

8000 Wisconsin Avenue

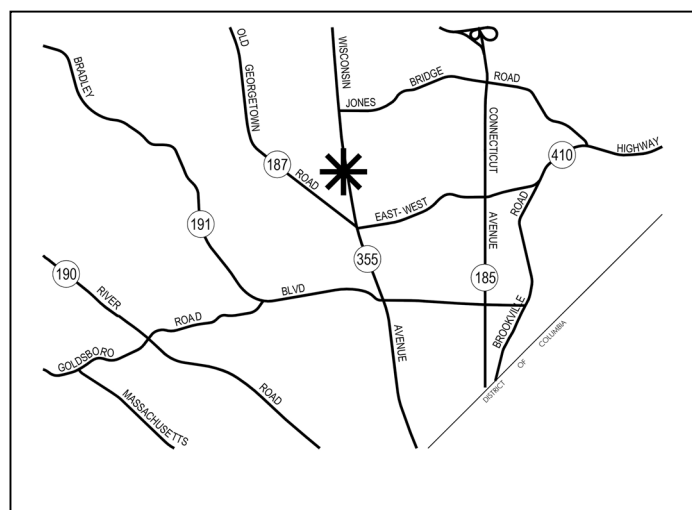
Sketch Plan Amendment No. 32018012A, Preliminary Plan No. 120190060 & Site Plan No. 820190040

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Description

Completed: 7.5.18

- Creation of one lot for a mixed-use project of up to 430,000 total square feet including up to 410,000 square feet of residential uses (up to 441 dwelling units) and up to 20,000 square feet of retail uses; project includes an allocation of Bethesda Overlay Zone density and a minimum of 25% MPDUs;
- Current use(s): Office, retail, public parking;
- Located south of Cordell Avenue between Woodmont Avenue and Wisconsin Avenue;
- 0.94 acres or 40,788 gross square feet of tract area zoned CR 3.0 C 3.0 R 2.75 H175', CR 5.0 C 5.0 R 5.0 H175', and the Bethesda Overlay Zone within the 2017 *Bethesda Downtown Sector Plan*;
- Applicant: Aksoylu Properties;
- Acceptance date: April 23, 2019.



Summary

- Staff recommends approval of the Sketch Plan Amendment, Preliminary Plan, and Site Plan with conditions.
- The Project density is comprised of the following: 128,952 square feet of mapped density; an allocation of Bethesda Overlay Zone (BOZ) density of up to 301,048 square feet; total density includes approximately 75,258 square feet of MPDU Density.
- The proposal will redevelop the site with a mixed-use building, including 25% moderately priced dwelling units, minimum parking, structured parking, exceptional design, and energy conservation and generation.
- Provision of 25% MPDUs allows additional height necessary to accommodate MPDUs above 17.5%; eliminates the Project's requirement to purchase BLTs; eliminates the Park Impact Payment (PIP) typically required for the allocation of BOZ density; and reduces the number of CR Zone public benefit point categories to those otherwise required by the BOZ.
- Staff has not received correspondence regarding the Project.

SECTION 1: RECOMMENDATION AND CONDITIONS

Sketch Plan No. 32018012A

Staff recommends approval of Sketch Plan No. 32018012A, for modification of Sketch Plan No. 320180120 Condition 1, regarding project density. The following condition supersedes the previous Condition 1, while all other conditions remain in full force and effect:

1. Density

The Sketch Plan is limited to a maximum of 430,000 square feet of total development, including an allocation of up to 301,048 square feet of Bethesda Overlay Zone (BOZ) density, on the Subject Property for up to 441 dwelling units and up to 20,000 square feet of retail uses. The maximum number of dwelling units and non-residential density will be determined at Preliminary Plan and the final allocation of BOZ density will be determined at Site Plan.

Preliminary Plan No. 120190060

Staff recommends approval of Preliminary Plan No. 120190060 subject to the following conditions:

1. This Preliminary Plan is limited to one (1) lot for up to 441 dwelling units and up to 20,000 square feet of commercial uses.
2. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for sixty-one (61) months from the date of initiation of this Planning Board Resolution.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated June 14, 2019, and 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 if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
5. The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services ("MCDPS") – Water Resources Section in its stormwater management concept letter dated May 21, 2019, and 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 if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
6. If an approved Site Plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the site plan amendment.
7. The Applicant must dedicate all road rights-of-way to the full width recommended by the Bethesda Downtown Sector Plan, and show on the record plat(s) the following:
 - a. A dedication of the Wisconsin Avenue frontage necessary to provide the Sector Plan-recommended 61-foot-wide right-of-way between the Subject Property line and right-of-way centerline, as illustrated on the Certified Preliminary Plan, and

- b. A dedication of the Woodmont Avenue frontage necessary to provide the Sector Plan-recommended 40-foot-wide right-of-way between the Subject Property line and right-of-way centerline, as illustrated on the Certified Preliminary Plan.
- 8. There shall be no clearing or grading of the site prior to recordation of plat(s).
- 9. The record plat must show necessary easements.
- 10. Before submitting a record plat application or clearing or grading the Subject Property, the Applicant must receive Staff certification of Site Plan No. 820190040. The number and location of site elements including but not limited to buildings, dwelling units, on-site parking, site circulation, and sidewalks is determined through site plan review and approval.
- 11. The final number of MPDUs, as required by Condition No. 1 above, will be determined at the time of site plan approval.
- 12. The Applicant must include the stormwater management concept approval letter and Preliminary Plan Resolution on the approval or cover sheet(s).
- 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. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a. Show resolutions and approval letters on the certified set

Site Plan No. 820190040

Staff recommends approval of Site Plan No. 820190040. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320180120, Sketch Plan Amendment No. 32018012A and Preliminary Plan No. 120190060. The Project density includes an allocation of up to 301,048 square feet of Bethesda Overlay Zone density. 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.

1. Sketch Plan Conformance

The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320180120 and any subsequent amendments.

2. Preliminary Plan Conformance

The development must comply with the conditions of approval for Preliminary Plan No. 120190060.

Density, Height & Housing

3. Density

The Site Plan is limited to a maximum of 430,000 square feet of total development on the Subject Property, including 410,000 square feet of residential uses, for up to 441 dwelling units and up to 20,000 square feet of non-residential uses.

4. Height

The development is limited to a maximum height of 199 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan. This height includes an additional 24 feet above the mapped height of 175 feet for the provision of MPDUs.

5. Bethesda Overlay Zone Density

- 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 this Resolution. 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. In the event the final allocation of density from the BOZ is less than the approved amount, the Applicant may apply to reduce the allocation of density from the BOZ through a minor amendment (Consent agenda).

6. 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 311 parking spaces for the residential use and zero (0) parking spaces for the commercial uses.
- b. Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs –.

- i. The development must provide a minimum of 25% percent MPDUs consistent with the requirements of Chapter 25A and the applicable Master Plan. The Applicant is receiving 24 feet of additional height to accommodate MPDUs.
 - ii. Before issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.
 - iii. The Planning Board accepts the recommendations of DHCA in its letter dated June 14, 2019, and incorporates 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.
 - c. Quality Building and Site Design
 - i. Exceptional Design – The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan, as determined by Staff.
 - ii. Structured Parking – The Applicant must provide all parking spaces within the structured parking garage.
 - d. Protection and Enhancement of the Natural Environment
 - i. Energy Conservation and Generation – The Applicant must construct the building to exceed the ASHRAE 90.1 energy efficiency standards for the building type by 17.5%, as determined by MCDPS.
- 7. Recreation Facilities
The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.
- 8. Maintenance of Public Amenities
The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to streetscape improvements.

Site Plan

- 9. Landscaping
 - a. Prior to issuance of final residential Use and Occupancy Certificate, all on-site amenities, including, but not limited to: lights, sidewalks/ pedestrian pathway, hardscape, benches, trash receptacles, bicycle facilities, recreation amenities, and rooftop amenities must be installed.
 - b. The Applicant must install landscaping no later than the next growing season after completion of site work.
- 10. Lighting
 - a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All on-site exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
 - b. All on-site down-lights must have full cut-off fixtures.
 - c. Deflectors must be installed on all proposed fixtures to prevent excess illumination and glare.
 - d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
 - e. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

11. 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 May 30, 2019, and 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 amendment does not conflict with other conditions of Site Plan approval.

Environment

12. Noise Attenuation

- a. Prior to issuance of a building permit for any residential dwelling unit(s) to be constructed within the projected 65 dBA Ldn noise contour, the Applicant must provide Staff with certification from an engineer specializing in acoustics that the building shell has been designed to attenuate projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b. The Applicant must provide a signed commitment to construct the units in accord with the noise mitigation design specifications, with any changes that may affect acoustical performance approved by the engineer and Staff in advance of installation.
- c. If the plan changes in any manner that affects the validity of the noise analysis for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
- d. Before issuance of use and occupancy permit for noise impacted residential units, the Applicant must obtain certification that the noise impacted units have been constructed in accordance with the recommendations of an engineer that specializes in acoustical treatments. The certification must be based on the testing of at least five representative residential units.

13. Green Cover

- a. The Applicant must provide a minimum of 10,229 square feet of Green Cover, which is 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.

Transportation

14. 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.

15. Pedestrian & Bicycle Circulation

- a. The Applicant must provide 95 long-term and 7 short-term bicycle parking spaces.
- b. The long-term spaces must be in a secured, well-lit bicycle room within the garage, and the short-term spaces must be inverted-U racks (or approved equal) installed along the building’s retail frontage and in a location convenient to the main residential entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.

16. 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 May 24, 2019, 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.

17. Development Program

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

18. Site Plan Surety and Maintenance Agreement

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

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit for development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety 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.

19. 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 and other applicable approval letters, development program, and Sketch Plan Resolution, Preliminary Plan resolution, and Site Plan resolution on the cover sheets.
- b. Add a note to the Site Plan stating that "M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading."
- c. 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."
- d. Modify data table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Add a note to the Parking Calculation table that states, "In accordance with the Local Area Transportation Review Guidelines standards on ancillary retail, no parking may be provided for the commercial use."

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Surrounding Uses

The Property is surrounded by a mix of uses and is between two recently approved projects that were subject to the 1994 *Bethesda Central Business District Sector Plan* and 2006 *Woodmont Triangle Amendment*. Immediately adjacent to the north is the recently approved (but not yet constructed) 14-story residential building, 8008 Wisconsin Avenue, that will include up to 130 dwelling units and 4,000 square feet of ground floor retail (Site Plan 820160130; CR 3.0 C 3.0 R 2.75 H145'). To the south of the site is an under construction 17-story residential building, 7900 Wisconsin Avenue, that will include up to 475 dwelling units, 20,000 square feet of ground floor retail, and 11,000 square feet of public use space (Site Plan 820130170; CR 5.0 C 5.0 R 5.0 H175'). Directly to the west of the Property, across Woodmont Avenue, is a block of two-to-three story commercial buildings in the CR 5.0 C 5.0 R 5.0 H175' Zone. Across Wisconsin Avenue, to the east, is a block of one-to-two story commercial buildings in the CR 3.0 C 3.0 R 3.0 H90' Zone.

Subject Property

The Site (Subject Property or Property) consists of an assemblage of properties in the "Woodmont" subdivision, located between Wisconsin Avenue and Woodmont Avenue and south of Cordell Avenue, in the Wisconsin Avenue Corridor District of the Bethesda Downtown area. The Property has a tract area of approximately 0.94 acres, or 40,788 square feet.

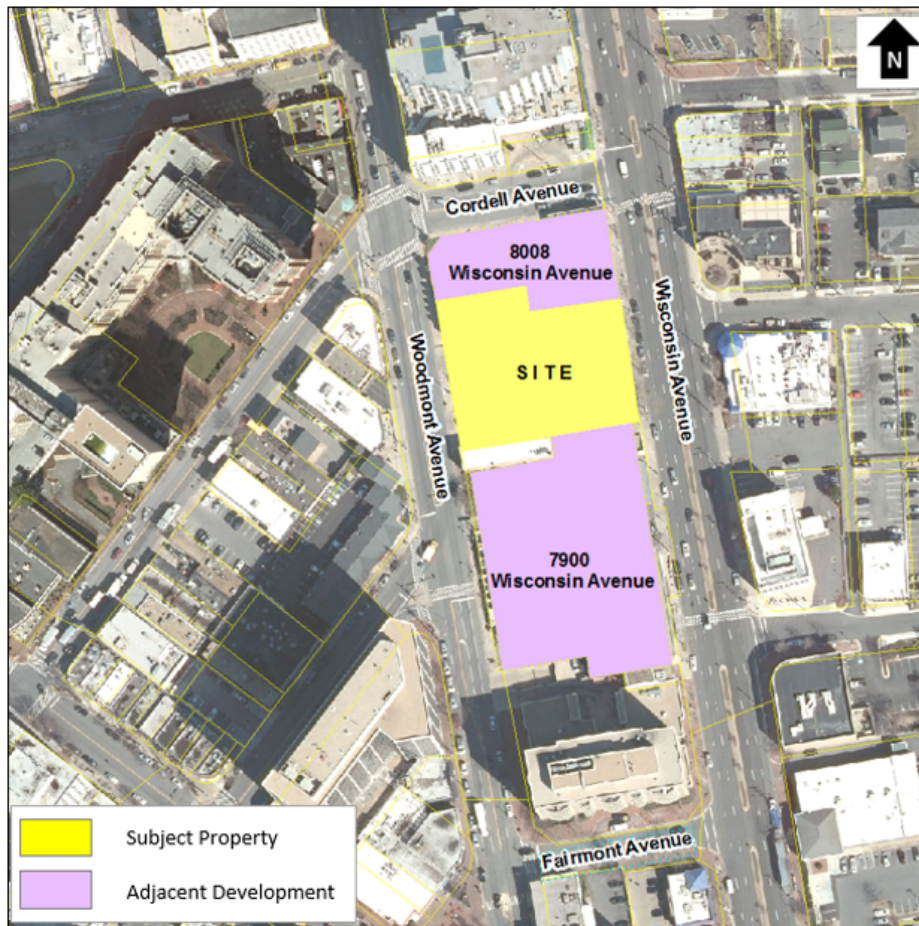


Figure 1 - Aerial View

The Property is within the area encompassed by the 2017 *Bethesda Downtown Sector Plan* (the Sector Plan), is within a ½ mile of the Bethesda Metro Station, falls within the Bethesda Parking Lot District (PLD), High Performance Area and Height Incentive Area. To the west, the Site is immediately adjacent to the Woodmont Triangle District.

Site Analysis

The Property is zoned CR 3.0 C 3.0 R 2.75 H175' and CR 5.0 C 5.0 R 5.0 H175' within the Bethesda Overlay Zone (BOZ). The Site is comprised of several lots (40,788 SF), which are improved with commercial/ professional uses and a public surface parking lot, "Lot 43." 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.

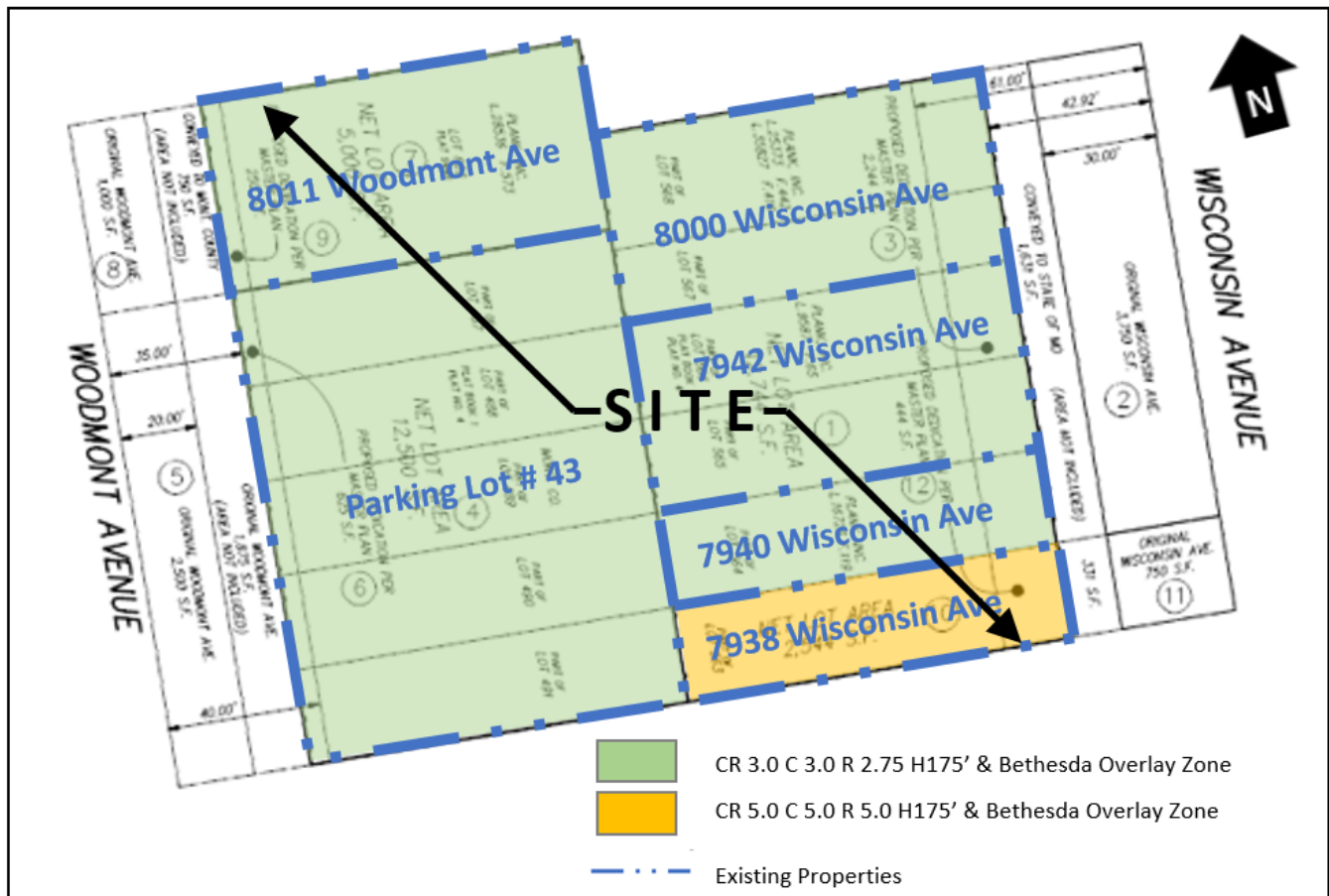


Figure 2 – Zoning Map

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

Parking Lot 43 was subject to Mandatory Referral 2012027 (Attachment A), which reviewed the disposition and sale of the County-owned public parking lot.

The Planning Board approved Sketch Plan No. 320180120 by Resolution dated May 24, 2018, (Attachment B) for a maximum of 430,000 square feet of development with up to 410,000 square feet of residential uses and up to

20,000 square feet of commercial uses, including an allocation of Bethesda Overlay Zone density of up to 301,048 square feet, subject to binding elements and conditions.

Proposal

The Applicant proposes to create one (1) lot for a mixed-use development with a maximum density of 430,000 square feet of development for up to 410,000 square feet of residential uses (up to 441 residential dwelling units) and up to 20,000 square feet of commercial uses on 0.94 acres or 40,788 gross square feet, in the zoned CR 3.0 C 3.0 R 2.75 H175', CR 5.0 C 5.0 R 5.0 H175', and Bethesda Overlay Zones. The total density includes 301,048 square feet of BOZ density.



Figure 3 – Illustrative Site Plan

Building

The Project proposes a 199-foot tall mixed-use building comprised of ground floor retail and upper-story residential units. As presented to the Design Advisory Panel (DAP) on November 28, 2018, the building is anticipated to activate its frontages through the implementation of a highly articulated building and Bethesda streetscape improvements. The main residential lobby, loading, and parking garage entrance are proposed along the building's Woodmont Avenue façade while the retail uses are proposed along Wisconsin Avenue. In summarizing their review of the Project, the Design Advisory Panel (DAP) issued a memorandum (Attachment C) that supported the Applicant's request for 10 exceptional design points. That memorandum also stated that the massing, density and bulk of the building justifiable because the Project is providing 25% MPDUs.

The Project is located within the middle of an urban block in Downtown Bethesda. This location presents some challenges to the Project's architecture because the two adjacent buildings (7900 Wisconsin Avenue, under construction; 8008 Wisconsin Avenue, approved but unbuilt) were approved under the previous sector plan and not subject to the current design guidelines. In response to these buildings, the Project seeks to harmonize the proposed building with the previous approvals by bringing a new and distinctive aesthetic to the block, while providing substantial conformance to the Sector Plan.

To achieve a coherent, singular solution, the Applicant has designed the building above a highly articulated base and around a central glazed spine. The Project's highly articulated base measures two stories in height and presents a continuous and engaging façade at the pedestrian scale. Along Wisconsin Avenue, the façade contributes to a consistent street wall. Along Woodmont Avenue, the façade is broken down by presenting several distinct building masses and step-backs, a design aesthetic that helps to animate the through-block connection at 7900 Wisconsin Avenue. In response to the adjacency of the balconies on the 7900 Wisconsin building, the Project is pulled back along the upper floors. This architectural detail maximizes the amount of exposure for the neighboring residential units.

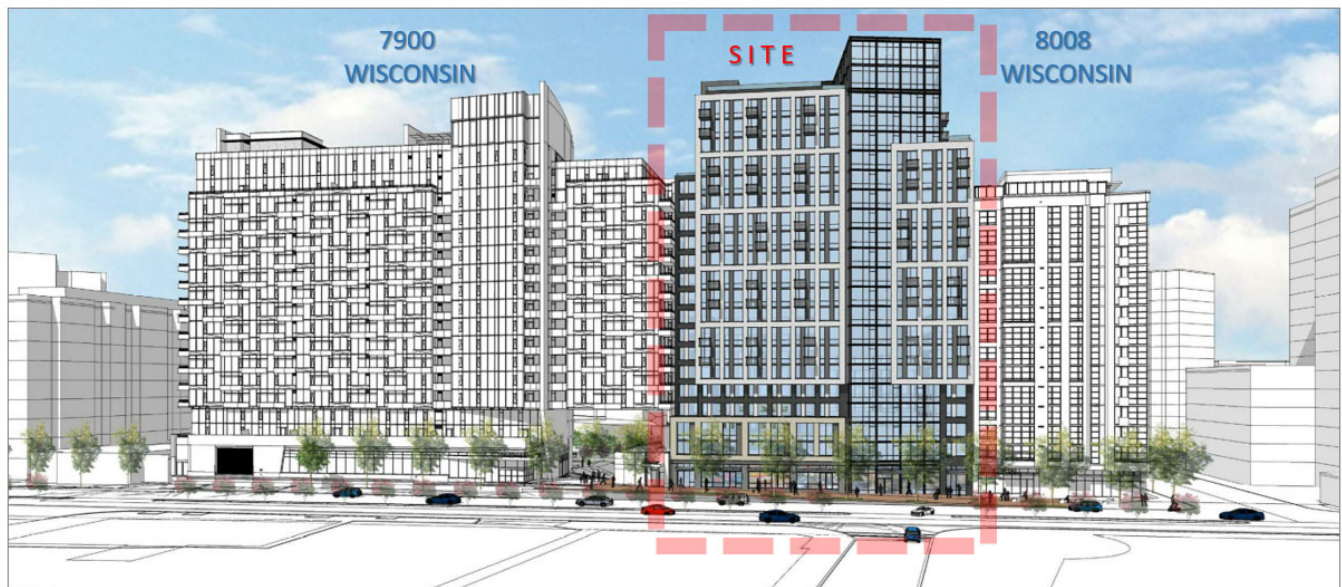


Figure 4 – Wisconsin Avenue Façade, looking west



Figure 5 – Woodmont Avenue Façade, looking northeast



Figure 6 – Wisconsin Avenue Façade, looking southwest

Open Space

The Project is not required to provide public open space because the tract area is less than one acre and the Site has two or fewer frontages on public roadways (59.4.5.4.B.1.a).

Circulation

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Site frontages, consistent with the Bethesda Streetscape Standards. Vehicular

access to the Property is proposed directly from Woodmont Avenue through a consolidated garage access point and loading bay (two separate, but adjacent entrances) at the southwestern corner of the Site. This configuration is driven by the Site's proximity to the nearby intersections, existing access points on Woodmont Avenue, and a desire to restrict vehicular access on Wisconsin Avenue near the master planned Bus Rapid Transit Station.

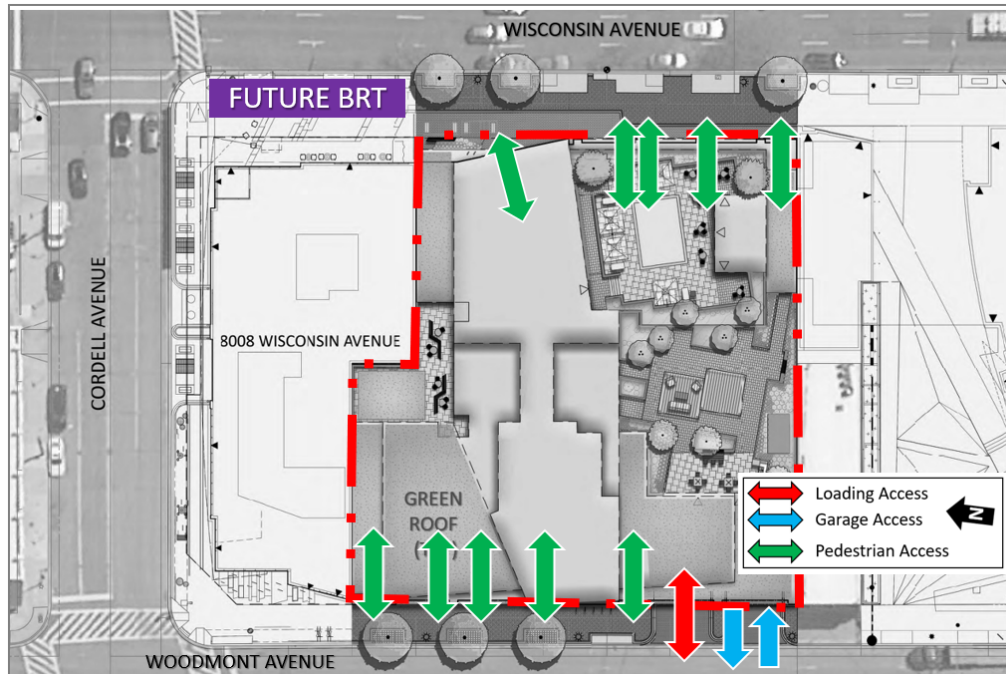


Figure 7 - Pedestrian and Vehicular Circulation

Bus Rapid Transit

The 2013 *Countywide Transit Corridors Function Master Plan* recommends that the Maryland 355 South Corridor Bus Rapid Transit (BRT) have a station at the intersection of MD 355 and Cordell Avenue. Based on current engineering guidance from MCDOT, that station is anticipated to project beyond the Subject Property's northern lot line and must therefore be accommodated by the Project's site design. The Project responds to this unique design criteria by canting the building's ground floor away from the requisite station clear area and providing adequate dedication along the Wisconsin Avenue frontage (Figure 8).

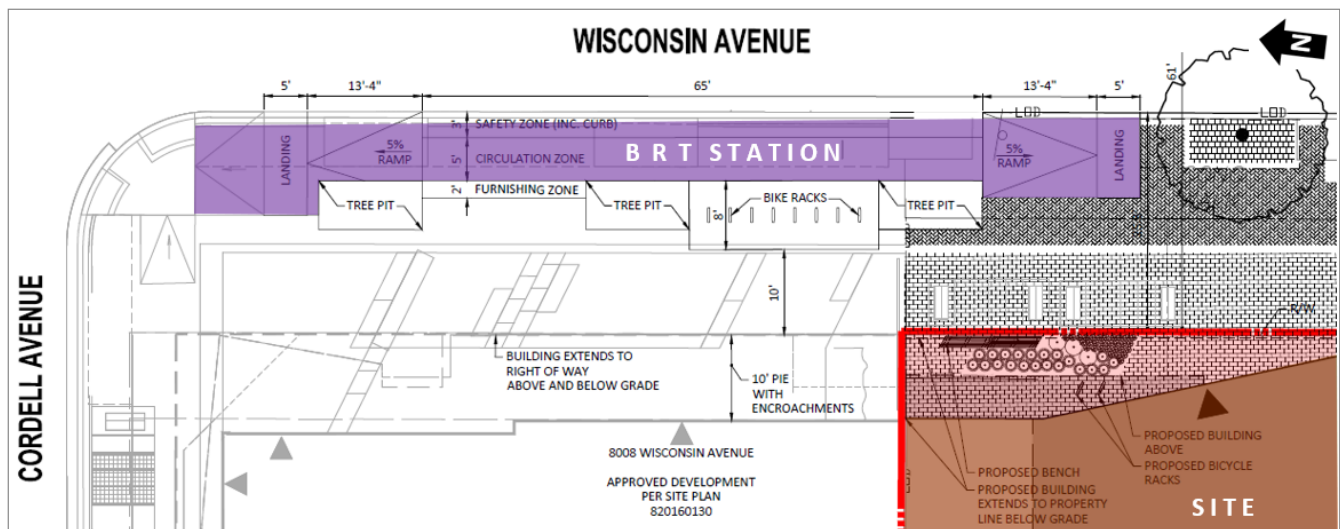


Figure 8 – Bus Rapid Transit Station Concept

SECTION 4: SKETCH PLAN AMENDMENT 32018012A

ANALYSIS AND FINDINGS

The Planning Board approved Sketch Plan No. 320180120 prior to the County Council's adoption of Ordinance 18-52, which revised portions of Chapter 59, the Zoning Ordinance pertaining to MPDU density. Sketch Plan Amendment 32018012A requests to amend Condition No. 1 to increase the maximum allotment of Bethesda Overlay Zone density on the Subject Property. This amendment is necessary to accommodate the previously approved project density, 430,000 square feet, which excluded MPDU density from the overall project density. Since the date of the Sketch Plan resolution, the Montgomery County Council adopted Ordinance No. 18-52, which revised portions of Chapter 59, the Zoning Ordinance pertaining to MPDU density. That Ordinance eliminated a portion of the Zoning Ordinance (Section 59.4.7.3.D.6.c.iii), which excluded MPDU density from the overall project FAR. As amended, the Project is consistent with the previously approved density and consistent with the Zoning Ordinance, as revised. Staff supports the proposed amendment, which does not change the previously approved project density.

This Amendment does not alter the intent, objectives, or requirements in the originally approved Sketch Plan and all previous findings remain in effect.

SECTION 5: PRELIMINARY PLAN 120190060

ANALYSIS AND FINDINGS

The Preliminary Plan will create one lot (approximately 29,255 square feet or 0.67 acres of net lot area) to allow for a maximum density of up to 441 residential dwelling units and up to 20,000 square feet of commercial uses. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. 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. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

1. *The layout of the subdivision, including size, width, shape, orientation and diversity of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.*

The proposed lot size, width, shape and orientation are appropriate for the location of the subdivision considering the recommendations in the 2017 *Bethesda Downtown Sector Plan* and the type of development and use contemplated. The lots were reviewed under and found to be in compliance with the dimensional requirements for the CR zone as specified in the Zoning Ordinance.

2. *The Preliminary Plan substantially conforms to the Master Plan.*

The Preliminary Plan Application substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Property is designated as Site 60, on pages 99 and 100 of the Sector Plan, within the area identified as the "Wisconsin Avenue District," the main artery through the center of Downtown Bethesda. The Sector Plan generally recommends increasing:

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 Project specifically addresses the following goals as outlined in the Wisconsin Avenue District section of the Plan:

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

The Project will redevelop several single-story retail buildings and Public Parking Lot 43, a component of the Bethesda Parking Lot District (PLD), with high-density residential uses and street-activating retail uses. The Project will help contribute to an on-going transformation of the block bounded by Wisconsin Avenue, Woodmont Avenue, Cordell Avenue, and Fairmont Avenue, when considered in context with other recently approved projects.

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

The Project will add up to 111 Moderately Priced Dwelling Units (MPDUs) within walking distance to the Bethesda Metro Station, the future Purple Line Station, and future Bus Rapid Transit (BRT) station. The proposed MPDUs will help further one of the primary goals, affordable housing, of the Sector Plan and Bethesda Overlay Zone.

- *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 Project is an infill redevelopment between the adjacent 7900 Wisconsin Avenue (Site Plan 820130170), to the north, and 8008 Wisconsin Avenue (Site Plan 820160130), to the south. The Project will contribute to the vibrant mixed-use identity taking shape within this block. The combination of multifamily dwelling units, ground floor retail uses, and amenities proposed for the block will create an appropriate transition between the adjacent Woodmont Triangle District and more intensely developed urban core to the south of the Property.

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

The Project proposes to incorporate energy-efficient building systems to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the Bethesda Overlay Zone. In addition, intensive green roof systems and planters are proposed to cover a minimum of 35% of the Property's lot area to increase the overall green cover. Dedications along Wisconsin Avenue and Woodmont Avenue will help to enhance the pedestrian experience along the Property. Additional planting and pedestrian circulation areas along these public right-of-way

frontages will allow for an improved streetscape in both the Wisconsin Avenue Corridor and Woodmont Triangle Districts.

- *Create green, active and walkable sidewalks that are designed to balance pedestrian and retail activity with vehicular and BRT traffic along this major corridor.*

The Project's proposed right-of-way dedications and the undergrounding of existing utilities, along Wisconsin and Woodmont Avenues, will help to provide a wide pedestrian through zone that is lined with street trees, planting and furnishings. In addition to providing right-of-way dedications, the Project's sidewalk width is designed in accordance with the Design Guidelines recommendations for these streetscapes such that additional free and clear sidewalk width is accommodated.

- *Design tall buildings along Wisconsin Avenue to have a human-scaled presence on the street, reduced uniformity and compatibility with edge neighborhoods.*

The Project provides a 199-foot tall building on Wisconsin Avenue that is organized around a central glazed spine and highly articulated base. The Project's highly articulated base measures two stories in height and presents a continuous and engaging façade at the pedestrian scale. Along Wisconsin Ave, the façade contributes to a consistent street wall. Along Woodmont Avenue, the façade is broken-down by presenting several distinct building masses and step-backs, a design aesthetic that helps to animate the through-block connection at 7900 Wisconsin Avenue. In response to the adjacency of the balconies on the 7900 Wisconsin building, the Project is pulled back along the upper floors. This architectural detail maximizes the amount of exposure for the neighboring residential units. In summarizing their review of the Project, the Design Advisory Panel (DAP) issued a memorandum (Attachment C) that supported the Applicant's request for 10 exceptional design points. That memorandum also stated that the massing, density and bulk of the building justifiable because the Project is providing 25% MPDUs.

The Preliminary Plan Application substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Preliminary Plan Application 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.

3. *Public facilities will be adequate to support and service the area of the subdivision.*

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Site frontages, consistent with the Bethesda Streetscape Standards. Vehicular access to the Property is proposed directly from Woodmont Avenue through a consolidated garage access point and loading bay (two separate, but adjacent entrances) at the southwestern corner of the Site. This configuration is driven by the Site's proximity to the nearby intersections, existing access points on Woodmont Avenue, and a desire to restrict vehicular access on Wisconsin Avenue near the master planned Bus Rapid Transit Station.

The Project includes two bicycle parking rooms on the G1 level of the garage to provide long-term bicycle storage for the residents. The bicycle parking room will provide secure, private parking for 100 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 final 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, future Purple Line, and future Bus Rapid Transit (BRT) station along the Site's Wisconsin Avenue frontage. The *2013 Countywide Transit Corridors Functional Master Plan* identifies the intersection of Cordell Avenue and Wisconsin Avenue as a future station location for the MD 355 South Corridor. 8008 Wisconsin (Site Plan 820160130) provided a building setback and easement, measuring 10 feet deep along the entire frontage, to accommodate pedestrian circulation around the BRT station. The Subject Property will continue this setback along a portion of the Site's Wisconsin Avenue frontage.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2017 *Bethesda Downtown Sector Plan* and 2013 *Countywide Transit Corridors Functional Master Plan* recommend the following along property frontages:

1. Wisconsin Avenue, along the eastern site frontage, as a major highway (M-6) with a minimum right-of-way width of 122 feet, and an additional 10 foot wide easement area for the future Bus Rapid Transit (BRT) station at Cordell Avenue; and
2. Woodmont Avenue, along the western site frontage, as an arterial roadway (A-68) with a minimum right-of-way width of 80', and separated bicycle lanes (CT-4).

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 statement, dated January 5, 2018, was submitted with the Project, indicating that the proposed development will generate 15 fewer morning peak-hour person trips (8 net new vehicle trips) when compared to the existing use and 169 fewer evening peak-hour person trips (65 fewer vehicle trips). Because the estimated transportation impact of the Project is less than 50 net new person trips, the Project satisfies the Local Area Transportation Review requirement without further analysis.

Table 1: Project Peak Hour Trip Generation

Total Proposed		Vehicle Rates		Policy Area Vehicle Trips		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Existing Use (Credit)							
30,518 SF Retail		167	226	101	138	229	312
Proposed Use¹							
441 High Rise Dwelling Units		137	93	109	73	214	143
Total Net New Trips		(30)	(133)	8	(65)	(15)	(169)

Source: The Traffic Group Transportation Statement, dated January 5, 2018.

¹ Proposed retail is less than 10% of project and coupled with the Institute of Transportation Engineers “High Rise Residential with First Floor Commercial” land use code; no retail parking provided. Therefore, retail is considered ancillary for trip generation purposes.

School Capacity

The Project was reviewed under the FY2020 Annual School Test, which was approved by the Planning Board on June 20, 2019, and effective July 1, 2019. Under the FY2020 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 2). The Subject Property seeks approval for 441 high-rise multifamily 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 18 new elementary school students, 7 new middle school students, and 11 new high school students (Table 3).

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. 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. The subject property is located in the southwest region of the County.

Table 2: Per Unit Student Generation Rates – Southwest Region

	Elementary School	Middle School	High School
SF Detached	0.186	0.109	0.151
SF Attached	0.167	0.085	0.111
MF Low- to Mid-Rise	0.150	0.068	0.085
MF High-Rise	0.041	0.018	0.025

Table 3: 8000 Wisconsin Student Generation

Type of Unit	Net New Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
MF High-Rise	441	0.041	18.081	0.018	7.938	0.025	11.025
TOTAL	441		18		7		11

Cluster Adequacy Test

The Subject Project is located within the Bethesda-Chevy Chase High School Cluster. The student enrollment and capacity projections from the FY20 Annual School Test for the cluster are noted in Table 4.

Table 4: Student Enrollment and Capacity Projections (Cluster)

School Level	Projected Cluster Totals, September 2024			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary ¹	3,714	4,020	92.4%	1,111	18
Middle	1,917	2,024	94.7%	511	7
High	2,410	2,457	98.1%	538	11

The Moratorium Threshold identified in the table is the number of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and therefore trigger a cluster-wide residential development moratorium. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds at all three school levels. Therefore, there is sufficient capacity at the elementary, middle and high school cluster levels to accommodate the estimated number of students generated by this project.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Bethesda ES and Westland MS, respectively. Based on the FY20 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 5.

Table 5: Student Enrollment and Capacity Projections (School)

School	Projected School Totals, September 2024				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Bethesda ES ²	731	698	104.7%	-33	107	18
Westland MS	899	1,089	82.6%	+190	408	7

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

¹ The elementary school level capacity reflects the impacts of a six-classroom placeholder project (P651916) at Bethesda ES and a four-classroom placeholder project (P651914) at Somerset ES.

² The Bethesda ES capacity reflects the impact of a six-classroom placeholder project (P651916).

The Moratorium Enrollment Thresholds identified in the table above are the numbers of additional projected students that would cause the projected utilization to exceed the 120% utilization threshold and the seat deficit threshold. As indicated in the last column, the estimated enrollment impacts of this application fall below the moratorium thresholds for both Bethesda ES and Westland MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this project.

Analysis Conclusion

Based on the school cluster and individual school capacity analysis performed, using the FY2020 Annual School Test, there is adequate school capacity for the amount and type of development proposed by this application.

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.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied.*

There are no environmentally sensitive features, such as streams, wetlands floodplains or associated buffers, associated with the site. The site is located within the Rock Creek watershed, a Use I watershed. This Project 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)(1) because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet. Staff confirmed Forest Conservation Exemption 42018105E on December 14, 2017.

Noise

The Project is adjacent to Woodmont Avenue, an arterial roadway, and Wisconsin Avenue (MD 355), a major highway, therefore a noise analysis was completed to address the residential building and any associated common open space areas. The analysis demonstrated that future traffic noise will be within acceptable limits, as established by the Montgomery County Noise Guidelines.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.*

Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services (MCDPS) on May 21, 2019 (Attachment D). The Applicant proposes to meet stormwater management requirements through the use of green roof and micro-bioretenment. Due to site limitations and an existing shallow storm drain, full treatment cannot be provided and therefore a partial waiver was granted by MCDPS.

6. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

No other provisions apply to the Subdivision.

SECTION 6: SITE PLAN 820190040

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 conforms to all bindings elements of Sketch Plan No. 320180120 and Sketch Plan Amendment No. 32018012A.

- 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 0.94 acres or 40,788 gross square feet, zoned CR 3.0 C 3.0 R 2.75 H175', CR 5.0 C 5.0 R 5.0 H175', and is within the Bethesda Overlay Zone. The following Data Table shows the Application's conformance to the development standards of the zone.

Table 6: Data Table

Project Data Table (Section 59.4)		
Development Standard	Permitted/ Required	Proposed
Tract Area (Square Feet/ Acres) CR 3.0 C-3.0 R-2.75 H-175' 8000 Wisconsin Ave. 7940 Wisconsin Ave. 7942 Wisconsin Ave. 8011 Woodmont Ave. County Parking Lot 43 Subtotal CR 3.0 CR 5.0 C-5.0 R-5.0 H-175' 7938 Wisconsin Ave. Total Tract Area		6,598 (0.15) 3,298 (0.08) 6,598 (0.15) 6,000 (0.14) <u>15,000 (0.34)</u> 37,494 (0.86) 3,294 (0.08) 40,788 (0.94)
Site Area (Square Feet/ Acres) Prior Dedication Proposed Dedication Site Area (Tract Area – Dedications)	n/a	8,000 (0.18) 3,563 (0.08) 29,225 (0.67)
Residential Density (GFA/ FAR) CR 3.0 C-3.0 R-2.75 H-175' CR 5.0 C-5.0 R-5.0 H-175' Subtotal	103,109 (2.75) 16,470 (5.0) 119,579 (2.93)	-- -- 108,952 (2.67)
Commercial Density (GFA/ FAR) CR 3.0 C-3.0 R-2.75 H-175' CR 5.0 C-5.0 R-5.0 H-175' Subtotal	112,482 (3.0) 16,470 (5.0) 128,952 (3.16)	-- -- 20,000 (0.49)
Total Mapped Density (GFA/FAR)	Residential 119,579 (2.93) Commercial 128,952 (3.16) 128,952 (3.16)	108,952 (2.67) 20,000 (0.49) 128,952 (3.16)
MPDU Density (GFA/FAR)¹	n/a	75,258 (1.85)
Bethesda Overlay Zone Density (GFA/ FAR)	n/a	301,048 (7.38)
Total GFA/ FAR	n/a	430,000 (10.54)
Building Height	175 feet	199 feet ²
Public Open Space (min)	0%	0%
Green Cover	35%	35%
Minimum Setbacks	n/a	0

¹ MPDU density, assumed at an average size of 678 square feet per unit for all 111 MPDUs.

² Section 59.4.9.2.C.3.b eliminates the height requirement to the extent necessary to provide MPDUs beyond 15%. These additional 44 MPDUs account for an additional 29,832 square feet of residential density. Given the Project's estimated average floorplate is of 20,663 SF, the Applicant requests two additional floors (24 feet) of additional height to accommodate the additional MPDUs.

Table 6 (Continued): Parking

Parking	Spaces Required	Spaces Provided
Vehicle Parking		
Residential		
Efficiency (67 market rate units); 22 MPDUS	(78 minimum/ 78 maximum)	--
1 Bedroom (167 market rate units); 56 MPDUS	(195 minimum/ 244 maximum)	--
2 Bedroom (96 market rate units); 33 MPDUS	(113 minimum/ 169 maximum)	--
3 Bedroom (0 market rate units); 0 MPDUS	--	--
Total Residential Parking (330 Market rate; 111 MPDUs)	(386 minimum/ 491 maximum)	--
Reduced 20% (Bethesda Overlay Zone)	309 Minimum	311
Commercial (Ancillary Retail) ³	0	0
Total	--	311
Bicycle Parking (Long Term/ Short Term)		
Residential (441 units)	(95/5) 100 ⁴	(95/5) 100
Commercial	(0/2) 2	(0/2) 2
Total Bicycle Parking	(95/7) 102	(95/7) 102
Loading Spaces	1	1

³ In accordance with the Local Area Transportation Review Guidelines standards on ancillary retail, no parking may be provided for the commercial use.

⁴ Bicycle Parking requirement is limited to a maximum of 100 spaces.

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 typically requires a park impact payment of \$10/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area, however, the Subject Application is not required to make a Park Impact Payment because the Project is providing more than 25% MPDUs (Section 59.4.9.2.C.3.c.iii.). The amount of density allocated from the BOZ for the Subject Application is deducted from the 32.4 million cap.

ii. *Division 4.7. Optional Method Public Benefits*

Since the Project provides more than 25% MPDUs, the Bethesda Overlay Zone only requires that the Project satisfy the exceptional design and energy conservation and generation categories to achieve the desired incentive density above the standard method limit, however, the Applicant anticipates exceeding the minimum requirement by providing the public benefits listed in Table 7. Table 7 shows both the categories and points for the public benefits and differentiates between the required categories and "others provided" beyond the requirement of the zone.

Table 7: Public Benefits

Public Benefit Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Requested
Required		
59.4.7.3D: Diversity of Uses and Activities		
Affordable Housing*	No Max	150
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design*	30	10
59.4.7.3F: Protection & Enhancement of the Natural Environment		
Energy Conservation and Generation*	25	15
Subtotal Required		175
Others Provided		
59.4.7.3C: Connectivity and Mobility		
Minimum Parking*	20	10
59.4.7.3E: Quality of Building and Site Design		
Structured Parking	20	20
Subtotal Other		30
Total Public Benefit Points		205

* Sector Plan Priority

Diversity of Uses and Activities

Affordable Housing: The Applicant requests 150 points for providing 25% Moderately Priced Dwelling Units (MPDUs), including studios, one-bedroom units, and two-bedroom units, in accordance with the CR Zone Incentive Density Implementation Guidelines. Points in this category are granted on a sliding scale at a rate of 15 points for every 1 percent of MPDUs greater than that required by law (59.4.9.2.C.3.d.ii). Staff supports 150 points for this category.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 10 points for building or site design that provides innovative solutions in response to the immediate context; creates a sense of place; enhances the public realm; introduces materials, forms, or building methods unique to the immediate vicinity; designs compact, infill development; and integrates low-impact development. Per the CR Guidelines, incentive density of 10 points is appropriate for development that meets all of the guideline criteria available for the category. A summary of the Project's architectural concept is provided below:

The Project is located within the middle of an urban block in Downtown Bethesda. This location presents some challenges to the Project's architecture because the two adjacent buildings (7900 Wisconsin Avenue, under construction; 8008 Wisconsin Avenue, approved but unbuilt) were approved under the previous sector plan and not subject to the current design guidelines. In response to these buildings, the Project seeks to harmonize the proposed building with the previous approvals by bringing a new and distinctive aesthetic to the block.

To achieve a coherent, singular solution, the Applicant has designed the building above a highly articulated base and around a central glazed spine. The Project's highly articulated base measures two stories in height and presents a continuous and engaging façade at the pedestrian scale. Along Wisconsin Ave, the façade contributes to a consistent street wall. Along Woodmont Avenue, the façade is broken-down by presenting several distinct building masses and step-backs, a design aesthetic that helps to animate the

through-block connection at 7900 Wisconsin Avenue. In response to the adjacency of the balconies on the 7900 Wisconsin building, the Project is pulled back along the upper floors. This architectural detail maximizes the amount of exposure for the neighboring residential units.

As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel (DAP) review, and must achieve a minimum of 10 points. The DAP reviewed the Project over the course of several meetings, culminating with a favorable recommendation of 10 points at its November 28, 2018 meeting. Based on the materials submitted with the Application and the DAP's recommendation, Staff supports the Applicant's request for 10 exceptional design points.

Protection and Enhancement of the Natural Environment

Energy Conservation and Generation: The Applicant requests 15 points for providing a project that exceeds the ASHRAE 90.1 energy efficiency standards for new buildings by 17.5% through the use of high efficiency building materials and mechanical systems. This category is a priority in the Sector Plan and a requirement of the Bethesda Overlay Zone. Staff supports 15 points in this category.

Other Public Benefit Point Categories Provided

Connectivity and Mobility

Minimum Parking: The Applicant requests 10 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on site. 10 points are appropriate for this category based on the following calculation:

$$\begin{aligned} &[(\text{Maximum Allowed} - \text{Proposed}) / (\text{Maximum Allowed} - \text{Minimum Required})] * 10 \\ &[(491 - 311) / (491 - 309)] * 10 = 10 \text{ points} \end{aligned}$$

This category is not required for the Project due to the provision of 25% MPDUs, however, this element of the project will contribute positively to Downtown Bethesda. Staff supports 10 points in this category.

Quality of Building and Site Design

Structured Parking: The Applicant requests 20 points for providing all parking in a below-grade parking structure. This category is not required for the Project due to the provision of 25% MPDUs, however, this element of the project will contribute positively to Downtown Bethesda. Staff supports 20 points in this category.

iii. Division 6.1. Site Access

Vehicular access to the Property is proposed directly from Woodmont Avenue through a consolidated garage access point and loading bay (two separate, but adjacent entrances) at the southwestern corner of the Site. This configuration is driven by the Site's proximity to the nearby intersections, existing access points on Woodmont Avenue, and a desire to restrict vehicular access on Wisconsin Avenue near the master planned Bus Rapid Transit Station.

iv. Division 6.2. Parking, Queuing, and Loading

Parking for the residential building will be provided in a below-grade facility. Vehicular and loading access will occur via Woodmont Avenue.

v. *Division 6.3. Open Space and Recreation*

The Project is not required to provide public open space because the tract area is less than one acre and the Site has two or fewer frontages on public roadways (59.4.5.4.B.1.a). The Application is in conformance with the *Recreation Guidelines*, as demonstrated in the Recreation Facilities Data table provided with the Application (Scenario ID 8751). The Applicant is providing bicycle amenities; indoor community spaces, including lounges and an internet café; interior courtyards; and rooftop amenities, including an outdoor pool. Final locations and quantities of each of these amenities will be shown on the Certified Site Plan.

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

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform existing streetscape along the Wisconsin Avenue and Woodmont 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*

Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services (MCDPS) on May 21, 2019 (Attachment D). The Preliminary Plan proposes to meet stormwater management requirements through the use of green roof and micro-bioretenment. Due to site limitations and an existing shallow storm drain, full treatment cannot be provided and therefore a partial waiver was granted by MCDPS.

ii. *Chapter 22A, Forest Conservation.*

There are no environmentally sensitive features, such as streams, wetlands floodplains or associated buffers, associated with the site. The site is located within the Rock Creek watershed, a Use I watershed. This Project 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)(1) because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet. Forest conservation exemption 42018105E was confirmed on December 14, 2017 (Attachment E).

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 the garage and loading entrances on Woodmont Avenue to limit impacts to the pedestrian environment and improves public streetscape along its three frontages. The building provides entrances

along both its Wisconsin Avenue and Woodmont Avenue façades to contribute to an active streetscape. The Project provides a safe and well-integrated building and site amenities. The Project presents as a high-rise building above an articulated base and provides amenities for the residents of the Project internal to the building and on the rooftop.

- 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 Preliminary Plan no. 120190060 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 441 multi-family residential dwelling units with 25% MPDUs, up to 20,000 square feet of retail uses, as well as underground parking and on-site amenities for the residents.

Further, the Applicant will provide a minimum of 10,229 square feet of Green Cover to meet the 35% Green Cover requirement set forth in Section 2.4.1 of the Sector Plan and Section 2.3.2 of the associated Design Guidelines. In response to this requirement, the Application proposes an intensive green roof, with a minimum depth of 8-inches, on portions of the building.

- 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 No. 120190060 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, approved or pending adjacent development.*

The Project is located within the middle of an urban block in Downtown Bethesda. This location presents some challenges to the Project's architecture because the two adjacent buildings (7900 Wisconsin Avenue, under construction; 8008 Wisconsin Avenue, approved but unbuilt) were approved under the previous sector plan and not subject to the current design guidelines. In response to these buildings, the Project seeks to harmonize the proposed building with the previous approvals by bringing a new and distinctive aesthetic to the block, while providing substantial conformance to the Sector Plan. 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 Wisconsin Avenue 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.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. On June 28, 2018, the Applicant held a pre-submittal public meeting at the Bethesda Chevy Chase Regional Services Center. Staff has not received any correspondence on this Project as of the date of the staff report.

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 32018012A, Preliminary Plan No. 120190060 and Site Plan No. 820190040 with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Mandatory Referral 2012027
- B. Sketch Plan Resolution (MCPB No. 18-041)
- C. Design Advisory Panel Memorandum
- D. Agency Letters
- E. Forest Conservation Exemption 42018105E