



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

MCPB No. 20-025
Sketch Plan No. 320200030
Residences at Forest Glen
Date of Hearing: April 9, 2020

APR 24 2020

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 December 23, 2019, MHP Forest Glen, LLC ("Applicant") filed an application for approval of a sketch plan for construction of a residential development with up to 234,589 square feet of total development (including 20% Moderately Priced Dwelling Units (MPDUs)), on 2.63 acres of CRTF-1.75, C-0.25, R-1.5, H-70 zoned-land, located at 9920 Georgia Avenue/2106 Belvedere Boulevard ("Subject Property") in the 2020 Forest Glen Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320200030, Residences at Forest Glen ("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 30, 2020, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on April 9, 2020, 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320200030, Residences at Forest Glen, for construction of up to 234,589 square feet of total development (including 20% Moderately Priced Dwelling Units

(MPDUs)) 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 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 are illustrative.

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

1. Density

The Sketch Plan is limited to a maximum of 234,589 square feet of residential development, including a minimum of 20% Moderately Priced Dwelling Units (MPDUs), on the Subject Property. The maximum number and distribution of residential dwelling units will be determined at Preliminary and Site Plan.

2. Height

The development is limited to a maximum height of 70 feet, as measured from the building height measuring point(s) illustrated on the Certified Site Plan.

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 be chosen from at least three categories as required by Section 59.5.3.5.E.2. However, per Section 59.4.7.3.D.6.a, a project that provides a minimum of 20% MPDUs does not have to satisfy any benefit category other than Affordable Housing under the Diversity of Uses and Activities category. 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 and phasing will be established at Site Plan approval.

- a. Diversity of Uses and Activities, achieved by providing a minimum of 20% of the residential units as MPDUs. Per Section 59.4.7.3.D.6.a, 12 points are granted for every 1% of MPDUS greater than 12.5%. Any fraction of 1% increase in MPDUs entitles the Applicant to an equal fraction of 12 points.

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.

4. Public Spaces

The Applicant must provide the open space as conceptually shown on the Sketch Plan that will be privately owned and maintained. While this space must be in the approximate location and size, as shown on the Sketch Plan, the exact size, location and design will be determined at the time of Site Plan(s).

5. Future Coordination for Preliminary Plan(s) and Site Plan(s)

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 Plan or Site Plan:

- a. Dedication of five (5) feet of public right-of-way on Georgia Avenue.
- b. Design of McKenney Avenue connection through to private driveway (Arthur Avenue).
- c. Pedestrian connections from Georgia Avenue to Arthur Avenue along the private driveway (Arthur Avenue).
- d. Reduction of surface parking areas.
- e. Design of the Public Open Space that should be accessible and inviting to the public.
- f. Safe and efficient vehicular entry to the parking garage.
- g. Appropriate turn lanes from northbound Georgia Avenue.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations 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 Planning 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.*

The CRTF Zone permits a mix of residential and nonresidential uses at varying densities and heights. Section 5.3.5 of the Zoning Ordinance sets forth the development standards for the Optional Method of Development within the CRTF Zone. The proposed development will satisfy the applicable development standards for the Optional Method of Development in the CRTF Zone, with the exact figures to be determined at the time of Site Plan.

a. Development Standards

The Subject Property includes a tract area of approximately 2.63 acres, zoned CRTF-1.75, C-0.25, R-1.5, H-70. The Sketch Plan meets the development standards of Section 59-4.5.4, as shown in the Table 1 below. The Application will provide the minimum required number of bicycle parking spaces for residents and visitors, which will be determined at the time of Site Plan(s). The number of vehicular parking spaces will be determined at Site Plan(s) based on the square footage of non-residential uses, and number and type of residential dwelling units.

Table 1- Development Standards and Parking Requirements

Section	Description	Required/Permitted	Approved
Density and Height			
5.3.5.A.2	Maximum Density	Total 273,687 SF Commercial 39,098 SF Residential 234,589 SF	Residential 234,589 SF ²
5.3.5.B.2	Maximum Building Height (H)	70 feet	70 feet
Open Space and Parking			
4.5.4.B.1	Minimum Open Space	10% of site area (11,406 sf)	10% of net tract area (11,406 sf)
6.2.4.B	Minimum Parking Permitted/Maximum Parking Allowed	Minimum: 170 spaces Maximum: 278 spaces	189 spaces
6.2.4.C	Bicycle Parking Residential	90 Long Term 5 Short Term	90 Long Term 6 Short Term

b. Intent of the Zone

The Sketch Plan conforms to the intent of the CRTF Zone as described below.

- i. *Allow flexibility in residential development, including site layout, lot size, and placement allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings.*

The redevelopment of the existing, obsolete, low-density buildings with new, higher density facilitates with amenities and affordable units helps increase the mix of units and housing opportunities in the area.

² 210,000 SF shown on the Sketch Plan.

The flexible design will allow for compatibility with the adjacent neighborhood.

ii. Allow flexibility in uses for a site.

The Project will include affordable and MPDU residential units in a variety of unit types (one-bedrooms, two-bedrooms, and three-bedrooms). As a result, the Project will provide different housing opportunities for a range of demographics, with the goal of providing a resource of affordable family-oriented housing.

iii. Provide mixed-use development that is compatible with adjacent development.

The Sketch Plan proposes development that is compatible with the surrounding community. The new residential building will provide a protecting edge along Georgia Avenue for the neighborhood further to the west. The Project will maintain the residential nature of Belvedere Boulevard through building design, materials and landscaping. The planned public open spaces will provide welcoming greenery and design elements for the neighborhood. The building height and design is broken into various parts to reduce its scale and relationship to the other structures nearby. The Project serves as a transition between the seven-story Americana Finnmark building to the south and the garden apartments, townhouses and single-family homes to the north and west, helping to make it compatible with the existing neighborhood.

2. The Sketch Plan substantially conforms to the recommendations of the applicable master plan.

2020 Forest Glen/Montgomery Hills Sector Plan

The 2020 Forest Glen/Montgomery Hills Sector Plan encompasses the Subject Property. The only Property-specific recommendations in the Sector Plan are as follows:

1. Protect or enhance existing tree buffer along Belvedere Boulevard to the maximum extent possible.
2. To the maximum extent possible, incorporate the oldest healthiest trees into the design of the redevelopment project.

The Sketch Plan complies with both recommendations by showing some of the existing trees as being retained and minimizing impacts where possible. However, most of the trees will have to be removed as they are adjacent to the existing structures, and they will be damaged through the demolition process.

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. *Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014.*

The Property's zoning classification on October 29, 2014 was not a result of a Local Map Amendment.

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

The Sketch Plan shows development that is similar in size and scale with surrounding development, which ranges from garden apartments to the north, and 8-story high-rise and 4-story garden-style units to the south, and single-family units to the west. The building has been placed furthest away from the single-family units to the west. Two landscaped public open space areas will provide lawn, plantings, hardscape and stormwater management areas to soften the western edge along Belvedere Boulevard. Further, the public open spaces will be designed to be inviting for the public and residents of the proposed development.

6. *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. Enhanced pedestrian and bicycle circulation, limiting through-traffic using the drive aisle, and increased housing options near mass transit will reduce vehicular congestion and enhance accessibility to nearby recreational and commercial areas. The Project will help increase multi-modal options in the area and provide bicycle facilities, sidewalks, attractive open areas and streetscapes. Public vehicular access will be via Georgia Avenue and Belvedere Boulevard, onto the private drive aisle.. Loading will occur on the private drive aisle so as not to conflict with neighborhood traffic on Belvedere Boulevard.

Alternative Compliance

To approve the two access points to be served by the driveway, the Planning Board finds that there is a unique site and use characteristic that precludes efficient development under the standard requirements in Section 59.6.1.4. In this case, the level of affordability this project proposes and the unique shape

and location of the property, which is adjacent to a well-established grid of streets, satisfies this requirement. Furthermore, the Planning Board finds that the alternative design satisfies the intent of the applicable Division, modifies the applicable functional results or performance standards the minimal amount necessary to accommodate the constraints, provides necessary mitigation alleviating any adverse impacts, and is in the public interest.

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

For a development of this size in the CRTF Zone, the Zoning Ordinance typically requires 50 points in at least three (3) categories. However, per Section 59.4.7.3.D.6.a, a project that requires a minimum of 20% MPDUs does not have to satisfy any other benefit category. The Project will provide a minimum of 20% of the residential units as MPDUs. Per Section 59.4.7.3.D.6.a, 12 points are granted for every 1% of MPDUS greater than 12.5%. Any fraction of 1% increase in MPDUs entitles the Applicant to an equal fraction of 12 points.

Although at the time of Sketch Plan review, only the categories need to be approved, the following table shows both the categories and points for public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient public benefit points. The final calculations and benefit points earned will be further refined and ultimately determined at subsequent Site Plan(s). Table 2 shows the Applicant's proposed public benefits in the following category: Diversity of Uses and Activities. Staff supports the proposed public benefits at this time, with a more detailed review and the final number of points to be determined at Site Plan.

Table 2- Proposed Public Benefits

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Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
59.4.7.3.D: Diversity of Uses and Activities		
Affordable housing- 20% MPDUs	n/a	90
Total	-	90

Diversity of Uses and Activities

Moderately Priced Dwelling Units: The Applicant seeks to gain approval for 90 points for providing 20% MPDUs. The project will provide 20% MPDUs, 7.5%

above the minimum required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. Staff supports the Applicant's request based on the following calculation:

$[20\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required})] * 12 = 90$ points

8. *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 intends to develop the structures, landscaping and streetscaping for the Project simultaneously in a single phase.

BE IT FURTHER RESOLVED that the Planning 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 Planning 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 Sketch Plan No. 320200030, Residences at Forest Glen, received by M-NCPPC as of the date of the Staff Report March 30, 2020, 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 24 2020 (which is the date that this Resolution is mailed to all parties of record); and

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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 Verma, with Chair Anderson and Commissioners Cichy, Patterson, and Verma voting in favor, and Vice Chair Fani-González absent at its regular meeting held on Thursday, April 9, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board