AREA 3 AREA 2 Site Plan Amendment Resolution 82017013B MCPB No. 20-091 Site Plan No. 82017013B Bloom Montgomery Village MCPB No. 20-091 Site Plan No. 82017013B Bloom Montgomery Village MCPB No. 20-091 Site Plan No. 82017013B Bloom Montgomery Village MCPB No. 20-091 Site Plan No. 82017013B **VICINITY MAP** Site Plan No. 82017013B Bloom Montgomery Village MONTGOMERY COUNTY PLANNING BOARD SCALE: 1" = 2000' While the total of the above minimum afforestation requirement percentages exceed 100 percent, once the total requirement of 26.12 acres is reached, the mitigation requirement will be fulfilled, and no additional mitigation will be ePlans to the M-NCPPC as of the date of the Staff Report August 31, 2020, are Total 11.11 Acres WHEREAS, following review and analysis of the Application by Planning Board 8. The Planning Board accepts the recommendations of the Montgomery County e. satisfies the applicable requirements of Chapter 22A: required, except as modified by the above conditions of approval; and staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated August 31, 2020, setting forth its analysis of, and recommendation for approval of the Application, subject to certain conditions ("Staff Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its amended letter dated September 29, 2017 June 17, The planting requirements for Site Plan Amendment 82017013A previously provided 10.521 acres of the total mitigation requirement of 26.12 acres. With the 11.11 acres of afforestation provided by this Amendment, the This application includes amendments to FFCP 820170130, which BE IT FURTHER RESOLVED that having considered the recommendations ar MCPB No. 20-091 Site Plan No. 82017013B OCT 0 8 2020 ished forest conservation mitigation requirements for the entire Bloom findings of its Staff as presented at the hearing and set forth in the Staff Report, which 2020, and hereby incorporates them as conditions of approval. The Applicant MV development, including specific planting requirements associated with development of each of the six phases of the Site Plan, and Amendment must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Applicant will have provided a total of 21.631 acres of the total requirement of 26.12 acres. This will leave a forest conservation mitigation requirement the Planning Board hereby adopts and incorporates by reference (except as modified Forest Conservation Variance Bloom Montgomery Village Date of Hearing: October 1, 20 herein), and upon consideration of the entire record, the Planning Board FINDS, with WHEREAS, on October 1, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record 82017013A, which makes minor adjustments to the planting areas, and specifically identifies the planting areas that will be used to meet the Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for the conditions of approval, that: of 4.489 acres to be fulfilled by subsequent phases of the overall development as shown on the final forest conservation plan. 1. Unless specifically set forth herein, this Amendment does not alter the intent, planting requirements for Areas 4 and 5 of the development. This application, FFCP 82017013B, makes additional adjustments to planting 16. CERTIFIED SITE PLAN retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires Unless specifically set form herein, in a Amendmen does not diet the meets, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in Before approval of the Certified Site Plan, the following revisions must be made As shown in the list of planting areas, the required afforestation for WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning WHEREAS, at the hearing, the Planning Board voted to approve the Application areas, and identifies the planting areas to satisfy the forest conservation and/or information provided subject to Staff review and approval: a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section ubject to certain conditions, by the vote certified below. g. Correct the Mitigation/Afforestation Table percentages to agree with the minimum required afforestation percentages in Planning Board Resolution No. MCPB 17-111. mitigation requirements for development of Area 1, Area 3, and a portion of and 6. While Area 2 is not being developed at this time, it was a priority of the Forest Conservation Plan to get the stream buffers afforested as early as a. Satisfies any previous approval that applies to the site; The Site Plan Amendment conforms to all binding elements of the previously approved Preliminary Plan 120170150, Site Plan 820170130 and 82017013A. NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site 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, Plan No. 820170130B for minor revisions to the Montgomery Village Foundation Park; reallocation of units and MPDUs throughout the project; remove a duplex and possible in the development process in order to improve the water quality in The total forest conservation mitigation requirements for the Bloom MV development total 26.12 acres. Development Area 1 is supposed to provide 22.5% of the total mitigation requirement, or 5.88 acres. Development Area 3 h. Make certain that the acreages stated agree with the minimum afforestation 17-111, approved Site Plan No. 820170130, for 494 dwelling units including 68 MPDUs on 147 acres of CRN-0.5 C-0 R-0.5 H 65 or TLD zoned-land, located at the intersection percentages. Change the last column to show total planting area provided in Amendment 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 eplace with standard units; removal of units within dam breach limits; and provid of Montgomery Village Avenue and Stewartown Road ("Subject Property"), in the 2016 Change the last column to show total planning area provided in Americanien. A and Amendment concurrently. Add a note to the FFCP explaining the division of Development Area 6 into two phases, A and B, and noting the percentage of the developable area represented by each phase. Since Development Area VI B is stated to be 27 percent of the total of Development Area VI, Development Area VI A should There are some technical corrections that will be made prior to Certified Site d. Satisfies applicable use standards, development standards, and general requirements rest Conservation plan revisions, update of utilities, stormwater and grading by must provide 10% of the total mitigation requirement, or 2.61 acres. Montgomery Village Master Plan area; and Plan to ensure consistency of the mitigation and planting requirements in tables in the Site Plan Amendment. Additional notes will be added to the plan to make certain this information is clearly depicted. These corrections are designated as Federal or State rare, threatened, or endangered species. under this Chapter; The Site Plan Amendment includes reconfiguration of number of units to the Development Area 6 is supposed to provide 25.5% of the total mitigation requirement, or 6.66 acres. The Applicant has divided Development Area 6 adding and modifying the following conditions:1 WHEREAS, on November 8, 2019, the Planning Board approved an amendment Variance Request - The Applicant submitted a variance request in a letter entire project. These changes are shown in the tables below: to the Site Plan No. 820170130A (MCPB No. 19-122) to make changes to the previously approved site plan to the infrastructure and stormwater management modifications, nto two phases: Area 6B is to be developed under this Site Plan Amendment dated June 19, 2020, amending the original variance request approved with Preliminary Plan 120170150. The Applicant proposes to increase the are included in the conditions of approval The Planning Board accepts the recommendations of the Montgomery County and constitutes 27% of the developable area in Development Area 6. Department of Permitting Services-Right-of-Way (MCDPS-ROW) in its letter dated September 5, 2017 August 11, 2020, and hereby incorporates them as Therefore, the portion of the mitigation requirement that must be provided in this development application is 27% of 6.66 acres, or 1.80 acres. The total forest mitigation planting that must be provided for the three areas is 10.29 identify the conservation easement areas to meet Phase 1 afforestation requirem Provide updated architecture elevations for Area 6 front load units The Site Plan Amendment must continue to comply with all prior previously approved Critical Root Zone impacts to three (3) trees that are 30 inches or greater DBH, that are considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. make minor architecture and landscape revisions, and increase the percentage of MPDUs provided to 25% on the Subject Property; and requirements of FFCP 820170130 not modified by this Amendment. This includes meeting the minimum afforestation requirements for each Area as elevations. Provide safe and adequate sight distance for the revised parcel E access point conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS-ROW may amend if on sheet 25. Ensure all handicap ramps have receiving ramps and are aligned with them. Provide an updated lighting detail sheet. they come in for Site Plan approval. The minimum afforestation requirements for each Area, as specified in the Resolution for the original WHEREAS, on May 21, 2020, USL2MR Montgomery Village Business Trust the amendments do not conflict with other conditions of Site Plan approval. LLC, c/o Monument Realty ("Applicant") filed an application for approval of an FFCP amendment 82017013B proposes to fulfill the forest conservation Site Plan approval (MCPB No. 17-111) are: 7. RECREATION FACILITIES amendment to the previously approved site plan(s) to make minor revisions to the d. Prior to issuance of the building permit for the 150th residential unit, all amenities for the Montgomery Village Foundation Park must be completed except for the community garden. This includes, but is not limited to, the 18. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right of Way in its letter dated Area % of Total Afforestation Requirement the project; remove a duplex and replace with standard units; removal of units August 11, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the within dam breach limits; and provide Forest Conservation plan revisions, update of utilities, stormwater and grading on the Subject Property; and Area 1 22.5% dog park, tot lots, play area, and trail system. 981 White oak (Quercus 33" To be saved. CRZ impact increasing from 22.44% to 27.38%. Area 2 21.5% letter, which MCDPS may amend if the amendments do not conflict with other g. Prior to issuance of the 54th residential building permit in Area 2, the community garden in the Montgomery Village Foundation Park must be WHEREAS, the application to amend the site plan was designated Site Plan No. 82017013B, Bloom Montgomery Village ("Site Plan," "Amendment," or "Application"); Area 3 10.0% Unwarranted Hardship Basis Area 4 19.0% BE IT FURTHER RESOLVED that all other site plan conditions of approval for this project remain valid, unchanged and in full force and effect $\,$ Area 5 17.0% Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested trees in an undisturbed state would result in Area 6 25.5% ¹ For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner BE IT FURTHER RESOLVED that all site development elements shown on the unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, site conditions were discovered that require minor grading changes to accommodate the proposed development and infrastructure. The additional CRZ impacts are minor and should not affect BE IT FURTHER RESOLVED that any party authorized by law to take an The variance will not violate State water quality standards or administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules). cause measurable degradation in water quality. The three trees the ability to save the trees. Denying the variance would require significant changes to the site layout, even though no additional trees are being being disturbed will be retained and will continue to provide water quality benefits as before. Therefore, the project will not removed. Therefore, the Applicant has a sufficient unwarranted hardship t violate State water quality standards or cause measurable * * * * * * * * * * * degradation in water quality. CERTIFICATION Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as No mitigation is required for trees that are impacted but This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, appropriate, for a variance to be granted. The following determinations in the review of the variance request and the proposed forest conservation plan: County Arborist's Recommendation on the Variance - In accordance with Montgomery County Code Section 22A-21(Patterson, and Verma voting in favor at its regular meeting held on Thursday, October $\underline{Variance\ Findings}$ - The following determination based on the required findings that granting of the requested variance: the Planning Department is required to refer a copy of the variance request to the County Arborist in the Montgomery County Department of Environmental Protection for a 1. Will not confer on the applicant a special privilege that would be recommendation prior to acting on the request. The request was forwarded to the County Arborist on July 1, 2020. A response Granting the variance will not confer a special privilege on the Applicant as the disturbance of the three trees is due to the <u>Variance Recommendation</u> - The Planning Board approves the location of the trees and necessary grading changes. Th Therefore, the Site Plan Amendment continues to be in compliance with granting of this variance is not a special privilege that would be Chapter 22A, Forest Conservation, and in conformance with the 2. Is not based on conditions or circumstances which are the result All Other Findings All other findings remain in full force and effect. The requested variance is not based on conditions or ircumstances which are the result of actions by the Applicant. vidence of record, including maps, drawings, memoranda, correspondence, and other The requested variance is based upon the existing site BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided 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 existing conditions and not as a result of land or building use on a neighboring property. BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is OCI 082020 (which is the date that this resolution is mailed to all parties of 4. Will not violate State water quality standards or cause

Site Plan Amendment Resolution 82017013C

MONTGOMERY COUNTY PLANNING BOARD

MCPB No. 21-045 Site Plan No. 82017013C Bloom MV Date of Hearing: June 17, 2021

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning applications; and WHEREAS, on December 26, 2017¹, the Planning Board, by Resolution MCPB No. 17-111, approved Site Plan No. 820170130, for 494 dwelling units including 68 MPDUs on 147 acres of CRN-0.5 C-0.0 R-0.5 H-65 or TLD zoned-land, located at the intersection of Montgomery Village Avenue and Stewartown Road ("Subject Property") in the 2016 Montgomery Village Master Plan area; and

WHEREAS, on November 8, 2019, the Planning Board approved an amendment to Site Plan No. 82017013A (MCPB No. 19-122) to make changes to the previously pproved site plan to make infrastructure and stormwater management modification identify the conservation easement areas to meet Phase 1 afforestation requirements, make minor architecture and landscape revisions, and increase the percentage of MPDUs provided to 25% on the Subject Property; and WHEREAS, on October 8, 2020, the Planning Board approved an amendment to Site Plan No. 82017013B (MCPB No. 20-091) to make minor revisions to the Montgomery Village Foundation Park; reallocate units and MPDUs throughout the project; remove a duplex and replace with standard units; remove units with identification of the project Conceptation Plans in the project of the project

breach limits; and provide Forest Conservation Plan revisions, update of utilities, stormwater and grading on the Subject Property; and filed an application for approval of an amendment to the previously approved site plan(s) to adjust the percentage of MPDUs within Areas I and II to provide a minimum of 12.5% MPDUs in Area I and 25% MPDUs in Areas II-VI on the Subject Property; and ¹ This date was incorrect in Resolutions MCPB No. 19-122 and MCPB No. 20-091. 2425 Reedie Drive, 14th Floor, Wheaton, Maryland 20902 Phone: 301.495.4605 Fax: 301.495.1320

MCPB No. 21-045 Site Plan No. 82017013C Bloom MV Page 2

WHEREAS, the application to amend the site plan was designated Site Plan No. 82017013C, Bloom MV ("Site Plan," "Amendment," or "Application"); and WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the lanning Board, dated June 2, 2021 setting forth its analysis of, and recommendation WHEREAS, on June 17, 2021 the Planning Board held a public hearing on the on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain conditions, by the vote certified below. NOW. THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 82017013C to adjust the percentage of MPDUs within Areas I and II to provide 12.5% MPDUs in Area I and 25% MPDUs in Areas II-VI by adding the

 19. <u>Certified Site Plan Amendment 82017013C</u>
 Before approval of Certified Site Plan Amendment No. 82017013C:
 a. The parking count on Sheet SP-01 must be consistent with the parking count shown in the Planning Board Resolution, and an amendment triangle must be added to show that parking calculations have changed. b. The MPDU Phasing and Placement table on Sheet No. MPDU-100 must be modified to indicate that 25% MPDUs will be provided in Areas II-VI and 22% MPDUs will be provided for the entire project (Areas I-VI c. Show the limits of the Site Plan Amendment on Sheet No. SP-01. BE IT FURTHER RESOLVED that all other Site Plan conditions of approval for this Project remain valid, unchanged and in full force and effect; and

BE IT FURTHER RESOLVED that all site development elements shown on the atest electronic version of Bloom MV 82017013C submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above

For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner

MCPB No. 21-045 Site Plan No. 82017013C Bloom MV Page 3

BE IT FURTHER RESOLVED that having considered the recom findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modif herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that: Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved site plan as revised by previous amendments, and all findings not specifically addressed remain in

d. Satisfies applicable use standards, development standards, and general The Site Plan Amendment modifies the number of MPDUs in Areas I and II and adjusts the parking calculations to account for the replacement of 16 MPDUs with market rate units. MPDU townhouses require one parking space per unit and market-rate townhouses require two per unit, so the Amendment increases the total number of parking spaces from 863 to 879. The data table includes the

MCPB No. 21-045 Site Plan No. 82017013C Bloom MV

n/a n/a 15 n/a n/a 15 n/a n/a 70% n/a n/a 70%

MCPB No. 21-045 Site Plan No. 82017013C Bloom MV Page 5

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

CERTIFICATION This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, June 17, 2021, in Wheaton, Maryland.

Casey Anderson, Chair Montgomery County Planning Board

Approved as ω Legal Sufficiency: <u>/s/ Delisa Coleman</u> M-NCPPC Legal Departmen

Site Plan Amendment Resolution 82017013D

CURRENT APPROVAL SPACE

Provide a placeholder for the Resolution of the current proposed plan, to be added after Plan Approval

PREVIOUS APPROVALS

Provide Resolutions for any and all previous approvals, including previously approved amendemnts

SITE PLAN AMENDMENT 82017013D:

2. REVISE STEWARTOWN ROAD ALIGNMENT THROUGH PEPCO EASEMENT.

1. INCREASE OF OVERALL RESIDENTIAL UNITS FROM 494 TO A MAXIMUM OF 514.

- 3. COVERT UNIT TYPES & ADD UNITS TO AREA 2.
- 4. ROAD, UNIT & SWM LAYOUT REVISION TO AREA 3A.
- 5. RE-ALLOCATION OF UNITS, PER DAM BREACH UPDATE, & UTILITIES TO AREA 6A.
- 6. LENGTHEN ROAD TO CUL-DE-SAC IN AREA 6A. 7. MINOR REVISIONS FOR LANDSCAPE, LIGHTING & SITE UPDATES.
- 8. FINALIZE PLANTING AND CONSERVATION EASEMENTS IN PARK CONVEYANCE AREAS.

DEVELOPER'S CERTIFICATE The undersigned agrees to execute all the features of the Site Plan Approval No. ____82017013D___, including Approval Conditions, Development Program and Certified Site Plan.

Green Bloom MV Development LLC
Developer's Name: by Monument Realty LLC, its Authorized Agent Contact Person:

750 17th Street, NW, Suite 1100, Washington, DC 20006

DATE ISSUED: JULY 30, 2021 PROJECT VM1920T DRAWING

SHEET NO. SP-03B

LAYOUT: SP-03B, Plotted By: alomar

PLAN **APPROVALS**

BLOOM MV

AREA I-VI

9TH ELECTION DISTRICT

MONTGOMERY COUNTY,

WSSC GRID: 227NW09

TAX MAP: FU342

SP# 82017013D

MARYLAND

20251 Century Blvd., Suite 400

Our Site Set on the Future.

by MONUMENT REALTY

LLC, its Authorized Agent 750 17th STREET, NW, SUITE 1100

Germantown, MD 20874 301.916.4100 | vika.com

GREEN BLOOM MV

DEVELOPMENT LLC

WASHINGTON, DC 20006

DESIGN CONSULTANTS

1300 SPRING STREET, SUITE 400

LERCH, EARLY & BREWER

TORTI GALLAS AND

SILVER SPRING, MD 20910

7600 WISCONSIN AVENUE

BETHESDA, MD 20814

PARTNERS, INC

301.588.4800

CHTD.

SUITE 700

301.841.3832

301.448.1333

SUITF 400

301.916.4100 JOSH SLOAN

SUITE 400

301.916.4100

JEFF AMATEAU

CIVIL ENGINEER

KEVIN BERGER

PATRICIA HARRIS

TRAFFIC ENGINEER

WELLS + ASSOCIATES

SILVER SPRING, MD 20910

LANDSCAPE ARCHITECT VIKA MARYLAND, LLO 20251 CENTURY BOULEVARD

GERMANTOWN MD, 20874

VIKA MARYLAND, LLC

20251 CENTURY BOULEVARD

GERMANTOWN MD, 20874

8730 GEORGIA AVENUE, SUITE 200

ERIK J. AULESTIA

PREPARED FOR:

202.777.2010

RUSSELL HINES

AREA 5

PROFESSIONAL SEAL

PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER ENGINEER'S NAME: <u>JEFFREY B. AMATEAU, P.E</u>. LICENSE No.: 2051 DRAWINGS OR DOCUMENTS ARE PROPRIETARY TO VII

MARYLAND, LLC AND CONSTITUTE ITS PROPRIETARY INTELLECTUAL PROPERTY. THESE DRAWINGS AND/OR DOCUMENTS MUST NOT BE FORWARDED, SHARED FOR ANY PURPOSE, IN ANY FORMAT, WITHOUT PRIOR /IOLATIONS MAY RESULT IN PROSECUTION. ONLY APPROVED, SIGNED AND SEALED PLANS OR DRAWING MAY BE UTILIZED FOR CONSTRUCTION PURPOSES.

DRAWN BY: SG DESIGNED BY: LA