
MEMORANDUM TO: Mayor and City Council and the Planning Commission

FROM: Jasmine Forbes, Planner

DATE: January 24, 2017

SUBJECT: Preliminary Background Report- Amended
SDP-7362-2016: Kentland Apartments

APPLICANT/ENGINEER:

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ATTORNEY:

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TAX MAP REFERENCE:

Parcel I – 09-03069330
Parcel J – 09-03069341
Block Q

REQUEST:

Application SDP-7362-2016¹ has been filed requesting schematic development plan approval for the development of two six-story apartment buildings and a seven-level parking garage. The development will provide 295 dwelling units, consisting of 59 studios, 132 one-bedroom, 95 two-bedroom and 9 three-bedroom units. The development will also include 5,800 square feet of assembly and amenity space. The subject properties are zoned MXD (Mixed Use Development).

LOCATION:

The subject properties are located at the corner of Quince Orchard Road/Route 124 and Great Seneca Highway/Route 119. The properties are located at 913 and 917 Quince Orchard Road, Parcel I and J, in the City of Gaithersburg, Maryland. Access to the property is currently provided from Kentlands Square Shopping Center to the southeast and from Arch Place to the west.

¹ Exhibit 1



Location Map

REQUIRED ACTIONS

Approval of SDP-7362-2016, by the City Council is dependent upon the findings required under § 24-160D.10 of the City Code as follows:

- (b) *The city council shall approve a schematic development plan only upon the finding that:*
- (1) *The plan is substantially in accord with the approved sketch plan; and*
 - (2) *The plan meets or accomplishes the purposes, objectives and minimum standards and requirements of the zone, and other requirements of the City Code; and*
 - (3) *The plan is in accord with the area master plan and any accompanying special condition or requirements contained in said master plan for the area under consideration; and*
 - (4) *The plan will be internally and externally compatible and harmonious with existing and planned land uses in the MXD zoned area and adjacent areas; and*
 - (5) *That existing or planned public facilities are adequate to service the proposed development contained in the plan; and*
 - (6) *That the development staging or phasing program is adequate in relation to the provision of public facilities and private amenities to service the proposed development; and*
 - (7) *That the plan, if approved, would be in the public interest.*

Therefore, the applicant has the burden of showing that this application complies with the purpose and intent of the MXD Zone and also complies with the master plan. Additionally, evidence must be shown that the application will be compatible and harmonious with the surrounding planned and existing land uses and will accomplish the objectives, minimum standards, and requirements of the zone.

ANNEXATION AND SITE PLAN HISTORY

In 1967, the Mayor and City Council, by resolution R-22-66, annexed the properties into the City as part of annexation X-088, which contained approximately 928 acres of land. At the time of annexation, the properties were zoned R-A (Low Density Residential). On March 2, 1989, the properties were rezoned to MXD (Mixed Use Development) as part of Zoning Map Amendment Application and associated Sketch Plan Z-262 (Ordinance O-3-89). The sketch plan established a maximum of 1,911 residential units for the entire Kentlands community. The sketch plan was later amended on April 1, 1991 as Z-262(A) (Ordinance O-8-91) to increase the amount of residential and non-residential units. If a conversion formula is used, 1,000 square feet of industrial/research/office/ commercial uses may be exchanged for one residential dwelling unit, up to a limit of 2,400 total residential units. The Kentlands community currently contains a total of 2,181 dwelling units. Pursuant to Section 24-198 of the City Code, if the numbers of residential dwelling units increase by more than ten (10) percent or five (5) units whichever is greater, the sketch plan must be amended. The proposed 295 residential units will surpass the

maximum residential development for the Kentlands by less than ten (10) percent and will not require an amendment to the sketch plan. Any additional residential units planned for the Kentlands in the future must amend the sketch plan.

The following summarizes the amendments and associated development applications for the subject properties:

Application Number	Year of Approval	Request	Approved By
K-1031	1994	Uptons 62,500 square foot retail building	Planning Commission
K-1033	1994	Boston Chicken (Boston Market) 3,200 square foot restaurant (Parcel I)	Planning Commission
K-1062	1996	Hunter's Inn (Famous Daves,Diya) 5,000 square foot restaurant (Parcel J)	Planning Commission
SDP-01-007	2002	Archstone Kentlands Village (The Colonnade) 307 dwelling units with 1,500 square foot leasing office and 13,193 square feet retail (Parcel H) and 30,000 square foot Office Building (Parcel I) (Proposed demolition of Uptons and Boston Market buildings)	Mayor and City Council
SP-02-011	2002	30,600 sq. ft. 3-story office building (Parcel I) (Building was never constructed)	Planning Commission
SP-02-0012	2003	Archstone Kentlands Village (The Colonnade) final site plan (Parcel H) Construction approx. 2004- 2005	Planning Commission

MASTER PLAN AND ZONING HISTORY:

1997 Master Plan²

The subject properties were included in the 1997 Master Plan, under Neighborhood Four, as part of Study Area Four. The 1997 Master Plan had designated the subject properties as Commercial/Industrial-Research-Office Land Use.

2003 Master Plan³

The subject properties were included in the 2003 Master Plan under the Special Study Area 8 of the City's Land Use Element of the Master Plan. The study area also included the Colonnade property (Parcel H).

Land Use and Zoning Action

- Designate as Commercial-Office-Residential
- Zoning remains MXD (Mixed Use Development)

The 2003 Master Plan designed the subject properties as Commercial-Office-Residential land use.

² Exhibit 29

³ Exhibit 30

The subject properties were also included as an objective item in the 2003 Master Plan, Process and Overview Element. The 2003 Master Plan Process and Overview Element states the following:

Objective C: Stimulate and Increase the Utilization of Kentlands Market Square as a Neighborhood Town Center.

Action 4: Redevelop the vacant Upton's property into a mixed used project with a significant multi-family component.

2009 Master Plan

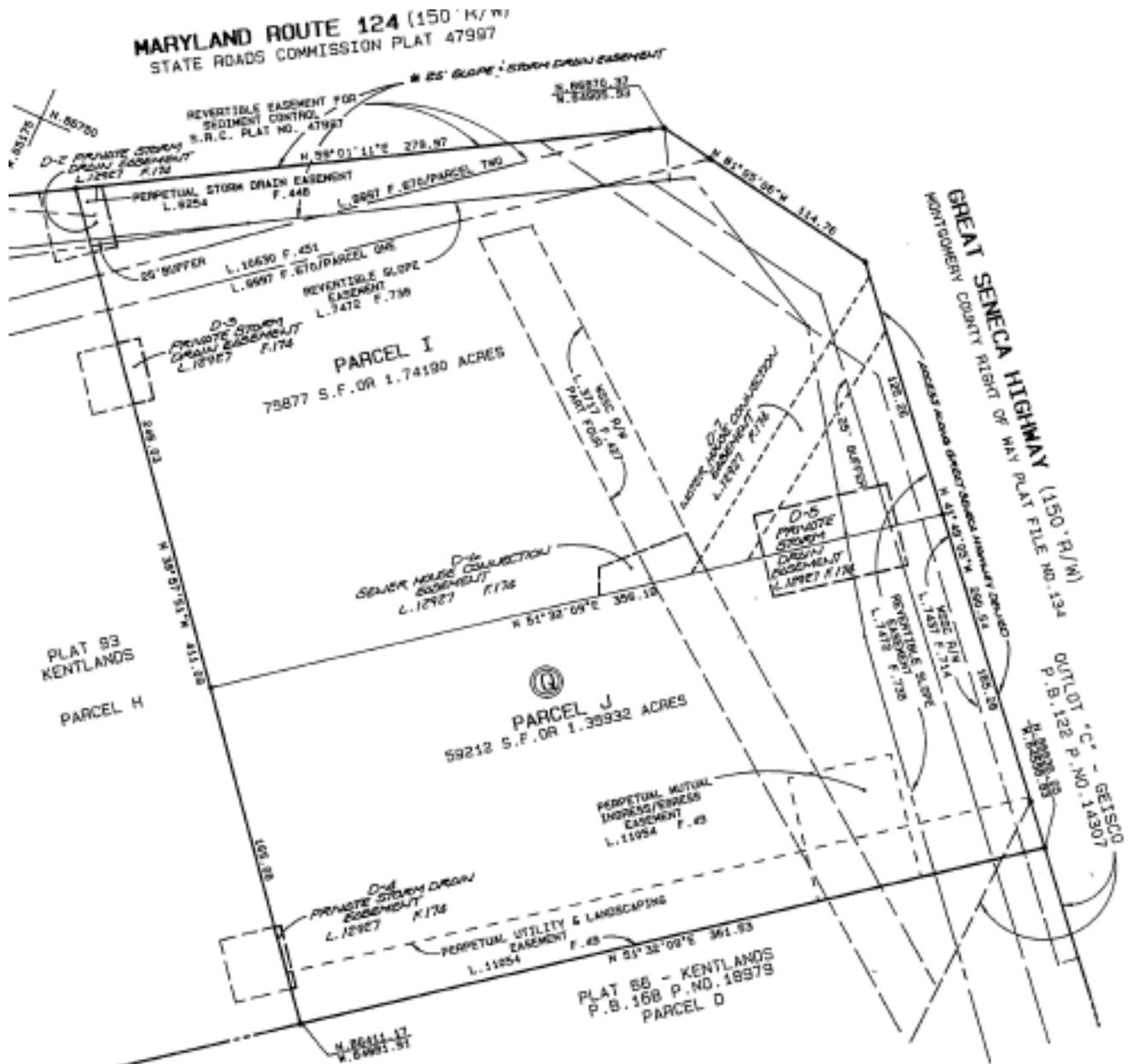
The subject properties were not included as a specific map designation in the 2009 Master Plan. Consequently, the subject properties are regulated by the 2003 Master Plan. The 2009 Master Plan designated the subject properties as Commercial-Office-Residential.

SURROUNDING LAND USE/PHYSICAL CHARACTERISTICS:

The subject properties are approximately 3.10 acres and located at the corner of Great Seneca Highway and Quince Orchard Road. The properties currently contain a 5,020 square foot stand-alone restaurant building, surface parking and green space. The properties are accessible from Arch Place and from the Kentlands Square Shopping Center near K-mart to the southeast. There are numerous easements located within the properties. The applicant has submitted an easement plan showing new easement alignments on the project area.⁴ A Preliminary Subdivision Plan was also submitted with the schematic development plan application package, which will consolidate both parcels into one property.⁵ The applicant will be required to record a final subdivision plat as a part of the final site plan approval.

⁴ Exhibit 13

⁵ Exhibit 14



Subdivision Plat 19499

The surrounding land uses to the north, northeast and west are residential. The properties are adjacent to commercial use to the south and an office use to the east. To the west are the Colonnade apartments and to the north and northeast is the Fernshire Farms community. To the south is the Kentlands Shopping Center and to the east is the Medimmune office and research facility. The properties to the east, west and south are zoned MXD (Mixed Use Development). The properties to the north and northeast are zoned R-90C (Medium Density Residential-Cluster Development) and RP-T (Medium Density Residential).



Zoning Map

The subject properties are not part of the Kentlands Community Association (KCA). In a Declaration that was recorded in 1995, the property identified as Parcel I, Block Q is not subject to the Kentlands Homeowner's declaration, because it was a commercial property. If the property owner wishes to be part of the KCA, the property owner would need to work with the KCA in order to potentially annex.

As part of the application package, the applicant has submitted a project compliance statement letter.⁶ The letter outlines the project narrative and required findings in compliance with the MXD zone. In the statement, the applicant lists multiple outreach meetings that were conducted by the developer and project team to inform adjacent communities about the project.

⁶ Exhibit 2

Architecture

Please note that these comments are based on original exhibits.

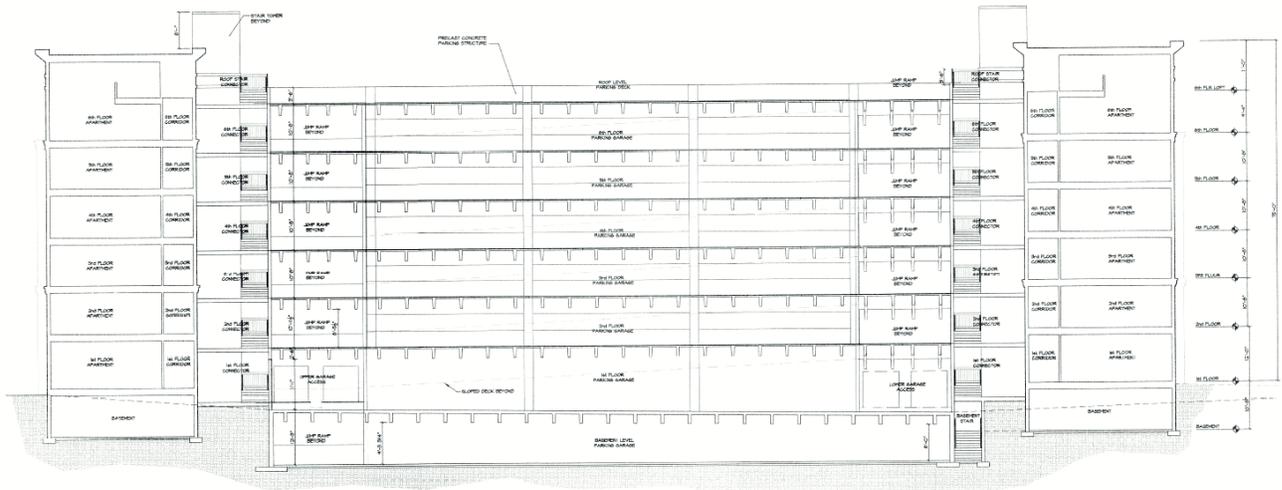
The proposed materials for the apartment buildings include precast concrete, masonry and brick veneers, vinyl windows, metal-clad faced panel system, and prefinished metal trim and coping. The proposed materials for the parking garage will be precast concrete with inlaid brick and exterior screen panels.



Conceptual Architecture Rendering (Exhibit #16)



Rendering View between the Colonnade and new building (Exhibit# 51)



1 BUILDING SECTION
A33 SCALE: 3/8"=1'-0"

Parking Garage Building Cross Section (Exhibit #16)

Parking

The apartment buildings are required to provide 402 parking spaces for the dwelling units, leasing office and amenity space. The project will provide a total of 423 spaces. The parking garage will consist of 419 spaces and the surface lot will have four spaces. The four surface parking spaces will be only used as temporary parking for people visiting the leasing office. The plans also propose eight motorcycle spaces and 17 bicycle spaces.

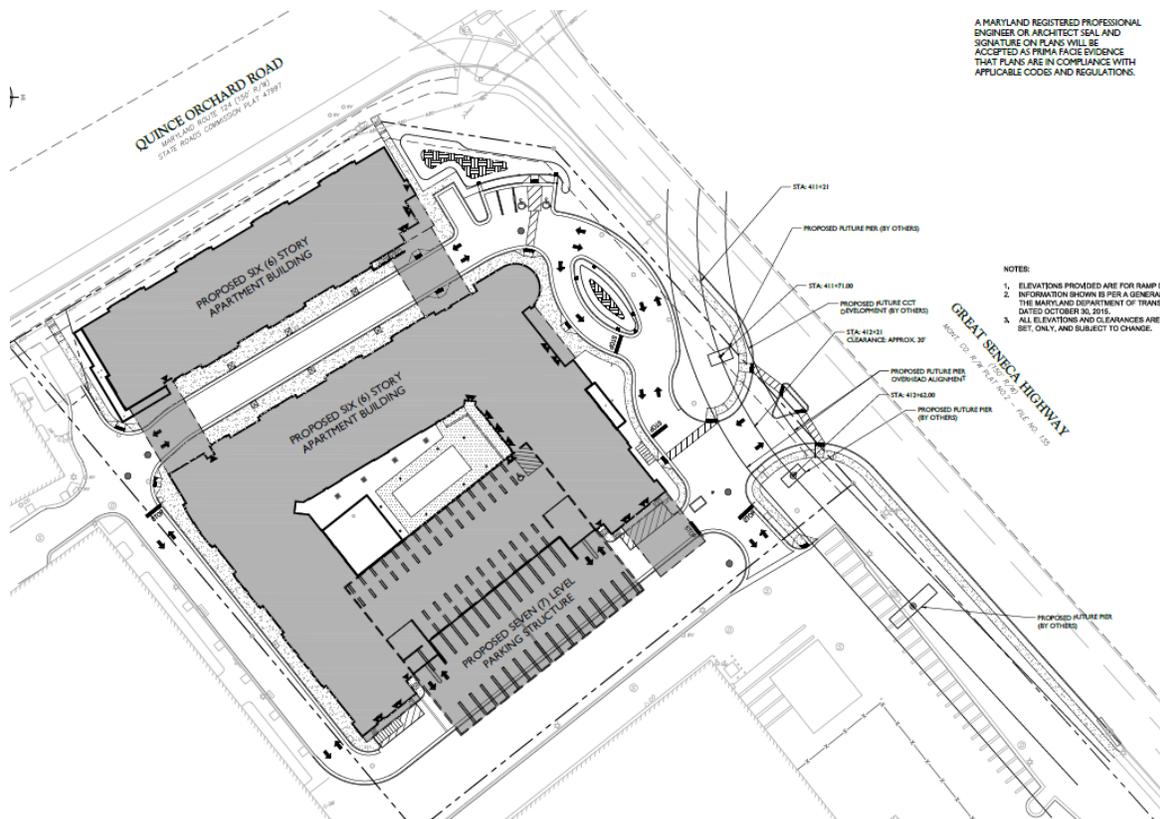
PARKING DATA:	
REQUIRED PARKING SPACES	
STUDIO @ 1/UNIT	59 SPACES
ONE BEDROOM @ 1.25/UNIT	165 SPACES
TWO BEDROOM @ 1.5/UNIT	143 SPACES
THREE BEDROOM @ 2/UNIT	18 SPACES
ASSEMBLY AREA @ 1/400 SF	15 SPACES
LEASING OFFICE @ 1/300 SF	2 SPACES
TOTAL SPACES REQUIRED	402 SPACES
TOTAL LOADING REQUIRED	1 SPACE
PROVIDED PARKING SPACES	
GARAGE PARKING	
STANDARD	401 SPACES
VAN ACCESSIBLE	1 SPACE
STANDARD ACCESSIBLE	9 SPACES
MOTORCYCLE	8 SPACES
SURFACE PARKING	
STANDARD	2 SPACES
VAN ACCESSIBLE	2 SPACE
STANDARD ACCESSIBLE	0 SPACES
TOTAL PARKING PROVIDED	423 SPACES
TOTAL LOADING PROVIDED	2 SPACES
TOTAL BIKE PROVIDED	17 SPACES

Parking Calculations Table (Exhibit #3)

Traffic Circulation

The plan will maintain the existing vehicular circulation access from the west and southeast of the project. There is currently a recorded perpetual mutual ingress/ egress easement between all the adjacent properties. This agreement allows the adjacent properties to use the through driveway on Parcels I and J. The plan proposes a new right-in/right-out access along Great Seneca Highway to the east. The Maryland State Highway Administration (SHA) has provided preliminary approval for the new entrance.

The project is also located in close proximity to the proposed future Corridor Cities Transit Way (CCT) station at Kentlands Square Shopping Center and dedicated lanes. At this location, the thirty (30%) percent design plans recommends an elevated bus lanes. The applicant has provided a plan sheet that demonstrates that the future CCT station and currently proposed alignment can still be facilitated as shown on the thirty (30%) percent preliminary engineering plans.¹⁰ Staff notes that the thirty (30%) preliminary plans show the proposed parcels as a full take to facilitate future parking requirements for the CCT. Staff further notes that currently the CCT project funding and design has been deferred until 2021. During the application process for this schematic development plan, the applicant has met with State Highway Administration (SHA) and Maryland Transit Administration (MTA) to ensure that the project does not interfere with future CCT construction. The applicant will continue to have on-going coordination with SHA and MTA to ensure that the project will be in conformance with CCT plans.



Future CCT Alignment Plan (Exhibit #12)

¹⁰ Exhibit 12

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO):

Traffic Impacts

In conjunction with the Schematic Development Plan application submittal, the applicant submitted Traffic Impact application TRF-7365-2016. Based upon the amount of traffic generated by the proposed plan, a finding of adequacy was made for the proposed development. The Traffic Impact Analysis that was submitted with the application has stated that the proposed apartment development will not have any adverse effect on the nearby road system.¹¹ Engineering Services Division Chief Ollie Mumpower has granted approval of the Traffic Impact Analysis.¹² Therefore, the site complies with the requirements for the Adequate Public Facilities requirements for Traffic Impacts (§ 24-245) and the City's Traffic Impact Study Standards and Regulations.

Adequacy of School Capacity

The proposed development is located within the Quince Orchard cluster of the Montgomery County Public School (MCPS) system. Within this cluster, the schools that currently serve the proposed development are Rachel Carson Elementary School, Lakelands Park Middle School, and Quince Orchard High School. The City's Adequate Public Facilities Ordinance (APFO) (§ 24-246) for schools requires the City Manager to annually review the Montgomery County adopted Community facilities Master Plan and Capital Improvements Program and report whether any public school attended by City residents is forecasted to exceed one hundred fifty (150) percent. The report is to be done on the first day of the City's Fiscal Year (July 1). The July 1, 2016 City report/memorandum on the adopted *FY 2017 Educational Facilities Master Plan* and the *FY 2017-2022 MCPS Capital Improvements Program* (CIP) provided to the Mayor and City Council found that none of the aforementioned schools serving this development will exceed one hundred fifty percent (150%) of capacity in five years.¹³

As referenced in the applicant's statement,¹⁴ the proposed development complies with the school test of the Adequate Public Facilities Ordinance (§ 24-246) because none of the *"the attendance area of a Montgomery County Public School that is forecasted to have a student population that exceeds one hundred fifty (150) percent of Montgomery County Public Schools program capacity five (5) years in the future."*

For informational purposes, Planning Staff calculated the estimated number of students that will be generated with the proposed project. The calculation uses student generation factors from the 2016-2020 Subdivision Staging Policy from Montgomery County. The numbers were calculated using the factor for a multi-family high-rise of five stories or more.

¹¹ Exhibit 19

¹² Exhibit 39

¹³ Exhibit 21

¹⁴ Exhibit 2

School Level	Generation Rate (5+ floors)	Estimated Students
Elementary	0.071	20.9
Middle	0.029	8.6
High	0.038	11.2
Total		40.7

Water and Sewer Services and Public Utilities

The subject properties are currently served by Category W-1 and S-1 of Washington Suburban Sanitary Commission (WSSC) services. As referenced in the applicant's statement, the application complies with the requirements of the City's Adequate Public Facility Ordinance (APFO) for water and sewer (§24-247).

Fire and Emergency Services

The City's Adequate Public Facilities Ordinance (APFO) requires that any development project be served by at least two fire stations within a ten-minute response time. The subject properties are located within a ten-minute response time of four fire stations:

- Station 8 (Gaithersburg/Washington Grove) (Montgomery Village Avenue)
- Station 22 (Germantown/Kingsview)
- Station 3 (Rockville)
- Station 32 (Travilah)

Therefore, as referenced in the applicant's statement, the site complies with the requirements for the Adequate Public Facilities requirements for Emergency Services (§ 24-248).

STORMWATER MANAGEMENT AND SEDIMENT & EROSION CONTROL

In accordance with the requirement for the submission of a Schematic Development Plan, § 24-160D.9(b), the applicant has submitted a concept and preliminary stormwater management plan and sediment erosion control plan, as applications SEC-7364-2016¹⁵ and SWM-7363-2016,¹⁶ respectively. The Department of Public Works staff is currently reviewing both plans and must approve the plans prior to schematic development plan approval.

¹⁵ Exhibit 26

¹⁶ Exhibit 25

NATURAL RESOURCES INVENTORY AND FOREST STAND DELINEATION

As part of this application the applicant submitted a previously approved Natural Resources Inventory (NRI) and Forest Stand Delineation (FSD) plan and report,¹⁷ which was approved on January 6, 2016.

According to the approved NRI/FSD, the project area is not within a 100 year floodplain of the FEMA Flood Insurance Rate Map. The project area currently contains 0.95 acres of woodland areas. There are no rare, threatened or endangered species associated with the subject properties. Additionally, there are no floodplain, specimen trees, wetlands, cultural or historic features within the project area.

GREEN SPACE

The applicant has submitted a green space plan pursuant to the requirements of § 24-160D.9.(b). Section 24-160D.6.(a) states,

“The amount of green area, including designated parks, public and private open space, active and passive recreational areas, required for the residential portion of a mixed use development shall be not less than forty (40) percent of the total area shown for residential use.”

The applicant plans to provide 0.7 acres of greenspace. The plan also includes the installation of five micro-bioretenion areas and a variety of landscapes on the property. As referenced in the green space plan,¹⁸ the amount of green space was calculated as part of the comprehensive required green space for the Kentlands community.

AFFORDABLE HOUSING

In accordance with §24-253, the applicant has provided an Affordable Housing Plan application.¹⁹ Pursuant to § 24-253, *“fifteen percent of the total dwelling units shall be developed and maintained for a period of thirty years from the date of initial occupancy as MPDUs at a rent affordable to households earning sixty percent AMI adjusted for household size”*. The application is proposing to provide 45 Moderately Priced Dwelling Unit (MPDU) dwelling units, consisting of 10 studios, 20 one bedroom, 14 two bedroom and 1 three bedroom. The application is currently under review by the Division of Housing and Community Development.

¹⁷ Exhibit 23 and Exhibit 24

¹⁸ Exhibit 15

¹⁹ Exhibit 31

SUMMARY:

The applicant has submitted for consideration schematic development plan application SDP-7362-2016. This is a complete application as defined by § 24-160D.9(b) Application for Schematic Development Plan Approval of the City Code.

Because this is the initial public hearing and staff continues to complete its analysis of the proposed project, no formal recommendation is provided at this time. Staff will continue to work with the applicant on refining the plan as needed. Staff has identified details of the plan that need to be addressed:

1. Preliminary letters of approval from the utility companies to be provided to the City prior to schematic development plan approval.
2. Refine parking and movement of the delivery and moving trucks on and off the property, including the ability to accommodate full size tractor-trailer trucks.
3. Address concerns with ingress/egress access with adjacent property owners
4. Continue to work with Staff about construction phasing, staging and the delivery of materials. This will be reviewed by Staff at the time of final site plan review.
5. Address concerns about the proposed unit mix

This is a preliminary report on application SDP-7362-2016, staff will provide a full staff analysis prior to the Planning Commission's recommendation to the Mayor and City Council. The joint public hearing for this application will be held on February 6, 2017.