



7340 Wisconsin Avenue, Sketch Plan 320200010

MF Marco Fuster, Planner Coordinator, Area 1, Marco.Fuster@montgomeryplanning.org, 301.495.4521

SD Stephanie Dickel, Supervisor, Area 1, stephanie.dickel@montgomeryplanning.org, 301.495.4527

W Elza Hisel-McCoy, Chief, Area 1, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

Completed: 04/20/20

Description

- Request for up to 315,500 square feet of total development with up to 311,000 square feet for a high-rise senior residential building with independent living, assisted living memory care, and up to 4,500 square feet ground-floor commercial use, including up to 146,779 square feet of density from the Bethesda Overlay Zone with associated Park Impact Payment.
- Current use: Vacant gas station (former Exxon).
- Located in the northwest quadrant of the intersection of Wisconsin Avenue and Hampden Lane in Bethesda;
- 0.42 acres zoned CR-5.0 C-5.0 R-4.75 H-250 & Bethesda Overlay Zone, in the 2017 *Bethesda Downtown Sector Plan*;
- Applicant: South Bay Partners, Inc.
- Acceptance date: November 19, 2019



Summary

- Staff recommends **Approval** of the 7340 Wisconsin Avenue Sketch Plan, with conditions.
- The proposal includes independent senior living, with 15% moderately priced dwelling units, as well as assisted living, memory care facilities, minimum parking, structured parking, small business opportunities and exceptional design, among other public benefits.
- This Application received one extension from the Planning Board to extend the review period from February 13, 2020 to no later than April 30, 2020.
- The Applicant presented the design concept to the Bethesda Downtown Design Advisory Plan in September 2019, and February 2020, significantly improving the quality of the concept and conformance with the Design Guidelines. The Applicant has also been working with the developer of the western portion of this relatively small block to achieve the goals of the Guidelines for both sites.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of 7340 Wisconsin Avenue, Sketch Plan 320200010, for a senior residential building mixed-use project of up to a maximum 315,500 square feet, including up to 311,000 square feet of residential development associated with senior housing, and up to 4,500 square feet of commercial uses on 0.42 acres, zoned CR-5.0 C-5.0 R-4.75 H-250 & Bethesda Overlay Zone, in the 2017 *Bethesda Downtown Sector Plan*. The maximum density includes up to 146,779 square feet of density from the Bethesda Overlay Zone (BOZ) and associated Park Impact Payment (PIP). The following site development elements shown on the Sketch Plan uploaded to ePlans as of March 3, 2020, are binding under Section 59.7.3.3.F:

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

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

This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum density of 315,500 total square feet, including up to 311,000 square feet of residential development for senior housing including independent living, assisted living, memory care and up to 4,500 square feet of commercial uses. The maximum number of residential units and use mix will be determined at Preliminary Plan. The maximum density includes up to 146,779 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The final square footages will be determined at Site Plan.

2. Height

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

3. Incentive Density

The development must be constructed with the public benefit categories listed below, unless modifications are made under Section 59.7.3.3.I. of the County code and this Sketch Plan is amended. Total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2 of the Zoning Ordinance. The requirements of Section 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ overlay, and Streetscape Improvements;
- b. Diversity of uses and activities, achieved by providing Small Business Opportunities and Enhanced Accessibility;
- c. Quality of Building and Site Design, achieved through Exceptional Design and Structured Parking.
- d. Protection and Enhancement of the Natural Environment, achieved through Building Lot Terminations and Energy Conservation and Generation by incorporating materials and systems that exceed the required minimums.

4. Building Design
The Applicant must submit a revised architectural design concept to the Design Advisory Panel, addressing comments from the panel in their memos dated September 25, 2019 and February 26, 2020, at the time of the Site Plan application submittal.
5. Public Open Space
The Applicant must provide a minimum of 5 percent of the Site area as public open space per section 59.6.3.6. of the Zoning Ordinance, consistent with the Bethesda Downtown Plan and associated guidelines.
6. Park Impact Payment (PIP)
The Park Impact Payment must be paid to the M-NCPPC prior to the release of the first above-grade building permit. The final amount will be determined at Site Plan.
7. Streetscape
The Applicant must install the Bethesda Streetscape Standard along the Site Frontage, including any undergrounding of utilities.
8. Transportation
Vehicular access from Montgomery Lane and Wisconsin Avenue is prohibited.
9. Bicycle Lanes
The Applicant must participate in the implementation of the master plan recommended separated bicycle lanes on Montgomery Lane, the scope and manner of which will be determined at Preliminary Plan.
10. 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.
11. Moderately Priced Dwelling Units (MPDUs)
The Applicant must provide a minimum of 15% of the total number of dwelling units as Moderately Priced Dwelling Units or a DHCA approved equivalent consistent with Chapter 25A.
12. MCDOT letter
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated April 6, 2020 and hereby incorporates them as conditions of the Sketch Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Sketch Plan approval.
13. Fire Department letter
The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its email dated April 16, 2020 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the email, which MCDPS may amend if the changes do not conflict with other conditions of the Preliminary Plan approval.

14. Future Coordination for Preliminary and Site Plan

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

- a. Design Guidelines conformance, as discussed by the Design Advisory Panel, and included in the Sketch Plan Findings;
- b. Loading Management Plan;
- c. Draft Transportation Demand Management Plan;
- a. The Applicant must further develop the site circulation and loading strategy shown on the revised Sketch Plan, and conditioned by MCDOT;
- d. Make good-faith efforts to locate utility vaults on private property where feasible;
- e. Fire and Rescue access and facility details;
- f. Streetscape details;
- g. Necessary public right-of-way dedication;
- h. Identify and address all existing/potential utility conflicts or other site limitations with street trees to achieve the proposed streetscape plantings;
- i. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements;
- j. Address the recreational amenity requirements;
- k. Address the SITES, LEED and High-Performance Area recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- l. SWM concept approval (and subsequent plan) which also addresses the Bethesda Downtown Sector Plan recommendations and design guidelines regarding stormwater management;
- m. At the time of Site Plan, the Applicant must address the 35% green cover recommendation of the Sector Plan;
- n. Provide details and cross sections showing appropriate soil volumes (per the Sector Plan and design guidelines) associated with the new plantings associated with this project;
- o. Address the bird-friendly design component of the Design Guidelines; and
- p. At time of Preliminary Plan, provide a noise analysis and/or request a waiver from the noise guidelines.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Vicinity

The Site is located at 7340 Wisconsin Ave, between Hampden Lane and Montgomery Lane. The Site is located within the core of the Bethesda Central Business District (CBD) and the surrounding development contains a mix of mid- to high-rise primarily single-use commercial with some residential development. To the north across Montgomery Lane is the historic post office site currently being used as a fitness center.

The vicinity also includes properties which have recently received approval for new development projects, some of which are currently under construction. The property block to the east which includes 7359 Wisconsin Avenue, also known as the Avocet Tower, which includes up to approximately 500,000 square feet of office and hotel use. To the south is an existing five-story building to be redeveloped as the Metro Tower project with an approximately 400,000 square foot mixed-use residential project with ground-floor retail. Further to the south is the 7272 Wisconsin Ave project which is well underway and includes entrances to the Metro and future Purple Line.

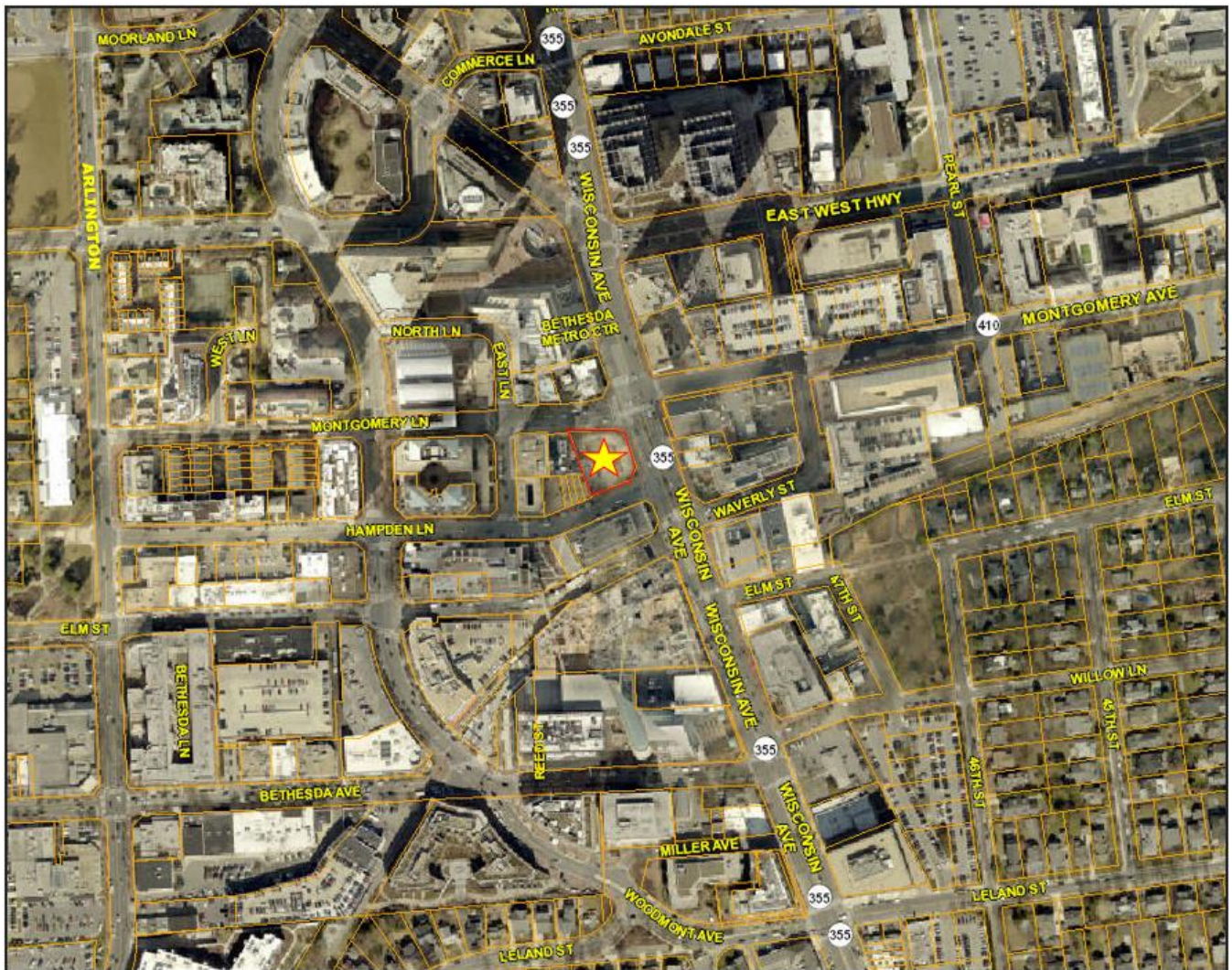


Figure 1: Vicinity Map

North ↑

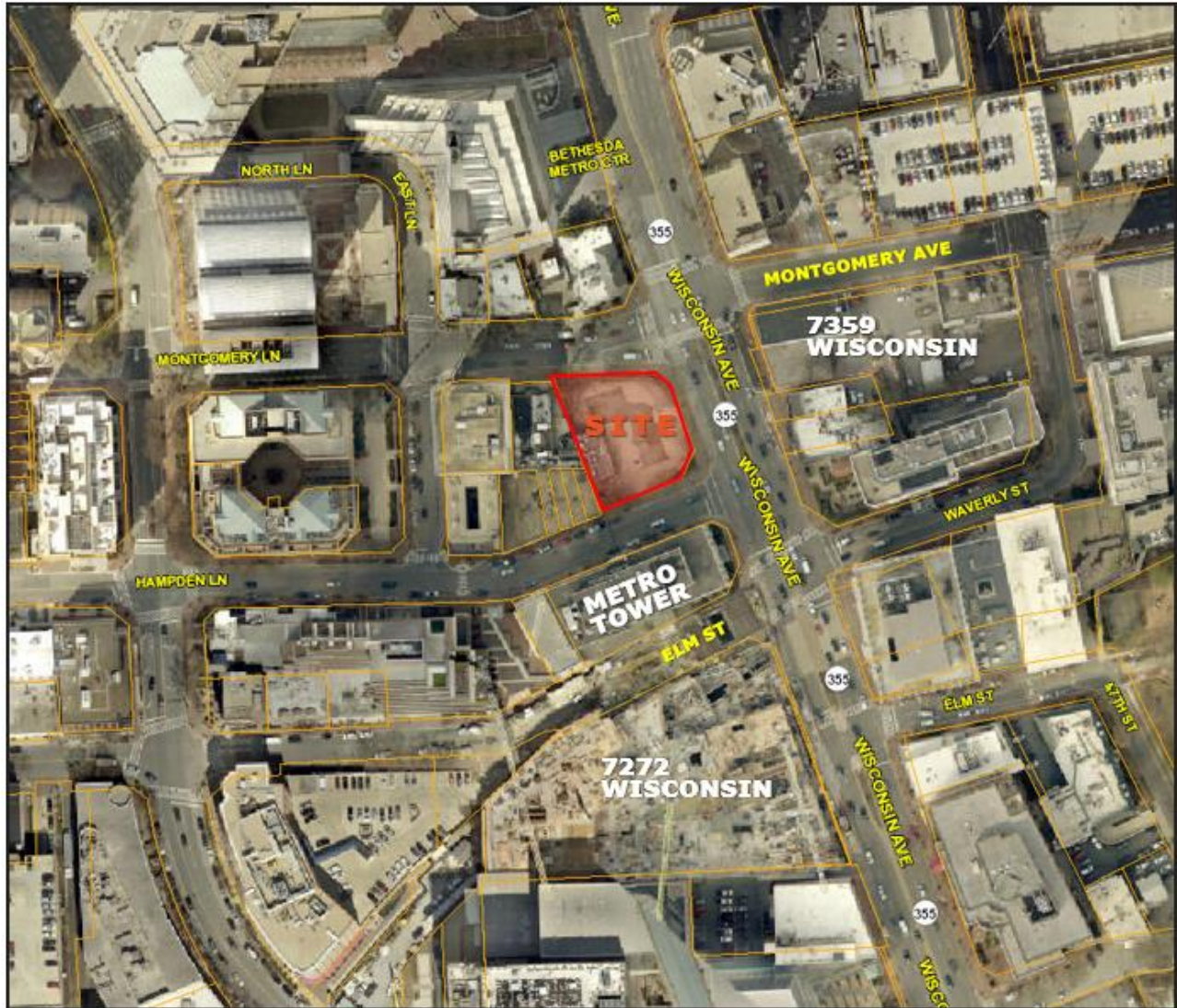


Figure 2: Aerial Site Map

North ↑

Site Analysis

The subject site (Subject Property or Property) has a tract area of 0.42 acres and is zoned CR-5.0 C-5.0 R-4.75 H-250 and occupies a former Exxon gas station which has been vacant for several years. The site is located within the Wisconsin Avenue district of the 2017 *Bethesda Downtown Sector Plan* and falls within the Bethesda Parking Lot District (PLD). There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers, or wetlands on-site. There are no known historic features on-site however the site is across the street from the historic Bethesda Post Office (Resource Number 35/014-005A) which in turn is adjacent to the *Madonna of the Trail* (Resource Number 35/014-002A).

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

The Planning Board originally approved Preliminary Plan 119940800 for the Subject Property on June 9, 1994 to subdivide the Property into one lot, to accommodate the development of a gas station. The gas station was also subject to County Board of Appeals Case S-2066.

On December 12, 2013, the Planning Board approved Project Plan 920140010 and Preliminary Plan Amendment No. 11994080A for redevelopment of the gas station use with a 14-story multi-use building consisting of 225 apartments, featuring a swimming pool, green roof, and 15,000 square feet of ground floor retail.

On September 18, 2014, the Planning Board approved Project Plan Amendment 92014001A, Preliminary Plan Amendment No. 11994080B, and Site Plan 820140120 for a reduction in the approved non-residential use to 5,500 square feet and a corresponding increase in the residential square footage to 204,381 square feet, for a total development of 209,881 square feet. The most recent Preliminary Plan Amendment and Site Plan approvals remain valid.

Proposal

The Applicant proposes to redevelop the Property with a new 250-foot-tall mixed-use building with up to 315,500 square feet of development, including 311,000 square feet of residential development associated with senior housing, including independent living, assisted living, memory care, and 4,500 square feet of commercial use. The Project includes 15% Moderately Priced Dwelling Units (MPDUs) and a future allocation of density from the Bethesda Overlay Zone (BOZ) of up to 146,779 square feet. The final amount of density to be purchased from the BOZ, and associated Park Impact Payment (PIP), will be determined at Site Plan.

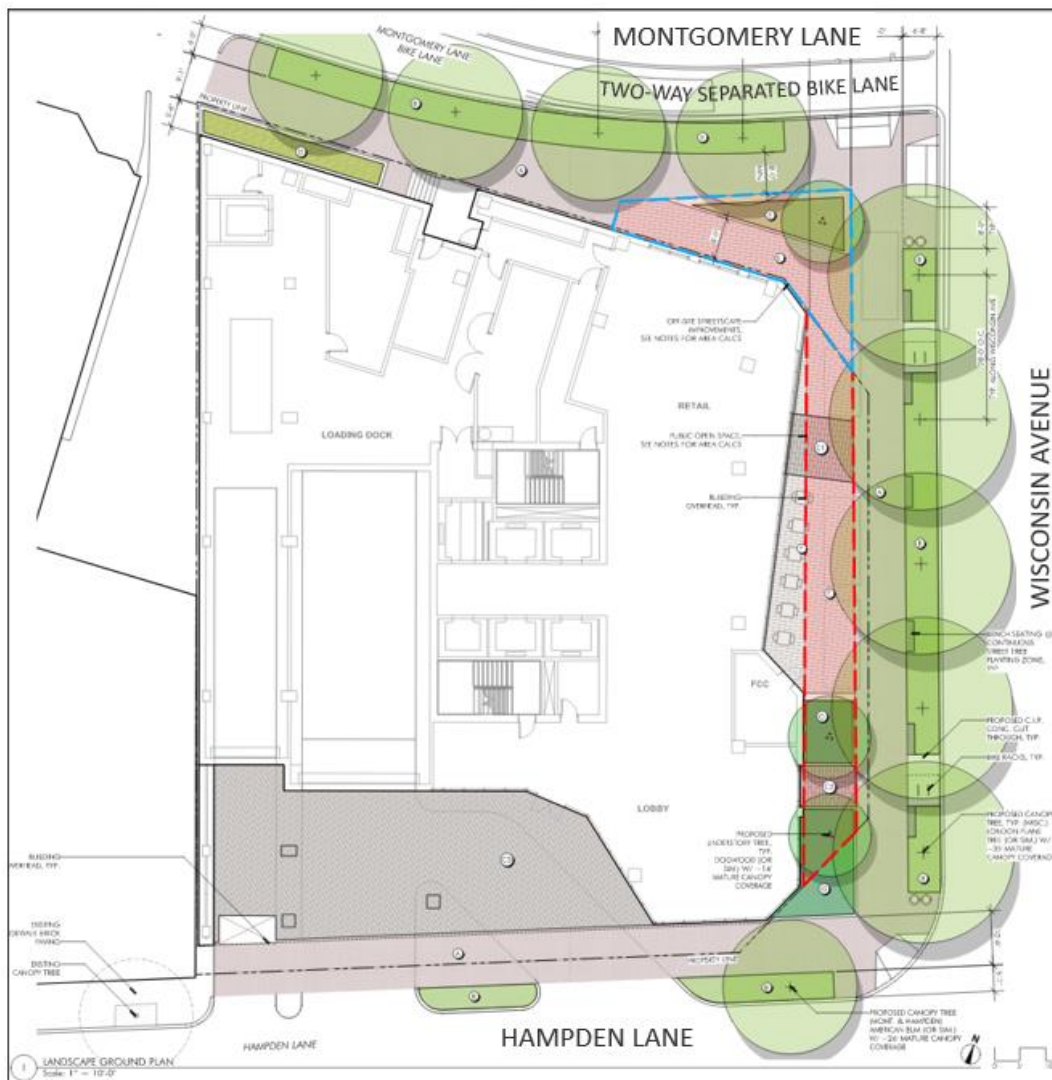


Figure 3: Illustrative Site Plan

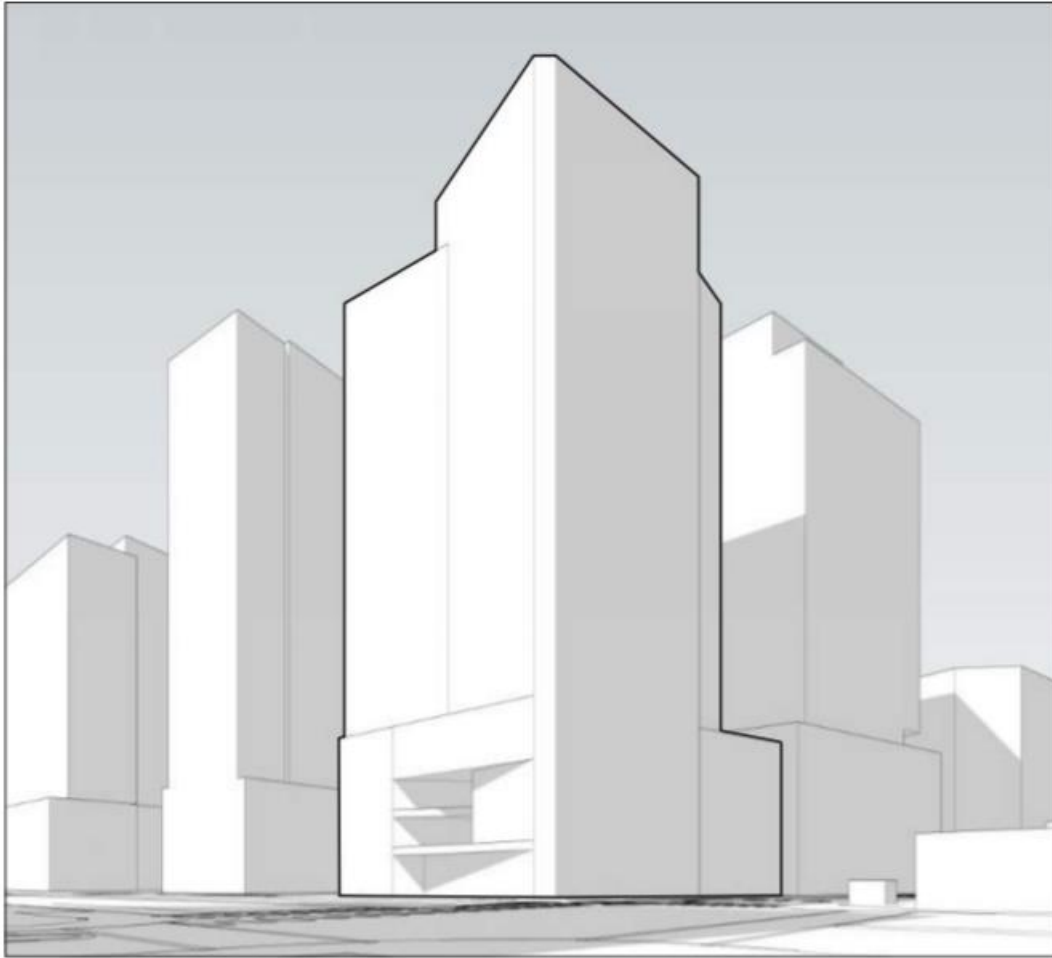


Figure 4: Conceptual Building Massing (Design Advisory Panel, February 26, 2020 Submission)

Building

The building design works to maximize the buildable area of the Site while addressing the Sector Plan Design Guidelines. The architectural design of the Project achieves exemplary design and reduced bulk, while simultaneously accommodating the constraints of a small site, resulting in an iconic building form that will serve to highlight the surrounding community while also enhancing both the pedestrian environment.

The design of the Project generally conforms to the Sector Plan Design Guidelines and the Applicant is proposing to meet Tower Separation from the adjacent site to the west by an approach that has full support from Staff and the DAP.

On page 74, under Section 2.4.6, the Bethesda Downtown Design Guidelines specifies a tower separation distance of 45-60'. The intent of the guideline is to allow access to light and air while limiting shadows on the public realm and avoiding the potential for large blank walls facing future redevelopment sites. The Applicant is proposing an innovative alternative approach using an angled façade which has an average separation area that is equal to or greater than the space that would be provided by flat façade strictly following the standard. Building massing reflecting strict adherence to the 45' separation is shown on the left side of the Figure 5 below, while the proposed alternative design is shown on the right-hand side of Figure 5 and in plan view on Figure 6.

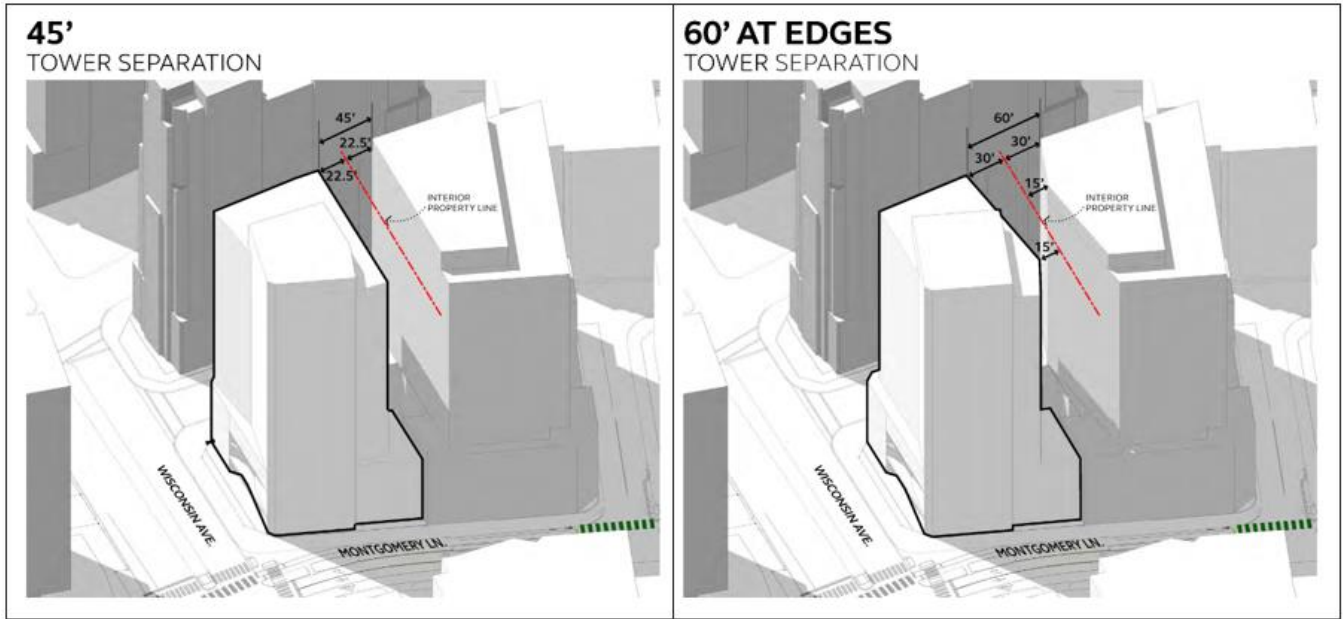


Figure 5: Tower Separation massing analysis
 (Left: Strict Adherence to Design Guidelines; Right: Alternative Design Approach)

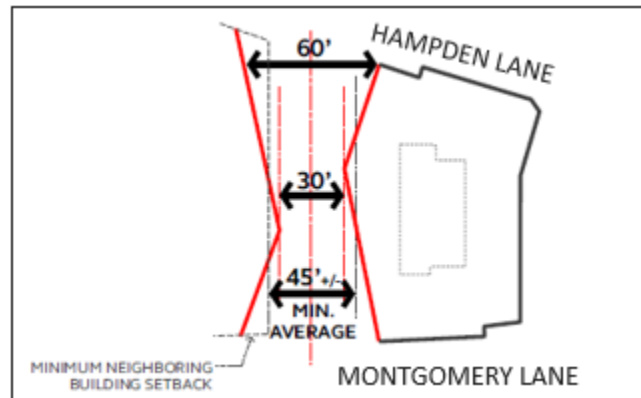


Figure 6: Tower Separation detail North ↓

There is ongoing dialog between this Applicant and the adjacent property to the west to collaborate on a tower separation distance option that mutually benefits each project by modifying from a straight 45' separation (22'-6" on each side) to a "splayed" option. This option would open to the north and south wider than the minimum 45' separation per the guidelines, but "pinch" down to a mutually agreed upon distance from the property line on each side. The Applicant and adjacent property owner will continue to work with Staff to make the average of the tower separation distance at or greater than the 45' minimum. Staff supports the design as it achieves the intent of the guidelines and the angled facades will result in a similar range of open views to light and air when experienced from various vantage points within the streetscape realm and from within nearby buildings.

The project was presented to the Design Advisory Panel (DAP) on September 25, 2019 as an architectural massing concept. The Panel supported the project overall and directed the Applicant to revise the Project based on several recommendations. The design was subsequently revised after further coordination with Staff and the neighboring property owner abutting the Site to the west.

The Applicant presented to the Design Advisory Panel a second time on February 26, 2020 and received the following recommendations:

- The design has significantly improved. If the Applicant can do the splayed option with the western façade, that would be a huge improvement.
- The Panel maintains the original vote (of unanimous support) taken at the September 25, 2019 meeting. The Project is on track to receive the minimum 10 points.

Open Space

The Applicant must provide a minimum of 5 percent of the Site area as public open space, approximately 900 square feet. At this time, the Applicant is proposing public open space along the building fronting on Wisconsin Avenue and a portion of that space is located within the Wisconsin Avenue right-of-way. The Sector Plan recommends that open space requirements less than 10% be addressed offsite (by physical improvement or contribution). The Applicant will continue to evaluate their public open space layout and the details/location of the open space will be determined at the time of Site Plan.

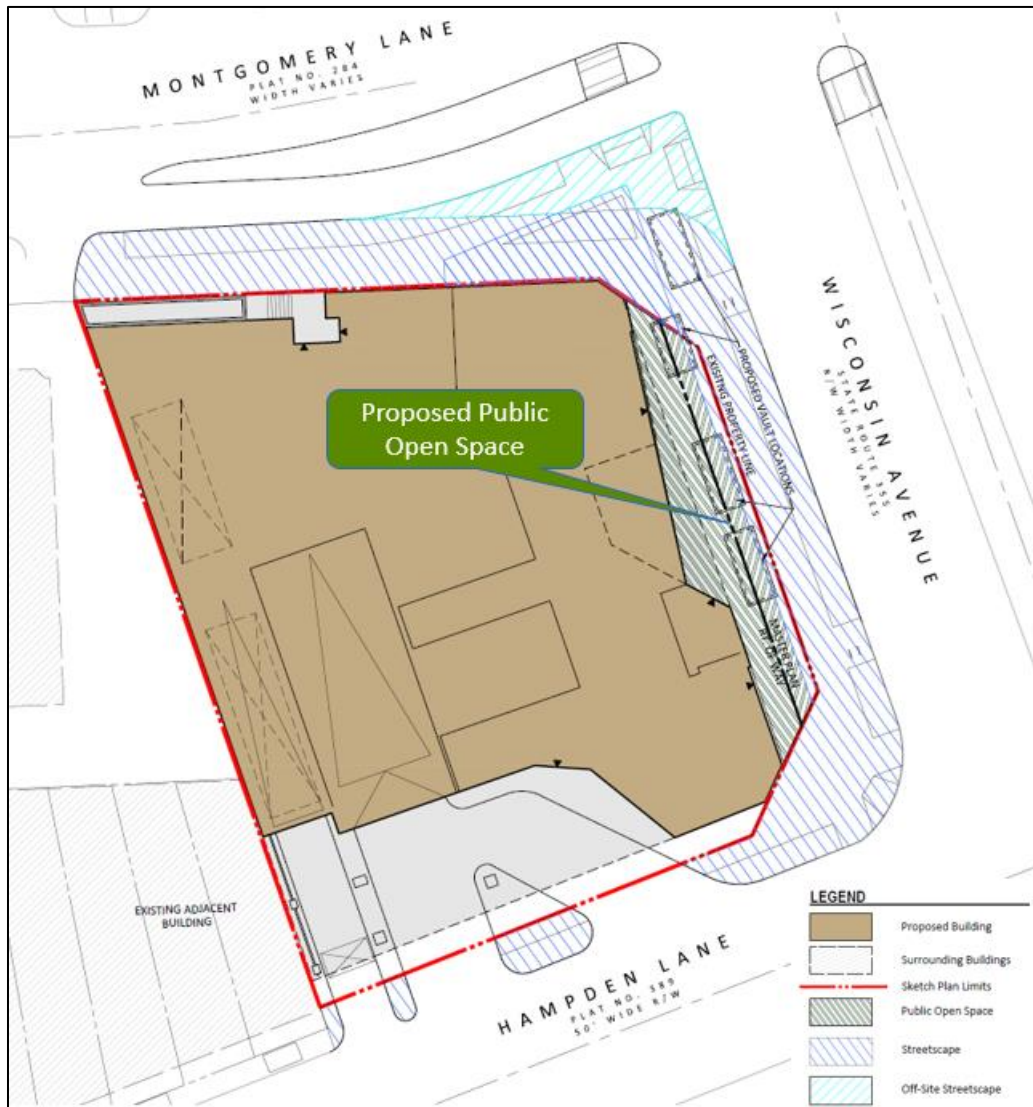


Figure 7: Public Open Space Concept

Transportation

Access and Circulation

Within the vicinity of the Property, Wisconsin Avenue is improved as a six-lane major highway with a tree-lined center median. Montgomery Lane operates as a one-way (eastbound) arterial with three travel lanes and a channelized right-turn lane. Hampden Lane is improved as a two-lane business district street with parking on both sides of the street. As part of the Subject Application, the channelized right-turn lane on Montgomery Lane will be eliminated and a new two-way separated bicycle lane will be constructed in its place.

Pedestrian access to the Property is proposed directly from the existing sidewalks along Wisconsin Avenue, Montgomery Lane, and Hampden Lane, each of which will be reconstructed with new streetscape in accordance with the Bethesda Streetscape Guidelines.

As mentioned above, bicycle access within the vicinity of the Project will be improved as part of the Subject Application through the installation of a new two-way separated bicycle lane along the Property's Montgomery Lane frontage. The design of this facility will be developed further at the time of Preliminary Plan and Site Plan, in coordination with MCDOT, and will connect with the two-way separated bicycle lane associated with the Avocet Tower (formerly known as the 2nd District Police Station/ 7359 Wisconsin Avenue; Site Plan 820180040), across Wisconsin Avenue.

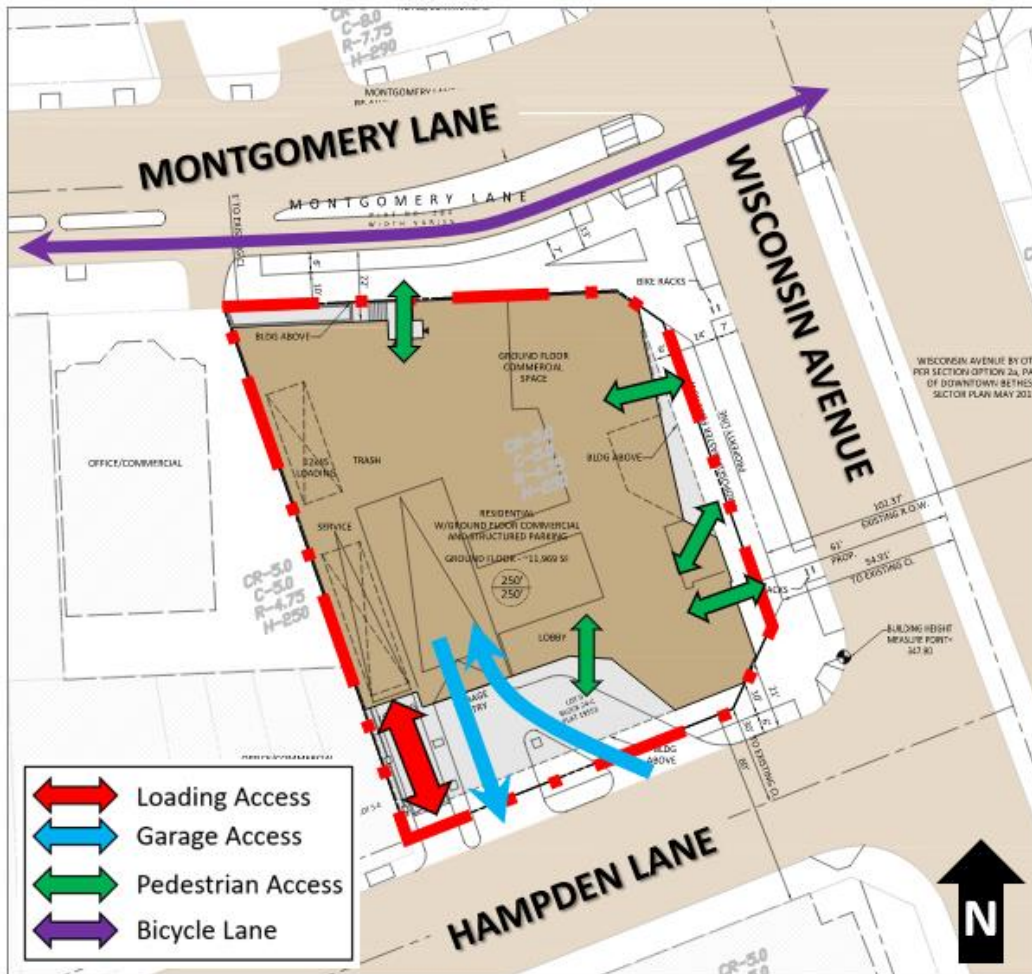


Figure 8: Circulation

As part of a coordinated design effort to improve transportation safety, the Application proposes all vehicular access to occur via Hampden Lane. This configuration eliminates existing access points on both Montgomery Lane and Wisconsin Avenue, which will improve the flow of regional traffic through the downtown and eliminates the potential of vehicles turning across the new two-way separated bicycle facilities. As conditioned, vehicular access will be prohibited along both Montgomery Lane and Wisconsin Avenue.

Although the overall vehicular access concept makes great progress toward the adjacent urban street network, Staff will continue to work with the Applicant during subsequent Preliminary and Site Plan stages to further refine the site access concept. That future coordination will specifically focus on refining the Hampden Lane access point to minimize pedestrian and vehicular conflicts near the Wisconsin Avenue intersection.

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 500 feet to the north of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2017 *Bethesda Downtown Sector Plan* recommends the following Sector Plan facilities along Property frontage:

1. Wisconsin Avenue, along the eastern site frontage, as a major highway (M-6) with a minimum right-of-way width of 122 feet.
2. Montgomery Avenue, along the northern site frontage, as a business district street with a minimum right-of-way width of 70 feet and separated bicycle lanes.
3. Hampden Lane, along the southern site frontage, as a business district street with a minimum right-of-way width of 60 feet.

Sector-Planned Transportation Demand Management

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55 percent, averaged between employees and residents of Downtown Bethesda. In order to meet this goal, Downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single occupancy vehicles. As a development with more than 40,000 square feet of proposed density, the Project is required to coordinate with and gain approval from MCDOT, at the time of Preliminary Plan, on a Level 3 Results Transportation Demand Management (TDM) Plan to participate in the Bethesda TMD.

Adequate Public Facilities

Adequate Public Facilities (APF) review will be conducted at the time of Preliminary Plan. Although the Application does not require a formal APF transportation review at Sketch Plan, Staff is including the following illustrative summary of transportation impacts. As a development with a total of up to 200 independent dwelling units and up to 100 assisted living/ memory care units (or up to 116 beds), and up to 5,000 square feet of non-residential (commercial) uses, the Project is estimated to generate 96 total peak hour person trips in the morning and 127 total peak hour person trips in the evening.

After accounting for peak hour trips currently associated with the Adequate Public Facilities approval associated with Preliminary Plan 11994080B, "7340 Wisconsin Avenue¹," the Project is estimated to generate a net reduction of 29 morning peak hour person trips (14 fewer vehicle trips) and 93 evening peak hour person trips (41 fewer

¹ Preliminary Plan 11994080B, approved by Planning Board Resolution 14-73 on October 7, 2014, proposed a total development density on the Subject Property of up to 204,381 square feet of residential uses (up to 225 multifamily dwelling units) and up to 5,500 square feet of non-residential uses.

vehicle trips). As a result of the estimated transportation impact being reduced from the previous approval to the Subject Application, the Local Area Transportation Review (LATR) will be satisfied through a transportation statement at the time of Preliminary Plan. An illustrative summary of the peak hour person trip generation is provided in Table 1.

Table 1: Peak Hour Trip Generation Estimate						
Land Use	Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
	AM	PM	AM	PM	AM	PM
Proposed						
200 Independent Living Units	40	52	32	41	62	80
100 Assisted Living/ Memory Care Units	22	30	17	24	34	47
5,000 SF Ancillary Retail	0	0	0	0	0	0
Subtotal	62	82	49	65	96	127
Previous APF Approval¹	(81)	(149)	(63)	(106)	(125)	(220)
Net New Trips	(19)	(67)	(14)	(41)	(29)	(93)

¹ Current APF approval for the Subject Property is limited to 225 High Rise Dwelling Units and 5,500 square feet of retail in accordance with Preliminary Plan 11994080B. Transportation impacts of the Proposed Development remain within the previously studied limits; Trip generation updated by MNCPPC Staff to reflect current LATR Guidance Source: Wells & Associates. Traffic Statement, dated March 3, 2020; Revised by MNCPPC Staff 4/6/2020.

Table 1 Continued: Net New Peak Hour Trip Generation Estimate by Mode					
	Person Trips	Auto Driver	Pedestrian*	Transit	Bike
AM	(29)	(14)	(9)	(3)	(6)
PM	(93)	(41)	(36)	(10)	(25)

* Pedestrian trips are the sum of all transit and bicycle trips generated by the project.

Source: Wells & Associates. Traffic Statement, dated March 3, 2020; Revised by MNCPPC Staff 4/6/2020.

Environment

Forest Conservation

All properties seeking approval of a Sketch Plan after February 26, 2018 must obtain approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) or Forest Conservation Exemption prior to Planning Board action on the Sketch Plan. As such, this Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1). Forest Conservation Exemption 42020043E for the Subject Property was confirmed on October 31, 2019. The Project meets the requirements of the exemption because the proposed activity occurs on a tract of land less than 1.5 acres with no existing forest or existing specimen or champion trees and does not result in forest planting requirements of more than 10,000 square feet.

The Subject Property is located in Downtown Bethesda and within the Willett Branch watershed which is a tributary to the Little Falls Branch Stream, a Use I-P¹ watershed. Aside from the watershed, the Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, steep slopes, or specimen trees. There are several street trees along the site at a range of sizes but are generally under 18" diameter at breast height (DBH).

Stormwater Management (SWM)

A Stormwater Management Concept Plan is not required at the time of Sketch Plan. Submission of the concept to the Department of Permitting Services (DPS) and approval will be required at the time of Preliminary Plan.

Green Cover

The Sector Plan includes recommendations to achieve the urban green goals. An important recommendation to this effect is the onsite 35% green coverage minimum. The green cover may include, either singularly or a combination of intensive green roof (6 inches or deeper) or tree canopy cover. However, per the Sector Plan and associated Design Guidelines, if onsite energy generation requires the use of either the roof or open space, accommodations for these features may alter the 35 percent minimum green cover requirement. The Application consists of a Site Area of 18,122 square feet (SF) which results in a green cover requirement of at least 6,342 SF. Currently, the Application demonstrates a green cover total of 6,225 SF composed of 2,020 SF of bioretention planters, 2,682 SF green roof at 8" depth, 1,320 SF green roof at 24"-36" depth, and 200 SF of onsite canopy cover. In pursuit of the Sector Plan's urban green goals, Staff has recommended a condition of approval to address the 35% minimum coverage within the site area.

SECTION 4: PROJECT ANALYSIS AND FINDINGS

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

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

The Sketch Plan meets the development standards of Section 59.4.5.4 of the County code, as shown in the following Data Table, Table 2.

¹ Use I-P:

WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE, AND PUBLIC WATER SUPPLY

Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply, industrial water supply, and use as a public water supply.

Table 2: Sketch Plan Data Table

Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area per Zone		
	CR 5.0 C-5.0 R-4.75 H-250	n/a	34,605 sf (0.79 ac)
	Prior Dedication	n/a	5,926 sf (0.37 ac)
	Proposed Dedication	n/a	557 sf (0.01 ac)
	Site Area	n/a	18,122 sf (0.42 ac)
	Residential Density (GFA/ FAR)	164,374 sf (4.75)	164,374 sf (4.75)
	Commercial Density (GFA/FAR)	173,025 sf (5.0)	4,347 sf (0.12) ¹
	Bethesda Overlay Zone (BOZ) Density	n/a	146,779 sf (4.24)
	Total FAR/GFA	n/a	315,500 sf (9.12)
	Building Height		
CR 5.0 C-5.0 R-4.75 H-250	250 feet	250 feet	
Public Open Space (min. % of Site Area)	5	5	
Minimum Setbacks (feet)	0	TBD at Site Plan	

¹Commercial density may be increased up to 4,500 square feet, in which case the BOZ density will be reduced accordingly. The maximum number of residential uses and non-residential uses will be determined at Site Plan. No combination of residential and non-residential uses may exceed 315,500 square feet of total development.

The Application will provide vehicle and bicycle parking spaces within the building. The amounts will be determined at the time of Site Plan based on the residential units and commercial square footage.

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

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

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Sector Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations increase:

1. **Parks and open spaces**, including new civic greens at Veteran’s Park, Bethesda Farm Women’s Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways.
2. **Affordable housing**, including the preservation of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.
3. **Environmental innovation**, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. **Economic competitiveness**, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is designated as Site 103 on page 101 of the Sector Plan. The Property is in the “Wisconsin Avenue Corridor District” which is defined as the main artery through the center of Downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and Wisconsin Avenue Corridor sections of the Sector Plan:

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

The Project provides an opportunity for infill development of a vacant site within a block of the Metro station, as recommended by the Sector Plan, by converting the area which is now mostly paved and contains a boarded up, one-story commercial building into a mixed-use Project with up to 315,500 square feet for a senior residential building with residential and nonresidential uses including up to 4,500 square feet of commercial.

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

The Project will provide senior residential dwelling units across the street from an existing entrance to the Bethesda Metro station and one block from the new Purple Line station (and a new southern entrance to the Bethesda Metro station). The project provides affordable housing in the form of MPDUs. The proposed MPDUs will help to further one of the primary goals of the Sector Plan and Bethesda Overlay Zone thereby ensuring that affordable housing opportunities exist in transit-oriented locations.

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

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

- *Economic competitiveness based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.*

The Project will provide infill redevelopment within the highest intensity center in Downtown Bethesda which is dominated by office buildings and retail that serves the office customer base. The project will help add to the much-needed around-the-clock activity and contribute to a more vibrant mixed-use identity the Metro Core area. The combination of senior residential independent living, assisted living, memory care and ground floor commercial uses along with the associated visitors and staff, will increase the customer base of nearby shops, restaurants and services in the Metro Core during nighttime and on weekends.

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

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

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

The Project will redevelop the existing vacant lot that mostly paved and contains a boarded-up one-story structure and build a mixed-use building with a high-density senior residential building and allow for ground floor commercial uses, all within proximity to the Metro and the Purple Line. The Project meets the objective of this finding.

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

The Project meets this finding by proposing market-rate senior residential dwelling units in a variety of unit types including, assisted living, memory care, as well as 15% MPDUs, offering housing opportunities for a range of incomes proximate to the numerous transit options of Downtown Bethesda. The Project will accommodate all modes of transit including pedestrian, bicycle, and vehicular nearby to the Metro, Purple Line, Capital Crescent trail and bus service. The Applicant must participate in the implementation of the Montgomery Lane separated bicycle lanes. The Project will also improve the streetscape along its three frontages and does not propose any parking between the building and the street frontages.

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

The Sector Plan identifies the Wisconsin Avenue District as an area that should emphasize mixed land uses that focus on employment, high density residential, and distinctive infill buildings. The Project will provide residential uses on-site as well as a height and density that is compatible with the desired character of infill development within the Wisconsin Ave District.

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

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

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

The Project will provide the required public benefits from a minimum of four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

The BOZ was adopted July 18, 2017, specifically to implement the recommendations of the *Bethesda Downtown Sector Plan* as it relates to density, building heights, affordable housing, parks, and design. The BOZ set a cap of overall development (32.4 million square feet) whereby the zoning approved for most properties retains the base density but increases the heights on respective sites. An Applicant can request an allocation of density over the base density to build to the maximum height permitted by the Zone, as needed. An allocation of density from the BOZ requires a park impact payment of \$11.08/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. This Application is requesting an allocation of up to 146,779 square feet from the BOZ initiating a Park Impact Payment (amount to be determined during Site Plan review) to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

2. *Substantially conform with the recommendations of the applicable master plan;*

As discussed in Finding 1.a above, the Project substantially conforms to the recommendation of the 2017 *Bethesda Downtown Sector Plan*. The Project will create a senior residential building, mixed-use project with ground floor commercial in an established center of activity within the Wisconsin Avenue District, increase the supply of housing to serve a variety of income levels, redevelop a vacant property, and provide streetscape improvements that enhance the safety and character of Wisconsin Avenue, Hampden Lane and Montgomery Lane.

3. *Satisfy any development plan or schematic development plan in effect on October 29, 2014;*

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

4. *Achieve compatible internal and external relationships between existing and pending nearby development;*

At 250' in height, the building will conform with the Sector Plan's recommendation for height and ultimately be compatible with the surrounding buildings which will be among the tallest in Bethesda. The proposed massing generally conforms with the recommendations of the Bethesda Design Guidelines to ensure compatibility with existing buildings and public open space. The Applicant has been actively working with Planning staff and the adjacent property owner to the west on tower separation designs in order to maximize compatibility. Additionally, the Applicant will continue close coordination with the DAP.

5. *Provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading:*

The Project provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading. Vehicular access to the Site will occur via Hampden Lane in order to eliminate all vehicular access from Montgomery Lane and Wisconsin Avenue. Designing the Site access in this manner is critical to the efficient operations of the adjacent roadways, which carry high volumes of vehicular traffic out of and through downtown Bethesda. Parking associated with the residential uses will be contained within a structured below-grade garage, with the final quantity of parking spaces and ingress/ egress into the parking structure determined at Site Plan based on the final number of residential dwelling units.

Pedestrian access will be improved through the providing of upgraded streetscape elements and a new urban building with street frontage, further details of which will be determined at the time of Site Plan.

As part of the frontage improvements associated with this Project and in coordination with an active Montgomery County Department of Transportation project, Montgomery Lane will be improved with a new

two-way separated bicycle lane along the Subject Property. This separated bicycle lane will be coordinated with the frontage improvements associated with 7359 Wisconsin Avenue (The Avocet Tower), located across Wisconsin Avenue to the east. Additionally, conceptual designs for a forthcoming development application to the west of the Subject Application have similarly eliminated vehicular access from Montgomery Lane to contribute to a safe and efficient adjacent roadway network. As conditioned, the Applicant must participate in the implementation of the separated bicycle lanes, the scope and manner of which will be determined at Preliminary Plan.

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

Taking into account the considerations in Section 59.4.7.1.B and the Public Benefit Points established with the Bethesda Overlay Zone in Section 59.4.9.2.C.4, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant’s request for incentive density and is appropriate for the community surrounding the site, as described below.

For the proposed development, the Zoning Ordinance requires at least 100 points in four categories. Although at the time of Sketch Plan review only the categories need be approved, the following Public Benefits Table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the Project’s ability to meet the requirement to provide sufficient benefit points.

Public Benefits Table		
Public Benefit Category	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking¹	20	14.80
Streetscape Improvements	20	3.92
59.4.7.3D: Diversity of Uses and Activities		
Small Business Opportunities	20	10
Enhanced Accessibility	20	6
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design¹	30	30
Structured Parking	20	20
59.4.7.3.F: Protection and Enhancement of the Natural Environment		
Building Lot Termination (BLT)	30	3.05
Energy Conservation and Generation¹	25	15
TOTAL		102.77

¹Denotes Sector Plan priority

Connectivity and Mobility

Minimum Parking: The Applicant requests 14.80 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Final determination will be made at Site Plan. Staff supports the category at this time.

Streetscape Improvements: The Applicant requests 3.92 points for proposed off-site streetscape improvements associated with project scope. The dedicated right-turn lane at the intersection of Montgomery Lane and Wisconsin Avenue will be eliminated and converted to expanded sidewalk area in support of the Montgomery Lane separated bicycle lanes and improved pedestrian accommodation. In connection with the proposed project, the Applicant is proposing substantial streetscape improvements to this portion of the right-of-way, to enhance the pedestrian environment. This is above and beyond the typical streetscape improvement that would be required along the Property frontage. Therefore, the Applicant is seeking 3.92 points for this improvement. The off-site portion (excluding the separated bicycle lanes) measures approximately 710 square feet. Staff supports the category at this time.

Diversity of Uses and Activities

Small Business Opportunities: The Applicant requests 10 points for providing commercial space for small businesses. Points for this incentive are granted when the project will be designed for small, neighborhood-oriented businesses and the Applicant records covenants that reflects restrictions. The project as currently proposed reserves all the 4,500 square feet of commercial space for small businesses. Staff supports the category at this time.

Enhanced Accessibility: The Applicant requests 6 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent county standard. The Applicant currently anticipates that a minimum of twelve (12) of the independent living units (4 more than required) will meet American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard. Public Benefit points are sought to only the ANSI A117.1 units that are provided above the minimum required. The Applicant will need to coordinate with Staff on meeting this public benefit and points will be reevaluated at the time of Site Plan.

Quality of Building and Site Design

Exceptional Design: The Applicant requests 30 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Project seeks approval of 30 Public Benefit Points for Exceptional Design. The Applicant asserts that the Project 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; designs compact, infill development so living, working and shopping environments are more pleasurable and desirable on a site; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements, as specified in the Zoning Ordinance and Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines. The Project's conformance with these criteria will be further refined at the time of Site Plan.

The project was presented to the Design Advisory Panel (DAP) on September 25, 2019. The panel supported the project overall and made several recommendations. The design was subsequently revised under further coordination with Planning Staff and the adjacent property owner. A second Design Advisory Panel meeting was held for the project on February 26, 2020 and the revised plan was well received with the following recommendations:

- The design has significantly improved. If the Applicant can do the splayed option with the western façade, that would be a huge improvement.
- The Panel maintains the original vote (of unanimous support) taken at the September 25, 2019 meeting. The project is on track to receive the minimum 10 points.

Staff supports the category of Exceptional Design and the requested points at this time.

Structured Parking: The Applicant requests 20 points for providing structured parking in a below grade parking structure. 50 parking spaces are being provided, all below grade. Staff supports the category at this time.

Protection and Enhancement of the Natural Environment

BLTs: The Applicant requests 3.05 points for the purchase of 0.339 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the category at this time.

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

7. *Establish a feasible and appropriate provisional phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The project will be developed in one phase.

SECTION 5: COMMUNITY OUTREACH

Community Outreach

The Applicant held the required pre-submission meeting for the 7340 Wisconsin Avenue project at the Lerch, Early and Brewer office at 7600 Wisconsin Avenue on Wednesday, September 11, 2019, and has complied with all submittal and noticing requirements. Staff has received correspondence from the adjacent property to the west regarding an equitable and collaborative tower separation distance. The adjacent property has since been in direct coordination with Staff and the Applicant as described in the Proposal section of this report.

CONCLUSION

As conditioned the Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of the Sketch Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Resolutions
- B. Design Advisory Panel Memoranda
- C. Agency Letters