



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

MCPB No. 17-011  
Sketch Plan No. 320170010  
Westwood Shopping Center  
Date of Hearing: February 23, 2017

APR 26 2017

**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 July 11, 2016, Equity One (Northeast Portfolio), Inc., (“Applicant”) filed an application for approval of a sketch plan for construction of up to 1,800,000 square feet total development (existing and proposed) with up to 1,290,000 square feet of residential uses, not including square footage of moderately priced dwelling units (“MPDUs”), and up to 510,000 square feet of non-residential uses; on 25.54 gross acres of CRT zoned-land, located on Westbard Avenue in the southwest quadrant of the intersection with River Road (MD 190) and Ridgfield Road (“Subject Property”) in the Westbard Sector Plan area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320170010, Westwood Shopping Center; 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 February 10, 2017, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, due to the need for additional information concerning a historic burial site, the Staff did not analyze and asked the Planning Board not to act on the location of buildings or extent of dedication in the area of the HOC site (also referred to as the Westwood Towers site);

WHEREAS, on February 23, 2017, 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

Approved as to  
Legal Sufficiency: 

M-NCPPC Legal Department

8787 Georgia Avenue, Silver Spring, Maryland 20910 Chairman’s Office: 301.495.4605 Fax: 301.495.1320

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WHEREAS, on February 23, 2017, the Planning Board voted to approve the Application, subject to certain binding elements and conditions, on the motion of Commissioner Fani-Gonzalez, seconded by Commissioner Wells-Harley, by a vote of 4-0; Commissioners Anderson, Cichy, Fani-Gonzalez and Wells-Harley voting in favor, and Commissioner Dreyfuss absent;

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320170010, Westwood Shopping Center, for construction of up to 1,800,000 square feet of total development<sup>1</sup> (existing and proposed) with up to 1,290,000 square feet of residential uses, not including square footage of MPDUs, and up to 510,000 square feet of non-residential uses on the Subject Property, subject to the following binding elements and conditions:<sup>2</sup>

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 lots and 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 and subject to refinement at the time of Preliminary Plan and Site Plan.

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

1) Density

- a. The Sketch Plan is limited to a maximum total density of 1,800,000 square feet with up to 1,290,000 square feet of residential uses, which reflects the exemption of the gross floor area of all MPDUS on a project providing a minimum of 15 percent Moderately Priced Dwelling Units (MPDUs), and up to 510,000 square feet of non-residential uses. The maximum number and distribution of residential dwelling units and amount of non-residential uses will be determined at Preliminary Plan and Site Plan.
- b. A Sketch Plan Amendment is required for the HOC/Westwood Towers site (site 4a and 4b in the Sector Plan) specifically to incorporate any recommendations of the archeological assessment, address building massing and placement, access, dedication and improvements within the Willett

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<sup>1</sup> This amount includes buildings that the Applicant proposed to build on the HOC site. When the Applicant files a sketch plan amendment for the HOC site, as required by this resolution, the total square footage may be reduced.

<sup>2</sup> 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.

Branch Greenway. The Applicant may not proceed with the preliminary plan for any portion of the property under the Application until this sketch plan amendment is approved.

2) Height

Proposed buildings illustrated on the Sketch Plan are limited to the maximum heights for the following properties, not including any additional height needed to accommodate Moderately Priced Dwelling Units pursuant to Chapter 59, Section 4.7.3 of the Montgomery County Zoning Ordinance:

- a. Westwood I: Commercial Buildings limited to a maximum height of 60 feet; Residential buildings limited to a maximum height of 60 feet;
- b. Westwood II: Limited to a maximum height of 75 feet;
- c. Manor Care: Limited to a maximum height of 45 feet;
- d. Westwood Towers: Buildings along Westbard Avenue in front of the existing HOC building limited to a maximum height of 75 feet; Buildings on the side and rear of the existing HOC building, north and east respectively, are limited to a maximum height of 70 feet as measured from the base of the building facing the Willett Branch;
- e. Bowlmor: Limited to a maximum height of 110 feet.

3) Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 50 and must be chosen from at least three categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan.

- a. Major Public Facility: Achieved through the following facilities: 1) by providing an interior community use space at the Westwood Shopping Center site; 2) dedication of portions of the Willett Branch Greenway; and 3) through the realignment and dedication of the Westbard Avenue/Ridgefield Road intersection;
- b. Connectivity and Mobility: Achieved through wayfinding, Bikeshare Stations, connection from Westbard Avenue to the Willett Branch, and Private Shuttle Service to Metro;
- c. Quality of Building and Site Design: Achieved through exceptional design and structured parking;
- d. Diversity of Uses and Activities: Achieved through the provision of Moderately Priced Dwelling Units throughout the Property; and
- e. Small Business Opportunities: Achieved through the provision of on-site space for small, neighborhood-oriented businesses in the commercial center on the Westwood I area of the Sketch Plan. In order to achieve the 20

points listed on the Public Benefits Table, SK2.1, Applicant must show the conceptual layout and location of proposed retail spaces and provide a narrative, per the Incentive Density Implementation Guidelines, page 32 at the time of Site Plan for this site.

**4) Design, Building Form, and Environmental Improvements**

**a. Manor Care Site:**

- i) Facades of the townhouse units along River Road must be predominantly masonry or similar high quality material to be evaluated at time of site plan for this site. Townhouse units should be facing Westbard Avenue and re-aligned Ridgefield Road and should contain the same building material proposed along River Road.
- ii) The alley system serving the townhouses must include a circulation system that results in an internal loop and not a dead-end turnaround for vehicles.
- iii) No lots or units can be located in the stream valley buffer directly behind the existing single-family lot at 5507 Westbard Avenue, Lot number 4. No additional structures will be permitted behind the existing single-family homes between Westbard Avenue and River Road. Limited encroachment of the existing stream valley buffer will be permitted for the construction of townhouse units along River Road at the time of Preliminary Plan with the final location to be determined at Site Plan.
- iv) The Applicant must make the following environmental enhancements including demolition and deconstruction of the linear parking lot, stream stabilization, invasive species removal, and re/afforestation. SHA coordination for work in the adjacent right-of-way will be needed.

**b. Westwood I site: Townhouses perpendicular to Street 'A'**

At the time of Preliminary and/or Site Plan, as applicable, the Applicant must address the following issues to ensure compatibility with surrounding uses:

- i. At Preliminary Plan and Site Plan, redesign buildings into shorter strings to provide appearance comparable to the larger homes in the adjacent single family neighborhoods.
- ii. Buildings along Street A must have doors along that street.
- iii. No garage doors may face onto Street A.
- iv. The Applicant must provide space for buffer strips to accommodate stormwater management features recommended in Sector Plan.
- v. Any new development should make efforts to preserve the large trees along the entrance driveway to the Kenwood Place condominium and the property boundary between the condominium and Westwood Shopping Center.

5) Moderately Priced Dwelling Units (MPDUs)

- a. The Applicant must provide a minimum of 15 percent MPDUs on-site for the entire Property in accordance with Chapter 25A.
- b. If the Housing Opportunities Commission (HOC) purchases site 4a or 4b, any new building constructed on such land must provide a minimum of 30 percent affordable housing units.
- c. Additional height for each residential building may be granted to the residential sites providing at least 15 percent MPDUs pursuant to Section 59.4.7.3 of the Montgomery County Zoning Ordinance.
- d. With the exception of those sites not requesting additional height for the MPDUS, the affordable housing units must be evenly distributed throughout the entire Property and must include the minimum 15 percent within each residential site. Modest variations in the percentage of MPDUs among the parcels containing townhouses (Manor Care and Westwood I) in accordance with the Sector Plan and in consultation with the Department of Housing and Community Affairs (DHCA).

6) Cemetery Delineation and Archeological Assessment

- a. The Applicant must perform an archeological assessment to determine if human remains exist on Parcel 175 due to the possibility of a former cemetery on that location, as described below:
  - i. The Assessment must include a Geophysical Survey, using ground-penetrating radar.
  - ii. The Assessment must be conducted by a 36 CFR 61 Qualified Professional Archaeologist or team experienced both in the use of ground penetrating radar and mechanical soil stripping and in African American burial practices to investigate potential unmarked grave locations.
  - iii. The Assessment must engage the descendant/historic community, including the River Road African Community.
  - iv. The Assessment must be in compliance with the approved Maryland State Guidelines for Archaeological Investigations.
  - v. The Assessment must include information on whether or not human remains exist in tested areas and provide recommendations pursuant to applicable Maryland laws.
  - vi. The Assessment must be completed prior to the hearing date for the Sketch Plan Amendment for the portion of property covering parcel 175 and the Preliminary Plan.
- b. Based on the outcome of the Assessment, Staff may recommend adjustments to the area of dedication shown on the Sketch Plan and design for the Willett

Branch on Parcel 175 as part of the Preliminary Plan or Site Plan for this site, as applicable.

**7) Public Open Space**

- a. **Civic Green at Westwood Shopping Center:** The Applicant must construct a Civic Green, no less than 1/3 of an acre – not including street right-of-way, along the west side of Westbard Avenue at the Westwood Shopping Center site. This site will be privately owned and maintained. The exact shape, location and design will be determined at Site Plan in conformance with the specific Sector Plan recommendations.
- b. **Streets on Westwood Shopping Center Site:** The Applicant must provide streetscape on the new streets at time of Preliminary Plan(s) according to the Westbard Sector Plan.
- c. **The Applicant must provide shade trees to implement a 50 percent canopy goal for all public and private road right-of-way and surface parking lots.**

**8) Public Parks Dedication**

- a. **Springfield Neighborhood Green Park:** The Applicant must dedicate, design, and construct a Neighborhood Green Urban Park, approximately ½ acre but no less than a 1/3 of an acre in size – not including sidewalks and streets.
- b. **Willett Branch Greenway (“Willett Branch” or “Greenway”)**  
All proposals and conditions regarding the dedication, design and construction of the Willett Branch Greenway in portions other than Westwood II will be addressed as part of the future Sketch Plan Amendment.
- c. **Westwood II Site**  
At the location referred to as the Westwood II site (Building 5), the Applicant must, in coordination with M-NCPPC Parks Department and under a Park Construction Permit, design and construct the Willett Branch Greenway between River Road and the American Plant Food culvert within the dedicated Parkland as described above. As part of the construction of the Greenway, the following conditions must be met:
  - i. **The Willett Branch stream channel must be removed from the existing concrete culvert and directed into a more natural channel. The channel bottom must contain rough natural materials to the extent possible given the site constraints.**
  - ii. **The elevation and alignment of the reconstructed channel must work with both the existing American Plant Food culvert downstream and a future naturalized condition of the Willett Branch that currently runs**

- under that culvert without the need for a significant reconstruction of this section.
- iii. The Willett Branch stream channel must be contained within terraced walls that allow for native vegetation to exist along the channel.
  - iv. The face of the wall across the stream below the Kenwood Office building property shall be reconstructed with stonework to match the newly constructed terraced walls on the Westwood II side of the stream.
  - v. A rock cascade feature must be constructed near where the Manor Care/ Kenwood tributary enters Willett Branch. Final location of the rock cascade to be determined at Site Plan.
  - vi. A 10'-wide hard surface trail must be constructed above the right stream bank. The trail must tie into the realigned Westbard Avenue streetscape and allow for future continuation across the American Plant Food property to connect to the remainder of the Greenway trail.
  - vii. Native landscaping must be designed and installed to enhance the Park setting and provide environmental uplift.
- d. HOC (also referred to as "Westwood Towers") Site  
In coordination with M-NCPPC Staff, the following considerations must be evaluated as part of a future Sketch Plan Amendment:
- i. After completion of the archeological assessment, the Applicant must dedicate property for the naturalization of the Willett Branch Greenway.
  - ii. After completion of the archeological assessment the Applicant must provide a phasing plan to be applied with future applications on this portion of the site to include: removal of all pavement, retaining walls, and other infrastructure except for the concrete channel (to be removed by Parks at a later date) from the land to be dedicated.
  - iii. Provision of temporary access from Westbard Avenue to the existing HOC bridge.
  - iv. Provision of a permanent paved pedestrian connection from Westbard Avenue between Westbard Towers and the HOC building and extending into the Greenway.
  - v. A contribution toward the naturalization of the Willett Branch to be applied directly to the naturalization of the Willett Branch Greenway through a Capital Improvement Program.
  - vi. Appropriate maintenance access for all properties abutting areas of future Park Dedication, where reasonable. Locations and maintenance agreements must be identified at the time of Preliminary Plan review and finalized in detail at Site Plan.

9) Westbard Re-alignment, Street B-1

- a. The Applicant must participate in implementation of the master planned realignment of Westbard Avenue, as specified in the 2016 Westbard Sector Plan. The final roadway design and Applicant's role in implementation will be determined at the time of Preliminary Plan, in coordination with the Montgomery County Department of Transportation (MCDOT), Montgomery County Department of Permitting Services and the Maryland State Highway Administration, as applicable, and must address the letter dated September 21, 2016 from MCDOT.
- b. Westbard Streetscape Upgrade: The Applicant must show streetscape upgrades on Westbard Avenue at time of Preliminary plan(s) in accordance with the Westbard Sector Plan and Montgomery County Department of Transportation standards.

10) Vehicular/Pedestrian connection through American Plant Food /Roof Center site

The Preliminary Plan must show a curb cut on Westbard Avenue for future vehicular/pedestrian connection between Westbard Avenue and River Road.

11) Contribution to Willett Branch

The Applicant must provide a contribution toward the naturalization of the Willett Branch, the exact amount of which, and timing for contribution will be determined at Preliminary Plan. The Planning Board must apply any such financial contribution to the naturalization of the Willett Branch Greenway through a Capital Improvement Program.

12) Future Coordination for Preliminary Plan(s) and Site Plan(s)

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

- a. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- b. Add the Westbard Avenue/Ridgefield Road realignment and the dedication and contribution toward the Willett Branch naturalization to the public benefits as a major public facility;
- c. Financial contribution towards the implementation of the Willett Branch Greenway;
- d. Corrective Map Amendment to address changes in zoning boundaries that result from the realignment of Westbard Avenue.
- e. Fire and Rescue access and facility details;
- f. Streetscape details;
- g. Implementation of transportation improvements;



- h. Provide the separated bicycle facility on Westbard Avenue, as recommended in the Sector Plan;
- i. Necessary abandonment and right-of-way dedication for the Westbard Avenue re-alignment at River Road.
- j. Provide transportation mitigation strategies as determined at the time of Preliminary Plan(s) and Site Plan(s), to include a privately operated shuttle;
- k. Location of two bike share facilities;
- l. A noise analysis to be required at Site Plan submission which identifies the current and 20-year projected noise contours and implementation of any required mitigation for residential units; and
- m. Provide a canopy exhibit at time of Preliminary and Site Plan submission, demonstrating appropriate soil volumes and other necessary elements for meeting the Sector Plan canopy goals.

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, with the exception of the portion covering the HOC Site, are appropriate in concept and appropriate for further review at site plan and that:

1. *Further review of the HOC site and its surroundings is necessary before the Planning Board acts on the location of any buildings and the extent of dedication for the Willet Branch greenway.*

This resolution does not approve the location of any buildings on the HOC site. Nor does it address the extent of the dedication for the Willet Branch greenway abutting the HOC site that will be required. The Applicant cannot move forward with preliminary or site plan approvals for the HOC site – or any other part of the proposed development<sup>3</sup> – until it obtains approval of a site plan amendment for the HOC site. This sketch plan amendment cannot be reviewed until there is additional information regarding the historic burial site in the vicinity of the HOC site.

During the Westbard Sector Plan, the Planning Department brought to light evidence of an African-American cemetery located in the area of the HOC site. The

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<sup>3</sup> Depending on the progress of the archaeological study of the HOC site, the Planning Board may revisit the limitation on reviews on other parts of the proposed development proceeding.

historic burial site was the topic of intense public interest leading up to, and during, the hearing on the Application. Members of the public, including representatives of the Macedonia Baptist Church, argued that this site should be off limits from development and further that the site should be the location of a memorial or museum to the cemetery and the African-American community that once surrounded it.

The Planning Board appreciates the concerns that have been raised about the burial site, and agrees with the Planning Department that more information about the HOC site is needed before deciding what may be allowed or required on the HOC site. The archaeological investigation recommended by the Planning Department and required as a condition of this resolution is an important step in this process and will inform plan reviews moving forward.

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

a. Objectives of the CRT zone.

The Project will redevelop the existing low-density commercial shopping centers and associated surface parking, along with a multi-phased commercial and residential development. The two to three-story shopping center will replace the existing Giant Food store with a new grocery store and ancillary commercial retail stores to compliment the center. As a transition to the Kenwood Place garden apartments, the application proposes to include townhouse units that will be compatible in use, height and mass. The Westwood II building is proposed to be a higher-density mixed-use development with underground parking to maximize development while constructing a portion of the Willett Branch greenway from River Road to the American Plant Food site. Opposite the realigned Westbard Avenue at the location of the former Manor Care site, the Application proposes to incorporate single-family attached housing and removing surface parking to provide for new planting and other environmental enhancements. The Project proposes and encourages retail, residential units, service, office uses, and public open space.

The Project will offer diverse multi-family units and possible townhouses units targeted to a wide variety of incomes, including MPDUs, near existing transit, retail services, employment centers, and recreational amenities. The development will include a new Central Civic Green and construct a network of streets on the Westwood Shopping Center site, the ownership of which will be determined at the time of preliminary plan approval. The proposed non-residential uses (retail and/or office) on the ground floor provide commercial services for the residents and surrounding neighborhood.

As conditioned the Project will provide a mix of uses on-site, including a significant amount of new residential development, ground floor retail and possible office uses. The heights and densities proposed by the Project are compatible with the desired character of the Westbard area and will provide appropriate transitions to the surrounding residential communities. Further evaluation of the HOC/Westwood Towers site will be required as part of a Sketch Plan Amendment once the archeological study/cemetery delineation is completed.

As recommended in the Sector Plan, the Project provides a substantial amount of new residential development through a variety of housing options with both market-rate units and MPDUs. The Project also provides new ground-floor retail, as well as possible office uses to create a mixed-use development.

The Project will provide the required public benefits from a minimum of three categories to achieve the desired incentive density above the standard method limit.

b. Use Standards

The proposed residential and non-residential uses are allowed under the CRT zone.

c. Development Standards

The Sketch Plan meets the development standards of Section 59-4.5, as shown in the Data Table below.

Section 59 - 4	Development Standard	Permitted/ Required	Approved <sup>4</sup>
	<b>Gross Tract Area (sf)</b>		
	Manor Care		117,033
	Westwood II		127,280
	Westwood Towers (HOC Parcels P238, P240, P175)		151,718
	Westwood Towers (HOC p/o Parcel B)		46,768
	Bowlmor		125,481
	Westwood I		540,524
	<b>TOTAL</b>		<b>1,108,804</b>

<sup>4</sup> The square footages listed in this table include buildings proposed for the HOC site, which has been excluded from review for most purposes, including building location and massing. This table merely reflects that those buildings are within the maximum FAR allowed by zoning. As noted above, when the Applicant files a sketch plan amendment for this site, as required by this resolution, the total square footage may be reduced.

**Data Table**

	<b>Gross Tract Area (sf)</b>		<b>1,108,804</b>
	<b>Area Dedicated to Public Use (sf)</b>		<b>73,514</b>
	<b>Area Previously Dedicated to Public Use (sf)</b>		<b>132,945</b>
	<b>Total Net Lot Area of Sketch Plan (sf)</b>		<b>902,345</b>
<b>4.5.4.B.2.b</b>	<b>Density</b>		
	Manor Care		
	Commercial FAR/GFA	0.25/29,258	
	Residential FAR/GFA	1.0/117,033	
	Westwood II		
	Commercial FAR/GFA	0.5/63,640	
	Residential FAR/GFA	1.5/190,920	
	Westwood Towers (HOC Parcels P238, P240, P175)		
	Commercial FAR/GFA	0.5/75,859	
	Residential FAR/GFA	3.0/455,154	
	Westwood Towers (HOC p/o Parcel B)		
	Commercial FAR/GFA	0.5/23,384	
	Residential FAR/GFA	2.0/93,536	
	Bowlmor		
	Commercial FAR/GFA	0.5/62,741	
	Residential FAR/GFA	2.0/250,962	
	Westwood I		
	Commercial FAR/GFA	0.75/405,393	
	Residential FAR/GFA	1.25/675,655	
	<b>TOTAL FAR/GFA<sup>1</sup></b>	<b>0.6/660,275</b>	<b>0.46/510,000</b>
	<b>Commercial FAR/GFA</b>	<b>1.61/1,783,260</b>	<b>1.16/1,290,000</b>
	<b>Residential FAR/GFA</b>		

<b>4.5.4.B.2.b</b>	<b>Building Height (feet)</b>		
	Manor Care	45	45
	Westwood II	75	85 <sup>2</sup>
	Westwood Towers (HOC Parcels P238, P240, P175)	165	165
		75	85 <sup>2</sup>
	Westwood Towers (HOC p/o Parcel B)	110	122 <sup>2</sup>
	Bowlmor Westwood I	60	60
<b>4.5.4.B.1</b>	<b>Open Space (minimum)<sup>3</sup></b>		
	Common Open Space-Townhouses (%/sq. ft.)	10/24,933.8	10/24,933.8
	Public Open Space-Multi-Family (%/sq. ft.)	10/48,898	10/48,898

The Sketch Plan meets the development standards of Section 59-4.5, as shown in the Data Table above. The Application will provide at least the minimum required number of bicycle parking spaces for residents and visitors, and commuter shower/change facilities within the building, which will be determined at the time of Site Plan(s). As conditioned, the Applicant is also providing two bikeshare facilities on the Property. The number of vehicular parking spaces will be determined at Site Plan(s) based on the number of residential dwelling units.

**d. General Requirements**

- i. **Site Access:**  
 Site access will be from Westbard Avenue and the proposed grid of streets on the Westwood-Giant Food site as recommended in the approved Sector Plan. Final site access details to be addressed at time of Site Plan review.
- ii. **Parking, Queuing, and Loading:**  
 Parking, queuing and loading will follow the requirements of the CR zone, design guideline and will be address fully at time of Site Plan review.
- iii. **Open Space and Recreation:**  
 Open Space and Recreation requirements will follow the recommendations of the approved Sector Plan, the requirements of the CR zone and will be fully addressed at time of Site Plan review.
- iv. **General Landscaping and Outdoor Lighting:**  
 General landscaping and outdoor lighting requirements will follow the requirements of the CR zone, the recommendations of the approved Sector

Plan and design guidelines and will be fully addressed at the time of Site Plan review.

3. *The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

The Project as conditioned substantially conforms to recommendations of the *Westbard Sector Plan*. The Project will increase the supply of housing to serve a variety of income levels, provide opportunities for neighborhood retail and service uses, including restaurants that will support surrounding residential communities, provide connectivity improvements that improve the safety and character of the existing streets, construct the new sector-planned re-alignment of Westbard Avenue and provide public open space.

On the Westwood Shopping Center-Westwood I site, the Sector Plan recommends a maximum building height of 60 feet which is on the western side of Westbard Avenue. The Plan vision was for a mix of commercial and residential uses specifically to revitalize the aging shopping center. Residential uses do not currently exist on this portion of the Property. The Sketch Plan proposes three commercial buildings with fronts onto Westbard Avenue served by an internal loop road the provides access to both the commercial buildings as well as the proposed townhouses on the portion of the Westwood I adjacent to the existing Kenwood Place garden apartments. The Sketch Plan proposes building heights of 60 feet for the commercial uses and 50 feet for the townhouses, an appropriate scale given the proximity to the adjacent garden apartments. The Project's scale will provide a sense of enclosure along Westbard Avenue and will indicate that the section of Westbard Avenue between Ridgefield Road and Westbard Circle is a distinct and identifiable Center. The Plan further recommends that the site include a public open space, to be approximately 1/3-acre in size, which will be privately owned and maintained. This space should serve as a gathering place for existing as well as new residents and should have the amenities necessary to make it an appealing destination for the entire community. The Project conforms to the recommendation by providing an approximately 1/3-acre new public open space (Central Civic Green) with attractive amenities, to be determined at the time of Site Plan, and the Central Civic Green will be located central to the Block, fronting directly onto Westbard Avenue.

The Sector Plan recommends improvement of Westbard Avenue as a multi-modal road, with wide sidewalks, street trees, off-street cycle tracks, off-peak, on-street parking and a planted median with pedestrian refuge. The Sector Plan also recommends the creation of a grid of streets on the site of the Westwood Shopping Center. This grid will facilitate the creation of short blocks, sidewalks for walking, shopping and outdoor dining while also providing canopy and SWM features in the

roadways (per the Sector Plans recommendations). The Applicant has proposed a network of streets consistent with the Sector Plan goals.

For the Manor Care site, the Sector Plan recommends residential development for the Manor Care Site and strongly discourages commercial uses. The 45-foot building height maximum will further allow the development of four story townhouses. As conditioned, the Project will not include units behind the existing single family houses and will allow only minor encroachment into the Stream Valley Buffer around the Kenwood Tributary, except for temporary impacts associated with environmental work, such as removal of existing paved areas is necessary to mitigate and replant the northerly strip along River Road.

For the Westwood II site, Building 5 the Plan recommends a maximum building height of 75 feet with a mixed-use development and the naturalization of the Willett Branch which runs through the northern portion of the property. The Plan also recommends the realignment of Ridgefield Road and Westbard Avenue, increasing the size of the Manor Care site and decreasing the Westwood II site, as well as providing a small amount of open space near the current intersection. As conditioned, the siting of the proposed Westwood II building minimizes the impact to the stream buffer given the realignment of Westbard Avenue/Ridgefield Road but allows us to establish a future line of dedication to occur with the Preliminary Plan. As conditioned, the proposed development on the Westwood II site conforms to the recommendations of the Sector Plan.

For the Westwood Towers – HOC Parcels, the Plan recommends a maximum building height of 165 feet to keep the existing HOC building in conformance with the proposed zoning. The existing site layout includes the current 14- story tower with surface parking along Westbard Avenue, on the north side of the building and parking in the rear of the building and across the Willett Branch. In addition to the surface parking, the existing tower contains three levels of structured parking however the structure is not accessed independently within the levels. All three levels are accessed at three separate entry points from the side and rear.

The Applicant proposed three different buildings on this site, one of which wraps the north and eastern side of the existing HOC building. During the initial analysis, there was a considerable amount of discussion regarding the building addition and the two buildings along Westbard Avenue, as well as the possible cemetery, and dedication of the Greenway. However, as noted previously, the Applicant must file a subsequent Sketch Plan Amendment specifically for this portion of the Project once the cemetery delineation is complete. The naturalization of the Willett Branch is an important priority of the plan and the Applicant has committed to dedicating the portions of the land through which the Willett Branch runs as well as contributing towards it's naturalization.

The portions of the site behind the HOC/Westwood Towers buildings have been “hatched out” of this Sketch Plan application. At this time, the Board is not acting on the location of buildings or the extent or dedication of the Willett Branch in this area until the archeological study/cemetery delineation is complete. Any building or development within this area would be subject to the conditions of a future Sketch Plan Amendment, including any dedication of the Willett Branch.

The high priority forest associated with the property will be dedicated to Parks, and any portion outside of the dedicated area may be protected in a Category I easement area. Future evaluation of the forest conservation plan and additional coordination with Parks Staff will be required. The proposed improvements on the Bowlmor site are generally consistent with the recommendations of the Sector Plan.

The Applicant proposes to construct the re-aligned Westbard Avenue (Street B-1), which will replace the Ridgefield Road connection at River Road, straighten out this intersection and funnel traffic into the commercial area of Westbard away from the residential area of the Springfield neighborhood. This realigned street (B-1) will be a segment of the local business district street recommended in the Sector Plan that will enhance connectivity by providing wide sidewalks and separate bike lanes (cycle tracks) on both sides of Westbard Avenue. This will be a key bicycle-oriented amenity in the Westbard Sector Plan area.

The proposed public open spaces are consistent with the Sector Plan recommendations. The Sector Plan recommends a new, approximately 1/3-acre Central Civic Green, to be located on the Westwood I site. The Sector Plan recommends this public open space should serve as a gathering place for existing and new residents and should have the amenities necessary to make it an appealing destination for the entire community. The Project also includes an approximately 1/3-acre new neighborhood green park, privately owned and maintained, located at the intersection of Ridgefield Road and Westbard Avenue re-aligned and will include attractive amenities. As conditioned, the Applicant will be constructing a portion of the Willett Branch at Westwood II site, dedication of land and making a contribution to the naturalization of Willett Branch on the Westwood Towers/HOC site. The ultimate dedication and contribution will be decided when the Preliminary Plan is presented to the Planning Board.

The Sector Plan contains several recommendations to preserve, restore and enhance particular environmental features while minimizing the impact of future development, including the naturalization of the Willett Branch as discussed above; adding to the almost non-existent SWM facilities, and reducing the heat island effect by meeting tree canopy goals and promoting green roofs. The Project provides for the dedication of applicable sections of the Willett Branch Greenway and



illustrates green space throughout the Property and anticipates vegetated roofs on the proposed buildings.

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

As discussed earlier in the Sector Plan Conformance Section, the buildings are compatible in height and scale with the existing development in the Westbard Sector Plan area. The structures will step down in height from a maximum of 110 feet at the Bowlmor site along Westbard Avenue to 75 feet at the Westwood II property, to 60 and 45 feet at the Westwood I and Manor Care sites, respectively. The commercial uses will be concentrated along Westbard Avenue, with strictly residential uses adjacent to the Springfield neighborhood to the north and west. As conditioned, the Project achieves compatibility through the architectural design that will create a residential and pedestrian-friendly scale that complements the surrounding neighborhood.

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

As conditioned, the Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. The Project will significantly improve vehicular access and circulation by providing new internal streets and significant streetscape improvements. The design of the internal streets will promote a safe pedestrian environment by incorporating ample sidewalks, street trees, street furnishings, and on-street parking. Adequate parking will be provided on-site to accommodate all users of the Property, and access to parking and loading has been strategically located to minimize pedestrian-vehicular conflicts.

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

Under Section 59.4.7.1.B, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines*;
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The public benefits proposed by the Applicant as set forth in the following table are appropriate in concept, and appropriate for further detailed review. Final determination of public benefit point values will be determined at site plan(s).

<b>Table 2 - Public Benefits</b>		
<b>Public Benefit</b>	<b>Max Allowed</b>	<b>Total Points</b>
<b>Major Public Facility</b>		
Civic Space and Parks Dedication	40	23
Willett Branch Naturalization		10
Westbard Avenue/Ridgefield Road Realignment		7
<b>Connectivity and Mobility</b>		
Way Finding Signage	10	5
Bikeshare Stations		10
Private Shuttle Service to Metro	20	20
<b>Quality Building and Site Design</b>		
Structured Parking	20	20
Exceptional Design	10	10
<b>Diversity of Uses and Activities</b>		
Moderately Priced Dwelling Units (MPDU's)		30
Small Business Opportunities	20	20
<b>TOTAL POINTS</b>	<b>Min. 120</b>	<b>138</b>

Major Public Facility

Major Public Facilities provide services at convenient locations where increased density creates a greater need for civic uses and greater demands on public infrastructure. These facilities can include, but are not limited to schools, libraries, recreation centers, parks, county service centers, public transportation or utility upgrades or other resources delineated in a Sector Plan. Incentive density is limited to a maximum of 40 points in the CRT zone and can be applied if an applicant conveys land and/or floor area for the facility, constructs the facility, or makes a payment towards the construction of the facility.

The Applicant has proposed Civic Space and Parks dedication for their contribution toward this category, but Staff recommended that both the realignment of Westbard Avenue/Ridgefield Road and the dedication and future contribution toward the naturalization of the Willett Branch also be required. Since these two infrastructure projects were a significant portion of the Sector Plan, they should be added as facilities. The Applicant will construct the following: a minimum 1/3-acre Sector-Planned Central Civic Green; a minimum 1/3-acre Neighborhood Green Park; a network of new streets with wide, tree-lined sidewalks, and/or plaza areas fronting onto the Westbard Avenue right-of-way. Together, the Applicant's major public facility contributions warrant a total of 40 points.

#### Connectivity and Mobility

*Wayfinding:* The Applicant requests 5 points for providing a way-finding system that orients pedestrians and cyclists to the history of the Westbard area, the nearby Capital Crescent Trail, bike share stations, bus stops, retail services and public open spaces.

*Bike share station:* The Applicant requests 10 points for the payment of the installation of two bike share station(s) on the Property. This is a particularly appropriate benefit given its location adjoining the Capital Crescent Trail, since bike share will promote circulation to, from and through the Project without use of a motor vehicle and can provide readily-available non-auto access to the Project's uses and the ultimate Bethesda Metro Station located along the Capital Crescent trail.

*Transit Access Improvement:* The Applicant requests 20 points for providing a private shuttle service to the Friendship Heights and Bethesda Metro Stations.

#### Quality of Building and Site Design

*Exceptional Design:* The Applicant requests a total of 30 points for building or site design that enhances the character of a setting. Per the CR Guidelines, incentive density of 5 points is appropriate for development that meets at least four of the guideline criteria and 10 points is appropriate for development that meets all six criteria. The Applicant asserts that the Project will meet all 6 of the criteria: The Project will 1) provide innovative solutions in response to the immediate context; 2) create a sense of place and serves as a landmark; 3) enhance the public realm in a distinct and original manner; 4) introduce materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; 5) use design solutions to make compact infill development living, working and shopping environments more pleasurable and desirable and 6) Integrate low-impact development methods into the overall design of the site and building, beyond green building or site requirements.

*Structured Parking:* The Applicant requests 20 points for structured parking as all the proposed parking will either be in underground or above ground structured parking. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade, and the Applicant anticipates all the proposed parking will be structured with final parking counts to be determined at Site Plan(s).

Diversity of Uses and Activity

*Moderately Priced Dwelling Units:* The Applicant requests 30 points for providing 15% MPDUs across the entire development. The Sector Plan required all optional method projects to include 15 percent MPDUs as well as a commitment for 30 percent affordable on the HOC/Westwood Towers site. As conditioned, all residential sites within the Property will include a minimum 15 percent MPDUs and the if HOC purchases sites 4a and 4b, HOC will provide a minimum of 30 percent affordable units.

*Small Business Opportunities:* The Applicant requests 20 points for providing on-site space for small, neighborhood-oriented businesses. This will be achieved through the provision of on-site for small, neighborhood-oriented businesses in the commercial center on the Westwood I area of the Sketch Plan. At Site Plan, the Applicant must show the conceptual layout and location of proposed retail spaces and provide a narrative consistent with the CR Density Implementation Guidelines.

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 Applicant expects to develop the Property in multiple phases. Phase One will include the redevelopment of the Westwood I Shopping Center (existing Giant grocery store) with construction of three buildings containing commercial uses, along with the approximately 1/3-1/2-acre Westbard Central Civic Green, the Springfield Neighborhood Green Urban Park and the realigned Westbard Avenue/Ridgefield Road intersection (Street B-1) required by the Sector Plan. Phase One also includes the Manor Care site and the Westwood II site but this can only occur once the Westbard Road is realigned. Phase Two will include the residential development on the Westwood I site, however this development could also occur during the Phase I construction, and any development associated with the Westwood Towers (existing HOC building) site. Phase Three will redevelop the northwestern portion of the Westwood Towers site which is the area between the American Plant Food/Roofing Center properties and Westbard Avenue. Phase Four includes redevelopment of the Bowlmor site. Phases One and Two may be sequenced in any order or combined, phase boundaries may be adjusted, and the

density of phases shifted at the time of Preliminary Plan or Site Plan approval. The phasing may be re-evaluated for the HOC/Westwood Towers site once the Sketch Plan Amendment is filed.

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 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 Westwood Shopping Center, Sketch Plan No. 320170010, 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 APR 26 2017 (which is the date that this Resolution is mailed to all parties of record).

#### 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 Vice Chair Wells-Harley and Commissioners Fani-González and Cichy voting in favor, and Chair Anderson and Commissioner Dreyfuss absent at its regular meeting held on Thursday, April 20, 2017, in Silver Spring, Maryland.

  
Marye Wells-Harley, Vice Chair  
Montgomery County Planning Board