



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

MCPB No. 17-105
Sketch Plan No. 32015005B
Artery Plaza
Date of Hearing: November 30, 2017

DEC 04 2017

RESOLUTION

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

WHEREAS, on May 23, 2016, the Planning Board, by Resolution MCPB No. 16-009, approved Sketch Plan No. 320150050 for construction of up to 586,611 square feet of total floor area consisting of up to 543,170 square feet of office uses and up to 43,441 square feet of nonresidential uses (retail, restaurant, or service) on 3.02 acres of CR-5.0 C-5.0 R-5.0 H-145 zoned-land, located in the northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue ("subject Property") in the Bethesda CBD Policy Area and Bethesda CBD Sector Plan ("Sector Plan") and the Bethesda Purple Line Station Minor Master Plan Amendment ("Minor Master Plan Amendment") area; and

WHEREAS, on June 27, 2017, JBG ("Applicant") filed an application for approval of a sketch plan amendment for the addition of 2,500 square feet of retail uses along Wisconsin Avenue, and associated changes to the design of the adjoining plaza, designated Sketch Plan No. 32015005A, Artery Plaza, and subsequently withdrew the application on October 23, 2017; and

WHEREAS, on August 17, 2017, JBG ("Applicant") filed an application for approval of a sketch plan amendment for construction of an additional floor on the approved office building, increasing the non-residential gross floor area by 14,500 square feet, from 586,611 to 601,111 square feet; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 32015005B, Artery Plaza ("Sketch 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

Approved as to
Legal Sufficiency:

M-NCPPC Legal Department
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Planning Board, dated November 17, 2017, setting forth its analysis and recommendation for approval of the Application subject to certain conditions (“Staff Report”); and

WHEREAS, on November 30, 2017, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 32015005B, Artery Plaza, for construction of an additional floor on the approved office building, increasing the non-residential gross floor area by 14,500 square feet, from 586,611 to 601,111 square feet on the Subject Property, subject to the following and conditions. Except as amended below, the binding elements and conditions approved under Sketch Plan 320150050, including Public Benefits, remain valid and in full effect:¹

1. Density

The development is limited to a maximum of 601,111 square feet of total development, including up to 557,670 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses.

2. Height

The development is limited to the maximum height of 167 feet, as measured from the approved building height measuring point in compliance with Section 4.1.7.C.2.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan. Except as discussed below, the Planning Board findings made with the approval of Sketch Plan 320150050 remain valid and in full effect. Only the following findings have been affected by this Sketch Plan Amendment.

¹ For the purpose of these binding elements and conditions, the term “Applicant” shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

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

As conditioned, the sketch plan amendment continues to meet the development standards of Section 59-4.5.4, as shown in Table 1, Sketch Plan Project Data Table.

Sketch Plan Project Data Table				
Section	Development Standard	Permitted/ Required	Approved Sketch Plan 320150050	Approved
59 – 4	Gross Tract Area (sf)	n/a	131,545	
4.5.4.B.2.b	Density CR-5.0, C-5.0, R-5.0, H-170			
	Commercial FAR/GFA	5.0/657,725	4.46/586,611	4.57/601,111
	Residential FAR/GFA	5.0/657,725	0/0	0/0
	TOTAL FAR/GFA	5.0/657,725	4.46/586,611	4.57/601,111
4.5.4.B.2.b	Building Height (feet) C-R5.0, C-5.0, R-5.0, H-170	170	145	167
4.5.4.B.3	Minimum Setback (feet) From R.O.W.	0		
4.5.4.B.1	Open Space Public Open Space (%/sq. ft.)	10/10,450	12.7/13,235	
6.2	Parking (spaces) Non-residential uses, min.	959-1,928	959	

The intent of the CR zone is to:

- a) *Implement the recommendations of applicable master plans.*

As discussed in Finding 2 below, the project substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan* by providing high-quality new office space in a signature building less than one block away from the Red Line, the Purple Line, and the Capital Crescent Trail, increasing jobs in Downtown Bethesda and creating more opportunities for people to live close to their work.

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

The project will provide new office and retail uses close to transit, complementing the surrounding residential and commercial uses. The surrounding properties are largely developed with high-density, high-rise buildings. As such, the proposed 15-story office building will complement the 12-story office building proposed to remain on the subject property and will fit into the existing character of the area.

2. *The Sketch Plan substantially conforms to the recommendations of the 2017 Bethesda Downtown Sector Plan.*

The subject property is within the boundaries of the 2017 *Bethesda Downtown Sector Plan*. The general goals of the Plan build on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement: parks and open spaces, affordable housing, environmental innovation, and economic competitiveness.

The amendment adds an additional floor to an approved office building under construction in Downtown Bethesda. The project promotes the economic competitiveness of Bethesda by providing high-quality new office space in a signature building less than one block away from the Red Line, the Purple Line, and the Capital Crescent Trail. The larger project promotes parks and open spaces by improving the Reed Street right-of-way along the site's western edge to create an attractive pedestrian and bicycle connection between the retail use on that edge and the planned Capital Crescent park. As a commercial development, the amendment does not provide affordable housing, but it does increase the jobs in Downtown Bethesda and creates more opportunities for people to live close to their work. Finally, while the office building to which the floor is being added was approved before the Sector Plan recommendation for environmental innovation, the development must meet the County minimum requirements for sustainable design. Another important element of environmental innovation is the Sector Plan recommendation for Green Cover over 35 percent of the site. Given that the larger project consists primarily of existing buildings, with the office building in question under construction, the project is not able to meet the

requirement site-wide, but will provide a green roof over 55% of the new building to achieve some level of green cover. Any future alterations, renovations and/or redevelopment of the project area should achieve an increase in Green Cover toward the 35% Green Cover requirement/goal. The Sketch Plan Amendment substantially conforms to the general recommendations of the Sector Plan.

The subject property is in the Bethesda Row District of the Sector Plan, which serves as the heart of Downtown Bethesda and is a regional destination and model for placemaking with thriving retail, human-scaled design and an active streetscape environment. The recommended land use and urban design recommendations aim to build on this success and better connect this established center of activity with the Capital Crescent Trail, proposed Purple Line station and new Bethesda Metrorail Station entrance, as well as other Downtown Bethesda districts. As described above, the amended development provides high-quality building and urban design close to transit, open space, housing, and amenities. The Sketch Plan Amendment substantially conforms to the district recommendations of the Sector Plan.

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

The Project has been designed to ensure that it is physically compatible with, and not detrimental to, existing and future development surrounding the subject property. The proposed building has been designed at an appropriate scale for the surrounding area. The Metro Core District of the Sector Plan, where the subject property is located, is slated for the highest densities and most intensive employment uses in the Sector Plan area. The building is proposed to be 15 stories tall, in an area that contains numerous other high-rise buildings. The building will be built up to the sidewalk with entrance doors that open onto it, in conformance with Sector Plan goals.

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

Under Section 59.4.7.1.B, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines*;
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The Planning Board finds that the public benefits proposed by the Applicant as set forth in the following table are appropriate in concept and appropriate for further detailed review. Final determination of public benefit point values will be determined at Site Plan(s).

Sketch Plan Public Benefits			
Public Benefit	Incentive Density Points		
	Total Points Possible	Approved 320150050	Approved in Concept
4.7.3.A: Major Public Facilities	70	7.6	7.6
4.7.3.B: Transit Proximity	50	40	0
4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	10	10
4.7.3.E: Quality of Building and Site Design			
Architectural Elevations	20	20	30
Exceptional Design	10	7.5	30
Structured Parking	20	14.1	14.1
4.7.3.F: Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLT)	30	2.5	2.85
Energy Conservation	25	0	25
Vegetated Wall	10	5	5
Vegetated Roof	15	10	10
TOTAL	100 (Min. Required)	116.7	134.55

Transit Proximity

This Public Benefit is not permitted in the Bethesda Overlay Zone per section 59.4.9.2.C.4.a.

Connectivity and Mobility

Minimum Parking: The application proposes fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 1,972, but the application will provide 983 spaces.

Quality of Building and Site Design

Architectural Elevations: Section 4.9.2.C.4.g. increases the maximum number of public benefit points for Architectural Elevations from 20 to 30. As with the Board's previous finding, the project continues to meet the requirements for the maximum points available under this category by providing detailed architectural elevations as part of the binding Certified Site Plan.

Exceptional Design: Section 4.9.2.C.4.g. increases the maximum number of public benefit points for Exceptional Design from 10 to 30. Section 4.9.2.C.4.f. requires the Design Advisory Panel (DAP) to review the design to determine the number of points merited by the project. The DAP reviewed the project on November 8, 2017, and recommended 30 points.

Structured Parking: The applicant requests 14.1 points for structured parking consisting of 588 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

Protection and Enhancement of the Natural Environment

Building Lot Termination: The applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. With these parameters, the applicant must purchase 0.3167 BLTs, for 2.85 points.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Bethesda Downtown Sector Plan, or other requirements; and

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 all site development elements shown on the latest electronic version of Artery Plaza, 32015005B, 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 this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 04 2017 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

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 Cichy, seconded by Commissioner Patterson, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Cichy and Patterson voting in favor, and Commissioner Fani-González absent at its regular meeting held on Thursday, November 30, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board