



Item # 9
MCPB 01-20-05

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

MEMORANDUM

DATE: January 14, 2005
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
Development Review Division
FROM: Michael Ma, Supervisor *Ma*
Development Review Division
(301) 495-4523

REVIEW TYPE: **Site Plan Review**
CASE #: **8-00023A**
PROJECT NAME: **Edgemoor IV**
APPLYING FOR: Approval of 12 multifamily MPDUs
REVIEW BASIS: Site Plan Review is required in the TS-R Zone

ZONE: TS-R (Transit Station Residential)
LOCATION: North side of Hampden Lane, approximately 175 feet east of Arlington Road
MASTER PLAN: Bethesda CBD
APPLICANT: Housing Opportunities Commission of Montgomery County
FILING DATE: December 1, 2004
HEARING DATE: January 20, 2005



STAFF RECOMMENDATION: Approval of 12 Moderately Priced Dwelling Units, on 0.12 acres, with the following conditions:

1. Prior Approval
The terms and conditions of all applicable prior regulatory approvals and agreements remain in full force and effect, except as affected by the conditions of this site plan amendment.
2. Moderately Priced Dwelling Units (MPDUs)
The proposed development shall provide 12 MPDUs on-site.
3. Stormwater Management
The proposed development is subject to Stormwater Management Concept approval conditions dated January 5, 2005.

4. Development Program

Applicant shall construct the proposed development in accordance with a Development Program. The Development Program shall be reviewed and approved by M-NCPPC staff prior to approval of signature set of site plan. The Development Program shall include a phasing schedule as follows:

- a. Street trees, on-site landscaping and associated facilities shall be completed prior to occupancy of the building, but no later than six months after completion of the proposed building.
- b. Public sidewalk, along the site frontage and extending to the existing sidewalk to the west of the site, shall be completed prior to occupancy of the building.
- c. Clearing and grading shall correspond to the construction phasing, to minimize soil erosion.
- d. Phasing of stormwater management, sediment/erosion control, recreation, community paths, or other features.

5. Clearing and Grading

No clearing or grading prior to M-NCPPC approval of signature set of plans.

6. Signature Set

Prior to signature set approval of site and landscape/lighting plans the following revisions shall be included and/or information provided, subject to staff review and approval:

- a. Development program, inspection schedule, and Site Plan Opinion.
- b. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices prior to clearing and grading.
- c. Replace the proposed cherry tree with two Littleleaf Linden trees in the front yard.
- d. Provide at least 5 feet between the proposed street tree and lamp.
- e. Extend a five-foot-wide sidewalk approximately 65 feet west beyond the property frontage to an existing five-foot-wide sidewalk.

BACKGROUND

The subject 0.12-acre property is part of the Edgemoor development. It was acquired by the developer of Edgemoor to build a 3-story, multi-family building of 12 units to satisfy the MPDU requirement for the entire development. Site Plan 8-00023 for the subject property was approved by the Planning Board with conditions on April 27, 2000.

Subsequent to the approval of site plan 8-00023, the developer reached an agreement with the Department of Housing and Community Affairs (DHCA) to convey the property to the County instead of building the required 12 MPDUs. The Housing Opportunities Commission of Montgomery County (HOC), the contract purchaser of the subject property, proposes to amend the approved site plan to construct 12 transitional housing units with a counselor office within a three-story building.

SITE PLAN REVIEW ISSUES

Development Potential of Adjacent Properties

The subject property is located on the north side of Hampden Lane, in the middle of the block between Woodmont Avenue and Arlington Road (see Vicinity map on page 5). There are a number of detached homes, which have been converted to commercial uses, on either side of the subject property along the north side of Hampden Lane. Adjacent property owners are concerned about the impact of the proposed development on the development potential of their properties.

Adjacent Property Owners' Concerns

Through a letter to Charles R. Loehr and Peter Engel dated December 6, 2004, four adjacent property owners expressed their concerns about the proposed HOC development on the subject property. A copy of the letter is attached. The property owners believe that the development of the site will block the ability of adjacent owners to assemble the required 18,000 square feet for the TS-R zone, and prohibit the development of a consolidated project on this block which would better achieve the intent of the TS-R zone and the Master Plan goals for this area and might provide more MPDUs for the Bethesda downtown area.

The adjacent property owners argue that since the County, not the developer, now owns the property, the County should work with adjacent property owners to develop all the properties together as a consolidated project instead of building a three-story building for 12 units in the middle of the block.

Applicant's Position

On December 14, 2004, HOC staff and their consultants held a meeting with the community to present the proposed development. Adjacent property owners' concerns were discussed at the meeting. In response to adjacent property owners' letter, HOC staff Peter Engel prepared a letter

dated January 3, 2005, stating HOC's intent to move forward with the proposed plan. A copy of the letter is attached.

Department of Housing and Community Affairs (DHCA)

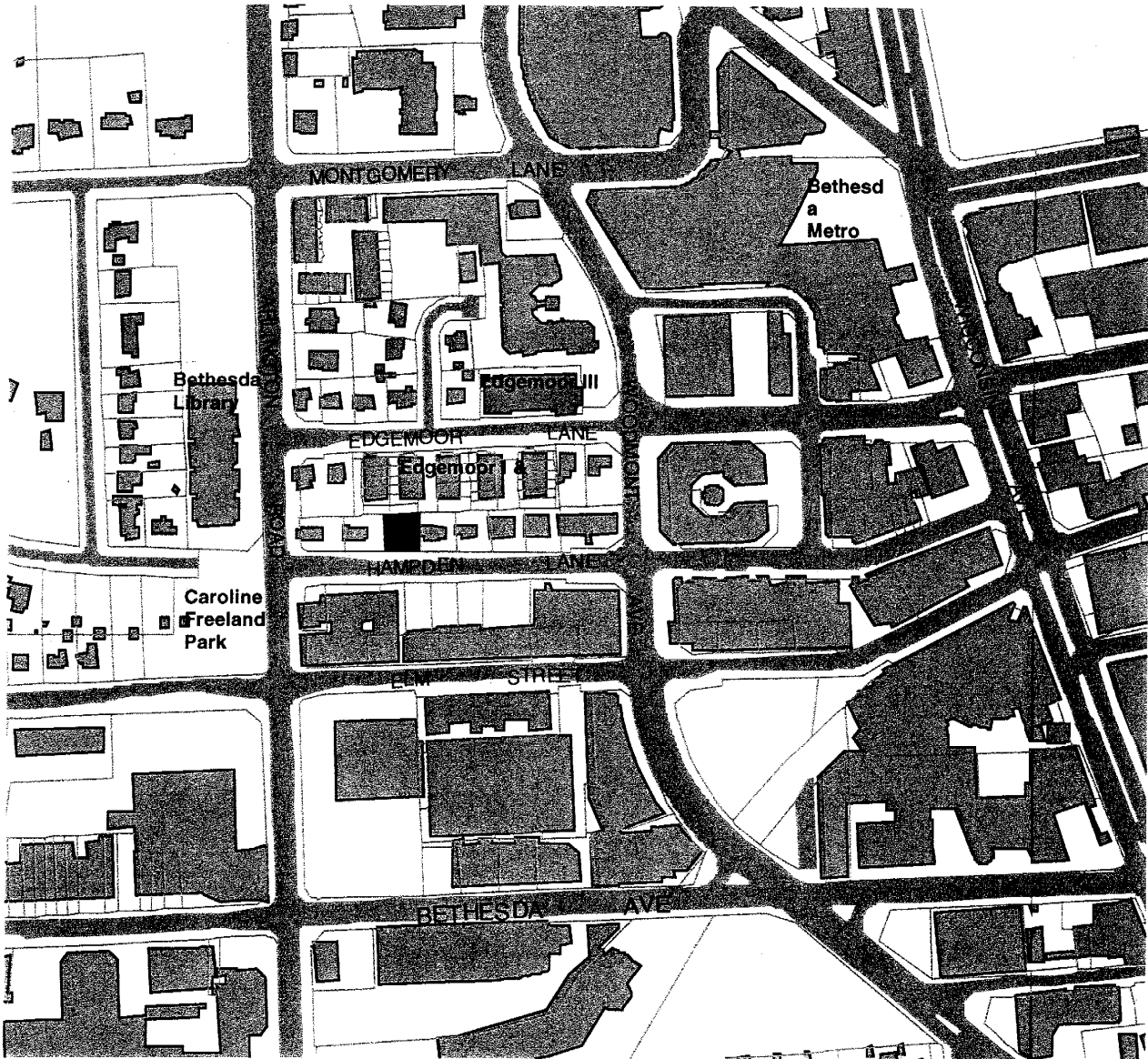
DHCA and Commission staff met with the adjacent property owners on December 23, 2004 to discussed their concerns. DHCA staff indicated at the meeting that HOC needs to move forward with the proposal in order to meet the deadline for certain federal funding for the project. DHCA staff, however, agreed that they would consider working with the owners to achieve a consolidated project if the owners can meet with a developer and prepare a feasible proposal within 60 days.

Staff Position

Although Staff understands the property owners' argument and agrees that a consolidated project may be a better solution for this part of the block, the applicant (HOC) is amending an approved plan which allows 12 MPDUs to be built on the subject property. Unfortunately, this issue was raised at this stage of the process, which does not allow adequate time for negotiation and consideration of alternatives. Staff recommends approval of the amended plan with the understanding that DHCA staff would continue to work with the property owners as they indicated at the December 23 meeting.

PROJECT DESCRIPTION: Site Vicinity

The subject property is located in the Bethesda Central Business District, on the north side of Hampden Lane between Arlington Road and Woodmont Avenue. It is served by Hampden Lane, which forms the south boundary of the site.



Confronting properties to the south across Hampden Lane consist of several commercial centers and a parking facility. Adjoining property to the north is developed with luxury townhouses, as part of Edgemoor I and II. To the west, between the subject site and Arlington Road, are two one-family detached houses, which have been converted to commercial use. To the east are also two converted one-family detached houses, which have been converted to commercial offices. The one-acre Caroline Freeland Urban Park is located approximately 150 feet west of the site on Arlington Road between Hampden Lane and Elm Street. The Montgomery County Bethesda Library is located at the intersection of Montgomery Lane and Arlington Road, just 150 feet to the west of the site. The site is within 1,000 feet of the entrance to the Bethesda metro station.

PROJECT DESCRIPTION: Site Description

The site consists of one existing lot, Lot 3, Block 24D of the Edgemoor Subdivision. The lot is currently improved with a one-family detached house, which has been converted to commercial office use. The topography of the lot is basically level with a gradual slope falling from west to east. No significant vegetation is present.



aerial view from south



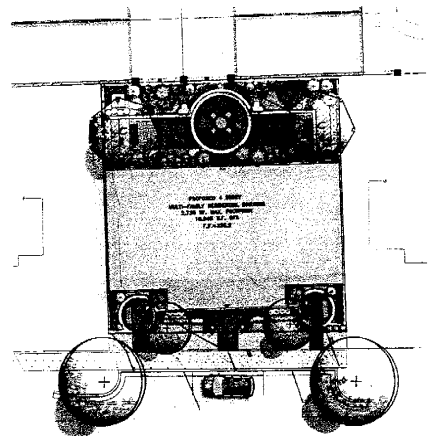
aerial view from east

PROJECT DESCRIPTION: Proposal

The Housing Opportunities Commission of Montgomery County (HOC), the contract purchaser of the subject property, proposes to amend the approved site plan to construct 12 transitional housing units with a counselor office within a three-story building. The proposed dwelling units, six one-bedroom and six studio apartments, are being constructed to satisfy the requirements for MPDUs for the adjacent development known as Edgemoor I, II, and III.

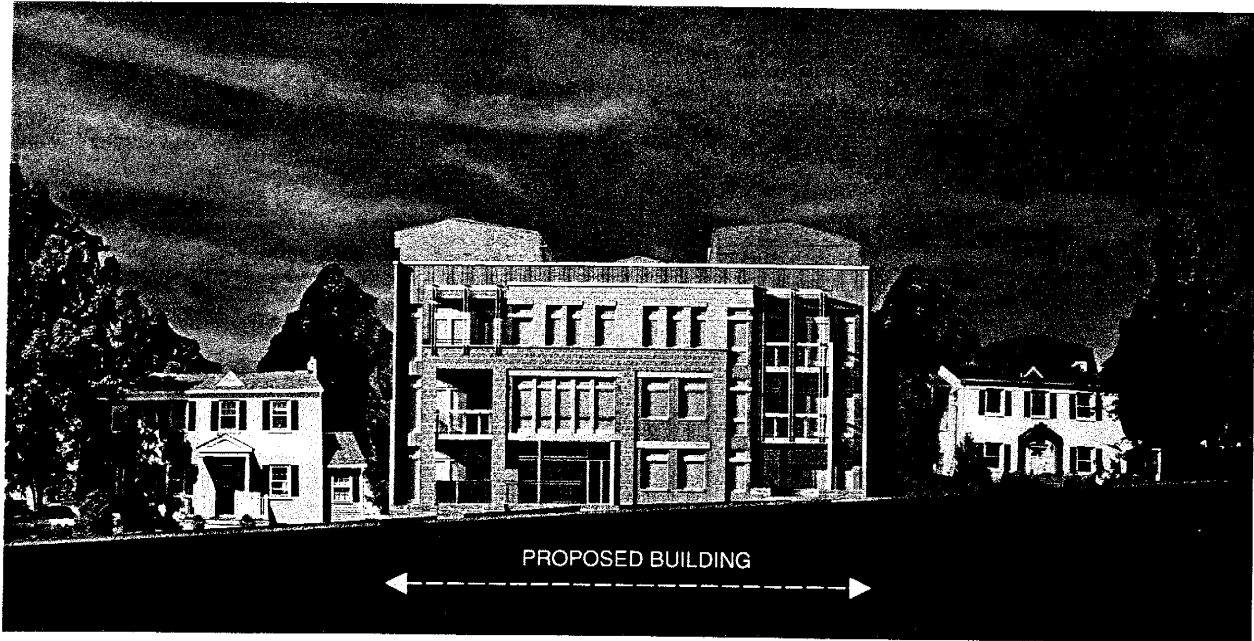
Previously Approved Development

The previously approved site plan 8-00023 proposed a three-story brick building with a maximum height of 38 feet. The building consists of 12 MPDUs: 6 one-bedroom and 6 studio apartments. The building has the appearance of a garden apartment building with a single, centrally located entrance. The front and rear facades are nearly identical with the exception that the eight-foot deep indentations included on the front facade are absent on the rear facade. Side elevations include four shuttered windows and two recessed brick keyholes, which are proposed to break up the otherwise blank side facades. Because the building is constructed to the side property lines, it is not possible to include functioning windows in order to accommodate future development of the adjacent lots.



Amended Building Design

The proposed building is a three-story building with a basement for a total of 12 transitional housing units. A one-bedroom unit, a counselor's office, a building manager's office and associated spaces will be located in the basement, which has window openings to a lightwell in the front yard. The proposed building façades contain modern architectural features and articulations, which will provide visual interest along the street frontage. The height, setbacks, location and footprint of the proposed building are similar to those shown on the previously approved site plan.



VIEW FROM HAMPDEN LANE

Parking

Pursuant to Section 59-E-1.3 (a) of the Zoning Ordinance, seven parking spaces will be provided off-site in the underground parking garage of Edgemoor III. Edgemoor III, a high-rise residential building located on Montgomery Lane, is located one block north of the subject site and was approved by the Planning Board on June 17, 1999. The walking distance from the subject site to the pedestrian entrance of the garage is approximately 850 feet and will require walking around the block. A waiver of Section 59-E-1.3 (a) which requires off-site parking be located within 500 feet, was granted through the previous site plan approval.

Open Space

The Transit Station, Residential Zone (TS-R), requires that a minimum of 10% of the net lot area be devoted to Public Use Space and that 25% be devoted to active and passive recreational purposes. The public use space is located along the Hampden Lane frontage and is proposed to include brick paving, a seating area, low stone walls and landscape planting. The active and passive recreational area is located behind the building and will also contain seating, landscape planting, stone retaining walls, decorative fencing, lighting and sculpture.