

# Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Mailing Date:

**December 14, 2023**

MCPB No. 23-110

Sketch Plan No. 320230050

***Loehmann's Plaza***

Date of Hearing: November 9, 2023

## **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 April 28, 2023, Rosenfeld Investment, LLC (“Applicant”) filed an application for approval of a sketch plan for up to 710,000 square feet of residential use with 15% Moderately Priced Dwelling Units (MPDUs) and up to 40,000 square feet of commercial use on 9.74 acres of Commercial Residential (CR-1.75, C-0.5, R-1.5, H-75) zoned-land, generally bounded by Randolph Road to the north, Parklawn Drive to the west and northwest, and Putnam Road to the east, located at 5200 Randolph Road, Rockville, MD (“Subject Property”) in the North Bethesda Policy Area and Randolph Hills area of the *2018 White Flint 2 Sector Plan* (Sector Plan) area; and

WHEREAS, Applicant’s sketch plan application was designated Sketch Plan No. 320230050 Loehmann’s Plaza (“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 30, 2023, providing its analysis and recommendation for approval of the Application subject to certain binding elements and conditions (“Staff Report”); and

WHEREAS, on November 9, 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 Vice Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, Commissioners Bartley, Hedrick and Linden voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320230050, Loehmann’s Plaza, for construction of up to 710,000 square feet of residential use with 15% Moderately Priced Dwelling Units (MPDUs) and up to 40,000 square feet of

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

commercial use 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 and subject to refinement at the time of Preliminary and Site Plan.

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

**1. Density**

The Sketch Plan is limited to a maximum of 710,000 square feet of residential and 40,000 square feet of commercial development. The maximum number and distribution of townhouses stacked townhouses (2-over-2s), and multifamily apartment units will be determined in the Preliminary and Site Plan stages.

**2. Height**

The development is limited to a maximum average building height of 75 feet, as measured from the building height measuring point(s) to be illustrated on the Certified Site 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 three (3) categories as required by Section 59.4.5.4.A.2<sup>2</sup>. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a) Major Public Facility achieved through the provision of a privately-owned, publicly accessible 0.75-acre neighborhood green urban park.

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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.

<sup>2</sup> For a project providing a minimum of 15 percent MPDUs, one less benefit category than required under Section 4.5.4.A.2 and Section 4.6.4.A.2 must be satisfied.

- b) Transit Proximity, achieved through level 2 transit based on proximity to an existing or master planned station or stop along a rail or bus line with a dedicated, fixed path;
- c) Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance;
- d) Diversity of Uses and Activities, achieved by providing 15% of the residential units as Moderately Priced Dwelling Units (MPDUs);
- e) Quality of Building and Site Design, achieved through architectural elevations and structured parking for the multifamily building; and
- f) Protection and Enhancement of the Natural Environment achieved through the purchase of building lot terminations (BLTs) and cool roof.
- g) The Applicant is required to clarify the point breakdown noted under their phasing plan for the following categories: MPDUs, structured parking, minimum parking, transit proximity, and building lot termination (BLTs).
- h) The Applicant may explore adding public benefit points for the undergrounding of utilities through the Major Public Facility category.

#### **4. Public Open Space**

The Applicant must provide a 0.75-acre neighborhood green urban park as privately-owned Public Open Space, totaling 32,670 square feet, and should include neighborhood amenities, including a flexible green gathering place, picnic areas and play features.

#### **5. Common Open Space**

- a) The Applicant must provide a minimum of 10% of the Site Area (210,620 square feet) as Common Open Space, totaling 21,062 square feet, which is conceptually shown on the Sketch Plan.
- b) If necessitated by the final phasing plan and unit types for open space, the Applicant must provide additional common open space as an off-set towards the 0.75-acre master-planned neighborhood green urban park requirement, that is conceptually shown on the Sketch Plan.
- c) At the time of Site Plan, the Applicant must continue to meet the minimum requirements for Common Open Space in the event that the southern portion of the proposed neighborhood green urban park is converted for the western extension of Longstone Way to Parklawn Drive.
- d) For the phase of development east of Lauderdale Drive, the Applicant must ensure a useable width of any proposed open space corridors and eliminate the fragmentation of proposed common open spaces to comply with the design requirements.

## **6. Future Coordination for the Preliminary and Site Plans**

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed in subsequent applications:

- a) The Applicant must submit and receive approval of a Preliminary/Final Forest Conservation Plan.
- b) The Applicant must satisfy the Planning Board's Recreation Guidelines.
- c) The future Preliminary and/or Site Plan application must include a Noise Analysis.
- d) Stormwater Management concept approval consistent with Chapter 19 of the Montgomery County Code.
- e) Evaluate the implementation of undergrounding the existing utilities along the frontage of Randolph Road and Parklawn Drive as required by Section 50.4.3.I.1.b of the County Code and associated planning documents unless there is a Capital Improvement Program (CIP) project for this improvement.
- f) The Applicant must address the Sector Plan recommendation for a park or school site, which may include a proportional financial contribution towards a school or a park within the Sector Plan area and the amount and timing of which will be determined at Preliminary Plan or enhanced public amenities within the neighborhood green urban park.
- g) Explore establishing the two bridges over the shared street/Longstone Way starting at the third floor of the residential multifamily building to create an appropriate public realm at the street level.
- h) Each future Site Plan must provide the required open space with the design, location, and timing to be determined at Site Plan.
- i) Based on the differences between the Overall Phasing Plan and the Open Space Phasing Plan, provide clarification on when the 0.75-acre neighborhood green urban park will be constructed.
- j) Explore additional sustainable features to enhance the development, such as vegetated roofs, tree canopy, and energy conservation and achievement of a national rating standard for the development to address the recommendations of the Sector Plan.
- k) At the time of Site Plan(s), the landscape plan must address the parking lot landscape islands and parking lot perimeter landscape requirements and adequate parking lot tree canopy, as applicable.

### *Transportation and Access*

- l) Reconfigure the intersection of Randolph Road and Lauderdale Drive to remove the eastbound right turn slip lane as part of the first Site Plan for the development. This may include relocating the traffic light with all appurtenances, subject to final review and approval by MCDOT.

- m) At full build-out, remove existing vehicular surface parking between the front building line and Randolph Road as required by the CR Zone. The parking must be fully concealed by a planting screen, either as an interim condition or permanent where physical impediments or legal instruments exist, such as easements, subject to review by Staff. The Site Plan must show this surface parking as “interim” to be removed with redevelopment of the future phase.
  - i. At the time of Preliminary Plan, explore options to create usable open space in the earlier phasing of the project via the conversion of non-compliant surface parking fronting Randolph Road.
- n) Improve the streetscape, including parking configuration, along Longstone Way during interim phases of the development between Lauderdale Drive and Private Road West. Additional streetscaping will be required along the future extension of Longstone Way west of Private Road West if and when the road is extended to a reconfigured Parklawn Drive.
- o) Modify the proposed road cross-sections to comply with the minimum widths stated on the Urban Design Guidelines for Rock Spring and White Flint 2 Sector Plans, where applicable.
- p) If the Planning Board requires the undergrounding of utilities with the approval of the Preliminary and Site Plan(s), the road cross-sections must be revised to reflect the required undergrounding of utilities along Randolph Road.
- q) Re-evaluate the alley access spacing at the southwest corner of the development onto Macon Road.
- r) Improve the ADA ramps and pedestrian crossings across Lauderdale Road at the intersection of Longstone Way.
- s) Address the transitions of the separated bicycle lane along Randolph Road as it approaches the intersection with Parklawn Drive.
- t) Evaluate the intersection of Randolph Road and Putnam Road as the proximity to the intersection of Randolph Road and Lauderdale Drive is very close for both intersections to have full access. Putnam Road access may need to be limited so that the only left-turn movement allowed would be from Randolph Road onto Putnam Road, with no other left-turn movements allowed.
- u) Provide roadway dedication along Parklawn Drive and Randolph Road to accommodate planned frontage improvements.
- v) Provide an easement for future dedication to allow Longstone Way to connect with Parklawn Drive when the Parklawn Drive and Randolph Road intersection is realigned.
- w) Provide an easement for future dedication to allow the extension of Private Road West to connect with Randolph Road.

- x) Address the design of the shared street to ensure that it is consistent with best practices for similar roadways.
- y) Coordinate with MCDOT to address the bus stop location and improvements to accommodate the future Bus Rapid Transit (BRT) service along Randolph Road.
- z) Address the requirements of the MCDOT letter dated October 6, 2023, subject to refinement during the time of Preliminary Plan.
- aa) The future Preliminary and Site Plan(s) need to reflect the Capital Improvement Program (CIP) status of the realignment of the Randolph Road and Parklawn Drive intersection, at the time of the Applicant's submittal. Any potential recapture of land associated with the CIP, west of Lauderdale Drive, should be reflected in the open space, lotting pattern, and building heights.

## 7. Validity

A Site Plan must be submitted within 36 months after the date the resolution for this Sketch Plan is sent per Section 59.7.3.3.G.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations of its Staff as presented at the hearing and/or as 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.*

a. Development Standards

The Subject Property includes approximately 9.74-acres zoned Commercial Residential (CR-1.75, C-0.5, R-1.5, H-75). Section 59.4.5.4 of the Zoning Ordinance sets forth the development standards for the Optional Method of Development within the CR Zone. The development will satisfy the applicable development standards for the Optional Method of Development in the CR Zone, with the exact figures to be determined at the time of Site Plan. The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in Table 1 below, in relation to maximum density, height, minimum open space. Setbacks and building form standards will be established by the subsequent Site Plan review process. Additionally, the Application must provide the minimum required number of parking spaces for residents and visitors and patron areas for commercial uses. The final number, configuration and location of parking spaces will be determined at Site Plan(s) based on the square footage of non-residential uses, and number and type of residential dwelling units.

*Table 1: Loehmann's Plaza Sketch Plan Data Table for CR Zone, Optional Method, Section 59.4.5.4*

<b>Development Standard</b>	<b>Permitted/ Required</b>	<b>Approved</b>
<b>Tract Area</b>	n/a	490,804 sq. ft. (11.27 ac.)
<b>Prior Dedication</b>	n/a	66,352 sq. ft.
<b>Proposed Dedication</b>	n/a	n/a
<b>Site Area</b>	n/a	424,804 sq. ft. (9.74 ac.)
<b>Maximum Density of Development (GFA/FAR)</b>	858,907 sq. ft. (1.75 FAR)	750,000 sq. ft. (1.53 FAR)
<b>Residential (GFA/ FAR)</b>	736,206 sq. ft. (1.5 FAR)	710,000 sq. ft.
<b>Commercial (GFA/FAR)</b>	245,402 sq. ft. (0.5 FAR)	40,000 sq. ft.
<b>MPDU requirement</b>	15%	15%
<b>Building Height, max avg.</b>	75 feet	75 feet
<b>Principal Building Setbacks (min.)</b>	Determined by site plan	Determined by site plan
<b>Form</b>	Determined by site plan	Determined by site plan
<b>Commercial Parking 5 spaces per 1,000 sq. ft. of gross leasable area</b>	Determined by site plan	Determined by site plan
<b>Residential Parking Townhouse living – 2 spaces per dwelling unit Multi-unit living – 1 space per 1 bedroom; 1.25 spaces per 2 bedrooms; 1.5 spaces per 3 bedrooms</b>	Determined by site plan	Determined by site plan
<b>Public Open Space (min.)</b>	10% <sup>3</sup> (21,385 sq. ft. <sup>4</sup> )	14.6% (31,170 sq. ft.)
<b>Neighborhood Green Urban Park</b>	0.75-acre (32,670 sq. ft.)	0.73-acre (31,170 sq. ft.) <sup>5</sup>
<b>Common Open Space (min.)</b>	10% <sup>6</sup> (21,062 sq. ft.)	11.2% <sup>7</sup> (23,380 sq. ft.) <sup>8</sup>
<b>Combined Open Space areas</b>	53,732 sq. ft.	54,550 sq. ft. <sup>8, 9</sup>

b. General Requirements

<sup>3</sup> The total Site Area that requires public open space is 213,850 square feet.

<sup>4</sup> Under the White Flint 2 Sector Plan, a 0.75-acre (32,670 sq. ft.) public park is required, which exceeds the 10% (21,385 square feet) Zoning Code public open space requirement.

<sup>5</sup> To off-set the required square footage, the Applicant proposes additional square footage to the south of the park which is identified as potentially interim common open space. Refer to the open space summaries within the report and footnote No. 9.

<sup>6</sup> The total Site Area that requires common open space is 210,620 square feet.

<sup>7</sup> At the time of Preliminary Plan, the Applicant must comply with the conditions of approval to remove fragmented common open space areas that are conceptually shown on the Sketch Plan.

<sup>8</sup> The Sketch Plan proposes common open space that includes 8,830 square feet for an easement that may reduce the open space and be converted into a western roadway connection of Longstone Way in the future.

<sup>9</sup> The exceedance of proposed common open space addresses the difference between the 0.73-acres proposed and 0.75-acres required for the urban park.

i. *Site Access, Parking, Queuing, and Loading*

The Applicant has addressed the transportation sketch plan requirements of Section 59.7.3.3.E.6 for satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading; but will need to provide additional detail in future submittals.

ii. *Open Space and Recreation*

As a single recorded lot, the entire Site with the proposed uses is subject to open space requirements. The Zoning Code requires the provision of 10% of public open space and 10% of common open space. The Sector Plan recommends the redevelopment of Loehmann's Plaza with new streets and a minimum 0.75-acre (32,670 square feet) neighborhood green urban park (page 51), which exceeds the Zoning Code requirement. The Proposal currently illustrates a 0.73-acre (31,170 square feet) public park in the northwest quadrant of the Site to help enliven the entrance to the Randolph Hills area. To off-set the required balance (1,500 sq. ft.) of the park acreage requirement, the Applicant will exceed the 10% common open space requirement by providing 11.2% (an additional 2,318 sq. ft.) including, in an area immediately south of the urban park.

Based on the proposed phasing plan (subject to revision), some of the common open space required for the townhouses to the east of Lauderdale Drive (Phase I) is anticipated to be implemented with the townhouses to the west of Private Road West (Phase II). The Applicant also provided an Open Space Phasing Plan that shows the neighborhood green urban park in Phase III associated with the multifamily building. Considering that the Applicant's phases could occur in any order, there is a possibility that the creation of the remainder of this common open space could be implemented too late in the redevelopment or never come to fruition at all. As conditioned, each future Site Plan must provide the required open space with the design, location, and timing to be determined at Site Plan.

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

The Planning Board finds that the Project substantially conforms to recommendations of the *2018 White Flint 2 Sector Plan* in a variety of areas as outlined below:

Density and Building Height

The Sketch Plan's proposed density and building heights are consistent with the Sector Plan's recommendations. The Property is in the Commercial Residential (CR-1.75, C-0.5, R-1.5, H-75) Zone, and the proposed development is a maximum of



1.75 FAR. The Sector Plan also states that the land use mix for this property should reflect a greater residential percentage than nonresidential development (page 51). In accordance with the zoning permission and the Sector Plan, the Project will bring substantial residential use to this area.

Additionally, a maximum building height of up to 75 feet is envisioned. As guided by the Sector Plan for compatibility, the eastern portion of the Property with proposed townhouses (Phase I) will have lower building heights to be compatible with the Randolph Hills residential community and the recently constructed townhomes east of Putnam Road. The taller mixed-use building will be placed in the center of the Site and the development will appropriately step down with additional townhouse units moving towards the western edge of the Property along Parklawn Drive.

Currently, the Proposal includes the master planned urban park at the major intersection of Randolph Road and Parklawn Drive. If these roads are realigned as recommended, it is conditioned for the Applicant to reevaluate the height placement to locate maximum building heights at the western edge of the Property to frame the intersection of Randolph Road and Parklawn Drive and relocate the neighborhood green urban park to the interior of the Site as envisioned in the Sector Plan. During the public hearing, the Planning Board agreed to write a formal letter to the Montgomery County Department of Transportation (MCDOT) requesting to prioritize the intersection realignment of Randolph Road and Parklawn Drive to capitalize on the opportunity to improve vehicular and pedestrian safety and the urban green configuration concurrently with the Plaza's redevelopment process.

#### Design and Connectivity

The Sector Plan's design and connectivity recommendations for the Loehmann's Plaza Subject Property are to:

- Create development that could serve as a center of community for surrounding residential clusters.
- Focus redevelopment along Randolph Road and Parklawn Drive to enhance this location as an entrance to the Randolph Hills area.
- Provide a mix of uses and development types.
- Place lower density development along Putnam Road to provide transition from higher buildings along Randolph Road to the adjacent single-family residential community.
- Consider internal roads and pedestrian connections, including a potential extension of Macon Road to Parklawn Drive and a connection to Lauderdale Drive to the north.
- Provide a 0.75-acre neighborhood green urban park on this property.

The Sketch Plan accomplishes the design and connectivity recommendations, including placing lower density development along Putnam Road for compatibility with existing residential development, the creation of a neighborhood pattern of streets and blocks, including the extensions of Macon Road and Lauderdale Drive as public streets, and the provision of the neighborhood green urban park.

#### Moderately Priced Dwelling Units

The Sector Plan requires that “each optional method development in the CR and CRT zones should provide 15 percent MPDUs as the highest priority to earn their public benefit points, subject to section 11.1.4.” (p.59). The Sketch Plan proposes to meet the minimum 15 percent MPDU requirement for the development; therefore, it is consistent with the Sector Plan recommendations.

#### Public Facilities

Community facilities are essential components of a livable community. However, this Plan area does not include any public facilities and there are no existing public schools within the Plan area boundaries. Most of the White Flint 2 Sector Plan area is included in the Walter Johnson School Cluster and a smaller portion is in the Downcounty Consortium. Areas east of the CSX rail tracks, including Loehmann's Plaza, are in the Downcounty Consortium.

The 2018 Sector Plan recommends 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*” (p.96). Further, the Plan recommends that this area could accommodate an elementary school in the Downcounty Consortium in several ways such as reopening one of the former schools in the cluster such as Rocking Horse Center, build a new elementary school on one of the recommended sites, and purchase an elementary school site or co-locate a school with a park (p. 98).

As required, the Applicant conducted a preliminary evaluation of the Subject Property's suitability for a potential school site, and based on that evaluation determined that the Sector Plan goals may be best satisfied through the provision of a proportional financial contribution toward a future school or park within the Sector Plan area with the amount and timing of which will be determined in the Preliminary Plan or enhanced public amenities within the neighborhood green urban park. This determination was made based on the following considerations, which did not leave sufficient space for a new school site:

- The Subject Property is identified in the Sector Plan (p. 51) as a site to focus a greater amount of residential during redevelopment;

- The majority of the existing one-story strip shopping center and standalone building pad site, located closer to Randolph Road, will remain available for tenant occupancy for the foreseeable future; and
- The Project must construct a new master-planned 0.75-acre neighborhood green urban park on the Subject Property (however, the Applicant's assessment did not consider co-location with a school).
- The Sector Plan identifies the Rocking Horse Road Center facility in the Randolph Hills neighborhood as a possible middle or high school site, which is located a half-mile to the east of the Subject Property.

### School Adequacy

This Application is subject to the FY2024 Annual School Test and a preliminary school adequacy test was conducted. At the time of Sketch Plan, on average, this Project is estimated to generate 66 elementary school students, 37 middle school students, and 49 high school students. Based on each school's adequacy status and ceilings, no Utilization Premium Payment (UPP) was identified at this time. The school adequacy test will be reevaluated at the time of the Preliminary Plan when the maximum number and distribution of residential townhouses, stacked townhouses (2-over-2s), and multifamily apartment units will be determined.

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 Sketch Plan will be compatible with the existing residential developments to the north across Randolph Road, to the east across Putnam Road, and to the south in terms of building heights, massing, and architectural detailing (subject to future reviews). Currently, there are no pending development projects near the vicinity of this Site within the 2018 White Flint 2 Sector Plan area. However, recently nearby sites within the 2010 White Flint Sector Plan were approved for future construction. To the west of the CSX rail line, an affordable housing project was recently approved at the intersection of Nebel Street and Old Georgetown Road. Along Old Georgetown Road, an expansion project was approved within an existing multifamily development to increase the amount of housing within proximity to the North Bethesda Metrorail Station. While the specific needs between the White Flint and White Flint 2 areas may vary, generally, the conversion of a surface parking lot into a sustainable,

compact mixed-use development is consistent with the broader goals of the White Flint area and similar to surrounding infill development strategies.

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

Vehicular access points on Parklawn Drive, Randolph Road, and Putnam Road provide safe and efficient access to the proposed development. As conditioned, the reconfiguration of the intersection of Randolph Road and Lauderdale Drive to remove the right turn slip lane will be completed as part of Phase I of the development to reduce vehicle turning speeds and improve pedestrian and cyclist safety.

Frontage improvements consistent with the *2018 Bicycle Master Plan* and the *2018 White Flint 2 Sector Plan* are anticipated to be implemented in phases (subject to refinement). As part of Phase I, a two-way separated bicycle lane along Randolph Road will be constructed. Future coordination during the Preliminary and Site Plans should occur to determine how the bicycle lane should transition and cross Parklawn Drive. It is anticipated that a sidepath along Parklawn Drive will be constructed as part of Phase II.

New public and private streets will be designed based on the *2021 Complete Streets Design Guide* and include adequate sidewalk and street buffer widths to allow for safe, adequate, and efficient circulation within the Site. Further, the *Urban Design Guidelines for Rock Spring and White Flint 2 Sector Plans* identify cross-sections for Randolph Road and Parklawn Drive along the Subject Property frontage. Randolph Road has a six-foot-wide street buffer, eight-foot-wide separated bike lane, 5-foot-wide pedestrian/bike buffer, and a six-foot-wide sidewalk. Parklawn Drive has a seven-foot-wide street buffer and a ten-foot-wide sidepath. Both streets are under consideration for Bus Rapid Transit (BRT), but buses are expected to operate in mixed traffic. Therefore, as conditioned, future applications will need to modify the proposed road cross-sections to comply with the guidelines.

At full build out, parking will be provided within individual townhome units, limited on-street parking, and within a central parking garage wrapped by the proposed multifamily building. This garage will be accessed via Lauderdale Drive. Loading associated with the multifamily development will be located on the south side of the development via Macon Road. An additional delivery space will be provided on Longstone Way adjacent to the proposed neighborhood green urban park.

The Planning Board finds that the Subject Application will provide satisfactory general vehicular, pedestrian, and bicycle access, circulation, parking, and loading. As conditioned, future Preliminary and Site Plans will need to further address the transportation and access issues.

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 all 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 following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below and shown in the Table below.

For the proposal, the Zoning Ordinance requires 100 points in three (3) categories<sup>10</sup>. The Applicant proposes to meet the minimum requirement. Although at the time of Sketch Plan review only an outline of public benefits needs to be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Via Level 2 Transit Proximity, minimum parking within the Connectivity and Mobility category, 15% MPDUs within the Diversity of Uses and Activity category, architectural elevations and structured parking within the Quality of Building and Site Design category, and the purchase of Building Lot Termination ("BLT") easements and cool roof within the Protection and Enhancement of the Natural Environment Category. The points for each category are proposed to be spread across various phases of the Sketch Plan development.

As conditioned, the Applicant is required to clarify the point breakdown noted under their phasing plan for the following categories and as noted in the descriptions below: MPDUs, structured parking for multifamily residential, minimum parking, transit proximity, and building lot termination (BLTs).

Overall, the Planning Board supports the Applicant's proposed public benefit categories and points as outlined below, with the conditions of approval to explore additional categories as noted below. As proposed, the Applicant meets the minimum categories and points; however, the purpose for additional exploration is to address

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<sup>10</sup> For a project providing a minimum of 15 percent MPDUs, one less benefit category than required under Section 4.5.4.A.2 and Section 4.6.4.A.2 must be satisfied.

priorities in the Sector Plan. A more detailed review and the final number of points will be determined at the time of the Site Plan.

*Table 2: Public Benefit Calculations - Division 59-4.7*

<b>Public Benefit</b>	<b>Maximum Points Allowed</b>	<b>Approved Points</b>	<b>Approved for Future Evaluation (in blue font)</b>
<b>Major Public Facilities</b>	70	14.7	
<b>Underground Utilities</b>	TBD	N/A	TBD
<b>Transit Proximity</b>	50	30	
<b>Connectivity and Mobility</b>			
Minimum Parking	10	6.6	
<b>Diversity of Uses and Activities</b>			
Moderately Price Dwelling Units	No limit	50.6	
<b>Quality Building and Site Design</b>			
Exceptional Design	10	5	
Structured Parking	20	6.9	
<b>Protection and Enhancement of the Natural Environment</b>			
Building Lot Terminations (BLT)	30	10.8	
Cool Roof	10	5	
<b>Tree Canopy</b>		N/A	TBD
<b>Energy Conservation &amp; Generation</b>		N/A	TBD
<b>Total Points*</b>	---	<b>129.6</b>	TBD

TBD – To be Determined.

\*Future points to be refined and verified at the time of future Site Plan(s) approvals.

**Major Public Facility**

For incentive density points, major public facilities must provide public services at a convenient location where increased density creates a greater need for civic uses and greater demands on public infrastructure.

*Urban Park*

The Applicant requests 14.7 points associated with proposed Phase II for the construction of the 31,170 square feet or a 0.75-acre Park which is a master plan recommendation and the main gateway and open space feature of the project and will be delivered with the second phase of the development. As previously noted, this park will be privately owned with public access and the southern portion as an easement reserved for a potential westward expansion of Longstone Way through to Parklawn Drive.

Currently, the Planning Board accepts the requested points. However, the requested points do not reflect the potential adjustments in park size associated with the use of the roadway easement or the realigned intersection of Randolph Road and Parklawn Drive that would increase the overall park size.

### *Underground Utilities*

Currently, the Applicant is not proposing public benefit points in this category. However, underground utilities are a specific recommendation of the Sector Plan. Per the conditions of approval, the Applicant may explore adding this category to public benefits to be provided. At the time of the Preliminary Plan, additional coordination will be required per the Planning Board's direction.

### **Transit Proximity**

The Applicant's Statement of Justification (SOJ) requests a total of 30 points because the Property is abutting/confronting a proposed Bus Rapid Transit (BRT) stop. As such, the Incentive Density Guidelines identifies Level 2 Transit based on "proximity to an existing or master planned station or stop along a rail or bus line with a dedicated, fixed path; this level excludes a site that is within one mile of an existing or master-planned MARC station." It further states that a project is abutting or confronting a transit station or stop if it shares a property line or easement line or is separated only by a right-of-way from an existing or master-planned transit station or stop, and 100 percent of the tract in a single sketch plan application is within ¼ mile of the transit portal.

Given the existing bus stop at the corner of Randolph Road near Putman Road, the Planning Board concurs that 30 points may be granted based on Level 2 Transit where the entire tract is abutting or confronting and within the CR Zone.

### **Connectivity and Mobility**

#### *Minimum Parking*

Up to 10 points for minimum parking can be provided for fewer than the maximum allowed number of parking spaces, where a maximum is applicable. The Applicant requests 6.6 points for the provision of minimum parking. Per the *Incentive Density Implementation Guidelines*, at the time of Sketch Plan, an initial estimate of calculation is required. However, the Applicant has not provided a preliminary estimate of the breakdown of units by bedroom count, which informs the required amount of parking for the proposed multifamily building. During the Site Plan, the Applicant's final parking layout and uses with the calculation will be vetted.

### **Diversity of Uses and Activities**

#### *Affordable Housing (Moderately Priced Dwelling Units)*

The Applicant seeks 50.6 points for providing 15.3% MPDU's, which is one of the highest *White Flint 2 Sector Plan* goals, along with larger bedroom units. While 15% MPDU's is required, projects in the C/R and Employment zones are permitted to earn

public benefit points for providing more than 12.5%<sup>11</sup>. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs. While initial calculations are provided with the Sketch Plan, final approval with the Site Plan is subject to the Montgomery County Department of Housing and Community Affairs' Agreement to Build.

## **Quality Building and Site Design**

### *Architectural Elevations*

An Applicant may receive up to 20 points for providing architectural façades and agreeing to particular elements of design, such as minimum amount of transparency, maximum separation between doors, awning provisions, sign restrictions or lighting parameters that affect the perception of mass or pedestrian comfort or enhance neighborhood compatibility. Incentive density of 10 points is appropriate for development that provides and is bound by architectural elevations as part of a certified site plan showing particular elements of the façade, including:

1. Minimum amount of transparency on the first floor.
2. Minimal spacing between operable doors.
3. Design priorities of the applicable master plan and/or implementing design guidelines.

Additional incentive density points may be granted where additional elements, such as signage, awnings, and lighting designs, are included, and where architectural elevations are a priority of the applicable master plan.

The Applicant is seeking five (5) points for this public benefit. At the time of Sketch Plan, a concept and narrative are required. During Site Plan review, the final details and binding elevations are established. While the Board supports the requested 5 points, an opportunity exists to deliver additional architectural elements that raise the overall points.

### *Structured Parking*

Structured parking for multifamily residential may be granted incentive density points on a sliding scale, based on the percentage of above-ground parking multiplied by 10 points plus the percentage of above-grade parking structure multiplied by 20 points. The Applicant seeks 7 points out of a possible 20 points for providing 574 above grade parking spaces. The Applicant is not seeking points for below ground structured parking. These points are associated with proposed Phase III of the

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<sup>11</sup> Section 59.4.7.1.B. of the Zoning Ordinance states: "Except for providing MPDUs exceeding 12.5% of a project's dwelling units, granting points as a public benefit for any amenity or project feature otherwise required by law is prohibited."



development with the multifamily building. No points will be awarded for garages built within the townhouse units. The final above grade parking spaces will be reviewed and determined when the relevant future Site Plan(s) are submitted. And as conditioned, the Applicant must recalculate and clarify the phasing associated with this public benefit.

## **Protection and Enhancement of the Natural Environment**

### *Building Lot Terminations (BLT)*

To protect agricultural land, one BLT, equivalent to 9 points, must be purchased or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5 percent incentive density floor area. The Applicant is seeking a total of 504,598 square feet of incentive density and requests approximately 11 points for the purchase of approximately 1.2 BLTs. The anticipated phasing of these points must be clarified in the Site Plan submission. While initial calculations are provided with the Sketch Plan, final approval will be determined with the Site Plan and will be subject to proof of purchase and payment prior to building permit.

### *Cool Roof*

The Applicant is seeking five (5) points associated with construction of Phase III for the future provision of a cool roof area that is not covered by a vegetation and will meet the minimum solar reflectance index (SRI) requirements based on roof slope. All cool roof areas in the Project must be constructed with an SRI of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12.

### *Natural Environment for Energy Conservation & Generation and Vegetated Roof*

Currently, the Applicant is not proposing additional points from the above noted categories as prioritized in the Sector Plan. Per the conditions of approval, the Applicant must explore adding additional points in the category of Protection and Enhancement of the Natural Environment for Energy Conservation and Generation, and/or Vegetated Roof.

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

The timing of subsequent application filings for a Preliminary Plan and a Site Plan(s) is unknown. Although identified presently as Phase I, II, and III based on current plans, phases may occur in any order or may be combined (as previously referenced in the Project Proposal). Public Benefits will be phased for each of the projected phases for this Project as shown in the Table below. Once refined by the Applicant, the details of this phasing of public benefit points will be reexamined with each subsequent Site Plan. The public benefit points requested and provided must be commensurate with the phases of development.

*Table 3: Public Benefit and Phasing – Annotated By Planning Staff*

<b>Public Benefit</b>	<b>Total Overall Points Proposed by Applicant</b>	<b>Proposed Phase I</b>	<b>Proposed Phase II</b>	<b>Proposed Phase III</b>
<b>Major Public Facility (park)</b>	14.7	0	14.7	0
<b>Transit Proximity</b>	30	10 <sup>12</sup>	10	10
<b>Connectivity and Mobility</b>				
Minimum Parking	6.6	To be determined/recalculated.		
<b>Diversity of Uses and Activities</b>				
Moderately Price Dwelling Units (15.3% plus 3-bedroom units)	50.6	To be determined/recalculated.		
<b>Quality of Building &amp; Site Design</b>				
Architectural Elevations	5	To be determined/recalculated.		
Structured Parking	6.9	To be determined/recalculated.		
<b>Protection and Enhancement of the Natural Environment</b>				
Building Lot Terminations (BLT)	10.8	To be determined/recalculated.		
Cool Roof	5	0	0	5
<b>Total Points Proposed*</b>	<b>129.6</b>	----	----	----

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at the 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 Sector 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 Loehmann's Plaza Sketch Plan No. 320230050, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

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<sup>12</sup> The Applicant has requested 30 transit points per phase. To avoid the appearance of duplicative points, it is recommended to break out the 30 points across the three phases in denominations of 10 points per phase.

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

December 14, 2023

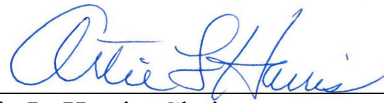
which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal consistent with the Maryland Rules for the judicial review of administrative agency decisions.

\* \* \* \* \*

**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 Hedrick, seconded by Vice Chair Pedoeem, with a vote of **5-0-**, Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, at its regular meeting held on Thursday, November 30, 2023, in Wheaton, Maryland and via video conference.



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Artie L. Harris, Chair  
Montgomery County Planning Board

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