






Bethesda Place I and II, Site Plan Amendment 81988018B and 81998032A

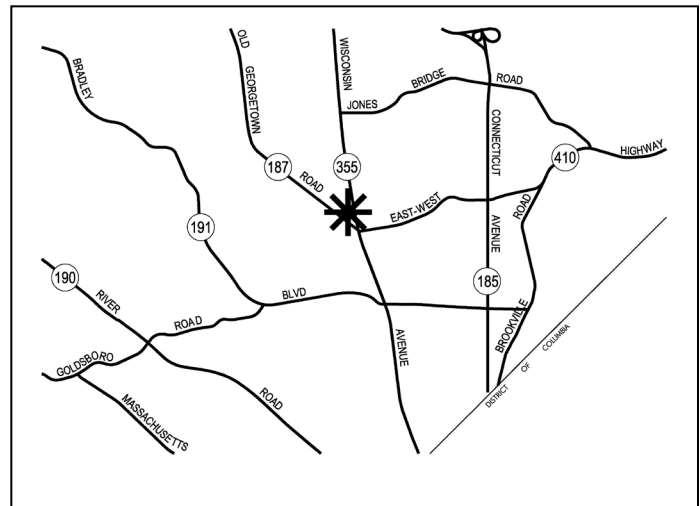
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Staff Report Date: 4.03.2020

- Site Plan amendments to allow the redesign of the existing public use space and modification of the office building entry of 7700 Wisconsin Avenue (Bethesda Place I);
- Current use: multi-use building with ground floor retail and residential above, plaza, and 11 story office building;
- Located at the intersection of Old Georgetown Road and Woodmont Avenue;
- 3.43 acres zoned CR 5.0 C 5.0 R 4.75 H 175 and the Bethesda Overlay Zone (BOZ) in the 2017 *Bethesda Downtown Sector Plan*; Pre-2014 zoning: CBD-2;
- Applicant: Bethesda Place LP, Safeway Corp Holdings, and Bethesda Place II Associates LLC;
- Acceptance date: January 2, 2020;
- Review Basis: Per Section 59.7.7.1.B.3, Pre-2014 Chapter 59.



Summary

- The staff recommends **approval with conditions**.
- The Subject Properties were approved for development in 1988 and 1998 under two separate development applications, both under the pre-2014 Zoning Code: Bethesda Place I (81988018B) and Bethesda Place II (81998032A). Both approvals contribute to the public plaza that exists interior to the following perimeter streets: Old Georgetown Road, Wisconsin Avenue and Woodmont Avenue.
- Pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.
- The Applicant proposes to redesign the existing public plaza as part of a need to repair the structural waterproofing between the existing parking garage and plaza.
- Two Public Art pieces exist on Bethesda Place I and are proposed to remain, with minor modifications for repair and maintenance.
- The redesign will include removal of existing fountain, wood trellis, reworking of the stairs entrance from Woodmont Ave, and replacement of all hardscape, increase in vegetation, and new site furniture and lighting.
- The building entry of 7700 Wisconsin Avenue (Bethesda Place I) will be updated to remove existing vestibules, slightly reducing the building footprint.
- There is no change in use, density, or development proposed with the Applications.

SECTION 1: RECOMMENDATION AND CONDITIONS

Site Plan Amendment 81988018B

Staff recommends approval of Site Plan Amendment 81988018B, to allow the redesign of the existing public use space and modification of the office building entry of 7700 Wisconsin Avenue. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the conditions below. The following Conditions 2, 4, and 8 supersede the previous conditions, and Condition 16, 17, and 18 is in addition to all other conditions, which remain in full force and effect:

2. Landscaping

- a. Prior to release of the bond under the Site Plan Surety and Maintenance Agreement, all on-site amenities, including, but not limited to: hardscape, plant material, on-site lighting, on-site furnishings must be installed.
- b. The Applicant must install landscaping no later than the next growing season after completion of site work.

4. Public Art

- a. The Applicant must maintain the existing public art designed by artist Ned Smyth, and any proposed structural improvements, as illustrated on the Certified Site Plan.
- b. Significant changes to, including the removal of, the artwork will require a Site Plan Amendment.

8. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c. Deflectors will be installed on proposed fixtures in the public use space to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

16. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.

- b. The cost estimate must include applicable Site Plan elements, including, but not limited to hardscape, plant material, on-site lighting, on-site furnishings. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

17. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, in its letter dated March 5, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

18. No clearing or grading prior to Certification of Site Plan. Demolition and site preparation, including activities to facilitate access to businesses, are permitted

Site Plan Amendment 81998032A

Staff recommends approval of Site Plan Amendment 81998032A, to allow the redesign of the existing public use space. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the conditions below. The following conditions are in addition to all other conditions, which remain in full force and effect:

19. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All onsite exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All onsite down-lights must have full cut-off or BUG-equivalent fixtures.
- c. Deflectors will be installed on proposed fixtures in the public use space to prevent excess illumination and glare.
- d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at any property line abutting public roads and residentially developed properties.
- e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.

20. Landscaping

- a. Prior to release of the bond under the Site Plan Surety and Maintenance Agreement, all on-site amenities, including, but not limited to: hardscape, plant material, on-site lighting, on-site furnishings must be installed.
- b. The Applicant must install landscaping no later than the next growing season after

completion of site work.

21. Site Plan Surety and Maintenance Agreement

Prior to issuance of any building permit, sediment control permit, or Use and Occupancy Certificate, the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 [59-D-3.5(d)] of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to hardscape, plant material, on-site lighting, on-site furnishings. The surety must be posted before issuance of the any building permit of development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety for each phase of development will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

22. Forest Conservation

Prior to any permit for land disturbance activity for this development Application, the Applicant must record an M-NCPPC approved Certificate of Compliance in an M-NCPPC approved off-site forest bank within the Subject Property's watershed to satisfy the afforestation requirement for a total of 0.13-acres of mitigation credit. The offsite requirement may be met by purchasing from a mitigation bank elsewhere in the County, subject to M-NCPPC Staff approval, if forest is unavailable for purchase within the Subject Property's watershed.

23. Fire and Rescue

The Planning Board accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS), Fire Department Access and Water Supply Section, in its letter dated March 5, 2020, and hereby incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendments do not conflict with other conditions of Site Plan approval.

24. No clearing or grading prior to Certification of Site Plan. Demolition and site preparation, including activities to facilitate access to businesses, are permitted

SECTION 2 - SITE DESCRIPTION

Vicinity

The Subject Sites are located interior to block bound by Old Georgetown Road, Woodmont Avenue, and Wisconsin Avenue. The surrounding area consists of multiuse, commercial, and residential buildings. The recently approved Marriot Headquarters is located directly north of the Site, and 7607 Old Georgetown Road (currently improved with La Madeleine Restaurant) was recently approved for a new residential apartment building 270 feet in height with ground floor retail.



Figure 1 – Aerial Map

Site Analysis

The Subject Sites (Subject Properties) are currently improved per Site Plans 819880180 and 819980320. The Sites consist of:

Bethesda Place I (819880180): 12-story multi-use building fronting on the corner of Old Georgetown Road and Woodmont Avenue (7625 Old Georgetown Road) containing the former Safeway with residential above, an 11-story office building fronting on Wisconsin Avenue (7700 Wisconsin Avenue). Both buildings share an underground parking garage.

Bethesda Place II (81998032A): A 13-story office building fronting on the corner of Wisconsin Avenue (7600 Wisconsin Avenue) and Commerce Lane with an underground parking garage.

Both Bethesda Place I and II contributed to an improved public use space area in the interior of the Sites, which total 63,550 square feet and are currently improved as a public plaza containing a fountain, two pieces of public art work, performance stage, and multiple pedestrian connections to the surrounding streets.



Figure 2 – Existing artwork by Ned Smyth: Left – Mosaic Column, Right – Ocean-River-Lake Floor Mosaic

There are no known rare, threatened, or endangered species on site. There are no known historic properties or features on the Sites.

SECTION 2 - AMENDMENT DESCRIPTION

Previous Approvals

Bethesda Place I

Preliminary Plan

The proposed Site Plan Amendment is subject to the conditions of Preliminary Plan 119831590, which was approved for the creation of two lots for the development of office, retail, and multifamily residential on April 13, 1988.

Site Plan

Site Plan 81988018 was approved for the development of office, retail, and multifamily residential on 2.16 acres on April 14, 1988. The Site Plan was amended (81988018A) in 1998 concurrently with the approval of Bethesda place II to reduce retail space by 718 square feet and increase public use space by 718 square feet. This application was approved prior to the adoption of the Forest Conservation Law, therefore no FCP was required at that time.

Bethesda Place II

Preliminary Plan

This proposed Site Plan Amendment is subject to the conditions of Preliminary Plan 19980190, which was approved for the creation of one lot for the development of office and retail on January 28, 1998.

Site Plan

Site Plan 819980320 was approved for the development of office and retail on 1.23 acres on June 22, 1998. This Site Plan was subject to the Forest Conservation Law. The approved Forest Conservation Plan received landscaping credit for planting onsite trees, which fully satisfied the afforestation requirement of 0.13 acres.

Description of Amendments

The Applicant requests the following modifications to the Site Plans as identified in Figure 3 below:

1. Remove vestibules at the entrance of the office building at 7700 Wisconsin Avenue (Bethesda Place I) resulting in a 276 square foot reduction of gross floor area;
2. Renovate existing public plaza hardscape, plantings, and lighting and update site furnishings;
3. Remove existing fountain within public plaza and replace with wood deck patio area;
4. Redesign staircase and plantings from Woodmont Avenue and Commerce Lane; and
5. Repair and maintenance of existing public artwork (A.1 & A.2).



Figure 3 – Rendered Site Plan

The Applicant proposes to redesign the existing public plaza as part of repairing the substructure of Bethesda Place I. Bethesda Place II is included to provide a consistent aesthetic look. This involves removal and replacement of all existing hardscape, site furniture, and plantings within the plaza including the existing fountain and wood trellis. The Applicant proposes to replace the existing fountain with a new wood deck seating area as shown in Figures 4, 5, and 7 below. The existing stair entrance from Woodmont Avenue will be redesigned to provide a more welcoming entry into the public plaza with additional planters for landscaping. The stair entry from Commerce Lane will also be updated with new plantings and the Applicant has coordinated that work with the adjacent property, 7607 Old Georgetown Road, which was recently approved for redevelopment. The stage that is located on Bethesda Place II will remain. There are two existing public art pieces designed by Ned Smyth, as indicated in Figure 2, which are proposed to remain. Both pieces are in need of maintenance and repair, and the column requires some structural improvements. These maintenance improvements do not require review by the Art Review Panel, however will be overseen by the original artist and installer.

The Applicant was encouraged to integrate green cover to the maximum extent possible within the redesigned public plaza. In combination, the plaza will contain 32% green cover¹ that substantially meets the standards of the Bethesda Design Guidelines. Due to the structural constraints of the existing site, additional green cover is not possible in the plaza.

The redesigned public use space will not change in size, however the proposal will rejuvenate the existing space into a more parklike setting and be in keeping with the redevelopment that is occurring in downtown Bethesda.



Figure 4 – Birds eye view of public plaza with existing public art sculptural column by Ned Smyth

¹ Green Cover is typically based on site area, which would result in 14% green cover for Bethesda Place I and II. The amendments did not propose changes to the building footprints therefore additional green cover was not recommended.



Figure 5 – View from existing pedestrian bridge



Figure 6 – View from new Woodmont Avenue stairs



Figure 7 – View from proposed wood deck seating area (existing fountain)



Figure 8 – View from Woodmont Avenue entrance



Figure 9 – View from Commerce Lane entrance



Figure 10 – View from Wisconsin Avenue entrance

SECTION 3 – ANALYSIS AND FINDINGS

Pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, these Amendments were reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014, since the original Site Plans were approved on April 14, 1988 and June 22, 1998. The proposed Amendments do not alter the intent of the previous findings except as modified below.

81988018B

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

Environment

Site Plan 819880180 & 81988018A was approved prior to the adoption of the Forest Conservation Law, therefore no Forest Conservation Plan was required at that time. The Applicant received approval of an Existing Conditions Plan/Forest Conservation Exemption on August 27, 2019 (42020019E) which allows partial redevelopment of an existing non-residentially developed property, therefore the Site Plan meets all Forest Conservation requirements.

The Application is exempt from any requirements of Chapter 19 as the renovations are considered ongoing maintenance.

81998032A

5. *The site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

Environment

The Application proposes to amend the previously approved Forest Conservation Plan (FCP). The original FCP required 0.13 acres of afforestation, which the Applicant received landscaping credits for planting trees onsite. Due to the removal of all onsite vegetation, the Applicant proposes to amend the FCP to satisfy the afforestation requirement through purchasing credits in a local forest mitigation bank. The Project has been conditioned to require the Applicant purchase mitigation credits from an approved off-site forest bank in the County, with preference given to a mitigation bank within the Subject Property's watershed, prior to the issuance of a permit for any land disturbance activity.

The Application is exempt from any requirements of Chapter 19 as the renovations are considered ongoing maintenance.

SECTION 4 - PUBLIC NOTICE

A notice regarding the Site Plan Amendments was sent to all parties of record by the Applicant on January 8, 2020. The notices gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59.7.3.4.J.2. Staff received no inquiries regarding the proposed Amendments.

SECTION 5 - RECOMMENDATION AND CONCLUSION

The proposed modifications to the Site Plans will not alter the overall character or impact of the development with respect to the original findings of approvals. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval of Site Plan Amendment 81988018B and 81998032A with conditions specified at the beginning of the staff report.

ATTACHMENTS

- A. Previous Site Plan approval resolutions
- B. Agency Letters

M-NCPPC



MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

8787 Georgia Avenue
Silver Spring, Maryland 20910-3760

MONTGOMERY COUNTY PLANNING BOARD

OPINION

DATE MAILED: June 22, 1998

SITE PLAN REVIEW: #8-88018-A

PROJECT: Bethesda Place

Action: Approval subject to conditions. Motion was made by Commissioner Holmes, seconded by Commissioner Bryant, with a vote of 4-0, Commissioners Bryant, Holmes, Hussmann, Perdue and Richardson voting for. Commissioner Richardson was absent.

The date of this written opinion is June 22, 1998, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before July 22, 1998, (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until July 1, 2001, as provided in Section 59-D-3.8.

On June 18, 1998, Site Plan Review #8-88018A 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 and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the

pedestrian and vehicular circulation systems are adequate, safe, and efficient;

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-88018 A which consists of the addition of 718 sf of public use space and the removal of 718 sf of retail space subject to the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. The applicant shall participate in programs initiated by the Bethesda Urban Partnership to coordinate the entertainment scheduling for this project with other performance areas in the CBD and to review the pedestrian signage program for the public open space areas.
3. The applicant and Planning Board staff shall pursue the optimum step design for the front entry of Wisconsin Avenue and Commerce Lane prior to the submittal of signature set.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Community-wide pedestrian pathways must be completed prior to occupancy.
 - 2) Landscaping associated with the building and open space shall be completed prior to occupancy.
 - 3) Pedestrian pathways and seating areas associated shall be completed prior to occupancy.
 - 4) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance;
 - b. Methods and location of tree protection, if any;
 - c. Conditions of DPS Stormwater Management Concept approval and waiver letter dated October 29, 1997 and as may be amended;
 - d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices, if any, prior to clearing and grading;
 - e. The development program inspection schedule.
 - f. Street trees and pavement per the Bethesda Streetscape Guidelines.
3. Forest Conservation Plan shall satisfy all conditions of approval, if any, prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

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MONTGOMERY COUNTY PLANNING BOARD

OPINION

Site Plan Review #8-88018

Project Bethesda Place

Action: (Motion was made by Commissioner Max Keeney, seconded by Commissioner Carol Henry, with a vote of 5-0, Commissioners Keeney, Henry, Floreen, Hewitt, and Christeller voting for and no one voting against.)

On March 21, 1988, Miller, Miller & Canby submitted an application for the approval of a site plan for property in the CBD-2 zone. The application was designated Site Plan Review #8-88018.

On April 14, 1988, Site Plan Review #8-88018 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
4. the site plan is consistent with the approved #9-83006 (Amendment);

and approves Site Plan Review #8-88018 subject to the following conditions:

1. Retail Store Fronts along Pedestrian Entrance of Old Georgetown Road

Provide glass retail store fronts or window box displays adjacent to ascending stairway leading to the Plaza from Old Georgetown Road for staff approval. Such retail display will improve the visual character of the lengthy stairway and improve one's visual sense of retail found within the interior of the Plaza as seen from Old Georgetown Road.

2. Landscape Plans

Submit final landscape plans and details for all public use areas which increase the number of movable tables and chairs and seating opportunities in general. Applicant agrees to add stone pavers to the central raised garden area developed with a stone rotunda in order to encourage users to walk up and enjoy the stone rotunda and its fountain if Planning Board determines that, after one year from completion of the project, users perceive the rotunda as "off limits" due to the lack of a designated path leading to it.

As previously required, landscape plans shall improve the view of People's Drug Store facing Safeway's entrance and landscape the blank walls on the south side of the proposed retail buildings. Final landscape plans shall include a plant list, sizes, and details for staff approval.

3. Woodmont Avenue Driveway Entrance and Loading Dock

Receive approval from Montgomery County's Department of Transportation for the revised loading dock and revised driveway entrance design. Directional lane signals may be required to clarify to the driveway entry and exit lanes. Final plans shall include an adequate refuge for pedestrians as approved by staff.

4. Artwork

Submit a final proposal for either a new permanent artwork or a variety of programmed artworks exhibited on a rotating basis to be located under the gateway entrance along Old Georgetown Road to be approved by the Planning Board no later than six months after Board's approval of proposed site plan revisions.

(Unmet Conditions of Previously Approved Site Plan)

5. Pedestrian Bridge

Provide structural support for the pedestrian bridge connecting the Plaza level to Park Place (Garage 49). The applicant will coordinate the design and location of the bridge with the Parking Authority and developers of Park Place to ensure that Bethesda Place will adequately accommodate the bridge.

6. Bicycle Storage and Racks

Provide a lockable storage space within the garage for at least ten bicycles to serve the residents, as well as an additional storage area for at least ten bicycles to serve the office employees. Provide several bike racks at the pedestrian entrances to the project for general public use.

7. Signage

Provide a comprehensive graphic signage program for staff approval designed to promote retail visibility, improve user orientation to the complexity of the project, avoid visual conflicts with proposed artwork, and achieve a compatible relationship to the residential tower.

8. Lighting Plan

Provide a final lighting plan for staff approval designed to improve security of interior areas and enhance the night-time character of the amenity spaces in general.

9. Residential Security

Maintain security from the parking garage to the residential tower by utilizing a key or card operated elevator to the residential lobby.

10. Designated Residential Parking

No designated parking for the residential tower shall be required for at least two years of operation from the issuance of the official occupancy permit. Before the end of the second year, staff may visit the site and observe the operation of the parking building. If staff determines from such visit that the problem exists and a detailed survey needs to be made, the applicant will make it (utilizing a survey method acceptable to staff). Full disclosure of parking arrangements will be made to tenants in the lease.

11. Building Materials

Submit final materials of buildings and size and location of balconies to be approved by staff prior to issuance of building permit, to ensure the desirable relationship and compatibility between residential and office uses. The predominant material of at least the residential tower should be brick.

12. Trip Generation

The project shall generate no more than 361 vehicular trips and shall be developed in accordance with the proposed building areas shown on Building Area Calculation, April 12, 1988 (Attachment 1).

13. Covenants

The applicant will enter into a covenant with the County to cover maintenance and liability for non-standard streetscaping improvements within the County and State rights-of-way.

14. Management Organization

As a property owner in the Bethesda Urban Maintenance District, the applicant will be required to participate in the County's Urban Maintenance Program. However, should the Maintenance District fail to properly meet its obligations, it will be the applicant's responsibility to maintain, promote, and provide security of the public amenity areas constructed by the applicant upon private property as well as within public rights-of-way and maintenance of streetscape constructed upon other privately held property.

15. Staging

Construction of the project is intended to proceed in one stage for both buildings. If, for whatever reason, the project is staged, the parking garage, the Safeway store, the residential building, and amenity package must be constructed in the initial stage.

KKM:cpa/B:OP88018

MONTGOMERY COUNTY PLANNING BOARD

O P I N I O N

DATE MAILED: **June 22, 1998**

SITE PLAN REVIEW: **#8-98032**

PROJECT: **Bethesda Place II**

Action: Approval subject to conditions. Motion was made by Commissioner Holmes, seconded by Commissioner Bryant, with a vote of 4-0, Commissioners Bryant, Holmes, Hussmann and Perdue and voting for. Commissioner Richardson was absent.

The date of this written opinion is June 22, 1998, (which is the date that this opinion is mailed to all parties of record). Any party authorized by law to take an administrative appeal must initiate such an appeal, as provided in the Maryland Rules of Procedure, on or before July 22, 1998, (which is thirty days from the date of this written opinion). If no administrative appeal is timely filed, then this site plan shall remain valid until February 28, 2001 (which is the date that the validity period associated with the Preliminary Plan, 1-98019, is set to expire as of the date of this opinion), as provided in Section 59-D-3.8.

On June 18, 1998 Site Plan Review #8-98032 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 and on the staff report which is made a part hereof, the Montgomery County Planning Board finds:

1. The Site Plan is consistent with the approved development plan or a project plan for the optional method of development, if required;
2. The Site Plan meets all of the requirements of the zone in which it is located;
3. The locations of the buildings and structures, the open spaces, the landscaping, and the

pedestrian and vehicular circulation systems are adequate, safe, and efficient;

4. Each structure and use is compatible with other uses and other site plans and with existing and proposed adjacent development;
5. The site plan meets all applicable requirements of Chapter 22A regarding forest conservation.

The Montgomery County Planning Board APPROVES Site Plan Review #8-98032 which consists of 210,048 sf of office (of which 6,178 sf may be auxiliary retail) and 14,097 sf of public use space subject to the following conditions:

1. Standard Conditions dated October 10, 1995, Appendix A.
2. The applicant shall participate in programs initiated by the Bethesda Urban Partnership to coordinate the entertainment scheduling for this project with other performance areas in the CBD and to review the pedestrian signage program for the public open space areas.
3. The applicant and Planning Board staff shall pursue the optimum step design for the front entry of Wisconsin Avenue and Commerce Lane prior to the submittal of signature set.

APPENDIX A: STANDARD CONDITIONS OF APPROVAL DATED 10-10-95:

1. Submit a Site Plan Enforcement Agreement and Development Program for review and approval prior to approval of the signature set as follows:
 - a. Development Program to include a phasing schedule as follows:
 - 1) Street tree planting and paving per the approved Bethesda Streetscape Guidelines must progress as street construction is completed, but no later than six months after completion of construction adjacent to those streets.
 - 2) Community-wide pedestrian pathways must be completed prior to occupancy.
 - 3) Landscaping associated with the building and open space shall be completed prior to occupancy.
 - 4) Pedestrian pathways and seating areas associated shall be completed prior to occupancy.
 - 5) Clearing and grading to correspond to the construction phasing, to minimize soil erosion;
2. Signature set of site, landscape/lighting, forest conservation and sediment and erosion control plans to include for staff review prior to approval by Montgomery County Department of Permitting Services (DPS):
 - a. Limits of disturbance;
 - b. Methods and location of tree protection, if any;
 - c. Conditions of DPS Stormwater Management Concept approval and waiver letter dated October 29, 1997 and as may be amended;
 - d. Note stating the M-NCPPC staff must inspect tree-save areas and protection devices, if any, prior to clearing and grading;
 - e. The development program inspection schedule.
 - f. Street trees and pavement per the Bethesda Streetscape Guidelines.
3. Forest Conservation Plan shall satisfy all conditions of approval, if any, prior to recording of plat and DPS issuance of sediment and erosion control permit.
4. No clearing or grading prior to M-NCPPC approval of signature set of plans.

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Department of Permitting Services
Fire Department Access and Water Supply Comments

DATE: 05-Mar-20
TO: Michael Goodman
VIKA, Inc
FROM: Marie LaBaw
RE: Bethesda Place I & II
81988018B & 81998032A

PLAN APPROVED

1. Review based only upon information contained on the plan submitted **05-Mar-20**. 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.

***** Existing building renovations & repairs (7600 Wisconsin Ave & 7629 Old Georgetown Road not affected) *****

Re: Bethesda Place I & II Site Plan Amendments
MNCPPC #81988018B & 81998032A
Code Analysis
VIKA #VM50116A

BY: INC FM: 43 DATE: _____

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