




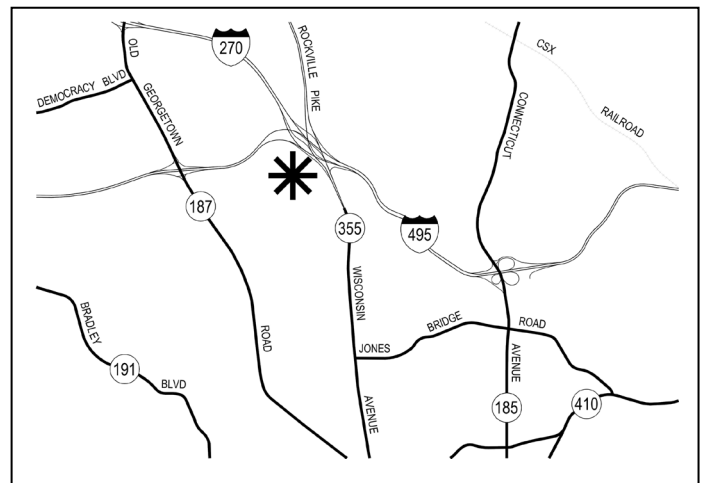
Pooks Hill Site Plan Amendment No. 81982098F

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Completed: 09.11.2020

Description

- Request to reduce maximum density from 905,250 to 769,073 square feet, reduce residential density from 645,657 to 510,000 square feet and reduce total residential units from 631 to 562 units while maintaining 15% MPDUs, reduce height from 160 feet to 137 feet; redesign vehicular circulation and relocate garage entries, modify building footprints, entrances, and add a first floor connection between residential towers; reduce parking from 804 spaces to 520 spaces; redesign hardscape and landscape areas; redesign building facades and modify balconies; modify associated public benefit points;
- Current use: surface parking lots and hotel;
- Located at: 5151 Pooks Hill Road, approximately 1,200 west of intersection with Rockville Pike;
- Size: 6.0 acres of 19.38- acre site;
- Zoned: CR 1.0, C 1.0, R 0.75, H 160;
- Master Plan: 1990 *Bethesda-Chevy Chase Master Plan*
- Applicant: EM Pooks Hill LLC
- Acceptance date: May 21, 2020.



Summary

- Staff recommends **Approval** of the Site Plan Amendment, with conditions.
- The Site Plan covers the entire Site totaling 19.38 acres, which comprises two condominium units: Hotel Unit (existing Bethesda Marriot Hotel) and a Multi-Family Unit (this Amendment).
- In 2017, the Planning Board approved a Sketch Plan and Site Plan Amendment to allow a maximum density of 905,250 square feet of total development, consisting of 548,808 square feet of residential development with 96,849 square feet of MPDUs and a maximum of 259,593 square feet of non-residential density. The residential development would consist of two towers with a maximum height of 160 feet and 631 units, and the non-residential density is attributed to the existing Bethesda Marriot Hotel.
- This Site Plan Amendment will reduce overall height and density of the previously approved residential development, as well as make modifications to several site conditions including, parking, landscaping, and internal site circulation.
- During the review of this Amendment, an Administrative Amendment was approved to allow limited changes to the Forest Conservation Plan, 81989098G (See Attachment C).

SECTION 1: RECOMMENDATION AND CONDITIONS

Site Plan No. 81982098F

Staff recommends approval of Site Plan No. 81982098F, to reduce maximum density from 905,250 to 769,073 square feet, reduce residential density from 645,657 to 510,000 square feet and reduce total residential units from 631 to 562 units while maintaining 15% MPDUs, reduce height from 160 feet to 137 feet; redesign vehicular circulation and relocate garage entries, modify building footprints, entrances, and add a first floor connection between residential towers; reduce parking from 804 spaces to 520 spaces; redesign hardscape and landscape areas; redesign building facades and modify balconies; modify associated public benefit points. 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 conditions below. The following Conditions 4, 6, 8, 11, 13, 14, and 19 supersede the previous conditions, and Condition 20 and 21 are in addition to all other conditions, which remain in full force and effect:

4. Stormwater Management

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 February 5, 2016 and reconfirmed on August 10, 2020, and incorporates them as conditions of the Site Plan Amendment approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.

6. Recreation Facilities

- a. Before Certified Site Plan approval, the Applicant must meet the square footage requirements for all of the applicable recreational elements and demonstrate to M-NCPPC Staff that each element meets M-NCPPC Recreation Guidelines.
- b. The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

8. Public Benefits

The Applicant must provide public benefits from the following categories as approved by Sketch Plan 320150060 and 32015006A and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each category.

- a. Transit Proximity – Prior to the release of any above grade building permits for development on the site exclusive of any sheeting and shoring permits, the Applicant must execute a Transportation Enhancement agreement (TEA) with the Planning Board and MCDOT to provide a private shuttle service to either the Medical Center Metrorail Station or the Grosvenor Metrorail Station.
- b. Diversity of Uses and Activities
 - i. Affordable Housing/MPDUs
 - a) The Applicant must provide affordable housing units in accordance with the MPDU recommendations in Montgomery County's Department of Housing and Community Affairs' (MCDHCA) email dated August 3, 2020, which the Planning Board accepts and hereby incorporates as conditions of the Site Plan Amendment approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDHCA provided that the amendments do not conflict with other conditions of the Site Plan Amendment approval.
 - b) Prior to issuance of any building permit for any residential unit, the MPDU agreement to build between the Applicant and the DHCA must be executed.

c. Quality Building and Site Design

i. Architectural Elevations

All architectural elevations must be shown on the Certified Site Plan. The exterior architectural elements must be substantially similar to architectural elevations as shown on the Certified Site Plan as determined by M-NCPPC Staff.

ii. Exceptional Design

The Applicant must construct both buildings in a manner consistent with architectural elevations as shown on the Certified Site Plan.

iii. Structured Parking

The Applicant must provide a minimum of 520 parking spaces within a below-grade structure as shown on the Certified Site Plan.

d. Protection and Enhancement of the Natural Environment

i. Building Lot Terminations (BLTs)

Prior to issuance of any building permit, the Applicant must provide proof of purchase and/or payment of 0.8272 BLTs to the MCDPS.

ii. Cool Roof

The Applicant must provide a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12 as illustrated on the Certified Site Plan.

iii. Tree Canopy

The Applicant must provide tree canopy coverage with at least 15 years of growth on at least 25 percent of the on-site green area. This area and calculation must be illustrated on the Certified Site Plan.

iv. Vegetated Area

The Applicant must install plantings in a minimum of 12 inches of soil, covering a minimum of 5,000 square feet which does not include stormwater management facilities.

v. Vegetated Roof

The Applicant must install a vegetated roof with a minimum soil depth of 4 inches covering a minimum of 33% of the building's roof, excluding space for mechanical equipment as shown on the Certified Site Plan.

11. Bicycle Parking

a. The Applicant must provide short and long term bicycle parking at a minimum of 100 spaces per building, as illustrated on the Certified Site Plan.

b. The placement and design of the bicycle parking facilities must comply with the Bicycle Parking Design Standards (59.6.2.6), as updated by Zoning Text Amendment ZTA 19-08.

13. APF Validity

The Adequate Public Facility (APF) review will remain valid for 120 months from the date of mailing of the Planning Board Resolution 17-040, June 29, 2017, for Site Plan Amendment 81982098C.

14. Building Height

The development is limited to the maximum height of 134' for the north building and 137' for the south building as measured from the building height measuring points illustrated on the Certified Site Plan.

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, development program, and Site Plan resolution and other applicable resolutions on the approval or cover sheet(s).

- b. Add a note to the Site Plan stating that “M-NCPPC Staff must inspect all tree-save areas and protection devices before clearing and grading.”
- c. Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services.”
- d. Modify data table to reflect development standards approved by the Planning Board.
- e. Ensure consistency of all details and layout between Site and Landscape plans.
- f. Provide Green Area Exhibit demonstrating a minimum of 56% green area for entire Subject Property.

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

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (DPS-ROW) Section in its memo dated July 17, 2020. 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.

21. Fire and Rescue

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 April 1, 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.

SECTION 2: SITE DESCRIPTION

Vicinity

The subject site ("Property") is located along the north side of Pooks Hill Road, approximately 1,200 feet west of its intersection with Rockville Pike (MD 355). The neighborhood surrounding the Property is a mix of established medium and high-density residential buildings. The Subject Property is bounded by MD 355 to the east and Capital Beltway (I-495) to the north. Several other multi-family high-rise condominiums including the Promenade and Whitley Park are located to the west and several townhouse developments are located to the south and southwest.

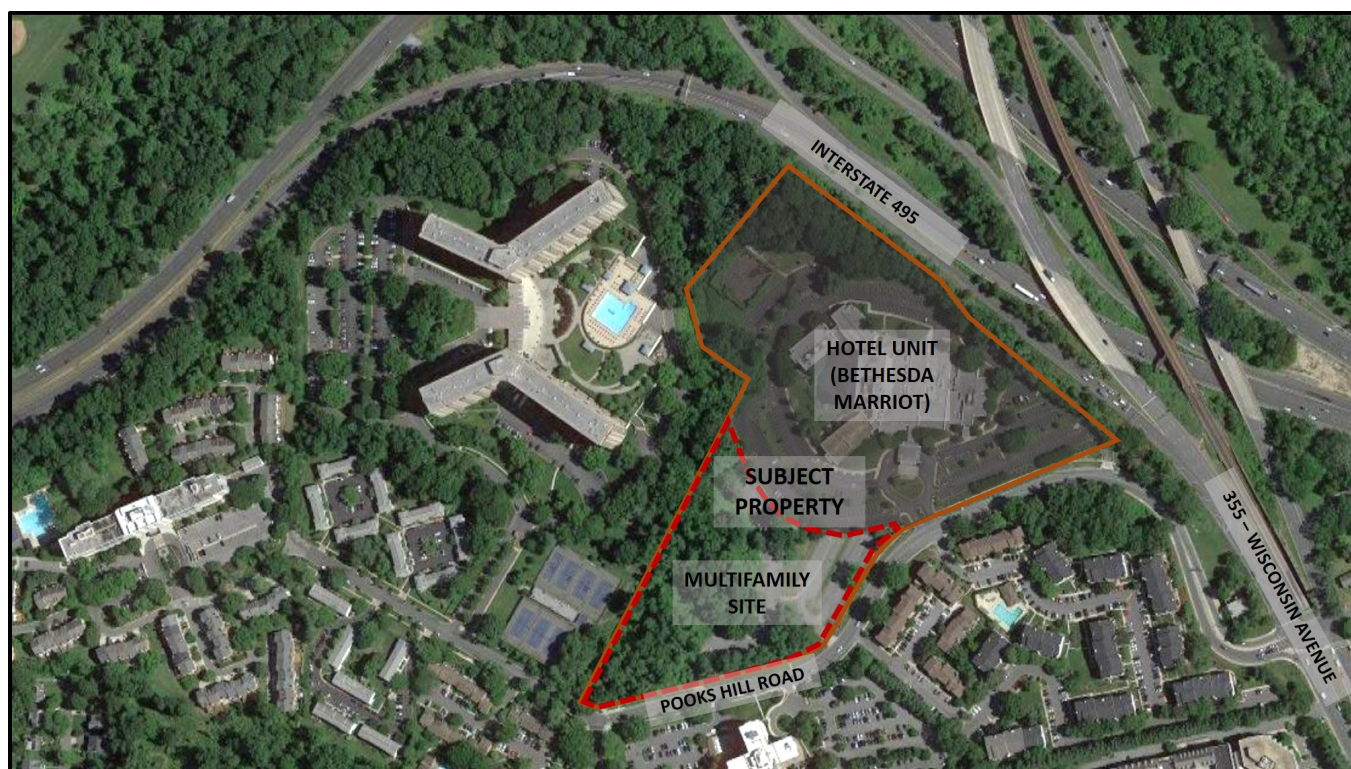


Figure 1: Aerial View

Subject Property

This Property was recorded as Parcel K (Plat book 102, Plat No #115-32) in the County Land records on April 19, 1977. The Site is located in the 1990 *Bethesda-Chevy Chase Master Plan* (Master Plan) area and a portion of it is currently developed as the Bethesda Marriott, a 15-story hotel and Conference Center with surface parking. In 2006, the Property was subject to a condominium regimen that created two land condominium units, the Development Parcel Unit and the Hotel Unit ("Hotel Unit") as shown in Figure 2. For the purposes of this report, the Development Parcel Unit will be referred to as the Multi-Family Site.

The tract area of the Subject Property is 19.38 acres. The Hotel Unit (Bethesda Marriott and Conference Center) comprises 11.92 acres and the Multi-Family Site comprises 6.0 acres, with previous dedications accounting for 1.46 acres.

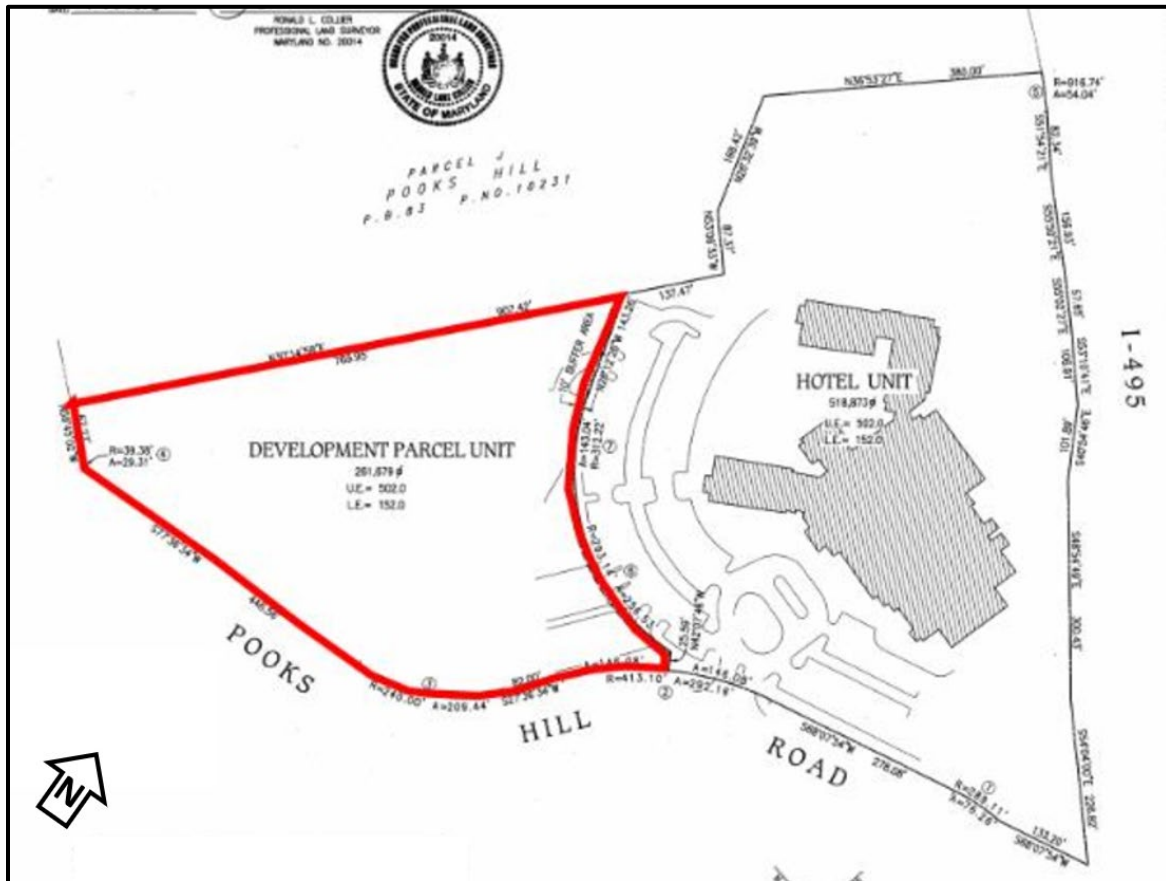


Figure 2: Condominium Plat

Currently, the Multi-Family Site is developed with terraced surface parking lots that serve as overflow parking for the hotel. The Multi-Family Site has a rolling topography with changes in elevation, as the southwest portion of the Property is approximately 90 feet higher than the elevation at the east side of the Property. It is heavily forested along western property line. There are no historic properties on site. The Property contains forest, streams, wetlands, or environmental buffers. There are no known rare, threatened, or endangered species on site.



Figure 3: View of Subject Property from Pooks Hill Road (travelling westbound)

SECTION 3: PROJECT DESCRIPTION

Previous Approvals

In 1976, the Subject Property was originally approved (Site Plan 819890980) to allow the construction of a hotel tower with 248 guest rooms, a low-rise motel with 53 guest rooms, 220-seat restaurant, convention and conference center and various recreational facilities. Subsequently, the Planning Board approved various amendments to allow expansion of the hotel and restaurant use as well as modification to parking, landscaping, and pedestrian walkways.

In 2015, the Planning Board approved Sketch Plan No. 320150060 (MCPB Resolution No. 15-099) to allow up to 549,755 square feet of residential development with 97,000 square feet of MPDUs and 294,593 square feet of non-residential uses. In 2017, the Planning Board approved Sketch Plan Amendment 32015006A (MCPB Resolution No. 17-039) and Site Plan 81982098C (MCPB Resolution No. 17-040) to allow a maximum density of 905,250 square feet of total development, consisting of 548,808 square feet of residential development for up to 631 units with 15% MPDUs and a maximum of 259,593 square feet of non-residential uses to remain within the existing hotel unit on the Subject Property. The approved Site Plan comprises of a phased multi-family development within two buildings with individual underground parking garages, and several amenity areas spaced throughout the rear of the Property. Subsequently, an administrative amendment was approved to allow modifications to landscaping along Pooks Hill Road.

Proposal

The Applicant proposes to reduce the overall density and height of the previous Site Plan approval for the multi-family development. This is directly related to geotechnical constraints that were found onsite and the economic feasibility of bringing the Project forward. The Proposal maintains two residential towers; however, the Applicant proposes to provide one underground parking garage connecting the two towers to reduce the overall depth of the garage. The towers will be connected on the first floor with a new one-story lobby and fire-accessible driveway entrance. Each residential tower will be reduced in height from the previously approved 160 feet to approximately 137 and 134 feet. The overall Project density will be significantly reduced from 645,657 to 510,000 square feet resulting in a decrease of units from 631 to 562 units while maintaining 15% MPDUs.



Figure 4: Illustrative Site Plan

Site Design

The previous design comprised of two separate buildings with separate parking garages and entrances at the rear of the site. This Amendment connects the two buildings into one structure by consolidating parking to one garage with one entrance and proposing a new one-story lobby link between the two buildings, North Tower and South Tower. The new lobby will serve as the main entrance to both residential towers, and front on a newly proposed arrival court which also serves as Fire Rescue Access for the Site. This redesign removes all vehicular access from the rear, allowing the private amenity spaces to be combined into one large, enhanced area. The original Site Plan proposed to be built in two phases, one for each building, however this Amendment proposes development in one phase. The Amendment also incorporates individual unit entries for ground floor units in the South Tower, which improves and activates the overall streetscape on Pooks Hill Road.

Building Design

Originally, the height maximum for each building was 160', this Amendment reduces each building height to approximately 137' (South Tower) and 134' (North Tower). The elevation design was heavily vetted during the original Site Plan approval; however this Amendment proposes architectural design changes which significantly alters the look of the two towers. The original design was highly articulated through the use of modulation, materials, and balconies. This Amendment proposes a new material palate that is primarily composed of brick and articulated by reveals of metal panel and juliet balconies. The resulting look is an overall reduction in fenestration and glazing, particularly along the longer facades. The Proposal will continue to provide residential amenity space such as fitness centers, coworking lounges, and several outdoor seating areas. Each building, including the one-story lobby link, will contain green roof.



Figure 5: Perspective from Pooks Hill Road, North Tower is on right and South Tower on the Left, close up shows new Lobby Link



Figure 6: Perspective from residential buildings in rear of Site, the Hotel and North Tower is on the left and South Tower on the Right

Open Space / Green Area

This Property was previously zoned H-M and is therefore subject to Section 59.7.7.1.5.B of the Zoning Ordinance, which requires the following:

- b. Any development on a property that was zoned H-M on October 29, 2014 must include 45% green area, under the zoning in effect on October 29, 2014, until the property is subject to a Sectional Map Amendment or rezoned by Local Map Amendment. The green area required under this provision satisfies, and is not in addition to, any open space requirement of the property's zoning on October 30, 2014.*

Therefore, the Applicant is not required to provide open space but is required to provide green area in the amount of 45% of the net lot area (19.38 acres). The previous approval provided 426,888 square feet (55%) and this Amendment proposes 440,459 square feet (56%) which satisfies this requirement. The green area remains mostly unchanged from the previous approval, and the increase in square footage is a result of reorienting the Site's circulation to allow a more cohesive amenity space in the rear of the newly proposed lobby link.

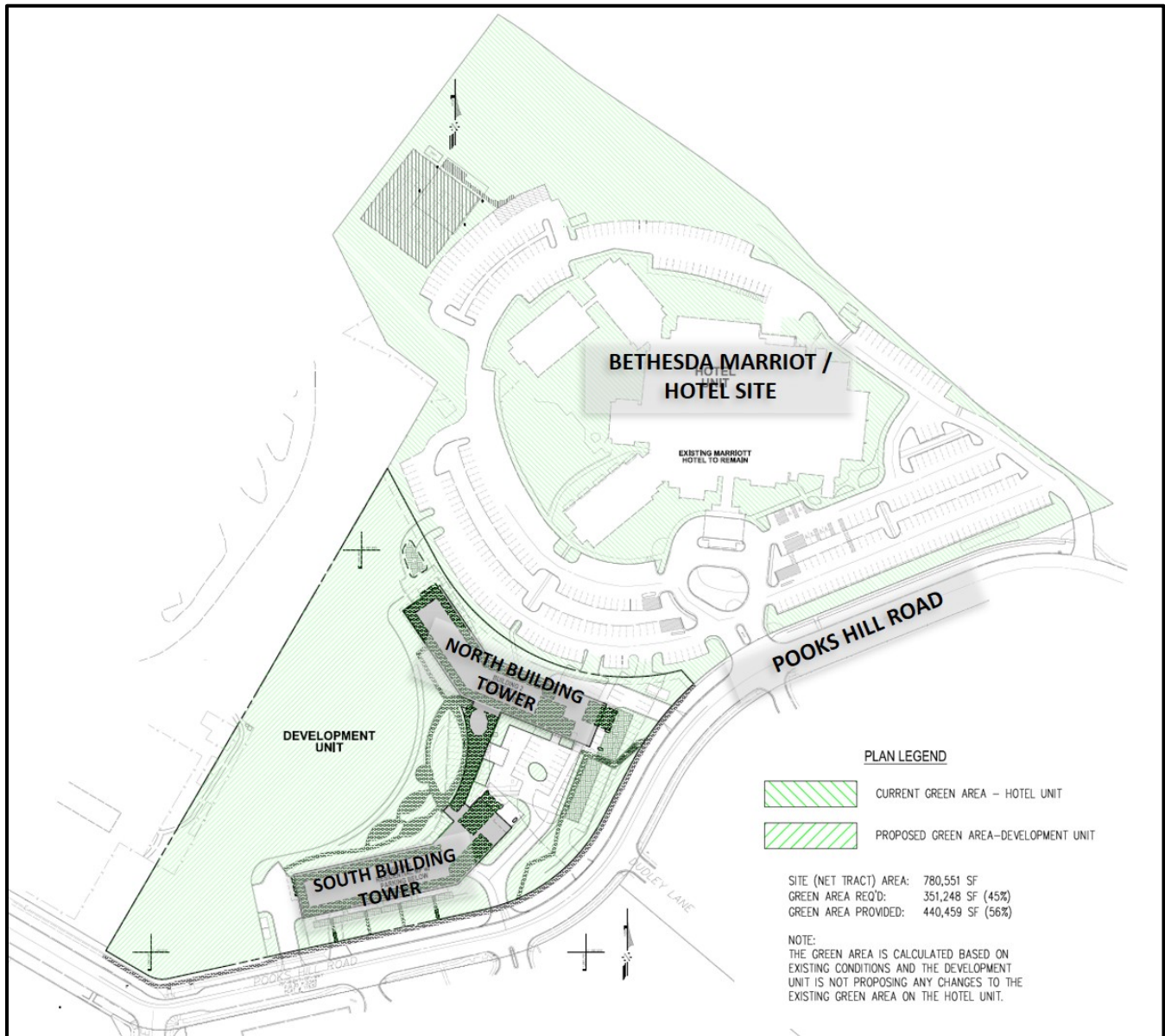


Figure 7: Proposed Green Area

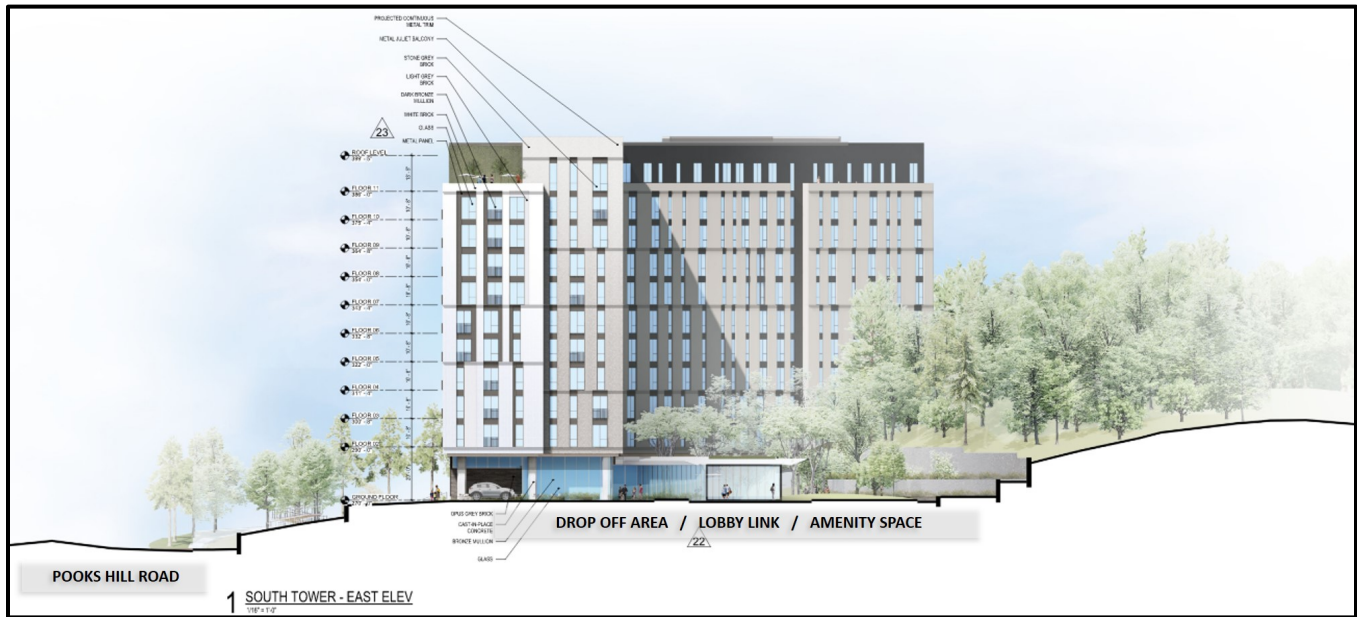


Figure 8: Section looking towards the South Tower showing amenity space and rear topography

Environment

A Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) #420152120 for the Property was approved on September 17, 2014 and served as the basis for the approach to sensitive features addressed in previous approvals. The Property was found to contain numerous environmentally sensitive features such as steep slopes, highly erodible soils, high priority forest of approximately 5 acres, a stream and associated stream valley buffer (SVB) and a considerable number of specimen trees. No known occurrences of rare threatened or endangered species were found on the property.

The previously approved plans took great care to minimize impacts on the present sensitive, environmental features. This Amendment will reduce the excavation requirements for the associated retaining walls and proposed parking garage.

The originally approved Forest Conservation Plan for Site Plan Amendment 81982098C allowed 1.05 acres of forest clearing, 3.56 acres of forest retention, and a total of 0.45 acres of onsite reforestation. The Forest Conservation Plan was amended through an administrative approval (Site Plan Amendment 81982098G, Attachment C) which shows 1.03 acres of forest clearing, 3.58 acres of forest retention, and a total of 0.44 acres of onsite reforestation. The minor changes were a result of revised grading features, however the limit of disturbance (LOD) associated with this work remains unchanged as shown on the previously approved plans.

Forest Conservation Variance

Site Plan Amendment 81982098C approved a forest conservation variance for the removal of four subject trees and to impact, but retain, one subject tree. Based on the previous findings and the County Arborist's recommendations, Staff approved a final variance for removal of three subject trees, impact to one subject tree, and removal with intent to save one subject tree. This Amendment does not propose any changes to the previously approved variance.

Noise

The original Site Plan approval included Noise conditions to mitigate noise from Interstate 495, 270 and the Metrorail. This Amendment does not change any of those factors, including the noise waiver request for the terrace areas/open space. Staff remains in support of the Applicant's request and upholds the previous conditions of approval to address the interior noise mitigation issue.

Stormwater Management

On February 5, 2016, Montgomery County Department of Permitting Services (MCDPS) approved stormwater management concept plan (#280376) for the multi-family development. With the subsequent removal of the tennis courts, the Applicant was required to submit a separate stormwater management concept plan to address impacts from the proposed turf field and a proposed storm drain easement through the proposed forest conservation easement area. The stormwater management concept plan (#282545) was approved by DPS on April 18, 2017. On August 10, 2020, MCDPS issued a letter reconfirming the stormwater management concept plan (#280376) for the proposed Amendment.

Circulation

The circulation of the site is generally consistent with previously approvals. The number of driveways on Pooks Hill Road remain the same. The primary access to the garage is located at the bottom of the hill on the east side of the South Tower. The access points to the loading areas in each tower are still provided directly off Pooks Hill Road and are not changed from the previous approval. The North Tower loading is located near the North Tower garage entrance and the South Tower loading is located past the primary entrance at the southern end of the South Tower. Service bays for the loading are internal to the buildings.

The Amendment reconfigures the entrance of the parking garage for the two towers into one location which removes vehicles from the rear of the site, enhances the rear amenity space, and increases the safety and circulation patterns for pedestrians. A circular driveway ("arrival court") near the lobby entrance will remain accessible to pedestrians and to motorists to allow for access as well as drop-off and pick-up activities.

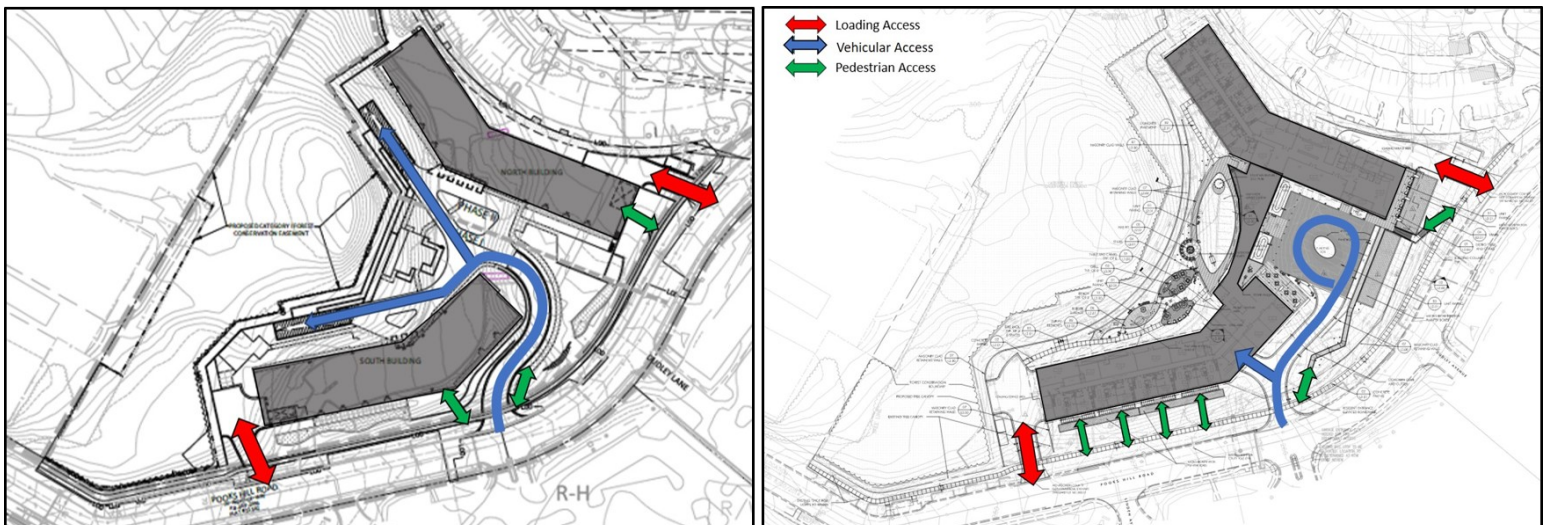


Figure 9: Approved Site Plan 81982098C Circulation (Left) vs. Proposed Site Plan Circulation (Right)

Pedestrian access is provided from the five-foot sidewalks along the Pooks Hill Road frontage and from a new sidewalk adjacent to the vehicular driveway which leads up to the main entrance/lobby and amenity space in the rear. The sidewalk along the driveway will be ADA compliant with handrails, as required due to steep slope of the Site. Multiple sets of stairs will provide direct access from the sidewalk along Pooks Hill Road to individual units in the south building and to the main lobby entrance ("lobby link") connecting the north and south buildings.



Figure 10: Main Driveway Entrance

Long-term bicycle parking is provided inside the garage on two floors, accessed from the primary driveway entrance. The parking is provided inside secure rooms on garage floors 1 and 3. A bicycle repair station is also outfitted with the long-term bicycle parking on floor 1. The final number of required bicycle parking spaces will be determined at Certified Site Plan.

Community Outreach

As a Limited Major Amendment, no pre-submittal meeting was required. However, the Applicant sent notice letters on May 22, 2020 and Staff received one concern from a nearby resident regarding the reduction in proposed parking and impact of any guest parking on the surrounding streets (See Attachment D). The Application proposes to reduce parking from 804 spaces to 520 spaces, which is a direct result of the proposed decrease in residential units from 631 to 562, a reduction of 69 units. The Application is in conformance with the Zoning Ordinance Parking standards as the Applicant proposes the minimum parking required for a Project within a reduced parking area, further there are no specific requirements in the Zoning Ordinance to provide guest parking for multi-family residential developments. The resident requested the current street parking restrictions on Pooks Hill Road to be lifted to allow guests of the new residential development to park along the street. Staff communicated that the Planning Department does not have the authority to change street parking restrictions, as those are facilitated by the Montgomery County Department of Transportation Operations Division, and provided the resident with the appropriate contact information. According to the Operations Division, these parking restrictions were imposed either for safety or at the request of the community, and the Division is willing to re-evaluate those restrictions based on a block-by-block basis. However, any reconsideration would require a petition from the property owners of the affected block.

SECTION 4: SITE PLAN 81982098F

The Planning Board found that Site Plan 81989098C was consistent with both Sketch Plan 320150060 and 32015006A, met the requirements of the CR 1.0, C 1.0, R 0.75, H 160 zone; satisfied Forest Conservation and water quality requirements and complied with other applicable regulatory requirements. The Planning Board further determined that the Project was compatible with other uses and other site plans when considering existing and proposed adjacent development.

The Amendment complies with the general requirements and development standards of the Zoning Ordinance and substantially conforms with the goals and recommendations of the 1990 *Bethesda Chevy Chase Master Plan*. The elements of the proposed Site Plan Amendment No. 81982098F remain consistent with the original findings, as modified to reduce maximum density by 99,328 square feet, from 808,401 to 709,073 square feet, reduce residential density from 548,808 to 449,480 square feet and reduce total residential units from 631 to 562 units while maintaining 15% MPDUs, reduce height from 160 feet to 137 feet and 134 feet; redesign vehicular circulation and relocate garage entries, modify building footprints, entrances, and add a first floor connection between residential towers; reduce parking from 804 spaces to 520 spaces; redesign hardscape and landscape areas; redesign building facades and modify balconies; modify associated public benefit points.

ANALYSIS AND FINDINGS

The proposed Amendments do not alter the intent of the previous findings except as modified below.

2. *To approve a site plan, the Planning Board must find that the proposed development:*

- 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;*

The Amendment provides a green area of 440,459 square feet equaling 56% of the total site area (inclusive of the Hotel Unit). This green area is comprised of passive and recreational areas, including forest conservation areas, landscape plantings along Pooks Hill Road and in the rear within the proposed site amenity space.

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

i. *Division 4.5. Commercial/Residential Zones*

Development Standards

While the Project is located on a condominium unit totaling 6.0 acres, the development standards apply to the entire Subject Property, which consists of approximately 19.38 acres, zoned CR-1.0 C-1.0 R-0.75 H-160. The following table has been amended to demonstrate the Amendment conforms to the development standards of the Zoning Ordinance.

Table 1: Site Plan Amendment 81982098F Data Table

| Section 59-4 | Development Standard | Permitted/Required | Approved with Site Plan Amendment 81989098C | Proposed with Site Plan Amendment 81982098F |
|--------------|--------------------------------------------------------------------|--------------------|---------------------------------------------|----------------------------------------------|
| | Tract Area (sf) CR 1.0 C 1.0 R 0.75 H 160 Dedications | n/a | 844,348 sf 63,797 | 844,348 sf 63,797 sf |
| | Site Area (sf) | n/a | 780,551 sf | 780,551 sf |
| | Residential Density (GFA/FAR) CR 1.0 C 1.0 R 0.75 H 160 | 633,261 (0.75) | 645,657 (0.76) ¹ | 510,000 (0.60) ² |
| | Commercial Density (GFA/FAR) CR 1.0 C 1.0 R 0.75 H 160 | 844,348 (1.0) | 259,593 (0.31) ³ | 259,593 (0.31) ³ |
| | Total GFA/FAR | 844,348 sf (1.0) | 905,250 sf (1.07) ¹ | 769,593 (0.91) |
| | Dwelling Units | n/a | Up to 631 | Up to 562 |
| | MPDUs (% / units) | 12.5% | 15% / 95 | 15% / 85 |
| | Building Height (feet) | 160 | 160 | South Building: 137' North Building: 134' |
| | Green Area (%Net Lot Area) | 45% | 426,888 (55%) | 440,459 (56%) |
| | Min. Building Setbacks From Right-of-way | 0' 0' | 0' 0' | 0' 0' |

¹ This square footage includes both the market rate density (548,808 square feet) and MPDU density (96,849 square feet), for a total residential FAR of 645,657 square feet. The regulations at the time of Site Plan Amendment 81989098C allowed MPDU density to be exempt from total FAR calculation.

² Current regulations require MPDU density to be included in total FAR calculation.

³ The non-residential density is attributed to the existing hotel.

Table 2: Parking Data Table

| Parking | Spaces Required | Spaces Provided |
|------------------------------------------------------------|------------------------------------------------------|------------------------|
| Vehicle Parking ¹ | | |
| Residential | | |
| Studio/Efficiency (104 market rate units); 19 MPDUs | (113.5 minimum/ 123 maximum) | -- |
| 1 Bedroom (290 market rate units); 51 MPDUS | (315.5 minimum/ 427 maximum) | -- |
| 2 Bedroom (83 market rate units); 15 MPDUS | (90.5 minimum/ 148 maximum) | -- |
| | -- | -- |
| Total Residential Units (477 Market rate; 85 MPDUs) | (520 minimum/ 698 maximum) | 520² |
| Bicycle Parking (Long Term/ Short Term) | | |
| Residential (562 units) | (95/5) 100 per building | (95/5) 100 |
| Total Bicycle Parking | (95/5) 100 min / (190/10) 200 max³ | (95/5) 100 |
| Loading Spaces | 2 | 2 |

¹ This amendment only reviewed parking for the Multi-Family Site. Parking related to the hotel use remains unchanged from the previously approved Site Plan 8198209B, which requires 460 spaces within the limits of that Site Plan approval (Hotel Unit).

² Final spaces including ADA, Carshare, Electrical Vehicle charging stations and Motorcycle parking will be finalized at the time of Certified Site Plan.

³ Bicycle Parking requirement is limited to a maximum of 100 spaces per building. Staff recommends a condition to coordinate with MCDPS prior to Certified Site Plan to determine whether the development will require one or two building permits. If two building permits are required, the Applicant will be required to provide a maximum of 100 bicycle parking spaces per building.

ii. *Division 4.7. Optional Method Public Benefits*

This Amendment modifies the previously approved public benefits to reflect that the Project will be built in one phase and adjust points in several categories including Diversity of Uses and Activities, Quality of Building and Site Design, and Protection of the Natural Environment. All other points remain unchanged with the exception of categories summarized below.

Table 3: Public Benefit Points Summary

| Public Benefit | Incentive Density Points | | | |
|-------------------------------------------------------------------------|-------------------------------------|-----------------------------------|------------------------------------|---------------|
| | Approved with Sketch Plan 32015006A | Approved with Site Plan 81989098C | Requested with Site Plan 81982098F | Recommended |
| 59.4.7.3C: Transit Proximity | | | | |
| Within ¼ mile of transit station | 20 | 20 | 20 | 20 |
| 59.4.7.3D: Diversity of Uses and Activities | | | | |
| Affordable Housing | 30 | 35 | 31.5 | 31.5 |
| 59.4.7.3E: Quality of Building and Site Design | | | | |
| Exceptional Design | 10 | 5 | 10 | 0 |
| Structured Parking | 20 | 19.7 | 20 | 20 |
| Architectural Elevations | 20 | 10 | 10 | 5 |
| 59.4.7.3F: Protection and Enhancement of the Natural Environment | | | | |
| Building Lot Termination (BLT) | 30 | 8.3 | 6.15 | 7.44 |
| Vegetated Wall | 10 | 5 | 0 | 0 |
| Tree Canopy | 15 | 7.5 | 7.5 | 7.5 |
| Vegetated Area | 10 | 5 | 5 | 5 |
| Vegetated Roof | 15 | 7.5 | 7.5 | 7.5 |
| Cool Roof | 10 | 5 | 5 | 5 |
| Total | | | 128 | 108.94 |

Diversity of Uses and Activities

Affordable Housing: The Project was previously granted 35 points for providing affordable housing that exceeds the minimum requirement of 12.5%. The Amendment maintains the provision of Affordable Housing with a slight decrease from 35 to 31.5 points based on the following calculation from the CR Guidelines:

$$(15.12-12.5)*12 + 0*2 + 0*5 = 31.5 \text{ points}$$

Quality of Building and Site Design

Exceptional Design: The Application was previously approved for 5 exceptional design points based on the Project's ability to meet the criteria listed in the CR Guidelines. However, this Amendment proposed numerous design changes that on one hand improved previous inefficiencies of the Site, while reducing the overall design quality of the proposed buildings. Therefore, Staff recommends 0 points for exceptional design.

Structured Parking: The Project was previously approved for 19.7 points for providing a predominant amount of parking within a below grade parking garage. This Amendment was able to achieve all parking in the underground parking garage, therefore Staff recommends the full 20 points in this category.

Architectural Elevations: The Application was previously approved for 10 public benefit points for architectural elevations. Points are awarded based on the Project's ability to provide and be bound by architectural elevations as part of the Certified Site Plan. This Project provides elevations that demonstrate a minimum amount of transparency on the first floor including the new lobby link connecting the two proposed buildings and minimal spacing between operable doors with the addition of individual unit entries fronting on Pooks Hill Road. Given the Amendment's change in material palette and the resulting overall reduction in fenestration and glazing, Staff recommends 5 points for Architectural Elevations.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Application previously received 8.3 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Based on the Amendment's incentive density floor area, the calculation has been revised below, resulting in a slight decrease of public benefit points for purchasing 0.8272 BLTs.

$$(((769,593 \text{ sf}) - (422,174 \text{ sf})) * 7.5\%) / 31,500) * 9 = 7.44 \text{ points}$$

Staff supports the Applicant's request for 6.15 public benefit points.

Vegetated Wall: The Applicant has removed the vegetated wall from the proposal, therefore no points are requested or recommended for this Amendment.

iii. *Division 6.1. Site Access*

Site Access is maintained from three access points as previously approved with Site Plan Amendment 81982098C. This access is comprised of two loading access points, one for each tower, and a main access point for vehicles. The Amendment maintains safe and efficient access.

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

The Amendment reduces parking from previously approved 804 parking spaces to 520 spaces. This is as a result of the Proposal's reduction in residential units. All parking will be located in one underground parking garage, which is accessed from the main entrance and garage located in the south building tower. The underground parking garage connects both residential towers. The Amendment maintains two separate loading access points, one for each residential tower. The North Tower loading is located near the North Tower garage entrance and the South Tower loading is located past the primary entrance at the southern end of the South Towner. Service bays for the two towers are internal to the buildings. The Amendment continues to provide safe and efficient parking, queuing, and loading.

v. *Division 6.3. Open Space and Recreation*

The Project is not required to provide open space as it is subject to Section 7.7.1.B.5 of the Zoning Ordinance, which requires a green area requirement of 45% of the total site area and is not subject to any further open space requirements. The Amendment provides a green area of 440,459 square feet equaling 56% of the total site area (inclusive of the Hotel Unit).

The Application is in conformance with the *Recreation Guidelines*, as demonstrated in the Recreation Facilities Data table provided with the Application (Scenario ID 12475). The Applicant is providing bicycle amenities; indoor community spaces, including lounges and a fitness space; rooftop amenities, outdoor picnic/seating areas, playgrounds, and grilling areas among other elements. Final locations and quantities of each of these amenities will be shown on the Certified Site Plan.

b. satisfies the applicable requirements of:

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

Stormwater Concept Plans (No. #280376 and No. #282545) were approved by the Montgomery County Department of Permitting Services on February 5, 2016 and April 18, 2017, and Stormwater Concept Plan No. #280376 was reconfirmed on August 10, 2020 for the proposed Amendment. This plan proposes to meet stormwater management requirements through the use of micro-bioretenention facilities and green roof.

ii. Chapter 22A, Forest Conservation

This Application is subject to the Chapter 22A, Montgomery County Forest Conservation Law. Site Plan Amendment 81982098C approved a Forest Conservation Plan that allowed 1.05 acres of forest clearing, 3.56 acres of forest retention, and a total of 0.45 acres of onsite reforestation. An amended Forest Conservation Plan, Site Plan Amendment 81982098G, was approved on September 4, 2020 which allowed 1.03 acres of forest clearing, 3.58 acres of forest retention, and a total of 0.44 acres of onsite reforestation. The minor changes were a result of revised grading features, however the limit of disturbance (LOD) associated with this work remains unchanged as shown on the previously approved plans. This Amendment remains in conformance with the Montgomery County Forest Conservation Law.

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

The Amendment maintains adequate, safe, and efficient parking and circulation patterns. The Amendment maintains three separate driveway entrances from Pooks Hill Road. The primary access to the garage is located at the bottom of the hill on the east side of the South-Tower with a secondary entrance located on the north side of North Tower. The access points to the loading areas in each tower are still provided directly off Pooks Hill Road and are not changed from the previous approval.

The Amendment reconfigures the entrance of the parking garage for the two towers into one location which removes vehicles from the rear of the site, enhances the rear amenity space, and increases the safety and circulation patterns for pedestrians.

Pedestrian access is provided from the five-foot sidewalks along the Pooks Hill Road frontage and from a new sidewalk adjacent to the vehicular driveway which leads up to the main entrance/lobby, and amenity space in the rear. The sidewalk along the driveway will be ADA compliant with handrails, as required due to steep slope of the site. Multiple sets of stairs will provide direct access from the sidewalk along Pooks Hill Road to individual units in the south building and to the main lobby entrance ("lobby link") connecting the north and south buildings.

d. 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;

Site Plan 81982098C found that adequate public facilities exist for the residential development. This Amendment reduces residential density, resulting in an estimated net decrease of 19 morning peak-hour auto-driver trips and a net decrease of 22 evening peak-hour auto-driver trips as compared to the previously approved Site Plan Amendment 81982098C¹. Since the Project will generated fewer than 50 net new peak hour person trips, the Local Area Transportation Review maintains satisfactory with prior Site Plan Approval 81982098C.

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

Site Plan Amendments 81989098C was found to be compatible with the adjacent development, finding the design and scale to be compatible with the mid-rise residential buildings in proximity to the Site. This Amendment reduces the height and density of the two towers which further increases the compatibility with the smaller townhouse developments that exist to the south of the Site. Additionally, the Amendment provides unit entries along Pooks Hill Road and softens the retaining walls originally approved along the Site frontage which further enhances the streetscape and compatibility with the surrounding development.

CONCLUSION

As conditioned, the Site Plan amendment satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance, and substantially conforms to the recommendations of the 1990 *Bethesda-Chevy Chase Master Plan*. Therefore, Staff recommends approval of the Site Plan Amendment with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Previous Approvals
- B. Agency Letters
- C. 81982098G Administrative Forest Conservation Approval
- D. Correspondence

¹ An Adequate Public Facilities finding was needed with Site Plan Amendment 81982098C since a preliminary plan was not required for the underlying recorded lot. A traffic study dated January 29, 2016 was included with Site Plan Amendment 81982098C submittals.