



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

MCPB No. 21-042
Preliminary Plan No. 120210080
4010 Randolph Road
Date of Hearing: May 27, 2021

JUN 15 2021

RESOLUTION

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

WHEREAS, on January 19, 2021, AHC Inc. ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create eight (8) lots for 265,100 square feet of development, including up to 200 dwelling units and up to 3,500 square feet of commercial uses on 6.89 acres of land in the CRN-1.0, C-0.5, R-1.0, H-65 Zone, located at the southeast quadrant of Randolph Road and Colie Drive, 900 feet northeast of the intersection of Randolph Road and Veirs Mill Road ("Subject Property"), in the Kensington/Wheaton Policy Area and 2019 *Veirs Mill Corridor Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120210080, 4010 Randolph Road ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 14, 2021, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on May 27, 2021, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

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Approved as to
Legal Sufficiency: /s/ Emily Vaias
M-NCPPC Legal Department

WHEREAS, at the hearing the Planning Board voted to approve the Application, subject to certain conditions, by motion of Commissioner Verma, seconded by Commissioner Cichy, with a vote of 4-0; Commissioners Anderson, Cichy, Patterson and Verma voting in favor, with Commissioner Fani-Gonzalez being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120210080 to create eight (8) lots for 265,100 square feet of development, including up to 200 dwelling units and up to 3,500 square feet of commercial uses on the Subject Property, subject to the following conditions:¹

General Approval

1. This Preliminary Plan is limited to 8 lots for 200 affordable dwelling units, including a minimum of 25% MPDUs, and 3,500 square feet of commercial uses.

Adequate Public Facilities Validity Period

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

Plan Validity Period

3. The Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

Outside Agencies

4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its Traffic Impact Study and Traffic Signal Warranty Study letter dated May 18, 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.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter

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

dated May 3, 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.

6. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT'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 April 13, 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 April 12, 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

9. Before approval of a record plat or any clearing or grading for the Subject Property, the Applicant must receive Staff certification of this Preliminary Plan and any subsequent Site Plan associated with this Preliminary Plan. 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 Applicant must comply with the following conditions of approval of Final Forest Conservation Plan No. 820210050.

- a) Prior to the start of any clearing or grading for this development Application, the Applicant must record a Certificate of Compliance in a form approved by the M-NCCPC Office of General Counsel, in an M-NCCPC approved off-site forest bank within the Rock Creek watershed to satisfy the off-site reforestation requirement for a total of 1.01 acres of mitigation credit. The Applicant may satisfy the off-site requirement by purchasing credits from a watershed anywhere within the County, with approval if there are no credits for sale within the Rock Creek watershed or by payment of a fee in lieu if there are no approved mitigation credits available for purchase.

Transportation

12. The Applicant must dedicate and show on the record plat(s) all land necessary to accommodate an ultimate right-of-way of 120 feet for Randolph Road, which requires sixty feet as measured from the existing right-of-way centerline along the Subject Property frontage.

13. The Applicant must dedicate the rights-of-way and ensure construction of all necessary road improvements for the following public streets, as shown on the Preliminary Plan, to the design standards imposed by all applicable road codes. The following public street dimensions may be modified by MCDOT without the need for a Preliminary or Site Plan amendment.

- a) Colie Drive, consistent with MC 2003.10 "Primary/Principal Secondary Residential Street", modified to have 8-foot green panels, 11-foot travel lanes in both directions, an 8-foot sidewalk on the west side and 6-foot sidewalk on the east side, and intermittent 8-foot-wide parking lanes, with a 54-foot right-of-way.
- b) Gannon Road extended, south of where it meets Colie Drive, consistent with MC 2003.10 "Primary/Principal Secondary Residential Street", modified to have a minimum 5-foot sidewalk on the south side, 11-foot travel lanes and a 9-foot green panel and 6-foot sidewalk on the north side, with a 45-foot right-of-way. The right-of-way is dedicated as 28 feet from the right-of-way centerline to the Subject Property to the north. South of the right-of-way centerline the right-of-way varies, with a 16-foot minimum.

14. The Applicant must improve Gannon Road, east of the section called out as Gannon Road Extended, consistent with MC 2003.10 "Primary/Principal Secondary Residential Street", modified to have a 6-foot sidewalk, 11-foot travel lanes, and a 9-foot green panel on the north side and a 5-foot green panel on the south side behind an 8-foot parking lane, in the existing 60-foot right-of-way.

Record Plats

15. There shall be no clearing or grading of the site prior to recordation of plat(s).

Easements

16. The record plat must show necessary easements, including 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 or private street parcel. 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.

Notes and Labels

18. The record plat must reflect all areas under common ownership.

Certified Preliminary Plan

19. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
20. 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.

21. The certified Preliminary plan must show the Correct north arrow orientations on each plan.
22. The Applicant must remove all roadway cross sections from plans.

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

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

The lots have been reviewed for compliance with Section 50.29(a) of the Subdivision Regulations. The layout of the subdivision, including size, width, shape, and orientation of the lot continue to be appropriate for their location within the subdivision and meet all applicable requirements of the CRN Zone.

- a. *The Preliminary Plan provides for required public sites and adequate open areas.*

The Project provides all required master plan dedication along the Property's frontage. The Project establishes the minimum 10% public open space.

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

The proposed use for dwellings units and commercial development is permitted pursuant to Chapter 59 in the CRN zone. The lots were reviewed for compliance with the dimensional requirements for the CRN zone as specified in the Zoning Ordinance. The lots will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. A summary of this review is included in the table below.

Data Table: CRN-1.0, C-0.5, R-1.0, H-65 Zone

Chapter 59	Development Standard	Permitted/ Required	Approved
	Tract Area (sf)	n/a	300,359 sq. ft.
	Previous Dedication	n/a	35,049 sq. ft.
	Dedication (Randolph Road)	n/a	6,228 sq. ft.
	Dedication (Colie Drive)	n/a	34,713 sq. ft.
	Site Area	n/a	224,369 sq. ft.
4.5.3.C.1	Open Space²	10% (20,327 sq. ft.)	11% (22,000 sq. ft.)
4.5.3.C.2	Lot and Density		
	Lot		
	Lot area		
	Detached House	1,000 sq. ft	6,221 sq. ft. (min.)
	Lot width at front building line		
	Detached House	25 ft	75 ft
	Lot width at front lot line		

² In a development with townhouse, apartment, multi use, or general building types, open space is calculated on the area of the site minus any area for detached house and duplex lots.

	Detached House	10 ft	75 ft
	Lot coverage		
	Detached House	90%	26% (max.)
	Density		
	Commercial	C-0.5 FAR (150,180 sq. ft.)	C-0.01 FAR (3,500 sq. ft.)
	Residential	R-1.0 FAR (300,359 sq. ft.)	R-0.87 FAR (261,600 sq. ft.)
	Total Density	1.0 FAR (300,359 sq. ft.)	0.88 FAR (265,100 sq. ft.)
4.5.3.C.3	Placement		
	Front setback		
	Detached House	5 ft	20 ft
	Side Setback		
	Apartment ³	12 ft	20 ft
	Detached House	6 ft	6 ft (min.)
	Rear Setback		
	Detached House	15 ft	20 ft (min.)
	Front Street Build-to Area		
	Apartment (30' max setback) ⁴	70%	100%
	Multi-Use (15' max setback)	70%	100%
	Side Street Build-to Area		
	Apartment (30' max setback)	70%	100%
	Multi-Use (15' max setback)	70%	100%
4.5.3.C.4	Height	65 ft	60 ft
4.5.4.C.5	Form		
	Transparency ⁵		
	Apartment	20%	25% (min.)
	Multi-Use	30%	5% (min.)

2. The Preliminary Plan substantially conforms to the Master Plan.

The Property is subject to the 2019 *Veirs Mill Corridor Master Plan*. The subject Property falls within the Master Plan's Connecticut/Randolph District, which is referred to as "the center of the plan area, both in geography and in activity." The Project is in substantial conformance with both the general goals and recommendations of the Master Plan, as well as those that are specific to the Property.

General Recommendations

General recommendations of the Master Plan are met as follows:

³ Per 4.1.8 A, when an apartment abuts a residential detached zone, the minimum side setback is equal to 1.5 times the minimum side setback required for a detached house on the abutting property. Adjacent property is zone R-60, with a side setback of 8', so the minimum side setback for an apartment building in the CRN zone is 12'.

⁴ The Applicant is requesting a waiver as part of the Site Plan from meeting the front build-to area requirement for Building 2A.

⁵ The Applicant is requesting a waiver as part of the Site Plan for meeting the transparency requirement for the north façade of Building 1.

The purpose of the Veirs Mill Corridor Master Plan is to safely connect community members to transit, neighborhood uses and community facilities through improved pedestrian and bicycle infrastructure.

As shown on the plan and discussed herein, the Project will significantly improve connectivity through enhanced and additional pedestrian infrastructure and will promote the County's Vision Zero goals. The Project provides streetscape improvements on all internal and external streets, and a series of internal pathways and open spaces, all of which are designed to promote connections within the Project and to the larger neighborhood. Furthermore, the buildings have been located to define and activate the public realm to enhance the pedestrian environment and encourage pedestrian mobility. As such, the Project will substantially promote the County's Vision Zero goals.

Encourage a variety of housing options, compatible in scale to the existing character, to capitalize on proximity to transit and enhance walkability. (p. 13)

The Project is located within walking distance of the Commercial Center situated around the intersection of Veirs Mill and Randolph Roads. As such, the mixed-use, predominantly residential development will support the existing commercial establishments. Furthermore, the Project provides substantial community amenities and public spaces on-site that will support the project and surrounding community.

On properties designated by the master plan, introduce housing typologies that expand residential choices such as small lot bungalows, bungalow courts, duplexes, smaller townhouses, stacked flats or small-scale multifamily buildings. (p. 13)

As noted below, the Property is designated as a site for expanding housing typologies. In furtherance of this goal, the project includes, small-scale multifamily buildings or "quadplexes" as well as more traditional multifamily buildings and single-family housing. As such, the Project provides a diversity of housing opportunities, both in terms of product type, unit size, and ownership opportunities.

Design proposed streets as pedestrian-friendly connections that link the corridor with surrounding communities and include facilities for bicyclists. Include landscape elements, seating, and illumination. (p. 22)

As shown on the plan, the Project provides pedestrian-friendly connections both through the site via the Linear Park and along all internal and external street frontages. As such, the Project makes a significant investment toward pedestrian infrastructure within the Corridor to improve mobility and connectivity. These connections will promote pedestrian safety and the County's Vision Zero goals.

This plan also recognizes the potential for intensifying residential uses at targeted locations to provide local open spaces appropriate for the density being considered. (p. 22)

In accordance with the recommendations of the Master Plan and the Property's zoning, the Project will provide affordable housing at a moderate density. The Project has been strategically designed to promote a compatible transition to the abutting/confronting single family homes along Bushey Drive and provides a substantial amount of open space. The central, Linear Park provides approximately a half-acre of open space with diverse offerings for active/passive recreation and social gatherings.

Provide a range of unit types for a diversity of households, including families, seniors, and persons with physical challenges. (p. 28)

The Project contributes to the diversity of households by providing a variety of affordable residential offerings, including missing-middle style housing and a wide range of unit sizes (from one and two bedrooms, to hard-to-find, family sized three and four bedrooms), to accommodate both individuals and families. Additionally, a minimum of 5% of the units will be ANSI Type A accessible, to accommodate seniors and persons with physical challenges.

Enhance connectivity by improving safety and prioritizing improvements for pedestrians, bicyclists and transit users. (p. 31)

The Project provides significant infrastructure improvements to promote pedestrian and bicycle safety and connections to and through the Property, in accordance with the County's Vision Zero goals.

Provide adequate landscape buffers between the sidewalk and curb with the installation of all new sidewalks on Veirs Mill Road and intersecting streets. (p. 9)

In addition, the 2017 Parks, Recreation, and Open Space (PROS) Plan recommends the following hierarchy for each neighborhood, block, building and residence that experiences change due to land assembly or development:

- *For each neighborhood, provide neighborhood green, buffer park, or community use recreational park.*
- *For each block, provide a square, plaza, or green area.*
- *For each building, provide an outdoor recreation space.*
- *For each residence, provide a private outdoor space.*

The project includes an approximately half-acre Linear Park, bookended by two entry plazas. The Linear Park includes a series of diverse opportunities for active

and passive recreation, including a large multi-purpose field and interactive play equipment. Private outdoor space is provided through individual balconies, where feasible.

Property Specific Recommendations

As the site is located near the commercial core and existing and future transit, the plan envisions an opportunity to introduce diverse housing prototypes at this location. This housing, including designs inspired by the “missing middle” concept, could provide a transition in density from the transit-oriented development recommended at Stonemill Square to the existing single-family residential community east of the site. (p. 83)

The Project provides a diverse array of affordable housing units at a density that provides a compatible transition between the Commercial Center and the existing single-family residential community to the east of the site. Specifically, the Project proposes a range of units to include “missing-middle” quadplexes, multifamily buildings, and single-family homes.

Rezone the Department of Recreation administrative offices site (4010 Randolph Road and the vacant parcel) from R-60 to CRN 1.0, C-0.5, R-1.0, H-65 to allow the construction of medium density residential uses and neighborhood-serving commercial uses near the commercial center. (p. 83)

As recommended by the Master Plan, the Property was rezoned as recommended, pursuant to Sectional Map Amendment No. H-132. The conformance with the Property’s zoning, the Project will provide medium density residential uses along with neighborhood-serving commercial uses (potentially a childcare center and/or small medical clinic). The commercial uses will be located in the southwestern portion of the site, adjacent to the existing commercial area.

Concentrate development intensity along major roads and higher density uses. (p. 83)

The Project proposes to locate the higher density multifamily units along the Property’s Randolph Road frontage and adjacent to the commercial area to the west. Missing middle-style units will be located along the Linear Park, in the approximate center of the site, and single-family houses have been located in the southern portion of the site, to provide a gradual transition across the site.

Consider street-oriented development patterns that create architectural variety along new and existing streets. (p. 83)

All buildings will be oriented towards the streets on which they front or towards the Linear Park. In addition to the development layout, the building architecture has

been designed to further activate the street through transparency, ground floor balconies, building entrances etc.

Consolidate open spaces for public use and locate in areas accessible to existing residential properties and higher-density residential housing. (p. 83)

The Project includes a large, approximately half-acre Linear Park on which the multiplexes will front. The Linear Park will provide a central open space for future residents and the surrounding community. The Linear Park runs between Colie Drive and Bushey Drive and has been designed to promote compatibility between the Commercial Center and existing residential neighborhoods.

For the Department of Recreation administrative Offices, this plan recommends: Create a public open space of a half-acre at minimum, similar to a neighborhood green urban park at the Bushey Drive property when the Montgomery County Department of Recreation Administrative Offices are redeveloped. The park should include neighborhood amenities, including play structures, shaded seating, and a flexible lawn area.

As discussed above, the Project accommodates this through the Linear Park. The park will include several active and passive elements, including a multi-use lawn, an outdoor grill station and picnic area, and an all-age play area. The park will be bookended by two plazas, with seating and a potential water feature at the entry plaza on Colie Drive.

If the Montgomery County Department of Recreation's administrative office site on Bushey Drive is redeveloped, extend Gannon Road northwest as a business district street, as shown in Figure 14, from its current terminus west of Bushey Drive to provide a connection between Gannon Road and Colie Drive. Montgomery County should consider funding the extension of Gannon Road to maximize the potential for development of affordable housing on the site. (p. 37)

As shown on the plan, the Project includes the extension of Gannon Road and Colie Drive to connect Randolph Road and Bushey Drive.

Sector/Master-Planned Roadway and Bikeway

Randolph Road is classified as a Major Highway, M-17, by the 2019 *Veirs Mill Master Plan*, with a recommended 120-foot right-of-way. The Applicant is providing the required ten feet of dedication along Randolph Road. The 2018 *Bicycle Master Plan* recommends a separated bikeway along the north side of Randolph Road, opposite the subject property.

The Preliminary Plan substantially conforms to the 2019 *Veirs Mill Master Plan*, the 2018 *Bicycle Master Plan*, and the 2018 *Master Plan of Highways and Transitways*.

3. *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 Randolph Road and Bushey Drive, which will be enhanced by streetscape improvements along each of the Property frontages, consistent with recommended streetscape standards within the 2019 *Veirs Mill Corridor Master Plan*. The Applicant is proposing to construct the planned extension of Gannon Road identified within the *Master Plan of Highways and Transitways*, from its existing terminus to the Colie Drive and Randolph Road intersection, which will be explained in further detail in this section.

Out of the three existing vehicular access points into the site from Bushey Drive, two will be removed, with a new curb cut to the north of the adjacent single-family home, addressed 12202 Bushey Drive. The existing curb cut on Bushey Drive currently providing access to the former office surface parking area, to the south of the single-family residence at 12218 Bushey Drive, is to remain. These two driveways will provide direct access to the surface parking areas adjacent to the six quadplex structures, the mid-rise multifamily building fronting along Randolph Road, and connecting to the Gannon Road and Colie Drive extensions. The extended Business streets serve as the community's backbone, providing access to the three single family residential driveways, as well as the structured, multi-grade parking garage within the mixed-use building. The existing driveway with access to Randolph Road and Colie Drive to the north, will be maintained, tying into the existing signalized intersection.

Trash pick-up will be accommodated through the vehicular access located off the internal drive aisle, where trash will be wheeled out of the building for pick-up, with an expected frequency of twice per week. The six-story mixed-use structure features its own loading entrance and two garage entrances, each providing ingress and egress to each respective garage level. While the majority of loading access is to occur internally to the site from the private drive aisles, loading access will be provided to the front of the mixed-use structure, from the Gannon Road public right-of-way. The loading space is intended to primarily serve residents moving in and out of the building. Commercial truck deliveries will be limited to access through the Randolph Road-Gannon Road and Bushey Drive-Gannon Road intersections.

Vehicular and loading turning movements are displayed on the submitted circulation and truck turning exhibits.

Existing Transit Service

The immediate area is well served by transit that includes Ride-On, Metrobus, and the future Veirs Mill and Randolph Road Bus Rapid Transit routes which are planned to have a station at the intersection of Veirs Mill Road and Randolph Road. The Ride-On 10 and 48 routes provide service between the Twinbrook, Wheaton, Rockville, and Glenmont metro stations; the Pike District; White Oak; downtown Rockville; and Aspen Hill via Randolph Road and Veirs Mill Road.

The Metrobus C2, C4, Q1, Q2, Q4, Q5, Q6, and C8 routes provide service between the Silver Spring CBD, Wheaton, Rockville, Shady Grove, and Friendship Heights via Randolph Road and Veirs Mill Road. Westbound service is provided by a bus stop on the opposite side of Randolph Road, adjacent to the Randolph Hills Nursing Center at the northeast corner of the Randolph Road and Colie Drive intersection, as well as on the opposite side of Veirs Mill Road, to the southwest of the Veirs Mill Road and Bushey Drive intersection.

The diverse and affordable housing development meets the intent of the Northeast Quadrant of Veirs Mill Road and Randolph Road identified in the *Veirs Mill Corridor Master Plan*, furthering the vision for walkable communities in close proximity to the Veirs Mill and Randolph Road Bus Rapid Transit networks. Once completed, both high frequency services will provide reliable and robust connectivity to existing Metrorail and MARC stations, as well as the existing and planned Bus Rapid Transit routes along US29, New Hampshire Avenue, Georgia Avenue, and MD355.

Pedestrian and Bicycle Facilities

The Applicant will upgrade and construct pedestrian connections along Randolph Road, Bushey Drive, and the Gannon Road extension. Along the Randolph Road Property frontage, the Applicant will construct a new sidewalk with a wider furnishing zone, consistent with guidance within the Sector Plan and the draft Complete Streets Design Guidelines, which would foster a more comfortable space for people walking parallel to high speed multimodal traffic along the major highway.

Likewise, the Applicant will upgrade the Property's frontage with Bushey Drive, proposing to construct a new sidewalk with a wider green panel to support the preservation of existing mature canopy trees and space for the plantings of new ones.

Furthermore, the Applicant proposes to construct new sidewalks along the entirety of both sides of the Gannon Road extension, ensuring safe and comfortable space for

people walking, from Bushey Drive to Randolph Road. A new crosswalk will be built together with the Colie Drive extension, providing a high visibility crossing between the mixed-use building lobby and the central green space. New crosswalks and ADA-compliant curb ramps will also be built at the Randolph Road-Colie Drive and Bushey Drive-Gannon Road intersections, that would tie directly with the new sidewalk connections along the new Gannon Road and Colie Drive public streets. No bicycle facilities are planned on either of the Site's frontages on Randolph Road or Bushey Drive. A bidirectional separated bikeway is planned along the opposite frontage of Randolph Road.

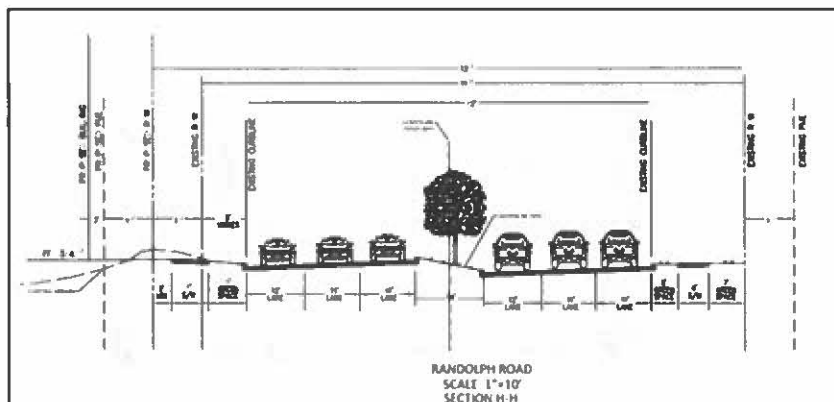
Bike Parking

In accordance with Section of 6.2.1. of the Zoning Ordinance, long-term bicycle parking rooms are located in both of the mid-rise multifamily buildings. However, in an attempt to provide "missing middle" diverse housing stock as part of this development, the code requirement to provide long-term bicycle parking either proportionately throughout the community or co-located within 200-feet of participating buildings is not conducive to the construction of the quadplexes. As such, the Applicant requests relief as part of the Site Plan from the requirement and instead proposes to install fifteen short-term parking spaces near the entrances to each quadplex. Residents will have access to each short- and long-term bicycle parking space regardless of which unit or building they reside.

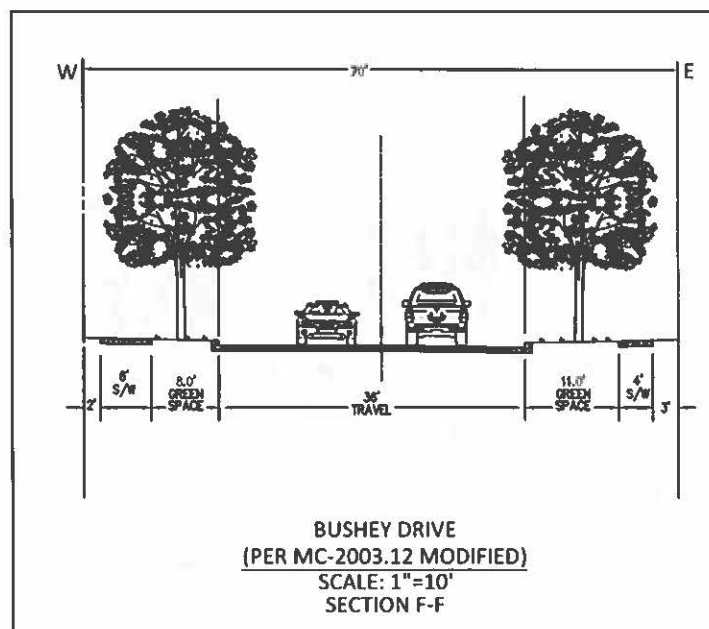
Master-Planned Roadways, Bikeways, and Transitways

The segment of Randolph Road between Veirs Mill Road and Bushey Drive is classified as M-17, a major highway with planned Bus Rapid Transit service. The segment is currently 100-feet wide and planned to be 120 feet wide with six (6) divided travel lanes. The Applicant is proposing a public right-of-way dedication of ten feet to meet this requirement. The Randolph Bus Rapid Transit service is planned to travel in mixed traffic along this portion of its overall route. The Randolph Road Property frontage will be enhanced with an 8-foot sidewalk and 8-foot green panel in accordance with the Town Center Boulevard streetscape requirements in the draft *Complete Street Design Guidelines*.

An existing 14-foot median is to be retained as part of this development request. While the roadway slopes downwards from south to north, making a new protected crossing for people crossing Randolph Road along the eastern leg of the Randolph Road and Colie Drive intersection challenging to implement, new curb ramps will be installed at the existing crosswalk at the western leg.



Bushey Drive is designated as a P-24, Primary Residential street between Randolph Road and Veirs Mill Road. The roadway is 70-feet wide, which meets the right-of-way requirement outlined in the Master Plan of Highways and Transitways. In light of the current condition, the Applicant proposes to construct a new six-foot sidewalk and 8-foot green panel that meets the requirement of the Neighborhood Connector standard per the draft Complete Street Design Guidelines.



As previously stated, Colie Drive and Gannon Road are planned Business Streets as identified in the Master Plan of Highways and Transitways. The 2019 *Veirs Mill Corridor Plan* shows an ultimate 60-foot right-of-way standard cross section for Business Streets throughout the study area, 8-foot wide sidewalks and more narrow travel lanes (Figure 18).

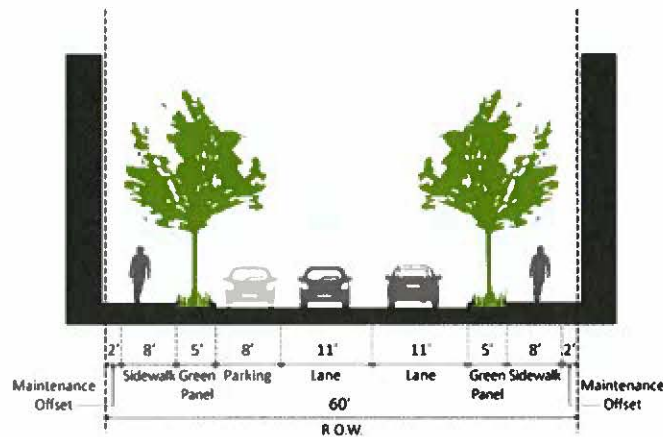


Figure 3: Business Street Section in 2019 Veirs Mill Corridor Plan

While the street designs deviate from the Business Street cross sections in the 2019 *Veirs Mill Corridor Plan* in alternating locations, staff concurs with the Applicant's approach to provide wider space for the planting of canopy trees and street parking to provide access to the community facilities, clinic, and daycares. Every effort has been made to establish a narrow continuous street to facilitate safe and comfortable movements by foot or bicycle through and across the new public streets.

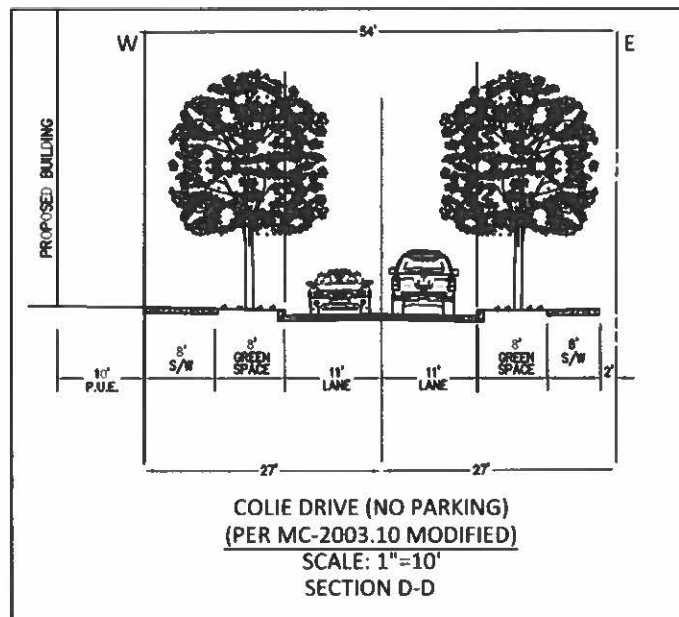
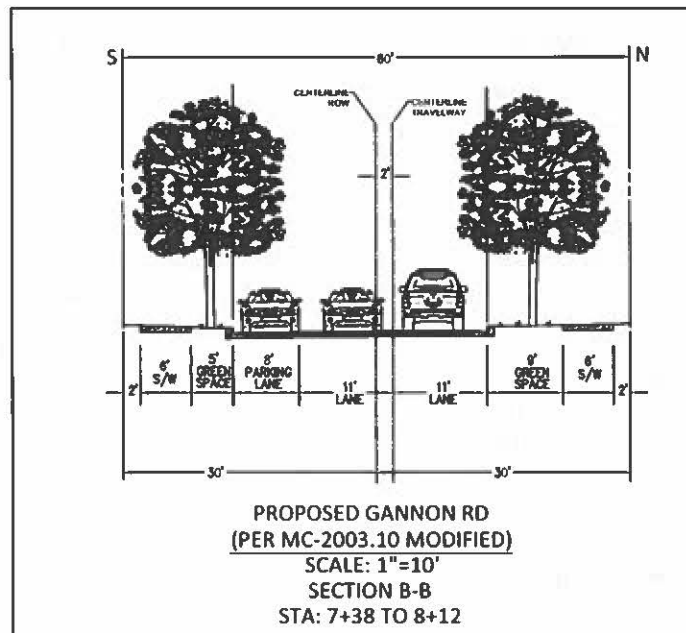


Figure 4: Colie Drive Section



A portion of the Gannon Road southern frontage along the southwestern corner of the development is to have a five-foot sidewalk at the back of the curb and gutter, as a result of the irregular shape of the adjacent property line. Nevertheless, the remainder of the southern frontage along Gannon Road will provide a consistent six-foot sidewalk with a five-foot furnishing zone. Sidewalks will be built through the entirety of the Colie Drive and Gannon Road extensions.

Transportation Adequate Public Facilities (APF) Review

The Applicant filed a transportation study, which included 197 multifamily and 3 single family dwelling units, and a medical clinic or daycare. The transportation study stated that the Project would have less than 24 morning net person trips while generating 77 evening net new person trips. Similarly, a reduction of 28 morning peak hour vehicle trips while 77 evening net new peak hour vehicle trips will be added. As such, a traffic study was required in accordance with the 2016-2020 Subdivision Staging Policy, in order to satisfy the LATR test because the number of evening trips exceeds the standard of 50 or more trips within the weekday peak hour. The Site Plan currently includes a 35,600 square foot office use, which still falls within the maximum impact established by the transportation study. The Applicant was able to credit trips generated by the Property's existing 35,600 square foot office (Land Use Code 730). The Applicant's existing trip credit was established utilizing rates produced by the Institute of Transportation Engineers' *Trip Generation Manual*. The Vehicular Trip Generation Table below, which has been revised from the Applicant's study, shows the projected new vehicle trips generated by the Site Plan.

Vehicle Trip Generation	AM	PM
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition - 197 Midrise Units)	65	79
LATR Policy Area Adjustment (Residential)	59.1% of ITE Rate	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 3 Single Family Units)	2	3
LATR Policy Area Adjustment (Residential)	59.1% of ITE Rate	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 4,000 SF Daycare)	10	10
LATR Policy Area Adjustment (Other)	69.8% of ITE Rate	
Site Generated Vehicle Trips (Driver) (ITE 10 th Edition – 1,000 SF Clinic)	4	3
LATR Policy Area Adjustment (Other)	69.8% of ITE Rate	
Credited Existing Vehicle Trips (ITE 10 th Edition – 35,600 SF Government Office)	-109	-56
Net New Vehicle Trips (Driver)	-28	39
Net New Person Trips (Converted using total vehicle driver mode share)	-24	77
Local Area Transportation Review Required? (Are AM or PM person trips ≥ 50?)	No	Yes

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

Based on the trip generation projection, the Applicant met the threshold for a roadway capacity analysis, but did not meet the threshold for pedestrian, bicycle, or transit adequacy analyses. The Multimodal Trip Generation Table shows the conceptual plan's multimodal trip generation, which was revised from the submitted study to account for the relevant credits.

Multimodal Trip Generation (LATR Guidelines, Kensington Wheaton Policy Area)		Percentage	AM	PM
Residential (Mid-Rise)	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	59.1%	65	79
	New Vehicle Passenger Trips	25.4%	28	34
	New Transit Trips	8.1%	9	11
	New Non-Motorized Trips	7.4%	8	10
Net New Person Trips		100%	110	134
Residential (Single Family)	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	59.1%	2	3
	New Vehicle Passenger Trips	25.4%	1	2
	New Transit Trips	8.1%	0	0
	New Non-Motorized Trips	7.4%	0	0
Net New Person Trips		100%	3	5
Daycare	New Vehicle Driver Trips (see "Vehicle Trip Generation" Table)	69.8%	10	10
	New Vehicle Passenger Trips	18.7%	3	3
	New Transit Trips	5.6%	0	0
	New Non-Motorized Trips	5.9%	1	1
Net New Person Trips		100%	14	14
Clinic	New Vehicle Driver Trips	69.8%	4	3

(see "Vehicle Trip Generation" Table)			
New Vehicle Passenger Trips	18.7%	1	1
New Transit Trips	5.6%	0	0
New Non-Motorized Trips	5.9%	1	0
Net New Person Trips	100%	6	4
Total New Person Trips		133	157
Existing Person Trips		-157	-80
Total Person Trips		-24	77
Pedestrian Adequacy Test Required? (Are non-motorized + transit trips \geq 50?)		No	No
Bicycle Adequacy Test Required? (Are non-motorized trips \geq 50?)		No	No
Transit Adequacy Test Required? (Are transit trips \geq 50?)		No	No

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

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 the Existing and Future Traffic Impact Table, each of the studied intersections fell below its relevant congestion standards. The LATR capacity analysis was consistent with the Department's LATR Guidelines.

Existing and Future Traffic Impact

	AM				PM			
	Existing CLV	Future CLV	Existing Delay	Future Delay	Existing CLV	Future CLV	Existing Delay	Future Delay
Veirs Mill Road and Randolph Road	806	814	55.3	54.0	933	946	49.9	50.4
Randolph Road and Colie Drive	459	483	13.4	11.8	673	682	17.9	18.0
Randolph Road and Bushey Drive	506	503	2.7	2.3	606	616	3.1	2.7
Veirs Mill Road and Bushey Drive	490	506	0.7	0.7	718	733	0.9	0.6

(Source: Applicant's LATR Review prepared by Kimley-Horn)

Schools

Overview and Applicable School Test

This application was accepted on January 19, 2021 and is composed of 100% affordable units. The transition clause of the 2020-2024 Growth and Infrastructure Policy allows applications accepted before February 26, 2021 that include 25% or more affordable units as defined in Sections 52-41(g)(1) through 52-41(g)(4) or 52-54(d)(1) through 52-54(d)(4) of the County Code, to be tested for school adequacy under the rules of the 2016-2020 Subdivision Staging Policy. Therefore, the rules of the 2016-2020 Subdivision Staging Policy and FY2021 Annual School Test were

used. This project proposes 197 multifamily low-rise dwelling units and 3 single family detached units, for a total of 200 units.

Calculation of Student Generation

To calculate the number of students generated by the development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The subject property is located in the East Region of the County and generates students according to the table below.

Per Unit Student Generation Rates – East Region

	Elementary School	Middle School	High School
SF Detached	0.203	0.103	0.144
SF Attached	0.219	0.115	0.160
MF Low-Rise	0.253	0.112	0.148
MF High-Rise	0.088	0.036	0.047

With a net of 197 multifamily low-rise units and 3 single family detached units, the project is estimated to generate the number of students in the Estimated Student Generation Table below.

Estimated Student Generation

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	3	0.203	0.609	0.103	0.309	0.144	0.432
MF Attached	197	0.253	49.841	0.112	22.064	0.148	29.156
TOTAL	200		50		22		29

This project is estimated to generate 50 new elementary school students, 22 new middle school students, and 29 new high school students.

Cluster Adequacy Test

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

Cluster Adequacy

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,100	3,454	89.8%	1,045	50
Middle	1,645	1,701	96.7%	396	22
High ⁶	2,047	2,234	91.6%	633	29

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

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Sargent Shriver ES and Loiederman MS, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the table below.

Individual School Adequacy

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Sargent Shriver ES	732	660	110.9%	-72	61	50
A. Mario Loiederman MS	983	1,003	98.0%	+20	221	22

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 Individual School Adequacy Table are the numbers of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and the seat deficit threshold. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds for both Sargent Shriver ES and

⁶ The projected Wheaton HS enrollment has been modified to estimate the impact of redistricting students among the Downcounty Consortium high schools and to Woodward HS in September 2025.

Loiederman MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test under the 2016-2020 Subdivision Staging Policy, there is adequate school capacity for the amount and type of development approved by this decision.

Other Public Facilities

The development will be served by public water and sewer systems. Fire and Rescue has reviewed the application and has determined that the Property has appropriate access for fire and rescue vehicles. Other public facilities and services including police stations and health care will continue to be sufficient following the construction of the project. Electric, gas and telecommunications services will also be available.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

Environmental Guidelines

Staff approved Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) No. 420200300 on September 4, 2020. The approximately 6.09-acre Property is currently developed with an office building and associated asphalt surface parking lots and grass lawns with scattered trees. There are no forest or streams but there are large and specimen trees on-site. The plan is in conformance with the *Environmental Guidelines*.

Final Forest Conservation Plan

The Applicant has submitted a Final Forest Conservation Plan (FFCP) (Attachment C) with the Preliminary Plan and Site Plan. While there is no forest on the Subject Property, there is a forest conservation requirement based on the Property area and land use. The forest conservation requirement of 1.01 acres will be met in an off-site mitigation bank or by fee-in-lieu payment if no banks are available. The FFCP shows the development and all disturbance necessary for development. As submitted, and including approval of the accompanying variance request, the plan complies with Chapter 22A, Forest Conservation.

Variance

Section 22A-12(b)(3) of Montgomery County Forest Conservation Law provides criteria that identify certain individual trees as high priority for retention and protection. Any impact to these trees, including removal of the subject tree or disturbance within the tree's critical root zone (CRZ) requires a variance. An applicant for a variance must provide certain written information in support of the required findings in accordance with Section 22A-21 of the County Forest

Conservation Law. The law requires no impact to trees that: measure 30 inches or greater, DBH; are part of a historic site or designated with a historic structure; are designated as a national, State, or County champion tree; are at least 75 percent of the diameter of the current State champion tree of that species; or trees, shrubs, or plants that are designated as Federal or State rare, threatened, or endangered species. The Applicant submitted a variance request on March 3, 2021 to remove 10 trees that are considered a high priority for retention under Section 22A-12(b) (3) of the County Forest Conservation Law.

Unwarranted Hardship

The development is in accordance with both the intent and recommendations of the 2019 *Veirs Mill Corridor Master Plan*. and the CRN zoning. The Subject Property is located directly adjacent to Randolph Road and serves as a transition between the commercial area and single-family neighborhood. The development responds to the existing transportation network and expands the connections through the Subject Property. The Property has significant topographic challenges, sloping 30' from the Randolph Road frontage to Bushey Drive. The variance trees are spread all over the Property and it is not possible for the Applicant to demolish the existing development and provide the density of housing, while meeting the topographic challenges of the site without impacting the requested trees. The proposed development of housing and commercial area is a use of the Property that is significant and reasonable based on the zoning and Master Plan and cannot be accomplished elsewhere on the Property without a variance. For these reasons, the Applicant has demonstrated a sufficient unwarranted hardship to grant the variance request.

Variance Tree Removals

ID	Species	Size DBH	Condition	Notes
17	Acer saccharinum / Silver Maple	46"	Fair	Demolition, grading, and site development.
19	Pinus strobus /White Pine	36"	Good	Demolition, grading, and site development.
22	Cedrus deodara / Deodar Cedar	30"	Good	Demolition, grading, and site development.
24	Leyland Cypress	30"	Good	Demolition, grading, and site development.
29	Quercus palustris / Pin Oak	30"	Good	Demolition, grading, and site development.
48	Acer rubrum / Red Maple	34"	Good	Grading and site development.
59	Acer rubrum / Red Maple	36"	Fair	Grading and site development.
64	Platanus occidentalis / American Sycamore	35"	Good	Demolition, grading, and site development.

65	Liriodendron tulipifera / Tulip Poplar	40"	Good	Grading and site development.
66	Acer saccharinum / Silver Maple	66"	Good	Grading and site development.

Section 22A-21 of the County Forest Conservation Law sets forth the findings that must be made by the Planning Board or Planning Director, as appropriate, in order for a variance to be granted.

Variance Findings

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

The Applicant cannot demolish the existing building and circulation without disturbing six of the variance trees and cannot meet the grading challenges of the Property without removing the other four trees. Thus, granting the variance will not confer a special privilege on the Applicant.

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

The requested variance is based on the locations of the trees, the necessity of demolishing the existing development, and meeting the grading challenges of the Property while redeveloping. The variance is not based on conditions or circumstances which are the result of actions by the Applicant.

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

The requested variance is a result of the need to demolish the exiting development and redevelop the Property and not a result of land or building use on a neighboring property.

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

Mitigation must be provided for removal of these trees by planting 3 native shade trees of at least three inches caliper, each, within the new development. This is based on Planning Department policy that requires replacement of variance trees at a rate of 1" replaced for every 4" removed, using replacement trees of no less than 3" caliper, to replace lost environmental functions performed by the trees removed. These mitigation plantings will provide sufficient tree canopy in a few years to replace the lost water quality benefits of the variance trees being removed. The Applicant will plant thirty-two (32) three (3)-inch

caliper native shade trees to replace the form and function of the variance trees slated for removal. Therefore, the Project will not violate State water quality standards or cause measurable degradation in water quality.

Variance Recommendation

Staff recommends that the variance be granted.

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

The Applicant received approval of their stormwater management concept from the Montgomery County Department of Permitting Services, Water Resources Section on April 13, 2021. The concept meets required stormwater management goals using a combination of ESD approaches including rain gardens, permeable paving, and microbioretention areas. The Property is not subject to a water quality plan, and there are no floodplain requirements. The requirements of Chapter 19 for stormwater management are satisfied.

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

No other provisions apply to the Subdivision.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is **JUN 15 2021** (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of

this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by The Montgomery County Planning Board of The Maryland-National Capital Park and Planning Commission on motion of Commissioner Verma, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Cichy, Patterson, and Verma voting in favor of the motion, and Vice Chair Fani-González abstaining at its regular meeting held on Thursday, June 3, 2021, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board