MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 18-138
Site Plan No. 820180180
Solera Reserve Kensington
Date of Hearing: December 20, 2018

JAN 22 2019

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review site plan applications; and

WHEREAS, on June 26, 2018, SM Kensington Senior Living RE, LLC ("Applicant") filed an application for approval of a site plan for 138,855 square feet of development, with 1,000 square feet of commercial uses and 137,855 square feet of residential uses (including 12,662 sf of MPDU bonus density based on 15 percent MPDUs) for 63 Independent Living units and 79 Residential Care beds on 1.93 acres of CRT-1.5 C-1.5 R-1.5 H-60 zoned-land, located at the southwest corner of the intersection of Metropolitan Avenue and St. Paul Street ("Subject Property"), in the *Kensington Sector Plan* ("Sector Plan") area; and

WHEREAS, the site plan application for the Subject Property was designated Site Plan No. 820180180, Solera Reserve Kensington ("Site Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated December 10, 2018, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 20, 2018, the Planning Board held a public hearing at which it heard testimony and received evidence on the Application; and

WHEREAS, on December 20, 2018, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Dreyfuss, seconded by Commissioner Fani-Gonzalez, with a vote of 5-0; Commissioners Anderson, Cichy, Dreyfuss, Fani-Gonzalez and Patterson voting in favor.

Approved as to
Legal Sufficiency: M-NCPPC Legal Department

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NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Site Plan No. 820180180, subject to the following conditions:[1]

Density, Height & Housing

1. Density
   The Site Plan is limited to a maximum of 138,855 square feet of development on the Subject Property including up to 1,000 square feet of commercial uses and up to 137,855 square feet of residential uses (including 12,662 sf of MPDU bonus density based on 15 percent MPDUs) for 63 Independent Living units and 79 Residential Care beds.

2. Height
   The development is limited to a maximum height of 60 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan.

Open Space, Facilities and Amenities

3. Public Open Space, Facilities, and Amenities
   a) The Applicant must provide a minimum of 3,600 square feet of Public Open Space (5.2 percent of net lot area) on-site.
   b) All landscaping must be installed within one growing season of the issuance of the Final Use and Occupancy Certificate.
   c) Before issuance of the Final Use and Occupancy Certificate for the residential building:
      i. The Applicant must construct the streetscape improvements shown on the Certified Site Plan, including the undergrounding of utilities, along the Property's Metropolitan Avenue frontage; and
      ii. All Public Open Spaces on the Subject Property must be completed.
   d) Prior to issuance of any Building Permit, the Applicant must make a $17,500 contribution to the MCDOT Bikeshare Program.

4. Public Benefits
   The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.
   a) Transit Proximity to the Marc Rail Station.
   b) Connectivity between Uses, Activities, and Mobility Options
      i. Minimum Parking – The Applicant may not construct more than 78 off-street parking spaces.

[1] For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

c) Diversity of Uses and Activities
   i. Affordable Housing/MPDUs –
      a. The development must provide a minimum of 15 percent MPDUs, or a Department of Housing and Community Affairs (DHCA) approved equivalent, consistent with the requirements of Chapter 25A.
      b. Before issuance of any building permit for any residential unit, an MPDU agreement between the Applicant and DHCA that satisfies the requirements of Chapter 25A must be executed.
   ii. Enhanced Accessibility for the Disabled –
      The Applicant must construct at least two dwelling units that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard.

d) Quality Building and Site Design
   Structured Parking – The Applicant must provide all 78 off-street parking spaces within a below-grade structure.

e) Building Reuse
   Before issuance of any building permit, the Applicant must submit documentation to M-NCPPC Staff showing compliance with the Retained Building criteria in Section 59-4.7.3.G.

5. Recreation Facilities
   Prior to the Final Use and Occupancy Certificate for the residential building, the Applicant must provide the recreation facilities as shown on the Certified Site Plan.

6. Maintenance of Public Amenities
   The Applicant is responsible for maintaining all publicly-accessible amenities including, but not limited to, the public plaza, seating and landscaping in the Public Open Space.

Environment

7. Forest Conservation
   a) The Applicant must comply with Final Forest Conservation Plan No. 820180180.
   b) Prior to the start of any clearing, grading, or demolition occurring on the Subject Property, the Applicant must pay the fee-in-lieu to satisfy the .30 acres of afforestation required.
   c) Prior to the release of the first Use and Occupancy Certificate, the Applicant must provide mitigation for the removal of one (1) tree subject to the variance provision by planting native canopy trees totaling thirteen (13) caliper inches, with a minimum planting stock size of three (3) caliper

inches. The trees must be planted on the Subject Property, outside any rights-of-way or utility easements, including stormwater management easements. Adjustments to the planting locations of these trees are permitted with the approval of the M-NCPPC forest conservation inspector.

d) The limits of disturbance ("LOD") on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.
e) The Applicant must comply with all tree protection and tree save measures shown on the approved Final Forest Conservation Plan. Tree protection measures not specified on the approved Forest Conservation Plan may be required by the M-NCPPC forest conservation inspector.
f) The Final Sediment Control Plan must be consistent with the final limits of disturbance shown on the approved Final Forest Conservation Plan.
g) Prior to Certified Site Plan, the Applicant must revise the Final Forest Conservation Plan to revise calculations that include mitigation for Tree #01 and show mitigation plantings for the removal of Tree #02.

8. Noise Attenuation
   a) If the plan changes in any manner that affects the validity of the noise analysis dated May 22, 2018, for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
   b) Before issuance of any Use and Occupancy Certificate for any residential unit, the Applicant must construct the noise barrier along the Property's southern lot line and certify that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

9. Historic Preservation
   The Planning Board accepts the recommendations of the Historic Preservation Commission (HPC) in its letter dated December 7, 2018 and incorporates them as conditions of Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter.

Transportation & Circulation

10. Pedestrian & Bicycle Circulation
    a) The Applicant must provide sixteen (16) long-term and four (4) short-term bicycle parking spaces.
    b) The long-term spaces must be in a secured, well-lit bicycle room adjacent to or within the covered parking area, and the short-term spaces must be

inverted-U racks (or approved equal) installed in well-lit area adjacent to the commercial space (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

c) Before issuance of the Final Use and Occupancy Certificate, the Applicant must provide an eight (8)-foot-wide sidepath and a seven (7)-foot-wide green panel along the Property's Metropolitan Avenue frontage.

Site Plan

11. Site Design
The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations in the Certified Site Plan.

12. Lighting
a) Prior to certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
b) All onsite down-lights must have full cut-off fixtures.
c) Deflectors will be installed on all fixtures to prevent excess illumination and glare.
d) Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially - developed properties.
e) Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

13. Site Plan Surety and Maintenance Agreement
Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:
a) A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

b) The cost estimate must include applicable Site Plan elements, including, but not limited to the noise wall, plant material and soil medium, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, retaining walls, fences, railings, private sidewalks, private utilities, paths and associated improvements of development. The surety must be posted before issuance of any building permit for development and will be tied to the development program.

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

14. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to the approval of the Certified Site Plan.

15. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

a) Include the stormwater management concept approval letter, development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).

b) Add the following notes to the Site Plan:

   i. "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."

   ii. "Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services."

   iii. "The final footprint of the connector and details within the Historic District may be modified by the Historic Preservation Commission at the Historic Area Work Permit (HAWP) stage."

   iv. "The MPDUs may be provided at an alternative location consistent with Chapter 25A and DHCA approval. The Applicant does not need to file a Site Plan Amendment to reflect the alternative location unless providing MPDUS at an alternative location changes any physical characteristics of the Certified Site Plan."

c) Modify data table to reflect development standards approved by the Planning Board.

d) Modify the public benefit table to reflect public benefit points approved by the Planning Board.

e) Include the following:
   i. Renderings most recently reviewed by the HPC;
   ii. Location and details of the outdoor furniture;
   iii. A sheet showing that each recreation facility satisfies the M-NCPPC Recreation Guidelines; and
   iv. The number of bicycle parking spaces provided.

f) Show the location of a public improvement easement over the portion of public parking along St Paul Street that is located on the Property.

BE IT FURTHER RESOLVED that all site development elements shown on the latest electronic version of Solera Reserve Kensington 820180180, submitted via ePlans to the M-NCPPC as of the date of the Staff Report are required, except as modified by the above conditions of approval; and

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

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

   The development satisfies the conditions of Sketch Plan No. 320180080.

2. *The development satisfies the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

   Not applicable; there was not an applicable development plan or schematic development plan in effect on October 29, 2014.

3. *The development satisfies any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment.*

   Not applicable; the Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

4. *The development satisfies applicable use standards, development standards, and general requirements under the Zoning Ordinance.*

a. Use Standards
Residential Care Facilities and Retail/Service Establishments (up to 50,000 square feet) do not have any applicable limited use standards. The limited use standards for an Independent Living Facility for Seniors are as follows:

i. *The facility must meet all applicable Federal, State, and County licensure, certificate, and regulatory requirements.*

Other Federal, State, or County agencies will enforce this standard.

ii. *Resident staff necessary for the operation of the facility are allowed to live on-site.*

The Applicant does not plan to have resident staff live onsite.

iii. Occupancy of a dwelling unit is restricted to the following:
a) a senior adult, as defined in Section 1.4.2, Defined Terms;
b) other members of the household of a senior adult, regardless of age;
c) a resident care-giver, if needed to assist a senior resident; or
d) a person authorized to occupy housing provided under any federal or state program that is specifically designed and operated to assist seniors as defined in that program.
e) If imposing age restrictions that would limit occupancy otherwise allowed by this Subsection, the facility must only impose age restrictions that satisfy at least one type of exemption for housing for older persons from the familial status requirements of the federal "Fair Housing Act," Title VIII of the Civil Rights Act of 1968, as amended, or the state Fair Housing Act, Subtitle 7 of Title 20 of the Annotated Code of Maryland, State Government Article, as amended.

The occupancy will be restricted accordingly by the Applicant.

b. Development Standards
The Subject Property includes approximately 1.93 acres zoned CRT-1.5 C-1.5 R-1.5 H-60. The Application satisfies the applicable development standards as shown in the following data table:

Data Table

Development Standards for the CRT-1.5, C-1.5, R-1.5, H-60 Section 4.5.4. Optional Method of Development	Required/Allowed	Approved
Gross Tract Area	n/a	1.93 ac. (84,129 sf)
Dedication (Total)	n/a	0.34 ac. (14,835 sf)
Previous	n/a	*0.25 ac. (11,089 sf)*
Proposed	n/a	*0.09 ac. (3,746 sf)*
Net Lot Area	n/a	1.59 ac. (69,294 sf)
Open Space (min.)		
Public Open Space (min.)	5% (3,465 sf)	5.2% (3600 sf.)
Density and Height (max.)		
Base Density	1.5 FAR (126,193.50 sf.)	1.5 FAR (126,193 sf)
Commercial Density	1.5 FAR (126,193.50 sf.)	0.01 FAR (1,000 sf)
Residential Density	1.5 FAR (126,193.50 sf.)	1.64 FAR (137,855 sf)[1]
Independent Living Units	n/a	63 units (74,762 sf)
Base Density	*n/a*	*53 units (62,100 sf)*
Bonus Density	*13,662 sf* [1]	*10 units (12,662sf)*[2]
Residential Care Beds	n/a	79 beds (63,093 sf)
Total Density (including MPDU bonus density)	n/a	1.65 FAR (138,855 sf)
Height	60'	60'
MPDUs (min.)		
Independent Living Units	12.5% (8 units)	15% (10 units/12,662 sf)
Setbacks		
Street	Established at Site Plan	3 ft
Side		24 ft
Rear		14 ft

[1] A 22% bonus density is allowed for providing 15% of the independent living units as MPDUs under Section 59-4.5.2.C.1.a.
[2] A 20% density bonus is approved.

c. <u>Public Benefits</u>
As demonstrated in the following public benefit table, the Project will provide 68 public benefit points in five (5) different categories.

Public Benefits			
Section #	**Benefit Categories**	**Max Points Allowed**	**Points Approved**
59-4.7.3B: Transit Proximity			
B.1	Transit Proximity	40	5
59-4.7.3C: Connectivity and Mobility			
C.2	Minimum Parking	10	8
59-4.7.3D: Diversity of Uses and Activities			
D.4	Enhanced Accessibility for the Disabled	20	4
D.6	Moderately Priced Dwelling Units	n/a	30
59-4.7.3E: Quality Building and Site Design			
E.6	Structured Parking	20	20
59-4.7.3G: Building Reuse			
G.1	Building Reuse	100	1
	Total		**68**

Transit Proximity

The Property confronts the Kensington MARC Train station, a Level 3 transit facility, across St. Paul Street. The Zoning Ordinance allows five (5) points to be granted for a Property that confronts a Level 3 Transit Facility.

Connectivity and Mobility

Minimum Parking: The Planning Board approves eight (8) points in this subcategory as allowed using the calculation below from the Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines (CR Guidelines). The minimum required number of on-site spaces is 74, the maximum number of spaces allowed is 110, and the Applicant is providing 78 parking spaces.

[110 (maximum allowed spaces)-78 (approved spaces)] /
[110 (maximum allowed spaces)-74 (minimum spaces required) *10

Diversity of Uses and Activities

Enhanced Accessibility for Seniors or the Disabled: The Planning Board approves four (4) points for providing 1.4% (2 out of 135) units that will

meet American National Standards Institute (ANSI) A117.1 Residential Type A standards or an equivalent County standard. Four (4) points are allowed using the calculation below from the CR Guidelines:

(2 (ANSI units)/135 (total units) *300

Moderately Priced Dwelling Units: The Planning Board approves 30 points for providing 15 percent of the independent living units (10 out of 63) as MPDUs. Twelve points are granted for every one (1) point of MDPUs greater than 12.5 percent.

Quality Building and Site Design
Structured Parking: The Planning Board approves twenty (20) points for providing all 78 on-site parking spaces in a below-grade structured parking garage. The points are calculated per the following equation from the CR Guidelines:

78 (Below-grade spaces)/ 78 (Total spaces) *20

Building Re-Use
The Planning Board approves one (1) point for the adaptive re-use of 808 square feet within the two historic structures located along St. Paul Street per the following formula from the CR Guidelines:

[808 (retained gross floor area)/ 42,064 (incentive density gross floor area)] x 50

d. General Requirements

i. *Site Access*
A 36-foot-wide curb cut from Metropolitan Avenue provides access to a 26-foot-wide driveway that leads to the garage of the senior living facility and to the loading/service bay on the northwest corner of the building. Pedestrians and bicyclists can use the eight-foot sidepath along the Property's Metropolitan Avenue frontage to access the front door of the building, or the sidewalk along St. Paul Street to access the retail space.

ii. *Parking and Loading*
The table below demonstrates the Project's compliance with the parking and loading requirements.

Parking and Loading Requirements			
	Minimum Spaces Required	**Maximum Spaces Allowed**	**Spaces Provided**
Vehicle Parking (Reduced Parking Area)			
Retail *1000 sf*	3.5	6	
Independent Living (market) *53 units*	26.5	53	
Independent Living (MPDU) *10 units*	2.5	10	
Residential Care Facility *79 beds*	40.75	40.75	
Total Vehicle Spaces	74	110	78
Bicycle Parking			
Independent Living	16 spaces (95% long term)	n/a	
Retail	1 space (15% long term)	n/a	
Total Bicycle Spaces	17	n/a	16 long-term 4 short-term
Loading Spaces			
Over 50 dwelling units	1	n/a	1

iii. *Open Space and Recreation*
A 1.93-acre property with two right-of-way frontages in the CRT Zone requires 5% Public Open Space. The Project will provide a minimum of 5% public open space (or 3,711 square feet) in a contiguous area location along the Property's frontages on Metropolitan Avenue and St. Paul Street, centered around the

coffee shop. The area includes space for pedestrian circulation, landscaping, seating, and shade. Pursuant to Sections 6.3.6.A.3 and 6.3.6.B.2, a portion of the public open space area will be devoted to outdoor café seating.

The tables below demonstrate compliance with the Recreation Guidelines.

Onsite Recreation Facilities

Recreation Facility	Quantity	% Bonus Points	Tots	Children	Teens	Young Adults	Adults	Seniors
Pedestrian Connection - Trail System	1	10.00%	0.69	0.97	0.31	7.59	5.82	1.73
Bicycle Parking Garage	1	0%	0	7	14	14	12	5
Yoga Room	1	0%	0	2	4	9	9	9
Indoor Fitness Room	1	0%	0	0.44	0.19	11.5	7.06	2.36
Resident Lounge	1	0%	0	2	5	10	8	7
Interior Courtyard, Garden or Lawn	1	0%	2	3	4	7	7	5
Urban Plaza	1	10.00%	4.4	6.6	6.6	19.8	16.5	6.6
Picnic/Seating	4	0%	4	4	6	12	12	12
Total Onsite Supply Points=			11.09	26.01	40.1	90.89	77.38	48.69

Recreation Demand, Supply and Adequacy

Age Group	Total Demand Points	Offsite Supply Points	Onsite Supply Points	Total Supply Points	Adequacy
Tots	6.3	2.21	11.09	13.3	Adequate
Children	4.41	1.54	26.01	27.55	Adequate
Teens	1.89	0.66	40.1	40.76	Adequate
Young Adults	45.99	16.1	90.89	106.99	Adequate
Adults	35.28	12.35	77.38	89.73	Adequate
Seniors	15.75	5.51	48.69	54.2	Adequate

iv. *General Landscaping and Outdoor Lighting*
Landscaping and lighting, as well as other site amenities, will be provided to ensure that the Project will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project provides street trees and planting beds and appropriate outdoor lighting to illuminate streets and sidewalks.

5. *The development satisfies the applicable requirements of Chapters 19 and 22A of the Montgomery County Code.*

a. Chapter 19, Erosion, Sediment Control, and Stormwater Management
A Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services on October 29, 2018. The Applicant will meet stormwater management requirements through the use of micro-bioretention planters and bioretention facilities. A waiver is also

being requested because the entire required volume cannot be treated in on-site ESD or structural measures.

b. Chapter 22A, Forest Conservation

The Board finds that as conditioned the Forest Conservation Plan complies with the requirements of the Forest Conservation Law. There is no forest onsite but a 0.30-acre afforestation requirement, which will be met by fee-in-lieu payment. The required Tree Variance has been granted with the associated Preliminary Plan.

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

Parking, circulation, building massing, open spaces, and site amenities will be safe and well-integrated into the development.

Parking and Circulation
Access to the Property will be from Metropolitan Avenue or St. Paul Street and on-site circulation is limited to vehicles accessing the loading dock or the garage from Metropolitan Avenue. The majority of parking will be located in a below-grade structure that is completely integrated with the residential building. A limited number of parking spaces will be available along St. Paul Street to accommodate the retail space. Short-term bicycle parking is provided near the retail space and long-term bicycle parking is provided in the underground parking garage.

Building Massing
The building has been pulled up to Metropolitan Avenue, with community uses on the ground level to activate and enliven the streetscape, while enhancing the pedestrian environment. The street-facing building façades contain recesses and projections that help break down the scale of the building through both vertical and horizontal breaks providing visual interest along Metropolitan Avenue and St. Paul Street.

Open Spaces and Site Amenities
The Project's public plaza creates a gathering place in a highly-visible central location at the corner of Metropolitan Avenue and St. Paul Street, in close proximity to the Kensington MARC station. The plaza will include seating, landscaping, and signage associated with the historic buildings. Private amenities for the residents of the senior living facility include an interior courtyard and rooms inside the building for exercise and community activities.

7. *The development substantially conforms to the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan.*

The Property is located within the 2012 *Kensington Sector Plan*. The Sector Plan's vision is *"To promote a mixed-use Town Center with pedestrian-friendly connections to the vibrant neighborhoods that define Kensington"* (page 1).

The Sector Plan's *"broad goal is to reinvigorate the Town Center while preserving Kensington's scale and historic character"* (page 1).

The Property is identified in the *CS-1, CS-2 Konterra and Metropolitan Avenue South* area, *which* is within the *Crafts / Services District* of the Sector Plan. The *Crafts / Services District* includes West Howard Antiques District and service industrial activities on the south side of Metropolitan Avenue.

Within the *Crafts / Services District* the Sector *Plan "... proposes to preserve the character of this district. Aesthetic and environmental improvements should enhance the area's look and function without compromising its eclectic nature. The portion of this district on the south side of Metropolitan Avenue is recommended for the CRT Zone, with total maximum FARs of 1.5". (page 34).*

The Project introduces residential uses with ancillary retail near the Kensington MARC Station, with pedestrian and streetscape improvements that help to both promote and reinvigorate the Town Center. The buildings and public spaces will provide significant aesthetic and environmental improvements that will enhance the area's look and function while echoing the materials and architectural vocabulary of the Kensington Historic District.

Within the *CS-1, CS-2 Konterra and Metropolitan Avenue South* area, the Sector Plan recommends:

- Preserving existing retail and service industrial uses in this area
- The opportunity to introduce some residential uses while maintaining the existing nonresidential uses in place.
- A height of 60 feet to accommodate additional density in a mixed-use development with public benefits, such as quality design, streetscape, open space, or public parking, and create a mixed-use, pedestrian-centered realm on both sides of Metropolitan Avenue.
- The remainder of the area which includes the Subject Property is recommended for CRT 1.5: C 1.5, R 1.5, H 60.

This Project, as conditioned, is consistent with the recommended zone and height requirements for the area as envisioned by the Sector Plan. The mixed-use Project provides residential possibilities with 15 percent MPDUs and up to 1,000 square feet of non-residential uses. The Project is also consistent with the recommendation of revitalization to this area, while providing an appropriate mix of public benefits. It provides high-quality design that has been carefully considered in the context of the Historic District, enhanced streetscape and pedestrian realm along Metropolitan Avenue, and thoughtfully-designed public open space at the intersection of Metropolitan Avenue and St. Paul Street.

Thus, the Site Plan substantially conforms to the recommendations of the 2012 *Kensington Sector Plan*.

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

As reviewed and approved under the associated Preliminary Plan, adequate public facilities exist to serve the proposed development.

9. *The development is compatible with existing and approved or pending adjacent development.*

The Project is compatible with existing adjacent development. It adheres to the height and density of the Property's zone and the recommendations contained in the Sector Plan. The Project will contribute to the diversity of housing opportunities and uses in Kensington's commercial core, and will encourage a pedestrian-friendly Town Center, as envisioned in the Sector Plan. The building's architecture and design provide an appropriate scale that complements the existing and permitted density/heights of the surrounding properties. Additionally, through adaptive reuse, the Applicant will maintain and revitalize the historic resources on the Property, thereby contributing to the preservation of the unique and historic character of Kensington.

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Site Plan shall remain valid as provided in Montgomery County Code § 59-7.3.4.H; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is

JAN 22 2019 (which is the date that this resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * * * * * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, January 17, 2019, in Silver Spring, Maryland.

Casey Anderson, Chair
Montgomery County Planning Board

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