



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

MCPB No. 20-014
Preliminary Plan No. 12015020B
St. Elmo Apartments
Date of Hearing: March 5, 2020

APR 24 2020

CORRECTED RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on December 10, 2015, the Planning Board, by Resolution MCPB No. 15-144, approved Preliminary Plan No. 120150200, creating 1 lot on ~~1.41~~0.70 acres of land in the CR 5.0 C 1.0 R 4.75 H 145T zoned-land, located on the southeast side of St. Elmo Avenue, 300 feet southwest of Norfolk Avenue ("Subject Property"), in the Woodmont Triangle area of the Bethesda CBD Sector Plan; and

WHEREAS, on May 25, 2017, by Resolution No. 18-835, the Montgomery County Council Approved and adopted the 2017 Bethesda Downtown Sector Plan ("Sector Plan"), which rezoned the Subject Property to CR 5.0 C 5.0 R 5.0 H 225 within the Bethesda Overlay Zone; and

WHEREAS, on October 11, 2018, the Planning Board approved an amendment to Preliminary Plan No. 12015020A (MCPB No. 18-103) to a) increase density by 66,044 square feet, from 263,956 to 330,000 square feet, including up to 245 units of multi-family residential uses with 15% MPDUs and 16,000 square feet of commercial space, b) receive 14,8634 square feet of density transfer, and c) receive up to 162,012 square feet of density from the Bethesda Overlay Zone with a payment to the PIP on the Subject Property; and

WHEREAS, on November 20, 2019, the St Elmo Apartments LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to reduce the amount of previously approved non-residential uses from 16,000 square feet to 6,000 square feet, increase the number of dwelling units from 245 to up to 279 units while remaining at the previously approved maximum density of 330,000 square feet on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12015020B, St. Elmo Apartments ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 24, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on March 5, 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 conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12015020B to reduce the amount of previously approved non-residential uses from 16,000 square feet to 6,000 square feet, increase the number of dwelling units from 245 to up to 279 units while remaining at the previously approved maximum density of 330,000 square feet by modifying the following conditions:¹

1. Approval is limited to one lot with a maximum density of 330,000 square feet of total development, consisting of up to 279 residential units with 15 percent MPDUs, and up to 6,000 square feet of non-residential uses, on the Subject Property.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated ~~January 22~~February 20, 2020, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan Amendment.
8. The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (MCDHCA) in its letter dated January 21, 2020, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

BE IT FURTHER RESOLVED that all other preliminary plan conditions of approval for this project remain valid, unchanged and in full force and effect.

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

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

Unless specifically set forth herein, this Amendment does not alter the intent, objectives, or requirements in the originally approved preliminary plan as revised by previous amendments, and all findings not specifically addressed remain in effect.

3. Public facilities will be adequate to support and service the area of the subdivision.

Adequate Public Facilities

A transportation exemption statement, dated December 5, 2019, demonstrates that the Subject Amendment generates fewer trips than the original approval. As a result, the Local Area Transportation Review is satisfied without further analysis. A summary of the previously approved peak hour person trip generation and revised peak hour person trip generation is provided below.

Table 2: Peak Hour Trip Generation

| Existing | Vehicle Rates | | Adjusted Vehicle Rates | | Person Trips | |
|--|---------------|------------|------------------------|------------|--------------|------------|
| | AM | PM | AM | PM | AM | PM |
| 16,350 SF Office | 42 | 20 | 24 | 12 | 50 | 25 |
| 9,100 SF Retail | 9 | 92 | 5 | 56 | 11 | 127 |
| Existing Trips | 51 | 112 | 29 | 68 | 61 | 152 |
| | | | | | | |
| Proposed | AM | PM | AM | PM | AM | PM |
| 279 High-Rise Apartments | 91 | 103 | 72 | 81 | 141 | 159 |
| 6,000 SF Retail | 6 | 68 | 4 | 41 | 9 | 93 |
| Proposed Trips | 97 | 171 | 76 | 122 | 150 | 252 |
| | | | | | | |
| Net New Trips | 46 | 59 | 47 | 54 | 89 | 100 |
| | | | | | | |
| Previously Approved Trips (12015020A) | 72 | 61 | 60 | 54 | 118 | 101 |

Source: Wells & Associates Transportation Statement, dated December 5, 2019.

Schools Analysis

The previous approvals analyzed and concluded there was adequate public-school capacity for the previously approved 245 units. The proposed Amendment increases the number of multifamily high-rise units to 279 units for a net increase of 34 units,

which has been analyzed utilizing the applicable annual school test, Fiscal Year 2020 Annual, approved by the Planning Board in June 2019 and effective July 1, 2019.

Calculation of Student Generation

With a net of 34 new multifamily high-rise dwelling units, the proposed Preliminary Plan Amendment is estimated to generate the following number of students:

Table 3: Estimated Student Generation

| Type of Unit | Net Number of Units | ES Generation Rates | ES Students Generated | MS Generation Rates | MS Students Generated | HS Generation Rates | HS Students Generated |
|--------------|---------------------|---------------------|-----------------------|---------------------|-----------------------|---------------------|-----------------------|
| MF High-rise | 34 | 0.041 | 1.394 | 0.018 | 0.612 | 0.025 | 0.85 |
| TOTAL | 34 | | 1 | | 0 | | 0 |

This Amendment is estimated to generate 1 new elementary school student, no new middle school students, and no new high school students.

Cluster Adequacy Testing

The Project is tested for adequacy based on the Cluster and Individual schools. The project is located in the Bethesda-Chevy Chase High School (B-CC) Cluster and the applicable individual schools are Bethesda ES and Westland MS.

Table 4: Bethesda-Chevy Chase High School (B-CC) Cluster Projections

| School Level | Projected Cluster Totals, September 2024 | | | Moratorium Threshold | Estimated Application Impact |
|--------------|--|--------------------|---------------|----------------------|------------------------------|
| | Enrollment | Program Capacity | % Utilization | | |
| Elementary | 3,741 | 4,020 ² | 92.4% | 1,111 | 1 |
| Middle | 1,917 | 2,024 | 94.7% | 511 | 0 |
| High | 2,410 | 2,457 | 98.1% | 538 | 0 |

Table 5: Individual School Capacity Projections

| School | Projected School Totals, September 2024 | | | | Moratorium Threshold | Estimated Application Impact |
|-------------|---|------------------|---------------|------------------|----------------------|------------------------------|
| | Enrollment | Program Capacity | % Utilization | Surplus/ Deficit | | |
| Bethesda ES | 731 | 698 ³ | 104.7% | -33 | 107 | 1 |
| Westland MS | 899 | 1,089 | 82.6% | +190 | 408 | 0 |

² The projected cluster elementary school capacity of 3,790 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY2020 Capital Budget.

³ The projected Bethesda ES capacity of 560 students has been modified to reflect the impact of a six-classroom placeholder project included by the County Council in the FY2019-2024 Capital Improvements Program.

Based on the school cluster and individual school capacity analysis performed, using the FY2020 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this Amendment.

Conclusion

The Preliminary Plan Amendment does not change the previously approved project density and does not alter the intent, objectives, or requirements in the originally approved Preliminary Plan. All previous findings for Preliminary Plan 12015020AB remain in effect.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is March 13, 2020 (which is the date that ~~this~~ the original Resolution was ~~is~~ mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson and Commissioners Cichy and Verma voting in favor, and Vice Chair Fani-González and Commissioner Patterson absent at its regular meeting held on Thursday, April 16, 2020, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board