

Montgomery County Planning Board

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Date Mailed:

February 14, 2025

MCPB No. 25-012
Site Plan No. 820250020
Democracy Center
Date of Hearing: January 16, 2025

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 September 20, 2024, Democracy Center MF, LLC (“Applicant”) filed an application for approval of a site plan for the construction of up to 472,710 square feet of new residential development (up to 386 units) with 15% Moderately Priced Dwelling Units on 5.89 acres of CR -1.5, C-1.25, R-0.75, H-200 zoned-land, located at the northwest quadrant of the intersection of Fernwood Road and Rockledge Drive in Rock Spring (“Subject Property”), in the North Bethesda Policy Area and 2017 *Rock Spring Sector Plan* (“Sector Plan”) area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820250020, Democracy Center (“Site Plan” or “Application”); and

WHEREAS, the Application was submitted for concurrent review and approval with Preliminary Plan No. 120250020 and Forest Conservation Plan No. F20250070; 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 3, 2025, providing its analysis and recommendation for approval of the Application, subject to certain conditions (“Staff Report”); and

WHEREAS, on January 16, 2025, the Planning Board held a public hearing on the Application and voted to approve the Application subject to conditions, on the motion of Commissioner Hedrick, seconded by Vice Chair Pedoeem, with a vote of 5-0; Chair Harris, Vice Chair Pedoeem, and Commissioners Bartley, Hedrick, and Linden voting in favor.

2425 Reedie Drive, Floor 14, Wheaton, MD 20902 | Phone: 301-495-4605
www.montgomeryplanningboard.org | mcp-chair@mncppc.org

Approved as to
Legal Sufficiency: /s/ Matthew Mills
M-NCPPC Legal Department

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820250020 for the construction of up to 472,710 square feet of new residential development (up to 386 units) with 15% Moderately Priced Dwelling Units, on the Subject Property, subject to the following conditions:¹

Density, Height and Housing

1. Density

The Site Plan is limited to a maximum of 472,710 square feet residential uses, for up to 386 multifamily 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

The Applicant must provide a minimum of 57,174 square feet of public open space on-site.

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) Major Public Facilities

Before release of final Use and Occupancy certificate, the Applicant must construct the privately-owned public open space, as shown on the Certified Site Plan (CSP).

b) Transit Proximity based on being located within ½ mile of two future BRT stations.

c) Diversity of Uses and Activities

i) Affordable Housing/MPDUs.

a. The development must provide 15 percent MPDUs, or MCDHCA-approved equivalent, consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving a 22 percent density bonus for providing 15 percent MPDUs.

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.

ii) Dwelling Unit Mix

a. The Applicant must integrate a mix of residential unit types with at least 29 efficiency units, 31 one-bedroom units, 31 two-bedroom units, and 20 three-or-more bedroom units, with the final unit mix approved by the Planning Board shown on the CSP.

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.

- b. Before issuance of any Use and Occupancy certificate, the Applicant must provide as-built floor plans to MNCPPC and a copy of the approved layout to DPS Zoning & Site Plan Enforcement.
 - d) Quality Building and Site Design
 - i) Exceptional Design
The Applicant must provide exceptional design by creating an outstanding relationship between the privately-owned public open space and the multifamily building, as shown on the Certified Site Plan.
 - ii) Structured Parking
The Applicant must provide a minimum of 465 parking spaces within an above-grade structure.
 - e) Protection and Enhancement of the Natural Environment
 - i) Building Lot Terminations (BLTs)
 - ii) Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.60476 BLTs to the MCDPS and M-NCPPC staff.
5. Recreation Facilities
Before the issuance of the final Use and Occupancy certificate, the Applicant must provide the required recreation facilities as shown on the CSP.
6. Maintenance of Public Amenities
The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to privately-owned public open space.

Environment

7. Noise Attenuation
Before the issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that:
- a) The building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn, will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
 - b) Before the final Use and Occupancy certificate for any residential unit, the Applicant must certify to M-NCPPC Staff that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
8. If any changes occur to the Site or Preliminary Plan which affect the validity of the noise analysis dated May 31, 2024, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
9. Before issuance of any Use and Occupancy certificate (excluding core and shell) for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.
10. For all noise impacted residential dwelling units, the Applicant must disclose in writing to all prospective renters that those units are impacted by transportation noise. Such notification

may be accomplished by inclusion of this information and any measures to reduce the impacts in brochures and promotional documents. A copy of this notification must be provided to the Planning Department and Montgomery County Department of Permitting Services, Site Plan Enforcement Section prior to the issuance of a Use and Occupancy certificate or final inspection, whichever is relevant, for any noise impacted residential unit.

Transportation and Circulation

11. 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 December 5, 2024, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations in the memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.
- b) Before the issuance of any building permit, the Applicant must obtain approval of a Project-based Transportation Demand Management Plan (TDM) from the Montgomery County Department of Transportation (MCDOT).

12. Pedestrian and Bicycle Circulation

- a) The Applicant must provide one hundred (100) long-term and ten (10) short-term bicycle parking spaces.
- b) The long-term spaces must be in a secured, well-lit bicycle room on the ground floor, 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 final Use and Occupancy certificate.
 - i) The Interim Rockledge Drive Interim Road Diet: separated bike lanes (master plan recommended width of six and a half-foot-wide) and street buffers (master plan recommended width of no less than four-foot-wide) on both sides of Rockledge Drive from Westlake Terrace to the northern Subject Property Line/Lockheed Martin southern driveway. The final design will be determined by MCDOT prior to the issuance of Right-of-Way permit.

13. Fire and Rescue

- a) 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 December 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.

- b) Before approval to release any portion of the site plan performance bond, 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 fire access improvements have been constructed and installed per the recommendations from the Fire Department Access and Water Supply Section, and as shown in the approved MCDPS fire access plan, or as amended.

Site Plan

14. Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on Sheets A5-01 and A5-02 of the submitted architectural drawings, as determined by M-NCPPC Staff.

15. 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 proposed 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 streetlights within the right-of-way.
- e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- f) On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

16. Site Plan Surety and Maintenance Agreement

Before issuance of any building permit, sediment control permit, or Use and Occupancy certificate (excluding core and shell), 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 ROW), including, but not limited to: plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, fences, railings, paths and associated improvements of development, including sidewalks, bikeways, storm

drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit of development and will be tied to the development program.

- c) The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

17. 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.

18. 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 Department 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) Show noise impacted units.
- g) Specified site furniture and materials may be substituted with equivalent alternatives (of same or better quality), through coordination with Planning Department staff, without requiring a Site Plan amendment.
- h) Adjust public benefits granted for the provision of 15% MPDUs to 30 points.
- i) Adjust public benefits granted for BLT payments to 5.44 points.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Democracy Center, Site Plan No. 820250020, submitted via ePlans to the M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that having considered the recommendations of its Staff as presented at the hearing and/or as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

1. *The development satisfies any previous approval that applies to the site.*

The Site Plan complies with approved Sketch Plan No. 320240050.

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

Residential uses are allowed in the CR Zone and the Site Plan fulfills the general purposes of the zone, with both commercial and residential uses.

- b. Development Standards

The Subject Property includes approximately 5.89 acres zoned CR -1.5, C-1.25, R-0.75, H-200. The Application satisfies the applicable development standards as shown in the data table, which includes Lot 1 and Lot 2, as covered by Preliminary Plan No. 120250020:

Data Table

Development Standard	Permitted/ Required	Approved
Tract Area	n/a	732,003 sf (16.80 ac.)
Prior Dedication	n/a	63,519 sf (1.46 ac.)
Dedication	n/a	1,813 sf (0.04 ac.)
Site Area	n/a	666,484 sf (15.35 ac.)
Lot 1	n/a	256,514 sf (5.89 ac)
Lot 2	n/a	411,970 sf (9.46 ac)
Total Residential Density (GFA/ FAR)	549,002 sf (0.75)	387,467 sf (0.53)
Lot 1		387,467 sf (0.53)
Lot 2		0 sf
Total Commercial Density (GFA/FAR)	915, 004 sf (1.25)	671,350 sf (0.92)
Lot 1		0 sf
Lot 2		671,350 sf (0.92)
Total Mapped Density (GFA/FAR)	1,098,005 sf (1.5)	1,058,817 sf (1.45)
Remaining Mapped Density		39,188 sf (0.05)
MPDU requirement	15%	15%
MPDU Bonus Density (GFA/FAR)		
Lot 1	22%	85,243 sf (0.12)
Lot 2	NA	0 sf
Total GFA/FAR	1,183,247 sf (1.62)	1,144,060 sf (1.56)
Public Open Space	66,849 sf (10%)	66,849 sf (10%)
Lot 1		57,174 sf (9%)
Lot 2		9,675 sf (1%) ²

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan provides 116.86 public benefit points in five (5) categories to satisfy the requirements.

² Balance of required public open space will be provided on Lot 2 in connection with a future Major Site Plan Amendment.

Public Benefit	Maximum Points Allowed	Approved
Major Public Facilities (Park)	70	34.11
Transit Proximity	50	22.20
Diversity of Uses and Activities		
Dwelling Unit Mix	10	10
Moderately Price Dwelling Units	N/A	30
Quality Building and Site Design		
Exceptional Design	10	5
Structured Parking	20	10
Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	30	5.55
Total Points	100 (required)	116.86

Major Public Facilities

The Applicant was granted 34.11 points for providing and building a privately-owned open space for public use. While the facility is for public use, it will be privately owned as the Department of Parks will not accept the facility in dedication. Points for this incentive were granted based on the land provided and construction of the facility according to the following calculation:

$$\{[(\text{Land area conveyed (sf)} + \text{Floor area conveyed (sf)}) / \text{Net lot area (sf)}] * 2 + [(\text{Constructed area (sf)} / \text{Net lot area (sf)}) * 4]\} * 100 = \text{points}$$

$$\{[(0 \text{ sf} + 0 \text{ sf}) / 668,484 \text{ sf}] * 2 + [(57,005 \text{ sf} / 668,484 \text{ sf}) * 4]\} * 100 = 34.11 \text{ points}$$

Transit Proximity

The Applicant was granted 22.20 points for being within ½ mile of a transit station. The Property is located within ½ mile of two future BRT stations, Level 2 transit. Points for this incentive are granted based on the tract area within proximity to transit and the types of transit provided according to the following calculation:

$$[(\text{tract area within proximity range 1 (sf)} / \text{Tract area (sf)}) * \text{points for range 1}] + [(\text{tract area within proximity range 2 (sf)} / \text{Tract area (sf)}) * \text{points for range 2}] = \text{points}$$

$$[(293,136 \text{ sf} / 668,484 \text{ sf}) * 25 + (375,345 \text{ sf} / 668,484 \text{ sf}) * 20] = 22.20 \text{ points}$$

Diversity Of Uses and Activities

Dwelling Unit Mix

The Applicant was granted 10 points for integrating a mix of residential market-rate unit types with at least 7.5% efficiency units, 8% one- and two-bedroom units, and 5% three- or more bedroom units. The Applicant meets the criteria by providing:

- 53 (13.7 %) efficiency units
- 300 (77.7%) one- and two- bedroom units
- 33 (8.5%) three-bedroom units

Moderately Priced Dwelling Units

The Applicant was granted 30 points for providing 15% MPDUs. The development will provide 58 MPDUs, 2.5% above the minimum required. Points are granted based on the percentage of the MPDUs provided according to the following calculation:

$$(\text{Percentage MPDUs provided} - \text{percentage MPDUs required}) * 12 = \text{points}$$

$$(15\% - 12.5\%) * 12 = 30 \text{ points}$$

Quality Building and Site Design

Exceptional Design

The Applicant was granted 5 points for providing a building and open space with exceptional design. The development provides exceptional design by creating an outstanding relationship between the privately-owned public open space and the multifamily building. The design separates public and private spaces while providing a transition between the two, which helps create a cohesive development.

Structured Parking

The Applicant was granted 10 points for providing structured parking. The development will provide an above-grade parking structure for the approved development. Points are granted based on the number of parking spaces provided in above- and below- grade structured parking according to the following calculation:

$$[(\text{above-grade spaces}/\text{total parking spaces}) * 10] + [(\text{below-grade spaces}/\text{total parking spaces}) * 20] = \text{points}$$

$$[(465 \text{ above-ground spaces}/476 \text{ total spaces}) * 10] + [(0 \text{ below-grade spaces}/476 \text{ total spaces}) * 20] = 10 \text{ points}$$

Protection And Enhancement of The Natural Environment

Building Lot Termination

The Applicant was granted 1.14 points for purchasing building lot termination easements. Points are granted based on the base density and incentive density according to the following calculation:

$$[((\text{sf development} - \text{sq ft base density}) * 0.075) / 31,500] * 9 = \text{points}$$

$$[((387,467 \text{ sf} - 133,468 \text{ sf}) * 0.075) / 31,500] * 9 = 5.44 \text{ points}$$

c. General Requirements

i. *Site Access*

Vehicular access to the site is provided via a single existing driveway on Rockledge Drive. This driveway access is not located on the Subject Property. However, there will be an access agreement allowing the Subject Property use of the driveway and the adjacent northern surface parking lot. The driveway access splits just west of the property line, providing an entrance to below-grade parking for exclusive use by the existing office use located to the south. An existing surface lot is also accessed via the driveway. An extension of the driveway will be constructed as part of the Project, providing access along the western side of the property where the entrance to the Project's parking garage will be located as well as an outdoor loading area and separate refuse area.

Bicycle and pedestrian access to the Site is provided via frontage improvements on Rockledge Drive. These improvements will be part of a larger interim Rockledge Drive road diet, consistent with the 2017 *Rock Spring Sector Plan* and associated 2019 *Rock Spring and White Flint 2 Design Guidelines*. The road diet, which will be constructed from the Subject Property's northern property line south to Westlake Terrace/Fernwood Road, reduces the number of through lanes from four to two to be able to accommodate one-way separated bike lanes on each side of the road. The existing curb and sidewalk on both sides of the road will remain where they are currently located. Concrete curbs with tree pits will be installed within the existing right-of-way to provide the separated six-and-a-half (6.5)-foot-wide bike lanes on each side of the road.

Pedestrian paths are provided within the open space and along the south and east side of the multifamily building. Sidewalks are also provided along a portion of the north and west side of the building as well, providing access to building entrance locations.

ii. *Parking, Queuing, and Loading*

Parking will be provided in an above ground 6-story parking structure, which is wrapped by the building. The garage will provide 465 parking spaces. This is more than the minimum required of 358 spaces and but less than the maximum of 480 spaces. The garage spaces include ten (10) ADA accessible spaces, twenty-three (23) EV spaces, seventeen (17) potential future EV spaces, and ten (10) motorcycle spaces. The parking garage access is provided via an addition to the existing driveway access that will extend the driveway to and along the western side of the property. This provides access to both the parking garage as well as an outdoor loading area and separate refuse area.

Through an agreement with the owners of Lot 2, the Project will also have access to a limited number of surface parking spaces in the adjacent surface parking lot. This includes six (6) standard spaces and five (5) spaces that will be designated as car share spaces.

Long-term bicycle parking is provided in a separate bike room located on the first floor of the building that contains ninety-five (95) spaces and a required bicycle repair station. Ten (10) short-term bicycle spaces are provided via bicycle racks located near the southeast corner entrance to the building and in the public open space area. This provides five (5) additional short-term spaces than what is required.

Loading will occur via the shared driveway access. One (1) external loading space is provided along the west side of the building, adjacent to an internal trash room and a separate move-in staging room. The western driveway area is where loading and trash truck maneuvering will occur, allowing safe and efficient access to the loading space for relevant vehicles.

iii. *Open Space and Recreation*

Per Section 59.6.3.1 of the Zoning Code, open space must provide adequate light, air, circulation, and recreation and encourage preservation and enhancement of natural resources, including improvement of water and air quality. The Applicant is providing a 1.3-acre privately-owned public open space that provides both public open space and recreation amenities for the residents and public.

In addition to the open space requirements, Section 59.6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units offer recreational facilities in accordance with the M-NCPPC 2017

Recreation Guidelines for Private Residential Development. The development includes a swimming pool and other recreation facilities for the residents of the development that help meet this requirement.

iv. *General Landscaping and Outdoor Lighting*

Division 6.4 of Chapter 59 of the Zoning Code provides minimum standards for quantity, size, location, and installation of general landscaping and outdoor lighting on private property. The landscaping uses predominantly native plantings to provide tree cover and appropriate landscaping. The site furnishings are functional and contribute to a cohesive aesthetic development. Lighting levels are adequate and meet the required levels at the property line.

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 Stormwater Management Concept on December 17, 2024. The Application proposes to meet required stormwater management goals via micro-bioretenion facilities and underground detention.

b. Chapter 22A, Forest Conservation

The Application satisfies all of the applicable requirements of the Forest Conservation Law, Montgomery County Code, Chapter 22A and is in compliance with the Montgomery County Planning Department's Environmental Guidelines as further discussed in the findings for Forest Conservation Plan F20250070, which are included in a separately approved resolution and are incorporated herein.

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

The Project will provide safe, efficient, and integrated pedestrian and vehicular circulation. The parking will be provided in an above-ground parking structure that is fully wrapped by the residential building. The Project creates a 1.3-acre privately-owned public open space and includes additional private recreational amenities.

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.

a. Land Use

The 2017 *Rock Spring Sector Plan*'s vision for the Rock Spring area is to promote the long-term transformation of the central core (the office park), particularly for properties that have direct access to the central spine. Page 35 of the Sector Plan identifies the Subject Property as part of the central spine.

The overarching land use goals of the Sector Plan are (p. 20):

- Establish a redevelopment framework that provides a greater mix of uses and amenity options for businesses and their employees, as well as residents, both in the short and long term.
- Strengthen the viability of existing uses.
- Create opportunities for infill or redevelopment of single-use commercial areas and surface parking lots with a greater mix of uses and public spaces that will reshape Rock Spring into a well-integrated community.

The Project provides infill development of a currently single-use commercial area, thus providing a greater mix of uses to the Sector Plan area. It also provides a 1.3-acre privately-owned public open space, introducing a new activated open space into the sector plan area. At the same time, maintaining the existing office building while complementing it with a residential offering helps strengthen the viability of existing uses.

Specifically, the Subject Property is located within the Rock Spring Central/Mixed-Use Business campus cluster of the 2017 *Rock Spring Sector Plan* (Sector Plan) and was rezoned through the Sector Plan from EOF-1.25, H-150' to CR-1.5, C-1.25, R-0.75, H-200' to help achieve the vision for the Plan area. Page 17 states:

The Plan envisions Rock Spring as an employment center that includes new housing, where appropriate, with concentrations of retail at each end of the central spine. New development and redevelopment should focus activity along the proposed central spine. (Sector Plan, p. 17)

The Project adds 386 dwelling units (with 15% MPDUs) to the area while maintaining the existing commercial operating on Lot 2. Thus, the Site Plan is in compliance with the land use goals for the CR-1.5, C-1.25, R-0.75, H-200' zone that the Sector Plan recommended.

b. Environment

The overarching environmental and sustainability goals of the Sector Plan are (p. 20):

- Increase tree canopy through new development and redevelopment.
- Promote site and building design for energy conservation and LEED certification.

- Minimize impervious surfaces and maximize pervious areas.
- Improve air quality by reducing reliance on single-occupant vehicles.
- Make attainment of net zero carbon emissions an aspirational goal in all new development and redevelopment.

The Applicant is retaining a number of existing deciduous trees to the amount practical on the site in order to provide a well-shaded neighborhood park, which will help contribute to the overall tree canopy on the Project. The 1.3-acre park will also minimize impervious surfaces with the provision of an open lawn space. Finally, the Project is obtaining public benefit points for protection and enhancement of the natural environment, achieved through the purchase of Building Lot Terminations (BLTs) which helps to meet the environmental goals of the Sector Plan.

c. Transportation

The overarching transportation and connectivity goals of the Sector Plan are (p. 20):

- Create a safe, low stress, and “complete streets” pedestrian and bicycle network by re-allocating space within the public rights-of-way for sidewalks, bicycle lanes, and shared use paths that are physically separated from moving vehicles.
- Establish safer and improved pedestrian and bicycle connections to the residential neighborhoods and recreational amenities surrounding the Plan area, with particular focus on the crossings of Democracy Boulevard and Old Georgetown Road.
- Design a safer and more pleasant pedestrian and bicycle crossing over the Fernwood Road bridge spanning the I-270 spur, which connects the office park with Westfield Montgomery Mall and the new transit center.
- Build smaller local streets that will improve connectivity between the existing large blocks, encourage more pedestrian/bicycle activity, and help disperse vehicular traffic.

Specifically, the Sector Plan recommends that a road diet is implemented off the Rockledge Drive frontage (p. 71). As conditioned, the Applicant will coordinate with MCDOT for the Rockledge Drive Interim Road Diet from Westlake Terrace to the Subject Property northern property line/Lockheed Martin south driveway. This will consist of reducing the number of lanes to two travel lanes and one center turning lane and six and a half-foot-wide separated bike lanes and street buffers no less than five-foot-wide from Westlake Terrace to the northern Subject Property Line/Lockheed Martin southern driveway. These improvements will create a safer and more pleasant pedestrian and bicycle experience with a “complete street,” meeting the Sector Plan’s transportation and connectivity goals.

8. *The development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.*

The Planning Board found that the development will be served by adequate public facilities as part of Preliminary Plan No. 120250020. Local Area Transportation Review (LATR) requirements are being met through the reduction of the number of through lanes from 4 to 2 and construction of one-way 6.5-foot-wide separated bike lanes on each side of Rockledge Drive, buffered from the travel lanes by no less than 5-foot-wide street buffers on the Property's frontage. No Utilization Premium Payments are required as part of this approval.

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

February 14, 2025

(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 Vice Chair Pedoeem, seconded by Commissioner Linden, with a vote of 3-0; Chair Harris, Vice Chair Pedoeem and Commissioner Linden voting in favor of the motion, Commissioner Bartley and Hedrick necessarily absent at its regular meeting held on Thursday, February 6, 2025, in Wheaton, Maryland and via video conference.



Artie L. Harris, Chair
Montgomery County Planning Board