

# ATTACHMENT A



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

MCPB No. 18-121  
Sketch Plan No. 320190010  
Strathmore Square  
Date of Hearing: November 8, 2018

DEC 05 2018

### RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on August 3, 2018, Five Squares Development, LLC ("Applicant") filed an application for approval of a sketch plan for construction of up to a maximum of 1,905,219 square feet of total development, with up to 317,537 square feet of commercial uses and up to 1,746,451 square feet of residential uses (excluding 15% or greater MPDUs) on 14.72 acres of CR-3.0, C-0.5, R-2.75, H-300 and CR-0.5, C-0.25, R-0.5, H-300 zoned land, located at the southeast corner of the intersection of Rockville Pike (MD 355) and Tuckerman Lane ("Subject Property") in the 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* ("Master Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320190010, Strathmore Square ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 29, 2018 setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on November 8, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on November 8, 2018 the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Commissioner Patterson, with a vote of 4-0; Commissioners Anderson, Fani-Gonzalez, Cichy and Patterson voting in favor and Commissioner Dreyfuss absent.

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Approved as to  
Legal Sufficiency:

A handwritten signature in blue ink that reads "Matthew Kelly".

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320190010, Strathmore Square for construction of up to 1,905,219 square feet of mixed use development on the Subject Property, subject to the following binding elements and conditions:<sup>1</sup>

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

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

All other elements are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 1,905,219 square feet of total development on the Subject Property, for up to 317,537 square feet of commercial uses and up to 1,746,451 square feet of residential uses (excluding 15% or greater MPDUs). The maximum number and distribution of residential dwelling units and non-residential uses will be determined at Preliminary and Site Plan.

2. Height

The development is limited to a maximum height of 300 feet, as measured from the building height measuring point(s) illustrated on the Certified Site Plan (not including additional height that may be allowed under Section 59-4.7.3.D.6.c.i for exceeding 12.5% MPDUs). Building height and step-backs within the "Transition Zone" along Tuckerman Lane must conform with the section on page 41 (Figure 20) of the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

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*

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

*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;
- b. Transit Proximity achieved through Property's location adjacent to the Grosvenor-Strathmore metro station (level 1);
- c. Connectivity and mobility, achieved by providing less than the maximum number of parking spaces and wayfinding;
- d. Diversity of Uses and Activities, achieved by providing 15% of the residential units as MPDUs;
- e. Quality of Building and Site Design, achieved through public open space, public art and structured parking; and
- f. Protection and Enhancement of the Natural Environment, achieved through building lot terminations.

4. Building and Site Design

- a. All above-ground parking, except for the façade abutting the WMATA garage, must be lined with uses and mechanically ventilated, or screened to be artistically significant or indistinguishable from the remainder of the building.
- b. On Tuckerman Lane, buildings should be located a sufficient distance from the street curb to accommodate adequate Curb Zone, Planting/Furnishing Zone, Pedestrian Zone and Frontage Zone as shown in Figures 26 and 27 (on pages 53 and 54) of the *Grosvenor-Strathmore Metro Area Minor Master Plan*. Around Building 4 and Building 6 (where the building faces the WMATA Kiss and Ride), there should be a minimum of 16-20 feet between the face of the building and the curb. The design of the shared street along the Private Road might be unique and may require a different approach.
- c. At the time of the first Site Plan, the Applicant must develop an interim placemaking plan and refine the overall placemaking plan with Staff's approval as the project continues to develop.

5. Transportation

Subsequent Preliminary Plans and/or Site Plans must address the following, subject to MCDOT, MSHA, and/or WMATA approval as appropriate:

- a. Improve the access to Building 6.
- b. Design a protected pedestrian intersection at the intersection of the private spine road and Tuckerman Lane that may include the following elements: striped crosswalks, pedestrian timing signals, curb extensions, ADA compliant curb ramps, reduced curb radii, clearly marked bike lane transitions through the intersection, and textured or colored pavement within the intersection.

- c. Improve the pedestrian crossing from the central park to the Metro station, potentially including a wider striped crosswalk, flashing beacons/signal, and/or textural pavement.
- d. A plan for removal of the channelized right-turn lane at the northeast corner of the intersection of Tuckerman Lane and MD-355.
- e. Vehicular access points from Tuckerman Lane are consolidated to the greatest degree possible (e.g. colocate loading docks and parking entrances).
- f. Where adjacent to travel lanes, the bike buffer on Tuckerman Lane should be at least four feet wide but may be reduced to three feet wide in constrained areas.
- g. The two-way separated bike lanes on Tuckerman Lane between Cloister Drive and Strathmore Park Court should be between 8 and 10 feet wide.
- h. The bike lanes and buffers should be grade separated from travel lanes and parking.
- i. Provide a protected bicycle transition across Strathmore Park Court, including a motorist yield zone, pedestrian/bicycle refuge island, and painted pavement demarcating bicycle lanes crossing the intersection.
- j. Ensure that where the separated bike lane cross driveways, the bike lanes will bend back toward the sidewalk to provide a protected corner island that is a minimum of six-feet wide where feasible. Driveways should ramp up to and ramp down from the separated bike lane. The separated bike lane should not be ramped down to driveway-level.
- k. Provide a phasing plan for the full implementation of the 350-space secure bicycle parking station recommended in the Bicycle Master Plan, including identification of occupancy levels or other factors that will trigger facility expansion.
- l. The treatment of the shared street must be extended to the south, up to the edge of the drive lane for WMATA buses. The crosswalks should be redesigned so pedestrians are not forced to cross the Private Street via the median. In coordination with Planning and Department of Permitting Services staff, reduce the 30-foot turning radius since the curbs will be mountable in the Shared Street for fire trucks and emergency vehicles.

6. Sketch Plan Validity

The Sketch Plan is valid for seven years from the Planning Board resolution mailing date within which the initial Site Plan for a portion of the multi-phase Project must be submitted.

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:

- a. Fire and Rescue access and facility details;

- b. Streetscape details;
- c. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- d. Draft Traffic Mitigation Agreement (TMAg);
- e. High quality bicycle parking, as required by the Zoning Code and described in the Planning Department's Bicycle Parking Guidelines (pages 13 – 15);
- f. Location of bike sharing station(s);
- g. Phasing and ultimate heights of signature building(s);
- h. Sustainability elements recommended in the Master Plan, including block and building orientation to maximize passive solar heating, cooling, and lighting, and to offer optimal siting for solar energy generation;
- i. Assess the potential for recreation on top of the WMATA garage; and
- j. Prior to approval of a Site Plan, the Applicant must come to an agreement with Staff about a major public facility (or facilities) that will be provided pursuant to page 81 of the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

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

1. Development Standards

The Subject Property includes approximately 14.72 acres zoned CR-3.0, C-0.5, R-2.75, H-300 and CR-0.5, C-0.25, R-0.5, H-300. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

### Data Table

Section	Description	Required/Permitted	Approved
	<b>Tract Area</b>	n/a	635,073 sf/14.56 ac <sup>1</sup>
4.5.4.B.2.b	<b>Maximum Density</b>		
	Total	1,905,219 sf/3.0 FAR	1,905,219 sf/3.0 FAR
	Commercial	317,537 sf/0.5 FAR	Up to 317,537 sf/0.5 FAR
	Residential (excluding MPDUs)	1,746,451 sf/2.75 FAR	Up to 1,746,451 sf/2.75 FAR
4.7.3.D.6.c.iii	<b>15% MPDU Density<sup>2</sup></b>	n/a	261,967 sf/0.41 FAR
	Total residential density (including MPDUs)	n/a	2,008,418 sf/3.16 FAR
4.5.4.B.2.b	<b>Maximum Height</b>	300 ft.	300 ft.
4.5.4.B.1	<b>Minimum Public Open Space</b>	10%/64,142 sf	Minimum 10%/64,142 sf to be provided; Sketch Plan anticipates up to 15%/96,000 sf
6.2.4.B	<b>Vehicle Parking Spaces</b>	Varies based on different development scenarios	Estimated 2,008

<sup>1</sup> Does not include 6,346 sf part of Parcel C that is being used for land area only; no density is generated from this parcel. The total project area is 641,149 sf/14.72 ac.

<sup>2</sup> Under Section 4.7.3.D.6.c.iii, when providing at least 15% MPDUs, the gross floor area of all MPDUs are exempt from the calculation of FAR.

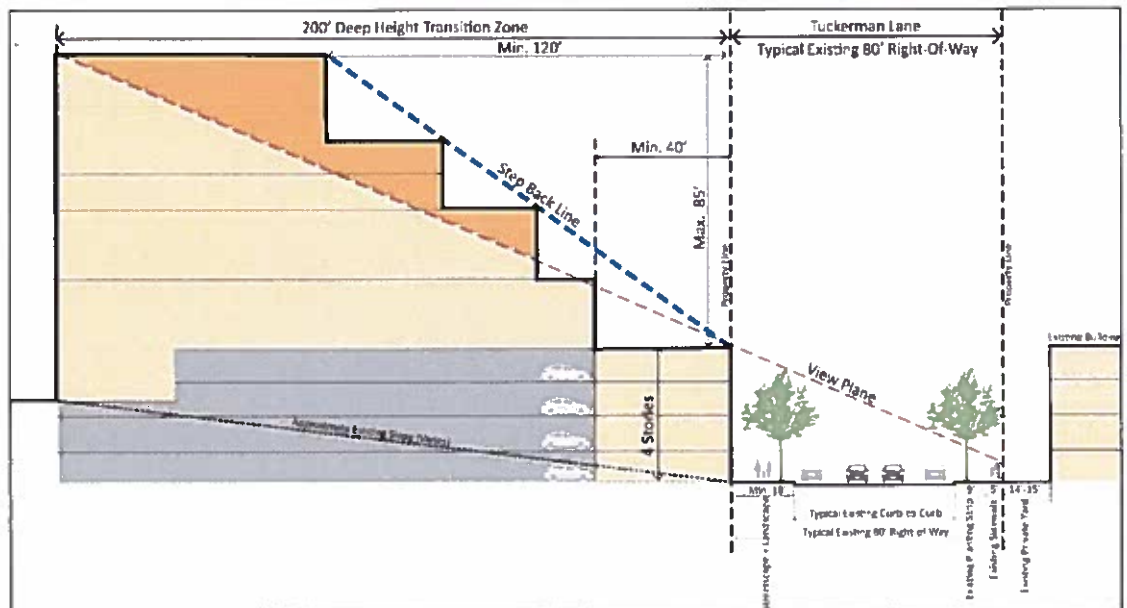
The Sketch Plan conforms to the intent of the CR Zone as described below.

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. 22). Additionally, the Master Plan calls for a 200-foot-wide transition zone on Tuckerman Lane, across from the Strathmore Park Condominiums (p. 41). 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 (Figure 13). Buildings 3A (100 feet) and 3B (100 feet) are in the Transition Zone. The Planning Board has conditioned approval on conformance with the Transition Zone Diagram from page 41 of the Master Plan (Figure 13 in the Staff Report and copied below).



*Transition Zone Diagram from Master Plan (pg. 41)*

The Project is consistent with the Master Plan's recommendations for the Commercial Residential (CR-3.0, C-0.5, R-2.75, H-300' and CR-0.5, C-0.25, R-0.5, H-300') Zones. Buildings 1-A&B (220 feet) and 2 (160 feet) are consistent with the Master Plan height recommendations for this Property. Building 5-A&B (300 feet) will be one of the signature buildings. Buildings 4-A&B (160 feet or 300 feet) or Building 6 (160 feet or 300 feet) will be the second signature building. The Applicant has requested to maintain flexibility and designate the signature building at a later review

stage. However, the proposed heights are consistent with the Master Plan's height recommendations.

The total allowable density for the Property is 3.0 FAR (1,905,219 square feet). The Project will provide 15% MPDUs, and per Section 59.4.7.3.D.6.c.iii., the MPDUs will not count towards the maximum FAR allowed. The Applicant plans to maximize the allowable residential density and build an additional .41 FAR (261,967 GFA), as allowed by the Zoning Ordinance. The Application is considered in substantial conformance with the Master Plan's density recommendation.

#### Urban Design

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

- Place maximum building heights towards Rockville Pike and away from adjacent neighborhoods.
- 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 Sketch Plan achieves these recommendations. Buildings 4-A&B, 5-A&B, and 6, the potential contenders for the highest heights, are located towards Rockville Pike, away from existing neighborhoods across Tuckerman Lane. The buildings frame the open spaces and sidewalks, and individual entrances have been placed along Tuckerman Lane to help activate the street and create an urban residential character. The step backs on the building and shorter bases with thinner towers support a human scale and provide access to air and light. The Sketch Plan shows numerous private pocket and linear parks to complement the larger central open space.

#### Mobility

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

- Improve pedestrian and bicycle connections.
- Enhance bicycle amenities at the Metro site.
- Improve stairway connection from Tuckerman Lane to the Property.
- Create two-way separated bike lane along Tuckerman Lane.
- Install wayfinding signs.
- Create a new shared street that extends from Strathmore Park Court to Tuckerman Lane.



- Create shared parking facilities.
- Provide a full-movement, raised intersection with special paving, or comparable intersection improvements, at the intersection of Tuckerman Lane and the access road to the WMATA garage to improve pedestrian and bicycle accessibility to the site and to the Music Center at Strathmore across the street.
- Enhance at-grade mid-block crossing to ramp leading to Strathmore Hall.
- Provide adequate crosswalks.

The Sketch Plan includes various improvements for walkers and bicyclists. The proposed two-way separated bike lanes on Tuckerman Lane and access through the shared street provide improved connections for bicyclists. The addition of a bikeshare station and bicycle parking enhance access to Metro. The Sketch Plan adds a new staircase from Tuckerman Lane to continue to provide and encourage pedestrian connections from existing neighborhoods to Metro. The shared street and central park will provide safer, more pleasant pedestrian experiences to and from Metro.

The project provides more than the required amount of parking, but well under the maximum allowed. The Sketch Plan does not show shared parking facilities.

In future regulatory reviews, additional detail is needed to demonstrate consistency with the Master Plan for the intersection improvements on Tuckerman Lane and the crossing between the central park and the Metro station.

#### 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. The Project is infill development on an existing surface parking lot. The project will also provide more than the required amount of public open space, and buildings have been oriented for solar exposure. At the Site

Plan stage, the Applicant should pursue additional sustainability features to enhance the development, such as landscaping with native species, green roofs, and minimizing impervious cover.

#### Parks and Open Space

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

- Expand the Arts Walk.
- Include public art in public realm.
- Develop a 1.25-acre civic green.
- Locate a dog park or active recreation amenity at the northern edge of the Property.
- Create a plaza at the Metro station entrance.

The Sketch Plan shows a robust network of public and private open space. The Mandatory Referral for the WMATA garage on the Property sought improvements to the Arts Walk. The Applicant has agreed to provide additional art pieces and artistic elements throughout the Property to help emphasize art as an important component of the new development and the larger Grosvenor-Strathmore area. As recommended by the Master Plan, the Applicant proposes to create a vibrant 1.25-acre central park that the development will be centered around.

The Master Plan proposes to “locate a dog park or other active recreation amenity for the community at the open space between the northern edge of the existing Metro garage and Tuckerman Lane” (page 69). The Sketch Plan application shows two large stormwater facilities (MBF-3 and MBF-4) in this area. As a result, the majority of the usable space will be reserved for stormwater management. Additional concept drawings show a potential dog park, sidewalks, and seating area on a third of the proposed neighborhood green; a bioretention area with a bridge across it to an embankment on the middle third of the area; and a fenced-off bioretention pond on the final third of the neighborhood green area. As stated during review of the Mandatory Referral, the Planning Board requires further review of the design of the proposed neighborhood green and the proportion of space dedicated to stormwater management through future phases of the development. Since this neighborhood green will likely factor into the minimum open space requirements for the Property, the Applicant must ensure that the layout of the stormwater management areas will not hinder the access and usability of the space as recommended within the Master Plan.

#### Community Facilities

The Master Plan does not recommend any new public facilities on the Property. However, the Garrett Park Elementary school does not currently have capacity to absorb all 110 students that the project would generate per the anticipated number of units. Further analysis will be required at the time of APF review with the subsequent Preliminary Plan to determine school capacity.

The Master Plan 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 14.72 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 require 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.

#### Affordable Housing

The Master Plan requires “15% Moderately Priced Dwelling Units (MPDUs) as the highest priority public benefit for all 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” (p. 81). The Project is providing 15% MPDUs; therefore, it is consistent with the Master Plan recommendations for affordable housing.

#### 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 one of the top priority Master Plan public benefit goals by providing 15% MPDUs, and a bike share station as one major public facility. However, because the Applicant is not able to dedicate land for a school site or athletic fields, the Planning Board expects the Applicant will provide at least one more major public facility commensurate with the scale of the project in this Sketch Plan.

The Application includes other recommended public benefits including additional and high quality public open space, streetscape improvements and minimum parking.

#### Staging

The Master Plan states that the full buildout of the Property is likely to occur in phases over time. The Master Plan requires that an additional traffic study to assess capacity must be submitted for any development in excess of 1.6 million square feet. A traffic study will be required at the time of Preliminary Plan.

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

This Project includes redevelopment of a large existing surface parking lot with a significant transit-oriented development that will include a mix of residential, commercial, and retail uses.

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

The Project's residential component includes 15% MPDUs (potentially up to 300 units), and will facilitate economic diversity at a location with many mobility options, including Metro, bus, and improved bicycle and pedestrian opportunities. Additionally, the Project includes commercial services and public amenities for future residents and users, and for existing residents who live within walking distance of the proposed development. The 1.2-acre central park will serve as an identifiable feature in the Master Plan area and will provide various opportunities for community gatherings and interaction. All new on-site parking (except for the on-street parking along the Spine Road) will be located below-grade or in architecturally-screened parking structures.

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

The Project capitalizes on the Property's prime location at a Metro station by providing opportunities for future residents, employees, and visitors to take advantage of many mobility options. The Project design proposes an adequate transition between the proposed development and low-density residential condominiums confronting the Property by locating the taller buildings on the western end of the site, closest to Rockville Pike, and stepping down to lower building heights along Tuckerman Lane.

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

The Project, although predominately residential, incorporates ground floor commercial to support the needs of existing and future residents and Metro commuters, and the potential for a hotel or office building. The residential development will also support the existing institutional uses located in close proximity to the site, including the National Institutes of Health, National Navy Medical Center, and Uniformed Services Universities of the Health Sciences.

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

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

- 2. The Sketch Plan substantially conforms to the recommendations of the Master Plan.*

As discussed in the previous finding, the Project substantially conforms to recommendations of the Grosvenor-Strathmore Metro Area Minor Master Plan.

- 3. The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

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

- 4. The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Project has been designed to provide an appropriate transition to the residential condominiums confronting the Property on Tuckerman Lane. The lower-scale buildings are located along Tuckerman Lane, across from the Strathmore Park Condominiums, to respond to the height of the existing buildings. The taller, signature buildings are located on the western side of the Property closest to Rockville Pike. The Project design incorporates gradual transitions from the signature buildings through building step-backs and massing to achieve compatibility with the lower-scale existing buildings on the opposite side of Tuckerman Lane.

- 5. The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

The Project includes a number of improvements to pedestrian/cyclist and vehicular circulation on-site, including the construction of the internal Private Road which will improve internal circulation and promote connectivity within

the larger Grosvenor-Strathmore community. A substantial amount of long-term and short-term bicycle storage will be provided on-site to facilitate bicyclist access to the site. Given the Property's proximity to transit and nearby public parking garages, adequate parking will be provided on-site to accommodate all users of the Property. Access to parking and loading will be located internal to the site and will be safe, adequate and efficient.

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

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

Public Benefits		
Public Benefit	Incentive Density Points	
	Max Allowed	Approved in Concept
<b>59.4.7.3.A: Major Public Facility</b>		
Bike Share	70	5
<b>59.4.7.3.B: Transit Proximity</b>		
Full Site adjacent to Level 1 Transit Station	50	50
<b>59.4.7.3.C: Connectivity and Mobility</b>		
Minimum Parking	10	9
Wayfinding	10	5
<b>59.4.7.3.D: Diversity of Uses and Activities</b>		
Affordable housing- 15% MPDUs	n/a	30
<b>59.4.7.3.E: Quality of Building and Site Design</b>		
Public Open Space	20	8
Public Art	15	7
Structured Parking	20	10
<b>59.4.7.3.F: Protection and Enhancement of the Natural Environment</b>		
Building Lot Termination (BLTs)	30	30
<b>Total</b>		<b>154</b>

**Major Public Facility**

*Bike Share:* The Applicant plans to provide a 15-dock Bikeshare station near the entrance to the Metro Station. Based on prior established precedent, the provision of a bike-share station is not subject to the standard formula and instead, is awarded 5 points.

**Transit Proximity**

The entire Property is located adjacent to the Grosvenor-Strathmore Metrorail (level 1) Station and the Application can earn 50 points as allowed in the Zoning Ordinance. The points for this category will be phased across the Sketch Plan development.

**Connectivity and Mobility**

*Minimum Parking:* 9 points for minimum parking.

*Wayfinding:* 5 points for providing 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.

**Diversity of Uses and Activities**

*Moderately Priced Dwelling Units:* 30 points for providing 15% MPDU's, one of the highest priority Master Plan goals.

**Quality of Building and Site Design**

*Public Open Space:* 8 points for providing high-quality, actively-programmed public open space in excess of the Zoning Ordinance requirements.

*Public Art:* 7 points for public art approved by the Art Review Panel.

*Structured Parking:* 10 points for providing the majority of on-site parking in structured garages.

**Protection and Enhancement of the Natural Environment**

*Building Lot Termination (BLT):* The Applicant requests 30 points for the purchase of approximately 3.78 BLTs.

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



The Applicant intends to follow this Sketch Plan application with a preliminary plan, likely covering the entire Property. The development will occur in phases, however, phases may occur in any order or may be combined. Public Benefits will be phased by percentage of density planned for each phase of the development. A conceptual plan for phasing of public benefit points is shown below:

	I & II	III	IV	V	VI & VII	VIII & IX	X
	456,000	370,000	190,000	175,000	392,000	435,000	148,768
	Proposed GFA percentages						
<b>Phased Public Benefits Summary</b>	<b>21%</b>	<b>17%</b>	<b>9%</b>	<b>8%</b>	<b>17%</b>	<b>20%</b>	<b>8%</b>
<b>59-4.7.3.A: Major Public Facility</b>	<b>5</b>						
(1) Bike Share	5						
<b>59-4.7.3.B: Transit Proximity</b>	<b>50</b>						
(1b) Full Site within 1/2 mile of Metro Entrance	50						
<b>59-4.7.3.C: Connectivity &amp; Mobility</b>	<b>14</b>						
(2) Minimum Parking	9						
(9) Wayfinding	5						
<b>59-4.7.3.D: Diversity of Uses &amp; Activities</b>	<b>30</b>						
(6) Moderately Priced Dwelling Units	30						
<b>59-4.7.3.E: Quality Building &amp; Site Design</b>	<b>25</b>						
(4) Public Open Space	8						
(5) Public Art	7						
(6) Structured Parking	10						
<b>59-4.7.3.F: Protection &amp; Enhancement of the Natural Environment</b>	<b>30</b>						
(1) Building Lot Termination (BLT)	30						
<b>Total Public Benefit Points Requested</b>	<b>154</b>						
	22%	16%	10%	10%	16%	18%	9% % by phase

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Master Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of 320190010, Strathmore Square received by M-NCPCC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 05 2018 (which is the date that this Resolution is mailed to all parties of record); and

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

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

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Patterson, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, November 29, 2018, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



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

MCPB No. 19-065  
Preliminary Plan No. 120190180  
**Strathmore Square**  
Date of Hearing: June 6, 2019

JUL 30 2019

**CORRECTED RESOLUTION**

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

WHEREAS, on June 6, 2019, Fivesquares Development, LLC (“Applicant”) filed an application for approval of a preliminary plan of subdivision of property that would create seven lots on 14.72 acres of land in the CR-3.0, C-0.5, R-2.75, H-300 and R-60 zones, located at the Grosvenor-Strathmore Metro Station (“Subject Property”), in the Grosvenor-Strathmore Metro Area Minor Master Plan (“*Master Plan*”) area; and

WHEREAS, Applicant’s preliminary plan application was designated Preliminary Plan No. 120190180, Strathmore Square (“Preliminary Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated May 24, 2019, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 6, 2019, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on June 6, 2019, the Planning Board voted to approve the Application subject to certain conditions, on motion of Commissioner Fani-Gonzalez, seconded by Commissioner Dreyfuss, with a vote of 5-0; Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez, and Patterson voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120190180 to create seven lots on the Subject Property, subject to the following conditions:<sup>1</sup>

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

Approved as to  
Legal Sufficiency:

8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320  
MNCPPC Legal Department  
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

General Approval

1. This Preliminary Plan is limited to seven (7) lots and three (3) parcels for a mixed-use development 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 Schools Test, this approval is limited to 909 dwelling units and 400 age-restricted units.
2. Parcel C, located on the north side of Tuckerman Lane, is limited to structures associated with WMATA or other publicly owned or operated entity.

APF and Plan Validity Periods

3. If the construction of the garage begins within two years from the date of the resolution, the APF review for the Preliminary Plan will remain valid for 15 years (150–180 months) from the date of mailing of the Planning Board Resolution, otherwise the APF review for the Preliminary Plan will remain valid for ten years (120 months) from the date of mailing of the Planning Board Resolution. The Applicant must obtain building permits for a minimum of 300 dwelling units within five years of the resolution mailing date. The remaining building permits must be issued prior to the expiration of the 10 or 15-year, as applicable, APF Validity Period or the Applicant must apply for an APF extension.
    - a. Schools – The Schools portion of the APF test is limited to 909 dwelling units and 400 age-restricted units. The Applicant must amend the Preliminary Plan to allow up to 2,218 total dwelling units (inclusive of age-restricted units) on the Property when school capacity is available, as determined by the applicable Schools test. Provided this occurs within the APF validity period, no other APF tests are required.
    - b. Transportation and Other Public Facilities – The Transportation and Other Public Facilities portion of the APF test covers the full density permitted on the Property, up to 2,218 dwelling units, 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.
  4. The Preliminary Plan is valid for nine (9) years with the following phasing of plat recordation:
    - a. Phase I: Plats for at least two lots and Parcel C (north of Tuckerman Lane) must be recorded within 36 months of the initiation date (as defined in Montgomery County Code Section 50.4.2.G).
    - b. Phase 2: Plats for at least four lots (two lots in Phase I plus an additional two lots) must be recorded within 72 months of the initiation date.
-

- c. Phase 3: All remaining lots and parcels must be recorded within nine years of the initiation date unless the Applicant applies for an extension of the Preliminary Plan validity period.
5. Prior to site plan approval for more than 1,600,000 square feet of total development on the Property, the Applicant must submit a traffic study, for review and approval by Planning Staff to retest the Transportation portion of the APF review.

Occupancy Provisions Age-Restricted Housing

6. Any Age-Restricted residential unit must be restricted to persons who are fifty-five (55) years of age or older, as defined by Section 59.1.4.2. of the Zoning Ordinance.
7. Prior to Certification of any Site Plan that includes age-restricted units:
  - a. The Applicant must enter into a covenant with the Planning Board reflecting the age restriction in a form approved by the M-NCPPC Office of General Counsel.
  - b. The covenant must be recorded among the Montgomery County Land Records.
  - c. The Book and Page reference must be included on the Certified Site Plan.

Outside Agencies

8. Except comment no.11, the Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated May 17, 2019 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, except comment no. 11, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
9. Before issuance of a building permit on the Subject Property for a particular phase, the Applicant must satisfy MCDOT’s design requirements for access and improvements for that phase, consistent with the phasing schedule.
10. Before the issuance of a building permit for a particular phase, the Applicant must satisfy the Maryland State Highway Administration’s requirements for improvements for that phase, consistent with the phasing schedule.
11. The Planning Board accepts the recommendations of the Maryland State Highway Administration (“MDSHA”) in its letter dated May 29 ~~April 11~~, 2019 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
12. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its stormwater management concept letter dated May 2, 2019 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

13. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated March 26, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
14. The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (“DHCA”), in its letter dated April 23, 2019 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

#### Site Plan Approval

15. With the exception of the WMATA garage expansion and associated improvements under Mandatory Referral Application No. MR2018026, the Applicant must receive Staff certification of a Planning Board-approved site plan (that may include an infrastructure site plan), before clearing, grading or issuance of any building permit. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined through site plan review and approval.
16. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan Amendment.
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 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.

#### Forest Conservation

18. The Applicant must comply with all of the conditions of the Final Forest Conservation Plan as amended.
19. Before demolition, clearing or grading on the Subject Property, the Applicant must fulfill half of the Forest Conservation mitigation requirement 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.

20. Prior to the release of the first Use and Occupancy permit for development on Lot 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 are 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.
21. Limits of disturbance shown on the Sediment Control Plan must match the limits of disturbance shown on the Amended Final Forest Conservation Plan.
22. Site inspections must be performed by M-NCPPC inspectors as specified in Section 22A-00.01.10 of the Forest Conservation Regulations.

#### Noise Attenuation

23. At Site Plan, the Applicant must demonstrate that the building shell and materials used for residential units to be constructed within areas subjected to noise levels greater than 65 dBA Ldn, based on the results of the Phase I Noise Analysis dated Dec. 21, 2018, will be designed to attenuate projected noise levels to an interior level not to exceed 45 dBA Ldn, and that the recommendations of the Phase I Noise Analysis are implemented.

#### Transportation/Access

24. The Applicant must dedicate, and show on the record plat, all land necessary to accommodate eighty (80) feet from the opposite right-of-way along Tuckerman Lane.
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;
  - 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;
  - d. Subject to WMATA approval, improvement of the pedestrian connection from the Metro station to the central park, including colored/textured pavement and additional pedestrian safety elements, such as flush curbs, tactile

- warning strips, flashing beacons, pedestrian activated signal, and signage. Final details will be determined at subsequent Site Plan; and
- e. Where bike lanes or shared-use paths are proposed, provide bicycle crossing markings adjacent to pedestrian crossing markings.
26. Prior to issuance of any building permit, the Applicant must enter into a Traffic Mitigation Agreement with the Planning Board and the Montgomery County Department of Transportation to participate in the North Bethesda Transportation Management District (TMD).
  27. Prior to the issuance of a Use and Occupancy Certificate for the first residential building, the Applicant must construct a bicycle parking facility for a minimum of 100 long-term bicycle parking spaces for use by WMATA passengers per Mandatory Referral Application No. MR2018026.
  28. Prior to the issuance of a Building Permit for more than 1,300,000 square feet of total development on the Property, the Applicant must provide a bicycle connection between the Property and the shared use path system north of The Music Center at Strathmore, with the alignment and details to be determined at site plan.
  29. Prior to issuance of a Use and Occupancy Certificate for the 1,500<sup>th</sup> residential unit, the Applicant must remove the channelized right turn movement from westbound Tuckerman Lane (north) onto northbound MD355, subject to MDSHA and MCDOT review and approval.
  30. Prior to the issuance of a Building Permit for more than 1,000,000 square feet of total development on the Property, the Applicant must expand the WMATA bicycle parking facility to accommodate a total of at least 200 long-term bicycle parking spaces or provide an appropriate alternative as determined by Planning Staff and WMATA based on the need at that time.
  31. Prior to the issuance of a Use and Occupancy Certificate for the last building on the Property, the Applicant must construct at least 110 additional long-term bicycle parking spaces and at least 50 additional short-term bicycle parking spaces intended for use by WMATA passengers, for a total of 350 long-term spaces and 100 short-term spaces or provide an appropriate alternative as determined by Planning Staff and WMATA based on the need at that time.
  32. The Applicant must provide Private Road "Parcel A," which may be built in phases, 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 subsequent Site Plan within the delineated private road area (collectively, the "Private Road"), subject to the following conditions:
    - a. If there are no structures above or below the Private Road, the record plat must show the Private Road in a separate parcel. If there are structures above or below the Private Road, 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 terms and conditions typically required by the private road covenant must be conditioned at site plan.



- c. Before issuance of a building permit for the Private Road, 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 Preliminary Plan or a subsequent 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.

#### Record Plats

33. Record Plats may be recorded prior to Site Plan approval; however:
  - a. Replatting will be required if a subsequent Site Plan modifies a lot line; and
  - b. Prior to issuance of any building permit, the Applicant must obtain approval of a Certified Site Plan.
34. Plat recordation is required prior to any clearing, grading or issuance of any building permit, except for work related to the interim placemaking park.
35. The record plat must show necessary easements.
36. Prior to plat recordation for Lot 6, the Applicant must receive approval of a minor subdivision of existing Parcel C per Plat No. 21568 to adjust the lot line as shown on the Preliminary Plan.
37. The record plat must reflect up to a four-foot wide public infrastructure area within or adjacent to all Private Streets, with final details and location to be determined at Certified Site Plan.
38. Parking is permitted to be located underneath the Central Park located on Lots 4 and 5 and Parcel B. Any portion of the Central Park that contains underground parking must be recorded together with the adjoining parcel which the parking is serving. Locating parking beneath the Central Park must not result in a material change in the size, general shape, configuration and programming of the Central Park.

#### Certified Preliminary Plan

39. The certified Preliminary Plan must contain the following note:  
*Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval(s).*
40. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:

- a. Show resolutions and Agency approval letters on the approval sheet(s).
- b. Show interim streetscape improvements along the Property's Tuckerman Lane frontage.
- c. On Sheet PP-1:
  - i. Revise footnote 2 under Density Calculation to, "Additional density allowed per Zoning Ordinance, Section 4.5.2." Delete the rest of the footnote;
  - ii. Remove note in Public Open Space table;
  - iii. In Building height note, replace "Additional 12 feet permitted" with "An additional 12 feet may be allowed under Section 59-4.5.2.C.7; and
  - iv. In Parking Calculation Summary table, delete the second sentence of Note 7.
- d. On Sheet PP1A, change the cross section for Tuckerman Lane between MD 355 North and the building on Lot 6 to show an eight (8)-foot-wide shared-use path with a five (5)-foot-wide buffer.
- e. On all applicable sheets:
  - i. Clearly identify the WMATA busway as the preferred access option for the building on Lot 6. Right-in, right-out egress onto Tuckerman Lane from Building 6 will only be allowed if WMATA denies access from the busway.
  - ii. Show that the right turn lane from westbound Tuckerman Drive onto MD 355 will remain and only the channelized right-turn movement will be removed.
  - iii. Show the alternatives for a bicycle connection between the Property and the shared use path system north of The Music Center at Strathmore and add the following note: "Final location of shared use path north of the Property to be determined at subsequent Site Plan"
- f. Work with Staff to clarify the phasing for transportation improvements not currently shown on the Phasing Exhibit, including but not limited to:
  - i. The full extent of the shared-use path, widened sidewalks, two-way separated bike lanes, crosswalks, and all intersection improvements along Tuckerman Lane;
  - ii. Improvements to the WMATA busway; and
  - iii. The intersection of Rockville Pike and Tuckerman Lane.

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

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

Staff finds the lot size, width, shape and orientation are appropriate for the location of the subdivision considering the recommendations in the *Grosvenor-Strathmore Metro Area Minor Master Plan* for a walkable, transit accessible, mixed-use development. The lots comply with the dimensional requirements for the CR zone as specified in the Zoning Ordinance (Table 1).

**Table1: Development Standards for the CR-3.0 C-0.5 R-2.75 H-300 Zone<sup>1</sup>**

Section	Description	Required/Permitted	Approved
	Tract Area	n/a	635,073 sf/14.58 ac <sup>2</sup>
59-4.5.4.B.2.b	<b>Maximum Density</b>		
	Total	1,905,219 sf/ 3.0 FAR	1,905,219 sf/3.0 FAR
	Commercial	317,537 sf/ 0.5 FAR	Up to 317,537 sf/0.5 FAR
	Residential	1,746,451 sf/ 2.75 FAR	Up to 1,746,451 sf/2.75 FAR <i>*This approval is limited to 909 dwelling units and 400 age-restricted units</i>
59-4.5.2.C	<b>Bonus density for 15% MPDUs</b>	n/a	384,219 sf
	Total residential density (including bonus density)	n/a	2,130,670 sf
4.5.4.B.2.b	<b>Maximum Height</b>	300 ft.	300 ft. <sup>3</sup>
4.5.4.B.1	<b>Minimum Public Open Space</b>	10%/64,084 sf	Minimum 10% (64, 142 sf) to be provided; Preliminary Plan anticipates up to 15% (96,000 sf)
6.2.4.B	<b>Vehicle Parking Spaces</b>	2,124 (min)/ 3,346 (max)	Estimated 2,065 <sup>4</sup>

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

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

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

<sup>4</sup>Includes adjustments to vehicle parking requirement under Section 59-6.2.3.I.

**Block Design**

The length, width, and shape of all residential blocks are compatible with existing development patterns and land use goals for the Property. There are four primarily residential blocks that stretch along the eastern portion of the Property that abuts the Tuckerman Lane right-of-way. A stairway will provide through block access between Tuckerman Lane and the internal Private Road. The blocks are compatible with the character and scale of the Project and are a suitable length and width for pedestrian and vehicular circulation.

#### Lot Design

The lot size, width, shape, and orientation is appropriate for the location of the subdivision and the type of predominantly residential development provided by the Project. All lots will either abut Tuckerman Lane, the WMATA garage entry/exit road, or the Spine Road, will be accessible to the public and will improve internal circulation and promote connectivity within the larger Grosvenor-Strathmore community. The lots are also divided in a way that reserves a WMATA lot that is improved with the existing 6-story parking garage (and garage expansion), and existing bus drop-off/pickup area.

#### Public Sites and Adequate Open Spaces

The Applicant plans to exceed the Project's 10% Public Open Space requirement. An approximately 1.2-acre space central park will serve as the heart of the Project, functioning as a central gathering space for the broader neighborhood. The central park will be designed to provide space for informal community gathering, programmed events and activities, such as pop-up markets, performances, special events and community art. The central park will incorporate movable and fixed seating, shaded and sunny spaces, open lawn and colorful plantings, and other amenities. The adjacent buildings that frame the facade will provide an opportunity for ground floor commercial uses, and other community spaces such as arts/cultural space for Strathmore Music Center or other public or non-profit entity. Public sites and open spaces will be evaluated in detail at the time of Site Plan(s).

#### Roads

The Project will enhance connections to the neighborhood, Metro Station, and open spaces by establishing a street grid that ensures easy access for all the neighboring communities. An important component of the Project is the construction of a shared Private Road that will bisect the Property, running north-south. The Private Road will improve internal circulation and promote connectivity within the larger Grosvenor-Strathmore community. South of the WMATA garage entrance and north of the convergence with the WMATA bus/Kiss & Ride egress road, the Spine Road will be designed as a private shared street, incorporating on-street parking to provide a buffer for pedestrians and calm traffic, while introducing a raised roadway section flush with sidewalk

grade and treated with specialty paving, lighting, and plantings to maintain safe and efficient circulation.

The Applicant will widen the southern-most access point along Tuckerman Lane, located across from Strathmore Park Court. Currently, the access point is restricted to egress only. Widening the access drive will allow for two-way movement and will provide a direct vehicular and pedestrian connection between Strathmore Park Court and the Private Road to further promote connectivity.

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

Density

The development is consistent with the Master Plan’s recommendations for the Commercial Residential CR-3.0, C-0.5, R-2.75, H-300’ Zone. The total allowable density for the Property is 3.0 FAR (1,905,219 square feet).

The Applicant has been granted approval for the full allocation of both 0.5 FAR of commercial density and 2.75 FAR of residential density to allow flexibility to respond to market conditions, with the understanding that total base density on the Property is limited to 3.0 FAR. The commercial density includes retail, restaurant, classroom/gallery space, and a hotel (with meeting space) or an office building.

The Applicant will build 15% MPDUs, and per Section 59-4.5.2.C, the Project is entitled to a density bonus of an additional 384,219 sf of residential development. Due to the FY19 Schools Test discussed in detail in finding #3, this approval must be limited to 1309 total units (909 units and 400 age restricted units). The Applicant will amend the Preliminary Plan to request the remaining units once school capacity becomes available.

Urban Design

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

- Place maximum building heights towards Rockville Pike and away from adjacent neighborhoods.
- 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 Preliminary Plan achieves these recommendations. The tallest of the buildings, on Lots 4, 5 and 6, are located towards Rockville Pike, away from existing neighborhoods across Tuckerman Lane. The buildings frame the open spaces, the private road, and sidewalks. Building massing, architecture, and design of the open spaces will be further evaluated at the time of Site Plan(s).

### Mobility

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

- Improve pedestrian and bicycle connections.
- Enhance bicycle amenities at the Metro site.
- Improve stairway connection from Tuckerman Lane to the Property.
- Create two-way separated bike lanes along Tuckerman Lane.
- Install wayfinding signs.
- Create a new shared street that extends from Strathmore Park Court to Tuckerman Lane.
- Create shared parking facilities.
- Provide a full-movement, raised intersection with special paving, or comparable intersection improvements at the intersection of Tuckerman Lane and the access road to the WMATA garage to improve pedestrian and bicycle accessibility to the site and to the Music Center at Strathmore across the street.
- Enhance at-grade mid-block crossing to ramp leading to Strathmore Hall.
- Provide adequate crosswalks.

The Preliminary Plan includes various improvements for pedestrians and bicyclists. The two-way separated bike lanes on Tuckerman Lane and access through the Private Road provide improved connections for bicyclists. The addition of a bikeshare station and bicycle parking enhance access to Metro. The Preliminary Plan retains a staircase from Tuckerman Lane to continue to provide and encourage pedestrian connections from existing neighborhoods to the Metro station. 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 Project fulfills several of the Master Plan's environmental goals. The Project is infill development on an existing surface parking lot. The Project will also provide more than the required amount of public open space and buildings have been oriented for solar exposure. At the Site Plan stage, the Applicant should pursue additional sustainability features to enhance the development, such as landscaping with native species, green roofs, and minimizing impervious cover.

#### Parks and Open Space

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

- Expand the Arts Walk.
- Include public art in public realm.
- Develop a 1.25-acre civic green.
- Locate a dog park or active recreation amenity at the northern edge of the Property.
- Create a plaza at the Metro station entrance.

The Preliminary Plan shows a robust network of public and private open space. The Mandatory Referral for the WMATA garage on the Property sought improvements to the Arts Walk. The Applicant plans to incorporate the Arts into the development to capitalize on its proximity to the Music Center at Strathmore. As recommended by the Master Plan, the Applicant plans to create a vibrant 1.25-acre central park that will function as the heart of the development. Public art and the civic green will be further evaluated at the time of Site Plan(s).

The Master Plan proposes to "locate a dog park or other active recreation amenity for the community at the open space between the northern edge of the existing Metro garage and Tuckerman Lane" (page 69). The Preliminary Plan application shows a pocket/dog park in this area in addition to stormwater management. As stated during review of the Mandatory Referral and Sketch Plan, Staff will closely evaluate the design of the neighborhood green and pocket/dog park and the proportion of space dedicated to stormwater management through future phases of the development. The Applicant should ensure that the layout of the stormwater management areas will not hinder the access and usability of the open spaces as recommended within the Master Plan.

### Community Facilities

The Master Plan does not recommend any new public facilities on the Property. However, as discussed in further detail later in this report, Garrett Park Elementary school does not currently have capacity to absorb the number of elementary students that the Project would generate per full build out of the Preliminary Plan. Therefore, this approval must be limited to 909 dwelling units and 400 age-restricted units at this time.

The Master Plan 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 major public facilities. Sketch Plan condition 3a states that the Applicant will provide a bikeshare facility and “other major public facility/facilities to be determined prior to the approval of the first Site Plan.” To satisfy this condition, the Applicant will provide large-scale interim placemaking improvements with the first building. In addition, the Applicant will provide a minimum of 5,000 square feet of cultural/arts space that is available for use by The Music Center at Strathmore or other cultural/arts related public agency or non-profit. As conditioned, 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. The approved Sketch Plan includes other recommended public benefits including additional and high quality public open space, streetscape improvements and minimum parking.

#### Staging

The Master Plan states that the full buildout of the Property is likely to occur in phases over time. The Master Plan requires that an additional traffic study to assess capacity must be submitted for any development in excess of 1.6 million square feet; this is a condition of approval of this Preliminary Plan.

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

#### **Schools**

##### Overview and Applicable School Test

The Application proposed 2,218 multifamily high-rise dwelling units, including 400 age-restricted units. However, the Planning Board can only approve 909 unrestricted units and 400 age-restricted units at this time. Any additional non-age-restricted units would exceed the moratorium threshold for Garrett Park Elementary School, and age-restricted units do not generate any students. Therefore, this analysis is based on a maximum of 909 non-age-restricted high-rise multifamily units. The applicable annual school test is the FY19 Annual School Test, approved by the Planning Board on June 21, 2018 and effective July 1, 2018.

Calculation of Student Generation

To calculate the number of students generated by the development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level (Table 2). Dwelling units are categorized by structure type: single-family detached, single-family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The Subject Property is located in the southwest region of the County.

**Table 2: Per Unit Student Generation Rates – Southwest Region**

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

With a net of 909 new multifamily high-rise dwelling units, the project is estimated to generate the following number of students, which would be the maximum allowed under the FY19 Annual School Test:

**Table 3: Student Generation**

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
MF High-Rise	909	0.055	49	0.022	19	0.031	28
<b>TOTAL</b>	<b>909</b>		<b>49</b>		<b>19</b>		<b>28</b>

Cluster Service Area Status and Adequacy

The Property is located in the Walter Johnson High School Cluster, which is conditionally open for new residential development in FY19. The student enrollment and capacity projections from the FY19 Annual School Test for the Cluster are noted in Table 4 below:

**Table 4: Cluster Area Adequacy**

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Project Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	4,586	4,541	101.0%	5,450	4,635
Middle	2,333	2,429	96.0%	2,915	2,352
High	2,718*	2,330	116.7%	2,797	2,746

\*The projected cluster high school enrollment of 3,118 has been modified to reflect the estimated impact of a future boundary change that will reassign students from Walter Johnson HS to a reopened Charles W. Woodward HS prior to September 2023.

The Moratorium Enrollment Threshold identified in the table above is the enrollment at which the 120% utilization threshold is exceeded, resulting in a cluster-wide residential development moratorium. As indicated in the last column, the projected enrollment plus the estimated impact of this project fall below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by 909 units.

School Service Area Status and Adequacy

The project is located within the Tilden MS and the Garrett Park ES service areas. For FY19, the Tilden MS service area as well as the Garrett Park ES service area are open for new residential development.

Based on the FY19 Annual School Test, the student enrollment and capacity projections for these schools are noted in Table 5, with the addition of the Project's 909 units shown in the last column.

**Table 5: School Service Area Adequacy**

School	Projected School Totals, September 2023				Moratorium Thresholds		Projected Enrollment + Project Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit	120% Utilization	Seat Deficit	
Garrett Park ES	883	776	113.8%	-107	932	886	932
Tilden MS	1,145	1,200	95.4%	+55	1,441	1,380	1,164

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

The Moratorium Enrollment Thresholds identified in the table above are the enrollments at which the 120% utilization threshold and the seat deficit

threshold are exceeded. As indicated in the last column, with 909 multi-family high rise units, the projected enrollment plus the estimated impact of this project falls below the moratorium thresholds for Tilden MS, and just reaches but does not exceed the moratorium threshold for Garrett Park ES. Any additional (non-age-restricted) units would push the projected enrollment beyond the moratorium threshold for Garrett Park Elementary School.

### Conclusion

Based on the school cluster and individual school capacity analysis performed using the FY19 Annual School Test, there is adequate school capacity for a maximum of 909 non-age-restricted, high-rise units.

### **Transportation**

Strathmore Square will greatly improve access to the Metro station and the adjacent neighborhood. Planned transportation improvements include upgraded pedestrian facilities, such as wider sidewalks, protected intersections and crossings, and a new staircase from Tuckerman Lane to the site; additional bicycle facilities, including expanded short- and long-term bicycle parking, a Capital Bikeshare station, protected bike lanes, protected crossings, and bike signals; and the creation of an internal shared street that will establish a street grid through the site to facilitate better vehicular connectivity.

### Vehicular Access and Circulation

Vehicular access to the site is provided from three existing access points on Tuckerman Lane: Metro's Kiss & Ride entrance, a planned internal shared street (which provides access to the existing Metro garage), and at the intersection of Tuckerman Lane and Strathmore Park Court.

The lane configuration for the street entrance to the Metro garage 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/Private Road, forming a through connection to Strathmore Hall Street. The design of the shared street/Private Road promotes greater integration of all modes and slows vehicle speeds. The street grade is curbless and will accommodate on-street parking, landscaping, and storm water management. The Private Road is further discussed in finding no. 7. Metro's existing bus exit onto Tuckerman Lane will be converted to support two-way access for both buses and private vehicles, with one 12' entry lane and two 11' exit lanes.

To conform with the County's Vision Zero Action Plan, the Planning Board finds necessary the removal of the channelized right-turn lane from Tuckerman Lane to MD 355, north of the site. Channelized turn lanes prioritize vehicle throughput and enable vehicles to turn at faster speeds, endangering

pedestrians and bicyclists. Removing the channelized right-turn lane from Tuckerman Lane to MD 355 will slow vehicle turning movements, improve pedestrian visibility at the intersection, and reduce the crossing distance and number of stages for people walking and biking to and from Strathmore Square. Right turns will be permitted, but the free movement onto MD 355 would be removed.

Loading and parking to all buildings will be handled internally. To prioritize the character and flow of the internal shared street, loading and parking is accessed from Tuckerman Lane for Lot 1, Lot 2, and Lot 3; loading for Lot 4 and Lot 5 is accessed from the shared internal street but will be served by single-unit trucks. Loading for Lot 6 will be from the Metro access road but will be refined at a later date. Lot 1 and Lot 4 contain off-street driveways that will facilitate pick-ups, drop-offs, and package deliveries. The Applicant is using a WB-67 sized truck for a grocery store in building 3A. MCDOT is concerned about the use of this vehicle along Tuckerman Lane and trying to back into the loading area. The loading dock should be designed to allow the largest truck using the site.

#### Master Plan Roadways and Bikeways

In accordance with the 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* and the 2018 *Bicycle Master Plan*, sector-planned roadways and bikeways are listed below:

- Tuckerman Lane is classified as a Business District street (B-1), with an 80' right-of-way and two travel lanes.
- An internal shared street will connect Tuckerman Lane and the existing Metro garage to the existing Metro busway. Two-way vehicular access will be established from the site onto Tuckerman Lane at the intersection with Strathmore Park Court.
- Two-way separated bike lanes on the west side of Tuckerman Lane.
- The existing staircase from Tuckerman Lane to the Metro station will be reconstructed and will include a runnel to facilitate bike access.
- Pedestrian and bicycle improvements are planned on Tuckerman Lane at the following intersections: Metro Kiss & Ride entrance, Strathmore Hall entrance, Metro garage entrance, Strathmore Park Court, Strathmore Hall Street, and the intersection with MD-355.
- A Capital Bikeshare station at the site, adjacent to the Metro Station.
- Four hundred and fifty bicycle parking spaces are recommended at the Metro station—350 long-term and 100 short-term. The final location of the long-term bicycle facilities will be determined in coordination with WMATA at Site Plan.

The 2013 Countywide Transit Corridors Functional Master Plan proposes bus rapid transit (BRT) on MD-355 (Corridor 4), with a stop at Grosvenor-

Strathmore. Additionally, the North Bethesda Transitway (Corridor 6), providing service to Montgomery Mall and Rock Spring, may also terminate at Grosvenor-Strathmore.

#### Public Transit Service

The site is located at the Grosvenor-Strathmore Metro Station and is served by Metrorail's Red Line. The Red Line provides inbound service to NIH, Bethesda, downtown Washington, D.C., Union Station, and Silver Spring, and to Rockville and Shady Grove in the outbound direction. Metrorail service operates from 5 a.m. to 11:30 p.m. Monday-Thursday, from 5 a.m. to 1 a.m. on Friday, from 7 a.m. to 1 a.m. on Saturday, and from 8 a.m. to 11 p.m. on Sunday.

Metrobus J5 Twinbrook-Silver Spring previously served the Grosvenor-Strathmore Metro but was discontinued in June 2017. The following Ride On bus routes serve the station or operate along the site's adjacent roadways:

1. **Route 6:** Operates service from Parkside to the Montgomery Mall Transit Center, with a stop at Grosvenor-Strathmore. On weekdays, Route 6 operates service from 6:01 a.m. to 8:36 p.m., with approximately 30-minute frequencies. Service does not operate on Saturday or Sunday.
2. **Route 37:** Operates service from Potomac Community Center to Wheaton, with a stop at Grosvenor-Strathmore. On weekdays, Route 37 operates service from 6:17 a.m. to 7:55 p.m., with approximately 30-minute frequencies. Service does not operate on Saturday or Sunday.
3. **Route 46:** operates service from Montgomery College to Medical Center, with a stop at Grosvenor-Strathmore. On weekdays, Route 46 operates service from 4:59 a.m. to 1:41 a.m. On Saturday, Route 46 operates service from 5:15 a.m. to 1:08 a.m. On Sunday, Route 46 operates services from 5:11 a.m. to 12:42 a.m.
4. **Route 96:** Operates circulator service from Grosvenor-Strathmore to Rock Spring during the morning and evening peak periods (5:50-9:07 a.m. and 3:51-8:55 p.m.) and operates service from Grosvenor-Strathmore to the Montgomery Mall Transit Center during non-peak periods (9:00 a.m. to 3:40 p.m.). Service does not operate on Saturday or Sunday.
5. **Route 101 (extRa):** Operates limited stop service from Lakeforest Transit Center in Gaithersburg to Medical Center, with a stop at Grosvenor-Strathmore (located on MD-355). On weekdays, Route 101 operates service only during the morning and evening peak periods (5:30-9:30 a.m. and 3:30-7:30 p.m.), with 10-minute frequency. Service does not operate on Saturday or Sunday.

#### Pedestrian and Bicycle Facilities

The site is designed to maximize pedestrian and bicycle access both into and within the development, with dedicated sidewalks, bicycle lanes, and protected

intersections. The frontage zone from MD-355 to Building 6 is constrained due to the location of the Metro tunnel but will feature an 8' shared use path with a buffer. South of the Metro Kiss & Ride entrance the sidewalk and bicycle facilities are segregated, with wider sidewalks, landscaping, and a two-way separated bike lane (8-10') and buffer provided. The separated bike lanes will be raised 3-6 inches above the street pavement, and bike lanes will be flat across all driveways and intersections (no grade drop-off). The following intersection upgrades will improve safety and access at the site's three intersections with Tuckerman Lane:

- Curbs are extended, and radii tightened where feasible to slow the speed of turning vehicles and increase pedestrian visibility;
- Bicycle crossings are marked adjacent to pedestrian crossings;
- Leading pedestrian intervals are planned for all crosswalks.

A Capital Bikeshare station with 19 docks will be located near the central green. The pedestrian crossing from the Metro station to the site will be enhanced with colored/texturized pavement and potentially rapid flashing pedestrian beacons; the Applicant is encouraged to integrate local designs/themes to improve the aesthetics of this crossing. Sidewalks at the Kiss & Ride entrance and Metro busway exit will also be widened and improved to facilitate greater pedestrian access to the site. The existing staircase from Tuckerman Lane to the Metro site will be widened and include a runnel to facilitate access.

#### Local Area Transportation Review (LATR) Adequate Public Facilities

A transportation study, dated May 3, 2019, was submitted to analyze the full density permitted on the Property, up to 2,218 dwelling units, 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. In the transportation study, Lot 6 is assumed to be office space, as office use generates a higher number of vehicle trips than the other development options. The development is estimated to generate 1,419 net new morning peak-hour person trips (727 vehicle trips) and 1,768 net new evening peak-hour person trips (905 vehicle trips). As the estimated transportation impact of the project exceeds 50 net new trips for the vehicular, pedestrian, and bicycle modes, the project evaluated the adequacy of each of these modes to satisfy the Local Area Transportation Review requirement. The project site is within 1,000 feet of a Metrorail station and is exempt from the transit system adequacy evaluation.

#### Vehicle Adequacy

As the project generates more than 250 net new peak hour vehicle trips, the Applicant was required to evaluate two tiers of intersections, resulting in a total of 11 intersections, including the site access points.

The Institute of Transportation Engineers' (ITE) Trip Generation rates are used to calculate the peak-hour trips generated by new development. A mix of land uses are approved at Strathmore Square: multifamily housing (high-rise), commercial office space or a hotel, grocery/supermarket, restaurant space, and multipurpose space designated Strathmore Music Center programming.

In accordance with the Planning Department's Local Area Transportation Review (LATR) Guidelines, the ITE trip generation projections for each use were adjusted based on policy-area vehicle-trip generation rates. Additional reduction factors were applied to residential trip projections based on the expectation that transit, walking, and biking mode share will increase.

The 2018 *Grosvenor-Strathmore Metro Area Minor Master Plan* established a goal of 45% non-auto driver mode share (NADMS) by 2040 for the plan area. However, based on the 2016 American Community Survey the Grosvenor Policy area has already achieved a 52% NADMS. As such, this reduction factor was applied to the residential trips generated by this development. Standard LATR mode splits were applied for office<sup>2</sup>, grocery, restaurant, and retail space. The tables below show the number of vehicle trips generated by the development in the weekday morning and evening peak hours, as well as trips distributed by mode. Non-motorized trips include pedestrian and bicyclists.

**Table 6: Peak Hour Trip Generation Rates**

Land Use	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
<b>2,218 High-Rise Apartments</b>	634	763	472	567	983	1,182
<b>134,000 SF Office</b>	152	150	128	126	202	199
<b>12,500 SF Restaurant</b>	124	122	93	92	170	168
<b>12,000 SF Grocery</b>	46	160	35	120	64	219
<b>New Trips</b>	<b>956</b>	<b>1,195</b>	<b>727</b>	<b>905</b>	<b>1,419</b>	<b>1,768</b>
<i>Vehicle rates adjusted by Policy Area Adjustment Factors and non-auto driver mode share (for residential use)</i>						

<sup>2</sup> An office was used for Lot 6 in the Transportation Impact Study, as office use generates a higher number of vehicle trips than a hotel or residential use.



**Table 7: Trip Distribution by Mode**

Peak Period	Auto Driver	Auto Passenger	Pedestrian*	Transit	Bicycle	Person Trips
AM	727	374	318	174	144	<b>1,419</b>
PM	905	472	391	212	179	<b>1,768</b>

\*Pedestrian trips are the sum of all transit and bicycle trips generated by the project

Intersection Capacity Analysis

Under the 2016-2020 Subdivision Staging Policy, a traffic study is required if the use generates more than 50-person trips within the weekday peak hours. Eleven nearby intersections were analyzed and found to be within the applicable congestion standards (Table 8).

According to the 2016-2020 Subdivision Staging Policy, the Grosvenor Policy Area is a red policy area and the North Bethesda Policy Area is an orange policy area. As such, the Highway Capacity Manual (HCM) delay-based level of service standards was used to analyze impacts on signalized intersections. The HCM average vehicle delay standard varies by policy area. The HCM congestion standard for intersections within the Grosvenor Policy Area is 120 seconds; three intersections are located in the North Bethesda Policy Area, which has a congestion standard of 71 seconds. Based on the results of the HCM analysis, each of the study area intersections are projected to operate at satisfactory levels of service based on the total traffic conditions. The intersection of MD-355 and Strathmore Avenue, north of the site, approaches but does not exceed the congestion standard of 71 seconds.

**Table 8: HCM Analysis**

Intersection	Congestion Standard	Future Conditions	
		AM	PM
MD-355/Strathmore Avenue	71	41.6	68.4
MD 355)/Tuckerman Lane (north)	120	48.3	64.1
MD 355)/Tuckerman Lane (south)	120	15.0	21.0
Rockville Pike (MD 355)/Grosvenor Lane	120	50.9	54.6
Grosvenor Lane/MD 355 Northbound Ramp	71	12.8	4.0
Grosvenor Lane/Beach Drive	71	11.3	20.6
Tuckerman Lane/Kiss & Ride Entrance	120	0.6	0.5
Tuckerman Lane/Park & Ride Entrance	120	47.5	30.7
Tuckerman Lane/Cloister Drive	120	2.3	2.0
Tuckerman Lane/Strathmore Park Court/Kiss & Ride Exit	120	15.9	52
Tuckerman Lane/Strathmore Hall Street	120	12.6	37.7
Tuckerman Lane/Building Right-in/Right-out	6 120	0.2	0.7

<b>Spine Road/Building 5 Entrance</b>	120	5.0	4.1
<b>Spine Road/Building 4 Entrance</b>	120	4.6	3.9
<b>Tuckerman Lane/Buildings 2 and 3A Driveway</b>	120	2.3	4.9
<b>Metro Kiss &amp; Ride Exit/Building 3B Driveway</b>	120	0.6	0.5

**Pedestrian Adequacy**

As the project generates more than 50 peak hour pedestrian trips, the Applicant evaluated the level of service for each pedestrian crosswalk at study intersections within 500 feet of the site and determined that each of the pedestrian crossings would operate at a level of service “C” or better in the future condition.

The Applicant must fix or fund improvements to deficient and non-compliant ADA infrastructure pedestrian infrastructure within 500 feet of the site, in accordance with the 2016-2020 Subdivision Staging Policy and supplemental guidance issued by MCDOT. Final determination of the required improvements must be made by MCDOT and/or MDSHA at the time of Site Plan(s).

**Bicycle Adequacy**

The Applicant evaluated bicycle travel in accordance with the Planning Department’s “Level of Traffic Stress” (LTS) analysis, which recognizes the effect different roadways have on bicyclists’ comfort. That analysis determined that upon project completion bicycle facilities within 750 feet of the site will achieve LTS “2” or better. Planned bicycle improvements, including separated bike lanes, sidepaths on Rockville Pike and Tuckerman Lane (west of Rockville Pike), and a bicycle connection from the site through Strathmore, will significantly improve the level of comfort for bicyclists.

**Other Public Facilities and Services**

Other public facilities and services are available and will be adequate to serve the full density of the development. The Property is served by public water and sewer service. This Application has been reviewed by the Montgomery County Department of Permitting Services Fire Department Access and Water Supply Group, which has determined that the Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses and health services are currently operating within the standards set by the SSP resolution currently in effect and will be adequate to serve the Property. Electrical, telecommunications, and gas services are also available to serve the Property.

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

A. Forest Conservation

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

This site has several previously-approved Final Forest Conservation Plans (FFCP No. MR2000201, MR2018026, and MR2019015) that covered construction and expansion of the WMATA parking garage and related infrastructure improvements. These FFCPs cover most of the site now included in the Preliminary Plan application. The forest mitigation for these previously approved FFCPs has already been fulfilled. The new Preliminary Plan adds an additional 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. The new additional net tract area is 2.19 acres not previously accounted for in the prior FFCP approvals, and results in an additional 0.33 acres of reforestation required.

The original Final Forest Conservation Plan 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, leaving 1.64 acres of retained forest. The Planning Board Resolution approving 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 net tract area to the mitigation requirement for 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.

#### B. Forest Conservation Variance

Section 22A-12(b)(3) of the Forest Conservation Law identifies certain individual trees as high priority for retention and protection (“Protected Trees”). Any impact to these Protected Trees, including removal or any

disturbance within a Protected Tree's critical root zone ("CRZ"), requires a variance under Section 22A-12(b)(3) ("Variance"). Otherwise such resources must be left in an undisturbed condition.

This Application will require the removal or CRZ impact to nine Protected Trees as identified in the Staff Report. In accordance with Section 22A-21(a), the Applicant requested a Variance, and the Board agrees that the Applicant would suffer unwarranted hardship by being denied reasonable and significant use of the Subject Property without the Variance.

The Board makes the following findings necessary to grant the Variance:

1. *Granting the Variance will not confer on the Applicant a special privilege that would be denied to other applicants.*

The Property is already developed with a large parking garage, surface parking lot, and stormwater pond. The trees being impacted are in or along the edges of the existing development, by sidewalks, access roads, and in traffic islands in the parking lot. The Master Plan envisions a high-density, mixed-use development with a significant central park and numerous urban amenities and street activation at this Metro station property. Staff has determined that the impacts to the trees subject to the variance requirement cannot be avoided if the highly urban-style development envisioned by the Master Plan and zoning is to be constructed. Therefore, Staff finds that the granting of this variance is not a special privilege that would be denied to other applicants.

2. *The need for the Variance is not based on conditions or circumstances which are the result of the actions by the Applicant.*

The variance is not based on conditions or circumstances which are the result of actions by the Applicant, but on engineering and site constraints, and on the compact, transit-oriented development recommended by the Master Plan.

3. *The need for the Variance is not based on a condition related to land or building use, either permitted or non-conforming, on a neighboring property.*

- The variance is not a result of land or building use on a neighboring property.

4. *Granting the Variance will not violate State water quality standards or cause measurable degradation in water quality.*

Seven of the nine Variance trees being removed are within the forest that is being removed. The forest is already being replaced off-site at a 2:1 ratio, providing water quality protection for water in the Potomac River and Chesapeake Bay watersheds, including replacing the water quality function of the Variance trees within the forest. Mitigation for the Variance is at a rate that approximates the form and function of the Protected Trees removed. The Board approved replacement of the two Protected Trees outside of the forest at a ratio of approximately one caliper-inch of replacement trees planted for every four inches diameter removed, using planting stock of no less than 3 inches caliper. No mitigation is required for Protected Trees impacted but retained. This project will remove 77 diameter inches of specimen trees, which will be mitigated by planting a minimum of 19.25 caliper-inches of native shade trees, using planting stock no smaller than 3 inches caliper, each. In this case, the FFCP shows the planting of 7 shade trees of 3 inches caliper, each, for a total replacement of 21 caliper inches. These mitigation trees are shown on the FFCP. It is assumed that the canopy produced by these trees will replace the canopy from the removed trees with a few years, thereby restoring the water quality functions formerly performed by the trees removed. Therefore, the project will not violate State water quality standards or cause a measurable degradation in water quality.

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

This finding is based upon the determination by the MCDPS that the Stormwater Management Concept Plan meets applicable standards. The Applicant received a stormwater concept approval from the MCDPS water resources division on May 2, 2019. The Application will meet stormwater management goals through a variety of techniques including micro bioretention planter boxes and underground structural treatment facilities.

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

**Justification for the Private Road**

The Applicant will provide the master-planned shared street as a private road, under Section 50-4.3.E.4, from the terminus of the existing WMATA garage entrance road, connecting directly into the existing Strathmore Hall Street, a private road constructed by the prior developer of Grosvenor Village. The Master

Plan specifically anticipates this connection to be private (page 60). The Applicant is coordinating with WMATA, Strathmore Music Center, and the Grosvenor Village community to the south for the design and construction of the Private Road. The Private Road will be maintained by the Applicant up to the existing WMATA garage entrance and directly connect to the existing portion of the road which will remain under WMATA control and operation. All portions of the Private Road will be fully accessible to the public.

The Private Road will promote safe and efficient internal circulation that is focused on all modes of transportation but promotes pedestrian circulation specifically. The Private Road will provide a vehicular connection to accommodate local traffic circulation for the lobbies of the buildings located adjacent to it and loading and service entrances will be minimized. The intersection of the Private Road and Tuckerman Lane will also be improved in accordance with the Master Plan, including pedestrian and bicycle facilities that will enhance safety and access. The design of the Private Road is intended to create a curbside, urban, pleasant, and safe pedestrian space that is buffered from vehicular and bus traffic.

The Private Road 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 "lane" on either side that will serve various uses (drop-off/layby zones at building lobbies, parallel parking spaces, landscape/stormwater management, or sidewalk), street trees, and continuing adjacent sidewalk on both sides.

The designation of the road as private is important for multiple infrastructure design reasons and to create the shared-street, pedestrian first experience envisioned by the Master Plan, including integration of stormwater management facilities, utility layout, non-standard elements such as special paving materials and non-standard road sections, entrance monuments, and greater flexibility for grading and vertical and horizontal road curves. Also, a private road maintains flexibility for the Applicant to consider constructing parking underneath.

#### Design Exception

The Planning Board approved one design exception to modify the MCDOT Standard Business District street section MC-2005.02 for Tuckerman Lane. The Planning Board approved the design exception request, with the recommendation of MCDOT, because it is consistent with recommendations in the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

#### Subdivision Waiver/APF and Plan Validity

Section 50.4.3.J.5.a.iv allows for the Planning Board to make a determination of adequate public facilities for no less than 5 and no more than 10 years after the

Preliminary Plan is approved. However, Section 50.9.1 of the Subdivision Regulations permits the Planning Board to grant a waiver from the requirements of Chapter 50.

The Planning Board approved an APF Validity period dependent on the timing of the WMATA garage expansion project. If the construction of the garage begins within two years from the date of the resolution, the APF review for the Preliminary Plan will remain valid for 15 years (150 months) from the date of mailing of the Planning Board Resolution. Otherwise, the APF review for the Preliminary Plan will remain valid for ten years (120 months) from the date of mailing of the Planning Board Resolution. In addition, the Planning Board conditioned this approval on the Applicant obtaining building permits for 300 units within five years. The Planning Board made the following findings in approving the Subdivision Waiver:

- 1. Due to practical difficulty or unusual circumstances of a plan, the application of a specific requirement of the Chapter is not needed to ensure the public health, safety, and general welfare;*

Development of the Property involves a complex arrangement between WMATA and the Applicant that will require a thoughtfully crafted and long-term construction schedule to address market conditions and site-specific conditions associated with operating an existing public transit operation. In order to implement development on the Property, the Applicant must first construct an extension to the existing WMATA parking garage, upgrade WMATA facilities, obtain WMATA approvals for all phases of development and deliver infrastructure improvements to prepare the Property for redevelopment. It also requires a minimum of 7 separate phases, and potentially 10 phases. Accordingly, the Applicant anticipates that it will take approximately 2 years to complete each building on the Property. As a result, the overall development could take 14+ years if the buildings are constructed expeditiously.

A waiver to allow for a 15-year APFO validity period is in the general public interest and increasing the time period of the validity period will not negatively impact the public.

- 2. The intent of the requirement is still met; and*

Increasing the APFO validity period will not impact the intent of the adequate public facilities validity period requirements. The intent of the requirement - providing a realistic and manageable time frame in which to develop a project – is satisfied with this waiver.

3. *The waiver is: (a) the minimum necessary to provide relief from the requirements; and (b) consistent with the purposes and objectives of the General Plan.*

The Planning Board approved the minimum time necessary to complete the Project, assuming the expansion of the parking garage commences in a timely manner. Public/ private projects of this size, particularly due to this being a joint development with WMATA which requires unique WMATA infrastructure facilities to be initially constructed and additional WMATA approvals for all improvements and phases, typically entail many phases and require a longer validity period. The extended validity period is also consistent with the purposes and objectives of the General Plan. The longer APFO validity period will further the General Plan's objectives of concentrating density around Metro Stations and developing in areas like Grosvenor.

#### Preliminary Plan Validity

The Planning Board approved a Preliminary Plan validity period of nine years with the following phasing of plat recordation:

- Phase 1: Plats for at least two lots must be recorded within 36 months.
- Phase 2: Plats for at least four lots (two lots in Phase 1 plus an additional two lots) must be recorded within 72 months.
- Phase 3: All remaining lots and parcels must be recorded within nine years.

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is **June 28, 2019**, (which is the date that **the original Resolution was** mailed to all parties of record); and

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



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

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Vice Chair Dreyfuss, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, July 25, 2019, in Silver Spring, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board



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

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

**NOV 04 2020**

**RESOLUTION**

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

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

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

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

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

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

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

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

General Approval

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

APF and Plan Validity Periods

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

Certified Preliminary Plan

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

\*\*\*

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

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

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

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

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

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

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

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

**Table1: Development Standards for the CR-3.0 C-0.5 R-2.75 H-300 Zone<sup>1</sup>**

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

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

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

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

<sup>4</sup>Includes adjustments to vehicle parking requirement under Section 59-6.2.3.I.

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

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

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

**Overview and Applicable School Test**

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

**Calculation of Student Generation**

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

*Per Unit Student Generation Rates – Southwest Region*

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

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

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
Multi Family High Rise	1,309	0.041	53.669	0.018	23.562	0.025	32.725
<b>TOTALS</b>	<b>1,309</b>		<b>53</b>		<b>23</b>		<b>32</b>

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

**Cluster Adequacy Test**

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

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

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

**Individual School Adequacy Test**

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

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

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

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

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

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

#### **Schools Test Conclusion**

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

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

#### APF Validity

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



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

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

\* \* \* \* \*

**CERTIFICATION**

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

  
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Casey Anderson, Chairman  
Montgomery County Planning Board

# **Montgomery County Planning Board**

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APR 01 2022**

MCPB No. 22-031  
Preliminary Plan No. 12019018B  
**Strathmore Square**  
Date of Hearing: March 17, 2022

## RESOLUTION

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

WHEREAS, on July 30, 2019, the Planning Board, by Corrected Resolution MCPB No. 19-065, approved Preliminary Plan No. 120190180, creating seven lots on 14.72 acres of land in the CR-3.0, C-0.5, R-2.75, H-300 and R-60 zones, located at the Grosvenor-Strathmore Metro Station (“Subject Property”) in the *Grosvenor-Strathmore Metro Area Minor Master Plan* (“Master Plan”) area; and

WHEREAS, on November 4, 2020, the Planning Board approved an amendment to the Preliminary Plan, No. 12019018A (MCPB No. 20-112) to remove the age-restriction from 400 dwelling units and approve an additional 909 dwelling units; update the parking calculations; clarify the APF Validity period; and modify a trigger deadline related to APF validity on the Subject Property; and

WHEREAS, on November 17, 2021, Fivesquares Development, LLC (“Applicant”) filed an application for approval of an amendment to the previously approved preliminary plan to modify lots lines, street sections, loading entry points for Lot 3 (Buildings 3A and 3B), the utility plan; and to clarify phasing of development on the Subject Property; and

WHEREAS Applicant’s application to amend the preliminary plan was designated Preliminary Plan No. 12019018B, Strathmore Square (“Preliminary Plan,” “Amendment,” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 7, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

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

WHEREAS, on March 17, 2022, the Planning Board held a public hearing on the Application and voted to approve the Application subject to certain conditions, on motion of Commissioner Rubin, seconded by Commissioner Cichy, with a vote of 4-0; Chair Anderson, Commissioners Cichy, Rubin, and Verma voting in favor with Commissioner Patterson being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 12019018B to modify lots lines, street sections, loading entry points for Lot 3 (Buildings 3A and 3B), the utility plan; and to clarify phasing of development by modifying conditions 1, 17 and 25 of Preliminary Plan No. 120190180, as amended, and adding conditions 40.h through 40.k as follows:<sup>1</sup>

**Modified Conditions**

1. This Preliminary Plan Amendment is limited to seven (7) lots and two (2) 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 part time, occasional 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) 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)<sup>2</sup> or

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

<sup>2</sup> Building numbers are not correlated with the order of construction; buildings may be constructed in any order.

- 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);
- \* \* \*

### **Additional Conditions**

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.

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

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

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

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

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\_\_\_\_\_ (which is the date that this Resolution is mailed to all parties of record); and

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

\* \* \* \* \*

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Rubin, seconded by Vice Chair Verma, with Chair Anderson and Vice Chair Verma, and Commissioners Cichy and Rubin voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, March 31, 2022, in Wheaton, Maryland.



\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

# **Montgomery County Planning Board**

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**APR 01 2022**

MCPB No. 22-032  
Site Plan No. 820220070  
**Strathmore Square**  
Date of Hearing: March 17, 2022

## RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on November 17, 2021, Fivesquares Development, LLC (“Applicant”) filed an application for approval of a site plan for up to 322,569 square feet of development, including up to 9,000 square feet of commercial development and up to 313,569 square feet of residential density for 220 dwelling units; amend the conditions and binding elements of Sketch Plan 320190010 to modify the public benefit schedule and clarify site design and future coordination conditions; and amend Sketch Plan 320190010 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, on 14.71 acres of CR-3.0, C-0.5, R-2.75, H-300 zoned-land, located at Grosvenor-Strathmore Metro Station (“Subject Property”), in the *Grosvenor-Strathmore Metro Area Minor Master Plan* (“Master Plan”) area; and

WHEREAS the site plan application for the Subject Property was designated Site Plan No. 820220070, Strathmore Square (“Site Plan” or “Application”); and

WHEREAS, following review and analysis of the Application by Planning Board staff (“Staff”) and other governmental agencies, Staff issued a memorandum to the Planning Board, dated March 7, 2022, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on March 17, 2022, the Planning Board held a public hearing and voted to approve the Application subject to conditions, on the motion of Commissioner Rubin, seconded by Commissioner Cichy, with a vote of 4-0; Chair Anderson,

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

Commissioners Cichy, Rubin, and Verma voting in favor, with Commissioner Patterson being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820220070 for up to 322,569 square feet of development, including up to 9,000 square feet of commercial development and up to 313,569 square feet of residential density for 220 dwelling units; amend the conditions and binding elements of Sketch Plan 320190010 to modify the public benefit schedule and clarify site design and future coordination conditions; and amend Sketch Plan 320190010 findings to increase the building height from 100 feet to 105 feet for Buildings 3A and 3B (while maintaining the required step-back along Tuckerman Lane) and clarify maximum height allowed for all buildings, on the Subject Property, subject to the conditions below.<sup>1</sup>

### **Sketch Plan 320190010 Condition Modifications**

In accordance with Section 59.7.3.3.I., Site Plan 820220070 will amend the following conditions and binding elements of Sketch Plan 320190010:

#### **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 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 part time, occasional use by the Music Center at Strathmore or other cultural/arts focused public or non-profit organization. The space must be available for part time, occasional 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) 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)**

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

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), micro-mobility corral, or MCDOT approved equivalent;

BE IT FURTHER RESOLVED that all other Sketch Plan 320190010 conditions of approval and binding elements for this project remain valid, unchanged and in full force and effect.

### **Site Plan 820220070 Conditions of Approval**

#### **Density & Height**

1. Density

The Site Plan is limited to a maximum of 322,569 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 313,569 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 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.
- 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 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 0.6680 BLTs (based on total square footage formula) 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.
- a) 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, 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 and the bicycle repair station. Add a note indicating that the location for a micro-



mobility corral, or MCDOT approved equivalent, will be determined in connection with the TMAg.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Strathmore Square Site Plan No. 820220070, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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

***1. The development satisfies any previous approval that applies to the site.***

The Site Plan satisfies Sketch Plan No. 320190010, as amended with Site Plan 820220070 in accordance with Section 59.7.3.3.I., and Preliminary Plan No. 120190180, as previously amended and as amended concurrently with this Site Plan Application.

The Sketch Plan Amendment does not substantially modify the development approved through Sketch Plan No. 320190010. The Amendment does 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. Buildings 3A and 3B conform with the Transition Zone Diagram shown in Figure 20 on page 45 of the Master Plan.

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.<sup>2</sup> Therefore, the height of each of the 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 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 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. The Planning Board approves the public benefits at this time, with a more detailed review and the final number of points to be determined at Site Plan(s).

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<sup>2</sup> 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.

**Sketch Plan 320190010 Public Benefits**

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

**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 Master Plan (p. 55). The Planning Board approves 10 points in concept, with the final number of points to be determined at Site Plan.

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 the

Planning Board approves 3 points at this time based on the formula in the *Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines*.

- 2. The development satisfies 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.

- 3. The development satisfies 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.

- 4. The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.***

- a. Development Standards**

The Subject Property includes approximately 14.71 acres of CR-3.0, C-0.5, R-2.75, H-300 zoned land. The Application satisfies the applicable development standards as shown in the following data table:

**Data Table**

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed- Overall Project<sup>4</sup></b>	<b>Approved Phase 1</b>	<b>Density Available for Future Phases</b>
<b>Tract Area</b>	n/a	635,073 SF (14.58 acres)	<b>635,073 SF</b> <b>(14.58 acres)</b>	n/a
Proposed Dedication	n/a	387 SF	<b>387 SF<sup>1</sup></b>	n/a
Plus area of WMATA Parcel C for Building 6 <sup>2</sup>	n/a	6,150 SF	<b>6,150 SF<sup>3</sup></b>	n/a
<b>Site Area</b>	n/a	640,836 sf	<b>640,836 sf</b>	n/a
<b>Density (max)</b>				
Mapped Residential	1,746,451 SF/ 2.75 FAR	1,746,451 SF/ 2.75 FAR	<b>313,569 SF</b>	1,432,882 SF
Mapped Commercial	317,537 SF/ 0.5 FAR	317,537 SF/ 0.5 FAR	<b>9,000 SF</b>	308,537 SF
Total Mapped Density	1,905,219 SF/ 3 FAR <sup>5</sup>	1,905,219 SF/ 3 FAR <sup>5</sup>	<b>322,569 SF</b>	1,582,650 SF <sup>5</sup>
MPDU requirement (min)	15%	15%	<b>15%</b>	n/a
MPDU Bonus Density	n/a	384,219 sf <sup>6</sup>	<b>n/a</b>	384,219 SF <sup>6</sup>
Total Residential Density (Including MPDU bonus)	n/a	2,130,670 sf	<b>313,569 SF</b>	1,817,101 SF
Total Density (Including MPDU bonus)	n/a	2,289,438 sf	<b>322,569 SF</b>	1,966,869 SF

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Proposed- Overall Project<sup>4</sup></b>	<b>Approved Phase 1</b>	<b>Density Available for Future Phases</b>
Dwelling Units	2,218	2,218	220	1,998
<b>Building Height, max average</b>	300 ft <sup>7</sup>	300 ft	105 ft <sup>8</sup>	n/a
<b>Public Open Space (min)</b>	64,084 SF (10%)	64,084 SF (10%)	57,500 SF <sup>9</sup>	n/a
<b>Minimum Setbacks</b>	0	0	0	n/a

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

<sup>2</sup> 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.

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

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

<sup>5</sup> 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.

<sup>6</sup> 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.

<sup>7</sup> 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*.

<sup>8</sup> Buildings 3A and 3B are within the transition zone and conform with Figure 20 in the *Grosvenor-Strathmore Metro Area Minor Master Plan*.

<sup>9</sup> 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.

**b. 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. This Phase 1 Site Plan includes 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.

**Site Plan 820220070 Public Benefits**

<b>Public Benefit</b>	<b>Total Points Possible</b>	<b>Proposed for Overall Project<sup>1</sup></b>	<b>Approved for Phase 1A</b>
<b>Major Public Facilities</b>			
WMATA Bike Station	<b>70</b>	10 <sup>2</sup>	10
5,000 sf (min) of cultural/art Space		3	0
<b>Transit Proximity</b>	<b>50</b>	<b>50</b>	<b>50</b>
<b>Connectivity and Mobility</b>			
<b>Minimum Parking</b>	<b>10</b>	<b>9</b>	<b>0</b>
<b>Wayfinding</b>	<b>10</b>	<b>5</b>	<b>5</b>
<b>Diversity of Uses</b>			
Affordable Housing	N/A	32	32
<b>Quality Building and Site Design</b>			
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
<b>Protection and Enhancement of the Natural Environment</b>			
<b>Building Lot Termination</b>	30	30	6.01
<b>Total Points</b>		<b>172</b>	<b>111.01</b>
<sup>1</sup> Includes all public benefit categories required by Sketch Plan 320190010, as amended with this Site Plan.			
<sup>2</sup> 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 100-space bike station is over two times the size of the largest bikeshare station, the Planning Board approves 10 points for the WMATA bike station.

### Cultural/Art Space

Per Preliminary Plan Condition No. 17a, the Applicant must provide 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 part time, occasional 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, the Planning Board approves 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 1 will include signage in the Central Park and public spaces that will help orient pedestrians and cyclists to these destinations. The Planning Board approves 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 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 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 livelier 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 Phase 1 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. Although Phase 1 represents one out of six total buildings in the Overall Project, the Phase 1 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 Planning Board approves 3 points from this category.

**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 in this Site Plan (up to 322,569 square feet), the Applicant will be required to purchase 0.6680 BLTs, based on the following calculation:

- (Phase 1 Density- Standard Method Density )\*0.75)/31,500
- 322,569 square feet proposed – (42,019 square feet base density) = 280,550 square feet of incentive density
- 280,550 square feet x 0.075 = 21041.25/31,500 = 0.6680 BLTs

Since one BLT is equivalent to nine public benefit points, the Planning Board approves 6.01 points for this category.

**c. General Requirements**

**i. Site Access**

Consistent with the approved Preliminary Plan, vehicular access to the Site is 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.

**ii. Parking and Loading**

The Application satisfies the parking and loading requirement as demonstrated in the table below.

**Parking and Loading**

Type of Parking	Required/Allowed	Approved for Phase 1
<b>Vehicle</b>		
Residential	176 <sup>1</sup> min/318 max	197
Retail/Restaurant <sup>2</sup>	24 min/72 max	55
<b>Total</b>	<b>200 min/390 max</b>	<b>252</b>
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
<p><sup>1</sup> 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%.</p> <p><sup>2</sup> Parking requirement based on 9,000 SF restaurant 60% patron area.</p>		

**iii. 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.

**iv. *General Landscaping and Outdoor Lighting***

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 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.

**5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.***

**a. Chapter 19, Erosion, Sediment Control, and Stormwater Management**

A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on March 1, 2022. The plan will meet stormwater management requirements through the use of micro-bioretenion facilities and green roof. Structural facilities (Bayfilters) will be used for volume not able to be treated with Environmental Site Design measures for Lot 3 (Buildings 3A and 3B).

**b. Chapter 22A, Forest Conservation**

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

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 plan is in conformance with the Montgomery County Planning Department's Environmental Guidelines.

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 that will be developed by the Applicant.

The Forest Conservation Mitigation requirements created by the Mandatory Referral actions have already been fulfilled. The Applicant's 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 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.

#### **c) 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.

***6. The development 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 provided 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 provided on 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 loading dock is located on 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 will be built, consistent with the loading access approved in the Preliminary Plan. The two loading docks meet the requirements set forth in Section 59.6.2.8.B.

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.

***7. The development substantially conforms to 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 buildings are located along Private Road A, away from the neighborhoods across Tuckerman Lane. The 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 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.

### **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. 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, 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 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.

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 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 meanders to navigate 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 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.

***8. The development 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.***

The approval of Preliminary Plan No. 120190180, as amended and accompanying this Application, established that the development will be served by adequate public services and facilities. The Adequate Public Facilities test conducted for Preliminary Plan No. 120190180, as amended, covered transportation, schools and other public facilities for the Project's total anticipated density, including up to 2,218 dwelling units.

***9. The development is compatible with existing and approved or pending adjacent development.***

The predominately residential development will complement the existing adjacent development. The Phase 1 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 1 is also compatible with the Grosvenor Village to the south.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written approval of the Board in this matter, and the date of this Resolution is APR 01 2022 (which is the date that this resolution is mailed to all parties of record); and

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

\* \* \* \* \*

**CERTIFICATION**

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Rubin, seconded by Vice Chair Verma, with Chair Anderson and Vice Chair Verma, and Commissioners Cichy and Rubin voting in favor of the motion, and Commissioner Patterson absent at its regular meeting held on Thursday, March 31, 2022, in Wheaton, Maryland.



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Casey Anderson, Chair  
Montgomery County Planning Board