

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

March 6, 2024

MCPB No. 24-021

Site Plan No. 820240060

12500 Ardennes

Date of Hearing: February 22, 2024

RESOLUTION

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

WHEREAS, on November 1, 2023, Twinbrook Ardennes Owner LLC (“Applicant”) filed an application for approval of a site plan for a 198,718 square-foot multifamily building with 213 affordable units including 25% MPDUs on 1.32 acres of CR-2.0, C-1.5, R-2.0, H-145T zoned-land, located 12500 Ardennes Avenue (“Subject Property”), in the 2009 *Twinbrook Sector Plan* (“Sector Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820240060, 12500 Ardennes (“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 February 22, 2024, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on February 22, 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; Chair Harris, Vice Chair Pedeem, Commissioners Hedrick and Linden voting in favor. Commissioner Bartley was absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820240060 for a 198,718 square-foot multifamily building with 213 affordable units including 25% MPDUs on the Subject Property, subject to the following conditions:¹

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.

Density, Height & Housing

1. Density

The Site Plan is limited to a maximum of 198,718 square feet of residential uses, for up to 213 multi-family dwelling units.

2. Height

The development is limited to a maximum height of 100 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Public Open Space, Facilities, and Amenities

a) The Applicant must provide a minimum of 2,837 square feet of public open space (5% of Site area) on-site.

b) The trees along Twinbrook Parkway must be planted according to the 1992 *Bethesda Streetscape Standards*.

c) Before the issuance of the final use and occupancy certificate for the residential development:

i) all public use space on the Subject Property must be completed; and

ii) the Applicant must construct the streetscape improvements.

d) Within one growing season after issuance of the final use and occupancy certificate, all landscaping must be installed.

e) Utilities along the Property's frontage on Ardennes Avenue and Twinbrook Parkway must be undergrounded.

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) Transit Proximity for location within one-quarter mile of the Twinbrook Metrorail (level 1) Station.

b) Diversity of Uses and Activities

i. Affordable Housing/MPDUs –

a. The development must provide 25 percent MPDUs, or MCDHCA -approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 32 percent density bonus for providing 25 percent MPDUs or MCDHCA-approved equivalent. The

remaining units must be subject to government regulation or binding agreement for at least 15 years serving low- and moderate- income housing which is exempt from paying a development impact tax.

- b. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
- c. The Planning Board has reviewed and accepts the recommendations of DHCA in its letter dated January 22, 2024, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

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 plaza elements including seating and landscaping.

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 April 1, 2020 (and reconfirmed by email dated January 16, 2024) 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.

Transportation & Circulation/Adequate Public Facilities (APF)

8. 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 January 8, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated

January 31, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of approval.

- c) Before issuance of any Right-of-Way permit, the applicant must:
 - i) Make a payment of \$48,742.15 to MCDOT CIP #507596 in lieu of constructing the bicycle frontage improvement. If CIP #507596 is no longer available, the Applicant's payment must go to an appropriate alternative CIP to construct nearby bikeway infrastructure as determined by Planning Staff and MCDOT; and
 - ii) Submit a Traffic Signal Plan to MCDOT.
- d) Before issuance of any Building Permit, the Applicant must:
 - i) Execute a deed of dedication for a total of 60 feet from the centerline along the Twinbrook Parkway Property frontage. The deed must be reviewed and approved by the M-NCPPC Office of General Counsel and the Montgomery County Department of Permitting Services (DPS) and must be recorded in the Land Records of Montgomery County;
 - ii) Obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT); and
 - iii) Receive approval of a Traffic Signal Plan by MCDOT.
- e) Before issuance of the first Use and Occupancy Certificate (excluding core and shell), and at no cost to the County, the Applicant must:
 - i) Relocate the Traffic Signal Cabinet to a location shown on the Certified Site Plan, or as otherwise approved by MCDOT and Planning Staff;
 - ii) Provide a Traffic Signal Cabinet easement to the County as necessary;
 - iii) Ensure that the traffic signal is functional; and
 - iv) Ensure the Traffic Signal Cabinet is easily accessible by MCDOT for maintenance.

9. Pedestrian & Bicycle Circulation

- a) The Applicant must provide 95 long-term and 5 short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room in a parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed 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.
- d) The Applicant must provide the following master planned pedestrian and bicycle facilities, the exact location, design and construction of which must comply with requirements of the Montgomery County Department of Transportation, Division of Traffic Engineering and Operations, before any right-of-way permit.
 - i) Twinbrook Parkway: eight-foot-wide sidewalk with five-foot-wide buffer from traffic.
 - ii) Ardennes Avenue: eight-foot-wide sidewalk with seven-foot-wide buffer from traffic.

10. Offsite Improvements/LATR

- a) Before issuance of any above ground building permit, the following off-site improvements must be permitted and bonded (to ensure construction) pursuant to MCDOT requirements:
 - i) Widening the median to 6-feet on the south leg of the Twinbrook Parkway/Ardennes Avenue intersection to provide a pedestrian refuge.
- b) If, at the time the Applicant submits for permits to construct the required LATR Off-Site Improvement, 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, 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 Planning Staff, can be substituted and shown on a revised Certified Site Plan.

11. APF Validity

The Adequate Public Facilities Review (APF) will remain valid for five (5) years from the initiation date in Section 50.4.3.J.5 of the County Code.

12. 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 May 20, 2020 (updated January 10, 2024) 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

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) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights 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 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 only for facilities located on the Property (not in the public r.o.w.), including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, retaining walls, fences, railings and private utilities. 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 stormwater management concept approval letter, 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) Include approved Fire and Rescue Access 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) On Sheet LL-011, Recreation Guidelines Exhibit:
 - i) Remove bikeway from proposed recreation facility list and add a grilling area; and
 - ii) Demonstrate that the indoor community space and the interior courtyard meet the square footage requirement in the M-NCPPC Recreation Guidelines.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of 12500 Ardennes, Site Plan No. 820240060, 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 proposed development satisfies Sketch Plan No. 320180200, as amended concurrently with this Site Plan Application.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

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

- a. Use Standards

Multi-unit living is a permitted use in the CR-2.0, C-1.5, R-2.0, H-145T Zone.

- b. Development Standards

The Subject Property includes approximately 1.32 acres zoned CR-2.0, C-1.5, R-2.0, H-145T. The Application satisfies the applicable development standards as shown in the following data table:

Data Table

Development Standard	Permitted/ Required	Approved
Tract Area	n/a	75,272 sf
Tract Area - Prior Dedication	n/a	18,032 sf
Tract Area - Proposed Dedication	n/a	495 sf
Site Area	n/a	56,745 sf
<u>Mapped Density (max)</u>		
Residential	150,544 sf/2.0 FAR	150,544 sf/2.0 FAR
Commercial	112,908 sf/1.5 FAR	0 sf
Total	150,544 sf/2.0 FAR	150,544 sf/2.0 FAR
MPDU Requirement	12.5% min	25%
MPDU Bonus Density	n/a	48,174.08 sf
Total GFA/FAR with MPDU bonus	n/a	198,718 sf/2.64 FAR
Building Height	145 ft	100 ft
Public Open Space (min)	5% (2,837 sf)	5% (2,837 sf)
<u>Minimum Setbacks</u>		
Front/Side Street	0	5 ft
Side	0	0
Rear	0	0

c. Optional Method Public Benefits

A Project of this size in the CR Zone typically requires 100 points in four categories. However, if a Project provides a minimum of 20% MPDUs, it does not have to satisfy any other public benefit category. The Project provides 25% MPDUs and the Planning Board approves 190 public benefit points in two categories as follows:

Public Benefits

Public Benefit	Maximum Points Allowed	Approved
Transit Proximity	40	40
Diversity of Uses and Activities		
Moderately Priced Dwelling Units	N/A	150
Total Points	100 (required)	190

Transit Proximity

The entire Property is located one-quarter mile from the Twinbrook Metrorail (level 1) Station and the Planning Board approves 40 points as allowed in the Zoning Ordinance.

Diversity of Uses and Activities

Moderately Priced Dwelling Units (MPDUs)

The Project includes 12.5% above the minimum amount of MPDUs required. Twelve (12) points are allowed for every percentage point over the required 12.5% MPDUs as demonstrated in the calculation below. The Planning Board approves 150 points for providing 25% MPDUs based on the following calculation:

$$25\% (\text{percentage MPDUs provided}) - 12.5\% (\text{percentage MPDUs required}) \times 12 = 150 \text{ points}$$

d. **General Requirements**

i. *Site Access*

Vehicular access to the Project is from Ardennes Avenue, with a consolidated curb cut with a pedestrian refuge leading to the parking garage and the loading area. Pedestrian access is also provided from Ardennes Avenue and Twinbrook Parkway via improved frontages, including sidewalks.

ii. *Parking, Queuing, and Loading*

Vehicle parking is provided via the parking garage accessed from Ardennes Avenue. The parking garage will have 106 parking spaces, which meets the minimum parking required and is well below the maximum of 286 parking spaces allowed.

Per Section 59.6.2.8, as a development with over 50 dwelling units, one off-street loading space is required. This space is accessed using a separate driveway access along Ardennes located just east of the parking garage driveway.

Long-term bicycle parking is provided in a bike room located within the parking garage. Short-term bicycle parking is provided on Ardennes Avenue and Twinbrook Parkway via bike racks located near the building entrance plaza.

Vehicle and Bicycle Parking

Vehicle Parking				
<i>Use</i>	<i>Units</i>	<i>Minimum Required</i>	<i>Maximum Allowed</i>	<i>Proposed</i>
Efficiency	26	13	26	13
1 Bedroom	104	52	130	52
2 Bedroom	71	35	106	35
3 Bedroom	12	6	24	6
TOTAL	213	106	286	106
Bicycle Parking				
<i>Use</i>	<i>Units</i>	<i>Short-term Bike Parking Required</i>	<i>Long-term Bike Parking Required</i>	<i>Total Bike Parking Required</i>
Residential	213	5	95	100

iii. *Open Space and Recreation*

The urban plaza located at the corner of Ardennes Avenue and Twinbrook Parkway comprises 5% of the Site and includes a mixture of hardscape and greenspace. The plaza will provide a transition between the busy intersection and the residential lobby. While access from adjacent sidewalks is facilitated and encouraged, the site elements provide buffering from passing traffic while negotiating the necessary change in grade.

The recreation facilities meet the requirements of the Recreation Guidelines according to the Recreation Facilities Data table provided with the Application. The recreation facilities include indoor community space, an interior courtyard, an urban plaza, seating and a grilling area.

iv. *General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will enhance the streetscape along Ardennes Avenue and Twinbrook Parkway. The facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform the existing streetscape along the Ardennes Avenue and Twinbrook Parkway frontages with new street trees and improved, wider sidewalks and street lighting. The on-site lighting will limit the necessary light levels to streets and sidewalks.

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

DPS approved a Combined Stormwater Management Concept/Site Development Stormwater Management Plan on April 1, 2020, and reconfirmed the approval by email dated January 16, 2024. Stormwater management goals will be met via microbioretention planter boxes and a green roof. Additional treatment is provided via a structural underground filter. Due to site constraints, full treatment could not be provided, so DPS granted the Applicant's request for a partial waiver of quantity.

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 detailed in the resolution for Forest Conservation Plan F20240250, approved concurrently with this Site Plan.

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

The parking, circulation patterns, building massing, open spaces and site amenities will be safe, adequate and efficient. The structured parking is wrapped with dwelling units and amenities and shielded from view of the street and neighboring buildings. Vehicular access to parking and loading is from a logical location at the furthest point from the intersection on Ardennes Avenue and circulation patterns around the Project are enhanced with improved sidewalks, street trees, and lighting.

The main courtyard amenity level will be elevated and facing south, while the two wings of the building will be set back slightly from the southern property line with minimal fenestration to minimize impact on future development and reduce conflict with the

existing amenity space of the neighboring building to the west. The building massing provides an appropriate street edge along the adjacent roads and the height is consistent with existing and proposed surrounding developments.

The proposed urban plaza open space, located at the prominent intersection of Ardennes Avenue and Twinbrook Parkway, is a well-located amenity for residents and pedestrians in the area. The plaza is easily accessible by pedestrians and cyclists and will provide activation along the Property frontage in the vicinity of the Twinbrook Metro Station. The plaza will also provide a transition between the busy intersection and the residential lobby. Other proposed site amenities will be internal to the Project to provide safe recreation space for residents.

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 Project implements the recommendations of the 2009 *Twinbrook Sector Plan* and *Thrive Montgomery 2050*.

Sector Plan

The Subject Property is located within the 2009 *Twinbrook Sector Plan* (Sector Plan), at the southwest corner of the intersection of Twinbrook Parkway and Ardennes Avenue. It is within a quarter of a mile of the Twinbrook Metro Station and is located within the Metro Core Area 2 of the Sector Plan.

The 2009 Sector Plan rezoned the site to TMX-2. The Property is currently zoned CR-2.0, C-1.5, R-2.0, H-145T pursuant to the Countywide District Map Amendment, approved on July 15, 2014 and effective on October 30, 2014. The Sector Plan provides the following guidance for properties within Metro Core Area 2:

Redevelopment density and mixed-uses should continue the Twinbrook Station pattern of buildings oriented to the street and create pedestrian connections. The full 2.0 FAR is appropriate in this area, but any development above 1.5 must be applied to residential uses. The site could also redevelop completely with residential uses at 2.0 FAR and provide MPDUs and workforce housing. (Sector Plan, p.33)

The Sector Plan also recommended that development within the Metro Core Area 2 should continue the neighborhood pattern of street fronting buildings, provide pedestrian connections to the adjacent Twinbrook Station project and be compatible with the adjacent development within the City of Rockville.

The Application is consistent with the Sector Plan's vision for the Property as it represents redevelopment of this underutilized site with residential uses, including 100 percent affordable housing (25 percent of units will be designated as MPDUs and the remaining units will be another type of regulated affordable housing), and orients the proposed building to the adjacent streets. The Project's design will place the street activating private amenity spaces along Ardennes Avenue and at the intersection of Ardennes and Twinbrook Parkway. The Project's public open space is proposed to be oriented to the Property's northwest corner to maximize visibility and will be designed to be attractive not only to the residents of the Project but also to other area residents commuting to and from the nearby Metro station.

The Sector Plan provided additional design guidance regarding appropriate building heights, promoting structured and shared parking, enhancing pedestrian connections and providing a mix of uses. The proposed building is within the prescribed height limits. Its massing is compatible with the massing of adjacent buildings within the Twinbrook Station Development and its layout screens a 106-spot at-grade parking structure with residential units and amenities lining the streets.

General Plan

Thrive Montgomery 2050 (General Plan) is the county's long-range guide for the development of the community. One of the major elements of the General Plan is the Housing for All chapter, which contains recommendations intended to diversify the housing stock across incomes, building types, and geography (p. 23).

The Application is strongly aligned with policies in the Housing for All chapter and in particular the recommendation to provide more housing of all typologies (p. 121). The Application proposes entirely affordable units through MPDUs and other regulated affordable housing. Page 136 of the General Plan states:

The construction of a wider variety of sizes and types of housing and a focus on affordability and attainability will help diversify the mix of incomes in neighborhoods across the county, improving access to services, amenities, and infrastructure for low- and moderate-income residents, who are disproportionately people of color.

Specific policies from the General Plan that the applicant meets include:

- Increase the number of income-restricted affordable housing units, especially for low-income households with particular attention to high-income areas to ensure that people who work in retail, service and other low-wage-earning employment sectors have the option not to commute. (p. 132)

- Facilitate the development of a variety of housing types in every part of the county but especially in areas near transit, employment, and educational opportunities. (p. 132)
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.*

a. Schools

Overview and Applicable School Test

Site Plan 820240060 for 12500 Ardennes Avenue is scheduled to come before the Planning Board on February 22, 2024. Therefore, the FY24 Annual School Test, approved by the Planning Board on June 15, 2023 and effective July 1, 2023 is applicable. This Site Plan proposes 213 multifamily high-rise units.

School Adequacy Test

The Project is served by Twinbrook ES, Julius West MS and Richard Montgomery HS. Based on the FY24 Annual School Test results, the student enrollment and capacity projections for these schools are noted in the tables below.

Projected School Totals, 2027

	Program Capacity	Enrollment	%Utilization	Surplus/ Deficit
Twinbrook ES	629	400	63.6%	+229
Julius West MS	1,432	1,354	94.6%	+78
Richard Montgomery HS	2,250	2,150	95.6%	+100

Adequacy Ceilings

	Adequacy Status	Tier 1	Tier 2	Tier 3
Twinbrook ES	No UPP	314	355	450
Julius West MS	No UPP	204	365	580
Richard Montgomery HS	No UPP	280	550	888

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, Twinbrook ES, Julius West MS and Richard Montgomery 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.

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 213 multifamily high-rise units that are not age-restricted, the Project is estimated to generate the following number of students based on the subject property’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	0	0.202	0.000	0.096	0.000	0.141	0.000
SF Attached	0	0.161	0.000	0.087	0.000	0.126	0.000
MF Low-rise	0	0.065	0.000	0.030	0.000	0.040	0.000
MF High-rise	213	0.039	8.307	0.016	3.408	0.018	3.834
TOTALS	213		8		3		3

As shown in the table above, on average, this project is estimated to generate 8 elementary school students, 3 middle school students and 3 high school students. The estimated number of students generated do not exceed the adequacy ceilings identified for each school. Therefore, no additional UPPs are required, and neither are partial payments across multiple UPP tiers.

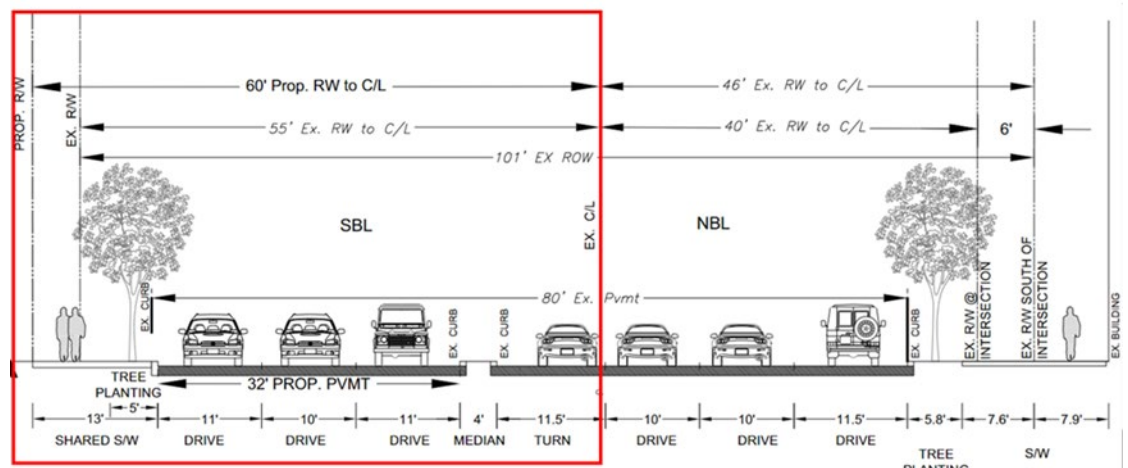
Utilization Premium Payment (UPP) Required

School Name	Tier 1	Tier 2	Tier 3
Twinbrook ES	0.000	0.000	0.000
Julius West MS	0.000	0.000	0.000
Richard Montgomery HS	0.000	0.000	0.000

b. Roads and Other Transportation Facilities

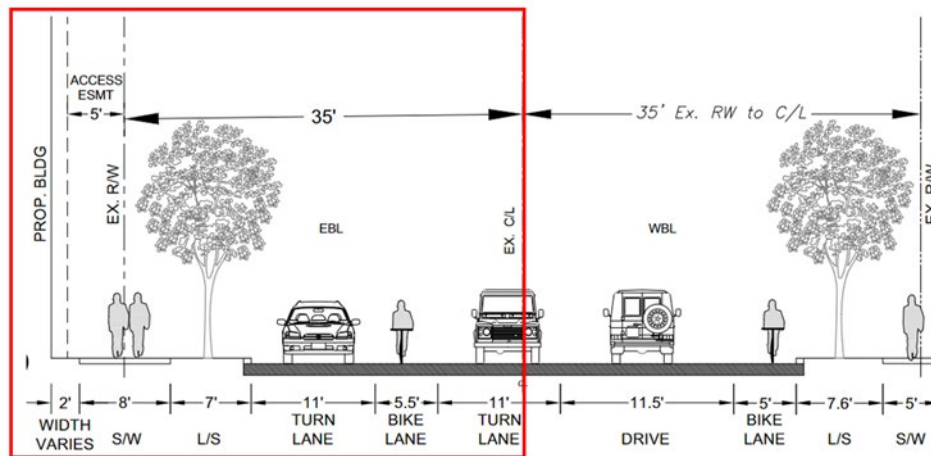
Per the 2009 *Twinbrook Sector Plan*, the right-of-way on Twinbrook Parkway is 120 feet wide. The Applicant is dedicating land for a total of 60 feet from the centerline of Twinbrook Parkway to satisfy the right-of-way requirements. The Project will improve Twinbrook Parkway pedestrian facilities with an eight-foot sidewalk and a five-foot buffer. Tree pits will be installed in the buffer, allowing for up to a thirteen-foot sidewalk where the tree pits are not present.

The 2018 *Bicycle Master Plan* recommends two-way separated bike lanes on the west side of Twinbrook Parkway, fronting the Subject Property, and a protected intersection at Ardennes Avenue and Twinbrook Parkway. However, due to limited right-of-way on Twinbrook Parkway, the Applicant is providing a contribution of \$48,742.15 (CIP # 507596) to MCDOT to fund nearby bikeway infrastructure in lieu of constructing the bikeway improvement.



Twinbrook Parkway Cross-Section

Ardennes Avenue is maintained by the City of Rockville. The Applicant is retaining the existing bike lane and providing an eight-foot sidewalk with a seven-foot landscape buffer along the Property frontage with Ardennes Avenue.



Ardennes Avenue Cross-Section

Transit

The Subject Property is well served by transit. The Twinbrook Metro Station is located approximately a quarter-mile to the southwest, which provides access to the Metro Red Line. Additionally, there are bus stops located just north of the Site along Twinbrook Parkway. These stops are served by the following routes:

- Ride On Route 26 provides service between Montgomery Mall Transit Center and the Glenmont Metro Station.
- Ride On Route 45 provides service between Rockville Regional Transit Center and the Twinbrook Metro Station.

There are also bus stops located to the northwest along Ardennes Avenue that are served by Ride On Route 44 that provides service between the Rockville Metro Station and Twinbrook Metro Station.

c. Local Area Transportation Review (LATR)

As a proposed development with 213 units, the Project is estimated to generate 127 total peak hour person trips in the morning and 129 total peak hour person trips in the evening. After accounting for peak hour person trips currently associated with the existing 21,700 square feet of office on the Site, (59 morning peak hour person trips and 62 evening peak hour person trips), the Project is estimated to generate 68 net new morning peak hour person trips and 67 net new evening peak hour person trips. As a result of the estimated transportation impact, the Project must submit a Transportation Impact Study with the Site Plan to satisfy the Local Area Transportation Review (LATR).

12500 Ardennes Avenue Estimated Person Trip Generation

Land Use	Morning Peak Hour	Evening Peak Hour
Existing (credit)		
Office (LUC 710) 21,700 sq. ft.	59	62
Proposed		
Residential Mid-Rise Multifamily (LUC 221) 213 units	127	129
Net New Person Trips		
	68	67

Source: Transportation Impact Study by Wells & Associates dated December 2023, amended by staff

Travel Mode Adequacy Test

The 2020-2024 *Growth and Infrastructure Policy* requires evaluation of all transportation modes, including: auto-drive, transit, walking and biking. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips. The only exception is that projects within Red Policy Areas (such as the Subject Site) are not required to evaluate motor vehicle adequacy. The adequacy tests for transit, pedestrians, and bicyclists are still required. The mode split of the total person trips for the Project are summarized by travel mode in the table below. The Project’s estimated transportation impact necessitates that the Transportation Impact Study evaluate three (3) of the four (4) travel mode adequacy tests since the Subject Site is located in the Twinbrook Red Policy Area.

12500 Ardennes Avenue Trip Estimate by Mode

	Total Person-Trips	Auto-Driver	Transit	Pedestrian ²	Bicycle
Morning Peak Hour	127	67	12	27	15
Evening Peak Hour	129	67	13	28	15

Source: Transportation Impact Study by Wells & Associates dated December 2023, amended by staff

² Pedestrian trips are calculated by adding non-motorized and transit trips.

- As the Site is located within a Red Policy area, a motor vehicle adequacy test is not required for the Project.
- Transit system adequacy was evaluated by inventorying two bus stops located within 500 feet of the Property. Where shelters and associated amenities are not provided, the Applicant must install the standard amenities in coordination with MCDOT. There are five bus stops within the study area. Only one of the existing bus stops has a shelter, however, construction of bus shelters is infeasible due to limited right-of-way to accommodate a stop.
- Pedestrian system adequacy was evaluated within 400 feet of the Property. Mitigation will be required to achieve a Pedestrian Level of Comfort (PLOC) greater than 2 (Somewhat Comfortable), and/or deficiencies identified for streetlamps within the scoped boundary. The Pedestrian system adequacy also requires mitigation for ADA deficiencies identified within 200 feet of the Property. The PLOC along Twinbrook Parkway is either uncomfortable or undesirable. However, limited right-of-way makes it infeasible to add the necessary buffer between the sidewalk and travel lanes to improve the conditions. The proposed project will address the undesirable conditions along the Property frontage.

There are several non-compliant ADA ramps. Some of these will be addressed as part of the development frontage improvements. However, the ADA ramps located beyond the frontage cannot be addressed due to limited right-of-way.

Four streetlight poles do not meet current County standards. One of these will be addressed as part of the proposed development along the Property frontage. However, the others cannot be addressed due to limited right-of-way.

- Bicycle system adequacy was evaluated by analyzing bikeways within 400 feet of the Property. Mitigation will be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the *Bicycle Master Plan*. Twinbrook Parkway is identified as having a high level of traffic stress. Under Section 8 of 2023 *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 213 units is not to exceed \$1,472,831 (see calculation below).

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

$$\$1,472,831 = (213 \text{ units}) (\$15,366) (45\%)$$

However, per the 2023 LATR Guidelines and 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. Since 100% of the units will be MPDUs or otherwise subject to government price/rent controls for at least 15 years, the proportionality guide only applies to construction projects as no mitigation payment can be required.

For the Subject Site Plan, the cost of construction for mitigation projects is not to exceed \$1,472,831. After evaluating the adequacy of each of the required transportation modes, the Applicant identified a comprehensive list of deficiencies, by which a prioritized list of mitigation improvements was submitted to Staff for review. In compliance with the 2023 LATR Guidelines, the final list of prioritized projects was determined by the reviewing agencies. For the proposed development, reviewing agencies determined that only one mitigation project, listed in the table below, could be feasibly constructed. Construction of this mitigation project is a condition of Site Plan approval.

12500 Ardennes Avenue LATR Mitigation Project List

Map ID	Project Location	Project Description	Construct/ Mitigation Payment	Project Cost
1	South leg of the Twinbrook Parkway/Ardennes Avenue intersection	Widen the median to 6-feet to provide a pedestrian refuge.	Construct	\$50,094
Construction Subtotal				\$50,094
MPDU Credit ¹				\$1,422,737
Adjusted Mitigation Payment Subtotal				\$0.00
Total				\$50,094
Proportionality Guide				\$1,472,831

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, the off-site mitigation project must be permitted and bonded for construction before the issuance of the first above grade building permit. Montgomery County Planning, MCDOT, and MDOT SHA staff reviewed the 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.

d. Other Public Services and Facilities

The Property is served by public water and sewer and is assigned WSSC categories W-1 and S-1. The existing water and sewer lines will be adequate to serve the additional development proposed by the Project. Dry utilities including electricity, gas, and telephone are also available to the Property. Lastly, appropriate emergency access measures will be developed providing adequate facilities for fire and rescue personnel to serve the Project.

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

The proposed Project successfully achieves compatibility with the varied uses in its immediate vicinity. The surrounding development, with the exception of the Exxon gas station directly south of the Property, is a mixture of mixed-use and commercial developments of similar heights. The proposed building will be wrapping the main level of the parking with dwelling units and amenities facing the street.

The proposed building height of up to 100 feet will be compatible with the height of adjacent buildings. The development of multi-family residential uses on the Property will create a more balanced mix of uses along Twinbrook Parkway. There are several commercial office and industrial uses in the vicinity of the Property that generate employment opportunities. Given the proximity of well-established employment uses near the Property, the additional housing provided by the Project will create an opportunity for individuals to live, work, and play in the Twinbrook area. The Project will also offer a variety of housing options through the provision of a 100% affordable housing project.

Lastly, the Application provides an enhanced streetscape and a well-designed urban plaza that will contribute to an enhanced pedestrian experience with immediate connections to the Twinbrook Metro Station.

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

March 6, 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 the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, 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 abstaining, at its regular meeting held on Thursday, February 29, 2024, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
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12500 Ardennes
Sketch Plan No. 32018020A
Site Plan No. 820240060
Forest Conservation Plan No.
F20240250