



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

MCPB No. 17-118
Preliminary Plan No. 120180020
Marriott International Headquarters
Date of Hearing: December 14, 2017

JAN 09 2018

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on August 30, 2017, 7750 Wisconsin Avenue LLC and BCH Hotel LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create one lot on 2.25 acres of land in the CR 5.0: C 5.0 R 4.75 H 165 feet and CR 5.0: C 5.0 R 4.75 H 300 feet zoned-land, as well as the Bethesda Overlay Zone, located on Wisconsin Avenue at the southwest intersection with Norfolk Avenue, consisting of multiple lots and parts of lots Sunnyside subdivision ("Subject Property"), in the Bethesda Policy Area and Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120180020, Marriott International Headquarters ("Preliminary 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 1, 2017, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on December 14, 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 conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120180020 to create one lot on the Subject Property, subject to

Approved as to
Legal Sufficiency

the following conditions:¹

- 1) Approval is limited to 1 lot for up to 1,050,000 square feet of commercial development, including up to 825,000 square feet of office space, 225,000 square feet of hotel (246 rooms), and an allocation of 559,000 square feet of density from the Bethesda Overlay zone.
- 2) The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320180060 and any subsequent amendments.
- 3) The Applicant must comply with the conditions of the approved Final Forest Conservation Plan (FFCP) including, but not limited to:
Prior to any clearing, grading or demolition within the project area, the Applicant must submit a fee-in-lieu payment or certificate of compliance which satisfies the 0.45-acre afforestation credit requirements (or as approved in the certified FFCP). If a certificate of compliance is used, the M-NCPPC approved document must be recorded in the Land Records of Montgomery County prior to any clearing, grading, or demolition.
- 4) Revise all cross sections on the Preliminary Plans to remove curbs, paving and other related structures from the planting zones.
- 5) The Planning Board accepts the recommendations of the Maryland State Highway Administration ("MDSHA") in its letter dated October 25, 2017 and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MDSHA provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 6) Prior to issuance of access permits, the Applicant must satisfy the provisions for access and improvements as required by MDSHA.
- 7) The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section in its letter dated November 3, 2017, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Preliminary Plan approval.
- 8) The Planning Board accepts the recommendations of MCDPS – Water Resources Section in its stormwater management concept letter dated September 27, 2017,

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.

and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.

- 9) The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in their four letters dated November 6, 2017 and December 12, 2017, and December 13, 2017, and does hereby incorporate them as conditions of the Preliminary Plan approval and for the Traffic Impact Statement (TIS). The Applicant must comply with each of the recommendations as set forth in all four letters, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
- 10) Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements which are associated with each plat, as required by MCDOT.
- 11) The Applicant must dedicate all road rights-of-way to the full width mandated by the Bethesda Downtown Sector Plan or as otherwise designated on the Certified Preliminary Plan, and show on the record plat(s) the following dedications:
 - a) A dedication of the Woodmont Avenue frontage necessary to provide the Sector Plan-recommended 40-foot-wide right-of-way between the Subject Property line and right-of-way centerline.
 - b) An additional five (5) foot public easement along the entire Woodmont Avenue frontage, adjacent to the right-of-way.
 - c) A dedication of the Wisconsin Avenue frontage necessary to provide the Sector Plan-recommended 61-foot-wide right-of-way between the Subject Property line and right-of-way centerline.
- 12) The Applicant must construct all road improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or to the design standards imposed by all applicable road codes. Only those roads (or portions thereof) expressly designated on the Preliminary Plan, “To Be Constructed By _____” are excluded from this condition.
- 13) Short-term public bicycle parking must be installed near the main residential entrance to the office building and open space. Secure long term private bicycle parking must be installed, internal to the office building, for employees’ use. The exact number and location of bicycle parking will be determined at the time of Site Plan.
- 14) In accordance with the 2016-2020 Subdivision Staging Policy, the Applicant must “fix or fund” the improvements of all public pedestrian infrastructure within 500-foot of the Subject Property that does not comply with the Americans with

Disabilities Act (“ADA”) requirement, as shown on the Certified Site Plan, as determined by MCDPS ROW Permitting, prior to issuance of use and occupancy permit for the office. The Applicant must submit a survey of ADA compliant improvements prior to Certified Site Plan, responsibilities which will be coordinated with the M-NCPPC, MC DOT and MC DPS. An agreement of the responsibilities and ADA compliant work or funding (or partial funding) to be completed must occur by building permit issuance. The work or funding (or partial funding) must be completed prior to Use and Occupancy Permit.

- 15) The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot. Other limitations for site development may also be included in the conditions of the Planning Board’s approval.
- 16) The record plat must show necessary easements.
- 17) No clearing or grading prior to FFCP or recording of plats prior to Certified Site Plan(s) approval.
- 18) Include the stormwater management concept approval letter and Preliminary Plan resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
- 19) In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or location or right-of-way width or alignment, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.
- 20) The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of mailing of the Planning Board resolution.

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 layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations and the Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision, considering the recommendations included in the Sector Plan, and for the type of development or use contemplated. As discussed in the Sketch Plan section of this report, the Application substantially conforms to the 2017 Bethesda Downtown Sector Plan. The Application complies with the specific density and height recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. The Bethesda Overlay Zone (BOZ) which was implemented pursuant to the Sector Plan outlines priorities to be incorporated into any application, including excellence in the design of new buildings, energy efficiency and other environmental recommendations, as well as the allocation of density to support the acquisition of new park land in Bethesda through the implementation of the PIP. As evidenced by the Preliminary Plan, the site is sufficiently large to efficiently accommodate the proposed mix of uses.

Under Section 59-4.5.4 of the Zoning Ordinance, the dimensional standards for the lot will be determined with approval of the subsequent Site Plan.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Application substantially conforms to the 2017 Bethesda Downtown Sector Plan and Bethesda Downtown Design Guidelines. The Application complies with the specific density recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan and the Guidelines.

The Property is in downtown Bethesda and is situated along the Wisconsin Avenue corridor. The Sector Plan has overarching goals and site-specific recommendations that apply to this Property. Specifically, this Plan builds 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. The recommendations include:

1. Parks and open spaces, including new civic greens at Veteran's Park, Bethesda Farm Women's Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways.
2. Affordable housing, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.
3. Environmental innovation, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. Economic competitiveness, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Application is addressing and incorporating three of the four overarching goals, including: paying the Park Impact Payment which contributes to the park and open space network; environmental innovation through energy efficiency, innovative stormwater management solutions, improved pedestrian and bicycle opportunities around the site and as part of the through-block connection; and through economic competitiveness by incorporating over 1,000,000 square feet of new commercial development in downtown Bethesda. The new international headquarters will spin off new business opportunities in and around the Bethesda area. As this is a commercial project, affordable housing is not being provided.

WISCONSIN AVENUE DISTRICT GOALS AND RECOMMENDATIONS:

The Wisconsin Avenue Corridor is the main artery through the center of Downtown Bethesda. It extends from the Sector Plan Boundary/National Institutes of Health (NIH) on the north to Bradley Boulevard on the south, and from Woodmont Avenue on the west to Waverly Street on the east. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces.

The Wisconsin Avenue Corridor is primarily a commercial area, containing both retail and office uses. Among its numerous large office buildings are older ones predating the 1976 Bethesda Central Business District Sector Plan, such as the Air Rights Building, 1980s structures, and buildings at the Bethesda Metrorail

Station. The northern part of Wisconsin Avenue comprises several hotels, stores, restaurants and offices, but currently has no clear identity.

The area's retail potential is compromised by its location on either side of Wisconsin Avenue. As a major commuter arterial, this street has heavy traffic volumes that eliminate the potential for "cross shopping" and a lack of visibility for retail establishments. However, Wisconsin North anticipates increased development activity with five planned projects, including the Harris Teeter site at 8300 Wisconsin Avenue. These projects will increase the employee, visitor and residential customer base within the district.

The Metro Core of Wisconsin Avenue struggles with the same condition caused by the barrier of Wisconsin Avenue's width as well as its vehicular traffic volume and speed. Similar to northern Wisconsin Avenue, the area includes hotels, but is most noted for the density of office buildings that surround its Metrorail station and accessible roadways. Consequently, most of the existing retail offerings in the Metro Core are oriented to the Monday through Friday, 9-to-5 customer. As Bethesda Row and Woodmont Triangle have become increasingly more attractive as locations for new and/ or expanding retailers, these areas draw more and more customers away from the Metro Core's shops, restaurants and services.

The Wisconsin Avenue Corridor, consistent with adopted planning principles, has the tallest buildings in Downtown Bethesda. Building heights step down from the 200-foot Clark Building to the surrounding 143-foot heights allowed in the Commercial Residential zone (former Central Business District-2 zone in the 1994 Bethesda Central Business District Sector Plan). Buildings at Bethesda and Wisconsin Avenues provide a gateway open space at the corner of this intersection. Many potentially high-density sites remain to be developed in the area.

Land Use and Zoning Goals:

- Encourage infill and reinvestment on underutilized commercial sites and private surface parking lots.
- Encourage mixed-income/affordable housing near transit stations.
- Provide zoning recommendations that allow signature tall buildings at major civic spaces in the established centers.
- Develop compact nodes that place the highest intensity in those centers, provide distinctive infill buildings and step down to lower densities and heights near the edges.
- Improve and enhance underutilized privately owned public use spaces.
- Provide new civic gathering spaces.
- Encourage high-performance buildings and sites nearest the established centers.

- Improve the pedestrian environment with upgraded streetscapes.

Land Use Recommendations:

- Create two new civic gathering spaces in the form of civic green space/parks at the Farm Women's Cooperative Market site and Veteran's Park Civic Green.
- Emphasize mixed land uses focused on employment and high density residential.

Zoning Recommendations (Site Specific):

- Rezone Map #67 from its current zone to increase maximum allowable building height from 145T to 300 feet to provide flexible development opportunities and allow future development to better adapt to market conditions.
- Rezone Map #68 from its current zone to increase maximum allowable building height from 145T to 165 feet to provide flexible development opportunities and allow future development to better adapt to market conditions.

This Application incorporates many of the land use and zoning recommendations of the Sector Plan by including: 1) commercial and compact development in the core area along Wisconsin Avenue in the highest intensity centers, providing for distinctive infill buildings; 2) zoning recommendations that allow signature tall buildings near public gathering areas; 3) buildings that step down to lower densities to the south; 4) incorporation of energy efficiency and high performance in both the hotel and office buildings; and 5) an emphasis on mixed land uses that guide future employment surrounded by both commercial and residential uses.

The zoning approved for the Site through the Sectional Map Amendment (SMA) retains the base density of a total 3.0 FAR but increases the height on the south side to 165 feet and on the north side to 300 feet. To reach the heights proposed, the Applicant is requesting an allocation of BOZ density in the amount of 559,000 square feet requiring a payment that would facilitate acquisition of parkland in the downtown.

Urban Design Recommendations:

Public Realm

a. Goal: Create green, active and walkable sidewalks that are designed to balance pedestrian and retail activity with vehicular and BRT traffic along this major corridor.

Recommendations:

- Provide a planting and furnishing buffer between sidewalks and street traffic.
- Ensure a clear pedestrian pathway.
- Allow space for various activities, such as outdoor dining in retail focus areas, and provide planting and seating along remaining sections of the street.

b. Goal: Create major civic gathering spaces as the hinge between Wisconsin Avenue, Norfolk Avenue and Bethesda Avenue.

Recommendations:

- Expand Veteran's Park through a new civic green bordered by a shared street that connects Wisconsin Avenue to Norfolk Avenue and Woodmont Triangle.

This Application is improving the streetscape along Woodmont, Norfolk and Wisconsin Avenues consistent with the Bethesda Streetscape Standards. This includes new street trees, lights, paving, site furnishings and the undergrounding of utilities. A minimum 6-foot-wide clear pedestrian pathway is provided between the tree pit and the building edge. The Applicant is also extending the streetscape improvements from their Property line along Norfolk Avenue to the intersection with Woodmont Avenue, in front of the adjacent Tastee Diner restaurant. The improvements are modified to allow for paving, lighting and street trees, but will allow for a clear pedestrian pathway.

Building Form

a. Goal: Design tall buildings along Wisconsin Avenue to have a human-scaled presence on the street, reduced uniformity and compatibility with edge neighborhoods.

Recommendations:

- Provide building articulation such as step backs, glazing and material changes.
- Provide building separation to ensure the design allows for light and air, and reduces shadows cast onto public spaces.

b. Goal: Provide visual interest along the corridor by highlighting significant points with increased height.

Recommendations:

- Provide increased height at the transit gateways to the Metrorail and Purple Line stations.
- Mark the Veteran's Park Civic Green as a major civic gathering space through signature buildings at this location.

The design of the hotel and office buildings are innovative and iconic, providing a unique articulation to building surfaces and providing an efficient functionality on an L-shaped site in an urban environment. The forms of each building are proportioned appropriately to create a strong base that is connected by a through-block pedestrian linkage, creating a sense of place that expresses the hospitality approach for Marriott. The hotel embraces multiple facades providing different vistas and vantage points as you move through the site. The podium of the hotel offers a porte-cochere under the hotel tower and entry at the Woodmont Avenue street level serving as an arrival point while creating shelter, depth and architectural relief. The entry on Wisconsin Avenue creates a strong visual presence at the west end of the plaza that compliments the main entry to the office building. This section also protrudes above the base to provide for a second-floor terrace from the ballroom.

The office building will be the tallest building in the county and a landmark in downtown Bethesda. At the base, angled forms punctuate the through-block connection providing interest at the pedestrian level. The tower element utilizes angled geometries for the south and east façade while incorporating fins every 5 feet along most of the building. A translucent glass base is recessed from the tower above. The tower base is where the primary office lobby entrances are located. The building has a narrow frontage on Norfolk Avenue and is split into two geometries, each with their own distinct curtain wall treatment. A recess into the 3rd floor of the building further distinguishes the base from the tower along the northeast corner.

Transportation and Bicycle Recommendations:

To enhance the existing transportation network, this Plan recommends “complete streets” improvements to the roadway network that increase the connectivity, safety and quality for all modes of transportation. Complete streets design principles refer to roadway treatments intended to accommodate multiple modes of transportation, including pedestrian, bicycle, vehicular and transit, within the same right-of-way. Due to the transit-oriented nature of Downtown Bethesda, future transportation improvements within the Sector Plan area should consider “complete streets” strategies as critical elements of the transportation network.

A high-quality pedestrian network is essential to the success of transit-oriented communities because, unlike most other modes of transportation, pedestrian activity is about experiencing the community between points of origin and destination. Nearly all modes of transportation require that at least a portion of each trip be completed as a pedestrian; therefore, the quality of the pedestrian network is an important issue for most residents and commuters in Downtown Bethesda.

Overall Goals

- Enhance roadway accommodation of all users.
- Increase the use of non-auto driver travel.
- Implement new transit alternatives.
- Improve bicycle and pedestrian infrastructure.
- Expand the constrained parking policy.

Woodmont Avenue (CT-4) - Separated Bike Lanes (ultimate); Bike Lanes (interim); N. Sector Plan Boundary to Wisconsin Avenue.

This bikeway would improve north-south connectivity within the Sector Plan area and would serve as the primary alternative to Wisconsin Avenue for bicyclists. Due to potential parking and operational impacts resulting from lane reallocation required as part of this recommendation, the following alternatives have been identified for further analysis and the implemented bikeway may contain a combination of configurations; however, there is a strong preference for separated bike lanes along

Woodmont Avenue (see also Table 2.02: Bicycle Network Recommendations):

a. Separated Bike Lanes (One-way): Due to Woodmont Avenue's importance to the bicycling network in Bethesda, this is the preferred bicycle facility for Woodmont Avenue. However, given the space required for one-way separated bike lanes, implementation of this option would require elimination of both the two-way-left-turn lane and on-street parking lanes, and must be considered in combination with the impact on the business community. With the implementation of a network of low-stress bicycling and bike parking in and around Downtown Bethesda, this facility type will generate substantial bicycle volumes and has the potential to offset the loss of on-street parking over time.

Norfolk Avenue (BL-44)

Bike Lanes/Shared Street; Battery Lane Urban Park to Tilbury Street

This bikeway would improve north-south connectivity within the Sector Plan area and would serve as the primary alternative to Old Georgetown Road for bicyclists. Due to the recommendation that a portion of Norfolk Avenue be reconfigured as a shared street, the following alternatives have been identified for further analysis:

a. Bike Lanes Alternative: This alternative is recommended for the near-term, prior to any implementation of the shared street concept. The primary advantage to this alternative is the relative ease with which it can be implemented. Norfolk Avenue is currently 48 feet wide with two travel (16 feet wide) lanes and two on-street parking lanes. As a result, two 6-foot wide bike lanes and two 10-foot wide

travel lanes can be implemented without any additional reallocation of the existing roadway or loss of parking.

b. Shared Street Alternative: This alternative reflects the Sector Plan recommendation that a portion of Norfolk Avenue, within Woodmont Triangle, be improved as a shared street with alternative paving materials and flush curbs. Once implemented, the shared street concept is anticipated to have a traffic calming effect and will support relatively low-speed mixed traffic. Under such a scenario, separated bike lanes are unnecessary for bicyclists' comfort.

The Applicant contributes to the transportation network in downtown Bethesda and regionally by contributing to the separated bike lanes for Woodmont Avenue and the striping along Norfolk Avenue. Three bike share facilities are incorporated into the proposal, one of which is in front of the office building along the Woodmont Avenue frontage while a contribution is being made for two additional bike share facilities. Dedication is provided along the Wisconsin Avenue frontage incorporating the future BRT. Pedestrian circulation is improved with the through-block connection and improved streetscape to encourage connectivity within the Woodmont Triangle and to other transit options.

Parking Recommendations

- Promote a constrained parking policy that supports a transit-oriented downtown.
- Explore opportunities for co-location of public facilities on Parking Lot District properties and facilities. Co-location should be considered as existing facilities are evaluated for replacement and as the market allows for new mixed-use development.

The Application is providing parking below the minimum required by the Zoning Ordinance and is applying the 20 percent reduction in number of required spaces pursuant to the Sector Plan and the BOZ.

Environmental Recommendations:

Urban Green - On private property, provide a minimum of 35 percent green cover, which may include singularly or a combination of the following: 1) intensive green roof (6 inches or deeper) on 35 percent of rooftop; 2) tree canopy cover on 35 percent of landscape, 3) a combination of tree canopy and intensive green roof for a total green cover of 35 percent or greater, 4) install green roofs with at least 6 inches of soil depth allowing for greater stormwater treatment; and 5) provide soil volumes for canopy trees of no less than 600 cubic feet.

The Application is providing an 8” depth intensive green roof on both buildings and landscaping and green cover calculated on the site area to meet the 35 percent green cover requirement from the Sector Plan.

Water -

- Integrate environmental site design strategies that provide multiple performance area benefits for water quality, habitat, health and aesthetic improvement. Some strategies include:
- Intensive green roofs (6 inches or greater to maximize water treatment).
- Reduce impervious cover to maximize stormwater infiltration and/or green space.
- Use permeable surfaces where feasible.

High Performance Area -

An optional method project in the High-Performance Area (HPA) should be approved only if it achieves the maximum amount of public benefit points allowed for constructing buildings that exceed energy efficiency standards for the building type. To qualify for the maximum available points, any building that is in whole or in part within the boundary of the HPA would be required to exceed the current ASHRAE 90.1 standard by 15 percent. If the County adopts a building code with a different efficiency standard, a building in the HPA should similarly exceed the minimum standard.

This Application is providing 35 percent of the site area toward green cover comprised primarily of intensive green roof that has an 8-inch soil depth. The through-block connection incorporates Silva Cells to account for enhanced stormwater management and proper soil volumes for the proposed plant material and the large feature tree at the eastern terminus. Much of the plant material in the through-block connection is ground cover, grasses, shrubs and smaller ornamental trees. Both buildings are subject to the high-performance standards and will exceed the ASHRAE standards.

Section 4.1.5 Public Benefits in the CR Zone

Top Priority Benefits in the CR Zone (Bethesda Downtown Sector Plan Specific):

- Affordable Housing
- Public Open Space
- High Performance Area and Enhanced Vegetated Roofs to Increase Green Cover
- Exceptional Design
- Minimum Parking

3. *Public facilities will be adequate to support and service the area of the subdivision.*

A transportation study was submitted on August 16, 2017 and revised October 30, 2017 in response to agency comments. The proposed development is estimated to generate 1,309 new morning peak-hour person trips (628 vehicle trips) and 1,091 new evening peak-hour person trips (528 vehicle trips). Because of the estimated transportation impact of the Project exceeds 50 net new person trips in each of the following: total person trips, pedestrian trips, and bicycle trips, the Project is required to complete a transportation study that evaluates vehicular (intersection) capacity, pedestrian system adequacy, and bicycle system adequacy to satisfy the Local Area Transportation Review requirement. The Project is exempt from the transit system adequacy test because the Site is within 1,000 feet of a Metrorail Station.

Sector-Planned Transportation Demand Management

As a mixed-use project within the Bethesda Transportation Management District (TMD), the development will enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD and contribute to the Sector Plan goal of 55% Non-Auto Driver Mode Share (NADMS), averaged between commuters and residents of the Downtown area.

Parking Recommendations

The Sector Plan recommends each application in downtown Bethesda promote a constrained parking policy that supports a transit-oriented downtown. This is done by providing parking below the minimum and exploring opportunities for co-location of public facilities on Parking Lot District properties and facilities. The Applicant is receiving a 20 percent reduction in number of spaces required and is providing 821 spaces in a below-grade garage, which is below the minimum required consistent with the zoning ordinance. The Applicant also has an agreement with Montgomery County for the weekday use of Garage 11 directly across Woodmont Avenue.

As a project that generates more than 250 net new peak hour vehicle trips, the Applicant was required to evaluate a minimum of two tiers of intersections within Downtown Bethesda, resulting in a total of 21 intersections and 6 driveways evaluated as part of the Subject Application. In accordance with the 2016-2020 Subdivision Staging Policy, 20 of the 21 intersections included in this analysis were evaluated as part of larger transportation corridors within the Downtown area under the Highway Capacity Manual (HCM) 2010 methodology. That methodology allows for a more comprehensive operational analysis of congested and/or more closely spaced intersections than was possible under the previous Subdivision Staging Policy, which relied on a Critical Lane Volume methodology.

After reviewing the results of the intersection capacity analysis completed for the 21 intersections included within the five corridors the transportation impact study concluded that all corridors will continue to operate within acceptable limits of congestion following the increased density associated with the Subject Application.

In determining Pedestrian System Adequacy, the Applicant evaluated pedestrian infrastructure within 500-linear feet of the Site limits and will “fix or fund” all pedestrian facilities determined to be non-compliant with standards set forth by the Americans with Disabilities Act. The Applicant will submit an exhibit at the time of Certified Site Plan, for Staff approval, showing the location of all non-compliant pedestrian facilities and cost estimate for all improvements associated with the requirement.

Other Public Facilities

Public facilities and services are available and will be adequate to serve the proposed development. There are no impacts to the public school facilities as this is a commercial development. The Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service which has determined that the property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, schools, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Property. Electrical, telecommunications, and gas services are also available to serve the Property. Garage 11, a public parking garage, has a capacity of approximately 1,200 spaces which will be allocated to Marriott for the use of their employees as they transition from their current North Bethesda location. The use of the garage is for daytime use during the week and open to the public after hours and on weekends. These spaces will be re-evaluated by the County and Applicant in ten years to determine need for the Applicant and the PLD.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

A Natural Resource Inventory Forest Stand Delineation (NRI/FSD) was approved for the project on July 7, 2017. The plan (# 420171140) identifies the existing man-made and natural features associated with the property such as

the commercial buildings, associated parking, the street trees and landscape. The setting contains an existing two-story hotel known as the Bethesda Court Hotel with surface parking, a vacant one-story retail building, surface parking for the adjacent Woodmont Grill (used for valet parking), the 5-story Blackwell building and the former two-story commercial building known as the Connor building. The site topography is gently sloping from west to east. There are no rare threatened or endangered species, no trees measuring 30" DBH or greater, no stream/buffers, steep slopes or known historical or cultural resources on site.

There are no known rare, threatened, or endangered species, floodplains, forests, historic properties or features on the Property. Most of the Property is paved with only a few trees.

There is no forest onsite or adjacent to the property, however there is an afforestation requirement of 0.45 acres. The afforestation requirement will be addressed offsite, either by a fee-in-lieu payment or certificate of compliance for an offsite bank. Staff has recommended conditions of approval requiring that offsite requirements be appropriately satisfied prior to any clearing, grading or demolition within the project area.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

This finding is based upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The MCDPS Stormwater Management Section approved the stormwater management concept on September 27, 2017. According to the approval letter, the stormwater management concept proposes to meet stormwater management requirements via environmental site design to the maximum extent practicable through the use of a green roof and porous pavers over filter medium. Due to onsite conditions and existing shallow storm drain, a waiver of full stormwater management requirements was granted. As currently proposed the SWM concept achieves only 28% of the target SWM treatment goal. The SWM concept letter states (under item 8) "At a minimum this site has proposed to provide 24,817 square feet of eighth-inch green roof. At the time of plan submittal try to increase this amount". In order to achieve the 35% green cover requirements of the Sector Plans (which may overlap with SWM requirements), the green roof area will be expanded to a minimum of 29,264 square feet. The increase in the green roof area will help with both SWM and Master Plan goals.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 61 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G, and that prior to the expiration of this validity period, a final record plat for

all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; 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 09 2018~~ (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).

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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 Vice Chair Dreyfuss, seconded by Commissioner Fani-González, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González, Cichy, and Patterson voting in favor at its regular meeting held on Thursday, December 14, 2017, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board

