



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

Item #
MCPB 6-21-07

MEMORANDUM

DATE: June 1, 2007
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RJK*
 Robert Kronenberg, Acting Supervisor *RJK*
 Development Review Division
FROM: Elza Hisel-McCoy, Assoc. AIA, LEED-AP *CM*
 Development Review Division
 (301) 495-2115



REVIEW TYPE: **Limited Site Plan**
PROJECT NAME: 7809 Woodmont Avenue
CASE #: 820070090
APPLYING FOR: Reduction of required setback from adjacent lot
REVIEW BASIS: Div. 59-D-3 of the Montgomery County Zoning Ordinance.

ZONE: CBD-1
LOCATION: Woodmont Avenue, 90 feet North of Norfolk Avenue
MASTER PLAN: Woodmont Triangle Amendments to the Bethesda CBD Sector Plan

APPLICANT: 7809 Woodmont Avenue, LLC
FILING DATE: November 17, 2006
HEARING DATE: June 21, 2007

STAFF RECOMMENDATION: Staff recommends **Approval** of the Site Plan (820070090) for a 10-foot reduction in the required setback on the south side of the building, from 15 feet to 5 feet, and a 15-foot reduction in the required setback along the east side of the building from 15 feet to zero lot line.

Analysis

Background

This is a standard method development in the CBD-1 zone on almost 0.1 acres. The proposed building has four stories and a basement. The basement and second floor are devoted to office uses. The third and fourth floors contain a total of three residential units. The ground floor provides a drive-through bank facility, elevator and stair access and egress for the other floors, and outdoor space. Since the project is limited to three residential units, it is not required to provide MPDUs per Chapter 25A.

The Zoning does not require Site Plan Review for Standard Method development projects that do not include MPDUs. This project is required to undergo Site Plan Review because the Applicant is requesting a reduction of the minimum required setbacks for Standard Method projects in the CBD-1 zone, as allowed

under Section 59-C-6.236(d)(4). Also as provided under that section, this Site Plan Review is limited solely to the setback of the building, and not the project as a whole. This report reflects this limited scope.

Section 59-C-6.236(d)(2) states that, for Standard Method projects in the CBD-1 zone, a proposed building with windows must be set back from an adjacent non-residential building with windows a minimum of 15 feet. The adjoining lots to the south and east of the site all contain commercial buildings with windows facing the site. Thus for this project, the minimum setback from those adjoining lots is 15 feet.

Applicant's Requests

The Applicant is requesting a reduction of the setbacks from adjoining lots to the south and east, as allowed under Section 59-C-6.236(d)(4). On the south side of the site, the Applicant is proposing to reduce the setback 10 feet, from 15 feet to 5 feet. On the east side, the Applicant is proposing to reduce the setback 15 feet, from 15 feet to zero lot line.

Staff Position

Staff finds that the building conditions on the lots adjoining the subject site do not preclude the reduction of setbacks for the three lots in question. The lot to the south, Lot 589, is currently occupied by an "Urban Country" retail building. The retail building does have windows facing the site, but they are currently blocked off by interior walls and provide neither light nor ventilation to the inhabitants of that building. Further, the retail building is set back from the subject site ten feet. This buffer is paved and provides service loading for the retail building. To the east, on Lot 613, is the "Union Hardware" store, which comes right up to the lot line shared with the site. There is one window on this façade, but it is located at the rear of the store's warehouse and provides neither light nor ventilation for the users of the building. Also to the east is Lot 655, occupied by a "7-11" convenience store. Only a screen wall for the store parking lot abuts the proposed building. Staff finds that the requested setback requirements are compatible with the surrounding uses and recommends approval of the reduced setbacks from the adjacent lots on the south and east sides of the site.

Though not explicitly required as part of Standard Method development, the project is providing several desirable public amenities, including setting the building back from Woodmont to provide the 15-foot sidewalk desired within the Bethesda CBD and installing the Bethesda Standard Streetscape along the Woodmont Avenue frontage. While the site quantitatively meets the development criteria for standard method development in the CBD-1 zone (see Attachment C), had the plan undergone full Site Plan review staff would not have supported the quality of the on-site public space as included in this proposal. The large majority of the space is located underneath the second floor overhang, is not accompanied by activating uses (it provides access for the building stair and elevator and for employees of the planned drive-through bank teller), and is located too far from the street to be considered inviting or particularly safe. As the public space is not within the scope of this review, staff provides these comments solely for the record.

Staff finds the proposed limited site plan to be consistent with the provisions of Section 59-D-3 of the Montgomery County Zoning Ordinance for site plan review. The site plan, within the limited scope of review, is consistent with the zoning and compatible with surrounding uses. Therefore, staff recommends **APPROVAL** of the reduction of the required setbacks from adjacent lots for 7809 Woodmont Avenue (Site Plan No. 820070090).

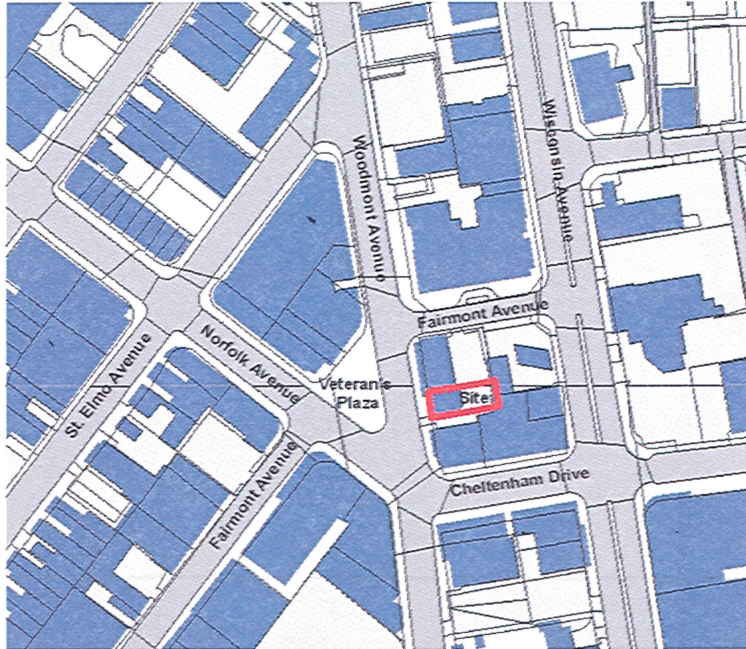
ATTACHMENTS:

- A. Site Description and Vicinity Map
- B. Site Plan #920070090
- C. Development Data Table
- D. Reviewing Agency Approvals

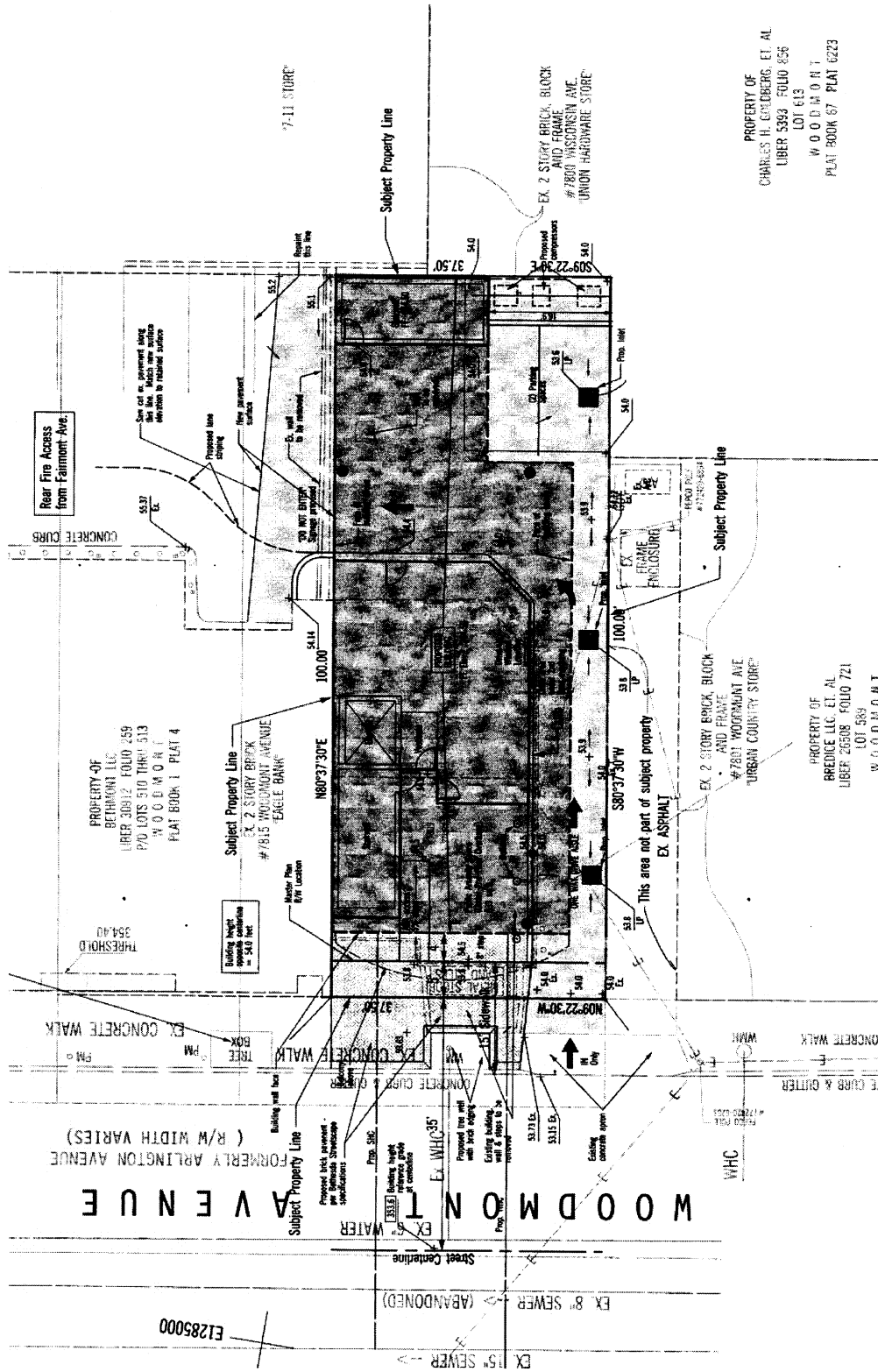
ATTACHMENT A

Site Description and Vicinity

This property is located on east side of Woodmont Avenue in the Bethesda CBD, between Fairmont Avenue and Norfolk Avenue.



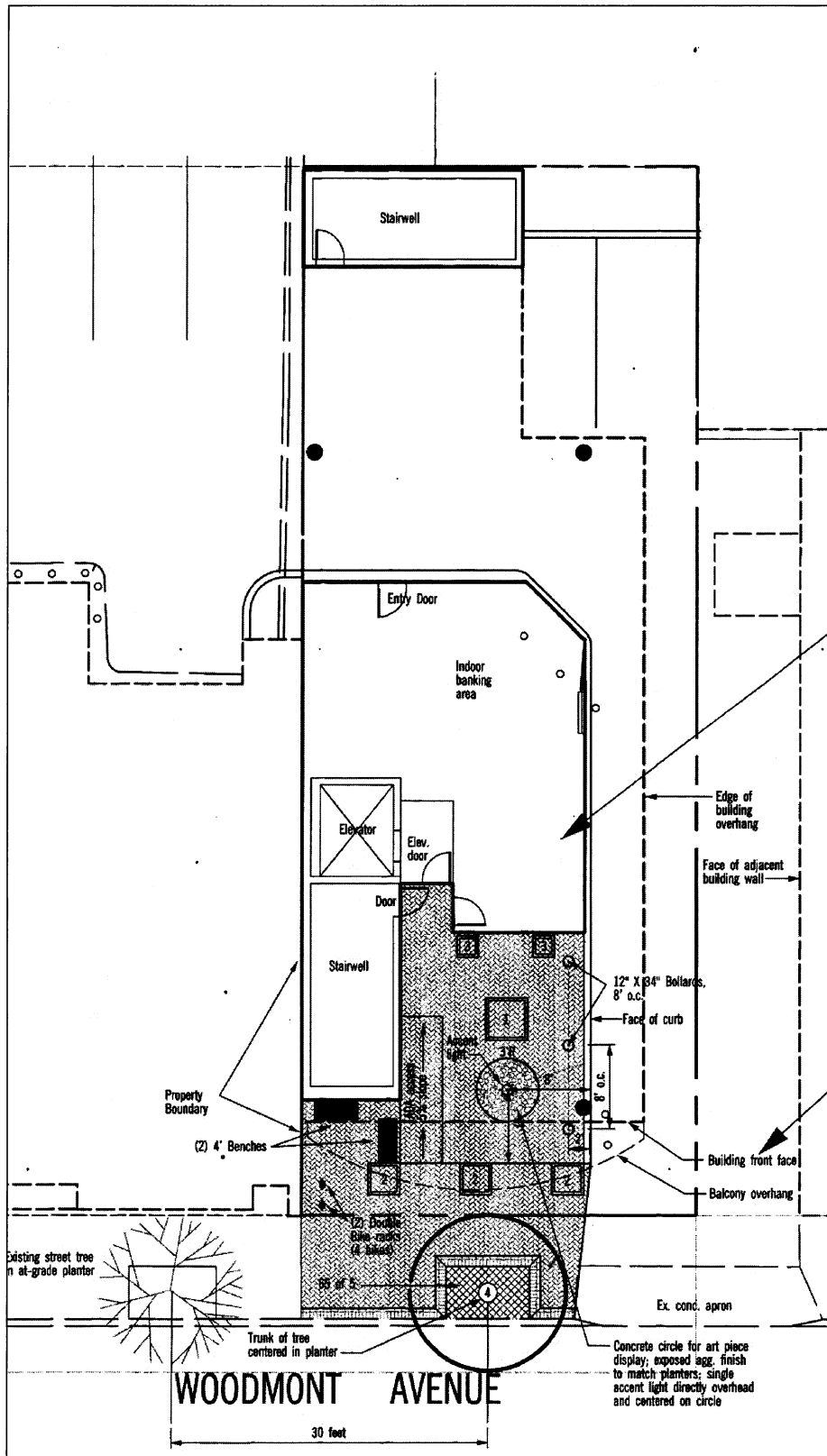
ATTACHMENT B: SITE PLAN #920070090



PROPERTY OF
 CHARLES H. GARDNER, ET AL
 LIBER 5393 FOLIO 856
 LOT 613
 WOODMONT
 PLAT BOOK 87 PLAT 6223

PROPERTY OF
 BRENDICE LLC, ET AL
 LIBER 26508 FOLIO 721
 LOT 583
 WOODMONT

Site Plan



Landscape Plan

ATTACHMENT C: Development Data Table

PROJECT DATA TABLE (CBD-1 Zone)

Development Standard (Standard Method) Per Section 59-C-6.23	Permitted/ Required	Proposed for Approval
Lot Area, Minimum (sf.)		
Gross Tract Area (sf.)	0	4,312.5
Gross Tract Area (ac.)		0.10
Previous Dedication (sf.)		562.5
Net Tract Area (sf.)		3,750
Net Tract Area (ac.)		0.09
Density of Development, Maximum		
FAR	2	1.9
Square Feet	8,625	8,193
Dwelling Units	0	3
MPDUs	0	0
Building Coverage, Maximum (percent)	75	75
Building Coverage, Maximum (sf.)	2,812	2,812
Building Height, Maximum (feet)*	60	54
* As measured from the level of approved street grade opposite the middle of the front of a building to the highest point of roof surface of a flat roof		
Public Use Space, Minimum (percent)	10	14.6
Public Use Space, Minimum (sf.)	431	633
Setbacks, Minimum (ft.)		
From the Right of Way (1 foot for each 6 feet of building height above 30 feet)	4	4
From adjoining lot with buildings with no windows	0	0
From adjoining lot with buildings with windows**	15	5 (south) 0 (east)
** Applicant is applying for a reduction per Section 59-C-6.236(d)(4)		
Off-Street Parking, Minimum (number of spaces)		
Office	15	2***
Residential (3 dwelling units)	6	0***
*** The site is located within a Parking Lot District		

ATTACHMENT D: Reviewing Agency Approvals



FIRE MARSHAL COMMENTS

DATE: JUNE 5, 2007
TO: DON ROHRBAUGH, SSI
FROM: MARIE LABAW
RE: 7809 WOODMONT AVE 8-20070090

PLAN APPROVED.

1. Review based only upon information contained on the plan submitted **06-05-07**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

cc: Department of Permitting Services

MNCPPC-MC



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

TO: Elza Hisel-McCoy, Development Review Division

FROM: Mark Pfefferle, Environmental Planning *MP*

SUBJECT: Site Plan
7809 Woodmont Avenue
820070090
Monday, March 5, 2007 – DRC Date

DATE: February 12, 2007

NRI/FSD 42006273E was granted, without a tree save provision, on April 24, 2006. Environmental Planning recommends approval of the site plan.

**MONTGOMERY COUNTY DEPARTMENT OF PERMITTING SERVICES
WATER RESOURCES SECTION**

255 Rockville Pike, 2nd Floor, Rockville, Maryland 20850-4153

Date: March 1, 2007

MEMO TO: Robert Kronenberg, Acting Supervisor
Development Review Committee, MNCPPC

FROM: William Campbell
Water Resources Section, MCDPS

SUBJECT: Stormwater Management Concept Plan/100-Year Floodplain Review
Site Plan # 820070090, 7809 Woodmont Ave
Project Plan # _____,
Preliminary Plan # _____, DPS File # 227763
Subdivision Review Meeting of _____

The subject plan has been reviewed to determine if it meets the requirements of Executive Regulation 7-02AM for stormwater management and Executive Regulation 108-92 AM for a 100year floodplain. The following summarizes our findings:

SM CONCEPT PLAN PROPOSED:

- On-site:** CPv WQv Both
 CPv < 2cfs, not required
 On-site/Joint Use Central (Regional): waived to
 Existing Concept Approved November 7, 2006
 Waiver: CPv WQv Both
 Approved on _____
 Other

Type Proposed:

- Infiltration Retention Surface Detention Wetland Sand Filter
 Separator Sand Filter Non Structural Practices Other

FLOODPLAIN STATUS: 100 Year Floodplain On-Site Yes No Possibly

- Provide source of the 100Year Floodplain Delineation for DPS approval:
 Source of the 100-Year Floodplain is acceptable.
 Submit drainage area map to determine if a floodplain study (> or equal to 30 acres) is required.
 Dam Breach Analysis: Approved Under Review:
 100-Year Floodplain study: Approved Under Review:

SUBMISSION ADEQUACY COMMENTS:

- Provide verification of Downstream notification.

RECOMMENDATIONS:

- Approve as submitted with conditions (see approval letter)
 Incomplete; recommend not scheduling for Planning Board at this time.
 Hold for additional information. See below
 Comments/Recommendations: Storm Water needs to be shown on the Site plan.

cc: Steve Federline, Environmental Planning Division, MNCPPC

bll DRC site plan.03/01



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

May 21, 2007
Revised June 5, 2007

MEMORANDUM

TO: Elza Hisel McCoy, Site Planner
Development Review Division

VIA: Shahriar Etemadi, Supervisor
Transportation Planning

FROM: Ed Axler, Planner/Coordinator
Transportation Planning

SUBJECT: 7809 Woodmont Avenue
Site Plan No. 8200700090
Bethesda Central Business District

[Handwritten signature]
EA

This memorandum is Transportation Planning staff's Adequate Public Facilities (APF) review and approval of the subject site plan in downtown Bethesda.

RECOMMENDATIONS

We recommend the following conditions as part of the APF test for transportation requirements related to the subject site plan:

1. The applicant must limit the proposed development to 7,062 2,900-square-foot office and three apartments.
2. The applicant must provide one inverted-U bike rack in front of the main entrance. The applicant will coordinate with Transportation Planning staff to determine the ultimate location of the bike rack prior to approval of certified site plan.

DISCUSSION

Site Location and Access

The subject site is located on the east side of Woodmont Avenue between Norfolk Avenue and Fairmont Avenue. Vehicular access for the residents and service vehicles is proposed from Woodmont Avenue.

Available Transit Service

Bethesda Metrorail Station is located 1,500 feet to the north of the subject site. Ride-On routes 49 and 92 and Metrobus routes J-2, J-3, and J-4 operate along nearby Woodmont Avenue.

Pedestrian Facilities

Sidewalks exist along Woodmont Avenue.

Master-Planned Roadways and Bikeway

In accordance with the *Bethesda CBD Sector Plan*, Woodmont Avenue is designated as an arterial, A-68, with a recommended 80-foot right-of-way. In accordance with the *County Functional Master Plan of Bikeways*, a shared use path, SP-62, is designated along Woodmont Avenue.

Sector-Planned Transportation Demand Management

The site is located in the Bethesda Transportation Management District. As a mixed-use development with fewer than 25 employees, the applicant is not required to enter into a Traffic Mitigation Agreement to participate in the Bethesda Transportation Management Organization.

Local Area Transportation Review (LATR)

The proposed mixed-use development would generate 13 peak-hour trips within the weekday morning (6:30 to 9:30 a.m.) peak period and evening (4:00 to 7:00 p.m.) peak period. A traffic study is not required to satisfy LATR because the proposed mixed-use development generates less than 30 total peak-hour trips during the weekday morning and evening peak hours.

EA:tc

cc: Judy Daniel
John W Guckert
Barbara Kearney
Chuck Kines
Steve Orens
Fiona Thomas
Rebecca Willens



June 11, 2007

MEMORANDUM

TO: Elza Hisel-McCoy, Development Review Division

FROM: Judy Daniel, Team Leader, Bethesda-Chevy Chase, North Bethesda Team, Community-Based Planning Division (301-495-2172)

VIA: John Carter, Chief, Community Based Planning

SUBJECT: Comments for 7809 Woodmont Avenue, LLC Setback Reduction Site Plan #820070090

The Community-Based Planning staff has reviewed the above referenced Site Plan for conformance with the *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan* (2006). The property is located on a site fronting on Woodmont Avenue, between Fairmont Avenue and Cheltenham Drive.

MASTER PLAN GUIDANCE

The Woodmont Triangle Sector Plan places this site in Block 11, across the street from the CBD Core, and within two blocks of the Metro station. The Plan notes that the block has no residential development, and that it is an appropriate location for residential development. To encourage residential development, the Plan supports an FAR of up to 3.0 (under the optional method) in the CBD-1 Zone. That is the only guidance in the Plan for this area.

The submitted site plan is proposed under the standard method, indicating a four floor building that includes three residential units on the top two floors, and commercial uses below. Site Plan review is required only because the applicant is requesting a reduction in the required setbacks, and site plan review comments are limited to the setback issue.

MASTER PLAN COMPLIANCE

This project is in an important location across from Veteran's Park. It is unfortunate that no site plan review of the public uses space adequacy is allowed, as the staff believes that the quality of the space provided could have been better.

RECOMMENDATION

Within the scope of review allowed, the staff finds no reason to oppose the requested setback reduction within the scope of the Sector Plan.