



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 18-031
Sketch Plan No. 320180080
Solera Reserve at Kensington
Date of Hearing: April 5, 2018

MAY 03 2018

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on October 23, 2017, SM Kensington Senior Living RE, LLC ("Applicant") filed an application for approval of a sketch plan for construction of up to 126,193.5 square feet of a mixed-use project including a senior housing building of up to 123,193.5 square feet of residential development and up to 3,000 square feet of non-residential uses on 1.93 acres of land, zoned CRT 1.5, C-1.5, R-1.5, H60, located in the southwest quadrant of the intersection of Metropolitan Avenue and St. Paul Street ("Subject Property") in the Kensington/Wheaton Policy Area and the 2012 *Kensington Sector Plan* area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320180080, Solera Reserve at Kensington ("Sketch Plan" 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 Planning Board, dated March 26, 2018 setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 5, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

Approved as to
Legal Sufficiency:

M-NCPPC Legal Department
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NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320180080, Solera Reserve at Kensington, for construction of up to 126,193.5 square feet of a mixed-use project including a senior housing building of up to 123,193.5 square feet of residential development and up to 3,000 square feet of non-residential uses on 1.93 acres of land, zoned CRT 1.5, C-1.5, R-1.5, H60 on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

1. Maximum density and height;
2. Approximate location of public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 126,193.5 square feet of development, including up to 123,193.5 square feet of senior housing residential uses and up to 3,000 square feet of non-residential uses. While the maximum number of units will be determined at Preliminary Plan, the proposed number of units and use mix of 135 total units or 142 beds is as follows:

- Independent Living: Approximately 66 of the projected 135 total units will be allocated to independent living units. The Project will provide a minimum of 15% of the independent living units as Moderately Priced Dwelling Units ("MPDUs");
- Assisted Living: Approximately 45 of the projected 135 total units will be allocated to assisted living units (or 50 beds) and will be provided on the 2nd and 3rd floors of the proposed building; and
- Memory Care: Approximately 24 memory care units (or 26 beds) will be located on the 3rd floor, in a separate memory care wing.

2. Height

The development is limited to a maximum height of 60 feet, as specified in the Zoning Ordinance.

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

3. Incentive Density

The Applicant must construct the development with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Since the Applicant is proposing to provide a minimum of 15% MPDUs, the total points must equal at least 50 and be chosen from at least two categories per Sections 59.4.5.4.A.2. and 59.4.7.3.D.6.a.v. The requirements of Division 59.4.7. and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Transit Proximity, achieved through location abutting/confronting an existing Level 3 MARC Station;
- b. Connectivity and Mobility, achieved through providing minimum parking;
- c. Diversity of Uses and Activities, achieved through enhanced accessibility for the disabled and affordable housing;
- d. Quality of Building and Site Design, achieved through structured parking; and
- e. Building Reuse, achieved through the adaptive reuse of two existing historic structures.

4. Building Design

At the time of Site Plan submission, the Applicant must address the following elements of building design:

- a. Retain the historic signage structure at the Metropolitan Avenue and St. Paul Street intersection;
- b. St. Paul Street façade:
 - i. Integrate the historic structures seamlessly to the five-story proposed building footprint;
 - ii. Respect the character of the existing historic structures;
 - iii. Address issues of scale when incorporating the rehabilitation of the historic buildings to the 5-story proposed building.
- c. Metropolitan Avenue façade:
 - i. Design the building façade above the base to minimize perceived mass along Metropolitan Avenue;
 - ii. Embrace Metropolitan Avenue by providing a building façade that activates and contributes to the architectural elements and pedestrian connections of the historic context of the corridor.

5. Historic Preservation

The Applicant must continue to coordinate the proposal for the adaptive reuse of the two historic structures for review by the Historic Preservation Commission (HPC), prior to the Planning Board's consideration of the Site Plan. The HPC is concerned with the current design and desires more suitable architectural treatments toward respecting the historic fabric of the existing historic structures,

as well as better integrating design reverence if linking the proposed 5-story building.

6. Public Open Space

Per Section 59.4.5.4 Optional Method Development, the property has a tract area between 1.01 to 3.00 acres with 2 right-of-way frontages which requires 5% of the site to be dedicated for Open Space. The general location and amount provided must conform to the latest electronic version of the Sketch Plan, as of the date of this Staff Report, submitted via ePlans. The final amount of the open space will be determined at Site Plan.

7. Streetscape

The Applicant must adhere to the Kensington Sector Plan Design Guidelines, including evaluating the feasibility of undergrounding of utilities, along the Property frontages, including Metropolitan Avenue and St. Paul Street.

8. Landscape

The Applicant must develop, provide, install and maintain an integrated Landscape Plan at the time of Site Plan submission that is coordinated with other associated site conditions as well as shall provide the following:

- a. Landscaping shall include plantings, shrubs, groundcover for the east-west pedestrian connection along Metropolitan Avenue, and north-south along St. Paul Street;
- b. Ensure positive drainage in all planted areas;
- c. Provide detail, section and plan drawings of tree wells showing proposed plantings and associated materials, adjacent curb/pavement construction, including edge restraint system, dimensions, drainage, and coordination with signage and site utilities;
- d. Provide detail sections showing above and below grade conditions for plantings above structure; and
- e. Provide planting details for all proposed conditions including street trees, multi-trunk trees, shrubs, perennials, and groundcovers.

9. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 15% of the Independent Living units as MPDUs on the Subject Property, and the MPDUs must be provided in accordance with Chapter 25A.

10. Noise Mitigation

Noise analysis to determine appropriate noise mitigation for noise generated by the CSX railroad adjacent to the site at Preliminary Plan.

11. Future Coordination for Preliminary and Site Plan

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan:

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- d. Determine whether dedication has occurred for St. Paul Street, and work with Staff to determine if any additional dedication is required at Preliminary Plan;
- e. Submit a draft Traffic Mitigation Agreement at Preliminary Plan;
- f. Provide the 8-foot wide shared-use path along the Metropolitan Avenue frontage;
- g. Coordinate with the Maryland State Highway Administration (SHA) regarding the proposed curb cut from Metropolitan Avenue (MD-192) for the garage access point, to assure adequate spacing between curb cuts for the drop-off/pick-up loop exist;
- h. Architectural design for the connection between the historic structures that will be rehabilitated as part of the project, including additional review by the Historic Preservation Commission prior to submittal of the Site Plan;
- i. Vehicular and truck/loading circulation;
- j. Pedestrian crosswalks and ADA-compliant connections onsite; and
- k. Determine required number of inverted-U bike racks (or equivalent as approved by the Planning Board Staff) for short-term bicycle parking spaces located in a well-lit area near the main entrance and the required number of bike lockers (or an alternative bike room) for long-term bicycle parking spaces in a safe and convenient location at Site Plan.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and 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 modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 1.93 acres zoned CRT 1.5, C-1.5, R-1.5, H-60. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

Sketch Plan Data Table			
Section	Development Standard	Permitted/ Required	Approved
59.4	Gross Tract Area per Zone CRT 1.5 C-1.5 R-1.5 H-60	n/a	84,129 sf (1.93 ac)
	Prior Dedications	n/a	11,089 sf (0.25 ac)
	Approved Dedication	n/a	4,043 sf (0.09 ac)
	Net Lot Area	n/a	68,997 sf (1.58 ac)
	Commercial Density (GFA/FAR) CRT 1.5 C-1.5 R-1.5 H-60	126,193.5 sf (1.5 FAR)	3,000 sf (0.04 FAR)
	Residential Density (GFA/ FAR) CRT 1.5 C-1.5 R-1.5 H-60	126,193.5 sf (1.5 FAR)	123,193.5 sf (1.5 FAR)
	Total FAR/GFA	126,193.5 sf (1.5 FAR)	126,193.5 sf (1.5 FAR)
	Building Height	60 feet	60 feet
	Public Open Space (min)	5% (3,450 sf)	5% (3,450 sf)
	Minimum Setbacks	n/a	0
	Public Benefit Points and Categories		
	Points	50	71
	Categories	2	5
	Moderately Priced Dwelling Units (MPDUs)	12.5%	15%
	1. Mix of Uses will be determined at Site Plan, but will not exceed the maximum FAR permitted for Commercial Uses (1.5 FAR) and Residential Uses (1.5 FAR). 2. Final amount of Public Open Space will be determined at Site Plan as appropriate. 3. The Illustrative Right of way dedication area and the Total Site area for Public Open Space Public Benefit Point Calculation shown are illustrative for Public Benefit Point calculation only. Final layout will be determined at Site Plan.		

The Application will provide the minimum required number of bicycle parking spaces within the building, which will be determined at the time of Site Plan.

The Sketch Plan conforms to the intent of the CR zone as described below.

a) *Implement the recommendations of applicable master plans.*

The Sketch Plan substantially conforms to the recommendations for the Subject Property included in the 2012 *Kensington Sector Plan*. The Subject Property is within the portion of the Kensington Sector Plan described as The Crafts/Services District which includes the West Howard Antiques District and service industrial activities on the south side of Metropolitan Avenue. The 6.2-acre area located on the south side of Metropolitan Avenue and east of the intersection of Metropolitan Avenue and Plyers Mill Road is furthermore described within the CS-1, CS-2 Zone for Konterra and Metropolitan Avenue South.

The Sector Plan proposes to preserve the character of this district. Aesthetic and environmental improvements should enhance the area's look and function without compromising its eclectic nature. The portion of this district on the south side of Metropolitan Avenue is recommended for the CRT Zone, with total maximum FARs of 1.5. It furthermore recommends a height of 60 feet with the option to explore going up to 75 feet on the Konterra property if the additional height can be provided in a manner compatible with surrounding uses and if public amenities are provided that exceed the requirements of the CRT Zone, to the extent practicable.

The Sketch plan, as conditioned, is consistent with the recommended zone and height requirements for the area as envisioned by the Sector Plan. The development provides a mix of residential possibilities (with final unit count and unit mix to be determined at Site Plan) with 15% on-site MPDUs and up to 3,000 square feet of non-residential uses. The Sketch Plan is also consistent with the recommendation of revitalization to this area, while incorporating additional open space and best management practices for stormwater management.

The Sketch Plan is in substantial conformance with the 2012 *Kensington Sector Plan*.

b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Sketch Plan will redevelop the existing underutilized Subject Property with a mixed-use building with residential and ground-floor retail uses, providing a much-needed transformation of the Subject Property. The Sketch Plan meets the objective of this finding.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Sketch Plan encourages such development by proposing a variety of levels of independent and assisted senior living options, including market-rate residential units as well as 15% MPDUs. The Sketch Plan facilitates improved pedestrian, bicycle, and vehicular movement, is located near the Kensington MARC Station and bus service, and improves the streetscape along its two frontages. The Sketch Plan provides for a public open space amenity and gathering space at the intersection of Metropolitan Avenue and St. Paul Street. Perpendicular parking is proposed along St. Paul Street, which dead-ends at the CSX railroad tracks, to serve the proposed retail uses. However, further analysis of the proposed parking will occur during subsequent Preliminary Plan and Site Plan reviews.

- d) *Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The Sketch Plan will provide activating ground-floor uses in the form of retail along the St. Paul Street frontage and needed residential uses with height and density compatible with the existing neighborhood and the Sector Plan recommended character of the Crafts/Services District.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

The Solera Reserve at Kensington provides much needed senior housing at a variety of different levels of care, including MPDUs, in the County. Employment opportunities within the development may be found within the proposed 3,000 square feet of retail/service space on the ground floor, and in the many other businesses in the immediate vicinity. As proposed, the Sketch Plan provides additional employment and housing opportunities, as recommended in the Sector Plan.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The Sketch Plan will provide the required public benefits from a minimum of two categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

2. *The Sketch Plan substantially conforms to the recommendations of the 2012 Kensington Sector Plan.*

As discussed in Finding 1.a. above, the Sketch Plan substantially conforms with the recommendations of the 2012 *Kensington Sector Plan*. The Sketch Plan will increase the supply of housing to serve a variety of levels of care for seniors and income levels, redevelop an under-utilized property, improve the visual quality and architectural character of the immediate area, and provide streetscape improvements that improve the safety and character of the existing streets.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Sector Plan envisions a reinvigorated, pedestrian-oriented, and safe mixed-use Town Center that respects and builds on Kensington's historic character and modest scale, with active streets, new public spaces, well-designed buildings, and enhanced streetscape. The Sketch Plan proposes design objectives that address this vision as the Applicant continues to work toward reaching the various goals of height, density, diversity of housing, architectural reverence to the historic district, and integral open space that benefit both the residents and the community of Kensington. Thus, the building design is compatible in height and scale with the existing nearby development.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Sketch Plan appropriately locates activating pedestrian realm near the intersection of Metropolitan Avenue and St. Paul Street, including the residential entrance, the public open space, and streetscaping inspired by the historic context of Metropolitan Avenue. The Planning Board has concerns with the vehicular loading access off St. Paul Street, which will be further analyzed at

Preliminary Plan and Site Plan review. The amount and location of long- and short-term bicycle parking will be determined at Site Plan.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 50 public benefit points in two categories rather than three. When a project proposes a minimum of 15 percent MPDUs, one less benefit category than required under Section 4.5.4.A.2 and Section 4.6.4.A.2 must be satisfied. Although at the time of Sketch Plan review only the categories need be approved, Table 2 demonstrates both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Section #	Benefit Categories	Points Allowed	Points Recommended
59-4.7.3B: Transit Proximity			
B1	Transit Proximity	25	5
59-4.7.3C: Connectivity and Mobility			
C.2	Minimum Parking	10	6
59-4.7.3D: Diversity of Uses and Activities			
D.4	Enhanced Accessibility for the Disabled	20	10
D.6	Moderately Priced Dwelling Units	12 pts per 1% MPDUs	30
59-4.7.3E: Quality Building and Site Design			
E.6	Structured Parking	20	18
59-4.7.3G: Building Reuse			
G.1	Building Reuse	100	2
Total			71

Transit Proximity

The Applicant requests 5 points for proximity to a MARC Train Station, a Level 3 transit facility, as a confronting property across St. Paul Street right-of-way from transit. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

Connectivity and Mobility

Minimum Parking: The Applicant requests 6 points for providing approximately 103 parking spaces on-site, which is more than the minimum (e.g. 88 parking spaces), but less than the maximum (e.g. 136 parking spaces) number of parking spaces required. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on site. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

Diversity of Uses and Activities

Enhanced Accessibility for Seniors or the Disabled: The Applicant requests 10 points for ensuring that a minimum of 3% of the living units will meet American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

Moderately Priced Dwelling Units: The Applicant is requesting 30 points for providing a minimum of 15% of the independent living units as MPDUs, thereby exceeding the minimum percentage of MPDUs required (e.g. 12.5%), per the following equation of 12 pts per 1% MPDUs. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

Quality Building and Site Design

Structured Parking: The Applicant is requesting 18 points for providing parking on-site in a below-grade structured parking garage. Of the 103 parking spaces proposed, 93 will be located in the structured parking garage, and the points are calculated per the following equation: $[(A/T)*10]+[(B/T)*20]$. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

Building Re-Use

The Applicant requests 2 points by the adaptive re-use of the two historic structures located along St. Paul Street per the following formula: $(R/I)*100$. The Applicant has stated that a minimum of 75% of the structure system of

the building will be retained, and that an architectural deconstruction company will be used to remove reusable and recyclable materials before any demolition. The Planning Board supports the Applicant's request at this time, with final calculations and points determined at the time of Site Plan.

7. *The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Project will be built in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the 2012 *Kensington Sector Plan*, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Solera Reserve at Kensington, Sketch Plan No. 320180080 received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is ~~MAY 03 2018~~ (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, April 26, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board