

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

January 31, 2024

MCPB No. 24-001

Preliminary Plan Amendment No. 12022016A

4910/4920 Strathmore

Date of Hearing: January 18, 2024

RESOLUTION

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

WHEREAS, on January 5, 2023, the Planning Board, by Resolution MCPB No. 22-118, approved Preliminary Plan No. 120220160 for 114 buildable lots and 20 parcels for private roads (Street A, Street B, and Street C), alleys, and open space on 15.35 acres of land in the CRNF-0.75, C-0.25 R-0.75 H-50' zone, located at 4910-4920 Strathmore Avenue, Kensington, MD ("Subject Property"), in the Red Policy Area and 1992 North Bethesda/Garrett Park Master Plan ("Master Plan") area; and

WHEREAS, on September 20, 2023, SAH Homes Associates, LLC, c/o EYA Development LLC ("Applicant") filed an application for approval of an amendment to the previously approved preliminary plan to remove the previously approved residential care facility; add eight detached houses and four townhouses (total of 125 dwelling units with 17 detached houses and 108 townhouses); relocate 15 of the previously approved townhouses from the west side of the Property to the east side and make associated lot layout adjustments; and modify previously approved open spaces on the Subject Property; and

WHEREAS, Applicant's application to amend the preliminary plan was designated Preliminary Plan Amendment No. 12022016A, 4910/4920 Strathmore ("Preliminary Plan," "Amendment," or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated January 5, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

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Approved as to

Legal Sufficiency: /s/ Matthew T. Mills

M-NCPPC Legal Department

WHEREAS, on January 18, 2024, 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 Linden, with a vote of 4-0; Commissioners Bartley, Harris, Hedrick, and Linden voting in favor, with Commissioner Pedoeem absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan Amendment No. 12022016A to remove the previously approved residential care facility; add eight detached houses and four townhouses (total of 125 dwelling units with 17 detached houses and 108 townhouses); relocate 15 of the previously approved townhouses from the west side of the Property to the east side and make associated lot layout adjustments; and modify previously approved open spaces, subject to the following conditions, which supersede all prior conditions of approval:¹

GENERAL APPROVAL

1. This Preliminary Plan is limited to 400,000 square feet of residential uses for 125 buildable lots (17 detached houses and 108 townhouses) and parcels for private roads, alleys, and open space.

VALIDITY PERIODS

2. The Adequate Public Facilities ("APF") review for the Preliminary Plan will remain valid for five (5) years from the initiation date (as defined in Montgomery County Code Section 50.4.3.J.5).
3. The Preliminary Plan will remain valid for three (3) years from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and prior to the expiration date of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records or a request for an extension filed.

OUTSIDE AGENCIES

4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 28, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations provided in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
5. The Planning Board has reviewed and accepts the recommendations of the Maryland State Highway Administration ("MDOT SHA") in its letter dated January 16, 2024 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations provided in the letter, which may be

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.

amended by MDOT SHA if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

6. Before the issuance of access permits, the Applicant must satisfy the MDOT SHA requirements for access and improvements.
7. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") - Water Resources Section in its stormwater management concept letter dated November 17, 2023 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations provided in the letter, which may be amended by MCDPS - Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
8. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS")- Fire Department Access and Water Supply Section in its letter dated January 2, 2024 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations provided in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
9. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Housing and Community Affairs ("DHCA"), in its letter dated November 20, 2023, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations provided in the letter, which DHCA may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

LOCAL MAP AMENDMENT (LMA) AND SITE PLAN APPROVAL

10. The Applicant must comply with the conditions of County Council Resolution No. 19-1308 approving Local Map Amendment No. H-143, as may be amended.
11. Before clearing or grading, except that associated with removal of the existing building on the Property, or before recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board approved site plan. The number and location of site elements, including but not limited to buildings, dwelling units, on-site parking, site circulation, sidewalks, and bike paths will be determined through site plan review and approval.
12. If an approved site plan or site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan or site plan amendment.

TRANSPORTATION

Frontage Improvements on Existing Roads

13. Before issuance of the first above grade building permit, the Applicant must satisfy all necessary requirements of MDOT SHA (i.e. approval for the roadway improvement

permit, obtain agency design approval, and post the bond for the project cost) to ensure construction of a ten-foot wide sidepath along the Property frontage on Strathmore Avenue.

14. Before issuance of the use and occupancy certificate or Final Inspection, whichever is relevant, for the final dwelling unit on the Site, the Applicant must install a new traffic signal at the Center Site Driveway with Strathmore Avenue. This includes installing a new protected pedestrian crossing and high visibility crosswalk, associated with the new traffic signal, at the Center Site Driveway with Strathmore Avenue (north-south crossing) for approximately 35 feet in length.

Off-Site Improvements/LATR

15. Before issuance of the first above grade building permit, the Applicant must satisfy all necessary requirements of MDOT SHA (i.e. apply for the roadway improvement permit, and post the bond for the project cost) to ensure construction of the following LATR off-site improvements:
 - a) Upgrade the existing curb ramp to meet ADA design standards at the Strathmore Avenue and the Center Site Driveway (north-south crossing), north side.
 - b) At the intersection of Strathmore Avenue and Stillwater Avenue, construct a north leg continental crosswalk and three ADA-compliant curb ramps on the north side of Strathmore Avenue.
 - c) Install five (5) new streetlights along the south side of Strathmore Avenue from the eastern Site boundary to the eastern LATR study area boundary.
16. Within 12 months of the issuance of the Planning Board resolution, MCDOT will determine if the Applicant must construct an approximately ten-foot-wide sidepath with a landscaped street buffer along the south side of Strathmore Avenue from the eastern Site boundary to the existing sidewalk east of Flanders Avenue (LATR off-site improvement), or make a payment to MCDOT equal to the cost of the sidepath's design, permit, construction, and relocation of utilities, if any (excluding any costs associated with right-of-way acquisition). The payment must be adjusted based on the Federal Highway Administration's National Highway Construction Cost Index from the mailing date of the Planning Board resolution to the date of application for the first above-grade building permit or right-of-way permit (whichever comes first).
17. Before issuance of the final use and occupancy certificate or Final Inspection, whichever is relevant, the Applicant must construct the LATR improvements or make the alternate payment (if needed) listed in Conditions No. 15 and 16.
18. If, at the time the Applicant submits for permits to construct one of the required LATR Off-Site Improvements, the improvement is no longer necessary or desirable, because: i) it has been constructed or is under construction by another applicant or as

part of a capital improvement project by a government agency, or, ii) the applicable master plan has changed and no longer requires or suggests the improvement, or iii) the necessary right- of-way has not been obtained, the Applicant can propose an alternative LATR Off-Site Improvement from the priority list of improvements provided in the subject Staff Report that is of similar value, and this alternative improvement, if reviewed and approved by Staff, can be substituted and shown on a revised Certified Site Plan.

Private Roads

19. The Applicant must provide Private Roads and alleys currently identified as Academy Park Drive , Dulcet Drive West, Dulcet Drive East, and Chamber Street, and Alleys 1-6, including any sidewalks, bikeways, storm drainage facilities, street trees, streetlights, private utility systems and other necessary improvements as required by either the Preliminary Plan or the subsequent Site Plan within the delineated private road area (collectively, the "Private Roads"), subject to the following conditions:
 - a) The record plat must show the Private Roads in a separate parcel.
 - b) The Private Roads must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq. The Covenant includes, but is not limited to the following requirements/conditions:
 - i. The Applicant, at its expense, shall design, construct, and maintain the Private Roads.
 - ii. The Applicant, at its sole cost and expense, shall properly and continually maintain (including ordinary and capital maintenance and removal of snow, ice, litter, and other obstructions and hazards as soon as conditions reasonably allow), repair, and replace any portion of the Private Roads and all improvements located within the Private Roads, in good condition and repair for safe use and operation of the Private Roads. The Applicant must maintain a commercially reasonable budget (operating and capital, as applicable) to address both short-term and long-term maintenance, and reserves for capital repairs. The Applicant must provide certification of the reserves to the Planning Board or its Staff every two (2) years (or every five (5) years in the event there are no below-ground parking structures in the Private Roads). The reserves must be adequate to cover the costs of needed repairs.
 - iii. The Applicant must post and retain signage to notify the public that the Private Roads are not publicly maintained and to provide contact information to handle complaints, concerns or questions regarding the Private Roads.

- c) Before issuance of the first above grade building permit, the Applicant must deliver to the Planning Department, with a copy to MCDPS, certification by a professional engineer licensed in the State of Maryland that the Private Roads have been designed and the applicable building permits will provide for construction in accordance with the paving detail and cross-section specifications required by the Montgomery County Road Code (as modified with 5-foot-wide sidewalks), and that the road has been designed for safe use including horizontal and vertical alignments for the intended target speed, adequate typical section(s) for vehicles/pedestrians/bicyclists, ADA compliance, drainage facilities, sight distances, points of access and parking, and all necessary requirements for emergency access, egress, and apparatus as required by the Montgomery County Fire Marshal.
20. Before any plat is recorded for Academy Park Drive (also shown as Parcel T in the Preliminary Plan Amendment), the private road must be subjected by reference on the plat to the Declaration of Restrictive Covenant for Private Roads recorded among the Land Records of Montgomery County, Maryland in Book 54062 at Page 338, and the terms and conditions as required by the Montgomery County Code with regard to private roads set forth at § 50-4.3.E et seq .

RECORD PLATS

21. There shall be no clearing or grading of the site prior to recordation of plat(s), with the exception of clearing and grading associated with the removal of the existing building on the subject Property.
22. The record plat must show necessary easements.
23. The record plat must reflect common ingress/egress and utility easements over all shared driveways.
24. The record plat must reflect all areas under common ownership.
25. The record plat must reference the Common Open Space Covenant recorded among the Montgomery County Land Records at Book 28045 Page 578 ("Covenant").

CERTIFIED PRELIMINARY PLAN

26. The certified Preliminary Plan must contain the following note:

Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.

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

- a) Show resolutions and approval letters on the certified set.
- b) Provide cost estimates for the LATR off-site mitigation alternative project list.
- c) Provide a cross-section of Dulcet Drive east of Academy Park Drive.

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:

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

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

a) *The block design is appropriate for the development or use contemplated*

The Amendment shows a continuation of the residential block design pattern established by the previous approval east of Academy Park Drive. Per Section 50.4.3.B.1.b., “Blocks must be designed with sufficient width to provide 2 tiers of lots. The Board may approve exceptions to block width design for blocks adjacent to heavy traffic ways, railroads, streams, drainage courses, or for land uses where it is appropriate to establish blocks with 1 tier of lots.” For Preliminary Plan 120220160, the Planning Board approved an exception to this requirement for the units on the west and south side of Chamber Street based on the environmental constraints of the stream valley buffer on the western side of the Site. Similarly, The Planning Board approves an exception to the requirement for two tiers of lots on the south and east side of Dulcet Drive East due to the stream valley buffer located on the east side of the Site.

b) *The lot design is appropriate for the development or use contemplated*

The Preliminary Plan Amendment would create 125 buildable lots for detached houses and townhouses and additional parcels for open space and private roads. The lots satisfy the dimensional requirements for the CRNF zone as specified in

the Zoning Ordinance and as shown in the Data Table below, in relation to maximum density, height, and minimum open space.

c) The Lots and Use comply with the basic requirements of Chapter 59

Data Table for CRNF-0.75, C-0.25, R-0.75, H-50 Zone, Standard Method, Section 59-5.3.5

Development Standard	Permitted/ Required	Previously Approved Preliminary Plan 120220160	Approved Preliminary Plan 12022016A
Tract Area		688,801 sf. (15.81 ac.)	688,801 sf. (15.81 ac.)
Prior Dedication	n/a	19,952 sf. (0.46 ac.)	19,952 sf. (0.46 ac.)
Proposed Dedication	n/a	n/a	n/a
Site Area	n/a	668,849 sf. (15.35 ac.)	668,849 sf. (15.35 ac.)
Density (max)	Residential - 0.75 FAR/ (516,658 sf.) Commercial - 0.25 FAR (172,219 sf.)	Residential - 0.70 FAR/ (482,000 sf.) Commercial - 0 FAR (0 sf.)	Residential 0.58 FAR/ (400,000 sf) Commercial - 0 FAR (0 sf.)
Public Open Space (Residential Care Facility)	10% (19,438 sf.)	10.3% (20,000 sf./0.46 acres)	(no longer required with removal of residential care facility)
Common Open Space (min)	10% of townhouse site area	11.4% (50,000 sf./1.15 acres)	12.3% (75,000 sf) ¹
Lot Size (min)	Established by site plan	Established by site plan	Established by site plan
Lot Coverage (max)	Established by site plan	Established by site plan	Established by site plan
MPDU requirement (min)	15%	15%	15%
Building Height (max)	Established by FZP H-143	50 feet	50 ft
Accessory Structure Height (max)	25 feet	25 feet	25 ft
Site Boundary Setbacks (min) Strathmore Ave. Side & Rear	Established by FZP H-143	10 ft. 50 ft.	10 ft. 50 ft.
Principal Building Setbacks (min)	Established by Site Plan	Established by Site Plan	Established by Site Plan

¹ Townhouse site area is 607,769 sf

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

With the changes approved in this Amendment, the Project remains in substantial conformance with the recommendations of the 1992 North Bethesda/Garrett Park Master Plan (“Master Plan” or “Plan”) despite the removal of the senior housing component. The Master Plan puts forth sweeping recommendations for the Plan Area which include concentrating future development at Metrorail stops, new transit stations, and areas best served by transportation infrastructure, with more emphasis on housing; reducing block sizes in the vicinity of Metro areas; making pedestrian improvements, particularly near transit nodes; and providing a landmark quality and sense of place for nodal areas and districts. The Project satisfies these recommendations within the context of the Site by adding housing near the Grosvenor-Strathmore Metro Station, improving transportation infrastructure for non-automobile modes, providing walkable blocks within the development, and using design best practices and construction materials to create a high-quality recognizable place that fits within the larger neighborhood.

The Plan identifies the 35+ acre tract for the Academy of the Holy Cross which includes the school buildings, athletic fields, and a former group home for retired nuns. Citing the students’ use of nearby transit, the Plan “supports the continued existence of the Academy and the retirement home at this location and recommends that the existing R-60 zoning be confirmed” (page 81). The Amendment retains the Academy of the Holy Cross in its existing location. However, with the closure of the St. Angela’s Hall retirement home, and the removal of the previously approved residential care facility from the Project, this part of the recommendation can no longer be fully realized, nor can the Plan’s recommendation for additional elderly housing in the area. Despite the removal of the senior housing, the overall benefit of a new, well-designed residential community in a Metro-accessible location significantly advances the overall vision of the Master Plan.

The Project continues to achieve the environmental Master Plan goals for the Site including preservation of green areas and open space for environmental protection, wildlife sanctuary, recreation, and visual relief (page 81). The Amendments reduce the amount of impervious area within the stream valley buffer while protecting and enhancing environmental features within Category I and Category II Conservation Easements.

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

a) *Roads and other Transportation Facilities*

i. *Existing Facilities*

Strathmore Avenue is classified as an Area Connector with a master plan width of 80 feet. It currently has one travel lane in each direction. The Site has a sidewalk along the Strathmore Avenue frontage between the western lot line and the

existing access road to the Academy of the Holy Cross. There is no sidewalk present east of the access road.

The Site has one existing bus stop located just to the east of the existing middle access. It is served by Montgomery County Ride On routes 5 and 37.

- Ride On route 5 provides service between Twinbrook Metro Station and Silver Spring Metro Station.
- Ride On route 37 provides service between Potomac Community Center via the Grosvenor-Strathmore Metro Station and Wheaton Metro Station.

ii. Proposed public transportation infrastructure

A ten-foot-wide sidepath will be installed along the Site frontage on Strathmore Avenue. The sidepath will be buffered from the street with a six-foot-wide street buffer. This is consistent with the previous approval frontage improvement. No dedication is needed to provide the frontage improvement.

The existing flag bus stop will be removed and replaced with a bus shelter located just west of Academy Park Drive.

iii. Proposed private transportation infrastructure

The Proposal will realign the existing access road, now called Academy Park Drive, and add two new street connections (Chamber Street and Dulcet Drive). Consistent with the previous approval, these internal streets will be private. These streets are intended to only accommodate local circulation within the Project and the adjacent Academy of the Holy Cross, and do not provide transportation capacity for the general public. Additionally, these streets could not effectively function as public roads constructed to public standards because of approved modifications related to lane widths and green panels. Additionally, vehicular access and circulation via a new internal road system meet the requirements of Chapter 49, Streets and Roads.

As previously approved, the Application also includes the provision of a natural surface trail along the western and southern boundary of the Subject Site. This trail will connect to the sidepath on Strathmore Avenue on the north side of the Site and connect to both Chamber Street and Academy Park Drive on the south side of the Site.

b) Local Area Transportation Review (LATR)

An LATR Transportation Study was required during the previous approval process. To demonstrate that the Amendment land use trip generation is below the approved land use trip generation, a Transportation Statement was submitted as part of the amendment application. Table 2 provides this comparison.

4910/4920 Strathmore Estimated Person Trip Generation

Scenario	AM Person Trips	PM Person Trips
Approved Trip Generation	137	172
Proposed Trip Generation	101	123
Net Trip Generation	-36	-49

Source: Transportation Impact study by Gorove Slade dated October 20, 2023, amended by staff

As shown in the Trip Generation Table, the amendment land use has a lower trip generation both during the AM and PM peak hours. Therefore, additional LATR adequacy testing, and a transportation study are not required.

As the amendment reduces the total number of units, the LATR proportionality guide is also lower than what was previously approved. Under Section 8 of the 2022 Local Area Transportation Review Guidelines (LATR Proportionality Guide), the maximum cost of mitigation improvements the Applicant is required to construct or fund for a project consisting of 108 townhome units and 17 detached housing units is not to exceed \$1,062,795 (see calculation below).

LATR Proportionality Guide = (Extent of Development) (LATR Proportionality Guide Rate) (LATR Proportionality Guide Adjustment Factor)

\$1,062,795 = (108 attached units) (\$16,506) (50%) + (17 detached units) (\$20,173) (50%)

This is lower than the Proportionality Guide previously approved of \$1,315,890 due to the removal of the residential care facility and modification to unit types.

Comparison of Proportionality Guide for Approved Development and Proposed Development

Scenario	Proportionality Guide
Approved Development	\$1,315,890
Proposed Amendment	\$1,062,795
Difference (Approved – Proposed)	\$253,095

Source: Transportation Impact study by Gorove Slade dated October 20, 2023, amended by staff

Due to this reduction, in compliance with the 2022 LATR Guidelines, the list of prioritized projects was assessed by the Applicant and the reviewing agencies to determine if all previously approved LATR Mitigation Projects would be within the updated Proportionality Guide. Based on that assessment, the bridge widening to the west along the south side of Strathmore Avenue was removed from the list of LATR Projects to adhere to the updated proportionality guide total.

The final modified list of projects is included in the LATR Mitigation Project List. It should be noted that Project 1 was the bridge widening project and was removed from both the list and map.

4910/4920 Strathmore LATR Mitigation Project List

Map ID	Project Location	Project Description	Construct/ Mitigation Payment	Project Cost
2	Strathmore Ave/Stillwater Ave: ADA-Compliant Curb Ramps and Continental Crosswalk	North leg crosswalk and curb ramps (3) on the north side of Strathmore Ave.	Construct	\$34,440.00
3	Strathmore Ave/Center Driveway: ADA-Compliant Curb Ramp and Continental Crosswalk	East leg crosswalk and receiving curb ramp on the north side of Strathmore Ave.	Construct	\$27,182.40
4	East Sidepath Connection with 10' sidepath with 6' buffer	South side of Strathmore Avenue between eastern property boundary to existing sidewalk east of Flanders Avenue for 1,050 feet	Construct	\$722,534.40
5	Five (5) Streetlights to the East	South side of Strathmore Avenue between eastern property boundary to existing sidewalk east of Flanders Avenue	Construct	\$163,800.00
Construction Subtotal				\$947,956.80
Mitigation Payment Subtotal				\$114,838.20
MPDU Credit ¹				-\$16,943.47
Adjusted Mitigation Payment Subtotal				\$97,894.73
Total				\$1,045,851.53
Proportionality Guide				\$1,062,795.00
¹ Consistent with Section TA4 of the 2020-2024 Growth and Infrastructure Policy, any mitigation payment will be reduced proportionally based on the share of the project's LATR Proportionality Guide that is generated by MPDUs.				

As conditioned, all off-site mitigation projects must be constructed, and all mitigation payments must be paid before the issuance of the final Use and Occupancy Certificate. Montgomery County Planning, MCDOT, and MDOT SHA staff reviewed the Transportation Impact Study (TIS) and approved the mitigation project list.

Therefore, the Applicant has satisfied the requirements of the LATR, and the public transportation facilities are adequate for the Site.

As conditioned, modifications to conditioned improvements may be warranted but will still need to meet the timing for construction. Situations may arise in which an Applicant proposes to replace a conditioned improvement for another improvement on the list of mitigation projects identified in the Staff Report. In these instances, the replacement project must be of similar cost to the conditioned project, as estimated in the Staff Report and adjusted for inflation. This LATR Mitigation Alternative Project List is summarized in the table below.

4910/4920 Strathmore LATR Alternative Mitigation Project List

LATR Study Map ID	Project Location	Project Description
1 (initially on LATR mitigation project list)	Strathmore Avenue - 30' west	Sidepath Connection (Remove existing sidewalk/bridge and replace with widened 10-ft-wide sidepath)
2	Strathmore Avenue (south side), crossing of Holy Cross Academy driveway	Add marked crossing
4	Strathmore Avenue (north side), eastern study area boundary to bus stop across from Holy Cross Academy driveway	Add 5 to 8 ft. sidewalk with 5 to <8 ft. buffer
5	Strathmore Avenue (north side), bus stop across from Holy Cross Academy to Stillwater Avenue	Add 5 to 8 ft. sidewalk with 5 to <8 ft. buffer
7	Stillwater Avenue with Strathmore Avenue (north side, east-west crossing)	Add marked crosswalk
8	Strathmore Avenue (north side), Stillwater Avenue to western study area boundary	Add 5 to 8 ft. sidewalk with 5 to <8 ft. buffer
9	Strathmore Avenue & Stillwater Avenue (north-south crossing), NW corner	Bring existing curb ramps to compliance
10	Strathmore Avenue & Stillwater Avenue (east-west crossing), NE corner	Add curb ramp with DWS
12	Strathmore Avenue & Holy Cross Academy Driveway (north-south crossing)	Bring existing curb ramps to compliance
13	Strathmore Avenue & Holy Cross Academy Driveway (east-west crossing), SE corner	Add curb ramp with DWS

LATR Study Map ID	Project Location	Project Description
17	Strathmore Avenue at Symphony Park Drive EB bus stop (Stop ID 26222)	Add Real-Time Information Display (RTI)
18	Strathmore Avenue at Jolly Way WB bus stop (Stop ID 26256)	Add Real-Time Information Display (RTI)

Source: Page 40 of the Applicant’s 2022 LATR prepared by Gorove Slade, amended by staff

c) Schools

i. Overview and Applicable School Test

Preliminary Plan Amendment 12022016A and Site Plan Amendment 82022022A for 4910/4920 Strathmore Avenue went before the Planning Board on January 11, 2024. Therefore, the FY24 Annual School Test, approved by the Planning Board on June 15, 2023 and effective July 1, 2023 is applicable to this application. The Amendments approved eight additional single family detached units and four additional single-family attached units for a total of 17 detached houses and 108 townhouses.

ii. School Adequacy Test

The project is served by Garrett Park ES, Tilden MS and Walter Johnson HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the following table:

Applicable FY2024 School Adequacy

Projected School Totals, 2027

	Program Capacity	Enrollment	%Utilization	Surplus/ Deficit
Garret Park ES	777	668	86.0%	+109
Tilden MS	1,244	1,139	91.6%	+105
Walter Johnson HS	2,291	2,240	97.8%	+51

Adequacy Ceilings

	Adequacy Status	Tier 1	Tier 2	Tier 3
Garret Park ES	No UPP	194	265	381
Tilden MS	No UPP	231	354	541
Walter Johnson HS²	No UPP	231	510	853

The school adequacy test determines the extent to which an applicant is required to make a Utilization Premium Payment (UPP) based on each school’s adequacy status and ceilings, as determined in the Annual School Test. **Under the FY24 Annual School Test, Garrett Park ES, Tilden MS and Walter Johnson HS do not require any UPP.** If the project is estimated to generate more students than the identified ceilings, then additional UPPs or partial payments at multiple tiers may still be required.

iii. Calculation of Student Enrollment Impacts

To calculate the number of students generated by the Project, the number of dwelling units is multiplied by the applicable School Impact Area student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low-rise multifamily unit, or high-rise multifamily unit.

With a net of eight single family detached units and four single-family attached units that are not age-restricted, the Project is estimated to generate the following number of students based on the subject Site’s location within an Infill Impact Area:

Estimated Student Enrollment Impacts

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	8	0.202	1.616	0.096	0.768	0.141	1.128
SF Attached	4	0.161	0.644	0.087	0.348	0.126	0.504
MF Low-rise	0	0.065	0.000	0.030	0.000	0.040	0.000
MF High-rise	0	0.039	0.000	0.016	0.000	0.018	0.000
TOTALS	12		2		1		1

² Projected enrollment reflects the estimated impact of CIP P651908, which will reassign students between the Down County Consortium, Bethesda-Chevy Chase HS, Walter Johnson HS, Walt Whitman HS, and Charles Woodward HS in 2026.

As shown in the table above, on average, this project is estimated to generate 2 elementary school students, 1 middle school student and 1 high school student. The estimated number of students generated do not exceed the adequacy ceilings identified for each school in the School Adequacy Table. Therefore, no additional UPPs are required and neither are partial payments across multiple UPP tiers.

School Name	Tier 1	Tier 2	Tier 3
Garrett Park ES	0.000	0.000	0.000
Tilden MS	0.000	0.000	0.000
Walter Johnson HS	0.000	0.000	0.000

d) Other Public Facilities and Services

The Subject Site is located within the W-1 and S-1 water and sewer categories and is served by a 12-inch water line along Strathmore Avenue and a 15-inch sewer line running north-south through the Site. Therefore, there are adequate water and sewerage facilities to serve the Project. Dry utilities (electric, gas, and communications) will be provided via a public utility easement connected to Strathmore Avenue and running along the central drive, alleys, and behind the front-load townhouses. Additionally, the Project will be serviced by adequate police, fire, and health services.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

As approved with Forest Conservation Plan No. F20240120, all requirements of the Forest Conservation Law are satisfied.

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

DPS approved a Revised Stormwater Management Concept on November 17, 2023. The plan proposes to meet required stormwater management goals via micro-bioretenion practices, enhanced micro-bioretenion practices, planter boxes, and a Modular Wetland System.

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

January 31, 2024

(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 Commissioner Linden, with a vote of 4-0-1, Chair Harris, and Commissioners Bartley, Hedrick, and Linden, voting in favor of the motion, Vice Chair Pedoeem abstaining, at its regular meeting held on Thursday, January 25, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board

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4910/4920 Strathmore: Preliminary
Plan Amendment No. 12022016A, Site
Plan Amendment No. 82022022A,
Forest Conservation Plan No.
F20240120