



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

MCPB No. 18-082
Sketch Plan No. 320180110
4 Bethesda Metro
Date of Hearing: July 19, 2018

OCT 17 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 February 1, 2018, BOP Bethesda Metro Center LLC ("Applicant") filed an application for approval of a sketch plan for construction of up to 1,092,242 total square feet (including 358,578 existing square feet to remain for 3 Bethesda Metro and 233,664 existing square feet to remain for the Hyatt Hotel) on 4.34 acres of land zoned CR 8.0 C 8.0 R 7.5 H210 and CR 8.0 C 8.0 R 7.5 H290 within the Bethesda Overlay Zone, located at the intersection of Wisconsin Avenue and Old Georgetown Road ("Subject Property") in the Bethesda CBD Policy Area and 2017 Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320180110, 4 Bethesda Metro Center ("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 19, 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, on July 19, 2018, the Planning Board voted to approve the Application, subject to certain binding elements and conditions, on the motion of Commissioner Cichy, seconded by Commissioner Fani-Gonzalez, with a vote of 4-0;

Approved as to
Legal Sufficiency:

Commissioners Anderson, Cichy, Fani-Gonzalez, and Patterson voting in favor, and Commissioner Dreyfuss absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320180110, 4 Bethesda Metro Center, for up to 1,092,242 total square feet of development (including 358,578 existing square feet to remain for 3 Bethesda Metro and 233,664 existing square feet to remain for the Hyatt Hotel) 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:

1. Density

The Sketch Plan is limited to a maximum of 1,092,242 square feet of total development, including the 592,242 square feet of existing square footage to remain. The maximum number and distribution of residential dwelling units and/or non-residential uses will be determined at Preliminary Plan.

2. Height

The CR 8.0 C 8.0 R 7.5 H290-zoned building ("4 Bethesda Metro Center building") is limited to a maximum building height of 290 feet as measured from its building height measurement point illustrated on the Certified Site Plan.

3. Land Use

- a. The Applicant must select either the Residential or Commercial Development option at the time of Preliminary Plan.
- b. If at Preliminary Plan the Applicant pursues the Commercial Development option, they must file a sketch plan amendment to address the following considerations:

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.

- i. Building design and relationship of the base with the open space areas;
- ii. Pedestrian circulation through the site; and
- iii. Design and function of the open space areas.

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.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan.

- a. Major Public Facilities, achieved through transit access improvements and enhancements to the Metro bus bay area;
- b. Connectivity and Mobility, achieved through minimum parking;
- c. Quality of Building and Site Design, achieved through exceptional design, public open space, and structured parking; and
- d. Protection of the Natural Environment, achieved through the purchase of building lot terminations and energy conservation and generation.

5. Building Design

- a. The Applicant must submit a revised architectural design concept to the Design Advisory Panel, addressing comments from the DAP enumerated in the Sketch Plan Findings, prior to submittal of any Site Plan application.
- b. The Applicant must address the Bethesda Design Guidelines, Tower Separation minimum dimensions and further refinement of building massing using the “Tower: Menu of Methods to Reduce Bulk” for both Development options.

6. Open Space

The Applicant must provide approximately 42,000 square feet (28 percent of the Subject Property) of public open space on-site, with the final area and design to be determined at Site Plan.

7. Green Area

The Applicant must provide a minimum of 35% of the redeveloped site area as Green Cover, consistent with the Sector Plan. At time of Site Plan review, the Applicant must demonstrate good faith efforts to maximize the Green Area provided over the entire Subject Site.

8. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Subject Property's right-of-way frontages, including the undergrounding of utilities, as illustrated on the Certified Site Plan.

9. Bicycle Facilities

The Applicant must coordinate with the Montgomery County Department of Transportation to participate in the implementation of master-planned bicycle facilities along the Subject Property's right-of-way frontages, including separated bicycle lanes on Woodmont Avenue, Old Georgetown Road, and Edgemoor Lane.

10. Building Lot Terminations (BLTs)

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

11. Moderately Priced Dwelling Units (MPDUs)

For any development alternative required to provide MPDUs, the Applicant must provide on the Subject Property a minimum of 15% of the total new units as MPDUs in accordance with Chapter 25A.

12. Future Coordination for Preliminary Plan and Site Plan

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

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Building shadow study;
- d. Physical scale model of the proposed development including surrounding existing development and site area;
- e. Submit a preliminary/final forest conservation plan;
- f. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- g. Provide a noise analysis at time of Preliminary Plan, or submit a waiver under Section 2.2.2 of the 1983 Noise Guidelines;
- h. Address the conflicts between the credited tree canopies and building interface by shifting the locations of the trees further away from the existing and proposed buildings and/or reducing the canopy credit to reflect the zone of clearance pruning that would occur;
- i. Provide details and cross sections showing appropriate soil volumes of no less than 600 cubic feet for canopy trees, in accordance with the Sector Plan;
- j. Address the Sector Plan recommendations and design guidelines regarding stormwater management;

- k. Streetscape details;
- l. Address Bird-Safe Design per the Bethesda Downtown Plan Design Guidelines.
- m. Traffic Mitigation Agreement to participate in the Bethesda Transportation Demand Management District and achieve the Sector Plan 55% NADMS goal;
- n. Necessary dedication along frontage roadways and covenant for future dedication along North Lane and Edgemoor Lane in response to existing buildings to remain;
- o. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements.
- p. Provide a strategy and long-term commitment for programming the public spaces.

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.*
 - a. Development Standards

The Subject Property includes approximately 4.34 acres zoned CR 8.0 C 8.0 R 7.5 H210 and CR 8.0 C 8.0 R 7.5 H290, within the Bethesda Overlay Zone. At the time of Preliminary Plan submission, the Applicant must select one of two development options encompassed by this Sketch Plan: the Residential Development option, which includes ground floor retail, restaurants, and other activating uses with partially terraced multi-unit residential uses above and a minimum of 15% MPDUs; or the Commercial Development option, which includes ground floor retail, restaurants, and other activating uses and non-residential uses above the ground floor. As shown in the data table below, both development options conform to the applicable development standards of the Subject Property's zones.

Data Table

Sketch Plan Data Table			
Section	Development Standard	Permitted/ Required	Approved
59.4	Gross Tract Area per Zone		
	CR 8.0 C 8.0 R 7.5 H 210	n/a	58,830 sf (1.35 ac)
	CR 8.0 C 8.0 R 7.5 H 290	n/a	130,453 sf (2.99 ac)
	Total Gross Tract Area	n/a	189,283 sf (4.34 ac)
	Prior Dedication	n/a	37,569 sf (0.86 ac)
	Additional Dedication	n/a	2,038 sf (0.05 ac)
	Net Lot Area	n/a	149,676 sf (3.44 ac)
	Commercial Development option		
	Non-Residential	1,514,264 sf (8.0 FAR)	858,578 sf (4.53 FAR)
	Other (Hotel to remain)		233,644 sf (1.23 FAR)
	Total Density	1,514,264 sf (8.0 FAR)	1,092,242 sf (5.77 FAR)
	Residential Development option		
	Non-Residential	1,514,264 sf (8.0 FAR)	393,578 sf (2.07 FAR)
	Residential	1,419,622 sf (7.5 FAR)	465,000 sf (2.45 FAR)
	Other (Hotel to remain)		233,664 sf (1.23 FAR)
Total Density	1,514,264 sf (8.0 FAR)	1,092,242 sf (5.77 FAR)	
Building Height			
CR 8.0 C 8.0 R 7.5 H 210	210 feet	NO CHANGE	
CR 8.0 C 8.0 R 7.5 H 290	290 feet	290 feet	
Public Open Space (min)	10%/14,968 sq. ft.	28%/42,000 sq. ft. ²	

The Application will provide the minimum required number of bicycle parking spaces within the building, which will be determined at the time of Site Plan. The final number of vehicular parking spaces will be determined at Site Plan based on the final development option.

The Sketch Plan, including both development options, conforms to the intent of the CR zone as described below.

a) Implement the recommendations of applicable master plans.

The Application substantially conforms to the recommendations for the Subject Property in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Sketch 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:

² Final square footage to be determined at the time of Site Plan.

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.

Under both development options, the Application addresses three of the four overarching Sector Plan goals. The Application envisions a comprehensive redesign of the Metro Plaza, which will improve public open space in Bethesda. The approximately 42,000 square feet of public open space provided in both the Residential and Commercial Development options will consist of zones, intended to serve different functions and meet the needs of various users of the Subject Property. The design of the public open space is described in more detail below. The Application will also incorporate environmental innovation through energy efficiency, innovative stormwater management solutions, improved pedestrian and bicycle opportunities, and improvements to the Metro bus facilities. The Application will improve economic competitiveness and attract business opportunities by adding new development to downtown Bethesda above the Metro Station with access to public amenities including a completely redesigned Metro Plaza. Finally, if the Applicant selects the Residential Development option, this Application will meet the fourth overarching Sector Plan goal by providing a mix of housing options, including 15% MPDUs.

The Subject Property is designated as site 98 and 99 in the Sector Plan and is in the "Wisconsin Avenue Corridor District," which is 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.

Under both development options, the Sketch Plan 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 Sketch Plan provides an important opportunity for infill development of an underdeveloped commercial site with a mixed-use, transit-oriented project. The Application will provide a variety of uses (including restaurant, retail/service, and residential or commercial) directly on top of the Bethesda Metro Station and bus facility, and within walking distance of the proposed Bethesda Purple Line Station, and other transit options, such as the Bethesda Circulator.

- *Provide new civic gathering spaces.*

The Application will provide a comprehensive redesign of the Metro Plaza with new public open space areas intended to serve different functions to meet the needs of various users of the Subject Property. Public open spaces include plazas, a central lawn area for performances, retail promenade, gallery and active areas. The Application will also provide several improvements to enhance access to and from the Metro/bus facilities, including a new covered escalator that will provide a direct pedestrian connection between the Metro Plaza and transit facilities below, improvements to the existing staircase near the intersection of Woodmont Avenue and North Lane, and a new elevator at this location. These improvements will enhance the community's experience when accessing the Metro Station and bus facilities and are designed to encourage use of the Metro Plaza above.

- *Encourage mixed-income /affordable housing near transit stations.*

The Sector Plan recommended rezoning the Subject Property to increase the commercial density and height to provide flexible development opportunities and allow future development to better adapt to market conditions. Consistent with the Sector Plan, the Applicant requested flexibility to respond to changes in market demands through the approval of two alternative development options. If the project is developed under the Residential Development option, it will provide residential units on top of the Metro station, including affordable housing in the form of additional MPDUs. These MPDUs will help to further one of the primary goals of the Sector Plan and Bethesda Overlay Zone and ensure that affordable housing opportunities exist in transit-oriented locations.

Although the Commercial Development option, if selected, would not provide mixed-income/affordable housing, it is consistent with the zoning recommended by the Sector Plan for the Subject Property and satisfies a variety of other Sector Plan goals, as described in this Resolution. The Sector Plan does not mandate residential development on the Subject Property, and even without such development, the Application substantially conforms to the Sector Plan.

- *Develop compact nodes that place the highest intensity in those centers, provide distinctive infill buildings and step down to lower densities and heights near the edges.*

The Application will provide high-intensity infill redevelopment at the very center of downtown Bethesda, between adjacent commercial/office and hotel development. The combination of multi-family dwelling units or commercial uses, ground floor retail uses, and amenities proposed for the block will create a more pedestrian-friendly, active, and functional metro plaza space.

- *Encourage high-performance buildings and sites nearest the established centers.*

The Sketch Plan proposes to incorporate energy efficient building systems to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the Bethesda Overlay Zone. In addition, intensive green roof systems, planters, and green area at the plaza level will maximize the Subject Property's overall green cover.

- *Improve and enhance underutilized privately-owned public use spaces.*

The Application will greatly improve and enhance downtown Bethesda's central civic space and premier public transit facility in the Metro station by comprehensively redesigning the Metro Plaza and upgrading various transit functions below with improved circulation and functionality, added public amenities, and by providing additional commercial, retail and/or residential uses that will activate and enliven the area around-the-clock and ensure a more successful public realm.

Both of the Sketch Plan's proposed development options are in substantial conformance with the 2017 *Bethesda Downtown Sector Plan* and will provide a mix of uses at an appropriate density.

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

The Application provides an important opportunity for infill development of an underdeveloped commercial site, as recommended by the Sector Plan, with a mixed-use, transit-oriented project. The Sketch Plan proposes a variety of uses (including restaurant, retail/service, and residential or commercial) within walking distance of the Bethesda Metro Station, various bus routes, the proposed Bethesda Purple Line Station, and other transit options.

- 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.*

Both development options provide significant public benefits and amenities, including various improvements to Metro bus facilities and Metro Plaza, as well as transit access improvements. Additionally, the location of the development atop the Metro Station and bus area will facilitate the use of multiple modes of transportation to access the Subject Property.

The Residential Development option includes market-rate residential units in a variety of unit types as well as 15% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of downtown Bethesda. Although housing would not be provided in the Commercial Development option, the Subject Property will provide

commercial services and public amenities to nearby existing and proposed high-rise multi-family buildings. Public amenities including bike share, public open space, and streetscape improvements are integral to the design and operation of the Subject Property.

The Application will also improve mobility options, including improved streetscapes for pedestrians in and around the Subject Property and along the Wisconsin Avenue corridor, as well as planned bike lanes on three frontages of the Subject Property. Below-grade parking is proposed for both development options, taking advantage of the existing, below-grade parking garage. The Application does not include any parking between the building and the street frontages.

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

Both development options will provide a desirable mix of uses at an appropriate density at this prominent location. The proposed building height will highlight the Subject Property's important location as a gateway to the Bethesda Metro Station. The surrounding buildings will step down in height and density to provide an appropriate transition to the existing residential areas on the edges and outside of the Sector Plan boundary.

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

The Sector Plan identified several distinct districts within Downtown Bethesda to guide development compatibility. The Subject Property is within the Wisconsin Avenue Corridor District, which 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 Application proposes two development options – one with a substantial amount of new residential development and the other with additional commercial use. Given the existing mix-of uses within the Bethesda CBD, both development options will facilitate an appropriate mix of employment and/or housing opportunities to facilitate the creation of a sustainable downtown.

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.

As described in more detail below, the Sketch Plan will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

- 2. The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

As discussed above, the Sketch Plan substantially conforms to recommendations of 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 Sketch Plan 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.*

This Subject Property is located at the center of Bethesda. The proposed building height will highlight the Redevelopment Area's important location as a gateway to the Bethesda Metro Station. Although the specific architecture for either development option has not been developed, the location and proposed massing of the building under both options will add to the symbolic center of Bethesda. The building has been situated at the focal point from East West Highway, with visibility along Wisconsin Avenue as well. The Applicant asserts that this project will deliver a signature building at this important location. It will include a vertical marker and an active and highly programmed set of spaces that forms the civic heart of the greater region. The architectural design of the project will enhance the pedestrian environment and surrounding public use space. The massing and verticality of the building will emphasize the urban context of the project, while façade treatments and architectural elements will provide an appropriate human-scale at the pedestrian level. The proposed building has been strategically designed to help frame the Metro Plaza to provide a well-defined space, while simultaneously preserving views of Wisconsin Avenue and Old Georgetown Road to improve visibility and connections to the street. In addition, the location of the existing buildings and the proposed building are designed to surround a central civic gathering space as expressly called for in the Sector

Plan. The proposed building will allow for light and air for the open space. As conditioned, the Applicant will provide a shadow study at the time of Site Plan submission.

Under Section 59-7.3.3.A.2, “[a] sketch plan describes a project at an early stage to provide the public and the Planning Board the chance to review a proposed development for general design, density, circulation, public benefits, and relationship to the master plan before a developer is required to expend significant resources on design and engineering.” Based on the information in the record, including the Staff Report, the Applicant has met this standard for both the Residential and Commercial development options, as detailed in the various findings in this Resolution. However, the Application provides a more detailed picture of the project under the Residential development option.

As conditioned, if the Applicant pursues the Commercial Development option, it must file a sketch plan amendment at the time of Preliminary Plan to provide additional detail on building design and relationship of the base with the open space areas, pedestrian circulation through the site, and design and function of the open space areas. Given the location of the Subject Property at the heart of Bethesda and the importance of the public open space at the Bethesda Metro station, additional detail is warranted if the Applicant chooses to proceed with the Commercial Development option. This will facilitate the review of subsequent development applications by developing more fully the Board’s expectations for the building and public open space under the Commercial Development option and offer all stakeholders an additional opportunity to comment on the proposal.

Under either development option, the architectural design of the facade will be developed and expressed more fully in the Site Plan submission to ensure the facade is not exceedingly long, uninterrupted or rigidly uniform, or overly monolithic in mass.

The Application adheres to the height and density recommendations contained in the Sector Plan. The conceptual building massing is compatible in height and scale with the existing and pending nearby development in the Wisconsin Avenue Corridor District.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

Under both development options, the Application provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and

loading. The Sketch Plan will improve the pedestrian circulation in Downtown Bethesda by providing active through-block connections to facilitate alternative means of access to transit and surrounding properties within the CBD. The building has been located and oriented to help define and activate the street and these passageways. Activated ground floor space, including retail and restaurant use, and ample transparency on the ground level will further enhance the pedestrian environment. An important component of the Application is the redesigned Metro Plaza. The Metro Plaza is currently an underutilized series of terraced and isolated spaces that prevent full pedestrian access and use. The vibrancy of the Metro Plaza will depend on the presence of additional workers (in the case of the Commercial Development option) or residents (in the case of the Residential Development option) as well as the redesign of a coherent set of plazas and green spaces. Additional activating, ground-floor uses, improved circulation, and successful programming that supports the outdoor spaces will be essential.

The Application proposes transit access improvements that will substantially improve a rider's experience when accessing the Metro Station and bus facilities and, thus, encourage transit ridership. Long-term bicycle racks or lockers will be provided within the building or garage, and short-term spaces will be provided along the Subject Property's frontage or within the public Metro Plaza (with final location to be determined at time of Site Plan) to facilitate bicyclist access to the Subject Property. The Application utilizes the existing parking garage, which will continue to remain adequate to accommodate all users of the Subject Property. Access to parking and loading will utilize existing driveways and continue to be safe, adequate and efficient.

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 Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan.

For the proposed development, the Zoning Ordinance requires 100 points in four categories. Although at the time of Sketch Plan review only the

categories need be approved, the following table shows both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the project’s ability to meet the requirement to provide sufficient benefit points.

Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Approved in Concept
59.4.7.3.A: Major Public Facility	70	30
59.4.7.3.C: Connectivity and Mobility		
Minimum Parking*	20	9.21
59.4.7.3.E: Quality of Building and Site Design		
Exceptional Design*	30	10
Public Open Space*	30	18.06
Structured Parking	20	20
59.4.7.3.F: Protection and Enhancement of the Natural Environment		
BLTs	30	8.69
Energy Conservation and Generation ¹	25	15
TOTAL		110.96

* Denotes Sector Plan priority.

Major Public Facility

The Application proposes significant transit access improvements and enhancements to the Metro bus bay area. These modifications will substantially improve users experience when accessing the Metro and thus, encourage additional transit ridership. Based on the square footage associated with the construction of these improvements, the Applicant is seeking 30 points in this category. Final determination will be made at Site Plan, and the Planning Board supports the Applicant’s request at this time.

Connectivity and Mobility

Minimum Parking: The Applicant requests 9.21 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Based on the Application’s initial proposal for parking, the Application generates 9.21 points. Final determination will be made at Site Plan, and the Planning Board supports the Applicant’s request.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 10 points for building or site design that enhances the character of a setting. The project is subject to Design Advisory Panel (“DAP”) review, which awards points based on the quality of the design. The Applicant asserts that the project provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements.

The DAP reviewed the project on April 25, 2018 and requested the Applicant return to the panel before going to the Planning Board. The DAP made a number of recommendations, which are detailed in the Staff Report.

The Applicant returned to the Design Advisory Panel on June 27, 2018. Understanding that points are not awarded at Sketch Plan, the DAP supported the design concept and believed the Applicant could achieve the minimum exceptional design points at Site Plan, with a significant focus on the public space and interaction with the proposed building design. A refined design will come back to the DAP before the submittal of the Site Plan.

The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Based on the conceptual materials submitted with the Application for both the Commercial and Residential development options, and in consideration of the DAP’s recommendations, the Planning Board supports the Applicant’s request at this time.

Open Space: The Applicant requests 18.06 points for providing public open space. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The conceptual layout yields 27,032 square feet of additional open space above the required square feet of public use, space for a total of 18.06 points. Under both development options, the public open space provided will consist of zones, intended to serve different functions to meet the needs of various users of the site. These spaces are: (1) the Metro Commons, (2) the Promenade, and (3) the Lawn. The Metro Commons, located along the Wisconsin Avenue frontage, will create a new open space area fronting on Wisconsin Avenue that will total nearly 17,000 square feet and will facilitate a variety of new uses benefitting the public. The Promenade connects the Metro Commons to the interior Lawn. The proposed design of the promenade envisions a unified public space that works both for pedestrians passing through and as a destination in itself.

The Lawn area is envisioned as a flexible, inviting green space. The proposed location of the Lawn will allow for the creation of an area for all of Bethesda, buffered from the noise and traffic of the surrounding streets by the proposed building. The Applicant's intention is to transform the Lawn into a destination. The Metro Commons open area creates an inviting entry to the wide Promenade and the Lawn area which, together, when included with the central open area provided by the existing Newlands Building, offer the public nearly an acre of connected public use space.

Consistent with the CR Guidelines, the open space will be: directly accessible to a street; open to the public; designed so that the loading or parking facilities are screened or faced with active uses, contain seating, trash receptacles, landscaping, and other amenities; be at least 35 feet wide; designed so that walls of any residential floor area facing the open space have windows on at least 60 percent of the façade between three and eight feet; and designed so that any dwelling unit facing the open space will have access to the open space. The Planning Board supports the category at this time, with the final design and points to be determined at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for providing structured parking in a below-grade parking structure. The Planning Board supports this request at this time.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 8.69 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports the Applicant's request 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. The Planning Board supports the Applicant's request at this time.

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

The Project will 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 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 all binding site development elements shown on the latest version of 4 Bethesda Metro Center, Sketch Plan No. 320180110, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; 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 OCT 17 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 Fani-González, seconded by Commissioner Cichy, with Chair Anderson and Commissioners Fani-González and Cichy voting in favor, and Vice Chair Dreyfuss and Commissioner Patterson absent at its regular meeting held on Thursday, October 11, 2018, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board