

**Artery Plaza: Sketch Plan Amendment 32015005B, Preliminary Plan Amendment 11983015C,
and Site Plan Amendment 81984002D**

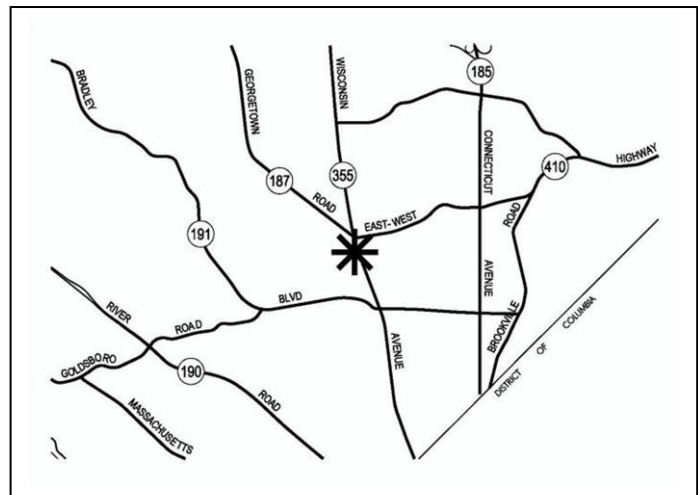
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Description

Staff Report Date: 11.17.17

- Amendments to add an additional floor to the new office building, increasing non-residential gross floor area by 14,500 square feet, from 586,611 to 601,111 square feet;
- Located in the northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue;
- Zone: CR-5.0 C-5.0 R-5.0 H-170;
- Master Plan: 2017 *Bethesda Downtown Sector Plan*;
- Property Size: 3.02 gross acres;
- Application accepted August 17, 2017;
- Applicant: JBG;
- Review Basis: Chapters 50 and 59, Montgomery County Code



Summary

- Staff recommendation: Approval of the Sketch Plan, Preliminary Plan amendment, and Site Plan amendment with conditions.
- Staff has not received any correspondence regarding these amendments.

SECTION 1: RECOMMENDATION AND CONDITIONS

Sketch Plan No. 32015005B

Staff recommends approval of Sketch Plan Amendment No. 32015005B, Artery Plaza, for a maximum total density of 601,111, an increase from 586,611 square feet, of non-residential development on the Subject Property, subject to the following binding elements and conditions. Except as amended below, the binding elements and conditions approved under Sketch Plan 320150050, including Public Benefits, remain valid and in full effect.

Recommended Conditions of Approval

1. Density
The development is limited to a maximum of 601,111 square feet of total development, including up to 557,670 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses.
2. Height
The development is limited to the maximum height of 167 feet, as measured from the approved building height measuring point in compliance with Section 4.1.7.C.2.

Preliminary Plan Amendment No. 11983015C

Staff recommends approval of Preliminary Plan Amendment No. 11983015C, Artery Plaza, for one lot for a maximum total density of 601,111 square feet of non-residential development on the Subject Property, subject to the following conditions, which amend the conditions of approval for Preliminary Plan Amendment 11983015A. Except as amended below, the conditions approved under Preliminary Plan Amendment 11983015A, remain valid and in full effect.

1. Approval is limited to one lot for a maximum density of 601,111 square feet of total non-residential development, including up to 557,670 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150050, as amended.
3. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board resolution.
4. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated October 19, 2017, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
5. In accordance with the *2016-2020 Subdivision Staging Policy*, the Applicant must "fix or fund" the improvements of all public pedestrian infrastructure within 500-feet of the Subject Property that does not comply with the Americans with Disabilities Act ("ADA") requirements, as illustrated on the Certified Site Plan and determined by MCDPS ROW Permitting prior to issuance of final use and occupancy permit.

Site Plan Amendment No. 81984002D

Staff recommends approval of Site Plan Amendment 81984002D for a total of up to 601,111 square feet of non-residential development, including up to 557,670 square feet of office uses and up to 43,441 square feet of nonresidential (retail, restaurant, or service) uses on approximately 3.02 gross acres in the CR-5.0 C-5.0, R-5.0, H-170 zone. All 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 following conditions,¹ which amend the conditions of approval for Site Plan Amendment 81984002B. Except as amended below, the conditions approved under Site Plan Amendment 81984002B, remain valid and in full effect.

1. Sketch Plan Conformance

The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320150050, as amended.

2. Preliminary Plan Conformance

The Applicant must comply with the conditions of approval for Preliminary Plan Amendment No. 11983015A, as amended.

3. Building Height

The development is limited to the maximum height of 167 feet, as measured from the approved building height measuring point.

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject property is located on the north side of Bethesda Avenue running nearly the full block between Woodmont Avenue and Wisconsin Avenue. Adjacent and confronting uses include office, retail, and multi-family buildings and a public parking garage. The Bethesda Row retail area is nearby, to the west. The site is in the vicinity of the Bethesda Metro Station and a proposed southern entrance to the Metro as well as the terminus of the proposed Purple Line. Elm Street Park is also within a few blocks of the subject property.

Site Analysis

The subject property consists of one platted parcel and one platted lot. The subject property is developed with an existing 12-story office building, known as the Artery Building, which will remain on-site. A smaller, eight-story, existing office and retail building will be demolished to accommodate the proposed development. A standard method, two-story retail building under construction will also remain onsite. The subject property contains no forest, and there are no streams or wetlands onsite. The site is located within the Little Falls watershed.

¹ For the purposes of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor (s) in interest to the terms of this approval.

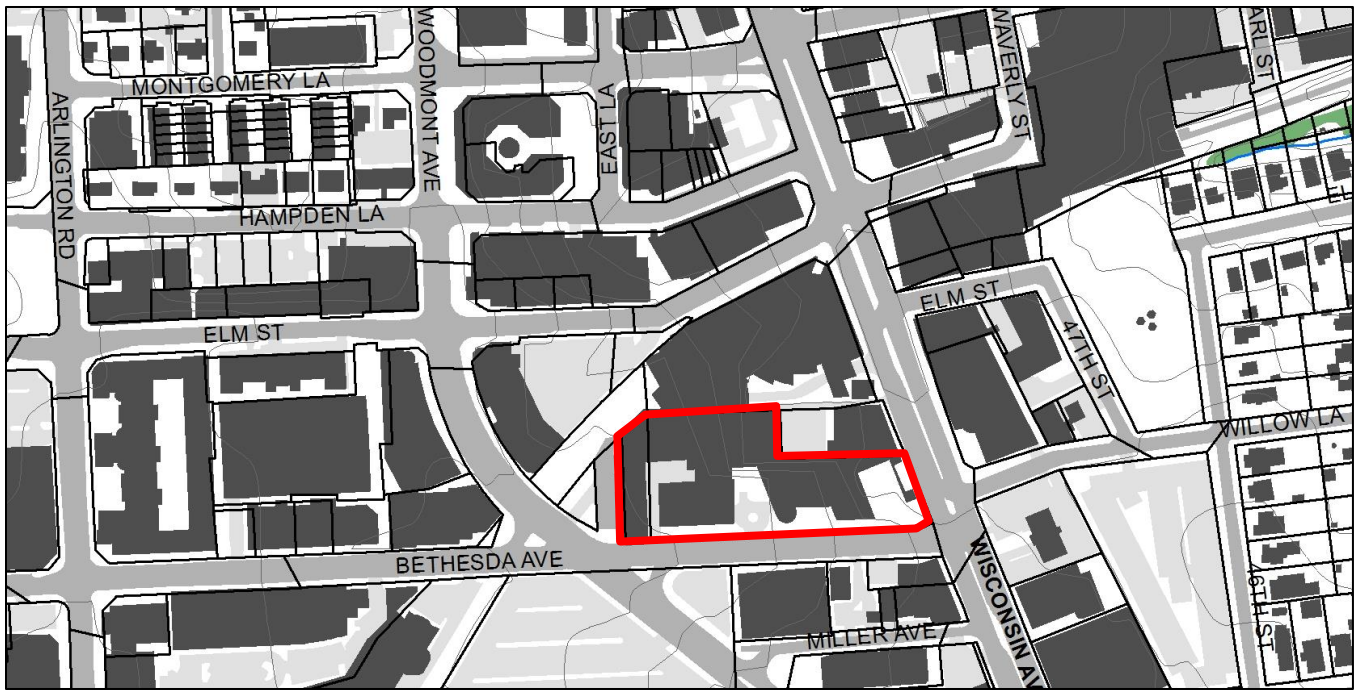


Figure 1-Vicinity Map



Figure 2-Aerial View

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

On May 5, 1983, the Planning Board approved Project Plan 919810090 for a 4.0 FAR mixed-use building on the subject property.

On August 4, 1983, the Planning Board approved Preliminary Plan 119830150 for 366,854 square feet of office uses and 26,796 square feet of retail uses.

On July 11, 1984, the Planning Board approved Site Plan 819840020 for 366,854 square feet of office uses and 26,796 square feet of retail uses. This plan was subsequently amended in 1986, 1988, and 1992. These amendments were for minor changes to the project and an additional 1,008 square feet of retail use, and were not given separate application numbers.

In 2012, the Applicant and Street Retail, Inc., the owners of the Woodmont East development to the west of the subject property, collaborated on a combined application including both of the sites, called Woodmont/7200. For this expanded site, on April 12, 2012, the Planning Board approved Project Plan Amendment 92007007B, Preliminary Plan Amendment 12007020B, and Site Plan Amendment 82009008A for 210 multi-family units, 182,950 square feet of hotel use, 81,165 square feet of retail use, and 755,739 square feet of office use. The expanded property for these applications was 5.8 acres, including the entirety of the current subject property.

In a letter dated March 6, 2014, the co-Applicants stated their intent to vacate the entitlements approved in the Woodmont/7200 applications. Planning Department Staff has accepted the letter, with the effect that the subject property is now controlled only by the approved Project Plan 919810090, Preliminary Plan 119830150, and Site Plan 819840020, and the Woodmont/7200 approvals and applications are no longer valid. Therefore, the Applicant does not need to amend the vacated Woodmont/7200 plans to construct the office building that is now proposed. Rather, the proposed applications supersede the earlier Woodmont/7200 approvals in their entirety.

On December 4, 2014, the Planning Board approved Project Plan Amendment 91981009A and Site Plan Amendment 81984002A, for minor modifications to the indoor public amenity space (an art gallery), outdoor public use space, and exterior architecture.

On May 12, 2016, the Planning Board approved Sketch Plan 320150050, Preliminary Plan Amendment 11983015A, and Site Plan Amendment 81984002B for up to 543,170 square feet of office uses and 43,441 square feet of non-residential (retail, restaurant, or service) uses on one lot.

On June 27, 2017, the Planning Department accepted as complete an application for proposed Sketch Plan 32015005A, Preliminary Plan Amendment 11983015B, and Site Plan Amendment 81984002C for the addition of 2,500 square feet of retail uses along Wisconsin Avenue, and associated changes to the design of the adjoining plaza. Per the Applicant's request, this application was withdrawn on October 23, 2017.

Proposal

The amendments propose to add one floor of office uses, 14,500 square feet, to the 4747 (nee 4733) Bethesda Avenue office building under construction as part of the larger Artery Plaza development. The maximum building height increases as well, from 145' to 167' for the 4747 Bethesda Avenue building. The maximum allowable development for the project increases from 586,611 to 601,111 square feet. All other elements of the previously approved Site Plans remain unchanged.

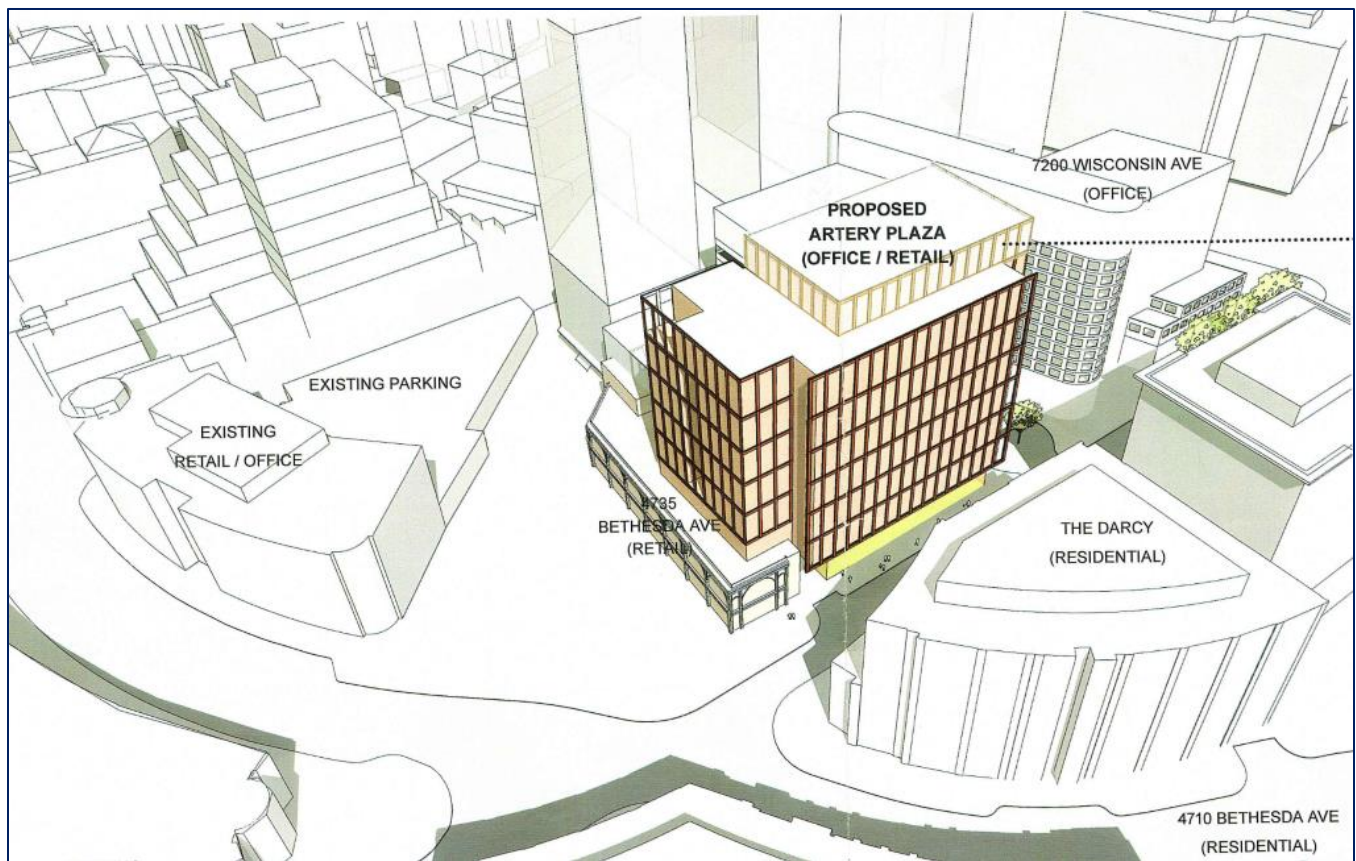


Figure 3 – Aerial Perspective of Proposed Addition

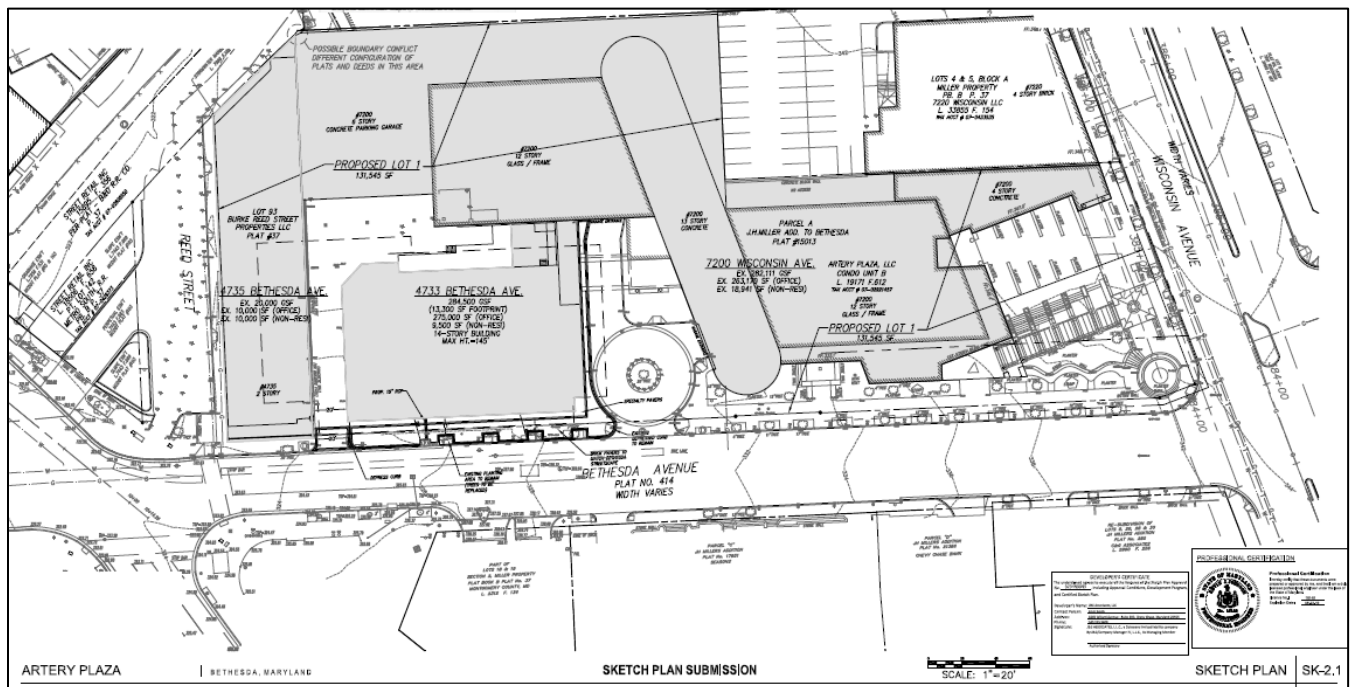


Figure 4-Sketch Plan

Community Outreach

The Applicant has complied with all submittal and noticing requirements. As of the date of this Staff report, Staff has not received any correspondence regarding the applications.

SECTION 4: SKETCH PLAN AMENDMENT 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.

Except as discussed below, the Planning Board findings made with the approval of Sketch Plan 320150050 remain valid and in full effect. Only the following findings have been affected by this Sketch Plan Amendment.

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;*

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

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

The intent of the CR zone is to:

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

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

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

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

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

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

The amendment adds an additional floor to an approved office building under construction in Downtown Bethesda. The project promotes the economic competitiveness of Bethesda by providing high-quality new office space in a signature building less than one block away from the Red Line, the Purple Line, and the Capital Crescent Trail. The larger project promotes parks and open spaces by improving the Reed Street right-of-way along the site's western edge to create an attractive pedestrian and bicycle connection between the retail use on that edge and the planned Capital Crescent Park. As a commercial development, the amendment does not provide affordable housing, but it does increase the jobs in Downtown Bethesda and creates more opportunities for people to live close to their work. Finally, while the office building to which the floor is being added was approved before the Sector Plan recommendation for environmental innovation, the development must meet the County minimum requirements for sustainable design. Another important element of environmental innovation is the Sector Plan recommendation for Green Cover over 35 percent of the site. Given that the larger project consists primarily of existing buildings, with the office building in question under construction, the project is not able to meet the requirement site-wide, but will provide a green roof over 55% of the new building to achieve some level of green cover. Any future alterations, renovations and/or redevelopment of the project area should achieve an increase in Green Cover toward the 35% Green Cover requirement/goal. The Sketch Plan Amendment substantially conforms to the general recommendations of the Sector Plan.

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

building and urban design close to transit, open space, housing, and amenities. The Sketch Plan Amendment substantially conforms to the district recommendations of the Sector Plan.

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

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

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

For the proposed development, the zoning code requires 100 points in four categories. Although, at time of Sketch Plan, only the categories need be approved, Table 2 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.

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Master 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 code requires 100 points in four categories. Although, at time of Sketch Plan, only the categories need be approved, Table 2 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- Sketch Plan Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Total Points Possible	Approved 320150050	Requested 32015005B
4.7.3.A: Major Public Facilities	70	7.6	7.6
4.7.3.B: Transit Proximity	50	40	40
4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	10	10
4.7.3.E: Quality of Building and Site Design			
Architectural Elevations	20	20	20
Exceptional Design	10	7.5	7.5
Structured Parking	20	14.1	14
4.7.3.F: Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLT)	30	2.5	2.85
Vegetated Wall	10	5	5
Vegetated Roof	15	10	10
TOTAL	100 (Min. Required)	116.7	116.95

The following categories are being amended by the Sketch Plan Amendment:

Connectivity and Mobility

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

Quality of Building and Site Design

Structured Parking: The Applicant requests 11 points for structured parking consisting of 588 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

Protection and Enhancement of the Natural Environment

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

SECTION 5: PRELIMINARY PLAN AMENDMENT ANALYSIS AND FINDINGS

To approve a Preliminary Plan, the Board must find that:

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

The Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the 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. The Application complies with the land use recommendations for the Subject Property as

well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. As evidenced by the Preliminary Plan, the Subject Property is sufficiently large to efficiently accommodate the mix of uses. Under Section 4.5.4 of the Zoning Ordinance, the dimensional standards for the lot will be determined with approval of the subsequent Site Plans.

2. *The Preliminary Plan substantially conforms to the master plan;*

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

The amendment adds an additional floor to an approved office building under construction in Downtown Bethesda. The project promotes the economic competitiveness of Bethesda by providing high-quality new office space in a signature building less than one block away from the Red Line, the Purple Line, and the Capital Crescent Trail. The larger project promotes parks and open spaces by improving the Reed Street right-of-way along the site's western edge to create an attractive pedestrian and bicycle connection between the retail use on that edge and the planned Capital Crescent park. As a commercial development, the amendment does not provide affordable housing, but it does increase the jobs in Downtown Bethesda and creates more opportunities for people to live close to their work. Finally, while the office building to which the floor is being added was approved before the Sector Plan recommendation for environmental innovation, the development must meet the County minimum requirements for sustainable design. Another important element of environmental innovation is the Sector Plan recommendation for Green Cover over 35 percent of the site. Given that the larger project consists primarily of existing buildings, with the office building in question under construction, the project is not able to meet the requirement site-wide, but will provide a green roof over 55% of the new building to achieve some level of green cover. Any future alterations, renovations and/or redevelopment of the project area should achieve an increase in Green Cover toward the 35% Green Cover requirement/goal. The Sketch Plan Amendment substantially conforms to the general recommendations of the Sector Plan.

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

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

Adequate Public Facilities

The Project proposes an increase in office density of 14,500 square feet. Although this density would not necessitate a full traffic analysis when considered on its own, it is a long-standing Planning Department practice to evaluate any increase in site density occurring within the previous twelve years, as new development, to avoid piecemeal development. Since the Site was the subject of Preliminary Plan Amendment 1983015B, approved in May 2016, all of the density associated with 1983015B² is considered "new development" for the purposes of evaluating the traffic impact of the Subject Application.

² 1983015B received approval, through MCPB Resolution 16-010, for up to 543, 170 square feet of office uses and 43,441 square feet of non-residential (retail, restaurant, or service) uses.

The Project is estimated to generate more than 50 peak-hour person trips³ during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. The transportation study submitted for the Project was combined with a concurrent, but subsequently withdrawn, development application for up to 601,111 square feet, an increase that includes the additional 14,500 square feet as well as other uses that are not under consideration at this time. As a result, the trip generation and intersection capacity tables reflect the more conservative (higher) transportation impact and have not been updated to show the reduced project impact of only 14,500 square feet.

The Project is estimated to generate 277 new peak-hour person trips during the weekday morning peak period and 275 new vehicular trips during the weekday evening peak period. The project is estimated to generate 229 new peak-hour person trips during the weekday morning peak period and 227 new vehicular trips during the weekday evening peak period.

Table 3: Site Peak Hour Trip Generation

Total Existing		Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Office	360,787 SF	534	483	310	280	647	584
Retail	41,525 SF	40	154	6	54	162	798
Subtotal		574	637	316	334	809	1382
Total Proposed		Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Office	360,787 SF	763	709	442	411	924	859
Retail	41,525 SF	40	154	6	54	162	798
Subtotal		803	863	448	465	1086	1657
Total		229	227	132	131	277	275

Table 4: Total Peak Hour Person Trips by Mode

	Person Trips	Auto Driver	Pedestrian*	Transit	Bike
AM	277	133	109	66	43
PM	275	131	108	65	43

A summary of the Highway Capacity Manual (HCM) analysis for the weekday morning and evening peak-hour periods, presented in Table 3, shows that the total (Build) condition will remain within the policy area congestion standard of 120 seconds of vehicle delay. Based on the analysis presented in the traffic

³ The Transportation Study, dated May 12, 2017, associated with the Subject Amendment also included an increased land use density for the Site associated with a withdrawn plan amendment. Although the land use density has not been reduced to reflect the withdrawn amendment, the Subject Application is limited to 14,500 square feet of office development.

study and pedestrian level of service (Table 6), the subject application will satisfy the LATR requirements of the APF test.

Table 5: Average Vehicle Delay at Study Intersections

Intersection	Traffic Control	Delay Standard	Approach	Existing Conditions		Total Future Conditions	
				AM	PM	AM	PM
1. Bethesda Ave/ Woodmont Ave	Signal	120 sec.	Overall	23.5 sec.	30.5 sec.	25.3 sec.	33.2 sec.
2. Bethesda Ave/ Site Driveway	None		EBLR	2.0 sec.	0.2 sec.	3.0 sec.	0.5 sec.
			WBTR	0.0 sec.	0.0 sec.	0.0 sec.	0.0 sec.
			SBLR	11.4 sec.	14.6 sec.	13.5 sec.	19.4 sec.
3. Wisconsin Ave/ Bethesda Ave/ Driveway	Signal	120 sec.	Overall	12.6 sec.	25.1 sec.	12.0 sec.	38.2 sec.
4. Wisconsin Ave/ Willow Ln	Signal	120 sec.	Overall	12.6 sec.	19.0 sec.	12.0 sec.	25.1 sec.

Table 6: Pedestrian Level of Service

Intersection		Intersection Leg	Existing Conditions Level of Service		Total Future Conditions Level of Service	
1. Bethesda Ave/Woodmont Ave			AM	PM	AM	PM
Across Bethesda Ave		East	B	B	B	B
Across Bethesda Ave		West	A	B	A	B
Across Woodmont Ave		North	B	B	B	B
Across Woodmont Ave		South	B	B	B	B
3. Wisconsin Ave/Bethesda Ave/Driveway			AM	PM	AM	PM
Across Willow Ln		East	B	B	B	B
Across Bethesda Ave		West	A	A	A	A
Across Wisconsin Ave		North	C	C	C	C
Across Wisconsin Ave		South	C	C	C	C

Other Public Facilities

Public facilities and services are available and will be adequate to serve the development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Subject Property. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

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

The Forest Conservation Plan complies with the requirements of the Forest Conservation Law. The Application is subject to a forest conservation plan that has been submitted with the Application. Although no forest exists on or near the Subject Property, there is an afforestation requirement of 0.36 acres. The forest conservation requirements will be addressed offsite by a payment of a fee-in-lieu.

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

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards. The MCDPS Stormwater Management Section approved the stormwater management concept on January 6, 2016. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of green roofs.

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 the property and necessary for approval of the subdivision.

SECTION 6: SITE PLAN AMENDMENT ANALYSIS AND FINDINGS

Except as discussed below, the Planning Board findings made with the approval of Site Plan Amendment 81984002B remain valid and in full effect. Only the following findings have been affected by this Site Plan Amendment.

2. *To approve a Site Plan, the Planning Board must find that the proposed development:*

d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The project is approximately 3.02 gross acres zoned CR-5.0 C-5.0 R-5.0 H-170. The following table, Table 5, shows the application's conformance to the development standards of the zone.

Table 7-Site Plan Project Data Table				
Section	Development Standard	Permitted/ Required	Approved Sketch Plan 320150050	Proposed for Approval
59 – 4	Gross Tract Area (sf)	n/a	131,545	
4.5.4.B.2.b	Density CR-5.0, C-5.0, R-5.0, H-170 Commercial FAR/GFA Residential FAR/GFA TOTAL FAR/GFA	5.0/657,725 5.0/657,725 5.0/657,725	4.46/586,611 0/0 4.46/586,611	4.57/601,111 0/0 4.57/601,111
4.5.4.B.2.b	Building Height (feet) C-R5.0, C-5.0, R-5.0, H-170	170	145	167
4.5.4.B.3	Minimum Setback (feet) From R.O.W.	0		
4.5.4.B.1	Open Space Public Open Space (%/sq. ft.)	10/10,450	12.7/13,235	
6.2	Parking (spaces) Non-residential uses, min.	959-1,928	959	

ii. Division 4.7 Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59-4.7.1, the Site Plan proposes the following phased public benefits to satisfy the requirements: Major Public Facilities, Transit Proximity, Connectivity and Mobility, Quality of Building and Site Design, and Protection and Enhancement of the Natural Environment.

Table 8 - Site Plan Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Total Points Possible	Approved 320150050	Recommended
4.7.3.A: Major Public Facilities	70	7.6	7.6
4.7.3.B: Transit Proximity	50	40	40
4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	10	10
4.7.3.E: Quality of Building and Site Design			
Architectural Elevations	20	20	20
Exceptional Design	10	7.5	7.5
Structured Parking	20	14.1	14
4.7.3.F: Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLT)	30	2.5	2.85
Vegetated Wall	10	5	5
Vegetated Roof	15	10	10
TOTAL	100 (Min. Required)	116.7	116.95

The following categories are being modified under the Site Plan Amendment:

Connectivity and Mobility

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

The points are calculated as follows:

$$[(1,928/983)/(1,928/983)] * 10 = 10$$

Quality of Building and Site Design

Structured Parking: The Applicant requests 14 points for structured parking consisting of 584 above-grade spaces and 395 below-grade spaces. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

The points are calculated as follows:

$$[(588/983) * 10] + [(395/983) * 20] = 14$$

Protection and Enhancement of the Natural Environment

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

The points are calculated as follows:

$$((133,027 * 7.5\%) / 31,500) * 9 = 2.85$$

- g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;*

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

The amendment adds an additional floor to an approved office building under construction in Downtown Bethesda. The project promotes the economic competitiveness of Bethesda by providing high-quality new office space in a signature building less than one block away from the Red Line, the Purple Line, and the Capital Crescent Trail. The larger project promotes parks and open spaces by improving the Reed Street right-of-way along the site's western edge to create an attractive pedestrian and bicycle connection between the retail use on that edge and the planned Capital Crescent Park. As a commercial development, the amendment does not provide affordable housing, but it does increase the jobs in Downtown Bethesda and creates more opportunities for people to live close to their work. Finally, while the office building to which the floor is being added was approved before the Sector Plan recommendation for environmental innovation, the development must meet the County minimum requirements for sustainable design. Another important element of environmental innovation is the Sector Plan recommendation for Green Cover over 35 percent of the site. Given that the larger project consists primarily of existing buildings, with the office building in question under construction, the project is not able to meet the requirement site-wide, but will provide a green roof over 55% of the new building to achieve some level of green cover. Any future alterations, renovations and/or redevelopment of the project area should achieve an increase in Green Cover toward the 35% Green Cover requirement/goal. The Sketch Plan Amendment substantially conforms to the general recommendations of the Sector Plan.

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

- j. on a property in all other zones, is compatible with existing and approved or pending adjacent development.*

The proposed building is compatible with existing and pending nearby development. The project's building height of 167 feet provides an appropriate transition from the taller buildings proposed for the Apex Building site to the existing lower buildings farther away from the center of the Metro Core District. The building will be placed up to the sidewalk, continuing the street wall created by existing buildings on this block. The proposed use, office and retail, is compatible with the surrounding commercial buildings on this block.

CONCLUSION

The project complies with the general requirements and development standards of Section 4.5, the optional method public benefits provisions of Division 4.7, and the general development requirements of Article 59-6 of the Zoning Ordinance. The project satisfies the findings of the Subdivision Regulations and substantially conforms with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of Sketch Plan No. 32015005B, Preliminary Plan Amendment No. 11983015C, and Site Plan Amendment No. 81984002D with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Agency Correspondence Referenced in the conditions



Isiah Leggett
*County
Executive*

DEPARTMENT OF TRANSPORTATION

Al R. Roshdiah
Director

October 19, 2017

Mr. Neil Braunstein, Planner Coordinator
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan Amendment
No. 11983015C
Artery Plaza

Dear Mr. Braunstein:

We have completed our review of the sketch plan and preliminary plan amendment dated August 11, 2017. This plan was not reviewed by the Development Review Committee. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. Include this letter and all other correspondence from this department.

1. All comments from the preliminary plan letters dated February 29, 2016, (for preliminary plan no. 11983015A) and August 22, 2017, (for preliminary plan no. 1198305B) remain applicable unless modified below.
2. On the certified preliminary plan, remove "11 rack bike station" and replace it with "area may be used for bikeshare or similar type of facility."
3. The revised Traffic Impact Study dated October 17, 2017, is currently under review. This is the second submission of the TIS. Road improvements may be required as the result of the traffic impact study review.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Neil Braunstein
Preliminary Plan Amendment No. 11983015C
October 19, 2017
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Thank you for the opportunity to review this sketch plan and preliminary plan amendment. If you have any questions or comments regarding this letter, please contact Ms. Rebecca Torma, our Development Review Senior Planning Specialist for this project at (240) 777-2118 or at rebecca.torma@montgomerycountymd.gov.

Sincerely,



Rebecca Torma, Acting Manager
Development Review Team
Office of Transportation Policy

Sharepoint/transportation/development review/Rebecca/developments/Bethesda/artery plaza/11998301B Artery Plaza prelim plan ltr.docx

cc: Kristi Smith JBG Associates, LLC
Andrew Bradshaw Johnson Bernat Associates Inc.
Matthew Folden M-NCPPC Area 1
Preliminary Plan folder
Preliminary Plan letters notebook

cc-e: Sam Farhadi MCDPS RWPR
Beth Dennard MCDOT CSS