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Artie Harris, Chair
Montgomery County Planning Board
2425 Reedie Drive, 14th Floor
Wheaton, Maryland 20902

Re: Sketch Plan No. 32019007A—Wilgus II North Park

Dear Chair Harris and Commissioners of the Montgomery County Planning Board:

Tri Pointe Homes DC Metro, Inc., (“Applicant”) submits this letter to explain changes being requested in Sketch Plan No. 32019007A (the “Sketch Plan Amendment”). These changes concern development of the remaining 4.02 acres within a tract of land known as the “Wilgus Tract”, located on the north side of Josiah Henson Parkway, at its intersection with Towne Road (the “Property”). As discussed in greater detail below, this Sketch Plan Amendment will facilitate transforming this Property, the adjoining Northpark at Montrose Phase I Property which is currently under construction, and the Rose Village Property, across Josiah Henson Parkway, into a mixed-use, mixed income neighborhood. As noted, Northpark at Montrose Phase I (Site Plan No. 820210080) which is part of the land under Sketch Plan No. 320190070 is already under construction with 107 townhomes, 34 stacked, two-over-two multifamily units and related park and amenity facilities. Rose Village, is the subject of a pending Sketch Plan Amendment (No. 32021012A) that will facilitate redevelopment of that site with five new residential structures, one new commercial structure, structured parking and various public amenity features.

These three properties are or were owned by Washington Science Center Joint Venture and are interrelated both in terms of their ownership and location, but also because of financial and market relationships. This Sketch Plan Amendment will enable the Wilgus II portion of the assemblage to facilitate implementation of the Rose Village plans.

I. Background

Northpark at Montrose Phase I, Rose Village and this Property all have been owned by Washington Science Center Joint Venture for many years. Although their location is ideal for development, being near the White Flint Metro Station, Pike and Rose and the vehicular and transit crossroads of Josiah Henson Parkway and Rockville Pike, development of them has proven to be challenging. The recent sale of Northpark at Montrose Phase I to Tri Pointe triggered the development of that area and helps to make possible the development of the other two sites. The townhome and two-over-two multifamily units at Northpark at Montrose Phase I are proving to be very popular given both the location and the market niche which these particular units address. Applicant wants to build on that success with “Northpark II.” As noted in the related Sketch Plan Amendment for Rose Village, that project is closely connected to development of both phases of

the Northpark project, as the proceeds from the sale of both Phase I and Phase II of Northpark are critical to support the financial viability of the Mixed-Income Housing Community, proposed for Rose Village.

The high-rise multi-family development contemplated in the original Sketch Plan approval for the contemplated second phase of the Northpark tract has proven to be infeasible given market conditions in the greater White Flint area, overall financing challenges, and the large backlog of approved but unbuilt multifamily projects in the area. The purpose of this Sketch Plan Amendment is to make revisions that will refocus development on the subject Property from high-rise multifamily residential to high-density back-to-back 2-unit condominiums. This will require the following changes to the Sketch Plan:

1. Minor revisions to relevant Binding Elements referred to in Condition A and the development Conditions in Condition B, to reflect the revised unit types/footprint and amended Public Benefit Points schedule.
2. Elimination of conditions 7.i and 7.j relating to the multifamily parking garage and pedestrian areas along multifamily development.

II. Sketch Plan Amendment

The most identifiable, and the most important, revision to the existing Sketch Plan is the replacement of planned high-rise residential at the eastern end of the site, with back-to-back 2-unit condominiums. Quite simply, the market feasibility of developing additional high-rise residential has changed. At the same time, the County's housing crisis remains extremely severe, particularly for more reasonably priced, missing-middle housing and unit types that are more affordable than single-family detached homes. In order to afford home ownership, many families are turning to two-over-two units, back-to-back townhomes, flats and other more affordable housing types. Units such as these are particularly rare within Metro Station areas including White Flint, while the desire to live in areas like White Flint is quite high. As such, this Sketch Plan Amendment proposes 138 back-to-back 2-unit condominiums that will add to and complete the development pattern established in Northpark 1. This includes the combination of the local street grid, open space and other amenity features. These units will replace the multifamily development contemplated as Phases 4A and 4B under the existing Sketch Plan.

Despite the reduction in the overall density of Northpark Phase 1 and Phase 2, public open space will remain virtually the same, exceeding the 10% requirement and will include three parks: Western Park and Central Park (Phase 1 - under construction) and East Urban Park (Phase 2) which is maintained with the Sketch Plan Amendment. Right-of-way dedication contemplated along Towne Road and Montrose Road will be provided as will the proposed network of streets, alleys and pedestrian ways. Given the reduction in the number of dwelling units, the Local Area Transportation Review performed in connection with the existing Sketch Plan, and the approved Preliminary Plan (Preliminary Plan No. 120200140) will continue to be satisfied. Similarly, this revision to the development will not change anything related to the Natural Resource Inventory/Forest Stand Delineation or the approved Forest Conservation Plan.

III. Compliance with Sections 7.3.3.E and I of the Zoning Ordinance

Section 7.3.3.E of the Zoning Ordinance provides that “an amendment to any binding element or condition of an approved sketch plan must follow the same procedures, meet the same criteria and satisfy the same requirements as the original sketch plan.” Section 7.3.3.E of the Zoning Ordinance contains the necessary findings the Planning Board must make to approve a Sketch Plan. The following section demonstrates the Sketch Plan Amendment's compliance with these required findings.

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

The Sketch Plan Amendment continues to meet the objectives, general requirements and standards of the Zoning Ordinance. As found by the Planning Board in the Sketch Plan Resolution (MCPB No. 19–106, dated August 1, 2019), pages 7 – 13, the Sketch Plan Amendment also advances the Planning Board's previous finding that the project encourages development that integrates target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses. Although this particular portion of the block is not currently developed, it is adjacent to a well-established community, commercial uses and an existing transportation network. There are no surface parking lots on the property nor any proposed for the project.

The Data Table below demonstrates the application's conformance to the applicable development standards of the CR–2.0, C–1.0, R–1.5, H–200, CR–2.0, C–.25, R–1.75, H–75, and CR–.75, C–0.0, R–.75, H–50 zones.

Allowed Project Density							
Zone	Maximum Total FAR	Tract(GTA)	Maximum Total GFA	Maximum Commercial FAR	Maximum Commercial GFA	Maximum Residential FAR	Maximum Residential GFA
CR-2.0, C-1, R-1.5, H-200	2.00	361,813	723,626	1.00	361,813	1.50	542,720
CR-2.0, C-0.25, R-1.75, H-75	2.00	218,428	436,856	0.25	54,607	1.75	382,249
CRN-0.75, C-0.0, R-0.75, H-50	0.75	140,924	105,693	0.00	0	0.75	105,693
Total	1.76	721,165	1,266,175	0.58	416,420	1.43	1,030,662
Proposed Project Density							
Zone	Maximum Total FAR	Tract(GTA)	Maximum Total GFA	Maximum Commercial FAR	Maximum Commercial GFA	Maximum Residential FAR	Maximum Residential GFA
Varies	1.767	721,165	1,274,498	0	0	1.76	1,265,917

Height Compatibility	Required Permitted	Proposed
CR-2.0, C-1, R-1.5, H-200	200'	Up to 50'
CR-2.0, C-0.25, R-1.75, H-75	75'	Up to 50'
CRN-0.75, C-0.0, R-0.75, H-50	50'	Up to 50'

Setbacks	To be determined at Site Plan	To be determined at Site Plan
Setback Compatibility	The minimum rear setback is equal to 1.5 times the minimum rear setback required for a detached house on the abutting property	This section is inapplicable as the subject property does not abut any property in an Agricultural, Rural Residential, Residential Detached, or Residential Townhouse Zone.

Note: The Gross Tract Area (GTA) has been updated from the 2019 Sketch Plan Approval, and will be refined prior to Preliminary Plan Amendment based on most current county data.

The Sketch Plan Amendment conforms to the intent of the CR zone as described below.

a. Implement the recommendations of applicable master plans.

The subject property is located within the Rockville Pike – Montrose North District of the 2018 White Flint II Sector Plan. The Sector Plan identified the property and indicated that “undeveloped portions of the Wilgus property have the greatest potential for new development. Redevelopment in this area would serve as an important link between the Executive Boulevard District and the Pike and Rose development” (page 37). The Sector Plan envisions the Wilgus properties contributing to a walkable pedestrian friendly environment. The White Flint Sector Plan makes more specific recommendations with respect to open space design and conductivity, affordable housing, public facilities, public open space, environment/sustainability/public benefits/transportation network, bikeway network, transportation – SSP and Tax District, and White Flint staging. Although the original Sketch Plan for both portions of the Northpark development area envisioned higher density multifamily housing on the eastern portion of the site that is the subject of this Sketch Plan Amendment, nothing in the Sector Plan precluded less intensive development so long as it meets the other Sector Plan objectives discussed above. Development of the Property with back-to-back townhomes will conform with the Sector Plan and fill in a “missing tooth” in the Pike & Rose/White Flint “smile.” The revisions continue to meet the Sector Plan objectives.

More specifically, the Sector Plan conformance is as follows:

i. Density and Building Height

The Sketch Plan Amendment for the Property complies with the density and building height limits in the Sector Plan. Although the proposed units will not be as tall as allowed in the zone, nothing in the Master Plan or Zoning Ordinance requires maximizing height and density.

ii. Design and Connectivity

The Sector Plan's design and connectivity recommendations for the combined Northpark properties are to:

- Establish a pattern of short blocks and internal streets to promote walkability.
- Locate maximum building heights at the eastern end of the property along Towne Road.
- Reduce building heights toward the existing Cherington townhouse development to establish a compatible relationship with the existing residential development.
- Enhance pedestrian areas along Towne Road to improve pedestrian conductivity between northern and southern districts.
- Extend Stonehenge Place as a public street to connect between Montrose Parkway and Montrose Road.
- Create open spaces, including in the area with it with a minimum of 1.25 acres, for public use that are connected to the overall open space network.

- Provide screening via fencing, a hedge, treeplanting or other appropriate means between the existing Cherington townhouses to the north and any new development to the immediate south (page 38).

As does the Sketch Plan already approved for the Property, this Sketch Plan Amendment achieves these design and connectivity requirements.

iii. Affordable Housing

The Sector Plan's housing chapter provides that "15% MPDUs as the highest priority public benefit for all new residential development unless the property is required to dedicate land for a school site or athletic fields that can be used by Montgomery County Public Schools (MCPS) and approximate the size of a local park." The development is proposing 15% MPDUs and therefore is consistent with the Sector Plan recommendations for affordable housing.

iv. Public Facilities

The 2018 Sector Plan recommends that "each and every development application should be thoroughly evaluated for a potential school site, notwithstanding any previous development approvals. It is the plan's direction that the Planning Department will negotiate for maximum dedication of land for a school site and that this be the top priority benefit under the review process of projects proceeding under these plans" (page 96). This Sketch Plan submission includes a proportional financial contribution for school purposes.

v. Public Open Spaces

The Sector Plan recommends that the Wilgus property should provide a minimum of 1.25 acres of public open space. The approved Sketch Plan was found to meet this requirement and this amendment does not change that.

vi. Environment/Sustainability

The Sector Plan provides overall environmental sustainability recommendations, including preserving natural resources, improving water and air quality, and reducing carbon emissions. Specific to the Wilgus property and preserving natural resources, the Sector Plan recommends to "establish a landscaped area between the southern boundary of the existing Cherington townhouse community and the proposed new development on the Wilgus property." The approved Sketch Plan for the Wilgus property confirms compliance with these recommendations and this amendment does not change that.

vii. Public Benefits

The Sector Plan's recommended public benefits are the following:

- Dedication of land for needed school sites as the highest priority public benefits.
- Fifteen (15%) MPDUs as a highest public benefit for new residential development, unless the property is required to dedicate land for a school site or athletic fields that can be used by MCPS and approximate the size of a local park.

- The provision of major public facilities other than school site, including but not limited to: land for school athletic fields; new neighborhood parks and open spaces; public transportation (new Metrorail Station entrance); and undergrounding of utilities.
- Quality building and site design, including but not limited to, exceptional design and public open space.
- Connectivity and mobility including but not limited to advanced dedication, streetscape improvement, minimum parking, trip mitigation and transit access improvement.
- Diversity of uses and activities including but not limited to care centers, Moderately Priced Dwelling Units, dwelling unit mix, and enhanced accessibility for seniors or the disabled.
- Protection and enhancement of the natural environment including but not limited to, tree canopy, energy conservation, and generation, and habitat preservation and restoration (page 104).

The approved Sketch Plan for the Wilgus property found that these recommendations will be met and this Sketch Plan Amendment does not change that.

viii. Transportation Network, Bikeway Network, Transportation

The approved Sketch Plan found that these recommendations were met and the Sketch Plan Amendment does not change them.

- b. *Encourage development that integrates target opportunities for redevelopment of single-use commercial areas and surface parking lots with mix of uses.*

Applicant also carries forward plans for an integrated mix of housing types as concluded by the Planning Board (Resolution page 14). The addition of back-to-back two-unit condominiums designed to meet the needs of an underserved portion of the population looking for more affordable homeownership advances this objective.

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

The project will add to the variety of housing options available in the area, both through its provision of back-to-back two-unit condominiums serving middle-income families, and its financial support for the Rose Village project of affordable housing.

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

As envisioned by the Sector Plan, the combination of Northpark Phase 1, the proposal for this portion of the Northpark property and Rose Village, redevelopment will include a mix of compatible land uses, various densities and heights. The development in the Northpark area will be compatible with the existing Cherington townhouse development and other neighboring uses.

e. Integrate an Appropriate Balance of Employment and Housing Opportunities

As with the existing Sketch Plan, this revised Sketch Plan will continue to provide new residential housing opportunities including 15% MPDUs. Based on retail studies, and the quantity and quality of retail at Pike and Rose as well as other areas in White Flint, retail is not a reasonable option on this property.

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

The project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit.

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

As discussed above, the Sketch Plan substantially conforms to the recommendations of the Sector Plan.

3. *The Sketch Plan satisfies, under Section 7.7.1.B .5 of the Zoning Ordinance, the Binding Elements of any Development Plan or Schematic Development Plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a Development Plan or Schematic Development Plan.

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

The Planning Board found this to be the case with the approved Sketch Plan and the proposed changes to the Sketch Plan do not change that finding.

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

The Planning Board found this to be the case with the approved Sketch Plan and the revisions to the Sketch Plan do not change that finding.

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

As with the previously approved Sketch Plan, this Plan satisfies this requirement.

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

The public benefit points will be substantially the same as under the approved Sketch Plan. This includes:

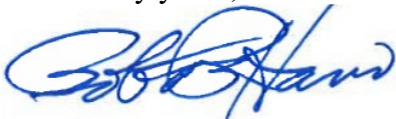
- a pro rata payment towards a school or park within the Sector Plan based on \$.80 per square foot of non-MPDU Optional Method Density used within the CR zone for the Phase 1 area, as well as construction of park facilities on site;
 - transit proximity;
 - connectivity between uses and activities;
 - diversity of uses
 - protection and enhancement of the natural environment;
 - given that the unit type is now changing from high-rise multifamily to back-to-back two-unit condominiums, structured parking will not be included nor will cool roof or vegetated roof features. The project however, will continue to meet the public benefit point requirements.
8. *The Sketch Plan Amendment 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.*

Applicant proposes constructing this second phase of the Northpark area as a single phase.

A. Conclusion

Applicant respectfully request the Planning Board grant approval of the Sketch Plan Amendment, including extending the period for submitting a Site Plan application by 36 months. As explained above and as shown in the submitted plans, the Sketch Plan Amendment satisfies the findings that the Planning Board must make to approve a Sketch Plan under Section 7.3.3.E of the Zoning Ordinance.

Cordially yours,



Robert R. Harris