






Claiborne: Sketch Plan 32017003A, Preliminary Plan No. 12017025A and Site Plan No. 82017008A

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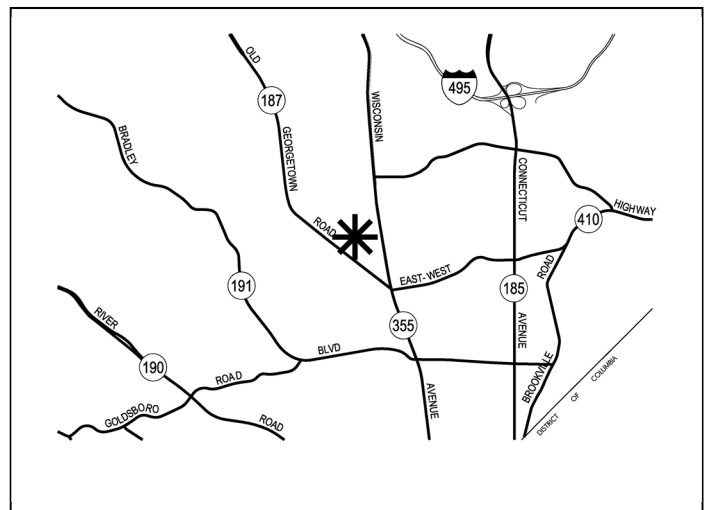
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 Mark Pfefferle, Interim Chief, Area 1, Mark.Pfefferle@montgomeryplanning.org, 301.495.4730

Description

Completed: 1.25.2019

- Amendment to expand site area for creation of one lot for construction of a mixed-use project of up to 97,000 total square feet with up to 84 multi-family dwelling units and up to 5,000 square feet of commercial uses; project includes a density transfer and an allocation of Bethesda Overlay Zone density;
- Current use: Vacant;
- Located in the east quadrant of the intersection of Auburn Avenue and Norfolk Avenue;
- 0.41 acres or 17,662 gross square feet of tract area zoned CR 3.0 C 3.0 R 3.0 H110', CR 3.0 C 3.0 R 3.0 H90', and Bethesda Overlay Zone in the 2017 *Bethesda Downtown Sector Plan*;
- Applicant: 4820 Auburn, LLC
- Acceptance date: October 12, 2018



Summary

- Staff recommends approval of the Amendments to the Sketch Plan, Preliminary Plan, and Site Plan with conditions.
- The Planning Board previously approved Sketch Plan 320170030 on November 10, 2016, and concurrent Preliminary Plan 120170250 and Site Plan 820170080 on July 27, 2017 for up to 58 units and up to 2,800 square feet of retail.
- Forest Conservation exemption 42019048E was confirmed on October 12, 2018.
- These amendments will redevelop the site with a mixed-use building comprised of up to 84 multi-family dwelling units, including 15% moderately priced dwelling units, up to 5,000 square feet of ground floor retail, structured parking, a green roof and a cool roof, among other amenities.
- The Project includes an allocation of Bethesda Overlay Zone density of up to 36,273 square feet. Ordinarily, this would result in a Park Impact Payment (PIP) of \$362,730, however, the PIP is reduced by the value of 13,800 square feet of MPDUs to \$224,730, in accordance with Section 59.4.9.2.C.3.c.i., to fund park acquisition in downtown Bethesda.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Sketch Plan Amendment 302017003A

Staff recommends approval of Sketch Plan Amendment No. 302017003A, for a mixed-use project of up to 97,000 total square feet for up to 84 multi-family dwelling units, including 13,800 square feet of MPDU density not counted toward the Project's FAR, and up to 5,000 square feet of non-residential uses, on 0.41 acres of land, zoned CR 3.0 C 3.0 R 3.0 H110' and CR 3.0 C 3.0 R 3.0 H90'. The Project includes an allocation of Bethesda Overlay Zone density of up to 36,273 square feet. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the binding elements below:

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

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan.

This approval is subject to the following conditions, which supersede in their entirety the conditions of Sketch Plan 3020170030:

1. Density

The Sketch Plan is limited to a maximum of 97,000 square feet of total development on the Subject Property, including up to 36,273 square feet from the Bethesda Overlay Zone. The final distribution of density between residential and non-residential uses, and the maximum number of dwelling units will be determined at Preliminary Plan.

2. Density Transfer

Prior to record plat approval, the Applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the M-NCPPC Office of the General Counsel and must record the instrument in the Montgomery County Land Records. The residential density to be transferred under this Sketch Plan is measured in gross square feet and will total approximately 7,741 square feet. Final allocation of density will be determined at the time of Site Plan. The Sending Properties will transfer the following square feet of development potential based on the existing zoning:

- a. 4830 Cordell Avenue will be transferring 1,028 SF of residential density
- b. 5004 Cordell Avenue will be transferring 514 SF of residential density
- c. 5001 Wilson Avenue will be transferring 5,685 SF of residential density
- d. 5027 Wilson Avenue will be transferring 514 SF of residential density

3. Height

The development is limited to a maximum height of 110 feet on the CR 3.0 C 3.0 R 3.0 H110' zoned property and a maximum height of 90 feet on the CR 3.0 C 3.0 R 3.0 H90' zoned property, as measured from the building height measuring point.

4. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.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 approval.

- a. Connectivity and Mobility, achieved through minimum parking and streetscape improvements;
- b. Diversity of Uses and Activities, achieved through enhanced accessibility for the disabled;
- c. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, structured parking, and tower step-back; and
- d. Protection and Enhancement of the Natural Environment, achieved through building lot terminations, cool roof, energy conservation and generation, and a recycling facility plan.

5. Park Impact Payment (PIP)

At the time of Site Plan, the Applicant must identify the final amount of BOZ density being purchased and allocated to the Subject Property.

6. 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.

7. Moderately Priced Dwelling Units (MPDUs)

The Applicant must provide a minimum of 15% of the total units as Moderately Priced Dwelling Units on the Subject Property. The development must provide MPDUs in accordance with Chapter 25A.

8. 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:

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Demonstration of how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements; and
- d. Coordination with adjacent property owners regarding rooftop treatment and mechanical equipment.

Preliminary Plan No. 12017025A

Staff recommends approval of Preliminary Plan Amendment No. 12017025A subject to the following conditions, which supersede in their entirety the conditions of 120170250:

1. Approval is limited to one lot for up to 97,000 total square feet of development for up to 84 multi-family dwelling units, including 13,800 square feet of MPDU density not counted toward the Project's FAR, up to 5,000 total square feet of retail development and an allocation of 36,273 square feet of density from the Bethesda Overlay Zone.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 302017003A and any subsequent amendments.
3. Prior to record plat, the Applicant must record all necessary density transfer instruments in the Land Records of Montgomery County, as required by the subsequent site plan. The Book and Page must be reflected on the record plat.
4. Include all applicable agency letters and the Preliminary Plan resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
5. The Applicant must participate in the implementation of the Norfolk Avenue shared street, as recommended by the Sector Plan. The scope and details of participation will be determined at the time of Certified Site Plan.
6. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Service ("MCDPS") – Water Resources Section in its stormwater management concept letter dated November 27, 2018, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
7. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 30, 2018, and amended in its letter dated, January 25, 2019, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
8. Before the release of any above grade building permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.
9. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements as required by MCDOT.
10. The record plat must show necessary easements.
11. Prior to submission of any plat, Site Plan No. 82017008A must be certified by MNCPPC Staff.

12. Final approval of the number and location of the multi-family dwelling units, on-site parking, site circulation, and sidewalks will be determined at Site Plan.
13. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of site plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.
14. In the event that a subsequent site plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration or location or right-of-way width, or alignment, the Applicant must obtain approval of a Preliminary Plan amendment.
15. The Applicant may obtain permits for demolition and below-grade excavation and sheeting and shoring prior to the recording of plats and Certified Site Plan approval. The record plat(s) and Certified Site Plan must be submitted to M-NCPPC prior to any below-grade activity occurring on site.
16. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.

Site Plan No. 82017008A

Staff recommends approval of Site Plan Amendment 82017008A, for a residential building of up to 97,000 total square feet with up to 84 multi-family dwelling units, including 15% MPDUs, on 17,662 square feet of land, zoned CR 3.0 C 3.0 R 3.0 H110' and CR 3.0 C 3.0 R 3.0 H90'. The Project includes an allocation of up to 36,273 square feet of Bethesda Overlay Zone density. The development must comply with the binding elements and conditions of Sketch Plan 32017003A and Preliminary Plan 12017025A. 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, which supersede conditions of 820170080.

1. Density Averaging

- a) Before certification of the Site Plan, the Applicant must record an instrument in the County Land records reflecting the density transfer for this project as required under Section 59.4.5.2.B of the Zoning Ordinance.
 - i. The residential density to be transferred under this Site Plan is measured in gross square feet and will total approximately 7,741 square feet. The Sending Properties will transfer the following square feet of development potential:
 1. 4830 Cordell Avenue will be transferring 1,028 SF of residential density
 2. 5004 Cordell Avenue will be transferring 514 SF of residential density
 3. 5001 Wilson Avenue will be transferring 5,685 SF of residential density
 4. 5027 Wilson Avenue will be transferring 514 SF of residential density

2. Bethesda Overlay Zone Density & Park Impact Payment

- a. Per Section 59.4.9.2.D.4 of the Zoning Ordinance, the Applicant must have a building permit application accepted by MCDPS that includes the core and shell of the principal building within two years of the date of the Planning Board Resolution approving the Site Plan. Within two years of MCDPS accepting the building permit application, the Applicant must obtain the building permit. The deadlines may not be extended. If the Applicant fails to comply with any of the deadlines in this condition, the entire Site Plan approval is revoked.
- b. The Applicant must pay to the M-NCPPC a Park Impact Payment of \$224,730, prior to release of the first above-grade building permit for the allocation of 36,273 square feet of Bethesda Overlay Zone Density, not including 13,800 square feet of MPDU density exempt from the PIP calculation. In the event the final allocation of density from the BOZ is less than the approved amount, or if the amount of exempt MPDU density changes, the Applicant may apply to reduce the allocation of density from the BOZ, and/or modify the PIP through a minor amendment (Consent Agenda).

3. Public Open Space, Facilities, and Amenities

- a. The Applicant must provide a minimum of 295 square feet of public open space on-site, as illustrated on the Certified Site Plan.
- b. The Applicant must construct streetscape improvements, including the undergrounding of utilities, along the property's frontage on Auburn Avenue and Norfolk Avenue, consistent with the Bethesda Streetscape Standards, with the exception of a modified paver pattern per Site Plan Condition 15(b), as illustrated in the Certified Site Plan.
- c. The Applicant must construct off-site streetscape improvements on Norfolk Avenue and Del Ray Avenue, not including undergrounding of the existing utility pole at the corner of Norfolk Avenue and Del Ray Avenue, as shown on the Certified Site Plan.
- d. Before the issuance of the final use and occupancy certificate for the residential development, all public open space areas and streetscape improvement areas identified on the Certified Site Plan must be completed.

4. Norfolk Avenue Shared Street Implementation

The Applicant must participate in the implementation of the Norfolk Avenue shared street project by either constructing a portion along the Site frontage, or contributing a maximum of \$127,000 (or other amount determined by the Applicant and the Montgomery County Department of Transportation (MCDOT)) to MCDOT for future implementation.

- a. The scope and manner of the Applicant's participation must be accepted by the MCDOT and be illustrated on the Certified Site Plan.
- b. If the Applicant's participation is a financial contribution, payment must be made to MCDOT prior to issuance of the first above grade building permit;
- c. If the Applicant's participation is construction, work must be completed prior to issuance of the Final Use and Occupancy Permit.

5. Green Cover

- a. The Applicant must provide on site a minimum of 4,106 square feet of Green Cover, equivalent to 35% of the site area, as illustrated on the Certified Site Plan.
- b. Any green roof installed pursuant to this condition must have a minimum soil depth of eight inches.

6. Recreation Facilities

The Certified Site Plan must demonstrate conformance with the M-NCPPC Recreation Guidelines.

7. Affordable Housing

- a. The development must provide on site 15 percent Moderately Priced Dwelling Units (MPDUs) consistent with the requirements of Chapter 25A and the applicable Sector Plan.
- b. Before issuance of the first above-grade building permit, the MPDU Agreement to Build between the Applicant and the DHCA must be executed.
- c. The Planning Board accepts the recommendations of DHCA in its letter, dated December 20, 2018, and does hereby incorporate them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by DHCA provided that the amendments do not conflict with other conditions of the Site Plan approval.

8. Department of Permitting Services-Right-of-Way

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memo dated December 6, 2018, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in their memo, which DPS-ROW may amend if the amendments do not conflict with other conditions of Site Plan approval.

9. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, in its letter dated June 9, 2017, and revised December 20, 2018, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

10. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR Zone Incentive Density Implementation Guidelines* for each one.

- a. Connectivity between Uses, Activities, and Mobility Options
 - i. Minimum Parking
The Applicant must not provide more than 71 parking spaces.
 - ii. Streetscape Improvement
The Applicant must comply with Site Plan Condition 4.
- b. Diversity of Uses and Activities
 - i. Enhanced Accessibility for the Disabled
The development must provide a minimum of one (1) dwelling unit that meets ANSI A117.1 Residential Type A standards, or an equivalent County standard.
- c. Quality Building and Site Design
 - i. Architectural Elevations
The Applicant must comply with Site Plan Condition 14.
 - ii. Exceptional Design
The Applicant must comply with Site Plan Condition 14.
 - iii. Structured Parking
The Applicant must provide all parking spaces within the below-grade structure on the Subject Property, as shown on the Certified Site Plan.
 - iv. Tower Step-Back
The Applicant must step back the building's upper floors, as shown on the Certified Site Plan.
- d. Protection and Enhancement of the Natural Environment
 - i. Building Lot Terminations (BLTs)
Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment equivalent to 0.2099 BLTs to MCDPS.
 - ii. Cool Roof
The Applicant must install a cool roof having a minimum solar reflectance index (SRI) of 75 on slopes at or below 2:12 and a minimum SRI of 25 on slopes above 2:12. This SRI rating will cover all roof areas not covered by green roof or mechanical equipment, as shown on the Certified Site Plan.
 - iii. Energy Conservation and Generation
The Applicant must construct the building to exceed energy efficiency standards for the building type by 17.5% through the use of a highly efficient mechanical system, energy efficient lighting, and low-flow plumbing fixtures, as determined by MCDPS.
 - iv. Recycling Facility Plan
The Applicant must provide a material sorter to handle recyclable materials generated on the Subject Property. The Applicant must also provide a recycling chute and sorter. The Applicant must contract with a private hauler to recycle materials collected on-site.

11. Transportation

Before the release of any above-grade building permit, the Applicant must enter into a Traffic Mitigation Agreement (TMAg) with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.

12. Pedestrian & Bicycle Circulation

- a. The Applicant must provide a minimum of forty (40) long-term and two (2) short-term bicycle parking spaces.
- b. The long-term spaces must be in a secured, well-lit bicycle room in the garage, and the short-term spaces must be inverted-U racks installed along the building's retail frontage and 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.

13. Building Lot Terminations (BLTs)

Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.2099 BLTs to the Department of Permitting Services (DPS).

14. Building and Site Design

- a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by M-NCPPC Staff.
- b) The Planning Board accepts the recommendations of the Design Advisory Panel as described in their letter, dated October 24, 2018.
- c) Any significant changes to the design must be presented to the Design Advisory Panel and approved by Staff prior to certification of the Site Plan, and certain changes to the design, as determined by Staff, may require a Site Plan Amendment.
- d) Over an area that incorporates a significant portion of the southern façade, as shown on the Certified Site Plan, the Applicant must provide and maintain a mural, or comparable visual amenity that breaks-up the mass of the façade. This visual amenity must be installed prior to the final Use and Occupancy permit, and may change over time without amending the Site Plan.

15. Landscaping

- a. Prior to issuance of final residential Use and Occupancy Certificate, all on-site amenities, including, but not limited to: streetlights, sidewalks/ pedestrian pathway, hardscape, benches, trash receptacles, bicycle facilities, recreation amenities, and public open space must be installed.
- b. The Applicant may install a modified Bethesda Streetscape (paver pattern), as shown on the Certified Site Plan.
- c. Prior to issuance of the final residential Use and Occupancy Certificate, all rooftop amenities must be installed.
- d. The Applicant must install landscaping no later than the next growing season after completion of site work.
- e. The Applicant must provide vertical and horizontal screening for rooftop mechanical equipment to be approved by Staff at certified site plan.

16. Forest Conservation & Tree Save

- a. The development must comply with the conditions of the Forest Conservation exemption 42019048E which was confirmed on October 12, 2018.
- b. The Applicant must label the existing street tree to remain (32" DBH Zelkova) and must show and detail tree protection on the landscape plan and detail sheet.

17. Lighting

- a. Prior to issuance of any above-grade building permit, 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 onsite 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 onsite down-lights must have full cut-off fixtures, or the BUG equivalent.
- c. Deflectors will 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.
- e. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

18. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, excluding sheet and shoring, or sediment control permit, 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 plant material, on-site lighting, the southern façade visual amenity, site furniture, trash enclosures, private utilities, sidewalks, storm drainage facilities. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- c. A separate cost estimate and bond must be completed for any off-site improvements associated with the off-site streetscape requirements, including Norfolk Avenue shared street project improvements.
- d. A separate cost estimate and bond must be completed for any off-site improvements associated with the Norfolk Avenue shared street project participation, as shown on the Certified Site Plan.
- e. 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.
- f. 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.

19. Development Program

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

20. 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 the stormwater management concept approval letter, development program, and Site Plan Resolution 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.
- e. Coordinate with Staff for modifications regarding planting, and soil detail requirements.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The subject site (Subject Property or Property) consists of an assemblage of properties in the “Woodmont” subdivision, located on the east corner of the Auburn Avenue/ Norfolk Avenue intersection in the Woodmont Triangle district of the Bethesda Downtown Sector Plan area. The Property has a tract area of approximately 0.41 acres, or 17,662 square feet.



Figure 1: Aerial View

The Property is within the area encompassed by the 2017 *Bethesda Downtown Sector Plan* (Sector Plan), the Height Incentive Area of the Bethesda Overlay Zone, the Bethesda Parking Lot District (PLD), and is located within ½ mile of the Bethesda Metrorail Station.

The Property is surrounded by a mix of commercial, office, retail and residential uses in the Commercial/ Residential Zone. Directly to the south of the Property, along Norfolk Avenue, are single story retail establishments. Adjacent to the northeast of the Property, along Auburn Avenue, is a recently constructed 17-story multifamily residential apartment building, known as the Gallery (“Woodmont Central” Site Plan 82011002D).

Site Analysis and Density Transfer

The Property is zoned CR 3.0 C 3.0 R 3.0 H110' and CR 3.0 C 3.0 R 3.0 H90' and is within the Bethesda Overlay Zone. The Site is comprised of several separate lots, each of which is improved with commercial uses. These lots have frontage on Norfolk Avenue and Auburn Avenue. There are no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. There are no historic properties on site.

In addition to the Subject Property, this Application comprises the following sites for purposes of FAR averaging, as permitted by Section 4.5.2.B of the Zoning Ordinance: 4830 Cordell Avenue, 5004 Cordell Avenue, 5001 Wilson Avenue, and 5027 Wilson Avenue. With the addition of these properties, for purposes of FAR averaging this Application has a total tract area of 43,945 square feet or 1.01 acres.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

The Planning Board approved Sketch Plan No. 320170030 by Resolution dated November 29, 2016, and a concurrent Preliminary Plan and Site Plan, designated 120170250 and 820170080 respectively, by resolutions dated July 31, 2017¹. These approvals allowed up to 58 dwelling units and up to 2,800 square feet of retail and were subject to the 1994 *Bethesda Central Business District Sector Plan* and 2006 *Woodmont Triangle Amendment*. The Subject Amendments being the project into full compliance with the 2017 *Bethesda Downtown Sector Plan*, comments by the Design Advisory Panel, and help implement the vision of the *Bethesda Downtown Plan*.

Proposal

The Applicant is proposing to expand the original approvals to include three additional adjacent properties on Norfolk Avenue, increasing the tract area from 0.30 to 0.41 acres and increasing the overall Project from 58 to 84 multi-family dwelling units, and from 2,800 square feet of retail to 5,000 square feet of retail. With the addition of the adjacent properties and availability of the Bethesda Overlay Zone density, the Applicant is also proposing to reduce the amount of density transferred from off-site.

Density Averaging

Per Section 59.4.5.2.B of the Zoning Ordinance, "Commercial/Residential Zones FAR Averaging," the Applicant proposes to transfer a total of 7,741 square feet of residential density to the Subject Property. As conditioned, all Sending Properties will retain sufficient commercial density to support existing development on the respective properties. Furthermore, all properties covered by this Application will conform to the maximum FAR limits allowed under the applicable zoning.

¹ A corrected resolution for the Site Plan was issued on September 19, 2017.

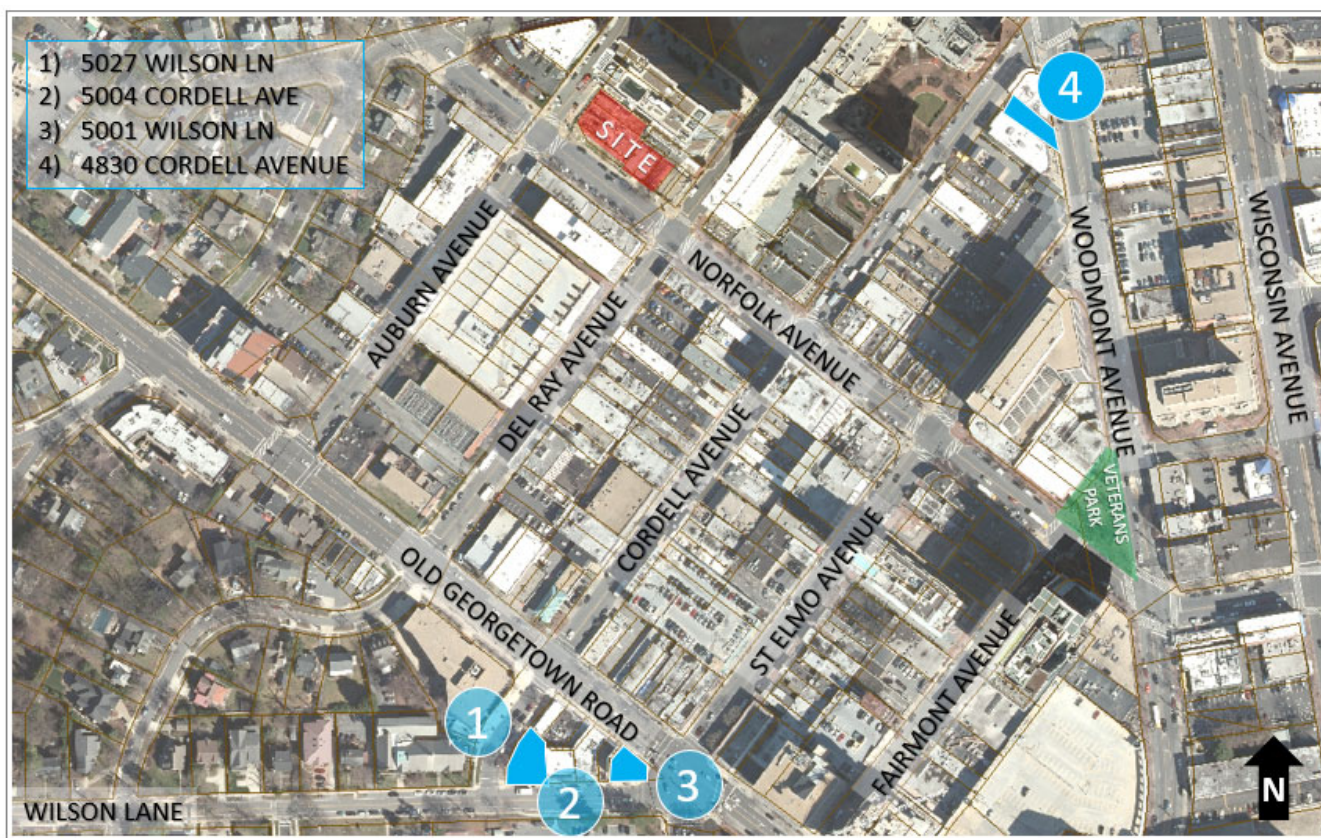


Figure 2: FAR Averaging/Sending Sites

Uses and Density

The Application proposes one (1) new lot for a maximum density of 97,000 square feet (FAR 5.49) comprised of up to 92,000 square feet of multi-family residential uses (with up to 84 multi-family dwelling units) and up to 5,000 square feet of commercial/retail uses. The total density includes 52,986 square feet of mapped gross floor area (FAR of 3.0), a transfer of 7,741 square feet of residential density (FAR of 0.44) from off-site, and 36,273 square feet of density from the BOZ (FAR of 2.05). The proposal includes a Park Impact Payment (PIP) of \$224,730, reflecting a discount of 13,800 square feet devoted to the provided 15 percent MPDUs as allowed under Section 59.4.9.2.C.3.c.i. of the Zoning Ordinance.

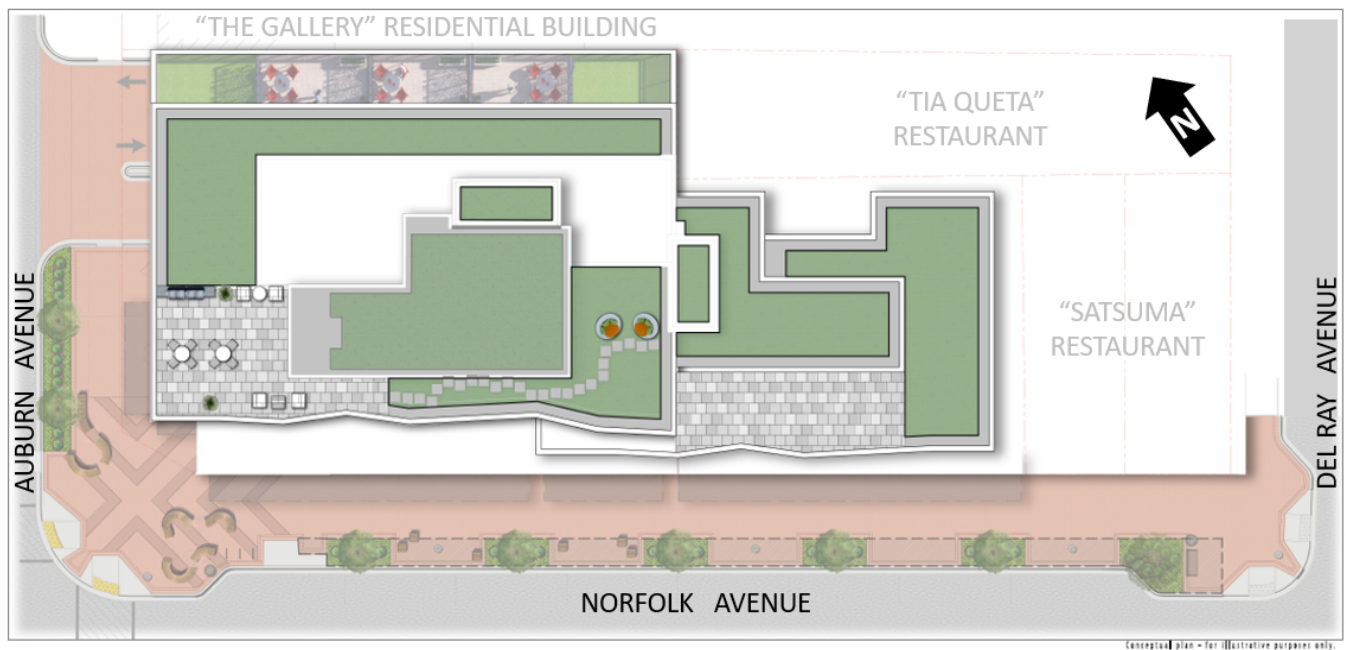


Figure 3: Illustrative Site Plan

Building

The Project proposes a mixed-use, predominately residential building that will contribute to the character of the Woodmont Triangle District and pedestrian-scale of Norfolk Avenue and implement the vision of the Sector Plan Design Guidelines. In accordance with the mapped zoning, the proposed building will measure up to 110 feet in height on the northern portion, near Auburn Avenue, and up to 90 feet on the southern portion.

The proposed building, which will occupy the majority of the Norfolk Avenue block between Auburn Avenue and Del Ray Avenue, is designed to read as two separate but complementary facades. The northern portion has a prominent dark masonry base that steps-back approximately 10-feet above the fourth floor. In accordance with the Design Guidelines, the northern portion of the building façade steps-back and transitions to lighter materials beginning at the fifth floor and maximizes windows to reduce the building’s perceived mass. The southern portion of the building has a two-story masonry base that steps back approximately four-feet above the second floor. Beginning at the third floor, the building materials transition to match the upper floors of the northern portion of the building. These upper floors are sculpted with a shifting plan through the use of building setbacks and projections to add visual interest along Norfolk Avenue. The southern façade includes space for a visual amenity, such as a mural, to break-up the mass of the wall. Images depicting the mural are illustrative and intended to convey the scale of the art, the content of which may change overtime to keep the building façade fresh and interesting. As a result of the proposed architecture and building form, the Project successfully implements the vision recommended in the Design Guidelines.



Figure 4: Norfolk Avenue Elevation



Figure 5: Norfolk Avenue Elevation with Illustrative Mural space

The Applicant presented the proposal to the Design Advisory Panel (DAP) on July 25, 2018, and October 24, 2018 (Attachment B). The DAP suggested the following in response to the proposed architecture and exposed southeastern façade, each of which was addressed through the Applicant’s final submittal and successfully achieves the vision of the Design Guidelines.

1. Explore the material in the transition zone, use a lighter material or blend columns with the glass.
2. Ensure there is sufficient clear pedestrian path on the sidewalk and consider creating breaks in the benches to allow more movement.
3. Public Benefit Points: The project was generally positively received, and all panel members support the requested 10 exceptional design points.

As shown in the final e-plans submittal and conditioned in this Staff Report, each of the DAP’s concerns is addressed.

Open Space and Streetscape

While the size of the site does not carry with it a public open space requirement, the Applicant is proposing to provide streetscape improvements along and beyond the site frontage, including an enhanced treatment at the corner of Auburn Avenue and Norfolk Avenue that includes special paving and seating elements.

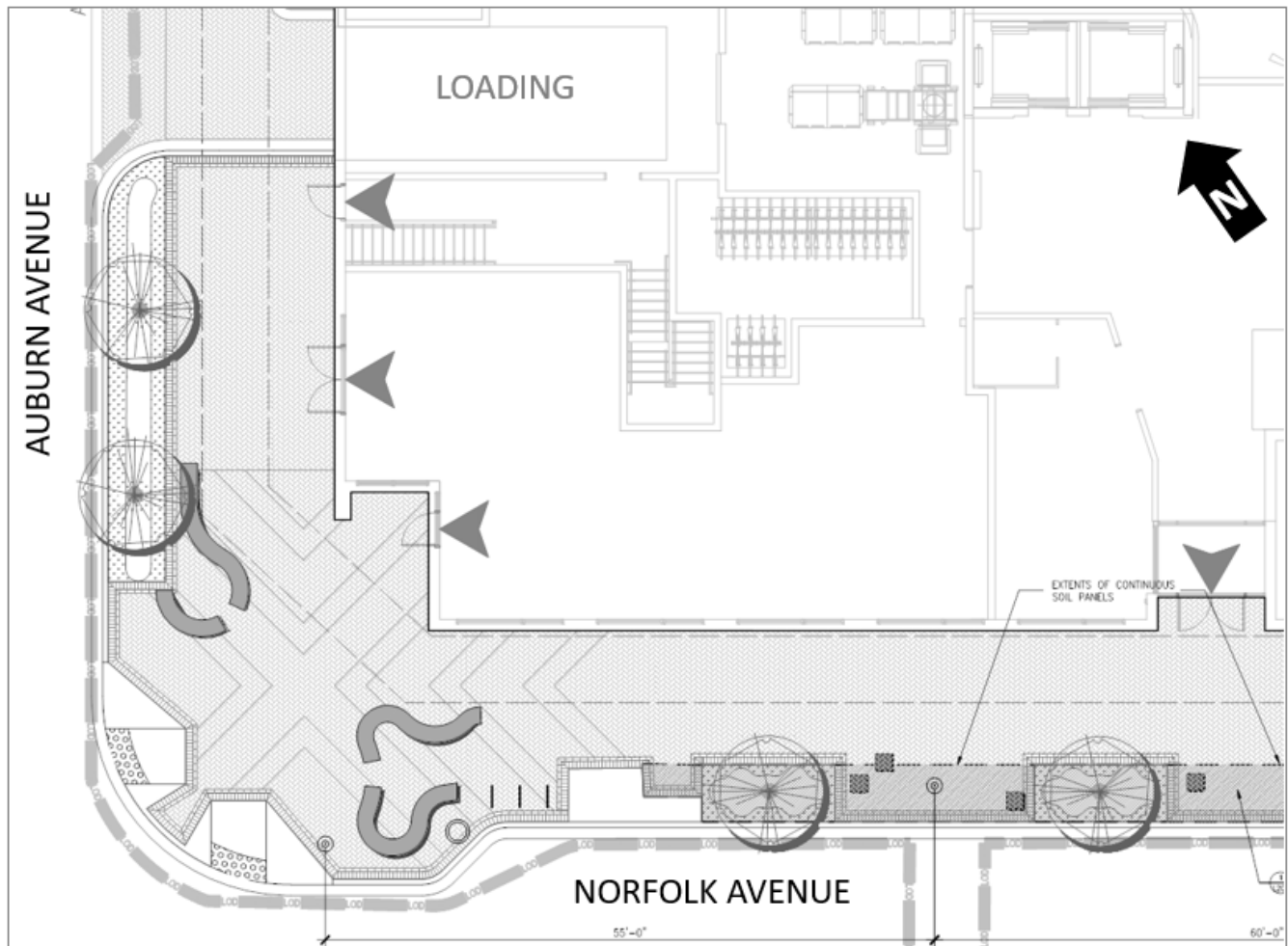


Figure 6: Streetscape Details

Norfolk Avenue Shared Street

In addition to the streetscape improvements, the Project will participate in the implementation of the Norfolk Avenue Shared Street concept, as recommended in the Sector Plan on page 53 and pages 114 - 117. As of the date of this staff report, the Applicant is continuing to work with MCDOT to determine the scope and manner of participation in the Norfolk Avenue shared street concept, which may take the form of a monetary contribution, approved by MCDOT, or implementation of a portion of the Norfolk Avenue shared street as a "pilot" to test the Sector Plan recommendation.

In either the monetary contribution or construction methods of achieving this Sector Plan recommendation, the Applicant should be commended in their efforts to realize one of the major goals of the Sector Plan for the Woodmont Triangle. Staff appreciates the work both MCDOT and the Applicant have done toward this recommendation thus far and looks forward to realization of one of the major recommendations of the 2017 *Bethesda Downtown Sector Plan*.

Figure 7 shows the Sector Plan depiction of the Norfolk Avenue Shared Street. The Applicant's cost estimate for the *pro rata* portion of the shared street is included in Attachment C. Although the amount has not yet been confirmed by MCDOT as of the date of this staff report, the Applicant and MCDOT are continuing to refine the amount of monetary participation, and an amount not to exceed \$127,000 (or other number determined by MCDOT) is conditioned as part of this staff report.



Figure 7: Norfolk Avenue Shared Street Concept

Circulation

Pedestrian and bicycle access to the site are provided from the perimeter sidewalks along both Norfolk Avenue and Auburn Avenue. Bicycle parking for residents will be provided within the parking structure and publicly accessible short term bicycle parking will be provided near building entrances. The vehicular entrance to the building's structured underground garage and loading space is proposed from Auburn Avenue, approximately 100-feet east of Norfolk Avenue.

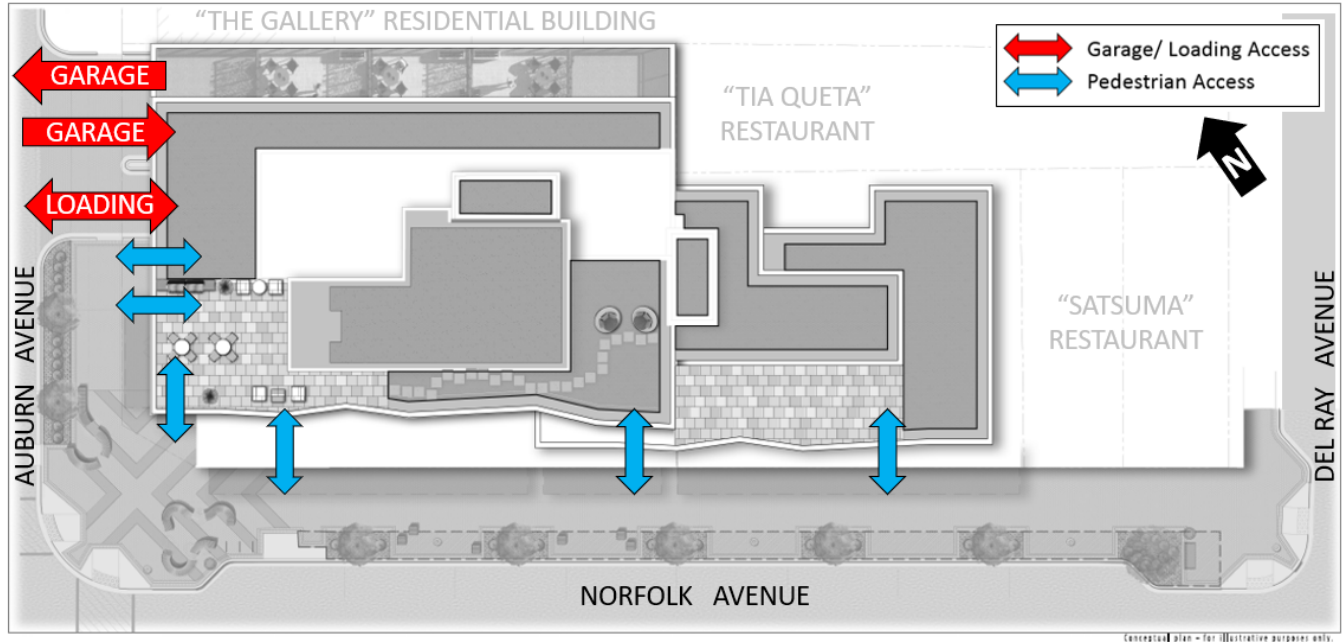


Figure 8: Pedestrian and Vehicular Circulation

SECTION 4: SKETCH PLAN AMENDMENT 32017003A

The purpose of a Sketch Plan is to identify general land uses, development intensity, and public benefits for the optional method of development in the CR, CRT, EOF or LSC Zones. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, heights and anticipated uses, the locations of open and public use spaces, the general circulation patterns for all modes of transportation, an estimated range of peak hour trips and relationships between existing or proposed adjacent buildings and rights-of-way. Details of the proposed development are determined during Preliminary and Site Plan review. Section 59.7.3.3.E of the Zoning Ordinance states: "To approve a Sketch Plan the Planning Board must find that the following elements are appropriate in concept and appropriate for further detailed review at site plan. The Sketch Plan must:

1. *meet the objectives, general requirements, and standards of this Chapter;*

The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in the following Data Table:

Table 1: Project Data Table			
Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Proposed
	Subject Property Tract Area (CR 3.0 C 3.0 R 3.0 H110' / H90') Density Transfer Site Tract Area ¹ 4830 Cordell Avenue (CR 5.0 C 5.0 R 5.0 H175') 5001 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5027 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5004 Cordell Avenue (CRT 2.25 C 1.5 R 0.75 H35') Density Transfer Subtotal Consolidated Tract Area	n/a	17,662 sf (0.41 ac) 2,610 sf (0.06 ac) 13,552 sf (0.31 ac) 6,988 sf (0.16 ac) <u>3,133 sf (0.07 ac)</u> 26,283 sf (0.60 ac) 43,945 sf (1.01 ac)
	Subject Property Prior Dedication Subject Property Proposed Dedication Subject Property Site Area	n/a	5,972 sf (0.14 ac) 0 sf (0.00 ac) 11,690 sf (0.27 ac)
	Residential Density (GFA/ FAR) Subject Property (CR 3.0 C 3.0 R 3.0 H110' / H90') 4830 Cordell Avenue (CR 5.0 C 5.0 R 5.0 H175') 5001 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5027 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5004 Cordell Avenue (CRT 2.25 C 1.5 R 0.75 H35') Residential Density Transfer Subtotal Residential Density Total	52,986 sf (3.0)	47,986 sf (2.72) 1,028 sf (0.06) 5,685 sf (0.32) 514 sf (0.03) <u>514 sf (0.03)</u> 7,741 sf (0.44) 55,727 sf (3.16)
	Dwelling Units, max.	n/a	84
	MPDUs, min. (percent/du)	15%/13	15%/13
	MPDU Density, exempt from PIP calculation (GFA/ FAR)	n/a	13,800 sf (0.78)
	Commercial Density, max. (GFA/ FAR) Subject Property (CR 3.0 C 3.0 R 3.0 H110' / H90')	52,986 sf (3.0)	5,000 sf (0.28)
	Bethesda Overlay Zone Density	n/a	36,273 sf (2.05)
	Total Maximum Density (GFA/ FAR)	52,986 sf (3.0)	97,000 sf (5.49)
	Maximum Building Height CR 3.0 C 3.0 R 3.0 H110' CR 3.0 C 3.0 R 3.0 H90'	110 feet 90 feet	110 feet 90 feet
	Public Open Space, min.	0	295 sf (2.5%)
	Green Cover	35%	35% (4,106 sf)
	Minimum Setbacks	0	0

¹ Density Transfer is for residential uses only

The Application will provide the minimum required number of bicycle parking spaces within the building, as determined at the time of Site Plan. The final number of vehicular parking spaces will be determined at Site Plan based on the residential units and retail square footage.

The Sketch Plan Amendment conforms to the intent of the CR zone as described below:

a) Implement the recommendations of applicable master plans.

The Project substantially conforms to the recommendations for the Property included 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 sites 231 and 22 on page 111 of the Sector Plan. Woodmont Triangle is an eclectic, mixed-use district that balances high-rise residential development with small-scale retail and arts amenities. This district serves as an office and retail center during the day, and as a restaurant district during the evenings and weekends. Woodmont Triangle is primarily a commercial area, containing both retail and office uses. Residential uses were once limited, but since the 2006 Woodmont Triangle Amendment, additional apartments and condominiums have been developed in the district. The Project specifically addresses the following Sector Plan goals:

- *Incentivize expanded affordability for housing.*

The new multi-family residential apartment building will include a minimum of 15 percent Moderately Priced Dwelling Units (MPDUs) (or up to 13 units). As a result, the Project provides additional, desired affordable housing in close proximity to transit and other services.

- *Enhance Norfolk Avenue as the Main Street for the district, building on what works well and creates the unique character in Woodmont Triangle.*

The Property is located at the northern entrance to Norfolk Avenue. Given its prominent location, the Project has been designed to facilitate the pedestrian-scale retail character envisioned for Norfolk Avenue by providing step-backs along the Norfolk Avenue façade. As a result, the building will contribute to the desired lower-heights of Norfolk Avenue.

The Applicant will participate in the implementation of the Sector Plan recommended shared street improvements along their Norfolk Avenue frontage. The precise scope and manner of participation will be determined at the time of Certified Site Plan. As of the date of this staff report, the Applicant's participation is anticipated to be either through a monetary contribution, in an amount approved by MCDOT, or through implementation of a portion of the Norfolk Avenue shared street. The final determination of the Applicant's participation in the Norfolk Avenue shared street, as recommended in the Sector Plan, will be determined at the time of Certified Site Plan, in conjunction with MCDOT and the Department of Permitting Services.

- *Preserve low density, pedestrian scale character along Norfolk Avenue.*

The proposed building will be located directly on the street and will both define and activate the pedestrian environment. This design will promote a more pedestrian oriented streetscape experience by expanding the streetscape and providing façades with multiple points of entry. Parking and loading will be accommodated internally on site via a consolidated garage and loading access point on Auburn Avenue.

- *Increase 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.*

The Project will result in significant improvements to the treatment of stormwater management on-site, as there are no known stormwater management facilities located on the Property. The Project is located within the High Performance Area and will incorporate and meet the requirements in the Sector Plan and Bethesda Overlay Zone for exceeding current energy efficiency standards for buildings.

The Project is in general conformance with the 2017 *Bethesda Downtown Plan*.

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

The Project will redevelop the existing non-residential buildings with a higher-density mixed-use building.

- 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 Project encourages such development by proposing 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. The Project facilitates all modes of transit – pedestrian, bicycle, and vehicular – in close proximity to the Metro and bus service by improving the streetscape. The Project does not propose 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.*

The Sector Plan identifies this area as a priority for mixed use projects and recommends that Norfolk Avenue be improved as a main street. The Project will provide a mix of uses on-site as well as a height and density that is compatible with the desired character of the Woodmont Triangle District. As a result of the streetscape improvements and step-backs, the project helps implement recommendations set forth in the Sector Plan.

- 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 Woodmont Triangle District, which is envisioned to maintain its character as an eclectic mixed-use district. As proposed, the Project provides the appropriate land use mix, as recommended in the Sector Plan.

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

As discussed in Finding 1.a. above, the Project substantially conforms to recommendations of the 2017 *Bethesda Downtown Sector Plan*. The Project will increase the supply of housing to serve a variety of income levels, redevelop an under-utilized property, and provide streetscape improvements that improve the safety and character of the existing streets.

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

The Project design is compatible in height and scale with the existing and pending nearby development in the Woodmont Triangle District. The Project achieves compatibility with the building heights by providing a step-back along Norfolk Avenue and stepping the southern portion of the building down, from 110 feet to 90 feet, as dictated by the zoning.

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

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access and loading for the Site will be provided from Auburn Avenue while Long-term bicycle parking will be provided within the garage and short-term bicycle parking will be provided along the Property's frontage. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards.

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

Taking into account the considerations in Section 59.4.7.1.B and the Public Benefit Points established with the Bethesda Overlay Zone in Section 59.4.9.2.C.4, 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, Staff finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires 100 points in four categories¹. Although at the time of Sketch Plan review only the categories need to 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.

Division 4.7. Optional Method Public Benefits

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes the following public benefits to satisfy the requirements: Connectivity and Mobility; Diversity of Uses and Activities; Quality Building and Site Design; and Protection and Enhancement of the Natural Environment.

Table 2: Sketch Plan Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	20	12
Streetscape Improvements	30	12
59.4.7.3D: Diversity of Uses and Activities		
Enhanced accessibility for the disabled	20	3
59.4.7.3E: Quality of Building and Site Design		
Architectural Elevations	30	10
Exceptional Design	30	10
Structured Parking	20	20
Tower step-back	20	10
59.4.7.3F: Protection and Enhancement of the Natural Environment		
BLTs	30	1.9
Cool Roof	10	10
Energy Conservation and Generation	15	15
Recycling Facility Plan	10	5
TOTAL		104

Connectivity and Mobility

Minimum Parking: The Project proposes to provide 71 parking spaces; fewer than the minimum number of parking spaces (84 spaces) required under the Zoning Ordinance. The Applicant requests 12 points and Staff supports the Applicant's request at this time.

¹ In accordance with Section 59.4.9.2.C.5.b, Projects that include FAR averaging within the Bethesda Overlay Zone are not required to exceed the minimum number of public benefit points.

Streetscape Improvements: The Applicant requests 12 points for proposed off-site streetscape improvements along the remainder of Norfolk Avenue to Del Ray Avenue in addition to the required streetscape improvements along the property frontage. The off-site portion measures approximately 1,405 square feet. Staff supports the Applicant's request at this time.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: Section 59.4.7.3.D.4. of the Zoning Ordinance permits up to 20 public benefit points for providing dwelling units with interiors that satisfy accessibility standards set forth by the American National Standards Institute (ANSI), A117.1 Residential Type A standards. The Project is providing one (1) dwelling unit that meets A117.1 or an appropriate County standard. Staff supports the Applicant's request at this time.

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 10 points for providing a building that contains a masonry base and contemporary façade on the upper floors. The building will contribute to the streetscape by providing an detailed and permeable façade at the ground floor. This design treatment is intended to help relate the building to buildings on the rest of the block as well as the pedestrian realm and provide a step back above this base. Staff supports the Applicant's request at this time.

Exceptional Design: The Applicant requests 10 points for a building or site design that 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; uses design solutions to make compact infill development living and shopping environments more pleasurable and desirable; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Design Advisory Panel reviewed the project at its October 24, 2018 meeting and voted to support 10 points for exceptional design. Staff supports the Applicant's request at this time.

Structured Parking: The Applicant requests 20 points for structured parking for the parking that will be below grade. The Application proposes all parking spaces to be provided in a below-ground parking garage and the layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. Staff supports the Applicant's request at this time.

Tower Step-back: The Applicant requests 10 points for providing a tower step-back of at least 52% of the building above the fourth floor. Applied to the building, this step-back occurs on the 110-foot tall portion of the building as a 10-foot step-back at or about a height of 40-feet; on the 90-foot tall portion of the building, as a 4-foot step-back at or about a height of 20-feet. Since the four-foot step-back does not meet the minimum criteria set forth in the Guidelines, Staff supports awarding a portion of the 10 points at this time. The exact number of points will be determined at Site Plan based on the final architecture.

Protection and Enhancement of the Natural Environment

BLTs: Up to 30 points can be granted for the purchase of Building Lot Termination (BLT) easements or payment to the Agricultural Land Preservation Fund (ALPF). The Applicant proposes the purchase of 0.2099 BLT easements for 1.89 public benefit points. Staff supports the applicant's request at this time.

Cool Roof: The Applicant requests 10 points for providing a cool roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum of SRI of 25 for slopes above 2:12, for a site less than 1 acre in size, thus achieving 10 points in this public benefit category. Staff supports the Applicant's request at this time.

Energy Conservation and Generation: The Project is being designed to exceed the energy efficiency standards for its building type by 17.5%, through such features as a highly efficient mechanical system, energy efficient lighting, and low-flow plumbing fixtures. The Applicant has provided an energy/use generation model with comparisons to the average use/generation for the building type based on the Department of Energy Standards. The Applicant requests 15 points in this public benefit category and Staff supports the Applicant's request at this time.

Recycling Facility Plan: The Applicant requests 5 points for providing a recycling facility plan that exceeds County requirements. This plan includes a designated recycling material sorter, paper shredder. Staff supports the Applicant's request 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 Project will be built in one phase.

SECTION 5: PRELIMINARY PLAN AMENDMENT 12017025A

ANALYSIS AND FINDINGS

Sector Plan Conformance

As discussed in the Sketch Plan Findings section of this staff report, the Preliminary Plan Amendment substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Preliminary Plan Amendment complies with the specific density recommendations for the Subject Property as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan.

Transportation

One of the most dramatic recommendations of the Bethesda Downtown Sector Plan was the Norfolk Avenue shared street concept. The Subject Project is implementing a portion of the shared street, with the precise scope and manner of participation to be determined by the Montgomery County Department of Transportation prior to Certification of the Site Plan. The Applicant's participation in the shared street project was a critical element of staff's review of the Subject Application and will be the first time a development project in downtown Bethesda is contributing to the shared street project.

Vehicular access to the Property is proposed directly from Auburn Avenue through a consolidated garage access point and loading bay (two separate, but adjacent entrances). Pedestrian and bicycle access to the Property will be provided along both Norfolk Avenue and Auburn Avenue.

The Project includes a bicycle parking room to provide long-term bicycle storage for the residents. Bicyclists will access the room from via the lobby on Norfolk Avenue. The bicycle parking room will provide secure, private parking for 40 bikes and the proposed layout meets the design and capacity standards set by the Zoning Ordinance. The final number of automobile and bicycle parking spaces will be determined at Certified Site Plan based on the number of residential dwelling units.

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located within ½ mile of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2017 *Bethesda Downtown Sector Plan* recommends the following along property frontages:

1. Auburn Avenue, along the northern site frontage, as a Business District Street with a minimum right-of-way width of 60 feet;
2. Norfolk Avenue, along the western site frontage, as a business district roadway with a minimum right-of-way width of 80' and as a shared street.

Sector-Planned Transportation Demand Management

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55%, averaged between employees and residents of downtown Bethesda. In order to meet this goal, downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single occupancy vehicles. As a residential project of more than 100 dwelling units within the Bethesda TMD, the development is required to enter into a Traffic Mitigation Agreement (TMAG) with the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD.

Adequate Public Facilities

A transportation exemption statement, dated February 21, 2018, satisfied the Local Area Transportation Review for the Subject Application because the Project generates fewer than 50 net new peak hour person trips. The proposed development is estimated to generate 41 new morning peak-hour person trips (21 vehicle trips) and 47 new evening peak-hour person trips (24 vehicle trips) (Table 3).

Table 3: Project Peak Hour Trip Generation

Proposed		Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
		AM	PM	AM	PM	AM	PM
High-Rise Apartments	84 Units	26	30	21	24	41	47
Ancillary Retail	5,000 SF	0	0	0	0	0	0
Net New Trips¹		26	30	21	24	41	47

¹No credit taken for existing uses to be removed

Source: Wells & Associates Transportation Statement, dated September 27, 2018.

School Adequacy

The Project was reviewed under the FY2019 Annual School Test, approved by the Planning Board on June 21, 2018, and effective July 1, 2018. Under the FY2019 Annual School Test, student generation is calculated by multiplying the number of dwelling units by the applicable regional student generation rate for each school level. For the purposes of this calculation, dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit (Table 4). The Subject Property seeks to amend an approved plan for 58 high-rise multifamily units, to 84 high-rise multifamily units, resulting in a net gain of 26 units. This Property is in the Bethesda-Chevy Chase High School (B-CC) Cluster in the southwest region of the County.

Based on this analysis, the Project is estimated to generate one new elementary school student, zero new middle school students, and zero new high school students (Table 5). Staff finds that sufficient school capacity exists at the elementary school, middle school and high school cluster levels to accommodate the estimated number of students generated by the Project.

Table 4: Student Generation Rates Per Dwelling Unit – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.193	0.111	0.147
SF Attached	0.191	0.094	0.124
MF Low- to Mid-Rise	0.146	0.063	0.083
MF High-Rise	0.055	0.022	0.031

Table 5: The Claiborne Plan Amendment – Estimated Enrollment Impact

Unit Type	Net New Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
Multi-Family High Rise	26	0.055	0.022	0.031	1.430	0.572	0.806
Total Units	26				1	0	0

Cluster Adequacy Test

Student enrollment and capacity projections for the Bethesda-Chevy Chase High School (B-CC) Cluster, as established in the FY2019 Annual School Test, are summarized in Table 6. As indicated in the last column of the table, the sum of the projected future enrollment and the estimated student impact associated with the Subject Application fall below the moratorium¹ thresholds at all three school levels. As a result, Staff finds that sufficient capacity exists at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

*Table 6: FY2019 Annual School Test
Bethesda Chevy Chase High School Cluster*

School Level	Projected Cluster Totals, September 2023			Moratorium Enrollment Threshold	Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,690	4,043 ²	91.3%	4,852	3,691
Middle	1,803	2,024	89.1%	2,429	1,803
High	2,463	2,407	102.3%	2,889	2,463

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Bethesda Elementary School and Westland Middle School, respectively. Based on the FY2019 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7.

*Table 7: FY2019 Annual School Test
Individual School Adequacy*

School	Projected School Totals, September 2023				Moratorium Enrollment Thresholds		Projected Enrollment + Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit	120% Utilization	Surplus/ Deficit	
Bethesda ES	699	698 ³	100.1%	-1	838	808	700
Westland MS	832	1,089	76.4%	257	1,307	1,269	832

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and if the school seat deficit meets or exceeds 110 seats for the elementary school or 180 seats for the middle school. If a school's projected enrollment exceeds both thresholds, then the school service area is placed in a residential development moratorium.

The Moratorium Enrollment Thresholds, identified in Table 7, are the enrollments at which the 120% utilization threshold and the seat deficit threshold are exceeded. As indicated in the last column, the projected enrollment plus the estimated impact of this application falls below both applicable moratorium thresholds for Bethesda

¹ The moratorium enrollment threshold represents 120% enrollment utilization.

² The projected cluster elementary school capacity of 3,813 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY 2019 Capital Budget.

³ The projected Bethesda Elementary School capacity of 560 students has been modified to reflect the impact of a six-classroom placeholder project included by the County Council in the FY 2019-2024 Capital Improvements Program.

Elementary School and Westland Middle School. Therefore, Staff finds sufficient anticipated school capacity to accommodate the estimated number of students generated by the Project.

School Capacity Analysis Conclusion

Based on the FY2019 Annual School Tests at the cluster and individual school level, Staff finds adequate school capacity to support the proposed development.

Other Public Facilities

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

Compliance with Zoning Ordinance and Subdivision Regulations

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision of Land. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable master plan, and for the type of development or use contemplated. Under Section 59.4.5.4 of the Zoning Ordinance, the dimensional standards for the lots will be determined with approval of the subsequent site plan.

The Preliminary Plan will create one lot (11,690 square feet or 0.27 acres of lot area) to allow for a maximum density of 97,000 total square feet for up to 84 multi-family residential dwelling units. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision of Land. The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision taking into account the recommendations in the 2017 *Bethesda Downtown Sector Plan* and for the type of development or use contemplated. The proposed lot meets all requirements established in the Subdivision of Land and the Zoning Ordinance and substantially conforms to the recommendations of the Sector Plan. Access and public facilities will be adequate to serve the proposed lot, and the Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

Forest Conservation and Tree Save Plan

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen tree or champion tree, and afforestation requirements would not exceed 10,000 square feet.

The Applicant is proposing to save one existing street tree, an 18" DBH Zelkova. As conditioned, prior to Site Plan certification, the Applicant must show the existing tree to remain accurately on the plans, as well as show and provide tree protection and details on the landscape sheets.

Stormwater Management

The MCDPS Stormwater Management Section approved the Stormwater Management Concept on November 27, 2018 (Attachment D). According to the approval letter, the Stormwater Management Concept proposes to meet stormwater management requirements via environmental site design to the maximum extent practicable through the use of a green roof, micro-bioretenment and a partial Quality and Quantity waiver.

Noise

The Applicant requested to have the exterior noise guidelines waived (Attachment E), under Section 2.2.2 of the 1983 Noise Guidelines, due to the nature of the urban downtown. Construction methods and materials on the proposed building will be subject to conditions designed to attenuate noise in interior spaces. Staff recommends approval of the waiver.

Green Cover

The Sector Plan includes several recommendations to achieve the urban green goals, including the recommendation for onsite 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper) or tree canopy cover. The proposed layout of the building precludes the opportunity for onsite canopy tree plantings, therefore, the onsite 35% green area cover will be achieved with intensive green roof. This requirement will be met through the provision of multiple green roof areas totaling approximately 4,106 square feet, or 35.1% coverage.

Another recommendation is to supplement tree planting along streets and public space to achieve a minimum of 50 percent canopy cover. The project includes 5,010 square feet of right of way. The Applicant is proposing to save one existing street tree and plant 7 new street trees. The total proposed right of way canopy is 2,530 square feet, or 50.5% coverage.

Bird Friendly Architecture

The Applicant satisfies Design Guideline recommendations for Bird Friendly Architecture by limiting the amount of glass where possible, using “noisy” architecture to break up the glass facades, limiting the exterior building lighting where possible, and using interior window shades to limit transparency. Utilizing these techniques lowers the chances of bird collisions.

SECTION 6: SITE PLAN AMENDMENT 82017008A

FINDINGS

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 Amendment conforms to all bindings elements of Sketch Plan No. 32017003A

- 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 Tract is approximately 17,662 square feet or 0.41 acres¹, zoned CR 3.0 C 3.0 R 3.0 H110' and CR 3.0 C 3.0 R 3.0 H90', and is within the Bethesda Overlay Zone. As shown in the following Data Table, the Application conforms to the development standards of the zone.

¹ Counting the density transfer, the tract area is approximately 43,945 square feet or 1.01 acres

Table 8: Site Plan Data Table

Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Proposed
	Subject Property Tract Area (CR 3.0 C 3.0 R 3.0 H110' / H90') Density Transfer Site Tract Area¹ 4830 Cordell Avenue (CR 5.0 C 5.0 R 5.0 H175') 5001 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5027 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5004 Cordell Avenue (CRT 2.25 C 1.5 R 0.75 H35') Density Transfer Subtotal Consolidated Tract Area	n/a	17,662 sf (0.41 ac) 2,610 sf (0.06 ac) 13,552 sf (0.31 ac) 6,988 sf (0.16 ac) <u>3,133 sf (0.07 ac)</u> 26,283 sf (0.60 ac) 43,945 sf (1.01 ac)
	Subject Property Prior Dedication Subject Property Proposed Dedication Subject Property Site Area	n/a	5,972 sf (0.14 ac) 0 sf (0.00 ac) 11,690 sf (0.27 ac)
	Residential Density (GFA/ FAR) Subject Property (CR 3.0 C 3.0 R 3.0 H110' / H90') 4830 Cordell Avenue (CR 5.0 C 5.0 R 5.0 H175') 5001 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5027 Wilson Lane (CRT 2.25 C 1.5 R 0.75 H35') 5004 Cordell Avenue (CRT 2.25 C 1.5 R 0.75 H35') Residential Density Transfer Subtotal Residential Density Total	52,986 sf (3.0)	47,986 sf (2.72) 1,028 sf (0.06) 5,685 sf (0.32) 514 sf (0.03) <u>514 sf (0.03)</u> 7,741 sf (0.44) 55,727 sf (3.16)
	Dwelling Units, max.	n/a	84
	MPDUs, min. (percent/du)	15%/13	15%/13
	MPDU Density, exempt from PIP calculation (GFA/ FAR)	n/a	13,800 sf (0.78)
	Commercial Density, max. (GFA/ FAR) Subject Property (CR 3.0 C 3.0 R 3.0 H110' / H90')	52,986 sf (3.0)	5,000 sf (0.28)
	Bethesda Overlay Zone Density	n/a	36,273 sf (2.05)
	Total Maximum Density (GFA/ FAR)	52,986 sf (3.0)	97,000 sf (5.49)
	Maximum Building Height CR 3.0 C 3.0 R 3.0 H110' CR 3.0 C 3.0 R 3.0 H90'	110 feet 90 feet	110 feet 90 feet
	Public Open Space, min.	0	295 sf (2.5%)
	Green Cover	35%	35% (4,106 sf)
	Minimum Setbacks	0	0

¹ Density Transfer is for residential uses only

Table 8 (Continued): Parking

Parking	Spaces Required	Spaces Provided
Vehicle Parking		
Retail	(18 minimum/ 30 maximum)	0 ¹
Residential		
1 Bedroom (17 market rate units); 2 MPDUS	(19 minimum/ 24 maximum)	--
2 Bedroom (53 market rate units); 11 MPDUS	(64 minimum/ 96 maximum)	--
3 Bedroom (1 market rate units); 0 MPDUS	(1 minimum/ 2 maximum)	--
Residential Subtotal (71 market rate; 13 MPDUs)	(84 minimum/ 122 maximum)	71
Total	(102 minimum/152 maximum)	71 maximum²
Bicycle Parking (Long Term/ Short Term)		
Retail	(0/0) 0	(0/0) 0
Residential	(40/2) 42	(40/2) 42
Total	(40/2) 42	(40/2) 42
Loading Spaces	1	1

¹ No parking is provided for retail uses in accordance with the LATR provisions for ancillary retail.

² Parking below the minimum requirement is permitted because the Project is within the Bethesda Parking Lot District.

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 36,273 square feet from the BOZ initiating a Park Impact Payment of \$224,730 (13,800 square feet of MPDU Density, valued at \$138,000, excluded from payment) to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

ii. *Division 4.7. Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59.4.7.1, the Site Plan proposes the following public benefits to satisfy the requirements: Connectivity and Mobility; Diversity of Uses and Activities; Quality Building and Site Design; and Protection and Enhancement of the Natural Environment.

Table 9: Site Plan Public Benefits Calculations			
Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Recommended
59.4.7.3C: Connectivity and Mobility			
Minimum Parking	20	12	12
Streetscape Improvements	30	12	12
59.4.7.3D: Diversity of Uses and Activities			
Enhanced accessibility for the disabled	20	3	3
59.4.7.3E: Quality of Building and Site Design			
Architectural Elevations	30	10	10
Exceptional Design	30	10	10
Structured Parking	20	20	20
Tower step-back	20	10	5.2
59.4.7.3F: Protection and Enhancement of the Natural Environment			
BLTs	30	1.9	1.89
Cool Roof	10	10	10
Energy Conservation and Generation	15	15	15
Recycling Facility Plan	10	5	5
TOTAL		108	104

Connectivity and Mobility

Minimum Parking: The Project proposes to provide 71 parking spaces; fewer than the minimum number of parking spaces (84 spaces) required under the Zoning Ordinance. The Applicant requests 12 points and Staff supports this request. The points are calculated as follows:

$$[(122/71)/(122/84)]*10 = 12 \text{ points}$$

Streetscape Improvements: The Applicant requests 12 points for proposed off-site streetscape improvements along the remainder of Norfolk Avenue to Del Ray Avenue in addition to the required streetscape improvements along the property frontage. The off-site portion measures approximately 1,405 square feet. Staff supports granting 12 points in this public benefit category, which is supported by the following calculation:

$$[(1,405 \text{ SF}/11,690 \text{ SF})*100] = 12.01 \text{ (12 Points)}$$

Diversity of Uses and Activities

- i. *Enhanced Accessibility for the Disabled:*
Section 59.4.7.3.D.4. of the Zoning Ordinance permits up to 20 public benefit points for providing dwelling units with interiors that satisfy accessibility standards set forth by the American National Standards Institute (ANSI), A117.1 Residential Type A standards, The Project is providing one (1) dwelling unit that meets A117.1 or an appropriate County standard. Staff supports this request, which is supported by the following calculation:

$$[(1/84)*300] = 3 \text{ points}$$

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 10 points for providing a building that contains a masonry base and contemporary façade on the upper floors. The building will contribute to the

streetscape by providing an detailed and permeable façade at the ground floor. This design treatment is intended to help relate the building to buildings on the rest of the block as well as the pedestrian realm and provide a step back above this base. Staff supports the Applicant's request for 10 points.

Exceptional Design: The Applicant requests 10 points for a building or site design that 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; uses design solutions to make compact infill development living and shopping environments more pleasurable and desirable; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Design Advisory Panel reviewed the project at its October 24, 2018 meeting and voted to support 10 points for exceptional design. Staff supports the Applicant's request for 10 points for the provision of this public benefit.

Structured Parking: The Applicant requests 20 points for structured parking for the parking that will be below grade. The Application proposes all parking spaces to be provided in a below-ground parking garage and the layout of the parking garage is depicted in the architectural plans and will be included in the Certified Site Plan. Staff supports 20 points for this benefit.

$$[(0/71)*10 + (71/71)*20] = 20$$

Tower Step-back: The Applicant requests 10 points for providing a tower step-back of at least 52% of the building above the fourth floor. Applied to the building, this step-back occurs on the 110-foot tall portion of the building as a 10-foot step-back at or about a height of 40-feet; on the 90-foot tall portion of the building, as a 4-foot step-back at or about a height of 20-feet. Since the four-foot step-back does not meet the minimum criteria set forth in the Guidelines, Staff supports 5.2 points for this benefit.

Protection and Enhancement of the Natural Environment

BLTs: Up to 30 points can be granted for the purchase of Building Lot Termination (BLT) easements or payment to the Agricultural Land Preservation Fund (ALPF). The Applicant proposes the purchase of 0.2099 BLT easements for 1.89 public benefit points. Staff supports this request, which is supported by the following calculation:

$$[(7.5\% * 88,169)/31,500] = 0.2099 \text{ BLTs} = 1.89 \text{ points}$$

Cool Roof: The Applicant requests 10 points for providing a cool roof with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum of SRI of 25 for slopes above 2:12, for a site less than 1 acre in size, thus achieving 10 points in this public benefit category. Staff supports 10 points for this benefit.

Energy Conservation and Generation: The Project is being designed to exceed the energy efficiency standards for its building type by 17.5%, through such features as a highly efficient mechanical system, energy efficient lighting, and low-flow plumbing fixtures. The Applicant has provided an energy/use generation model with comparisons to the average use/generation for the building type based on the Department of Energy Standards. The Applicant requests 15 points in this public benefit category and Staff supports the Applicant's request.

Recycling Facility Plan: The Applicant requests 5 points for providing a recycling facility plan that exceeds County requirements. This plan includes a designated recycling material sorter, paper shredder. Staff supports 5 points for this benefit.

iii. *Division 6.1. Site Access*

Vehicular access and loading will occur via a consolidated access point on Auburn Avenue. Pedestrians and bicyclists will be able to enter the Project from the residential lobbies on either Auburn Avenue or Norfolk Avenue and short term bicycle parking will be provided along the public sidewalks. The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.

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

Residential Parking for the building will be provided in a below-grade facility. Vehicular and loading access will occur via Auburn Avenue along the north side of the Property to limit impacts to Norfolk Avenue.

v. *Division 6.3. Open Space and Recreation*

There is no open space requirement for the Subject Property because the Site area measures less than ½ acre two frontages, however, the Project will provide 295 square feet of open space along its frontage. The Application is in conformance with the *Recreation Guidelines*.

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

Landscaping and lighting, as well as other site amenities, will be provided to ensure that the Project will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform existing streetscape along the Auburn Avenue and Norfolk Avenue frontages with new street trees, improved, wider sidewalks, street lighting, and street furniture. The on-site lighting will limit the necessary light levels to streets and sidewalks.

As shown in the Development Standards table, the Site Plan meets all general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 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*

The MCDPS Stormwater Management Section approved the Stormwater Management Concept on November 27, 2018 (Attachment D). According to the approval letter, the Stormwater Management Concept proposes to meet stormwater management requirements via environmental site design to the maximum extent practicable through the use of a green roof, micro-bioretenention and a partial Quality and Quantity waiver.

ii. *Chapter 22A, Forest Conservation.*

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen tree or champion tree, and afforestation requirements would not exceed 10,000 square feet.

The Applicant is proposing to save one existing street tree, an 18" DBH Zelkova. Prior to certification of the site plan, the Applicant must show this tree and tree protection measures accurately on the landscape sheets.

- 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. The Project consolidates new vehicular access to Auburn Avenue and limits impacts to the pedestrian environment and improves public streetscape along its three frontages. The Building provides an activated façade that will contribute to the vibrancy of the Woodmont Triangle District.

The Project provides a safe and well-integrated building, open spaces and site amenities. The Project presents as a 110-foot tall high-rise building along the northern side of the Project that steps-down to a height of 90-feet on the southern side. The building steps-back above the fourth floor, along the north side of the project, and above the second floor, along the south side of the project, to achieve Sector Plan design guidance for Norfolk Avenue.

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

As discussed in the Sketch Plan and Preliminary Plan Findings of this staff report, the Site Plan substantially conforms with the recommendations of the Sector Plan. The Site Plan proposes a residential development with up to 84 multi-family residential dwelling units with 15% MPDUs, as well as underground parking, on-site amenities for the residents, and offsite streetscape improvements.

- 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;*

As discussed in the Preliminary Plan findings, the development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

- 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 Site Plan is compatible with other uses and other site plans, as well with existing and proposed adjacent development. The Project's design and scale is compatible with adjacent buildings in the Woodmont Triangle District.

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 is not zoned C-1 or C-2.

SECTION 7: CONCLUSION

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant held a pre-submittal public meeting on September 6, 2018, at the Bethesda Chevy Chase Regional Services Center. Staff has not received any correspondence on this Project.

CONCLUSION

The proposed development complies with the general requirements and development standards of Section 4.5, the optional method public benefits provisions of Division 4.7, and the general development requirements of Article 59.6 of the Zoning Ordinance. The proposed development satisfies the findings of the Subdivision Regulations and is consistent with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of Sketch Plan Amendment No. 32017003A, Preliminary Plan Amendment No. 12017025A and Site Plan Amendment No. 82017008A with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Previous approval resolutions
- B. Design Advisory Panel Memorandum
- C. Norfolk Avenue Shared Street Engineering Cost Estimate
- D. Agency Letters
- E. Noise Waiver Request