

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

JUN 30 2023

MCPB No. 23-066
Site Plan No. 820230050
Strathmore Square, Building 2
Date of Hearing: June 22, 2023

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 February 22, 2023, Fivesquares Development LLC, (“Applicant”) filed an application for approval of a site plan for a 382,298 square foot mixed-use building on Lot 2, with up to 14,000 square feet of commercial development and up to 368,298 square feet of residential development for 400 dwelling units, with a minimum of 15% MPDUs, on 14.72 acres of CR-3.0 C-0.5 R-2.75 H-300 zoned-land at the Grosvenor-Strathmore Metro Station (“Subject Property”), in the 2018 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. 820230050, Strathmore Square, Building 2 (“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 June 13, 2023, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on June 22, 2023, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Commissioner Pedoeem, with a vote of 4-0; Chair Harris, Vice Chair Pedoeem, Commissioners Hedrick and Linden voting in favor, with Commissioner Bartley being absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820230050 for a 382,298 square foot mixed-use building on Lot 2, with up to 14,000 square feet of commercial development and up to 368,298 square feet of

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605 | Fax: 301-495-1320

www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

residential development for 400 dwelling units with a minimum of 15% MPDUs on the Subject Property, subject to the following conditions:¹

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 382,298 square feet of total development on the Subject Property, including 368,298 square feet of residential uses, for up to 400 multi-family dwelling units, and 14,000 square feet of Retail/Service Establishment or Restaurant² uses.

2. Height

The development is limited to a maximum height of 172 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

3. Moderately Priced Dwelling Units (MPDUs)

- a) The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated May 30, 2023, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
- b) The development must provide a minimum of 15 percent of the dwelling units as MPDUs or MCDHCA-approved equivalent consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 22 percent density bonus for providing 15 percent of the dwelling units as MPDUs or MCDHCA-approved equivalent.
- c) Before issuance of any building permit for any residential unit(s), the MPDU agreement to build between the Applicant and the MCDHCA must be executed.

Open Space, Facilities and Amenities

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) Quality Building and Site Design

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

² The Retail/Service Establishment or Restaurant space can be changed to other commercial or civic uses if there is no adverse impact on the Site Plan and APF findings and it is approved by Staff.

- i. **Public Open Space** –The Applicant must provide a minimum of 10,500 square feet of public open space on-site.
- ii. 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 completed.

b) **Protection and Enhancement of the Natural Environment**

Building Lot Terminations (BLTs) –Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.8510 BLTs to the MCDPS and M-NCPPC Staff.

5. **Recreation Facilities**

The Applicant must provide the required recreation facilities as shown on the Certified Site Plan (CSP). The CSP must include an exhibit delineating location and detail of recreation facilities, where appropriate, in a manner that is clear and corresponds to the posted surety and maintenance agreement.

6. **Maintenance of Public Amenities**

The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to recreation facilities, outdoor furniture, and public stairway and associated amenities north of Building 2.

Environment

7. **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 letter dated May 2, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations 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.

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 on the east building face will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.

- b) 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.
- c) Before issuance of any Use and Occupancy Certificate 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.
- d) All noise impacted units must be clearly identified on the Certified Site Plan.

Transportation & Circulation

9. Transportation

- 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 April 21, 2023 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

10. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 96 long-term and 6 short-term bicycle parking spaces in Building 2.
- b) The long-term spaces must be in secured, well-lit bicycle rooms in a parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed in a location convenient to the main entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c) The applicant must provide one bicycle repair station.

11. Fire and Rescue

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated April 2, 2023, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

Site Plan

12. Site Design

The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets SP-A200, SP-A201, SP-A210 of the submitted architectural drawings, as determined by M-NCPPC Staff.

13. Lighting

- a) Before 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 all fixtures to prevent excess illumination and glare.
- d) Except at the entrance to the public stairway from Tuckerman Lane and Strathmore Hall Street and along the northern boundary of the stairway 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.

14. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, whichever comes first, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

- b) The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, retaining walls, fences, railings, private roads and sidewalks, private utilities, paths and associated improvements of development, including sidewalks, bikeways, 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.

15. Development Program

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

16. 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 agency approval letters, development program, and Site Plan resolution on the approval or cover sheet(s).
- b) Add the following notes:
 - i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
 - ii. "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."
 - iii. "The Applicant must schedule a preconstruction meeting (pre-con), preferably on-site, with staff from the Department of Permitting Services (DPS) responsible for Certified Site Plan conformance and compliance, upon approval of the Certified Site Plan (CSP). The pre-con must occur before any site development work commencement and before any work that is covered by the site plan surety and maintenance agreement. The Applicant, along with their representatives, must attend the pre-con with DPS CSP Staff. A copy of the approved Certified Site Plan along with any subsequent amendments is required to be on-site at all times."

- c) Fire and Rescue Access plan should be included in the Certified Site Plan.
- d) Modify data table to reflect development standards approved by the Planning Board.
- e) Ensure consistency of all details and layout between Site and Landscape plans.
- f) Show 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.
- g) Provide detail of the bicycle rack type that will be used in the long-term bicycle parking consistent with design standards in Zoning Code Section 59.6.2.6.
- h) Update vehicular parking table on Sheet SP-01 to show minimum parking of 250 spaces will be provided, with a footnote added to "250" in the provided parking spaces column to permit additional parking (up to total of 350 spaces) if there are no impacts to building footprint or above-grade architecture.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Strathmore Square, Building 2, Site Plan No. 820230050 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 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 and Preliminary Plan No. 120190180, as amended.

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 were 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 14.72 acres zoned CR-3.0 C-0.5 R-2.75 H-300. The Application satisfies the applicable development standards as shown in the following data table:

Data Table-Building 2

Development Standard	Proposed-Overall Project⁴	Approved-Phase 1/ Building 3 Site Plan 820220070	Approved-Building 2 Site Plan 820230050
Tract Area	635,073 SF (14.58 acres)		
Proposed Dedication	387 SF ¹		
Plus area of WMATA Parcel C for Building 6 ²	6,150 SF ³		
Site Area	640,836 SF		
Density (max)			
Mapped Residential	1,746,451 SF/ 2.75 FAR	313,569 SF	301,884 SF
Mapped Commercial	317,537 SF/ 0.5 FAR	9,000 SF	14,000 SF
Total Mapped Density	1,905,219 SF/ 3 FAR⁵	322,569 SF	315,884 SF

MPDU requirement (min)	15%	15%	15% ⁹
MPDU Bonus Density	384,219 sf ⁶	n/a	66,414 SF
Total Residential Density (Including MPDU bonus)	2,130,670 sf	313,569 SF	368,298 SF
Total Density (Including MPDU bonus)	2,289,438 sf	322,569 SF	382,298 SF
Dwelling Units	2,218	220	400
Building Height (max)	300 ft ⁷	105 ft ⁸	172 ¹⁰
Public Open Space (min)	64,084 SF (10%)	57,500 SF	10,500 SF
Setbacks (min)	0	0	0

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

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

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

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

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

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

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

⁸ Building 3 is within the transition zone and conforms with Figure 20 in the Grosvenor-Strathmore Metro Area Minor Master Plan.

⁹ The Applicant intends to provide 25% MPDUs; see further explanation below.

¹⁰ Building Height includes 12 feet of MPDU bonus height pursuant to Section 4.5.2.C.7. See Height section below.

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.

MPDUs

The Applicant intends to provide 25% MPDUs, contingent upon financing and an Alternative Location Agreement with DHCA. If 25% MPDUs are provided, 15% percent of the MPDUS will satisfy the requirement for the Building 2 Site Plan, and the additional 10% will count toward satisfying a portion of the MPDUs required for a future phase of the Strathmore Square development under a forthcoming Alternative Location Agreement with DHCA. If certain financing falls through or the Applicant cannot come to a favorable agreement with DHCA, then 15% MPDUs will be provided in Building 2 as required by Chapter 25A.

Height

Sketch Plan 320190010, as amended, included maximum height limits for each proposed building in the Strathmore Square development, with additional height allowed for providing MPDUs above 12.5%. Building 2 was approved in the Sketch Plan with a maximum height of 160 feet. Section 59-5.4.2.C.7 allows an additional 12 feet in building height for MPDUs above 12.5% using the following calculation:

Average floor plate from Level 2-17: 20,924 SF

Total MPDU floor area (15%): 39,689 SF
MPDU floor area above 12.5%: 6,615 SF
 $6,615 \text{ SF} / 20,924 \text{ SF} = 0.316$

b. Optional Method Public Benefits

For optional method projects of this size in the CR Zone, the Zoning Ordinance requires a minimum of 100 points in four categories. The Applicant provided a significant amount of the total required public benefits with Phase 1 of the Strathmore Square development. As such, fewer points are expected during each subsequent phase. The Planning Board previously approved 110.62 points in six categories for the Phase 1/Building 3 Site Plan (No. 820220070). For the Subject Site Plan, the Planning Board approved additional points for BLTs and public open space resulting in 119.27 total points for the Phase 1/Building 3 Site Plan and the Building 2 Site Plan, as detailed below.

Public Benefit Points

Public Benefit	Total Points Possible	Proposed for Overall Project¹	Approved-Phase 1/ Building 3 No. 820220070 Site Plan No. 820220070	Approved-Building 2 Site Plan No. 820230050
Major Public Facilities				
WMATA Bike Station	70	10 ²	10	0
5,000 sf (min) of cultural/art space		3	0	0
Transit Proximity	50	50	50	0
Connectivity and Mobility				
Minimum Parking	10	9	0	0
Wayfinding	10	5	5	0
Diversity of Uses				
Affordable Housing	N/A	32	32	0
Quality Building and Site Design				
Public Open Space	20	8	0	0.61
Exceptional Design	10	5	5	0
Public Art	15	7	0	0
Structured Parking	20	10	0	0
Tower Step-Back	10	3	3	0
Protection and Enhancement of the Natural Environment				
Building Lot Termination	30	30	6.01	7.65
Total Points		172	111.01	8.26
¹ Includes all public benefit categories required by Sketch Plan 320190010, as amended.				
² Additional points may be granted in the future depending on the size of future expansions.				

Major Public facilities

- WMATA Bicycle Station
 The Planning Board awarded 10 points for a 100-space WMATA commuter bike station with the Phase 1/Building 3 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 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 awarded 50 points with the Phase 1/Building 3 Site Plan.

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**
The Planning Board awarded 5 points with the Phase 1/Building 3 Site Plan for wayfinding that will be provided throughout the Overall Property through a series of signs and maps that indicate the locations of nearby amenities.

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 Planning Board awarded 32 public benefit points with the Phase 1/Building 3 Site Plan.

Quality Building and Site Design

- **Public Open Space**
Under the Optional Method of Development in the CR Zone (given the Tract area attributable to the Property and the number of frontages), the Applicant is required to provide a minimum of 10% on-site public use space (or 64,084 square feet). Phase 1 provided a significant amount of the public open space through the creation of the 1.2-acre Central Park. With the additional 10,500 square feet of public open space provided with the Building 2 Site Plan, the Overall Project will have a total of 10.6% public open space, thereby exceeding the 10% requirement. As such, per the calculation below, the Planning Board

awards 0.61 points for public open space. Additional points for public open space will be achieved in future phases.

$(P/N) * 100$

P (public open space) = 3,916 square feet (above minimum)

N (net lot area) = 640,836 square feet

$3,916 / 640,836 * 100 = 0.61$ points

- **Exceptional Design**
The Planning Board awarded five points for exceptional design with the Phase 1/Building 3 Site Plan. While the Planning Board considers design for Building 2 exemplary, the Applicant has not requested additional public benefits points for Building 2.
- **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**
The Planning Board granted three points with the Phase 1/Building 3 Site Plan for significantly exceeding the tower setback requirements.

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. For the Phase 1/Building 3 Site Plan, the Planning Board previously granted 6.01 points for the purchase of 0.6248 BLTs. Based on the Building 2 Site Plan density (up to 382,298 square feet), the Applicant will be required to purchase 0.8510 BLTs, based on the following calculation:

- (Lot 2 Density- Standard Method Density³)*0.075/31,500

- 382,298 square feet proposed – 24,897.50 square feet base density = 357,400.50 square feet of incentive density

- 357,400.50 square feet x 0.075 = 26,805.0375/31,500 = 0.8510 BLTs

³ Standard method density is calculated based on the size of Lot 2, 49,795 square feet.

Since one BLT is equivalent to nine public benefit points, the Planning Board grants 7.65 points for this category

c. General Requirements

i. *Site Access*

Vehicular access to the Site will primarily occur via Tuckerman Lane with two driveway access points, one for access to the loading dock and one that accesses the parking garage. Vehicular access is also provided via Strathmore Hall Street. This private road includes layby areas where pick-up/drop-offs can occur.

Pedestrian and bicycle access to Building 2 is provided on Tuckerman Lane and Strathmore Hall Street. With this Site Plan, the Applicant will maintain the existing right-of-way and public frontage on Tuckerman Lane. Implementation of planned frontage improvements consistent with the *Grosvenor-Strathmore Metro Area Minor Master Plan*, the *Bicycle Master Plan*, and the *Complete Streets Design Guide* will occur during future buildout of Buildings 1 and 6 as stipulated in the Preliminary Plan (No. 12019018B, Condition 25a) phasing requirements.

Pedestrian and bicycle access will be improved through the development of the "Feature Stair" on the north side of the property, which provides an east/west through-block pedestrian and bicycle connection between Tuckerman Lane and Strathmore Hall Street. The design includes bicycle runnels to allow users to move bicycles more easily.

ii. *Parking, Queuing, and Loading*

The parking garage accessed via Tuckerman Lane will have 250 vehicle parking spaces, with flexibility to add another floor of structured parking if there are no changes to building footprint or above-ground architecture. The final number of parking spaces will be determined at building permit. The parking garage will include 87 standard spaces, 114 compact spaces, 62 tandem spaces, 6 standard ADA spaces, 2 ADA van spaces, 8 motorcycle spaces, 2 car share spaces and 3 electric vehicle charging spaces. The Planning Board grants a parking waiver, under Section 59-6.2.10, from the parking design standards to allow for a higher percentage of compact parking spaces. Per Section 59-6.2.5.E.3, up to 20% of all required spaces may be compact spaces, but the Building 2 Site Plan includes 43% compact parking spaces. Given that the parking will be "unbundled" from the rental of each dwelling unit, the Property's adjacency to the Metro Station, and

that standard spaces would require more space dedicated to vehicles in a transit-oriented area, the Planning Board grants the parking waiver.

The parking garage includes four areas for long-term bicycle spaces. The first bike room is located in the northeast corner of Parking Floor 1, which is the building's ground floor off Tuckerman Lane. This room includes 14 long-term bicycle spaces. The second bike room is also located on Parking Floor 1 in the northwest corner and contains 41 long-term bicycle spaces. A third bike room is located on Parking Floor 2 in the northeast corner of the building. This location includes 84 long-term bicycle spaces. The final bike room is also located on Parking Floor 2 on the east side of the building and includes another 10 long-term bicycle spaces. In total, 149 long-term bicycle spaces are provided.

Short-term bicycle spaces are provided on the west side of the Site along Strathmore Hall Street meeting the requirement for bicycle parking.

Loading will occur off Tuckerman Lane via a driveway located on the southern end of the development.

Building 2 Parking Requirements

Type of Parking	Required/Allowed	Approved for Building 2
<u>Vehicle</u>		
Residential	185 ¹ min/504 max	
Retail/Restaurant ²	34 min/101 max	
<u>Total Vehicle</u>	<u>219 min/605 max</u>	<u>250³</u>
Motorcycle spaces	6	8
Electric vehicle ready	3	3
Car-share	2	2
Bicycle	96 long-term, 6 short-term	96 long-term, 6 short-term
Loading	1	1
<p>¹ Reductions taken under Section 59-6.2.3.I for MPDUs, Non-Auto Driver Mode Share (NADMS) and unbundled residential spaces.</p> <p>² Parking requirement based on 14,000 SF restaurant with 60% patron area.</p>		

³The Applicant may include another floor of parking (for a total of up to 350 spaces) if there are no impacts to building footprint or above-grade architecture.

iii. *Open Space and Recreation*

The Building 2 Site Plan will expand upon the significant amount of Public Open Space provided with the Phase 1/Building 3 Site Plan that features the 1.2-acre Central Park that will serve as the heart of the new neighborhood. The Building 2 Site Plan provides an additional 10,500 square feet of public open space consisting of two major spaces: the plaza between Building 2 and Building 3 in Phase 1 ("South Plaza"), and a feature stair connecting Strathmore Hall Street with Tuckerman Lane (the "Feature Stair"). The South Plaza will function as an outdoor gathering space with great views to nearby environmental features.

The Feature Stair, located to the north of Building 2, provides an important physical connection between the Metro Station/Strathmore Square development and Tuckerman Lane, the confronting residential developments and the surrounding bicycle network. The goal of the stair design is to create a pedestrian experience that makes the thirty-five feet meander through planting zones with seating areas a valuable space to linger and enjoy views to the nearby environmental features. Bike runnels will be incorporated into the stairs to facilitate bicycle connectivity.

The Subject Site Plan includes an analysis of on and off-site recreational facilities. Scenario ID 21967 demonstrates conformance with the Recreation Guidelines. The Site Plan provides a variety of facilities including a pool, roof top amenity, fitness center, an interior courtyard, and a terraced garden area.

iv. *General Landscaping and Outdoor Lighting*

Parking and loading for Building 2 is integrated into a structured garage accessed from Tuckerman Lane. Building 2 massing consists of two components above a continuous parking podium, united by a central spine. The massing articulates a street wall, which continues the residential scale of Phase 1 along Tuckerman Lane, with the taller building heights located internal to the Overall Property that references the scale of future planned developments.

Building 2 is designed with sensitivity to current and future conditions to ensure a continuity of urban context and sensitivity to the existing

residential buildings confronting the Property across Tuckerman Lane. Utilizing these conditions, Building 2 activates the public realm, builds upon the current circulation infrastructure, and cohesively prioritizes resident health and well-being.

In addition to the Central Park provided with the Phase 1/Building 3 Site Plan currently under construction, the Building 2 Site Plan provides an additional 10,500 square feet of public open space. The public open space provided with Building 2 consists of two major spaces: the plaza between Building 2 and Building 3 in Phase 1 (“South Plaza”), and a feature stair connecting Strathmore Hall Street with Tuckerman Lane (the “Feature Stair”). The South Plaza will function as an outdoor gathering space with great views to nearby environmental features.

The Feature Stair includes gardens and seating areas and is located to the north of Building 2, providing an important physical connection between the Metro Station/Strathmore Square development and Tuckerman Lane, the confronting residential developments, and the surrounding bicycle network. Bike runnels will be incorporated into the stairs to facilitate bicycle connectivity.

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 May 2, 2023. The plan will meet stormwater management requirements using microbioretention facilities and green roof. Structural facilities are included for volume not able to be treated with Environmental Site Design measures.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines, as further discussed in the findings for Forest Conservation Plan F20230150, approved concurrently with the Subject Site Plan Application.

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 Noise Analysis projects that ground level noise on the south, west, and north sides of Building 2 will be below 65 dBA Ldn, so outdoor public areas will not be subjected to excessive noise and no mitigation is required. At higher elevations, the east face of Building 2 will be subjected to noise levels at or above 65 dBA Ldn; therefore, noise impacted units on that building face must be designed and constructed using building materials that will mitigate interior noise levels to a maximum of 45 dBA Ldn.

6. *The development provides safe, well-integrated parking, circulation patterns, building massing, and where required, open spaces and site amenities.*

Parking and loading for Building 2 is integrated into a structured garage accessed from Tuckerman Lane. Building 2 massing consists of two components above a continuous parking podium, united by a central spine. The massing articulates a street wall, which continues the residential scale of Phase 1 along Tuckerman Lane, with the taller building heights located internal to the Overall Property that references the scale of future planned developments.

Building 2 is designed with sensitivity to current and future conditions to ensure a continuity of urban context and sensitivity to the existing residential buildings confronting the Property across Tuckerman Lane. Utilizing these conditions, Building 2 activates the public realm, builds upon the current circulation infrastructure, and cohesively prioritizes resident health and well-being.

In addition to the Central Park provided with the Phase 1/Building 3 Site Plan currently under construction, the Building 2 Site Plan provides an additional 10,500 square feet of public open space. The public open space provided with Building 2 consists of two major spaces: the plaza between Building 2 and Building 3 in Phase 1 ("South Plaza"), and a feature stair connecting Strathmore

Hall Street with Tuckerman Lane (the “Feature Stair”). The South Plaza will function as an outdoor gathering space with great views to nearby environmental features.

The Feature Stair includes gardens and seating areas and is located to the north of Building 2, providing an important physical connection between the Metro Station/Strathmore Square development and Tuckerman Lane, the confronting residential developments, and the surrounding bicycle network. Bike runnels will be incorporated into the stairs to facilitate bicycle connectivity.

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 Building 2 Site Plan continues implementation of the well-designed, transit-oriented neighborhood initiated with the Phase 1/Building 3 Site Plan, currently under construction, and continues 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 condominium 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. A portion of Lot 2 is within the Master Plan designated “Transition Zone,” however, with the exception of the south tower’s projection windows, Building 2 is located outside of the transition zone. The window encroachment into the transition zone is consistent with the limitations in the Master Plan.

At 172 feet, Building 2 is consistent with the height recommendations for this location on the Property, and the building helps the transition from the lower residential densities along Tuckerman Lane to the higher density buildings closer to the Metro Station. The two-building component breaks up the mass of the building along Tuckerman Lane and the distinctive base will provide an interesting pedestrian environment along both building frontages. The pedestrian environment along Tuckerman Lane will be enlivened by a bike café, connecting the cycling path with the bike storage for the building. Balconies and bay windows 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 Building 2 Site Plan includes various improvements for pedestrians and bicyclists including the Feature Stair which provides a safe and attractive pedestrian and bicycle connection between the Metro Station and surrounding neighborhood. Further, Building 2 will complete Strathmore Hall Street, the private road serving as Strathmore Square's "spine road."

Environment

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. The landscape design features trees and shrubs and perennials throughout the South Plaza, the Feature Stair and on roof decks. Impervious cover is minimized by putting the entire garage footprint underground.

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 Building 2 Site Plan enhances the robust network of public and private open spaces, including the Central Park, provided with the Phase 1/Building 3 Site Plan. The Building 2 Site Plan includes the Feature Stair which provides a garden-filled pedestrian and bicycle connection between Tuckerman Lane and Strathmore Hall Street. The South Plaza will function as an outdoor gathering space with flexible seating.

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, 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.

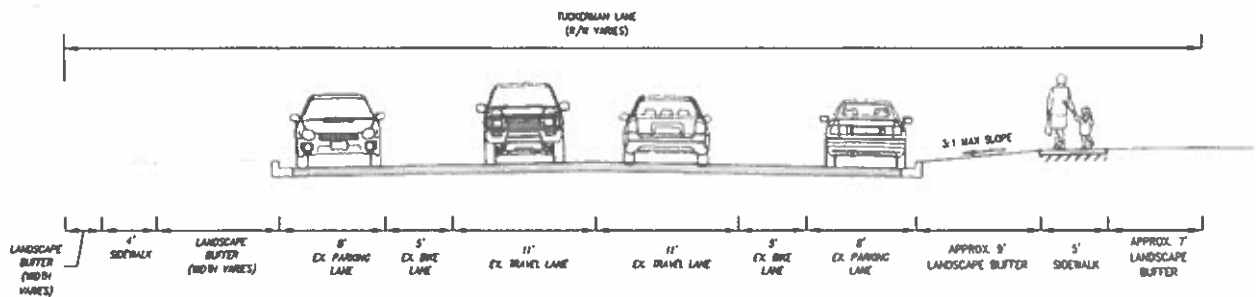
Other public benefits categories recommended in the Master Plan include:

- 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).

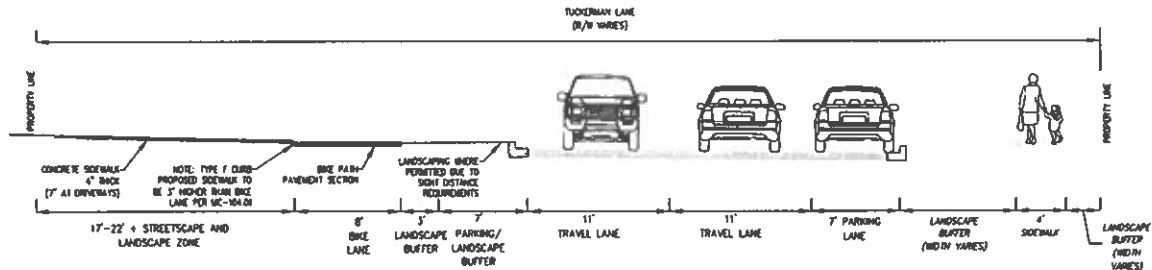
This Application supports the top priority Master Plan public benefit goals by providing a minimum of 15% MPDUs. However, the Applicant intends to provide 25% MPDUS, contingent on funding and an Alternative Location Agreement with DHCA. Ten percent of the 25% MPDUS would count towards the MPDU requirements of a future phase of Strathmore Square, but the Applicant is providing the MPDUs ahead of the future phase. In addition, the Applicant is providing quality open space beyond the required amount with the Feature Stair, which will enhance pedestrian and bicycle mobility, and an additional urban plaza.

Master Planned Roadways

Tuckerman Lane is an 80-foot two-lane Street with an existing public right-of-way between 81 feet to 83 feet. The current existing section has two 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.



Interim Tuckerman Lane Cross-Section



Future Tuckerman Lane Cross-Section (to be completed in future phases)

As envisioned by the Grosvenor-Strathmore Metro Area Minor Master Plan and the Bicycle Master Plan, two-way separated bicycle lanes are planned for Tuckerman Lane in a future phase of development, which are consistent with Town Center Street standards within the 2021 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 1 and 6, as stipulated in the Preliminary Plan (No. 12019018B, Condition 25a) phasing requirements.

- 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, established that the overall Strathmore Square development will be served by adequate public services and facilities. The table below demonstrates that the cumulative density of Building 3 (Site Plan No. 820220070), Buildings 2 (Subject Site Plan) and 5 (Site Plan No. 820230070, reviewed concurrently with the Subject Site Plan) are within the density limits approved by Preliminary Plan No. 120190180, as amended.

Cumulative Strathmore Square Density

Application		Total	Commercial	Residential		
		Square Footage	Square Footage	Square Footage	Dwelling Units	
Overall	Strath	Sketch Plan (320190010)	1,905,219 SF ¹	317,537 SF	1,746,451 SF ¹	--

	Preliminary Plan (12019018B)	2,289,438 SF ²	317,537 SF	2,130,670 SF ²	2,218 units
Phase 1 Approved	Phase 1/ Building 3A & 3B Site Plan (820220070)	322,569 SF	9,000 SF	313,569 SF	220 units
Phase 2 Approved	Building 2 Site Plan (820230050)	382,298 SF	14,000 SF	368,298 SF	400 units
	Building 5/ The Reserve Site Plan ⁵ (820230070)	336,700 SF ³	4,000 SF	335,800 SF	166 dwelling units, 110 beds
Total	Total Site Plan Density	1,041,567 SF	27,000 SF	1,017,667 SF	786 units 110 beds ⁴
Future	Future Phases	1,247,871 SF ²	290,537 SF	1,113,003 SF ²	1,432 units

¹ The maximum residential and total density calculation for Sketch Plan 320190010 excluded the gross floor area for 15% MPDUs (261,967 square feet) in accordance with the Zoning Ordinance requirements at the time of approval. Zoning Text Amendment (ZTA) No. 18-06 was adopted between Sketch Plan and Preliminary Plan approval and revised the MPDU density bonus standards in the CR zone and eliminated the exemption for MPDU floor area that applied to Sketch Plan 320190010. To achieve the maximum density allowed by the Preliminary Plan, Sketch Plan 320190010 must be amended.

² 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 for providing 15% MPDUs, the maximum commercial density would be limited to 158,768 square feet.

³ Site Plan No. 820230070 allows for flexibility between commercial and residential density such that the total density for Building 5 may not exceed this amount.

⁴ Beds are not included in the total number of dwellings units, but the associated square footage is included in residential density calculations.

⁵ Approved concurrently with the Building 2 Site Plan.

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

Building 2 will complement the existing adjacent development. Building 2 has been designed to promote compatibility with the adjacent and confronting residential developments by respecting the Transition Zone (which falls only partially on Lot 2) and creating a pedestrian friendly scale with a defined base at the ground plane to activate and enhance the pedestrian environment along Tuckerman Lane.

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

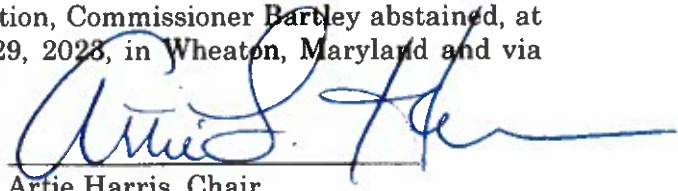
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JUN 30 2023 (which is the date that this resolution is mailed to all parties of record); and

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 the motion of Vice Chair Pedoeem, seconded by Commissioner Hedrick, with a vote of 4-0-1; Chair Harris, Vice Chair Pedoeem, and Commissioners Hedrick, and Linden, voting in favor of the motion, Commissioner Bartley abstained, at its regular meeting held on Thursday, June 29, 2023, in Wheaton, Maryland and via video conference.



Artie Harris, Chair
Montgomery County Planning Board

William Maggard
1550 Market Street, Suite 200
Denver, CO 80202

Hunter MacLeod
1550 Market Street, Suite 200
Denver, CO 80202

Scott Delgado
13461 Sunrise Valley Dr, Suite 500
Herndon, VA 20171

Elga Killinger
120 Broadway, 6th fl.
New York, NY 10271

Frank Fusaro
120 Broadway, 6th fl.
New York, NY 10271

Martin Pavlinic
30 Broad St, 41st Floor
New York, NY 10004

Steven Robins
7600 Wisconsin Avenue,
STE 700 Bethesda, MD 20814

Elizabeth Rogers
7600 Wisconsin Avenue
STE 700 Bethesda, MD 20814

Andy Altman
1377 R St NW
Suite 350
Washington, DC 20009

Matt Harris
1377 R St NW
Suite 350
Washington, DC 20009

Scott Delgado
13461 Sunrise Valley Dr, Suite 500
Herndon, VA 20171

Arno Adkins
323 N Washington Ave, Suite 200
Minneapolis MN, 55401

Kay Lee
250 West 57th Street
New York, NY 10107

Rudraksha G Jhaveri
3300 Clipper Mill Road, Suite 200
Baltimore, MD 21211

Maggie Gallagher
1401 Rockville Pike, 4th Floor Rockville,
Maryland 20852