

**LOCAL MAP AMENDMENT No. H-156**  
**7501 STANDISH PLACE**

**STATEMENT OF JUSTIFICATION**

Tri Pointe Homes (the “Applicant”), by and through its attorneys, Lerch, Early & Brewer, Chtd., is submitting this Local Map Amendment (Floating Zone) (“LMA”) application to rezone the approximately 13.86-acre site located at 7501 Standish Place, Derwood, Maryland (the “Property”)<sup>1</sup>. Specifically, the Applicant is proposing the subject LMA to rezone the Property from its current IM-2.5 H-50 (Moderate Industrial) zoning classification to the CRNF-1.25, C-0, R-1.25, H-60’ (Commercial Residential Neighborhood Floating Zone) zoning classification (the “Application”). The Application is intended to allow future redevelopment of the Property with a cohesive mix of townhomes and two-unit condominiums located within a new, organized street block system featuring common and public open space, as well as various residential amenities (the “Project”).

As discussed more fully herein, the Application complies with all applicable review requirements and criteria necessary for approval of the proposed LMA. The Project layout has been designed to ensure compatibility with the surrounding neighborhood. Additionally, the proposed use will satisfy all applicable standards of the Montgomery County Zoning Ordinance (the “Zoning Ordinance”) and substantially conform to the goals and recommendations of the 2006 *Shady Grove Sector Plan*, as amended by the 2021 *Shady Grove Minor Master Plan Amendment* (Collectively, the “Master Plan”).

Subsequent to approval of the LMA, the Applicant will seek Preliminary Plan of Subdivision and Site Plan approval (which will run concurrently) from the Montgomery County Planning Board (the “Planning Board”).

**I. Background**

**A. Site Location and Existing Conditions**

The Property comprises approximately 12.72 acres (±554,435 square feet) of net lot area located directly to the west of Crabbs Branch Way, approximately 510 feet north of its intersection with East Gude Drive. Including previous dedication of the Crabbs Branch Way right-of-way, the Property has a gross tract area of approximately 13.86 acres (±603,855 square feet).

The Property is currently improved with four 1980’s-era buildings that range from one to three stories in height and comprise approximately 177,126 square feet of gross floor area. The Property is also improved with a surface parking lot that contains approximately 634 parking spaces, 15 ADA handicap spaces, and six designated motorcycle spaces. Perimeter landscaping and mature trees are currently located along the north and southeast corners of Standish Place and Crabbs Branch Way.

The Property is generally flat with approximately 20 feet of grade change from its highest point along Crabbs Branch Way to its lowest point at the southwest corner of the Property along Standish Place. The Property is generally flat in the center of the site where existing development

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<sup>1</sup> The Property is more specifically identified as “Parcel D” in the “Gude North” Subdivision, recorded in the Land Records of Montgomery County, Maryland in Plat Book 118 as Plat No. 13905.

is located and the Project is proposed. Substantial grade differentials and topography exists along the Property's frontage on Crabbs Branch Way, with elevation ranging from 10-feet in height at the mid-block, 3-foot elevations at the northern end, and 5-foot elevations at the southern end. There are no streams, wetlands, or floodplains located on the Property.

## **B. Zoning and Permitted Uses**

The Property is currently zoned IM-2.5 with H-50, to allow for moderate industrial uses. This zoning allows for a cumulative maximum overall floor area ratio ("FAR") of 2.5, with a maximum building height of 50 feet. Pursuant to Section 4.8 of the Zoning Ordinance, the Property's current IM Zone is "intended to provide land for industrial activities where major transportation links are not typically necessary and noise, dust, vibration, glare, odors, and other adverse environmental impacts are usually minimal."

## **C. Surrounding Zoning and Land Uses**

The zoning and land uses of surrounding properties are described as follows:

- North: The Property is bounded by Standish Place and Crabbs Branch Way to the north. The American National Red Cross building is located to the north, directly across Crabbs Branch Way in the IM-2.5 H-50 Zone. The Derwood Station neighborhood and existing residential communities, include townhouses to the north and east in the R-200 Zone and single family detached houses located further north in the R-200 and R-90 Zones. The Shady Grove Metro Station and planned multifamily residential and more intense commercial uses are located approximately 0.8 miles to the north of the Property.
- East: The Property is bounded by Crabbs Branch Way directly to the east. The American Society of Plant Physiology building is located to the west, in the IM-2.5 H-50 Zone at the southeast corner of Crabbs Branch Way and Monona Drive. Existing office buildings and structured parking are located to the southeast of the Property on a property that was recently rezoned to the CRT-2.5, C-2.0, R-0.5, H-80 via the Master Plan to permit a conforming building. The Crabbs Branch Stream Valley Park is located approximately 0.5 miles to the northeast of the Property.
- South: The Property is bounded by Standish Place to the south. One- to two-story light industrial, commercial, and flexspace buildings in the IM-2.5 H-50 Zone and IM-2.5 H-70 Zone are located to the south of the Property, across Standish Place.
- West: The Property is bounded by Standish Place to the West. One- to two-story light industrial, commercial, and flexspace buildings in the IM-2.5 H-50 Zone are located to the west of the Property, across Standish Place. The

rail guideway for WMATA Metrorail is located one block west of the Property. The King Farm Neighborhood is located approximately 0.5 miles to the west of the Property. The City of Rockville's municipal boundary is located to the southwest of the Property along MD-355/Frederick Road.

## **II. Proposed Development**

### **A. Overview**

The Application proposes to rezone the Property from its current IM-2.5 H-50 Zone to the CRNF 1.25, C-0, R-1.25, H-60 Zone to accommodate redevelopment of the existing office buildings and surface parking on-site with a high-quality residential community. The concept plan provided with the Application proposes a complementary mix of residential uses, including two-unit condominiums and townhomes to provide a maximum of 210 new units of desired housing in the Derwood community. The proposed residences are to be located along a new, compact tree-lined street block system, and are supported by a pedestrian promenade, open park space and various recreational areas including children's play areas.

Through its proposed combination of high-quality housing and meaningful open space, the Application will transform the aging, underutilized office space on-site into a vibrant, context-sensitive residential community in close proximity to employment centers, transit, and amenities. It will also replace significant surface parking areas with an abundance of new green and open spaces for a net environmental improvement for the area.

The Project comports with the intent of the CRN floating zones allowing development of residential communities at a range of densities and heights flexible enough to respond to various settings. The residential development will provide a compatible transition between primarily industrial use and residential communities to the north. With proposed building types up to four floors (each floor approximately 10-feet in height), the development will also comply with the 60-foot maximum height. In total, the Project will incorporate a maximum of 210 dwelling units and a gross square footage of approximately 754,819 square feet within the 1.25 FAR. The number of dwelling units and mix of units will be established at the time of Site Plan and will not exceed the allowed FAR for the Property.

### **B. Design Iteration**

The Project consists of two different residential housing types: (1) two-unit condominiums and (2) rear-loaded townhomes. All proposed dwelling units are four stories (within the maximum 60-foot height limit) and feature rear-loaded encapsulated parking garages at the ground level.

### **C. Project Layout**

The proposed two-unit condominiums are primarily proposed along the Property's Standish Place frontage at the perimeter of the Property. The townhomes are sited along the proposed interior street network of the Property. The interior streets repeat the orthogonal orientation to Standish Place in order to create a cohesive tree-lined interior street grid system.

Open space, environmental and recreation areas are interspersed throughout the community, but generally emanate from a primary pedestrian promenade that leads to a larger central park area

located between townhouses and the Crabbs Branch Way frontage. The tree-lined pedestrian promenade runs perpendicular to the primary internal road and may include water features and landscaping and seating areas. The proposed central park area includes both passive and active recreation activities, including an open lawn park, amenity structure, picnic seating areas and two play areas for children. The central park space is located adjacent to the intersection of Crabbs Branch Way and Monona Drive and is framed by the frontages (and front doors) of townhomes that provide “eyes on the park,” as well as with seating areas and children play areas around the perimeter of the park area.

#### **D. Architecture Design**

Although the architecture will be finalized at the time of Site Plan, the Applicant has provided precedent images to provided examples of the styles and high-quality design associated with similar Tri Pointe Homes residential developments.

Generally, the building architecture will work in tandem with proposed site design to foster compatibility with the surrounding area while simultaneously creating harmonious relationships between the proposed mix of housing types within the Project. Each of the proposed housing types is four stories and will be within a maximum of 60 feet in height. Two-unit condominiums are proposed along the perimeter of the community, particularly along the Standish Place frontage. The varied townhouse types are interspersed in building groups throughout the interior of the community and line the proposed internal street grid to create consistent street walls that define private streets and foster an engaging pedestrian environment. Finalized architectural design will emphasize these desirable site design qualities with varied building materials, compatible color palates, and complementary articulation / fenestration elements between proposed dwelling units.

#### **E. Open Space**

The Project will feature high-quality, varied open space that will provide accessible passive and active recreation opportunities for future residents. As noted, proposed open space, environmental, and recreation areas are generally organized along the primary pedestrian promenade that leads to a central park area where proposed pedestrian amenities are located. The promenade includes a dedicated fire lane that provides additional space for a pedestrianized pathway. The tree-lined pedestrian promenade runs perpendicular to the primary internal road and may include landscaping and seating areas outside of the fire lane.

The central park area will feature an open lawn park, amenity structure, picnic seating areas and combined play areas for children ages two to twelve. The central park space is located adjacent to the intersection of Crabbs Branch Way and Monona Drive and is framed by the frontages (and front doors) of townhomes that provide “eyes on the park,” as well as with seating areas and children play areas around the perimeter of the park area.

Square footage proposed for the common open space and public open spaces satisfy the County’s applicable requirements:

- Public Open Space (including promenade areas): ±27,722 SF
- Common Open Space (including park areas): ±27,722 SF

A Demand, Supply and Adequacy Report was produced for the Project using the proposed number of dwelling units for the townhomes and two-unit condominiums. The Project meets the demand for recreational facilities with the proposed facilities, which may include the following:

- Pedestrian Connection and Promenade
- Open Grass Lawn
- Inclusive Recreation Playgrounds for ages 2-12
- Shade Structure, Picnic, and Seating Area
- Bicycle Support Station

## **F. Access, Parking, and Circulation**

The townhomes and two-unit condominium buildings are strategically sited in an orthogonal orientation to Standish Place to reinforce the street frontage and create neighborhood character with direct front door access. All units are accessed by interior alleys with rear-loaded garages, which also provide parking for future residents in satisfaction of the applicable off-street parking requirements. Visitor parking is proposed within the community as on-site parallel parking along interior streets. Accordingly, all parking is proposed internal to the Property so not to impact parking demand in the surrounding neighborhood.

The interior streets repeats the orthogonal orientation to Standish Place in order to create a cohesive tree-lined interior street grid system. All interior streets are private and will be designed to Montgomery County Complete Streets Manual. All interior streets will include two travel lanes (providing one lane in each direction) and curbside street parking on both sides of the street. Interior streets will include a 6-foot tree planting zone and a 6-foot continuous sidewalks.

Three vehicular and pedestrian entries along Standish Place will provide access to the Property. There are entries at the north and south ends of Standish Place that is connected by the main interior connector street that provides access to townhomes and condominiums units. There is a mid-block entry that is designed as a pedestrian promenade that leads to a pedestrian plaza and central park space located adjacent to the intersection of Crabbs Branch Way and Monona Drive. Because of the grade change between Crabbs Branch Way and the interior of the Property, pedestrian access with stairs and ramps will be provided at key locations for improved connectivity with the surrounding neighborhood.

A fire access lane has been provided with direct access right off the north and south entries along Standish Place. The fire access lane is not accessible to non-emergency vehicles, as it is intended to function as a pedestrian promenade when it is not in use by the fire department.

## **G. Civil Engineering**

### **1. Natural Resources Inventory / Forest Stand Delineation**

The Property is subject to the requirements of Chapter 22A of the Montgomery County Code (the "Forest Conservation Law"). A Natural Resources Inventory/ Forest Stand Delineation ("NRI/FSD") (No. 420241620) was approved for the Property on April 9, 2024. The Property does not contain protected soils, endangered species, or other natural features that would impact development.

## 2. Stormwater Management Concept Plan

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 will submit a Stormwater Management Concept Plan prior to submitting the combined Preliminary Plan and Site Plan applications. The development team is not aware and has found no evidence of existing storm water facilities on site. The Stormwater Concept must be approved by DPS prior to applying for a Sediment Control and/or Stormwater Management Permit. In accordance with Stormwater Management Act of 2007, the Project will implement Environmental Site Design ("ESD") practices to the maximum extent practicable.

The included stormwater concept exhibit proposes the use of ESD facilities of micro bioretention, supplemented with structural best management practices ("BMP") comprising of storage and filtering mechanisms. The stormwater strategy will be further refined when the Conceptual Stormwater Management Plan is submitted to MCDPS for approval. It is expected that the proposed layout of the Project will fully accommodate stormwater management facilities that meet/exceed applicable County and State requirements.

## 3. Sediment and Erosion Control

A Sediment and Erosion Control Plan will be prepared and submitted to DPS for approval after Stormwater Management Concept approval and prior to commencement of construction on the Property.

## 4. Adequate Public Facilities

The public facilities are adequate to support and service the proposed development. As discussed above, a Site Plan will be filed subsequent to Local Map Amendment approval. As such, the Montgomery County Planning Board ("Planning Board") will be responsible for determining whether Adequate Public Facilities ("APF") exist to support the proposed development of the Property at the time of Site Plan.

### a. Traffic

The Property falls within the Orange Policy Area in the current FY 2020-2024 Growth and Infrastructure Policy. An analysis of peak hour person trips generated by the proposed development was performed in accordance with the 2022 update to the Maryland-National Capital Park and Planning Commission's (M-NCPPC) Local Area Transportation Review (LATR) Guidelines.

As discussed above, the Property is currently improved with approximately 177,126 square feet of gross floor area of office uses. The Project is expected to generate 222 AM peak hour and 262 PM peak hour total person trips, and 145 AM peak hour and 170 PM peak hour total auto-driver (vehicle) trips, based on the LATR Guidelines methodology for calculating person and vehicle trips. The existing uses generate 366 AM peak hour and 357 PM peak hour person trips, and 278 AM peak hour and 271 PM peak hour vehicle trips. Therefore, the proposed re-development will result in a reduction of 144 AM peak hour and 95 PM peak hour new person trips and 133 AM peak hour and 101 PM peak hour new vehicle trips.

A Traffic Statement prepared by Lenhart Traffic Consulting, Inc. (“Lenhart”) has been submitted in connection with this Application. Utilizing the updated LATR system adequacy tests and a Vision Zero statement, based on the number of peak hour person trips the site will generate, as outlined in Montgomery County’s Growth and Infrastructure Policy and the LATR 2024 Guidelines.

b. Schools

The Property is served by College Gardens Elementary School, Julius West Middle School and Richard Montgomery High School. The current FY 2024 Subdivision Staging Policy Schools Test indicates that all three school levels are operating with adequate capacity. As such, there is adequate school capacity to accommodate the Project and no Utilization Premium Payments are currently required.

c. Other Services

The Property will be served by existing public water and sewer mains. The Property is located within water and sewer categories W-1 & S-1. Water and sewer needs are expected to be met by the Washington Suburban Sanitary Commission ("WSSC") through connections to the existing water and sewer lines located in the abutting right-of-ways. Through connections to the existing water is located within Crabbs Branch Way and existing sewer outfall is located on site. WSSC will evaluate the water and sewer capacity through a Hydraulic Planning Analysis.

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

### **III. Master Plan Conformance**

#### **A. Sector Plan**

The Property is located within the boundaries of the 2006 *Shady Grove Sector Plan* and the 2021 *Shady Grove Minor Master Plan Amendment*. Specifically, the Property is located within the Master Plan’s designated “Crabbs Branch Office Park,” which includes a broad array of technology, biotechnology, industrial/flex, and office development. Although the Master Plan does not provide property-specific recommendations, the Project advances the Master Plan’s broader applicable land use, housing, open space, and mobility recommendations, policies and goals.

#### **1. Land Use**

The Master Plan envisions the future of the Shady Grove Metro Station area as a mixed-use and pedestrian-oriented environment with “attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options.” The Project advances the Master Plan’s key Urban Design recommendation to “promote walkability with enhanced streetscapes to define the public realm,” with a site layout that creates

compact street blocks that is organized by a central promenade leading to a neighborhood green space that is framed with plays areas for children and seating areas for future residents.

While the Master Plan's Vision and Concept Plan envisions the area where the Property is located as Employment/Commercial, the proposed program adds a range of much needed housing typologies on a property where existing office has been largely vacant over a significant period of time. The Project conforms with the Master Plan's overall vision of creating a mix of residential uses within a walkable neighborhood format. To this end, the Master Plan's "Residential Plan" envisions the north side of Crabbs Branch Way as part of the expanded residential neighborhood of Derwood Station that extends from Redland Road to Gude Road.

## **2. Housing**

The Master Plan aims to support and further the original goals of the Sector Plan and ensure alignment with County's current housing policies and goals. The Project conforms with the Master Plan's Housing Element by providing a mix of townhomes and two-unit condominiums, as well as 15% MPDUs, to support the *General Plan's* Housing Element policies:

- *Concentrating new housing in mixed-use and transit-orientated areas.*
- *Encouraging housing near employment centers, with adequate access to a wide variety of facilities and services. Support mixed-use communities to further this objective.*
- *Encouraging and maintaining a wide choice of housing types and neighborhoods for people of all incomes, ages, lifestyles, and physical capabilities at appropriate locations and densities.*
- *Encouraging an adequate supply of affordable housing throughout the County for those living or working in Montgomery County, especially for households at the median income or below.*

Relatedly, the Project also advances the current County General Plan's housing goals by locating diverse housing types in transit-proximate areas.

## **3. Open Space**

The Master Plan stipulates that additional residential density in the Plan Area will require more parks, trails, and open spaces for existing and future residents. The Minor Master Plan Amendment specifically identified deficiencies in available green space and public use space for the neighboring Shady Grove and Derwood communities (namely basketball courts, pickle ball courts, ball fields, and playgrounds). The Project advances the Master Plan's applicable recommendation to "create new parks and open spaces in the metro neighborhoods," by including a neighborhood green space that serves as a local destination for the residential neighborhood. The open space is supported with a pedestrian promenade, seating areas and other residential amenities located throughout the community.



## **4. Mobility**

The Project meets the Master Plan’s recommendations for bike accommodations, sidewalk improvement, street trees and lights. To this end, a compact, tree lined street grid will replace large setbacks and expanses of surface parking. All proposed internal streets will be designed to Montgomery County Complete Streets Manual, to foster pedestrian activity and promote walkability throughout the community. The Project also includes pedestrian connectivity to Crabbs Branch Way from the Project with stairs and ramps at key locations.

### **B. General Plan**

In addition to the Master Plan, the Project conforms with *Thrive Montgomery 2050* (the “General Plan”). Specifically, the Project advances the General Plan’s “Overarching Objectives” as it relates to (1) Compact Growth and (2) Housing for All. The Project promotes growth within close proximity to a major transit center (Shady Grove Metro) and also provides a variety of housing options around existing employment centers and infrastructure. The Project also advances the County’s “Housing for All” Objective through the provision of 15% MPDUs, which will provide much-needed affordable housing opportunities in close proximity to transit. MPDUs are planned to be appropriately disbursed throughout the community and housing types, which advances the County’s housing goals by allowing the most affordable housing types to be offered in this location. The Project’s employment and transit orientated location make it the ideal place to maximize affordable housing opportunities at the lowest prices possible.

## **IV. Zoning Ordinance Conformance**

### **A. General Floating Zone Requirements**

This Application satisfies the floating zone requirements of Division 59.5.1 of the Montgomery County Zoning Ordinance (“Zoning Ordinance”) as follows:

#### **1. Section 5.1.2 – Intent Statement**

The intent of the floating zone is to:

*A. Implement comprehensive planning objectives by:*

- 1. Furthering the goals of the general plan, applicable master plan, and functional master plans;*

As detailed in Section III of this Statement, the Project furthers the County’s housing goals, as well as several key Master Plan recommendations and General Plan objectives for (1) focusing growth along major transit facilities, (2) providing a range of housing types, and (3) providing affordable housing opportunities for County residents. Additionally, the Crabbs Branch Office Park has been experiencing increasing vacancies as the County’s office market continues to shrink with the adoption of hybrid and virtual work environments. The integration of high-quality housing

into the existing office park with significant vacancies supports the Master Plan’s vision for a mixed-use and pedestrian-oriented community with “attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options.” Additionally, the Project is providing 15% MPDUs, which advances the General Plan’s “Housing for All” goal, as well as the 2021 *Shady Grove Minor Master Plan Amendment’s* affordable housing goals.

2. *Ensuring that the proposed uses are in balance with and supported by the existing and planned infrastructure in the general plan, applicable master plan, functional master plan staging, and applicable public facilities; and*

The Project will utilize existing water and sewer lines that will not require off-site upgrades. The Project will meet all applicable adequacy of public facilities (APF) requirements, as demonstrated by school and transportation tests. APF will be formally established with a subsequent Preliminary Plan application.

3. *Allowing design flexibility to integrate development into circulation networks, land use patterns, and natural features with and connected to the property.*

Although there are no regulated environmental features on-site, the Project represents efficient and sustainable land use by redeveloping an underutilized site in close proximity to existing and planned infrastructure. Multimodal circulation networks—with R50 Metro Bus and multiple bus stops along Crabbs Branch Way, future BRT on nearby MD-355m and proximity to the Shady Grove Metro Station—will connect the proposed, context-sensitive housing to the surrounding community and regional destinations.

*B. Encourage the appropriate use of land by:*

1. *Providing flexible applicability to respond to changing economic, demographic, and planning trends that occur between comprehensive District or Sectional Map Amendment;*

The Project supports the County’s objective of providing a range of housing types near a major transit facility that will improve the environmental and will not overburden public facilities with vehicle trips. The proposed residential uses are in balance with and are supported by the existing and planned infrastructure with flexible applicability to changing economic, demographic, and planning trends.

2. *Allowing various uses, building types, and densities as determined by a property’s size and base zone to serve a diverse and evolving population; and*

The Project furthers the General Plan and Master Plan’s goals by providing a range of housing types, including 15% MPDUs. The Project meets the intent of the CRNF Floating Zone to serve a diverse and evolving population with a neighborhood design that is built on compact

street blocks that encourage pedestrian activity. Proposed building groups are sited orthogonal to the street and modulated so not to exceed eight dwelling units in length in order to maintain appropriate pedestrian scale.

3. *Ensuring that development satisfies basic sustainability requirements, including open space standards and environmental protection and mitigation.*

The Project proposes tree-lined compact street blocks featuring continuous sidewalks, strategically sited around a central park area and pedestrian promenades that promote walkability and healthy living. Modern stormwater management will be implemented on-site through environmental site design to advance sustainability on-site and within the surrounding neighborhood.

*C. Ensure protection of established neighborhoods by:*

1. *Establishing compatible relationships between new development and existing neighborhoods through limits on applicability, density, and uses;*

The Project achieves compatibility with its surrounding context through careful placement and appropriate siting of proposed residential uses. Massing is strategically located orthogonal to the street to foster a consistent neighborhood character and provide direct and primary access to each dwelling unit. Redevelopment of the Property replaces four aging, low-rise office buildings—featuring significant setbacks evocative of 1980s era office parks and expanses of surface parking located between the buildings and streetscape—with a compatible, walkable residential community. Density is regulated by applicable zoning limitations on contiguous dwelling units in a building group and required vehicular circulation and access.

2. *Providing development standards and general compatibility standards to protect the character of adjacent neighborhoods; and*

The proposed Floating Zone will implement appropriate, context-sensitive development standards to foster compatibility with the surrounding neighborhood. These development standards, including lot size, setbacks, and density will produce a compatible site design and layout that is harmonious with the character of the existing context.

3. *Allowing design flexibility to provide mitigation of any negative impacts found to be caused by the new use.*

The Project has been strategically sited so that residential uses on the perimeter of the Property are fronting Standish Place, with massing placed orthogonal to the street. All proposed townhomes and two-unit condominiums have rear-loaded garages accessed through alleys, which are largely screened from view along public streets. To this end, the Project utilizes the Property's slight grade differential along Crabbs Branch Way to visually screen rear-loaded garages.

## **2. Section 5.1.3 – Applicability**

In order to further ensure the above objectives of the floating zones are achieved, the Zoning Ordinance sets forth specific requirements and prerequisites for CRNF Local Map Amendment applications. Pursuant to Section 5.1.3.C of the Zoning Ordinance, if a Floating Zone is not recommended in a master plan, the following apply:

- 1. The maximum allowed density is based on the base zone and of the size of the tract as stated in Division 5.2 through Division 5.5. Any density bonus requested under Chapter 25A may be added to the density allowed under Division 5.2 through Division 5.5 and included in the units per acre or FAR of the zone requested.*

No MPDU density bonus is proposed as part of the Project. The Project is proposed at 1.25 FAR and 60-feet in height, which is within the maximum density and height for the current IM-2.5, H-50 Zone. The Project will comply with (1) the maximum allowable residential density of 1.25 FAR and (2) the maximum 60-foot height of the requested CRNF 1.25, C-0, R-1.25, H-60 Floating Zone.

### *3. Non-Residential Base Zone*

Section 59.5.1.3.C.3 of the Zoning Ordinance states that, “when requesting a Floating zone for a property with a non-Residential base zone there are no prerequisites for an application.” As noted, the Property is currently located in the IM Zone, which is a non-residential base zone. Accordingly, there are no prerequisites for the Application.

## **B. Requirements of the CRNF Zone**

The Application also satisfies the specific requirements and objectives of the Commercial Residential Neighborhood-Floating (CRNF) zone itself, as described below:

### **1. Section 5.3.2 – Purpose**

*The purpose of the Commercial/Residential Floating zones is to:*

- A. Allow development of mixed-use centers and communities at a range of densities and heights flexible enough to respond to various settings;*
- B. Allow flexibility in uses for a site; and*
- C. Provide mixed-use development that is compatible with adjacent development.*

The Project has been strategically designed to respond to the demand for housing within the Derwood community, while simultaneously providing a compatible transition to the surrounding neighborhood. The Project will provide substantial open space on-site for use by the broader neighborhood and is sited with an outward orientation along Standish Place to connect with its existing context. The proposed mix of residential building types will provide new housing

opportunities in close proximity to transit, within this predominately commercial area.

## **2. Section 5.3.5 – Development Standards**

Floating Zones allow for flexibility in development standards, including site layout, lot size, height, setback, and placement to allow for development that is compatible with the surrounding neighborhood—and meets the intent, goals, and policies of the Sector Plan. All proposed development standards are reviewed and approved during the subsequent site plan approval process. Compliance with each proposed, applicable development standard will be demonstrated at the time of Site Plan.

### **a. Density**

Pursuant to Section 59.5.3.5 of the Zoning Ordinance, because the requested floating zone was not recommended in the Master Plan, requested density cannot exceed 1.5 FAR, as the tract is greater than 3 acres and the existing zoning is IM. The Application is below this maximum density, requesting a total density of 1.25 FAR – with all density allocated to proposed residential uses.

### **b. Height**

Maximum heights for the proposed residential uses will be less than the 60-foot maximum established with the requested Floating Zone. The Project proposes standard four-level townhomes and two-unit condominiums within a maximum height of approximately 60 feet. Additionally, proposed heights will satisfy the compatibility standards for the applicable building type under Section 4.1.8.B.

### **c. Setbacks**

Principal building setbacks from site boundaries are established by, and shown on, the Floating Zone Plan. Internal setbacks will be established at the time of Site Plan.

### **d. Lot Size**

The minimum lot sizes will be established at the time of Preliminary Plan and Site Plan.

### **e. General Requirements**

Parking, recreational facilities, screening and landscaping will also be provided in accordance with Article 59-6, as generally shown on the Floating Zone Plan, with details to be confirmed at the time of Site Plan. Available details included in the Floating Zone Plan are enumerated below:

### **f. Parking & Loading Requirements**

Parking must be provided under Section 6.2.3 Calculation of Parking and Section 6.2.4 Parking Requirements. The Project is not located in a Parking Lot District or Reduced Parking Area, therefore will comply with the baseline minimum per Table 6.2B. All townhomes and condominiums will require a minimum of one stall per dwelling unit. Parking will be accommodated by an enclosed garage and driveways located on-site on individual lots.

- Parking spaces are sized to meet the minimum standard (8.5'x18') per Sec. 6.2.5.E.
- One stall minimum will be provided for each dwelling unit for two-unit condominiums.
- Two stalls maximum will be provided for townhomes.
- Visitor parking spaces are provided on-site and are located on the main connector road that parallels Standish Plan.
- Loading spaces are provided through enclosed garages for each dwelling unit. No designated loading spaces are proposed for the overall community.
- No screening or incompatible buffer criteria are triggered by the proposed Project.

#### **g. Recreation Facilities**

Recreation facilities are currently proposed to include the following, but may be modified at site plan based on more detailed design review:

- Public Open Space: ±27,722 square feet
- Common Open Space: ±27,722 square feet.
- Pedestrian Connection and Promenade
- Open Grass Lawn
- Combined Recreation Playground for ages 2-12
- Through-Block Pedestrian Connection
- Picnic and Seating Area
- Grilling Area
- Performance Setting – Outdoor Stage
- Bicycle Support Station

#### **a. Landscaping & Lighting Facilities**

A landscape plan must be submitted in conjunction with any grading or building permit; the plan must be prepared and sealed by a landscape architect licensed in Maryland. The plan must show all proposed plant material and necessary details to demonstrate conformance with the Landscape Manual of Montgomery County. Installation of the plantings per the prepared pan must be submitted after completion. Final landscape design and planting schedule will be established at time of Site Plan.

### **C. Necessary Findings**

The Application also satisfies the specific requirements and objectives of the Commercial Residential Neighborhood-Floating (CRNF) zone itself, as described below:

#### **1. Section 7.2.1.E.2 – Necessary Findings**

*For a Floating zone application, the District Council must find that the floating zone plan will:*

- Substantially conform with the recommendations of the applicable master plan, general plan, and other applicable County plans;*

As discussed in Section III above, the Project substantially conforms to the

recommendations of the Master Plan, General Plan, and applicable functional master plans.

*b. Further the public interest;*

As detailed above, the Project furthers the County's housing goals, as well as several key Master Plan recommendations and General Plan objectives for (1) focusing growth along major transit facilities, (2) providing a range of housing types, and (3) providing affordable housing opportunities for County residents. The integration of high-quality housing into the existing office park with significant vacancies supports the Master Plan's vision for a mixed-use and pedestrian-oriented community with "attractive streetscapes, distinctive architecture, and a sense of place that is complemented by public facilities and amenities, and new mobility options." Additionally, the Project is proposing 15% MPDUs to provide additional high-quality affordable housing to the Derwood community and advance both the General Plan's "Housing for All" goal and the affordable housing goals of the 2021 *Shady Grove Minor Master Plan Amendment*.

*c. Satisfy the intent and standards of the proposed zone and, to the extent the Hearing Examiner finds it necessary to ensure compatibility, meet other applicable requirements of this Chapter;*

As described in Section IV(A) of this Report, the Project will satisfy the intent, purpose and specific standards of the CRNF Floating Zone and the Zoning Ordinance. For all the reasons discussed in this Report, the requested Floating Zone is appropriate at this location.

*d. Be compatible with existing and approved adjacent development;*

The Project will transform this aging office park and expanses of surface parking on-site into a high-quality residential community organized around a series of smaller compact, tree-lined street blocks. The new street grid, proposed perimeter landscaping, and strategically sited dwelling units fronting along Standish Place will promote compatibility and appropriately transition the site into the surrounding community.

*e. Generate traffic that does not exceed the critical lane volume or volume / capacity ratio standard as applicable under the Planning Board's LATR Guidelines, or, if traffic exceeds the applicable standard, that the applicant demonstrate an ability to mitigate such adverse impact; and*

As discussed herein, the Petitioner's traffic consultant, Nick Driban of Lenhart Traffic Consulting, Inc. has prepared a Traffic Impact Statement that confirms there will be adequate capacity on the surrounding street networks to accommodate the Project. The Traffic Impact Statement is submitted as part of this Application.

*f. When applying a non-Residential Floating zone to a property previously under a Residential Detached zone, not adversely affect the character of the surrounding neighborhood.*

The proposed Project will not adversely affect the character of the surrounding neighborhood. In fact, the Project will provide a more compatible and beneficial use by redeveloping the aging, underutilized office buildings into a desirable residential community with

increased pedestrian connectivity, abundant open space and public benefits. Furthermore, as discussed in detail above, the Project's architecture and building layout will be carefully designed to promote compatibility with the surrounding neighborhood.

## **V. Conclusion**

The proposed Project conforms to the Intent and Purpose of the CRNF Zone and complies with all Development Standards contained within the Zoning Ordinance. The Project substantially conforms to the Master Plan's recommendations and promotes many important land use objectives of the County. The Application will facilitate the redevelopment of this underutilized, aging office complex and associated excess surface parking, to create a maximum of 210 new units of high-quality, housing in a pedestrianized and amenitized residential community. As such, the Project will advance the County's housing targets and policies of smart growth. For these reasons, the Applicant respectfully requests approval of this LMA.