

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

March 6, 2024

MCPB No. 24-020

Sketch Plan No. 32018020A

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 sketch plan applications; and

WHEREAS, on October 21, 2019, the Planning Board, by Resolution MCPB No. 19-096, approved Sketch Plan No. 320180200 for a residential development with up to 198,718 square feet of total development (including 15% Moderately Priced Dwelling Units (MPDUs) and 10% Work Force Housing Units (WFHUs)) on 1.32 acres of CR-2.0, C-1.5, R-2.0, H-145T zoned-land, located at 12500 Ardennes Avenue (“Subject Property”), in the 2009 *Twinbrook Sector Plan* (“Sector Plan”) area; and

WHEREAS, on November 1, 2023, Twinbrook Ardennes Owner LLC (“Applicant”) filed an application for approval of an amendment to the previously approved sketch plan to modify the type of affordable units, public benefit categories, architecture, site design, layout and minimum public open space on the Subject Property; and

WHEREAS, Applicant’s application to amend the sketch plan was designated Sketch Plan No. 32018020A, 12500 Ardennes (“Sketch 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 February 9, 2024, providing its analysis and recommendation for approval of the Application subject to certain binding elements and 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 Pedoeem, Commissioners Hedrick and Linden voting in favor. Commissioner Bartley was absent.

2425 Reddie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605

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

Approved as to

Legal Sufficiency: /s/ Emily Vaias

M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32018020A to modify the type of affordable units, public benefit categories, architecture, site design, layout and minimum public open space with the following binding elements and conditions of approval:¹

- A. Binding Elements. As originally approved, certain site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance. With this Application, the public benefit schedule is the only binding element being amended and all other binding elements remain in full force and effect. All other elements are illustrative.
- B. Conditions. This approval is subject to the following conditions, which supersede all prior conditions of approval:

1. Density

The Sketch Plan is limited to a maximum of 198,718 square feet of residential development, including 25% Moderately Priced Dwelling Units (MPDUs) on the Subject Property. The maximum number and distribution of residential dwelling units will be determined at Site Plan.

2. Height

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

3. Public Open Space

The Applicant must provide a minimum of 2,837 square feet (5% of Site Area) as Public Open Space.

4. 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. The requirements of Division 59.4.7.1 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a) Transit Proximity, achieved through Property's location within ¼ mile of the Twinbrook Metro Station (level 1).
- b) Diversity of Uses and Activities, achieved by providing 25% of the residential units as MPDUs.

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.

5. Future Coordination for Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed in the Site Plan application:

- a) Dedication of five (5) feet on Twinbrook Parkway.
- b) Design of the Public Open Space that should be accessible and inviting to the public.
- c) Building amenities to help activate the public open space.
- d) Appropriate architectural treatments to the southern facade.
- e) Prominent architectural treatment of the northeastern corner.
- f) Safe and efficient vehicular entry to the parking garage.
- g) Traffic Demand Management Plan with the Planning Board and MCDOT.
- h) ADA compliance.
- i) Bike lanes on Twinbrook Parkway or payment in lieu.
- j) High quality bicycle parking, as required by the Zoning Code and described in the Planning Department's Bicycle Parking Guidelines (pages 13 through 15).

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, with conditions of approval, that the necessary elements of the Sketch Plan, as amended, are appropriate in concept and appropriate for further review at the site plan and that:

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

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

a. Development Standards

The Subject Property includes approximately 1.32 acres zoned CR-2.0, C-1.5, R-2.0, H-145T. The data table below demonstrates the Application's conformance to the applicable development standards of the zone.

Data Table

Development Standard CR-2.0, C-1.5, R-2.0, H-145T	Permitted/ Required	Approved 320180200	Approved 32018020A
Tract Area	n/a	75,272 sf	No change
Tract Area - Prior Dedication	n/a	18,032 sf	No change
Tract Area - Proposed Dedication	n/a	495 sf	No change
Site Area	n/a	56,745 sf	No change
<u>Mapped Density (max)</u>			
Residential	150,544 sf/2 FAR	150,544 sf/2 FAR	No change
Commercial	112,908/1.5 FAR	0 sf	
Total	150,544 sf/2 FAR	150, 544 sf/2 FAR	
MPDU Requirement	12.5% (min)	15%	25% min.
MPDU Bonus Density	n/a	48,174.08 sf	No change
Total Density with MPDU bonus	n/a	198,718 sf/ 2.64 FAR	No change
Building Height (max)	145 ft	100 ft	No change
Public Open Space (min)	5% (2,837 sf)	5.6% (3,207) sf	5% (2,837 sf)

b. Intent of the Zone

- i. *Implement the recommendations of applicable master plans*

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)
- ii. *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Property is currently comprised of an aging office building with an ancillary surface parking lot. The Application proposes redeveloping the site into a pedestrian-friendly project that will incorporate activating ground-floor

private amenity uses and multi-family dwelling units adjacent to the Twinbrook Metro Station in accordance with this objective.

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

The Project will provide housing opportunities for a range of demographics and income levels. The Application will also allow for important streetscape improvements that enhance pedestrian and bicycle connectivity in and around the Property. No parking is proposed between the building and street frontages.

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

The proposed building height of up to 100 feet will be compatible with the adjacent buildings. Surrounding buildings on Higgins Place are between five (5) and six (6) stories in height and the Twinbrook Place office building to the north is seven (7) stories in height. In addition, the Subject Property is approximately eight (8) feet lower in grade than adjacent properties, further ensuring height compatibility.

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

The development of multi-family residential uses on the Property will create a more balanced mix of uses along Twinbrook Parkway. There are a number of 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 units at a variety of income levels.

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

The Project will provide the required minimum of 100 public benefit points to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

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

As described in finding 1.b.i, the Sketch Plan substantially conforms to the recommendations of the 2009 *Twinbrook Sector Plan*.

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

The Sketch Plan successfully achieves compatibility with the varied uses in its immediate vicinity. The surrounding development (with the exception of the Exxon gas station adjacent to the south) is a mixture of mixed use and commercial developments of similar heights. The proposed building will be wrapping the structured parking with dwelling units and amenities facing the street. The main courtyard level will be elevated facing south and the two wings of the residential typical floors will be set back slightly from the south property line with minimal fenestration so as not to impact future development nor conflict with the existing amenity spaces of the neighboring building to the southwest.

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

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. All vehicular access to the Project will be from Ardennes Avenue. The structured parking garage is proposed in the center of the block in accordance with the Sector Plan recommendations. The placement of vehicular and loading access along the western portion of the Property's Ardennes Avenue frontage will allow for an uninterrupted pedestrian through zone along the remainder of the Property's Ardennes Avenue and Twinbrook Parkway frontages. The Sketch Plan proposes 2,837 square feet of public open space that will supplement the proposed streetscape improvements and contribute to an enhanced pedestrian experience with immediate connections to the Twinbrook Metro Station.

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

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

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 Applicant proposes 190 public benefit points in two categories. 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.

Public Benefits

Public Benefit	Maximum Points Allowed	Approved Sketch Plan 320180200	Approved Sketch Plan 32018020A
Transit Proximity	40	40	40
Connectivity and Mobility			
Minimum Parking	10	10	*
Diversity of Uses and Activities			
Moderately Priced Dwelling Units	N/A	30	150
Quality Building and Site Design			
Exceptional Design	10	5	*
Structured Parking	20	10	*
Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLTs)	30	2.4	*
Cool Roof	10	10	*
Total Points	100 (required)	107.4	190
* Applicant no longer requests points for this public benefit			

Transit Proximity

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

Diversity of Uses and Activities

Moderately Priced Dwelling Units (MPDUs)

The Applicant anticipates achieving 150 points for providing 25% MPDUs. The Project proposes 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 supports the Applicant's request based on the following calculation:

25% (percentage MPDUs provided)-12.5% (percentage MPDUs required)]*12= 150 points

- 6. 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 proposed development will be constructed in one phase.

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 12500 Ardennes, Sketch Plan Amendment No. 32018020A, received by 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 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
Montgomery County Planning Board

Bobby Byrd
4550 Montgomery Avenue
Suite 450
Bethesda, MD 20814

Robert Barnard
4550 Montgomery Avenue
Suite 450
Bethesda, MD 20814

Jane Mahaffie
4420 49th Street, NW
Washington, DC 20016

Matt Gordon
4416 East West Highway
4th Floor
Bethesda, MD 20814

Kevin Mack
2101 Gaither Road, Suite 340
Rockville, MD 20850

Trini Rodriguez
101 N Union Street, Suite 320
Alexandria, VA 22314

Valerie Hochman
4600 East West Highway
Bethesda, MD 20814

Jami Milanovich
650 Massachusetts Ave NW
Ste 600 Washington, DC 20001

Nancy Randall
1420 Spring Hill Road, Suite 610
Tysons, VA 22102

12500 Ardennes
Sketch Plan No. 32018020A
Site Plan No. 820240060
Forest Conservation Plan No.
F20240250