



THE MARYLAND-NATIONAL CAPITAL PARK & PLANNING COMMISSION

Item #7
MCPB
02.19.03

MEMORANDUM

DATE: February 11, 2004
TO: Montgomery County Planning Board
VIA: Joseph R Davis, Chief
Michael Ma, Supervisor
Development Review Division
FROM: Mary Beth O'Quinn
Planning Department Staff
(301) 495-1322

REVIEW TYPE: Site Plan Review
APPLYING FOR: 266,146 square feet, including 180 residential housing units with 23 MPDUs, 67,651 square feet commercial use
PROJECT NAME: Arlington East
CASE #: Site Plan #8-04014
REVIEW BASIS: Division 59-D-3: Site Plan Review
Section 59-C-4.351: Building Height in Mixed Commercial-Residential Development

ZONE: C-2
LOCATION: Bounded by Arlington Road, Bethesda Avenue, Elm Street
MASTER PLAN: Bethesda CBD Sector Plan

APPLICANT: Federal Realty Investment Trust
FILING DATE: November 14, 2003
HEARING DATE: February 19, 2004



STAFF RECOMMENDATION: Approval of 272,340 square feet, including 180 residential housing units of which 23 units are MPDUs provided on site, 44,283 square feet general retail space, 10,359 square feet of indoor restaurant space and 470 underground parking spaces, subject to the following conditions:

1. Stormwater Management
Conditions of MCDPS stormwater management concept approval dated June 3, 1999.
2. Transportation Planning
 - a. Conditions of MNCPPC Transportation Planning Division memo dated February 11, 2004, including:
 - i. **Limit the development** to 180 housing units and 65,000 sf retail space;
 - ii. Provide 40 feet of **right-of-way** from the centerline of Arlington Road
 - iii. Provide 30 feet of **right-of-way** from the centerline of Elm Street;
 - iv. Provide 30 feet of **right-of-way** from the centerline of Bethesda Avenue;
 - v. Prohibit **left-turn movements** from the garage onto Elm Street; the applicant must provide and maintain signage for "No Left Turn;"
 - vi. Prohibit **left turn movements** from Festival Street onto Bethesda Avenue; the applicant must provide and maintain signage for "No Left Turn."
 - b. Conditions of Montgomery County Department of Permitting Services memo, dated February 10, 2004, including:
 - i. Prohibit **left turn egress** onto Elm Street from the proposed garage and provide "No Left Turn" signage;

- ii. Provide the following **traffic controls** for vehicular use of Festival Street:
 - a. Provide **one-way traffic** in the southbound direction;
 - b. Prohibit **vehicular access** from 7:00 p.m. to 12:00 midnight while outdoor cafes are in operation; provide and maintain "Do Not Enter" signage at Bethesda Avenue; provide modified "Do Not Enter" signage at Elm Street that indicates the times of prohibited vehicular entry;
 - iii. Field-locate the **Bethesda Trolley Bench** away from the right turn lane on Bethesda Avenue, subject to review and approval by the DPWT Division of Transit Services;
 - iv. Provide reconfiguration of **pavement markings** adjacent to the site on Elm Street and Bethesda Avenue, per a **Pavement Marking Plan** to be approved by DPWT;
 - v. Provide documentation of a maintenance agreement with the **Bethesda Urban Partnership** for the Arlington Road vehicular lay-by (specifically the granite curbing).
- c. **Bicycle Planning:** Provide **bicycle parking** as follows: 2 bike racks on Bethesda Avenue frontage; 2 bike racks on Elm Street frontage; 1 bike rack on Arlington Road frontage; 1 bike rack within the garage.

3. Environmental

Conditions of MNCPPC Environmental Planning, dated February 12, 2004, including:

- a. Demonstrate that the **interior noise level** is less than or equal to 45 dBA Ldn based on noise generated from Arlington Road and/or Festival Street;
- b. Provide program and/or details for **controlling noise levels** generated by stationary sound sources such as heating/ventilation systems, fresh air intakes, and commercial exhaust systems to acceptable levels;
- c. Provide the additional environmental "quality of life" controls as follows:
 - i. Limit **deliveries and loading** on Festival Street to the hours after 8:00 am weekdays and 10:00 am on weekends, and no later than 7:00 pm;
 - ii. Limit the locations for **garbage/trash pickup** to the wet-and-dry trash loading docks provided on the Elm Street frontage;
 - iii. Work with the owner of the property on the north side of Elm Street in an effort to develop a schedule for **staggered loading and delivery times** for business on Festival Street and for vehicles requiring use of the loading docks.

5. Signature Set

Prior to signature set approval of the site/landscape plans, the following revisions shall be made and/or information provided, for review and approval by planning staff:

a. General Information

Provide dimensions for wall height and show materials of the roof top mechanical space. A note shall be added to the plans which states that all roof-mounted mechanical equipment shall be screened from view of nearby buildings and that noise associated with such equipment shall be mitigated to within the limits set forth in the noise ordinance.

8. Streetscape,

a. Arlington Road: Provide planters for the north terrace to coordinate with those on south terrace;

b. Festival Street:

- i. Show details of loading and delivery **entrances** and garage/loading doors (Elm Street);
- ii. Provide details for all **planters** for café zones;
- iii. Designate location envelopes for five (5) benches dedicated to public use; benches must be signed as **public seating**.

c. Bethesda Avenue: Show DPWT-approved lane dimensions and alignment for ingress/egress to public garage.

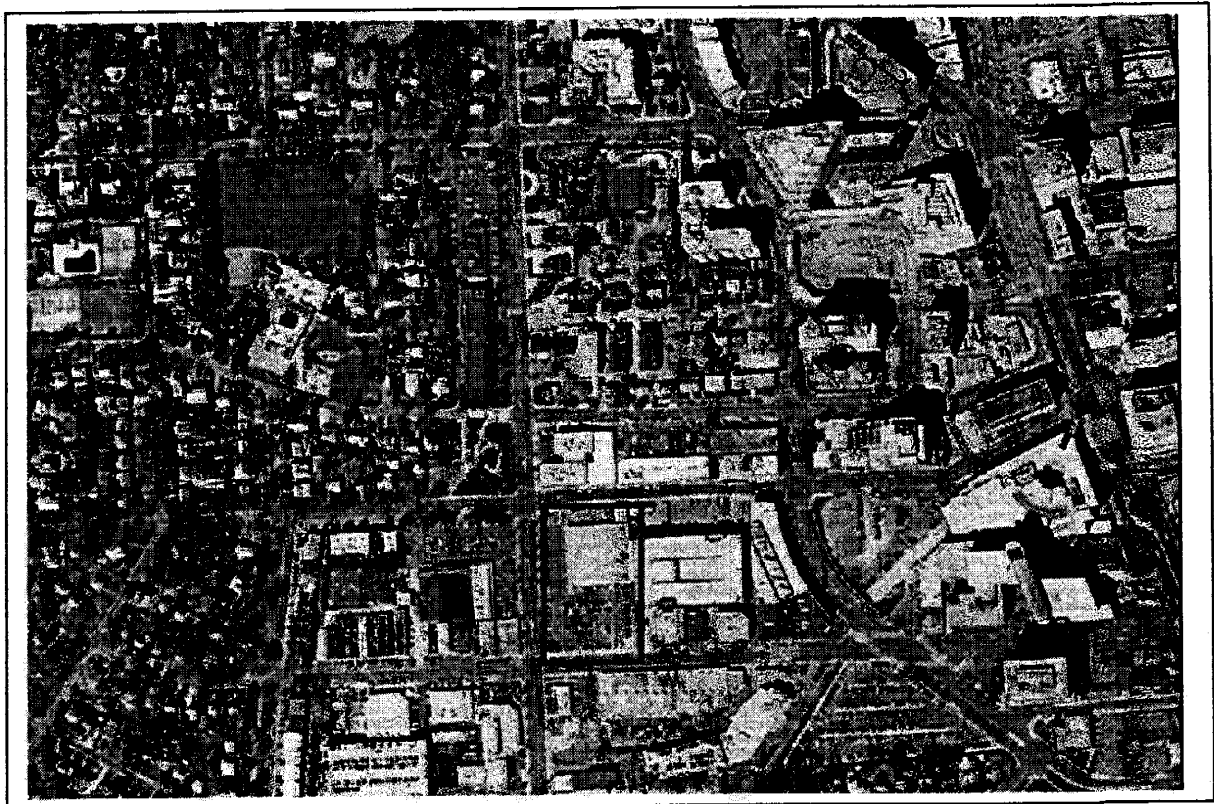
d. Utilities:

- i. Show the final locations of all utility poles associated with the site frontage and provide documentation of compliance with the Montgomery County Department of Public Works and Transportation and the Department of Permitting Services recommendations;
- ii. Show compliance with the conditions of approval for the concurrent Preliminary Plan.

e. Other

- i. Provide the development program inspection schedule;

- ii. Show street trees along all public streets.
9. Lighting, Power, Signage
Provide specifications for exterior building lighting at garage entrances, loading docks, building entrances;
- a. Provide **lighting distribution** plans for the garage;
 - b. Provide documentation on hours of operation of **night lighting** on Festival Street; show that the lighting provided will not trespass to housing units above or neighboring residences.
10. Site Plan Enforcement Agreement
Submit a Site Plan Enforcement Agreement, Development Program, and Homeowners Association Documents (if applicable) for review and approval prior to approval of the signature set as follows:
- a. Development Program to include a phasing schedule as follows:
 - i. Street tree planting must progress as street construction is completed, but no later than six months after completion of the units adjacent to those streets;
 - ii. Community-wide pedestrian pathways and recreation facilities must be completed prior to seventy percent occupancy of each phase of the development;
 - iii. Landscaping associated with each building shall be completed as construction of each is completed;
 - iv. Pedestrian pathways and seating areas associated with each facility shall be completed as construction of each facility is completed;
 - v. Coordination of each section of the development and roads;
 - vi. Phasing of dedications, stormwater management, sediment/erosion control, recreation, forestation, community paths, trip mitigation or other features.
 - b. Forest Conservation Plan shall satisfy all conditions of approval prior to recording of plat and DPS issuance of sediment and erosion control permit.
 - c. No clearing or grading prior to M-NCPPC approval of signature set of plans.



Aerial View of the Arlington Road District, prior to the construction of the new Arlington Road Giant Store. The site boundaries are outlined in red.

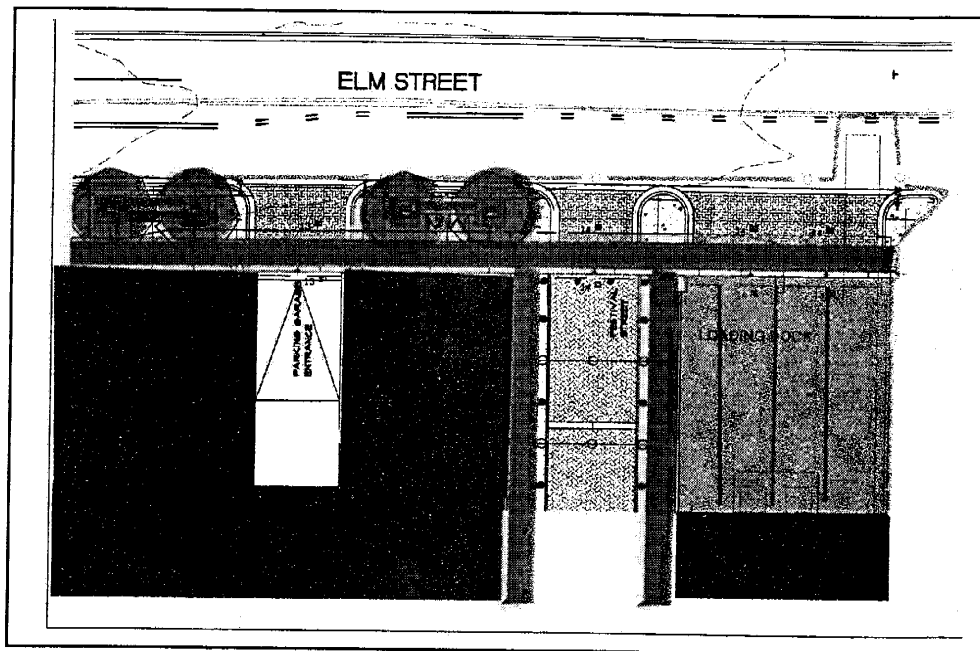
ISSUES OF SITE PLAN REVIEW

In the course of site plan review, staff and applicant reviewed the location of the buildings, open space and public amenities, the general massing and scale of the structure, underground parking capacity, and general landscaping concepts. Streetscape design was considered for pedestrian safety, with implementation of the Bethesda Streetscape standards and the connections of the public sidewalks to the major public plaza.

A number of issues required significant study on the part of the applicant team, relevant county agencies, and M-NCPPC staff: 1) Pedestrian Safety, with particular attention to Elm Street 2) Provision of MPDUs; and 3) Requirements for Undergrounding of Utilities.

I. Pedestrian Safety and Traffic Control

The Edgemoor Citizens Association Land Use Committee has expressed concern for the pedestrian safety within the Elm Street right of way. The street, as proposed features three curb cuts within the property frontage, including the underground garage, Festival Street, and the loading dock bays. An additional concern is the level of traffic impact resulting from vehicular access through Festival Street.



APPLICANT POSITION: The applicant has submitted a Pedestrian Safety Study performed by Wells and Associates, LLC Traffic Consultants regarding these specific issues. [See attached *Memorandum from Kevin D. Sitzman, PE, dated February 6, 2004 illustrative plan*]. The study provides a description of traffic control measures proposed and states that the plan “provides a pedestrian-friendly experience.”

COMMUNITY POSITION: The citizen’s group has requested that special brick paving across the driveway cuts, dedicated signage and/or signal lights, limited vehicular access to Festival Street, and the exclusion of valet parking.

COUNTY POSITION: The two DPWT Divisions have performed a substantial review of the traffic plan and infrastructure design. The Department of Permitting Services anticipates safe pedestrian and vehicular operations resulting from the site design itself and the limited number of vehicular maneuvers and times of activities. DPS has provided a number of conditions of approval limiting

vehicular access to Festival Street, effectively reducing valet parking and loading/delivery, and other vehicular access during the period of highest pedestrian and outdoor café use. [See attached *Memorandum from Sarah R. Navid, Department of Permitting Services, dated February 10, 2004.*]

STAFF POSITION:

Staff supports the applicant's proposal, with conditions of approval reflecting the intent of DPS recommendations. These design elements proposed and the restrictions on the vehicular activity will significantly improve pedestrian safety:

- Continuous brick sidewalk of special paving for the entire property frontage extending through each curb cut;
- Sidewalk provided at minimum 7 feet in width;
- Consistent grading of sidewalk pathway along the property's Elm Street frontage, installed at a higher elevation than the vehicular driveways;
- No left turn allowed upon vehicular exit from the garage;
- Flashing beacon installed at the residential garage exit ramp;
- Garage signage indicating that vehicles must yield to pedestrians;
- One-way traffic on Festival Street, in the southbound direction only;
- Vehicular traffic prohibited in Festival Street during evening hours of operation of the outdoor cafes (7:00 pm to midnight), substantially reducing valet parking.

II. Moderately Priced Dwelling Units

Some members of the community have inquired about the provision of MPDUs on site within the development.

APPLICANT POSITION:

The applicant proposes to provide all MPDUs (23 units) on site; the units proposed include one-bedroom and one-bedroom plus den types.

COMMUNITY POSITION:

No further comment has been received from members of the community.

STAFF POSITION:

Staff has encouraged the provision of all MPDUs on site; inclusion of MPDUs in development with the Bethesda Sector Plan area fulfills a great need for affordable housing.

III. Undergrounding of Utilities

Several members of the community, including the Edgemoor Citizens Association Land Use Committee have requested that the applicant underground the existing and proposed utilities along the street frontages of that surround the property.

APPLICANT POSITION:

The applicant does not propose to underground the utilities; all new transformers will be undergrounded.

COMMUNITY POSITION:

Members of the community have indicated their concerns as stated above.

COUNTY POSITION:

Montgomery County Department of Public Works and Transportation has reviewed this issue in context of the Preliminary Plan application.

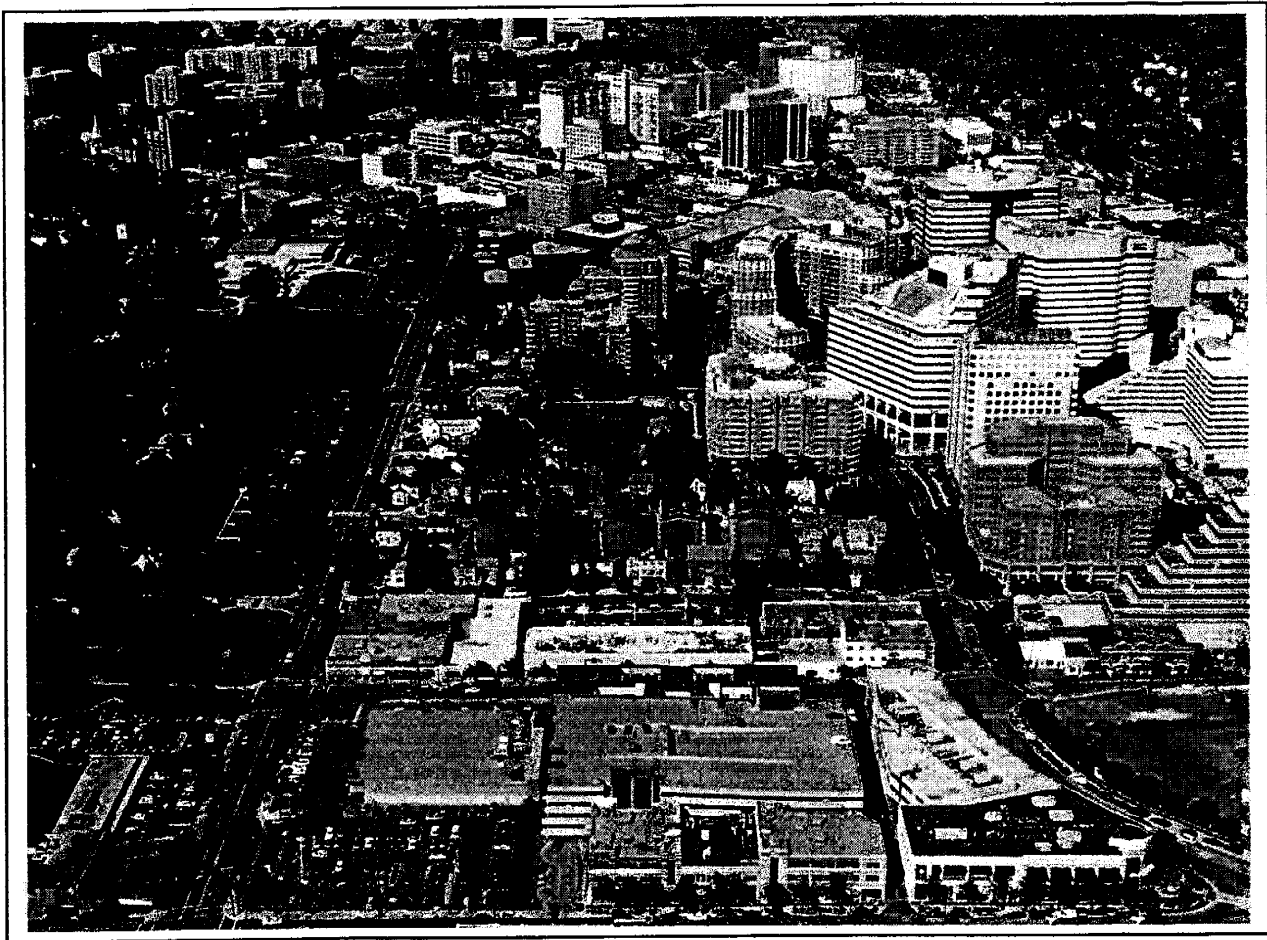
STAFF POSITION:

It is not the practice of the Planning Board to require the undergrounding of significant utilities (e.g. trunk lines) as a condition of approval for standard method of development site plan projects.

PROJECT DESCRIPTION: Surrounding Vicinity

The site, located in the central business district of Bethesda forms the western edge of the district. Bounded by Arlington Road, Bethesda Avenue, and Elm Street, this site, “the backside of Woodmont,” currently supports the former Giant supermarket. The Public Parking Garage adjoins the site along the eastern property line, with its entrance and exit on Bethesda Avenue and Elm Street.

Across Arlington to the west is the “new” Giant store. One block to the north on the east side of Arlington Road is the Caroline Freeland Park and the Public Library. The block to the south, across Arlington is occupied by the Euro Motors dealership.



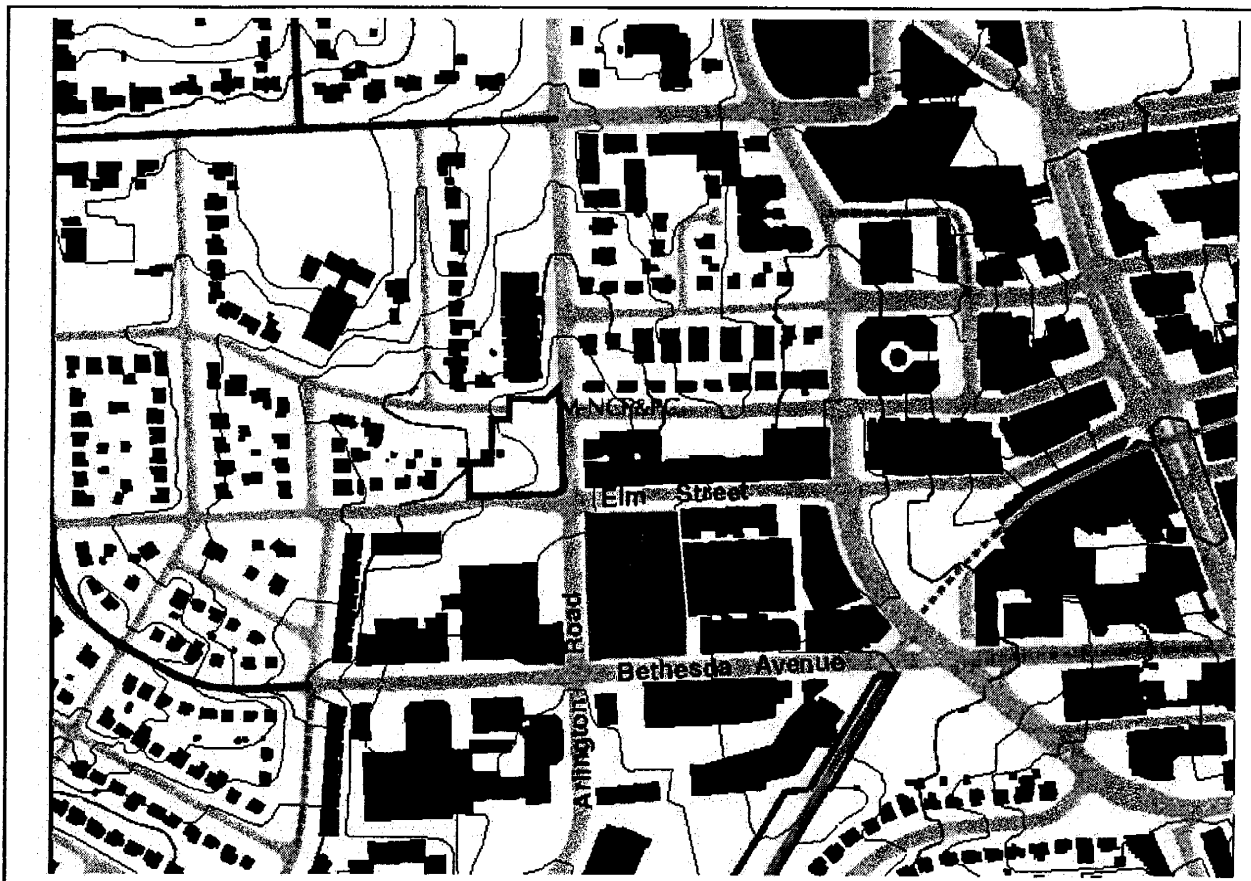
PROJECT DESCRIPTION: Site Description

The property consists of a gross tract area of 2.5 acres (108,936 sq. ft.) and is located on the east side of Arlington Road between Bethesda Avenue and Elm Street in the C-2 zone (the "Property") within the Bethesda Central Business District ("CBD"), near the western edge of the CBD. The Property is currently improved with the former Giant Food store building, currently occupied by various retail uses.

The Property is bordered immediately to the east by a public parking garage, approximately sixty (60) feet tall and referred to as Parking Garage 57; to the west across Arlington Road by the new forty-two (42) foot high Giant Food store; and to the north and south across Elm Street and Bethesda Avenue respectively by retail and restaurant uses located within the C-2 zone. Other uses to the west of the Property along Arlington Road include the M-NCPPC Caroline Freeland Park, the Bethesda Public Library, Bethesda Elementary School and the Euro Motor cars dealership, improved with a multi-level parking structure. A three story multi-family residential project is located to the west of the new Giant Food site.

The Property is located within the boundaries of the Bethesda CBD Sector Plan, approved and adopted July 1994 ("Sector Plan"), and discussed as part of the Arlington Road District ("District"). The Sector Plan confirms the C-2 zoning of the Property and states that the intersection of Bethesda Avenue and Arlington Road has the potential to develop as the center of the District. The Sector Plan recommends, among other things, the development of commercial or mixed-use buildings with storefront retail located directly adjacent to the public sidewalk; provision of additional housing and reduction of the potential for additional employment away from the Metro Core; and the expansion and development of vehicular circulation routes and pedestrian connections between parcels.

There are no existing on-site streams, swales, wetlands or other hydrologic features on the Property. The Property is generally impervious. There are no historic or culturally significant sites or buildings on or within 100 feet of the Property. There also are no rare, threatened or endangered species known to exist on the site.



PROJECT DESCRIPTION: Proposal

The Site Plan for Arlington East proposes a mixed-use development including ground floor retail and restaurant space, with residential housing on the floors above. The entire development will be constructed as a substantial urban form that forms a defining edge of the CBD, provide internal open space, and underground parking garage for residents. Although the standard method project does not carry public amenity requirements, special streetscape along all of the surrounding streets will be provided by this development.

Housing

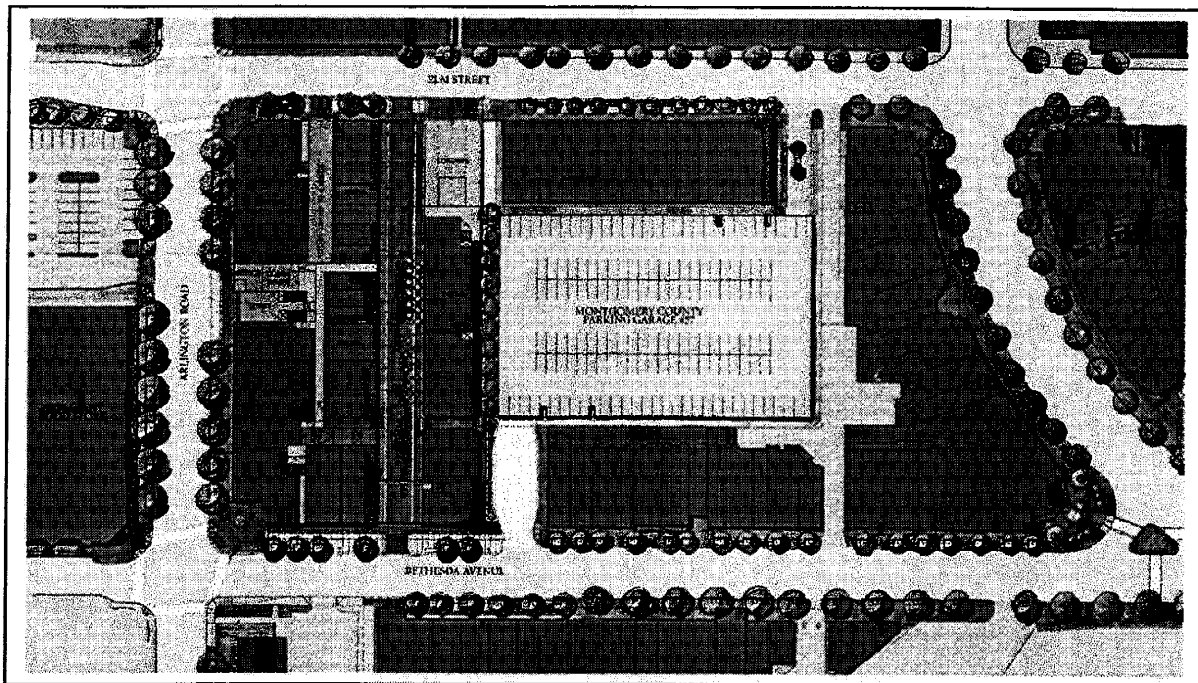
The 180 units of housing features loft apartments located with the linear structure that lines the east side of Festival Street. These loft units will comprise a variety of unit types—18 one-bedroom units and 36 two-bedroom units. The “Flat” apartments located in the structure facing Arlington Road will include 75 one-bedroom units and 51 two-bedroom units. The applicant proposes to provide all of the MPDUs (23 units) on site.

Retail

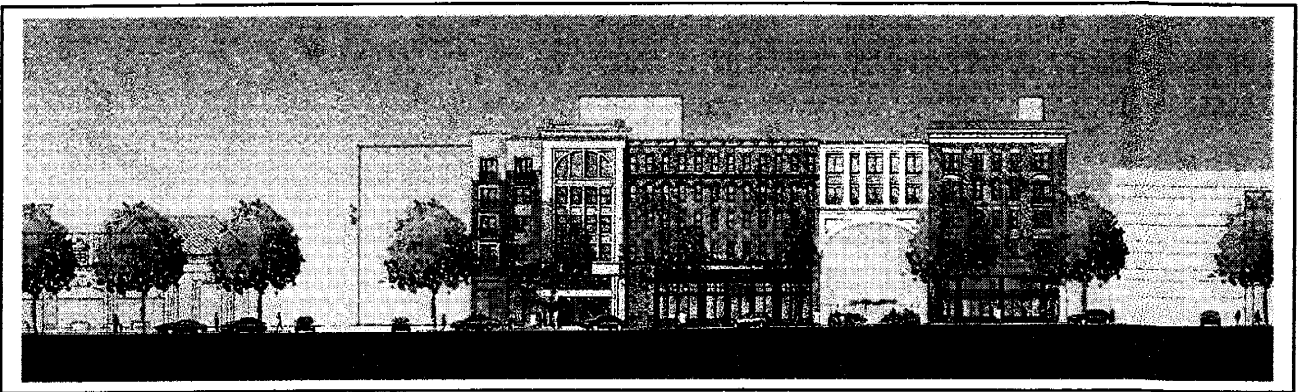
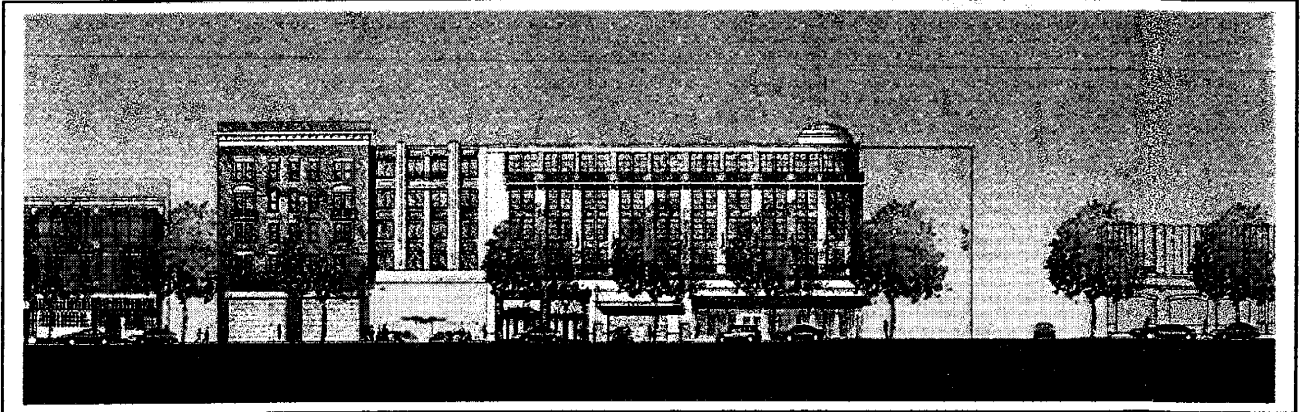
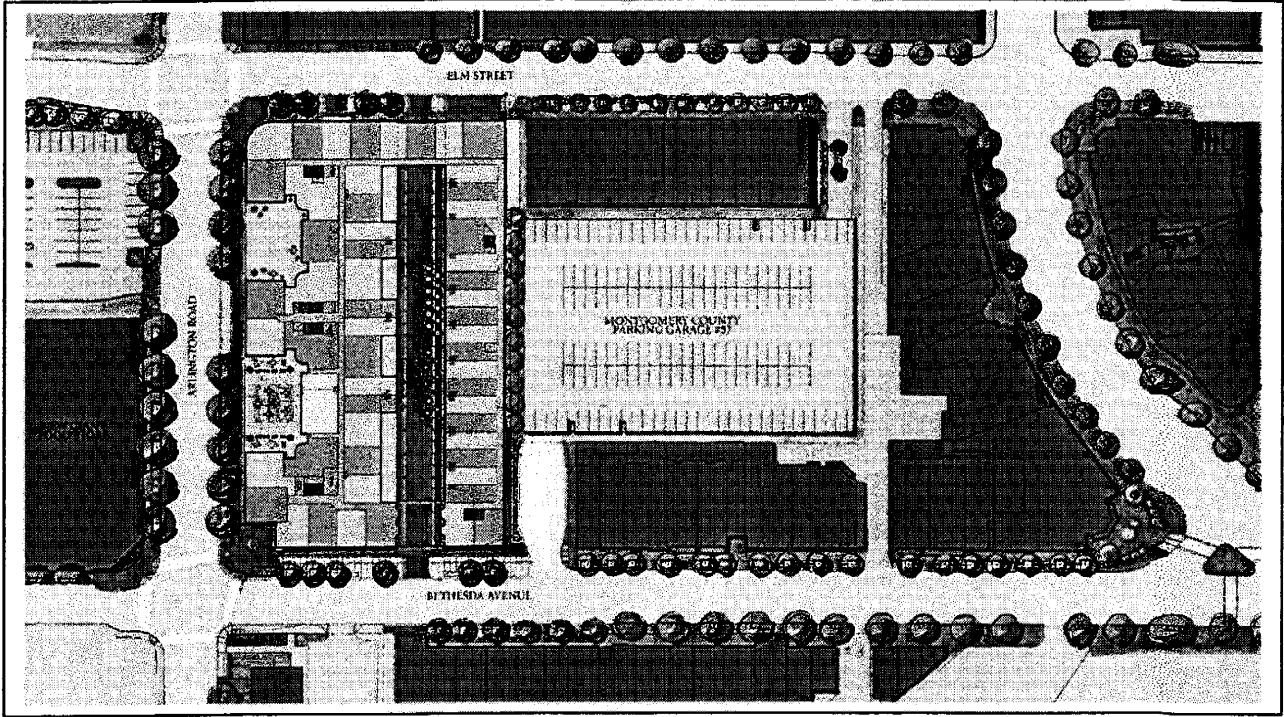
The plan proposes approximately 60,000 sf of retail space: 40,000 sf general retail, and 8,000 indoor restaurant spaces, 2,800 outdoor restaurant space. The mix is somewhat fluid and will be determined upon leasing conditions at the time of building permit. The proposal is committed to the mixed-use retail space for the frontage on Arlington Road and Bethesda Avenue and within the internal Festival Street.

Vehicular Access and Parking

The main vehicular access to the proposed development is through a single driveway leading to the 2-level underground garage via Elm Street. The garage features several tandem parking spaces. Parking for the general public including the retail and restaurants on site will be provided in the evenings and weekend on the lower parking garage level. The property lies within the parking district, and is subject to parking district fees. Loading and trash pick-up will be provided via four truck bays on Elm Street and a small loading bay on Festival Street. The applicant proposes a vehicular drop-off for the residential entrance on Arlington Road.



Rendered plan showing the proposed development in red, Festival Street running North-South, the new Giant Store to the far left, the public parking garage in the block center, and the existing retail on Elm Street, Woodmont Avenue, and Bethesda Avenue



PRIOR APPROVALS

The Applicant previously submitted a substantially similar site plan and preliminary plan for Planning Board review. On September 26, 2002, the Planning Board approved the applications subject to certain conditions. The approvals were appealed to Montgomery County Circuit Court. The Court ultimately reversed and vacated the Planning Board approvals finding that ZTA 02-04 was enacted as a special law for a special case and violated the uniformity requirement of the Regional District Act. The Court held that ZTA 02-04 was an invalid and unconstitutional text amendment. As such, the preceding applicable zoning ordinance language applies to the present application. (See attached *Memorandum from Clifford L. Royalty, Associate County Attorney for Montgomery County, Maryland, dated December 16, 2003*, regarding development proposed under the standards established by Zoning Text Amendment 01-08).

The previous Site Plan 8-02035 application for the Arlington East property proceeded under Zoning Text Amendment 02-04, which was adopted by the County Council to restrict the potential application of the original Zoning Text Amendment, 01-08. The number of sites to which Zoning Text Amendment 02-04 could be applied was limited. In contrast, Zoning Text Amendment 01-08 is applicable to numerous sites, including other sites within the Bethesda CBD and the Wheaton CBD. The potential development of these other C-2 zoned sites in accordance with Zoning Text Amendment 01-08 is consistent with the County's current effort as part of its Housing Montgomery initiative to identify commercial centers within the C-1 and C-2 zone that may be suitable for mixed-use residential development.

ANALYSIS: Conformance to Development Standards

<u>Arlington East 8-04014</u>	C-2 Zone Standard Method	C-2 Zone Proposed
<u>Development Standard</u>	<u>Permitted/Reqd</u>	<u>Proposed Site Plan</u>
<u>Density</u>		
Floor Area 59-C-4.352		
Commercial	1.00 FAR (108,936 sf GFA)	0.55 FAR (60,000 sf GFA)*
Restaurant		10,359 sf indoor
Restaurant		2,650 sf outdoor
General Retail		44,283 sf
Overall Density	2.50 FAR (272,340 sf GFA)	2.50 FAR (272,340 sf GFA)
Green Area 59-C-4.354	10% min (10,894 sf)	12.7% (13,814 sf)
<u>Setbacks</u>		
Elm Street frontage	10 feet	10 feet
Arlington Road	0 feet	4 feet
Bethesda Avenue	0 feet	12 feet
Side & Rear	0 feet	0 feet
Building Height 59-4.351)	75 feet	65 feet (5 stories)
<u>Residential Unit Type</u>		
Loft Units - 1 Bedroom		18 units
Flat Units - 1 Bedroom		71 units
Flat Units - 1 Bedroom & Den		4 units
Flat Units - 2 Bedroom		35 units
Flat Units - 2 Bedroom & Den		16 units
Loft Units - 2 Bedrooms		36 units
Subtotal units		180 units
<u>Commercial Parking</u>		
General Retail: 5 spaces/1,000 sf	222 spaces	0 spaces
Rest. Indoor: 25 spaces/1,000 sf	259 spaces	0 spaces
<u>Rest. Outdoor: 15 spaces/1,000 sf</u>	<u>40 spaces</u>	<u>0 spaces</u>
Total Commercial Parking	521 spaces	224 spaces ***
<u>Residential Parking</u>		
1 Bedroom: 1.25 spaces/du (70 du)	88 spaces	
2 Bedroom: 1.5 spaces/du (87 du)	131 spaces	
<u>MPDU: 0.625 spaces/du</u>	<u>15 spaces</u>	
Subtotal Residential Parking	220 spaces	246 spaces **
Residential Parking Credit 5%**	(-11 spaces)	
Total Residential Parking	209 spaces	246 spaces **
Total Parking	749 spaces	470 spaces
* Maximum 65,000 sf Retail/Restaurant Space		
** Per Section 59-E-3.33		
*** 279 spaces will be provided off-site in accordance with the Parking Lot District Policy		

ARLINGTON EAST RECREATION ANALYSIS

CATEGORIES	<u>Tots</u>	<u>Children</u>	<u>Teens</u>	<u>Adults</u>	<u>Seniors</u>	<u>TOTALS</u>
<u>DEMAND POINTS</u>						
<i>per 100 housing units</i>	4	4	4	77	46	135
Hi-rise = 180 units	7.2	7.20	7.20	138.60	82.80	243.00
PROJECT DEMAND	7.2	7.20	7.20	138.60	82.80	243.00
<u>SUPPLY POINTS</u>						
On Site						
Picnic/Sitting (2)	2.00	2.00	3.00	10.00	4.00	
Indoor Fitness Facility	0.00	0.72	0.72	27.72	20.79	
Community Room	6.00	9.00	12.00	31.00	2.00	
Child Indoor Play Room	0.72	1.08	2.16	41.58	33.12	
<u>Outdoor Garden Terrace</u>	<u>0.72</u>	<u>0.72</u>	<u>0.72</u>	<u>13.86</u>	<u>8.28</u>	
On Site Total	9.44	13.52	18.60	124.16	68.19	233.91
Off Site						
Picnic & Sitting	1.00	1.00	15.00	5.00	2.00	
Pedestrian System	0.72	1.44	1.44	62.37	37.26	
<u>Multiage Playground</u>	<u>9.00</u>	<u>11.00</u>	<u>3.00</u>	<u>7.00</u>	<u>1.00</u>	
Off Site Total	10.72	13.44	19.44	74.37	40.26	158.23
<u>SUPPLY/DEMAND RATIOS</u>						
On Site Ratio	<u>1.31</u>	<u>1.88</u>	<u>2.58</u>	<u>0.90</u>	<u>0.82</u>	<u>0.96</u>
Off Site Ratio	<u>1.49</u>	<u>1.87</u>	<u>2.70</u>	<u>0.54</u>	<u>0.49</u>	<u>0.65</u>

ANALYSIS: Conformance to Master Plan

The subject site is located in the Bethesda CBD Sector Plan area and discussed as part of the Arlington Road District. The Sector Plan confirms the C-2 zoning of the site. This area is characterized as, "linear strip shopping along Arlington Road, with an emerging "main street" character along Bethesda Avenue." The Plan states that the crossroads of Bethesda Avenue and Arlington Road have the potential to develop as the center of the District. Plan objectives are:

1. Preserve and enhance the Arlington Road District as a community retail and service business area.
2. Concentrate redevelopment along Bethesda Avenue, with special focus at the intersection of Bethesda Avenue and Arlington Road as the center of the district.
3. Continue the "main street" shopping character along Bethesda Avenue, consistent with recent development.
4. Protect the surrounding residential areas from commercial intrusions by directing growth away from the edges and by providing lower densities, appropriate uses, and landscaped buffers at the residential edges.
5. Improve traffic circulation, pedestrian safety, amenities, and convenience.
6. Provide additional housing and reduce the potential for additional employment away from the Metro Core.

In addition to these objectives, the Plan recommends the following urban design guidelines for Arlington Road and Bethesda Avenue:

7. Develop low-rise commercial or mixed-use buildings with storefront retail located directly adjacent to the public sidewalk.
8. Develop interconnected vehicular circulation routes between parcels, where feasible, to improve local vehicular access and reduce congestion. Provide outside parking and service areas in the rear of properties.
9. Expand pedestrian connections between parcels to promote walking and reduce the number of vehicular shopping trips.
10. Set corner buildings back at least 20 feet front the curb radius in redevelopment of parcels bordering the intersection of Arlington Road and Bethesda Avenue to create an open space for pedestrians and a center for the District.
11. Provide pedestrian access to the public parking garage to the east in any redevelopment of the Giant site.

The subject application is consistent with the Sector Plan objectives and recommendations. Staff finds that allowing 65 feet in height along Arlington Road is acceptable as a means to accomplish the mixed-use and housing objectives of the Plan. The proposed height along the western property boundary is acceptable as it is adjacent to the public parking garage and the garage will attractively screened from the Arlington Road street level and the residential community to the west.

This project will not introduce commercial encroachment into the residential community and will add a desirable residential component to the retail and commercial activity in the Arlington Road District. Allowing the residential development on this site will eliminate the potential of additional office development competing with Metro Core District. The residential development will be within easy walking distance to the Metro Station.

The Site Plan conforms to these general Sector Plan objectives by achieving the following:

- Preserve and enhance the Arlington Road District as a community retail and service business area
- Concentrate redevelopment on Bethesda Avenue, with focus at the intersection of Bethesda Avenue and Arlington Road as the center of the district
- Continue the Main Street shopping character along Bethesda Avenue
- Improve traffic circulation, pedestrian safety, amenities, and convenience
- Provide additional housing and reduce the potential for additional employment away from the Metro Core

FINDINGS for Site Plan Review:

1. *The site plan is consistent with approved Zoning Text Amendment 01-08 for mixed-use development.*

The Property is proposed to be developed in accordance with Section 59-C-4.35 of the Zoning Ordinance governing residential development in the C-2 Zone and, therefore, no development plan or project plan is required.

2. *The site plan meets all of the requirements of the zone in which it is located.*

See Project Data Table above.

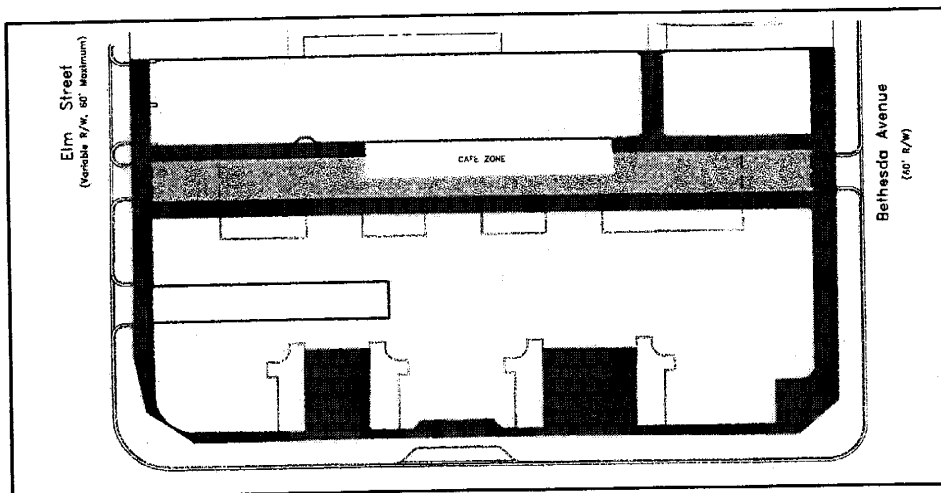
3. *The locations of the buildings and structures, the open spaces, the landscaping, recreation facilities, and the pedestrian and vehicular circulation systems are adequate, safe and efficient.*

a. Locations of Buildings

The building is arranged on the site with maximum efficiency and is situated in close proximity to the Arlington Road, Elm Street and Bethesda Avenue property lines in order to promote the "main street" environment recommended within the Sector Plan and to promote visual interest to the pedestrian. Wide sidewalks and recessing of the building entrance at Arlington Road promotes pedestrian safety. Along Bethesda Avenue and Elm Street, the entrance to the festival street is defined by the building arching over the entrance area, providing a creative design solution. The proposed loading facility, which will consist of four, screened loading bays off Elm Street and an additional loading facility off of Festival Street that the Applicant agrees to provide, will be adequate, safe and efficient, given the delivery needs of the proposed modestly sized retailers and restaurants.

The relationship between the two proposed buildings creates a sophisticated urban complex with massing, open space, and internal street dimensions that will create an interesting, vital urban setting for residents and visitors alike. The new Festival Street will provide a critical linkage through the site while presenting a stimulating new retail typology for the Washington Metro Area.

b. Open Spaces



Drawing showing open spaces. The green indicates residential terraces; the pink shows streetscape for public use; the yellow shows Festival Street retail areas.

The proposed development exceeds the green area requirements for the C-2 Zone and provides high quality open space areas with the provision of the festival street and the treatment of the Arlington Road and Bethesda Avenue corner. This area will be enhanced with landscaping, seating and the provision of a special focus point, such as a fountain. In addition to meeting Sector Plan objectives, these open spaces serve to promote the functional efficiency of the building. Proposed lighting of the open spaces will add to the safety of these areas. The proposed landscaping is adequate, safe and efficient.

c. Landscape and Lighting

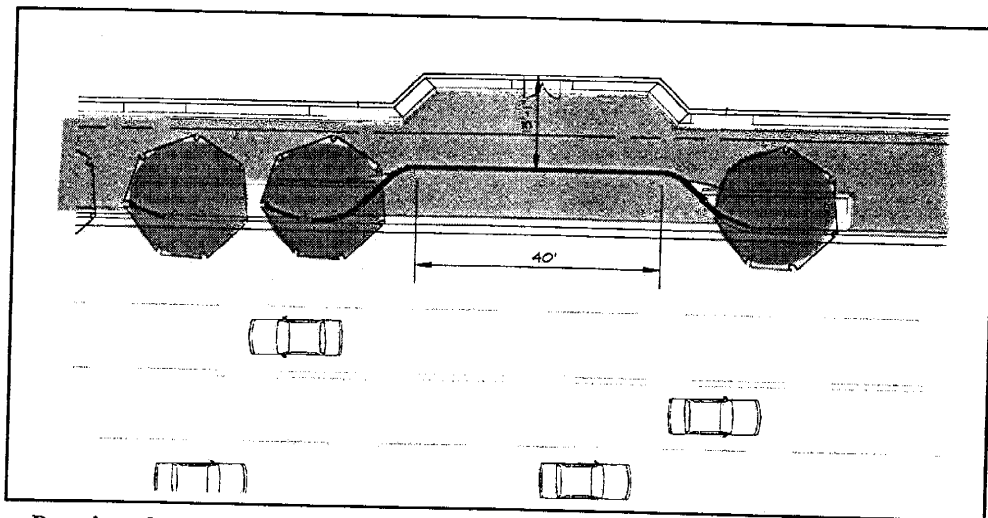
Landscaping and lighting proposed is adequate, safe and efficient. Streetscape along Arlington Road will feature Washington Globe fixtures, Bethesda brick pavers, double tree boxes with lirope ground cover, Zelkova street trees tightly spaced. Festival Street will feature a special wire lighting grid with low voltage fixtures. Staff recommends that the lighting be reviewed at signature set, with consideration of the hours of operation to ensure that area residents are not subject to undue light trespass.

d. Recreation

The development provides adequate and efficient recreational facilities, including an indoor fitness facility, children's playroom, community room and an outdoor garden terrace. The adequacy of the facilities is illustrated in the chart below. The indoor fitness facility and children's playroom will provide useful and accessible activities for the residents. The community room on the ground floor offers meeting space and the opportunity for arts and crafts activities, while the garden terrace will provide attractive outdoor space for social events.

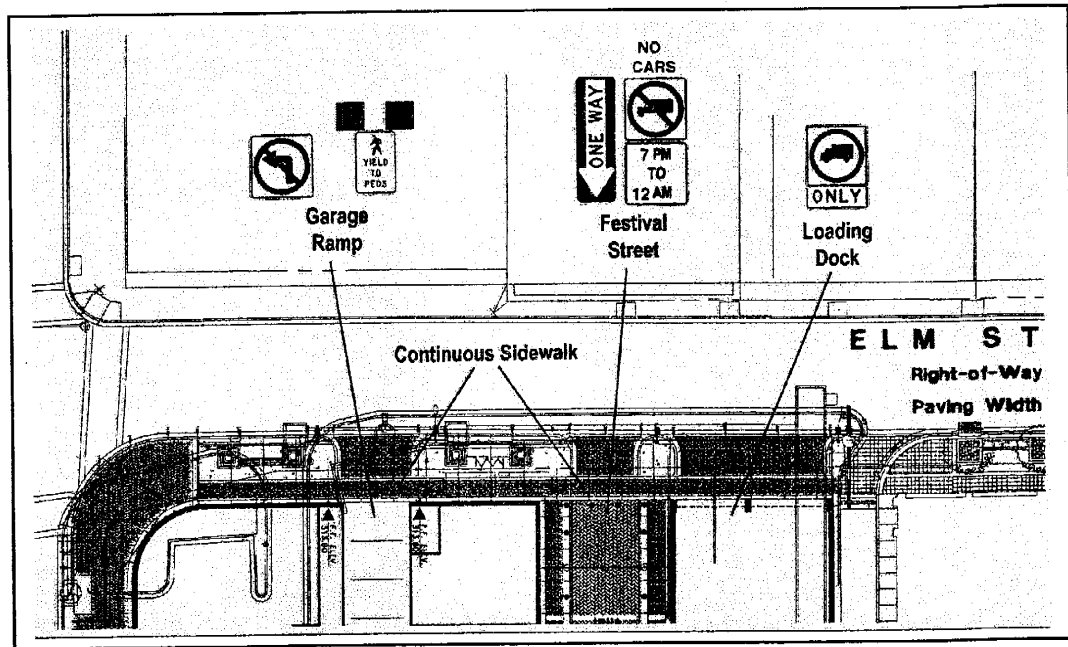
e. Vehicular and Pedestrian Circulation

The sidewalks surrounding the Property will be improved with special paving, lighting, and landscaping, thereby enhancing the pedestrian experience and providing an adequate, safe, and efficient system. A lay-by is provided along Arlington Road in front of the main residential entrance to the building. The provision of the lay-by reduces the likelihood that vehicles will stop on Arlington Road proper and unnecessarily block traffic, causing a potentially hazardous condition. The design of the lay-by and entrance to the residential building on Arlington Road, therefore, serves to promote vehicular safety and efficiency. Staff has worked with Applicant and DPWT to create an acceptable condition at the residential building entrance/lay-by in order to maintain an adequate measure of pedestrian safety, including maintaining the minimum fifteen-foot wide sidewalk at the building façade recess.



Drawing showing vehicular lay-by proposed for Arlington Road. The pull-off area will be brick paved with mahogany granite curbing. The sidewalk maintains a 15-foot depth at the building entrance.

Vehicular access to the underground parking facility is provided from Elm Street. Egress from the parking facility is limited to right turns only, thereby enhancing vehicular safety; concerns about the level of pedestrian safety along Elm Street were carefully considered during the course of site plan review. Staff supports the streetscape and sidewalks for Elm Street as proposed for the following reasons: the number of vehicular maneuvers will be limited by the sporadic use of the loading docks, the vehicular access to Festival Street will be prohibited during the evening hours of outdoor café service when pedestrian activity is at its highest level; the design of sidewalk provides continuous special brick paving across all curb cuts, sidewalk maintains a width of seven feet, the sidewalk grading is essentially level for the entire span of the street frontage.



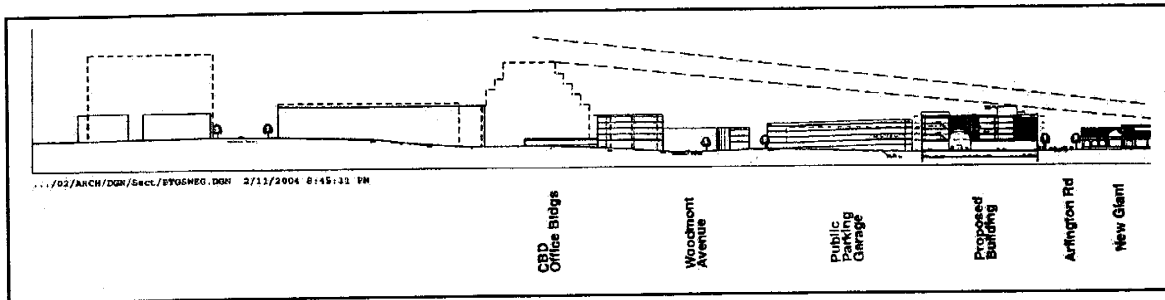
The Project is located in a parking lot district and makes use of off-site parking pursuant to County Code provisions; and, therefore, the number of parking spaces provided is adequate. The addition of retractable bollards at the entrance to the festival street will serve to promote pedestrian safety during those times when vehicular access to the street is restricted. Loading off Festival Street will enhance efficiency.

The Department of Permitting Services has requested that the applicant provide a small off-site improvement to the "Giant" site, also the applicant's property, located across Arlington Road. This improvement, enlargement of the special pavement behind the existing signal control box, would enhance the safety of pedestrian movements at the intersection of Arlington Road and Elm Street. The applicant has indicated his intention to provide this improvement.

4. *Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.*

The proposed development is compatible with the adjacent and surrounding C-2 uses located on the east side of Arlington Road, as well as the commercial, institutional and public uses located across Arlington Road from the Property on the west side of the street. The Property is located immediately to the west of a multi-level parking structure and the development of the proposed Property will conceal the western face of the parking structure. The proposed development is located more than 300 feet from the nearest single family home and even further from the rest of that neighborhood. The intervening uses, including a forty-two foot high grocery store, a multi-family residential project, an auto dealership with a multi-level parking

structure, a public park, a public library and an elementary school, provide more than a sufficient transition and buffer zone to ensure the compatibility of the proposed building with the residential neighborhood.



Sectional sketch showing the proposed development within the existing Sky Exposure Plane between the Bethesda CBD and Arlington Road

The core of Bethesda includes buildings with permitted heights up to 200 feet, which step down to the proposed sixty-five foot high, proposed mixed-use building; forty-two foot tall new Giant Food supermarket, located across Arlington Road from the Property; and, finally, the three-story multi-family buildings along the western edge of the business district, which adjoins single-family residential subdivisions. This stepping down honors the Sector Plan recommendation of an overall step down in building heights “from the Bethesda Metro Center properties to achieve desirable and compatible transitions to adjacent areas.”

The location of the Property within 1,500 feet of the metro station will encourage use of public transportation and will allow residents to easily walk to jobs or shops located within the CBD. The finding of compatibility is furthered by the fact that the proposed development of the Property will generate fewer peak hour trips than would the development of a commercial and office project on the Property at a maximum density of only 1.5 FAR.

1. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.*

The Site Plan is exempt from Forest Conservation requirements.