



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

MCPB No. 19-027
Sketch Plan No. 320190050
Metro Tower
Date of Hearing: March 7, 2019

MAY 06 2019

CORRECTED RESOLUTION

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

WHEREAS, on December 11, 2018, 7316 Wisconsin LLC. ("Applicant") filed an application for approval of a sketch plan for construction of a mixed-use project of up to 400,000 square feet, including up to 389,000 square feet of residential development and up to 11,000 square feet of commercial retail, on 1.16 acres of CR-5.0 C-5.0 R-4.75 H-250 zoned-land, located in the northwest quadrant of the intersection of Wisconsin Avenue and Elm Street in Bethesda and designated as Lot 14, Block 24-G and Unit C-2 of Lot 16, Block 24-G, ("Subject Property") in the Bethesda CBD Policy Area and the 2017 Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320190050 Metro Tower ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated February 25, 2019, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on March 7, 2019, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on March 7, 2019, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Commissioner Fani-Gonzalez, with a vote of 3-0; Commissioners Anderson, Cichy, and Fani-Gonzales voting in favor, and Commissioners Dreyfuss and Patterson absent.

Approved as to
Legal Sufficiency:

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320190050, Metro Tower, for construction of a mixed-use project of up to a maximum of 400,000 square feet, including up to 389,000 square feet of residential development, and up to 11,000 square feet of commercial retail on the Subject Property, subject to the following binding elements and conditions:¹

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

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

All other elements are illustrative.

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

1. Density

The Sketch Plan is limited to a maximum density of 400,000 total square feet, including up to 389,000 square feet of residential development and up to 11,000 square feet of non-residential uses. The maximum number of dwelling units and use mix will be determined at Preliminary Plan. The maximum density includes up to 188,491 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). Up to 58,350 square feet of MPDU density is exempt from PIP calculation. The final square footages will be determined at Site Plan.

2. Height

The development is limited to a maximum height of 250 feet, as measured from the building height measuring point illustrated on the Certified Site Plan.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. of the County code and this Sketch Plan is amended. 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 of the County code. The requirements of Section 59.4.7 and the *CR Zone Incentive Density*

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

Implementation Guidelines must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ overlay, and a through block connection;
- b. Diversity of uses and activities, achieved by providing small business opportunities;
- c. Quality of Building and Site Design, achieved through exceptional design, structured parking, and tower step-back.
- d. Protection and Enhancement of the Natural Environment achieved through building lot terminations and energy conservation and generation by incorporating materials and systems that exceed the required minimums.

4. Park Impact Payment (PIP)

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

5. Streetscape

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

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. The development must provide MPDUs in accordance with Chapter 25A.

8. MCDOT letter

The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated February 19, 2019 and hereby incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Sketch Plan approval.

9. Future Coordination for Preliminary and Site Plan

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

- a. Coordinate with MCDOT to ensure accommodation of the MD 355 South Corridor BRT;
- b. Continue coordination with the Design Advisory Panel (DAP);
- c. Meet with the Art Review Panel and address decommissioning of existing conditioned public art;
- d. Fire and Rescue access and facility details;
- e. Streetscape details;
- f. Necessary public right-of-way dedication;
- g. Identify and address all existing/potential utility conflicts or other site limitations with street trees to achieve the proposed streetscape plantings;
- h. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- i. Submit the applications to amend One Bethesda Center, Preliminary Plan 119850930 and Site Plan 819840060, to reflect the plaza renovations;
- j. Traffic Mitigation Agreement to participate in the Bethesda Transportation Demand Management District and meet or exceed the Sector Plan's 55% Non-Auto Driver Mode Share (NADMS) goal;
- k. Address the SITES, LEED and High-Performance Area recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- l. SWM concept approval (and subsequent plan) which also addresses the Bethesda Downtown Sector Plan recommendations and design guidelines regarding stormwater management;
- m. As part of the Site Plan application, the Applicant must demonstrate good faith efforts to increase the amount of green cover to achieve 35 percent of net lot area as green cover consistent with the Bethesda Downtown Sector Plan.
- n. Provide details and cross sections showing appropriate soil volumes (per the Sector Plan and design guidelines) associated with the new plantings associated with this project;
- o. Address Bird-Safe Design per the Bethesda Downtown Sector Plan Design Guidelines, with particular emphasis on the lighting;
- p. At time of Preliminary Plan, provide a noise analysis, or request a waiver from the noise guidelines.
- q. The Applicant may apply for and obtain demolition and associated rough grading permits at any time. However, if a sediment control permit is required for the activity, then the applicant must also address any

applicable forest conservation requirements associated with the demolition prior to implementation of the demolition/grading work.

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

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

a. Development Standards

The Subject Property includes approximately 1.16 acres zoned CR-5.0 C-5.0 R-4.75 H-250, and the Bethesda Overlay Zone. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

Data Table

Table 1: Project Data Table			
Section 59.4	Development Standard	Permitted/ Mapped Density/ Required	Approved
	Subject Property Tract Area (CR 5.0, C 5.0, R. 4.75, H250)		
	Lot 14	n/a	40,197 sf
	Lot 16, Unit C-2	n/a	10,195 sf
	Consolidated Tract Area		50,392 sf
	Subject Property Prior Dedication	n/a	22,218 sf (0.51 ac)
	Subject Property Proposed Dedication	n/a	619 sf (0.01 ac)
	Subject Property Site Area		27,555 sf (0.63 ac)
	Residential Density (GFA/ FAR)		
	Lot 14	190,936	
	Lot 16, Unit C-2		
	<i>Mapped Density</i>	48,426	
	<i>Built or Transferred Density</i>	37,902	
	<i>Available Density</i>	10,524	

Residential Density Total	201,460	200,509
MPDUs, min. (percent/du)	15%	15%
MPDU Density exempt from PIP (GFA)		58,350
Commercial Density, max. (GFA/ FAR) (CR 5.0, C 5.0, R. 4.75, H250)		
Lot 14	200,985	
Lot 16, Unit C-2		
<i>Mapped Density</i>	50,975	
<i>Built or Transferred Density</i>	40,451	
<i>Available Density</i>	10,524	
Commercial Density Total	211,509 sf (4.86)	11,000 sf (0.25)
Bethesda Overlay Zone Density	n/a	188,491 sf (4.33)
Total Maximum Density (GFA/ FAR)	211,509 sf (4.86)	400,000 sf (9.18)
Maximum Building Height (CR 5.0, C 5.0, R. 4.75, H250)	250 feet	250 feet
Public Open Space, min.	5%	8.2%

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

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

- a) *Implement the recommendations of applicable master plans.*

The Application substantially conforms to the recommendations for the Subject Property included in the 2017 *Bethesda Downtown Sector Plan*. This Sector 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 Subject Property is designated as Site 104 on page 101 of the 2017 Sector Plan in the “Wisconsin Avenue Corridor District.” The Wisconsin Avenue Corridor is the main artery through the center of Downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. Specifically, the Sketch Plan addresses the following goals as outlined in the Overarching Goals and Wisconsin Avenue Corridor sections of the Sector Plan:

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

The Application provides an opportunity for infill development of an underdeveloped commercial site within a block of the Metro station, as recommended by the Sector Plan, by converting a five-story and two-story commercial building into a mixed-use project with up to 389,000 square feet of multi-family residential uses and up to 11,000 square feet of retail.

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

The Application will provide residential dwelling units across the street from the new Purple Line station and the new southern entrance to the Bethesda Metro station. The Application provides much needed affordable housing in the form of additional MPDUs. This proposed influx of MPDUs will help to further one of the primary goals of the

Sector Plan and Bethesda Overlay Zone thereby ensuring that affordable housing opportunities exist in transit-oriented locations.

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

The Sketch Plan will place high density residential uses and street activating retail uses in the core of Downtown Bethesda, incorporating urban design elements that provide visual interest further defining the skyline in the Wisconsin Avenue Corridor District.

- *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 Sketch Plan will provide infill redevelopment within the highest intensity center in Downtown Bethesda, which is dominated by office buildings and retail that serves the office customer base. The Application will provide an influx of residents to the Metro Core area providing much needed around-the-clock activity contributing to a more vibrant mixed-use identity. The combination of multifamily dwelling units, ground floor commercial retail uses, and amenities proposed will increase the customer base of nearby shops, restaurants and services in the Metro Core during nighttime and on weekends.

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

The Application will incorporate energy efficient building systems to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the Bethesda Overlay Zone. In addition, intensive green roof systems are proposed to maximize the Property's overall green cover.

The Application design generally conforms to the Sector Plan Design Guidelines with the minor exception of one component. The Design Guidelines on Page 75 under 2.4.7.A states "Retain a tower step-back across the majority of the building frontage. The building's full height may be expressed to the ground on important corners, to mark primary entryways, or to balance the massing composition with vertical elements." The Applicant has indicated that the building proposed with the Sketch Plan currently provides an emphasis on Wisconsin Avenue, which only bears a small proportion of the overall perimeter of the large site. However, because the site is so slender

(especially at Wisconsin Avenue) and there is no true back side, compliance with the prescriptive tower setback requirement is difficult to achieve.

The Sketch Plan went to the Design Advisory Panel (DAP) on November 28, 2018. The project concepts were well-received by the DAP, which advised that the following recommendations be incorporated into the Staff Report:

- Close attention to the plaza design and grade change will be critical at Site Plan to achieve the 30 exceptional design points.
- Work with county staff to provide a mid-block crosswalk across Elm Street.

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

The Application will redevelop the existing single-use lot that contains a five-story structure and build a mixed-use building that will house high-density residential uses and allow for ground floor retail, all within proximity to the Metro and the Purple Line. The Application meets the objective of this finding.

b) 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 Sketch Plan 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 Sketch Plan will accommodate all modes of transit – pedestrian, bicycle, and vehicular – in proximity to the Metro, Purple Line, Capital Crescent trail and bus service by improving the streetscape along its three frontages. The Sketch Plan does not propose any parking between the building and the street frontages.

c) 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 the Wisconsin Ave District as an area that should emphasize mixed land uses that focus on employment, high density residential, and distinctive infill buildings. The Sketch Plan will provide

residential uses on-site as well as a height and density that is compatible with the desired character of infill development within the Wisconsin Ave District.

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

The Subject Property is within the Wisconsin Ave District of the Sector Plan, which is intended primarily for the mix of land uses and a focus on integrating residential uses in an area that is largely dominated by commercial and office. As proposed, the mixed-use project containing high density residential and retail provides the appropriate land use, as recommended in the Sector Plan.

- e) 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 Application 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.

The 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 up to 188,491 square feet from the BOZ initiating a Park Impact Payment (amount to be determined during Site Plan review) to be paid at the time of building permit. Up to 58,350 square feet of MPDU density is exempt from PIP calculation. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

- 2. The Sketch Plan substantially conforms to the recommendations of the 2017 Bethesda Downtown Sector Plan.*

As discussed in Finding 1 above, the Sketch Plan substantially conforms to the recommendation of the 2017 *Bethesda Downtown Sector Plan*. The Sketch Plan will provide a mixed-use building with ground floor commercial retail in

an established center of activity within the Wisconsin Avenue District, increase the supply of housing to serve a variety of income levels, redevelop an underutilized property, and provide streetscape improvements that enhance the safety and character of Wisconsin Avenue, Elm Street and Hampden Lane.

3. *The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of any development plan or schematic development plan in effect on October 29, 2014.*

The Sketch Plan is not subject to a development plan or schematic development plan.

4. *The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

At 250' in height, the building will conform with the Sector Plan's recommendation for height and ultimately be compatible with the surrounding buildings which will be among the tallest in Bethesda. The proposed massing and tower step-back also conforms with the recommendations of the Bethesda Design Guidelines to ensure compatibility with existing buildings and public open space. Additionally, the Applicant will continue close coordination with the DAP.

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

The Application provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access to the Subject Property is directly from both Hampden Lane and Elm Street, with loading limited to the less-pedestrian Hampden Lane frontage and parking access aligned with the 7272 Wisconsin Avenue development across Elm Street to consolidate vehicular access to minimize potential vehicular conflicts. As a result, the Application minimizes interruptions to the pedestrian realm and supports the pedestrian and transit-oriented nature of Downtown Bethesda. Pedestrian and bicycle access to the Subject Property will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the frontages, consistent with the Bethesda Streetscape Standards.

Resident vehicle parking will be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/ egress into the parking structure determined at Site Plan based on the final number of

residential dwelling units. In accordance with the Local Area Transportation Review Guidelines for ancillary retail, no parking will be provided for the non-residential uses on site.

6. *The Sketch Plan proposes an outline of public benefits that supports the requested incentive density and is appropriate for the specific community.*

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

Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Approved in Concept
59.4.7.3C: Connectivity and Mobility		
Minimum Parking ¹	20	19
Through Block Connections	20	15
59.4.7.3D: Diversity of Uses and Activities		
Small Business Opportunities	20	10
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design ¹	30	30
Structured Parking	20	20
Tower Step-Back	20	5
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Termination (BLT)	30	4
Energy conservation and generation ¹	25	15
TOTAL		118

Connectivity and Mobility

Minimum Parking: The Applicant requests 19 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the

minimum numbers of spaces on-site. Final determination will be made at Site Plan. The Planning Board supports the category at this time.

Through Block Connection: The Applicant requests 15 points for providing a through block connection. Points for this incentive are based on design criteria such as open-air access, width, connections to transit, parks, or public buildings, retail access, and wall glazing adjacent to the connection. Final determination based on these criteria will be made at Site Plan. The Planning Board supports the category at this time.

Diversity of Uses and Activities

Small Business Opportunities: The Applicant requests 10 points for providing retail space for small businesses. Points for this incentive are granted when the project will be designed for small, neighborhood-oriented businesses and the Applicant records covenants that reflects restrictions. The project as currently proposed includes 11,000 square feet of retail space which consists of three ground floor retail bays of approximately 4,726 square feet, 4,445 square feet and 1,745 square feet. The Planning Board supports the category at this time.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 30 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Application is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Applicant asserts that the Sketch Plan fulfills many recommendations of the Bethesda Downtown Sector Plan and Design Guidelines.

Metro Tower's design has been directly formulated in response to two primary factors: location and geometry. With respect to location, the Applicant anticipates that Metro Tower will stand at what will become a future "main and main" pedestrian corner of the Bethesda CBD. The intersection of Wisconsin Avenue and Elm Street will be substantially active, with entrances to the Bethesda Metro Station and the Purple Line Station being constructed immediately to the south on the Apex Building redevelopment site, as well as a new civic plaza and new towers that will be among the tallest buildings in Bethesda. With respect to geometry, Metro Tower will be located on a long and narrow block that is bounded by three streets (i.e., Wisconsin, Elm, and Hampden) and the existing Plaza. As a result, Metro Tower will effectively have four fronts and no rear. These characteristics – location and geometry – provide an opportunity for

significant visibility to residents, employees, and visitors from multiple vantage points in the CBD.

In response to these characteristics, the Applicant has designed an Art Deco-inspired building that will sit prominently on Wisconsin Avenue to provide a strong marker for this prominent pedestrian corner, completing the north side of the new transit plaza at the Apex Building redevelopment site and making major contributions to Downtown Bethesda place-making. Significantly, the Metro Tower development will refresh and enlarge the existing plaza to the west to provide an important enhanced passage and experience for pedestrians headed to the transit stations and other local destinations. The expanded and revitalized plaza is envisioned as an area where a wide range of activities can occur for all to enjoy. With prominent retail space also provided at the street level, the Applicant anticipates that Metro Tower will become a center of pedestrian activity and an integral part of Downtown Bethesda's urban fabric.

The Planning Board supports the Exceptional Design category at this time.

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

Tower Step-Back: The Applicant requests 5 points for providing a tower step back on the building's upper floors by a minimum of six feet behind the first-floor façade. The step back must be retained across at least 70 percent of the frontage on any right-of-way or open space. The Planning Board supports the category at this time.

Protection and Enhancement of the Natural Environment

BLTs: The Applicant requests 4 points for the purchase of 0.8924 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. The Planning Board supports the category at this time.

Energy Conservation and Generation: The Applicant requests 15 points for incorporating high efficiency building materials and mechanical systems that exceed energy efficient standards for the building type by 17.5%. For projects located within the High-Performance Area of Downtown Bethesda, this is a required public benefit category for which the Applicant must achieve 15 points. The Planning Board supports the category at this time.

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

Although the project is proposed to be constructed in a single phase, the Applicant is seeking to demolish the existing buildings prior the reopening of the Elm Street frontage which is currently closed for construction of the confronting 7272 Wisconsin Avenue project (Apex Building)/Purple Line station.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the 2017 Bethesda Downtown Sector Plan, or other requirements; and

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

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Metro Tower 320190050, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is MAY 06 2019 (which is the date that this Resolution is mailed to all parties of record); and

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-González, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Dreyfuss, and Commissioners Fani-González and Cichy voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, April 25, 2019, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board