



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

MCPB No. 20-112
Preliminary Plan No. 12019018A
Strathmore Square
Date of Hearing: October 15, 2020

NOV 04 2020

RESOLUTION

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

WHEREAS, on June 6, 2019, the Planning Board, by Resolution MCPB No. 19-065, approved Preliminary Plan No. 120190180, creating seven lots on 14.72 acres of land in the CR-3.0, C-0.5, R-2, 75, H-300 and R-60 zones, located at the Grosvenor-Strathmore Metro Station ("Subject Property"), in the Grosvenor-Strathmore Metro Area Minor Master Plan ("Master Plan") area; and

WHEREAS, on August 17, 2020, Fivesquares Development, LLC. ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan(s) to remove the age-restriction from 400 dwelling units and approve an additional 909 dwelling units; update the parking calculations; clarify the APF Validity period; and modify a trigger deadline related to APF validity on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan No. 12019018A, Strathmore Square ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 2, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on October 15, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12019018A to remove the age-restriction from 400 dwelling units and approve an additional 909 dwelling units; update the parking calculations; clarify the APF Validity period; and modify a trigger deadline related to APF validity on the Subject Property by modifying the following conditions:¹

General Approval

1. This Preliminary Plan is limited to seven (7) lots and three (3) parcels for a mixed-use development with up to a maximum of 2,289,438 total square feet of development, consisting of up to 317,537 square feet of non-residential uses and up to 2,130,670 square feet of residential uses for up to 2,218 dwelling units including a minimum of 15% MPDUs.

APF and Plan Validity Periods

3. The APF review for the Preliminary Plan will remain valid for 15 years (180 months) from the date of mailing of Planning Board Resolution MCPB 19-065. The Applicant must obtain building permits for a minimum of 300 dwelling units within seven years of the mailing date of Planning Board Resolution MCPB 19-065. The remaining building permits must be issued prior to the expiration of the 15-year APF Validity Period or the Applicant must apply for an APF extension.

Certified Preliminary Plan

40. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- g. Replace the list of amendment changes on the cover sheet with the following:
 - i. Remove the age-restriction from 400 dwelling units and update the parking calculations accordingly;
 - ii. Approve an additional 909 dwelling units;
 - iii. Clarify the APF Validity period; and
 - iv. Modify a trigger deadline related to APF validity.

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

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

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

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

- 1. The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The layout of the subdivision is not changed by this Amendment, but the Planning Board approves the following updates to the development standards table:

- Removal of a note that limited the number of units pursuant to the original approval.
- Addition of a row to the table to reflect the total density approved for the development that includes the residential density bonus for providing 15% MPDUs.
- Updating the preliminary parking calculation to reflect the removal of the age restriction from 400 units. Final parking calculations will be determined at Site Plan.

Table1: Development Standards for the CR-3.0 C-0.5 R-2.75 H-300 Zone¹

Section	Description	Required/Permitted	Approved
	Tract Area	n/a	635,073 sf/14.58 ac ²
59-4.5.4.B.2.b	Maximum Density		
	Total	1,905,219 sf/ 3.0 FAR	1,905,219 sf/3.0 FAR
	Commercial	317,537 sf/ 0.5 FAR	Up to 317,537 sf/0.5 FAR
	Residential	1,746,451 sf/ 2.75 FAR	Up to 1,746,451 sf/ 2.75 FAR
59-4.5.2.C	Bonus density for 15% MPDUs	n/a	384,219 sf
	Total residential density (including bonus density)	n/a	2,130,670 sf
	Total density (including bonus density)	n/a	2,289,438 sf
4.5.4.B.2.b	Maximum Height	300 ft.	300 ft. ³
4.5.4.B.1	Minimum Public Open Space	10%/64,084 sf	Minimum 10% (64, 142 sf) to be provided; Preliminary Plan anticipates up to 15% (96,000 sf)
6.2.4.B	Vehicle Parking Spaces	2063(min)/ 3,330(max)	Estimated 2,065 ⁴

¹This Preliminary Plan does not approve any commercial or residential development on Parcel C, which is zoned R-60.

²Does not include 6,150 sf part of existing Parcel C that is being used for land area only, or the 13,360 square foot part of Parcel 428 that contains the WMATA substation; no density is generated from Parcel C or the Part of Parcel 428 located on the opposite side of Tuckerman Lane. The total project area is 641,149 sf/14.71 ac.

³Additional height may be allowed to the extent required to provide the MPDUs under Section 59-4.5.2.C.7.

⁴Includes adjustments to vehicle parking requirement under Section 59-6.2.3.I.

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

The APF test conducted for Preliminary Plan No. 120190180 covered transportation, schools and other public facilities for the Project's total anticipated density, including up to 2,218 dwelling units. However, there was insufficient school capacity at the time and the Planning Board could only approve 909 standard market units under the applicable FY19 Annual School Test. The Board also approved 400 age-restricted units that were not subject to the Schools Test. The remainder of the requested dwelling units could not be approved since school capacity was not available.

School capacity is now available, and the Planning Board approves the remaining 909 dwelling units and removes the age restriction from 400 previously approved dwelling units. Since other public facilities were determined to be adequate by Preliminary Plan No. 120190180, this Amendment only evaluates the schools' portion of the APF analysis for the conversion of 400 age-restricted units to standard market units and the addition of 909 units (for a total of 1,309 units).

Overview and Applicable School Test

Preliminary Plan Amendment #120190180A for Strathmore Square came before the Planning Board during FY21. Therefore, the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable. As previously stated, this Amendment is for an additional 1,309 high rise multi-family units. In summer of 2019, when the Preliminary Plan was originally approved, the Board could only approve 909 out of the Applicant's requested 2,218 units due to a school moratorium.

Calculation of Student Generation

To calculate the number of students generated by the 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.

Per Unit Student Generation Rates – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.186	0.109	0.151
SF Attached	0.167	0.085	0.111
MF Low-Rise	0.150	0.068	0.085
MF High-Rise	0.041	0.018	0.025

With a net of 1,309 multi-family high-rise units, the Amendment is estimated to generate the following number of students:

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
Multi Family High Rise	1,309	0.041	53.669	0.018	23.562	0.025	32.725
TOTALS	1,309		53		23		32

On average, this Amendment is estimated to generate an additional 53 new elementary school students, 23 new middle school students, and 32 new high school students.

Cluster Adequacy Test

The project is located in the Walter Johnson High School Cluster. The student enrollment and capacity projections from the FY21 Annual School Test for the cluster are noted in the following table:

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	4,607	4,579	100.6%	888	53
Middle	2,494	2,449	101.8%	444	23
High ²	2,127	2,321	91.6%	658	32

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 Amendment 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 Amendment.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Garrett Park ES and Tilden MS, respectively. Based on the FY21 Annual School Test results, the

² The projected Walter Johnson HS enrollment has been modified to estimate the impact of redistricting students to Woodward HS in September 2025.

student enrollment and capacity projections for these schools are noted in the following table:

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/Deficit		
Garrett Park ES	783	776	100.9%	-7	149	53
Tilden MS	1,193	1,216	98.1%	+23	267	23

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 Amendment fall below the moratorium thresholds for both Garrett Park ES and Tilden MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this Amendment.

Schools Test Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test, there is adequate school capacity for the amount and type of development approved by this Amendment.

6. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

APF Validity

Due to the complexity of redeveloping a WMATA site and the unanticipated issues associated with the COVID pandemic, the Planning Board approves the Applicant's request for additional time to obtain building permits for the first 300 dwelling units. The Planning Board extends this trigger for two years such that the Applicant must obtain building permits for a minimum of 300 dwelling units within seven years of the original resolution mailing date. This change is consistent with the Applicant's requested time frame and retains the original initiation date. This modification does not impact the overall 15-year APF validity period, nor does it impact any of the findings from the original preliminary plan associated with the subdivision waiver to grant the 15-year validity period.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 04 2020 (which is the date that this Resolution is mailed to all parties of record); and

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

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CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Vice Chair Fani-González, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy, Patterson, and Verma voting in favor of the motion at its regular meeting held on Thursday, October 15, 2020, in Wheaton, Maryland.



Casey Anderson, Chairman
Montgomery County Planning Board