



Artery Plaza: Site Plan Amendment 81984002E

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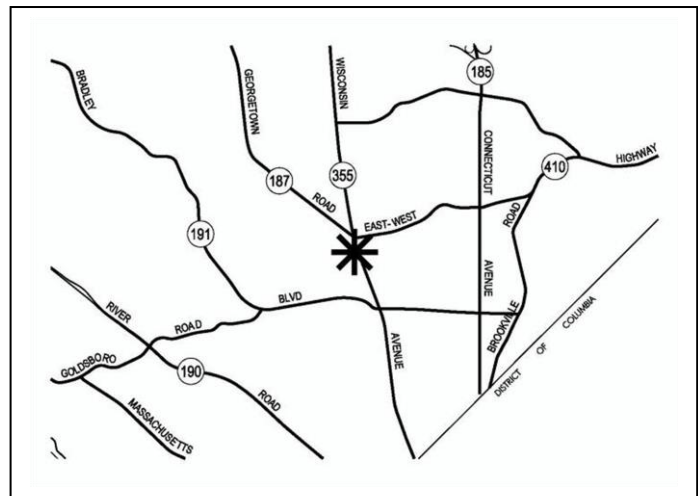
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Description

Staff Report Date: 10.15.18

- Amendment to renovate the existing plaza;
- Located in the northwest quadrant of the intersection of Wisconsin Avenue and Bethesda Avenue;
- Zone: CR-5.0 C-5.0, R-5.0 H-145, CR-5.0 C-5.0 R-5.0 H-170 and CR-5.0 C-5.0 R-5.0 H-250 and the Bethesda Overlay Zone;
- Master Plan: 2017 *Bethesda Downtown Sector Plan*;
- Property Size: 3.02 gross acres;
- Application accepted July 31, 2018;
- Applicant: JBG/7200 Wisconsin Avenue, LLC;
- Review Basis: Chapters 59



Summary

- Mandatory Referral MR2019004, Capital Crescent Surface Trail (CCST), has been filed concurrently with this Site Plan Amendment.
- Staff has not received any correspondence regarding these amendments.
- Staff recommends approval of the Site Plan Amendment with conditions.

SECTION 1: RECOMMENDATION AND CONDITIONS

Site Plan Amendment No. 81984002E

Staff recommends approval of Site Plan Amendment 81984002E for renovations/improvements to the existing plaza at the corner of Wisconsin Avenue and Bethesda Avenue on approximately 3.02 gross acres in the CR-5.0 C-5.0 R-5.0 H-145 CR-5.0 C-5.0 R-5.0 H-170, CR-5.0 C-5.0 R-5.0 H-250 zones and the Bethesda Overlay Zone. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions. All previous approvals remain in full force an effect, except as modified by the following conditions.

1. Public Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 10,475 square feet of public open space (minimum 10% of net lot area) on-site.
- b. The Applicant must maintain all open spaces and amenity areas located on the Subject Property (not including area devoted to the CCST and associated CCST improvements) required by this approval.

2. Green Cover

- a. The Applicant must provide a minimum of 4,363 square feet of Green Cover, which is equivalent to 39% of the site amendment area, as illustrated on the Certified Site Plan.
- b. The planting details, notes and figures must be revised to provide soil volumes for canopy trees of no less than 600 cubic feet.
- c. The Applicant shall make good faith efforts to provide additional soil volumes for canopy trees credited toward the green cover requirements.

3. Forest Conservation

The Applicant must obtain approval of a revised Final Forest Conservation Plan (FFCP) from the Planning Department Staff prior to Certified Site Plan approval. The Final Forest Conservation Plan must address the following to the satisfaction of Staff:

- a. Revise the plan to clearly show the extent of work associated with this amendment.
- b. Revise limits of disturbance (LOD) to reflect the construction access and the work associated with the southeast portion of the Property (the Artery Sunwork art piece removal). Update the Forest Conservation worksheet and associated figures if applicable.

4. Landscaping

- a. Prior to release of the Site Plan surety bond, all on-site amenities, including, but not limited to: lights, sidewalks/ pedestrian pathway, hardscape, benches, trash receptacles, bicycle facilities, and recreation amenities must be installed.
- b. The Applicant must install landscaping no later than the next growing season after completion of site work.

5. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All on-site exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All on-site down-lights must have full cut-off fixtures or BUG equivalent.

- c. Deflectors must be installed on all proposed fixtures to prevent excess illumination and glare.
- d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

6. Pedestrian & Bicycle Circulation

- a. The Applicant must provide a minimum of four (4) short-term bicycle parking spaces.
- b. The short-term spaces must be inverted-U racks (or approved alternative) installed in a location convenient to the main entrance (weather-protected preferred). The specific location(s) of the public bicycle rack(s) must be identified on the Certified Site Plan.

7. Public Art

- a. The Applicant must provide public art to be located in the vicinity of, or integrated into, the retaining wall and/or planter bed located to the north of the CCST so that the art is visible from both within the plaza when viewed from the north and from the sidewalk and CCST when viewed from the south.
- b. Prior to Certified Site Plan approval, the Applicant must present the revised public art to the Art Review Panel. The final public art design, as reviewed by the Art Review Panel and approved by M-NCPPC Staff must be included in the Certified Site Plan.
- c. The Planning Board accepts the applicable recommendations of the Art Review Panel in its letter dated June 28, 2018, and hereby incorporates them as conditions of the Site Plan approval, not including Condition 2, as the removal of the Artery Sunwork is within MCDOT's scope of work. The Applicant must comply with each of the applicable recommendations as set forth in the letter.

8. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable at-grade Site Plan elements, including, but not limited to streetscape, plant material, on-site lighting, site furniture, trash enclosures, private utilities, sidewalks, storm drainage facilities, street trees, public art, and street lights. The surety must be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.
- d. The bond or surety shall be clearly described within the Site Plan Surety & Maintenance Agreement, including all relevant conditions and specific Certified Site Plan sheets depicting the limits of development.

9. Development Program

The Applicant must construct the development in accordance with a development program table that will be reviewed and approved prior to Certified Site Plan.

10. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include any applicable agency letters and applicable resolutions on the approval or cover sheet(s).
- b. Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 2: SITE DESCRIPTION

Site Vicinity

The subject property is located on the north side of Bethesda Avenue running nearly the full block between Woodmont Avenue and Wisconsin Avenue (Figure 1). Adjacent and confronting uses include office, retail, and multi-family buildings and a public parking garage. The Bethesda Row retail area is nearby, to the west. The site is in the vicinity of the Bethesda Metro Station and a proposed southern entrance to the Metro as well as the terminus of the proposed Purple Line. Elm Street Park is also within a few blocks of the subject property. The 7272 Wisconsin Avenue site (Apex Building) currently under construction, is located to the north of the subject property.

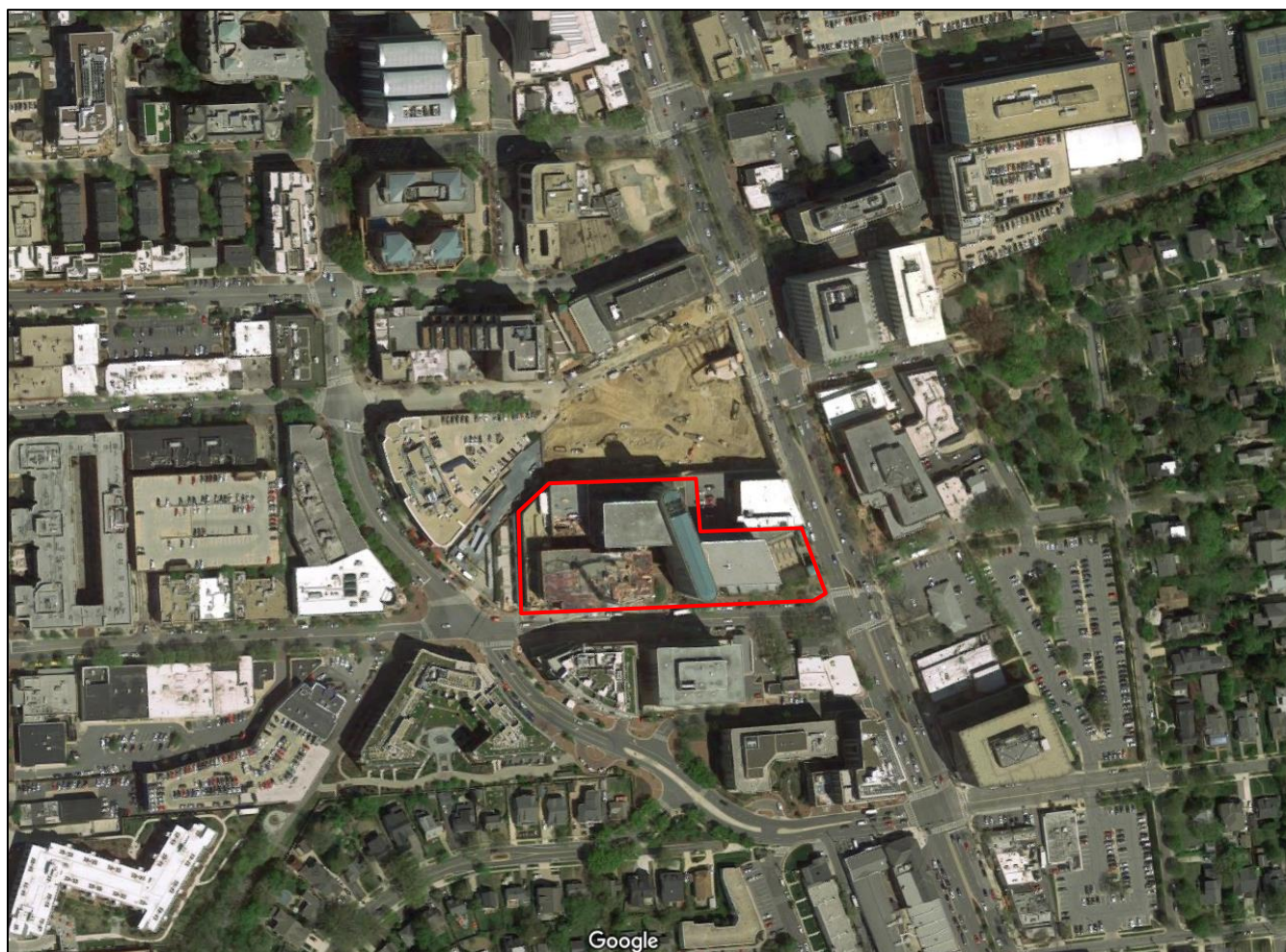


Figure 1-Site Aerial View

Site Analysis

The subject property consists of one platted lot. The subject property is developed with an existing 12-story office building (7200 Wisconsin Avenue), known as the Artery Building, a 14-story office and commercial building currently under construction (4747 Bethesda Avenue), and a standard method, two-story retail building (4749 Bethesda Avenue), all which will remain onsite. The subject property contains no forest, and there are no streams or wetlands onsite. The site is located within the Little Falls watershed.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

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

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

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

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

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

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

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

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

On December 4, 2017, the Planning Board approved Site Plan Amendment 81984002D, by Resolution No. 17-107, allowing for amendments for construction of an additional floor of office uses (14,500 square feet) to the 4747 Bethesda Avenue office building under construction as part of the larger Artery Plaza development increasing the non-residential gross floor area from 586,611 to 601,111 square feet. The maximum building height increased as well, from 145' to 167' for the 4747 Bethesda Avenue building.

Proposal

Mandatory Referral Overview

Mandatory Referral MR2019004, Capital Crescent Surface Trail, has been filed concurrently with this Site Plan Amendment. The Capital Crescent Surface Trail (CCST) project will construct two-way separated bike lanes (also known as a protected bike lanes or cycle tracks) along Bethesda Avenue and Willow Lane. This bikeway will connect the Capital Crescent Trail (CCT), which runs between Georgetown and the trailhead just west of the intersection of Woodmont Avenue and Bethesda Avenue, to Elm Street Local Park, providing a bikeway at street-level that will include a signalized crossing intersection at Wisconsin Avenue. It will provide an alternative route to the Capital Crescent Trail Tunnel (CCT Tunnel), which is currently under design and will provide a crossing beneath Wisconsin Avenue.

The full buildout of the CCST will include a portion along 47th Street on the west side of Elm Street Local Park, providing a connection to the CCT and CCT Tunnel at the eastern portal. However, the 47th Street portion of the project has not been advanced to 30 percent design yet due to continuing discussions with the Department of Parks and the Town of Chevy Chase and uncertainty about the location of the eastern portal of the CCT Tunnel.

Along Bethesda Avenue, the CCST will be located on the south side of the street west of Woodmont Avenue and on the north side of the street east of Woodmont Avenue. The portion along Willow Lane will be located on the south side of the street. A diagonal crossing for cyclists will be provided across the intersection of Bethesda and Woodmont Avenues during an all-red phase of the signal. Additionally, the County will obtain an easement to provide a direct crossing of Wisconsin Avenue at Willow Lane, which will require the removal of the artwork Artery Sunwork. This crossing will permit cyclists to cross Wisconsin Avenue on a protected phase. The design is also intended to allow the addition of a leading pedestrian interval for the northern crosswalk at the Bethesda Avenue intersection, pending approval by the Maryland State Highway Administration.

Site Plan Amendment

Site Plan Amendment No. 81984002E for the Property allows for improvements to the plaza located at the corner of Wisconsin Avenue and Bethesda Avenue (Figure 3). The redevelopment of the plaza at this time is triggered in large measure by Montgomery County Department of Transportation's (MCDOT) plans to construct a portion of the Capital Crescent Trail across the southeast corner of the plaza, as discussed in the Mandatory Referral section above, which will require a certain level of coordination with the Applicant to ensure that the grade of the plaza adjacent to the CCST ties in appropriately. While the subject Site Plan includes the improvements proposed by MCDOT to accommodate the CCST, the Site Plan delineates this portion of the Property and notes that the improvements will be conducted by MCDOT.

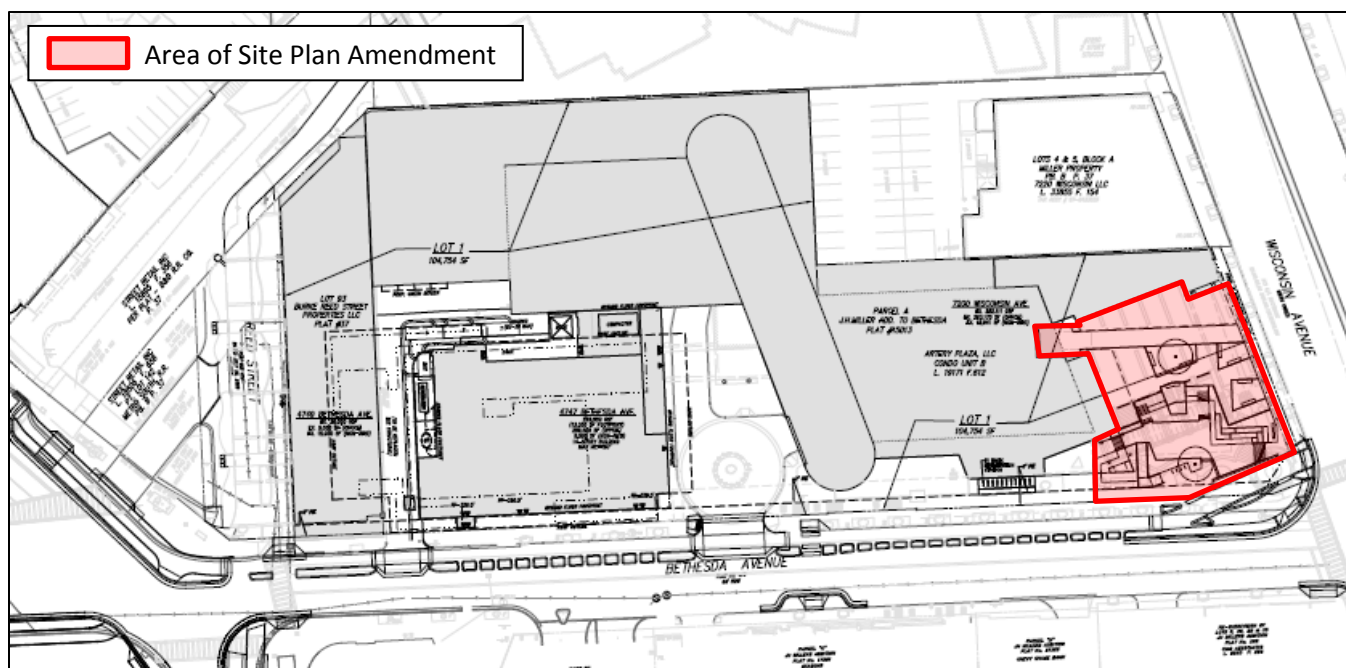


Figure 3 – Site Plan Amendment

It is the Applicant's intent to redevelop the plaza to provide a more up to date, relevant design to refresh this corner of the Property, encourage use of the plaza, provide desired outdoor dining opportunities, coordinate the design of the plaza with the construction of the CCST, and physically integrate the CCST into the overall plaza design.

The proposed redesign of this space will create a three-level plaza from Bethesda Avenue to the primary building entrance to the north. The new plaza is positioned to be a multi-functional gathering space and is designed to simultaneously accommodate separate uses, provide a variety of experiences, and improve pedestrian circulation. The upper level of the plaza will function as a welcoming and open circulation route to the existing office lobby of the building, provide two designated outdoor dining areas for new restaurants, and provide open space for the general public. The middle level will become the core gathering space in the plaza with a variety of integrated and flexible seating elements and will include a small stage. The lower level of the plaza at the southern end of the Property will provide a transition from the CCST, a bike rack, a public art wall, landscaping and seating areas. Proposed improvements to the plaza include removing the existing arcade, trellis and pavilion; removing two art pieces – Drinking Fountain and Column (a third art piece, the Artery Sunwork, is located within the area to be acquired and improved by MCDOT to accommodate the CCST. MCDOT will be responsible for the removal of the Artery Sunwork); designating two private outdoor dining areas; regrading the southern portion of the plaza to transition to Bethesda Avenue; adding shade trees to the plaza; providing new seating and platforms; providing planter beds to transition grade immediately north of CCST; providing new landscaping in southern portion of the plaza; installing a bike rack immediately north of the Bethesda Avenue sidewalk; constructing a ramp from Bethesda Avenue to the first level of the plaza; and lighting. (Figures 4-8) All other elements of the previously approved Site Plans remain unchanged.

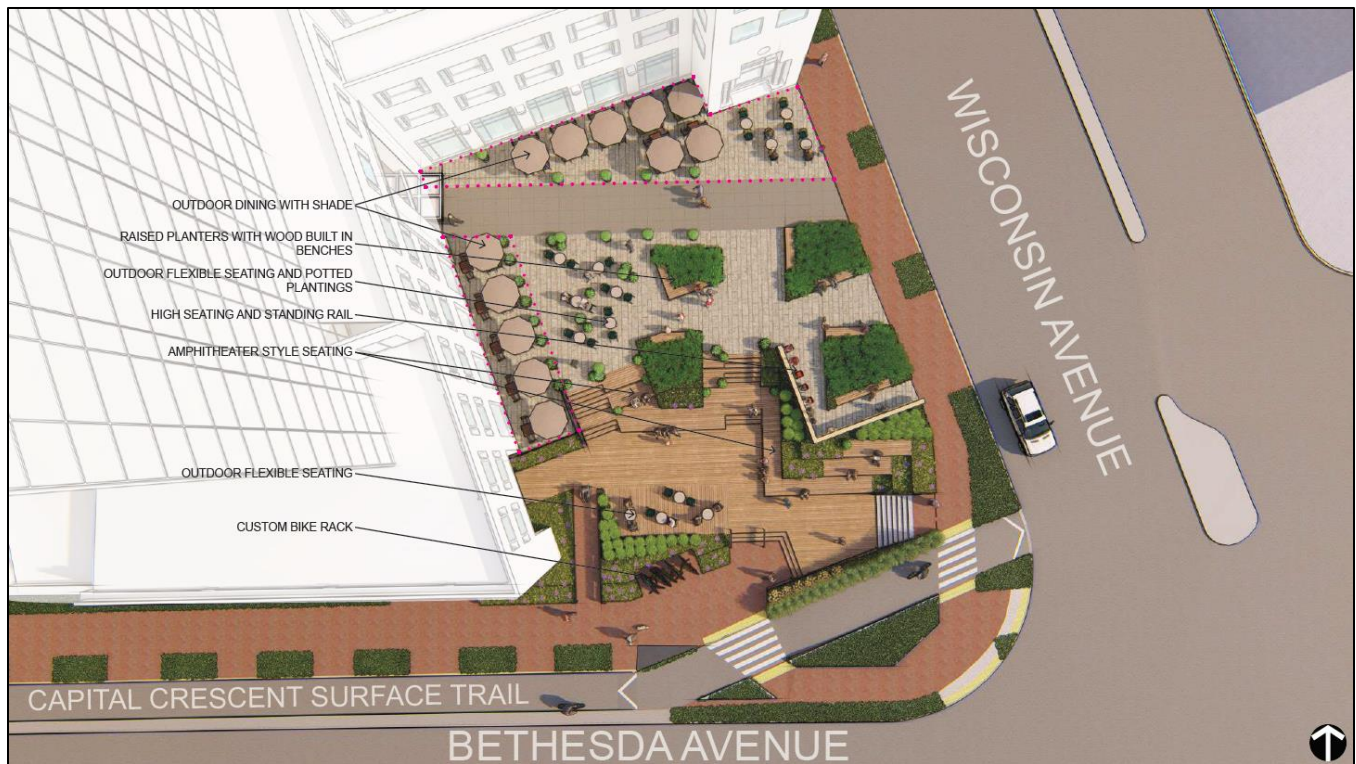


Figure 4 – Overall Open Space Concept



Figure 5 – Open Space Perspective



Figure 6 – Wisconsin Avenue Bird's Eye View



Figure 7 – Bethesda Avenue Illustrative Streetscape



Figure 8 – Illustrative Street Corner

Public Art

The Applicant presented to the Art Review Panel on June 13, 2018 the proposal to remove the Drinking Fountain and the Column (the actual supporting column will remain, but the art work cladding is proposed to be removed). In conjunction with the Applicant, DOT also presented to the Art Review Panel the proposal to remove the Artery Sunwork due to the construction of the CCST. DOT further explained that the provision of the needed bike path provided a public benefit in place of the art.

The Art Review Panel recommended that the two art pieces not be removed unless some type of art form is reinstated in the plaza. In response to the Art Review Panel, the Applicant is proposing to include a new art component in the renovation of the plaza. The Applicant proposes providing a public art wall on the upper portions of the southern façade of the retaining wall located to the north of the CCST and to continue this concept on the entire face of the northern façade of the retaining wall (Figures 9-11). The southern façade would be viewed by individuals passing by the Property, while the northern façade will be enjoyed by those within the plaza.

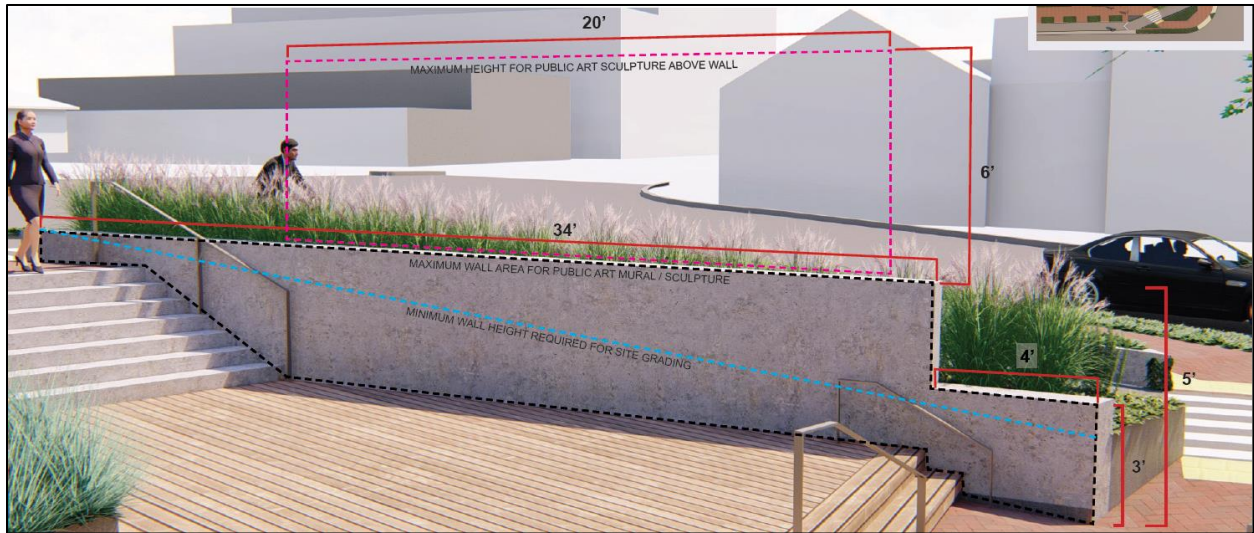


Figure 9 – Proposed Art Location



Figure 10 – Illustrative Art Location



Figure 11 – Proposed Public Art location-view from Wisconsin Ave./Bethesda Ave. corner

Transportation and Circulation

There are no new trips associated with the Subject Application and no changes to vehicular access points are proposed as a result of the plaza improvements. The most important change to the transportation network will be the redesigned plaza's accommodation of the surface route of the Capital Crescent Trail, which will run along the south side of the Project (north side of Bethesda Avenue) before crossing Wisconsin Avenue and running along the south side of Willow Lane.

Pedestrian access into the redesigned plaza will be via the plaza's public street frontages on both Bethesda Avenue and Wisconsin Avenue. Since the redesigned plaza is responding to existing vertical structures within the space (i.e., the roof of the underground parking garage and building substructure), the plaza drops approximately eight feet from north to south. As a result of the plaza's grade change, the accessible pedestrian route between the upper and lower portions of the plaza will be on the adjacent public sidewalk network. (Figure 10)

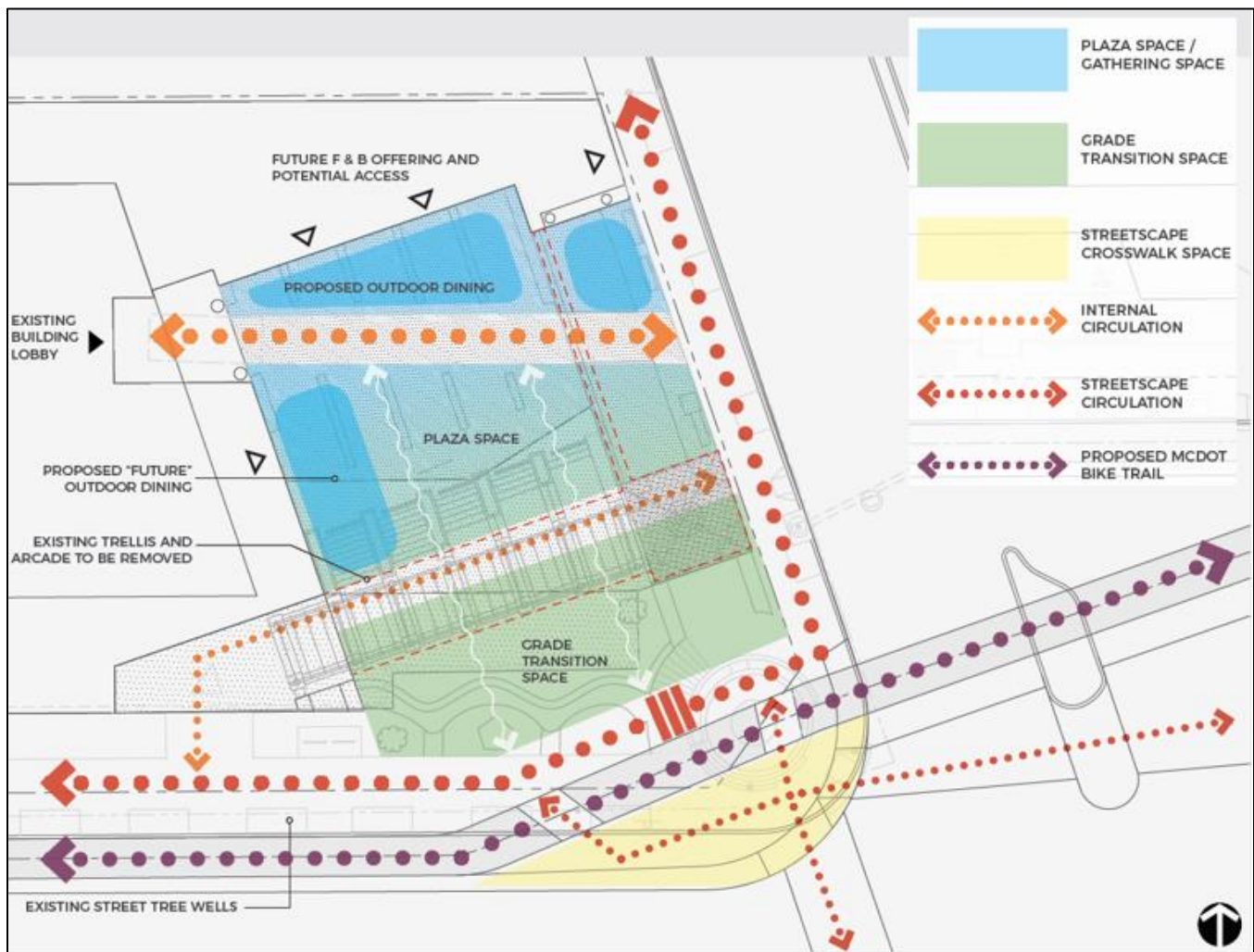


Figure 10 – Site Circulation

Transit Connectivity

The immediate area is well-served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.25 mile, or 1,400 feet to the north of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line. Specific transit routes near the Site include:

1. RideOn Bus Routes 29, 32, 30, 34, 36, 40, 47, 70
2. WMATA Metrobus Routes J2, J3, J4, J7, and J9

Master Plan Roadways and Pedestrian/Bikeway Facilities

The following summarizes recommendations included in the 2017 *Bethesda Downtown Sector Plan* and Planning Board Draft 2018 *Bicycle Master Plan* along the property frontage:

1. Wisconsin Avenue, along the eastern site frontage, as a major highway with a minimum right-of-way width of 114 feet.
2. Bethesda Avenue, along the southern site frontage, as a Business District street with a minimum right-of-way width of 60 feet and separated bicycle lanes (the Surface Route of the Capital Crescent Trail) along the northern curb line.

Community Outreach

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

SECTION 4: SITE PLAN AMENDMENT ANALYSIS AND FINDINGS

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

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a site plan, the Planning Board must find that the proposed development:*
 - a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all previous approvals.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

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

i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The project is approximately 3.02 gross acres zoned CR-5.0 C-5.0 R-5.0 H-145, CR-5.0 C-5.0 R-5.0 H-170, CR-5.0 C-5.0 R-5.0 H-250, and the application is in conformance with the development standards of the zone. This Amendment does not include any additional density.

ii. *Division 6.1. Site Access*

The Amendment will improve pedestrian circulation and activate the plaza. The plaza improvements accommodate the CCST, which will improve the bicycle circulation along this important cycling route. Site features such as paving, lighting, and signage have been programmed to accent the space.

iii. *Division 6.2. Parking, Queuing, and Loading*

No changes are proposed to the parking, queuing and loading.

iv. *Division 6.3. Open Space and Recreation*

The project has a 10 percent public open space requirement, which yields a requirement of 10,450 square feet of open space. In addition, the redeveloped plaza area will provide a minimum of 35 percent green cover, as recommended in the Design Guidelines.

v. *Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by office employees, business owners, and visitors. The proposed redesign of this space will create a three-level plaza from Bethesda Avenue to the primary building entrance to the north. The new plaza is positioned to be a multi-functional gathering space and is designed to simultaneously accommodate separate uses, provide a variety of experiences, and improve pedestrian circulation. The upper level of the plaza will function as a welcoming and open circulation route to the existing office lobby of the building, provide two designated outdoor dining areas for new restaurants, and provide open space for the general public. The middle level will become the core gathering space in the plaza with a variety of integrated and flexible seating elements and will include a small stage. The lower level of the plaza at the southern end of the Property will provide a transition from the CCST, a bike rack, a public art wall, landscaping and seating areas.

The Site Plan meets all of the general requirements and development standards of Section 4.5 of the Zoning Ordinance and the general development requirements of Article 59-6 of the Zoning Ordinance.

e. *satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and*

A stormwater management concept is not required for this Amendment, as the proposed disturbance is less than 5,000 square feet.

ii. *Chapter 22A, Forest Conservation.*

The Application is subject to the Montgomery County Forest Conservation Law (Chapter 22A of the County Code). The Final Forest Conservation Plan Amendment was submitted on August 31, 2018. Although no forest exists onsite, there is an afforestation requirement of approximately 0.36 acres. However, the afforestation has been addressed offsite by fee-in-lieu as part of a previous Site Plan Amendment.

f. *provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;*

The Project provides adequate, safe, and efficient parking and circulation patterns. This Amendment will improve pedestrian circulation and activate the plaza. The plaza improvements accommodate the CCT, which will improve the bicycle circulation along this important cycling route. Site features such as paving, lighting, and signage have been programmed to accent the space. The Project provides a safe and well-integrated building, open spaces and site amenities.

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

The proposed development conforms with the recently adopted *Bethesda Downtown Sector Plan*, as well as the objectives of the Bethesda Downtown Plan Design Guidelines. Applicable Sector Plan goals of the Wisconsin Avenue Corridor include improving and enhancing underutilized privately-owned public use spaces and improving the pedestrian environment with upgraded streetscape.

The proposed redesign of the plaza will respond to these recommendations by creating a multi-use open space that accommodates the CCST, extends the existing streetscape of Bethesda Avenue, and provides a core gathering space. In addition, the revisions will generate pedestrian activity by enhancing the space with the outdoor seating for the proposed restaurant(s). The revisions will also increase visibility and create a more open, transparent layout by eliminating the dated existing colonnade and trellis arrangement currently on the plaza. Opening the plaza to the street will improve view corridors in and around the plaza and, particularly notable, the view from the plaza of the historic Farm Women's Market building at the southeast corner of Wisconsin and Bethesda Avenues. The plaza renovations will transform a dated, underutilized plaza into a vibrant, welcoming public space.

Additionally, the Sector Plan includes recommendations to achieve the urban green goals, including the recommendation for onsite 35% green coverage minimum. Although the Sector Plan places a high priority on the Green Cover, it recognizes that certain projects may not be able to achieve all of the recommendations. Given the nature of a constrained downtown site such as this one with existing buildings to be retained and an existing underground parking garage, there are limits on what can be planted. The Green Cover may include singularly or a combination of intensive green roof or tree canopy cover. Furthermore, the Sector Plan specifies soil volume minimums of 600 cubic feet per tree associated with the tree plantings to help insure the desired canopy will be achieved.

Since only a minor portion of the Site Plan area is proposed for redevelopment, it was expected that the Applicant would not achieve the overall 35% minimum coverage for the entire Property. The overall Property was developed long before the current standards were in place although the site does feature some tree canopy and landscape areas. The 14-story office/commercial building under construction (Site

Plan No. 81984002C) includes approximately 11,374 sf of green roof. The Green Cover plan shows 39% cover for the portion of this site redeveloped under this Amendment. The Applicant is providing Green Cover to the extent possible on-site, particularly given the minor area included in this Amendment.

This Amendment substantially conforms with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*.

- h. will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

The proposed development in the site plan will be served by adequate public facilities, including police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities, consistent with the approved Preliminary Plan, as amended. The plaza renovations, which do not include any additional density, will not impact the adequate public facilities serving the Property.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

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

The plaza renovation was designed to complement the surrounding development. The proposed plaza redevelopment will be compatible with the surrounding area. In connection with the plaza redevelopment, the Applicant has reviewed the proposed adjacent development to the south of the Property (a 225-foot-high mixed-use residential project) and to the southeast across Wisconsin Avenue adjacent to the Women's Farmer's Market Coop site (a 175-foot-high mixed-use residential project). These surrounding developments will cast shadows on the plaza and thus there will be less light on the plaza once these buildings are developed than there is currently. These changes thus make the renovation of the plaza more important than ever. The proposed redesign is appropriate in that it eliminates the current structures on the plaza that promote a dark, enclosed environment. In contrast, the new design will make the plaza lighter and airier and more accessible, which will be important given the surrounding development.

- 3. To approve a site plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

4. *For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property was not zoned C-1 or C-2 on October 29, 2014.

CONCLUSION

The project complies with the general requirements and development standards of Section 4.5 and the general development requirements of Article 59-6 of the Zoning Ordinance. The project satisfies the findings of the Subdivision Regulations and substantially conforms with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of Site Plan Amendment No. 81984002E with the conditions specified at the beginning of this report.

Attachments:

Attachment A: Art Review Panel letter