




4702 West Virginia Avenue Sketch Plan Amendment No. 32019006A, Site Plan No. 820200100

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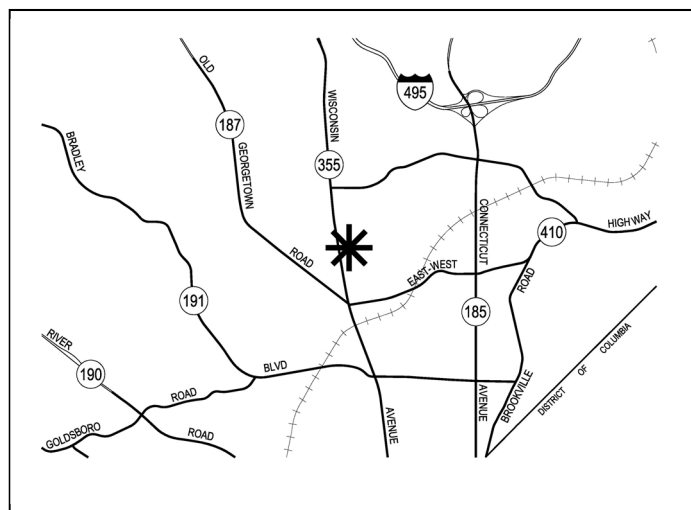
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Description

Completed: 5.04.2020

- Sketch Plan Amendment to increase density from 20,000 square feet of residential development to 21,500 square feet, including an increase of BOZ density from 14,750 square feet to 16,250 square feet.
- Site Plan to construct a multi-unit residential building of up to 21,500 square feet for a maximum of 19 units, including up to 16,250 square feet of BOZ density with a Park Impact Payment.
- Current use: Detached single-family dwelling
- Located on West Virginia Avenue approximately 300 feet east of Wisconsin Avenue in Downtown Bethesda.
- 0.24 acres zoned CRT 0.5 C 0.25 R 0.5 H-70 in the 2017 *Bethesda Downtown Sector Plan*
- Applicant: Broad Branch Development
- Acceptance date: January 15, 2020



Summary

- Staff recommends approval of the Sketch Plan Amendment and Site Plan with conditions.
- In June of 2019, the Planning Board approved a Sketch Plan No. 320190060 for the construction of a residential building with up to 20,000 square feet of development and up to 14,750 square feet of Bethesda Overlay Zone density, with underground parking.
- The Sketch Plan Amendment proposes to increase project density by 1,500 square feet for a residential building of up to 21,500 square feet for 19 condominium units and up to 16,250 square feet of Bethesda Overlay Zone density, with underground parking.
- The Proposal includes less than 20 condominium dwelling units, therefore no MPDUs are required or proposed. The Application is subject to a payment towards the County's Housing Initiative fund at the sale of each dwelling unit in accordance with Section 25A-5(b) of the Montgomery County Code.
- The Project is located adjacent to the future Eastern Greenway as envisioned in the Bethesda Downtown Plan, however the Applicant does not control the corner property that is necessary to implement the Eastern Greenway. Therefore, the Project's building height is limited to 35 feet.
- Per Section 59.4.7.3.F.1.c, purchase of Building Lot Terminations (BLTs) is optional in the CRT zone. The Applicant is not proposing to purchase BLTs for this project.

SECTION 1: RECOMMENDATION AND CONDITIONS

Sketch Plan Amendment No. 32019006A

Staff recommends approval of 4702 West Virginia Avenue, Sketch Plan Amendment No. 32019006A, to increase density from 20,000 square feet of residential development to 21,500 square feet on 0.24 acres, zoned CRT 0.5 C 0.25 R 0.5, H-70 and the Bethesda Overlay Zone (BOZ) in the 2017 *Bethesda Downtown Sector Plan*. The maximum density includes up to 16,250 square feet of density from the Bethesda Overlay Zone with a Park Impact Payment (PIP). 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 Condition 1 supersedes the previous, and all other conditions remain in full force and effect:

1. Density

The Sketch Plan is limited to a maximum of 21,500 total square feet of residential development. The maximum number of dwelling units and use mix will be determined at Site Plan. The maximum density includes up to 16,250 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The final square footage, including BOZ density and PIP payment, will be determined at Site Plan.

Site Plan No. 820200100

Staff recommends approval of Site Plan No. 820200100 to construct a multi-unit residential building of up to 21,500 square feet for a maximum of 19 units. The Project includes an allocation of up to 16,250 square feet of Bethesda Overlay Zone density. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.

1. Sketch Plan Conformance

The development must comply with the binding elements and conditions of approval for Sketch Plan No. 32019006A and any subsequent amendments.

Density, Height & Housing

2. Density

The Site Plan is limited to a maximum of 21,500 square feet of total residential development on the Subject Property for up to 19 dwelling units.

3. Height

The development is limited to a maximum height of 35 feet, as measured from the building height measuring point, as illustrated on the Certified Site Plan. Any building elements shown above maximum building height are subject to MCDPS review at building permit.

4. Bethesda Overlay Zone Density & Park Impact Payment

- a. The Planning Board approves 16,250 square feet of Bethesda Overlay Zone (BOZ) density for this Application.
- b. Per Section 59.4.9.2.D.4 of the Zoning Ordinance, the Applicant must have a building permit application accepted by MCDPS that includes the core and shell of the principal building within two years of the date of the Planning Board Resolution approving the Site Plan. Within two years of

MCDPS accepting the building permit application, the Applicant must obtain the building permit. The deadlines may not be extended. If the Applicant fails to comply with any of the deadlines in this condition, the entire Site Plan approval is revoked.

- c. The Applicant must pay to the M-NCPPC a Park Impact Payment of \$180,050, prior to release of the first above-grade building permit for the allocation of 16,250 square feet of Bethesda Overlay Zone Density based on the current rate of \$11.08/square foot.
- d. In the event the final allocation of density from the BOZ is less than the approved amount, the Applicant may apply to reduce the allocation of density from the BOZ, and/or modify the PIP through a minor site plan amendment.

5. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.

- a. Major Public Facilities – Prior to the release of the first above-grade building permit, the Applicant must contribute \$25,000 to Parks CIP for improvements at Chase Avenue Urban Park.
- b. Connectivity between Uses, Activities, and Mobility Options
 - i. Minimum Parking – The Applicant must provide no more than 17 parking spaces for the residential use.
- c. Quality Building and Site Design
 - i. Architectural Elevations - The exterior architectural elevations must be substantially similar to those shown on the Certified Site Plan, as determined by M-NCPPC Staff.
 - ii. Exceptional Design – The Planning Board has reviewed and accepts the recommendations of the Design Advisory Panel as described in their memorandum, dated November 19, 2020, and incorporates them as conditions of approval.
 - a) The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by M-NCPPC Staff.
 - b) Any significant changes to the design must be presented to the Design Advisory Panel and approved by M-NCPPC Staff prior to certification of the Site Plan, and significant changes to the design may require a Site Plan Amendment.
 - iii. Structured Parking – The Applicant must provide all parking within a below-grade garage, as shown on the Certified Site Plan.

6. Streetscape

The Applicant must install the Bethesda Streetscape along the Site Frontage, including the undergrounding of any utilities.

7. Moderately Priced Dwelling Units (MPDUs)

The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated April 10, 2020, and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.

Site Plan

8. Landscaping

- a. Prior to issuance of the final residential Use and Occupancy Certificate, all on-site amenities, including, but not limited to: lights, sidewalks, hardscape, benches, trash receptacles, and rooftop amenities must be installed.
- b. The Applicant must install landscaping no later than the first growing season after completion of site work.

9. Lighting

- a. Prior to Certified Site Plan, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All on-site exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
- b. All on-site down-lights must have full cut-off fixtures or BUG-equivalent fixtures.
- c. Deflectors must be installed on all proposed fixtures to prevent excess illumination and glare.
- d. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
- e. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.

10. 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 letter dated March 12, 2020, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Site Plan approval.

Environment

11. Noise Attenuation

- a. Before issuance of the any building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatment that building shell for residential dwelling units affected by exterior noise levels projected above 65 or 55 (based on map in guidelines) dBA Ldn will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- b. If the plan changes in any manner that affects the validity of the noise analysis dated March 30, 2020 for acoustical certifications and noise attenuation features, the Applicant must conduct a new noise analysis to reflect the revised plans, and new noise attenuation features may be required.
- c. Before issuance of any Use and Occupancy Certificate for residents, the Applicant must certify that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

12. Green Cover

- a. The Applicant must provide a minimum of 2,940 square feet of Green Cover, which is equivalent to 35% of the site area, as illustrated on the Certified Site Plan.
- b. Green roof must have a minimum soil depth of 6-inches.

13. Tree Save Plan

Prior to certification of Site Plan, the Tree Save Plan must be finalized. The TSP must include the following:

- a. Mitigation protection measures include root pruning, deep root fertilization, and manual aeration for significant trees located adjacent to the Property in Chase Avenue Urban Park.
- b. If it is determined by Staff that removal of trees 2, 3 and/or 5 are necessary, mitigation plantings are required based on the size and character of the tree(s) to be cleared. These measures will be reviewed by the MNCPPC Forest Conservation Inspector and an arborist/licensed tree care expert at pre-construction.

Transportation

14. Existing Frontage Improvements

The Applicant must prepare a deed of dedication for all land necessary to accommodate a minimum 30 feet from the existing pavement centerline of West Virginia Avenue along the Subject Property frontage in support of a master-planned 60-foot right-of-way. Prior to issuance of any ROW permit for the Subject Property, the deed of dedication must be submitted to MCDPS for review and approval and recorded in land records. Any future plat recordation must reflect this dedication.

15. Department of Permitting Services-Right-of-Way

The Planning Board has reviewed and accepts the approval of the Montgomery County Department of Permitting Services Right-of-Way (DPS-ROW) Section in its memo dated April 7, 2020. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Right-of-Way Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

16. Stormwater

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its stormwater management concept letter dated April 20, 2020, and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

17. Development Program

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

18. Site Plan Surety and Maintenance Agreement

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

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, site furniture, trash enclosures, private utilities, paths and associated improvements of development, including sidewalks, and storm drainage facilities. The surety must

be posted before issuance of any building permit for development and will be tied to the development program.

- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by a Site Plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

19. Certified Site Plan

Before approval of the Certified Site Plan the following revisions must be made and/or information provided subject to Staff review and approval:

- a. Include the stormwater management concept approval letter and other applicable agency approval letters, development program, and Sketch Plan and Site Plan resolutions on the cover sheets.
- b. Add a note stating that “Minor modifications to the limits of disturbance shown on the Site Plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- c. Modify data table to reflect development standards approved by the Planning Board.
- d. Revise cover sheet to reflect correct CIP account number for Chase Avenue Urban Park contribution.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Submit a Loading Management Plan that sets forth specific measures to limit disruption from on-site loading and service activities on West Virginia Avenue.
- g. Finalize materials for pedestrian pathway to Chase Avenue Urban Park and Tilbury Street with MCDPS and M-NCPPC Parks Department staff.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Vicinity

The Property is located within a transitional block between the Wisconsin Avenue corridor and East Bethesda residential neighborhood. To the west are generally mixed uses with retail, office, and higher-density residential uses, and adjacent to the west is County Parking Lot 44. To the north and east are detached single-family homes and to the south is Chase Avenue Urban Park.

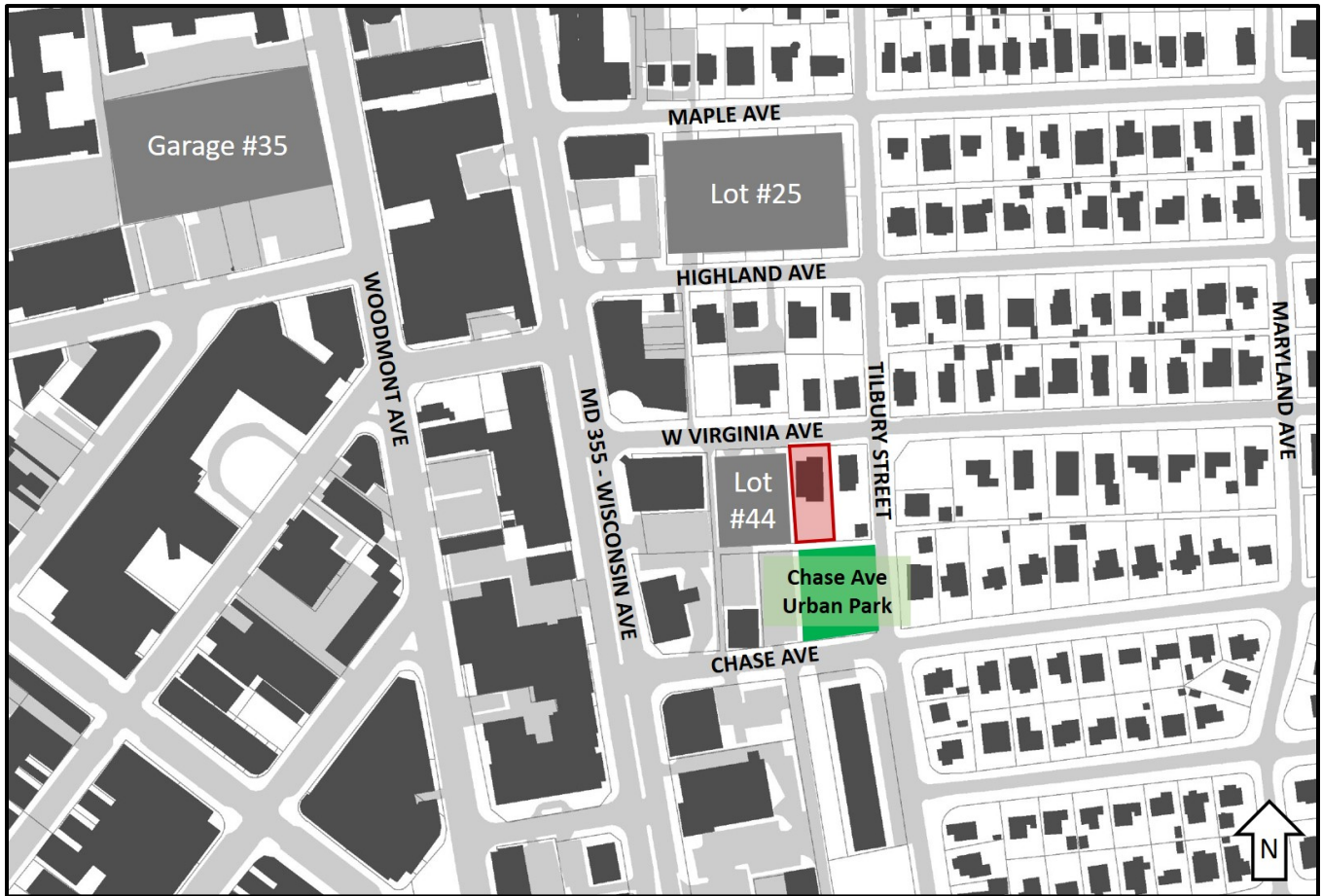


Figure 1 – Vicinity Map

Subject Property

The Subject Site (Subject Property or Property) is located east of Wisconsin Ave within the 2017 *Bethesda Downtown Sector Plan* (Sector Plan) which describes the area as a residential edge district. The Property has a tract area of 0.21 acres and is currently improved with a detached single-family home.



Figure 2 – Boundary Map

Site Analysis

The Property was rezoned from R-60 to CRT 0.5, C 0.25, R 0.5, H 70 subsequent to the adoption of the 2017 *Bethesda Downtown Sector Plan*. The Property fronts on West Virginia Avenue which is a two-way street with on-street residential permit parking along the Site frontage and short-term metered parking west of the Site. An unimproved public alley, that runs east to west, is located to the south of the Property. The Property does not contain any forest, streams, or environmental buffers. There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers, or wetlands on-site. There are no historic properties on-site.

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

Sketch Plan 320190090

The Planning Board approved Sketch Plan No. 320190060 by Resolution 19-057, mailed July 11, 2019, (Attachment A) for a new 35-foot-tall multi-family residential building totaling 20,000 square feet with underground parking, including an allocation of Bethesda Overlay Zone density of up to 14,750 square feet, subject to binding elements and conditions.

Proposal

The Applicant seeks a Sketch Plan amendment to increase maximum density by 1,500 square feet from the previously approved Sketch Plan, from 20,000 square feet to 21,500 square feet. This increase in density is to be achieved through an increase of BOZ density from the previously approved 14,750 square feet to 16,250 square feet.

The Applicant proposes to redevelop the Property with a new 35-foot-tall multi-family residential building totaling 21,500 square feet with underground parking. The main lobby entrance will be accessed from West Virginia Avenue and a secondary entrance is proposed off of a pedestrian pathway along the eastern property line. The Project includes an allocation of density from the Bethesda Overlay Zone of up to 16,250 square feet, with an associated PIP payment in the amount of \$180,050. As conditioned, the Project is limited to less than 20 dwelling units, therefore no Moderately Priced Dwelling Units (MPDUs) are required. The Applicant will make a payment to the County's Housing Initiative Fund (HIF) at the settlement of each dwelling unit.¹

The Proposal includes a 10-foot setback from the Subject Property's eastern property line to allow for a pedestrian pathway to Chase Avenue Urban Park and establish compatibility with the existing residential use. Because the Subject Property and the adjacent corner property are both zoned CRT, the residential compatibility requirements of the Zoning Ordinance (Section 4.1.8) do not apply.

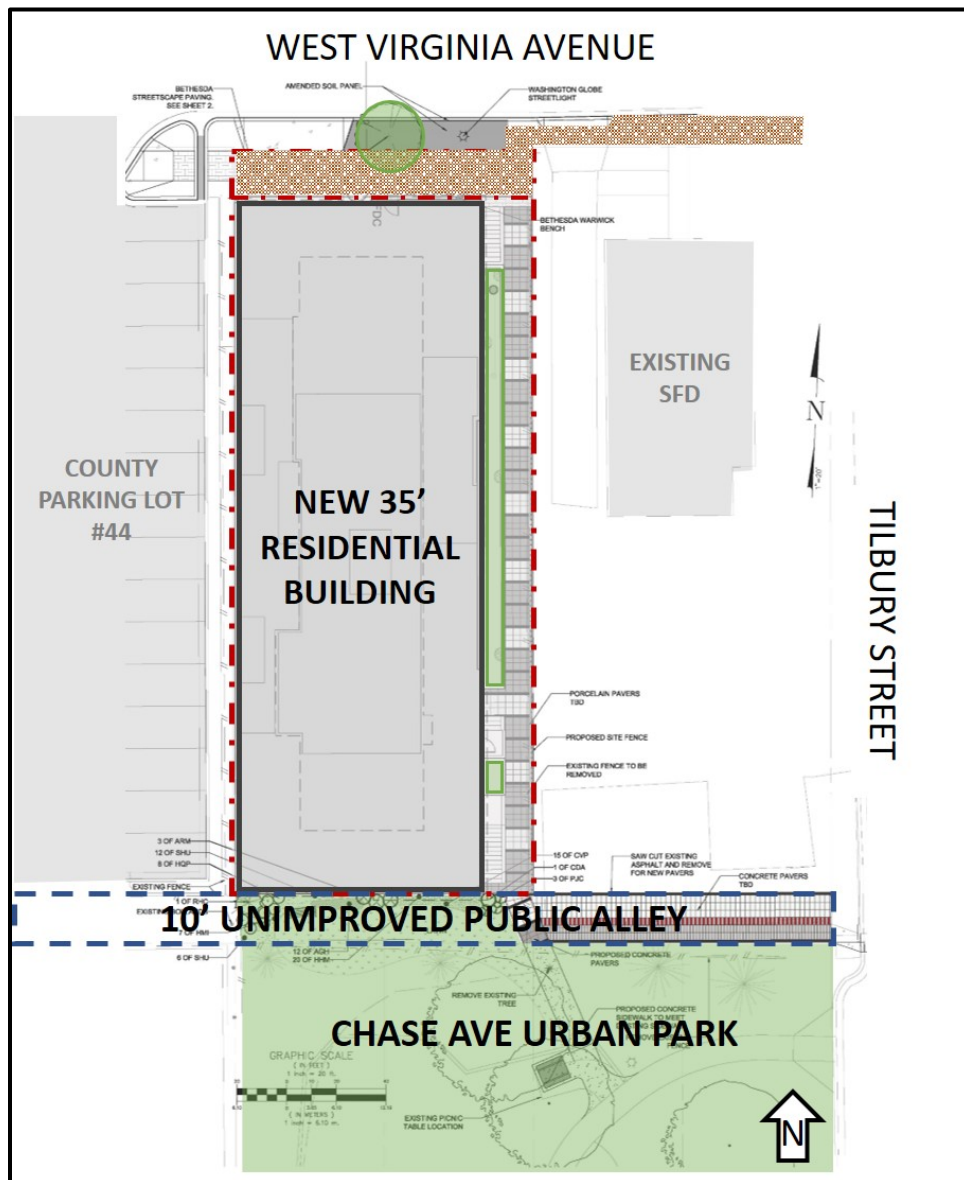


Figure 3 – Illustrative Site Plan

¹ Section 25A-5(b) of the Montgomery County Code states that an applicant that proposes development of between 11-19 units is not required to provide MPDUs, but must make a payment to the Housing Initiative Fund.

Building

The residential building will be 3 stories tall with a maximum height of 35-feet with a penthouse area on the roof. At the time of Sketch Plan, the building was envisioned to contain 8 dwelling units and be designed stylistically as townhouse units with individual entries. As the Proposal has increased from 8 to 19 dwelling units, the building design has evolved to a traditional condominium style with two main entrances. Although the individual unit entries proposed at the time of Sketch Plan, have been removed in the revised design, the building orientation continues to focus towards the Eastern Greenway and maintains a 10-foot setback from the eastern property line to allow for a pedestrian pathway with a secondary building entrance.



Figure 4 – Rendering from West Virginia Avenue looking southwest



Figure 5 – Perspective from Chase Ave Urban Park looking northwest

Design

The building design and articulation of the facades has evolved significantly from the Sketch Plan proposal. Given its location within the existing neighborhood and its visibility from Wisconsin Avenue to the west, West Virginia Avenue to the north, Tilbury Street to the east, and Chase Avenue Urban Park to the south, each of the building's four facades need to be aesthetically pleasing and welcoming. In order to present the building within this context, the base of the building will be dark masonry while the second and third story will be a faux wood fiber cement layered with a dark metal or fiber cement panel system. Balconies are proposed on the north, east, and south façade. The western façade facing County Parking Lot #44 has maximized windows and transparency to the extent permitted per the Building Code, given the building's location on the Property Line, and contains two niches for balconies. The building design also provides a rooftop penthouse with common amenity space for the residents, as well as individual access from units on the third story. The penthouse will be stepped back from the roofline on all sides, to reduce visibility from the street level and will be screened with fiber cement panels painted dark grey to match the facades.



Figure 6 – North (right) and Eastern (left) Elevations



Figure 7 – South(right) and Western (left) Elevations

Open Space

In accordance with the Zoning Ordinance, with a tract area of less than 0.50 acres, the Applicant is not required to provide public open space, however the Proposal provides direct access to the adjacent Chase Avenue Urban Park.

Transportation

Access & Circulation

Pedestrian access to the Site will be from a new sidewalk along West Virginia Avenue that will be further enhanced by installation of the Bethesda Streetscape including a 10' sidewalk and tree panel. The Applicant proposes to continue a 5-foot sidewalk east, beyond the site frontage, to the intersection of Tilbury Street to allow connection to sidewalks on the northern side of West Virginia Avenue beyond Tilbury Street. The Project proposes a new 5-foot pedestrian pathway along the eastern property line. A 10' unimproved public alley exists to the south of the Subject Property, between the Site and Chase Avenue Urban Park. The Applicant proposes to landscape this unused alley to the south of the Site, and install a pathway to Tilbury Street to the east. The Applicant will coordinate with Montgomery County Parks on the final design of the pedestrian pathways into Chase Avenue Urban Park prior to Certification of the Site Plan.

Vehicular access to the residential garage is proposed directly from West Virginia Avenue at the northwest corner of the Site. West Virginia Avenue is currently improved as a two-way street within a 40-foot wide right-of-way. The street has metered parking along the commercial uses near Wisconsin Avenue and residential permit parking along the residential properties near Tilbury Street. The Project proposes to dedicate 10 feet of property as right-of-way to contribute to the master planned right-of-way minimum of 60 feet.

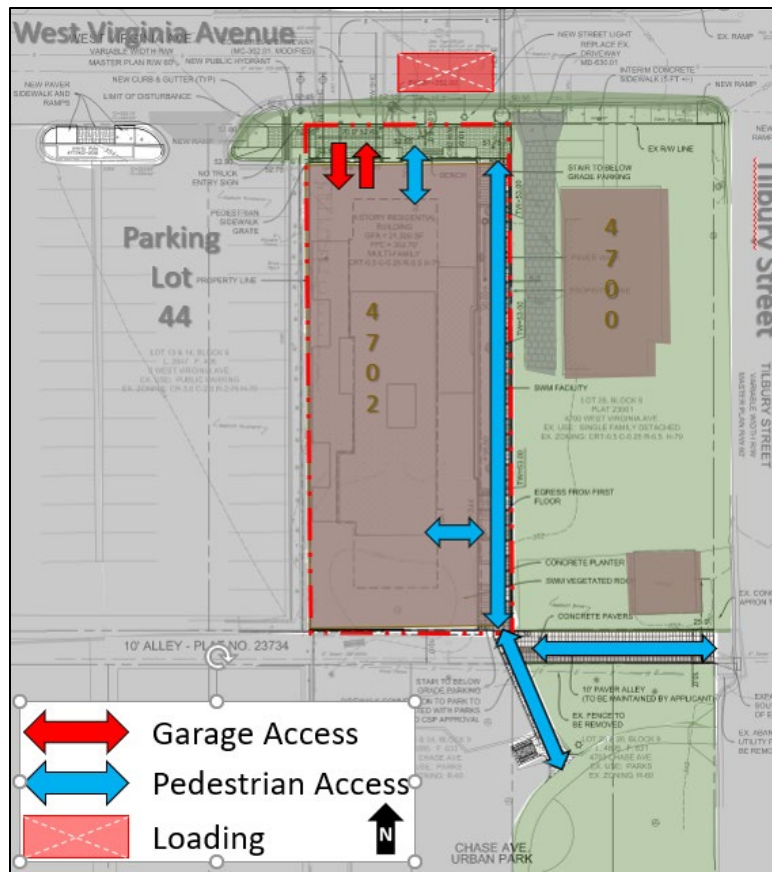


Figure 8 – Pedestrian and Vehicular Circulation

Parking and Loading

The parking garage will be located below grade and will include up to 17 vehicular parking spaces. The parking spaces will be unbundled from the sale of the dwelling units. The Site is located immediately outside the Bethesda Parking Lot District. Two pedestrian stairwells to the underground parking garage will be available from the pedestrian pathway on the eastern property line.

The Project consists of fewer than 20 units and is therefore not required to provide bicycle parking per Section 59.6.2.4.C; however, the Applicant is providing eight long-term bicycle parking spaces inside the parking garage. The spaces will be located near the elevator and away from vehicular parking spaces, in compliance with the County's Bicycle Parking Guidelines. The final number and location of automobile and bicycle parking spaces will be determined at Certified Site Plan based on the final number of residential dwelling units.

As a residential project with less than 50 dwelling units, the Site is not required to provide an off-site loading space. As a result, loading is expected to occur within the roadway along the Site's West Virginia Avenue frontage. The Applicant will include a provision in the condominium documents that requires the limited loading activities associated with residents moving in and out of the Project to be: (a) coordinated amongst the other unit owners; and (b) conducted pursuant to a validly issued temporary contractors Residential Parking Permit. FedEx, Amazon and similar deliveries will be permitted to temporarily utilize this loading zone as permitted under the County's Executive Regulations governing Residential Permit Parking Areas (RPPA's). Additionally, all trash for the Project will be maintained within the underground parking garage and placed along West Virginia Avenue for pick-up during limited periods of time. The Project has been conditioned to provide a loading management plan detailing these activities prior to Certification of the Site Plan.

Transit Connectivity

The immediate area is served by transit that includes the Red Line Bethesda Metrorail Station, Metrobus, RideOn, the Bethesda Circulator, and the future Purple Line and BRT.

Transportation Demand Management (TDM)

As a Project consisting of fewer than 40,000 square feet of development within Downtown Bethesda, a Red Policy Area under the 2016-2020 *Subdivision Staging Policy*, there are no Transportation Demand Management (TDM) requirements per County Code 42A-26. However, the Applicant is required to allow the Montgomery County Department of Transportation (MCDOT) to promote alternative modes of transportation to residents in order to help meet Non-Auto Driver Mode Share (NADMS) goal of 55% averaged between employees residents for the Bethesda Transportation Management District (TMD). Furthermore, the the Project contributes toward the NADMS goal of the Bethesda Downtown Plan by providing infill development in close proximity to transit.

Environment

There are no rare, threatened, or endangered species, no stream/buffers, steep slopes or known historical or cultural resources on site. There is one 24-inch diameter at breast height (DBH) on the property. This white mulberry tree is in poor condition. The Site is located within the Lower Rock Creek Watershed, a use I-P watershed.

Forest Conservation

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law, and received an exemption (Attachment D) from submitting a forest conservation plan on January 18, 2019 (42019104E). The Application is exempt from submitting a forest conservation plan under Section 22A-5(s)(2), because the proposed activity occurs on a tract of land less than 1 acre, will not result in the clearing of more than a total of 20,000 square feet of existing forest or any existing specimen tree or champion tree, and reforestation requirements would not exceed 10,000 square feet.

The 24" white mulberry located onsite is proposed to be removed by this Application due to the tree's poor condition. The Sketch Plan conditioned the Project to submit a Tree Save Plan with the Site Plan to minimize impacts to all trees within the adjacent Chase Avenue Urban Park that have critical root zones impacted by the Project's LOD. The Tree Save Plan was reviewed as a part of this Application and avoids the removal of any trees 24" and greater. The TSP includes root pruning, deep root fertilization, and manual aeration for those significant trees located adjacent to the Property in Chase Avenue Urban Park. Based on these measures, tree removal is not anticipated, however the extent of improvements within Chase Avenue Urban Park will not be finalized until Site Plan Certification. As a result, there may be a need to remove trees #2 (27" Red Cedar), #3 (34" Zelkova), and/or #5 (24" Zelkova). Staff recommends a condition requiring the Tree Save Plan to be finalized at the time of CSP. If it is determined by Staff that removal of tree(s) are necessary, mitigation plantings are required based on the size and character of the trees to be cleared. These measures will be reviewed by the MNCPPC Forest Conservation Inspector and an arborist/licensed tree care expert at pre-construction.

Noise

As part of the Site Plan, the Applicant submitted a Noise Impact Analysis prepared by Phoenix Noise & Vibration LLC, dated March 30, 2020. Due to environmental conditions surrounding COVID-19, this noise impact analysis was based on computer modeling and does not incorporate onsite noise measurements or traffic data from West Virginia Avenue, Tilbury Street, and Chase Avenue. The analysis found that noise levels in the private and common rooftop penthouse terraces will remain below the threshold of 65 dBA. Further, none of the 19 condominium units throughout the future building will be exposed to roadway noise levels above 45 dBA. Phoenix Noise & Vibration LLC concludes that further analysis of these outdoor spaces and residential units will not be required due to the current building design which provides appropriate noise mitigation. As conditioned, at the time of

building permit, the Applicant must provide certification by an engineer who specializes in acoustical treatment that the building has been designed to appropriately attenuate noise levels.

Stormwater

The MCDPS Stormwater Management Section approved the stormwater management concept on April 20, 2020 (Attachment C). According to the approval letter, the Project meets stormwater management goals using green roof, and micro-bioretenention boxes.

Green Cover

The Sector Plan includes several recommendations to achieve the urban green goals outlined for the Bethesda Downtown area. An important recommendation to this effect is the onsite 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6-inches or deeper) or tree canopy cover. The space limitations of the Subject Property preclude the opportunity for onsite canopy tree plantings. Therefore, the Applicant has endeavored to meet the onsite 35% cover requirement entirely through the use of intensive green roof (at 6-inches in depth) and at-grade planting areas over the parking structure, including bioretention plantings.

The Applicant provided a green cover exhibit which shows a net site area of 8,400 square feet. This results in a green coverage requirement of at least 2,940 square feet (35% of site area). The green cover exhibit proposes 2,792 square feet of green roof and 279 square feet of additional planting area on structure, the Application exceeds the requirement by providing 3,071 square feet, or 36% of site area, of green cover.

Typically, when green roof is also used to achieve stormwater management requirements, which is the case for this Application, a deeper green roof, such as 8-inches, is required. The Applicant has stated that the structure cannot bear the weight of any additional depth of green roof. Given the small Site, and the Applicant's ability to provide just above the 35% green cover, the 6-inch green roof is acceptable and meets the goals of the Sector Plan.

SECTION 4: SKETCH PLAN 32019006A

ANALYSIS AND FINDINGS

The Planning Board approved Sketch Plan No. 320190060 for a new 35-foot-tall multi-family residential building totaling 20,000 square feet with underground parking on 0.21 acres zoned CRT 0.5 C 0.25 R 0.5 H-70 in the 2017 *Bethesda Downtown Sector Plan*. The maximum density includes up to 14,750 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP).

Sketch Plan Amendment 32019006A proposes to increase the overall density by 1,500 square feet, from 20,000 square feet of residential to 21,500 square feet. The data table has been updated to reflect the proposed changes. All previous findings remain unchanged.

Table 1: 4702 West Virginia Ave Sketch Plan Amendment Data Table

Section 59.4	Development Standard	Permitted/ Required	Approved with Sketch Plan 320190060	Proposed with Sketch Plan Amendment 32019006A
	Tract Area	n/a	10,500 sf (0.24 ac)	10,500 sf (0.24 ac)
	Prior Dedication	n/a	1,500 sf (0.03 ac)	1,500 sf (0.03 ac)
	Proposed Dedication	n/a	600 sf (0.01 ac)	600 sf (0.01 ac)
	Site Area	n/a	8,400 sf (0.19 ac)	8,400 sf (0.19 ac)
	Residential Density (GFA/ FAR)	5,250 sf (0.5)	5,250 sf (0.50)	5,250 sf (0.50)
	Commercial Density (GFA/FAR)	2,625 sf (0.25)	0 sf	0 sf
	Bethesda Overlay Zone Density	n/a	14,750 sf (1.40)	16,250 sf (1.55)
	Total FAR/GFA		20,000 sf (1.90)	21,500 sf (2.05)
	Building Height, max	70 feet	35 feet	35 feet
	Public Open Space (min sq.ft.)	0	0	0
	Minimum Setbacks (ft)			
	Front	0	0	0
	Side	0	Western: 0' Eastern: 10'	Western: 0' Eastern: 10'
	Rear	0	0	0

SECTION 5: SITE PLAN 820200090

ANALYSIS AND FINDINGS

1. *When reviewing an application, the approval findings apply only to the site covered by the application.*
2. *To approve a Site Plan, the Planning Board must find that the proposed development:*
 - a. *satisfies any previous approval that applies to the site;*

The Site Plan conforms to all bindings elements of Sketch Plan No. 320190060 as amended.

- b. *satisfies under Section 7.7.1.B.5 the binding elements of any development plan or schematic development plan in effect on October 29, 2014;*

This section is not applicable as there are no binding elements of an associated development plan or schematic development plan in effect on October 29, 2014.

- c. *satisfies under Section 7.7.1.B.5 any green area requirement in effect on October 29, 2014 for a property where the zoning classification on October 29, 2014 was the result of a Local Map Amendment;*

This section is not applicable as the Subject Property's zoning classification on October 29, 2014 was not the result of a Local Map Amendment.

- d. *satisfies applicable use standards, development standards, and general requirements under this Chapter;*

- i. *Division 4.5. Commercial/Residential Zones*

Development Standards

The Tract is approximately 0.24 acres or 10,500 gross square feet, zoned CRT 0.5 C 0.25 R 0.5 H-70' and is within the Bethesda Overlay Zone. The following Data Table shows the Application's conformance to the development standards of the zone.

Table 2 : Site Plan Data Table

Section 59-4	Development Standard	Permitted/ Required	Proposed
	Tract Area (Square Feet/ Acres) CRT 0.5 C 0.25 R 0.5 H-70 Total Tract Area	n/a	10,500 sf (0.24 ac)
	Site Area (Square Feet/ Acres) Prior Dedication Proposed Dedication Site Area (Tract Area – Dedications)	n/a	1,500 sf (0.03 ac) 600 sf (0.01 ac) 8,400 sf (0.19 ac)
	DENSITY Residential Density GFA (FAR) Commercial Density GFA (FAR) Total Mapped Density GFA (FAR) MPDU Density (GFA/FAR) Bethesda Overlay Zone Density GFA (FAR) Total GFA (FAR)	Residential 5,250 sf (0.50) Commercial 2,625 sf (0.25) 7,875 sf (0.75) n/a n/a n/a	5,250 sf (0.50) 0 sf 5,250 sf (0.50) 0 ¹ 16,250 sf (1.55) 21,500 (2.05)
	Building Height	70 feet	35 feet ²
	Public Open Space (min)	0	0 ³
	Green Cover (% / sf)	35% / 2,940 sf	36% / 3,071 sf
	Minimum Setbacks	Front: 0 Side: 0 Rear: 0	Front: 0 Side: Western: 0' Eastern: 10' Rear: 0

¹ MPDUs not required projects providing less than 20 units. Project will be required to pay a fee to the DHCA per Section 25A-5(b) of the Montgomery County Code

² The Sector Plan limits height to 35 feet because the Project does not provide land for a future Eastern Greenway

³ The tract area is less than 0.50 acres, therefore public open space is not required

Parking	Spaces Required	Spaces Provided
Vehicle Parking		
Residential		
1 Bedroom (5 market rate units);	(2.5 minimum/ 6.25 maximum)	--
2 Bedroom (4 market rate units);	(3 minimum/ 6 maximum)	--
3 Bedroom (10 market rate units);	(7.5 minimum/ 20 maximum)	--
	--	--
Total Residential Units (19 Market rate)	(13 minimum¹/ 33 maximum)	--
Reduced 20% (Bethesda Overlay Zone)	11 Minimum	17
Bicycle Parking (Long Term/ Short Term)		
Residential (19 units)	0 ²	8 / 0
Total Bicycle Parking	0	8
Loading Spaces	0	0

¹ Per Section 59.6.2.3.I.5 Minimum Parking Requirement based on Unbundled Residential Adjustment

² Per Section 59.6.2.4.C Bicycle Parking Spaces, bicycle parking is not required for projects with 19 or fewer dwelling units

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

ii. *Division 4.7. Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59.4.7.1., the Site Plan is required to provide a minimum of 50 public benefit points from three categories. The Applicant proposes the following public benefits to satisfy the requirements: Major Public Facilities, Connectivity and Mobility, Diversity of Uses and Activities, and Quality of Building and Site Design.

Table 3: Public Benefit Points

Public Benefit	Incentive Density Points		
	Max Allowed	Requested	Recommended
59.4.7.A: Major Public Facilities			
Chase Ave Urban Park Contribution	40	20	10
59.4.7.3C: Connectivity and Mobility			
Minimum Parking ¹	30	7	7
59.4.7.3E: Quality of Building and Site Design			
Architectural Elevations	30	15	15
Exceptional Design ¹	30	20	20
Structured Parking	20	20	20
TOTAL	150	82	72

¹Denotes Sector Plan priority

Major Public Facilities

Chase Ave Urban Park Contribution: The Applicant requests 20 points for making a financial contribution in the amount of \$25,000 towards improvements to the Chase Avenue Urban Park. Points for this incentive are typically granted based on land conveyance for facilities, however points may be granted if payments are made towards the facility. In this case, Parks staff is supportive of the contribution. While construction work at Chase Avenue Urban Park was recently completed, Parks Staff has future lighting improvements as well as community requests for further Park enhancements including activity equipment and ping pong tables. While Staff is supportive of the contribution, the facility currently exists, and the contributions would fund enhancements rather than provide a new resource to the public. Therefore, Staff recommends 10 points for this category.

Connectivity and Mobility

Minimum Parking: The Applicant requests 7 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Based on the formula set forth in the 2017 *Commercial/ Residential and Employment Zones Incentive Density Implementation Guidelines*, provided below, Staff recommends 7 public benefit points in this category.

$$\begin{aligned} & [((\text{Maximum Allowed Parking}) - (\text{Parking Provided})) / \\ & ((\text{Maximum Allowed Parking}) - (\text{Minimum Parking}))] * 10 \\ & (33 - 17) / (33 - 11) * 10 = 7 \text{ points} \end{aligned}$$

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 15 points for providing architectural elevations as part of the certified site plan showing particular elements in the façade including minimum amounts of transparency on the first floor, minimal spacing between operable doors, and design priorities of the applicable sector plan or implementing design guidelines. As conditioned, the exterior architectural elements must be substantially similar to architectural elevations shown on the submitted architectural drawings. Staff supports the Applicant's request.

Exceptional Design: The Applicant requests 20 points for a building or site design that enhances the public realm in a distinct and original manner. The Applicant presented this Project to the Design Advisory Panel on two occasions throughout the Sketch and Site Plan review process. At the November 20, 2019 meeting, the DAP voted 4-0 in support of 20 exceptional design points for the Project with the following conditions:

- a. Further develop the western façade facing the County parking lot through increase of wood paneling and adding depth, of even a couple inches, and minimizing the darkness of materials
- b. Properly reflect on-site plan only landscaping that is under control and maintenance by the Applicant. Do not include landscaping that is offsite and not in control by the Applicant.

The Applicant incorporated these comments into the Site Plan application. The landscaping plan only shows plantings proposed on the Subject Property. The architectural elevations for the

western façade show additional depth and more information on the material type. As conditioned, the elevations must be substantially similar to the architectural elevations shown on the architectural drawings.

Providing innovative solutions in response to the immediate context.

The Project creates frontages on all four sides of the Property. The front elevation is setback to enhance the streetscape on West Virginia Avenue, and the side elevation is oriented towards the future Eastern Greenway, which will be part of a more comprehensive network of open spaces. Finally, the south façade is activated to have a compatible relationship with Chase Avenue Urban Park. The Applicant has also redesigned the western elevation to allow for windows and balconies to the maximum extent feasible, and variations in colors, materials and textures on the façade.

Creating a sense of place and serves as a landmark.

The Project is a small boutique style condominium that will create a transition in building height and housing type from the higher density development on Wisconsin Avenue to the west and the single-family residential neighborhoods to the east. The proposed transition in building heights will identify a change between downtown Bethesda and an established residential community. When the Eastern Greenway is implemented, the Project will front and engage this public open space thereby becoming an identifiable landmark along this route.

Enhancing the public realm in a distinct and original manner.

In addition to enhancing the streetscape along West Virginia Avenue, the Project will interact with the future Eastern Greenway allowing for access to the first floor of the Project from the east, and the unimproved public alley to the rear will be enhanced through proposed landscape features which will also help to activate Chase Avenue Urban Park.

Introducing materials, forms or building methods unique to the immediate vicinity or applied in a unique way.

The Project will create frontages on four sides. First, the front elevation is setback to enhance the streetscape on West Virginia Avenue. Second, the east elevation is activated to face a future greenway which will be part of the North Eastern Greenway. Additionally, the south façade will activate Chase Avenue Urban Park. Finally, the western elevation will be activated with building articulation through variation in colors, materials and textures.

Additional context and discussion for the DAP's recommendations are included in the attached DAP meeting summary (Attachment B).

Structured Parking: The Applicant requests 20 points for providing all parking within a below-grade parking structure. The Applicant satisfies the requirements for 20 points because all on-site parking is provided in a below-grade garage. Staff supports 20 points in this category based on the following formula:

$$[(\text{Above Grade Parking} / \text{Total Parking}) * 10] + [(\text{Below Grade Parking} / \text{Total Parking}) * 20] \\ = [(0/17) * 10] + [(17/17)] * 20 = 20 \text{ points}$$

iii. Division 6.1. Site Access

Pedestrian access to the Site will be from a new sidewalk along West Virginia Avenue that will be further enhanced by installation of the Bethesda Streetscape. The Applicant proposes to continue the sidewalk along the site frontage to the intersection of Tilbury Street with a modified sidewalk detail in the existing right-of-way. The Project proposes new pedestrian pathways along both the eastern and southern property lines. A 10' unimproved public alley exists to the south of the Subject Property, between the Site and Chase Avenue Urban Park. The Applicant proposes to landscape this unused alley to the south of the Site, and install a pathway to Tilbury Street to the east. The Applicant will coordinate with Montgomery County Parks on the final design of the pedestrian pathways into Chase Avenue Urban Park at the time of Certified Site Plan.

Vehicular access to the residential garage is proposed directly from West Virginia Avenue at the northwest corner of the Site. West Virginia Avenue is currently improved as a two-way street within a 40-foot wide right-of-way. The street has metered parking along the commercial uses near Wisconsin Avenue and residential permit parking along the residential properties near Tilbury Street. The Project proposes to dedicate 10 feet of property as right-of-way to contribute to the master planned right-of-way minimum of 60 feet.

iv. Division 6.2. Parking, Queuing, and Loading

The parking garage will be located below grade and will include up to 17 vehicular parking spaces. The parking spaces will be unbundled with the sale of the units. The Site is located immediately outside the Bethesda Parking Lot District.

In accordance with Section 59.6.2.4.C Bicycle Parking Spaces, bicycle parking is only required for those projects with 20 or more dwelling units. The Applicant proposes 8 long-term spaces. Installation of the bicycle parking spaces will need to comply with the Zoning Ordinance and Bicycle Parking Guidelines.

The final number and location of automobile and bicycle parking spaces will be determined at Certified Site Plan based on the final number of residential dwelling units.

As a residential project with less than 50 dwelling units, the Site is not required to provide an off-site loading space. As a result, loading is expected to occur within the roadway along the Site's West Virginia Avenue frontage. The Applicant will include a provision in the condominium documents that requires the limited loading activities associated with residents moving in and out of the Project to be: (a) coordinated amongst the other unit owners; and (b) conducted pursuant to a validly issued temporary contractors Residential Parking Permit. FedEx, Amazon and similar deliveries will be permitted to temporarily utilize this loading zone as permitted under the County's Executive Regulations governing RPPA's. Additionally, all trash for the Project will be maintained within the underground parking garage and placed along West Virginia Avenue for pick-up during limited periods of time. The Project has been conditioned to submit a loading management plan at the time of Certified Site Plan.

v. Division 6.3. Open Space and Recreation

In accordance with Section 59.4.6.4.B of the Zoning Ordinance, based on tract area and number of frontages, the Project is not required to provide public open space. However, the Project is providing

a direct pathway from the Site into Chase Avenue Urban Park and is financially contributing \$25,000 towards improvements within the Park. The Application proposes a residential development of 19 units and therefore is not required to provide Recreation Facilities per Section 59.6.3.9 of the Zoning Ordinance.

vi. Division 6.4. General Landscaping and Outdoor Lighting

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project proposes landscaping along the site frontage of West Virginia Avenue as well as a pathway from West Virginia Avenue along the eastern property line to access the Chase Avenue Urban Park. This pathway will be lined with landscape plantings within the stormwater bioretention planters and will further landscape the rear of the Property as it faces Chase Avenue Urban Park.

As shown in the Development Standards table, the Site Plan meets all general requirements and development standards of Section 4.5 of the Zoning Ordinance, the optional method public benefits provisions of Division 4.7 of the Zoning Ordinance, and the general development requirements of Article 59-6 of the Zoning Ordinance.

e. satisfies the applicable requirements of:

i. Chapter 19, Erosion, Sediment Control, and Stormwater Management; and

Stormwater Concept Plan was approved by the Montgomery County Department of Permitting Services (MCDPS) on April 20, 2020 (Attachment C). The Application will meet stormwater management goals through green roof and micro-bioretention boxes.

ii. Chapter 22A, Forest Conservation.

There are no environmentally sensitive features, such as streams, wetlands floodplains or associated buffers, associated with the site. This Project is subject to the Chapter 22A, Montgomery County Forest Conservation Law, but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2) because the proposed activity occurs on a tract of land less than 1 acre, will not result in the clearing of more than a total of 20,000 square feet of existing forest or any existing specimen tree or champion tree, and reforestation requirements would not exceed 10,000 square feet. Staff confirmed Forest Conservation Exemption 42019104E on January 18, 2019 (Attachment D).

f. provides safe, well-integrated parking, circulation patterns, building massing and, where required, open spaces and site amenities;

The Project provides adequate, safe, and efficient parking and circulation patterns. The Project proposes one driveway entrance off of West Virginia Avenue for access to an underground parking garage. The Applicant has provided turning templates demonstrating proper circulation patterns within the parking garage for the standard and compact spaces. The building will provide residential amenities on the rooftop. While the Project is not required to provide open space, the Site abuts Chase Avenue Urban Park, and the Project has been designed to provide direct pedestrian connections to the Park.

g. substantially conforms with the recommendations of the applicable master plan and any guidelines approved by the Planning Board that implement the applicable plan;

The Property is designated as site 212 on page 134 of the Sector Plan. The Property is located in the Eastern Greenway District, which is split into two sections, north and south of East West Highway. The Property is in the northern district which forms a transitional area between the commercial structures of downtown Bethesda and the single-unit houses of East Bethesda. It is characterized by low-density, primarily residential development, green open spaces and paved parking lots. The area is located only half a block from the commercial uses within the Downtown Bethesda area on Wisconsin Avenue. The Sector Plan sees this area as stable transitional uses. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and the Eastern Greenway District sections of the Sector Plan:

- *Ensure the stability of the land uses in the transitional area to preserve East Bethesda and the Town of Chevy Chase as single unit residential neighborhoods*

The Project will provide a medium-density residential development similar to the existing nearby garden apartments to confirm the transition from the Wisconsin Avenue Corridor to East Bethesda.

- *Make the best use of land near the Bethesda Metrorail Station and future Purple Line station by promoting redevelopment of underutilized properties and private surface parking lots.*

The Project will replace one single-family dwelling with a 19-unit residential building, thereby increasing residential density near existing and proposed transit.

- *Provide a compatible transition between higher-density development along Wisconsin Avenue and the East Bethesda and Town of Chevy Chase*

The Project will provide a medium-density residential housing type that is lacking in the area at a scale in keeping with the single-family neighborhood of East Bethesda.

- *Provide a green connector and a transition along the eastern edge of the Sector Plan area.*

The 2017 *Bethesda Downtown Sector Plan* recommends the formation of a linear Greenway along the western side of Tilbury street from Maple Avenue down to Cheltenham Drive linking Cheltenham Park, Chase Avenue Urban Park, and a proposed new park on Maple Avenue which is currently County Parking Lot #25. This public Greenway is envisioned to provide additional open space to the area and buffer the higher-density development along Wisconsin Avenue from the East Bethesda neighborhood. The parcels adjacent to and within the future Greenway were rezoned to increase their development potential, as the Greenway is envisioned to be created through the redevelopment of these parcels. The Sector Plan and Design Guidelines describe how development adjacent to the Eastern Greenway should be oriented towards the Greenway and the type of uses on the ground floor should activate the space through placement of ground floor retail and/or residential unit entryways. To enhance compatibility with the adjacent residential neighborhood, the Sector Plan calls for the Greenway width to be equal to the amount of building height proposed.

The corner property (4700 West Virginia Ave), where the Eastern Greenway is to be located, is not a part of this Application. Through the Sketch Plan review, the Project was revised to better conform with the Sector Plan and Design Guidelines without utilizing the corner lot. Given that the Project cannot contribute to the Eastern Greenway, the building height has been limited to 35 feet. While the Project does not provide a green connector for the Eastern Greenway as envisioned in the Sector Plan, it does acknowledge and accommodate the future Greenway by orienting the building towards

the corner lot and providing a transitional land use and density that will complement the surrounding neighborhood.

- *Height limits and greenways will ensure compatibility with adjacent neighborhoods, provide public open space, improve connections and enhance environmental benefits.*

The Sector Plan states that the Greenway width should be equal to the allowed building height. For projects that cannot provide a Greenway, the maximum height is 35 feet. The Site Plan does not include the corner lot where the Greenway is proposed in the Sector Plan, therefore the Project is limited to 35 feet in height. While the Project does not include the corner Property, the building has been oriented to face the future Eastern Greenway and has provided a pathway connecting West Virginia Avenue through the Site to the Chase Avenue Urban Park.

- *On private property, provide a minimum of 35 percent green cover, which may include singularly or a combination of intensive green roof and tree canopy.*

The Applicant will provide a minimum of 35% of the Site Area (2,940 square feet) of Green Cover to meet the 35% Green Cover requirement set forth in Section 2.4.1 of the Sector Plan and Section 2.3.2 of the associated Design Guidelines. In response to this requirement, the Application proposes an intensive green roof, with a minimum depth of 6-inches, and bioretention plantings on portions of the building.

Typically, when green roof is also used to achieve stormwater management requirements, which is the case for this Application, a deeper green roof is required, such as 8-inches. The Applicant has stated that the structure cannot bear the weight of any additional depth of green roof. Given the small Site, and the Applicant's ability to provide just above the 35% green cover, the intensive green roof with a dept of 6-inches is acceptable.

- h. *will be served by adequate public services and facilities including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities. If an approved adequate public facilities test is currently valid and the impact of the development is equal to or less than what was approved, a new adequate public facilities test is not required. If an adequate public facilities test is required the Planning Board must find that the proposed development will be served by adequate public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, and storm drainage;*

- i. *Roads and other Transportation Facilities*

Transportation access is adequate to serve the proposed development by this Site Plan.

- a. *Existing Facilities*

The Site has direct frontage and access on West Virginia Avenue, which is currently improved as a two-way street within a 40-foot wide right-of-way. The street has metered parking along the commercial uses near Wisconsin Avenue and residential permit parking along the residential properties near Tilbury Street. The Project is located approximately less than ½ mile from Bethesda Metro Station.

- b. *Proposed public transportation infrastructure*

West Virginia Avenue is identified in the 2017 *Bethesda Downtown Sector Plan* as a business district roadway with a minimum right-of-way width of 60'. The 2018 *Bicycle Master Plan*,

2013 *Countywide Transit Corridors Functional Master Plan*, 2018 *Bicycle Master Plan*, and 2018 *Master Plan of Highways and Transitways* have no specific recommendations for West Virginia Avenue. The Project proposes to dedicate 10 feet of property as public right-of-way on West Virginia Avenue. The Project will construct street frontage improvements along the site frontage according to the Bethesda Streetscape Guidelines, and further extend the sidewalk beyond the site frontage to Tilbury Street within the existing right-of-way.

ii. Local Area Transportation Review (LATR)

The Applicant is seeking approval for up to 21,500 square feet for 19 condominium units. Based on trip generation guidance included in the 2017 *Local Area Transportation Review Guidelines*, the Project is estimated to generate 14 net new morning peak hour person trips and 17 net new evening peak hour trips. Trip generation is estimated below 50 net new person peak hour trips. Therefore, no additional transportation analysis is necessary, and a finding can be made that adequate public facilities exist to serve the site.

iii. Other Public Facilities

Schools Analysis

Overview and Applicable School Test

Site plan application #820200100 for 4702 West Virginia Avenue is scheduled to come before the Planning Board for review on May 14, 2020. Therefore, the FY20 Annual School Test, approved by the Planning Board on June 20, 2019 and effective July 1, 2019 is applicable. The application proposes development of 19 multi-family low-rise units replacing one existing single-family detached home.

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of dwelling units is multiplied by the applicable regional student generation rate for each school level. Dwelling units are categorized by structure type: single family detached, single family attached (townhouse), low- to mid-rise multifamily unit, or high-rise multifamily unit. The subject property is located in the southwest region of the County.

Per Unit Student Generation Rates – Southwest Region

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

With a net of 18 units, the proposed project is estimated to generate the following number of students:

Type of Unit	Net Number of Units	ES Generation Rates	ES Students Generated	MS Generation Rates	MS Students Generated	HS Generation Rates	HS Students Generated
SF Detached	-1	0.186	-0.186	0.109	-0.109	0.151	-0.151
MF Low-Rise	19	0.150	2.850	0.068	1.292	0.085	1.615
TOTAL	18		2		1		1

This project is estimated to generate 2 new elementary school students, 1 new middle school student, and 1 new high school student.

Cluster Adequacy Test

The project is located in the Bethesda-Chevy Chase cluster area. The student enrollment and capacity projections from the FY20 Annual School Test for the cluster are noted in the following table:

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

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

Individual School Adequacy Test

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

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

Under the individual school adequacy test, a school is deemed inadequate if the projected school utilization rate exceeds 120% and the school seat deficit meets or exceeds 110 seats for an

¹ The projected cluster elementary school capacity of 3,813 has been modified to reflect the impact of a six-classroom placeholder project at Bethesda ES and a four-classroom placeholder project at Somerset ES included by the County Council in the FY20 Capital Budget.

² The projected Bethesda ES capacity of 560 students has been modified to reflect the impact of a six-classroom placeholder project included by the County Council in the FY2019-2024 Capital Improvements Program.

elementary school or 180 seats for a middle school. If a school's projected enrollment exceeds *both* thresholds, then the school service area is placed in a residential development moratorium.

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

Schools Analysis Conclusion

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

Public Facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by public water and public sewer. The Application has been reviewed by the Montgomery County Fire and Rescue Service who has determined that the Subject Property will have appropriate access for fire and rescue vehicles. Other public facilities and services, such as electrical, telecommunications, gas, police stations, firehouses, and health services are operating according to the Subdivision Staging Policy resolution currently in effect and will be adequate to serve the Property.

- i. on a property in a Rural Residential or Residential zone, is compatible with the character of the residential neighborhood; and*

The Subject Property is not located in a Rural Residential or Residential zone.

- j. on a property in all other zones, is compatible with existing, approved or pending adjacent development.*

At 35' in height, the building will be of similar heights to the existing single-family residential dwellings to the east. The building will provide an appropriate transition from the higher density development along the Wisconsin Avenue corridor to the single-family neighborhood to the east. The building design reduces bulk through the articulation of materials, which the Design Advisory Panel has reviewed and supports.

- 3. To approve a Site Plan for a Restaurant with a Drive-Thru, the Planning Board must also find that a need exists for the proposed use due to an insufficient number of similar uses presently serving existing population concentrations in the County, and the uses at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood.*

Not applicable, this Site Plan does not include a restaurant with a drive-thru.

- 4. For a property zoned C-1 or C-2 on October 29, 2014 that has not been rezoned by Sectional Map Amendment or Local Map Amendment after October 30, 2014, if the proposed development includes less gross floor area for Retail/Service Establishment uses than the existing development, the Planning Board must consider if the decrease in gross floor area will have an adverse impact on the surrounding area.*

Not applicable, the Subject Property is not zoned C-1 or C-2.

Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. The Applicant held a pre-submittal public meeting at the Bethesda Chevy Chase Regional Services Center on September 16, 2019. Staff has not received any correspondence to date.

CONCLUSION

As conditioned, the Sketch Plan Amendment and Site Plan application each satisfy the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conform to the recommendations of the 2017 *Bethesda Downtown Sector Plan* and *Bethesda Downtown Design Guidelines*. Therefore, Staff recommends approval of Sketch Plan Amendment 32019006A and Site Plan No. 820200100 with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Sketch Plan Resolution (MCPB No. 19-057)
- B. Design Advisory Panel Memorandum
- C. Agency Letters
- D. Forest Conservation Exemption