



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

JUL 25 2018

MCPB No. 18-066
Sketch Plan No. 320180150
8280 Wisconsin Avenue
Date of Hearing: July 12, 2018

RESOLUTION

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on April 19, 2018, Donohoe Development Company and Stonebridge Carras ("Applicant") filed an application for approval of a sketch plan for construction of up to 185,000 square feet of non-residential development, including an allocation of 93,388 square feet of Bethesda Overlay Zone (BOZ) density to go toward the Park Impact Payment (PIP) on 0.75 acres of CR 3.0: C 3.0 R 2.75 H 145 zoned-land, located in the southwest corner of the intersection of Wisconsin Avenue and Battery Lane, Lot 63, Northwest Park ("Subject Property") in the Bethesda Policy Area and the Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320180150, 8280 Wisconsin Avenue ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated July 9, 2018, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on July 12, 2018, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

Approved as to
Legal Sufficiency:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320180150, 8280 Wisconsin Avenue for construction of up to 185,000 square feet of non-residential development, including an allocation of 93,388 square feet of Bethesda Overlay Zone (BOZ) density to go toward the Park Impact Payment (PIP) on the Subject Property, subject to the following binding elements and conditions:¹

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

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 are illustrative.

B. Conditions. This approval is subject to the following conditions:

Density and Height

1. 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.

2. Height

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

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59-4.5.4.2.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.

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

4. Building Lot Terminations (BLTs)

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

Open Space, Public Use Space and Amenities

5. 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.

6. Streetscape

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

Transportation and Circulation

7. Transportation Monitoring

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

8. 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.

9. 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.

10. 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

11. 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.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Board finds that as conditioned the

necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

i. Use Standards

The non-residential uses are permitted in the Commercial Residential zone.

ii. Development Standards

The Subject Property includes approximately 0.75 acres zoned CR 3.0 C 3.0 R 2.75 H 145 and the Bethesda Overlay Zone. The Application satisfies the applicable development standards as shown in the following data table:

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

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.
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

² Final parking for vehicles and bicycles to be determined at Site Plan

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 architecturally pleasing 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 seeking to upgrade their facilities, as well as new businesses seeking 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 SF 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. *The Sketch Plan substantially conforms to the recommendations of the Bethesda Downtown Sector Plan.*

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

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of 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. *The Sketch Plan achieves 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.

5. *The Sketch Plan 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.

6. *The Sketch Plan proposes 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 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.

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

*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. The Planning Board 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 remains at 10. The Applicant is requesting 17.18 points. Based on the initial calculation, the Planning Board 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%. The Planning Board 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. The Planning Board 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. The Planning Board 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. Finally, 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. Although 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, as discussed in Finding 4 above, this and other design issues will be addressed at the time of Site Plan review in order to achieve the compatible design envisioned by the Design Guidelines for the Avenue.

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. In order to provide the wide sidewalks on Wisconsin Avenue recommended by the Design Guidelines, the Sketch Plan includes approximately 650 square feet of sidewalk area on site, for which the Applicant is requesting 3.6 public benefit points. The Planning Board 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. The Planning Board 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% of incentive density / 31,500 = 0.4018 BLTs x 9 points/BLT) = 3.62 points. The Planning Board 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. The Planning Board 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 state 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. The Planning Board supports the category at this time.

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

The development is proposed to be built in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Bethesda Downtown Sector Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is 'JUL 25 2018' (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Patterson, with Chair Anderson and Commissioners Fani-González, Cichy, and Patterson voting in favor, and Vice Chair Dreyfuss absent at its regular meeting held on Thursday, July 12, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board