

1/1/82
ATTACHMENT A



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 Georgia Avenue • Silver Spring, Maryland 20907

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Preliminary Plan 1-81190

NAME OF PLAN: WOODMONT NORTHWEST PARK

On 11-25-81, SURVIVAL TECHNOLOGY, INC. , submitted an application for the approval of a preliminary plan of subdivision of property in the CBD1 zone. The application proposed to create 1 lot on 46909.40 SQ FEET of land. The application was designated Preliminary Plan 1-81190.

On 01-06-82, Preliminary Plan 1-81190 was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based upon the testimony and evidence presented by staff and on the information on the Preliminary Subdivision Plan Application Form attached hereto and made a part hereof, the Montgomery County Planning Board finds Preliminary Plan 1-81190 to be in accordance with the purposes and requirements of the Subdivision Regulations (Chapter 50, Montgomery County Code, as amended) and approves Preliminary Plan 1-81190, subject to the following conditions:

1. Dedication along Rugby Avenue and Glenbrook Road in accordance with master plan.
2. Provision for necessary slope and drainage easements.
3. Site Plan approval by Montgomery County Planning Board prior to clearing or grading of site.

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20907

PRELIMINARY SUBDIVISION PLAN APPLICATION FILE NO: 1-81190
withdrew or superseded: N another plan on property? file no: -
NAME OF SUBDIVISION: WOODMONT/NORTHWEST PARK DATE OF APPLIC: 11-
IF THERE EXISTS A PRE-PRELIMINARY PLAN FOR THIS PROPERTY, ENTER IT: 7-810:
LOCATION

B. NE QUADRANT OF INTERSECTION OF RUGBY AVENUE & GLENBROOK RD.
SPECIAL TAX AREA: LOCAL JURISDICTION: MPDUS PROPOSED:
NO. LOTS PROPOSED: 1 NUMBER OF RESIDENTIAL UNITS PROPOSED:
TYPE OF UNITS: CM, ' ' ' ' ' EXISTING ZONING: CBD1
NUMBER OF UNITS: 1 0 0 0 0 PROPOSED ZONING:
PROPOSED SANITARY FACILITIES: WATER: PUBLIC SEWER: PUBLIC
ANY ASSOCIATED TDRS: NUMBER OF ASSOCIATED TDRS: 0

REQUESTED A WAIVER:
REPLY O FOR OWNER, C FOR CONTRACT PURCHASER: O
OWNER OR CONTRACT PURCHASER NAME: SURVIVAL TECHNOLOGY, INC.
ADDRESS: 7801 WOODMONT AVE TELEPHONE NO: 301-654-2303
BETHESDA, MD, 20014

GRANTOR: JAMES D. DRAPER GRANTEE: ABRAHAM M. MORRISON
DATE OF CONVEYANCE: 06-21-56 LANDS RECORD REFERENCE (LIBER/FOLIO): 222
TRACT AREA AS CONVEYED: 46909.40 SQ FEET PLAN INCLUDED AREA: 46909.40 SQ
PRELIMINARY PLAN FEE: \$240.00

ENCUMBRANCES:
NONE

EASEMENTS:
1. 5' INGRESS & EGRESS EASEMENT L.2788 F.281
2. STORM DRAIN R/W L.3523 F.60
3. SEWER R/W L.4656 F.576
4. 15' WIDE STRIP OF LOT 435, WOODMONT IS PROPERTY OF MONTGOMERY COUNTY
5. STREET DEDICATION THIS PLAT 1716 SQ.FT.

COVENANTS:
NONE

ENGINEER OR SURVEYOR: JOHNSON, MIRMIRAN, THOMPSON
ADDRESS: 1751 ELTON RD. TELEPHONE: 301-434-7000
SILVER SPRING, MD, 20903

MPDU REQUIRED: 0 MPDU APPROVED: 0 NO. OF LOTS APPROVED: 1
DATE OF PLAN ACTION: 01-06-82 PLANNING BOARD ACTION: APPROVED
STAGING SCHEDULE? YEAR:
NUMBER OF LOTS:

00 BASE MAP NO: 210NW05 MASTER PLAN AREA: TAX MAP NO: 00000
COORDINATE 30.82 TAX MAP YEAR: CENSUS TRACT & BLOCK: 48011020
Y COORDINATE 40.64 PLANNING AREA: 35 TRAFFIC ZONE: 109

SEWERSHED NO: SEWER AUTHORIZATION NO:
STORM WATER MGMT. WAIVER GRANTED: STREAM CHANNEL MODIFICATION:
WRA PERMIT NEEDED:



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20907

(301) 589-1480

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Date: February 5, 1982

On November 25, 1982, Survival Technology submitted an application for the approval of a site plan for property in the CBD-1/C-1 zone. The application was designated:

Site Plan Review #8- 81081 Survival Technology hereinafter referred to as the Site Plan.

On January 21, 1982, the Site Plan was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff in the staff report hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds:

1. the site plan meets all of the requirements of the zone in which it is located;
2. the location of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe, and efficient; and
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

and approves the Site Plan subject to the following conditions:

1. The applicant will provide a solid wood fence at least 6 feet in height along the eastern and northern boundaries of the parking lot north of the new structure. Evergreen screening will be provided along the northern boundary of the parking lot between the new and existing commercial buildings.
2. The applicant will install street trees (Red Spire Pear) not less than 3 1/2" caliper at planting, in 5' X 5' tree grates along Rugby Avenue, except that the tree grates in front of the planter box can be 3' X 6'. Trees shall be spaced 30' o.c. according to a layout to be approved by the staff.
3. The sidewalk along Rugby Avenue will be at least five feet wide, except in front of the planter boxes where it may be 4 ft. wide, exclusive of tree grates.
4. The applicant will execute an agreement for the completion of site landscaping and amenities.

Site Plan Review #8-81081, Amendment to Survival
Technology, Bethesda.

DECEMBER 2,
Revised Conditions; November 22, 1982:

1-4 (conditions from Opinions of February 5, 1982)

5. The applicant will make a covenant with Montgomery County Department of Transportation to install and maintain the roadway and associated landscaping in the right-of-way of Glenbrook Road and associated County property from Rugby Avenue to Battery Lane Park, according to the approved site plan. The applicant will agree to provide grass cutting and snow removal on paved surfaces within this right-of-way. Configuration and location of driveway connection to residential properties, and location of park access may be revised with agreement of Maryland-National Capital Park and Planning Commission staff and MCDOT staff. In the event of abandonment of a portion of Glenbrook Road near the park, this condition will apply to the portion remaining in public ownership.
6. The applicant will provide permanent vehicular access to Battery Lane Park via Glenbrook Road extensions in a manner agreeable to the Parks Planning staff.

JP:rd

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
8787 George Avenue • Silver Spring, Maryland 20907

MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan Review # 8-81081 (Amendment)

Project Survival Technology

On November 12, 1982, Survival Technology submitted an application for the approval of a site plan for property in the OT/CBD-1 zone. The application was designated Site Plan Review # 8-81081 (Amendment).

On December 2, 1982, Site Plan Review # 8-81081 (Amendment) was brought before the Montgomery County Planning Board for a public hearing. At the public hearing, the Montgomery County Planning Board heard testimony and received evidence submitted in the record on the application. Based on the testimony and evidence presented by the staff and on the staff report with modifications to the conditions hereby adopted by the Montgomery County Planning Board, which is attached hereto and made a part hereof, the Montgomery County Planning Board finds

1. the site plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

and approves Site Plan Review # 8-81081 (Amend.) subject to the following conditions:

1. The applicant will provide a solid wood fence at least 6 feet in height along the eastern and northern boundaries of the parking lot north of the new structure. Evergreen screening will be provided along the northern boundary of the parking lot between the new and existing commercial buildings.
2. The applicant will install street trees (Red Spire Pear) not less than 3 1/2" caliper at planting, in 5' X 5' tree grates along Rusty Avenue, except that the tree grates in front of the planter box can be 3' X 6'. Trees shall be spaced 30' o.c. according to a layout to be approved by the staff.
3. The sidewalk along Rusty Avenue will be at least five feet wide, except in front of the planter boxes where it may be 4 ft. wide, exclusive of tree grates.

1. the site plan meets all of the requirements of the zone in which it is located;
2. the locations of the buildings and structures, the open spaces, the landscaping, and the pedestrian and vehicular circulation systems are adequate, safe and efficient;
3. each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development.

and approves Site Plan Review # 9-01021 (Amend.) subject to the following conditions

1. The applicant will provide a solid wood fence at least 6 feet in height along the eastern and northern boundaries of the parking lot north of the new structure. Evergreen screening will be provided along the northern boundary of the parking lot between the new and existing commercial buildings.
2. The applicant will install street trees (Red Spire Pear) not less than 3 1/2" caliper at planting, in 5' X 5' tree crates along Busby Avenue, except that the tree crates in front of the planter box can be 3' X 6'. Trees shall be spaced 30' o.c. according to a layout to be approved by the staff.
3. The sidewalk along Busby Avenue will be at least five feet wide, except in front of the planter boxes where it may be 4 ft. wide, exclusive of tree grate.
4. The applicant will execute an agreement for the completion of site landscaping and amenities.
5. The property owner and the applicant will enter a covenant with Montgomery County Department of Transportation and Dr. and Mrs. Morris Antoneilli consistent with the attached provisions of responsibility (Attachment "A"). In the event of abandonment of a portion of Glenbrook Road north of the

Site Plan Review #8-81081, Amendment to Survival Technology, Bethesda

December 2, 1982

Page Two

Antonelli property line this condition will apply to the portion remaining in public ownership. Compliance with the terms of this covenant will be a part of this Site Plan Approval and of the enforcement procedure for Site Plan review.

6. The applicant will provide permanent vehicular access to Battery Lane Park via Glenbrook Road extensions in a manner agreeable to the Parks Planning staff.

(4-0 vote)

TJP:sam

ATTACHMENT "A" TO ORDINANCE
OF DEC. 21 1982

1. Dr. and Mrs. Antonelli will be a party to any covenants or agreements executed by and between Survival Technology and Montgomery County Department of Transportation and the Planning Board relevant to site plan approval.

2. Survival Technology will take no action to impede or alter ingress and egress to the Antonellis' property subsequent to the approval of the Amended Site Plan.

3. Survival Technology will undertake the following responsibilities:

Construction:

a) Separate parking area for two (2) cars in front of Dr. Antonelli's house within right-of-way;

b) Landscape front of parking area with acceptable shrubbery;

c) Post signs indicating resident parking only for parking area;

d) Provide 15' x 20' wide expansion of current driveway on property of Dr. Antonelli and Mr. Papalardo;

e) Erect signs in right-of-way indicating no parking, Monday - Friday 8:30 a.m. - 5:30 p.m. on this section of Glenbrook Road.

Maintenance & Liability:

a) Snow plowing all paved areas within right-of-way;

b) All lawn and shrubbery within right-of-way. Mowing at least once a week in growing season and replacement of shrubbery that dies within one year of installation;

c) All driveway and parking areas within right-of-way to be maintained and repaired;

d) Indemnification of Dr. and Mrs. Antonelli for any damage and liability and expense, for injury to persons or property in any portion of Glenbrook Road right-of-way areas.

4. Maintain, repair and construction responsibilities are part of site plan conditions and approval.



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

DEC 28 2015

MCPB No. 15-145
Sketch Plan No. 320160010
Brightview Bethesda
Date of Hearing: December 10, 2015

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 July 23, 2015, Shelter Development, LLC ("Applicant") filed an application for approval of a sketch plan for a maximum density of 121,528 square feet of development consisting of up to 89,780 square feet of assisted living use with up to 120 assisted living dwelling units, up to 28,623 square feet of office use, and up to 3,125 square feet of other nonresidential (retail, restaurant, or service) uses on 1.39 gross acres of CR 3.0 C 1.0, R 2.75, H 90 T and CRN 0.5 C 0.5, R 0.25 H 35 zoned-land, located in the northeast quadrant of the intersection of Rugby Avenue and Glenbrook Road ("Subject Property") in the Bethesda CBD Policy Area and *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan* ("Sector Plan") area; and

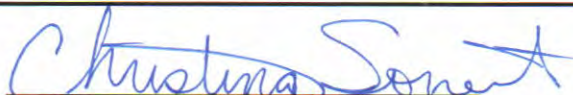
WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320160010 Brightview Bethesda ("Sketch Plan" or "Application"); and

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 November 25, 2015, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on December 10, 2015, 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, at the hearing, the Planning Board voted to approve the Application subject to certain binding elements and conditions, by the vote certified below.

Approved as to
Legal Sufficiency:

 12/2/15

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320160010, Brightview Bethesda, for a maximum density of 121,528 square feet of development consisting of up to 89,780 square feet of assisted living use with up to 120 assisted living dwelling units, up to 28,623 square feet of office use, and up to 3,125 square feet of other nonresidential (retail, restaurant, or service) uses 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 development is limited to a maximum of 121,528 square feet of total development on the Subject Property, including up to 89,780 square feet of assisted living use consisting of up to 120 assisted living dwelling units, up to 28,623 square feet of office, and up to 3,125 square feet of other nonresidential uses. The Sending Properties are collectively limited to 13,793 square feet of nonresidential uses. The Subject Property and the Sending Properties together are collectively limited to a maximum total density of 135,321 square feet of development.

2. Site Plan

Any development within the Subject Property must receive site plan approval, including a review of all applicable public benefit point calculations.

3. FAR Averaging

Prior to record plat approval, the Applicant must state the gross square footage taken from any lot with reduced density in an instrument approved by the M-NCPPC Office of the General Counsel and must record the instrument in the Montgomery County land records. Final allocation of density will be determined

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.

at the time of site plan review. The properties within the Site will transfer the following square feet of development potential based on the existing zoning:

- a. Sending Site A (8106 Norfolk Avenue, Lots 401 and 402) will be transferring 4,942 square feet of residential density to the Subject Property.
- b. Sending Site B (8000 Norfolk Avenue, Lots 329 and 330) will be transferring 14,058 square feet of residential density to the Subject Property.

4. Height

The development is limited to the maximum height of 90 feet, as measured from the approved building height measuring point for the building.

5. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59-7.3.3.I. Section 59-4.6.2.B requires properties taking advantage of FAR Averaging to exceed the minimum public benefit points otherwise required by 50%. Total points must equal at least 150 and be chosen from at least four categories as required by Section 59-4.5.4.A.2. The requirements of Division 59-4.7 and the *Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines* must be fulfilled for each public benefit proposed. Final points will be established at site plan approval.

- a. Transit Proximity, achieved through proximity to a Metrorail station;
- b. Connectivity and Mobility, achieved through provision of fewer than the maximum parking spaces, transit access improvements, and provision of wayfinding;
- c. Diversity of Uses and Activities, achieved through providing opportunities for small businesses and enhanced accessibility for the disabled;
- d. Quality of Building and Site Design, achieved through structured parking, public art, exceptional design, and architectural elevations; and
- e. Protection and Enhancement of the Natural Environment, achieved through building lot termination, energy conservation and generation, cool roof, vegetated roof, and vegetated wall, and recycling facility plan.

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. Standard Streetscape

For each site plan approved pursuant to this Sketch Plan, the Applicant must provide and install the Bethesda Streetscape Standard along the site plan frontage, including undergrounding of utilities.

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 1.39 acres zoned CR 3.0 C1.0 R2.75 H 90T and CRN 0.5 C 0.5 R 0.25 H 35. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

Data Table

Table 1 - Project Data Table				
Zone	Zone	C	R	H
Subject Property				
Lot 1 CRN	CRN-0.5	0.5	0.25	35
Lot 1 CR	CR-3.0	1.0	2.75	90T
Lot 2	CR-3.0	1.0	2.75	90T
Sending Site A (8106 Norfolk Avenue)	CR-3.0	1.0	2.75	90T
Sending Site B (8000 Norfolk Avenue)	CR-3.0	1.0	2.75	90T

DEVELOPMENT STANDARD (59-4.5.4)	PERMITTED/REQUIRED		APPROVED	
Tract Area	SF	Acres	SF	Acres
Subject Property	n/a		60,339	1.39
Sending Site A (8106 Norfolk Avenue)	n/a		4,075	0.09
Sending Site B (8000 Norfolk Avenue)	n/a		6,856	0.16
Total	n/a		71,270	1.64
Previous Dedications	SF	Acres	SF	Acres
Subject Property	n/a		13,493	0.31
Sending Site A (8106 Norfolk Avenue)	n/a		1,000	0.02

DEVELOPMENT STANDARD (59-4.5.4)	PERMITTED/REQUIRED		APPROVED	
Sending Site B (8000 Norfolk Avenue)	n/a		3,700	0.08
Total	n/a		18,193	0.42
Site Area	SF	Acres	SF	Acres
Subject Property	n/a		46,846	1.08
Sending Site A (8106 Norfolk Avenue)	n/a		3,075	0.07
Sending Site B (8000 Norfolk Avenue)	n/a		3,156	0.07
Total	n/a		53,077	1.22
Height (maximum)	Feet		Feet	
Subject Property				
Lot 1	35/90		As existing	
Lot 2	90		90	
Sending Site A (8106 Norfolk Avenue)	90		As existing	
Sending Site B (8000 Norfolk Avenue)	90		As existing	
Total Density (maximum)	SF	FAR	SF	FAR
Subject Property				
Lot 1 CRN	9,287	0.5	9,287	0.5
Lot 1 CR	48,081	3.0	19,336	1.2
Lot 2	77,214	3.0	92,905	3.6
Sending Site A (8106 Norfolk Avenue)	12,225	3.0	7,283	1.5
Sending Site B (8000 Norfolk Avenue)	20,568	3.0	6,510	1.1
Total	167,375	2.3	135,321	1.9
Total Commercial Density (maximum)	SF	FAR	SF	FAR
Subject Property				
Lot 1 CRN	9,287	0.5	9,287	0.5
Lot 1 CR	16,027	1.0	19,336	1.2
Lot 2	25,738	1.0	3,125	0.1
Sending Site A (8106 Norfolk Avenue)	4,075	1.0	7,283	1.5
Sending Site B (8000 Norfolk Avenue)	6,856	1.0	6,510	1.1
Total	61,983	0.9	45,541	0.6
Total Residential Density (maximum)	SF	FAR	SF	FAR
Subject Property				
Lot 1 CRN	4,644	0.25	0	0
Lot 1 CR	44,074	2.75	0	0
Lot 2	70,780	2.75	89,780	3.5
Sending Site A (8106 Norfolk Avenue)	11,206	2.75	0	0
Sending Site B (8000 Norfolk Avenue)	18,854	2.75	0	0
Total	149,558	2.1	89,780	1.3
Setbacks - All Properties (minimum)	Feet		Feet	
Street	0		0	
Side	0		0	
Public Open Space (minimum)	SF	Percent	SF	Percent
Subject Property	2,342	5%	6,010	13%
Sending Site A (8106 Norfolk Avenue)	0	0	0	0

DEVELOPMENT STANDARD (59-4.5.4)	PERMITTED/REQUIRED		APPROVED	
Sending Site B (8000 Norfolk Avenue)	0	0	0	0
Total	2,342	5%	6,010	13%
Parking	Minimum	Maximum	Approved	
Subject Property	47	154	47	

The intent of the CR zone is to:

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

As discussed in Finding 2 below, the Application substantially conforms to the recommendations of the Sector Plan. The Application responds to the Sector Plan's main goals, including enhancing the pedestrian realm, providing transit-oriented, mixed-use development, and providing opportunities for small businesses.

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

Lot 2 of the Subject Property is currently improved with single-story, small-scale commercial buildings and associated surface parking. The Application will redevelop this single-use property with a modern, mixed-use development with structured below-grade parking. In total, the Application will provide up to 120 assisted living residential dwelling units and 3,125 square feet of commercial uses in close proximity to transit and other essential services.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Application provides a mixed-use, transit-oriented development in the CBD. The residential component of the Application is an assisted living facility, providing housing opportunities to senior citizens. The Application will provide an opportunity for senior citizens to live in a pedestrian-friendly, transit-oriented central business district, where they will not be dependent on the ability to drive (or the need to have others drive them) to continue to participate socially and economically in the community. The ground floor commercial space provides opportunities for various businesses to operate within the CBD, which will support residents and workers in the CBD.

The Application will provide new residential units for senior citizens and employment opportunities in close proximity to the Bethesda and Medical center Metro stations. The location of these uses within ½ mile of the Metro will encourage utilization of mass transit. Additionally, the streetscape improvements along the Subject Property frontage will promote pedestrian mobility.

No parking will be provided between the building and the street.

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

The Application provides a context-sensitive design and will complement the surrounding uses – the taller portions of the building are located toward the front and east sides of the Subject Property, adjacent to the more intense CR-zoned properties, and the lower, four-story portion of the building will be located closer to the adjacent garden apartment building, the two-story office building, and the single family dwellings beyond.

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

The Application will provide significant housing opportunities for seniors and promote economic diversity. The Application will provide up to 120 assisted living units. These units will provide an opportunity for senior citizens to live in a pedestrian-friendly, transit-oriented central business district, where they will not be dependent on the ability to drive (or the need to have others drive them) to continue to participate socially and economically in the community. In addition to the residential opportunities for senior citizens, the assisted living units will also provide employment opportunities in fields such as elder care, medical services, and dining and custodial staff.

The assisted living facility will provide additional opportunities for those who live in the CBD to work in close proximity to their residence.

The non-residential component of the Application will provide additional retail uses for the future residents of the Subject Property and surrounding area. The retail use will also provide employment opportunities in close proximity to Metro.

- f) *Standardize optional method development by establishing minimum requirements for the provision of public benefits that will support and accommodate density above the standard method limit.*

As discussed in Finding 6 below, the Application will provide the required public benefits from a minimum of five categories to achieve the desired incentive density above the standard method limit.

Density Transfer

Section 59-4.5.2.B.3 of the Zoning Ordinance provides that density may be averaged over two or more non-contiguous properties in the CR Zone if:

- a. *Each provision under Section 4.5.2.B.2 is satisfied, including:*
- i. *The properties are under the same site plan or sketch plan; and, if a sketch plan is required, the density averaging must be shown on the sketch plan;*

All Sending and Receiving Properties are encompassed by this Application.

- ii. *The resulting properties are created by the same preliminary subdivision plan or satisfy a phasing plan established by an approved sketch plan;*

All Sending and Receiving Properties are included in this Application and will satisfy the phasing plan approved as part of the Sketch Plan. The Sending Properties are also included in the concurrent preliminary plan application. The new development included in the Application will be constructed in one phase.

- iii. *The maximum total, nonresidential, and residential FAR limits apply to the entire development, not to individual properties;*

As shown on the Sketch Plan data summary table, the density of development on the combined lots does not exceed the total density permitted on separate lots. The entire development, including the Sending Properties and the Subject Property, is limited to a total FAR of 1.9, with a maximum non-residential FAR of 0.6 and residential FAR of 1.3, determined by the final mix and density bonus approved at site plan.

- iv. *The total allowed maximum density on a resulting property that is abutting or confronting a property in an Agricultural, Rural*

Residential, or Residential Detached zone that is vacant or improved with an agricultural or residential use, does not exceed that allowed by the property's zone; and

The Subject Property confronts R-60 zoned properties (i.e., Residential Detached land) at the intersection of Rugby and Norfolk Avenues. The density of development on the Subject Property will not exceed the total allowed maximum densities under the applicable Commercial/Residential zones, as shown in Table 1 above.

- v. Public benefits are required to be provided under any phasing element of an approved sketch plan.*

The new development included in the Application will be developed in one phase and will provide adequate public benefits.

- b. The properties are within ¼ mile of each other or in a designated master-planned density transfer area;*

The Sending and Receiving Properties are located within ¼ mile of each other. Additionally, the Sending and Receiving Properties are all located within the Density Transfer Area of the Sector Plan.

- c. The minimum public benefit points required under Section 4.5.4.A.2 are exceeded by at least 50%; and*

The Application will exceed the minimum public benefit points otherwise required by at least 50%, as demonstrated in Finding 6.

- d. The applicable master plan does not specifically prohibit the averaging of density between non-contiguous properties.*

The Sector Plan specifically encourages the averaging of density between non-contiguous properties, within the Woodmont Triangle area. The CR Zone incorporates this goal.

- b. General Requirements**

- i. Section 4.1.7.C.2 Building Height Measurement**

Under Section 4.1.7.C.2, the building height of each street-fronting building must be measured from the approved curb grade opposite the middle of the front of each building. The subsequent site plan

will show a building height measurement location that complies with this section.

ii. *Division 6.1. Site Access*

A driveway from Rugby Avenue will provide well-integrated vehicular access to the underground parking garage. Pedestrian access will be provided via the existing sidewalk on Rugby Avenue, which will be enhanced with the Bethesda streetscape standard.

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

The Application will be served by an underground parking garage for adequate off-street parking.

iv. *Division 6.3. Open Space and Recreation*

The Application has a 5 percent public open space requirement, which yields a requirement of 2,342 square feet of open space. The Application will provide 6,010 square feet of public open space, of which 4,660 square feet will be provided on Lot 1, and 1,350 square feet will be provided on Lot 2, which is the lot for development of the assisted living facility. The public open space on Lot 1 was previously approved as public use and amenity space in Site Plan No. 819810810, which approved the existing office building. Because this is an existing condition and no new development will occur on Lot 1, this portion of the public open space will not be improved with new streetscape materials. Future new development on Lot 1 will trigger the requirement to provide new streetscape materials along this frontage.

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

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Application will transform existing streetscape along the frontage on Rugby Avenue with new street trees, improved sidewalk, and street lighting.

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

The Subject Property is within the boundaries of the 2006 *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan*. The primary objective of the Sector Plan is to spur the revitalization of the Woodmont Triangle Study Area as a vibrant urban, mixed-use neighborhood that emphasizes residential, small-scale retail, the arts, and public amenities. More specifically, the Sector Plan recognizes that the transit-oriented location of the Woodmont Triangle makes it a desirable and appropriate location for mixed-use, pedestrian-friendly development. Opportunities to retain existing businesses and expand opportunities for new businesses are encouraged, as are efforts to improve the safety and character of the existing streets.

The Application will be the first senior assisted living facility established in the CBD and will provide an important opportunity to integrate – rather than isolate – assisted living services into an urban setting. The location of the Subject Property will provide seniors in need of assisted living care with opportunities to enjoy and experience the amenities of an urban community. The location will also be a convenient option for family members already located in Bethesda who may desire to obtain care for their relatives closer to home.

The Application includes a ground-floor retail component that will serve residents and visitors of the facility while providing opportunities for small-scale businesses in the Woodmont Triangle.

The Application will provide streetscape improvements along the frontage of the Subject Property consistent with current Bethesda streetscape standards. Such streetscaping does not presently exist at this location, and will be a significant transformation over existing conditions. The improvements will directly contribute to the goal of promoting an active and safe pedestrian environment in the Woodmont Triangle. The opportunity to upgrade the streetscape at the Subject Property, near the new through-block connection to Del Ray Avenue that has been established with the Woodmont Central project (Site Plan 820110020, as amended), will allow a more comprehensive pedestrian network to emerge.

New public art is proposed, which the Sector Plan identifies as a priority public amenity. Although the specific details of the public art component will be refined through the site plan process, an initial concept has been suggested. The art will convey the theme of Bethesda as a crossroads community with connections to the outlying areas of the region throughout its

history. The south-facing façade and canopy are two likely areas for placement of the art on the Subject Property.

The Sector Plan also provides specific recommendations for building heights, with which the Application fully complies. Lot 2 and the front portion of Lot 1 are identified as part of Block 15. For these portions of the Subject Property, the Sector Plan specifically recommends heights up to 90 feet and supports the use of density transfers, if needed, to achieve these maximum heights. The specific heights approved with the Application comply with the recommendations of the Sector Plan, as well as with the mapped heights of the Commercial/Residential and Commercial/Residential Neighborhood Zones approved with DMA G-956. Maximum building heights in the Application will be 90 feet.

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.*

The scale of the building will be appropriate for the location, with heights that establish a proper relationship with surrounding existing and planned buildings, and with the larger-scale buildings in the Woodmont Triangle District. The overall massing is oriented to give prominence to the building's presence on Rugby Avenue, and upper level setbacks will provide a transition to the Battery Lane District to the north of the Subject Property, including the adjacent garden apartments (where the R-10 Zone immediately abutting the Subject Property allows for maximum heights of 100 feet for apartment buildings). A study comparing the shaded areas of the garden apartment complex before and after construction of the building shows that the building will not substantially increase the amount of shadow that is cast onto the garden apartment property. On December 21, the date on which the impact would be the greatest, the study shows that at midday through the afternoon, a small area at the southern end of the southeastern building would be shaded that is not currently shaded in the absence of the building. In terms of aesthetics, the Application will provide a visually pleasing, modern building that will contribute positively to views in the CBD.

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

The Subject Property is within walking distance to public parking garages and various public transit resources including the Bethesda and Medical Center Metrorail Stations, WMATA busses, Ride-on busses, and the Bethesda Circulator. The Application will satisfy applicable minimum parking requirements on-site, even though parking demand for the assisted living facility use is not anticipated to be significant. The Applicant expects visitors to the building to make use of multiple modes of transit, which will allow the Application to contribute to the maximization of Bethesda's transit infrastructure.

The Application will improve pedestrian circulation on Rugby Avenue and contribute to the emerging pedestrian network in the Woodmont Triangle by providing new streetscape. Notably, no sidewalk exists on the south side of Rugby Avenue across from the Subject Property, which makes the streetscape upgrades on the north side even more meaningful.

Loading will be accommodated on the Subject Property, to the west of the building.

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

Under Section 59.4.7.1.B, in approving any incentive FAR based on the provision of public benefits, the Planning Board must consider:

1. the recommendations of the applicable master plan;
2. *CR Zone Incentive Density Implementation Guidelines*;
3. any design guidelines adopted for the applicable master plan area;
4. the size and configuration of the site;
5. the relationship of the site to adjacent properties;
6. the presence or lack of similar public benefits nearby; and
7. enhancements beyond the elements listed in an individual public benefit that increase public access to, or enjoyment of, the benefit.

The Planning Board finds that the public benefits proposed by the Applicant as set forth in the following table are appropriate in concept, and appropriate for further detailed review. Final determination of public benefit point values will be determined at Site Plan(s).

Table 2- Sketch Plan Public Benefits Calculations

Public Benefit	Incentive Density Points		
	Total Points Possible	Requested	Approved in Concept
4.7.3.B: Transit Proximity	20	20	20
4.7.3.C: Connectivity and Mobility			
Minimum Parking	10	10	10
Transit Access Improvement	20	10	10
Wayfinding	10	5	5
4.7.3.D: Diversity of Uses and Activities			
Small Business Opportunity	20	10	10
Enhanced Accessibility for the Disabled	20	20	20
4.7.3.E: Quality of Building and Site Design			
Structured Parking	20	20	20
Public Art	15	15	15
Exceptional Design	10	5	5
Architectural Elevations	20	10	10
4.7.3.F: Protection and Enhancement of the Natural Environment			
Building Lot Termination (BLT)	30	2.6	2.6
Energy Conservation and Generation	15	5	5
Vegetated Wall	10	10	10
Vegetated Roof	15	15	15
Cool Roof	10	10	10
Recycling Facility Plan	10	5	5
TOTAL	150 Required	172.6	172.6

Transit Proximity

The Subject Property is located between ½ mile and one mile of the entrance to the Bethesda and Medical Center Metrorail Stations, which allows the development to be eligible for Level 1 transit as defined in the Zoning Ordinance. The full 20 points are approved in concept, as provided in the Zoning Ordinance for CR-zoned properties that are between ½ mile and one mile of a Metrorail station.

Connectivity and Mobility

Minimum Parking: The Application will provide fewer than the maximum number of allowed parking spaces. The maximum number of allowed spaces is 154, but the Application will provide 47 spaces. The full 10 points are approved in concept

Transit Access Improvement: The Application will improve crosswalks, sidewalks, and accessibility ramps at the intersections of Rugby Avenue at Glenbrook Road and Auburn Avenue. These improvements are located within ½ of the Subject Property and are not otherwise required improvements along the Subject Property's frontage. The 10 points requested are approved in concept.

Wayfinding: In conjunction with the streetscape improvements on Rugby and Auburn Avenue, wayfinding signs will be installed to direct pedestrians and bicyclists to the Bethesda Metrorail Station, the National Institutes of Health, Battery Lane Park, and other points of interest. The 5 points requested are approved in concept.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: The Application will provide dwelling units that satisfy the ANSI A117.1 Residential Type A standards for accessibility, or an equivalent County standard. The full 20 points are approved in concept

Small Business Opportunities: All of the commercial space in the building will be allocated to small businesses. The 10 points requested are approved in concept.

Quality of Building and Site Design

Architectural Elevations: The building is designed to provide ground-floor transparency. The ground-floor façade is primarily glass, readily allowing views into and out of the building. The building will have at least three public entry doors on Rugby Avenue serving the retail spaces and the assisted living lobby. These will be spaced apart to create both egress and opportunities for two-way visual interaction through the large picture windows. The certified site plan will document these and other design elements and substantial conformance with the building design will be required of the Applicant. The 10 points requested are approved in concept.

Exceptional Design: Incentive density of up to five points is appropriate for development that meets at least four of the following criteria, and ten points for development that meets all of them:

- Provides innovative solutions in response to the immediate context
- Creates a sense of place and serves as a landmark
- Enhances the public realm in a distinct and original manner
- Introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way

- Uses design solutions to make compact infill development living, working, and shopping environments more pleasurable and desirable on a problematic site
- Integrates low-impact development methods into the overall design of the site and buildings, beyond green building or site requirements.

The building will respond well to the immediate context, serving as a transition between the 17-story buildings to the south and the two-story garden apartments to the north. The building will serve as a landmark because of its prominent location as a terminating vista at the end of the pedestrian connection between Del Ray and Auburn Avenues, which was constructed with the Woodmont Central project. The use of modern architecture on multi-story urban building, while not unique to the Woodmont Triangle area, is a unique application for an assisted living facility, which are typically built in lower density settings with more suburban-style design. The 5 requested Exceptional Design points are approved in concept, and a more detailed finding will be made at the time of site plan review.

Public Art: The Applicant requests 15 points for installing public art on the Subject Property. The public art concept will be developed during the preliminary plan and site plan process and will be presented to the Public Arts Trust Steering Committee. The final points will be determined at the time of site plan review.

Structured Parking: Twenty points for structured parking consisting of 47 below-grade spaces are approved in concept. This incentive is granted on a sliding scale based on the percentage of spaces provided above and below grade.

Protection and Enhancement of the Natural Environment

Building Lot Termination: The Applicant must purchase BLT easements in an amount equal to 7.5% of the incentive density floor area. One BLT must be purchased for each 31,500 square feet of gross floor area. With these parameters, the Applicant must purchase 0.29 BLTs, which yields 2.6 points.

Cool Roof: All roof areas not covered by green roof or mechanical equipment will be covered by a cool roof having a minimum solar reflectance index of 75.

Energy Conservation and Generation: The Application will exceed energy efficiency standards by a minimum of 2.5%, which yields five points. This will be achieved through the use of cool and vegetated roofs to minimize heating and cooling loads. The building envelope will feature increased insulation and Energy Star labeled windows and doors. The building's mechanical

system will employ energy efficient HVAC systems and equipment. Energy Star appliances and lighting will be selected to maximize energy conservation.

Recycling Facilities Plan: The Application will provide a recycling facility plan that complies with the Montgomery County Executive regulations 15-04AM and 18-04. The Application will integrate recycling facilities into the building and site design for easy accessibility. All residential units will be provided with recycling bins, and recycling facilities will be provided at other designated locations in the common areas within the building and on-site. On-site signage will be provided to remind residents and employees about the recycling program. The 5 points requested are approved in concept.

Vegetated Roof: Fifteen points are approved in concept for providing vegetated roofs with a soil depth of at least 4 inches and covering at least 50% of the total roof excluding space for mechanical equipment.

Vegetated Wall: A vegetated wall, visible from Rugby Avenue, will be placed on the west side of the building, covering an area of at least 600 square feet. The green screen is located on an otherwise blank wall. The full 10 points are approved in concept

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

The new development included in the Application will be built in one phase.

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

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


BE IT FURTHER RESOLVED that all binding site development elements shown on the latest electronic version of Brightview Bethesda Sketch Plan 320160010, submitted via ePlans to the 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 **DEC 28 2015** (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 Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, December 17, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MCPB No. 15-146
Preliminary Plan No. 120160010
Brightview Bethesda
Date of Hearing: December 10, 2015

DEC 28 2015

RESOLUTION

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on July 23, 2015, Shelter Development, LLC ("Applicant") filed an application for approval of a preliminary plan of subdivision of property that would create two lots on 1.39 gross acres of land in the CR 3.0 C 1.0, R 2.75, H 90 T and CRN 0.5 C 0.5, R 0.25 H 35 zones, located in the northeast quadrant of the intersection of Rugby Avenue and Glenbrook Road ("Subject Property"), in the Bethesda CBD Policy Area and *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120160010, Brightview Bethesda ("Preliminary 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 November 25, 2015, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

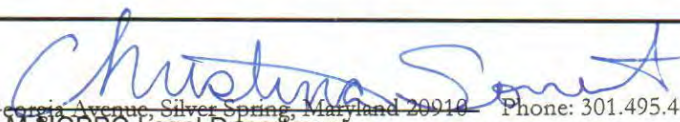
WHEREAS, on December 10, 2015, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing the Planning Board voted to approve the Application, subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120160010 to create two lots on the Subject Property, subject to the following conditions:¹

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

Approved as to
Legal Sufficiency:


Christina Smith 12/2/15
8787 Georgia Avenue, Silver Spring, Maryland 20910 Phone: 301.495.4605 Fax: 301.495.1320
M-NCPPC Legal Department
www.montgomeryplanningboard.org E-Mail: mcp-chair@mncppc-mc.org

1. Approval is limited to two lots for a maximum density of 89,780 square feet of assisted living use, consisting of up to 120 assisted living units, up to 28,623 square feet of office uses, and up to 3,125 square feet of other nonresidential (retail, restaurant, or service) uses.
 2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320160010, as may be amended.
 3. Prior to approval of any site plan, the Applicant must submit for Staff review and approval a tree save plan addressing impacted trees, with particular focus on the off-site 43-inch tree identified as a red maple on the existing conditions plan sheet, prepared by a Maryland Licensed Tree Care Expert who is also an ISA certified arborist. The tree save plan must address canopy pruning and clearance, stress reduction measures, and any mitigation plantings.
 4. 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 November 18, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
 5. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated November 27, 2015, and hereby incorporates them as conditions of the Preliminary Plan approval, except recommendation 1 with respect to right-of-way dedication. The Applicant must comply with each of the recommendations, except recommendation 1 with respect to right-of-way dedication, as set forth in the letter, which may be amended by MCDOT, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
 6. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements which are associated with each plat, as required by MCDOT.
 7. The Applicant must provide public bicycle parking for short-term use along the retail frontage and near public open space. Secure bicycle parking for long-term use must be installed internal to the proposed residential buildings or garage. Exact locations and quantities will be determined at site plan review.
-

8. The Applicant must enter into a Traffic Mitigation Agreement ("TMAg") with the Planning Board and MCDOT to participate in the Bethesda Transportation Management District and must execute the TMAg prior to the release of any above grade building permit for development on the Subject Property, exclusive of any sheeting and shoring permit. The TMAg must include trip mitigation measures recommended by MCDOT.
9. 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. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
10. The record plat must show necessary easements.
11. No clearing, grading or recording of plats prior to certified site plan approval.
12. Final approval of the number and location of buildings, dwelling units, on-site parking, site circulation, and sidewalks will be determined at site plan.
13. Include the stormwater management concept approval letter, MCDOT recommendation letter, and Preliminary Plan Resolution on the approval or cover sheet(s).
14. The Applicant must construct all road and frontage improvements within the rights-of-way shown on the approved Preliminary Plan to the full width mandated by the master plan and/or to the design standards imposed by all applicable road codes.
15. The Adequate Public Facility ("APF") review for the Preliminary Plan will remain valid for eighty-five (85) months from the date of mailing of the Planning Board Resolution.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

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

The Subject Property is within the boundaries of the 2006 *Woodmont Triangle Amendment to the Bethesda CBD Sector Plan*. The primary objective of the Sector Plan is to spur the revitalization of the Woodmont Triangle Study Area as a vibrant urban, mixed-use neighborhood that emphasizes residential, small-scale retail, the arts, and public amenities. More specifically, the Sector Plan recognizes that the transit-oriented location of the Woodmont Triangle makes it a desirable and appropriate location for mixed-use, pedestrian-friendly development. Opportunities to retain existing businesses and expand opportunities for new businesses are encouraged, as are efforts to improve the safety and character of the existing streets.

The Application will be the first senior assisted living facility established in the CBD and will provide an important opportunity to integrate – rather than isolate – assisted living services into an urban setting. The location of the Subject Property will provide seniors in need of assisted living care with opportunities to enjoy and experience the amenities of an urban community. The location will also be a convenient option for family members already located in Bethesda who may desire to obtain care for their relatives closer to home.

The Application includes a ground-floor retail component that will serve residents and visitors of the facility while providing opportunities for small-scale businesses in the Woodmont Triangle.

The Application will provide streetscape improvements along the frontage of the Subject Property consistent with current Bethesda streetscape standards. Such streetscaping does not presently exist at this location, and will be a significant transformation over existing conditions. The improvements will directly contribute to the goal of promoting an active and safe pedestrian environment in the Woodmont Triangle. The opportunity to upgrade the streetscape at the Subject Property, near the new through-block connection to Del Ray Avenue that has been established with the Woodmont Central project (Site Plan 820110020, as amended), will allow a more comprehensive pedestrian network to emerge.

New public art is proposed, which the Sector Plan identifies as a priority public amenity. Although the specific details of the public art component will be refined through the site plan process, an initial concept has been suggested. The art will convey the theme of Bethesda as a crossroads community with connections to the outlying areas of the region throughout its history. The south-facing façade and canopy are two likely areas for placement of the art on the Subject Property.

The Sector Plan also provides specific recommendations for building heights, with which the Application fully complies. Lot 2 and the front portion of Lot 1 are identified as part of Block 15. For these portions of the Subject Property, the

Sector Plan specifically recommends heights up to 90 feet and supports the use of density transfers, if needed, to achieve these maximum heights. The specific heights approved with the Application comply with the recommendations of the Sector Plan, as well as with the mapped heights of the Commercial/Residential and Commercial/Residential Neighborhood Zones approved with DMA G-956. Maximum building heights in the Application will be 90 feet.

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

A traffic statement (dated June 5, 2015) was submitted for the Application per the *Local Area Transportation Review ("LATR")/Transportation Policy Area Review ("TPAR") Guidelines* since the development was estimated to generate less than 30 peak-hour trips during the typical weekday morning (6:30 a.m. – 9:30 a.m.) and evening (4:00 p.m. – 7:00 p.m.) peak periods. A site trip generation summary for the development, provided in the Staff Report, shows that the Application will generate five net new peak-hour trips during the weekday morning peak period and 20 net new peak-hour trips during the weekday evening peak period. The Application satisfies APF requirements through the traffic statement and does not require further traffic analysis.

TPAR Review

Since the development is within the Bethesda CBD Policy Area, the Application is exempt from both the roadway and transit tests set forth in the 2012-2016 Subdivision Staging Policy. As a result, the Applicant is not required to pay the transportation impact tax to satisfy the TPAR requirement.

Other Public Facilities

Public facilities and services are available and will be adequate to serve the 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 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 Subject Property. Electrical, telecommunications, and gas services are also available to serve the Subject Property.

3. *The size, width, shape, and orientation of the approved lots are 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 for compliance with the Montgomery County Code, Chapter 50, the Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the lots are 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. As discussed above, the Application substantially conforms to the Sector Plan. The Application complies with the land use recommendations for the Subject Property as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan. As evidenced by the Preliminary Plan, the Subject Property is sufficiently large to efficiently accommodate the mix of uses.

Under Section 4.5.4 of the Zoning Ordinance, the dimensional standards for the lots will be determined with approval of the subsequent site plans.

4. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

The Board finds that as conditioned, the Forest Conservation Plan complies with the requirements of the Forest Conservation Law.

Forest Conservation Exemption #42015029E was confirmed for the Subject Property on August 8, 2014. The Application qualifies for a small property exemption under Section 22A-5(s)(1) of the Montgomery County Forest Conservation Law, since the Subject Property is a tract of land less than 1.5 acres in area with no forest or existing specimen trees or champion trees present, and the afforestation requirements would not exceed 10,000 square feet.

5. *All stormwater management requirements shall be met as provided in Montgomery County Code Chapter 19, Article II, titled "Storm Water Management," Sections 19-20 through 19-35.*

This finding is based in part upon the determination by MCDPS that the Stormwater Management Concept Plan meets applicable standards.

The MCDPS Stormwater Management Section approved the stormwater management concept on November 18, 2015. According to the approval letter, the stormwater management concept meets stormwater management requirements via environmental site design to the maximum extent practicable through the use of micro-bioretenment planters and green roof.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 60 months from its initiation date (as defined in Montgomery County Code Section 50-35(h)), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

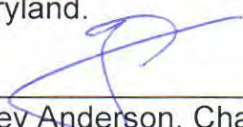
BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 28 2015 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

* * * * *

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 Presley, seconded by Vice Chair Wells-Harley, with Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Presley, and Fani-González voting in favor at its regular meeting held on Thursday, December 17, 2015, in Silver Spring, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



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

MCPB
Item No.
Date 1/24/19

**8101 Glenbrook Road: Extension Request # 1,
Preliminary Plan Amendment No.12016001A and Site Plan Amendment No. 81981081A**

 Kathleen A. Reilly, AICP, Coordinator, Area 1, Kathy.Reilly@montgomeryplanning.org, (301) 495-4614

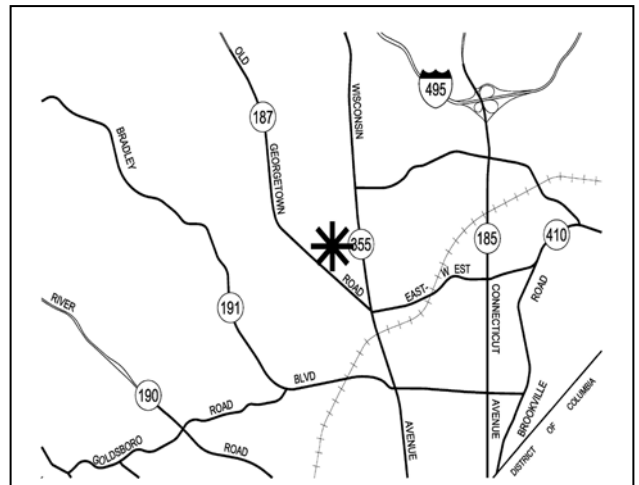
 Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org (301) 495-2115

 Mark Pfefferle, Interim Chief, Area 1, Mark.Pfefferle@montgomeryplanning.org (301) 495-4730

Staff Report Date: January 14, 2019

Description

Request to extend the regulatory review period
from January 31, 2019, to March 28, 2019
Location: 8101 Glenbrook Road
Zone: CR 3.0 R-3.0, C-3.0, R-3.0, H-120, Bethesda
Overlay Zone
Master Plan: 2017 *Bethesda Downtown Plan*
Property Size: 0.59 acre
Applicant: MDR 8101 Ground Lease, LLC
Date Accepted: October 5, 2018



Summary

Chapter 50, Subdivision Regulations, Section 50.4.1.E and Chapter 59, Zoning Ordinance, Section .7.3.4.C provides a 120-day limit for preliminary plan amendment and site plan amendment hearings. The Planning Board may, however, extend this period. The Applicant requested, in an application dated January 2, 2019, that the review period for both the Preliminary Plan Amendment and the Site Plan Amendment be extended from the current date of January 31, 2019, to March 28, 2019. The extension will allow the Applicant additional time to address Development Review Committee comments for each application. The Planning Board hearing on these applications may take place before the end of the review period and will be publicly noticed in accordance with the Zoning Ordinance.

Staff recommends **APPROVAL** of this extension request.

Attachment A: Applicant's extension requests



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Montgomery County
RECEIVED

Page 1 of 2

Effective: December 5, 2014

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

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Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

☒ Request #1

☐ Request #2

M-NCPPC Staff Use Only

File Number		MCPB Hearing Date	
Date Received			

Plan Name: 8101 Glenbrook Road Plan No. 12016001A

This is a request for extension of: ☐ Project Plan ☐ Sketch Plan
☒ Preliminary Plan ☐ Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: January 31, 2019

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

☐ Owner, ☒ Owner's Representative, ☐ Staff (check applicable.)

Jody S. Kline		Miller, Miller & Canby	
Name		Affiliation/Organization	
200-B Monroe Street			
Street Address			
Rockville		MD	20850
City		State	Zip Code
(301) 762-5212		jskline@mmcanby.com	
Telephone Number	ext.	Fax Number	E-mail

We are requesting an extension for 2 months until up to March 28, 2019

Describe the nature of the extension request. Provide a separate sheet if necessary.

The initial comments by reviewers at DRC and other reviews indicated that there were questions about circulation, queuing of vehicles, parking and forest conservation issues. Although submission of revised plans have occurred, delays in review are anticipated due to the complexity of the application and seasonal considerations. A sixty-day extension is requested but it is hoped that the application can be presented to the Planning Board in slightly more than a 30-day extension.

Signature of Person Requesting the Extension

JODY KLINE
Signature

2 JANUARY 2019
Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.





8101 Glenbrook Road: Extension Request # 2,
Preliminary Plan Amendment No.12016001A and Site Plan Amendment No. 81981081A

 Kathleen A. Reilly, AICP, Coordinator, Area 1, Kathy.Reilly@montgomeryplanning.org, (301) 495-4614

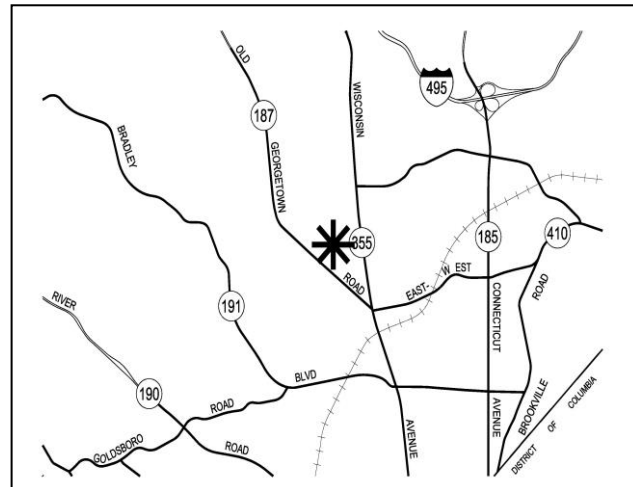
 Elza Hisel-McCoy, Supervisor, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org (301) 495-2115

 Mark Pfefferle, Interim Chief, Area 1, Mark.Pfefferle@montgomeryplanning.org (301) 495-4730

Staff Report Date: March 18, 2019

Description

Request to extend the regulatory review period from March 28, 2019, to July 25, 2019
Location: 8101 Glenbrook Road
Zone: CR 3.0, C-3.0, R-3.0, H-120, Bethesda Overlay Zone
Master Plan: 2017 *Bethesda Downtown Plan*
Property Size: 0.59 acre
Applicant: MDR 8101 Ground Lease, LLC
Date Accepted: October 5, 2018



Summary

Chapter 50, Subdivision Regulations, Section 50.4.1.E and Chapter 59, Zoning Ordinance, Section .7.3.4.C provide a 120-day limit for preliminary plan amendment and site plan amendment hearings. The Planning Board may, however, extend this period. On January 24, 2019, the Planning Board granted the Applicant a 60-day extension for both Applications which extended the review period from January 31, 2019 to March 28, 2019. The Applicant requested, in an application dated March 13, 2019, that the review period for both the Preliminary Plan Amendment and the Site Plan Amendment be extended from the current date of March 28, 2019 to July 25, 2019. This second extension request will allow the Applicant additional time to address outstanding issues raised by the Development Review Committee for each application. The Planning Board hearing on these applications may take place before the end of the review period and will be publicly noticed in accordance with the Zoning Ordinance.

Staff recommends **APPROVAL** of this extension request.

Attachment A: Applicant's extension requests



Montgomery County Planning Department
Maryland-National Capital Park and Planning Commission

Page 1 of 2

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

www.montgomeryplanning.org

Effective: December 5, 2014

Phone 301.495.4550
Fax 301.495.1306

REGULATORY PLAN EXTENSION REQUEST

☐ Request #1

☒ Request #2

M-NGPPC Staff Use Only			
File Number		MCPB Hearing Date	
Date Received			

Plan Name: 8101 Glenbrook Road

Plan No. 12016001A

This is a request for extension of:

☐ Project Plan
☒ Preliminary Plan

☐ Sketch Plan
☐ Site Plan

The Plan is tentatively scheduled for a Planning Board public hearing on: March 28, 2019

The Planning Director may postpone the public hearing for up to 30 days without Planning Board approval. Extensions beyond 30 days require approval from the Planning Board.

Person requesting the extension:

☐ Owner, ☒ Owner's Representative, ☐ Staff (check applicable.)

Jody S. Kline		Miller, Miller & Canby	
Name		Affiliation/Organization	
200-B Monroe Street			
Street Address			
Rockville		Maryland	20850
City		State	Zip Code
(301) 762-5212		jskline@mmcanby.com	
Telephone Number	ext.	Fax Number	E-mail

We are requesting an extension for 4 months until July 25, 2019

Describe the nature of the extension request. Provide a separate sheet if necessary.

During the review period following the first extension granted to the Applicant (until March 28, 2019), it became apparent that a full scope storm drain may be necessary to be performed. An extension to July 25, 2019 will allow for adequate time for preparation, review and approval of a storm drain study of any scope without any further requests for extensions.

Signature of Person Requesting the Extension

JODY S. KLINE
Signature JODY S. KLINE

12 March 2019
Date

Extension Review

Planning Director Review for Extensions 30 days or less

I, the Planning Director, or Director's designee, have the ability to grant extensions of the Planning Board public hearing date of up to 30 days and approve an extension of the Planning Board public hearing date from _____ until _____.

Signature

Date

Planning Board Review for Extensions greater than 30 days

The Montgomery County Planning Board reviewed the extension request on _____ and approved an extension for more than 30 days of the Planning Board public hearing date from _____ until _____.



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Al R. Roshdieh
Director

June 4, 2019

Kathy Reilly, Planner Coordinator
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: Preliminary Plan No. 12016001A
8101 Glenbrook Road

Dear Ms. Reilly:

We have completed our review of the preliminary plan uploaded to Eplans on May 8, 2019. A previous plan was reviewed by the Development Review Committee at its meeting on November 6, 2018. We recommend approval of the plan subject to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, project plans or site plans should be submitted to the Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

Significant Plan Review Comments

1. Per our November 27, 2015 letter for Preliminary Plan No. 120160010, the following condition applies:

"1. Right-of-Way dedication: This section of Rugby Avenue is shown as a fifty (50) foot wide right-of-way – which is consistent with the [minimum] right-of-way recommended in the 1994 Approved and Adopted Bethesda CBD Sector Plan and the pending Bethesda

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Downtown Plan. This roadway is also classified as a business district street..."

"We also recommend the Planning Board require the applicant to agree to future dedication of additional right-of-way (along that portion of Lot 1 that is encumbered by the existing building); this additional right-of-way should be dedicated at no cost to the County when that building is removed."

All other conditions remain in effect unless amended below in this letter.

2. The traffic consultant prepared a study and summary letter dated May 20, 2019 to demonstrate that there is adequate parking and queuing space available in the garage to accommodate the site's peak hour drop-off/pick-up operations. The garage will have 29 parking spaces, and 19 of those spaces will be dedicated to the Daycare's use. As stated in the letter an to assure queuing does not occur, *"...An employee of the Daycare Center will be stationed in the garage during peak pick up and drop off times to assure circulation is not blocked in the daycare area and to provide direction to the parents and to assure people are in the appropriate areas..."*. MCDOT has accepted the findings of this study, and a copy of the summary letter is included with this letter.
3. The applicant is responsible for maintaining Glenbrook Road as described in the Maintenance and Liability Agreement dated July 20, 1990 (L. 9427, F. 515).
4. The applicant will be required to remove the existing, reserved parking along Glenbrook Road site frontage.
5. The applicant will be required to reconstruct Glenbrook Road as shown on Sheet PP3. However, MCDOT will not require the applicant to build a cul-de-sac at the terminus.
6. At or before the right-of-way permit stage, remove the existing street trees along Rugby Avenue street frontage.
7. The applicant will be required to install brick sidewalk and street lights along Rugby Avenue street frontage.
8. Coordinate with Ms. Beth Dennard of MCDOT Commuter Services Section (240-777-8384 or beth.dennard@montgomerycountymd.gov) regarding the following TDM comment:

Peak hour trips for a day care center are primarily parent/resident trips with some employee trips. Given the project's location in Bethesda TMD which has a 55% blended non-auto driver mode share goal for employees and residents, TDM must be incorporated into the project. The current means of ensuring the incorporation of TDM at a development in the Bethesda TMD and Bethesda Downtown Plan area is to execute a Traffic Mitigation Agreement (TMAg). Prior to issuance of any building permit by MCDPS, the Applicant must execute a TMAg with MCDOT and MNCPPC. Submit a draft TMAg as a redline against the most recent template for a commercial use project. Contact Ms. Dennard for the most recent template.

Standard Plan Review Comments

9. Relocation of utilities along Rugby Avenue and Glenbrook Road to accommodate the required roadway improvements, if necessary, is the responsibility of the applicant.
10. The storm drain analysis was reviewed and is acceptable to MCDOT. No improvements are needed to the downstream public storm drain system for this plan.
11. The Revised Traffic Impact Study dated April 4, 2019 was reviewed by MCDOT, and the findings were accepted in our letter dated June 4, 2019.
12. At or before the permit stage, please coordinate with Mr. Benjamin Morgan of our Division of Parking Management to coordinate the impacts on public parking facilities in the vicinity of this project, including the removal of parking meters along Rugby Avenue street frontage. Mr. Morgan may be contacted at 240 777-8704.
13. No steps, stoops or retaining walls for the development are allowed in the County right-of-way.
14. In all underground utility installations, install identification tape or other "toning" device approximately 2' above the utility.
15. If the proposed development will alter any existing street lights, replacement of signing, and/or pavement markings, please contact Mr. Dan Sanayi of our Traffic Engineering Design and Operations Section at (240) 777-2190 for proper executing procedures. All costs associated with such relocations shall be the responsibility of the applicant.
16. Provide on-site handicap access facilities, parking spaces, ramps, etc. in accordance with the Americans with Disabilities Act.
17. Provide a minimum 5' continuous clear path (no grates) along all public streets.
18. The Applicant should be mindful that the Bethesda UMP is currently in development & is anticipated to go into effect in late 2019. This project may potentially be subject to the UMP Fees depending on where it is in the development process upon Council Approval.
19. We have reviewed and accepted the vehicle turning movement drawings for the existing truck loading dock on Rugby Avenue.
20. Permit and bond will be required as a prerequisite to DPS approval of the record plat. The permit will include, but not necessarily be limited to, the following improvements:
 - a. Paving, curbs, gutters, brick sidewalks, handicap ramps, and street lights along Rugby Avenue and Glenbrook Road.
 - b. Permanent monuments and property line markers, as required by Section 50-24(e) of the Subdivision Regulations.

- c. Erosion and sediment control measures as required by Section 50-35(j) and on-site stormwater management where applicable shall be provided by the Developer (at no cost to the County) at such locations deemed necessary by the Department of Permitting Services (DPS) and will comply with their specifications. Erosion and sediment control measures are to be built prior to construction of streets, houses and/or site grading and are to remain in operation (including maintenance) as long as deemed necessary by the DPS.
- d. The developer shall provide street lights in accordance with the specifications, requirements, and standards prescribed by the MCDOT Division of Traffic Engineering and Operations.

Thank you for the opportunity to review this preliminary plan. If you have any questions or comments regarding this letter, please contact me at 240-777-2173 or william.whelan@montgomerycountymd.gov.

Sincerely,



William Whelan
Development Review Team
Office of Transportation Policy

Enclosure

Sharepoint/Directors Office/Development Review/WhelanW/12016001A 8101 Glenbrook Road – MCDOT Review 060419.docx

cc: Plan letters notebook

cc-e: Gary Jaffe	MDR 8101 Ground Lease LLC
Ian Duke	VIKA
Sandra Brecher	MCDOT CSS
Beth Dennard	MCDOT CSS
Benjamin Morgan	MCDOT DPM
Sam Farhadi	MCDPS RWPR
Marie LaBaw	MCFRS
Mark Terry	MCDOT DTEO
Vince Subramaniam	MCDOT DTEO
Dan Sanayi	MCDOT DTEO
Kamal Hamud	MCDOT TSE



A SERVICE DISABLED
VETERAN-OWNED
SMALL BUSINESS

CORPORATE OFFICE
Baltimore, MD

Suite H
9900 Franklin Square Drive
Baltimore, Maryland 21236
410.931.6600
fax: 410.931.6601
1.800.583.8411

DELMARVA OFFICE
443.290.4060

FIELD LOCATIONS

Arkansas
Georgia
Maryland
New York
North Carolina
Ohio
Pennsylvania
South Carolina
Texas
Utah
Virginia
West Virginia

May 20, 2019

Mr. Mark Terry
Montgomery County
Department of Transportation
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878

RE: 8101 Glenbrook Road
TRAFFIC IMPACT ANALYSIS
Primrose @ Bethesda
Montgomery County, Maryland
Our Job No.: 2018-0728

Dear Mr. Terry:

In response to your e-mail comments dated May 17, 2019 and our follow-up phone discussion we have made several adjustments to the previous package submitted to address your concerns about the drop off/pick up area for the subject Daycare Center. As you are aware, The Traffic Group, Inc. prepared a Traffic Impact Analysis for the proposed development of the Bethesda Daycare Center to be located at 8101 Glenbrook Road in Bethesda. This Traffic Impact Analysis was prepared in accordance with the procedures required by the Maryland National Capital Park and Planning Commission (M-NCPPC). The results of this analysis were reviewed by the appropriate government agencies and it was determined that the proposed development of the subject daycare would not require the implementation of any offsite roadway improvements in order to meet the County's standards for the Bethesda CBD area. This analysis included the intersection of Glenbrook Road/Rugby Avenue/Norfolk Avenue which was also found to be operating well within the County's Standards. The site is anticipated to generate 59 peak hour drop off/pick-ups. These activities will occur in the garage located under the building.

The Garage is planned to be marked with 29 parking spaces, 19 of which will be dedicated to the Daycare's use. Attached is a drawing of the layout of the garage which indicates the layout of the structure and the location of the designated parking spaces which are located on the south end of the garage. The remaining 10 parking spaces located on the north end of the garage will be used by Daycare staff and occupants of the remaining office space in the building. The two areas will be separated by signage to clearly designate the parking area and spaces to be used for the daycare drop off only. An employee of the Daycare Center will be stationed in the garage during peak pick up and drop off times to assure circulation is not blocked in the daycare area and to provide direction to the parents and to assure people are parking in the appropriate areas. In addition to the 29 spaces, there is queuing space available for approximately 5 additional vehicles prior to any spill over outside the garage and at no time should vehicles ever queue to the point where they block Glenbrook Road.

With 19 marked drop off spaces for the Daycare, there is adequate room for queuing of an additional 5 vehicles within the garage without spilling outside the garage structure. Our evaluation shows that to be the case 98% of the time. The remaining 2% of the time only one vehicle will be outside the structure but within the drive aisle and at no time block Glenbrook Road. While the 59 vehicles will arrive over a 1-hour period they arrive randomly so there is not a constant demand for spaces throughout the entire 1-hour period.

At the request of McDOT, we have developed a traffic simulation model using the VISSIM software to illustrate the drop off and pick up patterns of the parents during the one-hour period on a random basis. Nineteen marked parking spaces will be provided in the garage located at 8101 with queuing space for the additional 6 vehicles to meet the maximum demand. As illustrated in the simulation, if needed, there is adequate space available to accommodate additional vehicles without impacting the adjacent roadways.

The 19 marked spaces will be designated exclusively for drop off and pick up of Daycare children. It is anticipated based on patterns at other Primrose facilities that the average drop-off time is 8-10 minutes per student. For the purposes of our analysis considering the location of the daycare drop off area and the required use of an elevator to access the facility, we have provided a 12-minute period for this exercise in order to be as representable as possible.

Multiple simulation runs were made (113), and the attached exhibit shows the results of all the runs that indicated 59 vehicles arriving during a one-hour period. The videos for these runs are attached to this memo. Also shown on the attached exhibit is the number of cars observed out of the 59 projected hourly cars that were unable to be served by the designated drop off spaces immediately upon arrival during the peak times. When reviewing the attached videos any vehicle that passes completely through the parking field is assumed to occupy one of the extra queuing spaces until a marked space becomes available. Please note that the video clips and the traffic simulation model have been adjusted to show conditions for a one-hour period within a fifteen minute simulation. This means that the video and simulation is running 4 times faster than real time. Therefore, the turnover of parking spaces actually appears to be 3 minutes however at real time represents 12 minutes.

Further review of the attached results summary indicates that fifty nine percent of the time, the marked spaces will be capable of supporting 100% of the demand. Ninety eight percent of the time 100% of the demand can be accommodated within the garage structure. The remaining two percent of the time the maximum queue would only result in one car queued beyond the actual structure but still within the driveway to the garage. There will be no spill over to the adjacent streets in this area at any time.

Based on this analysis, the maximum queue observed during any of the simulation runs that accounted for 59 vehicles arriving at the subject facility can be accommodated within the garage 98% of the time. The remaining 2% of the time, sufficient space is available in the drive aisle outside the garage.

Therefore, based on the traffic simulation and the summary of results attached to this letter, it is clear that the facility can adequately accommodate the 59 vehicles arriving and departing during the peak periods with no adverse effect to operations along Glenbrook Avenue or Rugby Road.

Based on our discussions, we believe the above information and revised garage plan eliminates any further concerns you have concerning the functionality of the underground parking garage to serve the drop off and pick up of students at the Primrose Daycare Center.

If you have any questions, please do not hesitate to contact me.

Sincerely,

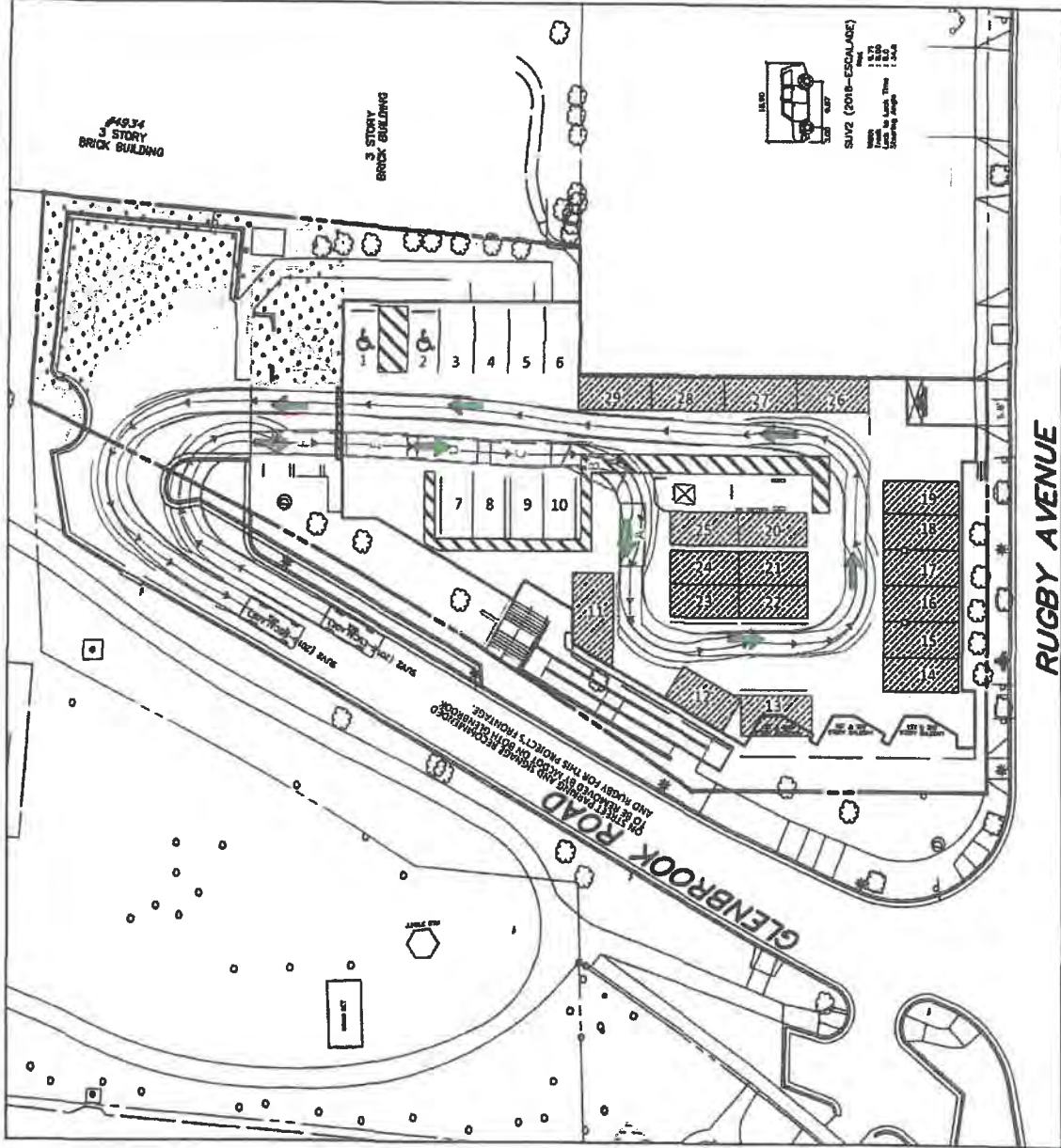
A handwritten signature in black ink, appearing to read "Glenn Cook".

Glenn E. Cook
Senior Vice President

GEC:mlj

(F:\2018\2018-0728_8101 Glenbrook Road - Primrose\DOCS\CORRESP\ANALYST\Ltr_TIA_Marks.docx)

Z:\50000-50500\00242\CA00\EXISTS\WORKING\50242100_AUTD-TURN-TURN-DROP.dwg, -- May 17, 2018 AT 11:54:56 AM
 LAYOUT: CRC, Plotted By: Duke



PLAN LEGEND

STRIPED PEDESTRIAN ROUTE

8-10 MINUTE TEMPORARY DROP-OFF / PICK-UP SPACES



0 15' 30' 60'

SCALE: 1" = 30'



LAYOUT: CRC, Plotted By: Duke

NOT FOR CONSTRUCTION
 THIS DRAWING IS THE PROPERTY OF VFA AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF VFA.
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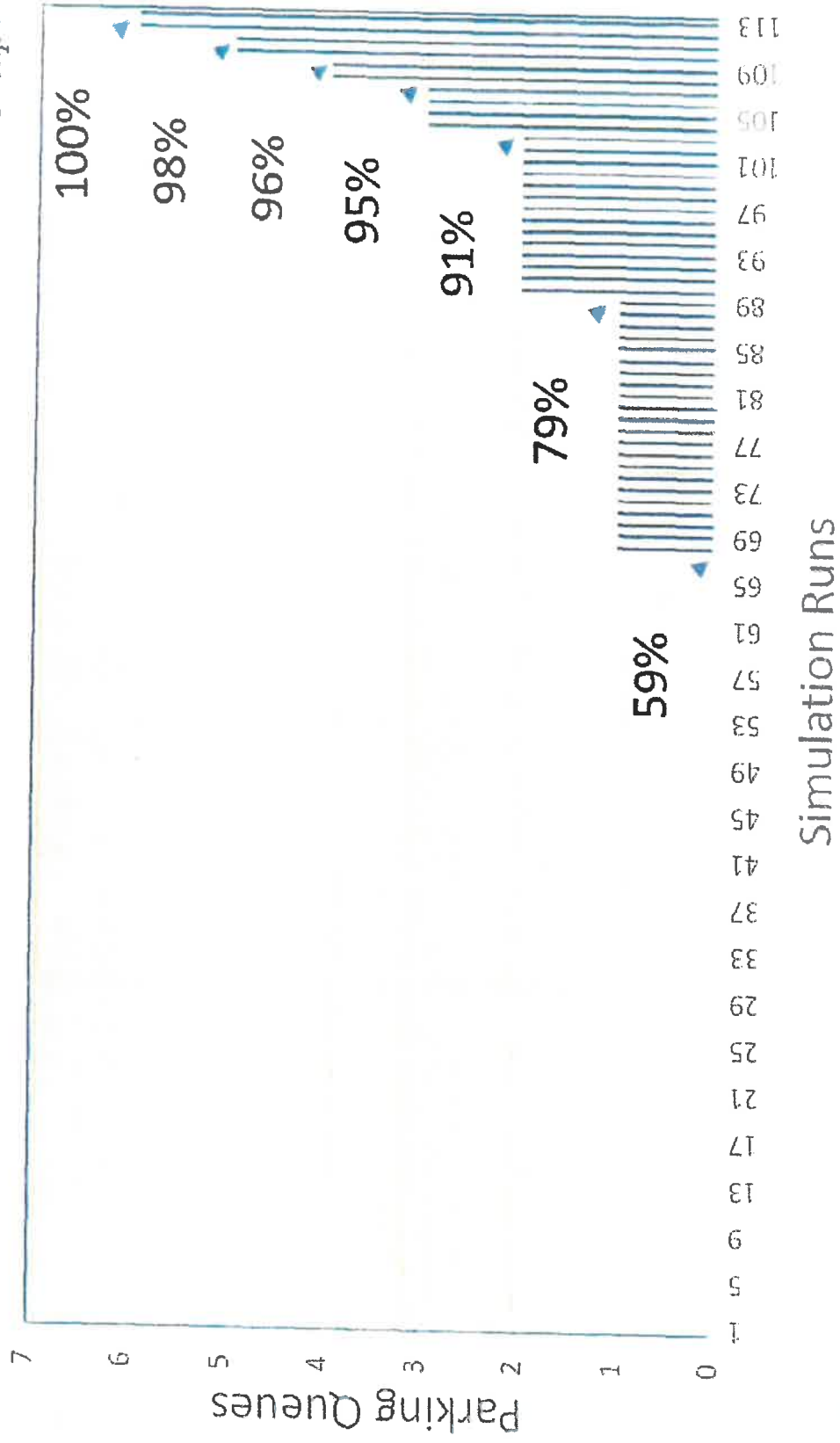
8101 GLENBROOK ROAD
 BETHESDA, MD
 MONTGOMERY COUNTY

DROP OFF/PICK UP CIRCULATION

RUGBY AVENUE

Vissim Simulation for Daycare Parking Lot

19 parking spaces, 59 arriving vehicles





DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Al R. Roshdieh
Director

June 4, 2019

Mr. Matthew Folden
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

RE: 8101 Glenbrook Road TIS
Traffic Impact Study
Traffic Signal Warrant Analysis

Dear Mr. Folden:

We have completed our review of the revised Local Area Transportation Review and Transportation (LATR) Policy Area Review dated April 4, 2019, which is prepared by The Traffic Group. This study was prepared in accordance with the Fall 2017 LATR Guidelines and 2012-2016 Subdivision Staging Policy. Total development evaluated by the analysis is a 231-student daycare facility.

We offer the following comments:

Modal Adequacy

1. The project generates more than 50 new peak hour person trips; therefore, subject to the motor vehicle modal adequacy test. The project does not generate more than 50 new peak hour trips for the pedestrian, bicycle and transit tests.

Local Area Transportation Review (LATR)

1. The site and studied intersections are located in the Bethesda CBD policy area. The applicant used the Highway Capacity Manual procedures to evaluate intersections.
2. The consultant's report states "this is a private road which will be used to gain access to the parking garage...." This statement is not correct. The owner of this application has an agreement with the County to maintain this portion of Glenbrook Road. The road is public.
3. The applicant's consultant evaluated four (4) existing intersections and five future intersections in the vicinity of the site. None of the studied intersections will exceed the congestion level threshold of 120 second delay for the Bethesda CBD policy area.

Office of the Director

101 Monroe Street 10th Floor · Rockville Maryland 20850 · 240-777-7170 · 240-777-7178

FAX

www.montgomerycountymd.gov

Located one block west of the Rockville Metro Station

Mr. Matthew Folden
8101 Glenbrook Road TIS
June 4, 2019
Page 2

Traffic Signal Warrant Analysis

1. The consultant evaluated the Glenbrook Road, Rugby Avenue and Norfolk Avenue intersection for a traffic signal. The results show that the intersection does not meet the warrants.

Pedestrian and Bicycle Impact Statement (PBIS)

1. The consultant provided an evaluation of the existing pedestrian, bicycle and transit infrastructure for the studied intersections and roads. The report identified the location of sidewalk ramps for each pedestrian intersection and the pedestrian crossing timings. The consultant noted that "most of the ramps determined to be non-compliant were because there were no truncated domes on the ramps."
2. The consultant stated that there are no specific bicycle facilities located along any of the adjacent roadways in the study area.
3. The consultant stated that there is only one bus stop in the study area that is equipped with a bench.

SUMMARY

1. We have accepted the consultant's findings that none of the intersections will exceed the congestion level threshold of 120 second delay for the Bethesda CBD policy area.
2. We have accepted the consultant's findings that the intersection of Glenbrook Road, Rugby Avenue and Norfolk Avenue does not meet the traffic signal warrants.

Thank you for the opportunity to review this report. If you have any questions or comments regarding this letter, please contact myself, at rebecca.torma@montgomerycountymd.gov or (240) 777-2118.

Sincerely,



Rebecca Torma, Manager
Development Review Team
Office of Transportation Policy

Sharepoint/transportation/development review/Rebecca/developments/bethesda/8101 Glenbrook TIS.docx

cc: Letters notebook

cc-e: Glenn Cook, The Traffic Group
Mark Terry, MCDOT DTEO
Vince Subramaniam, MCDOT DTEO
Kamal Hamud, MCDOT DTEO

June 12, 2019

Mr. Matthew Folden
MNCPPC
8787 Georgia Avenue, Area 1
Silver Spring, MD 20910

Dear Mr. Folden,

Thank you for the opportunity to review the Traffic Impact Study (TIS) prepared by The Traffic Group, dated April 04, 2019, for the (**Primrose Daycare – 18APMO030XX**) in Montgomery County, Maryland. The State Highway Administration (SHA) review is complete and we are pleased to respond.

- The proposed redevelopment of the existing 30,204 square foot office building at 8101 Glenbrook Road in Bethesda has been revised to convert 21,200 square feet rather than 13,000 square feet for a 231-student daycare facility. Access to the proposed property is provided by extending Norfolk Avenue, a private roadway, north of Rugby Road to a parking garage.
- The following intersections were analyzed under existing, background and future conditions:
 - MD 187 and Glenbrook Road
 - Glenbrook Road and Rugby Avenue/ Norfolk Avenue
 - Norfolk Avenue and St. Elmo Ave
 - Woodmont and Rugby Avenue
- The report concludes that the study intersections will continue to operate at acceptable levels of service under future conditions.

Based on the information provided, please address the following comments in a point-by-point response:

Travel Forecasting and Analysis Division (Scott Holcomb):

1. The responses to our previous comments are acceptable. TFAD has no further comments at this time.

Mr. Folden
SHA Tracking No:18APMO030XX
Page 2 of 2
06/12/2019

The SHA concurs with the report findings for this project as currently proposed and will not require the submission of any additional traffic analyses. However, an access permit will be required for all construction within the SHA right of way. Please submit one (1) set of the proposed improvement plans (including a set of hydraulic plans and computations) and a CD containing the plans and all supporting documentation to the Access Management Division at 9300 Kenilworth Avenue, Greenbelt, MD 20770, attention of Mr. Kwesi Woodroffe. For electronic submissions create an account with our new online system <https://mdotsha.force.com/accesspermit>. Please reference the SHA tracking number on any future submissions. Please keep in mind that you can view the reviewer and project status via SHA Access Management Division web page at <http://www.roads.maryland.gov/pages/amd.aspx>. Please note, if this project has not obtained an SHA access permit and begun construction of the required improvements within five (5) years of this approval, extension of the permit shall be subject to the submission of an updated traffic impact analysis in order for SHA to determine whether the proposed improvements remain valid or if additional improvements will be required of the development. If you have any questions, or require additional information, please contact Mr. Kwesi Woodroffe at 301-513-7347, by using our toll free number (in Maryland only) at 1-800-749-0737 (x7347), or via email at kwoodroffe@sha.state.md.us or shaamdpermits@sha.state.md.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Andre Futrell', with a stylized flourish extending to the right.

Andre Futrell,
District Engineer, District 3, SHA

AF/ar

cc:

Glen Cook (The Traffic Group)
Rola Daher (OPPE - TFAD)
Scott Holcomb (TFAD - MO Co.)

DPS-ROW CONDITIONS OF APPROVAL

May 10, 2019

***Revision: The conditions hereon supersede previous conditions of approval dated February 7, 2019.

81981081A 8101 Glenbrook Road

Contact: Sam Farhadi at 240 777-6333

We have reviewed site and landscape plans files:

“07-BSITE-81981081A-SP3.pdf V9” uploaded on/ dated **“5/8/2019”** and
“08-BLL-81981081A-L1.pdf V6” uploaded on/ dated **“5/8/2019”** and

The followings need to be addressed prior to the certification of site plan:

1. Label “Glenbrook Road” along the site frontage as “privately maintained” and reference the appropriate documentation.
2. Curb radii/ turning movements: provide safe truck turning movements for all (especially right turn) movements and driveways;
3. Provide public sidewalk:
 - a. ensure all handicap ramps are labeled, have receiving ramps and are aligned with them;
 - b. Explore the possibility of providing approved street trees inside tree pits with ADA compliant tree grates on both frontages;
 - c. Public and private sidewalks when adjacent each other need to have the physical limits of maintenance provided or PIE/ ROW for the additional sidewalk is needed.
4. Driveway apron should not cross the frontage; please clarify if this has been worked out with the adjacent property.



Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 07-May-19
TO: Jeff Amateau
VIKA, Inc
FROM: Marie LaBaw
RE: Glenbrook/Rugby
81981081A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **07-May-19**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.

***** Alterations to existing building: see attached letter *****



FIRE CODE ENFORCEMENT

Fire Department Access Review

Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

5/7/2019

BY: SML FM: 43 DATE: _____

May 7, 2019

Fire Department Access & Water Supply
Department of Permitting Services

Re: Glenbrook/Rugby – 81981081A
Bethesda, Montgomery County, Maryland
Fire Access Plan

Dear Ms. LaBaw:

This letter is written to describe the fire access changes for the above-mentioned project.

The requested changes on the attached plan will leave the original FDC location as shown on the plan, but to add an FDC→ sign at the wall along the front walk to direct emergency personnel to the location on the southwest corner of the building. There is a new fire hydrant to be placed on the south side of the building, roughly 40 feet away from the existing FDC and all parallel parking will be removed along the property frontage (both Rugby & Glenbrook), as recommended by MCDOT. The second story windows are existing and are not operable. There will be a new ramp built at the front building entry to provide ADA access, in place of an existing planter. Gates for a proposed daycare playground will be installed as an unlocked model for emergency personnel access. As such, these proposed changes do not negatively impact Fire Access.

This revision shall not set any precedence for future situations.

Sincerely,

Jeffrey Bruce Amateau, PE
Senior Project Manager
License Number 20510, expires July 14, 2020



I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the laws of the State of Maryland.

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VIKA Maryland, LLC

20251 Century Boulevard, Suite 400 ♻ Germantown, Maryland 20874 ♻ 301.916.4100 Fax 301.916.2262
Tysons, VA ♻ Germantown, MD ♻ Washington, DC

www.vika.com



Date: June 5, 2019

To: Mr. Mark Etheridge
Via: Email
Re: 8101 Glenbrook Road – 12016001A

Dear Mr. Etheridge

VIKA Maryland, LLC (VIKA) is seeking Montgomery County Department of Permitting Services (MCDPS) to grant an exemption of stormwater management requirements for this site because less than 5,000 square feet of land will be disturbed under this project. The site is exempt under Article II, 19-31(c).

The project is to change a portion of existing office in the 8101 Glenbrook Road building to a daycare to serve the local community. The initial intent was to do a tenant outfit of the interior to accommodate the daycare use and to add a small exterior playground at the rear of the property for the children. Once the Site Plan was filed for review, as a matter of course, MNCPPC staff felt it was necessary to amend the 2016 Preliminary Plan because of the change in use. Subsequently, the project has undergone numerous additional requirements, which have delayed their permitting and occupancy. At this late stage, MNCPPC staff is requesting tangible proof for their staff report that DPS agrees this project is exempt from the SWM requirements. The combined hearing for Preliminary Plan amendment 12016001A and Site Plan amendment 81981081A is scheduled for July 18, 2019.

Simply by signing this letter, MCDPS is acknowledging that this project is exempt from stormwater management requirements because the disturbance to the site is less than 5,000 square feet and is not associated with the construction of a new commercial building.

Sincerely,


Jeffrey B. Amateau, P.E.
Senior Associate

If this language dated June 5, 2019 is acceptable, please signify your acceptance by signing in the space provided and returning a copy to our office so that we may furnish it to MNCPPC for their records.


Mark C. Etheridge, Manager
Montgomery County Department of Permitting Services – Water Resources Section

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

September 11, 2018

GNRW Properties LLC
c/o Karen L. Johnson
924 Canvasback Lane
Heathsville, VA 22473-3706

Re: Forest Conservation Exemption Request and Simplified NRI/FSD No. 42018199E
Property Name: Lot 671 Woodmont; 8101 Glenbrook Road
Action Taken: Exemption Confirmed & Simplified NRI/FSD Approved on 9/11/18

Dear Karen Johnson:

On September 4, 2018, Montgomery County Planning Department Staff received a copy of letter authorizing MDR 8101 Ground Lease LLC to submit a Preliminary Plan Amendment and Site Plan Amendment for a private educational use facility, accessibility improvements and an outdoor play area on 8101 Glenbrook Road. Months earlier, on April 16, 2018, the Planning Department received for review a Simplified Natural Resource Inventory / Forest Stand Delineation "Simplified NRI/FSD" and Exemption Request for the project on 8101 Glenbrook Road. The Simplified NRI/FSD is part of a Chapter 22A-5(s)(2) Exemption Request for an activity on a small property also known as Lot 671 Woodmont. The Simplified NRI/FSD and Exemption Request shows the existing features and the proposed limits of disturbance (LOD). This forest conservation exemption request is filed in conjunction with the Preliminary Plan Amendment and Site Plan Amendment.

A Chapter 22A-5(s)(2) Exemption Request, is for an activity on a tract of land of less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and reforestation requirements would not exceed 10,000 square feet.

The tract area and proposed limits of disturbance is less than 0.60 acres. This activity does not trigger afforestation requirements. No forest or champion trees exist within the tract area.

Forest Conservation Exemption Request No. 42018199E for 8101 Glenbrook Road (Lot 671 Woodmont) is confirmed. The Simplified NRI/FSD submitted for the project is approved.

Any changes from the confirmed Forest Conservation Exemption Request and approved Simplified NRI/FSD may constitute grounds to rescind or amend any approval actions taken.

Sincerely,

Stephen Peck
Senior Planner
Development Applications and Regulatory Coordination
M-NCPPC - Montgomery County Planning Department

CC: The Jaffe Group c/o Gary Jaffe, 6931 Arlington Road Suite 480, Bethesda, MD 20814-6950
Stephen Cook, VIKI Maryland, LLC