

Montgomery Planning

MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB
Item No. 4
Date: 11/12/2020

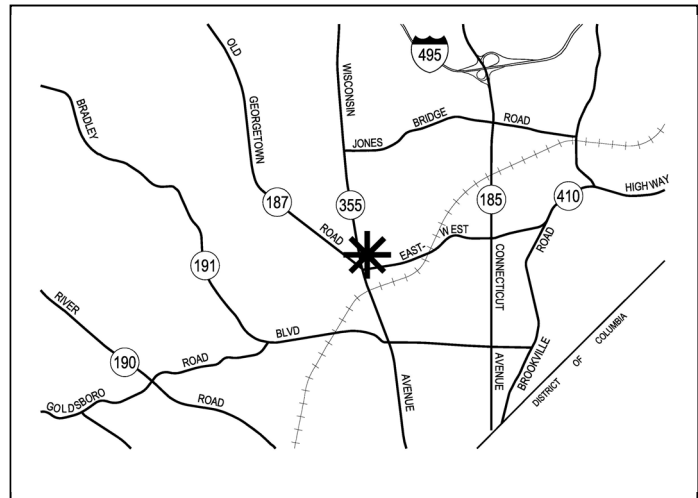
Avondale, Sketch Plan No. 320200050 and Preliminary Plan No. 120200220

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Completed: 10/30/2020

Description

- Sketch Plan: Request for up to 55,000 square feet of density for a multi-family residential development, including up to 33,121 square feet of BOZ density and associated PIP payment;
- Preliminary Plan: request to create one lot for multi-family residential development of up to 60 units;
- Current use: multi-family residential;
- Located on Avondale Street approximately 200 feet east of Wisconsin Avenue;
- 0.33 acres zoned CR 1.5 C 0.25 R 1.5 H 70' in the 2017 *Bethesda Downtown Sector Plan*;
- Applicant: SJ Investment Corporation;
- Acceptance date: May 19, 2020.



Summary

- Staff recommends **Approval** of the Avondale Sketch Plan and Preliminary Plan, with conditions.
- The Planning Board twice extended the Application review period, from September 10, 2020 to January 7, 2021.
- The Proposal includes a new residential building for up to 60 units with 15% Moderately Priced Dwelling Units (MPDUs) and underground parking.
- The proposed CR Zone incentive density public benefits include an increase in the park impact payment, minimum parking, structured parking, enhanced accessibility for the disabled, architectural elevations, exceptional design, purchase of building lot terminations, and energy conservation and generation measures.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

Sketch Plan No. 320200050

Staff recommends approval of Avondale, Sketch Plan No. 320200050, for up to 55,000 square feet of density for a multi-family residential development on 0.33 acres, zoned CR 1.5 C 0.25 R 1.5 H 70', in the 2017 *Bethesda Downtown Sector Plan*. The maximum density includes up to 33,121 square feet of density from the Bethesda Overlay Zone (BOZ) 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:

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

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

This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 55,000 total square feet of residential development. The maximum number of dwelling units will be determined at Preliminary Plan. The maximum density includes up to 33,121 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.

2. Height

The development is limited to a maximum height of 70 feet, as measured from the building height measuring point to be illustrated on the Certified Site Plan.

3. Incentive Density

The development must be constructed with the public benefits listed below, unless modifications are made under Section 59.7.3.3.I. and this Sketch Plan is amended. The Applicant has chosen to show potential public benefit points from five categories as described below, however at the time of Site Plan total points must equal at least 100 and be chosen from at least four categories as required by Section 59.4.5.4.A.2. The requirements of Division 59.4.7 and the *CR Zone Incentive Density Implementation Guidelines* must be fulfilled for each public benefit. Final points will be established at Site Plan approval.

- a. Major Public Facilities, achieved through providing a 1% increase of the required Park Impact Payment (PIP);
- b. Diversity of uses and activities, achieved by providing enhanced accessibility for the disabled;
- c. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ;
- d. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, structured parking, and public open space; and
- e. Protection and Enhancement of the Natural Environment, achieved through building lot terminations, energy conservation and generation, and a recycling facility plan.

4. Park Impact Payment (PIP)

The Park Impact Payment (PIP) must be paid to the M-NCPPC prior to the release of the first above-grade building permit. The final amount will be determined at Site Plan.

5. Streetscape

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

6. Green Cover

- a. The Applicant must provide on-site a minimum of 3,926 square feet of Green Cover (35% of Site area).
- b. Prior to certification of the Site Plan, the Applicant must provide a Green Cover exhibit demonstrating compliance with this requirement.
- c. Any green roof installed pursuant to this condition must have a minimum soil depth of six inches.

7. Bethesda Downtown Plan Design Guidelines

At the time of Site Plan, the Applicant must demonstrate the following:

- a. Comments have been addressed from the Design Advisory Panel as specified in their July 22, 2020 meeting minutes; and
- b. Project conformance with the *Bethesda Downtown Plan Design Guidelines* in regards to street typology, parks and open space, site design, building form, creative placemaking, and any site-specific guidelines.

8. Building & Site Design

Prior to the submittal of the Site Plan, the Applicant must:

- a. Further refine the design of the consolidated entrance for loading/trash and the parking garage to reduce conflicts between pedestrians and motorists; and
- b. If public open space is provided for the purposes of public benefit points, further refine proposed design to ensure it is open and welcoming to the public.

9. Future Coordination for Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed when filing a Site Plan:

- c. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- d. Address Bird-Safe Design per the *Bethesda Downtown Sector Plan Design Guidelines*;
- e. Provide a noise analysis or a waiver per Section 2.2.2 of the 1983 Noise Guidelines;
- f. Streetscape details including replacement street tree locations on Avondale Street;
- g. Provide a loading management plan to minimize queuing on Avondale Street and other potential impacts to the adjacent transportation network; and
- h. Request a parking waiver per Section 59.6.2.10 of the Zoning Ordinance to provide fewer than the required minimum number of vehicle parking spaces.

Preliminary Plan No. 120200220

Staff recommends approval with conditions of the Preliminary Plan subject to the following conditions:

1. This Preliminary Plan is limited to 1 lot for up to 60 dwelling units.
2. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of this Planning Board Resolution.
3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated September 28, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
4. Before recording a plat for the Subject Property, the Applicant must satisfy MCDOT's requirements for access and improvements.
5. The Applicant must provide and show on the record plat a dedication of the Avondale Street frontage necessary to provide the Sector-Plan-recommended 60-foot-wide right-of-way, as measured between the Subject Property and right-of-way centerline.
6. The Applicant the must receive approval from MCDOT on a Level 3 Results Transportation Demand Management Plan (Per Section 42-A-25(b)(3)) before the release of any above-grade building permit, to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.
7. 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 September 21, 2020 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
8. The Planning Board has reviewed and accepts the recommendations of the MCDPS Fire Department Access and Water Supply Section in its letter dated September 30, 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 Preliminary Plan approval.
9. Before clearing or grading or recording a plat for the Subject Property, the Applicant must receive Staff certification of a Planning Board-approved Site Plan. The number and location of site elements, including but not limited to buildings, on-site parking, open space, site circulation, and sidewalks, will be determined through Site Plan review and approval.
10. If an approved Site Plan or Site Plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must obtain approval of a Preliminary Plan amendment before certification of the Site Plan or Site Plan amendment.

11. Except for clearing and grading associated with building and paving demolition, there shall be no clearing or grading of the site prior to recordation of plat.
12. The record plat must show necessary easements.
13. The certified Preliminary Plan must contain the following note:
Unless specifically noted on this plan drawing or in the Planning Board conditions of approval, the building footprints, building heights, on-site parking, site circulation, and sidewalks shown on the Preliminary Plan are illustrative. The final locations of buildings, structures and hardscape will be determined at the time of Site Plan approval. Please refer to the zoning data table for development standards such as setbacks, building restriction lines, building height, and lot coverage for each lot.
14. Prior to submittal of the Certified Preliminary Plan, the Applicant must make the following changes:
 - a. Show resolutions and approval letters on the certified set; and
 - b. Update all plan drawings to be consistent with the consolidated loading and garage access point on the west side of the Site.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

The Property (Subject Property or Property) is located on Avondale Street, on the block east of Wisconsin Avenue (MD 355) and north of East-West Highway (MD 410). This block is currently developed with low-rise multi-family residential buildings on both sides of the street. Within close proximity of the Property, this portion of the Wisconsin Avenue Corridor district is developed with high-rise commercial buildings and the Bethesda Metro Station is located just one block south. To the east is Our Lady of Lourdes Church and School, the Bethesda Chevy Chase High School and the East Bethesda neighborhood to the north and farther east.

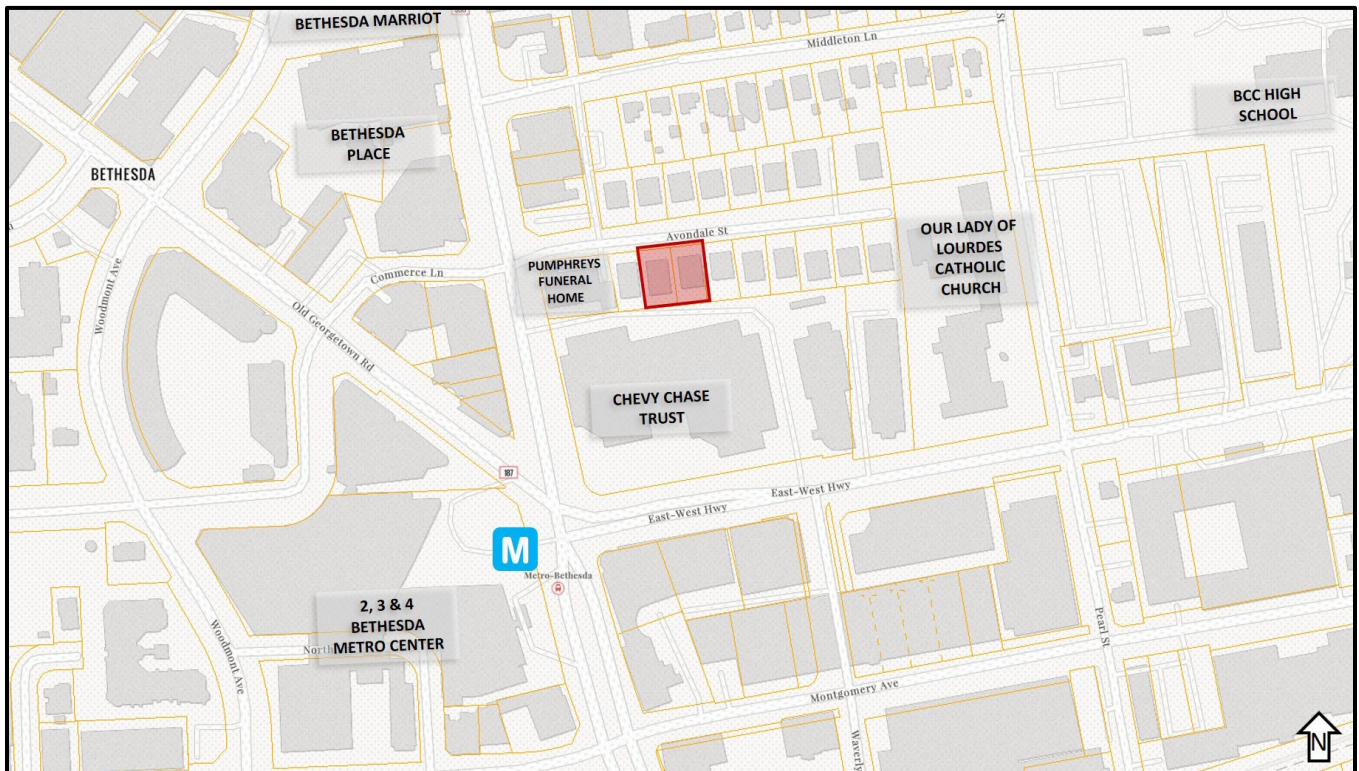


Figure 1 – Vicinity Map

Subject Property

The Site is located east of Wisconsin Avenue within the 2017 *Bethesda Downtown Sector Plan* (Sector Plan). The Property is comprised of two lots created in 1935 by the George Bradley Subdivision, Plat No. 635. The total tract area is approximately 0.33 acres and is currently improved with two multi-family residential buildings.

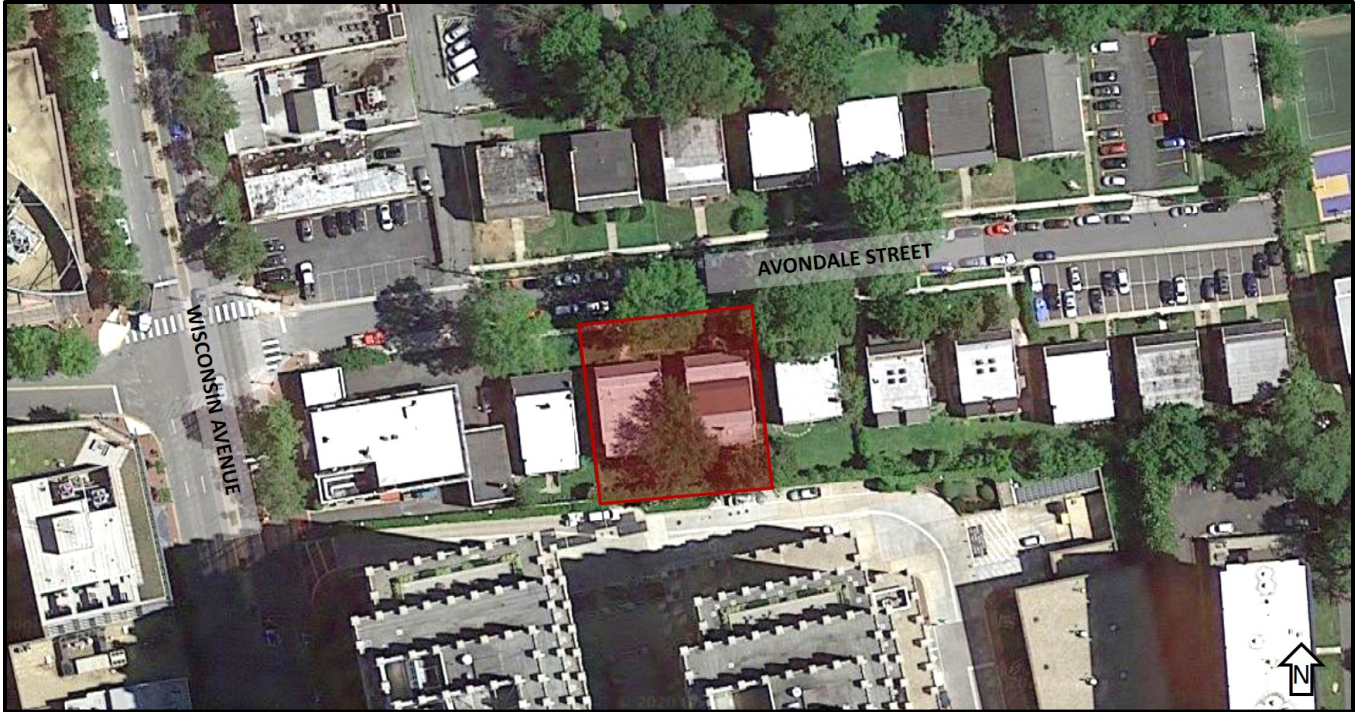


Figure 2 – Aerial Map

Site Analysis

The southern portion of Avondale Street was rezoned from R-10 to CR 1.5 C 0.25 R 1.5 H 70' and the north side of the street was rezoned to CRN 0.75 C 0.0 R 0.75 H 45' with the 2017 *Bethesda Downtown Sector Plan*. Avondale Street is a two-way street which terminates to the east of the Site, just before Pearl Street. Avondale Street has on-street residential permit parking along the north and south side of the street. The Site is outside the Bethesda Parking Lot District (PLD). 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

Proposal

The Applicant proposes to consolidate two existing lots, Lot 20 and Lot 21, into one new lot within the George Bradley Subdivision, as shown in Figure 3, for redevelopment of a new 70-foot-tall multi-family residential building totaling up to 55,000 square feet with underground parking.

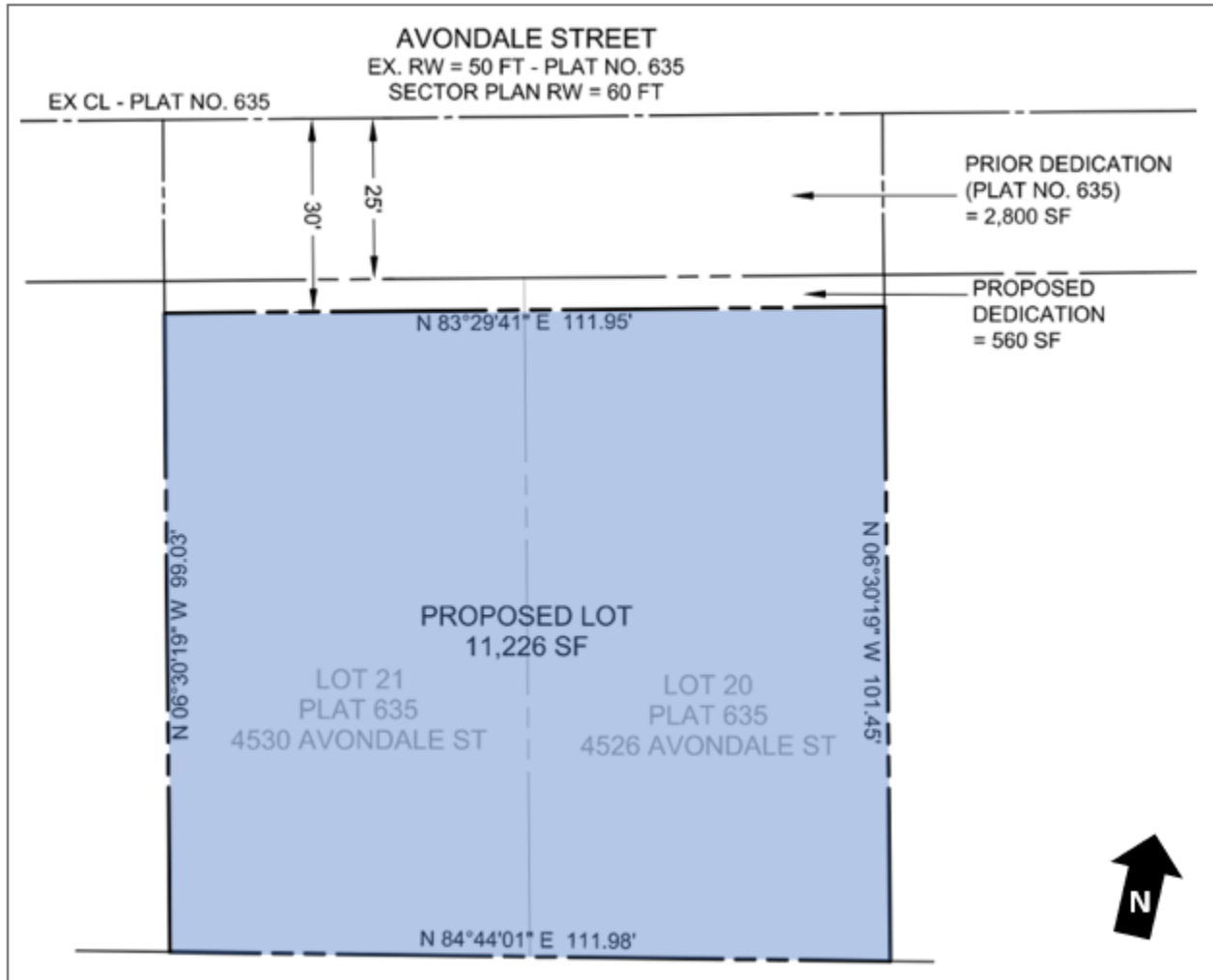


Figure 3 - Proposed Subdivision

The Project envisions up to 60 dwelling units with 15% MPDUS, and an allocation of density from the Bethesda Overlay Zone (BOZ) of up to 33,121 square feet. The final amount of density to be purchased from the BOZ, which will require a Park Impact Payment (PIP), will be determined at Site Plan where final density for the entire Project will be reviewed.

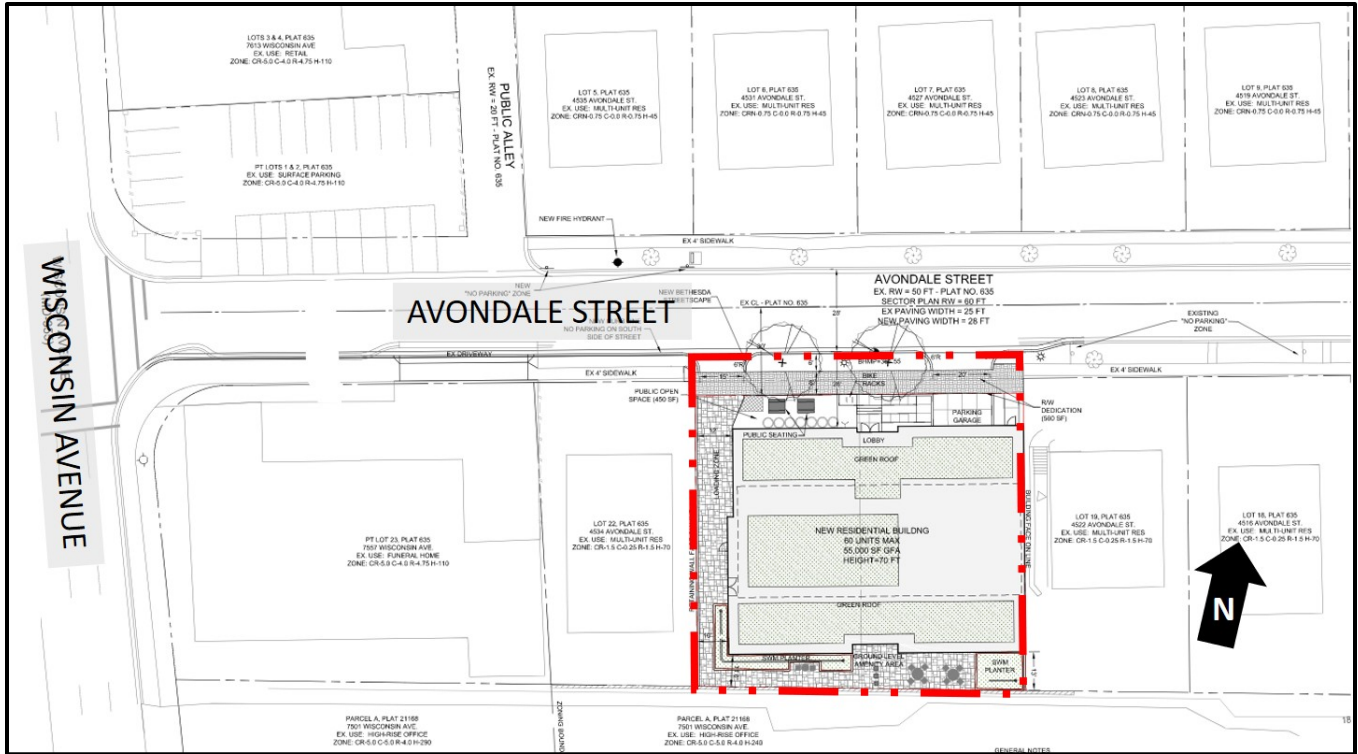


Figure 4 – Proposed Sketch Plan

As the first Property to be redeveloped along Avondale Street, the Applicant’s proposal establishes a vision for the block that goes beyond the recommendations contained in the Bethesda Design Guidelines. This vision creates a character distinct to the Subject Property’s surroundings, including a deeper setback than would otherwise be required for the Site’s CR zoning designation, realigning the curb and installing new fire hydrants for proper emergency access, all of which enhance the public realm and walkability, and set the tone for future redevelopment of the block. The final front setback dimension will be established at Site Plan.

Building

Through the Sketch Plan and Design Advisory Panel review process, the proposed massing went through several iterations, which included both strict conformance with the Design Guidelines and alternatives that improved compatibility with surrounding properties. The final Sketch Plan massing design proposes a 7-story mid-rise building with two articulated towers above a recessed base. This design offers a generous setback from Avondale Street, in keeping with the surrounding public realm, while allowing residential development at a density appropriate for proximity to nearby existing transit and commercial centers.



Figure 5 – Rendered massing looking east on Avondale Street

Originally, the Applicant proposed two vehicular curb cuts along Avondale Street; one for trash and loading operations and another for access to the parking garage. Staff and the Applicant worked to consolidate these curb cuts to reduce impacts the public realm and improve the future walkability of the street, as shown in Figure 6 below. The Project will be conditioned to show a consolidated access point at the time of Certified Preliminary Plan with further detail at Site Plan review.

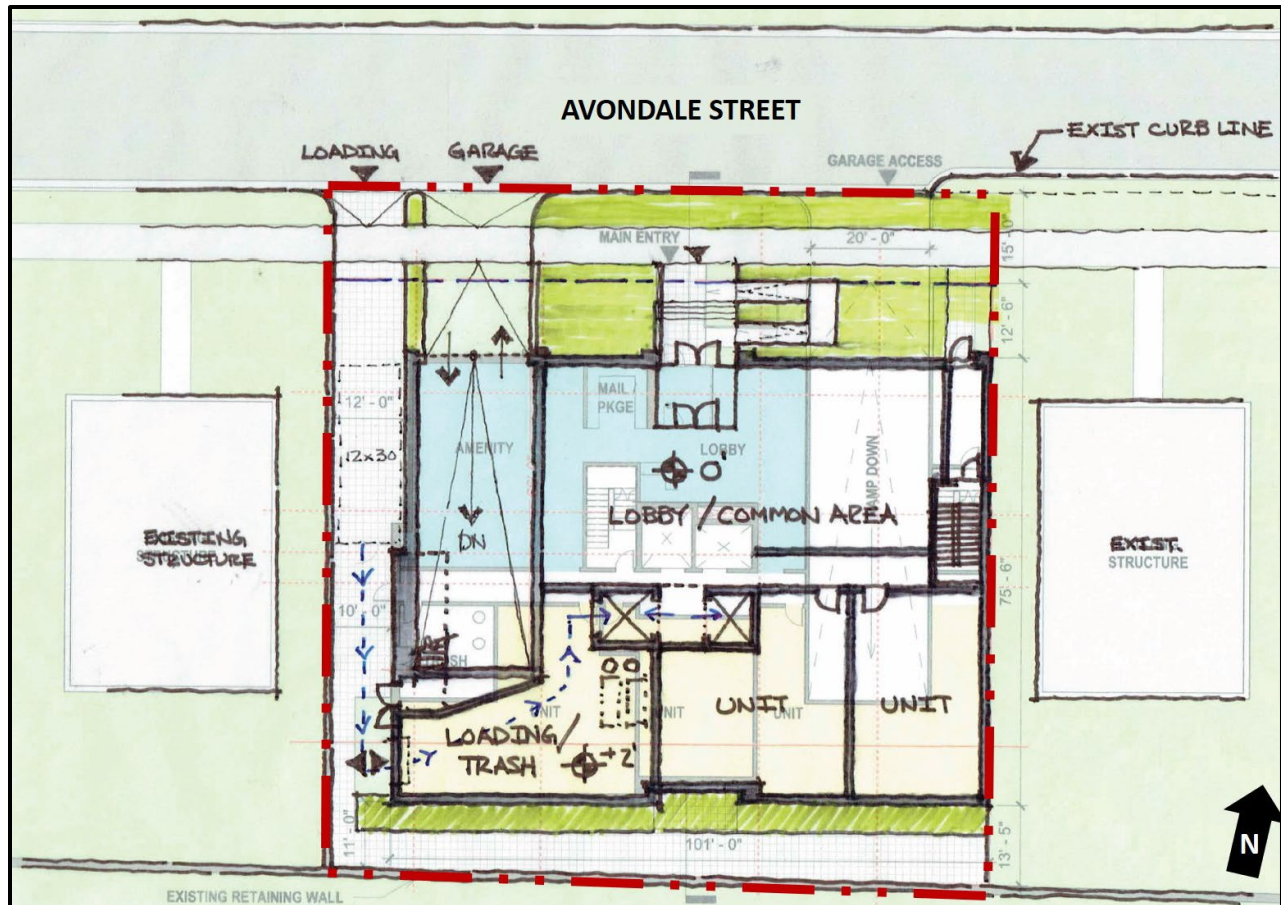


Figure 6 – Sketch of consolidated entrance for loading/trash/parking garage

Open Space

With a tract area of less than 0.50 acres, the Applicant is not required to provide public open space, however, the Applicant proposes to provide 4% of the Site Area as open space for the purposes of public benefit points. This area is anticipated to be adjacent to the Avondale street frontage. The design of this space will be further reviewed at the time of Site Plan if the Applicant elects to receive public benefit points for the open space.

Environment

Forest Conservation

All properties seeking approval of a Sketch Plan after February 26, 2018 must obtain approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) or Forest Conservation Exemption prior to Planning Board action on the Sketch Plan. Forest Conservation Exemption 42021038E was confirmed for the Subject Property on September 23, 2020. As such, this Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2). The Project meets the particular requirements of the exemption because the proposed activity will be conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest. However, since the proposed activity necessitates the removal of three specimen trees, a tree save plan (Attachment C) was submitted as part of the preliminary plan application which identifies three specimen Willow Oak trees for removal. The Applicant has proposed replacement street tree plantings which will be finalized at Site Plan, as conditioned.

The Subject Property is located within the Lower Rock Creek watershed, which is a Use I-P watershed. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, or steep slopes. The Site frontage lies adjacent to three specimen trees: two 38" diameter-at-breast-height (DBH) Willow Oaks and a 51" DBH Willow Oak. Due to the location of utility work associated with the project, these trees will be removed. A fourth specimen tree, a 38" DBH Willow Oak on the opposite side of Avondale Street, is not expected to be impacted by this Application.

Green Cover

The Sector Plan includes specific recommendations to achieve urban green goals. An important recommendation to this effect is the on-site 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper), tree canopy cover, or bioretention planters. The Application consists of a Site Area of 11,226 square feet which results in a green cover requirement of at least 3,926 square feet. Currently, this Application's Green Cover Exhibit shows a proposed 6" depth green roof and stormwater planters to fulfill this requirement (Attachment D). The green cover provided by the proposed green roof and planters provides 4,603 square feet of green cover, with the final design to be confirmed at the Site Plan stage of the Application.

Noise

At the time of Preliminary Plan, applicants are required to submit a Noise Impact Analysis. Due to environmental conditions surrounding the on-going COVID-19 pandemic, however, the Applicant was unable to obtain on-site measurements consistent with a typical day in an urban environment. As conditioned, the Applicant will be required to submit a Noise Impact Analysis at the time of Site Plan. As part of that future submittal, 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 Management

The Applicant received approval of a stormwater management concept plan, dated September 21, 2020. As detailed in the approval, on-site stormwater management for the Project will be provided through the use of green roof and micro-bioretention planters. Additionally, a quantity waiver has been requested for volume not able to be treated with environmental site design or structural measures. Prior to Planning Board approval of the future Site Plan Application, this stormwater management concept must be formally revised and approved by MCDPS.

Transportation

Access and Circulation

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along the Avondale Street Property frontage, consistent with the Bethesda Streetscape Standards. The Applicant will dedicate five feet, as measured from the existing right-of-way line, in support of a master-planned minimum right-of-way width of 60 feet. In conformance with the Bethesda Downtown Streetscape Guidelines, the Project proposes a six-foot tree lawn and an eight-foot pedestrian travel way that will tie into the existing four-foot sidewalk on either side of the Site along the Avondale Street frontage.

Vehicular access to the Site is on the west side of the building. Loading and garage access will be accommodated via a consolidated curb cut to reduce conflicts with pedestrians and motorists (Figure 7). The access configuration will be further refined at the time of Site Plan.

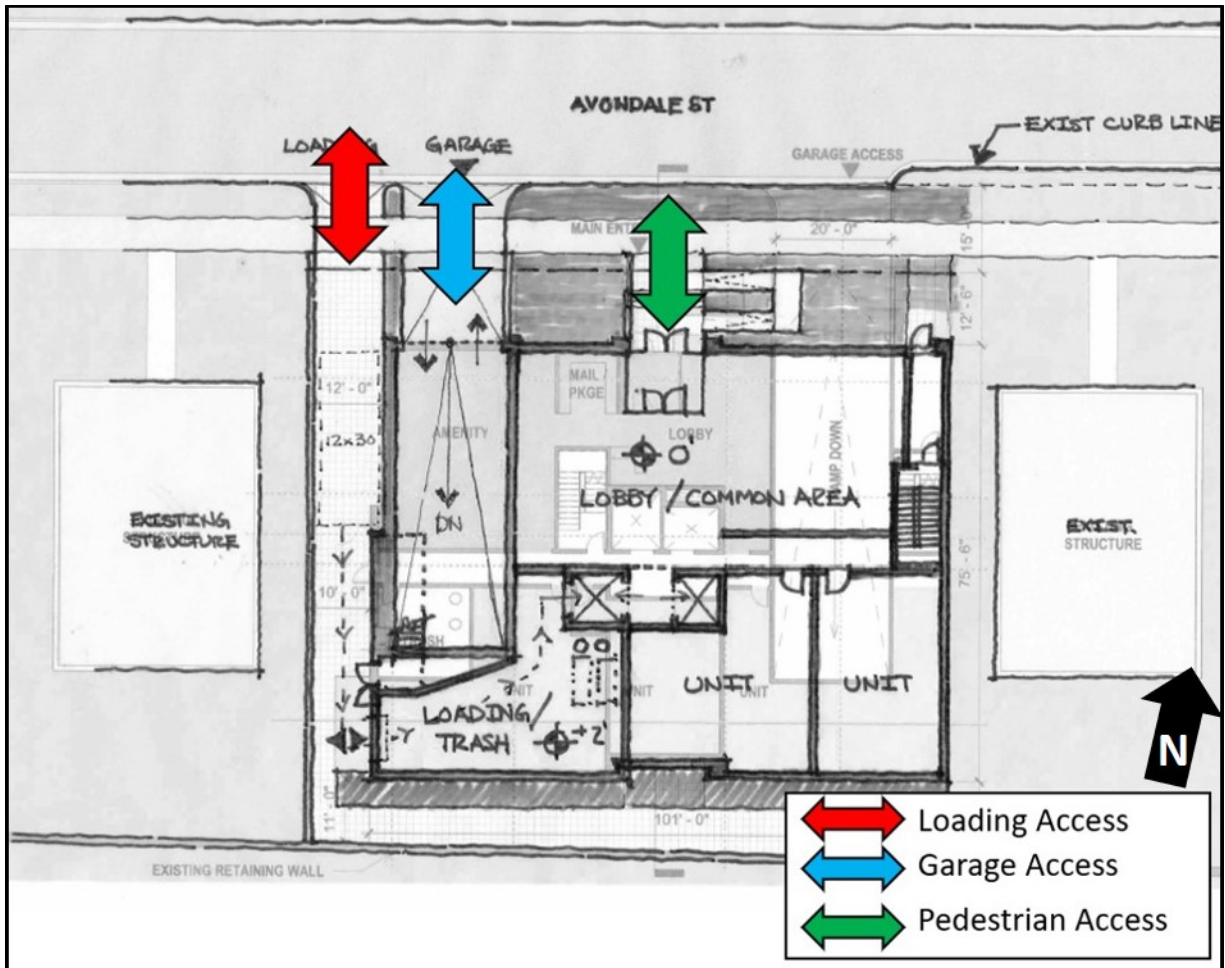


Figure 7 - Pedestrian and Vehicular Circulation

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located within ¼ mile of the Site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

SECTION 4: SKETCH PLAN PROJECT ANALYSIS AND FINDINGS

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

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

The Sketch Plan meets the development standards of Section 59.4.5.4, as shown in the following Data Table:

Table 1: Avondale Sketch Plan and Preliminary Plan Data Table

Sketch Plan and Preliminary Plan Data Table			
Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area	n/a	14,586 sf (0.33 ac)
	Prior Dedication	n/a	2,800 sf (0.06 ac)
	Proposed Dedication	n/a	560 sf (0.01 ac)
	Site Area	n/a	11,226 sf (0.26 ac)
	Mapped Density		
	CR 1.5 C 0.25 R 1.5 H 70'		
	Residential (GFA/ FAR)	21,879 sf (1.5)	21,879 sf (1.5)
	Commercial (GFA/FAR)	3,647 sf (0.25)	0 sf (0)
	Total Mapped Density (GFA/FAR)	21,879 sf (1.5)	21,879 sf (1.5)
	Bethesda Overlay Zone Density	n/a	33,121 sf (2.27)
	Total GFA/FAR	n/a	55,000 sf (3.77)
	MPDU Density (GFA/FAR)	15%	15%
	Building Height, max	70 feet	70 feet
	Public Open Space (min sf)	0%	4%
	Minimum Setbacks (ft)¹		
	Front	0	11'
	Side	0	Western: 10' Eastern: 0'
	Rear	0	11'

¹ Final setback dimensions will be determined at Site Plan in accordance with Section 59.4.5.4.B.3. of the Zoning Ordinance and recommendations from the Bethesda Design Advisory Panel.

The final number of vehicular parking spaces will be determined at Site Plan based on the total residential units.

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

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

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Sector Plan builds on the past successes of Downtown

Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations increase:

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

The Property is designated as site 79 on page 99 of the Sector Plan. The Property is located in the Wisconsin Avenue Corridor District, which is the main artery through the center of downtown Bethesda. It is characterized by high density commercial buildings with ground floor retail. The Sector Plan focuses density and redevelopment opportunity along the Wisconsin Avenue Corridor due to the proximity to transit and employment areas. This Property was rezoned to allow flexible development opportunities near the core of downtown Bethesda while maintaining compatibility with its surrounding neighborhood. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and the Wisconsin Avenue Corridor District sections of the Sector Plan:

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

The Applicant proposes to build the Project to exceed energy efficient standard for the building type by 17.5%.

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

The Proposal will provide an infill development just off the Wisconsin Avenue Corridor that responds to the surrounding neighborhood at a height that is appropriate for the Avondale Street. The building will be a maximum of 70 feet in height per the zoning standards.

- *Improve the pedestrian environment with upgraded streetscapes*

The Applicant proposes to improve the existing right-of-way by dedicating the necessary amount for the master planned width of 60 feet and install the Bethesda Streetscape along the frontage to enhance the public realm and pedestrian environment.

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

The Proposal will redevelop a Property currently developed as multi-family residential buildings for a new residential building of up to 60 units with 15% MPDUs. The Property is located just one block from the Bethesda Metro Station and Ride-On bus stops along Wisconsin Avenue.

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

The Project will redevelop two existing multi-family residential buildings into one residential building for up to 60 units within one block of the Bethesda Metro Station and the core commercial area of downtown Bethesda.

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

The Project encourages such development by proposing a new residential building for up to 60 units, of which 15% will be moderately priced dwelling units, and the Applicant proposes to provide a handful of units with enhanced accessibility for the disabled. The housing will be within walking distance of the nearby Bethesda Metro Station, RideOn, future Purple Line, and several retail and commercial properties. The building will provide underground parking and an improved streetscape along Avondale Street.

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

The Applicant proposes a building height of 70 feet and an increased setback from Avondale Street to achieve a compatible relationship with the existing development while setting the tone for future redevelopment of the street, as envisioned by the Sector Plan. The massing of the proposed building will be further refined at the time of Site Plan based on comments received from the Design Advisory Panel. The conceptual massing will achieve the Design Guidelines intent of a distinct base, middle, and top, through modulation and articulation. Final setback dimensions will be determined at Site Plan in accordance with Section 59.4.5.4.B.3. of the Zoning Ordinance.

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

The Project will increase the availability of residential units in the core of downtown Bethesda at a density that is compatible with the existing character of Avondale Street. The new building will provide up to 60 residential units with 15% MPDUs.

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

The Project will provide the required public benefits from a minimum of 4 categories to achieve the desired incentive density above the standard method limit, however the Applicant proposes 100 points from 5 categories to provide flexibility of design at the time of Site Plan. Final determination of public benefit points will be determined at the time of Site Plan.

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 requires a park impact payment of \$11.08/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. This Application is requesting an allocation of 33,121 square feet from the BOZ initiating a Park Impact Payment (amount to be determined during Site Plan review) to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

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

As discussed in Finding 1.a above, the Project substantially conforms to the recommendation of the 2017 *Bethesda Downtown Sector Plan*. The type of development proposed by the Project will locate high density residential with affordable housing near public transit, commercial and employment centers, and other public facilities as recommended in the Sector Plan.

Green Cover

The Sector Plan includes a number of recommendations to achieve the urban green goals. An important recommendation to this effect is the onsite 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper), tree canopy cover, or bioretention planters. The Application consists of a Site Area of 11,226 square feet which results in a green cover requirement of at least 3,926 square feet. Currently, this Application's Green Cover Exhibit shows a proposed 6" depth green roof and stormwater planters to fulfill this requirement. The green cover provided by the proposed green roof and planters provides 4,603 square feet of green cover, with the final design to be confirmed at the Site Plan stage of the Application.

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

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

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

Avondale Street is currently comprised of two-story multi-family residential buildings and two garden apartment buildings. The Applicant proposes to redevelop two of the multi-family residential buildings into a 70' residential building for up to 60 units. The Applicant proposes to increase the front setback of the building from Avondale Street to achieve a similar setback from the existing dwellings on the street to achieve compatible external relationships between the existing development on the street. The final setback dimension will be established at Site Plan.

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

As proposed, circulation, parking, and loading is safe adequate and efficient. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along the Avondale Street Property frontage, consistent with the Bethesda Streetscape Standards. The Applicant will be dedicating an additional five feet from the centerline to meet the master-planned minimum width of 60 feet. In conformance with the Bethesda Downtown Streetscape Guidelines, the Project proposes a six-foot tree

lawn panel and an eight-foot pedestrian travel way that will tie into the existing four-foot sidewalk on either side of the Site along the Avondale Street frontage.

Vehicular access to the Site is on the west side of the building. Loading and garage access will be accommodated via a consolidated curb cut to reduce conflicts with pedestrians and motorists. The access configuration will be further refined at the time of Site Plan.

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

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

For the proposed development, the Zoning Ordinance requires 100 points in 4 categories, however the Applicant proposes 100 points from 5 categories to provide flexibility of design at the time of Site Plan. Although at the time of Sketch Plan review only the categories need be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project’s ability to meet the requirement to provide sufficient benefit points.

Table 2: Public Benefit Calculations

Public Benefit	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3A: Major Public Facilities		
PIP Payment increase	40	1
59.4.7.3C: Connectivity and Mobility		
Minimum Parking ¹	20	10
59.4.7.3D: Diversity of Uses and Activities		
Enhanced Accessibility for the Disabled	20	15
59.4.7.3E: Quality of Building and Site Design		
Architectural Elevations	30	15
Exceptional Design ¹	30	15
Structured Parking	20	20
Public Open Space	30	4
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations	30	1
Energy Conservation and Generation ¹	25	15
Recycling Facility Plan	10	10
TOTAL		106

¹Denotes Sector Plan priority

Major Public Facilities

PIP Payment Increase: The Applicant requests 1 point for increasing the required Park Impact Payment by 1%, per Section 59.4.9.2.C.4.B.ii of the Zoning Ordinance. Staff supports the category at this time and further review of the increase in payment will be reviewed at the time of Site Plan.

Connectivity and Mobility

Minimum Parking: The Applicant requests 10 points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Staff supports the category at this time.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: The Applicant requests 15 points for constructing dwelling units with interiors that satisfy the American National Standards Institute (ANSI). Points for this incentive are granted on a sliding scale calculated on the percentage of complying units. Final determination of complying units will be made at Site Plan. Staff supports the category at this time.

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 of the design such as minimum amounts of transparency, maximum separation between doors, and other design priorities of the applicable Sector Plan and implementing design guidelines. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Staff supports the category at this time with further details and refinement to be provided at the time of Site Plan.

Exceptional Design: The Applicant requests 15 points for building and/or site design that enhances the character of a setting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is subject to the Design Advisory Panel review, which will award points based on the quality of the design. The Applicant asserts that the Project fulfills many recommendations of the *Bethesda Downtown Sector Plan* and Design Guidelines.

The Applicant proposes a design that uniquely responds to the scale and character of the existing context while anticipating the relationship to future redevelopment of the street. By providing an increased building setback, the relationship of the massing is proportionate to the scale of the existing right-of-way and residential dwellings. The massing proposes a recessed base that meets the intent of the Design Guidelines through articulation and material and two distinctive towers above.

During their July 22, 2020 meeting, the Design Advisory Panel unanimously voted in support of the Project being on track to receive the minimum 10 design excellence points and recommended the following:

- Further develop Option 3 with the larger build-to-line and provide further detail on the relationship and treatment between base and upper floors as to how the massing is expressed.

Staff supports the category at this time with further review at the time of Site Plan.

Structured Parking: The Applicant requests 20 points for providing structured parking in a below grade parking structure. Staff supports the category at this time.

Public Open Space: The Applicant requests 4 points for providing public open space in excess of the Zoning Ordinance requirements. Points for this category are granted on a sliding scale, based on the percentage of the lot area and other criteria listed in the Implementation Guidelines. The Applicant conceptually proposes

450 square feet of public open space adjacent to the right-of-way along Avondale Street. Staff supports the category at this time and has conditioned the project to further refine the design to ensure it is open and welcoming to the public.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 1 point 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. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the category at this time.

Energy Conservation and Generation: The Applicant is requesting 15 points for providing a building that exceeds applicable energy efficiency standards by 17.5%. Staff supports the category at this time.

Recycling Facility Plan: The Applicant requests 10 points for providing a recycling facility plan that exceeds the applicable regulations at the time of Site Plan. Points are granted for plans that satisfy the Montgomery County Executive Regulation 15-04AM and/or Montgomery County Executive Regulation 18-04. Additional points may be granted for recycling plans that exceed the applicable regulations and for facilities that are integrated into building and site design, are readily accessible and easy to find without being visually disruptive. Staff supports the category at this time.

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

The Project will be built in one phase.

SECTION 5: PRELIMINARY PLAN ANALYSIS AND FINDINGS

Preliminary Plan No. 120200220 will create one lot, measuring approximately 11,226 square feet or 0.26 acres of Site area, to allow for a maximum density of up to 60 residential dwelling units. This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application meets all applicable sections. The size, width, shape, and orientation of the proposed lot is appropriate for the location of the subdivision taking into account the recommendations included in the applicable Master Plan, and for the type of development or use contemplated. The Application has been reviewed by other applicable County agencies, all of whom have recommended approval of the Preliminary Plan.

1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59*

This Preliminary Plan creates one lot of appropriate size, width, shape, orientation, and density for the proposed multi-family development use. Transportation access is adequate to serve the proposed development by this Preliminary Plan. Water and sewer and other utilities are available to and currently serve the Property. The Application meets the Environmental Guidelines and Forest Conservation Law.

The lot was reviewed for compliance with the dimensional requirements for the CR 1.5 C 0.25 R 1.5 H 70' and Bethesda Overlay Zone, as specified in the Zoning Ordinance. The lot as proposed will meet all the dimensional requirements for area, frontage, width, and setbacks in that zone. The Application has been reviewed by other applicable county agencies, all of which have recommended approval of the plan.

2. *The Preliminary Plan substantially conforms to the Master Plan or Urban Renewal Plan*

As discussed in the concurrent Sketch Plan No. 320200070 findings, and as conditioned, the Application substantially conforms to the 2017 *Bethesda Downtown Sector Plan*. The Application complies with the land use recommendations for the Site as well as the applicable urban design, roadway, and general recommendations outlined in the Sector Plan.

3. *Public Facilities will be adequate to support and service the area of the subdivision*

The Application will be served by adequate public facilities, including transportation, schools, and public infrastructure, as described below.

Transportation

Vehicular access to the Site will be provided by a consolidated curb cut on Avondale Street. Both garage and loading access will be accommodated via the shared driveway on the west side of the Site. The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located approximately 0.6 miles from the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontage, consistent with the Bethesda Streetscape Standards.

Master Plan Roadways and Pedestrian/Bikeway Facilities

The 2017 *Bethesda Downtown Sector Plan* designates Avondale Street as a residential roadway and recommends a minimum public right-of-way of 60-feet. The Applicant is fulfilling the master plan

recommendation by dedicating a minimum of five feet of right-of-way to achieve a minimum 30-foot-wide right-of-way between the property and right-of-way centerline.

Sector-Planned Transportation Demand Management

The Sector Plan encourages a Non-Auto Driver Mode Share (NADMS) of 55 percent, averaged between employees and residents of Downtown Bethesda. In order to meet this goal, Downtown Bethesda is organized into a Transportation Demand Management District (TMD) that strives to promote travel by means other than single occupancy vehicles. As a project consisting of more than 40,000 square feet in a 2016 – 2020 Subdivision Staging Policy Red Policy Area, the Applicant the must receive approval from MCDOT on a Level 3 Results Transportation Demand Management Plan (Per Section 42-A-25(b)(3)) before the release of any above-grade building permit, to participate in the Bethesda Transportation Management District (TMD) and work toward the Sector Plan goal of 55% Non-Auto Driver Mode Share.

Transportation Adequacy

A transportation statement, dated March 5, 2020, was submitted with the Project, indicating that the proposed development will generate 26 net new morning peak-hour person trips and 33 net new evening peak-hour person trips when compared to the trips generated by the existing eight multi-family residential units (Table 3). Because the estimated transportation impact of the Project is less than 50 net new person trips, the Project satisfies the Local Area Transportation Review requirement without further analysis.

Table 3: Project Peak Hour Trip Generation

Total Proposed		Vehicle Rates		Policy Area Vehicle Trips		Person Trips	
Use	Total Units/GFA	AM	PM	AM	PM	AM	PM
Existing Use (Credit) 8 Multi-family Low-Rise Units		5	7	4	6	8	12
Proposed Use 180 High Rise Dwelling Units		21	28	17	23	34	45
Total Net New Trips		16	21	13	17	26	33

Source: Wells & Associates Transportation Statement, dated March 5, 2020.

Schools

The Application proposes 60 new multi-family high-rise units. As a project that will be reviewed by the Planning Board on November 19, 2020, the Application is subject to the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable.

Calculation of Student Generation

To calculate the number of students generated by the proposed development, the number of proposed 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.

Table 4: 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

The Application, which proposes a net increase of 60 multi-family high-rise units, is estimated to generate two elementary school students, 1 middle school student and 1 high school student, as shown in Table 5.

Table 5: Subject Application Student Generation Estimate

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
Multi-Family High Rise	60	0.041	2.460	0.018	1.080	0.025	1.500
TOTALS	60		2		1		1

Cluster Adequacy Test

The Project is located in the Bethesda-Chevy Chase High School Cluster. The student enrollment and capacity projections from the FY21 Annual School Test for the cluster are noted in Table 6.

Table 6: Bethesda-Chevy Chase High School Cluster Capacity Projections

School Level	Projected Cluster Totals, September 2025			Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization		
Elementary	3,618	3,953	91.5%	1,126	2
Middle	1,860	2,040	91.2%	587	1
High	2,541	2,457	103.4%	407	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 Elementary School and Westland Middle School, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7.

Table 7: Bethesda Elementary School and Westland Middle School Capacity Projections

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Bethesda ES	736	765	96.2%	+29	183	2
Westland MS	978	1,105	88.5%	+127	349	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 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. Based on the school cluster and individual school capacity analysis performed, using the FY2021 Annual School Test, there is adequate school capacity for the amount and type of development proposed by the Subject Application.

Other Public Facilities and Services

Public facilities and services are available and will be adequate to serve the proposed development. The Subject Property is proposed to be served by existing public water and 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.

4. *All Forest Conservation Law, Chapter 22A requirements are satisfied*

This Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2). Forest Conservation Exemption 42021038E was confirmed for this Property on September 23, 2020, finding the Project meets the particular requirements of the exemption because the proposed activity will be conducted on a tract less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest. However, since the proposed activity necessitates the removal of three specimen trees, a tree save plan was submitted as part of the Preliminary Plan application which identifies three specimen Willow Oak trees for removal. The Applicant has proposed replacement street tree plantings which will be finalized at Site Plan, as conditioned.

5. *All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied*

The MCDPS Stormwater Management Section approved the stormwater management concept on September 21, 2020. The approval allows the stormwater management to be achieved through utilization of a green roof and a micro bioretention planters with a waiver for quantity not able to be treated through environmental site design or structural measures.

6. *Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.*

No other provisions apply to this Subdivision.

SECTION 6: COMMUNITY OUTREACH AND ISSUES

Applicant Outreach

The Applicant held a pre-submittal public meeting on March 2, 2020, at the Bethesda-Chevy Chase Regional Services Center, and has complied with all submittal and noticing requirements.

Correspondence

Staff has not received any correspondence as of the writing of this staff report.

CONCLUSION

As conditioned, the Sketch Plan and Preliminary Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and Chapter 50 of the Subdivision Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of the Avondale Sketch Plan No. 320200050 and Preliminary Plan No. 120200220, with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Design Advisory Panel meeting notes
- B. Agency Letters
- C. Tree Save Plan
- D. Green Cover
- E. Sketch Plan