



## 8280 Wisconsin Avenue: Sketch Plan No. 320180150

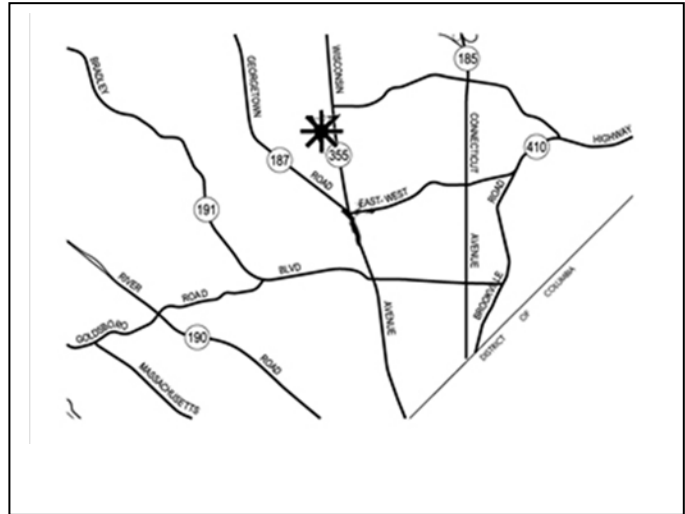
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### Description

Completed: 7.9.18

- Request for a non-residential development with a maximum density of 185,000 square feet. The maximum density includes up to 93,388 square feet of density from the Bethesda Overlay Zone (BOZ), with a Park Impact Payment;
- Current use: gas station;
- Located in the southwest quadrant of the intersection of Montgomery Avenue and Battery Lane in Downtown Bethesda;
- 0.75 gross acres Zoned CR-3.0, C-3.0, R-2.75, H-145 and the Bethesda Overlay Zone (BOZ) in the 2017 Bethesda Downtown Sector Plan area;
- Applicant: Donohoe Development Company and Stonebridge Carras
- Accepted on 4.19.2018



### Summary

- Staff recommends **Approval** of the Sketch Plan, with conditions.
- The development proposes up to 185,000 square feet of total development, including an allocation of 93,388 square feet from the BOZ and a payment of up to \$933,880 to the Park Impact Payment (PIP) fund for park acquisition in downtown Bethesda. The final PIP will be determined at Site Plan.
- On May 23, 2018, Staff received comments from the Design Advisory Panel supporting the design of the buildings, recommending approval of the requested Design Excellence public benefit points.
- Staff has not received any correspondence on the Application.
- By Executive Order 125-18, the County Executive has declared this project a Strategic Economic Development, directing all Executive Branch Agencies to treat the Project as a priority and to give it immediate attention as it moves through the required planning, development review and permitting processes.
- The Site is included in an approved multi-site Project Plan, Woodmont Central. As conditioned, this Sketch Plan approval will supersede the Project Plan with regard to 8280 Wisconsin Avenue, and in advance of any further approvals for this Site, the Applicant must submit another Sketch Plan application to address the remaining Woodmont Central site. The Applicant has already submitted amendments to address the relevant Preliminary and Site Plan approvals, which will be reviewed concurrently with the new Sketch Plan application.

## TABLE OF CONTENTS

<b>SECTION 1: RECOMMENDATION AND CONDITIONS</b>	<b>3</b>
<b>SECTION 2: SITE DESCRIPTION &amp; VICINITY</b>	<b>5</b>
<b>SECTION 3: PROJECT DESCRIPTION</b>	<b>7</b>
Background	
Previous Review	
Proposal	
Open Space	
Circulation	
<b>SECTION 4: SKETCH PLAN</b>	<b>12</b>
Analysis and Findings	
<b>SECTION 7: OUTREACH</b>	<b>21</b>
<b>SECTION 8: CONCLUSION</b>	<b>21</b>

## SECTION 1: RECOMMENDATION AND CONDITIONS

### 8280 Wisconsin Avenue: Sketch Plan No. 320180150

Staff recommends approval of Sketch Plan No. 320180150, 8280 Wisconsin Avenue, for a non-residential development project with a maximum total density of 185,000 square feet. The maximum density includes 93,388 square feet of density from the Bethesda Overlay Zone (BOZ), with a Park Impact Payment, on the Subject Property. The following site development elements shown on the latest electronic version as of the date of this staff report submitted via eplans to the M-NCPPC are required except as modified by the conditions below.

#### Binding Elements

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

All other elements of the Sketch Plan are illustrative.

#### Recommended Conditions of Approval

##### **Previous Approval**

1. Prior to the approval of any further applications for the Subject Property, the Applicant must submit a Sketch Plan for Woodmont Central (Lot 663) and amend the Preliminary and Site Plans as necessary.

##### **Density and Height**

###### 2. Density

The development is limited to a maximum total density of 185,000 square feet of non-residential uses. This total reflects an allocation of 93,388 square feet of density from the Bethesda Overlay Zone (BOZ). The final square footage will be determined at Site Plan.

###### 3. Height

The development is limited to the maximum height of 145 feet, as measured from the building height measuring point.

###### 4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59-4.5.4.2.a. The requirements of Division 59-4.7 and the *CR Zone Incentive Density Implementation Guidelines and as modified by the Bethesda Overlay Zone* must be fulfilled for each public benefit proposed. Final points will be established at Site Plan approval.

- a. Major Public Facilities, achieved through providing an off-site bike share facility;
- b. Connectivity between Uses, Activities, and Mobility Options, achieved through minimum parking and trip mitigation;
- c. Diversity of Uses and Activity, achieved through adaptive buildings;
- d. Quality of Building and Site Design, achieved through exceptional design, public open space, and structured parking; and
- e. Protection and Enhancement of the Natural Environment, achieved through BLTs, cool roof, and energy conservation.

5. Building Lot Terminations (BLTs)

Prior to building permit, the Applicant must provide Staff verification that 0.4018 BLTs have been acquired for the proposed development.

**Open Space, Public Use Space and Amenities**

6. Public Space/Park Impact Payment

The Park Impact Payment (PIP) must be paid to the M-NCPPC prior to release of the first above-grade building permit. The final amount of the PIP will be determined at Site Plan.

7. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Site Frontage.

**Transportation and Circulation**

8. Transportation Monitoring

The Applicant must participate in the Bethesda Transportation Management District (TMD).

9. Bicycle Facilities

The Applicant must coordinate with the Montgomery County Department of Transportation to participate in the implementation of master-planned separated bicycle lanes along the project's Battery Lane frontage.

10. Right-of-Way Dedication

At time of Preliminary Plan, the Applicant must dedicate sufficient area to accommodate the master planned right-of-way along Wisconsin Avenue of 61 feet from existing centerline, and along Battery Lane 35 feet from existing centerline.

11. DOT Letter

The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated June 14, 2018, and hereby incorporates them as conditions of the Sketch 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 Sketch Plan approval.

**Future Coordination**

12. Future Coordination for Preliminary and Site Plan

In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan, as appropriate:

- a. Design Guidelines conformance, as discussed by the Design Advisory Panel, and included in the Sketch Plan Findings;
- b. Obtain written approval from MC-DPS for the proposed building area located within the Wisconsin Avenue Right of Way;
- c. Fire and Rescue access and facility details;
- d. Streetscape details;
- e. Transportation Impact Study;
- f. Traffic Mitigation Agreement to participate in the Bethesda Transportation Demand Management District and achieve the Sector Plan 55% NADMS goal;
- g. Amend the Final Forest Conservation Plan to reflect the approved site design and associated Limits of Disturbance;
- h. The Applicant must Provide a minimum of four street trees along the Wisconsin Avenue frontage and two street trees on the Battery Lane frontage per the Bethesda Streetscape Standards and Design Guidelines;

- i. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- j. SWM concept approval (and subsequent plan) which also address the Bethesda Downtown Plan recommendations regarding SWM;
- k. Provide a minimum of 35% of net lot area as Green Cover per the Sector Plan; and
- l. Address Bird-Safe Design per the Bethesda Downtown Plan Design Guidelines.

## SECTION 2: SITE DESCRIPTION & VICINITY

The Site is recorded as Lot 63, Northwest Park, and is located in the southwest corner of the intersection of Wisconsin Avenue and Battery Lane, at the northern end of Downtown Bethesda. The site covers about 0.75 gross acres and is Zoned CR-3.0, C-3.0, R-2.75, H-145. The vicinity of the site features mixed residential and commercial development, with mid- and low-rise multi-family residential development to the west, north, and east, and primarily commercial development to the south. The Site is presently improved with a gas station. There are no known a rare, threatened, or endangered species, floodplains, forests, historic properties or features on the Property.

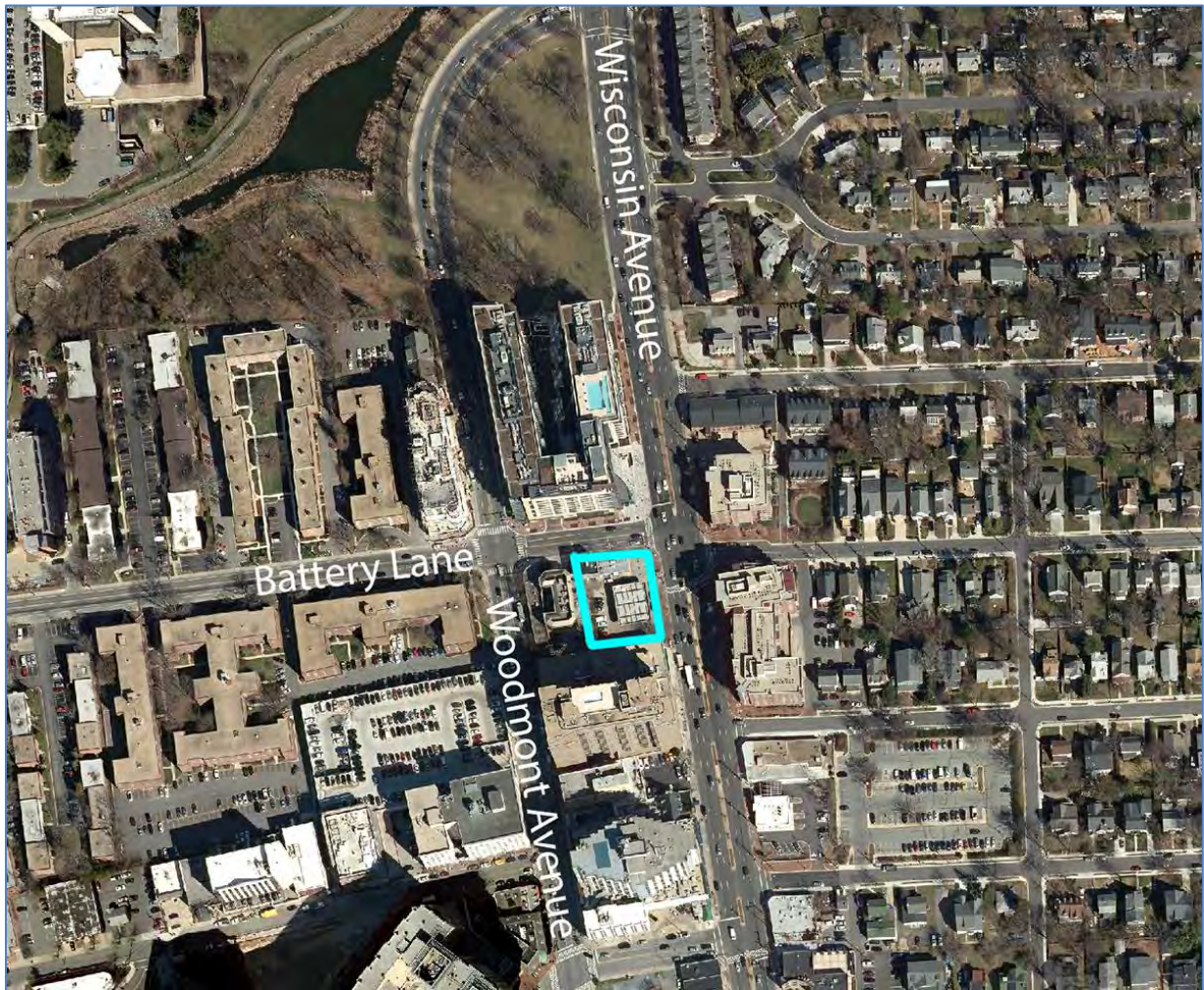
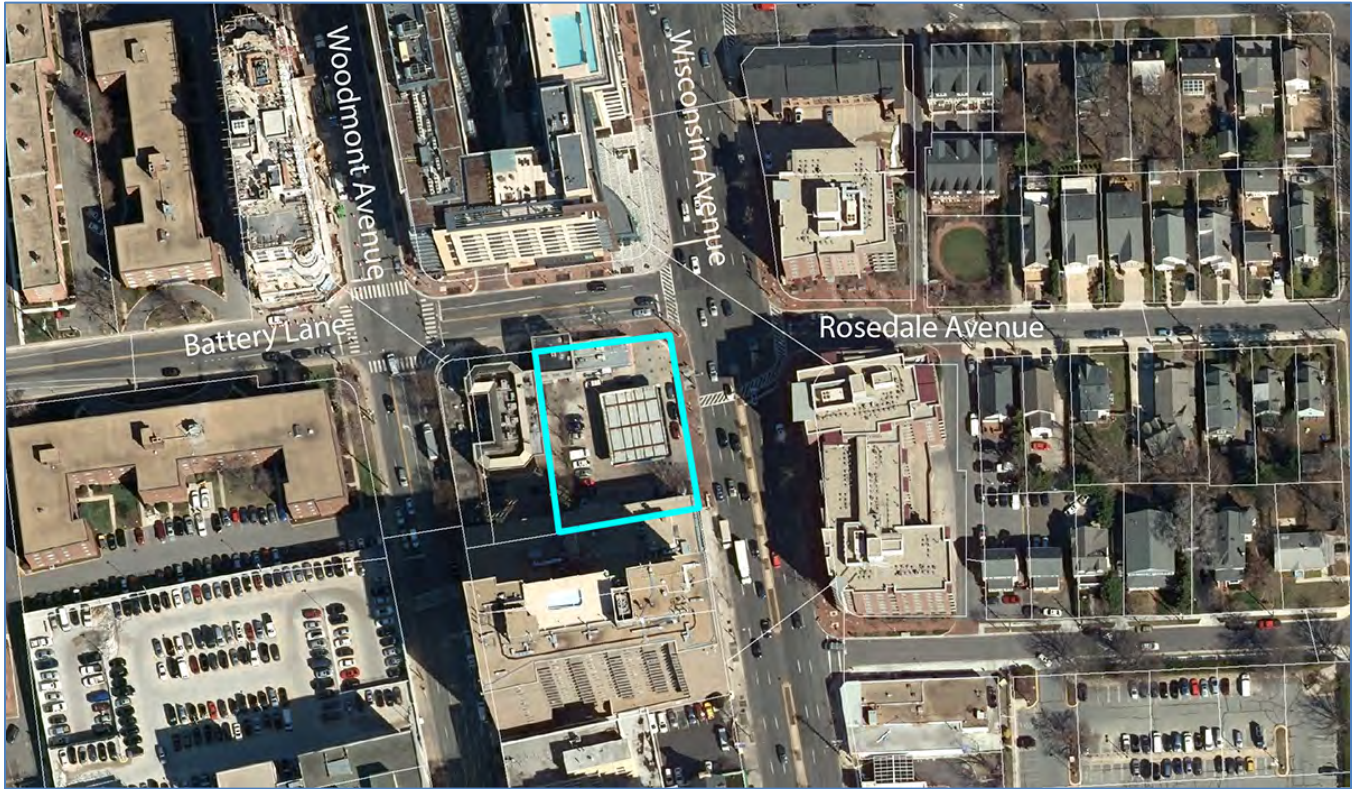


Figure 1-Vicinity Map





*Figure 2 – Aerial Site Photo*

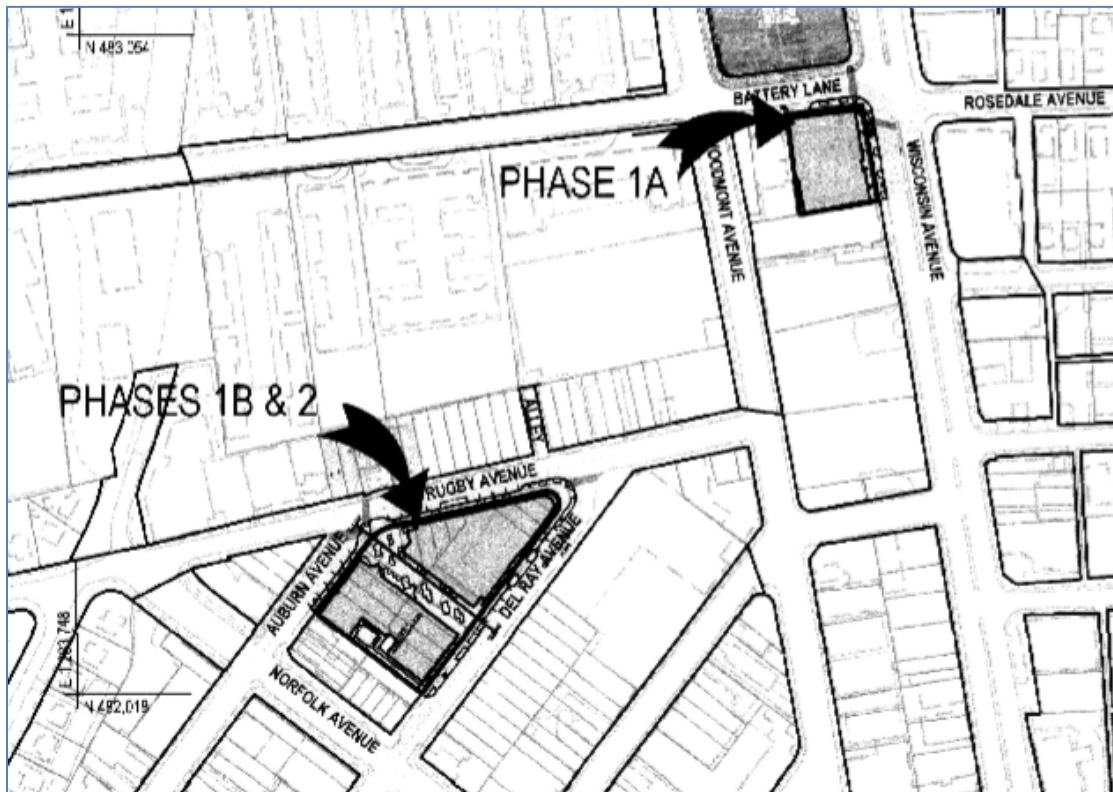


*Figure 3 – Google Street View (Sunoco Station)*

### SECTION 3: PROJECT DESCRIPTION

#### Previous Approvals

The Property is currently part of the entitlements approved for the Woodmont Central project, described in detail in Attachment A. Approved under the previous Sector Plan and Zoning Code, which limited commercial density in the Woodmont Triangle area of Bethesda to 1.0 FAR, the approvals combined the densities of two non-adjointing sites and assigned the combined commercial density to this Property (and the combined residential density to the other). As illustrated below, the commercial development for this Property was identified as Phase 1A (Lot 63, Plat No. 24411), and the residential development as Phases 1B and 2 (Lot 663, Plat No. 24412). Both sites included ground-floor retail uses.



*Figure 4 – Woodmont Central, with Phase 1A (Lot 63) and Phases 1B & 2 (Lot 663)*

Under these approvals, the two sites are inextricably linked: neither can independently meet the development standards of the old code, in particular the maximum density limit. This Sketch Plan application disrupts this symbiotic relationship by bringing the Subject Property under the requirements of the 2014 Zoning Ordinance and the 2017 *Bethesda Downtown Sector Plan*. This will in turn require that the residential development, now almost completely constructed, be brought under the new Code and Sector Plan in order to meet the maximum density standard. For its part, the new Sketch Plan for Lot 63 includes a density transfer off the site of 5,909 square feet to make the Lot 663 development compliant with the maximum density limits.

Staff is recommending a condition of approval that this Sketch Plan supersede the existing Woodmont Central Project Plan approval as it pertains to the 8280 Wisconsin Avenue Site. Further, before any subsequent approval for this Site, the Applicant must submit a Sketch Plan for the residential development site to address all development standards for that site. The Applicant has already submitted Preliminary and Site Plan amendments to begin to address the issue, and those will be reviewed concurrent with the new Sketch Plan for the residential site at Lot 663.



### Proposal

The Applicant proposes up to 185,000 square feet of non-residential development, envisioned as research and development uses. The total includes up to 93,388 square feet of density from the Bethesda Overlay Zone (BOZ), and the project will be providing a Park Impact Payment (PIP) of \$933,880 at time of building permit. With a tract area of less than one acre and two frontages, there is no Public Open Space requirement.



Figure 5 – Illustrative Site Plan





*Figure 6 – Perspective Views of Wisconsin Avenue corner, looking south*

Staff notes that the submitted Sketch Plan design projects a substantial portion of the building into the public right of way for Wisconsin Avenue. This is not consistent with a strict interpretation of the Design Guidelines, and will need to be reviewed further by Staff, the DAP, and the reviewing agencies at the time of Site Plan.

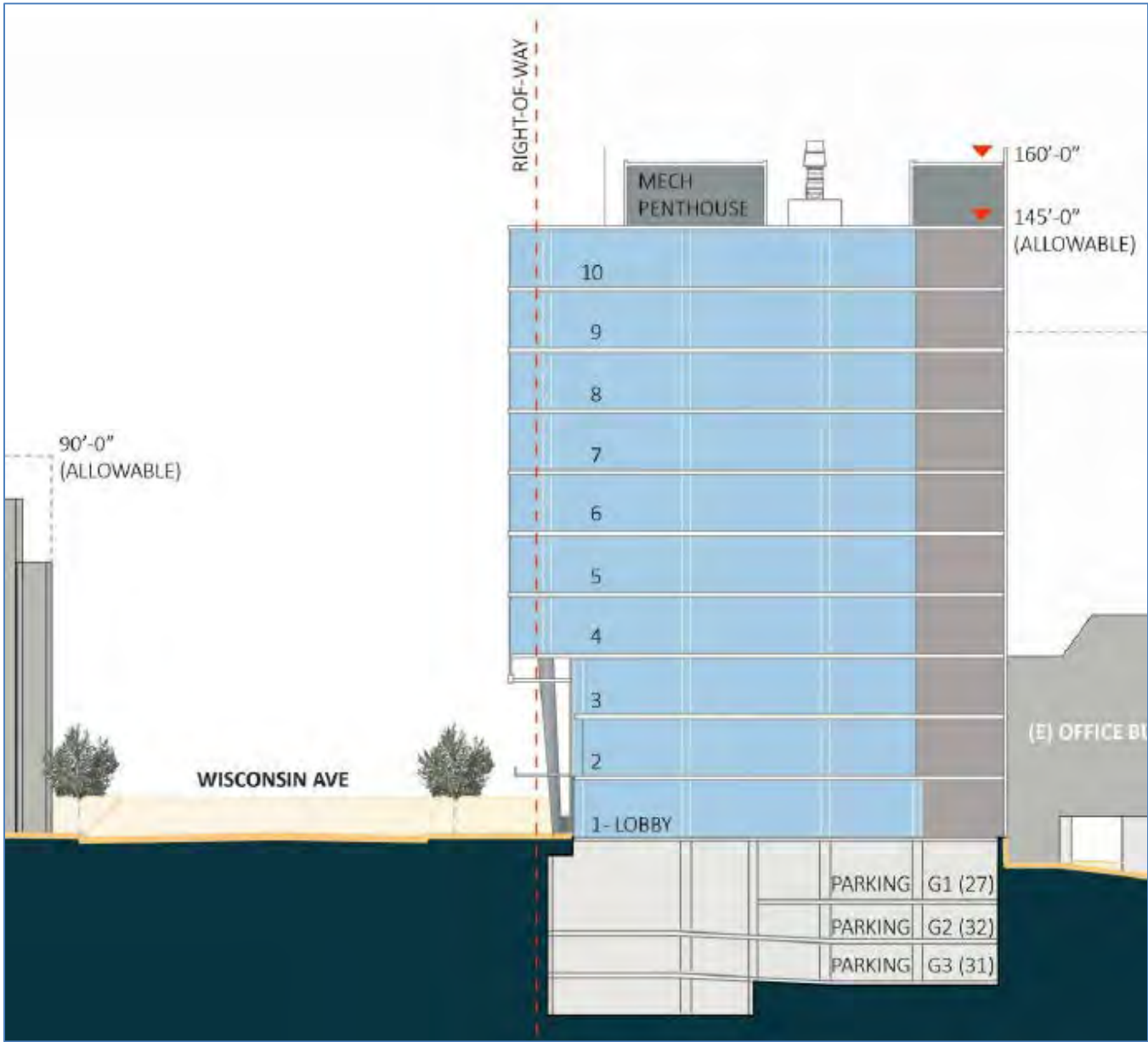


Figure 7 – Diagrammatic Building Section Looking South

Transportation  
Access and Circulation

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

Vehicular access to the Property is proposed directly from Battery Lane through a consolidated garage access point and loading bay (two separate, but adjacent entrances) at the northwest corner of the site (Figure 8). This configuration eliminates vehicular access from Wisconsin Avenue (MD 355) and minimizes interruptions to the pedestrian realm.



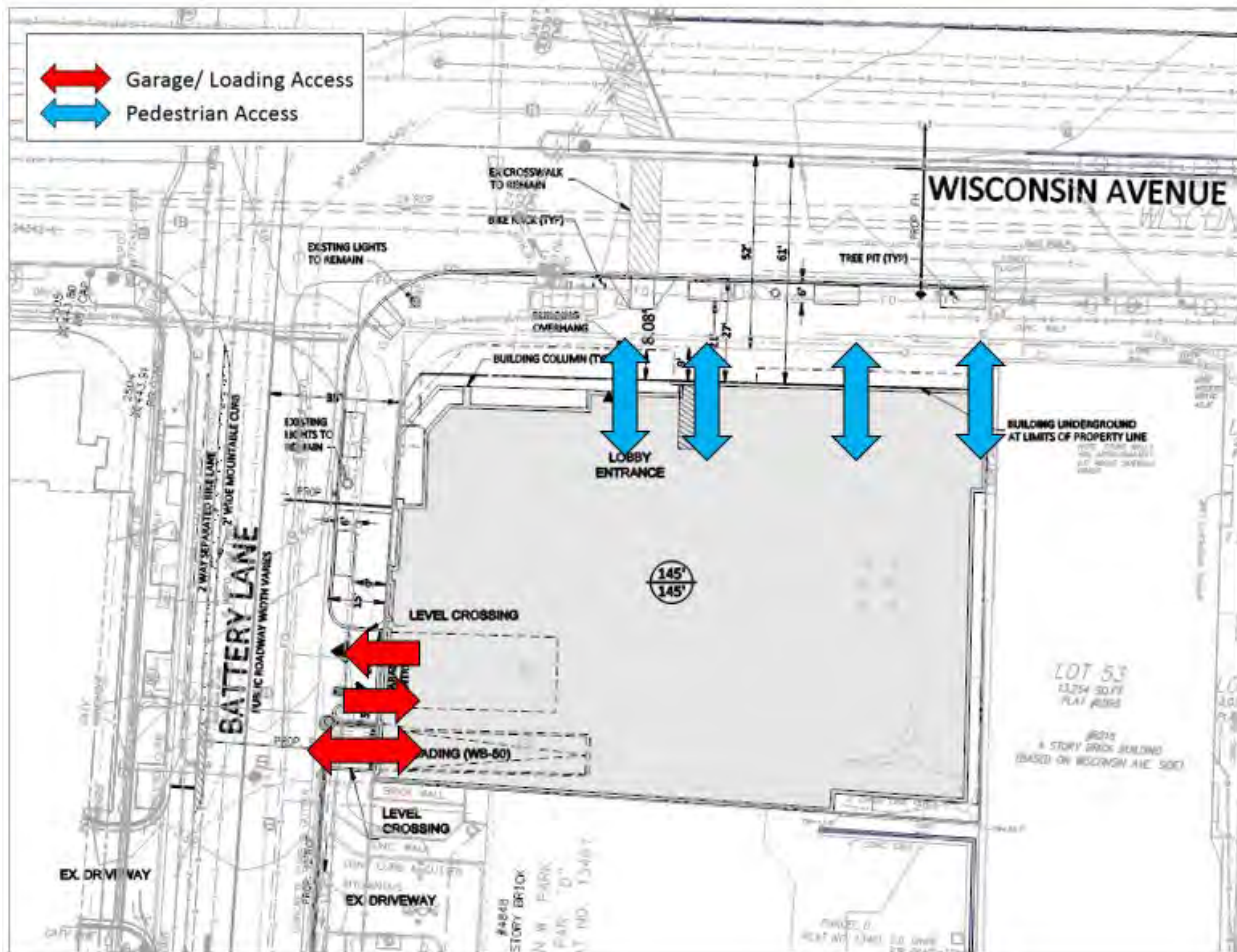


Figure 8 - Vehicular & Pedestrian Circulation

Vehicle parking is proposed to be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/ egress into the parking structure determined at Site Plan based on the Project density. Pedestrian and bicycle access to the Property will be provided along both Battery Lane and Wisconsin Avenue, though bicycle access will be prioritized along the Battery Lane frontage through the future provision of master planned separated bicycle lanes.

#### Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station, located approximately ½ mile to either the north or south of the site at the Bethesda Naval Metrorail station or Bethesda Metrorail station; Metrobus, RideOn, the Bethesda Circulator, future Purple Line, and future Bus Rapid Transit.

#### Master Plan Roadways and Pedestrian/Bikeway Facilities

The following is a summary of recommendations in the 2017 *Bethesda Downtown Sector Plan* and 2018 *Planning Board Draft Bicycle Master Plan*:

1. Wisconsin Avenue, along the eastern site frontage, as a major highway (M-6) with a minimum right-of-way width of 122 feet.
2. Battery Lane, along the northern site frontage, as a business district street with a minimum right-of-way width of 70 feet and two-way separated bicycle lanes on the north side of the street.



#### *Sector-Planned Transportation Demand Management*

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55%, averaged between employees and residents of downtown Bethesda. In order to meet this goal, downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single-occupancy vehicles. As a non-residential project with more than 25 employees within the Bethesda TMD, the development is required to enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD. Specific details of the TMAg will be determined during the Preliminary Plan review.

#### *Adequate Public Facilities*

The Project is estimated to generate approximately 155 morning peak-hour person trips and 146 evening peak-hour person trips. When compared to the existing use to be removed from the Site, the Project generates a net new 126 morning peak-hour person trips and 113 evening peak-hour person trips. Since the Project will generate more than 50 net new person trips, a Transportation Impact Statement must be submitted at the time of Preliminary Plan to satisfy the Local Area Transportation Review.

#### Environment

Since the approval of the recent amendments to the forest conservation law, all properties subject to a Sketch Plan seeking approval after February 26, 2018, must have obtained approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) or forest conservation exemption prior to the Planning Board acting on the sketch plan. The Planning Department approved NRI/FSD #420111190 for this project on March 16, 2011. A subsequent Forest Conservation Plan had also been approved for this Property and will be amended as part of the future Preliminary/Site plan amendments.

#### Stormwater Management (SWM)

A Stormwater Management Concept Plan is not required at the time of Sketch Plan. Submission of the concept to the Department of Permitting Services (DPS) and approval will be required at the time of Preliminary Plan. The ultimate SWM plan approval should also address the Bethesda Downtown Plan recommendations regarding SWM.

## **SECTION 4: ANALYSIS AND FINDINGS**

### **PROJECT ANALYSIS**

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 reviews.

### **PROJECT FINDINGS**

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 discussed in the Site Plan findings below, the Sketch Plan meets all of the Development Standards of the CR 3.0, C 3.0, R 2.75, H 145.

Table 1- Data Table			
Section 59 - 4	Development Standard	Permitted/ Required	Proposed
	<b>Tract Area (sf)</b> Previous Dedications Proposed Dedications <b>Site Area (sf)</b>	n/a	<b>32,507</b> 13,385 1,320 <b>17,802</b>
4.5.4.B.2.b	<b>Base Density</b> CR 3.0, C 3.0, R 2.75, H 145 Commercial FAR/GFA Density previously transferred <b>BOZ Density</b> GFA Requested <b>Total Base + BOZ Density</b> Commercial FAR/GFA	3.0/97,521 n/a	3.0/97,521 (5,909) 93,388 5.69/185,000
4.5.4.B.2.b	<b>Building Height (feet)</b>	145	145
4.5.4.B.3	<b>Minimum Setback (feet)</b> From R.O.W.	0	0
4.5.4.B.1	<b>Open Space (minimum)</b> Public Open Space (% of Site Area/sq. ft.)	0	0
6.2	<b>Parking (spaces)</b> <sup>1</sup> Office (min/max) <b>BOZ Adjustment (80% min.)</b>	370/555 296/555	110

The intent of the CR Zone is to:

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

The Project substantially conforms to the recommendations in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations increase:

- 1. Parks and open spaces**, including new civic greens at Veteran's Park, Bethesda Farm Women's Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways.
- 2. Affordable housing**, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.

<sup>1</sup> Final parking for vehicles and bicycles to be determined at Site Plan

3. **Environmental innovation**, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. **Economic competitiveness**, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is designated as site 55 on page 98 and 99 of the Plan. The Property is in the “Wisconsin Avenue Corridor District,” the main artery through the center of Downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. The area’s retail potential is compromised by its location on either side of Wisconsin Avenue. As a major commuter arterial, this street has heavy traffic volumes that eliminate the potential for “cross shopping” and a lack of visibility for retail establishments. However, Wisconsin North anticipates increased development activity with five planned projects, including the Harris Teeter site at 8300 Wisconsin Avenue. These projects will increase the employee, visitor and residential customer base within the district. Specifically, the Project addresses the following goals as outlined in the Wisconsin Avenue Corridor section of the Plan:

- *Encourage infill and reinvestment on underutilized commercial sites and private surface parking lots.*

The Project provides an opportunity for infill development of an underutilized commercial site along the Wisconsin avenue corridor as recommended by the Sector Plan, by converting a single-story gas station to a non-residential project of up to 185,000 square feet.

- *Economic competitiveness based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.*

The addition of up to 185,000 square feet of commercial uses will substantially contribute to the County’s commercial tax base along the prominent thoroughfare of Wisconsin Avenue and the Sector Plan goal of continued economic competitiveness through the development of a critical mass of nonresidential uses with proximity to public amenities and transit to revitalize the northern portion of the Wisconsin Avenue Corridor by creating additional opportunities for nearby multi-family residential projects and retail uses.

- *Expand the existing Non-Auto Driver Mode Share (NADMS) to include residents and increase the averaged combined NADMS goal to 55 percent.*

The Project is designed to meet the Sector Plan’s goal of a constrained parking policy and will provide facilities that encourage alternatives to the single-occupancy vehicle. The minimum parking ratio under the BOZ is approximately 1.6 parking spaces per 1,000 square feet of office uses; however, the Sketch Plan proposes a parking ratio of approximately 0.6 parking spaces per 1,000 square feet. In addition to providing less parking than the minimum required under the BOZ, the Applicant will enter into a Traffic Mitigation Agreement with the Montgomery



County Department of Transportation (MCDOT) that establishes a blended NADMS goal of 55% to substantially conform to the Sector Plan.

- *Environmental innovation, including more energy efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other eco-friendly measures to enhance community health and quality of life.*

The Project is located within the High Performance Area and proposes to utilize energy efficient building and mechanical systems in order to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the BOZ. In addition, intensive green roof systems and tree canopy are proposed to cover a minimum of 35% of the site area to increase the overall tree canopy cover and expand the urban green within the corridor. The Project also proposes construction of a cool roof, wide sidewalks and streetscape improvements to promote a pedestrian friendly experience along Wisconsin Avenue and Battery Lane.

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

The Project is designed to accommodate a minimum build-to-line of 25 feet on Wisconsin Avenue and 15 feet on Battery Lane. The redevelopment of the Property will enhance the pedestrian experience at the ground-level at the intersection of Wisconsin Avenue and Battery Lane by incorporating approximately 750 square feet of public open space along Wisconsin Avenue. The Project will accommodate a high-quality pedestrian network through improved streetscapes along Wisconsin Avenue and Battery Lane.

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

The Project's proposed massing does not fully conform to the building form goals and recommendations for the Wisconsin Avenue Corridor District in the Sector Plan, page 104. The Project's mass and bulk is imposing, not having a human-scaled presence on the street by proposing a building projection into/over the pedestrian realm (sidewalk) above the building base of more than 8 feet in depth along the Wisconsin Avenue facade. At the time of Site Plan the Project must address the Sector Plan, Section 3.1.1.B.2.a Building Form.

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

The development will redevelop a single-use site, a gas station, with a mix of non-residential uses potentially to include office and research and development, with structured below-grade parking.

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

The development will integrate research and development, a unique use within Central Business Districts, and office uses on the site. While the development is not required to provide public open space, the Applicant will be providing sidewalks improved along the frontage per the Bethesda

Streetscape standard and the Sector Plan Design Guidelines. The development will provide parking within and below the building.

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

The mix of uses, density, and building height in the development design are compatible with the adjacent and nearby existing and planned commercial and residential development, while taking advantage of the Wisconsin Avenue frontage to provide an attractive building.

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

The project provides 185,000 square feet of premium office and research and development space in Downtown Bethesda to attract existing area businesses looking to upgrade their facilities, as well as new businesses looking to take advantage of the combination of nearby housing, parks, transit, and amenities. This new space will complement the ample residential uses surrounding the site.

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

The Project will provide the required public benefits from ten categories and more than the required 100 points to achieve the desired incentive density above the standard method limit. In addition to these public benefits, the Applicant is also paying a Park Impact Payment to the PIP for the acquisition of parkland in Downtown Bethesda.

The Bethesda Overlay Zone (BOZ) was adopted July 18, 2017, specifically to implement the recommendations of the Bethesda Downtown Sector Plan as it relates to density, building heights, affordable housing, parks, and design. The BOZ set a cap of overall development (32.4 million square feet) whereby the zoning approved for most properties retains the base density but increases the heights on respective sites. An Applicant can request an allocation of density over the base density to build to the maximum height permitted by the Zone, as needed. An allocation of density from the BOZ requires a park impact payment of \$10/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. This Application is requesting an allocation of 93,388 square feet from the BOZ initiating a Park Impact Payment of \$933,880 to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

#### General Requirements of Section 59-6

- i. *Site Access, Parking, Queuing, and Loading*

The Project provides safe, adequate, and efficient circulation, parking, and loading for cars, trucks, pedestrians, and bicyclists and integrates the project into the surrounding area. Pedestrian access will be via existing sidewalks improved to the Bethesda Streetscape standard. The Project will be served by an on-site garage internal to the Project, containing approximately 110 parking spaces. Vehicular access for garage, service, and loading are proposed as full-movement driveways directly from Battery Lane. This access configuration eliminates driveways on Wisconsin Avenue and minimizes potential conflicts with pedestrians, cyclists and local vehicular traffic.

- ii. *Open Space and Recreation*

The size of the site and the number of frontages do not require public open space. Also, as a non-residential development, there is no recreation requirement.

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

As discussed in Finding 1.a) above, the Project substantially conforms to the *2017 Bethesda Downtown Sector Plan*.

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

The site is not subject to a development plan or schematic development plan.

4. *Under Section 7.7.1.B.5, for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment, satisfy any green area requirement in effect on October 29, 2014; any green area under this provision includes and is not in addition to any open space requirement of the property's zoning on October 30, 2014;*

The Property's zoning classification on October 29, 2014, was not a result of a Local Map Amendment.

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

The general land uses, development intensity, and overall massing of the site as a whole are compatible with the existing and pending nearby developments. However, as discussed in the Sector Plan conformance condition above, the current massing design does not fully conform to the Plan and Design Guidelines recommendations for building form on Wisconsin Avenue. Of particular negative impact to the desired human scale of the building on Wisconsin Avenue is the significant projection over the public sidewalk, and into the public right-of-way. This and other design issues must be addressed at the time of Site Plan review in order to achieve the compatible design envisioned by the Design Guidelines for the Avenue.

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

The site provides satisfactory circulation options. Vehicular access for parking, service, and loading is provided from Battery Lane in a manner that is efficient enough to allow planting of much-desired street trees along that frontage, while maximizing pedestrian safety. The development will participate in the realization of the Sector-Planned bike facility along the Battery Lane frontage. Pedestrian access on both frontages will be enhanced with generally wider sidewalks and streetscape improvements.

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

Taking into account the considerations in Section 59-4.7.1.B, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

For the proposed development, the Zoning Ordinance requires 100 points in four categories. At the time of Sketch Plan review only the categories need to be approved. The Table below shows the both the categories and points for public benefits recommended at Sketch Plan to demonstrate the Project's ability to meet the requirement to sufficient benefit points. The public benefit categories and associated points below were modified with the Bethesda Overlay Zone (59.4.9.2) and supersede the general CR public benefits.



Table 2- Public Benefits		
Public Benefit	Incentive Density Points	
	Max. Allowed	Requested
<b>59-4.7.3.A: Major Public Facility</b>		
Bike Share	70	7.01
<b>59-4.7.3.C: Connectivity and Mobility</b>		
Minimum Parking (59-4.9.2.C.4.g)*	20	17.18
Trip Mitigation	20	10
<b>59-4.7.3.D: Diversity of Uses and Activities</b>		
Adaptive Buildings	15	15
<b>59-4.7.3.E: Quality of Building and Site Design</b>		
Structured Parking	20	20
Public Open Space	30	3.65
Exceptional Design (59-4.9.2.C.4.g)*	30	25
<b>59-4.7.3.F: Protection and Enhancement of the Natural Environment</b>		
Building Lot Termination (BLT)	30	3.62
Cool Roof	15	15
Energy Conservation and Generation (59-4.9.2.C.4.g)*	25	15
<b>TOTAL</b>		<b>131.46</b>

\*Denotes Sector Plan priority

#### Major Public Facility

Section 59-4.7.3.A.1 of the Zoning Ordinance permits up to 70 public benefit points for provision of Major Public Facilities. The Sketch Plan provides the capital costs for one off-site bikeshare station that contains 19 docks, for which the Applicant is requesting 7.01 public benefit points. Staff supports the category at this time.

#### Connectivity and Mobility

*Minimum Parking:* Section 59-4.7.3.C.2 of the Zoning Ordinance permits up to 10 public benefit points for less than the maximum number of allowed parking spaces, if a maximum is applicable under Section 59-C-15.631. The Bethesda Overlay Zone increased the number of points one could achieve under this category to 20 points as this was a priority in the Sector Plan. This Project provides fewer than the minimum number of parking spaces required by the Zoning Ordinance in one on-site below-grade structured parking garage. The minimum number of parking spaces required for the uses proposed is approximately 370 parking spaces, however the BOZ permits the minimum number of parking spaces required at 80% of the minimum number of spaces required under Section 59-6.2.4.

The incentive density is calculated on a sliding scale  $[(A/P)/(A/R)]*10$ . The BOZ allows up to 20 points, however the multiplier for minimum parking remained at 10. The Applicant is requesting 17.18 points. Staff supports the category at this time.

*Trip Mitigation:* Section 59-4.7.3.C.8 permits up to 20 points for entering into a binding Traffic Mitigation Agreement (TMAg) to reduce the number of weekday morning and evening peak hour trips attributable to the site in excess of any other regulatory requirement; the agreement must result in a reduction of at least 50% for trips attributable to the site. Because the Sector Plan recommends a 55% trip reduction for projects in Downtown Bethesda, to achieve public benefit points in this category the Applicant must enter into a TMAg for a trip reduction greater than 55%. Staff supports the category at this time.

### Diversity of Uses and Activities

*Adaptive Buildings:* Section 59-4.7.3.D.1 of the Zoning Ordinance permits up to 15 points for constructing commercial or mixed use buildings with minimum floor-to-floor heights of at least 15 feet on any floor that meets grade and 12 feet on all other floors. Internal structural systems must be able to accommodate various types of use with only minor modifications. The *CR Implementation Guidelines* clarify that meeting just these criteria will grant only 7.5 points, and that additional points may be appropriate if additional criteria are met such as, for this project, an internal layout that allows changes between residential, retail, and offices uses by minor modifications. At the time of Site Plan, the Applicant must demonstrate that the project merits the requested 15 points. Staff supports the category at this time.

### Quality of Building and Site Design

*Exceptional Design:* Pursuant to Section 59-4.7.3.E.2 the Applicant can achieve 10 points; however the BOZ makes this a minimum requirement and permits up to 30 points for this category to emphasize the importance of exceptional design in downtown Bethesda. The criteria allow for building or site design whose visual and functional impacts enhance the character of a setting. Based on the following, the Applicant requests 25 points for this category. Staff supports the category at this time.

The design of the Project is very innovative in its response to the context, in three specific ways: 1) it responds to the low-rise buildings in the area, by having a recessed area that is 3 stories high at the entrance and 2 stories high to the south of the entrance, and by having a step-back and material change at 72' in height, along Wisconsin Avenue, 2) it has a prominent façade on Wisconsin Avenue, which is in scale with this regional artery, 3) in the context of a small site, the design demonstrates that the functional requirements of a commercial building can be used to create a northern gateway to the Bethesda CBD as well as the Woodmont Triangle. The Sketch Plan design contributes to a sense of place by helping to define the intersection of Battery Lane and Wisconsin Avenue, through its relationship to the buildings on the other three corners. In doing so, it realizes the opportunity, through its height and commercial uses, to create an architectural beacon from the main entrances to the National Institutes of Health and Walter Reed National Medical Center. The Project will meet the ground in a way that is new for Bethesda, and will create architectural interest and a welcome ground-level experience for all modes of transportation, including pedestrians, bikes and vehicles. The Project uses shapes and form at the base, the middle, and the top that are original, with a "tech" orientation in its design elements to connect with its two leading technology leaders to the north, the National Institutes of Health and Walter Reed. Materials will include tech-style metal panels which are new to the Bethesda palette. The Application addresses the challenges of a very small site for commercial development, by implementing a side core to create as efficient as possible (and necessary) floor sizes, steps back at the ground floor and eliminates the two existing Wisconsin Avenue curb cuts to greatly enhance the pedestrian experience. Last, the Project includes low impact development approaches, such as a compact, efficient footprint, which will have less surface area than the average commercial building, and will use less energy.

A major initiative of the Bethesda Downtown Plan was the creation of the Design Advisory Panel (DAP) and their role to bring design awareness to the County and specifically to downtown Bethesda. The Panel met with the Applicant on May 23, 2018, to review their design proposal and offered comments on the building cap, but otherwise endorsed the overall architecture and design. Part of the Panel's responsibility is to evaluate the Applicant's request for Exceptional Design points based upon the criteria and goals outlined in the CR public benefit guidelines. The Panel endorsed the project with the following comments:

1. Provide a landscaping plan showing the design of the public realm and the enhanced tree canopy along Battery Lane, a canopy corridor.
2. Provide a diagram that illustrates what a strict interpretation of the guidelines would bring and why the applicant is proposing departure. Particularly from the step-back guidelines.

*Public Open Space:* Section 59-4.7.3.E.4. of the Zoning Ordinance provides up to 20 points for providing, or making a payment for, public open space in excess of the minimum open space requirement of the zone. Given the size of the site, there is no public open space requirement for the Site. In order to provide the wide sidewalks on Wisconsin Avenue recommended by the Design Guidelines, the Sketch Plan includes approximately 650 square of sidewalk area on site, for which the Applicant is requesting 3.6 public benefit points. Staff supports the category at this time.

*Structured Parking:* Section 59-4.7.3.E.6. of the Zoning Ordinance provides up to 20 points for placing parking in an above or below grade parking structure. The Applicant requests 20 points for providing all of the required parking in below-grade structured parking. The BOZ requires 10 points as the minimum for this benefit. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade. By providing all parking below grade, the project will be able to earn 20 points in this category. Staff supports the category at this time.

#### Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT):* The Project will implement up to 168,746.5 square feet of incentive density, which is gross floor area above 0.5 FAR. Section 59-4.7.3.F.1.a permits up to 30 points for the purchase of BLT easements or payment to the Agricultural Land Preservation Fund. The Applicant will purchase easements in an amount equal to 7.5 percent of the incentive density floor area through the following parameters: 9 points for every 31,500 square feet of gfa, comprising 7.5 percent incentive density floor area (Optional method density of 185,000 sf – standard method density of 16,253.5 sf = incentive density of 168,756.5 sf;  $7.5\% \text{ of incentive density} / 31,500 = 0.4018 \text{ BLTs} \times 9 \text{ points/BLT} = 3.62 \text{ points}$ ). Staff supports this request.

*Cool Roof:* Section 59-4.7.3.F.2 permits up to 10 points for constructing any roof area that is not covered by a vegetated roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12. At the time of Site Plan, the Applicant must demonstrate the extent to which they meet this criterion and will earn points accordingly. Staff supports the category at this time.

*Energy Conservation and Generation:* The Sector Plan requires that all projects in the High-Performance area must exceed the current ASHRAE 90.1 requirement by at least 15 percent. The CR Zone Incentive Density Implementation Guidelines states that up to 15 points are available for constructing buildings that exceed the energy-efficiency standards for the building type by 17.5 percent, however the BOZ permits up to 25 points for this benefit. Exceeding the energy efficiency standards by 17.5 percent in the BOZ proportionally allows the Project to receive 15 public benefit points. Staff supports the category at this time.

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

The development is expected to be constructed in one phase.

## **SECTION 7– COMMUNITY OUTREACH**

The Applicant has met all proper signage, noticing and pre-submission meeting requirements for the submitted Applications. Staff has received no correspondence on the proposed development.

## **SECTION 8– CONCLUSION**

As conditioned, 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 and the Bethesda Overlay Zone. The Project satisfies the findings of the Zoning Ordinance and is consistent with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan* and the *Bethesda Downtown Design Guidelines*.

Therefore, Staff recommends approval of Sketch Plan No. 320180150 with the conditions specified at the beginning of this report.

## **ATTACHMENTS**

- A. Previous Approval Summary
- B. Agency letters
- C. DAP Comments
- D. Strategic Economic Development Project Designation

## ATTACHMENT A: Previous Approvals

On June 25, 2009, the Planning Board approved Project Plan 920090010 and Preliminary Plan 120090140 for two lots on 1.56 acres of land located on two sites, one in the southwest quadrant of the intersection of Battery Lane and Wisconsin Avenue and the other in the southwest quadrant of the intersection of Rugby Avenue and Del Ray Avenue. The approval of the two lots was limited to a total maximum density of 553,772 square feet of development, including up to 453,109 square feet of multiple-family residential uses (with up to 457 dwelling units), and up to 100,663 square feet of non-residential uses, with up to 81,107 square feet of office uses and up to 19,556 square feet of retail uses. This approval consolidated the maximum commercial density available to both sites (at the time limited to 1.0 FAR by the Woodmont Triangle Amendment to the Bethesda CBD Sector Plan) and assigned that density to the Wisconsin Avenue site. Similarly, the bulk of the remaining density from both sites was assigned as residential density to the Del Ray Avenue site. Both sites featured ground-floor retail. This general approach to the distribution of commercial and residential density remained constant through the subsequent approvals, though the specific numbers changed as indicated below.

On April 21, 2011, the Planning Board approved Project Plan Amendment 92009001A, Preliminary Plan Amendment 12009014A, and Site Plan 820110020, increasing the total maximum density from 553,772 to 585,577 square feet of development, including up to a maximum of 474,174 square feet of multi-family residential use (with up to 455 dwelling units), up to 81,107 square feet of office uses, and up to 30,295 square feet of retail uses.

On August 10, 2012, the Acting Planning Director administratively approved Site Plan Amendment 82011002A which, among other minor changes:

- reduced the amount of retail in Phase 1A from 10,505 to 10,493 square feet;
- reduced the amount of retail in Phase 1B from 5,390 to 4,661 square feet;
- increased the amount of retail in Phase 2 from 14,400 to 14,527 square feet.

On May 5, 2014, the Planning Director administratively approved Site Plan Amendment 82011002B for minor modifications that did not affect the amount or distribution of density.

On June 6, 2016, the Applicant submitted a draft Site Plan Amendment application 82011002C for minor modifications that did not affect the amount or distribution of density. The application has recently been accepted as complete for review.





Isiah Leggett  
*County  
Executive*

DEPARTMENT OF TRANSPORTATION

Al R. Roshdieh  
*Director*

June 14, 2018

Mr. Elza Hisel-McCoy, Supervisor  
Area 1 Planning Division  
The Maryland-National Capital  
Park & Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

RE: Sketch Plan No. 320180150  
8280 Wisconsin Avenue

Dear Mr. Hisel-McCoy:

We have completed our review of the revised sketch plan uploaded to eplans on June 1, 2018. A previous plan was reviewed by the Development Review Committee at its meeting on May 8, 2018. The following comments are tentatively set forth for the subsequent submission of a preliminary plan:

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

1. MCDOT does not object to the applicant submitting a preliminary plan for this project.
2. Pay the Montgomery County Department of Transportation plan review fee in accordance with Montgomery County Council Resolution 16-405 and Executive Regulation 28-06AM ("Schedule of Fees for Transportation-related Reviews of Subdivision Plans and Documents").
3. At the preliminary plan stage:
  - a. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.

**Office of the Director**

101 Monroe Street 10<sup>th</sup> Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

[www.montgomerycountymd.gov](http://www.montgomerycountymd.gov)  
*Located one block west of the Rockville Metro Station*

- b. Battery Lane - Provide typical section for Battery Lane. Based on plat #19628 Battery Lane has a right-of-way of 70-feet and is classified as a Business District street. Include separated bike lanes in the cross section.
  - c. Storm drainage and/or flood plain studies, with computations for any portion of the subject site that drains to the Montgomery County public storm drain system. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
  - d. Show the location of proposed driveways on the preliminary plan.
  - e. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty-four (24) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This width will permit an inbound lane width of fourteen (14) feet and an exit lane width of ten (10) feet.
  - f. Submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for our review and approval.
  - g. Street frontage improvements along Battery Lane to be determined at preliminary plan stage.
  - h. Delineate the location and dimensions of the proposed truck loading and dumpster spaces.
  - i. Submit a truck circulation for review by the M-NCPPC and MCDPS. This plan should delineate the proposed movements on-site between the anticipated access locations, the proposed truck loading spaces, and the proposed dumpsters. The truck circulation pattern and loading position should be designed for counter-clockwise entry and a left-side backing maneuver. Passenger vehicle travel ways should be separated from the expected truck circulation patterns and storage areas. The applicant may also need to provide documentation of their proposed delivery schedules.
  - j. Submit a Traffic Impact Study if required, by the Planning Department.
  - k. Intersections are to be spaced opposite one another or located at least one hundred feet apart. Any deviation from this standard, the applicant will submit a Design Exception for our Review.
4. The loading access should be a minimum of three (3) feet away from the property line. Also, there should be a minimum of six (6) feet between the garage and loading access. These distances will allow for a six (6) foot wide pedestrian refuge.

5. Maintain a minimum five-foot continuous open pathway (no grates) along all public streets.
6. Upgrade pedestrian facilities at intersections along the site frontage & at adjacent intersections to comply with current ADA standards.
7. At or before the permit stage, please coordinate with Ms. Nikkia Carver of our Division of Transit Services to coordinate the location and any improvements to the RideOn bus stop along this site's Wisconsin Avenue street frontage. Ms. Carver may be contacted at 240 777-5836.
8. Parking
  - a. Minimized Parking: Commuter Services supports the Project's proposed reduction of on-site parking spaces to less than the minimum number required by Zoning Ordinance. Should demand for parking be a concern to potential tenants, a County parking facility (Garage 11) is located to the west of this project at 7730 Woodmont Avenue.
  - b. Carpool/Vanpool Parking. Provide adequate numbers of carpool and vanpool parking spaces in highly visible, preferentially-located spots. A carpool or vanpool space that is unoccupied after 9:30 am may be made available to all vehicles if a sign is posted on the property notifying the public. The garage should be designed with adequate height to ensure that full-size vans can utilize vanpool parking spaces.
  - c. Car Sharing Parking. Provide adequate number of car sharing vehicle parking spaces in highly visible, preferentially-located spots.
  - d. Electric Car Charging. Provide two electric car charging stations, or the number required by law, whichever is greater, on site.
9. Pedestrian/Bike
  - a. Provide excellent pedestrian & bike circulation, amenities & accommodations throughout the development.
    - i. Circulation paths around the Project ensure ground-level "eyes on the street" visibility to maximize biking and pedestrian safety
    - ii. Bike racks in weather-protected, highly visible/active locations
    - iii. Bike lockers or other secure bike storage (e.g., bike cage or room) for use by on-site employees riding to work
10. Bikesharing. In the Statement of Justification, the Applicant has committed to paying the capital costs for a 19-dock bikeshare station to be located at an off-site location to enable this form of transportation to be used by employees and visitors at the Project. The Applicant will take other actions in concert with the County to promote use of bike sharing among employees and visitors at the Project, in order to accomplish the objectives of the TMD. Payment to the County will be required within 30 days of receiving an invoice from MCDOT. The Applicant should coordinate

with MCDOT (Commuter Services; Sande Brecher (240) 777-8383) regarding payment arrangements.

11. Displays and Communication of TDM Information

- a. Incorporate display space into lobbies and other high pedestrian activity areas and opportunity for information on each level of parking facilities.
- b. Provide opportunity and connections for monitors with Real Time Transit Information and other TDM-related information (e.g., on-site info events, Bike to Work Day promotions) in lobbies, elevators, and parking facilities. This will enable outreach to building tenants, employees, visitors, etc. to help promote achievement of the NADMS goals for Bethesda.

12. Design Guidelines - Design building frontage facing Wisconsin Avenue with two-way visibility so that transit vehicles, taxis, ride hailing vehicles, etc., can be easily seen from lobbies or other inside waiting areas.

13. Traffic Mitigation Agreement - The Applicant must submit a draft TMAg for review with the Preliminary Plan application. Trip reduction measures in this Agreement should include all the items listed above relevant to ongoing operations of the project, along with other measures designed to achieve the NADMS goals for Bethesda. Measures should also include:

- a. Employee Parking:
  - i. Make pay parking available to employees at price points at or above market rates to discourage the use of single-occupancy vehicles for commuting to the Project.
  - ii. Engage in parking reduction programs by: (a) encouraging employers not to pay for parking for employees who drive to work alone; (b) providing lower-cost parking for carpools and vanpools; (c) encouraging office employers to subsidize parking for vanpools and carpools; and (d) "unbundling" parking, by not requiring that tenant leases commit to a minimum number of parking spaces as a requirement for leasing space in the office building.
- b. On-site Parking: MCDOT recommends that this development provide the minimum amount of on-site parking. If the site can be included in an extension of the PLD to enable provision of less on-site parking that solution should be explored.

14. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements (to be determined at preliminary plan stage):

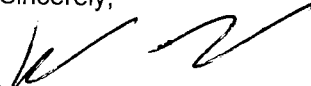
- A. Enclosed storm drainage and/or engineered channel in all drainage easements.
- B. Underground utility lines.
- C. Bethesda Streetscaping.

Mr. Elza Hisel-McCoy  
Sketch Plan No. 320180150  
June 14, 2018  
Page 5

- D. Street lights.
- E. Street trees in amended soil panels.
- F. Permanent monuments and property line markers.

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact myself at [Rebecca.torma@montgomerycountymd.gov](mailto:Rebecca.torma@montgomerycountymd.gov) or at (240) 777-2118.

Sincerely,



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

Sharepoint/DOT/director's office/development review/Bethesda/320180150 8280 Wisconsin Avenue DOT.docx

cc: David Cerniglia, Stonebridge Associates  
Michael Goodman, Vika, Inc  
Robert Dalrymple, Linowes And Blocher, LLP

cc-e: Matthew Folden, M-NCPPC Area 1  
Sandra Brecher; MCDOT OTP  
Nikkia Carver, MCDOT DTS  
Beth Dennard; MCDOT OTP



# Bethesda Downtown Design Advisory Panel

**FROM:** Laura Shipman  
Design Advisory Panel Liaison

**PROJECT:** 8280 Wisconsin Avenue  
Sketch Plan No. 320180150

**DATE:** May 23, 2018

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*The **8280 Wisconsin Avenue** project was reviewed by the Bethesda Downtown Design Advisory Panel on **May 23, 2018**. The following meeting notes summarize the Panel's discussion, and recommendations regarding design excellence and the exceptional design public benefits points. The Panel's recommendations should be incorporated into the Staff Report and strongly considered by Staff prior to the certification of the Site Plan. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

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## **Attendance:**

Karl Du Puy (Panelist)  
George Dove (Panelist)  
Damon Orobona (Panelist)  
Rod Henderer (Panelist)  
Paul Mortensen (Panelist, Senior Urban Designer in the Director's Office)

Laura Shipman (Design Advisory Panel Liaison)  
Robert Kronenberg (Area 1 Division Chief)  
Elza Hisel-McCoy (Area 1 Regulatory Supervisor)  
Leslye Howerton (Area 1 Planner Coordinator)  
Grace Bogdan (Area 1 Planner Coordinator)  
Hyojung Garland (Parks Department)

Douglas M. Firstenberg (Applicant Team)  
Evan Weisman (Applicant Team)  
Chris Bruch (Applicant Team)  
Jad Donohoe (Applicant Team)  
Matt Gordon (Applicant Team)  
Steve McDaniel (Applicant Team)  
Jared Loos (Applicant Team)  
(continued on next page)



Steve McDaniel (Applicant Team)  
Michael Goodman (Applicant Team)

Amanda Farber (Member of the Public)  
Naomi Spinrad (Member of the Public)  
Richard Hoyer (Member of the Public)

### Discussion Points:

- Was there a reason why you chose 36ft on lobby and 24ft beyond?
  - *Applicant Response:* We like the variety it gave and wanted to call out the entrance.
- Having a lab building here will enrich Wisconsin Avenue. Like the material.
- Not meeting the intent of the design guidelines relative to the step-backs. Show us a literal interpretation of the guidelines, doesn't mean that the tower can't come to the street.
- Would be helpful to show what a strict interpretation of the guidelines would bring and why are you proposing departure. In this case I like the project so it may be ok.
  - *Applicant Response:* Inside we need the floor plate for this tenant type. There is a question of guidelines and what they mean. There is a big gap between a 120 ft building v 290 ft building as a tall building. We will try to show what the guidelines would bring and why we did something different. The design moves draw your eye down to the entrance.
- It is a small building in footprint. The materiality is going to work well. I like the setback at the lobby and the alignment with Rosedale Ave. There may be extenuating circumstances for this site: it is office which is needed, and we need to be sympathetic that a 15,000 sf footprint is limited. Achieved very positive results here. It would be helpful to show the guidelines departures. The merits of the design as presented is very strong. Deviating to a dogmatic setback may not be positive here.
- I agree with that set of comments. I have a problem with the step-backs, I can't imagine a whole street of step-backs you need soldier buildings.
- Concerned with how schizophrenic the building is with many different kinds of readings.
- I like the "techy-ness" of it.
- That's what I like about this building, it has a diversity of glass. It all pulls together in a charming building.



- I still would like to see a diagram on how this is meeting guidelines.
  - *Applicant Response:* We should do that, start with the guidelines and show step by step how we got to where we are.
- In terms of tenant selection and their needs, I am concerned about you creating great architecture and a poor lab building (like Louis Kahn's Medical Towers at University of Pennsylvania).
  - *Applicant Response:* We have done a test fit for a tenant. The combination of different glassy areas worked well because of the diversity of the glass and the changing nature.
- Battery lane is a Canopy Corridor, so you need to ensure you have sufficient canopy there.
- It is great to be able to look in on the lab spaces from the street. It will provide activation.
- I think the scientists will be excited to be in Downtown Bethesda.

#### **Panel Recommendations:**

The following recommendations should be incorporated into the Staff Report.

1. Provide a landscaping plan showing the design of the public realm and the enhanced tree canopy along Battery Lane, a canopy corridor.
2. Provide a diagram that illustrates what a strict interpretation of the guidelines would bring and why the applicant is proposing departure. Particularly from the step-back guidelines.
3. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone.
4. Straw vote: 4 in support, 1 in support but with conditions to meet the design guidelines.





# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: 8280 Wisconsin Avenue, Bethesda, MD	Executive Order No. 125-18	Subject Suffix
Department: Office of the Chief Administrative Officer	Department No.	Effective Date 5/30/18

WHEREAS, the Project will strengthen the County's tax base and is estimated to result in approximately \$700,000 in annual real property taxes to Montgomery County, an annual net increase in real estate tax revenue of more than \$600,000 over current taxes assessed on the Wisconsin Avenue property; and

WHEREAS, during construction, the Project will generate approximately 300 full time jobs and, following completion, is expected to accommodate approximately 600 full-time workers in the Project; and

WHEREAS, Montgomery County Executive Order 173-11 provides that by designating the Project as a Strategic Economic Development Project, the County Executive directs all Executive Branch Agencies to treat the Project as a priority and to give it immediate attention as it moves through the required planning, development review and permitting processes.

## ACTION

NOW, THEREFORE, BE IT ORDERED, the Project, to be located at 8280 Wisconsin Avenue, Bethesda, Maryland, is hereby determined to be a Strategic Economic Development Project as defined in Executive Order 173-11.

Approved as to form and Legality  
Office of the County Attorney

By: \_\_\_\_\_

Date: 5/24/18

Approved:

A handwritten signature in black ink, appearing to read "Isiah Leggett", written over a horizontal line.

Isiah Leggett  
County Executive



# MONTGOMERY COUNTY EXECUTIVE ORDER

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject: 8280 Wisconsin Avenue, Bethesda, MD	Executive Order No. 125-18	Subject Suffix
Department: Office of the Chief Administrative Officer	Department No.	Effective Date 5/30/18

## BACKGROUND

WHEREAS, under Executive Order 173-11, a development project may be designated as a Strategic Economic Development Project based on the project's ability to create or retain jobs in the County, leverage substantial private capital investment, help the County achieve strategic redevelopment objectives, or otherwise advance the economic goals of the County; and

WHEREAS, 8280 Wisconsin Avenue, a former automotive repair, gasoline station and car wash site in downtown Bethesda is well positioned due to its visibility and prominent location to become a transformative real estate development project; and

WHEREAS, a development partnership between StonebridgeCarras and The Donohoe Company has committed to re-develop the site; and

WHEREAS, StonebridgeCarras/Donohoe have committed to construct a new, 180,000 square foot research and development/laboratory building ("the Project") on the property; and

WHEREAS the Project will create for the first time a large supply of modern laboratory space in Bethesda; an urban, transit accessible setting; positioning Montgomery County to compete with other major urban areas that offer similar urban lab space environments such as Cambridge, Massachusetts, New York City and Oakland, California; and

WHEREAS, the Project addresses a critical need to add to the supply of lab space in the County; and

WHEREAS, the Project will have an anticipated investment of approximately \$100,000,000 million; and

WHEREAS, the Project exemplifies many of the key objectives of the new Bethesda Sector Plan in terms of realizing dense commercial development near the Bethesda Metro Station and its juncture with the proposed gateway to the western entrance of the Purple Line, and will bring even more vibrancy to downtown Bethesda; and