




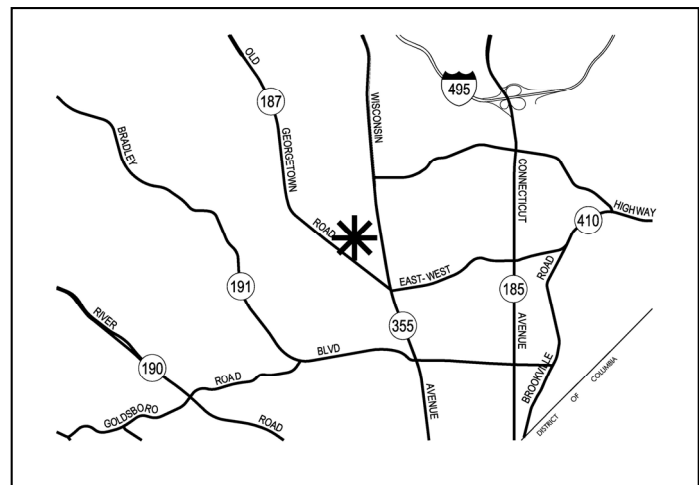
4915 Auburn Avenue, Sketch Plan No. 320180170 and Preliminary Plan No. 120180210

-  Matthew Folden, Planner Coordinator, Area 1, Matthew.Folden@montgomeryplanning.org, 301.495.4539
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Completed: 11.16.2018

Description

- Proposal to create two lots for the construction of a mixed-use project of up to 204,728 total square feet with up to 180 multifamily dwelling units, including 17.7% MPDUs, and up to 12,500 square feet of retail uses; project includes an allocation of Bethesda Overlay Zone density of up to 80,008 square feet;
- 29,728 square feet of MPDU density excluded from FAR;
- Current use(s): 32,456 square feet of non-residential uses;
- Located on Auburn Avenue, west of Norfolk Avenue;
- 0.72 acres or 31,664 gross square feet of tract area zoned CR 3.0 C 3.0 R 2.75 H110 in the 2017 *Bethesda Downtown Sector Plan*;
- Applicant: Auburn Building Associates, LP;
- Acceptance date: May 7, 2018.



Summary

- Staff recommends approval of the Sketch Plan and Preliminary Plan with conditions.
- The proposal will redevelop the site with a mixed-use building including 17.7% moderately priced dwelling units, minimum parking, structured parking, exceptional design, open space, and enhancement of the natural environment.
- The Project is proposing two lots, one of which (Lot 2) will be the site of a mixed use retail and multi-family building and the other (Lot 1) will be the site of a commercial or mixed-use commercial and multi-family building and public open space buffer between the Site and adjacent R-60 residential zone.
- The Project includes an allocation of Bethesda Overlay Zone density of up to 80,008 square feet. Ordinarily, this would result in a Park Impact Payment (PIP) of \$800,080. However, per section 59.4.9.2.3.c.i, a PIP payment is not required for the gross floor area allocated for MPDUs (29,728 square feet). The resulting PIP is \$502,800 to fund park acquisition in downtown Bethesda.
- In accordance with Section 59.7.3.3.C of the Zoning Ordinance and Section 50.4.1.E of the Subdivision Regulations, the Sketch Plan and Preliminary Plans received three Planning Board extensions postponing the hearing from August 5, 2018, to October 5, 2018; from October 5, 2018 to November 1, 2018; and finally from November 1, 2018 to December 20, 2018.

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SECTION 1: RECOMMENDATION AND CONDITIONS

SKETCH PLAN NO. 320180170

Staff recommends approval of Sketch Plan No. 320180170, for a mixed-use project of up to 204,728 total square feet for up to 180 dwelling units, including 29,728 square feet of MPDU density not counted toward the Project's FAR, and up to 12,500 square feet of non-residential uses, on 0.72 acres of land, zoned CR 3.0 C 3.0 R 2.75 H110. The Project includes an allocation of Bethesda Overlay Zone density of up to 80,008 square feet. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the conditions below:

1. Maximum density and height;
2. Approximate location of lots and public dedications;
3. General location and extent of public open space;
4. General location of vehicular access points; and
5. Public benefit schedule.

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum density of 204,728 square feet of total development, including an allocation of up to 80,008 square feet of Bethesda Overlay Zone density and approximately 29,728 square feet of MPDUs not included in the Project's FAR, on the Subject Property. The maximum number of dwelling units and non-residential uses will be determined at Preliminary Plan.

2. Height

The development is limited to a maximum height of 122 feet due to the provision of MPDUs above 17.5%, as specified in Section 59.4.9.2.3.b of the Zoning Ordinance. The Project's maximum height will be determined at the time of Site Plan but will not exceed 122 feet, as measured from the building height measuring point.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Connectivity and Mobility, achieved through minimum parking and a through-block connection;
- b. Diversity of Uses and Activities, achieved through affordable housing;
- c. Quality of Building and Site Design, achieved through exceptional design, structured parking, and public open space; and
- d. Protection of the Natural Environment, achieved through the purchase of building lot terminations, cool roof, and energy conservation and generation.

4. Building Design

The Applicant must submit their architectural design concept to the Design Advisory Panel concurrent with submittal of the Site Plan application.

5. Park Impact Payment (PIP)

At the time of Site Plan, the Applicant must identify the final amount of BOZ density being purchased and allocated to the Subject Property.

6. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Subject Property's right-of-way frontages on both Norfolk Avenue and Auburn Avenue, including the undergrounding of utilities on Auburn Avenue. Any future expansion of the Project limits on Norfolk Avenue would necessitate undergrounding of utilities on that street.

7. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

8. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 17.7%, of the total new units, as Moderately Priced Dwelling Units on-site. The development must provide MPDUs in accordance with Chapter 25A.

9. Future Coordination for Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed when filing a Site Plan application:

- a. Fire and Rescue access and facility details;
- b. Provide details and cross sections showing appropriate soil volumes associated with the new plantings on site per the Sector Plan;
- c. Identify and address all existing/potential utility conflicts or other site limitations with street trees to achieve the proposed streetscape plantings;
- d. Address the Bethesda Downtown Plan recommendations and design guidelines regarding stormwater management;
- e. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- f. Demonstrate conformance with the Sector Plan goals for green cover;
- g. Participate in the implementation of the Norfolk Avenue shared street project;
- h. Tree save plan which addresses the following items:
 - a) Provisions for an ISA certified arborist who is also a MD licensed tree care expert to supervise the work along/within the storm drain easement;
 - b) Special measures such as incremental cut and cover of the pipe work to minimize the duration of any roots exposed to the air and sunlight;
 - c) 5-year maintenance & monitoring program for the affected trees;
 - d) Provisions for replacement plantings;
 - e) Accurately locate the existing trees and other plan elements; and
 - f) Note that all work/techniques within the storm drain easement is subject to coordination/approval from MCDOT (who is the grantee of the easement).
- i. Streetscape details including street tree locations on Auburn Avenue & Norfolk Avenue;
- j. Design of party wall along the northeast façade of the mixed use building;
- k. Address compatibility with existing single family homes to the west of the Subject Property;
- l. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features; and
- m. Address Bird-Safe Design per pages 80-81 of Bethesda Downtown Sector Plan Design Guidelines.

PRELIMINARY PLAN 120180210

Staff recommends approval of Preliminary Plan No. 120180210 subject to the following conditions:

1. Approval is limited to two lots for up to 204,728 total square feet of development for up to 180 dwelling units, including 29,728 square feet of MPDU density not counted toward the Project's FAR, and up to 12,500 total square feet of retail development and an allocation of 80,008 square feet of density from the Bethesda Overlay Zone. The project density will be divided between the two proposed lots as follows but will not exceed 204,728 square feet of development density, as described above:
 - a. Lot 1: Up to 4,000 square feet of retail development and up to 4,000 square feet of residential amenity space; and
 - b. Lot 2: Up to 192,228 square feet of residential development (up to 180 dwelling units), including 29,728 square feet of MPDUs, and up to 10,500 square feet of retail development.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320180170 and any subsequent amendments.
3. 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 June 26, 2018, 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.
4. The Planning Board accepts the recommendations of MCDPS – Water Resources Section in its stormwater management concept letter dated October 8, 2018, 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. The MCDPS Water Resources Section will review, approve, and inspect all landscaping within the Storm Water Management easements and facilities.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated October 10, 2018, and as amended via e-mail dated October 30, 2018, 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, as amended, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated August 24, 2018, 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 DHCA, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements associated with each plat, as required by MCDOT.
8. The Applicant must dedicate and show on the record plat(s) a dedication of the Auburn Avenue frontage necessary to provide the Sector Plan-recommended 30-foot-wide right-of-way between the Subject Property line and right-of-way centerline.

9. Short-term public bicycle parking must be installed near the main entrances. Secure long-term private bicycle parking must be installed within the residential building. The exact number and location of bicycle parking will be determined at the time of Site Plan.
10. 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.
11. The record plat must show necessary easements.
12. Lot 1 and Lot 2 must be platted together; neither lot may proceed to building permit or site plan independently.
13. Include all applicable agency letters and the Preliminary Plan resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
14. Before the release of any above grade building permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.
15. If 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.
16. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of the Planning Board resolution.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Subject Property

The subject site (Subject Property or Property) consists of an assemblage of five existing lots, located at 4915 Auburn Avenue and 4921 Auburn Avenue in the Woodmont Triangle District of the Bethesda Downtown area. The Property has a tract area of 0.72 acres.

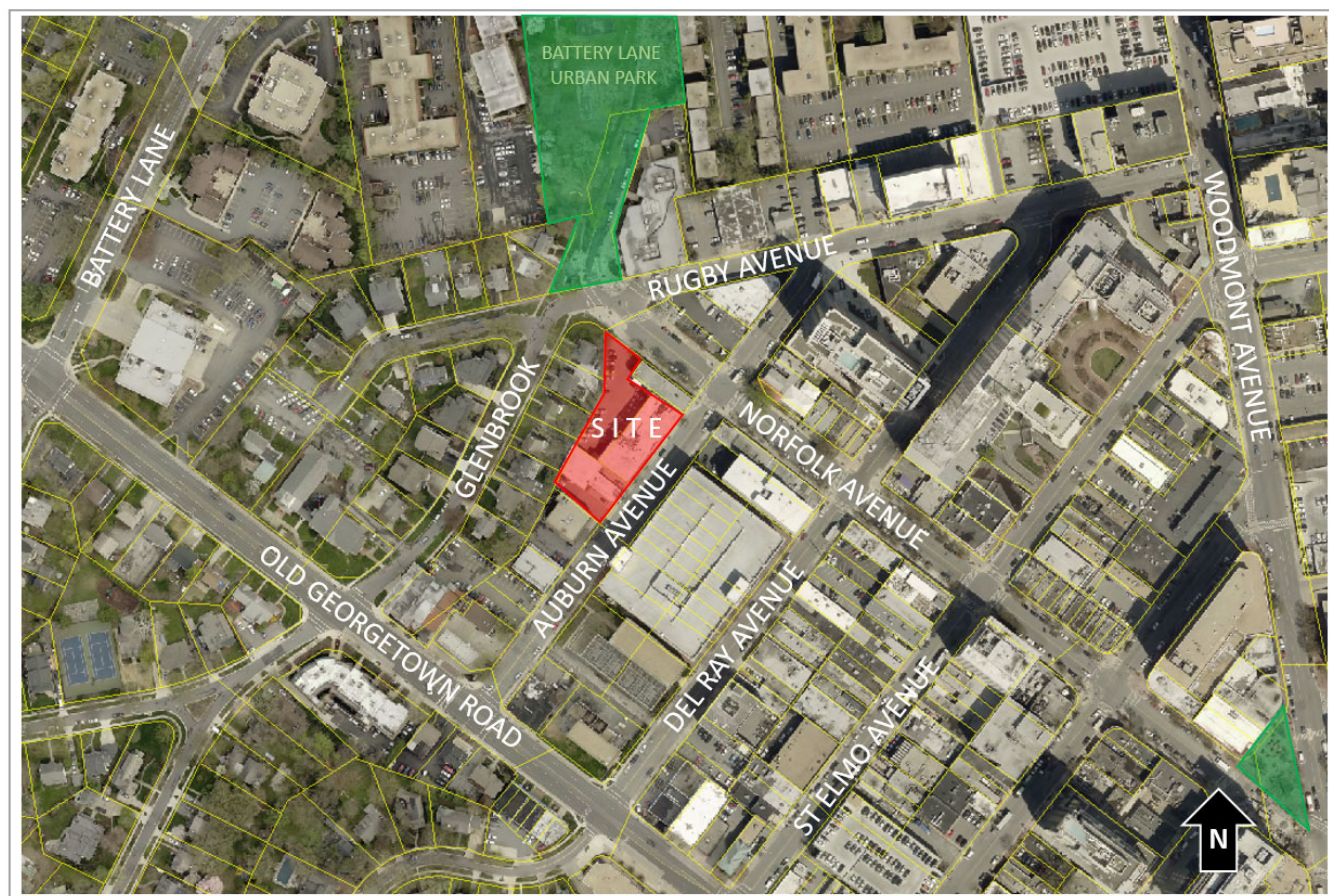


Figure 1 - Aerial View

The Property is within the area encompassed by the 2017 *Bethesda Downtown Sector Plan* (Sector Plan), the Height Incentive Area of the Bethesda Overlay Zone, the Bethesda Parking Lot District (PLD), and is located within ½ mile of the Bethesda Metrorail Station.

Site Analysis

The Property is zoned CR 3.0 C 3.0 R 2.75 H110. The Property is currently improved with approximately 32,456 square feet of non-residential uses within two commercial buildings, the three-story “Auburn Professional Building” at 4915 Auburn Avenue and the one-to-two-story “Huntington Learning Center” at 4921 Auburn Avenue. In addition to these buildings, the Site is encumbered with a 6-foot wide storm drain easement along the northwest property line. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no known historic properties on site. There are existing mature trees on the adjacent properties, which screen the neighboring lots from the Subject Property. The critical root zones from these trees extend onto the Subject Property.

Surrounding Uses

The Property is surrounded by a mix of residential and non-residential uses. Confronting the Property to the southeast, across Auburn Avenue, is Public Parking Garage #36 and the Imagination Stage, zoned CR 3.0 C 3.0 R 3.0. To the north, across Norfolk Avenue, is a commercial building zoned CR 3.0 C 3.0 R 3.0 H90. To the east, across the intersection of Norfolk Avenue and Auburn Avenue, is a commercial building zoned CR 3.0 C 3.0 R 3.0 H110; this site also has development approval under Site Plan 820170080, "The Claiborne," for an 11-story mixed-use building with up to 58 multifamily dwelling units and up to 2,800 square feet of non-residential uses. Abutting the Property to the northwest are single family detached residential properties, zoned R-60, and to the west a single-story commercial property on Norfolk Avenue.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

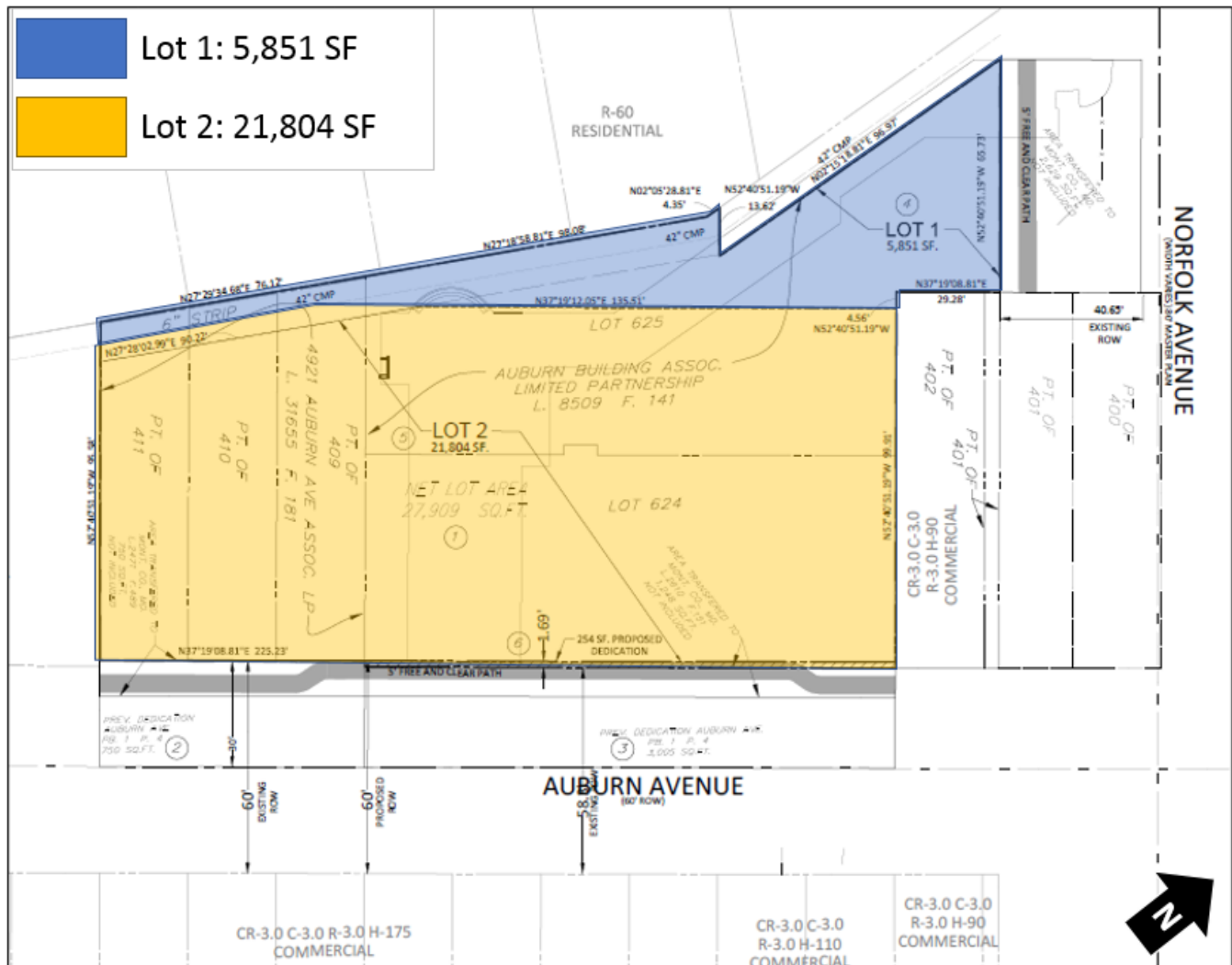
The Planning Board approved Project Plan 920070090 on July 26, 2007, under the CBD-1 Zone and 2006 *Woodmont Triangle Sector Plan Amendment*, for a project that contained up to 126,049 square feet of mixed-use development. That project included a maximum of 60 multi-family dwelling units and up to 30,500 square feet of non-residential uses. The Subject Application supersedes the previous approval.

Proposal

The Project proposes to subdivide five existing lots¹ in the Woodmont Subdivision into two new lots with up to 204,728 total square feet of mixed-use development, including 29,728 square feet of MPDU density not counted toward the Project's FAR. Proposed Lot 1, measuring approximately 5,851 square feet in area, will contain the majority of the Project's open space and a new two-to-three story building with up to 4,000 square feet of retail development or a mixed-use building with up to 4,000 square feet of commercial uses and up to 4,000 square feet of residential amenity space. Proposed Lot 2, measuring approximately 21,804 square feet in area, will be the site of the proposed 11-story mixed-use building. The building on Lot 2 will contain up to 192,228 square feet of residential development (up to 180 dwelling units) and up to 10,500 square feet of retail development. The Applicant is seeking flexibility at this time regarding the distribution of the Project's maximum density across the two lots with the final determination made at the time of Site Plan. Staff supports this flexibility as the density will be allocated within the general height and massing proposed by the Sketch Plan and will not exceed the total density of the Preliminary Plan approval.

The Project also includes 17.7% Moderately Priced Dwelling Units (MPDUs) (or up to 32 units). The Project includes an allocation of density from the Bethesda Overlay Zone of up to 80,008 square feet. The final amount of density to be purchased from the BOZ will be determined at Site Plan, where final density for the entire Project will be approved. A lotting diagram is presented in Figure 2, below.

¹ Lots 624 & 625, and part of Lots 409, 410 & 411 in the Woodmont Subdivision.



Proposed Lot 1 is intended to address the Site's adjacency to the existing R-60 residential by providing a smaller-scale commercial or mixed-use building and public open space buffer between the higher-density mixed use building on proposed Lot 2 and adjacent single family detached residential neighborhood to the north. This configuration is supported by Staff and helps improve the compatibility between the proposed uses on the Subject Property and adjacent residential uses.

Site Design

Norfolk Avenue is currently improved with smaller-scale retail structures with a variety of storefronts. In the future, Norfolk Avenue is envisioned as a shared street that will balance all modes of transportation and allow for more flexible public space. In support of the future vision for Norfolk Avenue, the project eliminates all vehicular access from Norfolk Avenue and is considering implementation of an interim parklet, as recommended in the Sector Plan, along its Norfolk Avenue frontage. The Applicant's participation in the Master Plan recommended Norfolk Avenue shared street project will be determined at the time of Site Plan.

Open Space

As a Site with a tract area between 0.51 acres and 1.00 acres and two frontages, the Project is not required to provide public open space. The Project, however, is providing approximately 2,500 square feet (9%) of open space

on the Site as part of the Project’s public benefits package. The details and final location of the open space will be determined at the time of Site Plan.



Figure 3 - Proposed Sketch Plan

Building Height

Although the Site’s mapped zone limits building height to 110 feet, the Project proposes an additional 12 feet of height, to 122 feet, as allowed with the provision of 17.7% MPDUs. This additional height is permissible because the Property is located within the “Height Incentive Area” of the Bethesda Overlay Zone (Section 59.4.9.2.E) and because Section 59.4.9.2.C.3.b of the Zoning Ordinance allows:

[i]f a project exceeds 17.5% MPDUs and is located in the Height Incentive Area as delineated in Subsection E, the height limit of the applicable zone does not apply to the extent required to provide MPDUs, ... [t]he additional height is calculated as the floor area provided for MPDUs above 15% divided by the average residential floor plate area, where each whole number and each remaining fraction allows an increase of 12 feet.

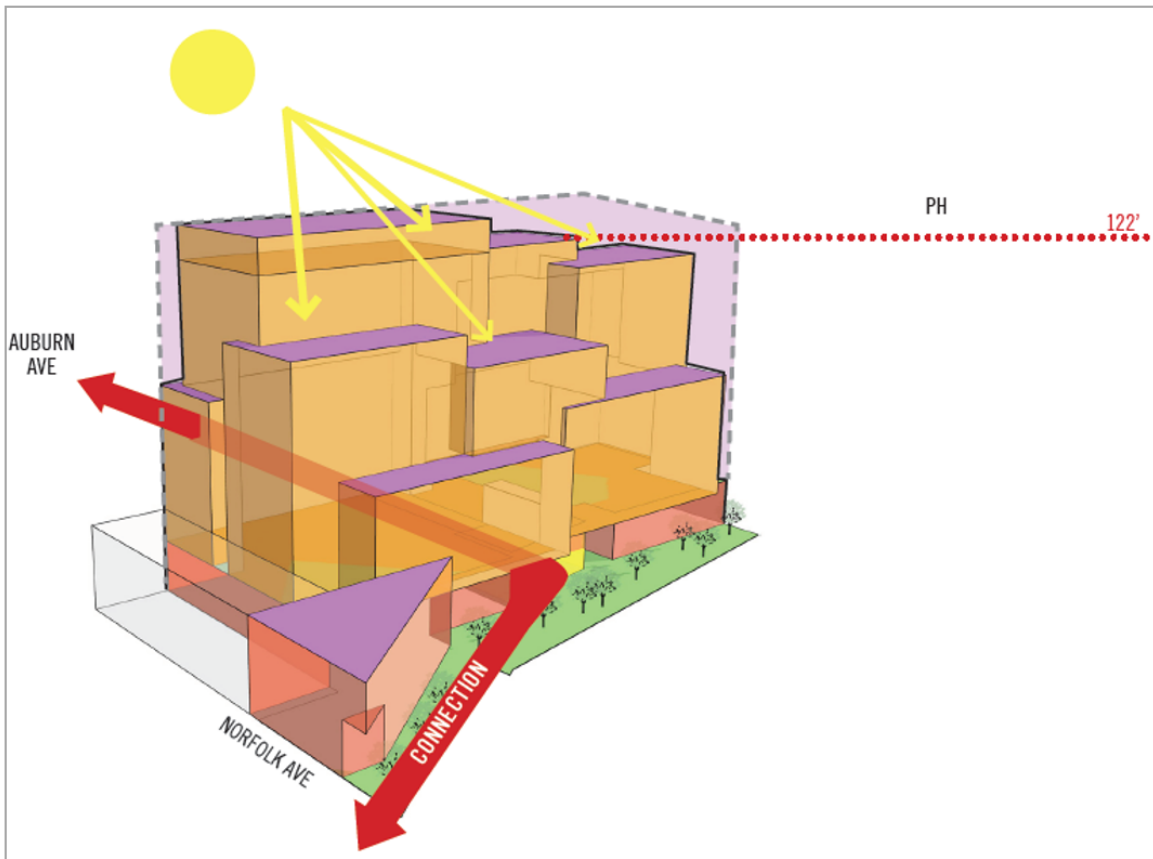
As proposed, the average residential floor plate measures approximately 16,250 square feet in area and the average MPDU size is proposed to be approximately 929 square feet, for a total of 29,728 square feet for the 32

MPDUs provided. The Project proposes to include five additional MPDUs beyond the minimum required at 15%¹, which amounts to approximately 4,645 square feet of gross floor area (29% of an additional floor). Therefore, the Applicant is seeking approval to increase the allowable building height by one floor (12 feet) to 122 feet. Final determination of building height will be made at the time of Site Plan approval, however, the maximum height will not exceed 122 feet.

Architecture

Architecture is conceptual at the time of Sketch Plan and Preliminary Plan. At this time, the concept envisions the proposed building as an infill development within an urban block of downtown Bethesda. As presented to the Design Advisory Panel on July 25, 2018, the building is anticipated to serve as a transition between the higher-density downtown and lower-density residential located to the north and west of the Site.

The Project will improve the Site's compatibility with the adjacent single-family residential properties by reducing non-residential uses on the Site and eliminating existing surface parking lots. As shown in Figure 4, the conceptual architecture incorporates a series of step-backs and height step-downs, on the western façade, to transition between the single-family residential properties and Downtown Bethesda. In addition to improving compatibility, the Project will contribute to its frontages on Auburn Avenue and Norfolk Avenue.

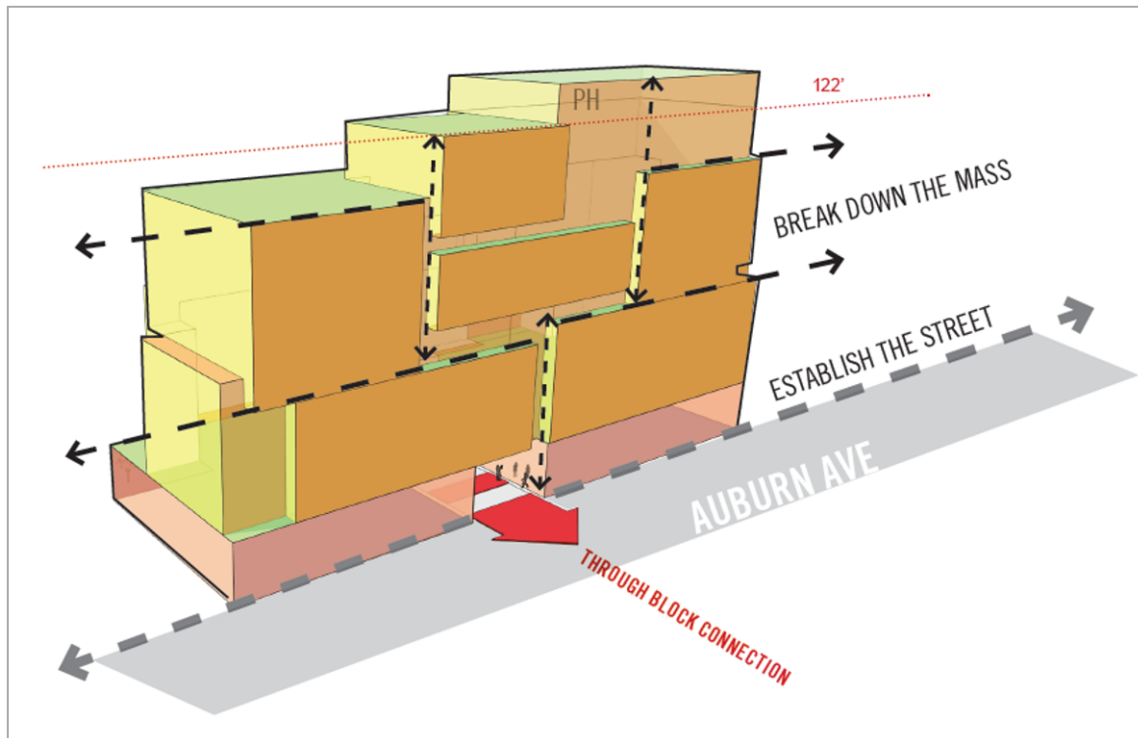


*Figure 4 - Conceptual Massing
(Northern façade, looking southwest)*

The Auburn Avenue façade concept reaches a height of 122 feet, as a result of the Applicant's provision of more than 17.5% MPDUs, and contributes positively to the street wall by providing an interesting building façade. As shown in Figure 5, the Auburn façade is broken down through a series of building recesses and projections. Auburn

¹ Based on 180 dwelling units, 15% = 27 MPDUs; 17.7% = 32 MPDUs

Avenue will feature the Project's only vehicular access point and southern terminus of the Project's through-block connection.



*Figure 5 - Conceptual Massing
(Southern façade along Auburn Avenue, looking north)*

The Norfolk Avenue façade is envisioned as a two-to-three story commercial or mixed use building, with a maximum height of 50 feet, that will contribute to both the established and anticipated character of Norfolk Avenue.

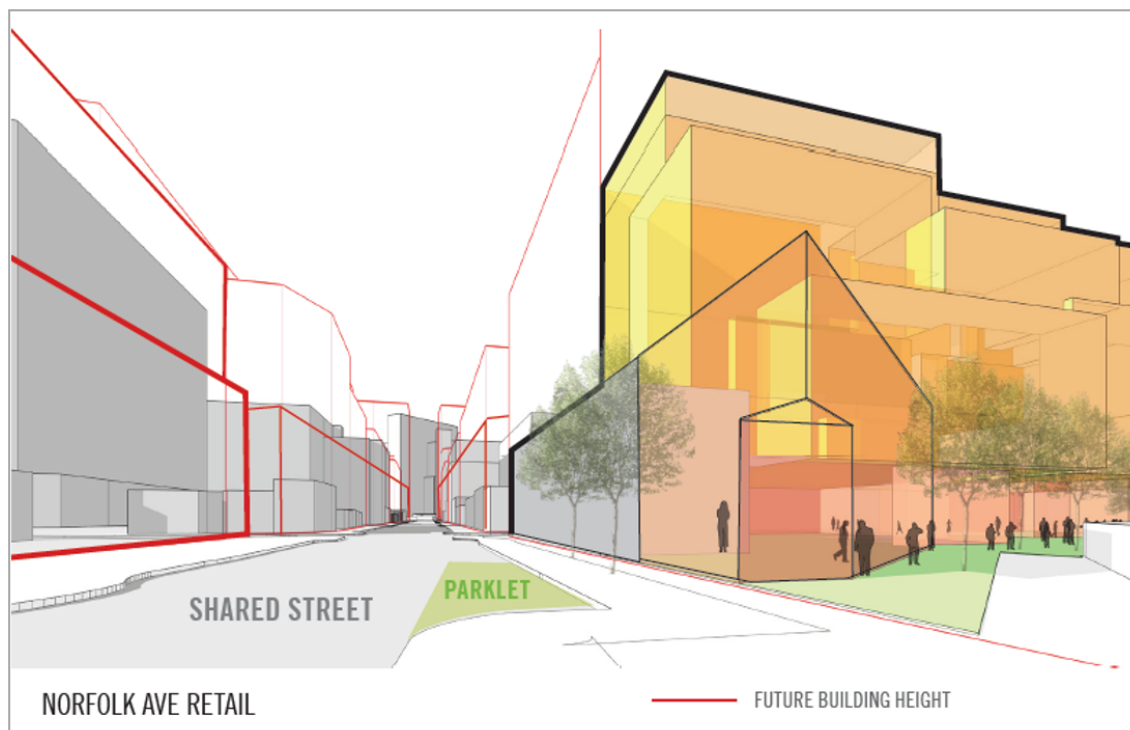


Figure 6 - Conceptual Massing
(Norfolk Avenue façade, looking south)

Design Advisory Panel

During their July 25, 2018 meeting, the Design Advisory Panel (DAP) expressed support for the Project and felt that the Project could achieve at least 10 Exceptional Design points. The DAP recommended that the Applicant continue to consider the following points as the Project moves toward a final design:

1. Ensure the ground floor uses activate the through-block connection. Also, provide ground floor transparency on both sides of the building and the through-block connection.
2. Consider access and safety of the through-block connection. Create a node or focal point at the fence to draw people into the space such as public art or lighting. Create a pedestrian hierarchy because of the service access and vehicles. In the covered pedestrian passes, lighting is critical, including lighting during the day, to be welcoming.
3. Coordinate the fence adjacent to the through-block connection for a continuous look and feel throughout the space.
4. Show existing trees on the site plan.
5. Further develop the articulation on the Auburn Avenue façade. How this is detailed is critical as an alternative treatment to step-backs.
6. Consider a more contemporary paving to related to the contemporary design of the building.
7. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone. The panel is very supportive of the massing and direction of the design.

Additional context and discussion for the DAP's recommendations are included in the attached July 25, 2018, DAP meeting summary (Attachment A).

Transportation

Access and Circulation

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards, and a new mid-block pedestrian connection from Norfolk Avenue to Auburn Avenue via the Project's open space. Vehicular access to the Site is proposed at the mid-point of the building on Auburn Avenue. Loading and garage access will be accommodated via a shared street concept that will also accommodate the pedestrian through-block connection (Figure 7).

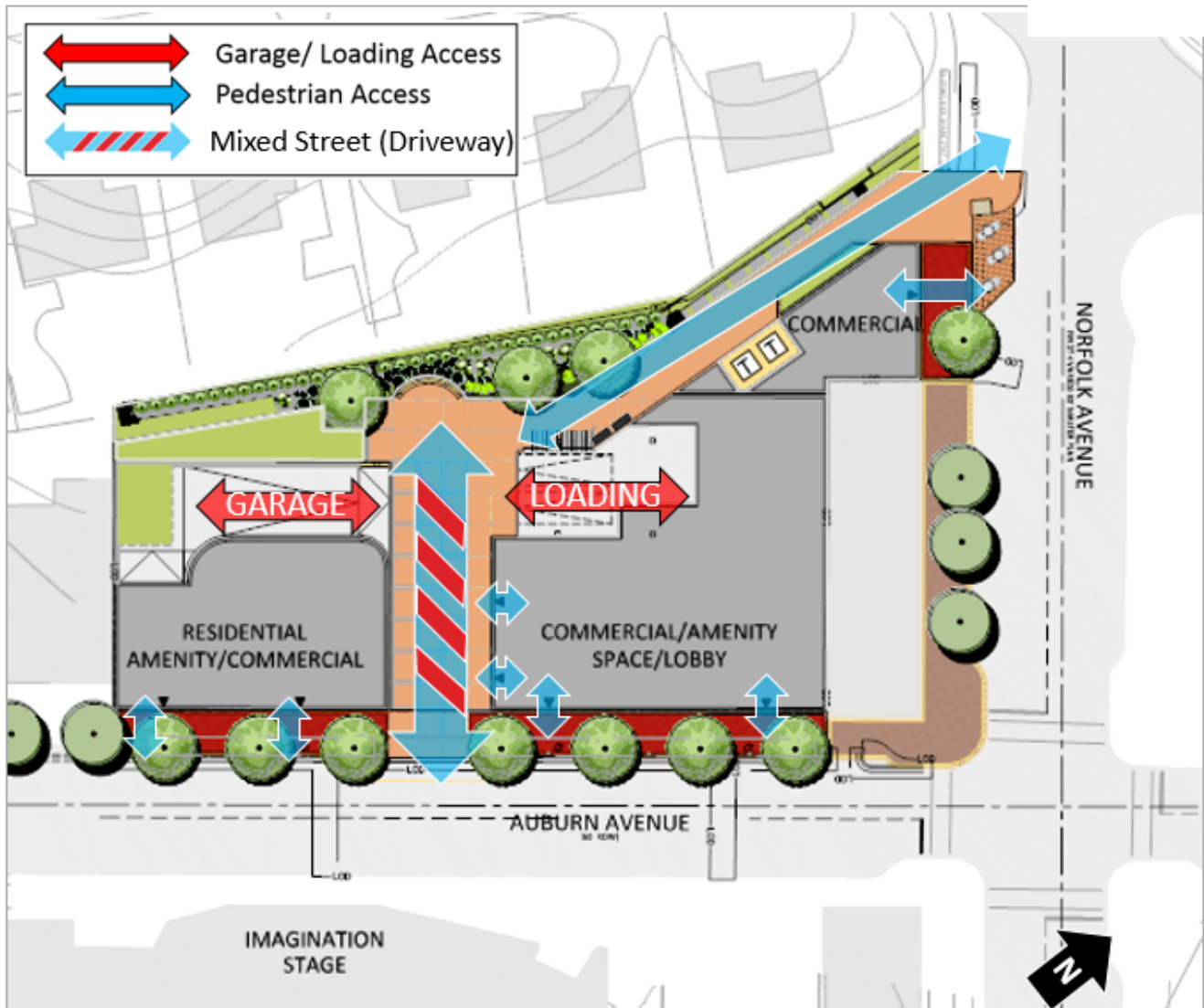


Figure 7 - Pedestrian and Vehicular Circulation

The mixed street (driveway) access concept is envisioned as a shared space for pedestrians, bicyclists, and vehicles to mix while prioritizing pedestrian movement. The concept will rely on visual cues, such as decorative pavement and architecture, to reinforce the area as a space where cars must move slowly and yield to pedestrians. A massing of the building entrance along the Auburn Avenue façade and precedent images of other mixed streets is provided in Figure 8.



*Figure 8 – Mixed Street Precedent
(Left image: Cady's Alley, Washington, DC.; Right image: Grafton/ Argyle, Halifax, Nova Scotia)*

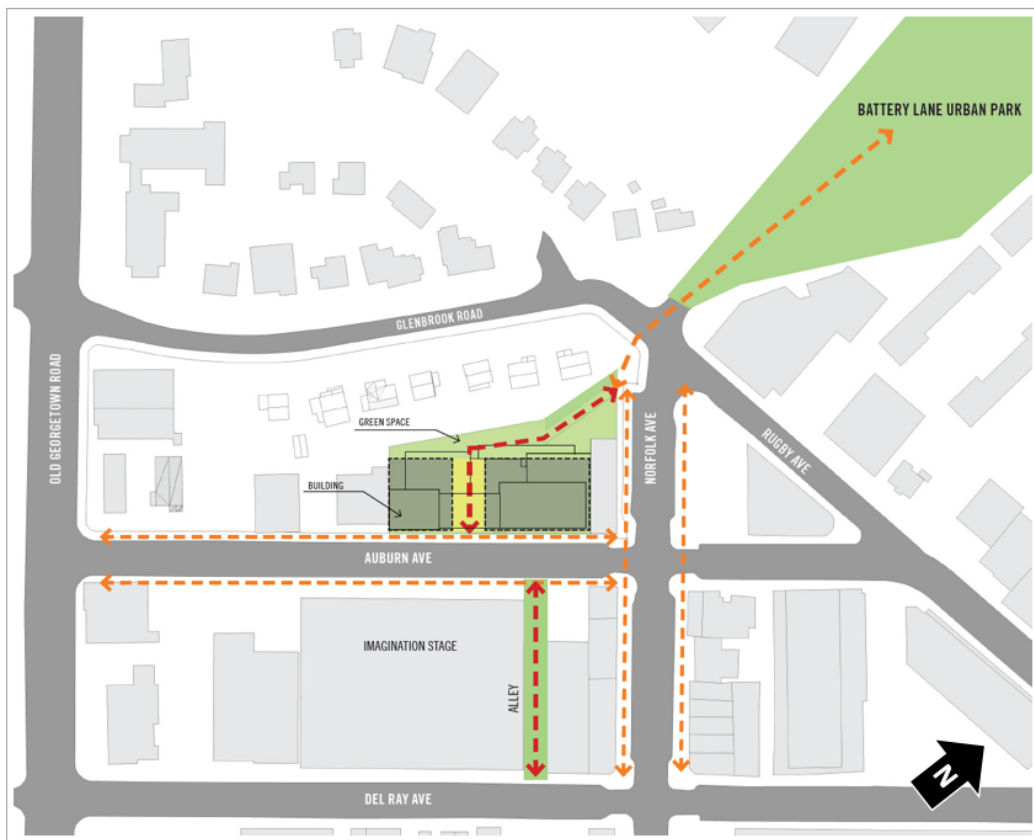


Figure 9 – Through-Block Connection Context

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located within ½ mile of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

Community Outreach

The Applicant held a pre-submittal public meeting at the Bethesda-Chevy Chase Regional Services Center on March 1, 2018. The Applicant has complied with all submittal and noticing requirements, and Staff has not received correspondence from community groups or citizens as of the date of this report.

SECTION 4: PROJECT ANALYSIS AND FINDINGS

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: "To approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The Sketch Plan must:

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in the following Data Table:

Table 1: Sketch Plan/ Preliminary Plan Data Table

Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Proposed
	Gross Tract Area CR 3.0 C 3.0 R 2.75 H110 Total Site Lot 1 Lot 2	n/a	31,664 sf (0.72 ac) 5,851 sf (0.13 ac) 25,813 sf (0.59 ac)
	Prior Dedication Proposed Dedication Site Area Lot 1 Lot 2	n/a	3,755 sf (0.086 ac) 254 sf (0.006 ac) 27,655 sf (0.63 ac) 5,851 sf (0.13 ac) 21,804 sf (0.50 ac)
	Residential Density (GFA/ FAR) CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 1 Dwelling Units Maximum Lot 2 Square Footage Maximum Lot 2 Dwelling Units	87,076 sf (2.75) 16,090 sf n/a 70,985 sf n/a	192,228 sf (6.07 Total Tract FAR incl. MPDUs)¹ 162,500 sf (5.13 Total Tract FAR)² 4,000 sf (0.68 Lot 1 FAR) ³ 0 Dwelling Units 192,228 sf (7.44 Lot 2 FAR incl. MPDUs) 162,500 sf (6.29 Lot 2 FAR) ² 180 Dwelling Units (including 32 MPDUs)
	Exempt MPDU Density	15%	17.7% or 29,728 sf ¹ (0.94) 32 Dwelling Units
	Commercial Density (GFA/ FAR) CR 3.0 C 3.0 R 2.75 H110 Maximum Lot 1 Square Footage Maximum Lot 2 Square Footage	94,992 sf (3.0) 17,553 sf 77,439 sf	12,500 (0.39 Total Tract FAR)¹ 4,000 sf (0.68 Lot 1 FAR) 10,500 sf (0.40 Lot 2 FAR)
	Bethesda Overlay Zone Density	n/a	80,008 sf (2.52)
	Total Maximum GFA/ FAR	94,992 sf (3.0)	204,728 sf (6.46 incl. MPDUs) ¹ 175,000 sf (5.52)²
	Building Height (max) Maximum Lot 1 Maximum Lot 2	110 feet 110 feet	50 feet 122 feet
	Public Open Space (min)	0	2,500 sf (9%)
	Green Cover	35%	35% ⁴
	Minimum Setbacks	0	0

¹Not to exceed maximum density approved for this project.

²MPDU Density excluded from density calculation.

³Any residential density on Lot 1 will be in the form of amenity space and not dwelling units.

⁴To be Established at Site Plan in conformance with the Sector Plan goals for green cover.

The Application will provide the minimum required number of bicycle parking spaces within the building, which will be determined at the time of Site Plan. The final number of vehicular parking spaces will be determined at Site Plan based on the residential units and retail square footage.

The Sketch Plan conforms to the intent of the CR zone as described below:

a) Implement the recommendations of applicable master plans.

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. 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 increase:

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 Property is designated as site 45 on pages 111 and 113 of the Plan. Woodmont Triangle is an eclectic, mixed-use district that balances high-rise residential development with small-scale retail and arts amenities. This district serves as an office and retail center during the day, and as a restaurant district during the evenings and weekends. Woodmont Triangle is primarily a commercial area, containing both retail and office uses. Residential uses were once limited, but since the 2006 Woodmont Triangle Amendment, additional apartments and condominiums have been developed in the district.

The predominance of low buildings on small parcels in Woodmont Triangle creates a strong contrast with the higher density residential blocks that have recently developed in the district as well as in the Metro Core. Parking lots and decks, both public and private, occupy the limited number of otherwise vacant properties. The area has little open space and few visually distinctive buildings. Lack of distinguishing characteristics among the streets creates orientation problems for visitors. Despite its lack of visual quality, the district's diverse business activity, low-scale buildings and low-speed street pattern contribute to the area's appeal. Due in part to its angled roadway system that creates triangles within the Triangle, this district features oddly configured and dispersed retail spaces, and difficult accessibility and visibility from major roadways. However, these conditions have allowed a more diverse and local boutique retail environment to flourish.

This Sector Plan reaffirms the urban design approach outlined in the 2006 Woodmont Triangle Amendment and suggests further enhancements to Norfolk Avenue and a connection to Battery Lane

Urban Park to activate Woodmont's urban spine. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and Woodmont Triangle District sections of the Plan:

- *Incentivize expanded affordability for housing.*

The new multi-family residential apartment building will include a minimum of 17.7 percent Moderately Priced Dwelling Units (MPDUs) (or up to 32 units). As a result, the Project provides additional, desired affordable housing in close proximity to transit and other services.

- *Improve connectivity throughout the neighborhood by providing through-block pedestrian connections enhancing walkability.*

The Project will provide a pedestrian connection through the site that will serve as the missing link between the Bethesda Trolley Trail, which provides a pedestrian/cyclist connection through Battery Lane Urban Park, and the through-block pedestrian connection between Auburn Avenue and Del Ray Avenue, adjacent to Imagination Stage. Additionally, the Project will provide significant streetscape improvements and will take an important first step toward implementing the Norfolk Avenue Shared Street.

- *Enhance Norfolk Avenue as the Main Street for the district, building on what works well and creates the unique character in Woodmont Triangle.*

The Property is located at the northern entrance to Norfolk Avenue. Given its prominent location, the Project has been designed to facilitate the low-density retail character envisioned for Norfolk Avenue. In addition to the primary building along Auburn Avenue, the Project proposes a two- to three-story commercial/retail building directly along the Property's Norfolk Avenue frontage. As a result, the residential building component will be setback from Norfolk Avenue to maintain the desired low-density main street character. The two- to three-story commercial/retail building will create an appropriate transitional scale and to mark the beginning of the Norfolk Avenue shared street. In addition, the Project proposes to provide the opportunity for a parklet along Norfolk Avenue to expand public space, activate the street and enhance the connection to Battery Lane Urban Park as outlined in the goals of the Woodmont Triangle District.

The Applicant must participate in the implementation of the Sector Plan recommended shared street improvements along their Norfolk Avenue frontage. The precise scope and manner of participation will be determined at the time of Site Plan. As part of creating a shared main street on Norfolk Avenue, the Applicant will close its existing Norfolk Avenue curb-cut and proposes improving that area as a temporary parklet, subject to MCDOT and MCDPS approval. This area is envisioned as an interim treatment for the streetscape that will offer moveable furnishings and other elements for passers-by. The final determination of the Applicant's participation in the Norfolk Avenue shared street, as recommended in the Sector Plan, will be determined at the time of Site Plan.

- *Preserve low density, pedestrian scale character along Norfolk Avenue.*

The proposed building will be located directly on the street and will both define and activate the pedestrian environment. The proposed design consolidates existing vehicular access points, from three existing curb cuts to one, and eliminates vehicular access to Norfolk Avenue. This design will promote a more pedestrian oriented streetscape experience. Parking and loading will be accommodated internally on site. Further, a mid-block connection provides public access through the site, which links Auburn Avenue pedestrians to Battery Lane Urban Park. Additionally, the proposed two to three story

commercial or mixed use building on Norfolk Avenue will be consistent with both existing buildings on that street and the based on the proposed mixed-use building.

- *Increase 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.*

The Project will result in significant improvements to the treatment of stormwater management on-site, as there are no known stormwater management facilities located on the Property. The Project is located within the High Performance Area and will incorporate and meet the requirements in the Sector Plan and Bethesda Overlay Zone for exceeding current energy efficiency standards for buildings, comply with the requirements of the County's adoption of the 2015 International Green Construction Code (IGCC), and provide a through-block connection.

The Project is in general conformance with the 2017 *Bethesda Downtown Plan*.

- b) *Target opportunities for redevelopment of single-use commercial areas and surface parking lots with a mix of uses.*

The Project will redevelop the existing non-residential buildings and associated surface parking lots with a higher-density mixed-use building.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project encourages such development by proposing market-rate residential units in a variety of unit types as well as 17.7% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of downtown Bethesda. The Project facilitates all modes of transit – pedestrian, bicycle, and vehicular – in close proximity to the Metro and bus service by improving the streetscape along its three frontages. The Project does not propose any parking between the building and the street frontages.

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

The Sector Plan identifies this area as a priority for mixed use projects and as an area of transition from the higher density downtown Bethesda core to the surrounding lower density residential neighborhoods. The Project will provide a mix of uses on-site as well as a height and density that is compatible with the desired character of the Woodmont Triangle District.

Lot 1 contributes to the Site's compatibility with adjacent uses by providing a transition between the adjacent residential community and higher-density downtown by providing a commercial or mixed use building of no more than 50 feet in height, along Norfolk Avenue, and a public open space that improves the connection between Battery Lane Urban Park/ Norfolk Avenue and the Imagination Stage.

Lot 2 contributes to the Site's compatibility with adjacent uses by providing a mixed use building containing residential and commercial uses up to 122 feet in height, along Auburn Avenue, and a through block connection that improves the Site's relationship with the surrounding public spaces.

- e) *Integrate an appropriate balance of employment and housing opportunities.*

The Sector Plan identified several distinct districts within Downtown Bethesda to guide development compatibility. The Subject Property is within the Woodmont Triangle District, which is envisioned to maintain its character as an eclectic mixed use district. As proposed, the Project provides the appropriate land use mix, as recommended in the Sector Plan.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard Method limit.*

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

2. *substantially conform with the recommendations of the applicable master plan;*

As discussed in Finding 1.a. above, the Project substantially conforms to recommendations of the 2017 *Bethesda Downtown Sector Plan*. The Project will increase the supply of housing to serve a variety of income levels, redevelop an under-utilized property, and provide streetscape improvements that improve the safety and character of the existing streets.

3. *satisfy any development plan or schematic development plan in effect on October 29, 2014;*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *achieve compatible internal and external relationships between existing and pending nearby development;*

The Project design is compatible in height and scale with the existing and pending nearby development in the Woodmont Triangle District. The Project achieves compatibility with the building heights by providing a transition between the higher building heights of the downtown Bethesda core, to the south and east, and the lower density residential neighborhoods to the north and west. Specific discussion of how each of the lots achieves compatibility with the surrounding uses is presented in Sketch Plan finding #1.d, above. Absent the creation of Lot 1, which is intended to address the Site's adjacency to the existing R-60 residential zoning, the Project is designed in a manner that respects the lower density residential development to the north of by pushing the height and massing toward the taller buildings of downtown Bethesda.

5. *provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading;*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access and loading for the Site will be provided from Auburn Avenue, via the new shared driveway/ mid-block pedestrian connection. Long-term bicycle parking will be provided within the garage and short-term bicycle parking will be provided along the Property's frontage, the final location of which will be determined at time of Site Plan.

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards. Additionally, the Project provides a mid-block pedestrian connection that will serve as the missing link between the Bethesda Trolley Trail, which provides a pedestrian/cyclist connection through Battery Lane Urban Park, and the through-block pedestrian connection between Auburn Avenue and Del Ray Avenue,

adjacent to Imagination Stage. Final details of the through-block connection, including the safe integration of pedestrian and vehicular traffic, will be determined at the time of Site Plan.

6. *propose an outline of public benefits that supports the requested incentive density and is appropriate for the specific community;*

Taking into account the considerations in Section 59.4.7.1.B and the Public Benefit Points established with the Bethesda Overlay Zone in Section 59.4.9.2.C.4, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, Staff finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 100 points in four categories. Although at the time of Sketch Plan review only the categories need be approved, the following table shows both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Table 2: Public Benefits Summary		
Public Benefit	Incentive Density Points	
	Maximum Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	20	11.49
Through-block Connection	30	10
59.4.7.3D: Diversity of Uses and Activities		
Affordable Housing	n/a	37
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design	30	20
Structured Parking	20	20
Public Open Space	30	9.04
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLTs)	30	3.41
Cool Roof	15	5
Energy Conservation and Generation	25	15
Vegetated Wall	10	5
Total		135.94

Connectivity and Mobility

Minimum Parking: The Applicant requests 20 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on site. Based on the formula set forth in the Guidelines, the applicant is eligible for 11.49 public benefit points in this category. Final determination will be made at Site Plan and Staff supports use of this category.

Through-block Connection: The Applicant requests 10 points for providing a through-block connection between Norfolk Avenue and Auburn Avenue. This connection will link the Battery Lane Urban Park, to the

north, and Imagination Stage, to the south. Points for this incentive are granted on criteria such as public access, minimum width, and minimum hours of operation, as determined by the Guidelines. Final determination will be made at Site Plan and Staff supports the Applicant's request.

Diversity of Uses and Activities

Affordable Housing: The Applicant requests 37 points for providing 17.7% Moderately Priced Dwelling Units. The final percentage and number of affordable units will be determined at Site Plan. Staff supports the Applicant's request at this time.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 20 points for building or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design.

The Applicant asserts that the Project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; provides a compact infill development on a problematic site; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Based on the conceptual materials submitted with the Application and because this category is a priority in the Sector Plan, staff supports the Applicant's request at this time and believes there may be potential to exceed the requested 20 points at the time of Site Plan.

The Design Advisory Panel recommended the following during their meeting on July 25, 2018:

1. Ensure the ground floor uses activate the through-block connection. Also, provide ground floor transparency on both sides of the building and the through-block connection.
2. Consider access and safety of the through-block connection. Create a node or focal point at the fence to draw people into the space such as public art or lighting. Create a pedestrian hierarchy because of the service access and vehicles. In the covered pedestrian passes, lighting is critical, including lighting during the day, to be welcoming.
3. Coordinate your side of the fence on the through-block connection for a continuous look and feel.
4. Show existing trees on your site plan.
5. Further develop the articulation on the Auburn Avenue façade. How this is detailed is critical as an alternative treatment to step-backs.
6. Consider more contemporary paving to relate to the contemporary design of the building
7. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone. The panel is very supportive of the massing and direction of the design.
8. Exceptional Design Points: The design concept satisfies at least the minimum requirement of 10-points and will likely exceed 10 points at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for providing all parking within a below-grade parking structure. Staff supports this request at this time.

Public Open Space: As a Site with less than 1.00 acre and two public roadway frontages, the Project is not required to provide public open space. The Applicant, however, is proposing approximately 9% of the Site, or 2,500 square feet, as public open space and requests 9.04 points for so providing. Staff supports this request at this time.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 3.41 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the Applicant's request at this time.

Cool Roof: Roof areas not covered by green roof or mechanical equipment will incorporate a mixture of materials that will collectively meet or exceed a solar reflectance index (SRI) of 75. The Applicant is requesting 5 points and Staff supports this request at this time.

Energy Conservation and Generation: The Applicant is requesting 15 points for providing a building that exceeds applicable energy efficiency standards by 17.5%. Staff supports this request at this time.

Vegetated Wall: The Applicant is requesting 5 points for providing a vegetated wall on at least 30% of the 2-3 story commercial or mixed use building on Lot 1. Staff supports this request at this time.

7. *establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Project will be built in one phase.

SECTION 5: PRELIMINARY PLAN 120180210

1. *The layout of the subdivision, including size, width, shape, orientation and diversity 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 including the technical review standards in Section 50.4.3. The Application meets all applicable requirements. The size, width, shape and orientation of the proposed lot is appropriate for the location of the subdivision, taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated. As discussed in the Sketch Plan findings, the Application substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Application complies with the land use recommendations for the site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. This Preliminary Plan creates two lots that will accommodate a mixed use building on Auburn Avenue and commercial or mixed use building on Norfolk Avenue. Transportation access is adequate to serve the proposed development by this Preliminary Plan. Water and sewer and other utilities are available to and currently serve the Property. The Application meets the Environmental Guidelines and Forest Conservation Law.

The lot was reviewed for compliance with the dimensional requirements for the CR 3.0 C 3.0 R 2.75 H110 zone as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

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

As discussed in the concurrently filed Sketch Plan No. 320180170, the Preliminary Plan substantially conforms with the recommendations of the Sector Plan.

a. Land Use

As discussed in the Sketch Plan section of this report, the Project will provide up to 180 residential units, including 17.7% MPDUs (a minimum of 32 dwelling units) on-site.

b. Environment

As conditioned, the application meets the Sector Plan recommendations, the Environmental Guidelines and Forest Conservation Law.

c. Transportation

The Application is consistent with the above recommendations. The 2017 *Bethesda Downtown Sector Plan* recommends the following along property frontages:

- i. Auburn Avenue, along the southern site frontage, as a business district roadway with a minimum right-of-way width of 60 feet;
- ii. Norfolk Avenue, along the eastern site frontage, as a business district roadway with a minimum right-of-way width of 80 feet and bicycle lanes (BL-44);

d. Sector-Planned Transportation Demand Management

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55%, averaged between employees and residents of downtown Bethesda. In order to meet this goal, downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single occupancy vehicles. As a residential project of more than 100 dwelling units within the Bethesda TMD, the developer is required to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD.

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

a. Roads and Other Transportation Facilities

Transportation access is adequate to serve the proposed development by this Preliminary Plan.

i. *Existing Facilities*

Vehicular access to the Site will be consolidated by the proposed Application and reduced from three existing driveways to one driveway. Both garage and loading access will be accommodated via the shared driveway on Auburn Avenue. The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.6 miles from the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

ii. *Proposed public transportation infrastructure*

Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards.

b. Local Area Transportation Review (LATR)

Adequate Public Facilities

A transportation statement, dated April 17, 2018, was submitted with the Project, indicating that the proposed development will generate 21 net new morning peak-hour person trips and 30 net new evening peak-hour person trips. Because the estimated transportation impact of the Project is less than

50 net new person trips, the Project satisfies the Local Area Transportation Review requirement without further analysis.

Table 3: Project Peak Hour Trip Generation

Total Proposed		Vehicle Rates		Policy Area Vehicle Trips		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Existing Use (Credit)							
	28,000 SF Office	53	34	34	22	71	46
	6,250 SF Retail	6	24	4	15	9	34
	Total Existing	59	58	38	37	80	80
Proposed Use¹							
	180 High Rise Dwelling Units	64	70	51	56	101	110
Total Net New Trips		5	12	13	19	21	30

Source: Wells & Associates Transportation Statement, dated April 17, 2018.

¹ Proposed retail is less than 15,000 square feet, less than 10% of project, and no retail parking provided and is therefore considered ancillary for trip generation purposes.

c. Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The property will be served by public water and sewer systems. The application has been reviewed by MCFRS, and emergency vehicle access has been deemed adequate. Electrical and telecommunications services are also available to serve the subject property. Local health clinics, police stations and fire stations are all operating within acceptable levels as established by the Subdivision Staging Policy.

School Adequacy

The Project was reviewed under the FY2019 Annual School Test, approved by the Planning Board on June 21, 2018, and effective July 1, 2018. Under the FY2019 Annual School Test, student generation is calculated by multiplying the number of dwelling units by the applicable regional student generation rate for each school level. For the purposes of this calculation, dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit (Table 4). The Subject Property is proposed to be redeveloped as a high-rise multifamily project and is located in the Bethesda-Chevy Chase High School (B-CC) Cluster and the southwest region of the County.

Based on this analysis, the Project is estimated to generate nine new elementary school students, three new middle school students, and five new high school students (Table 5). Staff finds that sufficient school capacity exists at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by the Project.

Table 4: Student Generation Rates Per Dwelling Unit – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

Table 5: 4915 Auburn Avenue Student Generation

Unit Type	Net New Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
Multifamily High-rise	180	0.055	9.900	0.022	3.960	0.031	5.580
TOTAL	235		9		3		5

Cluster Adequacy Test

Student enrollment and capacity projections for the Bethesda-Chevy Chase High School (B-CC) Cluster, as established in the FY2019 Annual School Test, are summarized in Table 6. As indicated in the last column of the table, the sum of the projected future enrollment and the estimated student impact associated with the Subject Application fall below the moratorium¹ thresholds at all three school levels. As a result, staff finds that sufficient capacity exists at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

Table 6: FY2019 Annual School Test
Bethesda Chevy Chase High School Cluster

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,690	4,043 ²	91.3%	4,852	3,699
Middle	1,803	2,024	89.1%	2,429	1,806
High	2,463	2,407	102.3%	2,889	2,468

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Bethesda Elementary School and Westland Middle School, respectively. Based on the FY2019 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7.

Table 7: FY2019 Annual School Test
Individual School Adequacy

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit	120% Utilization	Surplus/ Deficit	
Bethesda ES	699	698 ³	100.1%	-1	838	808	708
Westland MS	832	1,089	76.4%	257	1,307	1,269	835

¹ The moratorium enrollment threshold represents 120% enrollment utilization.

² The projected cluster elementary school capacity of 3,813 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY 2019 Capital Budget.

³ The projected Bethesda Elementary School capacity of 560 students has been modified to reflect the impact of a six-classroom placeholder project included by the County Council in the FY 2019-2024 Capital Improvements Program.

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds both thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds, identified in Table 7, are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. As indicated in the last column, the projected enrollment plus the estimated impact of this application falls below both applicable moratorium thresholds for Bethesda Elementary School and Westland Middle School. Therefore, staff finds sufficient anticipated school capacity to accommodate the estimated number of students generated by the Project.

School Capacity Analysis Conclusion

Based on the FY2019 Annual School Tests at the cluster and individual school level, staff finds adequate school capacity to support the proposed development.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

This Application is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen tree or champion tree, and reforestation requirements would not exceed 10,000 square feet. There are two specimen trees, located immediately adjacent to the Subject Property, that will be removed or impacted by the Application; therefore, a tree save plan is required.

The subject property, including the areas of the drainpipe, is generally paved and it is possible that the roots of the adjacent trees have avoided the paved areas and would therefore not be overly impacted by the work. However, it is also possible that anchoring roots of nearby trees are in fact located within the subject property, underneath the existing paving, and the proposed work would necessitate removal of some of the trees. The actual location of the roots and the extent of the impacts can only be determined at the time of construction. Therefore, Staff recommends that the tree save plan be revised at the time of Site Plan to include a provision for an ISA certified arborist who is also a MD licensed tree care expert along and within the storm sewer easement.

Noise

The Applicant has requested to have the exterior noise guidelines waived, under Section 2.2.2 of the 1983 Noise Guidelines due to the acoustical barrier effects of new building which will shield the rear common open space areas (Attachment C). Staff recommends approval of the waiver, however, standard conditions of approval relative to interior noise mitigation will be recommended as part of the Site Plan approval to ensure that the noise levels for the residential units are addressed.

Green Cover

The Sector Plan includes a number of recommendations to achieve the urban green goals. An important recommendation to this effect is the onsite 35% green coverage minimum. The Green Cover may include singularly or a combination of intensive green roof or tree canopy cover. Furthermore, the Sector Plan specifies soil volume minimums of 600 cubic feet per tree to help ensure the desired canopy will be achieved.

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

The MCDPS Stormwater Management Section approved the stormwater management concept on October 8, 2018. Per the approval letter, the stormwater management concept meets stormwater management requirements through the use of environmentally-sensitive design to the maximum extent practicable (ESD to the MEP) via the use of green roof, micro-bioretenment, and a partial waiver on Lot 1 and green roof and micro-bioretenment on Lot 2.

6. *Any other applicable provision specific to the property and necessary for approval of the subdivision is satisfied*

There are no other applicable provisions specific to this Property necessary for approval of the subdivision.

CONCLUSION

As conditioned, the Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. As conditioned, the Preliminary Plan satisfies the findings of the Subdivision Regulations and is consistent with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan* and the *Bethesda Downtown Design Guidelines*. Therefore, Staff recommends approval of the Sketch Plan and Preliminary Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Design Advisory Panel summary letter
- B. Forest Conservation Exemption Letter
- C. Noise Waiver Request
- D. Agency Letters