

Montgomery Planning





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB

Item No. 3

Date: 12/17/2020

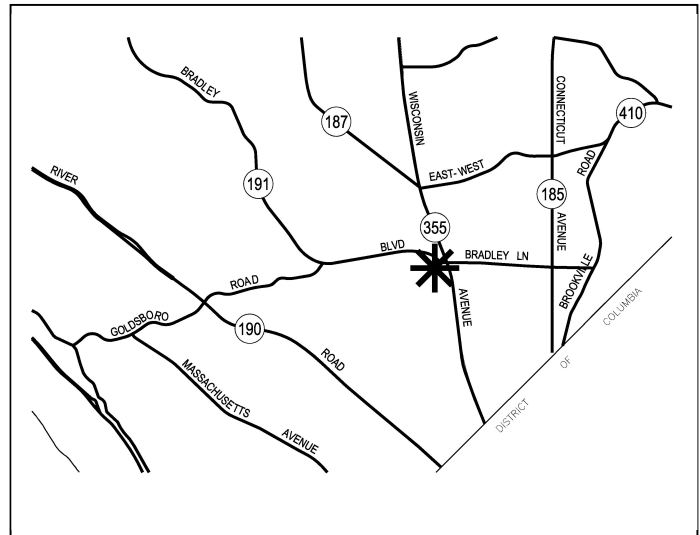
4702 Chevy Chase Drive, Sketch Plan No. 320210010 & Preliminary Plan No. 120210010

-  Grace Bogdan, Planner Coordinator, DownCounty Division, Grace.Bogdan@montgomeryplanning.org, 301.495.4533
-  Matthew Folden, Planner Coordinator, DownCounty Division, Matthew.Folden@montgomeryplanning.org, 301.495.4539
-  Stephanie Dickel, Supervisor, DownCounty Division, Stephanie.Dickel@montgomeryplanning.org, 301.495.4527
-  Elza Hisel-McCoy, Chief, DownCounty Division, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

Completed: 12/07/2020

Description

- Sketch Plan: Request for up to 85,000 square feet of density for a multi-family residential development, including up to 53,913 square feet of BOZ density and associated PIP payment
- Preliminary Plan: Request to create one lot for multi-family residential development for up to 70 units
- Current use: single family dwelling used as medical office with surface parking
- Located on Chevy Chase Drive approximately 130 feet east of Bradley Boulevard
- 0.48 acres zoned CR 1.5 C 0.25 R 1.5 H 70' in the 2017 *Bethesda Downtown Sector Plan*
- Applicant: Winthrop Investment Group, Inc.
- Acceptance date: August 25, 2020



Summary

- Staff recommends **Approval** of the 4702 Chevy Chase Drive Sketch Plan and Preliminary Plan, with conditions.
- The Property confronts a single-family detached neighborhood to the south and is required to meet the Residential Compatibility Standards for height as specified in Section 59.4.1.8.B of the Zoning Ordinance.
- The Applicant proposes to extend the sidewalk beyond the Property frontage in three critical areas, providing connection to Bradley Boulevard, Norwood Local Park, and Nottingham Drive to the east.
- While not meeting the standard width for a through block connection, the Applicant proposes to provide a 5' pathway connecting Chevy Chase Drive to Nottingham Drive through the east side of the Property.
- The proposed public benefits include streetscape improvements, minimum parking, structured parking, enhanced accessibility for the disabled, architectural elevations, exceptional design, and measures to protect and enhance the natural environment such as a recycling facility plan and the purchase of building lot terminations.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

Staff recommends approval of 4702 Chevy Chase Drive, Sketch Plan No. 320210010, for up to 85,000 square feet of density for a multi-family residential development, including up to 53,913 square feet of BOZ density and associated PIP payment on 0.48 acres, zoned CR 1.5 C 0.25 R 1.5 H 70' and Bethesda Overlay Zone, in the 2017 *Bethesda Downtown Sector Plan*. The maximum density includes up to 53,913 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The 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 85,000 total square feet of residential development. The maximum number of dwelling units and use mix will be determined at Preliminary Plan. The maximum density includes up to 53,913 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. 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. Diversity of uses and activities, achieved by providing enhanced accessibility for the disabled;
- b. Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ and Streetscape Improvements; and
- c. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, and structured parking.
- d. Protection and Enhancement of the Natural Environment, achieved through building lot termination, providing a recycling facility plan, and vegetated wall.

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

- a. The Applicant must install the 2020 Bethesda Streetscape Standard along the Subject Property's right-of-way frontage on Chevy Chase Drive, including the undergrounding of utilities.
- b. The Applicant must install the 2020 Bethesda Streetscape Standard along the Subject Property's right-of-way frontage on Nottingham Drive.
- c. Timing to be determined at Site Plan.

6. Offsite Improvements

The Applicant must install the following sidewalk extensions within the existing right-of-way beyond the Property frontage, with final design, extents, and timing to be determined at Site Plan:

- a. Chevy Chase Drive continuing east connecting to Bradley Boulevard;
- b. Nottingham Drive continuing west connecting to Norwood Local Park; and
- c. Nottingham Drive continuing east connecting to the existing sidewalk fronting the Bethesda Fire Department.

7. Green Cover

- a. The Applicant must provide a minimum of 6,044 square feet of Green Cover (35% of Site area) on-site.
- 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.
- d. Any canopy cover credited to this condition must be attributed to on-site planting of native canopy trees and be based on the 20-year mature canopy coverage per the Montgomery County Trees Technical Manual.

8. Bethesda Downtown Plan Design Guidelines

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

- a. Comments have been addressed from the Design Advisory Panel as specified in their September 24, 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.

9. Building & Site Design

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

- a. Refine design of western elevation to minimize impact of blank wall through architectural methods such as, but not limited to, articulation, material changes, and/or the potential use of "at-risk" windows; and
- b. Submit additional exhibits with dimensions and details for proposed vegetated wall seeking at the building entrance fronting on Chevy Chase Drive.

10. 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 application:

- a. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- b. SWM concept approval which also addresses the recommendations of the *Bethesda Downtown Sector Plan* Water Quality Section (2.4.2.B);
- c. Address Bird-Safe Design per the Bethesda Downtown Sector Plan Design Guidelines;

- d. Fire and Rescue access and facility details;
- e. Streetscape details; and
- f. Loading Management Plan specifying the following: maximum delivery truck size (SU-30), delivery times, and strategies to ensure that move-in, move-out, and delivery operations do not negatively impact the public right-of-way.

Preliminary Plan No. 120210010

Staff recommends approval of Preliminary Plan No. 120210010 subject to the following conditions:

1. Approval is limited to 1 lot for up to 70 multi-family dwelling units.
2. The Applicant must comply with the binding elements and conditions of approval for Sketch Plan No. 320210010 and any subsequent amendments.
3. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in that agency's letter dated November 13, 2020, and hereby 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, provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. Prior to recordation of plat(s), the Applicant must satisfy the provisions for access and improvements associated with each plat, as required by MCDOT.
5. The Applicant must dedicate all road rights-of-way to the full width mandated by the Bethesda Downtown Sector Plan or as otherwise designated on the Certified Preliminary Plan, and show on the record plat(s) the following dedications:
 - a. A minimum of 30 feet from the existing right-of-way centerline along the Subject Property frontage for Chevy Chase Drive in support of a master-planned 60-foot right-of-way.
 - b. A minimum of 30 feet from the existing right-of-way centerline along the Subject Property frontage for Nottingham Drive to provide the standard 60-foot right-of-way for a Secondary Residential Street.
6. 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. Other limitations for site development may also be included in the conditions of the Planning Board's approval.
7. The record plat must show necessary easements.
8. Include all applicable agency letters and the Preliminary Plan Resolution on the approval or cover sheet(s) of the Certified Preliminary Plan.
9. The Applicant must comply with the mitigation planting requirements as shown on the Approved Tree Save Plan (TSP).

- a. Mitigation plantings must be a minimum size of 3 caliper inches totaling 21 caliper inches as shown on the Approved TSP.
 - b. Adjustments to the planting locations of trees is permitted at the time of Site Plan.
10. 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.
11. If a subsequent Site Plan approval substantially modifies the subdivision shown on the approved Preliminary Plan with respect to lot configuration, location, or right-of-way width or alignment, the Applicant must obtain approval of a Preliminary Plan amendment prior to certification of the Site Plan.
12. The Adequate Public Facility (APF) review for the Preliminary Plan will remain valid for sixty (60) months from the date of mailing of the Planning Board resolution.
13. 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 October 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 MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of the Preliminary Plan approval.
14. 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 October 12, 2020, and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

Vicinity

The Property is located approximately one block west of the Wisconsin Avenue corridor with frontage on Chevy Chase Drive and Nottingham Drive (Subject Property or Property). The Bethesda Fire Department is located directly to the east of the Property and to the south across Nottingham Drive is the single-family neighborhood, Chevy Chase Terrace. Higher density residential buildings such as 4720 Chevy Chase Drive Condominiums and several other apartment buildings are located to the west and north along Chevy Chase Drive. To the southwest at the terminus of Nottingham Drive is one of many pedestrian entrances to Norwood Local Park.

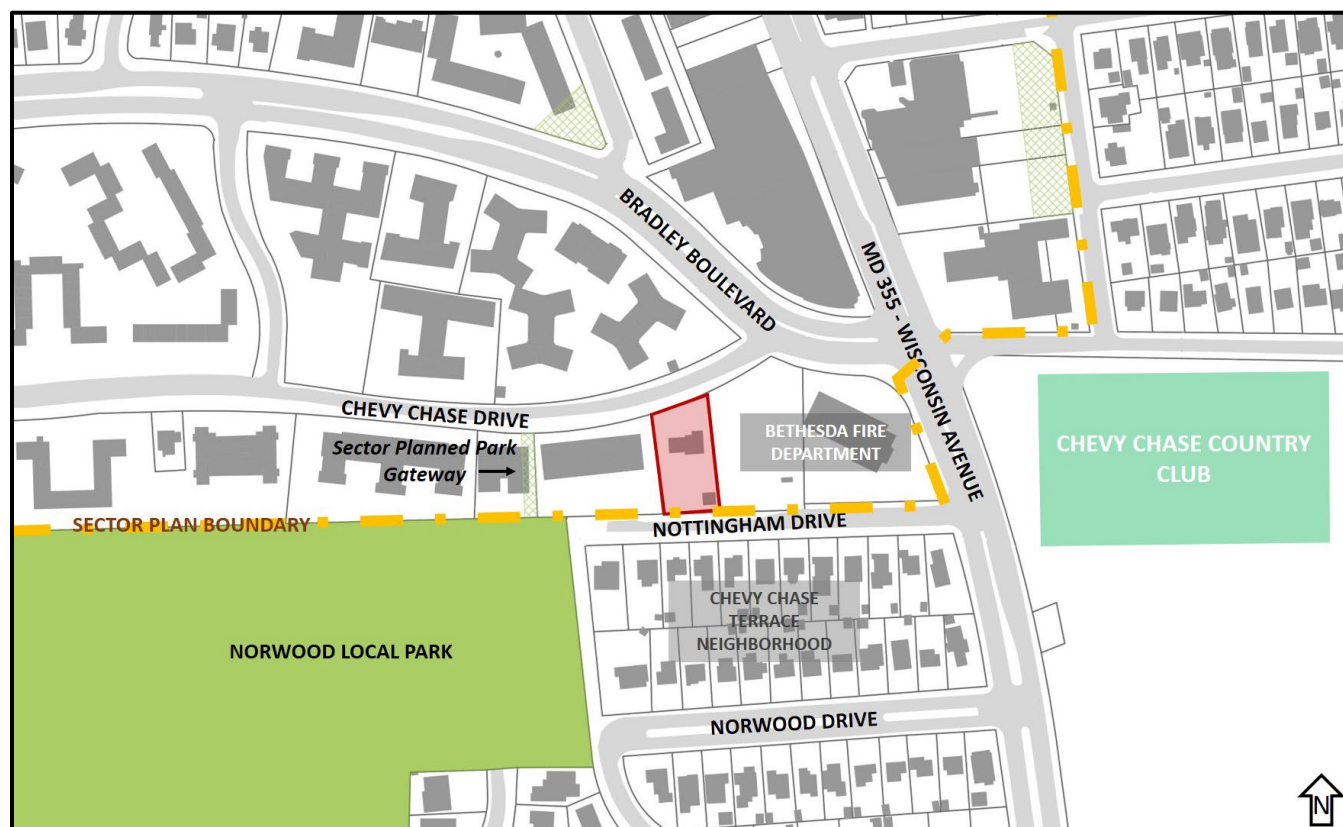


Figure 1 – Vicinity Map

Subject Property

The Subject Site is located at the southern boundary of the 2017 *Bethesda Downtown Sector Plan* (Sector Plan) which describes the area as a residential edge district. The Property has a tract area of 0.48 acres and is currently improved with a detached single-family home that has been used as a medical office.



Figure 2 – Aerial Map

Site Analysis

The Property was rezoned from R-10 to CR 1.5 C 0.25 R 1.5 H 70' and Bethesda Overlay Zone with the 2017 *Bethesda Downtown Sector Plan*. The Property fronts on Chevy Chase Drive and Nottingham Drive. Chevy Chase Drive is a two-way street with on-street parking on the north side of the street. Nottingham Drive is a two-way street with on-street residential permit parking on either side of the street closer to Wisconsin Avenue, however the roadway narrows going west towards the Property and terminates at Norwood Local Park. The Subject Property is located within the Little Falls Branch 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 Subject Property does include one specimen tree, a 32" Red Oak, and three additional specimen trees adjacent to the Subject Property: a 51" Tulip Poplar, a 26" Black Walnut, and a 24" Black Walnut. There are no historic properties on-site.

SECTION 3: PROJECT DESCRIPTION

Proposal

The Applicant proposes to consolidate two existing parts of lots, Part of Lots 3 and Part of Lot 4, into a new lot in the “Bradley Hills Section 1” subdivision. The new lot will have a Site Area of approximately 17,270 square feet (0.40 acres) and will support the redevelopment of the property with a new 70-foot tall multi-family residential building totaling 85,000 square feet with underground parking.

The Project envisions up to 70 dwelling units within the new building, which will be accessed from both the Chevy Chase Drive, for the below-grade garage, and Nottingham Drive, for loading and service, frontages. The final unit count will be determined at Site Plan. The Project will be constructed on one lot and includes a future allocation of density from the Bethesda Overlay Zone of up to 53,913 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.

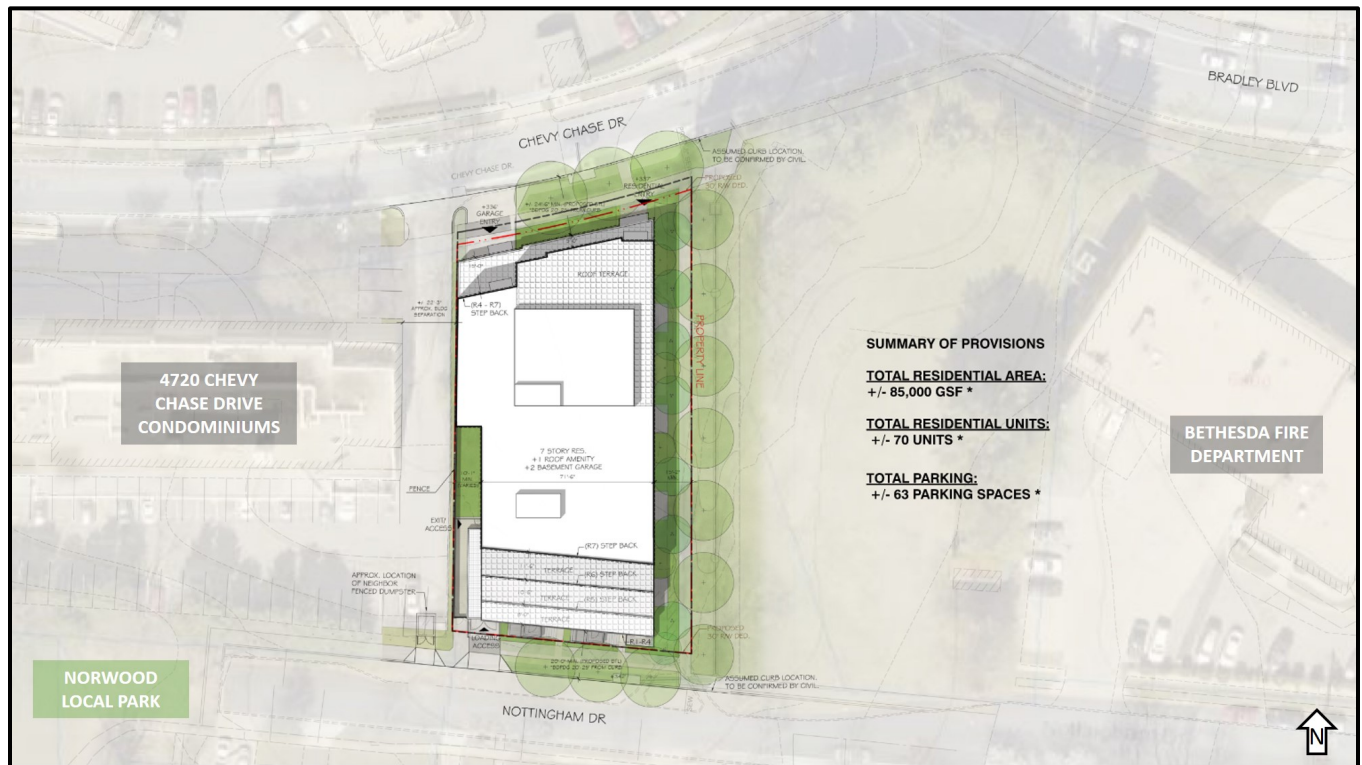


Figure 3 – Proposed Rendered Sketch Plan

Building

The building will have a maximum height of 70 feet and will be designed with two frontages on Chevy Chase Drive and Nottingham Drive. The main building entrance and access to the parking garage will be from Chevy Chase Drive, orienting the building north towards downtown Bethesda. The building massing along Chevy Chase Drive will consist of a two-story base and a step back at the third floor, consistent with the Bethesda Design Guidelines. The ground floor of the building facing Chevy Chase Drive provides a variety of plane changes and proposes to use highly transparent materials. The Nottingham Drive frontage will be designed with individual unit entries and screened access to the loading and trash area. Due to the single-family detached neighborhood on the southern side of Nottingham Drive, the Project will be required to comply with the residential compatibility standards for

building height. As designed, the building at the front setback will be a maximum 35 feet tall and increase in height through stepbacks at a 45-degree angle, as specified in the Zoning Ordinance (Section 59.4.1.8.B).

Conceptually, the Applicant proposes a material palette consisting of light-colored brick, architectural stone, dark metal panels, large format windows and glass or ornamental railings. This simple color palette is intended to be applied in a way that would result in a unique and elegant composition.

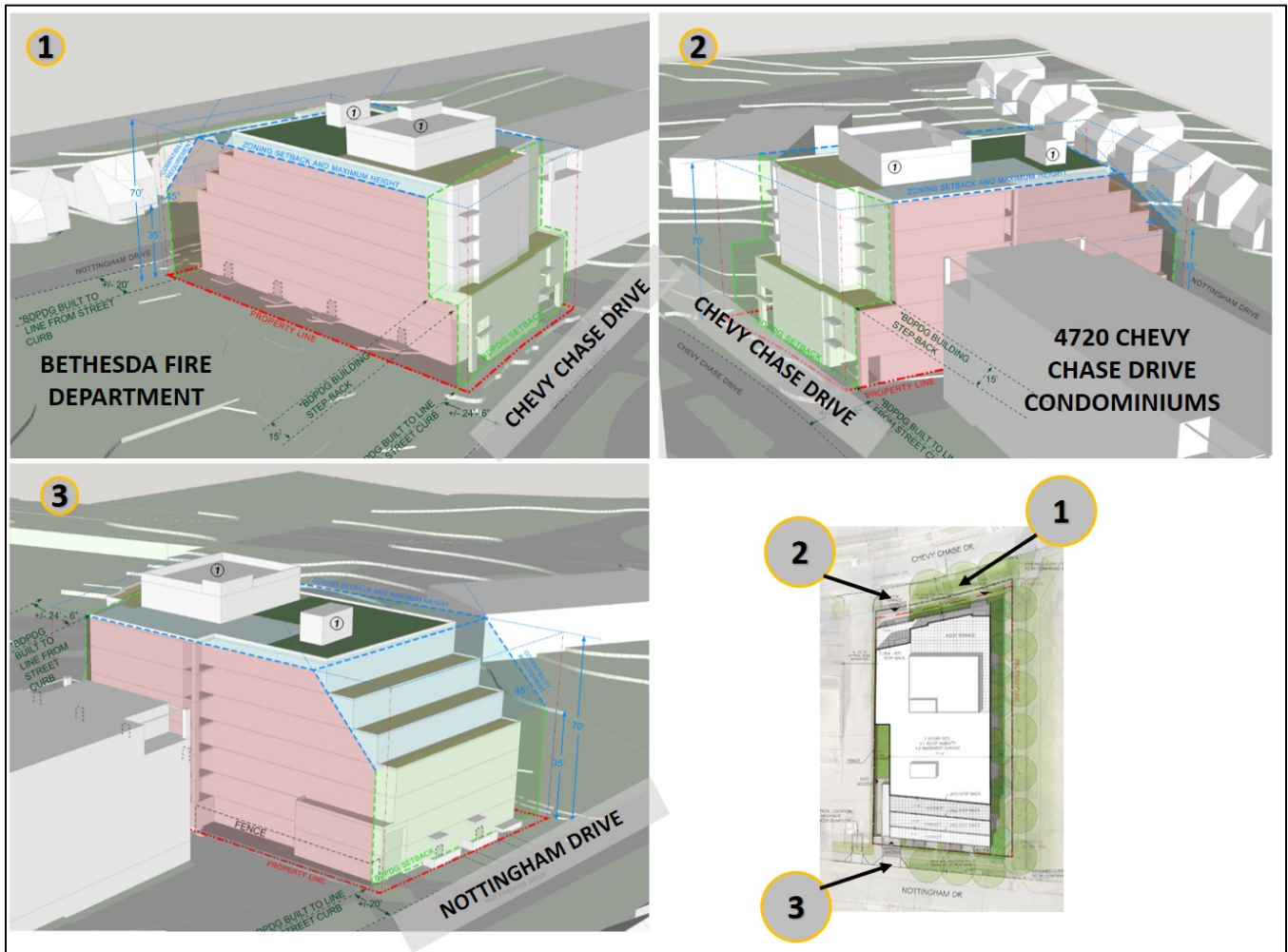


Figure 4 – Rendered massing from Chevy Chase Drive and Nottingham Drive

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 is proposing a five-foot sidewalk from the Chevy Chase Drive to Nottingham Drive to achieve a public pedestrian connection to Norwood Local Park.

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 42020147E was confirmed for the Subject Property on June 24, 2020 (Attachment D). 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 is conducted on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and not result in reforestation requirements more than 10,000 square feet. No forest or champion trees will be cleared during the project and this Application does not trigger forest planting requirements; however, specimen trees are proposed to be removed and as a result a Tree Save Plan has been submitted with this Application (Attachment E). The Tree Save Plan requires mitigation for the removal of four specimen trees, requiring the Applicant to plant seven 3" caliper native canopy trees (21" total mitigation planting), which may be amended as part of a future Site 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 on-site 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper) or tree canopy cover. The Application consists of a net Site Area of 17,270 square feet (SF) which results in a green cover requirement of at least 6,044 SF. Currently, the Application proposes green coverage in the form of 4,220 SF of green roof and 1,878 SF of canopy cover to fulfill this requirement. This results in a total of 6,098 SF of green cover. Staff supports this proposal and encourages the Applicant to continue to maintain at least this level of green cover as the Project evolves in order to maintain compliance with the Sector Plan's urban green goals. (Green Cover Exhibit, Attachment F)

Stormwater Management

The Applicant has provided a concept stormwater management narrative dated July 15, 2020. As part of the Preliminary Plan Application, this Stormwater Management Concept was approved by the Department of Permitting Services on October 28, 2020, finding that the stormwater management goals will be met via green roof and a waiver will be granted for the remaining volume based on site constraints. That partial waiver will be finalized during the review of Site Plan.

Transportation

Access and Circulation

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards. To address deficient gaps in the sidewalk network, Staff and the Applicant have coordinated to extend the sidewalk in three critical areas beyond the Site frontages. The Applicant proposes to extend the sidewalk from the Chevy Chase Drive eastern property line eastward out to Bradley Boulevard. The Applicant also proposes to extend the sidewalk along the Nottingham Drive frontage westward to connect to Norwood Local Park, and eastward along the Fire Department frontage, connecting to an existing sidewalk. Lastly, the Applicant proposes a paved pedestrian connection along the eastern side of the Site to improve access to Norwood Local Park from Chevy Chase Drive. The 2017 *Bethesda Downtown Sector Plan* recommends a major pedestrian and bicycle through-block connection and improved entrance to Norwood Local Park farther west along Chevy Chase Drive. This recommended connection is expected to be confirmed by the *Pedestrian Master Plan*, currently underway. Recognizing the immediate need for a connection, the Applicant has proposed this pathway as part of the Project and the Applicant is not seeking public benefit or other credits for this public amenity.

Vehicular access to the Site will occur via a single curb cut on Chevy Chase Drive on the northwestern corner of the Site, providing access to the structured, below-grade parking garage. Trash pick-up will be accommodated through the vehicular access located off Chevy Chase Drive, where trash will be wheeled out of the building for pick-up, with an expected frequency of twice per week.

Loading access will be provided by a fully enclosed area off Nottingham Drive. The loading space is intended to primarily serve residents moving in and out of the building. Additional details regarding the loading space design and operation will be provided at the time of Site Plan. As an additional programmatic element, the Project will be subject to a loading management plan at the time of Site Plan that will further limit negative impacts to the adjacent public roadways. The loading management plan must include: maximum delivery truck size (SU-30), delivery times, and strategies to ensure that move-in, move-out, and delivery operations do not negatively impact the public right-of-way. The Project will be required to have an on-site loading manager responsible for scheduling deliveries, move-in, move-out and addressing issues related to the loading operations.

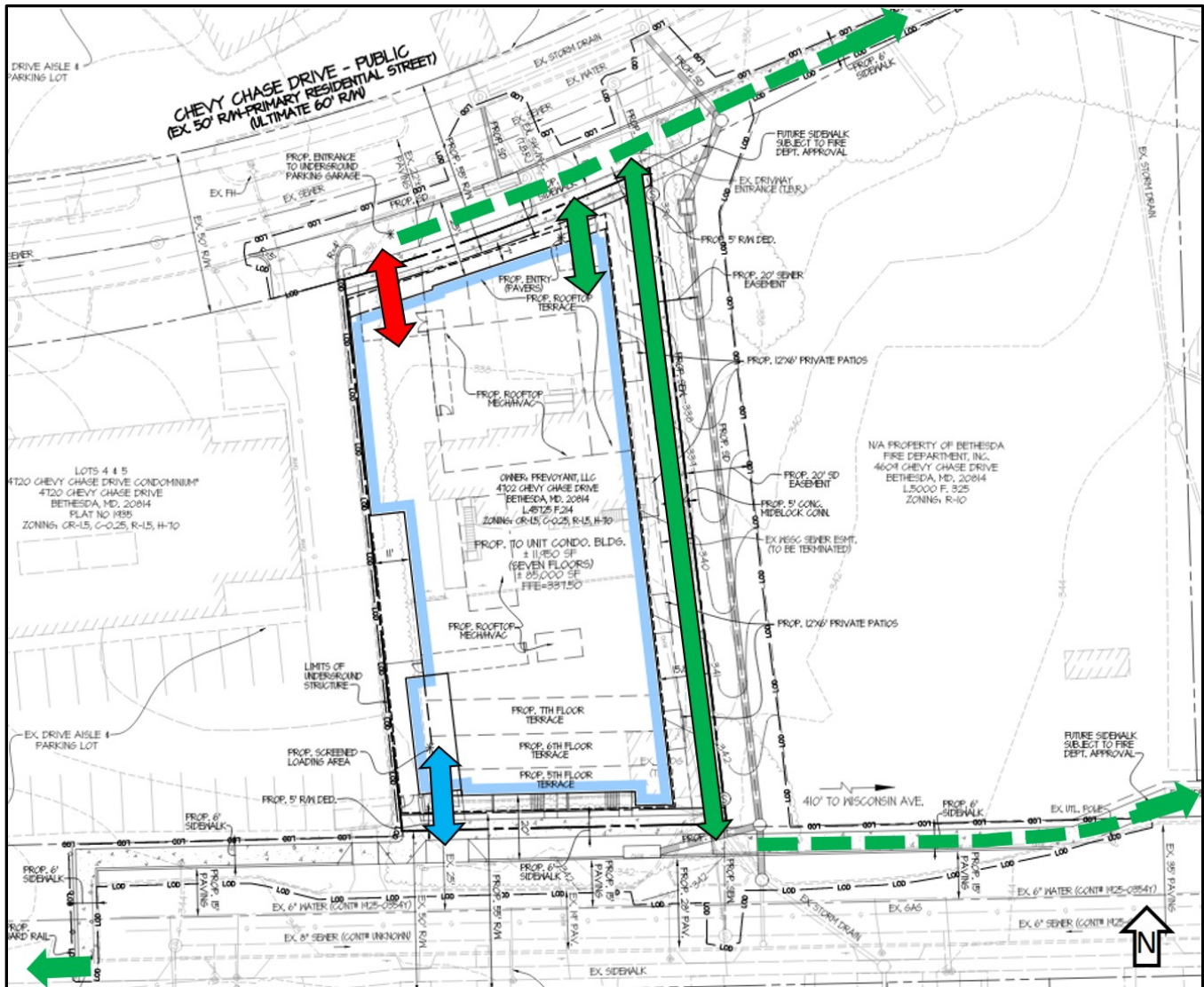


Figure 5 - Pedestrian and Vehicular Circulation

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located within $\frac{1}{4}$ mile of the site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line. The RideOn 34 bus route providing service between Aspen Hill and Friendship Heights via Wisconsin Avenue (MD 355) has a bus stop at the end of Nottingham Drive, approximately 400 feet from the Site.

Bicycle Master Plan

No bicycle facilities are planned on either of the Site's frontages on Chevy Chase Drive or Nottingham Drive. Bicycle access in the vicinity of the Site is envisioned along separated bike lanes Wisconsin Avenue to the east and along a neighborhood connector between Bradley Boulevard and Norwood Drive via a master-planned trail through Norwood Local Park. A segment of the neighborhood connector exists today from Norwood Drive. The remaining segments will likely be built with the redevelopment of properties located between Chevy Chase Drive and Bradley Boulevard.

SECTION 4: SKETCH PLAN 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: 4702 Chevy Chase Drive Sketch & Preliminary Plan Data Table

Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area	n/a	20,725 sf (0.48 ac)
	Prior Dedication	n/a	2,455 sf (0.06 ac)
	Proposed Dedication	n/a	1,000 sf (0.02 ac)
	Site Area	n/a	17,270 sf (0.40 ac)
	Mapped Density		
	CR 1.5 C 0.25 R 1.5 H 70'		
	Residential (GFA/ FAR)	31,087 sf (1.5)	31,087 sf (1.5)
	Commercial (GFA/FAR)	5,181 sf (0.25)	0 sf (0) ²
	Total Mapped Density (GFA/FAR)	31,087 SF (1.5)	31,087 (1.5)
	Bethesda Overlay Zone Density	n/a	53,913 sf (2.6)
	Total GFA/FAR	n/a	85,000 sf (4.10)
	MPDU Density (GFA/FAR)	15%	15% ³
	Building Height, max	70 feet	70 feet
	Public Open Space (min sq.ft.)	n/a	n/a
	Minimum Setbacks (ft)¹		
	Front	0	0
	Side	0	Western: 0' Eastern: 15'
	Rear	0	0

¹ Setbacks to be finalized at the time of Site Plan

² Project proposes to utilize all mapped FAR as residential density, no commercial density proposed

³ The Project proposes condominium units and will pursue an Alternative Payment Agreement in lieu of providing MPDU units per Chapter 25A-5A(b) of County Code, to be finalized by DHCA at the time of Site Plan

The final number of vehicular parking spaces will be determined at Site Plan based on the 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 187 on page 140 of the Sector Plan. The Property is located in the South Bethesda Residential Edge District, which has a garden character with tree lined streetscaped and planted setbacks and offers several opportunities to create better connections for pedestrians and bikes within the district. It is characterized by garden apartments and townhouses. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and the South Bethesda District sections of the Sector Plan:

- *Promote enhanced redevelopment opportunities to foster a quality mix of housing options*

The Project proposes to redevelop an underutilized Property currently used as a medical office into a luxury condominium building in an area of Bethesda that lacks condominium housing and has seen very little redevelopment activity.

- *Enhance pedestrian connectivity to Norwood Local Park*

The Proposal includes several enhancements to the pedestrian network including sidewalk extensions along both the Chevy Chase Drive and Nottingham Drive frontages, as well as a

paved, public connection on the eastern side of the Property, linking Chevy Chase Drive to Norwood Local Park.

- *Promote infill development and increased lot coverage*

The Project will provide an infill development that increases lot coverage and proposes up to 70 residential units.

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

The Project will redevelop an existing single-family dwelling with surface parking used for medical offices into a residential building with underground parking for up to 70 units.

- 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 infill development for up to 70 residential units. The housing will be in walking distance of the nearby retail, Norwood Local Park, transit facilities such as RideOn and Metrobus, and other urban amenities.

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

The proposed building height of 70 and density is compatible with the surrounding neighborhood. Directly west of the Site is Chevy Chase Condominiums, a five-story building, and to the north across from Chevy Chase Drive is the Barclay Apartments, which are four stories in height. To the south across Nottingham Drive is a single-family detached neighborhood, and the Project will comply with the required residential compatibility standards for building height. Along the Nottingham Drive frontage the building height will be limited to 35 feet and increase in height through stepbacks at a 45 degree angle.

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

The Project will increase housing opportunities at the southern edge of the 2017 *Bethesda Downtown Sector Plan*, which has not seen any new redevelopment since the adoption of the new Sector Plan. While the Proposal will seek an alternative payment in lieu of providing MPDUs, as allowed per Chapter 25(A) for condominium projects, the alternative payment will fund other affordable housing initiatives within Montgomery County.

- 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. 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 53,913 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 recommendations of the 2017 *Bethesda Downtown Sector Plan*. The type of development proposed by the Project will redevelop an underutilized Property with an infill development that increases housing opportunities near public amenities and transit. In addition to elements included in Finding 1.a, above, the Project will satisfy the following elements of the Sector Plan:

a. Environment

The Sector Plan includes a number of recommendations to achieve the 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) or tree canopy cover. The Application consists of a net Site Area of 17,270 square feet (SF) which results in a green cover requirement of at least 6,044 SF. Currently, the Application proposes green coverage in the form of 4,220 SF of green roof and 1,878 SF of canopy cover to fulfill this requirement. This results in a total of 6,098 SF of green cover. Staff is supportive of this proposal and has conditioned the Project to continue to maintain at least this level of green cover as the Project evolves in order to maintain compliance with the Sector Plan's urban green goals.

b. Transportation

The Application is consistent with the above recommendations and will provide the necessary right-of-way dedications and streetscape improvements. The 2017 *Bethesda Downtown Sector Plan* recommends the following along property frontages:

- i. Chevy Chase Drive, along the northern site frontage, as Primary Residential Street with a minimum right-of-way width of 60 feet;
- ii. Nottingham Drive along the southern site frontage, as a Secondary Residential Street with a minimum right-of-way width of 60 feet.

c. 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. This goal has been upheld with the County Council passed Bill 36-18 requiring the application of Transportation Demand Management strategies Countywide. The Project will develop a Level 3 Results Plan for approval by the Planning Board and Montgomery County Department of Transportation (MCDOT) to participate in the Bethesda TMD and work toward the Sector Plan NADMS goal.

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;*

The Project will achieve compatible internal and external relationships between existing nearby development. The building will be a maximum of 70 feet in height, which will be compatible with the existing five-story condominium building to the west and four-story apartment buildings to the north. Additionally, the building will be designed in conformance with the Residential Compatibility Standards in Section 59.4.1.8.B of the Zoning Ordinance for the Nottingham Drive frontage that confronts a single family detached residential zone to the south.

The Proposal will provide several improvements to the existing pedestrian network to increase walkability and external relationships surrounding the Site, including extension of the sidewalk east on Chevy Chase Drive to Bradley Boulevard, extending the sidewalk west on Nottingham Drive to Norwood Local Park, and east on Nottingham Drive to the existing sidewalk fronting the Bethesda Fire Department. The Proposal will also provide a north-south connection from Chevy Chase Drive to Nottingham Drive to increase walkability from the Bethesda downtown to Norwood Local Park.

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

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards. To address deficient gaps in the sidewalk network, Staff and the Applicant have coordinated to extend the sidewalk in three critical areas beyond the Site frontages. The Applicant proposes to extend the sidewalk from the Chevy Chase Drive eastern property line eastward out to Bradley Boulevard. The Applicant also proposes to extend the sidewalk along the Nottingham Drive frontage westward to connect to Norwood Local Park, and eastward along the Fire Department frontage, connecting to an existing sidewalk. Lastly, the Applicant proposes a paved pedestrian connection along the eastern side of the Site to improve access to Norwood Local Park from Chevy Chase Drive. The 2017 *Bethesda Downtown Sector Plan* recommends a major pedestrian and bicycle through-block connection and improved entrance to Norwood Local Park farther west along Chevy Chase Drive. This recommended connection is expected to be confirmed by the *Pedestrian Master Plan*, currently underway. Recognizing the immediate need for a connection, the Applicant has proposed this pathway as part of the Project and the Applicant is not seeking public benefit or other credits for this public amenity.

Vehicular access to the Site will occur via a single curb cut on Chevy Chase Drive on the northwestern corner of the Site, providing access to the structured, below-grade parking garage. Trash pick-up will be accommodated through the vehicular access located off Chevy Chase Drive, where trash will be wheeled out of the building for pick-up, with an expected frequency of twice per week.

Loading access will be provided by a fully enclosed area off Nottingham Drive. The loading space is intended to primarily serve residents moving in and out of the building. Additional details regarding the loading space design and operation will be provided at the time of Site Plan. As an additional programmatic element, the Project will be subject to a loading management plan at the time of Site Plan that will further limit negative impacts to the adjacent public roadways. The loading management plan must include: maximum delivery truck size (SU-30), delivery times, and strategies to ensure that move-in, move-out, and delivery operations do not negatively impact the public right-of-way. The Project will

be required to have an on-site loading manager responsible for scheduling deliveries, move-in, move-out and addressing issues related to the loading operations.

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. 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 Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking¹	20	7.87
Streetscape	20	13.20
59.4.7.3D: Diversity of Uses and Activities		
Enhanced Accessibility for the Disabled	20	8.57
59.4.7.3E: Quality of Building and Site Design		
Architectural Elevations	30	30
Exceptional Design¹	30	30
Structured Parking	20	20
59.4.7.3F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations	30	1.59
Recycling Facility Plan	10	10
Vegetated Wall	10	7.5
TOTAL		128.73

¹Denotes Sector Plan priority

Connectivity and Mobility

Minimum Parking: The Applicant requests 7.87 point 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. While minimal points will be gained from this category, the application meets the criteria and final review of points will be reviewed at Site Plan. Staff supports the category at this time.

Streetscape: The Applicant requests 13.20 points for constructing off-site streetscape improvements. Points for this incentive are granted on a sliding scale based on the area improved calculated as a percentage of the lot area. The Applicant proposes to extend the sidewalk on Chevy Chase Drive to the east and on Nottingham Drive to the east and west. Staff supports the category at this time and final points will be reviewed at Site Plan based on the final square footage of streetscape improvements proposed.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: The Applicant requests 8.57 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 30 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 30 points for building and/or site design that enhances the character of a setting by meeting all the criteria set forth in the Bethesda Implementation Guidelines for exceptional design. As a site receiving an allocation of Bethesda Overlay Zone density, the Project must receive a minimum of 10 points and is subject to review by the Design Advisory Panel, 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*, Design Guidelines, and Bethesda Implementation Guidelines.

The Applicant states the Proposal responds to several of the criteria contained in the Implementation Guidelines such as providing innovative solutions in response to the immediate context by proposing a massing design that responds to the differing contexts that exist on both the Chevy Chase Drive and Nottingham Drive frontage. The building will create a sense of place with a visually sophisticated design that will be visible from Bradley Boulevard and serve as a gateway to the southern end of the Bethesda downtown. The Proposal will enhance the public realm not just through redevelopment of an underutilized site but also through the various offsite streetscape and sidewalk improvements proposed on both Chevy Chase Drive and Nottingham Drive, most notably completing a missing connection to Norwood Local Park. The materials and building methods chosen will be of high quality, unobtrusive and durable and complementary to the existing residential uses within the surrounding neighborhood. The building will have a compact footprint and be located in proximity to the Bethesda downtown's numerous amenities. The Proposal includes a recycling facility plan and will be built according to the Green Construction Code to minimize the impact of redevelopment.

The Design Advisory Panel recommended the following during their September 24, 2020, meeting:

- Address loading access design and operation to relocated or limit potential loss of parking on Nottingham Drive
- Explore further enhancement of the pedestrian environment on Nottingham Drive including completion of the sidewalk to Norwood Park on the north side of Nottingham Drive.

Staff supports the category at this time.

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

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 1.59 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. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the Applicant's request at this time.

Vegetated Wall: The Applicant is requesting 7.5 points for the installation and maintenance of a vegetated wall. Incentive density of 5 points is appropriate for buildings that meet the requirements of the zone, additional points may be appropriate if other criteria are met such as greater percentage of coverage, southern or western exposure, plants with varying flowering seasons and/or integration into an overall energy or environmental site design program. Given the location of the proposed vegetated wall will be north facing, and that vegetated walls within urban areas of Montgomery County have not particularly been executed successfully in the past, Staff communicated significant reservations regarding effective implementation of a vegetated wall on this Site. The Applicant has conceptually proposed the utilization of a hydroponic panel living wall system, which is intended to increase viability of the vegetated wall. This system will provide water and nutrients through the vertical support system rather than from the ground. Staff has requested the Applicant provide additional information at the time of Site Plan that will guarantee the success of the proposed vegetated wall and determine if points can be achieved in this category.

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 exceed the Montgomery County Executive Regulation 15-04AM and/or Montgomery County Executive Regulation 18-04 requirements. Additional points may be granted 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. 120210010 will create one lot, measuring approximately 17,270 square feet or 0.40 acres of Site area, to allow for a maximum density of up to 85,000 square feet for a maximum of 70 multi-family 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*

As discussed in the Sketch Plan 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. This Preliminary Plan creates one lot that complies with the size, width, shape, orientation, and density of lots. 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 concurrently filed Sketch Plan No. 320200050, the Preliminary Plan substantially conforms with the recommendations of 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.

- a. Transportation

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

- i. *Existing Facilities*

Sidewalks are present along Chevy Chase Drive. 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.

- ii. *Proposed public transportation infrastructure*

Vehicular access to the Site will be provided from Chevy Chase Drive, via a single garage access point on Chevy Chase Drive. Loading operations will occur within an enclosed loading facility on

Nottingham Drive. The Project will construct the Bethesda streetscape on its Chevy Chase Drive and Nottingham Drive frontages. Each of these improvements will improve access, mobility, and pedestrian safety. Pedestrian access to the site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of the Property frontages, consistent with the Bethesda Streetscape Standards.

iii. *Transportation Adequacy*

A transportation exemption statement, dated June 1, 2020, satisfied the Local Area Transportation Review for the Subject Application because the Project generates fewer than 50 net new peak hour person trips. The proposed development is estimated to generate 22 net new morning peak-hour person trips (19 vehicle trips) and 31 net new evening peak-hour person trips (25 vehicle trips) (Table 3).

Table 3: Project Peak Hour Trip Generation

		Vehicle Rates		Adjusted Vehicle Rates		Person Trips	
Existing		AM	PM	AM	PM	AM	PM
Medical-Dental Office	3,356 SF	11	13	7	8	15	17
Proposed		AM	PM	AM	PM	AM	PM
Mid-Rise Multi-Family	70 Units	24	31	19	25	37	48
Net New Trips		13	18	12	17	22	31

Source: Lenhart Traffic Consulting, Inc. Transportation Statement, dated June 1, 2020.

b. Schools

Preliminary Plan No. 120210010, located at 4702 Chevy Chase Drive, will be presented to the Planning Board on December 17, 2020. Therefore, the FY21 Annual School Test, approved by the Planning Board on June 25, 2020 and effective July 1, 2020 is applicable. This Plan is proposed to develop 70 multi-family high-rise units.

Calculation of Student Generation

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

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

With a net increase of 70 multi-family high-rise units, the Project is estimated to generate an additional two new elementary school students, one new middle school student, and one new high school student.

Table 5: Project Generation Rates

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	70	0.041	2.870	0.018	1.260	0.025	1.750
TOTALS	70		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 below.

Table 6: Bethesda-Chevy Chase High School Cluster Student Enrollment and 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 the Subject 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 the Subject Application.

Individual School Adequacy Test

The applicable elementary and middle schools for this project are Somerset ES and Westland MS, respectively. Based on the FY21 Annual School Test results, the student enrollment and capacity projections for these schools are noted in Table 7 below.

Table 7: Student Enrollment and Capacity Projections

School	Projected School Totals, September 2025				Moratorium Threshold	Estimated Application Impact
	Enrollment	Program Capacity	% Utilization	Surplus/ Deficit		
Somerset ES ¹	445	515	86.4%	+70	180	2
Westland MS	978	1,105	88.5%	+127	349	1

¹ The projected Somerset ES enrollment has been modified to estimate the impact of redistricting students to Westbrook ES in September 2021.

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 the Subject Application fall below the moratorium thresholds for both Somerset ES and Westland MS. Therefore, there is sufficient anticipated school capacity to accommodate the estimated number of students generated by this Project.

Analysis Conclusion

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 this Project.

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

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

a. Environmental Guidelines

The Subject Property is located in downtown Bethesda and within the Little Falls Branch 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 Subject Property does include one specimen tree, a 32" Red Oak, and three additional specimen trees adjacent to the Subject Property: a 51" Tulip Poplar, a 26" Black Walnut, and a 24" Black Walnut.

b. Forest Conservation Plan

Forest Conservation Exemption 42020147E was confirmed for the Subject Property on June 24, 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 is conducted on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and not result in reforestation requirements more than 10,000 square feet. No forest or champion trees will be cleared during the project and this Application does not trigger forest planting requirements; however, specimen trees are proposed to be removed and as a result a Tree Save Plan has been submitted with this Application. The Tree Save Plan requires mitigation for the removal of four specimen trees, requiring the Applicant to plant seven 3" caliper native canopy trees (21" total mitigation planting), which may be amended as part of a future Site Plan.

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

The Preliminary Plan Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on October 28, 2020. The Application will meet stormwater management goals through a variety of techniques including 8" depth green roof and a structural water quality treatment facility.

4. *Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.*

Not applicable. There are no known burial sites on the Subject Property.

5. *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 June 18, 2020. This meeting was conducted virtually per COVID-19 Guidelines and has complied with all submittal and noticing requirements.

Correspondence

Staff received several correspondences throughout the review of the Project which are included as Attachment G. The main concerns are summarized below.

Traffic/Loading Impacts

Neighboring residents that live along Chevy Chase Drive and Nottingham Drive have concerns regarding additional vehicular trips on Chevy Chase Drive, as well as loading that will occur on Nottingham Drive.

The Project proposes vehicular access to the Site on the western side of the Property fronting on Chevy Chase Drive. The concerns focus on the width of Chevy Chase Drive being undersized as well as the garage entrance being close to the existing entrance for the Chevy Chase Condominiums to the west. Access design is finalized at the time of Site Plan, which will include ensuring safe passage for pedestrians and vehicles. Additionally, the Project will be required to install Bethesda Streetscape standards along both frontages which will significantly improve walkability and safety. Chevy Chase Drive is a master-planned Primary Residential Roadway with a 60-foot right-of-way, and while the Applicant will be dedicating ROW along Chevy Chase Drive, the existing asphalt width meets the current standard and will not require expansion. Furthermore, based on the Transportation Exemption Statement submitted by the Applicant, the net new trip generation for the residential use is fewer than 50 person trips when compared to trips generated by the existing dentist office, therefore no additional traffic study is required.

Regarding the loading and trash pick-up that will occur off Nottingham Drive frontage, all loading will occur on-site and will be screened when the loading dock is not in use. Nottingham Drive roadway will be widened to the DOT standard for a Secondary Residential Roadway and will accommodate a 10x30 box truck as demonstrated in

the truck turning templates submitted by the Applicant. Furthermore, the Project has been conditioned to submit a draft loading management plan at the time of Site Plan which will be finalized during the certification of the Site Plan.

Removal/location of on-street parking

Currently, on-street parking on Nottingham Drive is located on the south side of the street. The truck turning templates submitted by the Applicant show that on-street parking will need to be removed on the south side of the street to allow trucks to properly maneuver. At this time, it is not determined how many parking spaces will need to be removed, and/or on which side of the street the on-street parking will be relocated. At the time of Preliminary Plan, the roadway sections are confirmed by Staff and DOT, and striping and parking will be finalized at the time of Site Plan. Factors such as sight distance lines, Fire Department Access, and maximizing on-street parking will be taken into consideration when determining where on-street parking will be relocated.

Proposed building height/scale/location

Chevy Chase Drive frontage

Neighbors to the west are concerned with the placement of the building on the western property line and the proposed height of 70 feet. While the proposed massing shows the building stepping back in several locations on the Chevy Chase and Nottingham Drive frontage, the western elevation remains largely an unarticulated wall. The proposed building will provide a generous setback from the eastern property line due to an existing storm drain easement, therefore the building cannot be moved farther east. The Project has been conditioned to further refine the western elevation at the time of Site Plan to minimize the impacts of the western façade through architectural methods such as articulation, changing of materials, and/or at-risk windows.

Nottingham Drive frontage

Neighbors of the single-family residential neighborhood to the south have relayed concerns regarding the building setback along Nottingham Drive, with a request for the building to provide a similar setback as the existing dwellings on the south side of the street. Being a Property that confronts a single-family detached residential zone, the Proposal is subject to the Residential Compatibility standards of Section 59.4.1.8 of the Zoning Ordinance. This section does not modify setbacks on front or side streets, therefore the Proposal is not required to provide an additional setback. However, based on the Bethesda Design Guidelines, the Proposal is incorporating a minimum 20-foot build-to-line from the curb to the building façade. Additionally, the Proposal has designed the Nottingham Drive frontage to increase presence on the street by providing individual unit entries, screening of the loading area, and extension of the sidewalks beyond the Property frontage to the east and west.

CONCLUSION

As conditioned the Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of the 4702 Chevy Chase Drive Sketch Plan No. 320210010 & Preliminary Plan No. 120210010, with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Design Advisory Panel meeting notes
- B. Sketch Plan
- C. Agency Letters
- D. Forest Conservation Exemption
- E. Tree Save Plan
- F. Green Cover Exhibit
- G. Correspondence