

MEMORANDUM

February 24, 2021

TO: Planning, Housing, and Economic Development (PHED) Committee

FROM: Pamela Dunn, Senior Legislative Analyst

SUBJECT: Shady Grove Sector Plan Minor Master Plan Amendment

PURPOSE: Worksession to develop recommendations for Council consideration

Expected Participants:

Casey Anderson, Chair, Montgomery County Planning Board
Gwen Wright, Director, Montgomery Planning Department
Carrie Sanders, Mid-County Chief, Montgomery Planning Department
Jessica McVary, Master Plan Supervisor, Montgomery Planning Department
Nkosi Yearwood, Planner Coordinator, Montgomery Planning Department
Steve Findley, Planner Coordinator, Montgomery Planning Department
Luis Estrada Cepero, Urban Designer, Montgomery Planning
Dominic Quattrocchi, Park Planning, Parks Department
Rebecca Ballo, Supervisor, Historic Preservation, Montgomery Planning Department

This is the Planning, Housing, and Economic Development (PHED) Committee's first worksession on the Shady Grove Sector Plan Minor Master Plan Amendment. A separate memorandum from Glenn Orlin will address the transportation issues in the Plan. This memorandum will address all other Master Plan issues. Testimony relevant to this report is attached on ©1-12.

Councilmembers may wish to bring their copy of the Plan to the meeting.

BACKGROUND

The Shady Grove Sector Plan Minor Master Plan Amendment encompasses a plan area defined by several major transportation facilities, including Frederick Road (MD 355), the Intercounty Connector (MD 200), Shady Grove Road, Redland Road, Midcounty Highway, the Metrorail station and tracks, the

CSX rail tracks, and the future Bus Rapid Transit (BRT) corridor along MD 355.¹ The Plan area is home to a variety of residential, commercial, industrial, and institutional uses. Established residential neighborhoods are primarily in the northern and southeastern portions of the Plan area. A variety of public facilities, including Blueberry Hill Local Park, Redland Local Park, Washington Grove Conservation Park, Mill Creek Stream Valley Park, and Shady Grove Middle School, provide recreational and educational opportunities to residents in these areas. Single-use commercial areas along Crabbs Branch Way, Frederick Road (MD 355) and Oakmont Avenue further define the Plan area. In addition, the Plan area is adjacent to three municipalities: the City of Rockville, the City of Gaithersburg, and the Town of Washington Grove. Maps 5, 6 and 7 show, respectively, each municipalities' maximum expansion limits (see pages 9, 10, and 11 of the Plan). Since 2006, the Plan area's size has been modified with the annexations of three properties by the Cities of Gaithersburg and Rockville.

Families represent a majority of households, 72 percent, in the study area. Single-headed households account for approximately 28 percent of residents, which is comparable to the Countywide average of 30 percent. The area's household types for owner-occupied (63 percent) and rental-occupied (36 percent) housing are comparable to the Countywide averages. The study area's white population (57 percent) is higher than the Countywide average of 46 percent and the percentage of Asians (18 percent) and Hispanics (20 percent) are also higher than the Countywide averages of 14 percent and 18 percent, respectively. African Americans account for 14 percent of residents in the study area, which is lower than the Countywide average of 17 percent.

The vision of this Sector Plan Amendment is to create a future Shady Grove Metro Station area that is home to a mixed-use, pedestrian-oriented environment with attractive streetscapes, distinctive architecture, and a sense of place that is complemented with public art, facilities and amenities, and new mobility options. This vision is consistent with the 2006 Shady Grove Sector Plan, which aspired to transform a light industrial area into a new mixed-use community near the Shady Grove Metro Station

PLAN RECOMMENDATIONS

On pages 18-19 of the Planning Board Draft Sector Plan Amendment, key recommendations are organized under one of the following eight categories:² Urban Design, Land Use and Zoning, Housing, Mobility, Parks, Trails and Open Space, Sustainability, Historic Resources, and Community Facilities. As the name suggests, the key recommendations offer a summarized view of the most prominent recommendations under each area of focus.

I. Urban Design

This Sector Plan Amendment confirms the framework recommended by the 2006 Plan; design recommendations are focused on neighborhoods that remain undeveloped or areas where potential has changed as a result of development approvals, changes in zoning, or annexations by adjacent municipalities. Design guidance is focused on commercial clusters on Shady Grove Road and Metro East, West, and South neighborhoods.

According to the Sector Plan Amendment, development within the Metro neighborhoods should:

- Promote quality building and site design for all new development.

¹ Identified in the 2013 Countywide Transit Corridors Functional Master Plan.

² Each one a chapter in the plan.

- Prioritize development at strategic locations to build synergies with adjacent recently-developed properties.
- Focus improvements along existing streets that connect to the Metro station and communities on both sides of the rail tracks to support pedestrian activity, retail, and proposed transit.
- Concentrate public open space at locations supportable by existing and proposed connections, and where existing environmental resources can be integrated as accessible amenities.

With respect to buildings, redevelopment should:

- Create a pattern of interconnected streets and public open spaces, with street-oriented buildings.
- Explore a vertical use mix, where feasible. Consider horizontal mixes if it allows for retaining existing uses or creating unique local character.
- Consider different and innovative types of development, such as infill, adaptive reuse, and/or additional development on properties with growth capacity and existing uses that could remain.
- Prioritize development along Somerville Drive and Redland Road, to connect to the Metro station and communities on the east side of the tracks, and to support proposed transit.
- Reduce the size of larger blocks to promote pedestrian activity. Allowances for larger block sizes should be considered, on a case-by-case basis, to make development feasible, or to accommodate requirements for structured parking.
- Encourage quality building and site design elements, such as building orientation that takes advantage of passive heating, lighting, and ventilation.
- Ensure design of new buildings provides amenities supportive of pedestrian, bicycle, and micro-mobility circulation, including provision for on-site bikeshare, micro-mobility stations/storage, and related options.

With respect to open space, this Sector Plan Amendment confirms several of the components of the open space system recommended by the prior Plan, which include creating:

- open spaces connected to natural areas such as stream valley parks;
- a minimum one-acre town square within the west side of the WMATA owned property;
- a two-acre town commons within the east side of the WMATA owned property;
- a promenade to include a linear park approximately 50 feet wide leading to the Metro Station;
- recreational facilities surrounding large existing stormwater management ponds; and
- miscellaneous public open spaces throughout redeveloped properties.

In addition to the above, the Plan recommends redeveloping properties should:

- organize public open space along existing public streets or extensions of them, or ensure these spaces are accessible from a public street;
- consolidate public open space areas at strategic locations to focus public activity near transit, at significant intersections, or at locations that can provide good access for most;
- integrate existing environmental resources or wooded areas into the public open space network to provide alternatives for recreation as the area redevelops;
- ensure open spaces are framed and activated by surrounding uses; and
- consider crime prevention through environmental design (CPTED) strategies to design safe public spaces.

Urban design recommendations related to connectivity will be covered in the Council staff report evaluating mobility recommendations. Additional neighborhood specific design recommendations are covered in the next section as well.

Council staff supports the areawide urban design recommendations in the Plan.

II. Land Use and Zoning

The Planning Board Draft of the Shady Grove Sector Plan Minor Master Plan Amendment is primarily organized around a series of neighborhoods in proximity to the Metro Station: Metro West, Metro South, Metro North, Old Derwood, and Shady Grove Station, Westside and Jeremiah Park. These neighborhoods serve as the focal point of the land use and zoning recommendations in the Plan. Beyond the Metro Neighborhoods, the Plan also includes recommendations for a transition area between the Metro Station area and the existing low-density residential neighborhoods.

Shady Grove Metro Neighborhoods

As noted above, the Metro Neighborhoods constitute the core area of the Plan area and are primarily within a half mile from the Shady Grove Metro Station. Most of the proposed new development in the Plan is anticipated within these neighborhoods. The Metro Neighborhoods are Metro West, Metro South, Old Derwood, Metro North-WMATA and Shady Grove Station, Westside and Jeremiah Park. (Map 11, page 33). Unlike the 2006 Sector Plan, this Plan includes Jeremiah Park as a Metro Neighborhood since this property has an approved preliminary plan of development and is adjacent to the Metro station.

Metro West

The Plan envisions the Metro West neighborhood as the most intensively developed portion of the Sector Plan area. Located east of MD 355, north of Redland Road and west of the Shady Grove Metro Station, this approximately 30-acre area has a variety of retail, commercial, and residential uses.

Key properties in this neighborhood include the WMATA/Metro surface parking area and Thomas Somerville (Map 12, page 35). This neighborhood is within a quarter mile of the Metro station, and the Corridor Cities Transitway (CCT) and MD 355 BRT routes will traverse this neighborhood. This Sector Plan Amendment, similar to the 2006 Sector Plan, foresees this neighborhood as a mixed-use area with various residential and non-residential uses, along with new parks and open spaces, and the CCT and MD 355 BRT providing new mobility alternatives.

Land Use and Zoning

This Sector Plan Amendment recommends increasing the potential for new transit-oriented development in this neighborhood due to its adjacency to the Metro station. The Plan recommends the following for the Metro West neighborhood (Map 14, page 37):

- Rezone the WMATA/Metro property, including the surface parking lot and the Somerville property, 15901 Somerville Drive, from the CR-1.75 C-0.5 R-1.5 H-160T/TDR 1.77 zone to the CR-2.0 C-1.0 R-1.5 H-200 zone to promote high-intensity mixed-use development at the Metro station that contributes to the Sector Plan’s public benefits, including the maximum percentage of affordable housing and a minimum one-acre Civic Green for the WMATA property.

Council staff comment: It is unusual to have a CR zoned property require TDRs. These conditions are a vestige of 2014 zoning conversion. Under the 2006 Sector Plan, this property was zoned TOMX2 and specified as a TDR receiving area. In 2010, during development of the White Flint Plan, the CR zone was created, based on the TOMX2 zone. At the same time, the Building Lot Termination (BLT) program was developed as a requirement of the Optional

Method of Development in the CR zone. During the 2014 Zoning Ordinance rewrite, under the consolidation of zones, any property zoned TOMX2 was rezoned to CR and any existing TDR requirement was retained. However, in general, it was always intended that the BLT requirement would replace the optional TDR³ provision for certain zones. Thus, removing the TDR requirement as part of the master plan process is expected.

There is, however, one element of the change in zoning the Committee may want to consider. Currently, the maximum residential FAR that could be achieved on the property⁴ is 1.77 FAR. The Sector Plan Amendment recommends a maximum residential FAR of 1.5.

Should the WMATA/Metro property retain the current maximum residential development potential? If so, the Plan recommendation would be to rezone the WMATA/Metro property, including the surface parking lot and the Somerville property, from the CR-1.75 C-0.5 R-1.5 H-160T/TDR 1.77 zone to the CR-2.25 C-1.0 R-1.75 H-200 zone.

Given the size of the properties, there is no assurance that redevelopment would occur using the maximum residential FAR allowed; however, any additional density used in redevelopment would result in a greater BLT requirement and potentially more public benefits like affordable housing.

Council staff recommends the WMATA/Metro property be rezoned to the CR-2.25 C-1.0 R-1.75 H-120 zone, consistent with the TDR density recommended in the 2006 Plan.

- Rezone the commercial properties between MD 355 and west of Somerville Drive, including the Montgomery County Teachers Credit Union, from the CRT-1.5 C-0.5 R-1.25 H-100T zone to the CR-2.0 C-1.0 R-1.5 H-120 zone to promote high-intensity mixed-use development that contributes to the Sector Plan's public benefits.
- Rezone the MidWay Shopping Center from the CRT-0.75 C-0.75 R-0.25 H-50T zone to the CRT-0.75 C-0.75 R-0.25 H-50 zone.
- Rezone the Public Storage property, 16001 Frederick Road, from the CRT-0.75 C-0.75 R-0.25 H-50T zone to the CRT-1.25 C-1.25 R-0.25 H-50 zone to permit a conforming property.

Council staff supports the zoning recommendations for the remaining properties in the Metro West neighborhood.

Urban Design

- Concentrate maximum development intensity and building height near the Metro station and within the existing WMATA surface parking lot. Coordinate proposed locations for new transportation facilities (BRT, CCT) with new development, and ensure compatibility between new development and existing or approved development on adjacent properties within this neighborhood.
- Provide a minimum one-acre contiguous Civic Green within the redeveloped WMATA surface parking lot to be anchored and activated by development. Create connections to

³ The removal of this TDR Receiving Area is not insignificant. As many as 170 TDRs are associated with the existing TDR density on this property. However, unlike BLTs, the use of TDRs is not required in a TDR Receiving Area. They are only required to received additional density above the maximum allowed. Additional TDR Receiving Areas have not been recommended in master plans approved since the creation of the BLT program in 2010.

⁴ Through the use of TDRs.

potential public open space on developing properties east and south of the WMATA property.

- Allow flexibility in the implementation of the goal to create an internal network of streets, if needed, to accommodate the diverse ownership pattern or existing viable uses that might remain. Developing properties should consider alternatives to business streets such as shared streets or mid-block pedestrian connections to create smaller blocks and expand pedestrian areas, or to provide open space.
- Areas dedicated to public open space should be consolidated and accessible from new connections or existing public streets. Create opportunities for activating uses at public open space locations.

Council staff supports the urban design recommendations for properties in Metro West.

Metro South

The Metro South neighborhood includes a variety of light industrial uses, such as automotive services, storage facilities, and retail businesses. The vacant property at Redland Road and Somerville Drive has redevelopment potential with residential and non-residential uses, and the proposed MD 355 BRT will traverse Redland Road to the Metro Station (Map 15, page 38).

Land Use and Zoning

This Sector Plan Amendment recommends increased residential and nonresidential development for all properties in this area given its proximity to the Metro station and the potential for development to contribute to a variety of public benefits, including the maximum percentage of affordable housing and new open spaces. The Plan recommends the following for the Metro South properties (Map 17, page 39):

- Rezone the vacant Somerville property (Parcel N313) at Redland Road and Somerville Drive from the CRT-1.75 C-0.5 R-1.5 H-90T/TDR 1.77 zone to the CR-2.0 C-0.5 R-1.5 H-120 zone to promote the Sector Plan-recommended public benefits, including the maximum percentage of affordable housing and open space.

Council staff comment: Like the WMATA/Metro site in the Metro West neighborhood, this property proposes residential FAR equal to the maximum allowed in the 2006 Sector Plan, without the use of TDRs. However, this property is currently in a TDR Receiving Area with a maximum residential density equal to 1.77 FAR with the use of TDRs.

Council staff recommends the vacant Somerville property be rezoned to the CR-2.25 C-0.5 R-1.75 H-120 zone, consistent with TDR density recommended in the 2006 Plan.

- Rezone the remaining properties in this neighborhood from the CRT-1.5 C-0.5 R-1.25 H-90T zone to the CR-2.0 C-0.5 R-1.5 H-120 zone to support the Sector Plan-recommended public benefits, including housing options.

Council staff supports the zoning recommendation for the remaining properties in the Metro South neighborhood.

Urban Design

- Support property assembly to establish a consistent and walkable block pattern that provides access to new amenities for this neighborhood, including a promenade or mid-block connections.
- Alternatively, support a less regular pattern of blocks and connections to assist in the incremental redevelopment of the area should property owners choose to consider development opportunities individually. In such cases, consider:
 - promoting synergies between adjacent properties considering redevelopment;
 - ensuring compatibility between adjacent frontages on separate developing properties;
 - consolidating areas designated for public open space at centralized locations to be determined during the regulatory review process. Support using internal pedestrian connections to satisfy public open space requirements;
 - creating internal connections to reduce the size of existing, larger blocks. To accommodate incremental redevelopment, in lieu of public streets, consider mid-block pedestrian ways, internal shared streets, or other creative ways to provide passage and reduce block size;
 - minimizing the number of new curb cuts along Frederick Road.
- Encourage retail or other active uses at strategic locations to promote pedestrian activity as well as bikeshare, micro-mobility and bike parking, and to support the surrounding neighborhoods.
- Redevelopment on the Somerville property should also provide a minimum half-acre Neighborhood Green. Its location will be determined during the development review process.

Council staff supports the urban design recommendations for properties in Metro South.

Old Derwood

The Old Derwood neighborhood is the oldest part of the Sector Plan. Its historic resources date back to the 1880s. Recommendations in this Sector Plan seek to reestablish the residential character of this portion of the Plan area. Old Derwood is a predominantly residential area east of the CSX rail tracks, south of Redland Road and west of Crabbs Branch Way. Institutional uses, including Derwood Bible Church, a Pepco substation, and the State's Vehicle Emissions Inspection Program (VEIP) are also located in this area (Map 18, page 41).

This Sector Plan Amendment, like the 2006 Sector Plan, recommends residential development on the VEIP station to reestablish Old Derwood as a residential neighborhood. The VEIP inspection station, which is owned by the State of Maryland, could relocate to another location that would permit more efficient development for a property that is adjacent to the Metro station (Map 20, page 42).

For the VEIP property, the Plan recommends:

- Relocate the VEIP inspection station to another location that is compatible to its existing light industrial use.
- Rezone the VEIP property from the R-90 zone to the Commercial Residential Neighborhood (CRN-1.0 C-0.0 R-1.0 H-65) zone that contributes to the Sector Plan's public benefits, including affordable housing.
- Noise mitigation measures must be included into the new development, such as locating structured parking adjacent to the CSX tracks.

- Locate more intense development and higher heights toward Redland Road and lower building heights, including single-family and attached dwellings, towards the existing residential community to ensure development compatibility.

Council Staff supports the land use and zoning recommendation for the VEIP property.

The Townes at Shady Grove is a 149-unit residential development located at the western and eastern intersection of Redland Road and Yellowstone Way.

For the Townes property, the Plan recommends:

- Rezone the multi-family residential building at 16011 Redland Road and the remaining townhouses and single-family dwellings (7900-7919 Yellowstone Way, 16121-16131 Redland Road, and 15912-15948 Chieftain Avenue) from the PD-35 zone to the CRN-1.0 C-0.0 R-1.0 H-65 zone.

Council staff supports the land use and zoning recommendation for the Townes property.

The 3.8-acre Derwood Bible Church property, including a cemetery, is located at the southeast intersection of Yellowstone Way and Chieftain Avenue. In 2017, a residential development was approved for this property, but it was never implemented because the property owner could not relocate the church.

For the Derwood Bible Church property, the Plan recommends:

- Confirm the R-90/TDR-13 zone for the church property, including the existing cemetery. If the church relocates in the future, residential development must transition to existing residential development along Yellowstone Way.

Council staff supports the land use and zoning recommendation for the Derwood Bible Church property.

The Derwood Business Center is an office-industrial condominium building, located along Derwood Road and between Derwood Street and Chieftain Avenue. There is a range of small businesses located on this 2.5-acre property.

For the Derwood Business Center property, the Plan recommends:

- Confirm the IM-2.5 H-50 zone. The Commercial Residential Neighborhood-Floating zone (CRNF-0.75 C-0.0 R-0.75 H-50) is suitable for this property.
- Redevelopment of this property must provide noise mitigation measures from the adjacent CSX rail tracks and establish a compatible relationship with existing single-family dwellings.

Council staff supports the land use and zoning recommendations for the Derwood Business Center property.

The Derwood Store and Post Office reflects one of the last vestiges of Derwood’s history. During the creation of the 2006 Sector Plan, the Planning Board placed the property on the Locational Atlas and Index of Historic Sites (#22/33-3). In May 2019, the Historic Preservation Committee (HPC) recommended the designation of this property to the Master Plan for Historic Preservation and supported rezoning the property to an appropriate residential zoning category to allow for its adaptive reuse and restoration.

For the Derwood Store and Post Office property, the Plan recommends:

- Rezone this property from the R-200 zone to the Commercial Residential Neighborhood zone (CRN-1.0 C-0.0 R-1.0 H-50) to permit the building's historic adaptive reuse and renovation and some additional residential development.
- Encourage a range of unit types, including duplexes and small cottages, for the non-historic addition.
- Support flexibility regarding development standards where permissible, including waiving some development standards of the zone, that would permit preservation and reuse of this building.
- Allow on-site parking requirements to be partially met with on-street parking.

Testimony: The Council received testimony from the Historic Preservation Commission and Montgomery Preservation, Inc. in support of the land use and zoning recommendations for the Derwood Store.

Council staff comment: Development in the CRN zone can only be approved under the Standard Method of Development. An approval under Standard Method will not allow for the waiver of development standards, potentially necessary to ensure flexibility for the preservation and reuse of this historic resource.

After consulting with Planning staff, Council staff recommends revising the zoning recommendation as follows:

- Rezone this property from the R-200 zone to the Commercial Residential Town zone (CRT-1.0 C-0.25 R-1.0 H-50) to permit the building's historic adaptive reuse, renovation, and some additional residential development with a minimal amount of commercial density to fulfill the requirements of the CRT zone. Any non-residential development approved for this site should provide neighborhood-serving uses or amenities, similar to the original Derwood Store, and should be integrated with residential development.

Metro North-WMATA

Two structured parking garages and three surface parking areas consisting of approximately 4,800 parking spaces are the main features on this 24.5-acre area that is owned by WMATA/Metro. Several Ride-On and Maryland Transportation Authority (MDTA) bus bays, and a Kiss-N-Ride area, are also located on this property. An existing stream bisects the northern parking areas from the smaller southern parking areas.

Land Use and Zoning

The Sector Plan Amendment proposes land use recommendations for this area, in conjunction with the adjacent Shady Grove Station, Westside development, designed to support the creation of an active neighborhood in an area that is dominated by automobiles today (Map 22, page 45).

For the Metro North-WMATA property the Plan recommends:

- Rezone this property from the CRT-1.0 C-0.25 R-0.75 H-70T/TDR 0.88 zone to the CR-1.5 C-0.25 R-1.25⁵ H-100 zone to promote intense mixed-use at the Metro station that contributes to the Sector Plan's public benefits, including a higher percentage of affordable housing and open space.

⁵ Correction to the Planning Board Draft, R-1.00 should be R-1.25.

Council staff supports the land use and zoning recommendations for the Metro North-WMATA property.

Urban Design

- The central portion of the site should develop with higher heights; building heights, use and intensity along the Metro-North access should be compatible with recent development to the north, and development along Redland Road should be complementary with recent development within the existing Old Derwood residential community to the south.
- Establish an internal street network to promote pedestrian activity and to improve circulation between adjacent residential communities and the new mixed-use area.
- Consolidate access points into existing parking garages, to facilitate redevelopment along their fronts. Consider clustering access points for existing and new parking structures along the shared garage access drives.
- Retain the existing stream and enhance it to create a linear park that would provide an amenity for the neighborhood.

Council staff supports the urban design recommendations for the Metro North-WMATA property.

Shady Grove Station, Westside and Jeremiah Park (Map 24, page 47)

The 45-acre Shady Grove Station, Westside is a new development that implements several recommendations from the 2006 Sector Plan, especially the relocation and redevelopment of the Montgomery County Service Park (CSP). The redevelopment of the CSP was initiated in 2012 by the Executive Branch via the Smart Growth Initiative. All public facilities from the western portion of the CSP have relocated either to the new Multi-Agency Service Center in Montgomery Village or Montgomery County's Division of Fleet Management Equipment Maintenance and Operations Center (EMTOC) at the northwestern quadrant of Shady Grove Road and Crabbs Branch Way.

Shady Grove Station, Westside is a public-private partnership between Montgomery County and EYA of Bethesda. The first phase of residential townhouses is close to completion and the Daley, the first of at least three multi-family buildings, was built in 2018. Twenty-five percent of this development will include affordable housing, including workforce housing and moderately priced dwelling units (MPDUs). The Department of General Services (DGS) and EYA have agreed to provide a public library within a multi-family building.

For the Shady Grove, Westside property, the Plan recommends:

- Rezone this property from the CRT-1.0 C-0.25 R-0.75 H-90 T/TDR 0.89 zone to the CRT-1.0 C-0.25 R-0.75 H-90/TDR 0.89 zone.

Council staff supports the land use and zoning recommendations for Shady Grove, Westside.

Jeremiah Park

The 45-acre Jeremiah Park area has the Montgomery County Public Schools (MCPS) Bus Depot, which occupies approximately 35 acres with more than 400 school buses. Adjacent to the MCPS facility is the former Parks Department Training and Maintenance Center property, which is approximately 10 acres.

This Sector Plan Amendment reconfirms the 2006 Sector Plan recommendation to relocate the MCPS Bus Depot to other appropriate sites to maximize public investment to create a transit-oriented community at the Metro station. The Montgomery County Council has not approved a Declaration of No Further Need (DNFN) for Jeremiah Park, which is required before the County Executive is able sell a public property.

In 2012, the Planning Board approved a Preliminary Plan for the redevelopment of the County Service Park (Shady Grove Station, Westside and Jeremiah Park). The approved Plan requires the dedication of a combined 8.1-acre park and an elementary school site, along with 689 residential dwelling units, including 25 percent of which is affordable housing, including workforce housing and MPDUs. The public park is approved at 4.1 acres and the school will be four acres.

For the Jeremiah Park property, the Plan supports the complete implementation of the approved development and recommends:

- Rezone this property from the CRT-0.75 C-0.25 R-0.5 H-60T/TDR 0.6 zone to the CRT-0.75 C-0.25 R-0.5 H-80/TDR 0.6 zone.
- Implement the approved Shady Grove Station, Jeremiah Park Preliminary Plan that would permit a future park/school site along with new residential development, including affordable housing, public streets, and public facilities.

Testimony: Council received testimony in support of relocating the MCPS Bus Depot.

Council staff supports the land use and zoning recommendations for Jeremiah Park.

Transition Areas

The 2006 Sector Plan identified the properties east of Crabbs Branch Way and west of the Metro Access Road, including The Grove shopping center as a transition area (Map 25, page 51). This area intends to provide lower-intensity development and incorporate a variety of recreational opportunities.

Since 2006, residential development at Shady Grove Crossing, including the partial extensions of Amity Drive and Crabbs Branch Way, a neighborhood park, and a historic meadow have been implemented. This Sector Plan Amendment modifies the prior Plan's transition area by moving Jeremiah Park to the Metro Neighborhoods as explained above. In addition, a stormwater management pond identified in the 2006 Plan has been removed from this area since the associated trail recommendation has been implemented. Thus, the two key transition areas are: Shady Grove Crossing and The Grove shopping center.

Shady Grove Crossing

Located south of the Town of Washington Grove, this 65-acre property, formerly known as Casey at Mill Creek-Piedmont Crossing, is developed with 61 residential units, a neighborhood park, and a historic meadow. The Town of Washington Grove acquired the 12-acre historic meadow, which was designated as a Legacy Open Space (LOS) property in the 2006 Sector Plan. Now called Washington Grove Conservation Park, M-NCPPC maintains the 12-acre meadow.

In addition, the Parks Department has acquired approximately 9.77 acres of property adjacent to the Intercounty Connector (MD 200) for a future local park. However, currently there is no vehicular or pedestrian access to this future park.

For the Shady Grove Crossing area, the Plan recommends:

- Confirm the R-90 zone for properties in this area, including Shady Grove Crossing, the historic meadow, and the vacant Parks Department property.
- Develop a local park with active recreation on the vacant Parks Department property.

Council staff supports the land use and zoning recommendations for the Shady Grove Crossing area.

The Grove

The Grove, a 16-acre traditional neighborhood shopping center, has approximately 120,000 square feet of commercial uses. It is located at the northeast quadrant of Shady Grove Road and Crabbs Branch Way. A vacant four-acre wooded property with a stormwater management pond is located east of the surface parking area. Also, a linear 1.82-acre wooded property owned by Montgomery County, consisting of an existing stream and trees, is located north of the shopping center (Map 27, page 53).

For The Grove shopping center, the Plan recommends:

- Rezone The Grove shopping center, including the four-acre vacant property, from the CRT-1.0 C-0.5 R-0.5 H-65T/TDR 0.81 zone to the CR-1.5 C-0.5 R-1.0 H-80 zone to promote mixed-use development and contribute to the Sector Plan's public benefits, including 15 percent of affordable housing, sustainability, and open space. Density from the vacant wooded property should be transferred to the larger shopping center area.
- Establish a network of short blocks and internal streets to promote improved internal circulation and walkability.
- Extend a continuous sidewalk along the northern portion of Shady Grove Road.
- Provide a minimum 0.75-acre Neighborhood Green with building frontages that define the public realm.
- Retain some of the existing wooded/forest area to mitigate noise from adjacent roads and to further the Sector Plan's environmental recommendations.
- Incorporate a broad range of building and unit types to serve different households.
- Rezone the County-owned parcel (P947) from the EOF-0.75 H-100T zone to the EOF-0.75 H-60 zone to align this property's zone with the David Bone Equipment Maintenance Transit Operations Center property, which confronts The Grove site.

Council staff supports the land use and zoning recommendations for The Grove shopping center properties.

Shady Grove Road Corridor

Shady Grove Road diagonally traverses the planning area from Midcounty Highway to the city limits of Rockville and Gaithersburg (Map 28, page 54). Properties along this corridor, between MD 355 and the Metro Access Road, are included in the Rockville and Gaithersburg maximum expansion limits.

In 2012, the City of Gaithersburg annexed the property at 16411 Shady Grove Road, which is now a CarMax automotive center. The annexation and declaration of use agreements between CarMax and the

City of Gaithersburg precludes any residential development on the property while the adjacent transfer station is in use.

This Sector Plan Amendment proposes residential and non-residential development along this corridor. New mixed-use development for some properties along the corridor will complement existing and approved developments. The Plan divides this corridor into three areas: Shady Grove Plaza, a vacant Casey-owned property, and an area that includes a U.S. Postal Service center, a CarMax auto sales center, and a vacant property.

Shady Grove Plaza

A bank, hotel, retail businesses, and an office building are located in this approximately 29.9-acre area, which is located at the southwest quadrant of Shady Grove Road and MD 355. The Plan envisions new non-residential and residential development for properties in this area (Map 30, page 57).

For the Shady Grove Plaza, the Plan recommends:

- Retain the existing wooded area, which is approximately 0.35 acres, or provide a minimum half-acre Neighborhood Green when this property redevelops. The existing trees are the last remaining vestiges of the original Shady Grove trees.
- Rezone the Shady Grove Plaza property, 16220 Frederick Road, from the CR-0.75 C-0.75 R-0.25 H-80T zone to the CR-1.5 C-0.75 R-1.0 H-80 zone to promote the Sector Plan's recommended public benefits, including the maximum percentage of MPDUs and public open space.
- Rezone the property at 16210 Frederick Road from the GR-1.5 H-45 zone to the CR-1.5 C-0.75 R-1.0 H-80 zone.
- Rezone the former office condo property (8625-8653 Zetts Avenue) from the EOF-1.5 H-60 zone to the CR-1.5 C-0.75 R-1.0 H-80 zone.
- Rezone the King Buick and Mitsubishi property, 16200 Frederick Road, from GR-1.5 H-45 zone to CRT-1.5 C-0.5 R-1.0 H-80 zone.
- Rezone all other commercial properties in this area from the GR-1.5 H-45 zone to the CRT-1.5 C-0.5 R-1.0 H-80 zone.

Testimony: The Council received testimony from Miles and Stockbridge on behalf of EYA, LLC regarding the King Buick and Mitsubishi property. EYA supports the recommendations in the Sector Plan Amendment regarding this property with one exception. EYA is requesting the Council revise the Board's zoning recommendation from CRT-1.5 C-0.5 R-1.0 H-80 to CRT-1.5 C-0.5 R-1.5 H-80 to allow for development of a residential project up to the maximum total FAR of 1.5.

Council staff comments: On January 21, 2021, the Council received a Preliminary Annexation Plan for the King Buick and Mitsubishi property from the City of Rockville. EYA, the contract purchaser of a City parcel adjacent to the King Buick and Mitsubishi property, plans to develop both properties as a combined residential project. In the Annexation Plan, the City of Rockville expressed support for the Board's zoning recommendation, citing consistency with the City's MXCD (Mixed Use Corridor District) zone; however, the Annexation Plan further states that while the draft Rockville 2040 Comprehensive Plan assigns to this site a land use that allows a mix of office, retail, and residential development, a wholly residential development is also appropriate at this location, because 1) there is a great need for various types of housing in Rockville, to serve various income levels; 2) residential development would be well served by

transit and the road system; and 3) other community amenities, such as parks and schools, are within sufficient proximity. Under annexation, the King Buick and Mitsubishi property will remain under its sector plan-approved zoning for five years.

Council staff supports the land use and zoning recommendations for the Shady Grove Plaza properties as listed above, with the exception of the recommendation for the King Buick and Mitsubishi property. For this property Council staff supports EYA's request to revise the Board's recommended zoning from CRT-1.5 C-0.5 R-1.0 H-80 to CRT-1.5 C-0.5 R-1.5 H-80.

Vacant Casey Property

Located north of I-370, west of Frederick Road and south of Oneill Drive, this vacant 7-acre property is adjacent to the city limits of Gaithersburg and is within the city's maximum expansion limits. Rosedale Apartments, Casey Community Center, and the Rosemont residential community are north of this property in the City of Gaithersburg (Map 32, page 58).

For the vacant Casey property, the Plan recommends:

- Rezone the vacant Casey property from the EOF-0.75 H-100 zone to the CRT-0.75 C-0.25 R-0.75 H-80 zone.
- Efforts should be made to retain portions of the existing forest/wooded area adjacent to the I-370 ramp that will help mitigate noise from adjacent roads and meet the Plan area's environmental goals.

Council staff supports the land use and zoning recommendations for the vacant Casey property.

U.S. Postal Service Center, CarMax, and Vacant Property

A vacant property at the southeastern quadrant of Shady Grove Road and MD 355, a CarMax automotive sales center, and a U.S Postal Service Center are in this 39.4-acre area. The CarMax property was annexed into the City of Gaithersburg in 2012 and is in the city's Mixed-Use Development (MXD) Zone.

An existing stream and wetlands are on the vacant property that constrains the full development on the property. The 2006 Sector Plan also recommended a fire and rescue station on the vacant property at Shady Grove Road and MD 355. The Montgomery County Fire and Rescue Service continues to support a future fire station at this location. Due to the proximity to the Shady Grove Transfer Station, this Sector Plan Amendment does not recommend residential development on properties in this area while the Transfer Station is in use.

For the vacant property and Post Office service center, the Plan recommends:

- Rezone the vacant property at Shady Grove Road and MD 355 from the EOF-0.75 H-100 zone to the IM-0.75 H-100 zone.
- Confirm the IM-0.5 H-50 zone for the U.S. Postal Service property.

Council staff supports the zoning recommendations for these properties.

Upper Mill Creek

The 54-acre Upper Mill Creek area consists of three properties that are east of the CSX rail tracks, north of Shady Grove Road, west of Crabbs Branch Way and bisected by I-370 (Map 33, page 60). Montgomery County's Division of Fleet Management Equipment Maintenance and Operations Center (EMTOC) is located at the northwestern intersection of Shady Grove Road and Crabbs Branch Way. The Maryland Transportation Authority (MDTA) has built a new police station and administrative office for the ICC, which is immediately north of I-370. And Roberts Oxygen, a distributor of compressed industrial, medical and specialty gases, is located north of the EMTOC facilities and west of the Town of Washington Grove.

For properties in the Upper Mill Creek area, the Plan recommends:

- Rezone the EMTOC, 16624 Crabbs Branch Way, from the EOF-0.75 H-60 T zone to the EOF-0.75 H-60 zone.⁶
- Confirm the EOF-0.5 H-50 zone for the MDTA property.
- Confirm the EOF-0.5 H-50 zone for Roberts Oxygen property. Any redevelopment of this property should maintain the existing 50-foot setback established from the adjacent MCDOT salt storage structures to create a compatible relationship with the existing single-family dwellings in the Town of Washington Grove.

Council staff supports the zoning recommendations for these properties.

Industrial Areas

Most of the non-residential development in the Plan area, approximately 3.3 million square feet, is zoned industrial. Many industrial areas provide a range of services to County residents, such as home remodeling and contractors, advanced manufacturing, flex office space, as well as Class A and B offices located along Crabbs Branch Way. Industrially zoned areas, as well as uses, are concentrated in four areas within the Plan area: WMATA Railyards and Shady Grove Transfer Station; Oakmont Avenue Industrial Corridor; Frederick Road Automotive Corridor; and the Crabbs Branch Office Park.

WMATA Railyards and Shady Grove Transfer Station

This Sector Plan Amendment confirms the importance of the processing facility and transfer station at this location since the facility utilizes the existing rail tracks. The relocation of this facility to another part of the County is not anticipated in the long term. Since additional residential development is anticipated within this Plan area, DEP should establish initiatives to reduce odors emanating from the processing facility.

For the WMATA Railyards and Transfer Station properties, the Plan recommends:

- Confirm the IM-2.5 H-50 zone.
- Mitigate environmental impacts, especially odors, from the transfer station.

Oakmont Avenue Industrial Corridor

A variety of industrial uses, including automotive services, home remodeling and construction businesses, storage facilities, and biotechnology companies are located within this 50-acre area.

⁶ The land use and zoning recommendation (for P947) is under the land use and zoning recommendations for The Grove.

For the Oakmont Avenue properties, the Plan recommends:

- Confirm the IM-2.5 H-50 zone and the CRN-0.5 C-0.5 R-0.25 H-35 zone for properties along this corridor.

Frederick Road Automotive Corridor

Properties in this corridor are adjacent to the proposed bus rapid transit (BRT) MD 355 route, and a potential infill station is possible at Indianola Drive. The existing boundary for the City of Rockville includes the automotive business at 15625 Frederick Road. Redevelopment is not anticipated in the long term in this corridor because several properties have long-term leases and investments for automotive uses.

For properties in the Frederick Road Automotive Corridor, the Plan recommends:

- Confirm the IM-2.5 H-50 zone.

Crabbs Branch Office Park

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 (Map 37, page 65).

For properties in the Crabbs Branch Office Park, the Plan recommends:

- Rezone the office property at 7361 Calhoun Place from the IM-2.5 H-50 zone to the CRT-2.5 C-2.0 R-0.5⁷ H-80 zone to permit a conforming building.
- Rezone the office buildings at 7500 Standish Place, 7362 Calhoun Place and 15400 Calhoun Drive from the IM-2.5 H-50 zone to the IM-2.5⁸ H-70 zone.
- Confirm all other office properties in the Crabbs Branch Office Park to the IM-2.5 H-50 zone.

Council staff supports the zoning recommendations for the Industrial Area properties.

III. Housing

To meet future needs and to contribute to the County's long-term vitality, this Sector Plan Amendment recommends confirming the recommendations of the 2006 Sector Plan, which calls for mixed-use residential development in transit-oriented areas and other strategic locations.

In addition, the following recommendations, along with retaining existing residential development, support implementation of the Housing Element's policies and objectives.

This Sector Plan Amendment recommends:

- Require 15 percent moderately priced dwelling units (MPDUs) as the highest-priority public benefit for all new residential development.
- Publicly-owned properties, including WMATA, should be encouraged to provide up to 25 percent of MPDUs.
- Increase the number of housing units located within walking distance to Metro.
- Provide and continue current incentives that encourage developers to provide a large amount of affordable housing, including MPDUs.

⁷ Correction to the Planning Board Draft, CRT-2.5 C-2.0 R-0.25 H-80 should be CRT-2.5 C-2.0 R-0.5 H-80.

⁸ Correction to the Planning Board Draft, EOF-2.5 should be IM-2.5.

- Maintain and protect the existing residential neighborhoods in Derwood.
- Provide a range of unit types, including for families, seniors, and persons with physical challenges.
- Provide a range of unit sizes within each housing type.

Council staff comments: For context, the recent Forest Glen/Montgomery Hills Sector Plan requires 15 percent MPDUs for redevelopment of the WMATA property at the Forest Glen Metro Station. The County-owned property at Georgia Avenue and Spring Street requires 30 percent affordable units, 15 percent provided as MPDUs, and 15 percent affordable to households earning below 50 percent of the Area Median Income.

Council staff supports the housing policy recommendations.

IV. Parks, Trails, and Open Spaces

This Sector Plan, as well as the 2006 Sector Plan, recognizes that additional residential density will require more parks, trails, and open spaces for existing and future residents. This Sector Plan Amendment recommends the implementation of unbuilt parks, and additional parks that further the recommendations in the 2017 Park, Recreation and Open Space Master Plan (PROS) and the 2018 Energized Public Spaces (EPS) Functional Master Plan. The following are the Sector Plan’s parks and open space goals and recommendations:

Goal: Create a network of activated parks that facilitate social gatherings in the Metro Neighborhoods and at The Grove.

Recommendations:

- Implement the preliminary plan with the four-acre Jeremiah Park at Shady Grove Station, Jeremiah Park. If the Montgomery County Public Schools (MCPS) Bus Depot does not relocate from its current location, provide a one-acre Neighborhood Green on the former Parks Department Maintenance site, provided the Parks site redevelops.
- Create a new minimum one-acre Civic Green on the WMATA property in the Metro West neighborhood. This park will be surrounded by the future CCT and BRT, as well as the highest recommended density in the Plan area.
- Utilize the existing stream on the eastern side of the Metro Station as a potential linear park or greenway.
- Create a minimum three-quarters of an acre Neighborhood Green at The Grove shopping center upon redevelopment. This park should include neighborhood amenities, including a flexible open space and multi-age play features.

Goal: Prioritize acquisition, development, and programming for new parks.

Recommendations:

- Implement the acquired parkland at the Derwood Station and Shady Grove Crossing/Piedmont Crossing properties into a neighborhood park and local park, respectively, with a variety of recreational opportunities.
- Execute the roadway extension of Crabbs Branch Way to Amity Drive. This roadway will provide public access to public parks, including the Washington Grove Conservation Park.
- Provide dog parks, skate parks, and other new park amenities that support a growing community.

- Prioritize the acquisition of open spaces that are suitable for ballfields and active recreation as properties become available.

Goal: Create a robust trail system of natural and hard-surface trails.

Recommendations:

- Explore opportunities to provide trail connections between the Rock Creek Regional Park trail system to the Sector Plan area.
- Create a trail connection that links Redland Local Park with Mill Creek Towne Local Park, via the County-owned, unbuilt Midcounty Highway right-of-way.
- Support the unbuilt trails recommended in the 2006 Sector Plan.

Goal: Enhance existing parks and open spaces.

Recommendations:

- Retain Blueberry Hill Local Park as an active and passive recreation park site. This Plan recommends the implementation of a non-native species plant and supplemental planting to sustain the existing forested area.
- Maintain the existing recreational uses at Redland Local Park. Establish a pedestrian and bike trail that links this park to the Mill Creek Towne Local Park.

Goal: Protect historic and cultural resources.

Recommendations:

- Explore the potential Legacy Open Space (LOS) designation as a Heritage or Open Space Resource for the American Society of Plant Biologists property in the Crabbs Branch Office Park. This property, including the early 20th century colonial revival manor house, is currently used as an office building, and is associated with the Gudes, a prominent family in the County's history.

Council staff supports the Sector Plan Amendment recommendations with respect to parks and open space.

V. Sustainability

This Sector Plan Amendment envisions returning Shady Grove toward the original shady condition that inspired the area's name. The restoration of tree canopy in the Sector 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. The Plan also envisions new development embracing the best in sustainable design, including building orientation, architecture, ventilation systems, and operating systems that conserve energy and incorporate new and developing technologies for generating renewable energy on-site. It aspires to reach a net-zero energy goal where the amount of energy generated balances with the amount of energy consumed.

Forest and Tree Cover and Impervious Surfaces

Water quality correlates to the amount of forest cover and the percentage of the watershed that is impervious. Overall, impervious surfaces cover approximately 36 percent of the Plan area, while forests occupy about 11 percent of the Plan area. Tree canopy coverage does not match forest cover in terms of water quality benefits. However, there are still significant water quality, air quality, and health benefits

that accrue from a healthy tree canopy. Approximately 41 percent of the Plan area has tree canopy cover.

Recommendations:

- Strive for maximum shade cover over paved areas in streetscapes and plazas.
- Plant native shade trees that produce large canopies, spaced a maximum of 30 feet apart on center.
 - Where possible, plant smaller native trees spaced in between the large trees.
 - Provide adequate soil volume to create and sustain a healthy tree canopy.
 - Provide artificial shade structures in open areas over pavement where trees cannot be planted, especially in open spaces.
- Promote green roofs wherever possible. Public benefit points can be prioritized to incentivize green roofs.
- Retain forest on the eastern side of The Grove shopping center to maintain significant forest cover, improve air and water quality, sequester carbon, and provide a noise buffer to protect developed areas from traffic noise generated by surrounding highways.
- Encourage green features (softscaping) in required open space areas and the public realm.
- Prioritize environmental public benefit points for tree canopy cover and energy conservation.
- Promote site and building design for energy conservation and LEED certification or a comparable rating system.
 - Consider block and building orientation to maximize passive solar heating and lighting, and to offer optimal siting for solar energy generation.
 - Consider building construction design, materials, and systems to save energy.

Council staff supports the recommendations with respect to Forest and Tree Cover and Impervious Surfaces.

Water Quality

Most of the Sector Plan area drains east into the Rock Creek watershed (Map 42). The Plan area includes portions of three Rock Creek subwatersheds: Mill Creek, Crabbs Branch, and the Southlawn Tributary. Water quality in developed areas is degraded by increases in impervious surface area and the loss of protective forest cover. Water quality is also diminished by runoff carrying pollutants. Water quality can be improved by minimizing impervious surfaces in developments, preserving and increasing forest and tree canopy cover, and treating stormwater runoff in stormwater management facilities that filter out pollutants and reduce erosive stream flows.

Recommendations:

- Minimize imperviousness and maximize pervious areas.
- Use native plants that require less watering and fertilization; use rainwater for watering; and apply Sustainable Sites Initiatives (SITES) principles in site development and maintenance.
- Increase forest and tree cover.

Council staff supports the recommendations with respect to Water Quality.

Green House Gas Modeling

Since the adoption of the 2006 Sector Plan, additional requirements for master plans and sector plans have been added through the passage of several County requirements, including estimating the greenhouse gas (GHG) emissions from the projected development and to include recommendations to reduce GHG emissions.

Because Master Plans focus on areas that are most appropriate for new or re-development, the increased numbers of housing units and non-residential spaces naturally result in an overall increase in greenhouse gas emissions. This is the case for the Shady Grove Sector Plan Minor Master Plan Amendment. The carbon footprint estimation shows an increase in total greenhouse gas emissions of about 25 percent above the existing condition, based on an assumption of a business-as-usual approach to development.

Even though the overall GHG emissions are increasing, the compact, walkable and bikeable urban design of the Plan is allowing for the number of residential units to triple and the residential population to increase by one-third, while the emissions are increasing by one-quarter. Recommendations for reducing GHG emissions are included in the Plan's section on Air Quality and Carbon Emissions

Air Quality and Carbon Emissions

The causes of degraded air quality and carbon emissions are closely linked, and recommendations to improve air quality and to reduce carbon emissions overlap. Improving urban air quality and reducing carbon emissions involves reducing vehicle miles traveled and building energy consumption, increasing clean energy generation, sequestering carbon, reducing urban heat island effect, and filtering pollutants from the air.

The compact, mixed-use development recommended in this Plan and the proximity of the Metro station will contribute to reducing per-capita carbon emissions and improving air quality. Enhancing the pedestrian and bicycling infrastructure contributes significantly to improving air quality and climate protection, as does preserving forests and increasing tree canopy.

Recommendations:

- Include building design features that keep roofs cool – either green roofs or cool roofs.
- Encourage improvements and facilities to make walking and biking to the Metro station a pleasant and inviting experience.
- Increase forest and tree cover.
- Plant native vegetation that is highly attractive to pollinators and provides food sources for declining populations of native pollinator species.
- Incorporate multiple layers of native vegetation in landscaping.
- Provide opportunities for exercise, recreation, and mental well-being: parks and open spaces, trails, sidewalks, and bicycle networks.
- Locate appropriate land uses near sources of noise generation.
- Provide access to health care facilities.
- Provide opportunities to buy or grow fresh produce/healthy food choices: provide opportunities for community gardens and provide spaces for farmers' markets.
- Promote an environment that minimizes light pollution.

Council staff supports the recommendations for Air Quality and Emissions.

Noise

The 2006 Sector Plan also identified noise as a significant issue that impacts the quality of life for residents in the Sector Plan area. Noise walls have been installed along both sides of Shady Grove Road, between Briardale Road and the Metro Access Road ramps, adjacent to the Redland Station and Parkside Estates neighborhoods. Additional noise walls are recommended east of Briardale Road if they are consistent with County's noise standards. The Shady Grove Station, Westside development has

installed noise walls adjacent to the CSX and Metro rail tracks and the overall design has included different architectural measures to minimize noise impacts on residential properties.

This Plan recommends providing noise mitigation measures for new development in the Metro Neighborhoods and The Grove shopping center. Mitigation measures may include parking garages adjacent to the CSX rail tracks, where feasible, as well as site design and construction techniques and materials. The Plan also recommends retaining office, light industrial and automotive uses along the CSX rail tracks, primarily south of Indianola Drive, which is more compatible with noise sources. Additional noise mitigation may be appropriate for residential areas along Shady Grove Road and Midcounty Highway, consistent with the County's noise standards.

Council staff supports the Sector Plan Amendment recommendations with respect to noise mitigation.

VI. Historic Resources

Montgomery County's historic resources are guided by the Locational Atlas and Index of Historic Sites, the Master Plan for Historic Preservation, and the Historic Preservation Ordinance (Chapter 24A of the Montgomery County Code). The Locational Atlas and Index of Historic Sites identifies resources that are potentially historically significant. The designation is meant to be temporary until analysis for listing in the Master Plan for Historic Preservation can be completed. The Master Plan for Historic Preservation includes all officially designated historic sites and districts.

This Plan recommends:

- List the Derwood Store and Post Office (22/33-3) in the Master Plan for Historic Preservation, along with its associated environmental setting.
- Rezone the Derwood Store and Post Office to an appropriate zoning category that would allow for its adaptive reuse with residential units. Permit development standards flexibility, including parking waivers and setback requirements adjustments to restore the structure.
- Remove the 2006 Sector Plan recommendation to evaluate the following properties in Old Derwood for inclusion in the Locational Atlas and Index of Historic Sites:
 - Derwood Baptist Church, 15812 Esquire Court;
 - Derwood School, 15805 Paramount Drive;
 - Hall's Store, 15833 Derwood Road; and
 - Hoskinson-Schwartz House, 15919 Chieftain Avenue.
- Install interpretive marker(s) that relates to the antebellum history of the Plan area, including land use and chattel slavery. This marker would be separate from any interpretive markers placed at the Derwood Store and Post Office.

Council staff supports the Sector Plan Amendment recommendations with respect to historic properties.

VII. Community Facilities

This Sector Plan Amendment retains and updates most of the community facilities recommended in the 2006 Sector Plan. These facilities, such as a recreation center and new parks, are essential to further achieve the community envisioned by this Sector Plan. The implementation of some of these facilities could be achieved through public benefits in the CR and CRT zones.

Fire, Rescue, and Emergency Medical Services

The Montgomery County Fire and Rescue Service (MCFRS) has determined that a future fire-rescue station with emergency medical services (EMS) is needed for the Shady Grove area and recommended the vacant property at the southeast intersection of MD 355 and Shady Grove Road. The proposed location would provide access to the Plan area, as well as to the surrounding Rockville and Gaithersburg communities via Frederick Road, Shady Grove Road, and MD 200.

Public Safety

The Montgomery County Police Department's 1st District, located at 100 Edison Park Drive in Gaithersburg, and the 6th District, located at 45 West Watkins Road in Montgomery Village, provide public safety services to the Plan area. This Sector Plan Amendment supports a substation in the Plan area, in conjunction with the recommended fire station, or as a public benefit for redeveloping properties within the Metro Neighborhoods in the CR and CRT zones.

Libraries

Montgomery County Department of General Services (DGS) has entered into a lease agreement with EYA, the developer for Shady Grove Station, Westside, to provide space for an urban library on the ground level of a new multi-family residential building near the Metro station. This Sector Plan Amendment supports the implementation of a library at Shady Grove Station, Westside, since it will provide an important public facility to the Plan area.

Recreation Center

The 2006 Shady Grove Sector Plan indicated that a community recreation center was possible in the future to serve the community. However, the Sector Plan noted that, based on prior Department of Recreation standards, "there does not appear to be a need for a full-size recreation center" (p.101). The Department of Recreation's Facility Development Plan 2010-2030 (2011) has determined that a community recreation center, with potential aquatic features, is appropriate for the Shady Grove area based on current and projected population densities.

This Sector Plan Amendment recommends:

- Locate a future recreation center within the Metro Neighborhoods as the preferred location. If all the CSP public facilities relocate, consider Jeremiah Park as an alternative location if an elementary school is not located at this property.
- Explore co-location for the recreation center, along with other public facilities, to minimize public expenditures and maximize efficiencies.

Senior Services and Child Daycare

The Sector Plan area has existing child daycare services, including at The Grove shopping center and the Metro station. There are no specific senior services in the Plan area. As the area builds out with more residential development, additional child daycare and senior services would be necessary to support an intergenerational community. This Sector Plan recommends additional senior and child daycare services to support existing and future families. These services should be considered as public benefits for redeveloping properties in the CR and CRT zones.

Public Schools

Public schools provide a foundation for a residential community and contribute to a community's civic identity and engagement. Shady Grove Middle School is within the Sector Plan area, while Washington Grove Elementary School is located west of Oakmont Avenue and Candlewood Elementary School is south of Redland Road. Mill Creek Towne Elementary School is located north of Midcounty Highway.

Magruder, Gaithersburg, and Richard Montgomery are the three high school clusters that serve the Sector Plan area.

This Sector Plan recommends the following alternatives, by cluster, to address school needs for this cluster:

Gaithersburg Cluster

- Construct a new elementary school on the preferred site, Jeremiah Park, in this Plan area.
- If a site is not provided in the Plan area, utilize one of the planned sites in King Farm.
- In addition to considering the construction of a new elementary school to meet future needs, options to reassign students to elementary schools adjacent to the Gaithersburg cluster, including Richard Montgomery and Magruder clusters, with available capacity or potential expansions, if possible, could be considered.
- Determine if the capacity of existing middle schools can be increased.
- Both middle schools in the adjacent Magruder cluster have long-term available capacities that could be utilized, if needed.
- If increasing the capacities of existing middle schools is not feasible or is insufficient to address future enrollment growth, consider utilizing the planned middle school site at King Farm.
- Construct a new high school at the Crown Farm property.

Magruder Cluster

- Determine if the capacity of existing elementary schools can be increased. Cashell Elementary, Mill Creek Towne Elementary, and Judith Resnik Elementary exceed their enrollment capacities, while other elementary schools are within their enrollment capacities.
- Redland Middle School and Shady Grove Middle School are projected to continue to have enrollment capacities into the next decade.
- Magruder High School is also forecast to have student enrollment capacities into the next decade. MCPS has a major capital project that will address various building systems and programmatic needs.

Richard Montgomery Cluster

- Enrollment forecasts indicate the middle school, Julius West Middle, has sufficient capacity for future enrollment growth.
- Richard Montgomery High School is currently over its enrollment capacity and it is projected to remain over capacity for the rest of the decade.
- The new high school at Crown Farm will provide a new high school for this cluster. Based on the current cluster boundary, no new residential development from this Sector Plan will impact this cluster.

Council staff supports the Sector Plan Amendment recommendations with respect to public facilities.

Attachments

Testimony from the Council Public Hearing

© Pages

1-12



HISTORIC PRESERVATION COMMISSION

Marc Elrich
County Executive

Sandra I. Heiler
Chairman

February 19, 2021

The Honorable Tom Hucker
President, Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Subject: Historic Preservation Commission Comments on the Shady Grove Minor Master Plan Amendment

Dear Council President Hucker and Councilmembers:

The Montgomery County Historic Preservation Commission (HPC) fully supports the Planning Board's historic preservation recommendations in the Shady Grove Minor Master Plan Amendment. These include:

1. List the Derwood Store and Post Office (22/33-3) in the Master Plan for Historic Preservation.
2. Rezone the Derwood Store and Post Office to an appropriate zoning category that would allow for its adaptive reuse with residential units.
3. Remove the 2006 Sector Plan recommendation to evaluate four (4) other properties in Derwood.
4. Install interpretive marker(s) that relates to the antebellum history of the plan area, including land use and chattel slavery.

In May 2019, the HPC voted unanimously to recommend to the Planning Board that the Derwood Store and Post Office be listed in the Master Plan for Historic Preservation, as it met four of the nine designation criteria. The subject building reflects the growth of Montgomery County following the establishment of the Metropolitan Subdivision of the Baltimore & Ohio Railroad in 1873, and the commercial tradition of vernacular two-story, front-gable general merchandise stores in rural towns and small communities. These businesses served as the endpoint of the distribution of products within the local economy and provided the community a place to share information. The store's inclusion of a post office (which operated at the location from ca. 1905 to 1966) further augments its historic significance. Derwood had at least three women postmasters who served a total of 17 years and their overall contributions to the area are not reflected in other sites.

Thank you for working with us and the community to preserve our local history.

Sincerely,

Sandra I. Heiler
Chair, Historic Preservation Commission



MONTGOMERY PRESERVATION, INC.

Promoting the Preservation, Protection and Enjoyment of Montgomery County's
Rich Architectural Heritage and Historic Landscapes

February 22, 2021

Montgomery County Council; Via email: County.Council@MontgomeryCountyMD.gov
Re: Shady Grove Sector Plan Minor Amendment - Derwood designation, triple tracking.

Dear President Huckler and County Councilmembers:

Montgomery Preservation (MPI) is delighted to see designation support for the Derwood Store and Post office in this plan. We urge you to grant listing on the County's Master Plan for Historic Preservation, which will also enable incentives for maintenance and upgrading for reuse. The history and photos provide a wonderful snapshot of the early effect of the railroad on a small rural community. It is very well done. Additionally, MPI suggests that the Historic Resources chapter note that the Crabb Family Cemetery is already designated on the Master Plan for Historic Preservation.

On the other hand, the plan recommends a step that is premature and potentially destructive to historic rail communities from Dickerson to Takoma Park. On page 104, the plan recommends obtaining 25-foot land easements on the north/east side of the existing railbed for future CSX /MARC triple tracking. This would be a good practice if the area is not built up, but the B&O was inaugurated in 1873 and double tracked in 1888, so nearby buildings in former small towns are often significant structures in historic districts. They may be damaged or unsafe if another track bed is squeezed in. In fact, the sector plan on the Boyds and Germantown areas warned that adding a third track may damage nearby foundations and structures.

MPI owns the Silver Spring B&O Railroad Station and uses the attached rear waiting platform for train watching and programs. An additional track and allowance for necessary safety and fencing would eliminate such uses. It, like the Gaithersburg and Rockville Stations and many early railroad community historic districts, is listed in the National Register of Historic Places and protected by Section 106 of the National Historic Preservation Act. No adverse impact studies appear to have been done on these issues, so MPI is very concerned about possible damage created by constructing a third railbed in these areas. More specific rights of way and expansion space information is needed and the possibility of routing rail freight around cities and utilizing existing tracks for passengers should be explored. We urge you to remove this recommendation as premature.

Sincerely,
The Board of Directors
Montgomery Preservation, Inc.
Eileen McGuckian, President

Dear Councilmembers,

As the first resident and the first homeowner of the Westside at Shady Grove Townhome Development, I appreciate the continued commitment of the staff of Montgomery Planning to the Shady Grove Sector Plan since its conception, and its approval by the County Executive and Council in 2006 and expertise of the staff to advance it over the past fourteen years in the interests of our community and central Montgomery County overall.

Equally, as others have stated, I also appreciate County Executive Elrich last year designating the relocation of the Montgomery County Public Schools (MCPS) Bus Depot a “top priority” for his administration, recognizing that this plan cannot be fully realized and completed until this relocation itself is complete.

We bought our home in this development because, we were attracted to and excited to be at forefront of “ the 21st-century smart planning ideas and solutions, housing near transit, and building vibrant mixed-use and mixed-income communities.” I thoroughly enjoy being a part of and I perform volunteer work in the community to bring the best of Derwood to others.

I join others in calling on the County Executive to follow-through with his promised engagement on this key concern, taking decisive, collaborative, and thoughtful action this calendar year to relocate the bus depot fully, and commit the necessary County fiscal and human resources in FY21, and achieve appropriate fiscal planning beyond FY21, to insure this relocation along the shortest, most reasonable timeline.

I believe the Shady Grove Sector can ultimately advance and thrive through this smart growth plan, as the sector and central Montgomery County deserves. I understand that Maryland and, particularly, Montgomery County continue to lag behind providing affordable housing to its residents. This planned community would positively address that concern. Our elected leaders must undertake and execute efforts to make our community including its 15,000+ voters thrive.

I support the approval of this Master Plan amendment and respectfully urge you to approve the Plan as amended.

Thank you for your consideration.

Respectfully,

Benjamin A. Garcia

Subject: Testimony ~ Shady Grove Sector Plan Minor Master Plan Amendment Update

Council President Hucker and Councilmembers,

Thank you for accepting the entirety of this email as testimony on behalf of myself and the nearly 600 individuals who have signed the following MoveOn petition which, by now, I and my community expect is well known to you and your colleagues:

<https://sign.moveon.org/petitions/derwood-deserves-betternow>

Along with my fellow residents of the Shady Grove Sector, I appreciate the continued commitment of the staff of Montgomery Planning to the Shady Grove Sector Plan since its conception, and its approval by the County Executive and Council in 2006 and expertise of the staff to advance it over the past fourteen years in the interests of our community and central Montgomery County overall.

Equally, I appreciate County Executive Elrich last year designating the relocation of the Montgomery County Public Schools (MCPS) Bus Depot a “top priority” for his administration, recognizing that this plan cannot be fully realized and completed until this relocation itself is complete. In offering this testimony, I call on the County Executive to follow-through with his promised engagement on this key concern, taking decisive, collaborative, and thoughtful action this calendar year to relocate the bus depot fully, and commit the necessary County fiscal and human resources in FY21, and achieve appropriate fiscal planning beyond FY21, to insure this relocation along the shortest, most reasonable timeline.

I believe the Shady Grove Sector can ultimately advance and thrive through this smart growth plan, as the sector and central Montgomery County deserves, and as I know and expect all of our elected leaders expect it to thrive. It would be a true disappointment and loss to our community of 15,000+ voters if the bus depot was not moved as planned. I support the approval of this Master Plan amendment and respectfully urge you to approve the Plan as amended.

Thank you for your consideration.

Respectfully,

Jeff Reznick

Derwood

Member, Shady Grove Sector Plan Implementation Advisory Committee

<https://montgomeryplanning.org/planning/communities/midcounty/shady-grove/implementation-advisory-committee/>

Begin forwarded message:

From: Montgomery County Council <county.council@mccouncilmd.lmhostediq.com>

Date: January 19, 2021 at 5:50:30 PM EST

To: jeffrey.s.reznick@gmail.com

Subject: Re: Congratulations!

MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

Dear Dr. Reznick,

Thank you for your correspondence expressing your congratulations and your views on the relocation of the MCPS bus depot and the continued implementation of the Shady Grove Sector Plan. I have made it available to my Council colleagues, and I am pleased to respond on their behalf.

The Council fully supports the relocation of the depot to a suitable site and maintaining the County's efforts in implementing the Sector Plan. We look forward to reviewing the Executive's recommendations, once ready, on the relocation plan.

Thank you for taking the time to share your thoughts on this important matter.

Sincerely,

Tom Hucker
Council President
Montgomery County Council

5116782

Begin forwarded message:

From: Montgomery County Council <county.council@mccouncilmd.lmhostediq.com>
Date: January 19, 2021 at 5:50:30 PM EST
To: jeffrey.s.reznick@gmail.com
Subject: Re: Congratulations!

On Dec 14, 2020, at 10:01 AM, Jeffrey Reznick <jeffrey.s.reznick@gmail.com> wrote:

Councilmembers Hucker and Albornoz,

Congratulations on your election, respectively, to the presidency and vice presidency of the council.

Following on County Executive Elrich designating as a top priority the long-expected relocation of the MCPS bus depot in order to complete fully the smart growth plan for the Shady Grove Sector, unwavering community advocacy on this issue*— including related formal communications to immediate past council president Katz, as well as previous previous president Navarro—the great Shady Grove community now looks to both of you and, still, every member of the council, to cooperate with the executive branch to achieve this change, yielding all the promises of the smart growth plan itself for central Montgomery County.

Thank you, congratulations again to both of you, and we look forward to seeing your own joint leadership and continued collaborative action on this key priority in the heart of our county.

Very sincerely,
Jeff Reznick
Derwood

* <https://sign.moveon.org/petitions/derwood-deserves-betternow>

On Dec 3, 2019, at 10:14 AM, Jeffrey Reznick <jeffrey.s.reznick@gmail.com> wrote:

Dear Councilmember Katz and Councilmember Hucker,

Congratulations on your election—respectively—to the presidency and vice presidency of Montgomery Council!

Following-on David Dise’s recent public update on the status of relocating the MCPS bus depot, County Executive Elrich designating this issue a top priority, and our formal communications on this issue to immediate past council president Navarro, the Derwood community now looks to both of you and every member of the council to commit—indeed to reasonably invest—the necessary funds and human resources to continue the progress toward achieving this relocation, in the form of the required studies, planning, and public feedback.

Thank you, congratulations again to both of you, and we look forward to seeing your own joint leadership and continued collaborative action on this key priority for our community at the heart of our county, indeed for our county overall.

Very sincerely,
Jeff Reznick
Derwood

February 23, 2021

Barbara A. Sears
phummel@milesstockbridge.com
(301) 517-4812

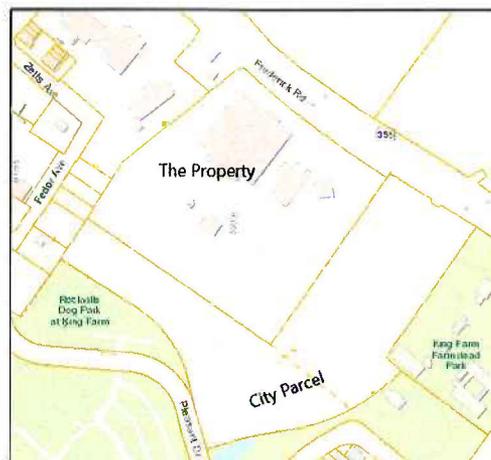
Phillip A. Hummel
phummel@milesstockbridge.com
(301) 517-4814

Mr. Tom Hucker, President
And Councilmembers of the
Montgomery County Council
100 Maryland Avenue, 6th Floor
Rockville, MD 20850

Re: February 23, 2021 Public Hearing on Shady Grove Sector Plan Minor Master Plan Amendment - Written Testimony of EYA, LLC

Dear Council President Hucker and Members of the Council:

We are submitting this written testimony regarding the Shady Grove Minor Master Plan Amendment (the “Minor Master Plan”) on behalf of our client, EYA, LLC (“EYA”). EYA is the contract purchaser of 10.32 acres of land located at 16160 and 16200 Frederick Road (the “Property”), which is also referred to in the Minor Master Plan as the King Buick and Mitsubishi property. The Property is located within the boundaries of the Minor Master Plan area and is currently zoned GR-1.5 H-45. EYA is also the contract purchaser of 10.34 acres of land, which abut the Property to the southwest, south, and southeast and are located within the municipal boundaries of the City of Rockville (the “City Parcel”). The location of the Property and the City Parcel are depicted on the following map:



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The Property owner (Victor, Inc.) has submitted a petition for the annexation of the Property (the “Petition”) into the City of Rockville (the “City”).¹ The Petition requests that the Property be rezoned to the City’s Mixed-Use Corridor Development (“MXCD”) zone upon annexation, which as explained below, is consistent with the Minor Master Plan’s recommendation to rezone the Property from GR (General Retail) to CRT (Commercial Residential Town). The abutting City Parcel is also currently zoned MXCD. Once the Property is annexed into the City of Rockville and rezoned, EYA intends to redevelop the Property and the abutting City Parcel with a unified plan for a residential development project consisting of approximately 365 total dwelling units with a mix of townhouses of varying widths and two-over-two multi-family units, along with attractive open spaces and a neighborhood amenity area (the “Project”). Fifteen percent of the Project’s dwelling units will be offered as Moderately Priced Dwelling Units (“MPDUs”).

The Property, which is currently improved with an automobile dealership with expansive surface parking lots, is appropriate for residential infill redevelopment given its proximity to transit, major highways, other existing infrastructure (e.g., water and sewer service, utilities), and amenities. Specifically, the Property is located within walking distance of the Shady Grove Metro Station and importantly is proximate to retail uses, employment opportunities, and desirable community facilities. The Property also abuts MD 355 and is near Interstate 370 and the Intercounty Connector. Additionally, the MD 355 bus rapid transit (BRT) line is planned to run along the Property’s Frederick Road frontage. The Project will harness this potential by incorporating a diverse range of for-sale homes, providing needed housing to serve employment opportunities, increasing Metro ridership, supporting the future BRT, and offering new customers for existing retail. In proposing a mix of townhomes and two-over-two multi-family units, the Project will transform the Property from its current underutilized state to a vibrant and walkable community close to existing infrastructure facilities and served by numerous transit services.

EYA has reviewed the Montgomery County Planning Board’s draft of the Minor Master Plan (the “Planning Board Draft”) and supports many of its recommendations relating to the Property that are entirely consistent with the Project and proposed annexation of the Property into the City. In particular, EYA is supportive of the following recommendations:

- The Planning Board Draft acknowledges that properties in the Shady Grove Corridor between MD 355 and the Metro Access Road, including the Property, are included in Rockville’s Maximum Expansion Limits (pgs. 9, 55 of the Planning Board Draft);

¹ See City of Rockville Annexation Petition No. ANX2020-00146.

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- The Planning Board Draft recommends rezoning the Property from GR-1.5 H-45 to CRT-1.5 C-0.5 R-1.0 H-80 (pg. 57 of the Planning Board Draft). The CRT zone is consistent with the City's MXCD zone, both of which support medium residential density of development in amenity-rich areas with flexibility in design. Specifically, the Planning Board Draft supports concentrating new housing in mixed-use and transit-oriented areas, encouraging and maintaining a wide choice of housing types and neighborhoods for a variety of people, encouraging an adequate supply of affordable housing, and increasing the number of housing units located within walking distance to Metro, and requiring 15% MPDUs as a priority public benefit (pg. 69 of the Planning Board Draft);
- The Planning Board Draft recommends permitting new residential and non-residential development, rather than only research and development and office uses (pg. 55 of the Planning Board Draft); and
- The Planning Board Draft supports directing infill development at existing surface parking lots (pg. 80 of the Planning Board Draft).

Although in full agreement with the above, EYA requests two minor modifications to the Planning Board Draft that will further advance the recommendations, goals, and objectives of the Minor Master Plan:

1) Provide for Residential Density of 1.5 FAR

The Planning Board Draft recommends that the Property be zoned CRT-1.5, C-0.5, R-1.0 H-80. EYA respectfully requests that the County Council revise this to recommend that the Property be zoned CRT-1.5, C-0.5, R-1.5, H-80 to acknowledge that the Property is suitable for an entirely residential project up to the maximum 1.5 FAR overall density proposed in the Planning Board Draft. Such zoning is consistent with both the housing goals stated in the Planning Board Draft and the County's housing growth objectives. In particular, the Planning Board Draft supports housing growth in transit-oriented locations and recommends increasing "the number of housing units located within walking distance to Metro" (pg. 69 of the Planning Board Draft). Being located within walking distance of the Shady Grove Metro Station and along the future 355 BRT line, the Property is an ideal location to implement these goals and objectives.

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In addition to being consistent with the Planning Board Draft’s stated goals and recommendations, CRT-1.5, C-0.5, R-1.5, H-80 zoning will help achieve the County’s housing growth objectives in a transit-proximate location. The Metropolitan Washington Council of Governments (MWCOCG) and the Montgomery County Council have set a goal of providing 41,000 new housing units in Montgomery County by 2030 and concentrating those units in activity centers or near high-capacity transit. The Property is located with the MWCOCG Rockville King Farm-Research Center-Shady Grove Activity Center and within walking distance of the Shady Grove Metro Station. Thus, residential development of the Property should be encouraged.

Accordingly, EYA requests that the Minor Master Plan recommend CRT-1.5, C-0.5, R-1.5, H-80 zoning.

2) Identify the City Parcel’s Location Within the Red Policy Area

The Planning Board Draft shows the City Parcel as being located in the Orange Policy Area (pg. 135 of the Planning Board Draft). This designation, however, was recently changed to the Red Policy Area by the County Council in the 2020-2024 Growth and Infrastructure Policy. As shown on the following map,² the City Parcel is now located in the Red Policy Area, along with the Property:



EYA requests that the County Council update the map on page 135 of the Planning Board Draft to recognize the City Parcel’s location in the Red Policy Area to ensure consistency between the Minor Master Plan and the adopted 2020-2024 Growth and Infrastructure Policy.

²<https://www.arcgis.com/apps/webappviewer/index.html?id=334818f06fa040bdbfd5320339defa1e&extent=-8662112.4079%2C4707613.1466%2C-8515353.3136%2C4776177.1609%2C102100>

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We request that this letter be made a part of the public hearing record and look forward to continuing to work with the County Council and its staff as the County Council considers the Minor Master Plan. Thank you for your consideration.

Very truly yours,

MILES & STOCKBRIDGE P.C.



Barbara A. Sears



Phillip A. Hummel

cc: Bob Youngentob
Jason Sereno
Wyndham Robertson
Jack McLaurin
Laura Tallerico, Esq.