

**MHP – Nebel Street
Sketch Plan Application No. 320210110
Statement of Justification and Narrative Description**

I. Introduction

Montgomery Housing Partnership (the “Applicant” or “MHP”) is submitting this application for a Sketch Plan (the "Application"), for consideration by the Montgomery County Planning Board (the "Planning Board"), for the property located at the intersection of Nebel Street and Old Georgetown Road in White Flint (the "Property"). The Applicant proposes to develop the Property with a high-quality, mixed-income, affordable, multi-family development containing up to 170 dwelling units (the “Project”).

II. Background on Applicant

MHP has been serving residents of Montgomery County since 1989. To date, MHP has developed more than 2,100 quality, affordable homes that currently serve more than 4,000 residents in Montgomery County and neighboring communities. MHP is committed to housing people, empowering families and strengthening neighborhoods. MHP advances their mission, which is to “preserve and expand access to quality, affordable housing” through three key strategies:

- (1) By acquiring, rehabilitating, building and managing quality affordable housing.
- (2) By developing and implementing community life programs to improve the quality of life and increase opportunities for our residents.
- (3) By collaborating with concerned citizens and businesses, public officials and community organizations to build strong, vital neighborhoods.

The proposed Project will further advance MHP’s mission, serve residents of the County, and contribute to the inclusiveness and vitality of the White Flint neighborhood.

III. Property Description

A. Property Location and Characteristics

The Property is prominently located along Nebel Street in White Flint, at the terminus of Old Georgetown Road. The Property includes two separate parcels: (1) a 108,533 square foot (or 2.492 acre) parcel of land located on the north side of Nebel Street and (2) a small 7,306 square

foot (or 0.168 acre) parcel on the south side of Nebel Street.¹ Collectively, the Property has a total Site (net lot) area of approximately 115,839 square feet (or 2.659 acres).

B. Zoning and Permitted Uses

The Property is split-zoned. The majority of the Property, located on the north side of Nebel Street, is zoned CR-3.0, C-1.5, R-2.5, H-200'. The triangular parcel located on the south side of Nebel Street is zoned CR-4.0, C-2.0, R-3.5, H-250'. Pursuant to Section 3.1.6 of the Montgomery County Zoning Ordinance (the "Zoning Ordinance"), multi-family living is a permitted use in the CR Zone. As discussed in this Statement, the Project satisfies the various requirements of the CR Zone.

C. Existing Conditions

The Property is currently undeveloped and contains numerous environmental features that make redevelopment of this prominent site challenging. There are significant grades on-site (which fall approximately 25 feet from Nebel Street to the rear of the Property), an existing stream and associated stream valley buffer, 100-year floodplain, wetlands, and existing forest that significantly constrain the developable area of the Property. The Applicant is excited to be in a position to move forward with development of the Property. The Project will provide much needed, additional mixed-income affordable housing that respects and preserves many of the existing environmental features. As discussed in detail below, the Project will transform this prominent, undeveloped Property into a residential development that is compatible with the surrounding neighborhood and promotes many of the County's goals and objectives, including providing additional affordable housing located in close proximity to transit.

D. Surrounding Zoning and Land Uses

The Property is surrounded by various commercial, residential, and industrial uses. Confronting the Property across Nebel Street, are several residential condominiums. South of the intersection of Nebel Street and Old Georgetown Road are two high-rise residential buildings, one of which contains the Harris Teeter Grocery Store, and associated surface parking that are part of the North Bethesda Town Center development, zoned CR-4.0 C-2.0 R-3.5 H-250 and CR-3.0 C-1.5 R-2.5 H-250. In the opposite quadrant of the intersection is a wrapped garage style condominium development zoned CR-2.5 C-0.25 R-2.5 H-190 T. Abutting the Property to the north are several single-story strip commercial buildings and associated surface parking, zoned

¹ Although Nebel Street overall has a north/south orientation, the road falls on an axis. Additionally, there is a gentle curvature to the roadway directly in front of the Property that has more of an east/west orientation. Therefore, this Statement will presume an "east/west" orientation for Nebel Street for purposes of describing the orientation of the Property, proposed building, and its surroundings.

CR-3.0 C-1.5 R-2.5 H-200. Located immediately east of the Property is a Washington Gas facility, zoned IL 1.0, H-50' and the CSX railroad track.

IV. Proposed Development

The Applicant is proposing to develop the Property with a six-story residential building containing up to 188,500 square feet with up to 170 dwelling units, and an overall height of 80 feet. The Project will provide mixed-income, affordable housing that will serve families at various income levels. Rents are set to achieve a range of affordability, with many of the units at income levels substantially below those required by the Moderately Priced Dwelling Unit (“MPDU”) program. A minimum of 25% of the units (or up to 43 units) will be MPDUs, well in excess of the 15% required by the Code. Given the Property’s location, the Project will provide additional residential housing within walking distances of various transit services and existing commercial uses, along with significant public benefits. As such, the Project will contribute to the strength of White Flint as a vibrant, pedestrian-friendly, mixed-use district.

As mentioned above, the Property is constrained and contains numerous environmental features on-site. These existing environmental features result in a somewhat small developable area, creating a need to design a compact building footprint. At the same time, the natural features on-site provide a unique opportunity to engage with nature. The building has been designed with ample transparency overlooking the natural features at the rear of the Property. The raised rear outdoor deck, which serves as a private outdoor amenity for the residents, is envisioned to be “built-into the trees” to provide a uniquely calming, connection to nature and a true respite for the residents. Additionally, part of the public open space along Nebel Street has been designed as an elevated boardwalk that provides an “overlook” into the natural site features.

The Project also proposes various streetscape improvements along Nebel Street. As discussed in detail below, the building placement and architecture has been designed to frame and activate the street. Additionally, the public open space proposed along both sides of Nebel Street will provide varied opportunities that will further enliven the street. To promote connectivity, the public open spaces on the north side of Nebel Street will be connected by a wide, tree lined sidewalk; the public open space on the south side of Nebel Street will be connected to the larger development parcel by pedestrian and bicycle crosswalks.

The Project will be constructed in one phase.

A. Architecture and Design

The proposed building plays an important role in the urban design of White Flint, as both a building oriented to the Nebel Street frontage and as a focal building terminating Old Georgetown Road. This role is articulated in the Sector Plan recommendations for the Property, as discussed further below. The placement of the building forms a strong edge along Nebel

Street and, along with the proposed streetscape improvements, will enhance the public realm for pedestrians at the street level. The building placement utilizes the natural grade to partially conceal the parking from Nebel Street, as well as minimizes the grading impacts to the site environmental features. Any “exposed” parking will be concealed by architectural screening or landscaping.

The proposed building’s high-quality design will complement the redevelopment efforts established along Nebel Street and will promote design excellence in White Flint. The building height, massing and materials have all been designed to create an architectural composition that responds to the neighborhood context and activates the street. The building is six stories, with a maximum proposed height of 80 feet along Nebel Street. The massing has subtle façade variations that step the perceived height of the building, but generally hugs Nebel Street in a linear configuration. The Nebel Street alignment has a gentle reverse curve that reinforces the street and allows for the horizontal organization of the building into three distinct parts. The west end of the building presents an opportunity to terminate the vista with a focal element along the Old Georgetown Road approach. The east end of the building steps up the massing in response to the adjacent towers, punctuates the corner, and responds to the view westbound on Nebel Street. The center portion of the building serves as the horizontal transition between the ends and utilizes vertical bays to help break up the linear nature of the building. The massing on the rear side of the building is defined by a single wing perpendicular to the main body of the building. The projecting wing contains an edge of a proposed resident courtyard overlooking the forested area and located above the first parking level. Building materials also play an important role, with warmer, more textured materials on the street side to complement the existing residential development.

The façades incorporate balconies primarily on the rear or forested side of the building. These balconies will result in the creation of varying vertical planes that add visual interest and further breakdown the building. Furthermore, the balconies encourage additional connections to nature, as they overlook the environmental features at the rear of the site.

At Site Plan, the Applicant will further advance the design of the building.

B. Parking and Loading

Section 6.2.4 of the Zoning Ordinance requires a minimum of 150 parking spaces and allows for a maximum of 215 parking spaces.² The Project is currently proposed to provide two levels of structured parking, for a maximum of approximately 155 parking spaces on-site. Given the Property's proximity to multiple forms of transit, the proposed parking on-site is expected to be sufficient to accommodate demand.

² Parking is calculated based on 170 units. Final parking counts will be determined at Site Plan, when the exact number of residential units is determined.

As mentioned above, the grade-change on-site allows for the garage to be substantially buried, while providing access from Nebel Street and a gradually sloped ramp on the southern end of the building. As discussed above, the exposed portions of the garage will be concealed by architectural screens or landscaping.

Section 6.2.4.C of the Zoning Ordinance requires 0.5 bicycle spaces be provided per dwelling unit, up to a maximum of 100 spaces, for every new multi-family residential building containing 20 or more dwelling units. Of the residential bicycle parking spaces required, 95% must be provided as long-term spaces. As such, the Project will provide a minimum of 85 bicycle parking spaces, of which 81 spaces will be provided as secured, long-term bicycle parking.³

The loading and service operations for the Project will be accessed from the eastern-most curb cut off Nebel Street. The loading will be concealed by a door when not in use and is largely concealed from view from Nebel Street.

C. Vehicle and Pedestrian Circulation

The Project will provide significant improvements to the pedestrian realm. The building has been strategically designed to create a continuous building line along the street, to further activate the pedestrian environment. The Project also includes streetscape improvements along the Property's frontage, including brick pavers, lights, and a continuous row of street trees on the north side of Nebel Street. Specifically, the proposed streetscape includes an 8'-0" sidewalk separated from the street by a 5'-8" planting zone.

The proposed, vehicular site access points have been located along the eastern edge of the site to maximize spacing with the intersection of Old Georgetown Road and minimize disruptions to the streetscape. Two separate access points are proposed – given the constrained building footprint, the two levels of structured parking cannot internally connect while still providing adequate parking on-site. The Applicant has strategically located the western-most garage access point to align with the curb cut to the confronting residential tower. The eastern-most curb cut will provide access to the lower level parking and the loading/service bays.

D. Public Use and Amenities

Under the Optional Method of Development in the CR Zone (given the Tract area attributable to the Property and number of frontages), the Applicant is required to provide a minimum of 10% on-site public use space (or 11,584 square feet). As mentioned above, the Project will provide diverse public open space offerings that provide an opportunity for social gatherings and connections with nature. The natural site qualities, the building placement and orientation to Nebel Street inform the design of the public spaces. The grade and existing mature trees allow for

³ Minimum requirement calculated for up to 170 units. Final bicycle parking counts will be determined at Site Plan, when the exact number of residential units is determined.

a setting conducive to creating a natural overhead canopy for some of the proposed spaces. The street and building help to further articulate the geometric form for the hardscape elements, such as the decking. The public open space strategy is comprised of four parts all of which enhance the public realm: (1) an urban pocket park, (2) a nature overlook, (3) enhanced streetscape, and (4) entrance plaza.

The Project includes an approximately 7,306 square foot urban pocket park on the south side of Nebel Street, at the intersection with Old Georgetown Road. This space is envisioned as a restful space defined by a low deck nestled within a grove of trees. The urban park will be easily accessed by pedestrians and cyclists and will have seating elements as well as a bike repair station. The geometry of the deck, low screening fence, and walkways are informed by the gentle angles designed in the building.

Along Nebel Street, in the western portion of the site, the Applicant is proposing a nature overlook. The deck has been designed to cantilever over a hillside and into the existing tree canopy. This space is intended to be more contemplative, defined by the experience of being within the mid-section of a mature stand of trees. As such, the overlook will provide a unique opportunity for reflection, relaxation and social gathering that provides a calming connection to nature.

The nature overlook will be connection through a wide, tree-lined sidewalk to a public entrance plaza on the opposite end of the site that will provide seating opportunities and a more urban feel. The streetscape enhancements will complete the missing portion of the streetscape not implemented by the North Bethesda Center project and will promote pedestrian connectivity, as envisioned by the Sector Plan. The spaces described have high-visibility and all have access from Nebel Street.

Section 6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units must offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines. The Project will provide a recreational component for future residents potentially including natural areas, resident lounge, community room, interior courtyard, picnic/seating areas, terraced garden area and bicycle support station. The Applicant's recreation and amenity analysis, as required by M-NCPPC's Recreation Guidelines and the CR Zone, will be submitted at the time of Site Plan and will meet or exceed the residential recreational/amenity space requirement.

V. Sector Plan Compliance

The Property falls within the Nebel District of the *2010 Approved and Adopted White Flint Sector Plan* (the "Sector Plan"). The Project substantially conforms to the overall goals of the Sector Plan and the specific recommendations for the Nebel District.

A. General Goals and Recommendations

An overarching goal of the Sector Plan is to “unify White Flint around an urban core where active public spaces, streets, public parks, and plazas organize the built environment and give it character and style.” (*See* Page 15). The Sector Plan’s overall goals and recommendations are centered around several main themes, including: (1) an appropriate mix of uses, (2) enhanced mobility, (3) quality of building design, (4) activated urban/public spaces, and (5) sustainability. The Project, which provides diverse housing opportunities in close proximity to Metro and various transit services, promotes these overall goals and objectives as follows:

i. Mix of Uses

The Sector Plan promotes a horizontal and vertical mix of uses. Although the Sector Plan encourages vertically-integrated uses, it also specifically recognizes that there are suitable places for single-use buildings (*see* page 25). The Project promotes this goal through the introduction of additional housing, which includes a mix of unit sizes at varying rents, on this undeveloped site. Furthermore, the Property is located in close proximity to various existing and proposed commercial developments. As such, the additional residential development proposed will support these commercial uses and help promote future job growth within White Flint.

1. Housing

The Sector Plan seeks to promote housing diversity and specifically recommends that “all new residential development should include different unit types and sizes, including options for the number of bedrooms per unit, and provide choices for all budgets.” (*See* page 25). The Project will facilitate the availability of new mixed-income, affordable housing within walking distance of the White Flint Metro. The final unit mix, which will be determined at Site Plan, is anticipated to include one-, two- and three-bedroom units, with varying layouts. The Project also will promote economic diversity, as a significant percentage of the units will be affordable. Rents will be set to achieve a range of affordability, with many of the units at income levels substantially below those required by the MPDU program. The Project includes a minimum of 25% MPDUs (or up to 43 units). As such, not only will this Project address the Sector Plan’s demand for additional housing, but the inclusion of additional mixed-income, affordable units will accommodate diverse households seeking attractive housing in a transit-oriented urban center. This economic diversity directly coincides with the Sector Plan’s goal of promoting social equity. (*See* Page 23).

ii. Transportation and Mobility

The Sector Plan recognizes that “[t]he key to transforming White Flint into a great urban place is reconfiguration of its mobility system.” (*See* page 16). To that end the Sector Plan recommends a “transit-focused, multi-modal mobility system that supports the proposed urban center and local neighborhoods.” (*See* Page 50).

The Property is a significantly constrained site located on the edge of the Sector Plan with the CSX tracks running behind the Property to the east. As such, no connectivity is proposed through the Property. However, the Property directly fronts on the “recreational loop.” The recreation loop is envisioned as “a continuous signed recreational pathway” that “is intended to link new and existing neighborhoods.” (See page 18). The Project will enhance and further activate this recreational loop through the proposed public open space offerings and building architecture/design.

As discussed in this Statement, the Project provides diverse public open space offerings situated along Nebel Street, as well as streetscape improvements. The public open space, in combination with the building placement and architecture, will promote the Sector Plan’s goals of creating a walkable, pedestrian friendly network of streets. The building has been pulled up to Nebel Street, with the lobby fronting on the street, to define and activate the pedestrian environment. These enhancements of the streetscape, in combination with the Property’s proximity to the Metro station and other forms of transit, will promote the Sector Plan’s goals of reducing vehicular-dependency and promoting walkability/transit ridership.

iii. Quality of Building Design

The Sector Plan, through the associated Urban Design Guidelines, places emphasis on the quality of building architecture and design to activate the public realm and to create a sense of place. The Sector Plan seeks to promote “[a]rchitectural details.... that add interest at the ground level as well as the floors above.” As mentioned above, the building placement and architecture has been designed to define and activate the pedestrian realm. The building has also been designed to provide architectural interest at this prominent site, located at the terminus of Old Georgetown Road. The building’s massing is modulated by a series of vertical and horizontal breaks that include plane and material changes, to reduce the perceived building scale and read as multiple smaller buildings. The building’s compliance with the Design Guidelines is further discussed below.

iv. Activated Public Spaces

The Sector Plan proposes various public use spaces, connected by the recreational loop, where people can gather for events or enjoy recreational activities. The Sector Plan recognizes that the public use spaces may take on numerous forms (*e.g.* urban plaza, neighborhood greens), in addition to the private recreational spaces within the Sector Plan boundary.

The Project provides diverse public space offerings that will be activated by the proposed building and surrounding, existing development. Specifically, the Project includes an approximately 7,306 square foot community urban park located to the south of Nebel Street at the intersection with Old Georgetown Road. Additionally, the building is bookended by public open spaces, including a nature overlook and an entrance courtyard. The nature overlook and entrance courtyard are connected by an enhanced, tree-lined streetscape along the northern side of Nebel

Street. This is in addition to the private amenity space located behind the building, which provides an elevated courtyard that is built-into the trees to provide a unique and calming respite for the building residents.

v. Sustainability

The Sector Plan seeks to promote a compact, walkable, green community that promotes sustainability. The Sector Plan recognizes that “a sustainable environment integrates economic viability, environmentally conscious design, social equity, and renewable energy sources.” The Project promotes many aspects of sustainability. The building’s compact footprint minimizes impacts to the existing forest and environmentally sensitive features on the Property. Additionally, the Project’s proximity to multi-modal transportation supports the Sector Plan’s goal of “accommodating new residents and businesses while reducing land consumption and vehicle miles travelled, improving [the] carbon footprint, and water and air quality.” (See page 48). Furthermore, the mixed-income affordable housing proposed, in close proximity to various transit services and commercial offerings, promotes the Sector Plan’s goals for social equity. The proposed building will also comply with the County’s forest conservation, green building, and stormwater management regulations and will provide a reflective roof. In connection with the Project, the invasive species within the forested area of the Property will be removed and additional remedial measures may be taken in this area.

B. Nebel District

The Sector Plan specifically recommends rezoning the Property “to encourage as much residential development as possible.” (See page 41). The Project promotes this objective and provides up to 170 dwelling units on this challenging, undeveloped site. The Sector Plan’s recommendation for a signature building on the Property (over 150’ tall) is not relevant to the proposed Application, as the additional height was only envisioned if the Property was part of a larger redevelopment, including other properties in the Maple Avenue District.

Given the substantial environmental constraints on the Property, the Applicant is excited to be in a position to move forward with the development of the Property with a mixed-income, affordable housing project that promotes the goals and objectives of the Sector Plan.

VI. White Flint Urban Design Guidelines

The Property also is subject to the *June 2010 Approved White Flint Urban Design Guidelines* (the “Design Guidelines”). The Design Guidelines are organized around four main principles: (1) Connectivity; (2) Environment; (3) Design; and (4) Diversity. The Project promotes each of these principles, as discussed below.

1. **Connectivity.** *Reconfigure existing transit, streets, trails, and sidewalks to improve connectivity between neighborhoods and to provide alternatives for moving safely through the area.*

The Project will result in significant improvements to the existing streetscape and will promote the walkability within White Flint. The Property is currently undeveloped and the streetscape along the Property frontage includes a narrow concrete sidewalk that is framed by a guard-rail on one side and the curb on the other. The Project will transform this section of Nebel Street into an active, pedestrian oriented environment. The building has been designed to frame and activate the street. The public open space offerings, located on both sides of Nebel Street, will provide diverse opportunities for reflection, relaxation and casual social interaction that will serve to enliven the public realm. The public nature overlook and entrance plaza located along the north side of Nebel Street will be connected by an enhanced streetscape that includes an 8'-0" brick sidewalk separated from the street by a 5'-8" landscape panel. These improvements, in combination with the Property's proximity to multi-modal transportation and existing commercial services, will improve connectivity and promote alternative means of transportation.

2. **Environment.** *Combine responsible natural resource management with public open space design to create an integrated, sustainable, and compact fabric of buildings and streets.*

As mentioned above, the Property contains substantial environmental features that significantly constraint the developable area on-site. As such, the Project has been designed with a compact building footprint that minimizes impacts to the existing forest and environmentally sensitive features on the Property. At the same time, the natural features on-site provide a unique opportunity for future residents and the public to engage with nature. As discussed in this Statement, the public use spaces have been designed to incorporate natural materials and engage with the existing forest on-site and the surrounding environmental features.

The Project will provide desirable, mixed-income affordable housing within walking distance of various transit services, including the White Flint Metro Station, and existing commercial services. As such, the Project will also promote alternative modes of transportation and reduce vehicular dependency.

3. **Design.** *Promote design excellence and encourage sustainable and efficient building design and construction practices.*

The Project will provide diverse housing opportunities in White Flint. The building design will be further refined at the time of Site Plan but is anticipated to incorporate a variety of materials that will help to break down the perceived building mass and have been designed to complement the surrounding community. The building includes balconies primarily on the rear or forested side of the building, which will encourage additional connections with nature. The building will also utilize garage screens or landscaping to artfully conceal any exposed parking along Nebel Street.

The building materials and design draws inspiration for the surrounding community and natural features on-site.

The building design will incorporate sustainable building strategies and will comply with the County's green building requirements and with the 2018 Energy Conservation Code.

4. **Diversity.** *Identify and incorporate distinctive local character into the development of new and vibrant compact centers.*

The Property provides mixed-income, affordable housing that will serve families at various income levels. Rents are set to achieve a range of affordability, with many of the units at income levels substantially below those required by the MPDU program. A minimum of 25% of the units (or up to 43 units) will be MPDUs, well in excess of the 15% required by the Code. The Project also includes a range of unit sizes and layouts – currently, the building is anticipated to include one-, two-, and three-bedroom units, which will provide housing opportunities for both individuals and families. As such, the Project will promote social and economic diversity at this prominent, transit-oriented location within the County. The building and proposed public open space embrace and draw inspiration from the existing environmental features on-site to create a truly unique Project that enhances the vibrancy and character of White Flint.

VII. Zoning Ordinance Conformance

A. Objectives

Section 4.5.1 of the Zoning Ordinance states that the CR zone "permit[s] a mix of residential and nonresidential uses at varying densities and heights. The zones promote economically, environmentally and socially sustainable development patterns where people can live, work, recreate, and access services and amenities." The Project responds to the specific objectives of the CR Zone as follows:

1. *Implement the recommendations of applicable master plans;*

As discussed in Sections V and VI above, the Project promotes the policy recommendations of the Sector Plan and associated Design Guidelines.

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

The Project provides an opportunity to develop this challenging, undeveloped site with a mixed-income, affordable housing development. The Project will provide new residential development within walking distance of various transit options and the existing employment base and commercial services within White Flint.

3. *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 provides desirable, additional mixed-income affordable housing within one-half mile of the White Flint Metro Station. As such, the Project will facilitate diverse housing opportunities within walking distance of transit. The Project will also provide more residential living units in White Flint, to further support the surrounding commercial uses.

Reflective of the Property's transit-oriented location, the Project will significantly improve the pedestrian environment, as discussed above. Parking will be provided on-site through two levels of structured parking. The Project takes advantage of the existing grades to partially bury the parking into the hill that exits on-site. As such, parking will be largely hidden – any exposed parking will be concealed by artistic screening, mural(s) and/or landscaping.

4. *Allow a flexible mix of uses, densities, and building heights appropriate to various settings to ensure compatible relationships with adjoining neighborhoods;*

The Property is located on the edge of the Sector Plan Area. The proposed six-story building is compatible with its surroundings and modulates the height between the high-rise mixed-use towers located south of the intersection of Old Georgetown and Nebel Street and the 4-story residential condominiums in the opposite quadrant of the intersection.

5. *Integrate an appropriate balance of employment and housing opportunities; and*

The Property is located in close proximity to various commercial office and retail uses. The new residential development proposed will help support the existing and future employment base in White Flint.

6. *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 include significant public benefits, in accordance with the requirements in Section 4.5.4.A.2 of the Zoning Ordinance. See Section VI (B) below.

B. Special Regulations for the Optional Method of Development and Development Standards

Properties developed under the Optional Method of Development must comply with the general requirements and development standards of the CR Zone and must provide public benefits

under Section 4.5.4.A.2 to obtain greater density and height than allowed under the Standard Method of Development. The Project complies with this standard.

1. Incentive Density

The Project will provide substantial public benefits and address the Incentive Density Guidelines for the CR Zone. The Applicant is seeking incentive density above the Standard Method of Development. The Standard Method of Development allows for the greater of 0.5 FAR, or 10,000 square feet of gross floor area. The proposed development will have up to 130,580.5 square feet of optional method incentive density, to achieve a total of up to 188,500 square feet of development. The Project will achieve at least 100 public benefit points from four categories. Specifically, it is anticipated that the Project will provide the following public benefits:

Public Benefit	Total Points Possible	Total Points Achieved
Transit Proximity	30	30
Diversity of Uses & Activities		
Moderately Priced Dwelling Units	N/A	150
Quality Building and Site Design		
Structured Parking	20	15
Exceptional Design	10	10
Protection and Enhancement of the Natural Environment		
BLT's	30	2.79
Cool Roof	10	10
TOTAL POINTS		217.79
TOTAL NUMBER OF CATEGORIES		4

a. Transit Proximity

As discussed above, the Property is located within a half-mile of the White Flint Metro Station, a level 1 transit facility. Therefore, the Project is seeking 30 points for Transit Proximity.

b. Moderately Priced Dwelling Units

As discussed in this Statement, the Project will provide a minimum of 25% MPDUs. Per the Zoning Ordinance, 12 public benefit points are available for every 1% of MPDUs greater than 12.5%. As such, the Project is seeking 150 points from this category.

c. Structured Parking

All of the parking provided on-site will be located in a structured parking garage. As such, the Applicant is requesting 20 points from this category.

$$[(A/T)*10] + [(B/T)*20]$$

A (above-grade spaces)	=	77
B (below-grade spaces)	=	78
T (total spaces)	=	155

$$[(77/155 * 10) + [(78/155)] * 20 = \mathbf{15 \text{ points}}$$

d. Exceptional Design

The Applicant is seeking 10 Public Benefit points for exceptional design. Although the Project is only at Sketch Plan level of design, the Project satisfies a minimum of four of the Exceptional Design criteria:

- *Providing innovative solutions in response to the immediate context;*
- *Creating a sense of place, that serves as a landmark;*
- *Enhancing the public realm in a distinct and original manner;*
- *Introducing materials, forms, or building methods unique to the immediate vicinity or applied in a unique way;*
- *Designing compact, infill development so living, working and shopping environments are more pleasurable and desirable on a problematic site; and*
- *Integrating low-impact development methods into the overall design of the site and building, beyond green building or site requirements.*

e. BLTs

The Applicant will purchase Building Lot Termination easements, or make an equivalent payment to the Agricultural Land Preservation Fund, in an amount equal to 7.5 percent of the incentive density floor area. Based on the density proposed by this Sketch Plan (up to 188,500 square feet) the Applicant would be required to purchase 0.49 BLTs, based on the following calculation:

- 188,500 square feet total development proposed – (57,919.5 square feet base density)
= 130,580.5 square feet of incentive density
- 130,580.5 square feet x 0.075 = 9,793.53/31,500 = 0.31 BLTs

Since one BLT is equivalent to nine public benefit points, the Applicant is seeking approximately **2.79 points** for this category.

f. Cool Roof

All roof areas in the Project will be constructed with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. Therefore, the Project is seeking 10 points for Cool Roof.

2. *Development Standards*

Section 4.5.4 of the Zoning Ordinance sets forth the development standards for the optional method of development within the CR Zone. A development table is included with the Sketch Plan, on sheet SK-100 & SK-403, which compares these development standards with the Project.

VIII. Findings Required for Sketch Plan Approval

The purpose of this portion of the Statement is to provide justification that the Sketch Plan satisfies the requirements of Section 7.3.3.E, which govern the approval of a Sketch Plan application. As set forth below, the Sketch Plan satisfies each of these requirements:

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

As discussed in this Statement, this Application satisfies the objectives, general requirements and standards of the CR Zone.

2. *The Sketch Plan substantially conforms with the recommendations of the applicable master plan.*

The Project's conformance with the goals and objectives of the Sector Plan and associated Design Guidelines is discussed in Sections V and VI above.

3. *The Sketch Plan satisfies any development plan or schematic development plan in effect on October 29, 2014.*

This provision is not applicable.

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

The Project adheres to the height and density recommendations contained in the Sector Plan (and the Property's zone). The proposed residential use will be compatible with the existing and proposed surrounding uses in the immediate neighborhood and larger White Flint area.

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

As discussed in this Statement, the Project will improve pedestrian circulation in White Flint by providing streetscape improvements along Nebel Street. The building placement and architecture have been designed with the pedestrian in mind. Furthermore, the diverse public use space offerings proposed will further enliven the street.

As discussed herein, adequate vehicular and bicycle parking will be provided on-site (with the final number and location of bicycle parking to be determined at time of Site Plan) to accommodate all users of the Property. Vehicular access to parking and loading will be provided off Nebel Street and has been strategically located to maximize spacing with the Old Georgetown Road intersection and to align with the access on the opposite side of the street. The proposed vehicular access will be safe, adequate and efficient.

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

The public benefits are sufficient to justify the requested density. The public benefits and incentive density are discussed in Section VI.B.1 above.

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

The Project will be developed in one phase.

IX. Adequate Public Facilities

The public facilities will be more than adequate to accommodate the proposed development. The location of the Project, in close proximity to the White Flint Metro Station and other transit facilities, ensures that a significant portion of the Project's users will rely upon transit for purposes of accessing the site.

On November 30, 2010, the Montgomery County Council (the "Council"), with full participation by the County Executive, approved the infrastructure financing mechanism that is being used by the County to support the infrastructure necessary in White Flint for future development. The Council previously determined that development within White Flint would not be subject to the more traditional adequate public facilities ("APF") analyses for transportation – *i.e.*, Local Area Transportation Review. As a result, the Applicant is not required to submit a formal transportation analysis to satisfy APF at the time of subdivision. The Planning Board and Council also have addressed the transportation and staging ceiling capacity element as called for by the White Flint Sector Plan and allocated capacity to the White Flint Planning Area. There is adequate capacity remaining within the allocated staging for White Flint to accommodate the proposed development. After Site Plan approval and prior to building permit, the Applicant will seek approval from the Planning Board for a Staging Allocation Request. Wells and Associates has prepared a Traffic Statement, attached as Exhibit "A", that confirms the Project's project trip generation and that the Project is exempt from Traffic Study requirements.

The Development is assigned to Luxmanor Elementary School, Tilden Middle School, and Walter Johnson High School. Based on the FY 2021 Annual School Test, the Walter Johnson High School is over 120% utilization and will require a Tier 3 Utilization Premium Payment ("UPP"). However, the draft FY 2022 Annual School Test indicates that the Walter Johnson High School capacity will decrease to 93.2% utilization. The UPP if required, will be determined by the capacity at time of Preliminary Plan approval. Both the Luxmanor Elementary School and Tilden Middle School have adequate capacity and neither require a UPP.

The Property is located within water and sewer categories W-1 and S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through new connections to the surrounding water and sewer lines.

Electric, gas and telecommunications services will also be available. Other public facilities and services – including police stations, firehouses, and health care facilities – are currently adequate and will continue to be sufficient following construction of the Development.

X. Forest Conservation Law

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). An NRI/FSD was prepared for the Property and approved by M-NCPPC on August 11, 2020. The NRI/FSD denotes certain forested areas, significant trees, existing stream, stream valley buffer, wetlands, and 100-year flood plain on the Property. The Applicant has carefully designed the Project to protect the existing environmental features to the extent practicable. The stream valley buffer impacts have been evaluated by Watershed Environmental, LLC and are detailed in the attached report (*see* Exhibit "B"). The Applicant will prepare and submit a Preliminary Forest Conservation Plan in connection with the subsequent Preliminary Plan Review.

The Property contains no protected soils, endangered species, or other natural features not mentioned above that would impact development.

XI. Stormwater Management

The Project will comply with the requirements of Chapter 19 of the Montgomery County Code. Because the Project will result in more than 5,000 square feet of disturbance, the Applicant must prepare a Stormwater Management Concept Plan. The Applicant is submitting a Stormwater narrative with this Sketch Plan and will file a Stormwater Management Concept Plan in connection with the subsequent Preliminary Plan application. In accordance with 2010 MDE Stormwater Management Regulations, the site will incorporate bioretention planters and facilities to implement Environmental Site Design ("ESD") practices to the maximum extent practicable.

The Property is not in a Special Protection Area, so no separate water quality monitoring plan is required. A Sediment and Erosion Control Plan will be submitted to DPS for approval prior to commencement of construction.

XII. Conclusion

As demonstrated by this Statement, the Application complies with all applicable requirements of the Zoning Ordinance that govern Optional Method of Development under the CR Zone. Furthermore, the Project substantially complies with the recommendations of the Sector Plan and associated Design Guidelines. The Project will transform this prominent, undeveloped Property into a transit-oriented, pedestrian friendly, mixed-income affordable residential development. For all of those reasons, the Application should be approved.

Exhibit A

Exhibit B

Exhibit A

WELLS + ASSOCIATES

MEMORANDUM



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TO: Patrick Reed
Transportation Planning Division, M-NCPPC
2425 Reedie Drive
13th Floor
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FROM: Nancy Randall, AICP
Behnaz Razavi, AICP

COPY: Don Hague, Project Advisor MHP

RE: Montouri Property-Traffic Statement for White Flint Metro Station Policy Area

DATE: March 29, 2021

This letter serves as a traffic statement for the sketch plan application for the proposed Montouri Property. The property is located on the east side of Nebel Street at the intersection of Nebel Street and Old Georgetown Road in the White Flint Metro Station Policy Area. The development program will include up to a maximum of 170 residential mid-rise apartment units and vehicular access to the parking garage and loading dock will be provided on Nebel Street south of Old Georgetown Road.

Based on the White Flint Metro Station Policy Area standards, this project is exempt from the Traffic Study requirements if the project/developers agree to participate in the White Flint Special Taxing District to reduce the overall development trip generation by 50 percent and to pay the associated tax for the transportation infrastructure improvements. This application will be filed under this provision of the White Flint Metro Station Policy Area standards.

A summary of the projected trip generation based on this development program is found on Table 1. The 170 mid-rise apartments will generate 59 AM peak hour trips during the AM peak hour and 74 PM peak hour trips during the PM peak hour, before the 50 percent reduction. With the implementation of the 50 percent White Flint Metro Station Policy Area reduction the proposed project will generate 29 AM peak hour Trips and 37 PM peak hour trips.

Please use this letter as our formal White Flint Policy Area transportation submittal. If you require any additional information to facilitate you review and approval, please call me at 301-971-3415 or email me at amrandall@wellsandassociates.com.

WELLS + ASSOCIATES

MEMORANDUM

Table 1

Montouri Property Trip Generation ⁽¹⁾

Scenario	Land Use Code	Amount	Units	Weekday AM Peak hour			Weekday PM Peak hour		
				In	Out	Total	In	Out	Total
Mid-Rise Apartments	221	170	DU	15	43	58	45	29	74
	<i>White Flint 50% Reduction</i>			(8)	(21)	(29)	(23)	(15)	(37)
Total				7	22	29	22	14	37

Note(s):

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation Manual, 10th Edition.

Exhibit B



March 31, 2021

Montouri Property Stream Valley Buffer Impact Justification

Background

The Montouri Property is a +/-2.66-acre parcel located on the east side of Nebel Street at the intersection of Old Georgetown Road and Nebel Street in the Rockville area of Montgomery County, Maryland. The site is bound by Nebel Street to the south and west, CSX Railway to the north and east, and commercial properties to the north and south. The majority of the property is forested. A headwater stream originates from a storm drain outfall in the northwest portion of the site, and flows generally eastward to a pipe inlet under the CSX railroad on the eastern edge of the property.

The stream is completely enclosed in storm drains above the site, with the subject site being the first point where it daylights. The stream channel length onsite is 448 linear feet, and the stream is piped again below the site for approximately 2,400 linear feet (0.45 mile) from the pipe inlet under the CSX railroad to the point where it eventually daylights along Boiling Brook Parkway to the southeast.

The site is a residual infill property which has been topographically enclosed by surrounding development. Nebel Street and the industrial parcels to the north and south have been developed and constructed at a higher elevation than the subject property. Additionally, the CSX railroad right-of-way along the eastern edge of the subject property was constructed on substantially elevated fill and is effectively a dam at the lowest edge of the subject site. This topographic setting has resulted in the subject site being a largely man-made "bowl" surrounded by intensively developed areas. The drainage area to the point where the stream exits the site through the CSX pipe inlet is 46.4 acres, with 37.9 acres of that covered by impervious surfaces (82% of the total drainage area).

The Stream Valley Buffer (SVB) on the property is delineated on the approved NRI/FSD for the site (approval #420201430 dated 08/11/20), which showed that 1.89 acres (71%) of the property is within the SVB. It should be noted that this is the only area of SVB within the 46.4 drainage area of the site, and also that there is curb and drainage along Nebel Street and the parking lot of the industrial parcel immediately north of the site, so the SVB does not provide buffer function for runoff originating beyond the parcel boundaries. The SVB onsite is virtually all forested, but the shrub/vine and herbaceous layers of the forest are 80-90% dominated by exotic and invasive species. Trash, oils/chemicals, and debris are conveyed from the stormdrain system and deposited throughout the stream valley on-site. The stream exits the site into another stormdrain system and finally discharges into a natural channel approximately a half mile to the southeast. The stream on-site is in poor condition, exhibits severe entrenchment and over-widening, and functions primarily as a stormwater conveyance.

Proposed Condition

Montgomery Housing Partnership is proposing to develop the Property with a six-story residential building containing up to 170 dwelling units, with an overall height of 80 feet. The Project will provide mixed-income, affordable housing that will serve families at various income levels. Rents are set to achieve a

range of affordability, with many of the units at income levels substantially below those required by the Moderately Priced Dwelling Unit ("MPDU") program.

As mentioned above, the Property is significantly constrained and contains numerous environmental features on-site. These existing environmental features allow for a relatively small developable area, creating a need to design a compact building footprint. As such, the Project has been designed with a compact building footprint that minimizes to the extent feasible impacts to the existing forest and environmentally sensitive features on the Property. The project design necessitates +/-32,930 square feet of SVB impact. After consideration of numerous different layouts, it was determined that the proposed plan represents the least possible SVB impact while meeting the objectives and financial constraints of the proposed affordable housing project.

Stream Valley Buffer Impact Justification

The Montouri project design team has spent considerable time and effort assessing design alternatives for SVB impact avoidance and minimization. After analyzing numerous design alternatives, it was determined that the proposed design, which requires +/-32,930 square feet of SVB impact, represents the least possible SVB impact while meeting the objectives and financial constraints of the proposed affordable housing project.

When assessing the proposed SVB impacts, it is important to give full consideration to the relatively unique setting and conditions specific to the Montouri site and the SVB thereon. With regard to the site setting, the stream on-site is fully encapsulated in storm drain infrastructure above the site, and 87% of the 43.74 acres of off-site areas draining to the site are covered by impervious surfaces, which has resulted in significant impairment to the stream on-site with regard to both stability and water quality. Additionally, the stream upon exiting the site is piped for +/- 0.5 mile downstream, resulting in extreme fragmentation in terms of in-stream habitat and a direct conveyance of poor water quality and sediments from on-site bank instability to downstream receiving waters.

With respect to the SVB on-site, it is important to consider that the 1.89 acres of SVB on-site are the only areas of SVB within the 46.4-acre watershed of the site, and the SVB is essentially isolated from off-site portions of the drainage area due to curbing and storm drain infrastructure, and as such provides no water quality buffer functions for runoff from existing off-site impervious areas. In addition to the SVB being small, isolated, and ineffective from a water quality buffering perspective, it is also functionally severely impaired due 80-90% cover by exotic and invasive vine and shrub species.

Given the relatively unique setting of the site, its extreme environmental constraints, the relatively low functionality of the SVB on-site, and the existing degraded nature of the stream resource the SVB is intended to protect, we submit that the proposed SVB impacts are reasonable and do not present an unacceptable level of environmental impact. Further, the proposed affordable housing provided by the proposed project will provide offsetting social and community benefits that coincide with the Sector Plan's goal of promoting social equity.

Additionally, as part of the overall proposed design, numerous mitigation measures (discussed in detail below) are proposed which will significantly improve the remaining SVB condition and function and instream water quality on-site.

Proposed Mitigation Elements

As mitigation for the proposed SVB impacts, the applicant proposes the following actions within the SVB to improve overall conditions within the SVB and water quality of flows conveyed through the site: Non-native/Invasive Species (NNI) management, stream restoration, and wetland creation/restoration.

The NNI treatment will consist of a two-year program. During first growing season of the treatment, physical removal of non-native/invasive species (including but not limited to English ivy, oriental bittersweet, porcelainberry, and Tartarian honeysuckle) will be performed using mechanical and manual methodologies. Cut stumps and stems will be immediately treated by direct herbicide application, followed later in the growing season by targeted foliar herbicide application directly to any new or re-growth of NNI species. During the second growing season, a second round of targeted foliar herbicide application directly to any new or re-growth of NNI species will be conducted.

The stream restoration will be applied to the entire stream reach on site, and will be based on natural channel design methodologies. The stream restoration objective will be to restore channel stability based on current and ultimate flow regimes being conveyed by the system.

For the proposed wetland creation/restoration, this practice is contemplated in the area of the site immediately adjacent to the CSX culvert inlet in an area with minimal tree cover. This area is currently a sediment depositional area from erosion occurring along the stream channel above it, which is causing channel braiding and diffuse flow. This area lends itself to wetland creation/restoration with minimal grading and forest disturbance, and would result in increased habitat and water quality within the SVB.