an underutilized site that will connect future residents to the surrounding community and regional destinations. (Exhibit 27, p. 26).

Mr. Kalbag testified to how the proposed project meets these purposes. He testified that the project has been strategically designed to respond to the demand for housing with the County, within the Derwood Community by providing a compatible transition to the neighborhood, with a building design where the fronts of the houses face the street with parking spaces and garages internal to the development. T. 54 to 56.

Mr. Kalbag while conceding that the design details will be set at site plan, pointed out that the binding element[11] that requires that the Central Park open space, identified illustratively on the Floating Zone Plan, must be made accessible to the public was set to meet the above goals of this zone. He acknowledges some topographical challenges posed by the 8 to 10 foot drop from Crabbs Branch to the park, that will need to be addressed at site plan in order to make this happen, however, the fact that access to the park is stated in a binding element is sufficient for purposes of reviewing the zoning change.

Conclusion: The Hearing Examiner already found that the FZP furthers the purpose of §5.3.2.C in Part IV.A.2 of this Report (relating to compatibility of the use with surrounding development). The remaining purposes listed here are redundant given the findings already made. The FZP uses

[11] See binding element number 3 in Section III.C.2 earlier in this Report.

the proximity to the Shady Grove metro station to accomplish the County's goal of increasing housing near mass transit and seeks to improve this project transition the surrounding neighborhood through the provision of public open space. This standard has been met.

C. Applicability of a Floating Zone (§59.5.1.3)

Section 59.5.1.3 of the Zoning Ordinance has some specific applicability requirements. A. A Floating zone must not be approved for property that is in an Agricultural or Rural Residential zone.[12] This provision does not apply because the subject problem is not in an agricultural or rural residential zone. If a Floating zone is recommended in a master plan, there are no prerequisites for an application.[13] Similarly this provision does not apply because the applicable Master Plan did not recommend a Floating Zone. Therefore, the specific requirements and prerequisites outlined in Section 59.5.1.3.C of the Zoning Ordinance must be analyzed instead.

> ***1. The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested;***

According to Staff, no density bonus (MPDU or otherwise) is proposed as part of the Project. The Project is proposed at 1.25 FAR and 60-feet in height, which is within the maximum density for the current IM-2.5, H-50' zone, excluding the height. The Project will comply with (1) the maximum allowable residential density of 1.25 FAR and (2) the maximum 60-foot height of the requested CRNF 1.25, C-0.0, R-1.25, H-60' Floating Zone. (Exhibit 27, p. 25).

> ***3. Non-Residential Base Zone – When requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.***

Staff correctly point out that the Property is currently located in a Moderate Industrial (IM)

[12] Subsection A.
[13] Subsection B.

zone, which is a non-residential base zone. Accordingly, there are no prerequisites for this Application.

D. Development Standards and Uses Permitted in the CRF Zone (Div. 59.5.3)

Section 59.5.1.3 of the Zoning Ordinance provides states that if a Floating Zone is recommended in a master plan, there are no prerequisites for an application. Instead, according to Staff, the following density limits apply:

Table 1: CR Floating Zones Development Standards (Density Allowed)

Pre-Existing Euclidean Zone	Maximum Density Allowed in FAR Based on Size of Tract in Acres			
	Greater than 3 acres			
	Total Density (Permitted)	C or R Density (Permitted)	Total Density (Proposed)	C or R Density (Proposed)
IL, IM	1.5	1.25	1.25	1.25

(Exhibit 27, p. 25).

B. Setback and Height

2. Setbacks from the site boundary and maximum height are established by the floating zone plan. All other setbacks are established by the site plan approval process under Section 7.3.4.

The proposed setback from the Crabbs Branch Way site boundary is 10 feet. The proposed setback from Standish Place is 30 feet. The proposed maximum height is 60 feet. The proposed setbacks and height comply with the Zoning Ordinance requirements. (Exhibit 45).

3. Height must satisfy the compatibility standards for the applicable building type under Section 4.1.8.B.

According to Staff, the proposed 60 feet height meets the compatibility standards under Section 4.1.8.B for any building type in a Floating Zone. At the time of Site Plan, the project must take its height measurement from the average grade along the building facing the applicable

abutting or confronting property, per Section 59.4.1.8.B.3. of the Zoning Ordinance. (*Id*. p. 26).

1. Uses and Building Types Permitted (§§59.5.1.3)

Section 59.5.3.3 of the Zoning Ordinance limits the land uses allowed in the Commercial/Residential Floating Zones (CRNF) to "only" those uses allowed in the CRN Zone. Multi-unit living is permitted in the CRN Zone and this standard is met. Any building type is allowed in the Commercial/Residential Floating Zone, thus, the multi-family buildings are permitted in the requested zone.

3. Development Standards for CRNF-1.25, C-0.0, R-1.25, H-60' Zone (Section 59.5.1.3.C)

According to Staff, the design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subsequent Preliminary Plan and Site Plan review. The Project will meet the Development Standards for the CRNF-1.25, C-0.0, R-1.25, H-60' Zone as illustrated in the tables from the Staff report shown on the following two pages:

Table 2: Development Standards and Parking Requirements for the CRNF-1.25, C-0.0, R-1.25, H-60' Zone

Site

	Required/Permitted	**Proposed**
Tract Area	N/A	12.73 ac (554,435 sf)
Previous ROW Dedications	N/A	1.13 ac (49,420 sf)
Proposed ROW Dedications	N/A	0.0 ac
Lot Area	N/A	13.86 ac (603,855 sf)
Density (max.)		
Total	1.25 FAR (754,819 sf)	1.25 FAR (754,819 sf)
Commercial	0.0 FAR (0 sf)	0.0 FAR (0 sf)
Residential	1.25 FAR (754,819 sf)	1.25 FAR (754,819 sf)
Open Space	10% (55,444 sf)[4]	10% (55,444 sf)[5]
Lot Coverage (max.)	Set at Site Plan	To be determined at Site Plan
Building Height (max.)	60 feet	60 feet

(*Id*. p. 29)

Principal Building Setbacks (min.)

	Required/ Permitted (Apartment/Two-Over-Two)	Proposed (Apartment/Two-Over-Two)	Required/ Permitted (Townhouse[6])	Proposed (Townhouse)
Front setbacks from public street	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan
Side street setback	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan
Side setback, end unit	Set at Site Plan	To be determined at Site Plan	2 feet	To be determined at Site Plan
Rear setback, alley	Set at Site Plan	To be determined at Site Plan	4 feet	To be determined at Site Plan
Rear setback between lot and site boundary	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan

(Exhibit 27, p. 29).

3. Requirements of Article 59.6

Article 59.6 of the Zoning Ordinance contains general development standards for most developments. These standards regulate the number and design of parking spaces, drive aisles, landscaping, lighting, and public and private open space. Based on the undisputed evidence at this stage, the Applicant's proposal will be able to meet these standards, subject to review and modification of the particulars during site plan review.

V. RECOMMENDATION

For the foregoing reasons, the Hearing Examiner concludes that the proposed reclassification and Floating Zone Plan will meet the standards set forth in the Zoning Ordinance and that it will be consistent with a coordinated and systematic development of the Regional

District, under State law. Therefore, I recommend that Local Map Amendment Application No. H- 156, requesting reclassification from the existing Industrial Moderate Zone (IM-2.5) to the Commercial Residential Neighborhood – Floating Zone (CRNF-1.25 C-0.0 R-1.25 H-60 Zone) of Parcel "D" in the subdivision known as "Gude North" as per plat thereof filed among the land records of Montgomery County, Maryland in Plat Book 118 as Plat No.13905, and identified as 7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place. (Tax Account No. 02224811), be approved as requested and subject to the specifications and requirements of the Floating Zone Plan (Exhibit 45), provided that the Applicant files an executed Declaration of Covenants (Exhibit 44) reflecting the binding elements in the land records and submits to the Hearing Examiner for certification a true copy of the Floating Zone Plan approved by the District Council within 10 days of approval, in accordance with §§59.7.2.1.H.1.a. and b. of the Zoning Ordinance.

Issued April 7, 2025.

Respectfully submitted,



Khandikile Mvunga Sokoni
Hearing Examiner

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
MONTGOMERY COUNTY, MARYLAND
100 Maryland Avenue, Room 200
Rockville, Maryland, 20850
(240) 777-6660
{Form Revised 2-7-19}

OZAH LMA No. H-156
Date Certified by Planning 7/23/24
Date OZAH Accepts for Filing 8/19/24
Scheduled Hearing Date 12/17/24

Application for Local Map Amendment to the Zoning Ordinance Montgomery County, Maryland

Tri Pointe Homes DC Metro Inc. - Gio Esposito, Development Manager. 12435 Park Potomac Avenue Suite 600. Potomac, MD 20854
(W) 301-803-4984. gio.esposito@TriPointeHomes.com

Name of Applicant(s)

hereby makes application with the County Council for Montgomery County, Maryland, sitting as a District Council for that portion of the Maryland-Washington Regional District within Montgomery County, for the reclassification of property located in the 4 **Election District of Montgomery County and known as**

Parcel "D" in the subdivision known as "Gude North" as per plat thereof filed among the land records of Montgomery County, Maryland in Plat Book 118 as Plat No.13905, and identified as 7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place.

Lot, Block and Subdivision if boundaries conform to lot boundaries a subdivision for which a plat is recorded among the land records, or a description by metes, bounds, courses and distances, and plat references.

located at 7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place.

City, town, village or community and street number, or if none, the location with respect to nearby public roads in common use.

consisting of 13.86-acres

Area in square feet if less than 1 acre, or in acres if one or more

from the Industrial Moderate Zone (IM-2.5) **Zone to the** Commercial Residential Neighborhood – Floating Zone (CRNF-1.25 C-0.0 R-1.25 H-60 Zone) **Zone**

Present classification **Requested classification**

Tax account number(s) 02224811

Name and address of owner(s), if other than applicant

IP DSC MOCO METRO PARK LLC. Contact: Michael Murillo. 7519 Standish Place, Suite 300. Derwood, MD 20855

List all persons having at least a 5% interest in property, including those holding mortgages, liens, etc., and all contract purchasers, optional purchasers and persons holding mortgages, etc.

MOCA DSC INVESTMENT LLC, Iron Point DSC MOCO Holdings, LLC

CITIZENS BANK, N.A.

TRI POINTE HOMES DC METRO, INC.

Listed below are the Application numbers, dates of filing and actions taken on all applications filed within 3 years prior to this date on any land lying anywhere within the same larger lot, parcel or tract of land in which the above-described land is located.

Application Number	Date	Action Taken

DocuSign Envelope ID: 24D6FE81-B713-44EF-BE22-00D479E426BF

LMA Application (Form Revised 2/7/19) - Page 2

Please note that if previous Local Map Amendment applications were filed for the subject property, filing of subsequent Local Map Amendment applications are limited as specified in Zoning Ordinance §59.7.2.1.G.

I have read the REVISED NOTICE REGARDING LOCAL MAP AMENDMENT APPLICATIONS FILED AFTER MAY 1, 2014 and the CHECKLIST FOR LOCAL MAP AMENDMENT (LMA) APPLICATIONS accompanying this form on OZAH's website, and I am filing herewith all of the required accompanying information. I hereby affirm that all of the statements and information contained in or filed with this Application are true and correct.

DocuSigned by:
Patrick O'Neil
8E0C17A7444247D...

Patrick O'Neil

Signature of Attorney - ***(Please print next to signature)***

7600 Wisconsin Avenue, Suite 700, Bethesda, MD 20814

Address of Attorney

301-657-0738 — Telephone Number

ploneil@lerchearly.com — Email Address

Christopher. D. Collins

Signature of Applicant(s) – ***(Please print next to signature)***

TriPointe Homes D.C. Metro

12435 Park Potomac Ave #600 Potomac, MD 20854

Address of Applicant(s)

301-803-4800 — Telephone Number

chris.collins@tripointehomes.com — Email Address

Subscribed and sworn before me by the Applicant(s), this 7th day of May, 2024.

Margo M. Ball
Notary Public

MARGO M BALL
NOTARY PUBLIC
Montgomery County
State of Maryland
My Commission Expires
August 21, 2024

Payment of appropriate filing fee must accompany this application. See Fee Schedule. Twenty-five percent of the specified fee must be paid directly to the Planning Department when this application is submitted for review of completeness. The remaining 75 per cent of the specified fee and all sign fees must be paid directly to OZAH when the application is filed with OZAH after it has been certified by the Planning Department.. No part of such fee shall be refunded unless such refund and amount thereof is allowed under Zoning Ordinance Section 59.7.6.5.B.

Applicant is required to post the property covered by this application within 5 days from acceptance of filing, in accordance with Zoning Ordinance Section 59.7.5.2.C,, with a sign or signs to be furnished by the Office of Zoning and Administrative Hearings. An affidavit of posting, as required by the Zoning Ordinance, must be presented at the hearing on the application.

Under Zoning Ordinance §59.7.2.1.B.7, new public notice must be provided for any modification to an application requesting an increase in the area proposed to be reclassified or requesting a change to the zoning classification.

Intake Staff: Ema Perez
Date: 07/23/2024

Montgomery County Planning Department

Local Map Amendment Checklist

CLEAR FORM

Applicant Information: Gio Esposito Tri Pointe DC Metro Inc.
12435 Park Potomac Avenue Suite 600
Potomac, MD 20854

Current Zone: IM-2.5

Proposed Zone: CRNF-1.25 C-0.0 R-1.25 H-60

Item	Description	Intake	Intake Comments	Staff
Application	Completed Application includes: • Applicant name & address • Address, lot & block or parcel no. and election district • Size of property with present & proposed zoning • Name & address of Property Owner • List of all persons have at least 5% interest in property • Notarized statement listing rezoning details in the past three years	Included	EP	Pick One:
Statement of the Case	Statement of the Case should include: • How the general and specific use standards and Necessary Findings will be met; spelled out in Section 7.2.1.E and Articles 59-5 of the new Zoning Ordinance • Reference and consistency with the applicable Master Plan • statement should also contain a summary of what the applicant expects to prove , including the names of applicant's witnesses, summaries of the testimonies of expert witnesses, and the estimated time required for presentation of the applicant's case.	Included	EP	Pick One:
Certified Copy of Zoning Map	Showing the area within at least 1,000 ft. surrounding the subject property. Needs certification stamp and property highlighted.	Included	EP	Pick One:
Notice List	Applicant should list owner names and addresses of adjoining and confronting properties as listed in the records of the Maryland State Department of Assessments and Taxation. If an adjoining or confronting property is a condominium, the applicant must provide the name and address of the Council of Unit Owners. List should also include any civic and homeowners associations within a ½ mile radius.	Included	EP	Pick One:
Disclosure Statement	A notarized statement disclosing political contributions to the treasurer or political committee of any candidate for County Council or County Executive, or slate that contributes to County Council or County Executive, under State Law. Applicant must submit the disclosure statement on a form approved by the District Council.	Included	EP	Pick One:
Certified Plat	Certified by surveyor, plat acreage must match the application exactly, and the property should be highlighted.	Included	EP	Pick One:
Traffic Study	If the incremental increase in vehicular peak-hour trips between the density of the base zoning and the density of the requested floating zone meets the minimum applicability requirement in the LATR Guidelines	Included	EP	Pick One:

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Attachment to Resolution No.: 20-850

Exhibit 1(a) H-156

Item	Description	Intake	Intake Comments	Staff
Legal Description	A description by metes and bounds, courses and distances of land or, if the boundaries conform to lot boundaries within a subdivision for which a plat is recorded in the land records of the County, then the lot, block and subdivision designations with appropriate plat reference.	Included		Pick One:
Floating Zone Plan	Plan depicting: • building location, density, massing, height and anticipated use; • locations of open spaces and preliminary storm water management strategy; • pedestrian, bicycle, and vehicular circulation, parking and loading; and • any binding element on the application. An applicant who proposes a binding element must submit an unexecuted covenant suitable for filing in the land records reflecting any restriction on the development standards, development program, or use that will be applicable to the property if the District Council approves the application *Plans completed by a licensed professional should be signed and certified.	Included		Pick One:
Euclidean Zone Plan	Plan depicting: • the subject property and the proposed neighborhood, identifying uses and zoning; and • an explanation of the changes that have occurred in the neighborhood since the original zoning or previous comprehensive rezoning, or evidence of the alleged mistake made by the District Council in the previous Sectional or District Map Amendment, in support of the requested Euclidean Zone.	Not Applicable		Pick One:
Additional Plan Information	To be shown on plans: • current and proposed zone; • a plan certified (signed and sealed) by a licensed professional showing existing site condition and vicinity within 100 ft. including total tract area; existing topography, watershed; SPA/PMA; any floodplain, wetland, or perennial or intermittent stream and any associated buffers where or not rare, threatened or endangered species were observed on the property; whether the property is on a Historic Site; the aerial extent of forest and tree cover on the property and dates field work was conducted; and • general phasing of structures, uses, rights-of-way, sidewalks, dedications, and future preliminary and site plan applications	Included		Pick One:
Additional Exhibits	Additional exhibits can be but not limited to, photographs of property, existing structures, abutting streets, etc.	Pick One:	Intake Comments	Pick One:
Hard Copies	In addition to the four paper copies, applicants must include 2 electronic copies on a compact disc or DVD of all final materials above.	Pick One:	Intake Comments	Pick One:

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Attachment to Resolution No.: 20-850

May 10, 2024

VIKA Maryland, LLC
20251 Century Blvd.
Suite 400
Germantown, MD 20874
301.916.4100

vika.com



Land Planning Report
Metro Park - Standish Place

Local Map Amendment
7501 Standish Place

Our Site Set on the Future.

VIKA


Derwood
Aramosa Way
Aramosa Dr
Paramount Dr
Indiana Dr
Frederick Rd
Maheska Dr
Oskaloosa Dr
Oskaloosa Ter
Indianola Dr
Algona Cr
Buena Vista Ter
Tidonka Way
Wapello Way
CSX Transportation
Gold Ring Way
Morava Cr
Menona Dr
Menona Ter
Gold Ring Ter
Crabbs Branch Way
Standish Pl
Calhoun Pl
Calhoun Dr
355
W Gude Dr
451 ft*
E Gude Dr
Derwood Cir
Display Ct
Rutgers St
Yale Pl
College Plaza
482 ft
Yale Village
College Gardens Elementary School
College Pkwy
Scarborough

Land Planning Report
Metro Park - Standish Place

VIKA Maryland, LLC
20251 Century Blvd.
Suite 400
Germantown, MD 20874
301.916.4100

vika.com

May 10, 2024

Montgomery County Planning Department
ATTN: Matt Folden
Supervisor, Mid-County Team
2425 Reedie Drive, 13th Floor
Wheaton, MD 20902

RE: Local Map Amendment for Metro Park - Standish Place (7501 Standish Place)

Dear Mr. Folden,

VIKA Maryland, LLC (VIKA) is pleased to present this Feasibility Review Report (the "Report") for redevelopment of the subject property: an approximately 603,855 SF, 13.86-acre site, defined as 7501 Standish Place, Derwood, Maryland (the "Property"). We have reviewed the constraints and opportunities for the rezoning of the Property from an Industrial Moderate Zone (IM-2.5) to Commercial Residential Neighborhood – Floating Zone (CRNF 1.25 C-0.0 R-1.25 H-60 Zone), based on the applicable requirements and regulations of Montgomery County (the "County"), to accommodate a proposed mix of townhomes and two-unit condominiums located within a new street block system organized by common and public open space and residential amenities (the "Program"). If these uses or site elements change, the applicable requirements and regulations may also change, and additional review should occur.

This Report analyzes elements of the Zoning Ordinance, Comprehensive Plan and adopted master plans and guidelines, as well as available utility information. While we may offer direction on other codes that need to be addressed during the land development approval process, you should engage with other consultants, such as an architect, traffic engineer, land use attorney, and specialty consultants, such as mechanical, electrical, plumbing, and geotechnical engineers, who can provide specific recommendations in their area of expertise. This Report is based on publicly available information such as GIS mapping, tax records, and other data sources available as of the date above.

We appreciate the opportunity to provide this Report and look forward to working with you on subsequent phases.

Sincerely,

VIKA Maryland, LLC

Sachin Kalbag, AICP
Planning and Urban Design Leader

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APPENDIX

Exhibit 1 – Demand, Supply and Adequacy Report



Figure #1: Illustrative Concept Plan

Executive Summary

The proposed redevelopment (known as the "Project") will replace four (4) existing office buildings that range from 1 to 3 stories and a surface parking lot with a cohesive mix of two-unit condominiums and townhomes located within a new, organized street block system featuring common and public open space, as well as various residential amenities. The Project will require a rezoning of the Property from an Industrial Moderate Zone (IM-2.5) to Commercial Residential Neighborhood – Floating Zone (CRNF 1.25 C-0.0 R-1.25 H-60 Zone) to allow a maximum residential density of 210 dwelling units (DU) at a 1.25 Floor Area Ratio (FAR).

The Project comports with the intent of CRN floating zones allowing development of residential communities at a range of densities and heights flexible enough to respond to various settings; flexibility in uses for a site; and a Project that is compatible with adjacent development. The Project can have a gross square footage of approximately 754,819 square feet (MPDU included) based on the allowable FAR of 1.25, building up to 4 floors at a 60-foot maximum height to accommodate architectural articulation of roof forms and the difference between the grade to the finish first floor elevation. The Concept Plan for the Project in this report represents a mix of two-unit condominiums and rear-loaded townhomes, the exact mix of unit types and number of dwelling units will be determined during the site plan phase and will not exceed 210 DU and the maximum FAR of 1.25 allowed for the site.

A zoning map change to apply a floating zone to an individual property requires approval of a Local Map Amendment. An application must be approved by the District Council and necessary findings must be made per Section 5.1.2. Before submitting a Floating Zone Plan, a Natural Resources Inventory will be required as the basis of a Preliminary Forest Conservation Plan that must be submitted with the rezoning application.

After rezoning, both Preliminary Plan and Site Plan will be required for the proposed redevelopment (which will run concurrently) and must show proposed development on a site in relation to immediately adjacent areas, indicate all roads, walkways, parking areas, buildings, landscaping, open space, recreation facilities, lighting, etc. The Preliminary and Site Plans may be filed concurrently. A Final Forest Conservation Plan and many supplementary plans and documents will be filed with these plans.

Preliminary and Site Plans are reviewed by staff and submitted for action (approval or disapproval) by the Montgomery County Planning Board. The Planning Board approves the site plan after rezoning approval and before building permits can be issued. Planning Board Hearing must take place within 120 days of intake acceptance, although extensions to this timeframe are often required.

The Program described herein is allowed and meets the applicable development standards, certain critical elements, such as access to the site, stormwater management facilities within the proposed development envelope, frontage improvements, and water and sewer utility connections will need to be evaluated and determined during conceptual design phases.

In summary:

- The proposed redevelopment requires rezoning and subsequent entitlement plans before plats and permits can be submitted for approval.
- The uses, density and height are permitted with a rezoning to a CRN floating zone.
- The Program of rear load townhomes and two-unit condominiums is feasible on the site.
- Critical path items are existing conditions plans and utility/SWM plans.
- The Property has no environmentally sensitive areas or existing forest or other physical constraints.
- First steps are to complete an existing conditions survey and NRI/FSD

Disclaimer

This Report was completed based on the Program defined above and the Property defined herein. If any of these assumptions are incorrect or modified, this Report will need to be revised. Please review this Program carefully and confirm our assumptions and let us know if any modifications are made and we will work with you and your team to update this report.

Proposed Redevelopment Summary

The site will be redeveloped with a mix of two-unit condominiums and rear loaded townhomes. Based on the Illustrative Concept Plan (see page 17 for description), a maximum of 210 dwelling units (DU) can be accomodated on the site, which amounts to 754,818 gross square feet of development and a FAR of 1.25 of development. The number of DUs and mix of units will be established during the Site Plan phase and will not exceed 210 DU or the FAR allowed for the site.

The redevelopment of the site will result in a 40-percent decrease of AM and PM peak hour trips (See Traffic Statement findings, Page 30) from the previous office land use, and an increase of residents and pedestrians in a new and walkable compact tree-lined street block neighborhood, anchored by parks and open space.

All townhomes and condominiums are 4-stories with maximum building height of 60-feet to accommodate architectural articulation of roof forms and the difference between the grade to the finish first floor elevation. A portion of ground floor is used for an encapsulated parking garage. For the purposes of FAR calculations, 3.5 floor levels are used for dwelling areas, which exclude the garage area that is not used in the FAR calculations.

The Project advances the County's "Housing for All" Objective through the provision of 15% MPDUs, which will provide much-needed affordable housing opportunities in close proximity to transit. Moderately Priced Dwelling Units (MPDU) are planned to be disbursed throughout the most affordable condominium units which advances the County's housing goals by allowing the most attainable housing types to be offered in this location. The project's employment and transit orientated location make it the ideal place to maximize affordable housing opportunities at the lowest prices possible.

Based on a build-out of 210 DU, (32) two-unit condominium MPDUs will be provided to meet the 15% requirement which applies to any new development in Montgomery County with 20 or more units. The proposed MPDU's will need to be reviewed and approved by the Department of Housing & Community Affairs (DHCA).

Site: 603,855 (13.86-Acres)			
REZONING PHASE - CRNF 1.25 C-0.0 R-1.25 H-50			
Concept Plan			
Unit Type	**Maximum Units**	**GSF**	**FAR**
Townhomes and Two-Unit Condominiums	210	754,819	1.25
NOTE: The exact mix of unit types and number of dwelling units will be determined during the Site Plan phase and will not exceed 210 DU and the maximum FAR allowed for the site.			

Property Description

Property Identification

The Parcel is identified as Parcel “D” in the subdivision known as “Gude North” as per plat thereof filed among the land records of Montgomery County, Maryland in Plat Book 118 as Plat No.13905, and is identified as 7501-7515 Standish Place, 7519 Standish Place, 7529 Standish Place and 7609-7623 Standish Place. Based on a survey completed in January 2024 by VIKA Maryland, LLC, the Net Lot Area is 554,435 SF or 12.72-acres and Crabbs Branch Way Previous Dedication is 49,420 SF or 1.13-acres, for a Gross Tract Area of approximately 603,855 square feet in area or 13.86 acres.

The same property was conveyed to Metro Park I, LLC by deed from Rockville Office/Industrial Associates, also known of record as Rockville Office/Industrial Associates Limited Partnership, dated August 6, 1997, and recorded August 6, 1997, in Liber 15067 at Folio 124. Tax Id No. 04-02224811.

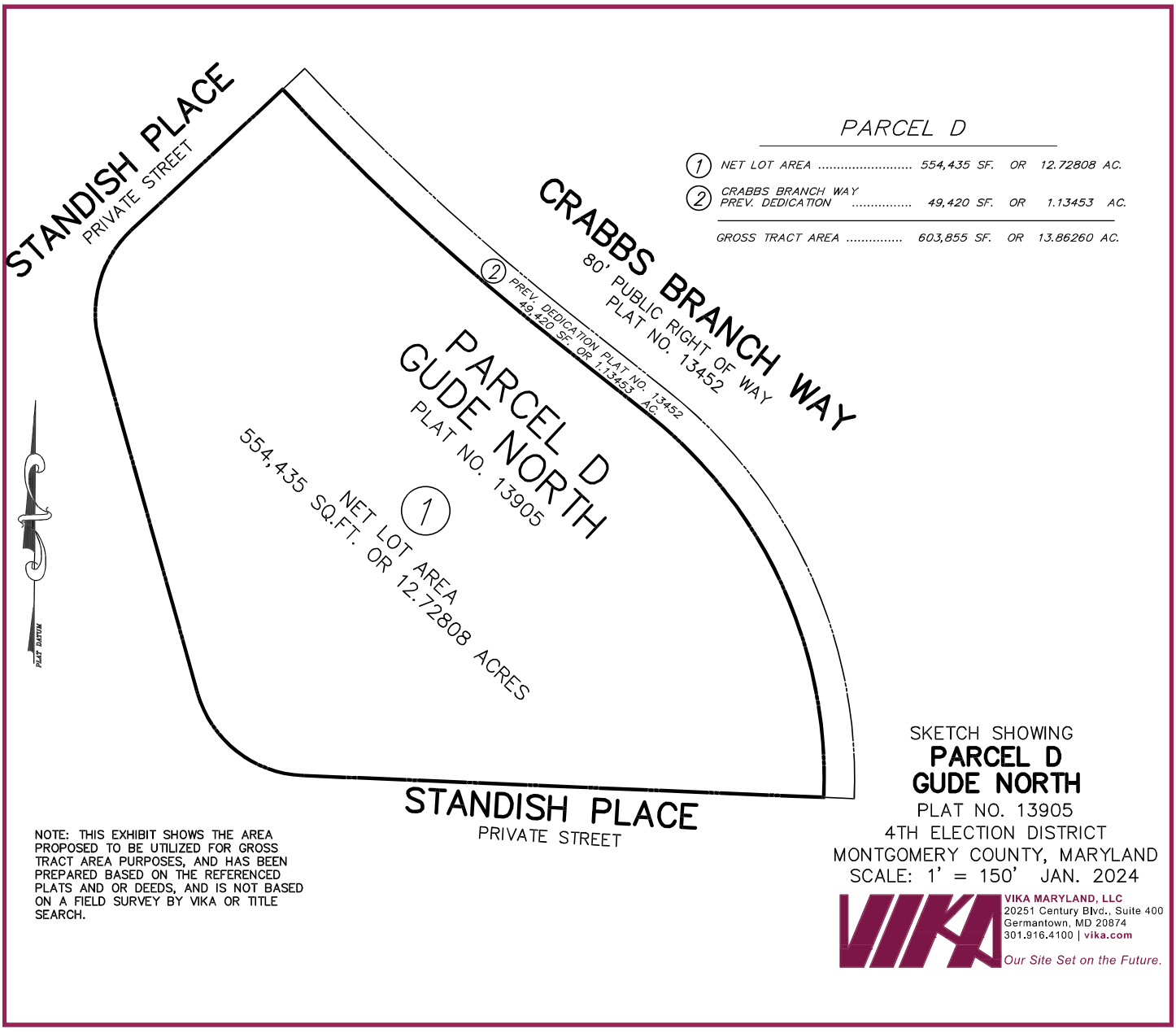


Figure 2: Sketch Showing Parcel D Gude North

Property Vicinity

As shown on the aerial view below, the Property is bounded by Standish Place along the north and southwest frontage, and along Crabbs Branch Way along the north and southeast frontage. The Property is appromately 500 feet from the intersection of Crabbs Branch Way and Gude Drive. The surrounding uses in the immediate proximity to the south and west are primarily one to two story light industrial, commercial and flexspace buildings. To the north and directly across the street on Crabbs Branch Way, is the American National Red Cross building. At the southeast corner of Crabbs Branch Way and Monona Drive is the American Society of Plant Physiology building. Additional office buildings are located to the southeast of the Property.

Approximately a half mile to the west is the King Farm Neighborhood, and a half mile to the northeast is the Crabbs Branch Stream Valley Park. The Shady Grove Metro Station is less than one-mile to the north where an intensification of multi-family residential and commercial is planned and located.

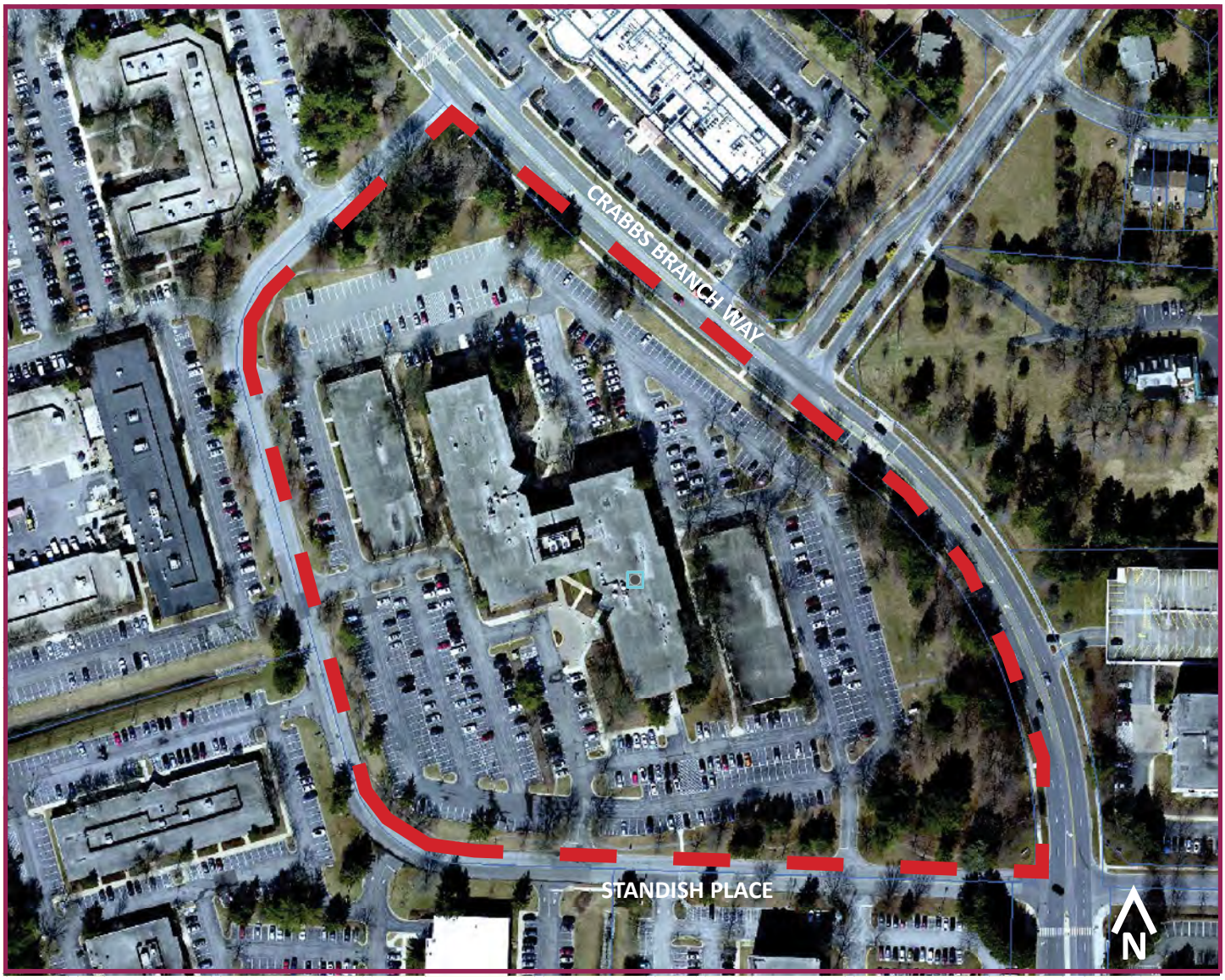


Figure 3: Aerial View and Vicinity of Property

Neighborhood

Property located directly north, east, west, and south of the Project are office and industrial park land uses and are all zoned Industrial Moderate Zone (IM-2.5 H-50). The property located directly to the north of Project is the Red Cross office building and is zoned Office Industrial Park. The property located directly to the east of the Project at the northeast corner of Calhoun Place and Crabbs Branch Way is zoned CRT 2.5 C-2.0 R.05 H-80 Floating Zone and is currently an office building. Further to the north of the Project along Crabbs Branch Way is the single-family residential neighborhood of Derwood Station which is zoned R-200 and R-90 further north.

One block west of the Property is the rail guideway for WMATA Metro. The City of Rockville boundary is located along MD-355/Frederick Road, north of Gude Drive. Land uses along MD-355 are primarily light industrial with an intensification of auto dealerships.

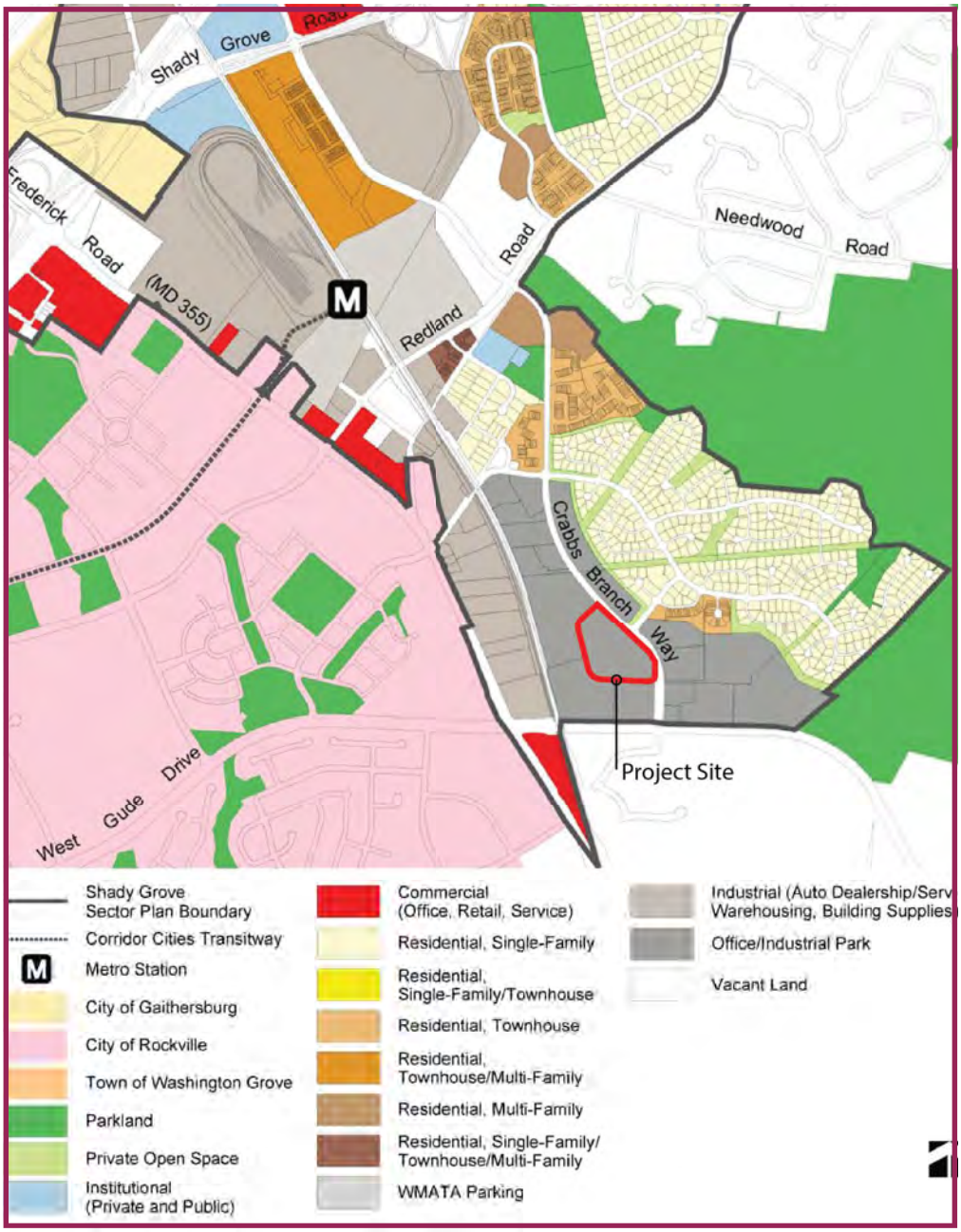


Figure 4: Existing Land Use

Local Transit

Crabb Branch Way connects Interstate 370 (to the north) with Gude Dr, just one block to the south of the Project. Gude Road connects to the major thoroughfare Maryland Route 355 (Frederick Road) towards the west. The Project is located less than one mile from the Shady Grove Metro Station. R50 Metro Bus runs along Crabbs Branch Way and includes a stop at the Metro Station. There are two bus stops on the west and eastside of Crabbs Branch Way, located adjacent to the north and south corners of the Property with a stipped pedestrian mid-block crossing. There is also a sheltered bus stop just north of the Property.

Standish Place is located along the western frontage of the Property and is a private street. Existing pedestrian paths are located along the Standish Place frontage, as well as at the northeast corner of the Crabbs Branch Way and Standish Place. There are no sidewalks on the westside of Standish Place. The paths connect to two mid-block pedestrian cross-walks along the northern and southern end of Standish Place. Continuous concrete sidewalks are located along Crabbs Branch Way on both sides of the street. Crabbs Branch Way is designated as a county-wide trail and includes continuous sidewalks on both sides of the street that extend up to Shady Grove Road. A bikeway is promoted along the east side of the street as indentified in the Sector Plan (see Page 20) for this area and will be installed by others. The Milennium Trail and an existing bikeway is located along the southside of the street of Gude Drive, approximately 500-feet from the Property, which connects with a planned bikeway along the eastside of MD-355/Frederick Road that would eventually connect with Shady Grove Metro Station.

Bus Rapid Transit is planned for MD-355 (Rockville Pike/Frederick Road) with a stop planned at the Shady Grove Metro Station.



Figure 5: Parks and Amenities Project Site

Parks and Community Amenities

There are no existing local cultural or recreational facilities on the Property. The planned MilenniumTrail located along Gude Drive is about 500-feet from the Property, which is planned to connect to the Gude Trail. Gude Trail which connects to Lake Needwood and Rock Creek Park and Trail is less than a mile further north. The closest public parks are Crabbs Branch Stream Valley Park which is one-mile east of the Property and King Farm Park, which is less than a half-mile west to Property. Upper Watts Branch Park, located south of W. Gude Drive is approximately one mile to the south west from the Property. The Property is also located approximately 1.3 miles from the King Farm Farmstead and Community Gardens and Mattiew J.T. Stepanek Park, located south of MD-355 (Rockville Pike/Frederick Road).

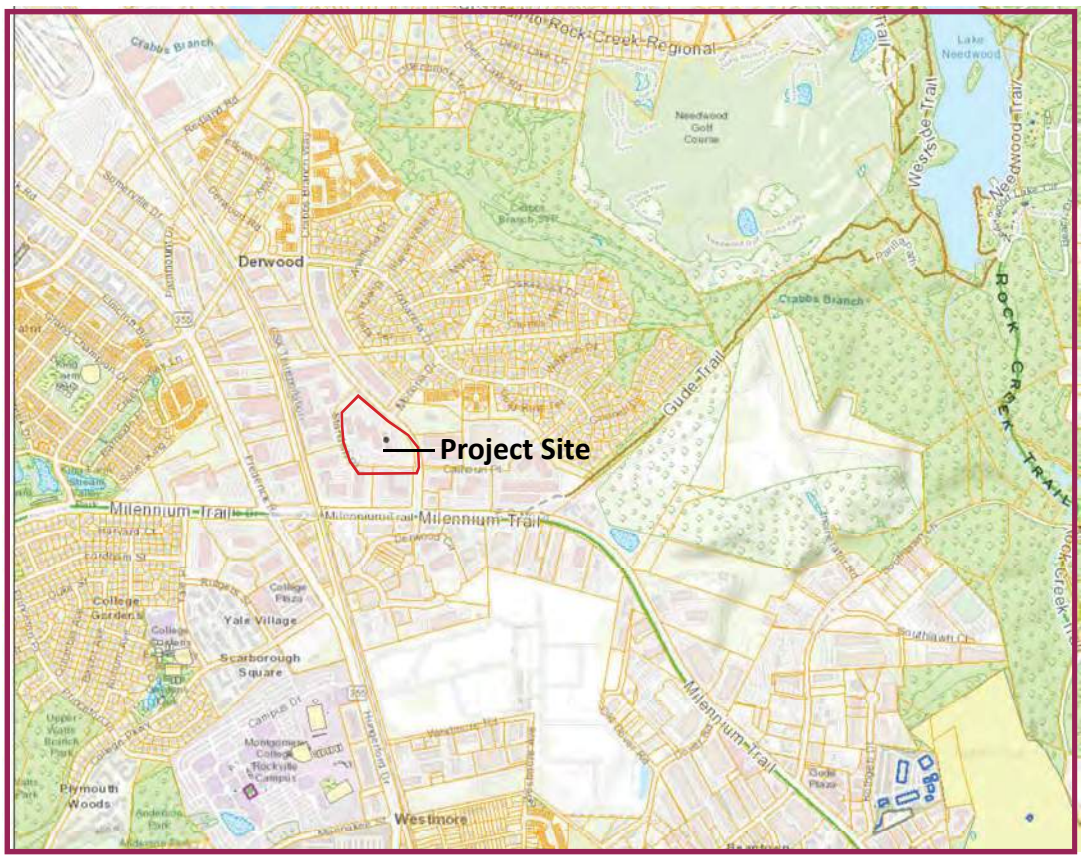


Figure 6: Parks and Amenities Regional Map



Figure 7: View of pedestrian crosswalk at Crabbs Branch Way

Environmental

Existing Site Conditions

The Property is currently sited with four office buildings that range from 1 to 3 stories in height with a total developable gross area of 177,126 SF, and a surface parking lot that contains 634 regular parking spaces, 15 ADA handicap spaces and 6 motorcycle spaces. There is perimeter landscaping and mature trees located along the north and southeast corners of Standish Place and Crabbs Branch Way.

There is currently a 10-foot Public Utility Easement (PUE) running along the perimeter of the site. There is a 20-foot WSSC R/W that extends from mid-block location of Standish Place into the site. There is a 25-foot storm drain easement located at approximately at the mid-block of Crabbs Branch Way into a portion of the site. There are electrical transformers and telephone boxes at various locations along the Crabbs Branch Way frontage and a transformer located with the existing surface parking area.

Topography & Steep Slopes

Most of the Property is generally flat, with topography rising from approximately 442 feet above sea level at its lowest point at southwest corner of Standish Place to 462 feet above sea level at the highest point along the Crabbs Branch Way frontage. Land is generally flat around the center of the site where much of the existing and proposed development is located at, with topography ranging from 446 to 448 feet above sea level. However, there is substantial grade differentials located along the Crabbs Branch Way frontage with elevations ranging from 10-feet in height at the mid-block, 3- foot elevations towards the northern end and 5-foot elevations towards the southern end of Crabbs Branch Way. Stairs and ramps have been provided in the Illustrative Site Plan to provide access to public and common open space .



Figure 8: Topography & Steep Slope Map

Soils & Vegetation

The Property is primarily 67UB Urban Land – Wheaton complex, 0 to 8 percent slope.

Description of Wheaton

Typical profile
H1 - 0 to 6 inches: silt loam
H2 - 6 to 68 inches: channery loam
Properties and qualities
Slope: 0 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 9.1 inches)
Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2e
Hydrologic Soil Group: B
Ecological site: F148XY024PA - Moist, Piedmont - felsic, Upland, Mixed Oak - Hardwood - Conifer Forest
Hydric soil rating: No

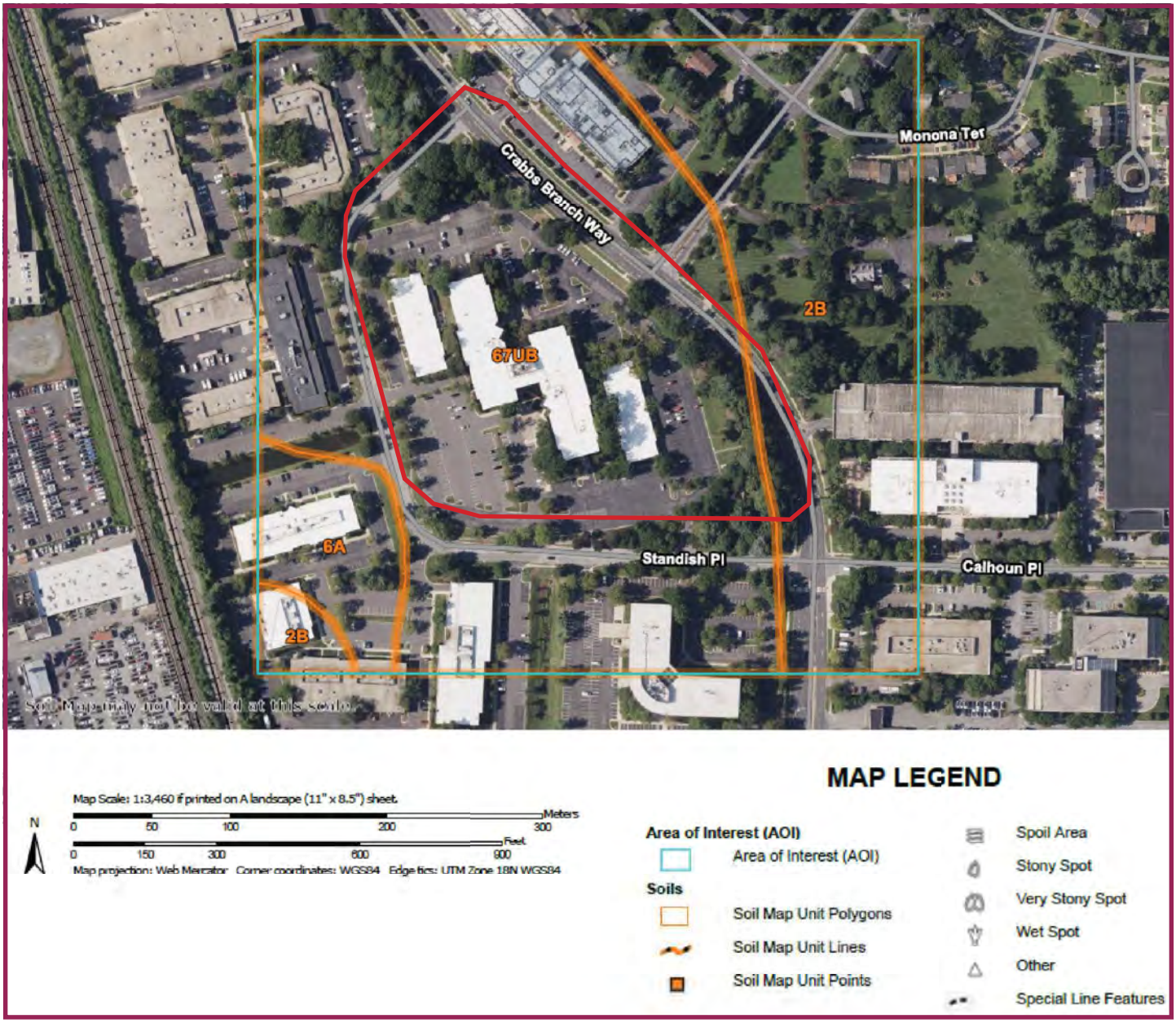


Figure 9: Soils Map

Streams, Wetlands, & Floodplains

There are no streams within 1/6 mile of the Property and no wetlands, or floodplains within 1/3 mile of the Property. The closest water bodies are the Rock Creek River Watershed about 1-1/2 mile to the northeast.

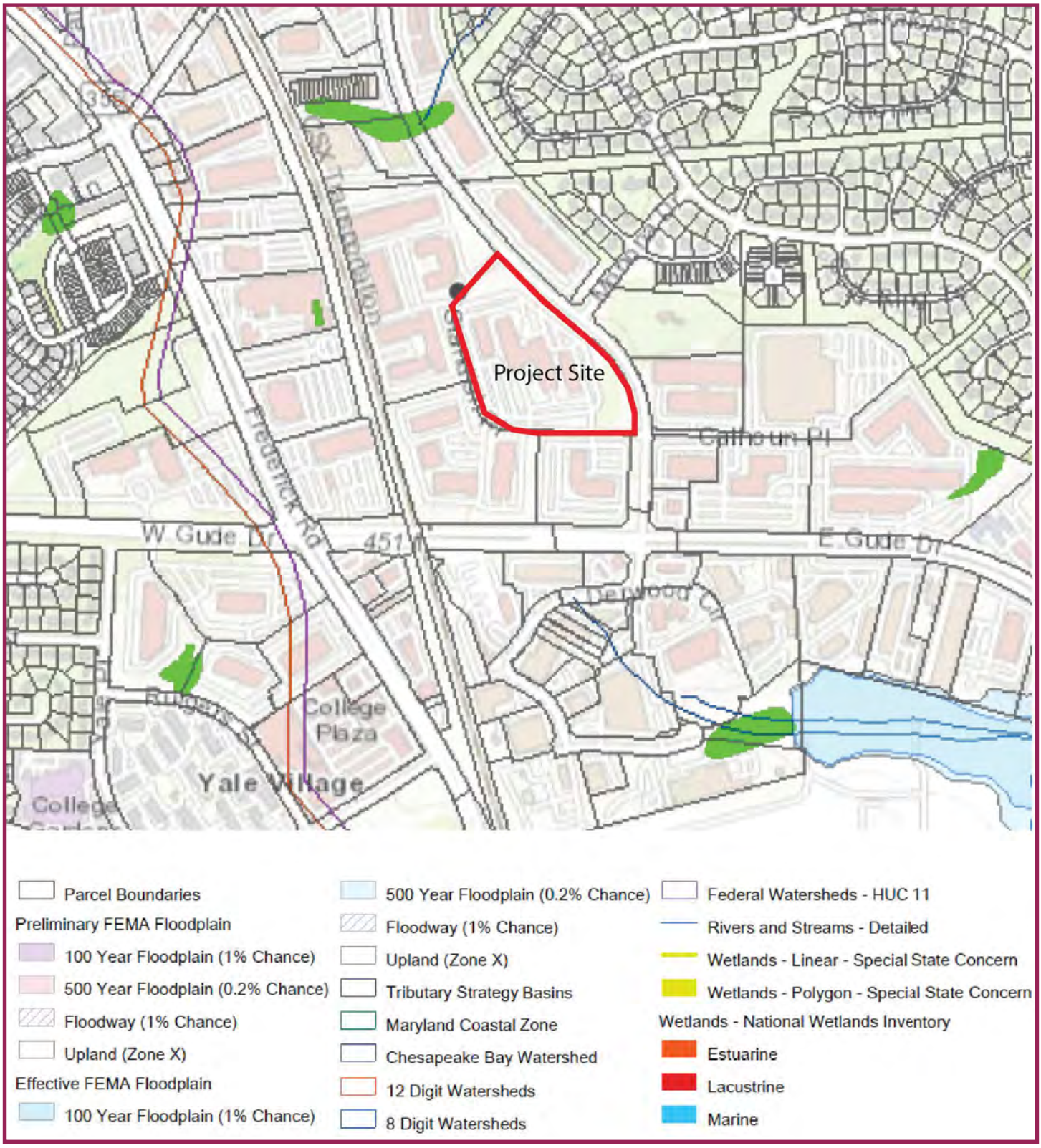


Figure 10: Area Streams, Wetlands & Floodplains

Proposed Redevelopment

Land Use

The application for rezoning will replace four office buildings that range from 1 to 3 stories in height and a surface parking lot with residential development that will a mix of two-unit condominiums and townhomes for a maximum of 210 dwelling units (not to exceed 1.25 FAR allowed for the site) on a compact tree-lined street block system, supported by a pedestrian promenade, open park space, recreational areas and children's play areas. The two-unit condominiums are two condominium units, with each dwelling unit separated from the other either vertically or horizontally, and with each unit having a direct entrance at grade in the front of the building.

The proposal will require a rezoning of the Property from an Industrial Moderate Zone (IM-2.5) to Commercial Residential Neighborhood – Floating Zone (CRNF 1.25 C-0.0 R-1.25 H-60 Zone) with a maximum allowing residential density of 1.25 FAR and 60-foot height.

Two-unit condominiums are primarily placed along the Standish Place street frontage, while the townhomes are located within the Property. All units a 4-stories with a maximum building height of 60-feet to accommodate architectural articulation of roof forms and the difference between the grade to the finish first floor elevation. All units are rear-loaded with encapsulated parking garages at the ground level. Visitor parking is located along the interior streets as parallel parking.



Figure 11: Concept Plan

Circulation and Access

The townhomes and two-unit condominium buildings are placed in an orthogonal orientation to Standish Place to reinforce the street frontage and create neighborhood character with direct front door access. All units are accessed by interior alleys with rear-loaded garages. The interior streets repeats the orthogonal orientation to Standish Place in order to create a cohesive tree-lined interior street grid system. All interior streets are private and will be designed to Montgomery County Complete Streets Manual accordingly. Sidewalks will include a 6-foot tree planting zone and a 6-foot continuous sidewalks. All interior streets include 2 travel lanes (one lane in each direction) and curbside street parking on both sides of the street.

To access the site, there are three vehicular and pedestrian entries along Standish Place. There are entries at the north and south ends of Standish Place that is connected by the main interior connector street that provides access to townhomes and condominium units. There is a mid-block entry that connects to the main interior connector and is designed as a pedestrian promenade that leads to a pedestrian plaza and central park space located adjacent to the intersection of Crabbs Branch Way and Monona Drive. Because of the grade change between Crabbs Branch Way and the interior of the Property, pedestrian access with stairs and ramps will be provided at a key location for improved connectivity with the surrounding neighborhood and established pedestrian crosswalk.

A fire access lane has been provided with direct access right off the north and south entires along Standish Place. The fire access lane is not intended to be used for vehicles and is designed to function as a pedestrian promenade when it is not in use by the fire department.

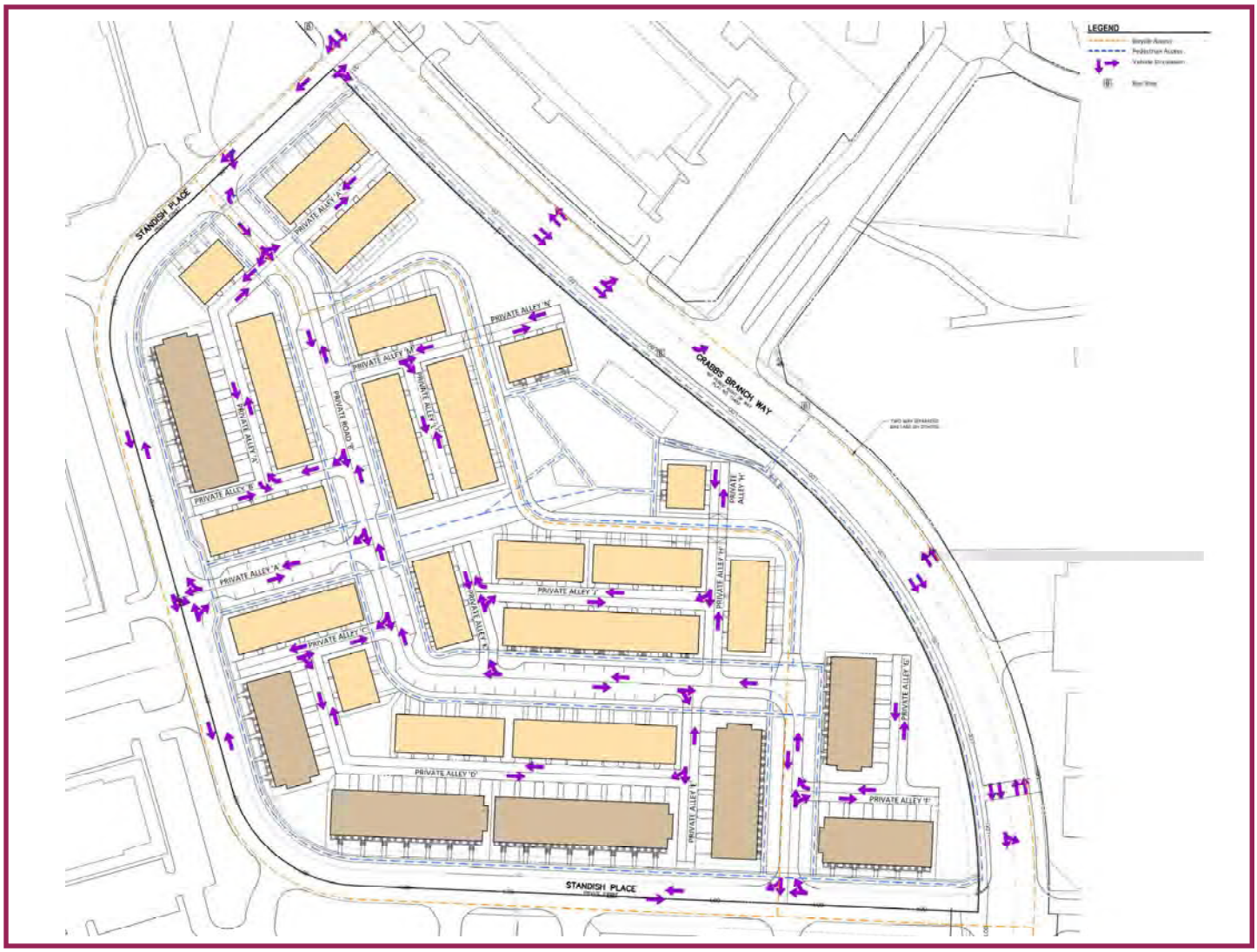


Figure 12: Circulation Diagram

Open Space, Environment and Recreation

Open space, environmental and recreation areas are organized along a pedestrian promenade that leads to a central park area where the pedestrian amenities are located. The promenade is bisected by a dedicated fire lane that will serve as a pedestrianized pathway in which no vehicles are permitted. The tree-lined pedestrian promenade runs perpendicular to the primary internal road and may include water features and landscaping and seating areas. The central park area includes an open lawn park (approx. 5,532 SF), an amenity structure or shade structure, picnic seating areas and playground area for children ages 2 to 12. The central park space is located adajcent to the intersection of Crabbs Branch Way and Monona Drive and is framed by the frontages (and front doors) of townhomes that provide “eyes on the park,” as well as with seating areas and children play areas that are located around the perimeter of the park area.

A Demand, Supply and Adequacy Report was produced for the Project using the proposed number of dwelling units for the townhomes and two-unit condominiums. The Project meets the demand for recreational facilities with the proposed and preliminary facilities, which include the following: (See Exhibit 1 – Demand, Supply and Adequacy Report)

Proposed Onsite Recreation Facilities and their Supply Points

	Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
①	Amenity Structure, such as shade structure and/or pavilion.	1	0%	1	5	10	7	7	5
②	Pedestrian Connection - Trail System	1	0%	3.12	9.42	5.31	19.13	19.62	2.04
③	Open Grass Area Lawn - Small (5,000 sf)	1	0%	3	4	9	9	9	3
④	Playground (Age 2-12) [Multi-age Play]	1	0%	9	11	3	2	4	2
⑤	Through-Block Connection	1	0%	3	5	5	10	8	5
⑥	Picnic/Seating	22	0%	22	22	33	66	66	66
	Total Onsite Supply Points=			41.12	56.42	65.31	113.13	113.62	83.04

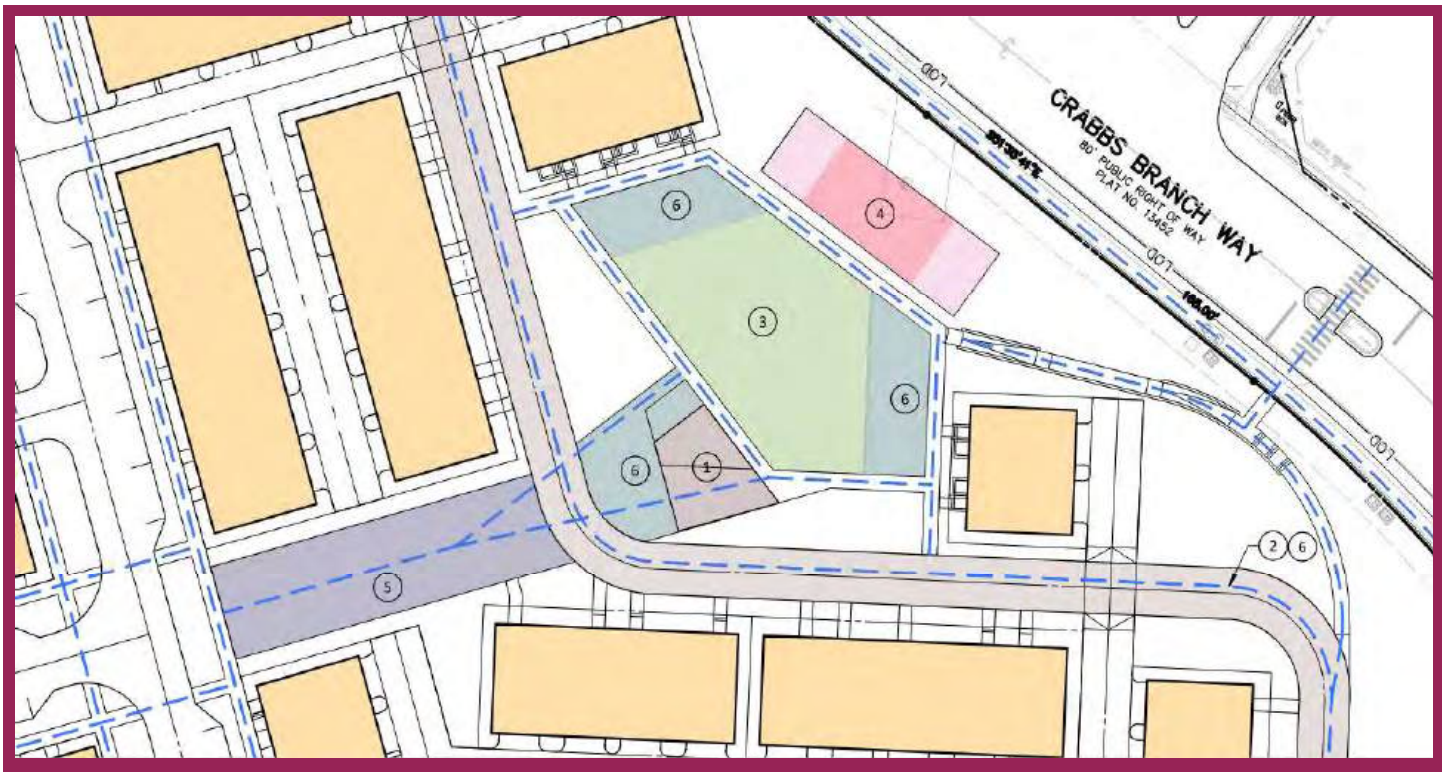


Figure 13: Park and Recreation Elements

Master Plan

Area Plan

The Property is located within the adopted 2006 Shady Grove Sector Plan and 2021 Minor Master Plan Amendment (known as the "Sector Plan"). The Sector Plan provides land use and zoning recommendations, such as mobility options and urban design, defined for the geographic area surrounding the Shady Grove Metro Station, which the subject Property is located within. For the purposes of this Report, the Sector Plan has been interpreted together with relevant county-wide functional plans and county laws and regulations. Relevant Sector Plan recommendations that provide guidelines relevant to the Subject Property are referenced in this Report.

The Property is located within the Crabbs Branch Office Park and Light Industrial (I-1) Zone in which the Area Plan made no specific land use recommendations for this area. The 2014 District Map Amendment rezoned several properties to the Industrial Moderate (IM 2.5 H-50) Zone. The 2021 Minor Master Plan Amendment recommended the following:

- Rezone properties to permit conforming buildings to IM 2.5 H-50 (as it relates to building height, the previous I-2 zone permitted office buildings up to 12 stories).
- Confirm all properties in the office park are in the IM-2.5 H-50 Zone

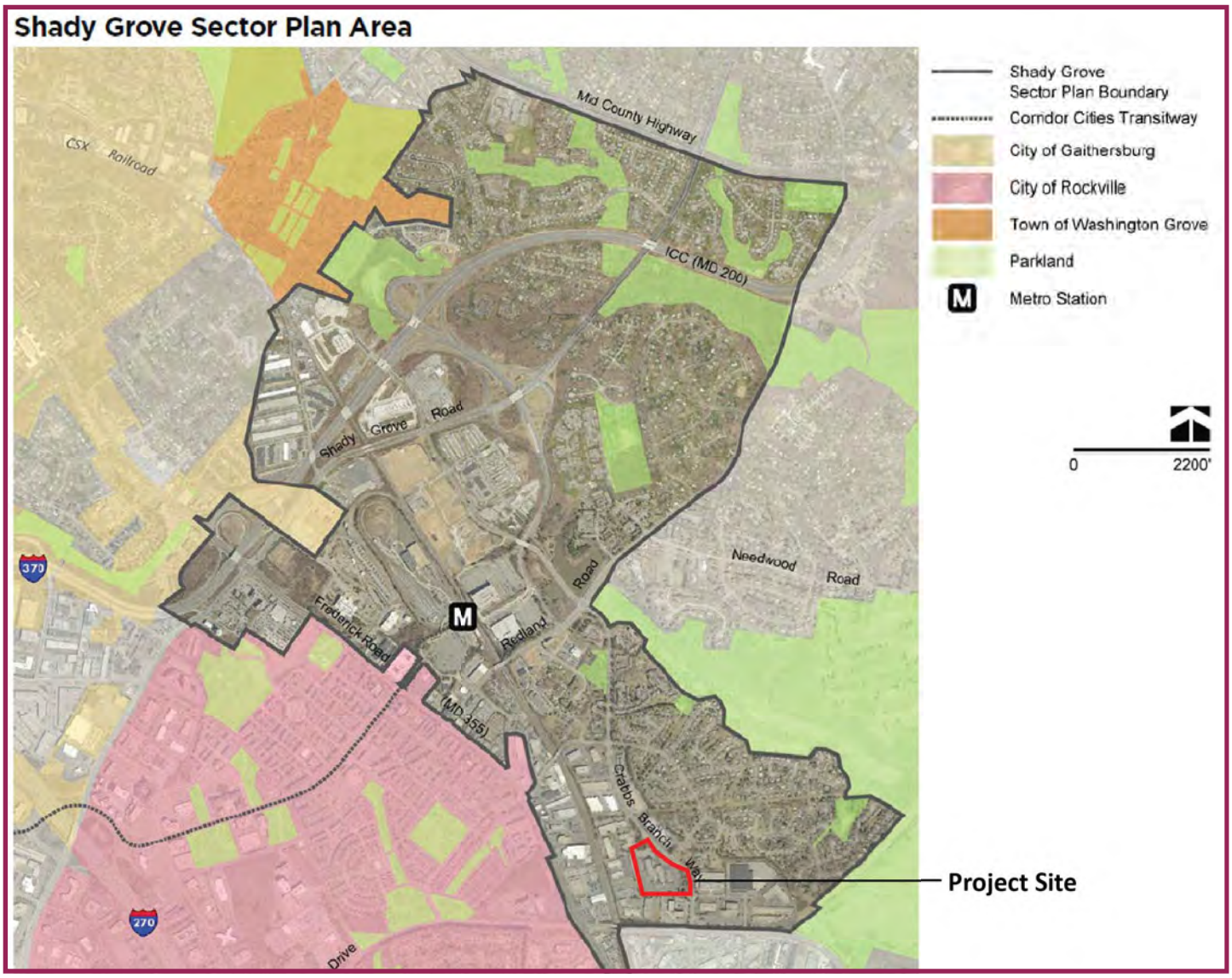


Figure 14: Shady Grove Minor Amendment Master Plan Boundary

Urban Design

The Sector Plan envisions the future of the Shady Grove Metro Station area as a pedestrian-oriented environment with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options." The proposed Program meets the Sector Plan's key Urban Design key recommendation to "promote walkability with enhanced streetscapes to define the public realm," with a site layout that creates compact street blocks that is organized by a central promenade leading to a neighborhood green space that is framed with plays areas for children and seating areas for residents.

While the Sector Plan's Vision and Concept Plan envisions the area where the Property is located as Employment/Commercial, the proposed program adds a range of much needed housing typologies on a property where office has been largely vacant over a long period of time. The Program comports with the Sector Plan's overall vision of creating a mix of residential uses within a walkable neighborhood format. The Sector Plan's Residential Plan envisions the northside of Crabbs Branch Way as part of the expanded residential neighborhood of Derwood Station that extends from Redland Road to Gude Road, and does the following:

- Concentrating new housing in mixed-use and transit-orientated areas.
- Encouraging and maintaining a wide choice of housing types and neighborhoods for people of all incomes, ages, lifestyles, and physical capabilities at appropriate locations and densities.

Land Use and Zoning

While the Sector Plan promotes the concentration of the maximum mixed-use residential development intensity near the Shady Grove Metro station, it does not specifically make any land use recommendations for this Property or suggest any change from the IM-2.5 H-50 Zone. The Sector Plan envisions the Crabbs Branch Office Park, which is located north of East Gude Drive, east of CSX rail tracks, and south of Indianola Drive, as an "office park with a broad array of technology, biotechnology, industrial/flex, and office development uses."

Housing

The 2021 Minor Master Plan Amendment aims to support and further the original goals of the 2006 Sector Plan and ensure alignment with current County housing policies and goals. Providing a mix of townhomes and two-unit condominiums would support the County's 2011 General Plan's Housing Element policies of:

- Concentrating new housing in mixed-use and transit-orientated areas.
- Encouraging housing near employment centers, with adequate access to a wide variety of facilities and services. Support mixed-use communities to further this objective.
- Encouraging and maintaining a wide choice of housing types and neighborhoods for people of all incomes, ages, lifestyles, and physical capabilities at appropriate locations and densities.
- Encouraging an adequate supply of affordable housing throughout the County for those living or working in Montgomery County, especially for households at the median income or below.

Parks, Trails and Open Space Element

The Area Plan does not specify parkland for this Project site. There is a proposed continuation of the Crabbs Branch Trail on the east side of Crabbs Branch Way.

The Sector Plan notes that with additional residential density more parks, trails, and open spaces for existing and future residents will be required. Accordingly, proposed residential developments must meet the Zoning requirements pertaining to Sec.6.3.5 Common Open Space and Sec. 6.3.6 Public Open Space. The Proposal meets the key recommendation to "create new parks and open spaces in the metro neighborhoods," by including a neighborhood green space (or smaller open space) that serves as a local destination for the residential neighborhood. The open space is supported with a pedestrian promenade, seating areas and other residential amenities.

Mobility

In general, the Project meets the Sector Plan recommendations for bike accommodation, sidewalk improvement, street trees and lights. All internal streets are private and will be designed to Montgomery County 2021 Complete Streets Manual accordingly, see below. The Project also includes pedestrian connectivity to Crabbs Branch Way from the project site with stairs and ramps at key locations.

Other Elements

The other Sector Plan Elements – Sustainability, Historic Resources and Community Facilities - do not have recommendations that this Property must address and/or is not currently relevant to the Project.

Shady Grove Minor Master Plan Amendment (Adopted July 2022) made recommendations in its implementation section that affects the street section of the 80-foot Crabbs Branch Way right-of-way and has been reflected in the Floating Zone documents:

- The southern segment of Crabbs Branch Way between Redland Road and Gude Drive is classified as an 80-foot arterial.
- Amend the 2018 Bicycle Master Plan to replace the recommendation for a sidepath along the western side of Crabbs Branch Way between Redland Road and East Gude Drive with a sidepath on the eastern side of Crabbs Branch Way. Remove the recommendation for a sidepath along the west side of the roadway between Shady Grove Road and the northern Plan area boundary.
- Crabbs Branch Way: Between Redland Rd and Gude Dr. a side path (East Side) is proposed.

The inside/outside travel lanes, street buffers and sidepaths will follow the recommendations in the Area Plan as well as the Complete Streets Design Guidelines (Adopted February 2021) and are reflected in the Floating Zone Plans:

Boulevard:	Crabbs Branch Way (west side)
Sidepath:	11’ default, 8’ min Priority (High). Project proposes 8’ min. Using the minimum dimension requires a waiver, MCDOT will be consulted.
Street Buffer:	8’ default, 6’ minimum. Project proposes 6’ min.
Center Medium:	Recommended 6’-16’
Left Turn Lane:	10’
Dedicated Transit:	Transitway lanes:13’ default, 12’ min
Inside Travel Lane:	10’
Outside Travel Lane:	11’

Neighborhood Street: Standish Place and interior streets	
Inside Travel Lane:	10’
Max # of Thr. Lanes:	2
Left Turn Lanes:	NA
Outside Trav. Lane:	10.5’
Parking Lane:	8’
Sidewalk/Sidepath:	6’ min. (Proposed)
Frontage Zone:	0
Maint. Buffer:	2’ Maintenance Buffer is not required if there is no Sidewalk / Sidepath, Priority: L

Existing view along Crabbs Branch Way (west side)





Additional Plan Recommendations

General Plan

Montgomery County's General Plan, **Thrive Montgomery 2050** ("General Plan"), was adopted in October 2022. Sector Plans are essential amendments to the General Plan, and as such, the Shady Grove Sector Plan is the long-term planning document with specific recommendations for the area in which the Property is located in. However, the Project does have programmatic features that address the General Plan's Overarching Objectives:

- **Compact Growth**: Corridor-Focused Development: the Project promotes growth near and within walking distance to a major transit center, which the sector plan defines as a focus for future growth.
- **Housing for All**: the Project promotes a mix of townhomes and two-unit housing typologies, meeting the 15% MPDU requirement, therefore providing more affordable housing for the County.



Figure 15: Thrive Montgomery 2050

Rezoning Intent

The Property is currently zoned Industrial Moderate Zone (IM-2.5) and will require a rezoning to Commercial Residential Neighborhood – Floating Zone (CRNF 1.25 C-0.0 R-1.25 H-60 Zone)), based on the applicable requirements and regulations of the County to accommodate its Program of a proposed mix of townhomes and two-unit condominiums located within a new street block system organized by common and public open space and residential amenities. Under Section 5.1.2 of the Zoning Ordinance, there are three categories of intent guiding the rezoning of the Property and each of these is supported by individual objectives. The following descriptions address each of the objectives satisfied by the Project.

A. Implement comprehensive planning objectives by:

1. furthering the goals of the general plan, applicable master plan, and functional master plans;

The Project furthers the goals of the County and supports several Key Recommendations of the Sector Plan as well as the General Plan's overarching objectives for focusing growth along major transit facilities (Shady Grove Metro Station and major bus terminus) and by providing a range of housing types. In addition, the Crabbs Branch Office Park similar to most office markets, continues to be downsized as more hybrid work options become available. The integration of housing into an office park supports the Sector Plan's vision of a mixed-use and pedestrian-oriented environment with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options." In addition, the Project is located in a 15% MPDU Requirement Zone and with the maximum of 210 DU, as much as 32 highly attainable MPDU's will be provided to the area meeting Thrive Montgomery 2050's "Housing for All" goal which is to increase affordability options for County residents.

2. ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities requirements;

The Project will use existing water and sewer lines that do not need to be upgraded off-site and will meet necessary APF requirements as shown by the applicable school and transportation tests.

3. allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the property; and

While there are no streams or woods on-site, the Project takes advantage of an underutilized Property adjacent to multi-modal circulation networks, with R50 Metro Bus and multiple bus stops located along the Crabbs Branch Way frontage, future BRT on nearby MD-355 and being less than a mile to the Shady Grove Metro Station. This porposed residential development would provide more than 200 individuals and familes access to these transportation networks.

B. Encourage the appropriate use of land by:

1. providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;

With less vehicle trips proposed than the current use, the Project supports the County's objective of providing a range of housing types near a major transit facility that will improve the environment and will not overburden public facilities. The proposed residential uses is in balance with and supported by the existing and planned infrastructure with flexible applicability to changing economic, demographic, and planning trends.

2. allowing various uses, building types, and densities as determined by a property's size and base zone to serve a diverse and evolving population; and

The Project furthers the goals of the General Plan and Sector Plan by allowing a range of residential building types (townhomes and 2-unit condominiums that addresses the "missing middle" housing type for middle income residents), including, potentially up to 32 MPDU units that will meet the 15% requirement which applies to any new development in Montgomery County with 20 or more units, and densities as determined by a property's size. MPDU's are planned to be disbursed throughout the condominium units which advances the County's housing goals by allowing the most affordable housing types to be offered in this location. The Project's employment and transit orientation location make it the ideal place to maximize affordable housing opportunities at the lowest prices possible. The Project meets the intent of the CRN floating zone to serve a diverse and evolving population with a neighborhood design that is built on compact street blocks and park space that encourages walking. Buildings have been placed orthogonal to the street and are modulated to not to exceed 8 dwelling units in length in order to maintain an appropriate scale to pedestrians and public realm.

3. ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation;

The Project proposes tree-lined compact street blocks with continuous sidewalks, organized around a central park area and pedestrian promenades that promotes walkability and healthy living.

C. Ensure protection of established neighborhoods by:

1. establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;

Compatibility of the proposed redevelopment is achieved through careful placement and appropriate siting of the massing to be orthogonal to the street to create a consistent neighborhood character and direct and primary access to each dwelling unit. The redevelopment replaces four dated 1 to 3 level office buildings that are setback towards the interior of the lot, surrounded by surface asphalt parking with architecturally pleasing townhomes and two-unit condos that will sit closer to the road, improving the vehcular and pedestrian experience along Crabbs Branch Way. The Project will also result in an approximately 40-percent reduction of vehicular trips from the previous use, based on Traffic Statement provided with this Application.

2. providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and

The Floating Zone will serve a diverse and evolving population and will allow for various residential uses and flexibility in site layout, lot size, architecture, density and placement that respond to various settings and adjacencies to be more compatible and protect surrounding character of neighborhoods.

3. allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.

The Project is placed orthogonal to the street, with front doors that open directly on Standish Place for an "eyes on the street" visual effect and extra level of security. All townhomes and two-unit condominiums have rear-loaded garages accessed through alleys and are not substantially visible from the streets. There is a 5- to 10-foot grade differential along Crabbs Branch Way, however, the central park feature will be mostly visible and accessible to the public right-of-way with stairs and ramps located near the existing crosswalk along Crabbs Branch Way.

Rezoning Applicability

Under Section 5.1.3.C of the Zoning Ordinance, if a Floating zone is not recommended in a master plan, the following apply:

1. The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested.

No MPDU density bonus is proposed. The Project is proposed at 1.25 FAR, 4 stories and up to 60-feet in height to allow for the architectural articulation of roof forms and accomodate the difference between the grade to the finish first floor elevatio. The Project is proposed to be rezoned to Commercial Residential Neighborhood – Floating Zone (CRNF 1.25 C-0.0 R-1.25 H-60 Zone) is meeting the maximum allowable residential density of 1.25 FAR within the 60-foot maximum height.

2. Non-Residential Base Zone
Under Section 5.1.3.C (3. Non-Residential Base Zone) of the Zoning Ordinance, when requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.

Purpose, Land Use, & Building Types

The purposes of the CRNF Zone are met by the Project. It will create a neighborhood appropriate to the setting with compatible uses and site design. The uses allowed in the CRNF Zone are the same as those allowed in the CRN Zone, including attached two-unit condominium houses and townhomes. No commercial uses or building types are proposed.

Development Standards

Floating zones allow for flexibility in development standards, including site layout, lot size, height, setback and placement to allow for development that is compatible with the surrounding neighborhood and meets the intent, goals and policies of the Sector Plan. All proposed development standards are approved during the site plan approval process. Height must satisfy the compatibility standards for the applicable building type under Section 4.1.8.B. The Project proposes approximately up to 210 DU and mix of rear-loaded townhomes and two-unit condominiums that will be under the 1.25 FAR and 60-foot height for the CRNF 1.25 C-0.0 R-1.25 H-60 Zone.

General Requirements

Under Section 5.3.5.D.1, the General Requirements of Article 59-6 must be provided as required by the CRN zone (the applicable Euclidean zone). These include parking, recreation facilities, and landscaping.

Parking & Loading Requirements

Parking must be provided under Section 6.2.3 Calculation of Parking and Section 6.2.4 Parking Requirements. The Project is not located in a Parking Lot District or Reduced Parking Area, therefore will comply with the baseline minimum per Table 6.2B. All townhomes and condominiums will require a minimum of one stall per dwelling unit. Parking will be accommodated by an enclosed garage and/or driveways located on-site on individual lots.

- Parking spaces are sized to meet the minimum standard (8.5'x18') per Sec. 6.2.5.E.
- One stall minimum will be provided for each dwelling unit for two-unit condominiums
- Two stalls maximum will be provided for townhomes
- 21 visitor parking spaces are provided on-site and are located on the main connector road that parallels Standish Place.
- The Project will meet the Loading Design Standards per Sec. 6.2.8 and will provide the minimum required loading space for developments with over 50 dwelling units. Developments with over 50 dwelling units are required to provide one loading space.
- No screening or incompatible buffer criteria are triggered by the proposed Program.

Landscape & Lighting Standards

A landscape plan must be submitted in conjunction with any grading or building permit; the plan must be prepared and sealed by a landscape architect licensed in Maryland. The plan must show all proposed plant material and necessary details to demonstrate conformance with the Landscape Manual of Montgomery County. Installation of the plantings per the prepared plan must be submitted after completion.

- All roads are private but will be designed to meet Montgomery County's Complete Street Guidelines

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Open Space

The two types of proposed uses generate the need for two different types of open space pursuant to section 5.3.5.d.2.a of the zoning ordinance: townhouses require common open space (10-percent of the site area) and multi-family (two-unit condominiums) requires public open space (10-percent of the site area).

Multi-Family (Two-unit) Public Open Space Requirement (10%):
Site Area (108,200 SF, Required: 10,8000 SF, Proposed: 23,170 SF

Townhouse Common Open Space (10% Required):
Site Area: 110,880 SF, Required: 11,088 SF, Proposed: 23,431 SF



Figure 16: Open Space Plan

Common Open Space

As noted, the site area for the townhouses is approximately 110,880 sf, requiring 11,088 sf of common open space. Common open space is defined under section 6.3.5.a.2 as outdoor areas intended for recreational use by residents and their visitors. There are three design requirements for common open space:

1. Common open space must be in a central position or central positions in the neighborhood bordered by streets or building lots. It may be public or private. Common open space may also be placed in a location taking advantage of an important adjacent natural feature or open space.

2. The minimum width for any required common open space is 50 feet unless the deciding body grants an exception for items such as a trail easement, a mid-block crossing, or a linear park, by finding that its purpose meets the intent of division 6.3.

3. A minimum of 50% of the required common open space must be in one contiguous area or only separated by a residential street. Any other areas must be a minimum of 2,000 square feet each and connected by sidewalks, paths, or trails.

As shown on the open space exhibit, the proposed layout meets each of these criteria. The spaces are centrally located or along an important feature, such as the promenade. Each of the spaces is at least 50 feet wide except for the linear parks and trails which are variable in width up to 40 feet and linked by a series of sidewalks and paths. Despite being less than 50 feet, these open spaces meet the intent of division 6.3 by providing access to light, air, and green space thereby promoting recreation while preserving and engaging with natural resources. The total common open space will meet the minimum required

Public Open Space

Public open space is defined under section 6.3.6.a.2 as outdoor areas devoted to public use or enjoyment that attracts public appreciation due to its location and amenities. The pedestrian promenade and pathway (Fire Department Access) are connected to each other are the two main public open space areas that also connect to the Common Space Space that includes the green areas, pavillion, children play areas and seating areas. There are four design requirements under the standard method of development for public open space:

A. Abut a public sidewalk or other public pedestrian route;
B. Be a minimum of 15 feet wide;
C. Include seating and shade; and
D. Be in a contiguous space.

Each of these design criteria are met with the proposed plan. We expect all the public open spaces, such as the promenade and pedestrian pathway will be used by the residents of the community, and by the community at large. The promenade and pedestrian pathway are more visible and directly linked to the sidewalks and entries into the residential community along the Standish Place. These areas are highly designed spaces that will entice frequent use by the public and provide a variety of recreational and aesthetic elements including shade structures and seating.

Allowed & Prohibited Features

Per section 6.3.3 of the zoning ordinance, no streets, parking areas, drain fields, or transitory uses are proposed in the common or public open spaces. Under the same section, allowed features within the common open spaces include conservation areas, lawns, plantings, walkways, paths, trails, natural resource-based recreation, facility-based recreation, non-structural ESD stormwater management facilities, water bodies and floodways and utility easements for below-grade utilities. Likewise, the public open space includes the following allowed features: lawns, gardens, patios, walkways, trails, natural resource- and facility-basedrecreation, utility easements for below-grade utilities, and ESD stormwater management facilities.

Traffic Statement Findings

As required in the Montgomery County Growth and Infrastructure Policy, a Traffic Statement was performed by Lenhart Traffic Consulting, Inc., in connection with this Rezoning Application, per the Local Area Transportation Review (LATR) Guidelines. These Guidelines are utilized by the Montgomery County Planning Board for the Administration of the Adequate Public Facilities Ordinance. Utilizing the updated LATR system adequacy tests and a Vision Zero statement, based on the number of peak hour person trips the site will generate, as outlined in Montgomery County's Growth and Infrastructure Policy and the LATR 2024 Guidelines

The property is currently developed with 177,126 square feet of general office space. The existing office space is proposed to be razed and redeveloped with a mix of up to 210 DU of townhomes and 2-unit condominiums. Trip Generation tables were developed that contained the trip generation totals for the existing and proposed uses based on the ITE Trip Generation Manual, 11th Edition and adjusted using the appropriate adjustment factors for the Derwood Policy Area. Trip generation for the previous use is based on ITE-710 (General Office). Trip generation for both the proposed two-by-two units and townhouse units is based on ITE-215 (Single-Family Attached Housing). ITE-215 is defined as any single-family housing unit that shares a wall with an adjoining dwelling unit.

The Property falls within the Orange Policy Area in the current FY 2020-2024 Growth and Infrastructure Policy. An analysis of peak hour person trips generated by the proposed development was performed in accordance with the 2022 update to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) Local Area Transportation Review (LATR) Guidelines.

The Project is expected to generate 222 AM peak hour and 262 PM peak hour total person trips, and 145 AM peak hour and 170 PM peak hour total auto-driver (vehicle) trips, based on the LATR Guidelines methodology for calculating person and vehicle trips. The existing uses generate 366 AM peak hour and 357 PM peak hour person trips, and 278 AM peak hour and 271 PM peak hour vehicle trips. Therefore, the proposed re-development will result in a reduction of 144 AM peak hour and 95 PM peak hour new person trips and 133 AM peak hour and 101 PM peak hour new vehicle trips.

Conclusions

Based on the traffic statement analysis, a full transportation study (adequacy test) is not required to satisfy the Local Area Transportation Review (LATR) test because the proposed redevelopment generates fewer than 50 new peak hour person trips, and therefore, is exempt from being required to perform LATR adequacy testing.

Traffic Statement Findings:

- The existing land use generates a total of 366 AM- and 357 PM peak hour person trips.
- The proposed land uses will generate a total of 222 AM- and 262 PM peak hour person trips.
- The redevelopment of the site will result in a net decrease of 144 person trips in the AM peak hour and 95 person trips in the PM peak hour.

Environment

Forest Conservation

The Property is currently sited with four office buildings that range from 1 to 3 stories and an asphalt surface parking lot that includes over 634 parking spaces, 15 ADA parking stalls and 6 motorcycle spaces, with some landscaping and mature trees. Topography is minimal across the parking lot draining to the southwest where it is collected and piped to two stormwater features across standish place. Between the parking lot and Crabbs Branch Way, the property slopes steeply up about 10 feet resulting in a property that sits much lower than the public right-of-way. Vegetation is limited to parking island trees, foundation plantings, plaza landscaping, and trees within mowed lawn around the perimeter - especially on the slope between the parking lot and Crabbs Branch Way.

There is no forest to retain, there are 39 significant trees (24”- <30” dbh) and 6 specimen trees (≥ 30” dbh) on the property; these are mostly oak, maple, pine, and cherry with a few other species mixed in. health of the trees varies from poor to good, as described in the tree table on the PFCP Exhibits provided. As part of the rezoning submission, the Applicant is submitting variance request for removal of the six (6) specimen trees on the Property. This variance request complies with the M-NCPPC and Maryland state law, which require Applicant to file for a variance from these laws to remove or impact any specimen tree (tree 30” or greater at Diameter at Breast Height [DBH] or a tree with a DBH equal to or greater than 75% of the current State Champion of its species as designated by MDNR); trees that are a part of a historic site or associated with a historic structure; any tree designated by the State or County as a national, State, or County champion tree; or any tree, shrub, or plant identified on the Rare, Threatened, or Endangered (RTE) species list provided by the U.S. Fish and Wildlife Service or the Maryland Department of Natural Resources. A seperate Tree Variance Request is provided with the Rezoning Submission

There are no stormwater management features on site and no floodplains, wetlands, streams, or environmental buffers. A very small area of glenelg silt loam soils are present on the eastern portion of the property and within the 100’ NRI perimeter; all other soils are urban land - wheaton complex. these soils are not highly erodible or hydric.

Environmental Guidelines

There are no streams, floodplains, wetlands or forested areas on the Property. Therefore, no facilities are proposed within existing forest, wetlands or their buffers, floodplains, or habitats for rare, threatened, or endangered species. The Property will be regraded, new utility infrastructure will be laid out, and an environmental site design (ESD) system for stormwater management will be installed where none currently exists.

- The Projects Recreation Plan proposes pedestrian promenades, open park area and childrens play area (ages 2 to 12)
- An existing public utility easement for gas, telecommunications, and electric infrastructurewill remain at the current location.

The Guidelines list “provision of visual amenities and areas for recreation and outdoor education activities” as an objective of successful environmental management.

Infrastructure

Stormwater Management

The Project will comply with the requirements of Chapter 19 of the Montgomery County Code. Because the Project will result in more than 5,000 square feet of disturbance, the Applicant will submit a Stormwater Management Concept Plan prior to submitting the combined Preliminary Plan and Site Plan applications. The development team is not aware of and has found no evidence of existing storm water facilities on site. The Stormwater Concept must be approved by DPS prior to applying for a Sediment Control and/or Stormwater Management Permit. In accordance with Stormwater Management Act of 2007, the Project will implement Environmental Site Design ("ESD") practices to the maximum extent practicable.

State Requirements

The 2000 Maryland Stormwater Design Manual is the official guide for stormwater management principles, methods, and practices in Maryland. The Design Manual was originally published in October 2000, and revised in May 2009. This Manual provides guidance for projects to implement environmental site design (ESD) practices to the maximum extent practicable (MEP) to meet the equivalent in water quality control of a 50% decrease in impervious surface area throughout the State. Site-by-site, the goal is to provide stormwater recharge that replicates a forested site.

Target Treatment

While the minimum requirement of ESD treatment is 1", additional rainfall must be treated to the MEP up to the target based on impervious area and soil type. With most of the soils that will be developed categorized as Hydrologic Group D and approximately 80% of the limits of disturbance assumed impervious, the target rainfall is 1.8" and the Runoff Curve Number target of 79.

Hydrologic Soil Group D										
%I	RCN*	P_E = 1"	1.2"	1.4"	1.6"	1.8"	2.0"	2.2"	2.4"	2.6"
0%	80									
5%	81									
10%	82									
15%	83									
20%	84	77								
25%	85	78								
30%	85	78	77	77						
35%	86	79	78	78						
40%	87	82	81	79	77					
45%	88	82	81	79	78					
50%	89	83	82	80	78					
55%	90	84	82	80	78					
60%	91	85	83	81	78					
65%	92	85	83	81	78					
70%	93	86	84	81	78					
75%	94	86	84	81	78					
80%	94	86	84	82	79					
85%	95	86	84	82	79					
90%	96	87	84	82	79	77				
95%	97	88	86	82	80	78				
100%	98	89	86	83	80	78	77			

Cp_v Addressed (RCN = Woods in Good Condition)

RCN Applied to Cp_v Calculations

Figure 17: Rainfall Target/Rainfall Curve Number Reduction Table

Potential Facilities

The included stormwater concept exhibit proposes the use of ESD facilities of micro bioretention, supplemented with structural best management practices ("BMP") comprising of storage and filtering mechanisms. The stormwater strategy will be further refined when the Conceptual Stormwater Management Plan is submitted to MCDPS for approval. It is expected that the proposed layout of the Project will fully accommodate stormwater management facilities that meet/ exceed applicable County and State requirements.



Figure 18: Biofiltration Swale



Figure 19: Micro-Bioretention Planting

Utilities

Existing storm drain inlets are located along the frontage of the Property at the following locations:

- Along the Crabbs Branch Way frontage near the southeast corner of Standish Place
- Along the Standish Place frontage at the mid-block area of the Property and at the southern portion of the Property near Crabbs Branch Way intersection.

A 25-foot storm drain easement is located along Crabbs Branch Way. The existing pipe size and downstream capacity will need to be analyzed, because the proposed redevelopment of the Property will provide storm water management and will not significantly increase impervious area, there should not be any increase in run-off. If existing capacity is problematic, upgrades may be required regardless of proposed redevelopment reductions. As with storm drain capacity will need to be analyzed for the proposed Program.

- The Property lies within Zone “X” (Area of .2% annual chance of flood) as plotted by scale on National Flood Insurance Program, Flood Insurance Rate Map Community Panel Map No.24031C0332D, dated September 29, 2006, for Montgomery County Maryland.
- 20-foot WSSC Easement is located along the Property frontage along Standish Place

Water & Sewer Locations & Easement Requirements

According to a 2018 Alta Survey of the Property, the following water, sewer and easements requirements can be identified:

- The Property is within Sewer Category S-1 and Water Category W-1, existing community public systems, with access to the main. A 10” water main is located along Crabbs Branch Way and an 8” public sewer main is located along Standish Place. Sewer and water lines would be located within the Property within the proposed roadways.
- Approximately four fire hydrants are located along Crabbs Branch Way on the east side of the street, two are located towards north and south intersections with Standish Place and the other two hydrants are located equi distant from each other. Two fire hydrants are located along the south side of Standish Place, one towards the south end of the block and the other closer to the north end.

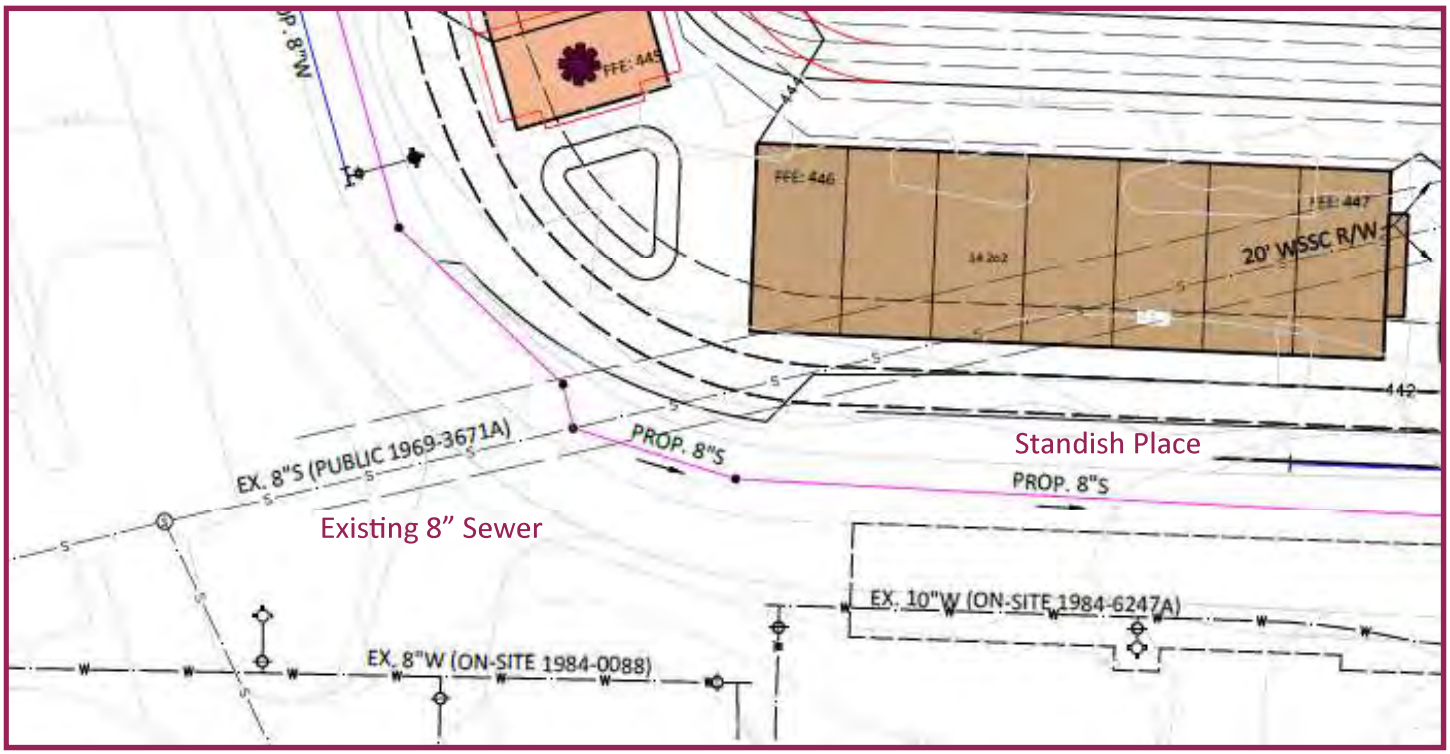


Figure 20: Existing Sewer Main Location (with Proposed Site Layout)

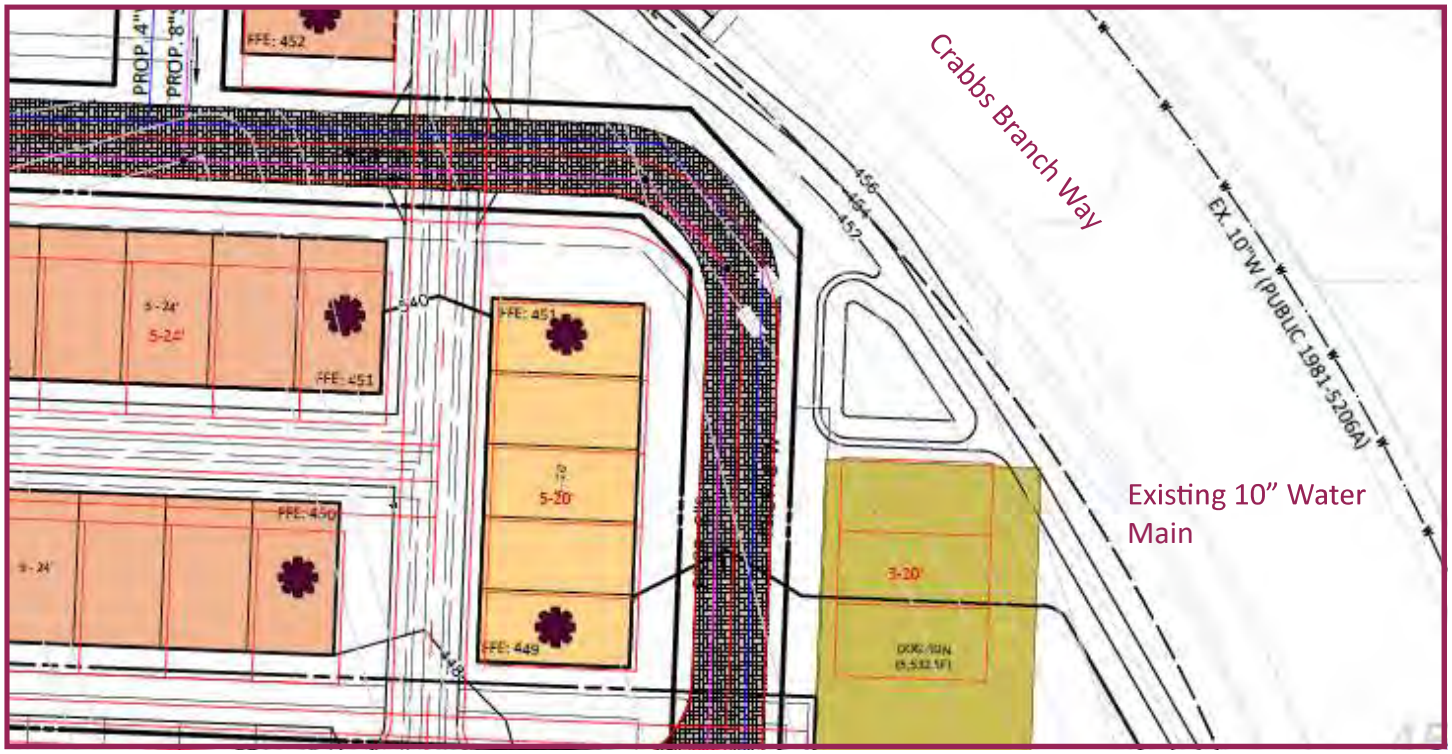


Figure 21: Existing Water Main Location (with Proposed Site Layout)

"Dry" Utility Location & Easement Requirements

There is an existing 10-foot public utility easement located along the site frontages of Standish Place and Crabbs Branch Way that is used for dry utilities, including gas, electric transformers (located along Crabbs Branch Way), and telecommunications. Electrical and telecommunications wires appear to have been undergrounded along the property. Streetlights are located along Crabbs Branch Way along the street frontage. It is not known whether an existing gas line serves the Property.

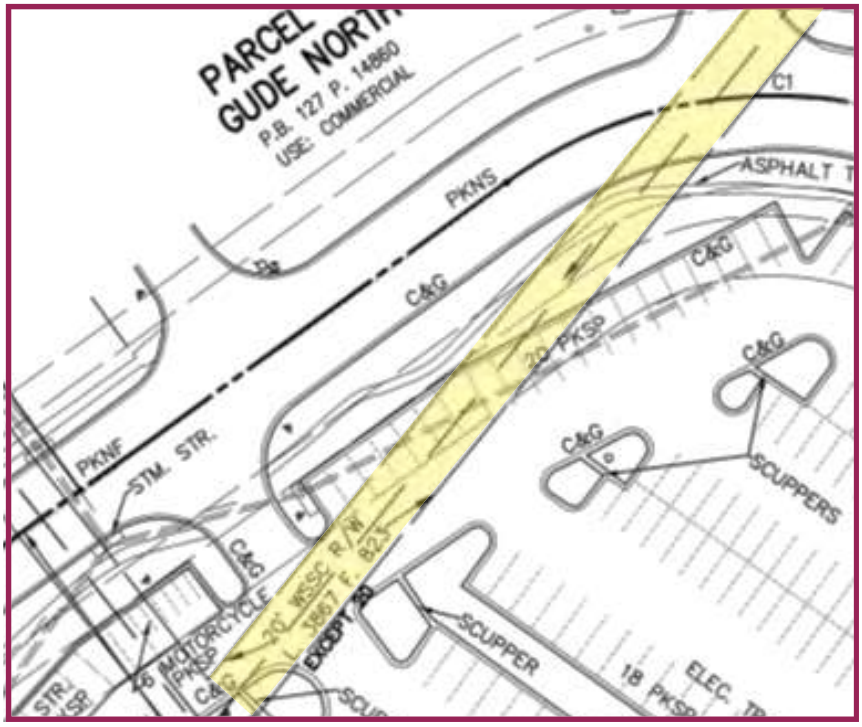


Figure 22: Existing 20-foot WSSC Location

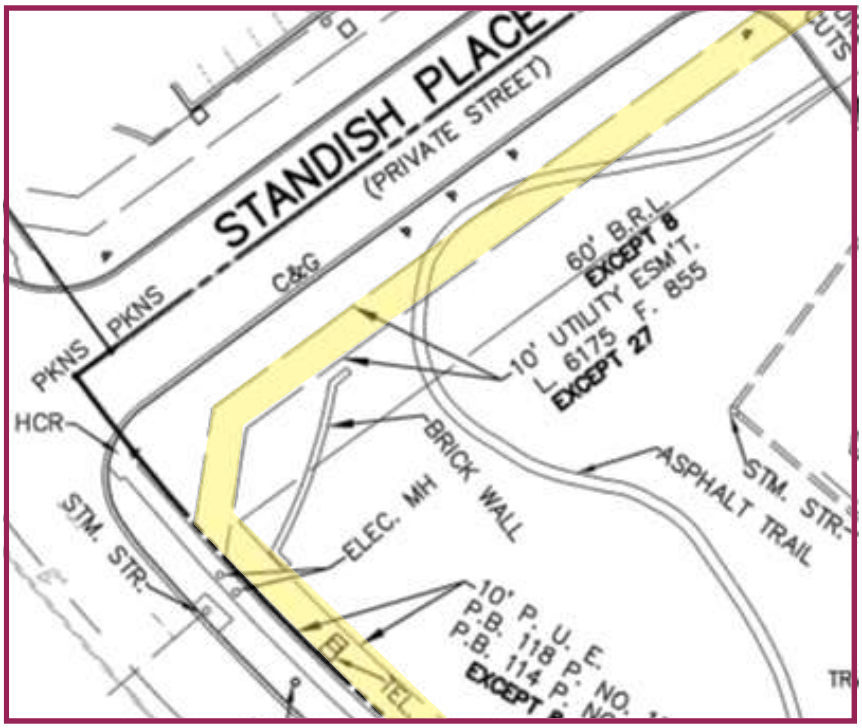


Figure 23: Existing 10-foot Public Utility Easement

References

All references were accessed between the date of the approved contract and date of this Report unless otherwise noted.

Montgomery County Zoning Ordinance: https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md_zone2014/0-0-0-484

MERLIN – Maryland's Environmental Resource & Land Information Network: https://gisapps.dnr.state.md.us/MERLIN/index.html

SDAT Real Property Data Search, Maryland Department of Assessments and Taxation: https://sdat.dat.maryland.gov/RealProperty/Pages/viewdetails.aspx?County=17&SearchType=ACCT&District=02&AccountNumber=3878287

PLATS.NET Digital Image Reference System for Land Survey, Subdivision, and Condominium Plats: http://plats.net/pages/index.aspx

WMATA: https://www.wmata.com/

USDA Natural Resources Conservation Service Web Soil Survey: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx

Countywide Green Infrastructure Plan: http://www.mncppcapps.org/planning/publications/BookDetail.cfm?item_id=28&category_id=&name=green&pricemin=&pricemax=&author=&Pubs_year=All&price=&

Maryland Stormwater Design Manual: https://mde.maryland.gov/programs/water/stormwatermanagementprogram/pages/stormwater_design.aspx

Exhibit 1 – Demand, Supply and Adequacy Report

Proposed Residential Project - Units by Type and their Demand Points

Code	Housing Type	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
Mid-Rise	Multiple-Family, 4 stories or less	90*	14.4	20.7	16.2	63.9	43.2	7.2
TH	Townhouses and Single-Family attached	120*	16.8	26.4	19.2	63.6	87.6	13.2
SFD	Single-Family Detached	0	0	0	0	0	0	0
Hi-Rise	Multiple-Family, 5 stories or more	0	0	0	0	0	0	0
	Total Demand Points =	**210***	**31.2**	**47.1**	**35.4**	**127.5**	**130.8**	**20.4**

* FINAL UNIT MIX T.B.D. AT SITE PLAN

Existing Offsite Park Facilities and their Supply Points

Park Facility	Quantity	Tots	Children	Teens	Young Adults	Adults	Seniors
Bikeways	1	1.56	4.71	5.31	19.13	19.62	2.04
Trail System	1	3.12	9.42	5.31	19.13	19.62	2.04
Total Offsite Supply Points:		**4.68**	**14.13**	**10.62**	**38.25**	**39.24**	**4.08**
35% of Total Offsite Supply Points:		**1.64**	**4.95**	**3.72**	**13.39**	**13.73**	**1.43**
Max Allowed Pts (35% of Total Demand Pts):		**10.92**	**16.49**	**12.39**	**44.63**	**45.78**	**7.14**
Actual Assigned Offsite Supply Pts:		**1.64**	**4.95**	**3.72**	**13.39**	**13.73**	**1.43**

Proposed Onsite Recreation Facilities and their Supply Points

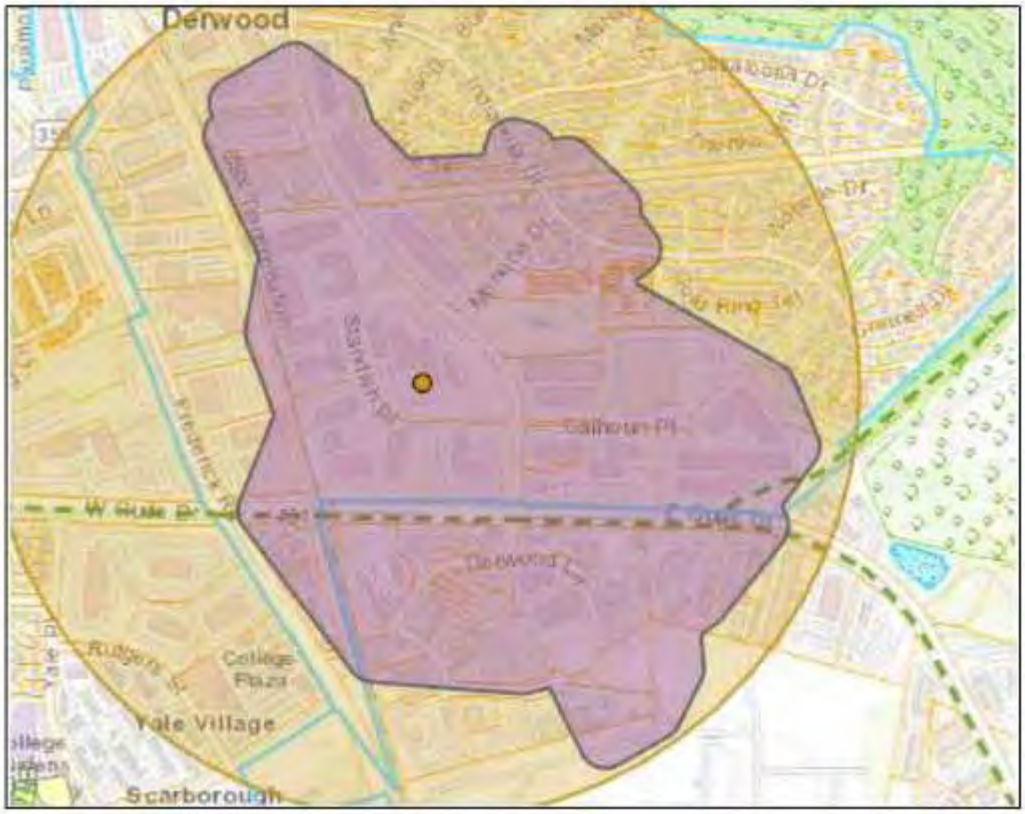
	Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
①	Amenity Structure, such as shade structure and/or pavilion.	1	0%	1	5	10	7	7	5
②	Pedestrian Connection - Trail System	1	0%	3.12	9.42	5.31	19.13	19.62	2.04
③	Open Grass Area Lawn - Small (5,000 sf)	1	0%	3	4	9	9	9	3
④	Playground (Age 2-12) [Multi-age Play]	1	0%	9	11	3	2	4	2
⑤	Through-Block Connection	1	0%	3	5	5	10	8	5
⑥	Picnic/Seating	22	0%	22	22	33	66	66	66
	Total Onsite Supply Points=			**41.12**	**56.42**	**65.31**	**113.13**	**113.62**	**83.04**

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	31.2	1.64	41.12	42.76	Adequate
Children	47.1	4.95	56.42	61.37	Adequate
Teens	35.4	3.72	65.31	69.03	Adequate
Young Adults	127.5	13.39	113.13	126.52	Adequate
Adults	130.8	13.73	113.62	127.35	Adequate
Seniors	20.4	1.43	83.04	84.47	Adequate

RECREATION FACILITIES WILL BE REFINED AT SITE PLAN.

OFF-SITE FACILITIES WITHIN HALF MILE RADIUS OF PROJECT LOCATION



VIKA Maryland, LLC
20251 Century Blvd.
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Germantown, MD 20874
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vika.com



Montgomery Planning

7501 STANDISH PLACE

LOCAL MAP AMENDMENT H-156

FOREST CONSERVATION PLAN NO. F20250010



Request to rezone the Property from IM-2.5, H-50' to CRNF-1.25, C-0.0, R-1.25, H-60', to allow the replacement of an aging office complex and surface parking lot with up to 210 dwelling units.

LMA No. H-156
FCP No. F20250010
Completed: 12-6-2024

MCPB
Item No. 5
12-19-2024

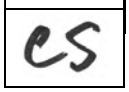
Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
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Exhibit 27
H-156

Planning Staff


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LOCATION/ADDRESS

7501 Standish Place, Derwood, MD; 500 feet north of the East Gude Drive and Crabbs Branch Way intersection

MASTER PLAN

2021 *Shady Grove Minor Master Plan Amendment*

ZONE

Existing zone: IM-2.5, H-50'

Proposed zone: CRNF-1.25, C-0.0, R-1.25, H-60'

PROPERTY SIZE

13.86 acres

APPLICANT

Tri Pointe Homes DC Metro Inc.

ACCEPTANCE DATE

August 8, 2024

REVIEW BASIS

Chapters 22A & 59

Summary:

- Staff recommends: (1) approval of Local Map Amendment No. H-156 and Floating Zone Plan, with binding elements and transmittal of comments to the Hearing Examiner for a February 6, 2025, public hearing; and (2) approval with conditions of Preliminary Forest Conservation Plan (PFCP) No. F20250010.
- The proposed rezoning would convert the Property from the IM-2.5, H-50' zone to the CRNF-1.25, C-0.0, R-1.25, H-60' zone.
- The proposed rezoning would allow up to 210 dwelling units on the Property, including 15% MPDUs.
- Subsequent Preliminary and Site Plans will be required per Chapter 59.7.2.1.G.2.
- The Preliminary Forest Conservation Plan is in compliance with Chapter 22A and the Montgomery County Environmental Guidelines and is recommended for approval.
- Staff has not received any correspondence regarding this Application.

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SECTION 1: RECOMMENDATIONS AND BINDING ELEMENTS/CONDITIONS

LOCAL MAP AMENDMENT NO. H-156

Staff recommends approval of Local Map Amendment (LMA) H-156, 7501 Standish Place, with the associated Floating Zone Plan, to rezone the Property to CRNF-1.25, C-0.0, R-1.25, H-60' to allow the construction of up to 210 dwelling units, subject to the following binding elements[1]:

1. The development must provide a minimum of 15 percent (15%) Moderately Priced Dwelling Units (MPDUs) as approved by the Montgomery County Department of Housing and Community Affairs (MCDHCA), consistent with the requirements of Chapter 25A.
2. The development must provide at least 10 percent (10%) of the site area as open space, allocated proportionally by use (townhouse and multifamily) between Common and Public Open Space.
3. The Central Park open space, identified illustratively on the Floating Zone Plan, must be made accessible to the public. The final size, design, and programming of the Central Park will be determined at time of Site Plan.
4. Vehicular access to the Site will be limited to Standish Place.

At the time of Preliminary Plan and/or Site Plan approval, the Applicant must address the following:

1. The final design and amenities of the Central Park and open spaces throughout the site, consistent with the Open Space Exhibit included in the Floating Zone Plan.
2. The distribution of the MPDUs across unit types, as approved by MCDHCA.
3. The Crabbs Branch Way street design, in compliance with the *Complete Streets Design Guide*.
4. The alignment and location of site access points on Standish Place.
5. The delivery of a noise study due to proximity to Crabbs Branch Way and the rail line to the west of the Subject Property.

[1] For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner, or any successor(s) in interest to the terms of this approval.

PRELIMINARY FOREST CONSERVATION PLAN NO. F20250010

Staff recommends approval of Preliminary Forest Conservation Plan No. F20250010 with the following conditions:

1. Applicant must submit a Final Forest Conservation Plan ("FFCP") for review and approval at time of site plan and before obtaining a Sediment and Erosion Control Permit from the Montgomery County Department of Permitting Services for the Subject Property. No demolition, clearing, or grading is permitted on the Subject Property prior to approval of the FFCP.
2. The FFCP must be consistent with the approved Preliminary Forest Conservation Plan.
3. The FFCP must include:
    a. Limits of Disturbance consistent with the Sediment and Erosion Control Permit.
    b. Variance tree mitigation plantings on the Subject Property with a minimum size of three (3) caliper inch trees totaling forty-eight (48) caliper inches.

SECTION 2: SITE DESCRIPTION

VICINITY/NEIGHBORHOOD

The Subject Property is located at 7501-7515, 7519, 7529, 7609-7623 Standish Place in Derwood, Maryland within the Metro Park – Standish Place office complex. The Property is bounded by Standish Place, a private road, along the northern, southern, and western site frontages, and by Crabbs Branch Way, a public road, to the east. The Property is approximately 500 feet north of the intersection of Crabbs Branch Way and East Gude Drive and is surrounded by a diversity of uses and building types, which are generally characterized as moderate density industrial and residential uses, described in more detail below.

North: Directly north of the Site, across Crabbs Branch Way, is the American National Red Cross building (zoned IM-2.5, H-50'). To the north, across Standish Place, are additional moderate density industrial office parks, with tenants such as a software company, a medical equipment supplier, a cleaning service, and engineering consultants. Further north along Crabbs Branch Way are industrial office parks up to Indianola Drive and part of the Derwood Station single-family residential neighborhood (zoned R-90). The Shady Grove Metro Station and associated mixed-use development in the CR zone are approximately one mile northwest of the Subject Property.

East: To the east of the Property, along Crabbs Branch Way, is the American Society of Plant Physiology building (zoned IM-2.5, H-50') and an office building (zoned CRT-2.5, C-2.0, R-0.5, H-80') with tenants such as a fingerprinting service, a real estate office, and a house cleaning service. Further east is a continuation of the Derwood Station single-family neighborhood (zoned R-90 and R-200).

South: Immediately south of the Property, along Standish Place, are industrial uses (zoned IM-2.5, H-50' and IM-2.5, H-70'), such as an FDA office, a publisher, and a media office.

West: Directly west of the Property across Standish Place are additional industrial uses (zoned IM-2.5, H-50') with tenants such as a media company, telehealth services, and an engineering consultant. One block west of the Property is the rail line for WMATA Metro.

The boundaries of a Neighborhood are defined by the properties that will experience the direct impacts of the proposed zone and use. The Staff-defined Neighborhood (Neighborhood) is bordered by Indianola Drive and the homes that front onto Indianola Drive to the north and east, East Gude Drive to the south, and the Metro Rail Line to the west (Figure 1). The Neighborhood contains predominantly moderate industrial (zoned IM-2.5, H-50' and IM-2.5, H-70') and single-family detached residential (zoned R-90 and R-200) uses (Figure 2).



Figure 1: Vicinity/Staff-Defined Neighborhood

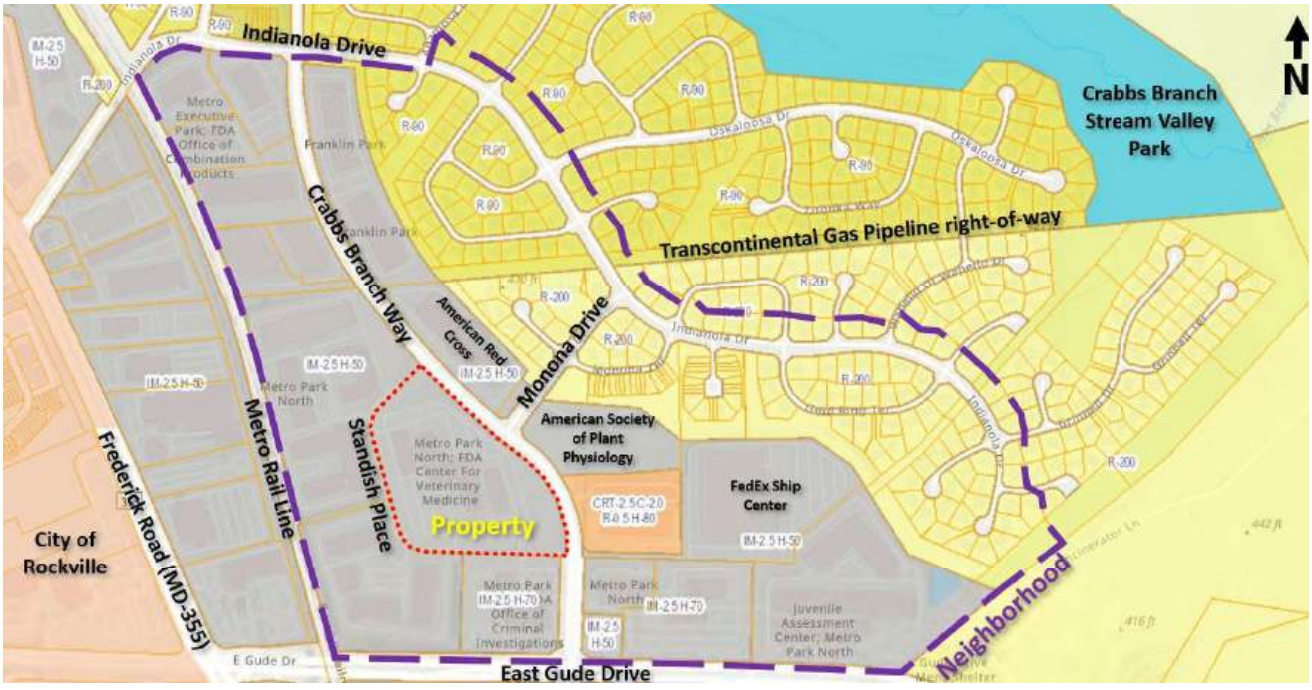


Figure 2: Zoning Vicinity Map

PROPERTY DESCRIPTION

The Property is comprised of approximately 12.73 acres (554,435 square feet) and recorded as Parcel D in the "Gude North" Subdivision among the Land Records of Montgomery County, Maryland (the "Land Records") at Plat No. 13905. The current zoning is IM-2.5, H-50', and the Applicant is requesting to change the zone to CRNF-1.25, C-0.0, R-1.25, H-60'.

The eastern portion of the Property is located along Crabbs Branch Way, approximately 500 feet north of its intersection with East Gude Drive. The Property is bounded by private road Standish Place to the north, west, and south. The site is irregularly shaped – rounded along the three sides that border Standish Place, with right-angle intersections where Standish Place meets Crabbs Branch Way on the eastern side of the Property.



Figure 3: Aerial view of the Property



Figure 4: Zoning Property Map

The topography of the site rises from approximately 442 feet above sea level at its lowest point at the southwest corner of Standish Place to 462 feet above sea level at the highest point along the Crabbs Branch Way frontage. The land is generally flat around the center of the site where much of the existing and proposed development is located, with topography ranging from 446 to 448 feet above sea level. However, there are substantial grade differentials located along the Crabbs Branch Way frontage with elevations ranging from 10 feet in height at the mid-block, 3-foot elevations towards the northern end and 5-foot elevations towards the southern end of Crabbs Branch Way. Figures 5 and 6 demonstrate the significant grade off Crabbs Branch Way. Pedestrian access with stairs and ramps will be provided for improved connectivity with the surrounding neighborhood and established pedestrian crosswalk.

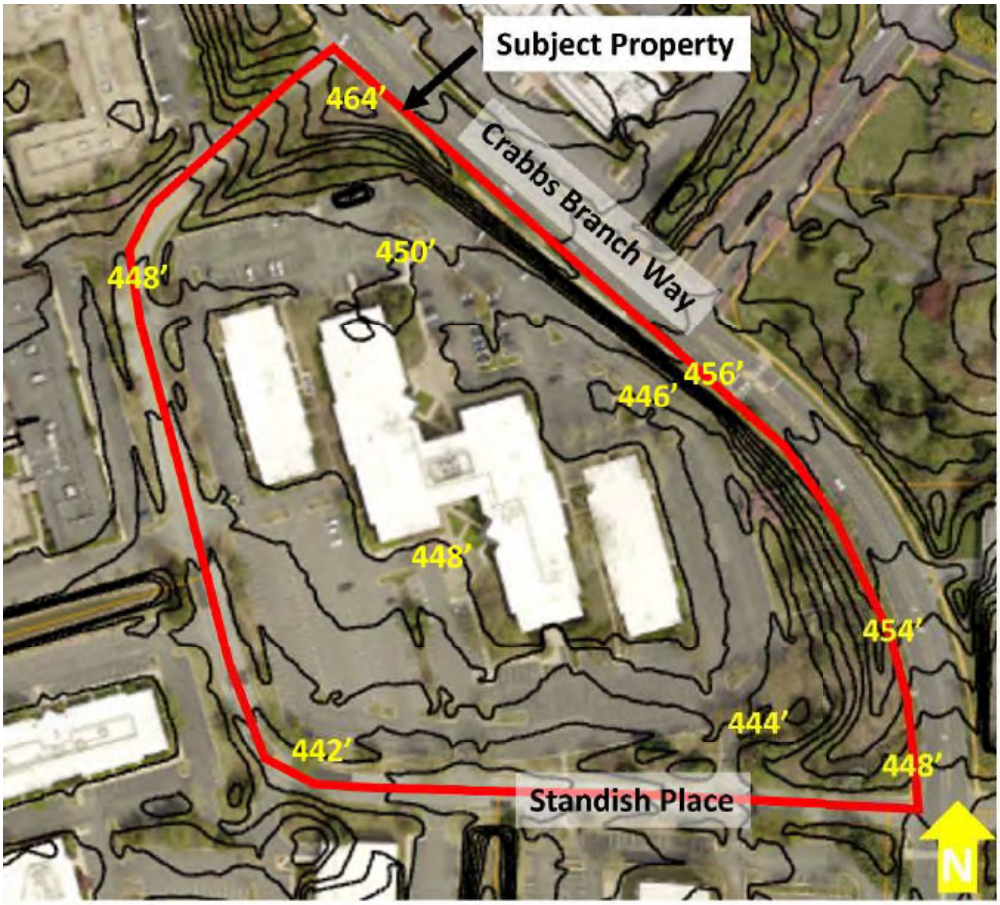


Figure 5: Topographic map with spot elevations of the Subject Property



Figure 6: Subject Property existing conditions, looking northeast towards Crabbs Branch Way



Figure 7: Subject Property existing conditions, looking northwest towards Standish Place



Figure 8: Key map of existing Site conditions photos

The Property is currently developed with four office buildings that range from one- to three-stories in height and an associated surface parking lot with 649 spaces. The existing offices are occupied by tenants such as FedEx, an electrical equipment supplier, a data center, an engineering firm, an insurance agency, among others. According to the Maryland State Department of Assessments and Taxation ("SDAT") records, the existing office complex was built in 1984 and has approximately 177,126 square feet of above grade floor area. The existing buildings are angled away and setback

from the roadways (Crabbs Branch Way and Standish Place), with the surface parking located between the buildings and the street on all sides. The Property's current vehicular access is provided via four curb cuts off Standish Place.

ZONING/REGULATORY HISTORY

The Property was rezoned from Light Industrial (I-1) to Moderate Industrial (IM-2.5, H-50') in accordance with the countywide 2014 District Map Amendment to enact the 2014 Zoning Ordinance, known as the Zoning Rewrite. The Moderate Industrial rezoning was applied to all properties in the Crabbs Branch Office Park area, bordered by Gude Drive to the south, the Derwood Station single-family residential neighborhood to the east, Indianola Drive to the north, and the Metro Rail Line to the west (Figure 9).

The 2021 *Shady Grove Minor Master Plan Amendment* rezoned the office property at 7361 Calhoun Place to the CRT-2.5, C-2.0, R-0.5, H-80' zone to permit a conforming building. The rest of the properties in the Crabbs Branch Office Park have remained Moderate Industrial.

There is no regulatory history on the site.



Figure 9: Crabbs Branch Office Park Zoning, as adopted in the 2021 Shady Grove Minor Master Plan Amendment

SECTION 3: PROJECT DESCRIPTION

PROPOSAL

The Applicant proposes to rezone approximately 13.86 acres of land from the Moderate Industrial (IM-2.5, H-50') Zone to the Commercial Residential Neighborhood Floating (CRNF-1.25, C-0.0, R-1.25, H-60') Zone to accommodate the redevelopment of the existing suburban office complex and surface parking lot to a new residential community with up to 210 dwelling units, constructed within a single phase. At this time, the dwelling unit types are anticipated to be two-over-twos and rear-loaded townhouses[2], with the final unit mix determined at time of Site Plan. As currently proposed, the two-over-twos are dispersed along the northern and southern portions of the Property along Standish Place, and the townhouses are interior to the site.

The Applicant will provide 15% of the units as MPDUs – which exceeds the required 12.5% – and will work with Planning and MCDHCA Staff at the time of Preliminary and Site Plan to ensure the distribution of units is appropriate between unit types across the Property. The additional 2.5% MPDUs help address the 2021 *Shady Grove Minor Master Plan Amendment* recommendation to provide affordable housing as the highest priority amenity to the area. All proposed buildings are a maximum of 60 feet in height for up to four floors, not to exceed the 1.25 FAR permitted in the new zone.

The Project is organized around a grid of private streets and alleys that create small blocks, with residences positioned close to the streets. The exact location of the access points will be based on sight distance and finalized at the time of Site and Preliminary Plan. Vehicular access will be restricted to Standish Place, but the Project will be accessible via Crabbs Branch Way to pedestrians. The Applicant is proposing to consolidate the current four access points into three access points, maintaining two of the existing and adding one on the northern boundary of Standish Place. An activated one-acre central park space is located directly off Crabbs Branch Way. A pedestrian promenade[3] frames the western side of the central park.

[2] Two-over-twos are categorized as "apartments," or "multifamily" based on Section 59.4.1.3.D. of the Montgomery County Code.
[3] The pedestrian promenade has been incorporated in the site's Fire Department Access plan and will also serve as a fire access lane in times of emergency.

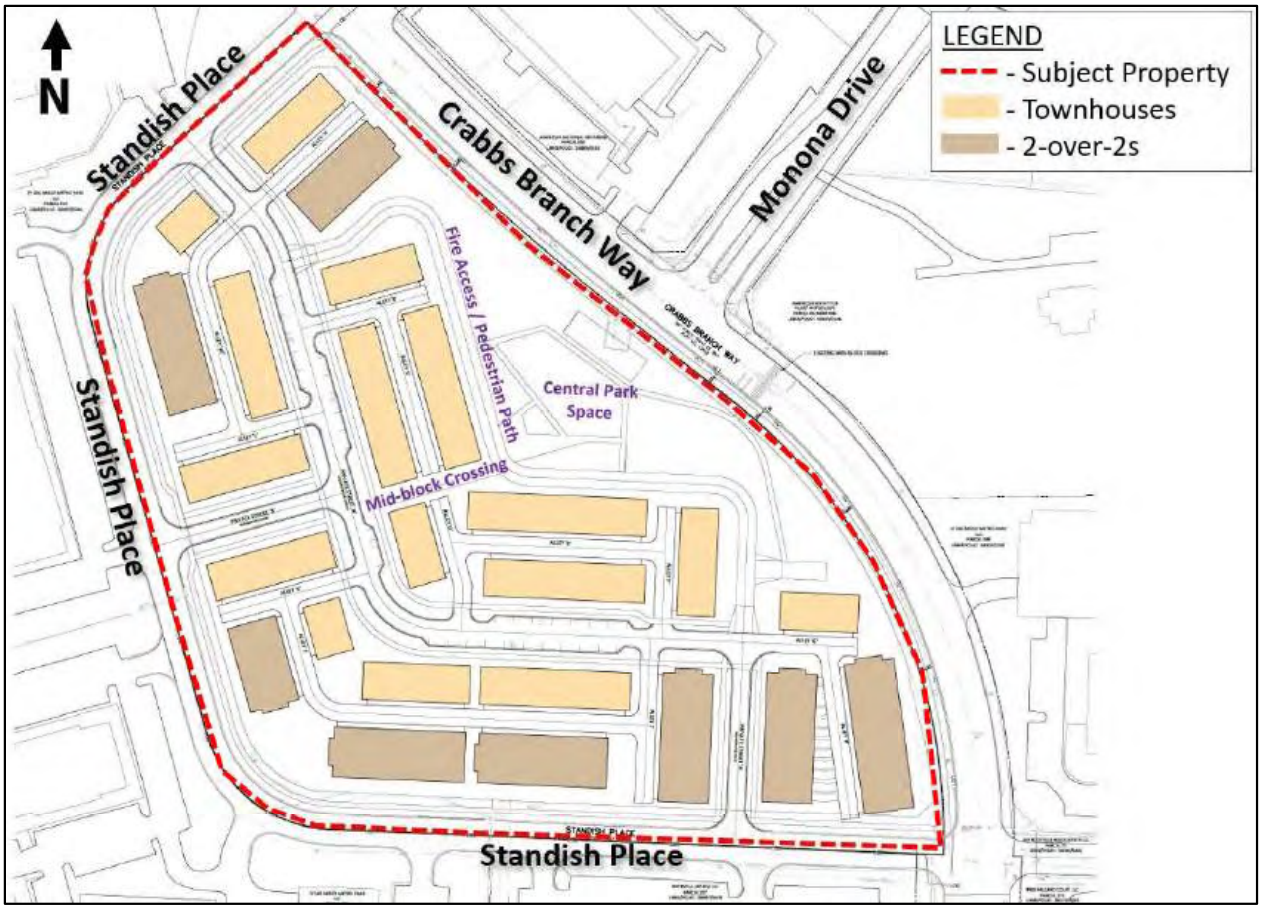


Figure 10: Floating Zone Plan

DESIGN

Given the site's proximity to major roadways such as Frederick Road and East Gude Drive, this development creates more housing opportunities by starting to transform the large, underutilized, auto-centric office park site into a mixed-use development within the 2021 *Shady Grove Minor Master Plan Amendment* area. The proposed development will further expand the residential neighborhood along the main roadway and will work with the established grades at each edge of the site to create more activated spaces.

This development provides smaller, rear-loaded blocks of different housing types in this community and provides an opportunity to create a more grid-like street network within the site. Integrating this proposed residential area and its tree-lined, walkable streets and public open spaces to the greater community will provide a public benefit by increasing housing supply and the types of housing available in the area.

The architecture of the proposed townhouses and two-over-two condominiums work in tandem with the proposed site design to foster compatibility with the surrounding area while simultaneously creating harmonious relationships between the proposed mix of housing types within the project.

Each proposed housing type is four stories and will be a maximum of 60 feet in height. At this time, the two-over-twos are proposed along the perimeter of the community, particularly along the Standish Place frontage. The varied townhouse types are interspersed in building groups throughout the interior of the community and line the proposed internal street grid to create consistent street walls that define private streets and foster an engaging pedestrian environment.



Figure 11: Illustrative Architectural Elevations for the Townhouses (top) and Two-Over-Twos (bottom)

The project features a high-quality, varied open space that provides accessible passive and active recreation opportunities for future residents. The proposed open space, environmental, and recreation areas are generally organized along the primary pedestrian promenade that leads to a central park area where proposed pedestrian amenities are located. The promenade includes a dedicated fire lane that provides additional space for a pedestrian pathway. The tree-lined pedestrian promenade runs perpendicular to the primary internal road and may include landscaping and seating areas outside the fire lane.

The central park – which will function as a Privately Owned Public Space (POPS) – features an open lawn park, amenity structure, picnic seating areas, and combined play areas for children ages two to twelve. The central park space is located adjacent to the intersection of Crabbs Branch Way and Monona Drive. It is framed by the frontages of townhomes that provide "eyes on the park," with seating areas and children's play areas around the perimeter of the park area.



Figure 12: Illustrative Site Plan Rendering

OPEN SPACE

The Applicant is proposing a minimum of 55,444 square feet (10% of the site area) of open space, in compliance with the Zoning Ordinance requirement. The open space will be proportionally allocated between Common Open Space and Public Open Space to serve the townhouses and two-over-two condominiums (multifamily), respectively. The primary open space is an approximately one-acre (48,679 square feet) central park area fronting along Crabbs Branch Way. The proposed central park will function as a Privately Owned Public Space (POPS) and is planned to be activated with a children’s playground, pedestrian pathways and seating areas, shade structures, and open lawn, as shown in Figure 14. Additional open space will be provided via a pedestrian-only mid-block crossing in the center of the site, along with smaller green spaces/pocket parks co-located with planned stormwater facilities on the western side of the Property along Standish Place that will offer recreation areas with seating for residents interior to the site.

In order to meet the Zoning Ordinance requirements for Open Space, the central park area will technically be divided between Common and Public Open Space. However, once constructed, the space will feel cohesive and integrated, intended to be used by both residents of the future development and the surrounding neighborhoods. A binding condition has been added ensuring that the central park will be accessible to the public, despite its division between Common and Public Open Space.

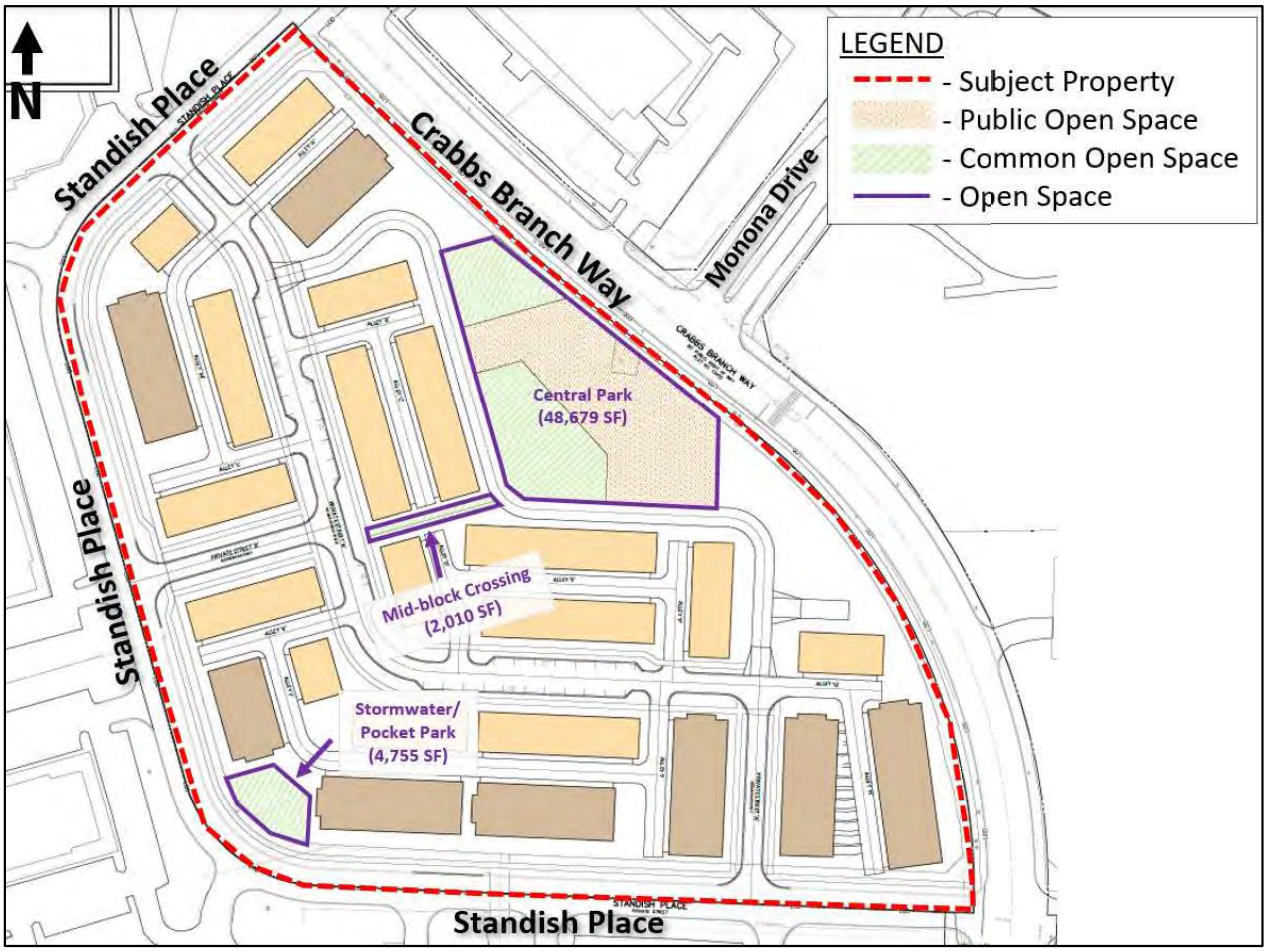


Figure 13: Illustrative Open Space Plan



Figure 14: Proposed Central Park Area Park Precedents

TRANSPORTATION

Vehicular access to the Site is provided via Standish Place, a private, two-lane road that connects to Crabbs Branch Way on both ends and surrounding the Subject Property. Standish Place serves the Site and several adjacent properties. As currently proposed, three access points will connect to Standish Place. Private Street A will replace an existing access along the south side of the Property and create a new access connection on the north side of the Property. This street provides both north to south and east to west circulation within the Property. Several private alleys will also connect to Private Street A and provide access to parking for the proposed residences. Private Street B, which runs east to west between Standish Place and Private Street A, will replace an existing driveway access on the west side of the Property.

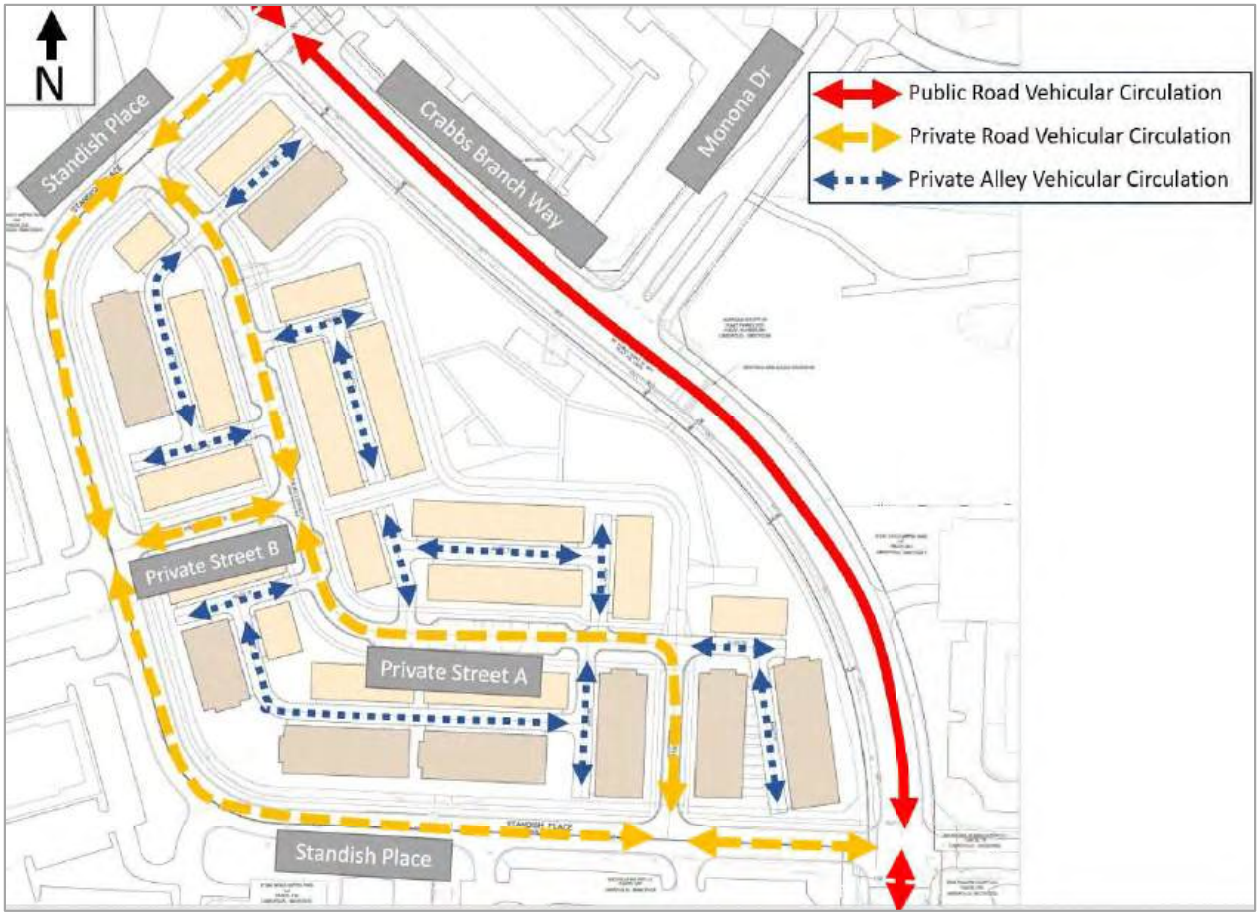


Figure 15: Vehicular Circulation

Pedestrian and bicycle access to the Site is provided via improved frontages along Crabbs Branch Way on the east side of the Property and Standish Place. As currently proposed, the Crabbs Branch Way improvements will include a sidepath and street buffer and Standish Place will include a sidewalk and street buffer. Both internal private roads will include sidewalks on both sides and appropriate buffers separating the sidewalks from the travel lanes. The final design and dimensions of these improvements will be determined at the time of the Preliminary and Site Plan and will be consistent with the *Complete Streets Design Guide*.

There is an existing mid-block crosswalk on Crabbs Branch Way on the Subject Property frontage. This crosswalk will connect to the new sidepath as well as an internal path system that provides access to the Site including the open space fronting Crabbs Branch Road. A pedestrian pathway, which also operates as emergency vehicle access through the Site, will provide additional pedestrian and bicycle circulation within the Site.

There are three existing bus stops along Crabbs Branch Way – two along the Subject Property frontage and one on the north side of the street – that are served by the Ride On Route 59. These bus stops will be maintained, and any necessary improvements to mitigate the impact of additional riders

generated by the proposed development will be determined at the time of the future Preliminary Plan review.

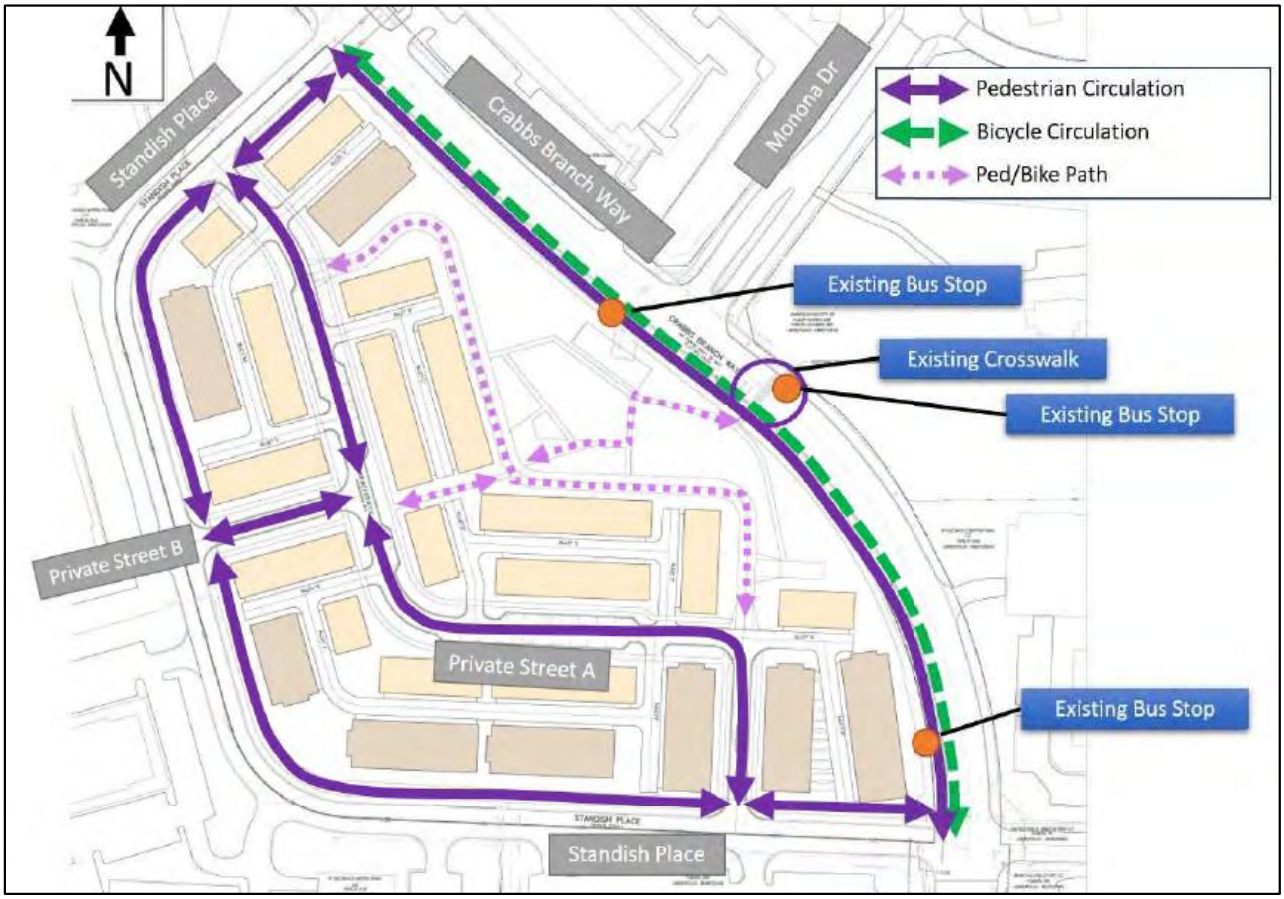


Figure 16: Non-Motorized Circulation

ENVIRONMENT

The Site is currently developed as an office park with surface parking. The Subject Property is located in the Rock Creek Watershed, a Use Class IV Stream. The Site contains no streams, forests, stream buffers, wetlands, or other environmental features. Redevelopment of the Property will include open space and increased tree canopy cover, providing environmental benefits such as increased shade and increased rainwater absorption.

Preliminary Forest Conservation Plan (PFCP) No. F20250010 was filed concurrently with the Local Map Amendment application. Further details of the Project's Chapter 22A compliance can be found below in the Preliminary Forest Conservation Plan Findings section. At the time of Site and Preliminary Plan, the Applicant will need to submit a noise study due to proximity to Crabbs Branch Way and the rail line to the west.

The Applicant proposes to address stormwater management by utilizing environmental site design features such as biofiltration swales and micro-bioretention facilities. The stormwater management strategy will be further refined during subsequent regulatory review.

SECTION 4: COMMUNITY OUTREACH

The Applicant has met signage and noticing requirements for the submitted Application. Staff has not received correspondence about the Subject Application. Per Section 59.7.5.1, the Applicant is not required to hold a pre-application community meeting for a Local Map Amendment application.

SECTION 5: LOCAL MAP AMENDMENT FINDINGS AND ANALYSIS

The Subject Application complies with the general requirements and development standards of Chapter 59, the Zoning Ordinance, Chapter 22A, the Forest Conservation Law, and substantially conforms with the goals and recommendations of the 2021 *Shady Grove Minor Master Plan Amendment* and *Thrive Montgomery 2050*.

Per Section 59-7.2.1.E.2 of the Zoning Ordinance, for a Floating zone application, the District Council must find that the floating zone plan will:

a) substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;

The Application substantially conforms with the 2021 *Shady Grove Minor Master Plan Amendment* (Master Plan) and *Thrive Montgomery 2050*, the County's General Plan (General Plan), as described below.

Master Plan

The office park property at 7501 Standish Place is in the Crabbs Branch Office Park district in the 2021 *Shady Grove Minor Master Plan Amendment* (Master Plan) area. The Master Plan notes that the Crabbs Branch Office Park is an "office park with a broad array of technology, biotechnology, industrial/flex, and office development uses in the 100-acre area" (p. 64). The Master Plan confirmed the Moderate Industrial (IM 2.5, H-50') Zone or similar IM zones for several properties in the office park.

Residential development was not specifically recommended or addressed for properties in the office park. The proposed rezoning seeks to change the Property's zone from the Moderate Industrial (IM 2.5, H-50') to the Commercial Residential Neighborhood Floating (CRNF 1.25, C-0.0, R-1.25, H-60'). Although the Master Plan does not provide property-specific

recommendations, the Project advances the Master Plan's broader vision for the Shady Grove area as a mixed-use and pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented with amenities and mobility options (p. 1). This vision is achieved by the redevelopment's proposed varying housing typologies, internal network of private streets and alleys creating a smaller and more compact development pattern, and the new central park area that will serve as an amenity for the future residents and surrounding community members.

Density and Building Height

The proposed development's residential density of 1.25 FAR is consistent with the existing overall 2.5 FAR for the Property. The proposed maximum height for the Property, up to 60 feet, is 10 feet higher than the existing building height of 50 feet. In context, the office building to the east at 7361 Calhoun Place is 80 feet in height, and the office property to the south is 70 feet in height. Thus, the proposed height and density are consistent with the surrounding area.

Land Use

The Master Plan envisions the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options" (p. 1). The Project conforms with the Master Plan's overall vision of creating a mix of residential uses within a walkable neighborhood format.

Affordable Housing

The Master Plan requires 15% MPDUs as the highest priority public benefit for new Optional Method residential development (p. 69). The proposed redevelopment is following the Standard Method of Development and therefore requires no public benefit points; however, the project will still provide up to 32 MPDUs, which is 15 percent of the proposed 210 residential units, and this will be included as a binding element. This is 2.5% more MPDUs than is technically required and helps achieve the Master Plan's priorities for the Shady Grove area.

Transportation

Crabbs Branch Way, between Redland Road and East Gude Drive, is classified as a Boulevard per the *Master Plan of Highways and Transitways* with an 80-foot right-of-way. The Master Plan identified the roadway as (A-262) for the segment between East Gude Drive and Redland Road.

Regarding bikeways, the Master Plan recommends a "sidepath on the eastern side of Crabbs Branch Way" (p.126) which is beyond the Subject Property boundaries.

The Master Plan recommends for this segment of Crabbs Branch Way to "explore traffic calming engineering treatments to slow speeds on Crabbs Branch Way, including but not limited to the removal of left-turn lanes, bump-outs, curb extensions, and curb radii reductions" (p. 111). If the proposed rezoning is approved, these recommendations should be explored during the Preliminary Plan review of this development.

The Master Plan notes Crabbs Branch Way, between Redland Road and Indianola Drive, is included in the county's Vision Zero High Injury Network (HIN). The future regulatory review of this development should examine how the Property's Crabbs Branch Way frontage would advance Vision Zero principles and comply with the *Complete Streets Design Guidelines*.

Environmental Sustainability

The Master Plan provides overall sustainability recommendations for the Plan area, when it says, "restoration of tree canopy in the Master Plan area will help improve air quality, reduce storm runoff, contribute to keeping the area cooler in summer, and sequester carbon to ameliorate climate change. Trees planted along sidewalks and bikeways will make them more comfortable and attractive to pedestrians and cyclists, inspiring more people to get around Shady Grove without driving" (p. 79).

The Plan makes no specific environmental recommendations for the Crabbs Branch Office Park; however, it does contain general sustainability recommendations for the Master Plan area:

- Plant native shade trees that produce large canopies, spaced a maximum of 30 feet apart on center.
- Encourage green features (softscaping) in required open space areas and the public realm.
- Promote site and building design for energy conservation and LEED certification or a comparable rating system.
- Increase forest and tree cover.
- Provide opportunities for exercise, recreation, and mental well-being: parks and open spaces, trails, sidewalks, and bicycle networks (p. 82-87).

The proposed redevelopment aligns with the overall sustainability recommendations of the Master Plan, providing a centralized and activated park area and tree-lined pedestrians paths. If the rezoning is approved, further details about the sustainability should be incorporated at Preliminary and Site Plan.

Urban Design

The Project advances the Master Plan's key Urban Design recommendation to "promote walkability with enhanced streetscapes to define the public realm," (p. 18) with a site layout that creates compact street blocks that is organized by a central promenade leading to a neighborhood green space that is framed with play areas for children and seating areas for future residents.

General Plan

Thrive Montgomery 2050 is the County's General Plan, a long-range planning guide for the development and growth of the community. The proposed rezoning is strongly aligned with two of the General Plan's overarching objectives – promoting compact growth along corridors (p. 70) and diversifying and adding to the housing stock for the county (p. 121).

Compact Growth: Corridor-Focused Development

The map on page 71 of the General Plan identifies Shady Grove (where the Subject Property is located) as a "large activity center," meaning it is envisioned as the highest intensity area generally characterized by significant residential and/or commercial density, either existing or planned, and typically close to high-quality transit. This suggests that the Shady Grove area generally has the infrastructure to support additional development to "maximize the efficiency of land use and public investment" (p. 73). This project in particular proposes infill residential development on a property where the existing suburban office space has been largely vacant over a significant period of time.

Specific policies from the *Compact Growth* chapter addressed by the Application include:

- Improve the environmental sustainability of growth by encouraging infill and redevelopment to curb sprawl and bring areas built out in an era with little or no environmental regulations up to robust standards for stormwater management and other state-of-the-practice environmental standards.
- Limit growth beyond corridors to compact, infill development and redevelopment in Complete Communities to prevent sprawl (p. 73).

Housing for All

Page 131 of the General Plan states:

> *Montgomery County has an insufficient supply of housing. The current supply does not meet the needs of current or future households. A significant mismatch of supply and*

demand exists, where demand exceeds supply, raising the price of housing for both renters and those who want to own their home.

The proposed redevelopment would provide up to 210 additional dwelling units to Montgomery County residents, helping to address the insufficient supply of housing. One of the primary recommendations of the Housing chapter is to encourage the production of more housing to better match supply with demand (p. 132). Another key recommendation is to diversify the housing stock across incomes, building types, and geography, which this development achieves through its diversity of unit types (townhouses and two-over-twos) and will achieve through its unit sizes, which will be refined during subsequent regulatory reviews.

Specific policies the Application addresses from the *Housing for All* chapter include:

- Expand opportunities to increase residential density, especially along major corridors and in locations where additional housing can assist in the development of Complete Communities.
- Facilitate the development of a variety of housing types in every part of the county but especially in areas near transit, employment, and educational opportunities (p. 132).

b) further the public interest;

The Project will further the public interest by providing more housing within the county, yielding up to 210 additional residential units, at a convenient, transit-accessible location along a compact growth corridor. In addition, the Project will provide government regulated units (a minimum of 15% MPDUs) where none currently exist. The Property is adjacent to many industrial employment establishments, creating a central and desirable location for housing approximately one mile south of the Shady Grove Metro Station.

Additionally, the integration of housing into the existing underutilized office and surface parking complex supports the Master Plan's vision for a mixed-use and pedestrian-oriented community with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options" (p. 1).

c) satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter;

Applicability

Section 59.5.1.3.C of the Zoning Ordinance sets forth specific requirements and prerequisites for local map amendment applications that propose the CRNF-1.25, C-0.0, R-1.25, H-60' Zone and are not recommended in a master plan. The proposed rezoning is not recommended in the Master Plan, and thus the following apply:

C. If a Floating zone is not recommended in a master plan, the following apply:

1. The maximum allowed density is based on the base zone and on the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested;

No density bonus (MPDU or otherwise) is proposed as part of the Project. The Project is proposed at 1.25 FAR and 60-feet in height, which is within the maximum density for the current IM-2.5, H-50' zone, excluding the height. The Project will comply with (1) the maximum allowable residential density of 1.25 FAR and (2) the maximum 60-foot height of the requested CRNF 1.25, C-0.0, R-1.25, H-60' Floating Zone.

3. Non-Residential Base Zone – When requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.

The Property is currently located in a Moderate Industrial (IM) zone, which is a non-residential base zone. Accordingly, there are no prerequisites for this Application.

Per Section 59.5.3.5.A.2. of the Zoning Ordinance:

2. If a Floating zone is not recommended in a master plan, the following density limits apply:

As shown in Table 1, the proposed rezoning complies with the Zoning Ordinance requirements.

Table 1: CR Floating Zones Development Standards (Density Allowed)

Pre-Existing Euclidean Zone	Maximum Density Allowed in FAR Based on Size of Tract in Acres			
	Greater than 3 acres			
	Total Density (Permitted)	**C or R Density (Permitted)**	**Total Density (Proposed)**	**C or R Density (Proposed)**
IL, IM	1.5	1.25	1.25	1.25

Per Section 59.5.3.5.B.2-3 of the Zoning Ordinance:

B. Setback and Height

2. Setbacks from the site boundary and maximum height are established by the floating zone plan. All other setbacks are established by the site plan approval process under Section 7.3.4.

The proposed setback from the Crabbs Branch Way site boundary is 10 feet. The proposed setback from Standish Place is 30 feet. The proposed maximum height is 60

feet. The proposed setbacks and height comply with the Zoning Ordinance requirements.

3. ***Height must satisfy the compatibility standards for the applicable building type under Section 4.1.8.B.***

   The proposed 60 feet height meets the compatibility standards under Section 4.1.8.B for any building type in a Floating Zone. At the time of Site Plan, the project must take its height measurement from the average grade along the building facing the applicable abutting or confronting property, per Section 59.4.1.8.B.3. of the Zoning Ordinance.

Intent of Floating Zones

Per Section 59-5.1.2. of the Zoning Ordinance, the intent of the Floating zones is to:

A. Implement comprehensive planning objectives by:

1. ***furthering the goals of the general plan, applicable master plan, and functional master plans;***

2. ***ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities requirements; and***

3. ***allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features within and connected to the Property; and***

   The Project furthers the goals of the Master Plan and General Plan as described above in the Section 59-7.2.1.E.2.a. findings. The proposed development capitalizes on the Project's convenient and transit-accessible location to increase the amount of housing available in an area with the infrastructure to support it. The Project represents efficient and sustainable land use by redeveloping an underutilized site that will connect future residents to the surrounding community and regional destinations.

B. Encourage the appropriate use of land by:

1. ***providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendments;***

2. ***allowing various uses, building types, and densities as determined by a Property's size and base zone to serve a diverse and evolving population; and***

3. ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation; and

The Project supports the County's objective of providing a range of housing types, including affordable housing, near a major transit facility that will improve the environment and will not overburden public facilities with vehicle trips. The proposed residential uses are in balance with and are supported by the existing and planned infrastructure with flexible applicability to changing economic, demographic, and planning trends as supported by Thrive 2050, which was approved after the Master Plan.

The Project meets the intent of the CRNF Floating Zone to serve a diverse and evolving population with multiple unit types and a neighborhood design that is built on compact street blocks to encourage pedestrian activity. Proposed building groups are sited orthogonal to the street and modulated so not to exceed eight dwelling units in length in order to maintain appropriate pedestrian scale.

The Project proposes tree-lined compact street blocks featuring continuous sidewalks, strategically sited around a central park area and pedestrian promenades that promote walkability and healthy living. Modern stormwater management will be implemented on-site through environmental site design to advance sustainability on-site and within the surrounding neighborhood.

C. Ensure protection of established neighborhoods by:

1. establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;

2. providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and

3. allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.

The Project achieves compatibility with its surrounding context through deliberate building placement (lot size, setbacks, overall density) and appropriate siting of proposed residential uses. The maximum FAR of 1.25 is consistent with the current zone's FAR, and the proposed height increase of 10 feet (from 50 to 60 feet) is consistent with the surrounding buildings – the office property directly east is 80 feet, and the office property immediately south is 70 feet.

Massing is strategically located orthogonal to the street to foster a consistent neighborhood character and provide direct and primary access to each dwelling unit. Redevelopment of the Property replaces four aging, low-rise office buildings—

featuring significant setbacks evocative of 1980s era office parks and expanses of surface parking located between the buildings and streetscape—with a compatible, walkable residential community. Density is regulated by applicable zoning limitations on contiguous dwelling units in a building group and required vehicular circulation and access. The development standards, discussed below, will produce a compatible site design and layout that is harmonious with the character of the existing context. The addition of residential uses to the area will not cause a negative impact on the surrounding neighborhood.

Development Standards

The design of the development will be finalized and reviewed by the Montgomery County Planning Board at the time of subsequent Preliminary Plan and Site Plan review. The Project will meet the Development Standards for the CRNF-1.25, C-0.0, R-1.25, H-60' Zone as illustrated in the table below.

Table 2: Development Standards and Parking Requirements for the CRNF-1.25, C-0.0, R-1.25, H-60' Zone

Site

	Required/Permitted	**Proposed**
Tract Area	N/A	12.73 ac (554,435 sf)
Previous ROW Dedications	N/A	1.13 ac (49,420 sf)
Proposed ROW Dedications	N/A	0.0 ac
Lot Area	N/A	13.86 ac (603,855 sf)
Density (max.)		
Total	1.25 FAR (754,819 sf)	1.25 FAR (754,819 sf)
Commercial	0.0 FAR (0 sf)	0.0 FAR (0 sf)
Residential	1.25 FAR (754,819 sf)	1.25 FAR (754,819 sf)
Open Space	10% (55,444 sf)[4]	10% (55,444 sf)[5]
Lot Coverage (max.)	Set at Site Plan	To be determined at Site Plan
Building Height (max.)	60 feet	60 feet

[4] Open Space requirement determined by Section 59.5.3.5.D.2.a. of the Zoning Code.
[5] Per Section 59.4.5.3.C., Open Space for townhouses is "Common Open Space" and for other building types (the proposed multifamily/two-over-twos) is "Public Open Space" but will be combined and appropriately allocated at time of Site Plan.

Principal Building Setbacks (min.)

	Required/ Permitted (Apartment/Two-Over-Two)	**Proposed (Apartment/Two-Over-Two)**	**Required/ Permitted (Townhouse[6])**	**Proposed (Townhouse)**
Front setbacks from public street	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan
Side street setback	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan
Side setback, end unit	Set at Site Plan	To be determined at Site Plan	2 feet	To be determined at Site Plan
Rear setback, alley	Set at Site Plan	To be determined at Site Plan	4 feet	To be determined at Site Plan
Rear setback between lot and site boundary	Set at Site Plan	To be determined at Site Plan	5 feet	To be determined at Site Plan

d) be compatible with existing and approved adjacent development;

The Project will transform this aging office park and expanses of surface parking on-site into a high-quality residential community organized around a series of smaller compact, tree-lined street blocks. The new street grid, proposed perimeter landscaping, and strategically sited dwelling units fronting along Standish Place will promote compatibility and appropriately transition the Site into the surrounding community. As explained in a previous finding, the office heights directly surrounding the Subject Property are between 50 and 80 feet, making the proposed 60 feet compatible with the surrounding uses. Furthermore, the residential use would be appropriately integrated with the Derwood Station residential neighborhood just east of Crabbs Branch Way.

e) generate traffic that does not exceed the critical lane volume or volume/ capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrates an ability to mitigate such adverse impacts; and

[6] Townhouse setback requirements per Section 59.4.5.3.C.1.

The 2020-2024 *Growth and Infrastructure Policy* requires mode-specific adequacy tests for any project estimated to generate 50 or more net new peak hour person trips.

The previous use on the Site was a 180,058 square foot office building. The proposed 120 single-family attached units and 90 multifamily housing units (two-over-twos) are estimated to generate a net decrease of 199 person trips in the morning peak hour and a net decrease of 161 person trips in the evening peak hour. Therefore, the LATR review is satisfied. A summary of the trip generation analysis is provided in Table 3 below.

Table 3: Trip Generation Analysis

		ITE Trip Generation Vehicle Rates		Adjusted Vehicle Rates Derwood Policy Area		Total Person Trips	
		AM	PM	AM	PM	AM	PM
Existing	Office (180,058 square feet)	278	225	261	255	366	357
Proposed	Single Family Attached Housing (120 units)	57	68	54	64	88	105
	Low Rise Multifamily Housing (90 units)	51	59	48	55	79	91
					Net Change	-199	-161

Source: Transportation Exemption Statement from Lenhart Traffic Consulting, Inc., October 28, 2024, modified by staff

f) when applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood.

The Subject Property was not previously zoned Residential Detached; therefore, this subsection is not applicable.

SECTION 6: PRELIMINARY FOREST CONSERVATION PLAN FINDINGS & ANALYSIS

The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines.

ENVIRONMENTAL GUIDELINES

A Natural Resources Inventory/Forest Stand Delineation No. 420241620 was approved on April 9, 2024. The Site includes no streams, stream buffers, wetlands, forests, or other environmental features. The Property is in the Rock Creek Watershed, a Use Class IV Stream. The NRI/FSD identifies areas of steep slopes 25% and greater located primarily on the northern and eastern boundaries. The Property contains several specimen trees. There are no known occurrences of rare, threatened, or endangered species on the Property.

The Application is in conformance with the Environmental Guidelines as there is no disturbance proposed within any environmental features. The Subject Property is currently developed and contains no forest, streams, stream buffer, or other environmental features.

PRELIMINARY FOREST CONSERVATION PLAN

Preliminary Forest Conservation Plan No. F20250010 has been submitted concurrently with Local Map Amendment Application H-156, 7501 Standish Place.

The Subject Property is proposed to be zoned CRNF-1.25, C-0.0, R-1.25, H-60', which is classified as Mixed-Use Development Area as defined in Section 22A-3 of Chapter 22A of the Montgomery County Forest Conservation Law (FCL) and specified in the Trees Technical Manual. The afforestation requirement is 15% of the net tract area and the conservation threshold is 20%. With the addition of 0.46 acres of off-site disturbance, the Net Tract Area is 13.19 acres. There is no forest on the Property and the forest conservation requirement is 1.98 acres, which will be met off-site or by payment of fee-in-lieu.

VARIANCE

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection ("Protected Trees"). Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone ("CRZ") requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise, such resources must be left in an undisturbed condition. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The Law requires no impact to trees that: measure 30 inches or greater DBH;

are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

The Applicant submitted a variance request in a letter dated November 4, 2024 (Attachment C). This request is to remove six (6) trees that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. Removal of these trees removes a total of 189 inches.

Table 4: Variance Trees

Tree #	Species (Common Name)	Species (Scientific Name)	D.B.H. (inches)	Impact (%)	Tree Condition	Status
6	Willow Oak	*Quercos phellos*	30.5	100%	Good	Remove
13	Willow Oak	*Quercos phellos*	31	100%	Fair	Remove
14	Willow Oak	*Quercos phellos*	30.5	100%	Good/Fair	Remove
28	American Beech	*Fagus grandifolia*	35.5	100%	Good/Fair	Remove
33	Northern Red Oak	*Quercos rubra*	31	100%	Good	Remove
36	Willow Oak	*Quercos phellos*	30	100%	Good/Fair	Remove

Unwarranted Hardship for Variance Tree Impacts

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state will result in unwarranted hardship. The requested variance is necessary due to the need to accommodate construction, utilities, stormwater, and removal of existing infrastructure. In accordance with Section 22A-21(a), the Applicant requested a Variance (Attachment C). Staff agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use for the redevelopment of the Subject Property in accordance with the recommendations of the Master Plan and Zoning Ordinance without the Variance.

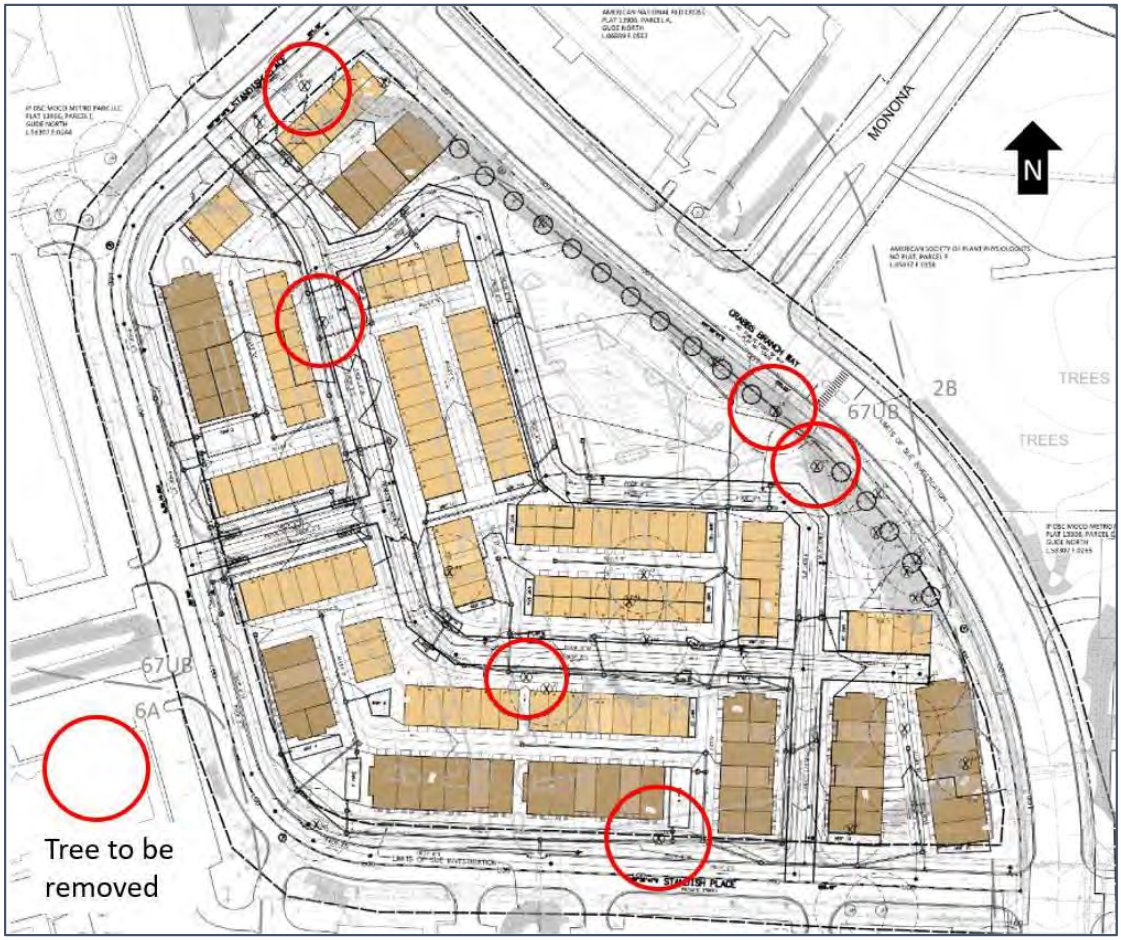


Figure 17: Variance Trees

Variance Findings

To approve the Variance, the Planning Board must find that the Variance:

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

   Granting the variance will not confer a special privilege on the Applicant as the disturbance is unavoidable to develop the Property to meet the needs of the residential project. The Property is developed with buildings and parking lots covering almost the entire Property. Preparing the Property for redevelopment will require demolishing the existing buildings, removing the parking lot, and regrading the Site. The variance trees being removed are within the limits of disturbance needed to prepare the Site and construct the new development. If the Applicant were not able to impact the variance trees, the Applicant would not be able to demolish the existing improvements or redevelop the Property. This would not grant a special privilege to the Applicant.

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

   The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant but is based upon the existing site conditions and the locations of the Protected Trees. The six (6) trees to be removed are located throughout the site. In order to remove existing infrastructure and build the new development, these trees will be removed, with 100% impact to the critical root zones.

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

   The requested variance is a result of the location of trees and the proposed construction and not a result of land or building use on a neighboring property.

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

   The variance request will not violate State water quality standards or cause measurable degradation in water quality. The Applicant will implement updated stormwater management practices. Additionally, sixteen (16) new 3-inch caliper native trees will be planted in mitigation for the removal of the six (6) variance sized trees to replace the water quality functions of the trees being removed.

Mitigation

The trees proposed for removal will be mitigated at a rate that approximates the form and function of trees being removed. Variance trees will be replaced at a ratio of approximately 1-inch caliper for every 4 inches removed using trees that are a minimum of 3-inch caliper in size. This results in a mitigation of forty-eight (48) inches, with a minimum at installation of sixteen (16) 3-inch caliper trees.

SECTION 7: CONCLUSION

Staff recommends approval of the Local Map Amendment H-156 and Floating Zone Plan with the recommended binding elements, and Preliminary Forest Conservation Plan F20250010 with conditions. The Applications satisfy the applicable findings and requirements of the Zoning Ordinance and the Forest Conservation Law.

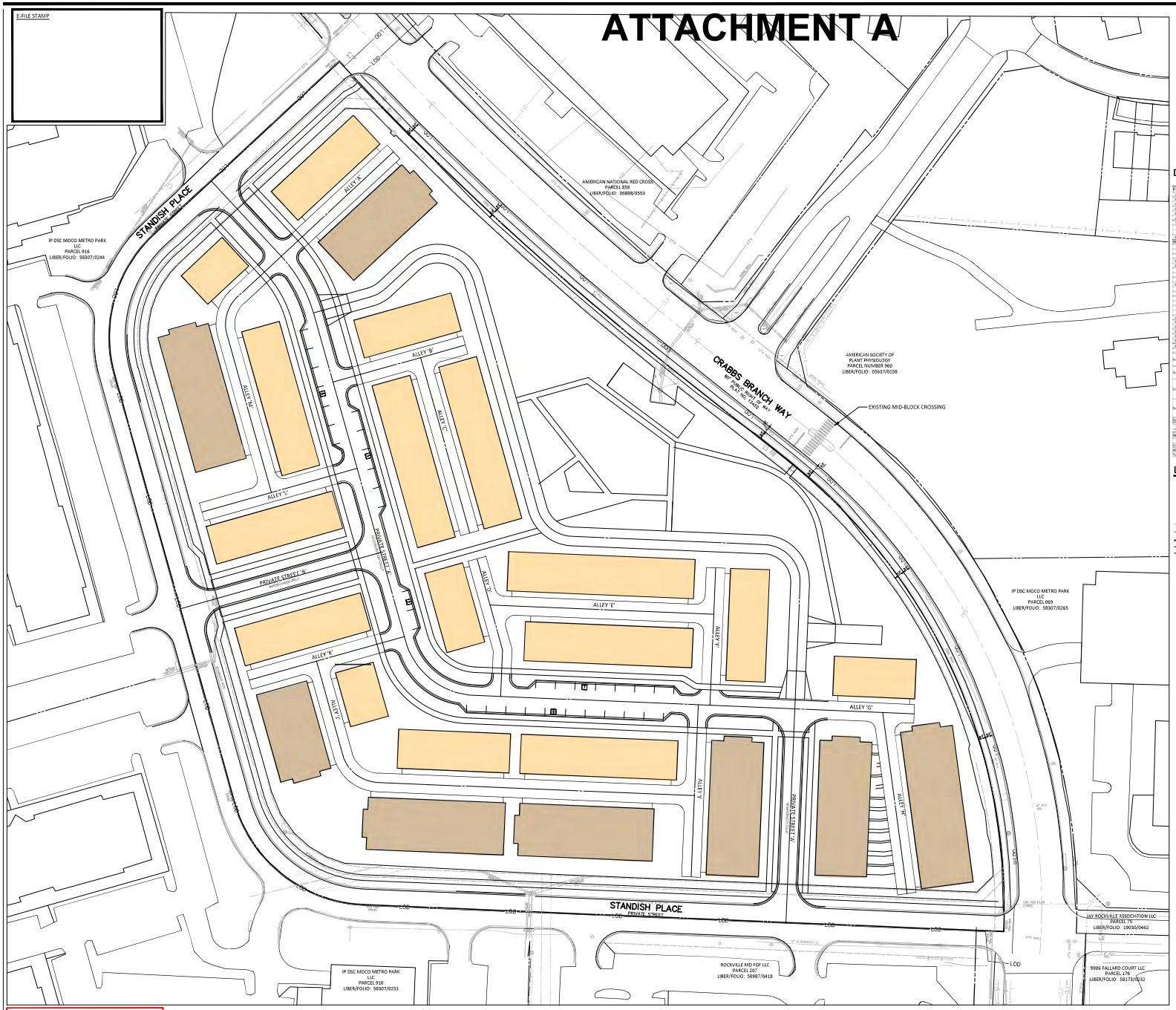
ATTACHMENTS

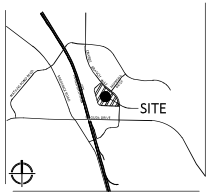
Attachment A: Floating Zone Plan

Attachment B: Preliminary Forest Conservation Plan

Attachment C: Variance Request

ATTACHMENT A





VICINITY MAP
SCALE: 1" = 2000'

DEVELOPMENT TABULATIONS

FLOATING ZONE PLAN DEVELOPMENT TABULATIONS

Property Description:		Parcel D, Plat No. 23965
Proposed Use:		38 x 2-Unit TH 19 x 4-Unit Condominiums
Proposed Area:		1,966 +/-(43,560 SF/AC x 45.14 AC)
Existing Site Area to be rezoned	594,409 SF	13.75 AC
A Net To Be Rezoned TO CRMX	SF	Acres
Total Area	594,409 SF	13.75 AC
Roadway R.O.W. Dedications	49,400 SF	1.13 AC
Proposed R.O.W. Dedications		0.08 AC
Proposed Site Area	643,809 SF	14.96 AC
PERMITTED USES		
Total Units*		250 du
Total MPDU		50 du
*Actual number of units may be a number of townhouse units and / or condominiums to be determined during site plan. Total units count will not exceed 250 dwelling units.		
DEVELOPMENT STANDARDS	Permitted / Required	Provided
Maximum Density*		
FAR - Lift Zone (CRMX-1.25 C-0.50 R-1.25 H-60)	max	SF max on lot / SF max on
Commercial	1.25	750,809 SF 0.00 0.00
Residential	1.25	750,809 SF 0.00 750,809 SF
Principal Building Setbacks		
From Site Boundary - Olethia Branch Way	Min. by CDP	87
From Site Boundary - Private Standish Place Centerline	Min. by CDP	87
Front Setback	Min. by Site Plan	TBD
Side Street Setback	Min. by Site Plan	TBD
Side Setback	Min. by Site Plan	TBD
Rear Setback, Alley	Min. by Site Plan	TBD
Accessory Structure Setbacks	Min. by Site Plan	TBD
Maximum Building Height	87	87
Minimum Lot Size	Min. by Site Plan	TBD
Maximum Lot Coverage	Min. by Site Plan	TBD
Minimum Public Open Space, see Open Space Plan for Breakdown By Type	Proposed not to 10% Site Area	TBD on site plans
Minimum Common Open Space, see Open Space Plan for Breakdown By Type	Proposed not to 10% Site Area	TBD on site plans
PARKING**	Baseline Min/Max	Provided
Total Parking (1 per unit min / 2 per unit max)	250 min / 500 max	TBD, at site plan
Front Setback	setback from building line	Yes
Side Street Setback	Setback the side street building line	Yes
Side Setback	Must accommodate landscaping required under Section 6.23	Provided
Rear Setback	Must accommodate landscaping required under Section 6.23	Provided
Rear Setback, Alley		

* Density is calculated in the CRMX zone based on maximum.
** Final parking will be determined at site plan.

Open Space Calculations

	%	Required
Site Area (Excludes Dedication and Public Open Space)	594,409 SF	10% 59,441 SF
Total Public Open Space (10%)	10%	21,623 SF
Total Private Common Open Space (10%)	10%	21,623 SF

LEGEND

- Proposed Rear-Loaded Townhomes
- Proposed 2-Unit Condominiums
- Subject Property Limits
- Proposed Face of Curb
- Proposed Public Utility Easement
- Proposed Sidewalk

NOT FOR CONSTRUCTION

"FOR LOCATION OF UTILITIES CALL Sel-1-al or 1-800-257-7777 OR LOG ON TO www.call811.com or http://www.missutility.net 48 HOURS IN ADVANCE OF ANY WORK IN THIS VICINITY"

The excavator must notify all public utility companies with underground facilities in the vicinity of excavation at least two working days but not more than ten working days before any excavation is to begin. The excavator is responsible for compliance with requirements of Chapter 36A of the Montgomery County Code.

LAYOUT: FZP, Plotted By: Pasthuma

A - 1

SCALE: 1" = 40'

VIKA MARYLAND, LLC
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Germantown, MD 20874
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Our Site Set on the Future.

PREPARED FOR:
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POTOMAC, MD 20854

CONTACT: GID EL-KADI
(301)-809-4832

ATTORNEY:
LERCH, EARLY & BREWER, CHTD.
7600 WISCONSIN AVE., SUITE 700
BETHESDA, MD. 20814

CONTACT: PATRICK O'NEIL
(301)-986-1300
plonak@lerchearly.com

Plan to Planning Board 12-20-2850

REVISIONS	DATE

7501 STANDISH PLACE

4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
WSSC GRID: 220NW07 & 221NW07
TAX MAP: GS241 & GS342

Attachment to Preliminary Plan No. 120220850

FLOATING ZONE PLAN

PROFESSIONAL ENGINEER

I HEREBY CERTIFY THAT THE DOCUMENTS WERE PREPARED OR APPROVED BY ME, THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 22467, EXPIRATION DATE: 9/19/2022.

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DRAWN BY: KP
DESIGNED BY: KP
DATE ISSUED:

VIKA PROJECT NO. 50602

DRAWING NO. FZP-2

SHEET NO.

E-FILE STAMP

ATTACHMENT B



NOTE: LIMITS OF DISTURBANCE (LOD) OFFSET 1' FROM PROPERTY LINE FOR GRAPHICAL CLARITY.

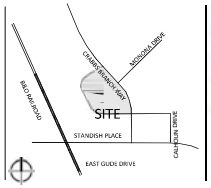
SCALE: 1" = 50'

LEGEND

- LIMITS OF SUBJECT PROPERTY
- ADJACENT PROPERTY LINES
- LIMITS OF DISTURBANCE
- PROPOSED MITIGATION TREE
- EX.TREE <24" DBH
- EX.SIGNIFICANT TREE ≥ 24"-29.9" DBH
- EX. SPECIMEN TREE ≥ 30" DBH
- EX.SIGNIFICANT TREE TO BE REMOVED
- EX. SPECIMEN TREE TO BE REMOVED
- EX. SHRUB
- EX. TREE CANOPY EDGE (NOT FOREST)
- EX. FOREST EDGE
- SLOPES ≥ 25%
- SLOPES 15-25% ON HIGHLY ERODIBLE SOILS
- SOIL BOUNDARY & TYPE
- EX. CABLE TV CONDUIT
- EX. ELECTRICAL CONDUIT
- EX. EDGE OF PAVEMENT
- EX. FENCE LINE
- EX. NATURAL GAS CONDUIT
- EX. OVERHEAD WIRES
- EX. FIBEROPTIC CONDUIT
- EX. TELEPHONE/COMM. CONDUIT
- EX. PUBLIC UTILITIES EASEMENTS
- EX. SANITARY SEWER
- EX. STORM DRAIN
- EX. WATER LINE
- EX. SANITARY CLEANOUT
- EX. STORM DRAIN MANHOLE
- EX. ELECTRICAL JUNCTION BOX
- EX. ELECTRICAL MANHOLE
- EX. FIRE DEPT. CONNECTION
- EX.FIRE HYDRANT
- EX. GAS MANHOLE
- EX. GUY POLE
- EX. GAS VALVE
- EX. LIGHT POLE
- EX. PHONE PEDESTAL
- EX. PHONE MANHOLE
- EX. UTILITY POLE
- EX. SANITARY MANHOLE
- EX. TRAFFIC CONTROL BOX
- EX. TRAFFIC SIGNAL POLE
- EX. CABLE TV PEDESTAL
- EX. UNKNOWN UTILITY MANHOLE
- EX. WATER METER
- EX. WATER MANHOLE
- EX. WATER VALVE
- EX. BOLLARD
- EX. SIGN POST
- EX. WOOD POST
- EX. INLETS
- EX. CURB INLET

EX.....EXISTING
CONC.....EX. CONCRETE
C&G.....EX. CURB AND GUTTER
BLDG.....EX. BUILDING
STY.....EX. STORY
TRV.....EX. ELEC. TRANSFORMER
ASPH.....EX. ASPHALT
ESMT.....EX. EASEMENT
RCP.....EX. REINFORCED CONC. PIPE
CMP.....EX. CORRUGATED METAL PIPE
BRL.....EX. BLDG. RESTRICTION LINE
R/W.....EX. RIGHT-OF-WAY
FF.....EX. FINISHED FLOOR ELEVATION

NOT FOR CONSTRUCTION



VICINITY MAP
SCALE: 1" = 2000'

VIKA MARYLAND, LLC

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REVISIONS	DATE

7501 STANDISH PLACE

4TH ELECTION DISTRICT
MONTGOMERY COUNTY, MARYLAND
WSSC GRID: 220NW07 & 221NW07
TAX MAP: [illegible] & GS32

PRELIMINARY FOREST CONSERVATION PLAN

F20250010

PROFESSIONAL SEAL

Joshua

DEVELOPER'S CERTIFICATE

The undersigned agrees to execute all the features of the Approved Preliminary Forest Conservation Plan No. F20250010, including financial bonding, forest planting, maintenance, and all other applicable agreements, as maybe modified by the Final Forest Conservation Plan.

Developer's Name: Tri Pointe Homes DC Metro Inc.
Contact Person: Greg Ruff
Address: 12435 Park Potomac Ave., Suite 600, Potomac, MD 20854
Phone: 301-983-4832

Signature: _____ Date: _____

DRAWN BY: SG
DESIGNED BY: JS
DATE ISSUED: 7/10/2024
PROJECT #: VM50602F
FCP-300

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Attachment: Resolution No.: 20-050

ATTACHMENT C

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301.916.4100

vika.com

Date: November 4, 2024
~~July 10, 2024~~

Environmental Reviewer
Midcounty Area Team
Montgomery County Planning Department
2425 Reedie Drive, 14th floor
Wheaton, MD 20902

Re: Forest Conservation Tree Variance Request
7501 Standish Place
Preliminary Forest Conservation Plan F20250010
VIKA #VM50602

Dear Halley Johnson,

On behalf of our clients, TriPointe Homes (the "Applicant"), we are submitting this Tree Variance Request to comply with the Natural Resources, Title 5, Section 5-1607 of the Maryland Code that requires the Applicant to file for a variance to remove or impact any tree greater than 30" in diameter-at-breast-height (DBH), any tree with a DBH equal to or greater than 75% of the current state champion, trees that are part of an historic site or associated with an historic structure, any tree designated as the county champion tree, any tree, shrub or plant identified on the rare, threatened or endangered list of the U.S. Fish and Wildlife Service of the Maryland Department of Natural Resources, if a project did not receive Preliminary Forest Conservation Plan Approval prior to October 1, 2009.

The subject property (the "Property") is located at 7501 Standish Place in Derwood, Montgomery County, Maryland. The approximately 12.72-acre site is currently improved with four (4) office buildings ranging from one to three stories and associated surface parking. The Property is bounded by Standish Place along the north, west, south and frontage, and by Crabbs Branch Way along the east frontage. The Property is 470 feet north of East Gude Drive. There are no significant environmental features or buffers located on or near the Property. The Property will be redeveloped with a combination of two-unit condominiums and townhomes on a compact tree-lined street block system supporting a pedestrian promenade, open recreation space, children's play area, and a dog park (the "Project").

This Tree Variance Request is accompanying the submission of Preliminary Final Forest Conservation Plan F20250010 which is associated with the Floating Zone Plan/Local Map Amendment H-156. Prior approvals include NRI 420241620, approved April 9, 2024.

As part of the proposed Project, the Applicant seeks a variance for removal of six (6) specimen trees on the Property. The following table lists the 6 specimen trees for which

Applicant seeks a variance to remove:

Table 1

Tree No.	Botanical Name	Common Name	D.B.H.* (in.)	CONDITION	CRZ IMPACT	RECOMMENDATION
6	*Quercus phellos*	Willow Oak	30.5	Good	100%	Remove
13	*Quercus phellos*	Willow Oak	31	Fair	100%	Remove
14	*Quercus phellos*	Willow Oak	30.5	Good/Fair	100%	Remove
28	*Fagus grandifolia*	American Beech	35.5	Good/Fair	100%	Remove
33	*Quercus rubra*	Northern Red Oak	31	Good	100%	Remove
36	*Quercus phellos*	Willow Oak	30	Good/Fair	100%	Remove

* Diameter at Breast Height

Justification of Variance

Section 22A-21 of the County Ordinance authorizes the County to approve variances to the Forest Conservation Law allowing disturbances to certain trees, including specimen trees. An applicant seeking a variance must present a request in writing and the applicable approving authority must make certain findings and descriptions prior to approval. Applicant's variance request satisfies the required findings as follows:

(1) *Describe the special conditions prior to the property which would cause the unwarranted Hardship;*

The site is dominated by impervious cover (office buildings and associated parking), the existing landscaping and mature trees are constrained to existing landscape areas within the office park, or along the perimeter of Crabbs Branch Way. Where trees are located within landscaped areas on portions of the Property that are currently improved, such as within the vicinity of existing parking lots, or in landscaped areas that will require grading. Removal of existing improvements alone would cause impacts to these trees. Grading and other design considerations impacting the trees were minimized to the extent practicable. Denial of the variance would cause unwarranted hardship by significantly reducing the area of the Property that could be redeveloped. This would preclude implementation of the Project, considerably undermine the economic viability of any redevelopment of the Property and prevent achievement of the County's adopted planning goals.

The Project will require the removal of six (6) specimen trees. Impacts to the specimen trees are as follows:

Trees 6, 13, 14, 28, 33, & 36

- **CRZ Impact: Severe, 100% impact**
- **Tree Condition: Good, Fair, and Good/Fair**
- **Waiver Request: Approve for removal.**

These trees are proposed for removal as they are located within the proposed Limits of Disturbance (L.O.D.). Trees 13 and 14 are located on the landscaped edge along Crabbs Branch Way, which has a substantial grade differential ranging from 10 feet in height at the midblock, 3 feet in height at the northern end and 5 feet in height at the southern end of Crabbs Branch Way. To implement any redevelopment, significant demolition to remove existing parking areas is needed. Further, new utility connections, pedestrian facility upgrades, and streetscape design compliance all necessitate significant impacts to these trees. Any effort to save these trees would require a significant reduction in useable building area to create required sidewalks, remove existing asphalt and curb, and implement compliant utility infrastructure. Thus, avoidance of the critical root zones is not reasonably feasible within the scope of the Project's design and the allowances of the existing or proposed zoning.

Trees 6, 28, 33, and 36 are are in areas for proposed streets and streetscape. These streets are designed to create a walkable grid with safe and efficient vehicular, pedestrian, and bicyclist access. To improve connectivity and break down the existing "superblock" this street grid is necessary to promote walkability in a comfortable, shaded environment. Finally, simply demolishing the existing buildings and parking lots will cause significant CRZ impacts. Any effort to save these trees would require a significant reduction in usable building space to clear the critical root zones and would not be reasonably feasible within the scope of the Project's design.

(2) *Describe how enforcement of this Chapter will deprive the Applicant of rights commonly enjoyed by others in similar areas;*

Denial of the variance would deprive Applicant of rights commonly enjoyed by others in similar areas with industrial or mixed-use zoning. Avoiding any impacts to trees would significantly impact the ability to create compatible redevelopment with a mix of housing types needed to bolster the remaining office uses in the area, which are already difficult to lease under the current office market conditions. Therefore, strict enforcement of the County Code would unfairly prevent the redevelopment of the Property.

Approval of the variance would allow the Applicant to create a residential area that provides a range of housing types, including up to 32 moderately priced dwelling units (MPDUs) that would increase the stock of affordable housing units for County residents and open space amenities that would benefit both the residents and surrounding community.

(3) *Verify that State water quality standards will not be violated and that a measurable degradation in water quality will not occur as a result of the granting*

of the variance;

The granting of Applicant's variance request will not result in a violation of State water quality standards, nor will a measurable degradation in water quality occur as a result. On the contrary, the Project will implement measures to improve water quality by integrating state-of-the-art stormwater management practices which will improve upon the Property's previous stormwater management system and enhance water quality. Further, overall impervious area will be increased, as will tree canopy both improving water quality. Sixteen new 3" caliper trees will be planted in mitigation for the removals ensuring that the important ecological services provided by these trees is replaced.

(4) *Provide any other information appropriate to support the request.*

The proposed Project supports the County's long-term planning goals for the area through the development of a mix of townhouses and 2-unit condominium housing near Shady Grove Station, a major transit center. The open space is organized along a pedestrian promenade that is aligned to the mid-block entrance of Standish Place which could form an organizing feature for future development of the neighboring office parks. Furthermore, the variance does not arise from a condition related to land or building use, either permitted or nonconforming, or a neighboring property.

Thank you for your consideration of the Applicant's tree variance request. The supporting information provided in this letter establishes that the denial of the variance request would result in unwarranted hardship or practical difficulty, as well as demonstrates Applicant's extensive efforts to minimize impacts. Please contact me with any questions, or if you require any further information.

VIKA Maryland, LLC

Joshua C. Sloan, ASLA, PLA, AICP
Director of Planning and Landscape Architecture/Vice President