



Flats at Knowles Station: Sketch Plan No. 320210020, Preliminary Plan No. 120210030, and Site Plan No. 820210030



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Completed: 3/8/21

Description

- Sketch Plan: Request for up to 102,205 square feet of density including a density transfer of 33,666 square feet of residential FAR and a 35% MPDU density bonus.
- Preliminary Plan: Request to consolidate the Subject Property from six (6) lots into one (1) lot for the construction of a mixed-use building.
- Site Plan: Request to construct a mixed-use building with 25 live/work and 75 multi-family units, 22,651 square feet of commercial retail, office, associated parking, and pedestrian and open space facilities.

Location: 10509 Summit Avenue.

Sector Plan: 2012 *Kensington Sector Plan*.

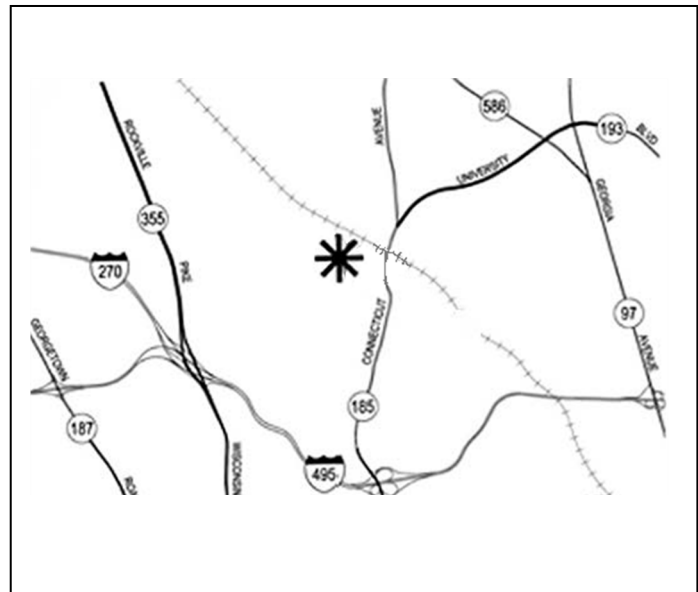
Zone: CRT-1.5, C-1.0, R-0.5, H-60.

Property Size: 0.84 acres.

Applicant: 10509 Summit Venture, LLC c/o Woodside Ventures and Realty Services.

Acceptance Date: October 7, 2020.

Review Basis: Chapters 50, 59



Summary

- Staff recommends **approval with conditions** of the Sketch Plan, Preliminary Plan, and Site Plan.
- The Applicant has received approval of Forest Conservation Plan Exemption No. 42019044E.
- The Project includes a density transfer of 33,666 square feet from two sending sites and a 35% density bonus with 12 feet of additional height for providing 25% MPDUs. The plan includes 1,125 square feet of public open space on-site and 1,580 square feet of open space improvement off-site.
- The Project includes 12,200 square feet of “cellar” area that is excluded from the definition of GFA under Section 59.1.4.2.
- As a project reviewed under the optional method of development that is utilizing density transfer over two or more non-contiguous properties, the Applicant must exceed the minimum public benefits required. The Project proposes 173 public benefit points comprised of: streetscape improvements, MPDUs, architectural elevations, and structured parking.
- This Application has received approval from the Town of Kensington.

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ATTACHMENTS

1. Sketch Plan
2. Preliminary Plan
3. Site Plan
4. Density Transfer Correspondence from 3827 Plyers Mill Road and 10414 Detrick Avenue
5. Town of Kensington Open Space Correspondence – November 13, 2020
6. Town of Kensington Live/Work Unit Correspondence – January 28, 2021
7. MCDPS Water Resources Section Letter – January 28, 2021
8. MCDPS Fire Department Access and Water Supply Section letter – February 1, 2021
9. MCDOT Letter – February 2, 2021
10. MCDPS Right-of-Way Plan Review (ROW) Letter
11. MCDOT Traffic Impact Study Review
12. MDSHA Letter – February 11, 2021
13. Forest Conservation Exemption

SECTION 1: EXECUTIVE SUMMARY

10509 Summit Venture, LLC. (The Applicant) requests approval of Sketch Plan No. 320210020, Preliminary Plan No. 120210030, and Site Plan No. 820210030 to construct a mixed-use building on 0.84 acres of land zoned CRT-1.5, C-1.0, R-0.5, H-60. The mixed-use building includes the following elements:

- 7,900 square feet of commercial cellar space (not included in the FAR calculations per Section 59.1.4.2).
- 4,300 square feet of residential cellar space (not included in the FAR calculations per Section 59.1.4.2).
- 11,529 square feet of commercial space.
- 20,464 square feet made up of 9,342 square feet of residential FAR and 11,122 square feet of commercial FAR, for 25 live/work units.
- 70,212 square feet of residential FAR, accommodating 50 market rate residential units and 25 Moderately Priced Dwelling Units.

The total proposed residential development, excluding cellar space, is 79,554 square feet (1.57 FAR). The total proposed commercial development, excluding cellar space, is 22,651 square feet (0.45 FAR). The total proposed development, excluding cellar space, is 102,205 square feet (2.02 FAR).

The Applicant is proposing to transfer density in order to develop the proposed mixed-use building. Under Section 59-4.5.2.B of the Zoning Ordinance, density transfer from properties in the CR and CRT zones is allowed when the properties are located within a quarter mile with a 50% increase in public benefit points. The properties are included in the Sketch Plan and Site Plan applications, but no additional development is proposed on either property. 10414 Detrick Avenue will be transferring 12,431 square feet of residential density and 3827 Plyers Mill Road will be transferring 21,235 square feet of residential density. Both sending properties are commercial properties with no residential development.

SECTION 2: RECOMMENDATION AND CONDITIONS

Sketch Plan No. 320210020

Staff recommends approval of Flats at Knowles Station Sketch Plan No. 320210020, with conditions. The following site development elements shown on the latest electronic version of the Sketch Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are binding under Section 59.7.3.3.F:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 102,205 square feet of mixed-use development comprised of 79,554 square feet of residential development (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and 22,651 square feet of non-residential space on the Subject Property and will be developed in one phase. The final amount of non-residential floor area and quantity of market rate and MPDUs is determined through Site Plan No. 820210030.

2. Density Transfer

Prior to record plat approval, the Applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the M-NCPPC Office of the General Counsel and must record the instrument in the Montgomery County Land Records. The residential density to be transferred under this Sketch Plan is measured in gross square feet and will total approximately 33,666 square feet. Final allocation of density will be approved with Site Plan No. 820210030. The Sending Properties will transfer the following square feet of development potential based on the existing zoning:

- a. 10414 Detrick Avenue will be transferring 12,431 square feet of residential density.
- b. 3827 Plyers Mill Road will be transferring 21,235 square feet of residential density.

3. Height

The development is limited to a maximum height of 72 feet (including up to 12 feet of additional height for providing 25% MPDUs on site), as measured from the building height measuring point(s) illustrated on the Certified Site Plan.

4. Incentive Density

The development must be constructed with the public benefit categories listed below, unless modifications are made under Section 59.7.3.I. Total points must equal at least 75 and be chosen from at least three categories as required by Section 59.4.5.5.A.2. The requirements of Division 59.4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points and phasing are established at Site Plan approval.

- a. Connectivity and Mobility
- b. Diversity of Uses and Activities

c. Quality Building and Site Design

5. Public Spaces

The Applicant must provide the open space as conceptually shown on the Sketch Plan that will be privately owned and maintained. While this space must be in the approximate location and size, as shown on the Sketch Plan, the exact size, location and design is shown in Site Plan No. 820210030.

Preliminary Plan No. 120210030:

Staff recommends approval with conditions of Preliminary Plan No. 120210030. 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:

General Approval

1. This Preliminary Plan is limited to one (1) lot for up to 102,205 square feet of total development, comprised of up to 79,554 square feet of residential uses for up to 75 multi-family dwelling units and up to 25 live/work units, and up to 22,651 square feet of commercial uses.

Adequate Public Facilities and Outside Agencies

2. The Adequate Public Facility (“APF”) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.

Outside Agencies

3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated February 2, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT’s requirements for access and improvements.
5. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration (“MDSHA”) in its letter dated February 11, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. Before the issuance of access permits, the Applicant must satisfy the Maryland State Highway Administration’s requirements for access and improvements.
7. 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 January 28, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set

forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

8. 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 February 1, 2021 and 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 amendment does not conflict with other conditions of Preliminary Plan approval.

Other Approvals

Concurrent Site Plan Approval

9. Before approval of a record plat or any demolition, clearing, or grading for the Subject Property, the Applicant must receive Staff certification of Site Plan No. 820210030. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, and sidewalks is determined through site plan review and approval.
10. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.

Environment

Forest Conservation

11. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Forest Conservation Exemption.

Transportation

12. Prior to issuance of the Use and Occupancy permit, the Applicant must reconstruct the sidewalks and ADA curb ramps and restripe the crosswalks along Knowles Avenue and Summit Avenue, as shown on the certified Preliminary Plan. Final details subject to review and approval by MDSHA.

Existing Frontage Improvements

13. Prior to the recordation of plat(s), the Applicant must satisfy all necessary requirements of MCDPS and MDSHA, respectively, to ensure construction of a ten-foot (10') wide sidewalk along the property frontage on Summit Avenue and six-foot (6') wide sidewalk along the property frontage on Knowles Avenue (MD 547). The Applicant must provide and show on the record plat(s) the following right-of-way dedications:
 - a) Knowles Avenue: Approximately fifteen (15) feet to accommodate a minimum right-of-way of forty (40) feet, as measured from the existing pavement centerline.
 - b) Summit Avenue: Approximately five (5) feet to accommodate a minimum right-of-way of forty (40) feet, as measured from the existing pavement centerline.

Off-Site Improvements

14. Prior to recordation of plat(s), the Applicant must execute a declaration of covenant with the Town of Kensington to repurpose a portion of the western end of Kaiser Place within the Town of Kensington's right-of-way for a public open space area, as illustrated on the approved Preliminary and Site Plans.

Record Plats

15. Except for clearing and grading associated with the existing building demolition, there shall be no clearing or grading of the site prior to recordation of plat(s).

Easements

16. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
17. The record plat must reflect a common use and access covenant for the benefit of the public over all trails, sidewalks and paths not included in a public right-of-way. The covenant must be in a form approved by the M-NCPPC Office of the General Counsel and recorded among the Montgomery County Land Records.
18. The record plat must include a general note that describes an access easement recorded among the Montgomery County Land Records by book and page on the property to the east, 10414 Detrick Avenue, which provides ingress and egress to the Site.

Notes and Labels

19. The record plat must reflect all areas under common ownership.
20. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").

Certified Preliminary Plan

21. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
22. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of issuance of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

23. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a. Show resolutions and approval letters on the certified set.

- b. Plan notes associated with the undergrounding of utility poles and removal of overhead wires shall clearly state that work will be completed “by the Applicant”.
- c. The Summit Avenue road section detail and plan view adjacent to the Site should include the following elements between the roadway curb and the Property line:
 - i. Existing Five-foot Sidewalk
 - ii. Existing Twelve -foot & Six inches (12 ft.- 6 in.) Lawn Panel
 - iii. Existing Eight-foot (8-ft.) Parking
 - iv. Restripe Eleven-foot (11-ft.) Travel Lane
 - v. Restripe Ten-foot (10-ft.) Left Turn lane
 - vi. Restripe Eleven-foot (11-ft.) Travel Lane
 - vii. Relocate the Curb and Gutter
 - viii. Proposed Nine-foot-six inches (9.6-ft.) Lawn Panel with Major Species Trees
 - ix. Proposed Ten-foot (10-ft.) Sidewalk
 - x. Proposed Two-foot (2-ft.) Maintenance Buffer between sidewalk and property line.
- d. Net Taxable Area in all Data Tables must be revised to Tract Area.

Site Plan No. 820210030

Staff recommends approval of Flats at Knowles Station, Site Plan No. 820210030, a mixed-use development on approximately 0.84 acres, zoned CRT-1.5, C-1.0, R-0.5, H-60. The development must comply with the conditions of approval for Sketch Plan No. 320210020 and Preliminary Plan No. 120210030.

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.¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 102,205 square feet of mixed-use development including up to 79,554 square feet of residential development for up to 75 multi-family dwelling units and up to 25 live/work units (including bonus density for providing 25% Moderately Priced Dwelling Units (MPDUs) on site and density transferred from neighboring properties) and up to 22,651 square feet of commercial development.

2. Density Averaging

Before plat recordation, the Applicant must record an instrument among the County Land records reflecting the density transfer for this project as required under Section 59-4.5.2.B of the Zoning Ordinance.

¹ 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.

3. Height

The development is limited to a maximum height of 72 feet (including up to 12 feet of additional height for providing 25% MPDUs), as measured from the building height measuring point, as illustrated on the Certified Site Plan.

4. Occupancy Provisions

- a) The twenty-five units designated as live/work on the Certified Site Plan must each be restricted to commercial and residential uses.
- b) The twenty-five live/ work units cannot include any MPDUs that count toward the 25% MPDU requirement.
- c) Commercial usage of the live/work units must be included in lease agreements.
- d) Prior to Certified Site Plan:
 - i. The Applicant must enter into a covenant with the Planning Board reflecting the commercial use restriction in a form approved by the M-NCPPC Office of General Counsel;
 - ii. The covenant must be recorded in and among the Land Records of Montgomery County; and
 - iii. The Book/Page reference must be included on the Certified Site Plan.

Open Space, Facilities and Amenities

5. Public Open Space, Facilities, and Amenities

- a) The Applicant must provide a minimum of 2,705 square feet of public open space (8.2% of site area). This open space is comprised of 1,125 square feet on-site and 1,580 square feet off-site, as shown on the Certified Site Plan.
- b) Before the issuance of the final use and occupancy certificate for the residential development,
 - i. all public use space on the Subject Property and off-site must be completed and open to the public;
 - ii. the Applicant must construct the streetscape improvements, as shown on the Certified Site Plan, along the Property's frontage on Knowles Avenue and Summit Avenue; and
 - iii. the Applicant must underground existing and future utility poles located along the Property's frontage on Knowles Avenue as shown on the certified plan.
- c) Within one growing season after issuance of the final use and occupancy certificate, all landscaping must be installed.

6. 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.

- a) Connectivity and Mobility
 - i. Streetscape Improvements
 - a. The development must provide 1,580 square feet of off-site public open space improvements.
- b) Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs.

- a. The development must provide 25 percent MPDUs on-site, consistent with the requirements of Chapter 25A.
 - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the Montgomery County Department of Housing and Community Affairs (MCDHCA) must be executed.
- c) **Quality Building and Site Design**
 - i. **Architectural Elevations**
 - a. Final elevation design must be shown on the Certified Site Plan. The architectural elements must be substantially similar to architectural elevations as shown on the Certified Site Plan and as determined by M-NCPPC Staff.
 - ii. **Structured Parking**
 - a. The Applicant must provide a minimum of 166 spaces in an above and below grade structure.
- 7. **Recreation Facilities**
The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.
- 8. **Maintenance of Public Amenities**
The Applicant is responsible for maintaining all publicly accessible amenities.
- 9. **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 on-site 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 on-site 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

- 10. **Forest Conservation**
The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Forest Conservation Exemption.

Transportation & Circulation

11. Transportation

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 December 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.

12. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 55 long-term and 10 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room within the parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to building main entrances (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

13. 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, sidewalks, private utilities, paths and associated improvements of development, including storm drainage facilities, street trees and streetlights. 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.

14. 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.

15. 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 Montgomery County 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) Add a note to the Site Plan stating that “An on-site pre-construction meeting is required to be set up with the Montgomery County Department of Permitting Services (MCDPS), Zoning & Site Plan Enforcement Division before any building construction activity occurs on-site. The owner or his designee who has signature authority, and general contractor must attend the pre-construction meeting with the DPS Site Plan Enforcement inspector. A copy of the Certified Site Plan is required to be on-site at all times.”
- g) Include floor plans showing the entire live/work floor and designation of commercial and residential density.
- h) Revise the cross-section for Summit Avenue to remove the on-street parking and provide a cross-section that includes the following elements:
 - i. Existing Five-foot Sidewalk
 - ii. Existing Twelve -foot & Six inches (12 ft.- 6 in.) Lawn Panel
 - iii. Existing Eight-foot (8-ft.) Parking
 - iv. Restripe Eleven-foot (11-ft.) Travel Lane
 - v. Restripe Ten-foot (10-ft.) Left Turn lane
 - vi. Restripe Eleven-foot (11-ft.) Travel Lane
 - vii. Relocate the Curb and Gutter
 - viii. Proposed Nine-foot-six inches (9.6-ft.) Lawn Panel with Major Species Trees
 - ix. Proposed Ten-foot (10-ft.) Sidewalk
 - x. Proposed Two-foot (2-ft.) Maintenance Buffer between sidewalk and property line.

SECTION 3: SITE DESCRIPTION

Site Vicinity and Analysis

Site Vicinity

The Property is located in the Town of Kensington, on the northeast corner of the intersection of Knowles Avenue and Summit Avenue. The Subject Property is located within the 2012 *Kensington Sector Plan* area and is approximately ½ mile west of the MARC-Brunswick line's Kensington Station.

There are small-scale commercial/industrial uses adjoining the Property to the north and east. Confronting the Property to the west, across Summit Avenue, is the Kaiser Permanente office building. Confronting the property to the south, across Knowles Avenue, are single-family residences. Other significant land uses in the area include the West Howard Antiques District (north), future 94-unit Knowles Manor senior living facility (Site Plan No. 820190080) (south-east), Safeway (east), Housing Opportunities Commission (HOC) of Montgomery County offices and Kensington Skate Park (south), and Kensington Park Library (west) (Figure 1).



Figure 1: Vicinity Map (Property outlined in red)

Subject Property

The Subject Property is comprised of Lots 15, 17, and 19 and Parts of Lots 21, 23, and 25 of the “Huck and Copp” Subdivision located at the intersection of Summit Avenue and Knowles Avenue within the Town of Kensington. The 36,409-square foot Property is zoned CRT-1.5, C-1.0, R-0.5, H-60. The Property is currently improved with a house used commercially and an adjoining surface parking lot, accessed

from Summit Avenue. There is existing vehicular access to the Property via a curb cut on Summit Avenue, midblock between Knowles Avenue and Brainard Avenue, on the western frontage of the Site.



Figure 2: Site Map (Property outlined in red)

SECTION 4: PROJECT DESCRIPTION

Proposal

The Subject Applications propose a mixed-use project under the optional method of development. The Project is comprised of multifamily units, live/work units, office, retail, and associated parking and amenities. The Applicant requests to consolidate the Subject Property from six (6) lots into one (1) lot for the construction of a mixed-use building. The mixed-use building will have a total of up to 100 residential dwelling units, comprised of up to 50 market rate residential units, up to 25 live/work units, and up to 25 MPDU residential units, and approximately 23,000 square feet of commercial retail and office development (Figure 3).

The four levels of commercial and residential development will be constructed above a three-level podium parking garage. The parking garage will have an entrance on Summit Avenue and the adjacent off-site surface parking lot, connecting through to Detrick Avenue. A gateway plaza connects the proposed development to the intersection of Summit Avenue and Knowles Avenue, activated by retail uses. The retail space can also be accessed through the first level of the parking garage. The office uses occupy the second level and have access from the second level of the parking garage, as well as a pedestrian entrance from Summit Avenue. The 25 live/work units occupy the first level above the third level of the parking garage. Floors two through four contain the other 75 residential units (Figure 5).

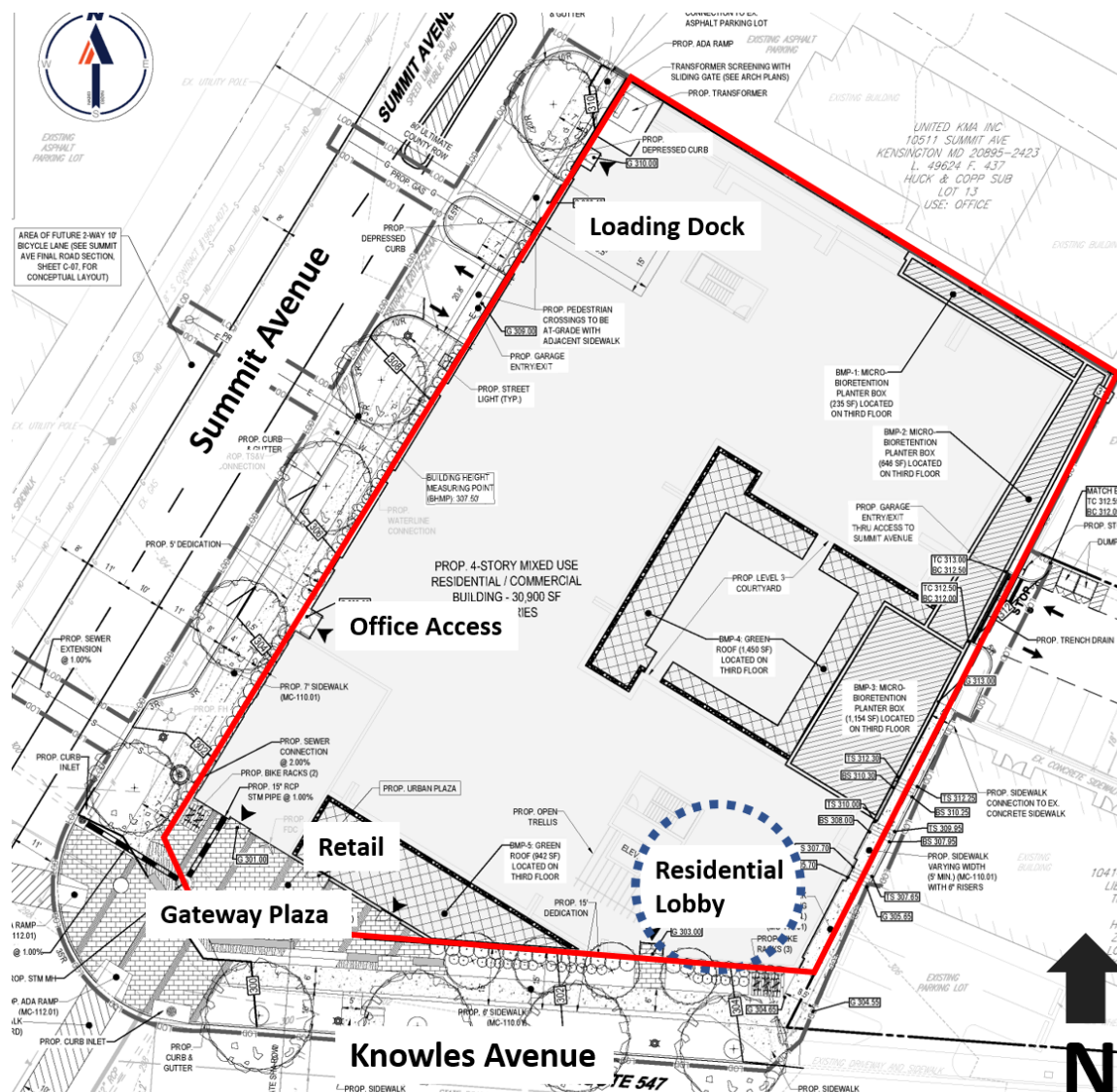




Figure 4: Organization of Uses



Figure 5: Summit Avenue frontage

Density Transfer

The Application is proposing the transfer of 33,666 square feet of residential FAR to the Subject Property, located at 10509 Summit Avenue, from two sending properties ("Sending Sites") located at 10414 Detrick Avenue and 3827-3833 Plyers Mill Road. Both sending properties are located within the Town of Kensington and within the quarter-mile distance of the Subject Property in accordance with Section 4.6.2 of Chapter 59 of the Zoning Code. The Subject Property, located at 10509 Summit Avenue, has a tract area of 36,507 square feet.

The Applicant is proposing to transfer 12,431 square feet of residential FAR from the Sending Site located at 10414 Detrick Avenue. This property is owned by 10414 Detrick Venture, LLC and consists of Lot 18 and Parts of Lots 20, and 22 of the Huck and Copp Subdivision that is 18,150 square feet. The Property's tract area is 24,861 square feet and is zoned CRT-1.5, C-1.0, R-0.5, H-60. 10414 Detrick Venture, LLC authorizes the transfer of its residential density to 10509 Summit Venture, LLC.

The Applicant is also contract purchaser of 21,235 square feet of residential FAR from a Sending Site located at 3827-3833 Plyers Mill Road to the Subject Property. This second Sending Site consists of Lot 15 of the James E. Waughs Subdivision of Part of Joseph's Park, that totals approximately 42,379 square feet. This Property is also zoned CRT-1.5, C-1.0, R-0.5, H-60. Correspondence from the owners authorizing the proposed residential density transfers are found in Attachment 4. The cumulative Tract Area of the Subject Property and the two sending properties is 117,765 square feet.

Cellar Density

The project includes 7,900 square feet of commercial cellar space and 4,300 square feet of residential cellar space that is excluded from the definition of GFA under Section 59.1.4.2.:

"Gross Floor Area (GFA): The sum of the gross horizontal areas of all floors of all buildings on a tract, measured from exterior faces of exterior walls and from the center line of walls separating buildings.

Gross floor area includes:

1. basements;
2. elevator shafts and stairwells at each floor;
3. floor space used for mechanical equipment with structural headroom of 6 feet, 6 inches or more, except as exempted in the LSC and Industrial zones;
4. floor space in an attic with structural headroom of 6 feet, 6 inches or more (regardless of whether a floor has been installed); and
5. interior balconies and mezzanines.

Gross floor area does not include:

1. mechanical equipment on rooftops;
2. cellars;
3. unenclosed steps, balconies, and porches;
4. parking;
5. floor area for publicly owned or operated uses or arts and entertainment uses provided as a public benefit under the optional method of development;
6. interior balconies and mezzanines for common, non-leasable area in a regional shopping center;
7. in the LSC and Industrial zones, floor space used for mechanical equipment; and
8. any floor space exclusively used for mechanical equipment for any Medical/Scientific Manufacturing and Production use."

The same section of the zoning code defines the term:

"Cellar: The portion of a building below the first floor joists of which at least half of the clear ceiling height is below the average elevation of the finished grade along the perimeter of the building."

During building permit review, the Montgomery County Department of Permitting Services (MCDPS) will evaluate the Applicant's construction documents and ensure that the Applicant is permitted to build only the GFA and cellar area that meets the zoning code definition up to the maximum approved by the Planning Board.

Table 1: Proposed Residential Density Transfer to Subject Property

PROJECT DATA TABLE: CRT-1.5, C-1.0, R-0.5, H-60			
	SUBJECT PROPERTY 10509 SUMMIT AVE	SENDING SITE 3827 PLYERS MILL ROAD	SENDING SITE 10414 DETRICK AVE
GROSS TRACT AREA			
NET TAXABLE AREA	36,507 SF (0.84 AC)	42,379 SF (0.97 AC)	18,150 SF (0.42 AC)
RIGHT-OF-WAY	14,018 SF (0.32 AC)	0	6,711 SF (0.15 AC)
GROSS TRACT AREA	50,525 SF (1.16 AC)	42,379 SF (0.97 AC)	24,861 SF (0.57 AC)
RESIDENTIAL FAR			
FAR PERMITTED / REQUIRED PER THE ZONING ORDINANCE	0.5	0.5	0.5
CURRENT BASE RESIDENTIAL DENSITY	25,263 SF	21,235 SF	12,431 SF
MPDU BONUS DENSITY ¹ (MODERATELY PRICED DWELLING UNITS)	8,842 SF ¹	7,432 SF ¹	4,351 SF ¹
PROPOSED BY SITE PLAN / PRELIMINARY PLAN / SKETCH PLAN	34,105 SF	28,667 SF	16,782 SF
TOTAL PROPOSED RESIDENTIAL FAR	1.57 FAR (79,554 SF)		
COMMERCIAL FAR			
FAR PERMITTED / REQUIRED PER THE ZONING ORDINANCE	1.0	1.0	1.0
CURRENT BASE COMMERCIAL DENSITY	50,525 SF	N/A	N/A
PROPOSED BY SITE PLAN / PRELIMINARY PLAN / SKETCH PLAN	22,651 SF ²	N/A	N/A
TOTAL PROPOSED COMMERCIAL FAR	0.45 FAR (22,651 SF)		
TOTAL FAR			
FAR PERMITTED / REQUIRED PER THE ZONING ORDINANCE	CRT - 1.5 FAR C - 1.0 FAR R - 0.5 FAR		
PROPOSED BY SITE PLAN / PRELIMINARY PLAN / SKETCH PLAN	CRT - 2.02 FAR (102,205 SF) C - 0.45 FAR (22,651 SF) R - 1.57 FAR (79,554 SF)		

Moderately Priced Dwelling Units

The Application is required to provide Moderately Priced Dwelling Units (MPDUs) per Chapter 25A-5 of the Montgomery County Code, as the Project results in the development of more than 20 dwelling units. The Project will provide 25 multi-family mid-rise MPDUs dispersed throughout the Project in the form of studios, 1-bedroom, and 2-bedroom units.

Bonus Residential Density

In accordance with Section 59.4.6.2.C of the Zoning Ordinance, any application that includes more than 12.5% of the gross residential floor area as MPDUs, qualified under Chapter 25A, the provision applies for 30% plus 0.1% for each 0.1% increase in MPDUs above 20%. As noted above, the Project proposes to provide 25% MPDUs - 25 multi-family mid-rise MPDUs. As a result, the Project is permitted to exceed the mapped residential floor area ratio by 30%, plus 0.1% for each 0.1% increase in MPDUs above 20%, which results in a total of 35%, or 20,609 square feet of total bonus density for the Project.

Bonus Building Height

The maximum height for the proposed mixed-use building will exceed the mapped zone maximum. Specifically, the maximum building height for the CRT-1.5, C-1.0, R-0.5, H-60 zoned portion of the Property is up to 60 feet for the mixed-use building with ground-floor retail. With the inclusion of 25% MPDUs, the Project is proposing to utilize bonus building height of 12 feet for a total height of up to 72 feet.

Live/Work Units

The Applicant is proposing 25 live/work units as part of the proposed development. These live/work units are located on the first floor above the parking podium and are designed to provide living areas separate from the workspaces. The live/work units are cohesively designed to serve both the residential and commercial uses with a single entrance. Commercial and residential FAR are allocated to each live/work unit to reflect the mix of uses. The partial commercial use of each unit will be enforced by lease and checked each year, in cooperation with the Town of Kensington, to ensure that the development stays in compliance with its zoning designation.

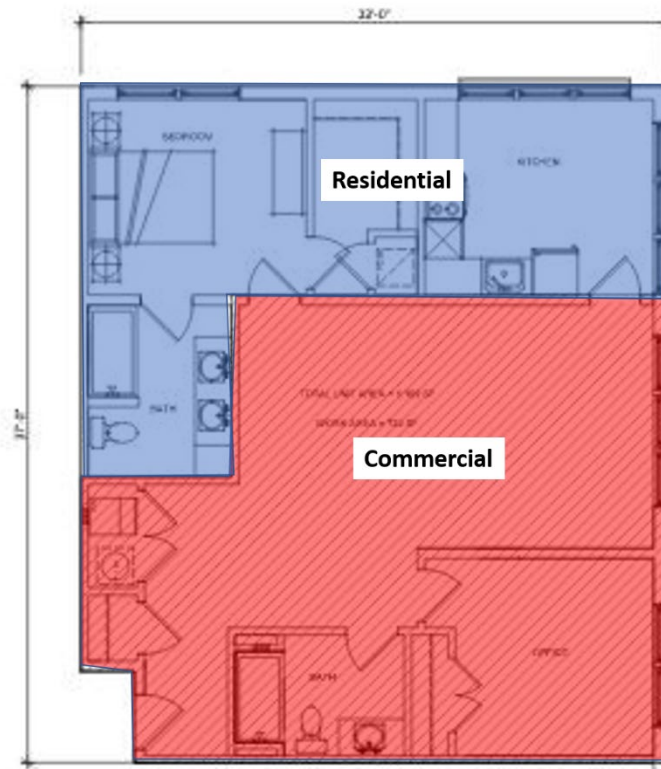


Figure 6: Live/Work example

Open Space

The Proposal includes a combined 2,705 square feet (8.2%) for on-site and off-site open space areas, some of which is occupied by stormwater management facilities. The Application proposes 1,125 square feet of on-site open space ("gateway plaza"), which fronts the proposed building along Knowles and Summit Avenues. Public open space is not a requirement of the Project; therefore, this inclusion of public open space exceeds the open space required of this subdivision. Proposed amenities include an art sculpture and seating, to be located within the gateway plaza at the corner of Knowles and Summit Avenues. The proposed open space is a highly visible gateway into the Town and is envisioned to connect with a park expansion project to the immediate south.

This Applicant also proposes 1,580 square feet of off-site open space which is located south of the Site at 4000 Knowles Avenue. This area extends southward from a public open space area that was previously approved with Preliminary Plan No. 120200160 for the Residences at Knowles Avenue Project (Figure 7). The Kensington Town Council submitted a letter (Attachment 5) to allow the Applicant to construct a portion of the off-site open space improvement at the west end of Kaiser Place right-of-way which is owned by the Town. The conditions pertaining to repurposing the public right-of-way as open space will be recorded within a declaration of covenants between the Town and the Applicant. The existing public path along Kaiser Place will remain and will continue to be maintained by the Town of Kensington and will connect with the proposed sidewalk through the public open space.

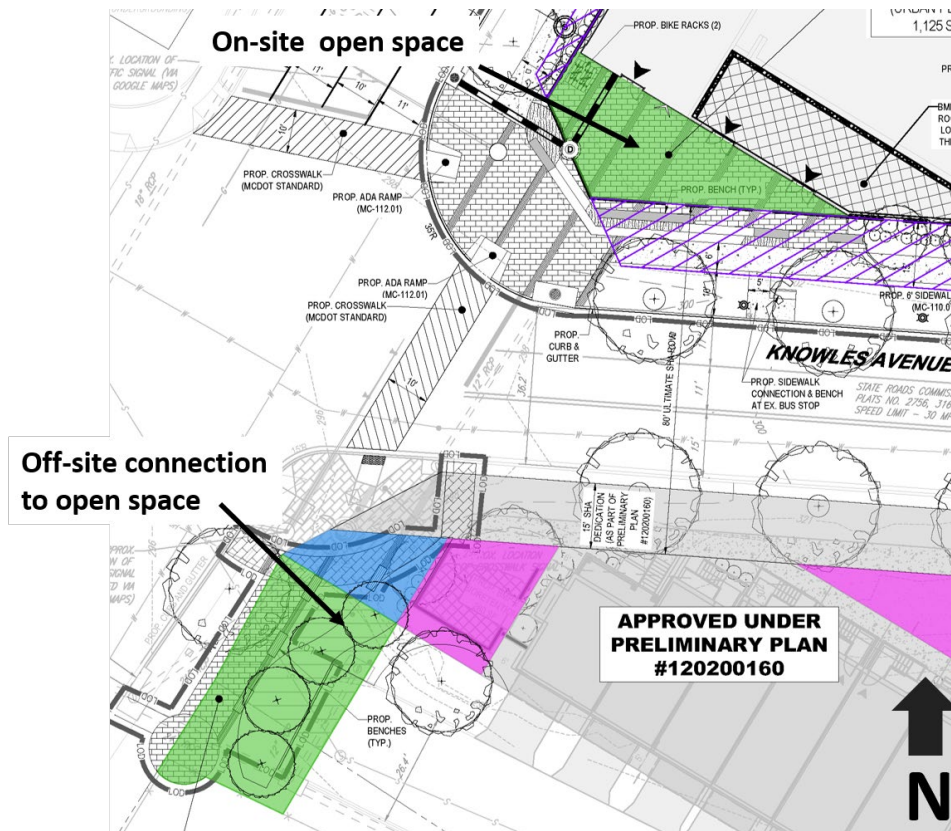


Figure 7: Public Open Space



Figure 8: Kensington gateway, as viewed from Summit Avenue looking east towards Knowles Avenue.

Pedestrian Facilities

The Applicant's proposal provides pedestrian facilities along the Subject Property's Knowles Avenue frontage, including the 6-foot wide sidewalk, which is set back a minimum of 8 feet from the building face, and a gateway plaza area. Pedestrians can safely and efficiently enter the Site through the proposed on-site public open space ("gateway plaza") located at the corner of Knowles Avenue and Summit Avenue, which will encourage pedestrian activity to enliven the streetscape. The Applicant proposes to provide a pathway, which will be adequately lighted, that is located in-between the Site and the adjacent 10414 Detrick Avenue property. The Plan also includes proposed lead walks from the street parking on Summit Avenue to the sidewalks as shown in the roadway cross section. As shown in Figure 9 with blue arrows, the proposed building has multiple points of entry for pedestrians. The red dashed line illustrates the primary points for vehicular ingress and egress.

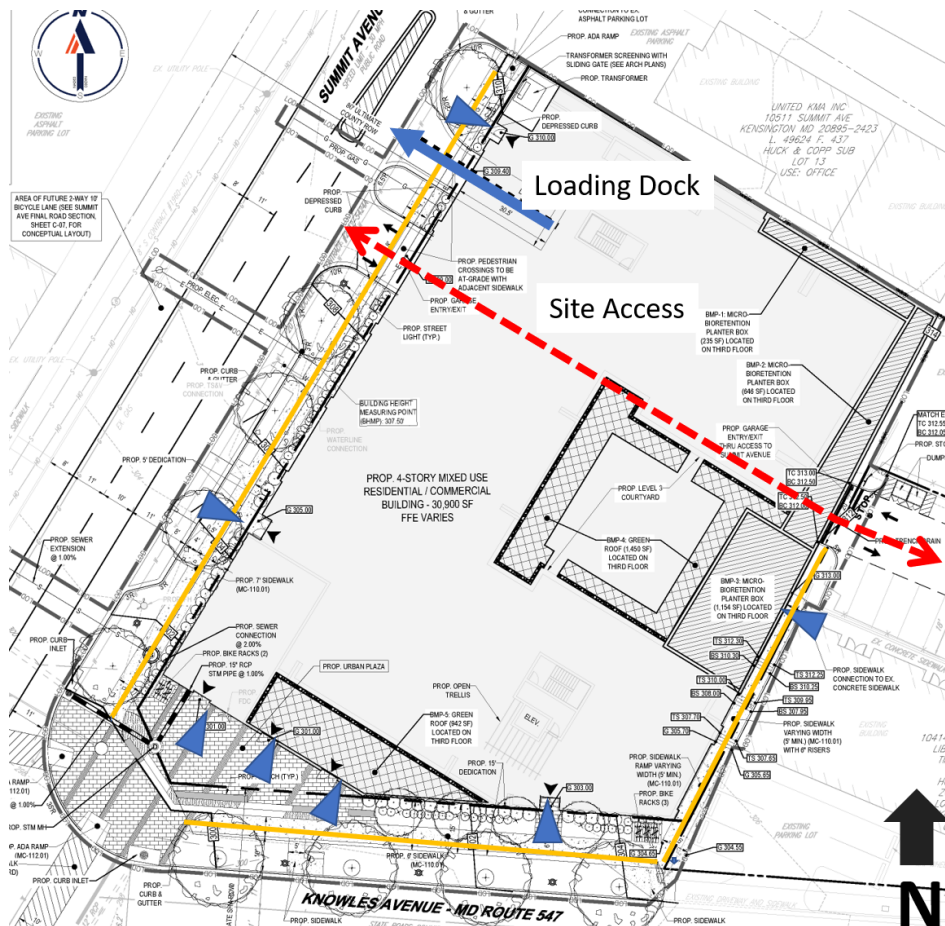


Figure 9: Circulation and entrances

Environment

The Application proposes to increase tree canopy coverage along the Property's perimeter with streetscaping improvements. Additional information about environmental compliance with the Kensington Sector Plan is included in the Preliminary Plan findings below.

Stormwater Management

The Application includes environmental site design ("ESD") techniques that will filter and retain stormwater on-site such as micro-bioretention areas, planter boxes, and green roofs. Plantings will also be used in the ESD facilities to the greatest extent feasible. The Applicant submitted a stormwater concept to MCDPS which was reviewed and approved with conditions on January 28, 2021.

SECTION 5: SKETCH PLAN ANALYSIS AND FINDINGS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: "To approve a sketch plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at Site Plan. The sketch plan must:"

1. *meet the objectives, general requirements, and standards of this Chapter;*

Section 59.4.5.4 of the Zoning Ordinance sets forth the development standards for the Optional Method of Development within the CRT Zone. The proposed development will satisfy the applicable development standards for the Optional Method of Development in the CRT Zone, with the exact figures determined through Site Plan No. 820210030.

Table 2- Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone			
Chapter 59	Development Standard	Permitted/ Required	Proposed
	Tract Area (sf)	n/a	36,507 sq. ft.
	Previous Dedication	n/a	14,018 sq. ft.
	Proposed Dedication	n/a	3,414 sq. ft.
	Site Area	n/a	33,093 sq. ft.
4.5.4.B.2.b	Density		
	Commercial	C-1.0 FAR (50,525 sq. ft.)	C-0.45 FAR (22,651 sq. ft.)
	Residential	R-0.5 FAR (25,263 sq. ft.)	R-1.57 FAR (79,554 sq. ft.) ²
	Density Transfer	Available for Transfer	
	Property 1 (and Zoning)	Property 1 Commercial Property 1 Residential Property 1 Total	
	Property 2 (and Zoning)	Property 2 Commercial Property 2 Residential Property 2 Total	
		Total Density Transfer Available	
	Total Density including transferred density and bonus density for 25% MPDUs	1.50 FAR (503,552 sq. ft.)	2.02 FAR (102,205 sq. ft.)

² 25,263 sq. ft. residential base density + 33,666 sq. ft. residential transferred density + 20,625 sq. ft. 35% MPDU bonus residential density = 79,554 SF

4.5.4.B.2.b	Building Height (feet)	60	72 ³
4.5.4.B.3	Minimum Setback (feet)	TBD at Site Plan	0
4.5.4.B.1	Minimum Public Open Use Space (%)	0%	8.2% (2,705 sq. ft.) ⁴
6.2.4.	Total Vehicle Parking Spaces (min/max)	123/208	166
	Bicycle Parking Spaces (min)	54	65

The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in Table 2 above. The Application will provide the minimum required number of bicycle parking spaces for residents and visitors, which will be determined at the time of Site Plan(s). The number of vehicular parking spaces will be determined at Site Plan(s) based on the square footage of non-residential uses, and number and type of residential dwelling units.

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

a) Implement the recommendations of applicable master plans.

The Property is located at the corner of Knowles Avenue and Summit Avenue, within the Town Center District, as delineated on page 20 of the 2012 *Kensington Sector Plan*. According to page 21 of the Sector Plan, “The town center is envisioned as a walkable attractive place with local convenience retail, housing, dining and entertainment, offices, and neighborhood services in a compact development pattern with a variety of buildings along Connecticut Avenue.”

The Property is a part of analysis area TC-19, as outlined on page 22 of the Sector Plan. The Sector Plan recognized the small scaled parcels within this analysis area and expected proposals to be filed under the Standard Method. The Sector Plan did state that should significant land assembly occur, optional method, mixed-use development would be desirable. While the Sketch Plan does not propose assembly, it does include the transfer of density, as allowed under Section 59.4.5.2.B, and the Sketch Plan is for mixed-use development using the optional method of development.

The Sector Plan’s goal is to create a mixed-use core for the Town of Kensington. The proposed development with the mix of unit types and office and retail space will provide new residential and commercial options in Kensington.

Both the Sector Plan and associated Urban Design Guidelines emphasize that development within the Town of Kensington should be compatible with the Town’s character. While the Property is not within a historic district, the Sector Plan and Urban Design Guidelines still recommend that compatibility be a key factor in building design. The proposed development incorporates the following elements as described in the Sector Plan and Urban Design Guidelines:

- Strong delineation of a base – middle – top.
- Strong horizontal expression along the top datum line where a traditional cornice would occur.
- A balanced façade composition with repeating bays and standard doors and windows.

³ Additional 12 feet of height for providing 25% MPDUs

⁴ 1,125 sq. ft. on-site + 1,580 sq. ft. off-site

- Human scaled design features and details, especially along the base.
- Detailing in the portion of the façade along Knowles Avenue and Summit Avenue, especially at the ground floor level.

Additionally, both the Sector Plan and Urban Design Guidelines emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The proposed project will increase the street-level activity by having retail uses opening onto public open space at the corner of Summit Avenue and Knowles Avenue. The open space at the corner of the Property is similar in design and materials with the open space on the southeast corner of Summit Avenue and Knowles Avenue (approved with Preliminary Plan No. 120200160), creating a unified streetscape and a pedestrian-scale entrance into Kensington.

- b) Encourage development that integrates target opportunities for redevelopment of single-use commercial areas and surface parking lots with mix of uses.*

In the existing condition, the Property and surrounding development are single-use commercial with surface parking. The Application proposes to redevelop the Site into a pedestrian-friendly project that will incorporate ground-floor uses that will activate the open space.

- c) Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The proposed development includes market-rate, MPDU, and live/work units in a variety of unit types (studios, one-bedrooms, and two-bedrooms). As a result, the development will provide different housing opportunities for a range of demographics and incomes. The Application will also allow for important streetscape improvements that enhance pedestrian connectivity in and around the Property. No parking is proposed between the building and street frontages.

- d) Allows a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods.*

The mix of commercial and residential uses is compatible with the adjoining properties and is scaled appropriately to fit with current and future land use in the neighborhood.

- e) Integrate an appropriate balance of employment and housing opportunities.*

The development of multi-family residential uses on the Property will create a more balanced mix of uses in the Kensington Town Center District. There are a number of 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 Kensington area. Also, the proposed development will offer new opportunities with the live/work units. This is not a unit type currently found in the area and is an innovative way to balance and combine employment and housing.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

The proposed development is providing public benefits that support the increased density by providing MPDUs, structured parking, an enhanced streetscape with underground utilities, and binding architectural elevations.

2. *substantially conform with the recommendations of the applicable master plan;*

a. Land Use

The Sketch Plan substantially conforms to the vision of the *2012 Kensington Sector Plan* ("Sector Plan") which is to "promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington." The Plan depicts the Town Center as "a lively and active place with streets that are welcoming and comfortable for residents, workers, and visitors."

The Sector Plan provides both general and site-specific guidance for the Subject Property which is located within the Sector Plan's Town Center District Area TC-19, which is identified as the Detrick and Summit block and consists of roughly 30 relatively small properties that total about four (4) acres. While the Plan's analysis suggests that due to the ownership and lot size pattern in the TC-19 area, revitalization is likely to use the standard method of development that would reduce intensity of development. However, the Plan further cites the optional method of development for more intense mixed-use is desirable. The Sector Plan recommended the CRT 1.5 C 1.0, R 0.5, H 60 for the Subject Property, which reflects the existing zoning.

The Project is seeking approval via the optional method of development in order to intensify development density at this location as permissible by the Sector Plan and the zoning, where properties in this District Area with the potential to support mixed-use developments with parking structures could have five- to six-story buildings. The Project matches this vision with a two-story parking structure with 4 floors of live/work and multifamily units above. Facilitated by the proposed density transfer of residential FAR, the Project proposes higher density mixed-use within the Town Center district, which is a desirable use to further the Sector Plan's goal for creating a mixed-use core for the Town of Kensington. Further, both the Sector Plan and Urban Design Guidelines emphasize the need for street-oriented development that creates an animated community life along the sidewalks to encourage high levels of pedestrian comfort and activity. The proposed lot is oriented to allow sidewalk improvements to separate pedestrians from vehicular traffic with trees along the curb.

The Project satisfies the intent of the CRT zone as envisioned in the Sector Plan and helps to revitalize the Town Center by utilizing an opportunity for redevelopment, encouraging various housing types such as the proposed live/work units and fostering a pedestrian scale development. The housing goals of the *2012 Kensington Sector Plan* notes that more housing is desirable in the Town Center as it "will mean livelier and more active streets that are attractive for residents, shoppers, and visitors" and "increase the diversity of housing choices". The Project responds to the Sector Plan's call for more housing and more diverse housing types in the Town Center by proposing 100 high-density residential units, none of which are age restricted. The

proposed live/work units are a “missing middle” housing type and not currently common in the Town Center and their introduction into this Project is supported by the Town of Kensington. The proposed mixed-use building with 25 live/work units and 75 multi-family units will replace the existing small home on the Subject Property, providing greater activation along Knowles and Summit Avenues and new housing opportunities within the Town, thereby fulfilling a Sector Plan recommendation.

b. Transportation

The Application is proposing to address master planned roadways as recommended in the 2012 *Kensington Sector Plan* and 2018 *Bicycle Master Plan*. The segment of Knowles Avenue (MD 547), between Summit Avenue and Connecticut Avenue, is classified as an arterial (A-66). This segment is currently 65 feet wide and planned to be 80 feet wide with two travel lanes. Additionally, Summit Avenue, between Knowles Avenue (MD 547) and Plyers Mill Road, is classified as a business district street (B-2). The segment is currently 75 feet wide and planned to be 80 feet wide with two travel lanes. The 2012 *Kensington Sector Plan* identifies an extension of Summit Avenue from Plyers Mill Road to Farragut Avenue (and Connecticut Avenue) as part of a future Capital Improvements Project, currently being studied by MCDOT. Per the Master Plans recommendation, the Applicant is proposing public right-of-way dedications along each respective roadway frontage (15’ dedication on Knowles Avenue and 5’ dedication on Summit Avenue) to meet these requirements.

3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

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

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

5. *achieve compatible internal and external relationships between existing and pending nearby development;*

The Sketch Plan successfully achieves compatibility with the surrounding development through architectural elements and streetscape connections. The Sketch Plan confronts a townhouse project located south of the Subject Property on Knowles Avenue known as Residences at Knowles Station (Preliminary Plan No. 120200160) which was approved by the Planning Board on July 2, 2020 and includes architecture and open space complementary to the proposed development. By using similar elements on both sides of Knowles Avenue, the proposed development creates a unified, visual entrance to the Town of Kensington. The architecture of the proposed development also complements the existing adjacent commercial development to the east. The pedestrian and vehicular connections from Summit Avenue to Detrick Avenue through the proposed parking garage also creates an important connection that helps tie the development to the surrounding area.

6. *provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

As described in the Transportation section of this report, the Project provides satisfactory vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Primary vehicular access is from Summit Avenue, with secondary access through the adjoining commercial development from Detrick Avenue. The structured parking is incorporated into the proposed development and includes long term bicycle parking. A separate loading dock is accessed from Summit Avenue and provides for trash service, as well as commercial deliveries.

7. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

Taking into account the considerations in Section 59.4.7.1.B, including the recommendations and objectives of the Master Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, Staff finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the Site, as described below.

For developments of this size in the CRT zone, the Zoning Ordinance requires 50 points in a minimum of three categories. However, per Section 59.4.5.2.B.3.c, when density is averaged across two or more non-contiguous properties in the CR or CRT zones, the minimum public benefit points must be exceeded by at least 50%. Therefore, this development requires a minimum of 75 public benefit points. Although at the time of Sketch Plan review, only the categories need to be approved, the following table shows both the categories and points for public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient public benefit points. The final calculations and benefit points earned will be further refined and ultimately determined as part of Site Plan No. 820210030. Table 3 shows the Applicant's proposed public benefits in the following three categories: Connectivity and Mobility, Diversity of Uses and Activities, and Quality of Building and Site Design. Staff supports the proposed public benefits at this time.

Table 3 – Proposed Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
59.4.7.3.C: Connectivity and Mobility		
Streetscape Improvements	20	3
59.4.7.3.D: Diversity of Uses and Activities		
Affordable housing-25% MPDUs	n/a	150
59.4.7.3.E: Quality of Building and Site Design		
Architectural Elevations	20	10
Structured Parking	20	10
Total	-	173

Connectivity and Mobility

Streetscape improvements: The Applicant seeks to gain approval for 3 points for providing approximately 1,114 SF of paver installation and the addition of four public benches to upgrade the off-site public open space on the southeast corner of Knowles Avenue and Summit Avenue. Staff supports the Applicant's request based on the following calculation:

$$[1,114/33,093] * 100 = 3 \text{ points}$$

Diversity of Uses and Activities

Affordable housing-25% MPDUs: The Applicant seeks to gain approval for 150 points for providing 25% MPDUs. The project will provide 25% MPDUs, 12.5% 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:

$$[25\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required})] * 12 = 150 \text{ points}$$

Quality of Building and Site Design

Architectural Elevations: The Applicant seeks to gain approval for 10 points for providing architectural elevations with the Site Plan. The elevations show elements including transparency on the first floor, minimal spacing between operable doors, and the implementation of the design guidelines of the Sector Plan.

Structured parking: The Applicant seeks to gain approval for 10 points for providing structured parking. All of the 166 parking spaces will be provided in structured parking.

8. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The proposed development will be built in one phase.

SECTION 6: PRELIMINARY PLAN ANALYSIS AND FINDINGS

2. *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 size, width, shape, orientation and density of the proposed consolidated lots will be appropriate for the location considering the recommendations of the *2012 Kensington Sector Plan*. The Preliminary Plan will accommodate a single phase of development on the Subject Property at an appropriate and efficient location. The proposed lot was reviewed for compliance with the dimensional requirements for the CRT Zone as specified in the Zoning Ordinance. As illustrated in Table 2, the proposed lot will accommodate the anticipated use and meet all the dimensional requirements for the lot, density, height, placement, form, and building type in the zone.

To realize the recommendations of the *2012 Kensington Sector Plan*, the Application is utilizing a density transfer from two Sending Sites in order to construct a mixed-use development with higher number of residential units on the Subject Site. As previously outlined under Section #2 of this Report, the Applicant is proposing to transfer 12,431 square feet of residential FAR from the Sending Site located at 10414 Detrick Avenue. The Applicant is also contract purchaser of 21,235 square feet of residential FAR from a Sending Site located at 3827-3833 Plyers Mill Road to the Subject Property. This proposal meets the Zoning Code requirements for density transfer to the CRT Zone and also aligns with the Sector Plan which cites that the Optional Method of Development for more intense mixed-use is desirable in the Town Center district. Through the proposed density transfer of residential FAR, the Project can deliver a higher density mixed-use which is consistent with the Sector Plan's goal for creating a mixed-use core for the Town of Kensington. The overall density and building heights are consistent with the Sector Plan's recommendations for the Town Center District. The proposed lot and building massing are also appropriate and compatible with the existing development surrounding the Subject Site and future development aspirations prescribed by the Sector Plan. The building's orientation within the lot is towards Summit and Knowles Avenues which creates a continuous street front and continuity with surrounding lots.

Per Section 50.4.3.D of the Montgomery County Code, the Subject Property is not required to provide public open space. However, the Application is proposing a total of 2,705 square feet (8.2%), which includes 1,580 square feet of open space off-site. The off-site open space is associated with the Development Site that confronts the Subject Property to the south.

Further, in accordance with Section 50.4.3.B of the Subdivision Regulations, the subdivision layout for the one (1) proposed lot for a mixed-use building provides for efficient accessibility and circulation via appropriate sidewalks that connect the Site to the public realm and adjacent developments and orients access points for direct building access and parking.

For the above-stated reasons, the proposed lot sizes and layout of the subdivision are appropriate given the location of the Site, the type of use contemplated, and the applicable requirements of Section 50.4.3.C the Subdivision Regulations.

There are no public sites required of this Site. However, the proposed Preliminary Plan provides for adequate open areas.

The proposed lot consolidation created by the Preliminary Plan will provide space for amenities such as public art and seating. The proposed plan will also provide the adequate space needed to support transportation, utilities, and stormwater management facilities.

a. The Lot(s) and Use comply with the basic requirements of Chapter 59

The proposed lot was reviewed for compliance with the dimensional requirements for the CRT zone as specified in the Zoning Ordinance. The Zoning Ordinance allows the following floor area ratio and height: CRT-1.5, C-1.0, R-0.5, H-60, whereas the Plan proposes to use bonus density from MPDUs and transfer of residential density. Details of the proposed residential density transfer from two (2) nearby Sending Sites to the Subject Property is found in Table 1 in Section 2 of this Report. The proposed lot will meet all the dimensional requirements for area, frontage, width, height, build-to-area (BTA), and setbacks in that zone. A summary of this review is included in Table 2.

3. The Preliminary Plan substantially conforms to the Sector Plan and Urban Design Guidelines

As described in the Sketch Plan findings in Section #5 of this Report, the Project substantially conforms with the recommendations of the 2012 *Kensington Sector Plan*.

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

Transportation

Vehicular Circulation and Access Points

Pedestrian access to the Site will be from the established sidewalk network along Knowles Avenue, which will be enhanced by streetscape improvements along the Property frontage, as well as a new sidewalk along the Summit Avenue Property frontage, consistent with recommended streetscape standards within the 2012 *Kensington Sector Plan*.

Vehicular access to the Property will occur via a relocated curb cut on Summit Avenue, midblock between Knowles Avenue and Brainard Avenue, on the western frontage of the Site, providing access to the structured, multi-level parking garage. Additionally, an access point into the parking garage will be created to the existing parking lot located on the adjacent property to the east which is also owned by the Applicant (10414 Detrick Avenue), with access to Detrick Avenue. Trash pick-up will be accommodated through a loading dock area, adjacent to the Summit Avenue vehicular garage entrance, providing access to a trash room and associated compactor for trucks backing into the garage from the street. A new dumpster will also be accommodated with vehicular access located off the drive aisle in the existing surface parking area, where trash will be wheeled out of the existing adjacent building for pick-up, with an expected frequency of twice per week.

Loading access will be provided from the proposed loading dock with right-in and right-out access onto Summit Avenue, displayed on the submitted circulation and truck loading zone turning exhibits. The loading space is intended to primarily serve residents moving in and out of the building, as well as the aforementioned trash collection.

Existing Transit Service

The proposed development has existing transit service within the immediate area with an existing Ride On bus stop along the Property's Knowles Avenue frontage. The Property is also within a ½ mile of the MARC-Brunswick line's Kensington Station, providing weekday commuter rail service to Silver Spring, Rockville, Gaithersburg, and Union Station in Washington, DC.

The Ride On 5 and 37 routes provide service between the Silver Spring CBD, Rockville, the Pike District, Wheaton, and Potomac via Knowles Avenue. Ride On route 34 also provides service to Aspen Hill, NIH, the Bethesda CBD, and Friendship Heights along Knowles Avenue and Summit Avenue, with existing stops on adjacent blocks to the east and south. A concrete pad for a new bus stop will be constructed along the Property frontage as part of the proposed development. Eastbound service is provided by bus stops along the opposite side of Knowles Avenue.

Pedestrian and Bicycle Facilities

As a means to address needed pedestrian links in the sidewalk network outlined in the Sector Plan, Staff and the Applicant have coordinated to upgrade and construct pedestrian connections along both Property frontages. Along Summit Avenue, the Applicant proposes to construct a new sidewalk where one currently does not exist, with a wide green panel area, consistent with guidance within the Kensington Sector Plan Design Guidelines, which would foster a safer, comfortable space for people walking towards Plyers Mill Road and Knowles Avenue within the historic town center. Trees will be planted to the rear of the curb providing additional safety, comfort, and shade for people walking along Summit Avenue.

Additionally, the Applicant proposes to reconstruct the sidewalk to the south of the structure along Knowles Avenue, adjacent to the outdoor seating area and tying directly to a new sidewalk connection to the rear of the proposed building. Pedestrian connectivity along Knowles Avenue will be further enhanced by the addition of street trees along both sides of the sidewalk, ADA-compliant ramps and pavers, as well as new infrastructure in the form of street lighting, bicycle racks, and direct access to the new concrete bus pad.

Bicycle facilities are planned on Knowles Avenue and Summit Avenue across the street from the Property. Bicycle access in the vicinity of the Site is envisioned by the 2018 *Bicycle Master Plan* in the form of a two-way sidepath along the south side of Knowles Avenue and a two-way protected bikeway along the west side of Summit Avenue.

Transportation Adequate Public Facilities (APF) Review

The Applicant filed a transportation study, which included 100 multifamily dwelling units, 7,000 square feet of office space, and 6,000 square feet of retail space (whereas through the Optional Method incentive density bonus, density transfers, and MPDU bonus density, the proposal is for a combined 22,651 square feet of commercial retail and office). The transportation study stated that the Project would generate 71 morning and 111 evening net new person peak hour trips and 44 morning and 70 evening net new vehicle peak hour trips. Table 4 below shows the projected new vehicle trips generated by the Site Plan. Table 5 shows the plan's multimodal trip generation.

Table 4– Vehicular Peak Hour Trip Generation

Vehicle Trip Generation	AM	PM
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition - 100 Midrise Units)	34	44
LATR Policy Area Adjustment (Residential)	59.1% of ITE Rate	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 7,000 SF Office)	8	8
LATR Policy Area Adjustment (Office)	69.6% of ITE Rate	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 6,000 SF Retail)	6	23
LATR Policy Area Adjustment (Retail)	69.8% of ITE Rate	
Net New Vehicle Trips (Driver)	44	70
Net New Person Trips (Converted using total vehicle driver mode share)	71	111
Local Area Transportation Review Required? (Are AM or PM person trips ≥ 50?)	Yes	Yes

(Source: ITE, 10th Edition, from Applicant's LATR Review dated December 11, 2020)

Table 5 – Multimodal Peak Hour Trip Generation

Multimodal Trip Generation (LATR Guidelines, Kensington Wheaton Policy Area)		Percentage	AM	PM
Residential	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	59.1%	31	40
	New Vehicle Passenger Trips	25.4%	13	17
	New Transit Trips	8.1%	4	6
	New Non-Motorized Trips	7.4%	4	5
Net New Person Trips		100%	52	68
Office	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	69.6%	7	7
	New Vehicle Passenger Trips	18.6%	2	2
	New Transit Trips	6.1%	1	1
	New Non-Motorized Trips	5.7%	1	1
Net New Person Trips		100%	10	10

Multimodal Trip Generation (LATR Guidelines, Kensington Wheaton Policy Area)		Percentage	AM	PM
Retail	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	69.8%	6	23
	New Vehicle Passenger Trips	23.8%	2	8
	New Transit Trips	2.1%	0	1
	New Non-Motorized Trips	4.3%	0	1
Net New Person Trips		100%	9	33
Total Person Trips			71	111
Pedestrian Adequacy Test Required? (Are non-motorized + transit trips ≥ 50 ?)			No	No
Bicycle Adequacy Test Required? (Are non-motorized trips ≥ 50 ?)			No	No
Transit Adequacy Test Required? (Are transit trips ≥ 50 ?)			No	No

(Source: ITE, 10th Edition, revised from Applicant's LATR Review dated December 11, 2020)

Based on the trip generation projection, the Application triggers the requirement for roadway capacity analysis, but not for pedestrian, bicycle, or transit adequacy analyses.

The Property falls within the Kensington Wheaton Policy Area, which requires both Critical Lane Volume (CLV) and Highway Capacity Manual (HCM) delay analyses. The intersection congestion standards for the policy area are a CLV of 1600 and 80 seconds of delay per vehicle. As demonstrated in Table 6, each of the studied intersections fell below its relevant congestion standards. The LATR capacity analysis was consistent with the Department's LATR Guidelines.

Table 6 – Existing and Future Traffic Impact

	AM				PM			
	Existing CLV	Future CLV	Existing Delay	Future Delay	Existing CLV	Future CLV	Existing Delay	Future Delay
Connecticut Avenue and Knowles Avenue	1,312	1,334	28.3	29.4	1,262	1,289	37.1	37.7
Knowles Avenue and Summit Avenue	772	795	19.8	20.6	844	880	29.2	29.6
Summit Avenue and Plyers Mill Road	303	314	8.4	8.4	487	491	9.3	9.3

(Source: Applicant's LATR Review dated December 11, 2020 prepared by the Traffic Group)

a. Other Public Facilities and Services

The Project will be adequately served by public water and sewer, of which these mains currently service the Property. Therefore, there are adequate water and sewerage facilities to serve the Project. Dry utilities including gas, electricity, and telephone will also serve the Property. Fire access for the Property has been deemed adequate according to a letter issued on February 1, 2021, by the Montgomery County Department of Fire and Rescue Service. Additionally, the Project will be serviced by adequate police, fire, and health services.

i. *Schools Capacity*

The transition clause of the 2020-2024 Growth and Infrastructure Policy allows applications accepted before January 1, 2021 to be tested for school adequacy under the rules of the 2016-2020 Subdivision Staging Policy. Therefore, the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable. The Proposal includes 100 multi-family low-rise (four stories or less) units.

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 multi-family unit, or high-rise multi-family 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
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 100 multifamily low-rise units, the proposed project is estimated to generate the following number of students:

Table 8: Per Unit Student Generation Rates – Southwest Region

Type of Unit	Net # of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
MF Low-Rise	100	0.150	15.000	0.068	6.800	0.085	8.500
TOTALS	100		15		6		8

On average, this amendment is estimated to generate an additional 15 new elementary school students, 6 new middle school students, and 8 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:

Table 9: Per Unit Student Generation Rates – Southwest Region

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	4,607	4,579	100.6%	888	15
Middle	2,494	2,449	101.8%	444	6
High ⁵	2,127	2,321	91.6%	658	8

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 the Subject Property are Kensington-Parkwood Elementary School and North Bethesda Middle School, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Table 10: Student Enrollment and Capacity Projections by School

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Kensington-Parkwood ES	644	757	85.1%	+113	265	15
North Bethesda MS	1,301	1,233	105.5%	-68	179	6

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 Kensington-Parkwood Elementary School and North Bethesda Middle School. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this amendment.

⁵ The projected Walter Johnson HS enrollment has been modified to estimate the impact of redistricting students to Woodward HS in September 2025.

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 proposed by this Application.

5. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

a. Environmental Guidelines

The Subject Property lies within the Lower Rock Creek watershed and contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically-adjacent steep slopes, or known habitats of rare, threatened, and endangered species, or specimen trees of 30 inches diameter at breast height (DBH) or greater. The submitted Preliminary Plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

b. Forest Conservation

The Project is subject to the Montgomery County Forest Conservation law (Chapter 22A of the Code) but the Property is exempt from Article II under Section 22A-5(s)(2). This Application received a Forest Conservation Plan Exemption approval on October 4, 2018 (No. 42019044E) and does not have a requirement for a Tree Save Plan or Forest Conservation Plan. This exemption was granted because the proposed activity occurs on a tract of land less than 1 acre in size that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and the reforestation requirements will not exceed 10,000 square feet.

6. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on January 28, 2021. The Application will meet stormwater management goals through a variety of techniques including micro-bioretenment areas, planter boxes, and green roofs.

7. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.*

Not Applicable.

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

Not Applicable.

SECTION 7: SITE PLAN ANALYSIS AND FINDINGS

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*

2. *To approve a site plan, the Planning Board must find that the proposed development:*

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

The proposed development is consistent with the Sketch Plan No. 320210020 and Preliminary Plan No. 120210030, which are being reviewed concurrently with this Site Plan.

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;*

This section is not applicable; the Property was not associated with any 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;*

This section is 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;*

All proposed uses are permitted uses in the CRT Zone with no applicable use standards.

Development Standards

The Site covers approximately 0.84 acres zoned CRT 1.5, C-1.0, R-0.5, H-60. The data table below (Table 11) demonstrates the Application's conformance to the development standards of Section 59.4.5.4.

Table 11- Data Table: CRT-1.5, C-1.0, R-0.5, H-60 Zone			
Chapter 59	Development Standard	Permitted/ Required	Proposed
	Tract Area (sf)	n/a	36,507 sq. ft.
	Previous Dedication	n/a	14,018 sq. ft.
	Proposed Dedication	n/a	3,414 sq. ft.
	Site Area	n/a	33,093 sq. ft.
4.5.4.B.2.b	Density		
	Commercial	C-1.0 FAR (50,525 sq. ft.)	C-0.45 FAR (22,651 sq. ft.)
	Residential	R-0.5 FAR (25,263 sq. ft.)	R-1.57 FAR (79,554 sq. ft.) ⁶
	Total Density including transferred density and bonus density for 25% MPDUs	1.50 FAR (503,552 sq. ft.)	2.02 FAR (102,205 sq. ft.)
4.5.4.B.2.b	Building Height (feet)	60	72 ⁷
4.5.4.B.3	Minimum Setback (feet)	TBD at Site Plan	0
4.5.4.B.1	Minimum Public Open Use Space (%)	0%	8.2% (2,705 sq. ft.) ⁸

For an optional method development in the CRT Zone, the Zoning Ordinance requires 50 points in a minimum of three categories. However, per Section 59.4.5.2.B.3.c, when density is averaged across two or more non-contiguous properties in the CR or CRT zones, the minimum public benefit points must be exceeded by at least 50%. This development requires a minimum of 75 public benefit points. The following table (Table 12) shows both the categories and points for the proposed public benefits to demonstrate the project's ability to meet the required benefit points. Per Section 59.4.7.1.B, granting points as a public benefit for any amenity or project feature otherwise required by law is prohibited.

Table 12 – Proposed Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Total Requested
59.4.7.3.C: Connectivity and Mobility		
Streetscape Improvements	20	3
59.4.7.3.D: Diversity of Uses and Activities		
Affordable housing-25% MPDUs	n/a	150
59.4.7.3.E: Quality of Building and Site Design		
Architectural Elevations	20	10
Structured Parking	20	10
Total	-	173

⁶ 25,263 sq. ft. residential base density + 33,666 sq. ft. residential transferred density + 20,625 sq. ft. 35% MPDU bonus residential density = 79,554 SF

⁷ Additional increase in building height to provide 25% MPDUs

⁸ 1,125 sq. ft. on-site + 1,580 sq. ft. off-site

Connectivity and Mobility

Streetscape improvements: The Applicant seeks to gain approval for 3 points for providing approximately 1,114 SF of paver installation and the addition of four public benches to upgrade the off-site public open space on the southeast corner of Knowles Avenue and Summit Avenue. Staff supports the Applicant's request based on the following calculation:

$$[1,114/33,093] * 100 = 3 \text{ points}$$

Diversity of Uses and Activities

Affordable housing-25% MPDUs: The Applicant seeks to gain approval for 150 points for providing 25% MPDUs. The project will provide 25% MPDUs, 12.5% 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:

$$[25\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required})] * 12 = 150 \text{ points}$$

Quality of Building and Site Design

Architectural Elevations: The Applicant seeks to gain approval for 10 points for providing architectural elevations with the Site Plan. The elevations show elements including transparency on the first floor, minimal spacing between operable doors, and the implementation of the design guidelines of the Sector Plan.

Structured parking: The Applicant seeks to gain approval for 10 points for providing structured parking. All of the 166 parking spaces will be provided in structured parking.

General Development Requirements

Site Access

As conditioned, the Project provides safe, adequate, and efficient circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists and integrates the project into the surrounding area. Vehicular access to the Property will occur via a new curb cut on Summit Avenue, midblock between Knowles Avenue and Brainard Avenue, on the western frontage of the Site, providing access to the structured, multi-level parking garage. Additionally, an access point into the parking garage will be created to the existing private drive aisle with access to Detrick Avenue. Trash pick-up will be accommodated through a loading dock area, adjacent to the Summit Avenue vehicular garage entrance, providing access to a trash room and associated compactor for trucks backing into the garage from the street. A new dumpster will also be accommodated with vehicular access located off the drive aisle in the existing surface parking area, where trash will be wheeled out of the existing adjacent building for pick-up, with an expected frequency of twice per week.

Parking, Queuing, and Loading

Parking, queuing, and loading will be provided in an adequate, safe, and efficient manner. As demonstrated in Table 13, the Site Plan provides an adequate number of parking, queuing, and loading spaces for the proposed uses. All parking spaces are located within the parking garage.

Table 13- Parking		
Parking	Spaces Required	Spaces Provided
Residential Vehicle Parking Studios (18 units) 1 bedroom (39 units) 2 bedroom (18 units)	9 min/18 max 19.5 min/48.75 max <u>13.5 min/27 max</u> 42 min/94 max	48 spaces
Live/work (residential component) (25 units)	25	25 bundled tandem
Commercial Vehicle Parking Office (6,000 sq. ft.) Retail (6,000 sq. ft.) Live/work (commercial component) (11,500 sq. ft.) ⁹	12 min/18 max 21 min/36 max 23 min/35 max	15 spaces 23 spaces 25 bundled tandem
Total	123 min/208 max	166 spaces
Residential Bicycle Parking (100 units) Office Bicycle Parking (17,500 sq. ft.) ¹⁰ Retail Bicycle Parking (6,000 sq. ft.)	50 min/100 max 3 min/200 max 1 min/50 max	50 long term 5 long term 10 short term
Total	54 min/350 max	65 (10 short term, 55 long term)

Open Space and Recreation

Per Section 59.4.5.4.B.1, a project developing on a tract smaller than 1.00 acres with two frontages is not required to provide Public Open Space. However, the proposed development is providing a total of 8.2% Public Open Space in two separate locations. A 1,125 sq. ft gateway plaza at the corner of Summit Avenue and Knowles Avenue provides a welcoming entrance to the Town of Kensington and complements the open space provided on the south side of Knowles Avenue, directly opposite of the Subject Property. The Applicant is also developing a 1,580 square feet off-site area connecting to the open space on the HOC property to the south (4000 Knowles Avenue). The proposed Public Open Spaces include landscaping, seating, and specialty paving and help define and connect the entrance to Kensington.

Section 59.6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines.

⁹ Office parking requirement used for live/work units.

¹⁰ Includes 11,500 sq. ft. live/work and 6,000 sq. ft. office.

The proposed recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table provided with the Application. The Applicant is providing a courtyard on the third floor (live/work level) that provides a gathering space and amenities for residents in addition to the other facilities listed in the recreation table below.

Proposed Onsite Recreation Facilities and their Supply Points

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Yoga Room *	1	0%	0	2	4	9	9	9
Resident Lounge *	1	0%	0	2	5	10	8	7
Interior Courtyard, Garden or Lawn **	1	0%	2	3	4	7	7	5
Urban Plaza ***	2	0%	8	12	12	36	30	12
Bicycle Support Station *	1	0%	0	0	3	3	3	3
Total Onsite Supply Points=			10	19	28	65	57	36

Results: Demand, Supply & Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	16	5.60	10	15.60	Adequate
Children	23	8.05	19	27.05	Adequate
Teens	18	6.30	28	34.30	Adequate
Young Adults	71	24.85	65	89.85	Adequate
Adults	48	16.80	57	73.80	Adequate
Seniors	8	2.80	36	38.80	Adequate

General Landscaping and Outdoor Lighting

The project provides adequate landscaping and lighting, as well as other site amenities, to ensure that these facilities will be safe, adequate, and efficient for residents and visitors. The Project will include streetscaping along Knowles Avenue and Summit Avenue, with widened sidewalks, street trees, and lighting that connects to the on-site amenities.

As shown in the Development Standards table and findings above, the proposed Site Plan meets all the applicable use standards, development standards of Division 4.5. of the Zoning Ordinance, and the general development requirements of Article 6 of the Zoning Ordinance.

e. satisfies the applicable requirements of:

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

The Montgomery County Department of Permitting Services (MCDPS) Stormwater Management Section issued a letter accepting the stormwater management concept approval on January 28, 2021. Stormwater treatment will be accomplished through the

use of micro bioretention and a green roof. A partial stormwater management quantity waiver was requested, due to site constraints associated with this redevelopment project. The Applicant submitted a study demonstrating adequacy of the existing storm drain receiving system. The partial quantity waiver was granted by DPS.

ii. Chapter 22A, Forest Conservation.

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Environmental Guidelines and the Forest Conservation Law. Forest Conservation Exemption No. 42019044E was confirmed on October 3, 2018 because the tract is less than one acre and will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet.

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

As conditioned, the Site Plan provides adequate, safe, and efficient parking and circulation patterns. The Project provides well-integrated structured parking with multiple access points, including the proposed ingress and egress access easement on the adjacent property (10414 Detrick Avenue). The Site Plan provides adequate open space and site amenities, circulation patterns, streetscape improvements, safe pedestrian environments, and building massing consistent with the zone.

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

As discussed in Preliminary Plan finding 2 above, the Site Plan substantially conforms with the recommendations of the 2012 *Kensington Sector Plan*.

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;

As discussed in Preliminary Plan Finding No. 3, above, the Property will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

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

Not applicable, the Subject Property is zoned CRT.

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

The development is compatible with existing and approved or pending adjacent development through architectural elements and streetscape connections. The Property confronts a townhouse project located south of the Subject Property on the Knowles Avenue known as Residences at Knowles Station (Preliminary Plan No. 120200160) which was approved by the Planning Board on July 2, 2020 and includes architecture and open space complementary to the proposed development. By using similar elements on both sides of Knowles Avenue, the proposed development creates a unified, visual entrance to the Town of Kensington. The architecture of the proposed development also complements the existing adjacent commercial development to the east. The pedestrian and vehicular connections from Summit Avenue to Detrick Avenue through the proposed parking garage also creates an important connection that helps tie the development to the surrounding area.

SECTION 8: CITIZEN CORRESPONDENCE AND ISSUES

The Applicant has met all proper signage, noticing, and pre-submission meeting requirements under the Zoning Ordinance and the Manual of Development Review Procedures for Montgomery County. Both Sending Sites (10414 Detrick Avenue and 3827 Plyers Mill Road) for the proposed density transfer were also noticed with the Subject Property.

Pre-Submittal Meeting

The Applicant held its first community meeting for the proposed mixed-use project on May 12, 2020 for a Preliminary Plan and Site Plan. It was later determined that a Sketch Plan was required due to the Applicant's proposal for a density transfer and incentive density via an optional method of development. The Applicant then held a joint virtual pre-application community meeting and Development Review Board (DRB) meeting with the Town of Kensington on August 12, 2020 for all three applications outlined herein. A total of 27 members from the community and interested parties attended the May and August community meetings.

Public concerns and questions were raised about the following issues:

- The availability of sidewalks during construction.
- The location of proposed MPDU's on-site.
- Traffic concerns for Summit Avenue.
- The cumulative effect of this Project and the traffic from the nearby approved Solera Project.
- Support the concept of looking at traffic signalization which could be helpful.
- More information about how impact taxes work for schools and traffic.
- Concerns about the lane width of the adjacent project.
- Proposed bike racks from the Project.
- LEED certification and LEED goals for the Project.

Staff is also in receipt of a letter dated November 13, 2020 from the Kensington Town Council to authorize a portion of the public-right-of-way on Kaiser Place to be repurposed for the Project's proposed open space area. Additionally, the Kensington Town Council submitted a letter dated January 28, 2021 indicating the Town plans to enter into an agreement with the developer and property management firm to evaluate the 25 live/work units on an annual basis by requiring the tenants to provide a current trader's license issued by the State of Maryland, or other appropriate business license. Both support letters from the Town can be found in the Attachments 5 and 6.

SECTION 9: CONCLUSION

The Application meets all applicable requirements of County Code Chapter 50, the Subdivision of Land, Chapter 59 Zoning, and all applicable Forest Conservation requirements of Chapter 22A of the County Code. Access and public facilities will be adequate to serve the proposed subdivision, and the proposed residential density transfer, bonus height and density, and overall development of the Subject Property conforms with the 2012 *Kensington Sector Plan*. The Application has been reviewed by other applicable county agencies, all of which have recommended approval of the applications. The Application has also been reviewed and approved by the Town of Kensington Council. Therefore, Staff recommends approval of Sketch Plan No. 320210020, Preliminary Plan No. 120210030, and Site Plan No. 820210030 with the conditions listed at the beginning of the Staff Report.