

**12500 Ardennes Avenue, Site Plan No. 820200080**



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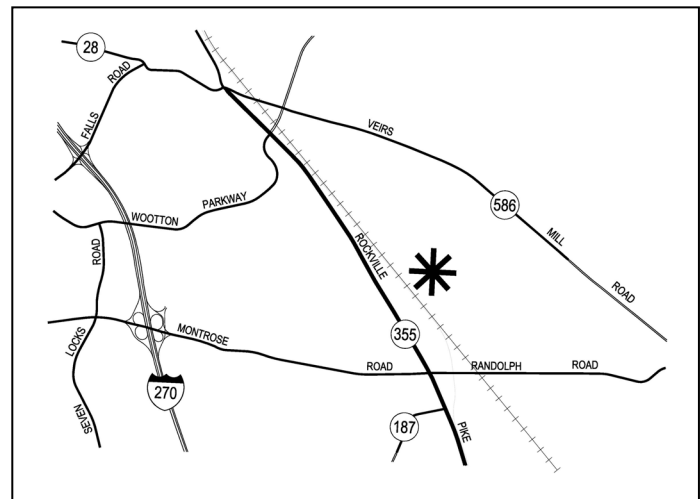


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**Completed: 6/15/2020**

Request to redevelop the Property with up to 198,718 square feet of residential uses (203 units) in a multi-unit building including a 22% density bonus for MPDUs and a 10% density bonus for WFHUs.

Location: 12500 Ardennes Avenue.  
Master Plan: 2009 *Twinbrook Sector Plan*.  
Zones: CR-2.0, C-1.5, R-2.0, H-145T.  
Size: 1.32-acre tract.  
Applicant: Ardennes Partners, LLC.  
Acceptance Date: February 26, 2020.  
Review Basis: Chapter 59, Site Plan.



## Summary

- Staff recommends approval with conditions.
- The Site Plan includes the Preliminary and Final Forest Conservation Plans.
- Staff recommends granting public benefit points for Transit Proximity, Minimum Parking, MPDUs, Exceptional Design, Structured Parking, BLTs, and a Cool Roof.
- The utilities along the Property frontage will be moved underground.
- Project includes a 22% density bonus for providing 15% Moderately Priced Dwelling Units (MPDUs) and a 10% density bonus for providing 10% Work Force Housing Units (WFHUs).
- A National Champion Crabapple tree is located on-site and will be relocated to a nearby property.
- Staff has received a few inquiries about the Project.

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## SECTION 1: RECOMMENDATION AND CONDITIONS

Staff recommends approval of Site Plan 820200080. The development must comply with the binding elements and conditions of approval for Sketch Plan 320180200 as listed in the MCPB Resolution No. 19-096 dated July 18, 2019.

All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.<sup>1</sup>

### Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 198,718 square feet of residential development on the Subject Property for up to 203 dwelling units.

2. Height

The development is limited to a maximum height of 100 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Workforce Housing Units (WFHUs)

- a) The development must provide a minimum 10% WFHUs or Montgomery County Department of Housing and Community Affairs (MCDHCA)-approved equivalent onsite, consistent with the requirements of Chapter 25B, Article V and the applicable Master Plan.
- b) Before issuance of any building permit for any residential unit, the WFHU agreement to build between the Applicant and the MCDHCA must be executed.
- c) All of the proffered WFHUs or MCDHCA-approved equivalent must be provided on-site in order to achieve the requested density bonus.

### Open Space, Facilities and Amenities

4. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 3,179 square feet of public open space (5.6% of site area) on-site.
- b) The trees along Twinbrook Parkway must be planted according to the 1992 Bethesda Streetscape Standards.
- c) Before the issuance of the final use and occupancy certificate for the residential development,
  - i. all public use space on the Subject Property must be completed; and
  - ii. the Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property's frontage on Ardennes Avenue and Twinbrook Parkway.
- d) Within one growing season after issuance of the final use and occupancy certificate, all landscaping must be installed.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.

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<sup>1</sup> For the purposes 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.

- a) Transit Proximity.
  - b) Connectivity between Uses, Activities, and Mobility Options
    - i. Minimum Parking – The Applicant must not provide/construct more than 181 parking spaces.
  - c) Diversity of Uses and Activities
    - i. Affordable Housing/MPDUs.
      - a. The development must provide 15 percent MPDUs on-site consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 22 percent density bonus for providing 15 percent MPDUs.
      - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
      - c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated May 26, 2020 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.
  - d) Quality Building and Site Design
    - i. Exceptional Design – The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by M-NCPPC Staff.
    - ii. Structured Parking –The Applicant must provide all parking spaces within a structured garage.
  - e) Protection and Enhancement of the Natural Environment
    - i. Building Lot Terminations (BLTs) – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.27 BLTs to the Montgomery County Department of Permitting Services (MCDPS).
    - ii. Cool Roof – The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.
6. Recreation Facilities  
The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.
7. Maintenance of Public Amenities  
The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to the plaza including seating and planters.

## Site Plan

8. Lighting
- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
  - b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
  - c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.

- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

## **Environment**

### **9. Forest Conservation**

- a) The Forest Conservation Plan submitted for certification with the Certified Site Plan set must be re-labeled "Preliminary/Final Forest Conservation Plan."
- b) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- c) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- d) Prior to the start of any demolition, clearing, grading or construction for this development Application, the Applicant must submit the forest conservation fee-in-lieu payment to the M-NCPPC Planning Department for the 0.26 acres of afforestation/reforestation requirement.
- e) The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
- f) Prior to any demolition, clearing or grading on the Property, the National Champion crabapple tree must be relocated to 5901 Vandegrift Avenue in Rockville, unless an alternative location is approved by Staff.
- g) Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit:
  - i. A five-year Maintenance and Management Agreement ("MMA") approved by the M-NCPPC Office of General Counsel. The MMA is required for the maintenance of the National Champion crabapple tree; and
  - ii. Financial surety, in a form approved by Staff, to the M-NCPPC Planning Department for the maintenance of the National Champion crabapple tree for five years.

### **10. Stormwater Management**

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept letter dated April 1, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

## **Transportation & Circulation/ Adequate Public Facilities (APF)**

### **11. Transportation**

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Right of Way Plan Review Section in its letter dated May 18, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

- b) Prior to issuance of any Right-of-Way permit, the Applicant must:
  - i. Make a payment of \$42,000.00 to MCDOT CIP # 507596. If CIP #507596 is no longer available, the Applicant's payment must go to an appropriate alternative CIP to construct nearby bikeway infrastructure as determined by Planning Staff and MCDOT; and
  - ii. Submit a Traffic Signal Plan to MCDOT.
- c) Prior to issuance of any Building Permit, the Applicant must:
  - i. Execute a deed of dedication for a total of 60 feet from the centerline along the Twinbrook Parkway Property frontage. The deed must be reviewed and approved by the Commission's Office of General Counsel and the Montgomery County Department of Permitting Services (DPS) and must be recorded in the Land Records of Montgomery County;
  - ii. Coordinate with and gain approval from the Montgomery County Department of Transportation (MCDOT) on a Level 3 Results Transportation Demand Management (TDM) Plan to participate in the North Bethesda Transportation Management District (TMD);
  - iii. Receive approval of a Traffic Signal Plan by MCDOT.
- d) Prior to Issuance of the first Use and Occupancy Certificate, and at no cost to the County, the Applicant must:
  - i. Relocate the Traffic Signal Box as shown on the Certified Site Plan;
  - ii. Provide a Traffic Signal Box easement to the County;
  - iii. Ensure that the traffic signal is functional; and
  - iv. Ensure the Traffic Signal Box is easily accessible by MCDOT for maintenance.

#### 12. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 95 long-term and 5 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room adjacent to the covered parking area, and the short-term spaces must be inverted-U racks, or approved equal rack, installed in a location convenient to the main entrance, and it is preferred that the racks are protected from the weather. The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The Applicant must provide sidewalks along public streets consistent with the Certified Site Plan.

#### 13. Validity

The Adequate Public Facility Review (APF) will remain valid for sixty (60) months from the date of mailing of the Planning Board Resolution for the Site Plan.

#### 14. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated May 2, 2020 and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

## Site Plan

### 15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, and associated improvements of development, including sidewalks, bikeways, storm drainage facilities. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

### 16. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

### 17. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c) Add a note stating that "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Remove plan references to "Ex. Signal Control Handboxes to Be Relocated."
- g) Revise the public benefits table to show 10 points for structured parking.
- h) Include the relocation plan for the National Champion crabapple tree with the Certified FFCP.

## SECTION 2: SITE DESCRIPTION

### Vicinity

The Subject Property ("Subject Property" or "Property"- outlined in red in Figure 1 below) is described as Lot 3, Block A, Spring Lake Park Halpine and located at 12500 Ardennes Avenue in Rockville, at the southwest corner of the intersection of Ardennes Avenue and Twinbrook Parkway. The Subject Property is within a quarter of a mile of the Twinbrook Metro Station and is located within the Metro Core Area 2 of the Sector Plan. The Property is surrounded by the City of Rockville on the north, west, and part of the southern property line.

To the north, across Ardennes Avenue, the Subject Property confronts Twinbrook Place, an office building in the City of Rockville. To the east, across Twinbrook Parkway, is United States Pharmacopeia, an office development. The Subject Property is adjacent to an Exxon gas station to the south. To the west and southwest is The Alaire, a mixed-use development which is part of the Twinbrook Station project, in the City of Rockville.



Figure 1: Vicinity Map (Property outlined in red)

### Site Analysis

The Property is comprised of approximately 75,272 square feet (1.73 acres) of tract area, which is the basis for density calculation, and approximately 57,240 square feet (1.32 acres) of Site area and is zoned CR-2.0, C-1.5, R-2.0, H-145T. The Property currently has a one-story office building with approximately 21,700 square feet of above-grade area and surface parking.

There is a twelve (12) foot grade change from the southeast corner to the northeast corner of the Property. While there is no forest or other environmental features on the Property, the National Champion Southern Crabapple (*Malus angustifolia*) is located on the eastern side of the Property along Twinbrook Parkway.





Figure 2: Subject Property (outlined in red)

### SECTION 3: PROJECT DESCRIPTION

#### Prior Approvals

The Property is an existing subdivision lot of record, which is identified on a plat entitled "Spring Lake Park Halpine Subdivision" recorded in the Land Records of Montgomery County as Plat No. 10000 on August 23, 1971.

#### Proposal

The Applicant proposes to redevelop the Subject Property into a 100-foot tall multifamily building consisting of 198,718 square feet of residential development with up to 203 residential units and internal structured parking ("Project"). Fifteen percent (15%) of the residential density will be Moderately Priced Dwelling Units (MPDUs) and ten percent (10%) of the residential density will be Work Force Housing Units (WFHUs). The Project includes a 22% density bonus for providing 15% MPDUs and a 10% density bonus for providing workforce housing pursuant to Section 59.4.5.2 of the Zoning Ordinance.

An urban plaza is proposed at the northeast corner of the site, at the intersection of Ardennes Avenue and Twinbrook Parkway (Figure 4). The plaza includes a mixture of hardspace and greenspace and will provide a transition from the busy intersection. While access from adjacent sidewalks is facilitated and encouraged, the site elements provide buffering from passing traffic while negotiating the necessary change in grade.

The proposed development takes advantage of the elevation change on the Subject Property by burying a floor of parking into the slope. An outdoor amenity space is located above the parking garage, level with the third floor and oriented to the south to maximize sun exposure.

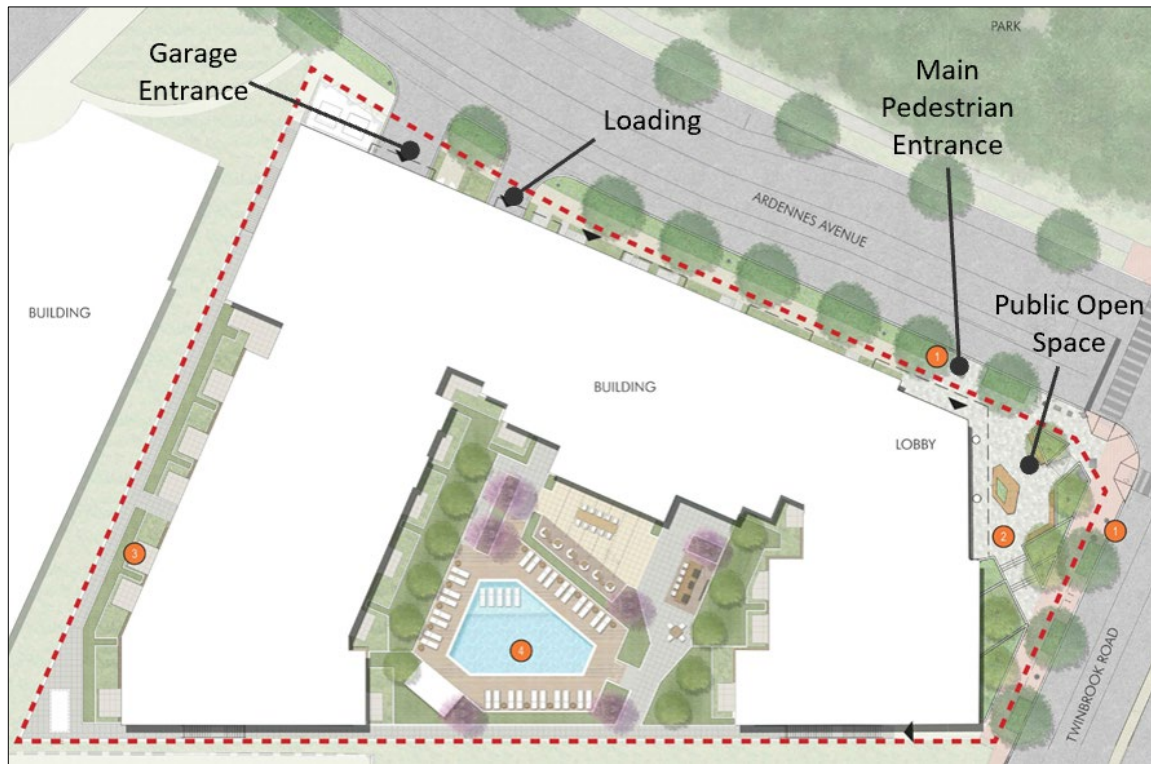


Figure 3: Illustrative Site Plan



Figure 4: Building Section viewed from Ardennes Avenue facing south



The Applicant describes the proposed architecture (Figure 5) in the Statement of Justification as follows:

*The proposed building will front the adjacent streets to create urban edges while also setting back appropriately from adjacent neighbors to the east. The building will have a brick base defined by improved streetscapes and building entries, a defined middle with bay projections that add depth and relief to the building, and a lighter top. The building will utilize a variety of materials, such as brick, metal panels, and cementitious board and siding in a variety of textures and colors to enhance the building. The primary gesture of the building will be a projecting bay at the intersection of Ardennes Avenue and Twinbrook Parkway that will not only express the building's corner and relate to the proposed open space, but will also become a landmark for the neighborhood. The shorter facade along Twinbrook Parkway will not be parallel with Twinbrook, but rather will taper away into the transition into the Ardennes Avenue facade to allow for better visibility at the acute intersection. This transition will also allow for the proposed open space to be more visible and accessible from two directions. The proposed entry and ground level amenities will flank the proposed open space and have integrated functions.*



Figure 5: Elevations

Pedestrian and vehicular entrances to the proposed building are located on Ardennes Avenue. Vehicular access to the site will be from an existing curb cut on Ardennes Avenue, on the northwestern edge of the Property, with separate entrances for private vehicles and loading and service access. The Applicant anticipates that the above-grade parking garage will include two levels of parking with 181 parking spaces.

## Community Outreach

On November 6, 2019, the Applicant held a pre-submittal public meeting at Twinbrook Elementary School in Rockville. The Applicant complied with all submittal and noticing requirements.

Staff received inquiries from two residents about this Project. One resident inquired about the number of school children that this Project would generate, which is described on page 24 of this report. The other resident asked if the proposed building would have rental or condo units and if the County has any input in the decision. Staff informed the resident that the decision is up to the developer and not within the scope of a site plan review.

## SECTION 4: PROJECT ANALYSIS AND FINDINGS<sup>1</sup>

To approve a site plan under Section 59-7.3.4.E, the Planning Board must find that the proposed development:

- a. *satisfies any previous approval that applies to the site;*

The Site Plan is consistent with Sketch Plan 320180200, MCPB Resolution No. 19-096 dated July 18, 2019.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

Not applicable: the Property was not subject to a development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section [7.7.1.B.5](#) any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

Not applicable: the zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

### Use/Development Standards

Multi-unit living is a permitted use in the CR Zone with no applicable use standards. The proposed development will satisfy the applicable development standards for the Optional Method of Development in the CR Zone as demonstrated in Table 1.

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<sup>1</sup>

The findings under Section 59-7.3.4.E.3 and Section 59-7.3.4.E.4 are not applicable to this Application and are not listed in this report.

<b>Table 1- Optional Method Development Standards CR-2.0, C-1.5, R-2.0, H-145T Zone (Section 59-4.5.4)</b>		
<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed</b>
<b>Tract Area</b>	n/a	75,272 sf (1.73 ac)
<b>Site Area</b> Prior Dedication Proposed Dedication <b>Site Area</b> (Tract Area – Dedications)	n/a	18,032 sf (0.43 ac) 495 sf (0.01 ac) 56,745 sf (1.30ac)
<b>Commercial Density (max)</b>	85,117 GFA (1.5 FAR)	0
<b>Residential Density (max)</b>	150,544 GFA (2.0 FAR)	150,544 GFA (2.0 FAR)
<b>Total Mapped Density (max)</b>	150,544 GFA (2.0 FAR)	150,544 GFA (2.0 FAR)
<b>Bonus MPDU Density<sup>1</sup></b>	n/a	33,119.68 sf
<b>Workforce Housing Bonus Density<sup>2</sup></b>	n/a	15,054.40 sf
<b>Total Density</b>	n/a	198,718 sf (2.64 FAR)
<b>Building Height (max)</b>	145 feet	100 feet
<b>Public Open Space (min)</b>	5% (2,837 sf)	5.6% (3,179 sf)
<b>Minimum Setbacks</b>	n/a	0

<sup>1</sup> Section 59-4.5.2.C allows a 22% density bonus for providing 15% MPDUs.

<sup>2</sup> For Commercial/Residential-zoned properties designated with a T, Section 59-4.5.2.D allows a 10% density bonus for providing 10% of units as Workforce Housing.

### **Public Benefits**

For a development of this size in the CR Zone, the Zoning Ordinance generally requires 100 points in at least four categories. However, per Section 59-4.7.3.D.6.e, one less category is required if 15% or greater MPDUs are being provided so only three categories are required. Table 2 shows the Applicant's proposed public benefits in the following four categories: Transit Proximity, Connectivity and Mobility, Quality Building and Site Design, and Protection and Enhancement of the Natural Environment.

Table 2—Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
<b>59.4.7.3.B: Transit Proximity</b>		
Full Site within ¼ mile of Level 1 Transit Station	40	40
<b>59.4.7.3.C: Connectivity and Mobility</b>		
Minimum Parking	10	10
<b>59.4.7.3.D: Diversity of Uses and Activities</b>		
Affordable housing- 15% MPDUs	n/a	30
<b>59.4.7.3.E: Quality of Building and Site Design</b>		
Exceptional Design	10	5
Structured Parking	20	10
<b>59.4.7.3.F: Protection and Enhancement of the Natural Environment</b>		
Building Lot Termination (BLTs)	30	2.4
Cool Roof	10	10
Total	-	<b>107.4</b>

#### Transit Proximity

The entire Property is located one-quarter mile from the Twinbrook Metrorail (Level 1) Station and staff recommends 40 points as allowed in the Zoning Ordinance.

#### Connectivity and Mobility

Minimum parking. The Project will provide fewer parking spaces than the maximum allowed under the Zoning Ordinance. Thus, the Applicant anticipates achieving 10 points in this public benefit category. The maximum number of allowed spaces is 276 and the minimum number allowed is 181 spaces. Staff supports the Applicant's request based on the following calculation:

$$[276 \text{ maximum} - 181 \text{ proposed}] / [276 \text{ maximum} - 181 \text{ minimum}] * 10 = 10 \text{ points.}$$

#### Diversity of Uses and Activities

*Moderately Priced Dwelling Units:* The Applicant seeks to gain approval for 30 points for providing 15% MPDUs, 2.5% 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:

$$[15\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required})] * 12 = 30 \text{ points}$$

### Quality of Building and Site Design

*Exceptional Design:* The Applicant requests 5 points for building or site design whose visual and functional impacts exceptionally enhance the character of a setting. Per the Incentive Density Guidelines, 5 points are appropriate for development that meets at least four out of six design criteria for building or site design. The Applicant meets four criteria as described below (from Applicant's Statement of Justification):

1. Providing innovative solutions in response to the immediate context:  
The proposed building will be replacing the existing office building and surface parking with a new residential building that creates urban relationships to the streets, provides covered internalized parking, and sites the building according to view angles and sun exposure.
2. Introducing materials, forms or building methods unique to the immediate vicinity or applied in a unique way:  
The proposed building will continue the residential character of the buildings along Higgins Place and Fishers Lane; however, the proposed massing will likely include projecting bays and recessed balconies to give depth and shadow to the facades. A larger projecting bay at the corner of Twinbrook Parkway and Ardennes Avenue is also proposed, which will semi-cover the proposed open space. The proposed design will also utilize lasting building materials such as brick, metal panels and cement board in a contrasting manner to give texture to the base of the building, depth and rhythm to the middle floors of the building and lightness to the top and courtyard of the building. The façade also incorporates a continuous palette of materials and colors on all facades of the building so that each elevation compliments another, creating a comprehensive building.
3. Designing compact, infill development so living, working and shopping environments are more pleasurable and desirable on a problematic site:  
The proposed building will be maximizing the density while creating as much open space as possible on an irregularly shaped site with a major topographic change. The building will be fronting the two major streets to create urban edges and the streetscape improvements will allow the public and future residents improved routes to the metro either via Higgins Place or Twinbrook Parkway.
4. Integrating low-impact development methods into the overall design of the site and building, beyond green building or site requirements:  
The major component of the low impact design will be the use of bio-retention on site; however, it will be utilized above and beyond standard methods by dispersing the bio-retention through-out the site at multiple levels. In this regard, there will be bio-retention at the main courtyard 3rd floor level, at the 2nd floor level to the west to further enhance the buffer between the neighboring property, and at the ground floor levels within the Property area as part of the streetscape improvements. The Project will also have less parking than the maximum allowed and includes a cool roof.

*Structured Parking:* The Project qualifies for 10 points for providing all 181 proposed parking spaces in an above-grade garage according to the following formula from the Incentive Density Guidelines:

181 above-ground spaces /181 total spaces\*10= 10 points

### Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT)*: The Applicant requests 2.4 points for the purchase of approximately 0.27 BLTs according to the following calculation:

$(150,544 \text{ (optional method density in square feet)} - 37,636 \text{ (standard method density in square feet)}) \times 7.5\% \text{ (percentage of incentive density floor area)} / 31,500 \text{ (square feet of gross floor area required per BLT)} \times 9 \text{ (points per BLT purchased)} = 0.27 \text{ BLTs and 2.4 points.}$

### *Cool Roof*

Staff supports the Applicant's request for 10 points for a cool roof that will provide a minimum solar reflectance index (SRI) of 75 if the roof has a slope at or below a ratio of 2:12, or a minimum SRI of 25 if the slope is above 2:12.

## **General Development Requirements**

### Site Access

Vehicular access to the proposed Project is from Ardennes Avenue, with separate driveways leading to the parking garage and the loading area. Pedestrian access is also provided from Ardennes Avenue, although some units will also have direct pedestrian access from the Twinbrook Parkway frontage.

### Parking and Loading

As demonstrated by Table 2, the proposed parking and loading spaces satisfy the Zoning Ordinance requirements.

Table 3- Parking and Loading		
Parking	Spaces Required	Spaces Provided
Vehicle Parking		
Efficiency (25)	25 min/25 max	
1 bedroom (82)	82 min/103 max	
2 bedroom (51)	51 min/ 77 max	
Efficiency MPDU (4)	2 min/4 max	
1 bedroom MPDU/WFHU (18)	9 min/23 max	
2 bedroom MPDU/WFHU (23)	12 min/35 max	
Total Units (158 Market rate; 29 MPDUs; 16 WFHU)	(181 min/ 276 maximum)	181
Bicycle Parking (Long Term/ Short Term) 203 units	(95/5) 100	(95/5) 100
Loading Spaces	1	1

### Open Space and Recreation

The urban plaza located at the corner of Ardennes Avenue and Twinbrook Parkway comprises over 5% of the site and includes a mixture of hardspace and greenspace. The plaza will provide a transition between the busy intersection and the residential lobby. While access from adjacent



sidewalks is facilitated and encouraged, the site elements provide buffering from passing traffic while negotiating the necessary change in grade.

The proposed recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table provided with the Application. The recreation facilities include an indoor fitness room, a resident lounge, an interior courtyard, an outdoor pool, a grilling area, and seating areas.

#### Landscaping and Outdoor Lighting

Proposed landscaping and lighting, as well as other site amenities, will enhance the streetscape along Ardennes Avenue and Twinbrook Parkway. The facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform the existing streetscape along the Ardennes Avenue and Twinbrook Parkway frontages with new street trees and improved, wider sidewalks and street lighting. The on-site lighting will limit the necessary light levels to streets and sidewalks.

*e. satisfies the applicable requirements of:*

*i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

The Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services (MCDPS) on April 1, 2020. The Applicant proposes to meet stormwater management requirements with the use of five microbio-retention planter boxes and a green roof. Additional treatment is provided via a structural underground filter. Due to site constraints full treatment could not be provided, so MCDPS granted the Applicant's request for a partial waiver of quantity.

*ii. Chapter 22A, Forest Conservation.*

#### Environmental Guidelines

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) was approved by Staff on November 20, 2018 (NRI/FSD No. 420182320). The Property contains no streams or stream buffers, wetlands or wetland buffers, hydraulically adjacent steep slopes, 100-year floodplains, or known habitats of Rare, Threatened and Endangered species. This Property drains to the Lower Rock Creek, which is a Maryland State Use Class I stream. This watershed is not in Special Protection Area. The submitted Site Plan is in conformance with the Montgomery County Planning Department's *Environmental Guidelines*.

#### Final Forest Conservation Plan

There is no forest existing on the Property. Based on the tract area of 1.73 acres and the CR zoning designation, development of this Property will result in an afforestation requirement of 0.26 acres. The Applicant proposes to fulfill the afforestation requirement by paying a fee-in-lieu.

#### Forest Conservation Variance

Section 22A-12(b) (3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest Conservation Law. The law requires no impact to trees that: measure 30 inches

or greater DBH; are part of an historic site or designated with an historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species.

#### Variance Request

The Applicant submitted a variance request in a letter dated November 12, 2019. The Applicant proposes to impact one (1) tree that is 30 inches or greater DBH, that is considered high priority for retention under Section 22A-12(b)(3) of the County Forest Conservation Law. The tree that will be impacted is the national champion crabapple tree.

Table 4: Variance Trees to be impacted				
Tree Number	Species	DBH Inches	Percent CRZ Disturbance	Status
1	Crabapple ( <i>Malus spp.</i> )	36"	100%	To be relocated.

#### Unwarranted Hardship Basis

Per Section 22A-21, a variance may only be granted if the Planning Board finds that leaving the requested tree in an undisturbed state would result in unwarranted hardship, denying the Applicant reasonable and significant use of its property. In this case, the unwarranted hardship is caused by an unusual set of circumstances, including a tree that began growing in a small area of lawn in a relatively urban area, but has grown to national champion size in the decades since it was planted; the fact that the adjacent building creates, in effect, a retaining wall that holds the soil in which the tree is growing; the fact that the building must be demolished to create enough buildable area on the site for any economically feasible project; the need to replace the substandard sidewalk along the street side of the tree to create a safe pedestrian environment; and a required dedication of additional right-of-way along Twinbrook Parkway in this same area. There is also a significant grade change on the Property, making grading necessary to accommodate the development. The combination of these factors will result in severe disturbance to more than 50% of the critical root zone of the tree, making its survival highly unlikely.

At the beginning of this project, Urban Designers from the Montgomery County Planning Department drew up alternative concepts for development that we hoped would lessen the impacts and make retention of the tree on-site more feasible. On further examination, however, it was determined that impacts of greater than 50% of the CRZ are unavoidable. Because retaining the tree would preclude demolition of the building, dedicating the required additional right-of-way for Twinbrook Parkway, establishing the public utility easement, and making necessary safety improvements to the sidewalk along Twinbrook Parkway, Staff determined that the inability to remove this tree would render the site undevelopable for a project of this shape and square footage. Therefore, Staff concurs that the Applicant has a sufficient unwarranted hardship to justify a variance request.

Due to the unique status of this tree as the national champion of its species, the Applicant has volunteered to relocate the tree to a nearby property. This project has been on hold for some time as the Applicant has sought an acceptable nearby area to relocate the tree. The

Applicant has recently secured permission from the owner of a single-family house at 5901 Vandegrift Avenue in Rockville to move the tree to the front lawn of that property.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, for a variance to be granted. Staff has made the following recommendations in the review of the variance request and the proposed forest conservation plan:

#### Variance Findings

Staff recommends that the Planning Board find that granting of the requested variance:

1. *Will not confer on the applicant a special privilege that would be denied to other applicants.*

Granting the variance will not confer a special privilege on the Applicant as the disturbance of tree is due to the location and size of the tree and the considerable constraints of the site. The Applicant is willing to relocate the tree, at considerable expense. Therefore, the granting of this variance is not a special privilege that would be denied to other applicants.

2. *Is not based on conditions or circumstances which are the result of the actions by the applicant.*

The requested variance is not based on conditions or circumstances which are the result of actions by the Applicant. The requested variance is based upon the existing site conditions, the location of the tree, and the need for additional right-of-way dedication for Twinbrook Parkway, pushing the public utility easement and necessary sidewalk safety improvements to within a few feet of the trunk of the tree, all within the critical root zone.

3. *Is not based on a condition relating to land or building use, either permitted or non-conforming, on a neighboring property.*

The requested variance is a result of the existing conditions and not as a result of land or building use on a neighboring property.

4. *Will not violate State water quality standards or cause measurable degradation in water quality.*

The variance will not violate State water quality standards or cause measurable degradation in water quality. The Application proposes to relocate the tree to another site within the Viers Mill Mainstem subwatershed of the Lower Rock Creek Watershed. The tree should continue to provide water quality benefits in the same watershed as before. Therefore, the project will not violate State water quality standards or cause measurable degradation in water quality.

#### Mitigation for Trees Subject to the Variance Provision

No mitigation is required for this tree being impacted but retained. Although the tree is being relocated, it is considered retained, so no mitigation is required.

County Arborist's Recommendation on the Variance

The County arborist recommended approval of the variance request (Attachment 4).

Variance/FFCP Recommendation

Staff recommends approval of the variance request.

The FFCP meets all applicable requirements of Chapter 22A of the County Code. Therefore, Staff recommends that the Planning Board approve the Final Forest Conservation Plan and variance request with the conditions cited in this Staff Report.

- f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The proposed parking, circulation patterns, building massing, open spaces and site amenities will be safe, adequate and efficient. The structured parking is wrapped with dwelling units and amenities and shielded from view of the street and neighboring buildings. Vehicular access to parking and loading are from a logical location at the furthest point from the intersection on Ardennes Avenue and circulation patterns around the Project are enhanced with improved sidewalks, street trees and lighting.

The main courtyard amenity level will be elevated and facing south, while the two wings of the building will be set back slightly from the southern property line with minimal fenestration to minimize impact on future development and reduce conflict with the existing amenity space of the neighboring building to the west. The building massing provides an appropriate street edge along the adjacent roads and the height is consistent with existing and proposed surrounding developments.

The proposed urban plaza open space, located at the prominent intersection of Ardennes Avenue and Twinbrook Parkway, is a well-located amenity for residents and pedestrians in the area. The plaza is easily accessible by pedestrians and cyclists and will provide activation along the Property frontage in the vicinity of the Twinbrook Metro Station. The plaza will also provide a transition between the busy intersection and the residential lobby. Other proposed site amenities will be internal to the Project to provide safe recreation space for residents.

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

The Subject Property is located within the 2009 *Twinbrook Sector Plan* (Sector Plan) and is located within the Metro Core Area 2 of the Sector Plan.

The Sector Plan sets forth the following key recommendations for the Planning Area that are applicable to this Application:

- Ensure that new development and redevelopment contribute to improving both the natural environment and community spaces.
- Create and enhance pedestrian and bike routes that connect to parks and the Metro station.
- Integrate urban design, parks, land use, and transportation recommendations with environmental improvements to create an urban form that promotes the function of healthy natural processes.

- Reduce automobile dependence by encouraging increased pedestrian activity and transit accessibility. (Page 3)

The Project will encourage transit usage due to its location within a quarter-mile of the Twinbrook Metro Station. The redevelopment will enhance stormwater management, tree canopy and the pedestrian environment along the Property's Ardennes Avenue and Twinbrook Parkway frontages. The well-integrated open space/plaza at the corner of Twinbrook Parkway and Ardennes Avenue will serve as a community gathering space at a prominent intersection.

The Sector Plan provides the following guidance for properties within Metro Core Area 2:

"Redevelopment density and mixed-uses should continue the Twinbrook Station pattern of buildings oriented to the street and create pedestrian connections. The full 2.0 FAR is appropriate in this area, but any development above 1.5 must be applied to residential uses. The site could also redevelop completely with residential uses at 2.0 FAR and provide MPDUs and workforce housing. (Page 33)"

The Sector Plan also recommends that development within the Metro Core Area 2 should continue the neighborhood pattern of street fronting buildings, provide pedestrian connections to the adjacent Twinbrook Station project and be compatible with the adjacent development within the City of Rockville.

The Site Plan is consistent with the Sector Plan's vision for the Property as it represents redevelopment of this underutilized site with residential uses, including both MPDUs and WFHUs, and orients the proposed building to the adjacent streets. The Project's design will place the street activating private amenity spaces along Ardennes Avenue and at the intersection of Ardennes and Twinbrook Parkway. The Site Plan also includes streetscape improvements along Twinbrook Parkway and Ardennes Avenue that will enhance the pedestrian experience. The Project's public open space is proposed to be oriented to the corner to maximize visibility and will be designed to be attractive not only to the residents of the Project but also to other area residents commuting to and from the nearby Metro station.

The Sector Plan provides additional design guidance regarding appropriate building heights, promoting structured and shared parking, enhancing pedestrian connections and providing a mix of uses. The proposed building is within the prescribed height limits. Its massing is compatible with the massing of adjacent buildings within the Twinbrook Station Development and its layout screens a 2-level parking structure with residential units and amenities lining the streets.

#### Master-Planned Roadways, Bikeways, and Transitways

Per the 2009 *Twinbrook Sector Plan* the right-of-way on Twinbrook Parkway is 120-feet. The Applicant is dedicating 60-feet from the centerline of Twinbrook Parkway to satisfy the right-of-way requirements.

The 2018 *Bicycle Master Plan* recommends two-way separated bike lanes on the west side of Twinbrook Parkway, fronting the Subject Property and a protected intersection at Ardennes Avenue and Twinbrook Parkway to ensure the smooth transition of bicycle facilities. Two-way separated bike lanes are 10-12 feet wide and are separated from travel lanes by raised buffers (3-6 feet wide). Due to limited right-of-way, in lieu of constructing the bikeway improvement, the Applicant is providing a contribution of \$42,000 to MCDOT to fund nearby bikeway infrastructure.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The Project will be served by adequate public services and facilities as described below.

## **Transportation**

### Vehicular Circulation and Access Points

Vehicular access to the site is proposed from Ardennes Avenue, with separate garage entrances for residents and loading/service access; no vehicular access is proposed from Twinbrook Parkway.

### Existing Transit Service

The site is located one-quarter mile from the Twinbrook Metro Station, which is served by Metrorail's Red Line. The Red Line provides inbound service to the National Institutes of Health, downtown Bethesda, downtown Washington, D.C., Union Station, and Silver Spring, and outbound service to Rockville and Shady Grove. Metrorail service operates from 5 a.m. to 11:30 p.m. Monday-Thursday, from 5 a.m. to 1 a.m. on Friday, from 7 a.m. to 1 a.m. on Saturday, and from 8 a.m. to 11 p.m. on Sunday.

Two Ride On routes operate on Twinbrook Parkway with stops just north of the site:

- **Route 26:** Operates service from the Glenmont Metro Station to the Montgomery Mall Transit Center, with stops at the Twinbrook and White Flint Metro stations. Route 26 operates 30-minute frequencies on weekdays, Saturday, and Sunday.
- **Route 45:** Operates service from the Rockville Regional Transit Center to the Twinbrook Metro Station, with stops at the Rockville Metro Station and the Montgomery College Rockville Campus. Route 45 operates 30-minute frequencies on weekdays and Saturday; service does not operate on Sunday.

Additional bus service is available at the Twinbrook Metro Station, with connections to Metrobus C4 and Ride On 5, 10, 44, 46, and 93.

### Pedestrian and Bicycle Facilities

The Applicant is proposing a shared 13-foot wide pedestrian/bicycle path with landscape zone on Twinbrook Parkway and an eight-foot sidewalk and seven-foot landscape zone on Ardennes Avenue. The Applicant is providing 95 long-term bicycle parking spaces. The long-term bicycle parking is located in two locations on the ground floor and provides sheltered and secured bicycle storage for residents. The Applicant is providing five short-term bicycle parking spaces (inverted u-racks) along the Property's frontage, located near or at the building's primary pedestrian entrance.

Twinbrook Parkway is within a designated Urban Road Code area. Interior travel lane widths will be reduced to 10-feet, with curb lane widths reduced to 11-feet. The median located in Twinbrook Parkway will be expanded to six feet wide to provide a median refuge island for pedestrians. In accordance with the Twinbrook Urban Design Guidelines, the intersection of

Ardennes Avenue and Twinbrook Parkway include a perpendicular curb ramp with detectable warning surfaces (truncated domes) that align with the path of pedestrians crossing Ardennes Avenue and Twinbrook Parkway.

As noted, the Applicant is providing a contribution of \$42,000 to MCDOT to fund nearby bikeway infrastructure.

Ardennes Avenue is maintained by the City of Rockville and is classified under the City's road classification system as a Business District Type II street bike lanes (5.5 feet wide). In coordination with the City of Rockville, the Applicant is retaining the existing bike lane and providing an 8-foot sidewalk with a 7-foot landscape buffer along the Property frontage with Ardennes Avenue.

#### Local Area Transportation Review

Per the 2016-2020 Local Area Transportation Review (LATR) Guidelines, a traffic study is required to satisfy the motor vehicle adequacy analysis if the proposed use generates more than 50-person trips within the weekday peak hours. As the total number of peak-hour vehicle trips serving the site exceeds 50 trips per peak hour, the Applicant was required to complete the motor vehicle system adequacy test, including a transportation impact study (TIS). The pedestrian, bicycle, and transit adequacy analysis were not triggered for this project.

Vehicle trip generation for the Property was analyzed using the ITE Trip Generation Rates for Multifamily Housing (multifamily) and adjusted based on the mode split assumptions for the Twinbrook Policy Area. The Project is projected to generate 130 person trips during the AM peak hour and 166 person trips during the PM peak hour.

The transportation impact study analyzed three nearby intersections: Twinbrook Parkway and Ardennes Avenue, Twinbrook Parkway and Fishers Lane, and Ardennes Avenue and Higgins Place (located in the City of Rockville). The Twinbrook Policy Area is a red policy area, which uses the Highway Capacity Manual (HCM) delay-based level of service standards to analyze impacts on signalized intersections. The HCM congestion standard for intersections within the Twinbrook Policy Area is 120 seconds. Based on the results of the HCM analysis, each of the study area intersections are projected to operate at satisfactory levels of service, based on the background and future total traffic conditions.

Table 5: Person Trips						
Peak Period	Auto Driver	Auto Passenger	Pedestrian*	Transit	Bicycle	Person Trips
AM	68	34	28	13	15	<b>130</b>
PM	87	43	36	16	20	<b>166</b>
*Pedestrian trips are the sum of all transit and bicycle trips generated by the project						

Table 6: HCM Analysis						
Intersection	Existing Conditions		Background Conditions		Future Conditions	
	AM	PM	AM	PM	AM	PM
<b>Twinbrook Parkway / Ardennes Avenue</b>	13.6	15.2	15.0	16.8	16.2	17.7
<b>Twinbrook Parkway / Fishers Lane</b>	19.2	46.0	35.4	111.8	35.3	111.0
<b>Ardennes Avenue / Higgins Place</b>	1.4	3.2	1.4	3.2	1.4	3.2
<i>HCM delay shown as seconds</i>						

#### Transportation Demand Management

In accordance with Montgomery County's recently adopted transportation demand management legislation, the Project must implement a Level 3 Results Plan from MCDOT prior to issuance of any building permit by the Department of Permitting Services.

#### **Schools**

##### Overview and Applicable School Test

The subject application is scheduled to come before the Planning Board for review on June 25, 2020. Therefore, the FY20 Annual School Test, approved by the Planning Board on June 20, 2019 and effective July 1, 2019 is applicable. The Application proposes development of 203 multi-family high-rise units.

##### Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The Subject Property is located in the southwest region of the County.

Table 7: Per Unit Student Generation Rates – Southwest Region			
	Elementary School	Middle School	High School
<b>SF Detached</b>	0.186	0.109	0.151
<b>SF Attached</b>	0.167	0.085	0.111
<b>MF Low-Rise</b>	0.150	0.068	0.085
<b>MF High-Rise</b>	0.041	0.018	0.025

With a net of 203 multi-family high-rise units, the proposed project is estimated to generate the following number of students:



Table 8: Project 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	203	0.041	8.323	0.018	3.654	0.025	5.075
<b>TOTAL</b>	<b>203</b>		<b>8</b>		<b>3</b>		<b>5</b>

This project is estimated to generate 8 new elementary school students, 3 new middle school students, and 5 new high school students.

#### Cluster Adequacy Test

The project is located in the Richard Montgomery High School Cluster. The student enrollment and capacity projections from the FY20 Annual School Test for the cluster are noted in the following table:

Table 9: Estimated Project Impact at Cluster Level					
School Level	Projected Cluster Totals, September 2024			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	2,853	3,008	94.8%	757	<b>8</b>
Middle	1,467	1,432	102.4%	251	<b>3</b>
High <sup>1</sup>	2,602	2,218	117.3%	59	<b>5</b>

<sup>1</sup> The FY20 test high school level enrollment reflects the estimated impact of a planned capital project and ensuing boundary changes affecting the Richard Montgomery cluster, which will reassign students from Richard Montgomery HS to Crown HS in September 2024.

The Moratorium Threshold identified in the table is the number of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and therefore trigger a cluster-wide residential development moratorium. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

#### Individual School Adequacy Test

The applicable elementary and middle schools for this project are Twinbrook ES and Julius West MS, respectively. Based on the FY20 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 10: Estimated Project Impact on Individual Schools						
School	Projected School Totals, September 2024				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Twinbrook ES	543	558	97.3%	+15	127	<b>8</b>
Julius West MS	1,467	1,432	102.4%	-35	252	<b>3</b>

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and the school seat deficit meets or exceeds 110 seats for an elementary school or 180 seats for a middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds identified in the table above are the numbers of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and the seat deficit threshold. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds for both Twinbrook ES and Julius West MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project.

#### Analysis Conclusion

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 application.

#### **Other**

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the *Subdivision Staging Policy* resolution currently in effect and will be adequate to serve the Property.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

Not applicable; the Property is not in a Rural Residential or Residential Zone.

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

The proposed Project successfully achieves compatibility with the varied uses in its immediate vicinity. The surrounding development, with the exception of the Exxon gas station directly south of the Property, is a mixture of mixed-use and commercial developments of similar heights. The proposed building will be wrapping the main level of the parking with dwelling units and amenities facing the street.

The proposed building height of up to 100 feet will be compatible with the adjacent buildings. Surrounding buildings on Higgins Place are between five (5) and six (6) stories in height and the Twinbrook Place office building to the north is seven (7) stories in height. In addition, the Subject Property is approximately eight (8) feet lower in grade than adjacent properties, further ensuring height compatibility.

The development of multi-family residential uses on the Property will create a more balanced mix of uses along Twinbrook Parkway. There are several commercial office and industrial uses in the vicinity of the Property that generate employment opportunities. Given the proximity of well-established employment uses near the Property, the additional housing provided by the Project will create an opportunity for individuals to live, work, and play in the Twinbrook area. The Project will also offer a variety of housing options through the provision of market-rate units, MPDUs and WFHUs.

Lastly, the Application is proposing a shared pedestrian and bike path along Twinbrook Parkway and up to 3,179 square feet of public open space that will supplement the proposed streetscape improvements and contribute to an enhanced pedestrian experience with immediate connections to the Twinbrook Metro Station.

## **SECTION 5: CONCLUSION**

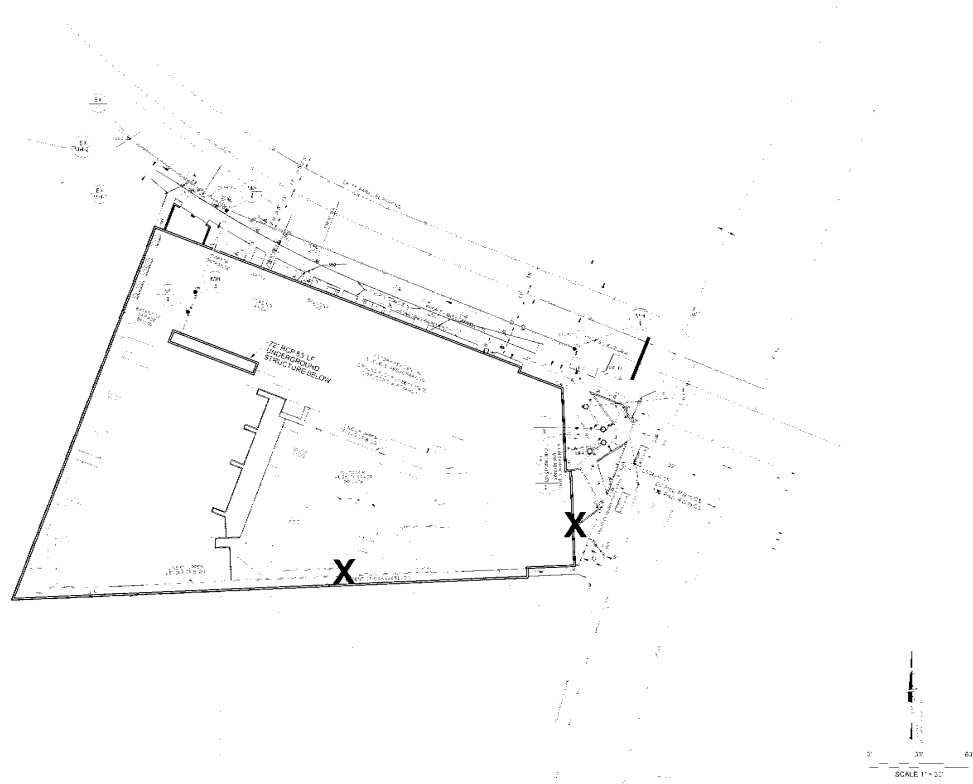
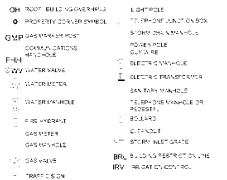
The Site Plan application satisfies the findings for approval under Section 7.3.4.E of the Zoning Ordinance and substantially conforms to the recommendations of the *Twinbrook Sector Plan*. Therefore, Staff recommends approval of the Site Plan with the conditions specified at the beginning of this report.

### **ATTACHMENTS:**

1. Site Plan
2. Preliminary/Final Forest Conservation Plan
3. Variance Request
4. County Arborist Correspondence
5. Agency Approval Letters
6. Correspondence



**FINAL FORST CONSERVATION PLAN #820200080**



TREE REMOVED	CHALLENGE INDEX	MITIGATION REQUIRED (in \$)
101	35.00	\$91
102	35.00	\$91

[illegible]

GROSS TRACT AREA TABULATION	
Parcel No. 01-0000060	
Area 1	1.7446 Acre (57' Easement of 1/4 Sec. 3, Block 5, P. 2-0000000)
Area 2	2.0000 Sq. Ft. (0.02 Ac.)
Area 3	2.9600 Sq. Ft. (0.06 Ac.)
Area 4	1.7446 Acre (57' Easement of 1/4 Sec. 3, Block 5, P. 2-0000000)
<b>TOTAL</b>	<b>6.4692 Acres</b>
485 Sq. Ft. (0.01 Ac.)	<b>Gross Tract Area</b>
58,784 Sq. Ft. (1.34 Ac.)	<b>Proposed Dedication (Fairbairn Parkway)</b>
	<b>Net Lot Area</b>

### Existing Property Information

### Key Information

### SS TRACT AREA TABULATION

$$\approx 1.32 \text{ } ^\circ\text{A}^{-1} \approx 1.2446 \pm 15^\circ \text{ (expt) of } \text{Co}^{2+} \text{ (A)}$$

10025-10026-10027-10028-10029-10030-10031-10032-10033-10034-10035-10036-10037-10038-10039-10040-10041-10042-10043-10044-10045-10046-10047-10048-10049-10050-10051-10052-10053-10054-10055-10056-10057-10058-10059-10060-10061-10062-10063-10064-10065-10066-10067-10068-10069-10070-10071-10072-10073-10074-10075-10076-10077-10078-10079-10080-10081-10082-10083-10084-10085-10086-10087-10088-10089-10090-10091-10092-10093-10094-10095-10096-10097-10098-10099-10100-10101-10102-10103-10104-10105-10106-10107-10108-10109-10110-10111-10112-10113-10114-10115-10116-10117-10118-10119-10120-10121-10122-10123-10124-10125-10126-10127-10128-10129-10130-10131-10132-10133-10134-10135-10136-10137-10138-10139-10140-10141-10142-10143-10144-10145-10146-10147-10148-10149-10150-10151-10152-10153-10154-10155-10156-10157-10158-10159-10160-10161-10162-10163-10164-10165-10166-10167-10168-10169-10170-10171-10172-10173-10174-10175-10176-10177-10178-10179-10180-10181-10182-10183-10184-10185-10186-10187-10188-10189-10190-10191-10192-10193-10194-10195-10196-10197-10198-10199-10200-10201-10202-10203-10204-10205-10206-10207-10208-10209-10210-10211-10212-10213-10214-10215-10216-10217-10218-10219-10220-10221-10222-10223-10224-10225-10226-10227-10228-10229-10230-10231-10232-10233-10234-10235-10236-10237-10238-10239-10240-10241-10242-10243-10244-10245-10246-10247-10248-10249-10250-10251-10252-10253-10254-10255-10256-10257-10258-10259-10260-10261-10262-10263-10264-10265-10266-10267-10268-10269-10270-10271-10272-10273-10274-10275-10276-10277-10278-10279-10280-10281-10282-10283-10284-10285-10286-10287-10288-10289-10290-10291-10292-10293-10294-10295-10296-10297-10298-10299-10300-10301-10302-10303-10304-10305-10306-10307-10308-10309-10310-10311-10312-10313-10314-10315-10316-10317-10318-10319-10320-10321-10322-10323-10324-10325-10326-10327-10328-10329-10330-10331-10332-10333-10334-10335-10336-10337-10338-10339-10340-10341-10342-10343-10344-10345-10346-10347-10348-10349-10350-10351-10352-10353-10354-10355-10356-10357-10358-10359-10360-10361-10362-10363-10364-10365-10366-10367-10368-10369-10370-10371-10372-10373-10374-10375-10376-10377-10378-10379-10380-10381-10382-10383-10384-10385-10386-10387-10388-10389-10390-10391-10392-10393-10394-10395-10396-10397-10398-10399-10400-10401-10402-10403-10404-10405-10406-10407-10408-10409-10410-10411-10412-10413-10414-10415-10416-10417-10418-10419-10420-10421-10422-10423-10424-10425-10426-10427-10428-10429-10430-10431-10432-10433-10434-10435-10436-10437-10438-10439-10440-10441-10442-10443-10444-10445-10446-10447-10448-10449-10450-10451-10452-10453-10454-10455-10456-10457-10458-10459-10460-10461-10462-10463-10464-10465-10466-10467-10468-10469-10470-10471-10472-10473-10474-10475-10476-10477-10478-10479-10480-10481-10482-10483-10484-10485-10486-10487-10488-10489-10490-10491-10492-10493-10494-10495-10496-10497-10498-10499-10500-10501-10502-10503-10504-10505-10506-10507-10508-10509-10510-10511-10512-10513-10514-10515-10516-10517-10518-10519-10520-10521-10522-10523-10524-10525-10526-10527-10528-10529-10530-10531-10532-10533-10534-10535-10536-10537-10538-10539-10540-10541-10542-10543-10544-10545-10546-10547-10548-10549-10550-10551-10552-10553-10554-10555-10556-10557-10558-10559-10560-10561-10562-10563-10564-10565-10566-10567-10568-10569-10570-10571-10572-10573-10574-10575-10576-10577-10578-10579-10580-10581-10582-10583-10584-10585-10586-10587-10588-10589-10590-10591-10592-10593-10594-10595-10596-10597-10598-10599-10600-10601-10602-10603-10604-10605-10606-10607-10608-10609-10610-10611-10612-10613-10614-10615-10616-10617-10618-10619-10620-10621-10622-10623-10624-10625-10626-10627-10628-10629-10630-10631-10632-10633-10634-10635-10636-10637-10638-10639-10640-10641-10642-10643-10644-10645-10646-10647-10648-10649-10650-10651-10652-10653-10654-10655-10656-10657-10658-10659-10660-10661-10662-10663-10664-10665-10666-10667-10668-10669-10670-10671-10672-10673-10674-10675-10676-10677-10678-10679-10680-10681-10682-10683-10684-10685-10686-10687-10688-10689-10690-10691-10692-10693-10694-10695-10696-10697-10698-10699-10700-10701-10702-10703-10704-10705-10706-10

Fl. 1.73 Ae. Gross Tract Area

FL 0.01-Ac.	Proposed Dedication (Twinsburg Historical Society)
FL 0.01-Ac.	Proposed Dedication (Twinsburg Historical Society)

U.S. Area	World Area
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THE JUDGES SAID AGREE TO EXHIBIT 41.

**Abstract**

© 2000, Andrew Rogers LLC

$$\frac{1}{\text{Conc}} = \frac{1}{\text{Conc}_0} + \frac{k_2}{k_1} \tau$$

$$\frac{d}{dt} \left( \frac{1}{2} m \dot{x}^2 \right) = \frac{1}{2} m \dot{x}^2 \quad \text{for } m = 1 \text{ and } \dot{x} = 1$$

$$\text{Elasticity} = 752/322 = 2.34\%$$

Signature: \_\_\_\_\_

## ATTACHMENT 3



Erin E. Girard  
301-517-4804  
egirard@milesstockbridge.com

November 12, 2019

Steve Findley  
Maryland-National Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, MD 20910

Re: Forest Conservation Tree Variance Request; Site Plan No. 820200080

Dear Steve:

On behalf of our client, Ardennes Partners, LLC ("Applicant"), we are submitting this Tree Variance Request in accordance with Natural Resources, Title 5, Section 5-1607 of the Maryland Code, as well as Section 22A-21 of the Montgomery County Code, both of which require the Applicant to apply for a variance to remove or impact any tree greater than 30" in diameter-at-breast height (dbh), any tree with a dbh equal to or greater than 75% of the current state champion, trees that are part of a historic site or associated with a historic structure, any tree designated as the county champion tree, and any tree, shrub, or plant identified on the rare, threatened or endangered list of the U.S. Fish and Wildlife Service of the Maryland Department of Natural Resources, if a project did not receive Preliminary Forest Conservation Plan Approval prior to October 1, 2009.

This Tree Variance Request is accompanying the submission of Final Forest Conservation Plan No. 820200080.

The approximately 1.73 acre property that is the subject of this request is located in the southwest corner of the intersection of Ardennes Avenue and Twinbrook Parkway in Rockville, Maryland, more formally known as 12500 Ardennes Avenue (the "Property"). It is currently developed with a commercial office building and associated surface parking. The proposed project will redevelop the Property with a multi-family residential use, internal structured parking, and related amenities (the "Project"). In this regard, the Project substantially achieves the goals and objectives of the Twinbrook Sector Plan to increase housing choices proximate to the Metro Station (the "Sector Plan"). This request proposes impacts to the only significant tree on the Property, a National Champion Southern Crabapple, with an approximately 35.65" dbh

114610\000001\4833-5360-5291.v1

(the “Tree”). The impacts to the Tree are related to its proposed relocation to another site in order to facilitate construction of the Project.

Pursuant to the requirements of MD Code, Natural Resources Section 5-1607 and Section 22A-21 of the Montgomery County Code, we submit the following rationale in support of the request for a Forest Conservation Tree Variance:

**For approval, the Variance Request must:**

**1. Describe the special conditions peculiar to the property which would cause the unwarranted hardship;**

The location of the Tree on the Property, and its related critical root zone, are such that preservation of the Tree on the site would severely limit its redevelopment potential in accordance with the Sector Plan. The Property is an irregularly shaped corner lot whose developable area is already constrained. The Tree is located only 16 feet from the existing sidewalk along Twinbrook Parkway. The Sector Plan calls for the dedication of an additional five feet of right-of-way along the Property’s frontage, to include sidewalk improvements, which further limit developable area. Additionally, the grade of the Property slopes significantly, with twelve feet of grade change between the southeast and northwest corners of the Property. While the design of the proposed building will work with the grade to bury a portion of the structured parking, redevelopment of the Property will require significant regrading and disturbance, which would significantly impact the critical root zone, given its expanse.

Additionally, the Property is comprised of a single, aging office building and surface parking. Any redevelopment of the Property to improve it, even aside from construction of the Project, would necessitate impacts to over 25% of the Tree’s critical root zone. Sidewalk improvements along Twinbrook Parkway called for in the Sector Plan would also impact an additional 25% of the Tree’s critical root zone on the opposite side of the Tree.

The existing conditions, the location of the Tree on the Property, and the Sector Plan’s recommendations for redevelopment of the Property with denser uses more appropriate for its proximity to transit therefore represent conditions peculiar to the Property. Denial of the requested variance would restrict the Applicant’s ability to implement the proposed improvements and those improvements called for in the Sector Plan, creating an unwarranted hardship.

**2. Describe how enforcement of these rules would deprive the landowner of rights commonly enjoyed by others in similar area;**

Limiting all impacts to the Tree through denial of the variance would deprive the Applicant of the ability to make significant changes to the Property due to the unfortunate location of the tree and the extent of its critical root zone. Additionally, the Sector Plan’s vision

for more housing and higher density development, with improved streetscapes, could not be realized without impacts to the Tree. Denial of the variance would therefore deprive the Applicant of the redevelopment and improvement opportunities enjoyed by neighboring and similar properties that do not have protected trees located in areas slated for improvement in the Sector Plan.

**3. Verify that State water quality standards will not be violated or that a measurable degradation in water quality will not occur as a result of the granting of the variance; and**

As noted above, the Property is currently improved with a single commercial building and associated surface parking. There are no known stormwater facilities currently on site. The concept stormwater management plan incorporates the latest State and County Environmental Site Design (ESD) to the maximum extent practicable (MEP). The proposed development includes both microbioretenment and some green roof to manage stormwater. Therefore, granting the variance will not adversely impact the water quality standards, but rather will significantly improve them through the introduction of ESD facilities and new stormwater facilities on a site that currently has none.

**4. Provide any other information appropriate to support the request.**

Importantly, the Applicant is not proposing to remove the tree or simply impact it, but rather relocate it, at significant expense, to a more appropriate setting for the remainder of its years. In this regard, the Applicant has agreed to select an alternate site that has soils appropriate for the survivability of the Tree, and will maintain the Tree for five years in order to maximize the chances of its survival after relocation. Thus, the impacts to the tree are those associated with this relocation effort.

Additionally, the Sector Plan recommendations, including redevelopment of the Property, were found to be in the public interest in part because they would improve pedestrian and bicycle circulation in the area, particularly to and from the nearby Metro station, increase housing, particularly affordable housing, near transit, and improve environmental conditions. Denial of the variance would thwart these objectives by essentially preventing redevelopment of the Property.



Page 4

Thank you for your consideration of this Tree Variance Request. We believe the supporting information provided with this letter justifies the impacts to the champion tree, especially in light of the Applicant's intent to ultimately save and relocate the tree. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

MILES & STOCKBRIDGE, P.C.



Erin E. Girard

## ATTACHMENT 4

**From:** [Findley, Steve](#)  
**To:** [Miller, Laura \(Laura.Miller@montgomerycountymd.gov\)](#); [Tettelbaum, Emily](#)  
**Subject:** FW: Variance Review for the National Champion Crabapple Tree, 12500 Ardennes Ave.  
**Date:** Wednesday, May 20, 2020 3:13:01 PM

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**From:** Miller, Laura <Laura.Miller@montgomerycountymd.gov>

Hi Laura,

I think the law just says that we must forward the variance review to you for your recommendation. If it would be helpful, I can send a copy of the NRI, the FCP, and the Variance Request. I don't think it matters here that you do not have an ePlans task, but we do want you to see anything that is helpful to you. The response you have provided is also helpful, and we can use this to note your recommendation in our staff report. If appropriate, you could put your response on your usual MCDEP letterhead, and we can append it to the staff report. I will let Emily Tettelbaum weigh in if she has other comments or suggestions. Thanks, Laura. Stay safe, yourself!

Steve

*Stephen H. Findley, CC-P*

Planner Coordinator, Area 2 Planning Division

M-NCPPC, Montgomery County Planning Department

301-495-4727

**Sent:** Wednesday, May 20, 2020 1:50 PM

**To:** Findley, Steve <steve.findley@montgomeryplanning.org>

**Subject:** RE: Variance Review for the National Champion Crabapple Tree, 12500 Ardennes Ave.

Hi Steve,

How do you want me to comment on this? I don't see a task for me and no files were attached, so I'm not sure where to complete my review. Here's what my comments will be:

The County Arborist recognizes that the Planning Department has completed a detailed review of this project that is consistent with the development review process. The relocation of this County-champion tree seems to be the most reasonable option to give this tree a chance for survival. Given that relocation of any tree is a disturbance of 100 percent of the critical root zone and that the tree will be entirely removed from the property, and to be consistent with other plans that include trees with significant impacts, this tree should be categorized as a 'removal with intent to save' and mitigation should be required as if the tree were cut down.

Please let me know how to officially get this to you!

Stay well and safe!

Laura

**For COVID-19 Information and resources, visit: [www.montgomerycountymd.gov/COVID19](http://www.montgomerycountymd.gov/COVID19)**

# ATTACHMENT 5



## DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
*County Executive*

Aseem K. Nigam  
*Director*

May 26, 2020

Mr. Troy Leftwich  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: 12500 Ardennes Avenue  
Site Plan No. 820200080

Dear Mr. Leftwich:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plan and recommends Approval, with the following condition:

- At certified site plan, demonstrate that the Workforce Housing Units are at least 90% of the area of the average size of individual market rate units containing the same number of bedrooms.

Sincerely,

*Lisa Schwartz*

Lisa Schwartz, Manager  
Affordable Housing Programs Section

cc: Kevin Mack, Dewberry

[https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/12500 Ardennes/12500 Ardennes Ave DHCA Letter\\_5-26-2020.docx](https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/12500 Ardennes/12500 Ardennes Ave DHCA Letter_5-26-2020.docx)

### Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)

[montgomerycountymd.gov/311](http://montgomerycountymd.gov/311)



240-773-3556 TTY



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**Department of Permitting Services  
Fire Department Access and Water Supply Comments**

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**DATE:** 02-May-20  
**TO:** Alan Barney - abarney@dewberry.com  
Dewberry  
**FROM:** Marie LaBaw  
**RE:** 12500 Ardennes  
820200080

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **02-May-20**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

**\*\*\* See Statement of Performance Based Design \*\*\***

## DPS-ROW CONDITIONS OF APPROVAL

May 18, 2020

\*\*\*Revision: The conditions hereon supersede previous conditions of approval dated April 23, 2020.

**820200080 12500 Ardennes Ave**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-SITE-820200080-004.pdf V5” uploaded on/ dated “4/21/2020”,  
“08-LL-820200080-102.pdf V4” uploaded on/ dated “4/21/2020” and

The followings need to be addressed prior to the certification of site plan:

1. Provide a minimum 6feet pedestrian refuge island.
2. Signal equipment at the intersection of Twinbrook Pkwy and Ardennes Ave, please:
  - a. verify where they will be relocated to by the applicant;
  - b. Label the associated easement to be granted to the County as proposed.

And, the followings need to be conditions of the certified site plan:

1. Address MCDOT approval letter dated June 14, 2019 for sketch plan condition 4a; the applicant needs to contribute the pro-rata share of \$42000.00 toward Twinbrook Pkwy separated bike lanes improvements prior to the issuance of any ROW permit.
2. MCDOT- Commuter Services Section comments:

Given site constraints and streetscape requirements, space for an on-site bikeshare station or for the storage of micro-mobility devices is not required for the Project. Instead, to help the Project meet the Non-Auto Driver Mode Share (“NADMS”) goals of the TMD, the Applicant must financially support the use of bikesharing and other shared micro-mobility services among residents and Project employees. The support must be in the form of a financial contribution in the amount of \$100.00 per dwelling unit, for a maximum total of \$20,000 (*i.e.*, \$100.00 x 200 dwelling units) (the "Bikesharing Contribution"). The Applicant must set aside the Bikesharing Contribution and, either directly or through its TBC, make disbursements from the Bikesharing Contribution available to residents and building staff employees who elect to use a bikesharing or micro-mobility service. The Applicant must begin making disbursements of the Bikesharing Contribution available to residents and building staff upon issuance of the final residential U & O Certificate for the Project. The Applicant must continue making such disbursements until the Bikesharing Contribution is fully expended and, upon written notice from the Applicant or its TBC to MCDOT confirming that the entirety of the Bikesharing Contribution has been disbursed to residents and building staff, the obligations to financially support the use of bikesharing and other shared micro-mobility services among residents and employees at the Project will be fulfilled.

The Applicant must work with MCDOT to promote the use of bikeshare and other shared-use micro-mobility devices among residents and employees at the Project in order to accomplish the objectives of the TMD.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich  
County Executive

Hadi Mansouri  
Acting Director

April 1, 2020

Mr. Alan Barney, P.E.  
Dewberry  
2101 Gaither Road, Suite 240  
Rockville, MD 20850

Re: **COMBINED STORMWATER MANAGEMENT  
CONCEPT/SITE DEVELOPMENT  
STORMWATER MANAGEMENT PLAN** for  
Spring Lake Park/12500 Ardennes Avenue  
Site Plan #: 820200080  
SM File #: 285546  
Tract Size/Zone: 1.31Ac./CRT-2.0,C-1.5,R-2.0  
Total Concept Area: 1.46 Ac.  
Lots/Block: P3/A  
Parcel(s): N184  
Watershed: Lower Rock Creek

Dear Mr. Barney:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via ESD to the MEP with the use of five micro-bioretenention planter boxes and a green roof. Additional treatment is provided via a structural underground filter. Due to site constraints full treatment may not be provided, so the request for a partial waiver of quantity is granted.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.
4. Use the latest design standards at the time of plan submittal.
5. The green roof is to be designed by a professional with green roof experience.
6. Provide a minimum of 373 square feet of 8" green roof. Try to provide additional green roof if possible.
7. Provide a copy of the riser diagram for the roof drains.



255 Rockville Pike, 2<sup>nd</sup> Floor, Rockville, Maryland 20850 | 240-777-0311  
[www.montgomerycountymd.gov/permittingervices](http://www.montgomerycountymd.gov/permittingervices)

*Mr. Alan Barney*  
*April 1, 2020*  
*Page 2 of 2*

8. All under ground parking garage is to drain to WSSC. Provide a copy of the riser diagrams to verify this condition.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact David Kuykendall at 240-777-6332.

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: CN285546 Spring Lake Park.DWK

cc: N. Braunstein  
SM File # 285546

ESD: Required/Provided 8332 cf / 4851 cf  
PE: Target/Achieved: 1.8"/1.05"  
STRUCTURAL: 1,851 cf  
WAIVED: 1.46 ac.



## ATTACHMENT 6

**Tettelbaum, Emily**

---

**From:** Villy Iranpur <viranpur@every-mind.org>  
**Sent:** Tuesday, April 28, 2020 12:08 PM  
**To:** Tettelbaum, Emily  
**Cc:** Govoni, Lisa  
**Subject:** RE: hi :)

I see that makes sense! So it would be the county's job to pick the right developer for the area to actually meet the needs of the community/city.. so that would have had to be discussed before they actually received the go ahead.

Ugh that is good to know, I don't think apartments there are the right thing as there are so many apartments already there and that is the last area by the metro that would really be beneficial for professionals that we potentially are going to get from amazon multiplier effect.

Thanks so much for helping to understand, I really do appreciate it!

Villy Iranpur  
Program Coordinator  
Representative Payee & Friendly Visitor  
Adult & Community Services



---

1000 Twinbrook Parkway  
Rockville, MD 20851  
T 301.424.0656 x545  
F 301.738.1030  
[www.Every-Mind.org](http://www.Every-Mind.org)

In Need of Support?  
Phone: 301.738.2255  
Text: 301.738.2255  
Chat: <https://suicidepreventionlifeline.org/chat/>

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**From:** Tettelbaum, Emily [mailto:Emily.Tettelbaum@montgomeryplanning.org]  
**Sent:** Tuesday, April 28, 2020 8:19 AM  
**To:** Villy Iranpur <viranpur@every-mind.org>

**Cc:** Govoni, Lisa <Lisa.Govoni@montgomeryplanning.org>

**Subject:** RE: hi :)

Hi Villy,

The developer has control over the type of project (condo vs rental, age-restricted, luxury, etc); to my knowledge the County does not have any input. The County has an affordability requirement, the MPDU law, that generally applies to residential projects. The proposal for 12500 Ardennes includes 15% MPDUs and 10% workforce housing units. I hope I answered your question?

Best,  
Emily

---

**From:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>

**Sent:** Monday, April 27, 2020 4:31 PM

**To:** Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)>

**Cc:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>

**Subject:** Re: hi :)

Lol ugh just a Monday! Sorry my question was also a little confusing!

Thank you Emily for clarifying it could be either and most likely it will be rentals! So does the developer usually get to decide that or county has input on what they to do with it?

I'm asking because that area has (already) lot of apartments going up and this new development if possible should mimic a little of pike and rose with both that are affordable so that the county/city can get revenue from property taxes etc.

Thanks for taking the time to entertain some thoughts!

**Villy Iranpur**  
EveryMind.  
Program Coordinator  
Repayee & Friendly Visitor  
1000 Twinbrook Parkway  
Rockville, MD 20851  
**T:** [301.424.0656](tel:301.424.0656) ext 545  
**F:** [301.738.1030](tel:301.738.1030)  
<http://www.every-mind.org/>

On Apr 27, 2020, at 4:14 PM, Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)> wrote:

Hi Lisa and Villy,

I am not sure because it is not relevant to our review, but I have a feeling that the project will be rental units.

Best,  
Emily

---

**From:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>  
**Sent:** Monday, April 27, 2020 4:07 PM  
**To:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>  
**Cc:** Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)>  
**Subject:** RE: hi :)

Oh! Sorry, I get it (I am slow today – it's a Monday!). So at the Planning Department, the type of zoning the project has (CR/Commercial Residential) allows the project to be either multifamily rental or condos. They're allowed to switch the type during the review process (and after).

Emily, do you have any insight as to whether the applicant discussed doing rental or condo?

---

**From:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>  
**Sent:** Monday, April 27, 2020 3:57 PM  
**To:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>  
**Cc:** Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)>  
**Subject:** RE: hi :)

Hi Lisa,

So I was just wondering if they were going to be condos or apartments because on the Academy Developer website, it is saying "The zoning allows for this type of multifamily development – either as apartment or condominium. The development method is described by Montgomery County as the Optional Development Method".

Thank you for the cc!

Villy Iranpur  
Program Coordinator  
Representative Payee & Friendly Visitor  
Adult & Community Services  
<image001.jpg>

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**From:** Govoni, Lisa [<mailto:Lisa.Govoni@montgomeryplanning.org>]  
**Sent:** Monday, April 27, 2020 3:48 PM  
**To:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>  
**Cc:** Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)>  
**Subject:** RE: hi :)

Hi Villy,

What do you mean about guidelines about the development being apartments or condos? Do you mean were their guidelines on why they decided apartments over condos? I've cc'ed the lead review on the project, Emily Tettelbaum.

Lisa

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**From:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>  
**Sent:** Monday, April 27, 2020 3:41 PM  
**To:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>  
**Subject:** RE: hi :)

Or if you have the contact person that I could reach out to discuss -- I don't know how it works in regards to getting more information on current plans once the developer has been chosen and providing recommendations. Thank you! ☺

---

**From:** Villy Iranpur  
**Sent:** Monday, April 27, 2020 2:56 PM  
**To:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>  
**Subject:** RE: hi :)

Hi Lisa,

Oh that is good to know! Do you know if there were guidelines for this development to be apartments or condos? Online from the company's website stated that it would potentially be apartments and not sure if there are recommendations being taken as I don't think that is the best use of the space with everything going on in the area (including amazon coming right in the backyard).

Villy Iranpur  
Program Coordinator  
Representative Payee & Friendly Visitor  
Adult & Community Services  
<image001.jpg>

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**From:** Govoni, Lisa [<mailto:Lisa.Govoni@montgomeryplanning.org>]

**Sent:** Monday, April 27, 2020 2:16 PM

**To:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>

**Subject:** RE: hi :)

Hi Villy, 12500 Ardennes is our project!

---

**From:** Villy Iranpur <[viranpur@every-mind.org](mailto:viranpur@every-mind.org)>

**Sent:** Monday, April 27, 2020 1:28 PM

**To:** Govoni, Lisa <[Lisa.Govoni@montgomeryplanning.org](mailto:Lisa.Govoni@montgomeryplanning.org)>

**Subject:** hi :)

Hi Lisa!

Hope you are doing well during everything going on, and staying safe and healthy! It was a great Affordable Housing session this afternoon, a lot of valuable information and look forward to more!

I had a quick question as the discussion today got my wheels going. This project (photos attached)- is that something that is approved by the city of Rockville or Montgomery County planning?

Thanks so much,

**Villy Iranpur**

Program Coordinator

Representative Payee & Friendly Visitor

Adult & Community Services

<image001.jpg>

---

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**From:** [Tettelbaum, Emily](#)  
**To:** [Kapp, Mary K](#)  
**Subject:** RE: [EXTERNAL] RE: Question regarding 12500 Ardennes Avenue, Rockville MD  
**Date:** Monday, June 8, 2020 12:29:41 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)

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Dear Ms. Kapp,

I am following up on one of the questions you asked in an email sent earlier this year. We project that the 12500 Ardennes project will generate 8 elementary, 3 middle and 5 high school students. Please let me know if you have any questions or concerns or if you have any written testimony that you would like to share with the Planning Board. This project will be reviewed by the Planning Board on 6/25.

Best Regards,  
Emily



**Emily Tettelbaum**

Montgomery County Planning Department  
8787 Georgia Avenue, Silver Spring, MD 20910  
[emily.tettelbaum@montgomeryplanning.org](mailto:emily.tettelbaum@montgomeryplanning.org)  
o: 301-495-4569



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**From:** Kapp, Mary K <Mary\_K\_Kapp@mcpsmd.org>  
**Sent:** Monday, March 9, 2020 4:43 PM  
**To:** Tettelbaum, Emily <Emily.Tettelbaum@montgomeryplanning.org>  
**Subject:** RE: [EXTERNAL] RE: Question regarding 12500 Ardennes Avenue, Rockville MD

Dear Ms. Tettelbaum,

Thank you for your quick response. As a follow-up, I have a couple more questions. Does the developer have a projected number of students that would feed into the Richard Montgomery Cluster? Also, once final approval is given, what is the projected completion date of the project?

Thank you for your time.

Mary Katherine Kapp  
Administrative Secretary  
Twinbrook Elementary School  
#240-740-3450

---

**From:** Tettelbaum, Emily <[Emily.Tettelbaum@montgomeryplanning.org](mailto:Emily.Tettelbaum@montgomeryplanning.org)>  
**Sent:** Monday, March 9, 2020 2:21 PM  
**To:** Kapp, Mary K <[Mary\\_K\\_Kapp@mcpsmd.org](mailto:Mary_K_Kapp@mcpsmd.org)>  
**Subject:** [EXTERNAL] RE: Question regarding 12500 Ardennes Avenue, Rockville MD

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Ms. Kapp,

Thank you for reaching out to the Planning Department. Troy Leftwich forwarded your email to me since I have taken over as the lead reviewer for this project. We will publish a staff report that includes analysis of the project's traffic and school impacts 10 days prior to the Planning Board hearing (tentatively scheduled for 6/25). In the meantime, you can take a look at the materials submitted by the applicant at this link:

<http://eplans.montgomeryplanning.org/daiclinks/pdodlinks.aspx?apno=820200080>

The applicant's traffic study is [here](#) and the statement of justification, [linked here](#), briefly addresses school impacts (see page 20).

Feel free to contact me with any further questions.

Best Regards,  
Emily

**Emily Tettelbaum**

Montgomery County Planning Department



8787 Georgia Avenue, Silver Spring, MD 20910  
[emily.tettelbaum@montgomeryplanning.org](mailto:emily.tettelbaum@montgomeryplanning.org)  
o: 301-495-4569



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**From:** Kapp, Mary K <[Mary\\_K\\_Kapp@mcpsmd.org](mailto:Mary_K_Kapp@mcpsmd.org)>  
**Sent:** Monday, March 9, 2020 10:19 AM  
**To:** Leftwich, Troy <[Troy.Leftwich@montgomeryplanning.org](mailto:Troy.Leftwich@montgomeryplanning.org)>  
**Subject:** Question regarding 12500 Ardennes Avenue, Rockville MD

Good Morning Mr. Leftwich,  
I would like to inquire about the proposed development at 12500 Ardennes Avenue in Rockville.

According to the July, 2019, Bethesda Magazine article, a traffic and school impact study would be performed at a later date.

Has the traffic and school impact studies been performed and if so, are these studies available to view?

Thank you for your time.

Mary Katherine Kapp  
Twinbrook Elementary School  
#240-740-3450