

Montgomery Planning

STRATHMORE SQUARE

PRELIMINARY PLAN AMENDMENT NO. 12019018B

SITE PLAN NO. 820220070



Description

Preliminary Plan Amendment No. 12019018B : Request to modify lot lines, street sections, loading entry points for Lot 3 (Buildings 3A and 3B), the utility plan; and to clarify phasing.

Site Plan No. 820220070: Request to construct the first phase of a mixed-use development adjacent to the Grosvenor-Strathmore Metro Station with up to 304,445 square feet of development, including up to 9,000 square feet of commercial development and up to 220 dwelling units. The Site Plan includes a request to modify conditions and binding elements of Sketch Plan 320190010 to increase the height of Buildings 3A and 3B from 100 feet to 105 feet; clarify maximum height allowed for all proposed buildings, modify the public benefit schedule, and clarify site design and future coordination conditions.

Nos. 12019018B, 820220070
Completed: 3-7-2022

MCPB
Item No.
3-17-2022

Montgomery County
Planning Board
2425 Reedie Drive, Floor 14
Wheaton, MD 20902

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LOCATION/ADDRESS

Grosvenor-Strathmore Metro Station, 10300 Rockville Pike, North Bethesda

MASTER PLAN

2018 Grosvenor-Strathmore Metro Area Minor Master Plan

ZONE

CR-3.0 C-0.5 R-2.75 H-300

PROPERTY SIZE

14.72 acres

APPLICANT

Fivesquares Development, LLC

ACCEPTANCE DATE

11/17/2021

REVIEW BASIS

Chapters 22A, 50 and 59



Summary:

- Staff recommends approval with conditions of the Applications.
- The Planning Board previously approved Sketch Plan 320190010 and Preliminary Plan 120190180, as amended, allowing up to 2,289,438 total square feet of development on the Property including 2,218 dwelling units (with 15% MPDUs).
- The Preliminary Plan Amendment proposes modification of lots lines, street sections, loading entry points for Lot 3 (Buildings 3A and 3B), the utility plan; and to clarify phasing.
- The Phase 1 Site Plan includes up to 295,445 square feet of residential density for up to 220 dwelling units, up to 9,000 square feet of restaurant/retail space, a 1.2-acre public open space, and the majority of the internal private road network.
- In accordance with Section 59.7.3.3.I., the Site Plan will amend the conditions and binding elements of Sketch Plan 320190010 to modify the public benefit schedule and clarify site design and future coordination conditions. It will also amend Sketch Plan findings to increase the building height from 100 ft to 105 ft for Buildings 3A and 3B (while maintaining the required step-back along Tuckerman Lane) and clarify maximum height allowed for all buildings.
- Staff has not received any correspondence about the Applications.

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SECTION 1: EXECUTIVE SUMMARY

Fivesquares Development, LLC requests approval of Preliminary Plan Amendment No. 12019018B and Site Plan No. 820220070 to construct the first phase of the Strathmore Square development. This phase is designed to establish a complete neighborhood while providing a compatible transition to the existing residential condominiums that confront the Site across Tuckerman Lane. Phase 1 includes up to 304,445 square feet of total development, with up to 220 dwelling units (including 15% MPDUs) and 9,000 square feet of ground floor commercial uses in two buildings connected by a structured parking garage. In addition to the buildings proposed in Phase 1, the Subject Applications will deliver the previously approved 1.2-acre Central Park and private road network. Phase 1 is a substantial step forward in implementing the overall vision of the Approved and Adopted 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* ("Master Plan").

The future site of the Strathmore Square mixed-use development measures 14.58 acres and is zoned CR-3.0, C-0.5, R-2.75, H-300'. The site is currently improved with a six-story WMATA garage, a surface parking lot, bus facilities, a Kiss & Ride, a covered Arts Walk, and a stormwater management pond.

The Planning Board previously approved Sketch Plan 320190010, Preliminary Plan 120190180 and Preliminary Plan Amendment 120190180. Sketch Plan 320190010 established the maximum height, density, public benefit schedule and conceptual design of the Project (Figure 1). Preliminary Plan 120190180, as amended, allows subdivision of the property into seven lots and three parcels, including a parcel for a private road.

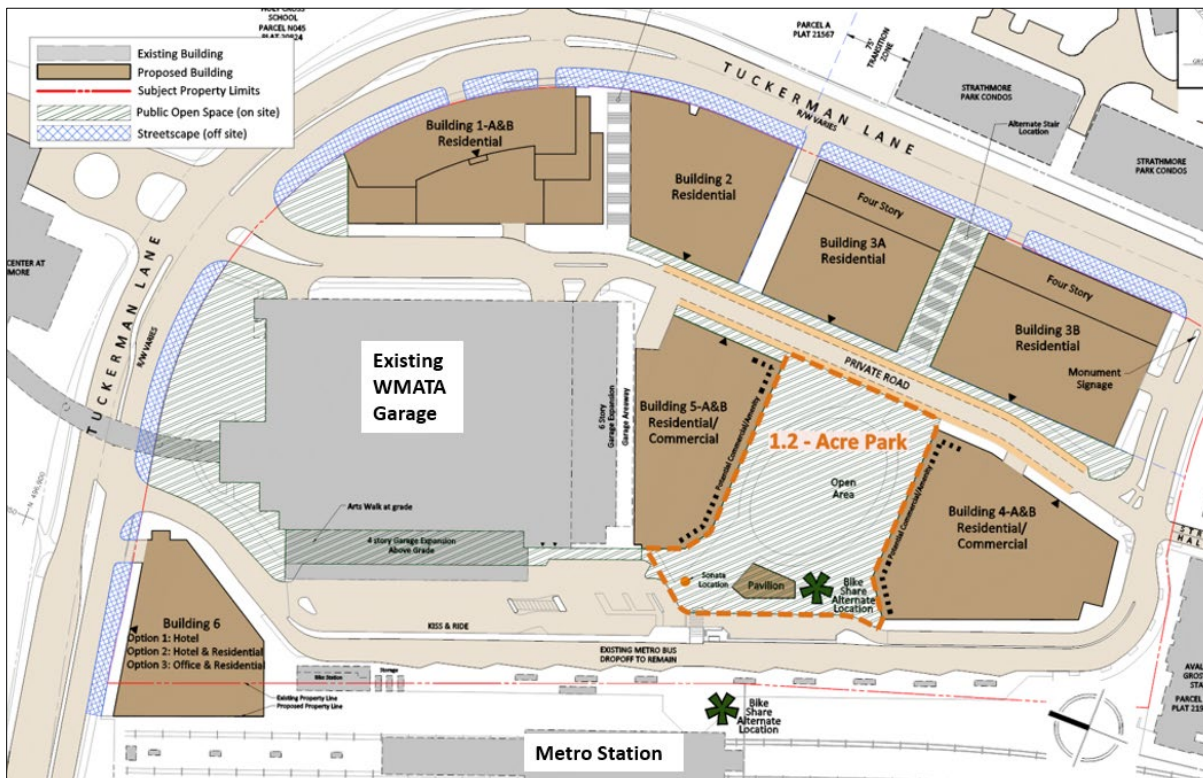


Figure 1: Sketch Plan

The Preliminary Plan Amendment application proposes to eliminate the private road parcel; to clarify phasing; and to modify lot lines, street sections, loading entry points for Lot 3 (Buildings 3A and 3B), and the utility plan.

The Site Plan Application requests approval to construct the Phase 1 development for up to 304,445 square feet of total development, with up to 220 dwelling units (including 15% MPDUs) and 9,000 square feet of ground floor commercial uses in two buildings (designated 3A and 3B) connected by a structured parking garage (Figure 2). Phase 1 also includes the 1.2-acre Central Park (privately owned), which will serve as the centerpiece of the overall development, and the internal circulation network.

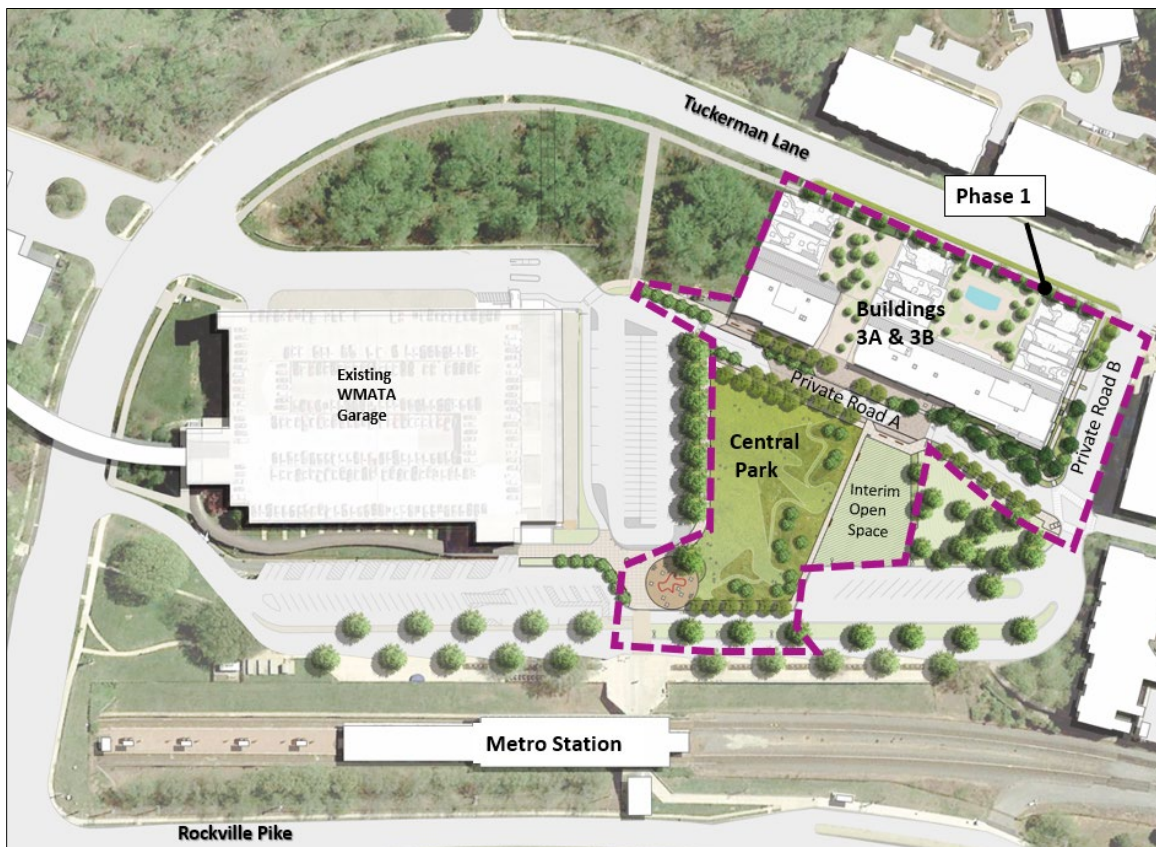


Figure 2: Illustrative Phase 1 Site Plan

In accordance with Section 59.7.3.3.I., the Site Plan will amend the conditions and binding elements of Sketch Plan 320190010 to increase the building height from 100 ft to 105 ft for Buildings 3A and 3B (while maintaining the required step-back along Tuckerman Lane), clarify maximum height allowed for all buildings, modify the public benefit schedule, and clarify site design and future coordination conditions.

Given the size and complexity of the development envisioned on the Site, the project will be implemented in multiple phases. Following approval of the Phase 1 Site Plan, future development capacity remaining on the site will be 1,984,993 square feet of total development, with up to 308,537 square feet of commercial development and up to 1,835,225 square feet (1,998 dwelling units) of residential development, as shown in Table 1.

Table 1: Strathmore Square Development Density

Approval		Total	Commercial	Residential	
		Square Footage	Square Footage	Square Footage	Dwelling Units
Overall Approval	Sketch Plan (320190010)	1,905,219 SF ¹	317,537 SF	1,746,451 SF ¹	--
	Preliminary Plan (12019018B)	2,289,438 SF ²	317,537 SF	2,130,670 SF ²	2,218 units
Phase 1 Approval	Phase 1: Site Plan (820220070)	304,445 SF	9,000 SF	295,445 SF	220 units
Future	Future Phases ³	1,984,993 SF ²	308,537 SF	1,835,225 SF ²	1,998 units
<p>¹ The maximum residential and total density calculation for Sketch Plan 320190010 excluded the gross floor area for 15% MPDUs (261,967 square feet) in accordance with the Zoning Ordinance requirements at the time of approval. Zoning Text Amendment (ZTA) No. 18-06 was adopted between Sketch Plan and Preliminary Plan approval and revised the MPDU density bonus standards in the CR zone and eliminated the exemption for MPDU floor area that applied to Sketch Plan 320190010.</p> <p>² The maximum residential and total density calculation for Preliminary Plan 120190180, as amended, includes MPDU floor area and bonus density for providing 15% MPDUS in conformance with the current Zoning Ordinance (as modified by ZTA 18-06). To achieve the maximum density allowed by the Preliminary Plan, the Applicant will need to amend Sketch Plan 320190010.</p> <p>³ Based on density approved by Preliminary Plan 120190180, as amended. The Sketch Plan will need to be amended in the future to achieve the maximum density allowed by the Preliminary Plan.</p>					

SECTION 2: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN AMENDMENT TO CONDITIONS OR BINDING ELEMENTS

Staff recommends approval of an amendment to conditions or binding elements of Sketch Plan 320190010 as part of Site Plan 820220070 pursuant to Section 59.7.3.3.I. Except as modified below, all previous conditions of approval and binding elements remain in full force and effect.

MODIFIED CONDITIONS:

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.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 will be established at Site Plan approval.

- a) Major Public Facility achieved through a ~~bike share station and other major public facility/facilities to be determined prior to the approval of the first Site Plan~~ WMATA bicycle station with a minimum of 100 bicycle parking spaces, and a minimum of 5,000 square feet of cultural/art space (in one or more buildings) that is available for use by the Music Center at Strathmore or other cultural/arts focused public or non-profit organization. The space must be available for use free of charge to public agencies, with details to be determined prior to approval of a Site Plan that contains a building with the cultural/art space;

4. Building and Site Design

- c) ~~At the time of the first Site Plan, the Applicant must develop an interim placemaking plan and r~~Refine the overall placemaking plan with Staff's approval as the project continues to develop.

7. Future Coordination for Preliminary Plan(s) and Site Plan(s)

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary Plan or Site Plan:

- f) Location of bike sharing station(s) , micromobility corral, or MCDOT approved equivalent;

PRELIMINARY PLAN AMENDMENT 12019018B

Staff recommends approval with conditions of Preliminary Plan Amendment No. 12019018B to make minor lot line adjustments, eliminate the private road parcel, make adjustments to street section and design for Private Road A and Road B, revise the open space boundary, modify loading/entry points for Lot 3 (Buildings 3A and 3B), clarify phasing, and make minor modifications to utility plan. All site development elements shown on the latest electronic version of the Preliminary Plan Amendment as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required. Except as modified below, all previous conditions of approval remain in full force and effect.

MODIFIED CONDITIONS:

1. This Preliminary Plan Amendment is limited to seven (7) lots and ~~three-two~~ (32) parcels for a mixed-use development with up to a maximum of 2,289,438 total square feet of development, consisting of up to 317,537 square feet of non-residential uses and up to 2,130,670 square feet of residential uses for up to 2,218 dwelling units including a minimum of 15% MPDUs.
17. To satisfy the Sketch Plan condition to provide a major public facility as a public benefit, the Applicant must provide:
 - a) A minimum of 5,000 square feet of cultural/art space (in one or more buildings) that is available for use by The Music Center at Strathmore or other cultural/arts focused public or non-profit organization. The space must be available for use free of charge to public agencies, with details to be determined prior to approval of a Site Plan that contains a building with the cultural/art space; and
 - b) ~~Interim placemaking improvements, which must be completed prior to issuance of the final Use and Occupancy Certificate for the first residential building. The interim placemaking improvements must be consistent with the scale and programmatic elements shown on the Phasing Exhibit, with final location and details to be determined at the time of the first Site Plan.~~ A covered bicycle parking station adjacent to the WMATA facility with a minimum of 100 bicycle parking spaces.
25. The Applicant must construct/install the following transportation improvements consistent with the Phasing Exhibit, with final details and timing to be determined at Site Plan:
 - a) Sidewalks, bikeways, crosswalks, intersection improvements, and related transportation infrastructure along Tuckerman Lane (from MD 355 to Strathmore Park Court) as shown on the Preliminary Plan. The Tuckerman Lane improvements between the WMATA Bus/Kiss and Ride entrance and Strathmore Park Court must be completed prior to the final use and occupancy permit for Building 1 (Lot 1)¹ or Building 2 (Lot 2), whichever is constructed last. The improvements between MD 355 and the WMATA Bus/Kiss and Ride entrance must be completed prior to the final use and occupancy permit for Building 6 (Lot 6);
 - b) Sidewalks, bikeways, crosswalks, intersection improvements, and related transportation infrastructure along the WMATA busway as shown on the Preliminary Plan;
 - c) Leading pedestrian intervals at the signalized intersection with Strathmore Music Center prior to the final Use and Occupancy permit for Building 1 (Lot 1);

¹ Building numbers are not correlated with the order of construction; buildings may be constructed in any order.

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

- h) Add labels that were included on the previous Preliminary Plan (e.g. limits of dog park, parking entrance Building 6, existing bus lane and drop off, Kiss and Ride etc.):
- i) Add references to MCDOT road design standards that were included on the previous Preliminary Plan;
- j) Include Phasing Plan; and
- k) Ensure note about phased Tuckerman Lane improvements is consistent with the Preliminary Plan conditions.

SITE PLAN 820220070

Staff recommends approval of Site Plan No. 820220070. The development must comply with the conditions of approval for Sketch Plan No. 320190010 as listed in the MCPB Resolution No. 18-121 dated December 5, 2018, as amended by this Site Plan, and Preliminary Plan No. 120190180 as listed in the MCPB Resolution No. 19-065 dated July 30, 2019, as amended by the accompanying Preliminary Plan Amendment No. 12019018A.

All site development elements shown on the latest electronic version of the Site Plan as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.²

Density & Height

1. Density

The Site Plan is limited to a maximum of 304,445 square feet of total development on the Subject Property, including up to 9,000 square feet of restaurant and/or retail/service establishment uses and up to 295,445 square feet of residential uses for up to 220 dwelling units (including 15% MPDUs).

2. Height

The development is limited to a maximum height of 105 feet, as measured from the building height measuring point(s), as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Public Open Space

- a) The Applicant must provide a minimum of 57,500 square feet square feet of public open space (or at least 9% of the site area) on-site.
- b) Before the issuance of the final use and occupancy certificate for the residential development, all public open space areas on the Subject Property must be substantially completed.

² 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.

- c) Within one growing season after the issuance of the final use and occupancy certificate for the residential development, all landscaping must be installed.
- d) Within six months after the issuance of the final use and occupancy certificate for the residential development, the Applicant must install an outdoor visual amenity in the approximate location identified on the landscape plan. The Applicant may change the outdoor visual amenity without a site plan amendment.

4. 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) Major Public Facilities – Before issuance of a Use and Occupancy Certificate for the first residential building, the Applicant must construct a bicycle parking facility with a minimum of 100 long-term bicycle parking spaces for use by WMATA passengers.
- b) Transit Proximity – For the Property location adjacent to the Grosvenor-Strathmore Metro Station, a Level 1 transit facility.
- c) Connectivity between Uses, Activities, and Mobility Options
 - i. Wayfinding – The Applicant must coordinate with WMATA, as necessary, to establish a way-finding circulation system. The Way-Finding Plan may include, but is not limited to internal and external signage, banners, lighting, and design elements that efficiently direct patrons through the Property. A conceptual Way-Finding Plan will be incorporated into the Certified Site Plan, and the final Way-Finding Plan must be approved by M-NCPPC Staff before issuance of any building permit. The Way-Finding Plan must include the internal circulation to nearby amenities such as the Mansion and Music Center at Strathmore, transit facilities, Rock Creek Park, and the locally provided open spaces and services. The locations of the proposed signage shall be free of all obstructions and clearly visible from the directed routes.
- d) Diversity of Uses and Activities
 - i. MPDUs
 - a. The development must provide 15 percent MPDUs, or MCDHCA -approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan.
 - b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
 - c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated February 4, 2022 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.
- e) Quality Building and Site Design
 - i. Exceptional Design

- ii. Tower step back
- f) Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs) – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment for 0.6248 BLTs to the MCDPS and M-NCPPC staff.
- 5. Recreation Facilities
 - a) Before Certified Site Plan approval, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
 - b) Prior to issuance of the final use and occupancy certificate for the residential development, the Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.
- 6. Maintenance of Public Amenities

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to site furniture, landscaping, outdoor art, and sidewalks and paths.

Environment

- 7. Forest Conservation & Tree Save
 - a) Prior to Certified Site Plan, the Applicant must amend the note on Sheet 3 of the FFCP to read that the forest mitigation will be provided by recording Certificates of Compliance in the Montgomery County Land Records for the required forest mitigation bank credits in a Montgomery County Planning Department-approved forest mitigation bank in the Rock Creek Watershed. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Rock Creek watershed or by making a fee-in-lieu payment if mitigation credits are not available at any bank. The Applicant must remove the reference to the fee-in-lieu rate, as the rate applied will be whatever the established rate is at the time of the fee-in-lieu payment.
 - b) The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
 - c) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree save measures not specified on the Final Forest Conservation Plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
 - d) Prior to any demolition, clearing, grading or construction for this development Application, whichever comes first, the Applicant must satisfy half of the reforestation requirement for a total of 3.71 acres of mitigation credit by recording a Certificate of Compliance in the Montgomery County Land Records for 1.855 acres of forest mitigation bank credits in a Montgomery County Planning Department-approved forest mitigation bank in the Rock Creek Watershed. The off-site requirement may be met by purchasing credits from a mitigation bank elsewhere in the County, subject to Staff approval, if forest mitigation bank credits are not available for purchase within the Rock Creek watershed or

by making a fee-in-lieu payment if mitigation credits are not available at any bank. The remaining 1.855 acres of forest mitigation bank credits must be provided within 1 year of the issuance of the first sediment and erosion control permit associated with the second Site Plan approved for the Overall Project. The Certificates of Compliance must be in a form approved by the M-NCPPC Office of the General Counsel.

- e) Prior to the release of the first Use and Occupancy permit for development on Lot 6 (Building 6) that involves the two (2) trees subject to the variance provision (Trees 930 and 931), mitigation must be provided for the removal of the two (2) trees that were not included in the forest clearing calculations. Mitigation must be provided in the form of planting native canopy trees totaling at least 19.25 caliper inches, with a minimum planting stock size of three (3) caliper inches. Adjustments to the planting locations of these trees is permitted with the approval of the M-NCPPC forest conservation inspector.
 - f) Prior to the release of the first Use and Occupancy permit for development on Lot 6 (Building 6) that involves the two (2) trees subject to the variance provision (Trees 930 and 931), the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the mitigation trees and maintenance credited toward meeting the requirements of the FCP.
 - g) Prior to the release of the first Use and Occupancy permit for development on Lot 6 (Building 6) that involves the two (2) trees subject to the variance provision (Trees 930 and 931), the Applicant must execute a five-year Maintenance and Management Agreement ("MMA") in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for all mitigation tree plantings, including variance tree mitigation plantings credited toward meeting the requirements of the FCP.
 - h) The Limits of Disturbance ("LOD") shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
8. Noise Attenuation
- a) Prior to the issuance of the first building permit, the Applicant/developer/builder must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that the building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn along the building faces fronting Tuckerman Lane will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
 - b) Before the final inspection for any residential unit fronting Tuckerman Lane, the Applicant /developer/builder must certify to M-NCPPC Staff that the noise impacted units will be constructed in accordance with the recommendations in the noise analysis.
 - c) If any changes occur to the Site Plan which affect the validity of the noise analysis dated December 7, 2018, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
 - d) Before issuance of any Use and Occupancy Certificate or Final Inspection, whichever is relevant, for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted

units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

- e) All noise impacted units must be clearly identified on the Certified Site Plan.

9. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) Water Resources Section in its stormwater management concept plan and site development stormwater management plan letter dated March 1, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which the MCDPS Water Resources Section may amend if the amendments do not conflict with other conditions of Site Plan approval. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.

Transportation & Circulation

10. Outside Agencies

- a) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated December 23, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) 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, 2022, 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 Preliminary Plan or Site Plan approval.

11. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 96 long-term and 6 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room in a parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed along Private Road A (weather protected preferred).
- c) The Applicant must provide one bicycle repair station.

12. Private Roads

The Applicant must provide Private Roads "A" and "B," including any sidewalks, bikeways, storm drainage facilities, street trees, street lights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:

- a) The record plat must clearly delineate the Private Road and include a metes and bounds description of the boundaries of the Private Road.
- b) The Private Road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by

the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq. The Covenant includes, but is not limited to the following requirements/conditions:

- i. The Applicant, at its expense, shall design, construct and maintain the Private Road.
- ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Road and all improvements located within the Private Road, in good condition and repair for safe use and operation of the Private Road. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Road). The reserves must be adequate to cover the costs of needed repairs.
- iii. The Applicant must post and retain signage to notify the public that the Private Road is not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Road.
- iv. Before issuance of the first building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Road has been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code, as may be modified on this Site Plan, and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.

Site Plan

13. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets SP-A504, SP-A505, SP-A506, SP-A508, SP-A509, and SP-A510 of the submitted architectural drawings, as determined by M-NCPPC Staff.

14. Lighting

- a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor

lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).

- b) All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c) Deflectors will be installed on proposed fixtures to prevent excess illumination and glare.
- d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

15. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, 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, open space amenities, site furniture, trash enclosures, retaining walls, fences, railings, private roads and sidewalks, private utilities, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.
- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

16. Development Program

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

17. Certified Site Plan

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

- a) Include the stormwater management concept approval letter, development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).
- b) Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."

- c) Fire and Rescue Access plan should be included in the Certified Site Plan.
- d) Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- e) Modify data table to reflect development standards approved by the Planning Board.
- f) Ensure consistency of all details and layout between Site and Landscape plans.
- g) Add public benefit chart and remove Recreation Tables from cover sheet.
- h) Show limits of Site Plan area on cover sheet.
- i) Submit the artistic treatment and screening strategy for the three transformers along Private Road B for Staff’s review with final approval granted from the utility provider.
- j) Remove the “Natural Area” from the Recreation Facility calculation on Sheet SP-19 and substitute another facility, if necessary, to achieve the required number of supply points.
- k) Update the public open space sheet SP-14 to show 57,500 square feet of public open space for Phase 1, consistent with the cover sheet.
- l) Show motorcycle/scooter, car share, and spaces for charging electric vehicles, as required by Section 59-6.2.3., on the cover sheet and garage parking sheets.
- m) Include a photometric plan that demonstrates on-site illumination is 0.5 footcandles or less at the lot line, excluding street lights within the right-of-way, as required by Section 59-6.4.4.D.
- n) The cover sheet and all relevant drawings must show the maximum building height at 105 feet. Remove references to additional MPDU height from all sheets.
- o) Correct references on the site plan from public use space to public open space.
- p) Finalize design of intersection of Private Road A and Private Road B in coordination with Planning and DPS Staff.
- q) Identify the specific locations of the long and short-term bicycle parking, the bicycle repair station, and space for a micromobility corral, or MCDOT approved equivalent.

SECTION 3: SITE DESCRIPTION

VICINITY

The property subject to the Preliminary Plan Amendment and Site Plan Applications is part of the Washington Metropolitan Area Transit Authority ("WMATA") Grosvenor-Strathmore Metro Station property, located to the east of the intersection of Rockville Pike (MD 355) and Tuckerman Lane (Figure 3). The area surrounding the WMATA property area is generally residential in character, with townhouses and apartments in the immediate vicinity. To the north of the Property, across Tuckerman Lane, is the Music Center at Strathmore; to the east are Holy Cross Academy, townhouses and low-rise condominiums; to the south are low- and high-rise apartment buildings; and to the west is Rockville Pike (MD 355). Rock Creek Park is located generally east of the property.



Figure 3 – Vicinity Map (WMATA property outlined in red)

PROPERTY DESCRIPTION

The property subject to the Preliminary Plan Amendment Application is Parcel 428 in the "Grosvenor Metro Station" subdivision. It is 14.88 acres and bisected by Tuckerman Lane (Figure 4). The portion of Parcel 428 located on the north side of Tuckerman Lane is approximately 0.3 acres within the R-60 zone and improved with a WMATA traction power substation that provides power to the rail system.

The portion of Parcel 428 located to the south of Tuckerman Lane is 14.58 acres zoned CR-3.0, C-0.5, R-2.75, H-300' and will be the site of the future Strathmore Square mixed-use development ("Property" "Overall Property"). It is improved with a six-story WMATA garage, a surface parking lot, bus facilities, a Kiss & Ride, a covered Arts Walk, and a stormwater management pond.

A majority of the existing infrastructure improvements on the Overall Property will remain, except for the large surface parking lot, stormwater management pond, and the forested area along Tuckerman Lane, all of which will be removed in phases.

The Property is located within the Lower Rock Creek watershed, which is classified by the State of Maryland as Use I waters. It does not lie within a Special Protection area. There are approximately 2.47 acres of existing forest located along the north-east boundary of the Property.

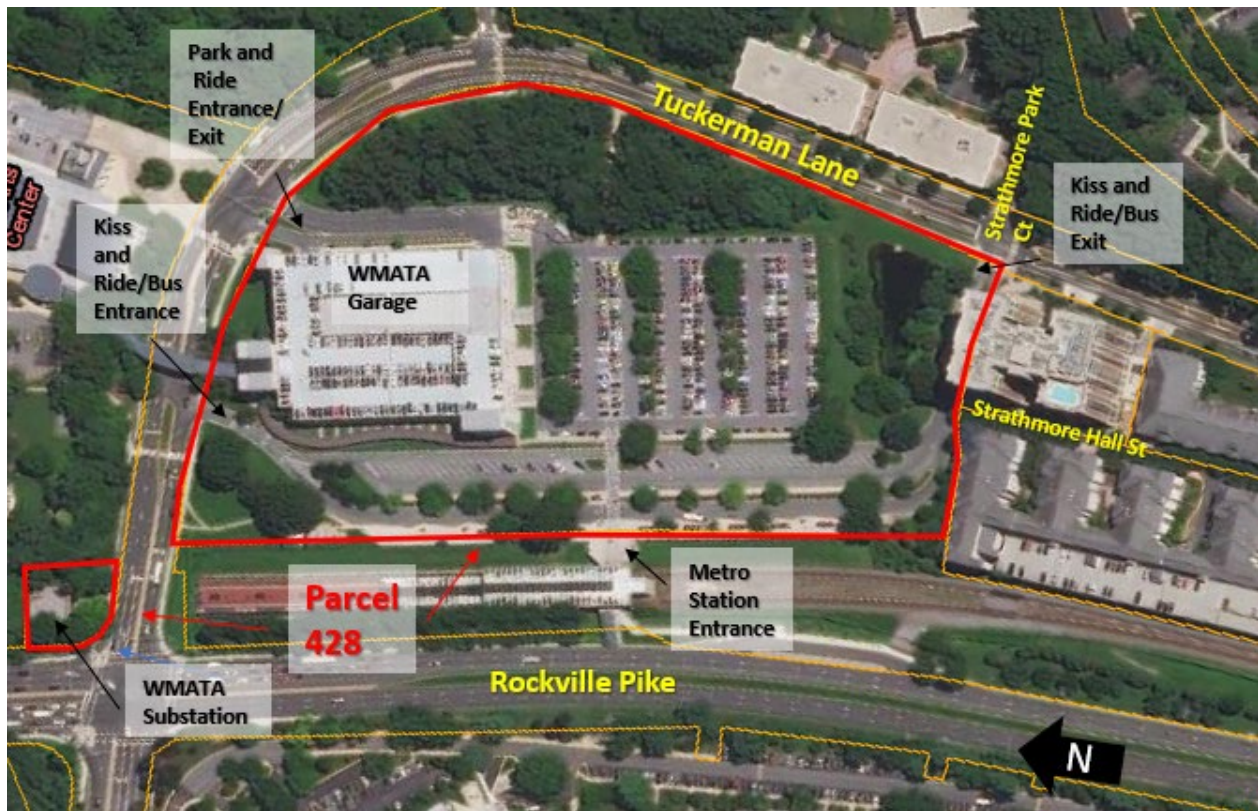


Figure 4 – Subject Property, Parcel 428 (outlined in red)

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

MANDATORY REFERRAL

WMATA selected the Applicant, Fivesquares Development, as its Joint Development partner to redevelop the Property with a mixed-use project. On July 19, 2018, the Planning Board voted to approve the transmission of comments to WMATA on Mandatory Referral No. MR2018026 for improvements to the public infrastructure on the Property and adjacent Metro Station site, which are necessary to accommodate the proposed redevelopment.

The Mandatory Referral included an expansion of the existing parking garage to accommodate the parking spaces that will be displaced by the removal of the surface parking lot over time, in connection with this Project. The Mandatory Referral also included improvements to on-site circulation; reconfiguration of the Kiss & Ride spaces; enhancements to the existing public Arts Walk; construction of a covered bike station; and associated improvements to the existing storm drain and stormwater management facilities. The WMATA parking garage expansion and enhancements to the Arts Walk are now complete.

SKETCH PLAN

The Planning Board approved Sketch Plan No. 320190010 (MCPB No. 18-121) on December 5, 2018 to allow a maximum of 1,905,219 square feet of total development on the Property (excluding 15% MPDUs), with up to 317,537 square feet of commercial uses and up to 1,746,451 square feet of residential uses (“Overall Project”). The Zoning Code at the time of Sketch Plan approval exempted the gross floor area of all MPDUs from the calculation of FAR for projects providing at least 15% MPDUs. Therefore, 261,967 square feet associated with the MPDUs was not included with the 1,746,451 square feet of residential density approved for the Property in Condition No. 1 of MCPB No. 18-121.

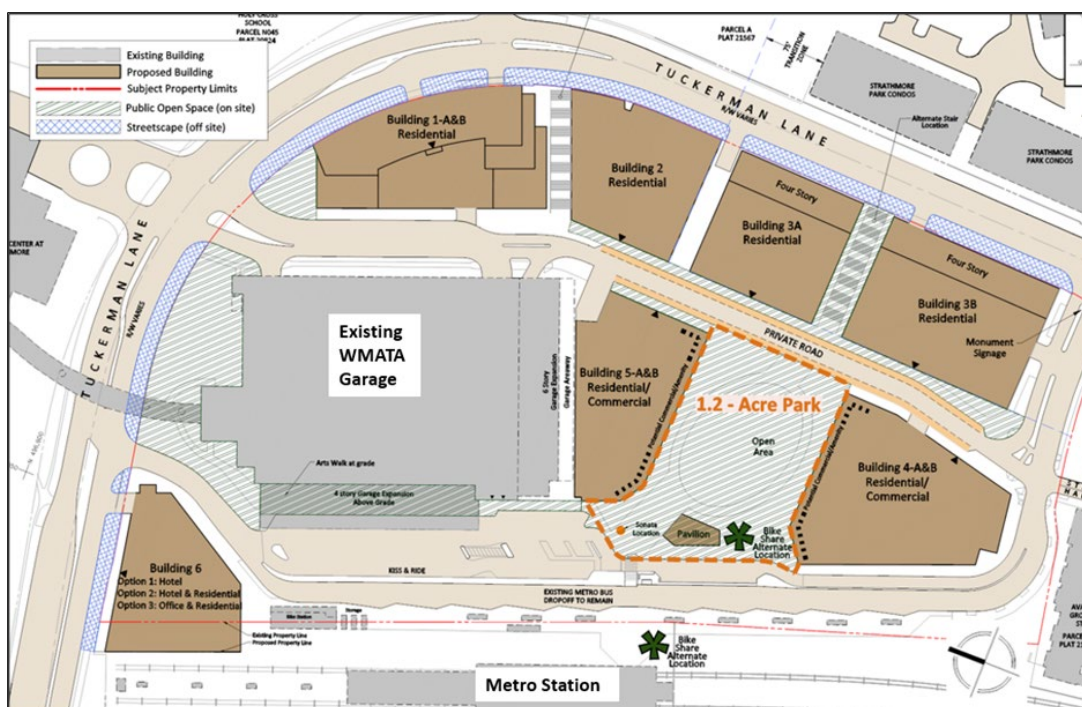


Figure 5: Sketch Plan

PRELIMINARY PLAN

The Board approved Preliminary Plan No. 120190180 on June 6, 2019 (MCPB No. 19-065) for subdivision of the Property into six lots and three parcels to allow a mixed-use project with up to 317,537 square feet of non-residential uses and up to 1,746,451 square feet of residential uses (total base density not to exceed 1,905,219 square feet) and 384,219 square feet of bonus density based on 15% MPDUs. Based on the FY19 School Test, the Planning Board could only approve 909 dwelling units and 400 age restricted units, instead of the 2,218 units requested by the Applicant. The Planning Board found all other public facilities, including transportation, to be adequate for the anticipated 2,218 units.

Zoning Text Amendment (ZTA) No. 18-06, adopted by the Montgomery County Council on October 9, 2018, revised the MPDU density bonus standards for the CR Zone, and eliminated the exemption for MPDU floor area that applied to Sketch Plan 320190010. Preliminary Plan 120190180 reflects the approved density in conformance with the Zoning Ordinance as modified by ZTA No. 18-06, allowing up to 2,130,670 square feet of residential density (which includes the MPDU floor area and 384,219 square feet of bonus MPDU density for providing 15% MPDUs) and up to 2,289,438 square feet of total density.³

On November 4, 2020, the Planning Board approved Preliminary Plan Amendment No. 12019018A (MCPB No. 20-112) to remove the age restriction and approve an additional 909 dwelling units for the Overall Property (for a total of 2,218 dwelling units), clarify the Adequate Public Facilities (“APF”) validity period; and modify the trigger deadline related to the APF Validity.

³ To achieve a total density of 2,289,438, the maximum commercial density would be limited to 158,768 square feet.

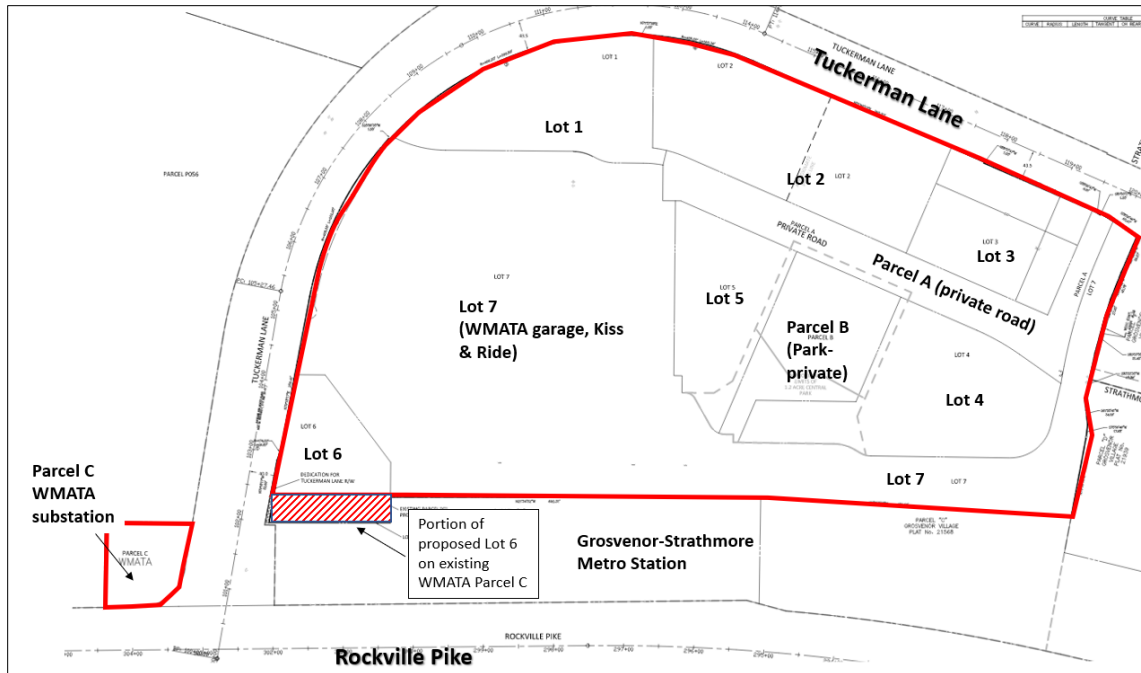


Figure 6: Approved Preliminary Plan, as amended, lotting diagram

PROPOSAL

SKETCH PLAN AMENDMENT

Section 59-7.3.3.I. allows an amendment to a binding element or condition of an approved sketch plan during site plan review if the changes are recommended by Planning Board Staff and agreed to by the Applicant. Notice of the site plan hearing must include any proposed amendment to a binding element or condition of approval, and the Planning Board must also make applicable sketch plan findings in addition to the findings necessary to approve the site plan. Staff recommends the amendments below, and the Applicant has agreed to the changes.

Sketch Plan 320190010 condition No. 3a) requires a bike share station and other major public facility/facilities to be determined prior to the approval of the first Site Plan. Staff recommends amending this condition to remove the bike share station requirement and include two other public facilities that have been agreed upon between Staff and the Applicant. MCDOT bike share policy has changed since Sketch Plan approval and consistent with current policy, MCDOT now requests a micromobility corral in lieu of a bike share station. Since the MCDOT policy is subject to change and micromobility corrals have a significantly lower cost than a bike share station, Staff recommends removing the requirement to provide this amenity as a major public facility for public benefit points. However, the Applicant will still need to satisfy MCDOT requirements to provide space for a micromobility corral or MCDOT approved equivalent and Condition No. 7f) is modified to reflect the future site plan coordination necessary to determine location(s) for such facilities.

Staff recommends including two alternate major public facilities to Condition No. 3a). The first is a 100-space long-term bicycle parking station for WMATA commuters that the Applicant proposes to provide with the first phase of development. In addition, as conditioned in approved Preliminary Plan 120190180, as amended, the Applicant must provide a minimum of 5,000 square feet of cultural/art space as a major public facility. The space will be used by the Music Center at Strathmore or other cultural/arts focused public or non-profit organization and available free of charge to public agencies, with details to be determined prior to approval of a Site Plan that contains a building with the cultural/art space.

The Applicant originally planned to construct the Central Park in phases with the construction of each surrounding building. As such, Condition No. 4c required an interim placemaking plan to help establish the neighborhood in the first phase of the Overall Project. Since the Central Park will be provided with the Phase 1 Site Plan, establishing the heart of the neighborhood early in the Project, the interim placemaking plan is no longer required.

The Sketch Plan shows a maximum building height of 100 feet for Buildings 3A and 3B, although the specific height for these buildings was not a binding element or condition of approval. For Phase 1, the Applicant is requesting a building height of 105 feet (as measured from Private Road A). As conditioned in the Sketch Plan, the height of Buildings 3A and 3B conform with the “Transition Zone” along Tuckerman Lane shown in Figure 20 of the Master Plan.⁴

PRELIMINARY PLAN AMENDMENT

The Preliminary Plan Amendment application includes the changes listed below. The Preliminary Plan Amendment lotting diagram is included as Figure 9.

- Lot line adjustments and modification of Condition No. 1 to reflect the elimination of the private road parcel (Figure 7). The proposed private road will be located on adjoining lots rather than a separate private road parcel because proposed Buildings 3A and 3B include above-grade projections over the private road.
- The lot line between proposed Buildings 3A and 3B is removed because the buildings will be connected by a continuous below-grade parking.
- Adjustments to street section and design for Road A. An eight-foot offset provides additional traffic calming measures along Road A adjacent to the proposed park (Figure 8).
- The intersection of the WMATA bus lanes and Strathmore Hall Road is refined to improve alignment and pedestrian experience.
- Adjustments to street section and design for Road B. A six-foot median previously proposed on the north side of the existing WMATA bus lanes is eliminated and the north curb shifts southward. The widened limits of the road are within proposed Lot 3 (Buildings 3A and 3B) and the existing limits of the road will be within Proposed Lot 7 (WMATA garage and Kiss and Ride).
- Modifications to loading/entry points for Lot 3 (Buildings 3A and 3B). The access point on Tuckerman Lane is shifted thirty feet to the south, to Private Road B.

⁴Sketch Plan 320190010 Condition No. 2 refers to Figure 20 of the Planning Board Draft of the Master Plan. In the Approved and Adopted Master Plan, dated January 2018, Figure 20 is on page 45.

- Minor revisions to Park boundary in relationship to the proposed lots (the park size remains the same).

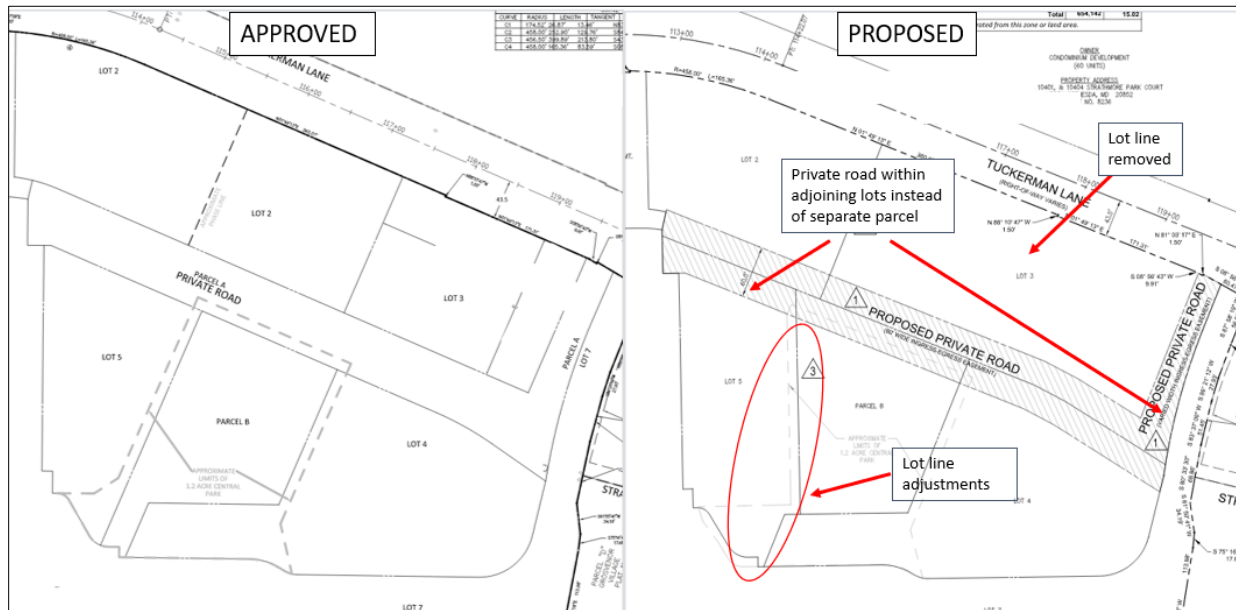


Figure 7: Preliminary Plan Amendment Changes shown on Lotting Diagram (left side approved, right side proposed)

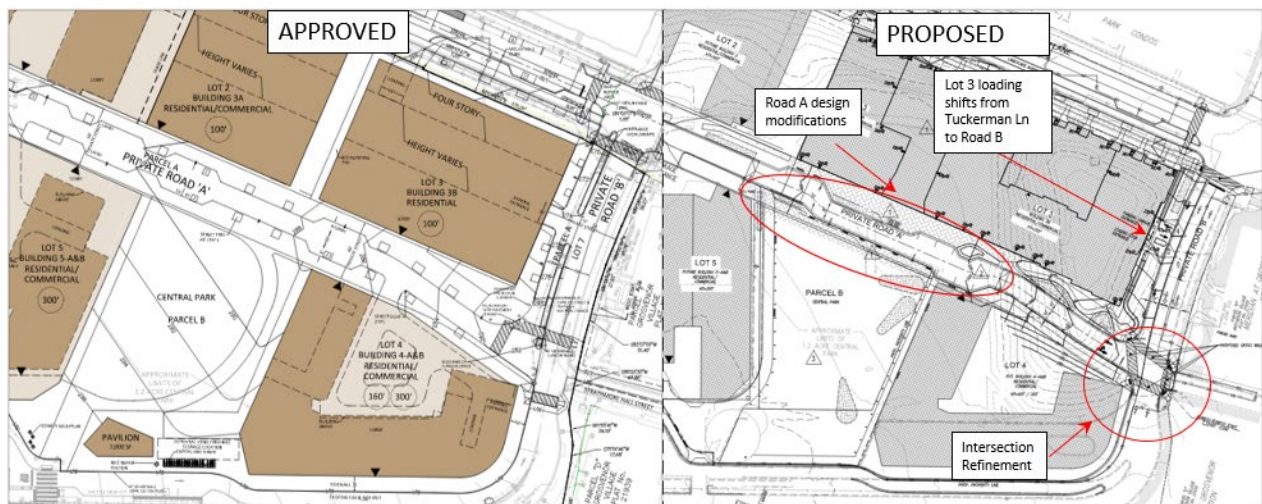


Figure 8: Preliminary Plan Amendment Changes (left side approved, right side proposed)

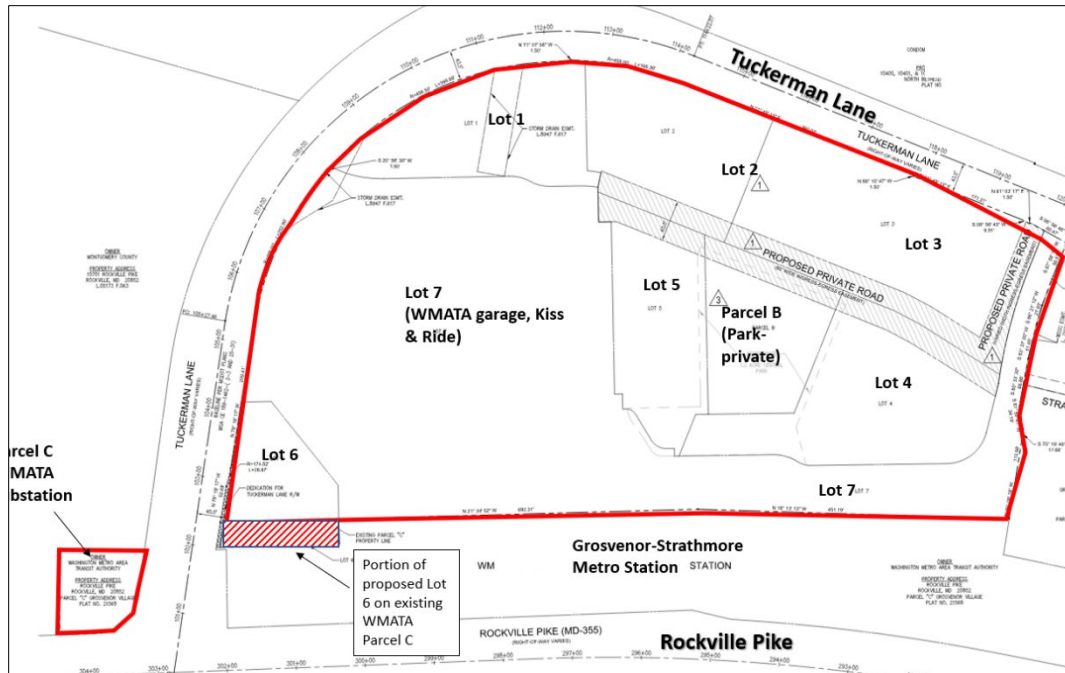


Figure 9: Proposed Preliminary Plan Amendment- Lotting Diagram

The Preliminary Plan Amendment also includes modifications to conditions of approval related to phasing. The Applicant originally planned to construct the Central Park in phases with the construction of each surrounding building. As such, Condition No. 17b required interim placemaking improvements to help establish the neighborhood with the first site plan. Since the Central Park will be provided with the Phase 1 Site Plan, establishing the heart of the neighborhood early in the Project, the interim placemaking improvements are no longer required. In lieu of the interim placemaking improvements, Staff recommends that the WMATA bicycle parking facility, to be constructed by the Applicant, be included with the Project as a major public benefit.

Modifications to conditions 25a) and 25c) clarify the timing for construction of Tuckerman Lane right-of-way improvements. The Tuckerman Lane improvements between the WMATA Bus/Kiss and Ride entrance and Strathmore Park Court will be completed after the buildings along that portion of the Property frontage are complete. The remaining improvements will be completed with Building 6 (Lot 6).

SITE PLAN

The portion of the Overall Property subject to this Site Plan includes: (1) Lot 3 (Buildings 3A and 3B), which has a lot area of approximately 1.93 acres (or 84,038 square feet), located along Tuckerman Lane in the southern portion of the Overall Property; (2) the 1.2-acre central park ("Central Park") located on Parcel B, part of Lot 5 and part of Lot 4; (3) the construction of 0.07 acres (or 3,130 square feet) of the Private Road A that falls on Lot 2; and (4) the construction of 0.63 acres (or 27,548 square feet) of interim spaces (collectively, the "Phase One Property").

The Subject Site Plan Application comprises the first phase of the Overall Project and has been designed to establish a complete neighborhood while providing a compatible transition to the existing residential condominiums that confront the proposed buildings across Tuckerman Lane.

Phase 1 includes up to 304,445 square feet of total development, with up to 220 dwelling units and 9,000 square feet of ground floor commercial uses in two buildings connected by a structured parking garage.

Phase 1 provides a significant amount of larger unit sizes (over 50% two- and three- bedroom units) and 15% MPDUs; construction of Private Road A and reconstruction of Private Road B; and establishment of the 1.2-acre Central Park, in addition to a temporary multi-use space that will occupy part of a future building site.

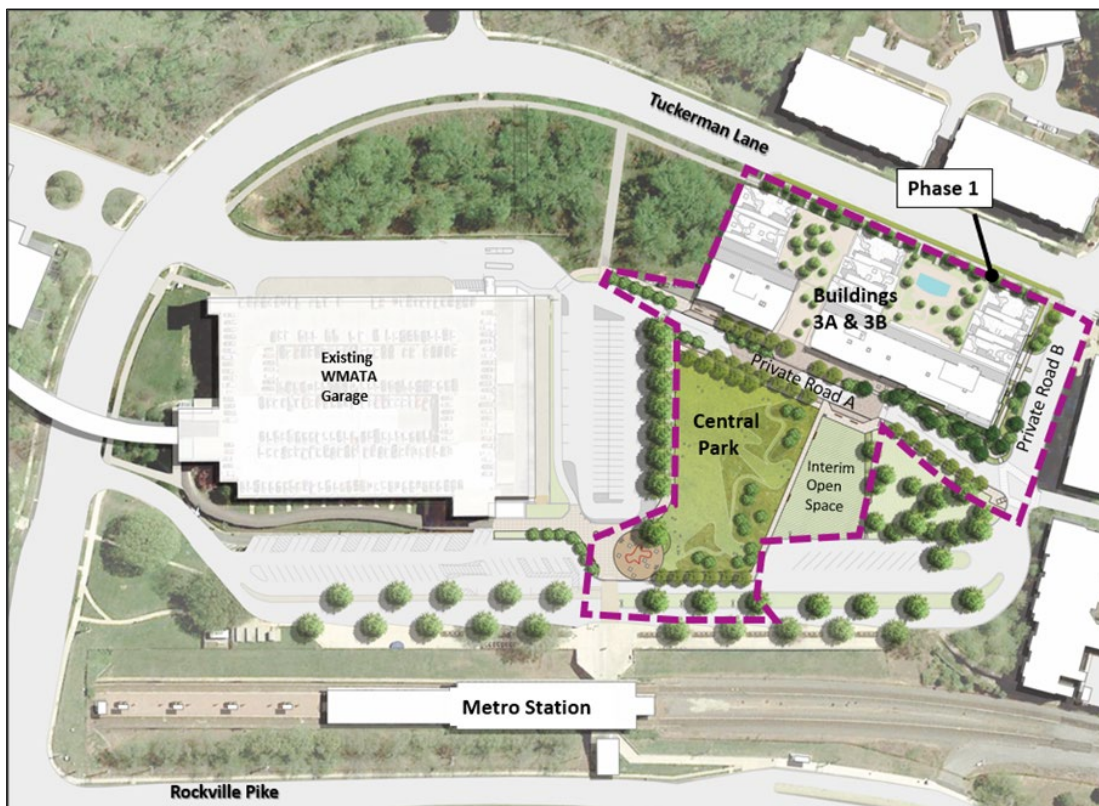


Figure 10: Illustrative Phase 1 Site Plan

Buildings/Architecture

The Project consists of two separate building masses (Buildings 3A and 3B) that sit on top of a single structured parking garage. The proposed buildings are designed with a lower scale facing the existing condominium building on Tuckerman Lane, where the massing varies from two stories at the building courtyards to four stories where the leg of the buildings extend to the street. The buildings comply with the height transition along Tuckerman Lane as required by the *Grosvenor-Strathmore Minor Master Plan Amendment* and conditioned with Sketch Plan 320190010. Further discussion about the master planned height transition is included in Site Plan finding No. 2.g. The buildings fronting Tuckerman Lane are lined with residential unit entries and patios, which will enliven the pedestrian environment and promote the residential compatibility with the existing buildings across the street.

The buildings are 105 feet tall, as measured from Private Road A, exceeding the building height shown on the Sketch Plan by five feet. For that reason, in accordance with Section 59.7.3.3.1.1.c., the Site Plan will amend Sketch Plan 320190010 to increase the building height from 100 feet to 105 feet. The five

foot increase in building height will have a negligible impact on surrounding properties because of the generous building step-backs along Tuckerman Lane.



Figure 11: Rendering of buildings from Tuckerman Lane

The buildings incorporate a series of tiered volumes that setback away from Tuckerman Lane as they gradually increase in height from east to west, where they frame Private Road A and the Central Park. The stepping nature of the massing allows incorporation of green roofs and landscaping onto the setback roofs of the buildings.

The Applicant describes the architecture in the Statement of Justification as follows:

Distinct but compatible architectural identities for the two buildings create architectural interest and variety as the backdrop of the Park and the establishment of the new Shared Street. The architectural languages of both buildings take inspiration from the natural shapes and forms of Rock Creek Park and have large balconies and terraces that activate the facades. By separating the massing above the Shared Street into two buildings, an urban plaza is established between the buildings with opportunities for outdoor seating and gathering associated with the adjacent retail, restaurant, or arts space on the ground level. The plaza also allows views from the Park between the buildings to the courtyard, and the adjacent Rock Creek Park beyond....

Above, the materials and massing of the buildings' facades are inspired by Rock Creek Park: Building 3B's chiseled, vertical forms evoke the ravines nearby; and Building 3A's sculpted and inflected balconies conjure the layered topography of the surrounding landscape. The materiality of these forms is earthy and textured and supports lush plantings at the abundant terraces and balconies on all sides.



Figure 12: Rendering of Proposed Buildings from Park (facing east)

Open Space

Phase 1 provides a significant amount of the Overall Project's required Public Open Space, including the 1.2-acre Central Park that will serve as the heart of the new neighborhood. The Central Park will be privately owned and maintained and will replace a large portion of the existing surface parking lot and will function as a green respite and gathering space for residents, workers, and visitors to Strathmore Square and the broader neighborhood. Programmed events will activate the Park, including pop-up markets, performances, special events and public art.

A Plaza at the northwest corner of the Central Park creates a vital node, connecting the Strathmore Music Center, the Metro station and the Strathmore Square emerging neighborhood. An existing Willow Oak tree anchors this plaza, which includes moveable table and chairs, an area for rotating public sculptures or installations, and flexible space for programming such as markets or performances. A sweeping open lawn extends from this plaza to the Shared Street, creating opportunities for performances, pick-up games, picnics, and connection. An urban meadow frames the lawn to the south, with a curving edge that creates more intimate gathering spaces and opportunities for nature play. Existing trees will remain on the north edge of the Central Park until Lot 5 is developed, while new street trees will be added to the west, and a drift of trees added through the meadow to buffer the WMATA bus/kiss and ride egress road. A temporary multi-use space will be incorporated to the south of the Central Park, on a portion of the future Building 4 Lot.

The Central Park will feature accessible pathways, benches, trash/recycling receptacles, bike racks, and lighting. Diverse native plantings are emphasized throughout the Park and Shared Street and plant communities are targeted to the water and soil conditions on site, with the intent to minimize the use of irrigation. The Park is designed in anticipation of future modifications at the edges where additional buildings will be constructed.



Figure 13: Illustrative Open Space Plan



Figure 14: Rendering of Urban Meadow (Buildings 3A and 3B shown at the top right of the image)



Figure 15: Rendering of Pop-up Plaza

Transportation

Vehicular access to the Property is proposed from three existing access points on Tuckerman Lane: Metro’s Kiss and Ride entrance, the Metro Garage driveway/planned internal shared street (identified as “Private Road A”), and at the intersection of Tuckerman Lane and Strathmore Park Court.

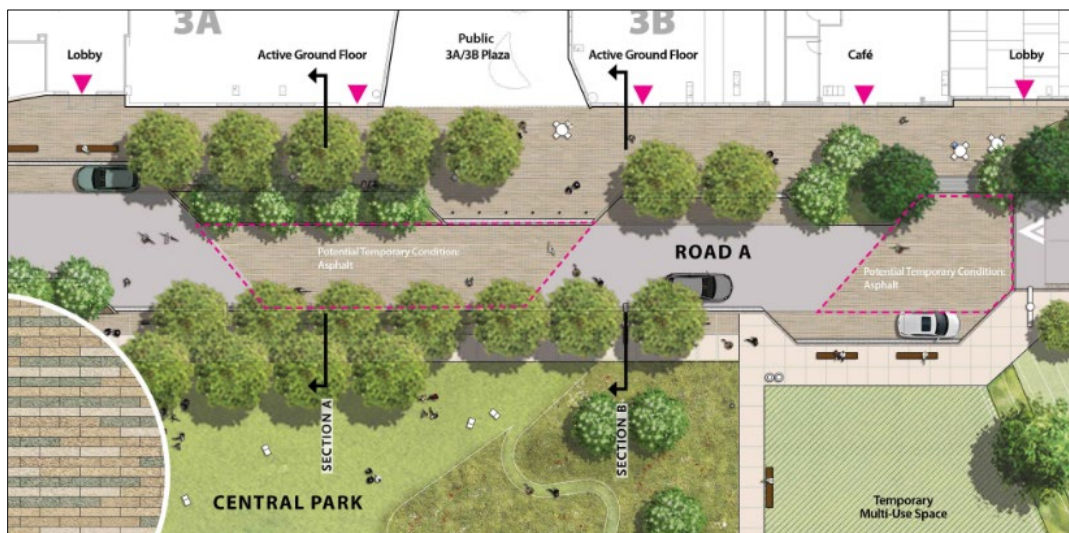


Figure 16: Illustrative plan of shared street connecting the Central Park and the confronting buildings

The Project’s central spine road is designated on the Site Plan as “Private Road A (Figures 16 and 17). Adjacent to the proposed Central Park, Private Road A will function as a pedestrian focused “shared street.” Proposed Private Road A includes 10-foot-wide travel lanes in each direction, an 8-foot-wide alternating curbside flexible zone that will serve various uses including drop-off/layby zones at building lobbies, on-street parking, landscape/stormwater management, street trees, and continuing

adjacent sidewalk on both sides. The curbside zones will be designed through the use of chicanes, intended to further reduce the speed of passing vehicles.



Figure 17: Illustrative View of Street A

Along the proposed Private Road B, the Applicant proposes twelve-foot-wide travel lanes, a five-foot wide sidewalk, bio-retention facilities with tree plantings and heavy screening around utility boxes. Upon westbound approach to the Private Road A intersection, the sidewalk is proposed to meander as a means of navigating the grade change to meet ADA requirements. The circulation of Ride On and Metrobus travel will be preserved with the retention of two eastbound travel lanes.

In addition, Phase 1 includes a covered, 100-space commuter bicycle parking facility on the WMATA property adjacent to the Metro station entrance.



Figure 18: Meandering Sidewalk

Environment

The Final Forest Conservation Plan (FFCP) implements the previously approved Preliminary Forest Conservation Plan. The proposed development requires removal of 1.64 acres of forest in an area approved as a Category I conservation easement in prior approved FFCPs associated with the parking garage and parking for the Metro station. Removal of this forest, plus off-site disturbances and the addition of Parcel C result in a forest mitigation requirement of 3.71 acres⁵. The Applicant will provide half of the forest mitigation requirement with the current Site Plan application in an offsite forest bank or pay a fee-in-lieu if no forest bank credits are available. The remaining forest mitigation will be provided with the second Site Plan application. Please see the analysis in Site Plan finding No. 2e)ii for an expanded explanation of the FFCP.

⁵ See Figure 9, proposed Parcel C north of Tuckerman Lane

SECTION 4: FINDINGS AND ANALYSIS

SKETCH PLAN AMENDMENT

Section 59-7.3.3.I. allows an amendment to a binding element or condition of an approved sketch plan during site plan review if the changes are recommended by Planning Board Staff and agreed to by the Applicant. Notice of the site plan hearing must include any proposed amendment to a binding element or condition of approval, and the Planning Board must also make applicable sketch plan findings in addition to the findings necessary to approve the site plan. Staff recommends the amendments included in this staff report, and the Applicant has agreed to the changes.

The Sketch Plan Amendment does not substantially modify the development approved through Sketch Plan No. 320190010. Proposed changes do not alter the substance or intent of prior findings and all prior findings of approval remain in full force and effect except as modified below.

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

The Sketch Plan conforms to the intent of the CR Zone as described below. The CR Zone will:

a) *Implement the recommendations of applicable master plans.*

The Property is located within the Approved and Adopted 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* ("Master Plan") area. The Master Plan envisions transforming the Property from a surface parking lot adjacent to Metro into a transit-oriented development with neighborhood retail for current and future residents.

DENSITY AND BUILDING HEIGHT

The Master Plan allows building heights up to 300 feet and includes specifications about how building height should be distributed around the Property. The Master Plan allows two signature buildings with heights of 300 feet, one building at 220 feet, and limits other buildings on the site to 160 feet (p. 45). Additionally, the Master Plan calls for a 200-foot-wide transition zone on Tuckerman Lane, across from the Strathmore Park Condominiums. Within the transition zone, the building height along Tuckerman Lane across from the Strathmore Park Condominiums is limited to four stories within 40 feet of the property line, with a gradual step back to 85 feet. Buildings 3A and 3B (both 105 feet, measured from Private Road A) are in the Transition Zone. Proposed Buildings 3A and 3B conform with the Transition Zone Diagram shown in Figure 20 on page 45 of the Master Plan (Figures 19 and 20).

In accordance with Section 59-4.5.2.C.7, if an application includes more than 12.5% MPDUs, the height limit of the applicable zone and master plan do not apply to the extent required to provide the MPDUs.⁶ Therefore, the height of each of the proposed buildings may exceed the Master Plan recommended height described in the previous paragraph (and shown on the Sketch Plan diagram) because the Project provides 15% MPDUs. Buildings may also exceed the 300-foot height limit of the

⁶ The additional height is calculated as the floor area provided for MPDUs above 12.5% divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.

zone. Additional height allowed pursuant to Section 59-4.5.2.C.7 will be calculated with the Site Plan for each building.

6. The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.

For a development of this size in the CR Zone, the Zoning Ordinance requires 100 points in at least four categories. 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 at subsequent Site Plan(s). Table 2 shows the Applicant's proposed public benefits in the following six categories: Major Public Facilities, Transit Proximity, Connectivity and Mobility, Diversity of Uses and Activities, Quality of Building and Site Design, and Protection and Enhancement of the Natural Environment. Staff supports the proposed public benefits at this time, with a more detailed review and the final number of points to be determined at Site Plan(s).

Table 2: Sketch Plan 320190010 Public Benefits

Public Benefit	Incentive Density Points		
	Max Allowed	Total Requested	Recommended by Staff
59.4.7.3.A: Major Public Facility			
WMATA Bicycle Station	70	10	10
Cultural/Art Space, 5000 sf		0	3
59.4.7.3.B: Transit Proximity			
Full Site adjacent to Level 1 Transit Station	50	50	50
59.4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	9	9
Wayfinding	10	5	5
59.4.7.3.D: Diversity of Uses and Activities			
Affordable housing- 15% MPDUs	n/a	30	30
59.4.7.3.E: Quality of Building and Site Design			
Public Open Space	20	8	8
Public Art	15	7	7
Structured Parking	20	10	10
59.4.7.3.F: Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLTs)	30	30	30
Total		159	162

MAJOR PUBLIC FACILITY

WMATA Bicycle Station

With the Phase 1 Site Plan, the Applicant will construct a 100-space commuter bicycle station, comprising approximately 1,308 sf, at the WMATA Metro station. This station is envisioned for expansion with future phases of the development. The WMATA bicycle station fulfills a requirement of

the Grosvenor-Strathmore Minor Master Plan Amendment (p. 55). The Applicant requests 10 points and Staff recommends 10 points at this time.

Cultural/Art Space

Per Preliminary Plan Condition No. 17a, the Applicant must provide a minimum of 5,000 square feet of cultural/art space that is available for use by The Music Center at Strathmore or other cultural/arts focused public or non-profit organization. The space must be available for use free of charge to public agencies, with details to be determined prior to approval of a Site Plan that contains a building with the cultural/art space. Final points will be determined at subsequent Site Plan, but Staff recommends 3 points at this time based on the formula in the *Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines*.

All other public benefit categories were described and approved with the initial Sketch Plan.

PRELIMINARY PLAN AMENDMENT 12019018B

The Preliminary Plan Amendment does not substantially modify the development approved through Preliminary Plan No. 120190180, as amended. The revised design of lots and parcels continue to be appropriate for the location of the subdivision and in compliance with the dimensional requirements for the CR zone as specified in the Zoning Ordinance. Proposed modifications to street sections will continue to enhance connections to the neighborhood, Metro Station, and open spaces by establishing a street grid that ensures easy access for all the neighboring communities. The proposed shift in the loading access for Lot 3 (Buildings 3A and 3B) from Tuckerman Lane to the Road B provides a safer environment for pedestrians and bicyclists along Tuckerman Lane. Proposed changes do not alter the substance or intent of prior findings and all prior findings of approval remain in full force and effect.

SITE PLAN 820220070

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

The findings herein apply only to the Subject Property.

- 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 Site plan satisfies Sketch Plan No. 320190010 and Preliminary Plan No. 120190180, as previously amended and as amended concurrently with this Site Plan Application.

- 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 as there are no binding elements of an associated 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 as the Subject Property's 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;**

i. Use Standards

Multi-unit living and Retail/Service Establishments (5,001 - 15,000 SF) are permitted uses in the CR Zone.

ii. Development Standards

Table 3: Data Table for CR-3.0, C-0.5, R-2.75, H-300 Zone, Optional Method, Section 59.4.5

Development Standard	Permitted/ Required	Proposed- Overall Project⁴	Proposed- Phase 1	Density for Available for Future Phases
Tract Area	n/a	635,073 SF (14.58 acres)	635,073 SF (14.58 acres)	n/a
Proposed Dedication	n/a	387 SF	387 SF¹	n/a
Plus area of WMATA Parcel C for Building 6 ²	n/a	6,150 SF	6,150 SF³	n/a
Site Area	n/a	640,836 sf	640,836 sf	n/a
Density (max)				
Mapped Residential	1,746,451 SF/ 2.75 FAR	1,746,451 SF/ 2.75 FAR	295,445 SF/ 0.47 FAR	1,451,006 SF
Mapped Commercial	317,537 SF/ 0.5 FAR	317,537 SF/ 0.5 FAR	9,000 SF/ 0.1 FAR	308,537 SF
Total Mapped Density	1,905,219 SF/ 3 FAR ⁵	1,905,219 SF/ 3 FAR ⁵	304,445/ 0.48 FAR	1,600,774 SF ⁵
MPDU requirement (min)	15%	15%	15%	n/a
MPDU Bonus Density	n/a	384,219 sf ⁶	n/a	384,219 SF ⁶
Total Residential Density (Including MPDU bonus)	n/a	2,130,670 sf	295,445 SF/ 0.47 FAR	1,835,225 SF
Total Density (Including MPDU bonus)	n/a	2,289,438 sf	304,445/ 0.48 FAR	1,984,993 SF
Dwelling Units	2,218	2,218	220	1,998

Development Standard	Permitted/ Required	Proposed- Overall Project⁴	Proposed- Phase 1	Density for Available for Future Phases
Building Height, max average	300 ft ⁷	300 ft	105 ft⁸	n/a
Public Open Space (min)	64,084 SF (10%)	64,084 SF (10%)	57,500 SF⁹	n/a
Minimum Setbacks (min)	0	0	0	n/a

¹ Dedication will occur with a future phase but is included for purposes of calculating overall site area.

² Approved by Preliminary Plan No. 120190180 for a future phase that will require a minor subdivision for a lot line adjustment. No density is generated by this area.

³ The minor subdivision will occur with a future phase but is included here for purposes of calculating overall Site Area.

⁴ Density approved by Preliminary Plan No. 120190180, as amended. Sketch Plan 320190010 will need to be amended in the future to achieve maximum density allowed by the Preliminary Plan (see Density section below).

⁵ Preliminary Plan No. 120190180, as amended, allows flexibility to achieve the maximum mapped density such that approved commercial or residential density is allowed up to the maximum mapped density limit. To achieve a total density of 2,289,438 which includes the maximum MPDU bonus density, the maximum commercial density would be limited to 158,768 square feet.

⁶ Based on construction of 1,746,451 square feet of residential (mapped) density; must be used within the current limits of Preliminary Plan 12019018B, as amended.

⁷ Per Sketch Plan No. 320190010 condition #2, building height and step-backs within the "Transition Zone" along Tuckerman Lane must conform with Figure 20 in the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

⁸ The proposed buildings are within the transition zone and conform with Figure 20 in the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

⁹ Remaining open space will be provided in future phases.

Density

The maximum residential and total density calculation for Sketch Plan 320190010 excluded the gross floor area for 15% MPDUs (261,967 square feet) in accordance with the Zoning Ordinance requirements at the time of approval. Zoning Text Amendment (ZTA) No. 18-06, adopted by the Montgomery County Council on October 9, 2018, revised the MPDU density bonus standards for the CR Zone, and eliminated the exemption for MPDU floor area that applied to Sketch Plan 320190010. Preliminary Plan 120190180 reflects the approved density in conformance with the current Zoning Ordinance, as modified by ZTA No. 18-06, allowing up to 2,130,670 square feet of residential density (which includes the MPDU floor area and 384,219 square feet of bonus MPDU density for providing 15% MPDUs) and up to 2,289,438 square feet of total density.

iii. **Division 4.7 Optional Method Public Benefits**

For optional method projects of this size in the CR Zone, the Zoning Ordinance requires a minimum of 100 points in four categories. The Phase 1 Site Plan proposes 110.62 public benefit points in six categories, as detailed below. Since the Applicant is providing a significant amount of the total required public benefits during the first phase of development, fewer points are expected for each subsequent phase.

Table 4: Site Plan 820220070 Public Benefit Calculations

Public Benefit	Total Points Possible	Proposed for Overall Project ¹	Proposed for Phase 1A
Major Public Facilities	70		
WMATA Bike Station		10 ²	10
5,000 sf (min) of cultural/art Space		3	0
Transit Proximity	50	50	50
Connectivity and Mobility			
Minimum Parking	10	9	0
Wayfinding	10	5	5
Diversity of Uses			
Affordable Housing	N/A	32	32
Quality Building and Site Design			
Public Open Space	20	8	0
Exceptional Design	10	5	5
Public Art	15	7	0
Structured Parking	20	10	0
Tower Step-Back	10	3	3
Protection and Enhancement of the Natural Environment			
Building Lot Termination	30	30	5.62
Total Points		172	110.62
¹ Includes all public benefit categories required by Sketch Plan 320190010, as amended with this Site Plan.			
² Additional points may be granted in the future depending on the size of future expansions.			

MAJOR PUBLIC FACILITIES

WMATA Bicycle Station

With the Phase 1 Site Plan, the Applicant will construct a 100-space commuter bicycle station, comprising approximately 1,308 sf, at the WMATA Metro station. This station is envisioned for expansion with future phases of the development. The WMATA bicycle station fulfills a requirement of the Grosvenor-Strathmore Minor Master Plan Amendment (p. 55).

Planning Board practice in the past was to approve 5 public benefit points for bike share stations. Based on information from MCDOT, a 19-dock bikeshare station is 318 square feet, or 636 square feet including additional access space. As such, given that the proposed 100 space bike station is over two times the size of the largest bikeshare station, the Applicant requests 10 points for the WMATA bike station. Staff supports the Applicant's request.

Cultural/Art Space

Per Preliminary Plan Condition No. 17a, the Applicant must provide a minimum of 5,000 square feet of cultural/art space that is available for use by The Music Center at Strathmore or other cultural/arts focused public or non-profit organization. The space must be available for use free of charge to public agencies, with details to be determined prior to approval of a Site Plan that contains a building with the cultural/art space. Final points will be determined at that time.

TRANSIT PROXIMITY

The Property is located adjacent to the Grosvenor-Strathmore Metro Station, a Level 1 transit facility. As such, Staff supports the Applicant's request for 50 points.

CONNECTIVITY AND MOBILITY

Minimum parking

In a future phase, the Applicant will seek points for providing fewer than the maximum allowed number of parking spaces.

Wayfinding

Wayfinding will be provided throughout the Overall Property through a series of signs and maps that indicate the locations of nearby amenities, such as the Arts Walk, the Mansion and Music Center at Strathmore, transit facilities, Rock Creek Park, and the locally-provided open spaces and services. As illustrated on the landscape plans, Phase One will include signage in the Central Park and public spaces that will help orient pedestrians and cyclists to these destinations. Staff supports the Applicant's request for 5 points.

DIVERSITY OF USES AND ACTIVITIES

Affordable Housing

The Overall Project is required to provide a minimum of 15% MPDUs. Accordingly, pursuant to Section 4.9.2.C.3 of the Zoning Ordinance, the Applicant is entitled to 32 public benefit points for providing more than 15% MPDUs (calculated at 12 points per each percentage above 12.5%: $2.5\% \times 12 = 32$ points).

Public Open Space

The Applicant is providing a significant benefit by providing the entire 1.2-acre Central Park in the Phase 1 Site Plan, rather than across multiple phases as initially envisioned. However, points for public open space will be granted in subsequent phases, when the Project provides more open space than required by the Zoning Ordinance.

Exceptional Design

The Phase 1 Site Plan provides exceptional architectural design. It provides a context sensitive design that complements the surrounding residential neighborhoods and is reflective of the Property's transit-oriented location. The Project satisfies four of the criteria required for granting exceptional density points:

- *Providing innovative solutions in response to the immediate context;*

The proposed buildings have been designed to be compatible with, and display particular sensitivity to, the surrounding residential development. The massing of the buildings respects the existing development across Tuckerman Lane by placing the lower-scale portion of the buildings strategically along Tuckerman Lane with generous step-backs as the building height increases towards the Spine Road.

The architectural languages of both buildings take inspiration from the natural shapes and forms of Rock Creek Park and have large balconies and terraces that activate the facades. By separating the massing above the Shared Street into two buildings, an urban plaza is established between the buildings with opportunities for outdoor seating and gathering associated with the adjacent retail, restaurant, or arts space on the ground level. The plaza also allows views from the Park between the buildings to the courtyard, and the adjacent Rock Creek Park beyond.

- *Creating a sense of place, that serves as a landmark;*

The Applicant describes the Project as a “green stop on the Red Line,” with the proposed buildings and adjacent Central Park establishing the center of the Strathmore Square development in the first phase and creating a link between the adjacent natural environment of Rock Creek Park with a more urban and lively environment within the development.

The design of the two new residential buildings is inspired by the blending of culture and nature at Strathmore Square. The buildings’ transparent ground level facing the new park invites the lively streetscape and park activity inside. Above, the materials and massing of the buildings’ facades are inspired by Rock Creek Park: Building 3B’s chiseled, vertical forms evoke the ravines nearby; and Building 3A’s sculpted and inflected balconies conjure the layered topography of the surrounding landscape. The materiality of these forms is earthy and textured and supports lush plantings at the abundant terraces and balconies on all sides.

- *Enhancing the public realm in a distinct and original manner;*

The Central Park will form the center piece of Phase 1, and the Overall Project. The Park will function as a green respite and gathering space for residents, workers, and visitors to Strathmore Square, as well as for the broader neighborhood. In addition to daily community use of the Park, programmed events will activate the Park, including pop-up markets, performances, special events and public art. The Central Park will be designed to prioritize sustainability and resilience, as a core value of the broader Strathmore Square development. Softscape is maximized, with hardscape materials focused along building edges and street conditions as necessary, prioritizing the health and wellness benefits associated with access to green space, as well as reducing urban heat island. Diverse native plantings are emphasized throughout the Park and Shared Street, complemented by carefully selected adapted species that prioritize habitat value and climate resiliency. Plant communities are targeted to the water and soil conditions on site, with the intent to minimize the use of irrigation.

- *Designing compact, infill development so living, working and shopping environments are more pleasurable and desirable on a problematic site; and*

The Project is envisioned to be an exemplary transit-oriented, walkable and dynamic community that will be well connected through streets, blocks, and open spaces to surrounding neighborhoods. It will integrate the arts (given its proximity to the Music Center at Strathmore), residences, affordable housing, beautiful open spaces, and vibrant places with neighborhood amenities. Well-designed place-making that features arts, culture, a generous open space, and beautifully designed buildings will transform the current asphalt parking lot into a walkable and distinctive community in Montgomery County and enhance the larger neighborhood.

Public Art

In future phases, consistent with the approved Sketch Plan, the Applicant will seek points for installing public art reviewed by the Art Review Panel.

Structured Parking

In future phases, consistent with the approved Sketch Plan, the Applicant will seek points for placing parking in an above-or below-grade parking garage.

Tower Step-back

A key feature of the proposed Phase One building design is the series of tiered volumes that setback as they raise in height from Tuckerman Lane to the Private Road A. This step-back is recommended in the Master Plan and will provide a compatible transition to the confronting condo building. Per the CR Incentive Density Guidelines, up to 10 points are available for stepping back a building's upper floors by a minimum of six feet behind the first-floor façade, with the step-back beginning at a height not greater than 72 feet. Points are required to be pro-rated per building in a multi-building project, but additional points are also appropriate for providing deeper setbacks, a setback at a lower level, and/or integration of setbacks with reduced floor plate sizes on upper stories. Here, although Phase One represents one out of six total buildings proposed by the Overall Project, the proposed Phase One building design significantly exceeds the setback requirements, by providing an initial step-back of approximately 40 feet at a point 50 feet in height. Accordingly, the Applicant is requesting 3 points from this category. Staff supports this request.

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Terminations (BLTs)

The Applicant will purchase Building Lot Termination easements, or make an equivalent payment to the Agricultural Land Preservation Fund, in an amount equal to 7.5 percent of the incentive density floor area. Based on the density proposed by this Site Plan (up to 304,445 square feet), the Applicant will be required to purchase 0.6248 BLTs, based on the following calculation:

- (Phase 1 Density- Standard Method Density⁷)*0.75)/31,500
- 304,445 square feet proposed – (42,019 square feet base density) = 226,426 square feet of incentive density
- 226,426 square feet x 0.075 = 19,681.95/31,500 = 0.6248 BLTs

⁷ Standard method density is calculated based on the size of Lot 3 (Buildings 3A and 3B).

Since one BLT is equivalent to nine public benefit points, the Applicant is seeking, and staff supports, the maximum of 5.62 points for this category.

iv. **Article 6 General Development Standards**

(1) Division 6.1 Site Access

Consistent with the approved Preliminary Plan, vehicular access to the Site is proposed to be provided from three existing access points on Tuckerman Lane: Metro’s Kiss and Ride entrance, the planned internal shared street (identified as “Private Road A”), and at the intersection of Tuckerman Lane and Strathmore Park Court. The lane configuration for the street entrance to the Metro garage from Private Road A will remain unchanged, featuring one entry lane and three exit lanes. South of the Metro garage the street width will decrease to 60-feet and transition to an internal shared street, forming a through connection to Strathmore Hall Street.

(2) Division 6.2 Parking, Queuing Loading

Type of Parking	Required/Allowed	Proposed for Phase 1
Vehicle		
Residential	176 ¹ min/318 max	197
Retail/Restaurant ²	24 min/72 max	55
Total	200 min/390 max	252
Motorcycle spaces	2% (5)	5
Electric vehicle ready	1 per 100 vehicle spaces (2)	2
Car-share	2	2
Bicycle	96 long-term, 6 short-term	96 long-term, 6 short-term
Loading	1	2
¹ Pursuant to Section 59-6.2.3.I.7, the baseline parking minimum may be reduced by the Non-Auto Driver Mode Share (NADMS) percentage goal recommended in the applicable master plan, up to a maximum reduction of 20%. The Master Plan has a NADMS goal of 41%. ² Parking requirement based on 9000 SF restaurant 60% patron area.		

(3) Division 6.3 Open Space and Recreation

Phase 1 provides a significant amount of the Overall Project’s required Public Open Space, including the 1.2-acre Central Park that will serve as the heart of the new neighborhood. The Central Park will replace a large portion of the existing surface parking lot and will function as a green respite and gathering space for residents, workers, and visitors to Strathmore Square and the broader neighborhood. Programmed events will activate the Park, including pop-up markets, performances, special events and public art. In addition, a temporary multi-use space will be incorporated to the south of the Central Park, in a portion of the future Building 4 Lot.

The Central Park will feature accessible pathways, benches, trash/recycling receptacles, bike racks, and lighting. Diverse native plantings are emphasized throughout the Park and Shared Street and

plant communities are targeted to the water and soil conditions on site, with the intent to minimize the use of irrigation. The Park is designed in anticipation of future modifications at the edges where future buildings will be constructed.

The Application includes an analysis of on and off-site recreational facilities, Scenario ID 19769, demonstrating conformance with the Recreation Guidelines. The Site Plan provides a variety of facilities including dog cleaning stations, an indoor fitness room, a large open grass lawn area, resident lounges, interior courtyards, a multi-purpose lobby area, a rooftop amenity, a community kitchen and an urban plaza.

(4) Division 6.4 General Landscaping and Outdoor lighting

Proposed landscaping and lighting, as well as other site amenities, will enhance the internal private roads and public open spaces. The facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The landscape design both connects the proposed development to the neighborhood while providing clear transitions from public spaces to private areas. The on-site lighting will limit the necessary light levels to streets and sidewalks, providing safe lighting at a pedestrian scale.

e) Satisfies the applicable requirements of:

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

The Department of Permitting Services approved the Site Development Stormwater Management Plan for Phase 1 on March 1, 2022. The plan proposes to meet required stormwater management goals via microbioretention facilities and green roof. Structural facilities (Bayfilters) are proposed for volume not able to be treated with Environmental Site Design measures for Lot 3 (Buildings 3A and 3B).

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 Montgomery County Planning Department's Environmental Guidelines.

NATURAL RESOURCE INVENTORY/FOREST STAND DELINEATION

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) for this site was approved by M-NCPPC staff on November 20, 1998 (NRI/FSD No. 419990610). The site contains no streams or stream buffers, wetlands or wetland buffers, 100-year floodplains, hydraulically adjacent steep slopes, or known occurrences of rare, threatened, or endangered species. The proposed plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

FOREST CONSERVATION PLAN

This site has several previously approved Final Forest Conservation Plans. These plans are associated with Mandatory Referrals for the construction of the WMATA garage and subsequent garage expansion and site improvements. They cover the entirety of the property, including the area now proposed for development by the Applicant. The Forest Conservation Mitigation requirements created by the

Mandatory Referral actions have already been fulfilled. The Applicant's proposed development results in additional Forest Conservation requirements which are addressed by the Final Forest Conservation Plan that is a part of this Site Plan application.

The Preliminary Forest Conservation Plan for this development (No. 120190180) established the preliminary forest mitigation requirements for the new development, and included the variance request, review and approval for disturbance to variance trees. The Preliminary Plan added 1.88 acres of off-site disturbance for infrastructure improvements required to serve the new development, plus 0.31 acres for the inclusion of proposed Parcel C with the Preliminary Plan application. These items add 2.19 acres to the net tract area that were not previously accounted for in the prior FFCP approvals, and they result in an additional 0.33 acres of reforestation required.

The original FFCP for this site, No. MR2000201, designated the 1.74 acres of retained forest lying east of the parking garage and west of Tuckerman Lane as a Category I Conservation Easement. Even though the Category I Easement was never recorded in the County land records, it is still treated as a Category I Easement in the regulatory review. Subsequent to the original approval, 0.10 acres of the retained forest was removed to construct a concrete stairway up to the Metro Parking lot from Tuckerman Lane, leaving 1.64 acres of retained forest. The Planning Board Resolution approved the amended FFCP for Mandatory Referral No. MR2018026 (Resolution MCPB No. 18-063) included a condition requiring that any future plan submission showing removal of this area must replace this forest at a 2:1 ratio, resulting in a requirement for 3.28 acres of off-site forest planting, plus an additional 0.10 acres for the forest previously removed in the area designated as easement, for a total of 3.38 acres of off-site forest planting, or 6.76 acres of existing forest preserved.

Adding the forest mitigation planting requirement for the new tract area to the mitigation requirement for the Category I Easement removal yields a combined requirement for 3.71 acres of forest planting (or 7.42 acres of forest preservation) in an approved off-site forest conservation bank.

Condition 19 in the Resolution approving Preliminary Plan 120191080 (Resolution MCPB No. 19-065) required that, "Before demolition, clearing or grading on the Subject Property, the Applicant must fulfill half of the Forest Conservation mitigation requirements to obtain 3.71 acres of forest mitigation bank credit by recording a Certificate of Compliance in the Montgomery County Land Records for 1.855 acres of forest mitigation bank credit in a Montgomery County Planning Department-approved forest mitigation bank. The remaining 1.855 acres of forest mitigation bank credits must be provided within 1 year of the issuance of the first sediment and erosion control permit associated with the second Site Plan approved for the site. The Certificates of Compliance must be in a form approved by the M-NCPPC Office of the General Counsel."

The FFCP submitted with this Site Plan carries forward the requirements of the PFCP and a subsequent PFCP Amendment (12019018A), including the forest mitigation requirement of 3.71 acres.

Due to the recent decision by the Maryland State Attorney General that forest conservation bank credit can only be granted for planted forest, there is currently very little capacity in Montgomery County forest conservation banks to provide the forest banking credits required. Therefore, the condition of approval will be amended in this FFCP approval to permit the Applicant to fulfill their forest mitigation requirements through payment of a fee-in-lieu if no forest banking credits are available.

The Application meets the requirements of Chapter 22A of the Montgomery County Forest Conservation Law.

NOISE ANALYSIS

A Phase I Noise Analysis was prepared by Phoenix Noise and Vibration for the Property due to its location along Rockville Pike (MD Route 355), Tuckerman Lane, and adjacent to the Grosvenor-Strathmore Metro tracks and station, and the results were provided in a report dated December 7, 2018 (Attachment E). A noise analysis is necessary to determine the projected interior and exterior noise levels requiring mitigation for residential units and outdoor recreational areas. The Montgomery County “Staff Guidelines for the Consideration of Transportation Noise Impacts in Land Use Planning and Development” stipulate a 65 dBA Ldn maximum noise level for outdoor recreation areas and 45 dBA Ldn for indoor areas in this area of Montgomery County.

The submitted Site Plan covers Phase I of the envisioned development and includes construction of Buildings 3A and 3B on the southeast portion of the site, as well as construction of the Central Park. The results of the analysis for this portion of the Property indicate that future unmitigated traffic noise levels right at 65 dBA Ldn will occur at the east building faces of the two buildings at and near ground level along Tuckerman Lane. The noise analysis also states that the Central Park will not be impacted by noise levels above 65 dBA Ldn.

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

Phase 1 provides safe and well-integrated parking and circulation patterns. Vehicular and bicycle parking is incorporated into the garage structure at the base of Buildings 3A and 3B. Long-term bicycle parking spaces are provided in a secure bicycle room and short-term spaces are proposed adjacent to Private Road A and the Central Park. The internal private street network will provide circulation for private vehicles, pickup/drop-off, deliveries, as well as other short-term parking needs. Vehicular access to Buildings 3A and 3B is proposed to occur via Private Road B, preventing the addition of new private vehicular access points onto adjacent public rights-of-way.

The design of the shared street promotes greater integration of all modes and slows vehicle speeds. Private Road A will feature a curbless design, accommodating on-street parking, street trees, and storm water management, in accordance with guidance established by the *Grosvenor-Strathmore Metro Area Minor Master Plan* and the *Complete Streets Design Guide*.

Metro’s existing bus exit onto Tuckerman Lane (identified as “Private Road B”) will be converted to support two-way access for both buses and private vehicles, with one 12-foot westbound entry lane and two eastbound exit lanes measuring 12 to 13-feet. The Applicant requests to relocate a loading dock previously proposed to access Building 3B from Tuckerman Lane to Private Road B adjacent to the private vehicular access into the parking garage. A separate loading dock which would service Building 3A from Tuckerman Lane is proposed to be built, consistent with the loading access approved in the Preliminary Plan. The two proposed loading docks meet the requirements set forth in Section 59.6.2.8.B of the 2014 Zoning Ordinance.

Building massing is designed to be compatible with, and display particular sensitivity to, the surrounding residential development. The massing of the buildings respects the existing development across Tuckerman Lane by placing the lower-scale portion of the buildings strategically along Tuckerman Lane with generous step-backs as the building height increases towards the Spine Road.

Open space and site amenities are generous and well-integrated into the Site Plan area. As the primary open space, the Central Park will function as a green respite and gathering space for

residents, workers, and visitors to Strathmore Square and the broader neighborhood. The Central Park will feature accessible pathways, benches, trash/recycling receptacles, bike racks, and lighting.

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

The Property is located within the Approved and Adopted 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* (“Master Plan”) area. The Master Plan envisions transforming the Property from a surface parking lot adjacent to Metro into a transit-oriented development with neighborhood retail for current and future residents. The Phase 1 Site Plan is a significant first step in the transformation envisioned in the Master Plan.

URBAN DESIGN AND BUILDING HEIGHT

The Master Plan’s design recommendations for the Property are to:

- Place maximum building heights towards Rockville Pike and away from adjacent neighborhoods.
- Buildings in the transition zone (confronting the existing condo building on Tuckerman Lane) should step back to provide an appropriate transition.
- Locate buildings to frame streets and open space.
- Provide a safe and attractive environment for pedestrians through building and open space placement and design.
- Create human-scale architecture.
- Create building massing that limits shadows on the public realm and allows sky views.
- Complement public open space with private open spaces.

The Site Plan achieves these recommendations. The tallest portion of the proposed buildings are located along Private Road A, away from the neighborhoods across Tuckerman Lane. The proposed buildings are located with the Master Plan designated “Transition Zone,” and they are consistent with the step back recommendation in the Master Plan (Figure 19), ensuring a gradual transition from the lower condominium buildings across the street. The building height along Tuckerman Lane is limited to four stories tall while the building steps back for a depth of 120 feet for a maximum height of 85 feet above the four-story base, as measured from Tuckerman Lane (Figure 20). The buildings frame the internal private roads and sidewalks, and the space between the two buildings masses allows views from the Park between the buildings to the courtyard and to adjacent Rock Creek Park.

The pedestrian environment along Tuckerman Lane will be enlivened by the proposed ground level residential units with individual unit entries and patios. Along Private Road A, the buildings feature a highly transparent ground level facing the Central Park that will activate the streetscape and encourage activity in the park. The large balconies and terraces will help further activate the building facades.

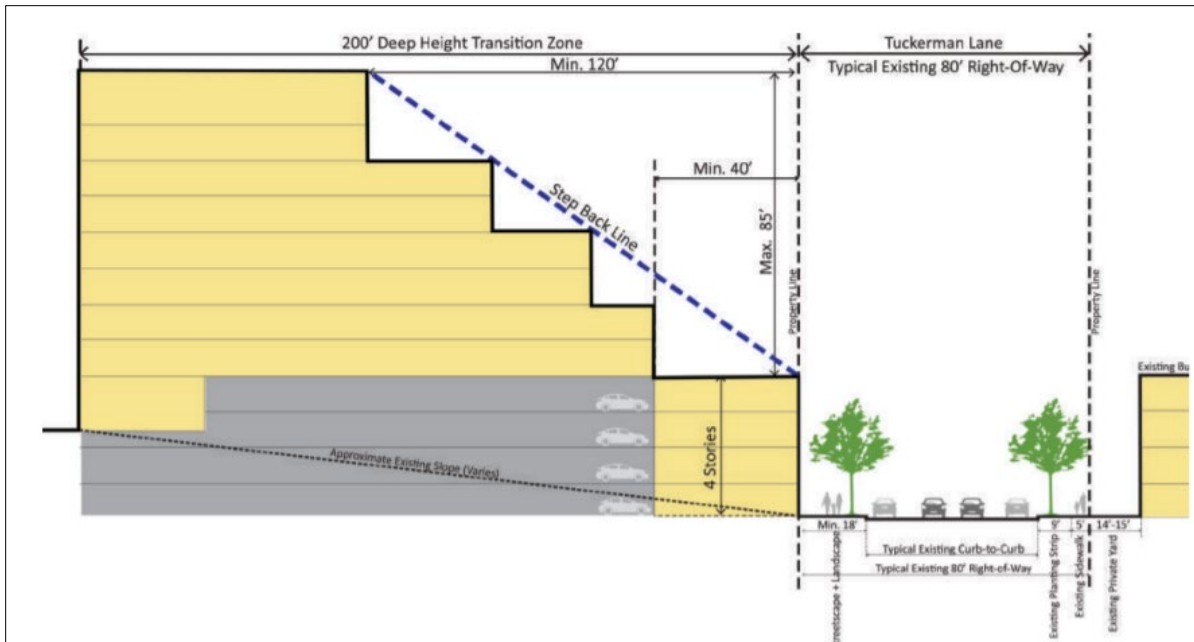


Figure 19: Recommended step back along Tuckerman Lane within the Transition Zone
(Master Plan Figure 20, page 45)

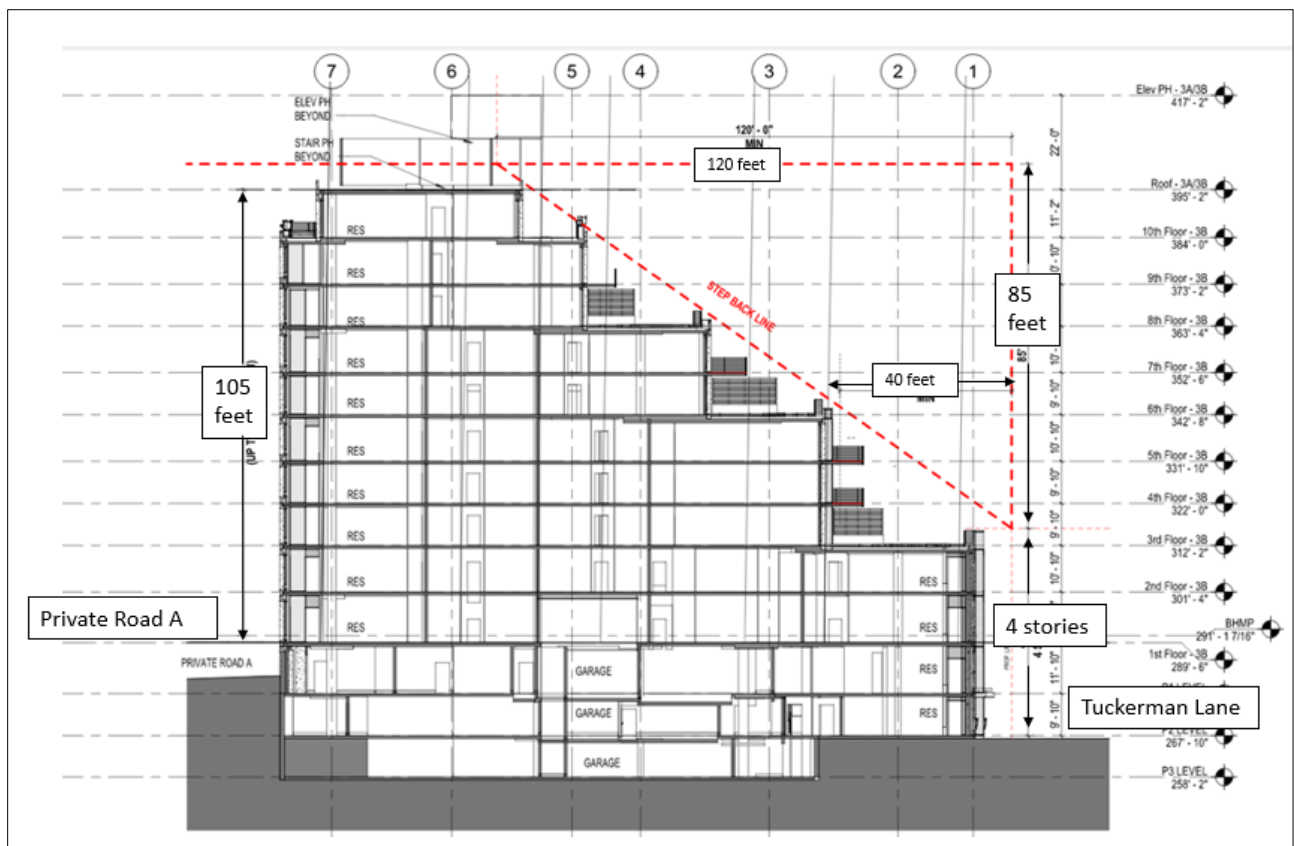


Figure 20: Proposed Building 3B Section (Facing North from Private Road B)

MOBILITY

The Master Plan's applicable mobility recommendations for the Property are to:

- Improve pedestrian and bicycle connections.
- Enhance bicycle amenities at the Metro site.
- Install wayfinding signs.
- Create a new shared street that extends from Strathmore Park Court to Tuckerman Lane.
- Provide adequate crosswalks.

The Phase 1 Site Plan includes various improvements for pedestrians and bicyclists including the construction of the majority of the shared street. Access through the Project's internal private roads provide improved connections for pedestrians and bicyclists, particularly for Metro access from adjacent neighborhoods. The addition of the covered bicycle parking station adjacent to the Metro will enhance access to Metro. The shared street and Central Park will provide safer, more pleasant pedestrian experiences to and from Metro.

ENVIRONMENTAL

The Master Plan's environmental recommendations for the Property are to:

- Incorporate native vegetation into landscaping.
- Minimize impervious cover.
- Encourage trees, plants, and other green features in open space and the public realm.
- Maintain tree cover.
- Encourage green roofs or solar panels.

The Application fulfills several of the Master Plan's environmental goals. Proposed green roofs will reduce stormwater runoff and also will act as an insulator, reducing energy usage for heating and cooling. Furthermore, large amounts of planted areas are planned for the two main residential courtyards and well as smaller terraces and balconies. The large overhanging terraces on building 3A and the inset balconies on 3B create natural shading for the glazing which improve energy efficiency and daylighting. The landscape design will maximize native plantings, featuring a large meadow and lush plantings in the Central Park and along the private roads. Impervious cover is minimized by putting the entire garage footprint underground or below the courtyards.

PARKS AND OPEN SPACE

The Master Plan's applicable parks and open space recommendations for the Property are to:

- Include public art in public realm.
- Develop a 1.25-acre civic green.
- Create a plaza at the Metro station entrance.

The Site Plan includes a robust network of public and private open space including a 1.2-acre Central Park and a plaza in close proximity to the Metro station entrance. The Site Plan incorporates art into the development to capitalize on its proximity to the Music Center at Strathmore.

COMMUNITY FACILITIES

The Master Plan does not recommend any new public facilities on the Property, however it requires that “each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is this Plan’s direction that the Planning Department will negotiate for maximum dedication of land for a school site and that this be the top priority benefit under the review process of projects proceeding under these plans.” The Master Plan does acknowledge, however, that “it is highly unlikely that a school site will be found on the limited area likely to develop/redevelop in the Grosvenor-Strathmore Metro Area Minor Master Plan area” (p.76).

The Subject Property is approximately 14.6 acres with an existing WMATA parking garage, Kiss & Ride and bus facilities. An urban format elementary school site would require at least four to five acres of the Property and a middle or high school would require a minimum of 12-15 acres and 30 acres, respectively. As such, the Subject Property is ill-suited to providing a school site due to its size and the location of the existing WMATA facilities, and the potential to provide a significant amount of housing with direct access to a Metro station.

PUBLIC BENEFITS

The Master Plan indicates that the following public benefit categories are priorities for the Plan area:

- Dedication of land for needed school sites is the highest priority public benefit for development in North Bethesda. The Master Plan recognizes, however, that land dedication may not be feasible within the Plan area.
- Fifteen (15) % MPDUs is the highest priority public benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.
- The provision of major public facilities other than a school site, including but not limited to: land for parks and school athletic fields, a library, recreation center, County service center, public transportation or utility upgrade.

Other public benefits categories recommended in the Master Plan include:

- Quality open space.
- Quality building and site design, including but not limited to, exceptional design and public open space.
- Connectivity and mobility, including but not limited to advanced dedication, streetscape improvement, minimum parking, trip mitigation and transit access improvement.
- Protection and enhancement of the natural environment, including but not limited to, tree canopy, energy conservation and generation, and habitat preservation and restoration (p. 81).

This Application supports the top priority Master Plan public benefit goals by providing 15% MPDUs and a major public facility (the covered WMATA bicycle parking station). In addition, the Phase 1 provides exceptional design.

MASTER-PLANNED ROADWAYS

Tuckerman Lane: Tuckerman Lane is classified as an 80-foot two-lane Business Street, B-1, with an existing public right-of-way between 81-feet to 83-feet. The existing section has two (2) travel lanes, with five-foot bicycle lanes and on-street parking along both sides, as well as existing median pedestrian refuge islands. The Applicant proposes to maintain the existing rights-of-way, with the implementation of previously approved complete streets elements illustrated in the Preliminary Plan as part of future construction phases.

As envisioned by the *Grosvenor-Strathmore Metro Area Minor Master Plan* and the *Bicycle Master Plan*, two-way separated bicycle lanes are planned for Tuckerman Lane in a future phase of development, which are consistent with Town Center Street standards within the *Complete Streets Design Guide*. Along the Applicant's public frontage, five-foot bicycle lanes are currently present in between the existing travel lanes and on-street parking spaces on both sides of the street. Implementation of the parking-protected, curbside separated bicycle lanes will occur during future buildout of Buildings 1A, 1B, and 2, as stipulated in the Preliminary and Sketch plan phasing requirements.

The proposed Private Road A is a modification of MCDOT design standard MC-2005.02, a Business District Street with a 60-foot-wide private right-of-way with 10-foot-wide travel lanes in each direction, an 8-foot-wide alternating curbside flexible zone that will serve various uses including drop-off/layby zones at building lobbies, on-street parking, landscape/stormwater management, street trees, and continuing adjacent sidewalk on both sides. The curbside zones will be designed through the use of chicanes, intended to further reduce the speed of passing vehicles.

Along the proposed Private Road B, the Applicant proposes twelve-foot travel lanes, a five-foot sidewalk, bio-retention facilities with tree plantings and heavy screening around utility boxes. Upon westbound approach to the Private Road A intersection, the sidewalk is proposed to meander as a means of navigating the grade change to meet ADA requirements. The circulation of Ride On and Metrobus travel will be preserved with the retention of two eastbound travel lanes.

All portions of the private streets will be fully accessible to the public. The proposed private connections will promote safe and efficient internal circulation focused on all modes of transportation with additional care towards the promotion of pedestrian circulation to and from the Metrorail station. The private streets will provide vehicular connectivity to accommodate local traffic circulation for the lobbies of the buildings located adjacent to it and loading and service entrances will be minimized.

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

The approval of Preliminary Plan No. 120190180, as amended, established that the proposed development will be served by adequate public services and facilities.

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

The Subject Property is not located in a Rural Residential or Residential zone.

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

The proposed, predominately residential development will complement the existing adjacent development. The Phase One buildings will provide a compatible transition between the Property and the residential condominiums confronting the Property on Tuckerman Lane. The height and massing of Phase One is also compatible with the Grosvenor Village to the south.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.***

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.***

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

SECTION 5: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on September 21, 2021. The meeting was conducted virtually per COVID-19 Guidelines and the Applicant complied with all submittal and noticing requirements. In accordance with Section 59-7.3.3.I, notice of the Site Plan hearing included notice of amendments to conditions of Sketch Plan 320190010.

As of date of this Staff Report, no correspondence has been received.

SECTION 6: CONCLUSION

Preliminary Plan Amendment No. 12019018B and Site Plan No. 820220070 comply with the findings required for approval in the Subdivision Regulations and Zoning Ordinance. Staff recommends approval of Preliminary Plan Amendment No. 12019018B and Site Plan No. 820220070, including amendments to conditions and binding elements of Sketch Plan 320190010 in accordance with Zoning Ordinance Section 59.7.3.3.I, with the conditions included at the beginning of this report.

ATTACHMENTS

Attachment A: Prior Approvals

Attachment B: Preliminary Plan

Attachment C: Site Plan

Attachment D: FFCP

Attachment E: Noise Analysis

Attachment F: Agency Approvals