



**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB No. 19-123  
Sketch Plan No. 320190030  
Bethesda Market  
Date of Hearing: October 24, 2019

DEC 16 2019

**RESOLUTION**

WHEREAS, under Section 59-7.1.2 of the Montgomery County Zoning Ordinance, the Montgomery County Planning Board is authorized to review sketch plan applications; and

WHEREAS, on October 29, 2018, Columbia Realty Ventura LLC and Wisconsin Avenue Properties LLC ("Applicant") filed an application for approval of a sketch plan for construction of a mixed-use project of up to 650,305 total square feet (excludes 4,195 existing square feet to remain for Farm Women's Market) on 6.32 acres of CR 3.0 C 3.0, R 2.75, H 225; CR 3.0 C 3.0, R 2.75, H 200; CR 3.0 C 3.0, R 2.75, H 35; CR 3.0 C 3.0, R 2.75, H 175; CR 3.0 C 2.0, R 2.75, H 90; CRT 0.5 C 0.25, R 0.5, H 70, and the Bethesda Overlay Zone zoned-land, located at the intersection of Wisconsin Avenue and Bethesda Avenue, Willow Lane, and Leland Street ("Subject Property") in the Bethesda Policy Area and 2017 Bethesda Downtown Sector Plan ("Sector Plan") area; and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320190030, Bethesda Market ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 11, 2019, setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on October 24, 2019, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on October 24, 2019 the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by

Approved as to  
Legal Sufficiency:

MNCPPC Legal Department  
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Commissioner Verma, with a vote of 3-0; Chair Anderson, Commissioners Cichy and Verma voting in favor, Commissioners Fani-Gonzalez and Patterson were absent.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320190030, Bethesda Market, for construction of a mixed-use project of up to 650,305 total square feet (excludes 4,195 existing square feet to remain for Farm Women's Market on the Subject Property, subject to the following binding elements and conditions:<sup>1</sup>

A. Binding Elements. The following site development elements are binding under Section 59-7.3.3.F of the Montgomery County Zoning Ordinance:

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 are illustrative.

B. Conditions. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 650,305 square feet of total development, excluding the 4,195 square feet of existing square footage to remain for the Farm Women's Cooperative Market building. The Sketch Plan includes an allocation of up to 191,878 square feet of Bethesda Overlay Zone density for the West Side Project and up to 21,991 square feet of Bethesda Overlay Zone density for the East Side Project. The maximum number and distribution of residential dwelling units and/or non-residential uses will be determined at Preliminary Plan(s).

2. Height

The height of each building is subject to the limitations set forth in the Sketch Plan data tables for each development option.

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. Total points must equal at least 100 for each Site Plan and be chosen from at least four categories as

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<sup>1</sup> For the purpose of these binding elements and conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this approval.

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 categories and points will be established for each at Site Plan.

- a. Major Public Facilities, achieved through rehabilitation and preservation of the Farm Women's Cooperative Market and the Civic Green;
- b. Diversity of Uses and Activities, achieved through Enhanced Accessibility;
- c. Connectivity and Mobility, achieved through minimum parking, public parking, through-block connections, trip mitigation and wayfinding;
- d. Quality of Building and Site Design, achieved through architectural elevations, exceptional design, historic resource protection, public open space, public art, structured parking and tower step-back;
- e. Protection of the Natural Environment, achieved through the purchase of building lot terminations, cool roof, energy conservation and generation, vegetated area, and vegetated roof; and
- f. Retained Buildings, achieved through the Farm Women's Market.

4. Building Design

The Applicant must submit a revised architectural design concept to the Design Advisory Panel, addressing comments from the DAP enumerated in the Sketch Plan Findings, at the time of any Site Plan application submittal.

5. Historic Preservation for the Farm Women's Cooperative Market

- a. This condition of approval only applies for any Preliminary Plan or Site Plan applications that are submitted for the East Side Project and does not apply to a Site Plan that is submitted for the West Side Project.
- b. The Applicant must continue to work with the Historic Preservation staff and the Historic Preservation Commission to refine plans through the preliminary consultation process concurrent with the review of the Site Plan(s) to obtain the final Historic Area Work Permit (HAWP).
- c. Approval of the Historic Area Work Permit (HAWP) for any alterations within the environmental setting of the Farm Women's Market Historic Site (#35/14-1), as required by the Montgomery County Code Chapter 24A, must be obtained prior to the issuance of any demolition, grading, or land disturbance permits for the property.
- d. During the review of the Site Plan(s) proposal, the Applicant shall allow an opportunity for the HPC to review and provide public feedback on the commercial and residential redevelopment (part of the overall project) for the parcels adjacent to the Farm Women's Market (to the to the south, east, and west across Wisconsin Avenue).
- e. Prior to the issuance of any demolition, grading, or land disturbance permits for the property, the Applicant must demonstrate good faith efforts to obtain records, including conducting oral histories, of the Farm Women's Market

from its current owners, and to provide such records to the Montgomery County Historical Society for public use and research. To the extent that such records are actually obtained from the current owners, the Applicant must either (1) personally, or through agents or consultants, catalog and digitize such records in accordance with professional archival standards and practices; or (2) reimburse the Montgomery County Historical Society for the costs of cataloging and digitizing such records.

- f. Prior to the issuance of any demolition, grading, or land disturbance permits for the Property, the Applicant must submit an application to the National Register of Historic Places for the listing of the Farm Women's Market property.

6. Park Impact Payment (PIP)

At the time of Site Plan(s), the Applicant must identify the final amount of BOZ density being purchased and allocated to each Subject Site. The associated payment may be used towards the renovation/preservation of the Farm Women's Cooperative Market.

7. Open Space

The Project must provide 10% of the combined Sketch Plan site area as public open space.

8. Eastern Greenway

- a. For any Site Plan that includes County Parking Lots 24 and 10, the associated Project must provide a new high-quality, multi-acre public urban park in conformance with the Sector Plan in coordination with Park and Planning staff.
- b. The boundaries of the land, Park ownership, amenities to be included within the park, and layout of these amenities, must be agreed upon by the M-NCPPC and Applicant at Site Plan.
- c. The Applicant must follow the Bethesda Downtown Sector Plan, Bethesda Design Guidelines, and Energized Public Spaces Design Guidelines to develop the open space design. The design must be compatible with the Farm Women's Market and enhance its historic character.
- d. The Applicant must conduct a public outreach process in coordination with the Parks Department to assist in determining appropriate amenities within the park areas before the site plan approval.
- e. The Park shall be designed in collaboration with the Department of Parks by a Landscape Architecture firm with demonstrated experience in the design of urban public spaces over structures.
- f. The new Park design must incorporate the design of the existing portions of Elm Street Park into a cohesive whole and will carefully consider ways to



facilitate pedestrian access between the park areas separated by the Willow Avenue and Leland Street right of ways.

- g. The new Park must be designed and constructed integral with the design of the underlying parking structure to ensure constructability and maintainability of future amenities such as large shade trees and landscape planting; footings for shade structures, walls, fences, courts, play equipment, public art, etc.; utilities for irrigation, lighting, fountains, hardscape etc.
- h. Ingress/egress to the parking structure must be carefully located and designed with pedestrian safety, access and relationship to park design as its primary consideration.
- i. The grading of the Park shall be compatible with adjacent sidewalks and roadways ensuring good visibility into and out of the open space area.
- j. The Applicant will work to minimize the impact of stormwater management facilities required by the new development on the usability and functionality of the new park/open space areas and will coordinate the location and design of such facilities with the Department of Parks at the time of Site Plan.
- k. A Park Permit for Construction (including concept and technical review phases) will be required unless private ownership of the park area is approved by the Planning Board.
- l. The Applicant should provide appropriate and attractive signage of any visual elements.
- m. The Applicant should consider using specialty pavement treatment to link Elm Street Park and County Parking Lots 24 and Lot 10.

9. Green Area

For each Site Plan, the Applicant must provide a minimum of 35% of the associated site area as Green Cover, consistent with the Sector Plan.

10. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the right-of-way frontages that directly abut the boundaries of each respective Site Plan, including the undergrounding of utilities, with such Bethesda Streetscape, to be illustrated on the Certified Site Plan(s).

11. Bicycle Facilities

The Applicant must coordinate with the Montgomery County Department of Transportation to participate in the implementation of master-planned bicycle facilities along the Subject Property's right-of-way frontages.

12. MCDOT letter

The Planning Board reviewed and accepts the recommendations of the Montgomery County Department of Transportation (MCDOT) in its letter dated

October 10, 2019 and hereby incorporates them as conditions of the Sketch 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 Sketch Plan approval.

**13. Building Lot Terminations (BLTs)**

Prior to release of any building permit, the Applicant must provide proof of purchase and/or payment for the required BLTs.

**14. Moderately Priced Dwelling Units (MPDUs)**

The Applicant must provide a minimum of 15% of the total new units as MPDUs in accordance with Chapter 25A for each Site Plan.

**15. Future Coordination for Preliminary Plan(s) and Site Plan(s)**

In addition to any other requirements for Preliminary Plan under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary Plan or Site Plan application, as applicable:

- a. Fire and Rescue access and facility details;
- b. Streetscape details;
- c. Updated building shadow study with final building design;
- d. 3D model of the proposed development including surrounding existing development and site area;
- e. Submit a preliminary/final forest conservation plan which addresses the following: a tree save plan component prepared by an International Society of Arboriculture certified arborist who is also a Maryland Licensed Tree Care Expert; and onsite mitigation plantings consisting of native canopy trees for the removal of any variance tree(s);
- f. Address any existing/proposed utility conflicts or other site limitations which may need to be rectified to achieve the proposed streetscape plantings;
- g. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- h. Provide a noise analysis at time of Preliminary Plan(s), or submit a waiver under Section 2.2.2 of the 1983 Noise Guidelines;
- i. Address the Sector Plan recommendations and design guidelines regarding stormwater management;
- j. Address Bird-Safe Design per the Bethesda Downtown Plan Design Guidelines;
- k. Traffic Mitigation Agreement to participate in the Bethesda Transportation Demand Management District and achieve the Sector Plan 55% NADMS goal;
- l. Necessary dedication along frontage roadways; and

- m. Demonstrate how each public benefit satisfies the Zoning Ordinance and Incentive Density Implementation Guideline requirements.
- n. At the time of Site Plan, the West Side Project must demonstrate their contribution to the Farm Women's Market for the additional height in conformance with the Sector Plan.

BE IT FURTHER RESOLVED that having given full consideration to the recommendations and findings of its Staff as presented at the hearing and set forth in the Staff Report, which the Planning Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record and all applicable elements of the Zoning Ordinance, the Planning Board finds that as conditioned the necessary elements of the Sketch Plan are appropriate in concept and appropriate for further review at site plan and that:

- 1. *The Sketch Plan meets the objectives, general requirements, and standards of the Zoning Ordinance.*

a. Development Standards

The Subject Property includes approximately 6.32 acres zoned CR 3.0 C 3.0, R 2.75, H 225; CR 3.0 C 3.0, R 2.75, H 200; CR 3.0 C 3.0, R 2.75, H 35; CR 3.0 C 3.0, R 2.75, H 175; CR 3.0 C 2.0, R 2.75, H 90; CRT 0.5 C 0.25, R 0.5, H 70, and the Bethesda Overlay Zone. The data table below demonstrates the Application's conformance to the applicable development standards of the zones.

Data Table

Sketch Plan 320190030 Data Table			
Section 59.4	Development Standard	Permitted/ Required	Approved
	<b>Tract Area</b>	n/a	
	East Side Properties		243,494 sf (5.59 ac)
	West Side Properties		31,874 sf (0.73 ac)
	<b>Total Gross Tract Area</b>		<b>275,368 sf (6.32 ac)</b>
	East Side Prior Dedication		63,767 sf (1.46 ac)
	East Side Proposed Dedication		0
	West Side Prior Dedication		13,348 sf (3.06 ac)
	West Side Proposed Dedication		1,907 sf (0.044 ac)
	<b>Site Area</b>		
	East Side Properties		179,727 sf (4.13 ac)
	West Side Properties		16,619 sf (0.38 ac)

Total Site Area	n/a	196,346 sf (4.51 ac)
<b>Density (GFA/FAR)</b>		
<b>East Side Properties</b>		
Blended Total Mapped Density <sup>1</sup>	350,350 sf (1.44 FAR)	350,350 sf (1.44 FAR) <sup>2</sup>
Bethesda Overlay Zone Density		12,455 sf (FAR) <sup>3</sup>
Total Density		362,805 sf (1.49 FAR)
<b>West Side Properties</b>		
CR 3.0 C 3.0 R 2.75 mapped	95,622 sf (3.0 FAR)	95,622 sf (3.0 FAR)
Bethesda Overlay Zone Density		191,878 sf (6.0 FAR)
Total Density		287,500 sf (9.0 FAR)
<b>TOTAL DENSITY (EAST &amp; WEST SIDES)</b>		<b>650,305 sf (2.36 FAR)</b>
<b>Building Height (feet)</b>		
<b>East Side Properties</b>		
CR 3.0 C 3.0 R 2.75 H 35	35	35
CR 3.0 C 3.0 R 2.75 H 175	175	175
CR 3.0 C 3.0 R 2.75 H 90	90	90
CR 0.5 C 0.25 R 0.5 H 70	70	70
<b>West Side Properties</b>		
CR 3.0 C 3.0 R 2.75 H 225	225	225
CR 3.0 C 3.0 R 2.75 H 200	200	200
<b>Public Open Space (% min)</b>	10%	10%

<sup>1</sup> For Blended Total Density Table for East Side Properties, see density table in Attachment B.

<sup>2</sup> The total mapped density of 350,350 square feet excludes 4,195 square feet of existing density to remain for the Historic Farm Women's Cooperative Market building, in accordance with the Zoning Ordinance, Section 59.4.5.4.B.2.C.

<sup>3</sup> The East Side Project may increase BOZ density up to 21,991 square feet, consistent with Sketch Plan Condition No.1. The project density will exceed the Mapped Density. However, a Park Impact Payment will not be required for the East Side Properties/Project because the MPDUs are in excess of the requested Bethesda Overlay Zone (Section 59.4.9.2.C.3.c.i.). The Preferred Development option will provide 15% MPDUs, final number of dwelling units will be determined at the time of Site Plan.

The Application will provide the minimum required number of bicycle parking spaces within the building, which will be determined at the time of Site Plan(s). The final number of vehicular parking spaces will be determined at Site Plan(s). 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 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.
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 Application is addressing and incorporating three of the four overarching goals. The Sector Plan envisions the Farm Women's Cooperative Market as the location for a new civic green-like open space that will serve as an extension of the existing Elm Street Urban Park, located to the north of Willow Lane. In accordance with this vision and with other applicable recommendations in the Design Guidelines, the redesign of the Farm Women's Cooperative Market will provide open space that will be both a destination and a local gathering spot – a respite in an otherwise urbanized corridor. To the extent that Parking Lots 24 and 10 are redeveloped, the Project will also provide the Eastern Greenway, with an expanded park on Parking Lot 24 and a new neighborhood green on Parking Lot 10.

The Project will locate up to 585 new residential units on the Overall Properties in the form of both multi-family living units and townhouse units, and up to 39,500 square feet of retail floor area within two blocks of the future entrances to the Bethesda Metro Station and the Purple Line that are being constructed at Wisconsin Avenue and Elm Street with the 7272 Wisconsin Avenue project. The Project will provide 15 percent of its dwelling units as MPDUs, so that new affordable housing units will also

be placed to take best advantage of existing and planned transit resources and infrastructure. There will be a variety of unit types and sizes including multi-family living units and townhouse living units with a range of bedroom sizes. This diversified mix of housing will help meet the Sector Plan goal of significantly increasing housing stock in an area zoned for multi-unit development near the primary transit hub of downtown Bethesda.

The Properties are, for the most part, located in the Wisconsin Avenue Corridor District of the Sector Plan, at a prominent location on the east and west sides of Wisconsin Avenue near the southern gateway into the CBD and the terminus of Bethesda Avenue. 4705 Miller Avenue, part of the West Side Properties, is located in the Bethesda Row District of the Sector Plan and Parking Lot 24 and Parking Lot 10 are located in the Eastern Greenway District.

#### Wisconsin Avenue Corridor District

The Wisconsin Avenue District Properties are designated as site 107, 118 and 119 on pages 99, 101 and 102 of the Plan. The “Wisconsin Avenue Corridor District” is the main artery through the center of downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. The area’s retail potential is compromised by its location on either side of Wisconsin Avenue. As a major commuter arterial, this street has heavy traffic volumes that eliminate the potential for “cross shopping” and a lack of visibility for retail establishments. Specifically, the Project addresses the following goals as outlined in the Wisconsin Avenue Corridor section of the Plan:

- *Encourage infill and reinvestment on underutilized commercial sites and private surface parking lots.*

The Project provides an important opportunity for infill development of underutilized commercial sites with surface parking and large impervious spaces, as recommended by the Sector Plan, with a mixed-use, transit-oriented Project. The Project will provide a variety of uses (including restaurant, retail/service, and residential) on the West Side Properties and the East Side Properties, which will allow the Sketch

Plan to provide the open space envisioned on the Farm Women's Cooperative Market site and, potentially, the Eastern Greenway.

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

The Project will provide a variety of unit types and sizes, along much needed affordable housing in the form of additional MPDUs in close proximity to the new southern entrance to the Bethesda Metro Station and future entrance to the Purple Line. The 15% MPDUs will help to further one of the primary goals of the Sector Plan and Bethesda Overlay Zone thereby ensuring that affordable housing opportunities exist in transit-oriented locations.

- *Provide zoning recommendations that allow signature tall buildings at major civic spaces in the established centers.*

The Project takes advantage of the additional height designated by the Sector Plan, particularly if the West Side Properties develop in a manner that benefits the Farm Women's Cooperative Market and if the 7121 Wisconsin Avenue site develops with the Farm Women's Cooperative Market, to provide two mixed-use buildings that will frame and highlight the new open space at the Farm Women's Cooperative Market, at an important intersection in Downtown Bethesda.

- *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 Project will provide distinctive infill buildings located at the intersection of Wisconsin and Bethesda Avenues. The buildings in the immediate vicinity of the Properties are mostly high- and mid-rise. At the West Side Properties, the West Side Project will replace these low-scale buildings with a distinctive high-rise infill building that will decrease in height from its northeast corner to its southwest corner to blend with the lower scale buildings to the south and west. On the East Side Properties, both development options will facilitate the creation of buildings that will complement the Farm Women's Cooperative Market and provide appropriate transitions in mass and height as one moves from the Wisconsin Avenue corridor to the single family residences in the Town of Chevy Chase to the east.

- *Improve and enhance underutilized privately owned public use spaces.*

The Project, with both development options, will greatly improve and enhance Bethesda's civic space. The Project will improve the Farm Women's Cooperative Market into the civic green-like open space envisioned by the Sector Plan. Through improvements both to the building and site area, this space will become a more open and usable space.

- *Provide new civic gathering spaces.*

The Sketch Plan will make improvements to the Farm Women's Cooperative Market to help achieve the Sector Plan's desired open space in both development options. If Parking Lots 24 and 10 are redeveloped with this Sketch Plan, a more expansive park will be provided on Parking Lot 24 and, potentially, a new neighborhood green will be provided on Parking Lot 10 to facilitate the creation of the Eastern Greenway.

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

The Project will incorporate energy efficient building systems to exceed the ASHRAE 90.1 standard by a minimum of 17.5%, as required by the Bethesda Overlay Zone. In addition, the Sketch Plan will maximize the Property's overall green cover.

- *Improve the pedestrian environment with upgraded streetscapes.*

The Project will improve the pedestrian environment with upgraded streetscapes along all of the property's frontages; on both sides of Wisconsin Avenue, Bethesda Avenue, Miller Avenue, Willow Lane and, potentially, along 46th Street and Walsh Street. The streetscape will be in conformance with the Bethesda streetscape standards and the Bethesda Design Guidelines, with a clear sidewalk zone of 10 feet along all frontages, plus an additional six-foot planting area for street trees located within open tree boxes with understory planting. There will be benches, trash receptacles, and light fixtures, vastly improving the pedestrian experience along the frontages of Properties.

#### Bethesda Row District



The Bethesda Row District Property is designated as site 163 on pages 107 and 108 of the Plan. The Property is in the “Bethesda Row District”, this district serves as the heart of Downtown Bethesda and is a regional destination and model for placemaking with thriving retail, human-scaled design and an active streetscape environment. The recommended land use and urban design recommendations aim to build on this success and better connect this established center of activity with the Capital Crescent Trail, proposed Purple Line station and new Bethesda Metrorail Station entrance, as well as other Downtown Bethesda districts.

Specifically, the Project addresses the following goals as outlined in the Sector Plan and Bethesda Row sections of the Plan:

- *Preserve the human-scale and mixed-use character of the neighborhood.*

The West Side Project preserves the human-scale and mixed-use character of the existing Bethesda Row neighborhood, within which the West Side Project is located. The Sketch Plan provides a mixed-use building with 21 floors of multi-family residential units above ground floor retail on the West Side. A proposed 5-story base and tower step-back will give the West Side Project a human-scale feel.

- *Continue the main street shopping character along Bethesda Avenue consistent with recent development.*

The West Side Project includes ground floor retail along the Bethesda Avenue and Wisconsin Avenue frontages, extending the main street shopping character along Bethesda Avenue. The ground floor primarily will consist of retail establishments with canopies and signage as well as outdoor seating.

- *Improve bike facilities and connectivity throughout the district.*

Both the Sector Plan and the Bicycle Master Plan recommend separated bike lanes along Bethesda Avenue, currently proposed to be on the north side of Bethesda Avenue between Woodmont and Wisconsin Avenues. The West Side Project accommodates future provision of these bike lanes.

#### Eastern Greenway Districts

The Eastern Greenway Districts Properties are designated as sites 219, 220 and 222 on pages 134 and 135 of the Plan. The Properties are in the

“Eastern Greenway South District”, which functions as a transitional area between the single-unit residential Town of Chevy Chase and commercial Downtown Bethesda. It is characterized by green public open spaces, several parking lots and a single block of residential and commercial uses, including a County-owned structure. The boundary of the area is the CBD line on the west and 46th Street and West Avenue on the east.

Primary land uses include the two-acre Elm Street Park at the northern end, between Elm Street and Willow Lane, and Public Parking Lots 24 and 10. Elm Street Park serves as a stable, transitional use, enjoyed by both Town of Chevy Chase residents and CBD employees.

The Eastern Greenway Districts are intended as both transitional areas and amenities between the Wisconsin Avenue Corridor and adjacent single-unit neighborhoods. The aim is to make the best use of land near the Bethesda Metrorail Station and reduce the impervious surfaces of existing parking lots with a balance of new development and a connected network of parks and open spaces.

Specifically, the following goals as outlined in the Sector Plan and Eastern Greenway District sections of the Plan are:

- *Ensure the stability of the land uses in the transitional area to preserve East Bethesda and the Town of Chevy Chase as single-unit residential neighborhoods.*
- *Prevent overflow parking and cut-through traffic from having an undesirable impact on the East Bethesda neighborhood and Town of Chevy Chase.*
- *Make the best use of land near the Bethesda Metrorail Station and future Purple Line station by promoting redevelopment of underutilized properties and private surface parking lots. Parking Lot District (PLD) lots 10, 24, 25 and 44 should be converted to parks to the maximum extent feasible. The parking needs of neighborhood businesses that rely on these lots should be addressed and parking replaced where necessary.*
- *Provide a compatible transition between higher density development along Wisconsin Avenue and the East Bethesda and Town of Chevy Chase neighborhoods.*

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

Parking Lot 24 and Parking Lot 10 are located within the Eastern Greenway District and are subject to a variety of specific recommendations that are intended to guide the conversion of these existing County surface parking lots into parks and neighborhood greens. The Sketch Plan has been designed to create these new parks and neighborhood greens to the maximum extent feasible while also providing a development program that is capable of supporting constructing a major underground parking garage, and that addresses other Sector Plan objectives and County priorities if the redevelopment including Parking Lots 24 and 10 proceed. Under this option, the East Side Project would relocate existing public parking spaces underground, beneath 7121 Wisconsin Avenue and Parking Lot 24, with only a limited encroachment into the Farm Women's Cooperative Market site at the southeast corner. Parking Lot 24 would be converted into an active park setting with walks and paths that promote connectivity through and around the site, with additional activation provided by entries for the new multifamily residential building, its associated townhouse units, the expanded Farm Women's Cooperative Market building, and the parking garage that will be provided with the East Side Project. Like the Farm Women's Cooperative Market, the park on Parking Lot 24 will have the ability to accommodate programmed events, resulting in an expanded open space. Parking Lot 10, when redeveloped, will be a more passive neighborhood green space that can be used for small scale gathering and recreation, with dedicated areas for programmed activities. Both park spaces would feature a variety of trees, plantings and seating features, as well as other amenities, as recommended by the Sector Plan.

In the event that the Project moves forward without Parking Lots 24 and 10, then the Properties located within the Eastern Greenway District will not be a part of the overall design. This alternate design also places the shared street woonerf that directs vehicular traffic onto Willow Lane adjacent to the eastern façade of the Farm Women's Cooperative Market building to define the edge of the site and the adjacent surface parking on Parking Lot 24. However, the Applicant proposes to redesign and relocate the Farm Women's Collaborative Market to achieve the recommendations of the Sector Plan for new open space at this location, with areas to accommodate activating uses in both development options.

The Sketch Plan is in substantial conformance with the 2017 *Bethesda Downtown Sector Plan*.

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

The Project provides an important opportunity for infill development of underutilized commercial sites with surface parking and large impervious spaces, as recommended by the Sector Plan, with a mixed-use, transit-oriented Project. The Project will provide a variety of uses (including restaurant, retail/service, and residential) on the West Side Properties and the East Side Properties, which will allow the Sketch Plan to provide the open space envisioned on the Farm Women's Cooperative Market site and, potentially, the Eastern Greenway.

- 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 Sketch Plan provides significant public benefits and amenities, including revitalizing the Farm Women's Cooperative Market to transform it into the centerpiece of this mixed-use Project and providing significantly improved pedestrian and cyclist connections. The Project will provide market-rate residential units with a variety of unit types as well as 15 percent MPDUs, offering housing opportunities for a range of demographics and incomes proximate to the numerous transit options and employment opportunities. The retail uses on the ground floor of the multi-family buildings and, potentially, additional retail space in the expanded Farm Women's Cooperative Market will provide an opportunity to enliven the area surrounding the entire Project, with building entrances placed to activate street frontages and new open spaces. The Project facilitates all modes of transit – pedestrian, bicycle, and vehicular – in close proximity to the Metro and bus service by improving the streetscape along its frontages. Underground vehicular parking will be provided in both development options and if Parking Lots 24 and 10 are redeveloped, the existing surface parking spaces on those lots will be relocated below grade. The Project does not provide any parking between the building and the street frontages.

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



The Sketch Plan provides a desirable mix of uses, at an appropriate density, at this prominent location. The Project will provide a variety of uses (including restaurant, retail/service, and residential) on the West Side Properties and the East Side Properties, which will allow the Sketch Plan to provide the open space envisioned on the Farm Women's Cooperative Market site and, potentially, the Eastern Greenway. The Project is designed to complement existing buildings in the Wisconsin Avenue Corridor and Bethesda Row Districts, providing taller building masses along Wisconsin Avenue amidst other high- and mid-rise buildings in the area that are facilitated in part by the plans for the renovation of the Farm Women's Cooperative Market. The Project utilizes the FAR averaging and Bethesda Overlay Zone density provisions in order to provide more density along Wisconsin Avenue in accordance with the Sector Plan recommendations. On the west, the West Side Project will replace low-scale buildings with a distinctive high-rise infill building that will decrease in height from its northeast corner to its southwest corner to blend with the lower scale buildings to the south and west. On the East Side Properties, both development options will facilitate the creation of buildings that will complement the Farm Women's Cooperative Market and provide appropriate transitions in mass and height as one moves from the Wisconsin Avenue corridor to the single family residences in the Town of Chevy Chase to the east.

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

The Project will provide market-rate residential units with a variety of unit types as well as 15 percent MPDUs, offering housing opportunities for a range of demographics and incomes. The Project will also provide new employment opportunities and, potentially, a destination retail experience within in the rehabilitated and expanded Farm Women's Cooperative Market building and site. With respect to new employment opportunities, the Project will provide up to 39,500 square feet of retail space at the ground level of the new multi-family buildings and in the rehabilitated and expanded Farm Women's Cooperative Market building. The mixed-use development will also help strengthen the lower part of the Wisconsin Avenue Corridor and Bethesda Row by attracting new residents and employees to patronize local businesses. Given the existing mix-of uses within the Bethesda CBD, the Project will facilitate an appropriate mix of employment and/or housing opportunities to facilitate the creation of a sustainable downtown.

- 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, and furthermore each subsequent Site Plan will provide the required public benefits from a minimum of four 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(s).

- 2. The Sketch Plan substantially conforms to the recommendations of the Sector Plan.*

As discussed in Finding 1.a. above, the Project substantially conforms to recommendations of the 2017 *Bethesda Downtown Sector Plan*.

- 3. The Sketch Plan satisfies, under Section 7.7.1.B.5 of the Zoning Ordinance, the binding elements of 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. The Sketch Plan achieves compatible internal and external relationships between existing and pending nearby development.*

The Sketch Plan has been designed to achieve compatible internal and external relationships with existing and future nearby development. The Sketch Plan provides high-rise, mixed-use buildings, with multifamily residential over ground floor retail that will provide housing amenities in close proximity to the future entrances to the Bethesda Metrorail and Purple Line stations, furthering the Sector Plan's vision for the Wisconsin Avenue Corridor District. These buildings will complement the character of nearby buildings in the Wisconsin Avenue Corridor District, Bethesda Row District, and Eastern Greenway Districts, providing high quality architecture that conforms with the applicable height limitations of the various zones that apply to the Properties and that includes features that will achieve the minimum public benefit points, while providing exceptional design. In addition, the Applicant will rehabilitate and expand the Farm Women's Cooperative Market and provide improved streetscape along all frontages and, potentially create new public park and open spaces. All of these features will result in a vibrant, coordinated mixed-use development that provides vital sidewalk and pedestrian improvements to facilitate meaningful

connections within the overall Project and with the surrounding areas, while also creating appropriate transitions to areas outside of the Wisconsin Avenue Corridor. The landscaping, streetscaping, parking, and loading/service areas have been appropriately selected for this prominent intersection of two of Downtown Bethesda's main arteries/thoroughfares, which is also in very close proximity to single-family residences in the Town of Chevy Chase.

The Project adheres to the height and density recommendations contained in the Sector Plan. The conceptual massing of the buildings are compatible in height and scale with the existing and pending nearby development in the Wisconsin Avenue Corridor District.

5. *The Sketch Plan provides satisfactory general vehicular, pedestrian, and bicyclist access, circulation, parking, and loading.*

Parking for the Project is to be located underground. The vehicular access for the West Side Project, including the entrance to the underground structured parking garage and the immediately adjacent loading and service access, will be from Miller Avenue, allowing the public frontage along Wisconsin Avenue and Bethesda Avenue to remain pedestrian in nature. The garage and loading functions for the East Side Project would be accommodated via vehicular entrances on Leland Street and Willow Lane, if Parking Lots 24 and 10 are included. If the Project proceeds without the Parking Lots, vehicular access for the East Side Project will be provided at the existing curb cut on Wisconsin Avenue via the shared woonerf connecting to Willow Lane. Parking and loading will be accommodated in the underground garage and loading functions for the Farm Women's Cooperative Market building will be facilitated via the woonerf.

The Project will provide streetscaping along all of the frontages of the Properties to improve the public realm and will create new internal connections through the Farm Women's Cooperative Market (including the shared-use woonerf) and, potentially, through the Eastern Greenway to enhance the experiences of pedestrians and bicyclists at this prominent location in Downtown Bethesda. Entrances for the buildings will be placed to engage with these upgraded frontages and open spaces and bicycle parking will be provided in accordance with Zoning Ordinance requirements to facilitate pedestrian and cyclist activities.

In addition, within the vicinity of the Subject Properties, the Capital Crescent Surface Trail is proposed along Willow Lane as a 10-foot wide separated bicycle lane on the south side of the street, separated from traffic

by a 6-foot wide treen panel and adjacent to a 6' wide sidewalk along the Farm Womens' Cooperative Market property, facilitating a high-quality regional separated bicycle facility.

6. *The Sketch Plan proposes 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, 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 Planning Board finds that the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site. Final determination of public benefit point values will be determined at Site Plan(s).

For the development, the Zoning Ordinance requires 100 points in four categories. At the time of Sketch Plan review only the categories need be approved, the narrative depicts both the categories and points for the public benefits recommended at Sketch Plan to demonstrate the Project's ability to meet the requirement to provide sufficient benefit points. Since there are two development options and it is anticipated that the East Side Properties/Project and West Side Properties/Project will each have a future Site Plan, the public benefits will be revaluated to ensure each subsequent Site Plan meets they required number of categories and points at the time of Site Plan(s).

#### Major Public Facility

*Farm Women's Market:* The Sketch Plan facilitates the rehabilitation of the interior and exterior of the existing Farm Women's Cooperative Market building. The building will be slightly relocated to allow repair of structural damage and to provide a scale-appropriate buffer from the surrounding building that retains its centrality on the site. The Farm Women's Cooperative Market portion of the East Side Properties is recommended in the Sector Plan as a location for a new "civic green" park space that will serve as an extension of the existing Elm Street Urban Park, located to the north of Willow Lane. In accordance with the Sector Plan's vision and with other applicable recommendations in the Design Guidelines, the redesign of the Farm Women's Cooperative Market will provide substantial open space along both Wisconsin Avenue and Willow Lane. A key feature of this "civic green"-like open space will be a large, central lawn, with a flexible design, that will allow for both informal gathering and programmable, planned events. The



Applicant is seeking 70 points in this category. Final determination will be made at Site Plan and the Planning Board supports the Applicant's requests at this time.

*Civic Green:* The recently approved Sector Plan also recommends County Parking Lots No. 24 and 10 for enhanced open space. Specifically, the Sector Plan recommends redeveloping these surface parking lots to create an Eastern Greenway segment from the existing Elm Street Urban Park to Walsh Street, with Parking Lot 24 being redeveloped as a park and Parking Lot 10 being redeveloped as a neighborhood green. For the purpose of determining public benefit points, Lot 10 has been excluded from the calculations. In furtherance of this recommendation, the East Side Project will facilitate the transformation of these surface parking lots into community gathering areas that will provide a compatible transition to the adjacent neighborhoods. The green, park-like setting proposed will provide new plant material such as tree canopy, vegetation, and open lawn, and will also contain paths, seating, and play areas with stormwater management integrated into the landscape. The Applicant is seeking 40 points in this category. Final determination will be made at Site Plan and the Planning Board supports the Applicant's request at this time.

#### 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 the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on site. The West Side Project will provide fewer than the maximum number of parking spaces permitted under the Zoning Ordinance. Final determination will be made at Site Plan and the Planning Board supports the category at this time.

*Public Parking:* The Applicant requests 10 points for providing up to the maximum number of parking spaces allowed in the zone as public parking. The comprehensive redevelopment of the East Side Properties could include the transformation of existing County Surface Parking Lots No. 10 and 24 into "neighborhood" and "civic" greens, respectively. In connection with this redevelopment, the Applicant will relocate approximately 300 existing surface level, public parking spaces currently provided on Parking Lots No. 10 and 24 with new underground parking that spans the majority of the East Site Properties (with the exception that below-grade parking is not proposed under the Farm Women's Cooperative Market portion of the site, except for a small encroachment in the southeast corner). By relocating these public parking spaces below grade, this option facilitates the development of the

Eastern Greenway recommended in the Sector Plan. The Planning Board supports the category at this time.

*Through-block connection:* The Applicant requests 15 points for providing a through-block connection between Wisconsin Avenue and the Eastern Greenway. The East Side Project will create this connection through a shared street, located just south of the Farm Women's Cooperative Market site and, in the Preferred Development option, through new pathways and connections that will be created in the new park and neighborhood green on Parking Lots No. 24 and 10. The shared street is intended to be an open air, flush curb woonerf that will be used both by pedestrians and vehicles to create a flexible, dynamic space between the proposed buildings and the Farm Women's Cooperative Market building. The shared street will provide limited vehicular circulation around the Farm Women's Cooperative Market and will facilitate a pedestrian through-block connection to Willow Lane and the pathways that lead to 46th Street and Leland Street. Points for this incentive are granted on criteria such as public access, minimum width, and minimum hours of operation, as determined by the Guidelines. Final determination will be made at Site Plan and the Planning Board supports the category at this time.

*Trip Mitigation:* The Applicant requests 10 points for executing a binding traffic mitigation agreement (TMAG) with M-NCPPC and MCDOT prior to certification of a Site Plan Application for the East Side Project. Points for this incentive are granted for entering into binding agreements to reduce the number of weekday morning and evening peak hour trips attributable to the site in excess of any other regulatory requirement. The Public Benefits Section of the ordinance requires a minimum of 50% reduction, however the *Bethesda Downtown Sector Plan* recommends a reduction of trips by 55%. Points are given when the Project exceeds regulatory requirements, details will be determined during the Preliminary Plan review. The Planning Board supports the category at this time.

*Wayfinding:* The Applicant requests 10 points for providing a way-finding system that orients pedestrians and cyclists to transit facilities and public amenities and open spaces in downtown Bethesda. Given the East Side Project's location as a transitional site between the Central Business District and the single-family residential neighborhoods located just outside of the CBD boundary, wayfinding will be used to help tie the CBD and adjacent neighborhoods together. Furthermore, wayfinding elements such as maps and directional signs will be tailored to pedestrians and focused in and around the new pedestrian connections and parks created by Option A (e.g. shared street, neighborhood green, park and open spaces) to further promote

pedestrian activity and walkability. The Planning Board supports the category at this time.

Diversity of Uses and Activities

*Enhanced Accessibility for the Disabled:* The Applicant requests 20 points for constructing dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent count standard. The West Side Project proposes to provide approximately 7% of units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards. The final percentage and number of accessible units will be determined at Site Plan and the Planning Board supports the category at this time.

Quality of Building and Site Design

*Architectural Elevations:* The Applicant requests 20 points for providing architectural elevations as part of the Certified Site Plan for the West Side Project showing particular elements in the façade including minimum amounts of transparency on the first floor, minimal spacing between operable doors, and design priorities of the applicable sector plan or implementing design guidelines. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. The Planning Board 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 10 points for each development option for building or site design that enhances the character of a setting. 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 provides innovative solutions in response to the immediate context; creates a sense of place and serves as a landmark; enhances the public realm in a distinct and original manner; introduces materials, forms, or building methods unique to the immediate vicinity or applied in a unique way; designs compact, infill development so living, working and shopping environments are more pleasurable and desirable on a site; and integrates low-impact development methods into the overall design of the site and building, beyond green building or site requirements. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights, and because this category is a priority in the Sector Plan. Based on the conceptual materials submitted with the Application, the Planning Board supports the Applicant's request at this time.

The Design Advisory Panel reviewed the project on October 24, 2018 with the following recommendations:

1. Preference for Option A if it is feasible; however, three of the panel members would like to see a greater proportion of green space on the space potentially compressing the building to increase the green space.
2. There should be more attention to the east/west connections across the site from Wisconsin to the park either widening on Willow or widening of the woonerf.
3. Consider not having as much symmetry in the massing of the buildings, could create verticality in the building and not have base along the entire building. The Wisconsin façade could be different than the façade along the market.
4. Further develop the winter garden or some connection between the old market building and the pavilion.
5. Create connection between the ground floor of the pavilion to the park. Currently there is separation because of the parking access ramp.
6. Provide sun and shadow diagrams to see building impacts on the park.
7. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone.
8. Straw vote:
  - Option A [Preferred Development option]-1 support, 4 support with conditions to meet the recommendations above.
  - Option B [Alternate Development option]-5 support with conditions to meet the recommendations above.

Since the October 2018 Design Advisory Panel's meeting, the Sketch Plan has evolved, and the Project returned to the Design Advisory Panel on September 25, 2019. The Panel recommended the following:

1. Shed dormers may work better for the building addition, consider getting rid of the intermediate truss to provide flexibility on the inside of the structure.
2. Provide all elevations of the Market addition for review.
3. The symmetrical elevation of tower is too predictable, consider making asymmetrical to emphasize the base wrapping around the corner onto Wisconsin, and emphasize the transition back to park.
4. The corner of the new building facing the Market and the park needs to be greatly improved, to bring the public around to it, establish the corner all the way down to the ground.
5. Consider less modern for the addition to the Market, bring the hip roof back down, even be a glass roof, hip roof it instead of gable roof....more hip less modern.

6. With the development option that includes the park, consider removing the woonerf.
7. Provide circulation diagrams for the entire site, specifically addressing access to parking, Willow Lane, bike facilities, the woonerf, and the general flow around the site.
8. Public Benefit Points: The project is on track to achieve at least the minimum 10 Exceptional Design points required in the Bethesda Overlay Zone.
9. Straw vote: 0 in support, 4 in support but with conditions, 0 do not support

Understanding that points are not awarded at Sketch Plan, the DAP supported the design concept and believed the Applicant could achieve the minimum exceptional design points at Site Plan, with a significant focus on the public space and interaction with the proposed building design. Additional context and discussion for the DAP's recommendations are included in the attached October 24, 2018, and September 25, 2019, DAP meeting summaries (Attachment C). In addition, the Applicant's September 25, 2019 DAP submission is included as an attachment to this staff report (Attachment D).

*Historic Resource Protection:* Up to 20 points may be given for the preservation or enhancements of, or payment toward preservation or enhancement of, a historic resource or a contributing element within a historic district designated in the Montgomery County Master Plan for Historic Preservation. The existing one-story, Farm Women's Cooperative Market, constructed in 1936, was designated as an individual site in the Montgomery County Master Plan for Historic Preservation and the Maryland Inventory for Historic Places in September 1979 (Resource Number 35/14-1). The East Side Project will rehabilitate and example the historic Farm Women's Cooperative Market, transforming the building and its environmental setting into the centerpiece of a broader comprehensive mixed-use setting. The revitalized Farm Women's Cooperative Market will retain its physical and cultural prominence along the Wisconsin Avenue corridor. Ample open public space will be preserved around the Farm Women's Cooperative Market, allowing for views of the site and building to be preserved. The work to be done on the Farm Women's Cooperative Market site will require separate Historic Area Work Permit (HAWP) approvals from the Historic Preservation Commission (HPC) prior to the commencement of any construction, demolition, or alteration activities at that site. The Applicant is requesting 20 points and the Planning Board supports the category at this time.



*Public Open Space:* The Applicant requests 14 points for providing public open space. Points for this incentive are granted on a sliding scale based on the percentage of the net lot area. The East Side Project is required to provide 10 percent of the net lot area as on-site public use space. The East Side Project will exceed this requirement. The public open space will be concentrated around the Farm Women's Market Cooperative building, directly accessible from both Wisconsin Avenue and Willow Lane, and the proposed shared street. The "civic green"-like open space will be a minimum of 35 feet wide. The design of this space will be finalized at the time of Site Plan approval but is intended to incorporate flexible design elements that will allow for both informal gathering and programmable events. These open spaces will be further activated by active ground floor uses, with ample transparency into these spaces. All public open space provided by the East Side Project will be open to the public between sunrise and sunset.

Consistent with the CR Guidelines and the Bethesda Implementation Guidelines, the open space will be: directly accessible to a street; open to the public between sunrise and sunset; designed so that the loading or parking facilities are screened or fronted with active uses, contain seating, trash receptacles, landscaping, and other amenities; be at least 35 feet wide; designed so that walls of any nonresidential floor area facing the open space have windows on at least 60 percent of the façade between three and eight feet; and designed so that main entries to any dwelling unit facing the open space will have access to the open space. The Planning Board supports the category at this time, with the final design and points to be determined at the time of Site Plan.

*Public Art:* The Applicant requests 7.5 points for installing public art into the East Side Project. The public art concept will be developed during the Site Plan process and will be presented to the Art Review Panel. The Applicant asserts that the artwork will meet the goals outlined in the CR Guidelines and the final points will be determined at the time of Site Plan. The Planning Board supports the category at this time.

*Structured Parking:* The Applicant requests 20 points for providing structured parking in a below-grade parking structure for the West Site Project. The West Side Project will provide structured parking, with all of the West Side Project's parking spaces to be provided in a below-ground parking garage.

An important component of the East Side Project is the creation of the Eastern Greenway. To accomplish this, the existing surface parking lots on

County Lots No. 24 and 10 will be removed and these sites will be developed with a park and neighborhood green, respectively. The surface parking will be replaced with underground public parking. Similarly, the existing surface parking lot that surrounds the Farm Women's Cooperative Market will be underground and replaced with open space that resembles a civic green. All new parking provided on-site for the mixed-use project will be located in a below-grade structured parking garage. Therefore, the Applicant is also requesting 20 points for this category for the East Side Project. The Planning Board supports the category at this time.

*Tower Step-back:* The Applicant requests 10 points for providing a tower step back on the building's upper floors by a minimum of six feet behind the first-floor façade. The step back must be retained across at least 70 percent of the frontage on any right-of-way or open space. The West Side Project proposes to step back the upper floors of the building by a minimum of six (6) feet behind the first-floor façade. The setback will begin at a height no greater than 72 feet and will be retained across at least 70 percent of the Wisconsin Avenue frontage. The Planning Board supports the category at this time.

Protection and Enhancement of the Natural Environment

*Building Lot Termination (BLT):* The Applicant requests 5.8 points for the West Side Project and 4.4 points for the East Side Project 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. The Planning Board supports the Applicant's request at this time.

*Cool Roof:* The Applicant requests 10 points for this category. The West Side Project will provide a cool roof (on area not covered by vegetated roof) with a minimum solar reflectance index (SRI) of 75 for roofs with a slope at or below a ratio of 2:12, and a minimum SRI of 25 for slopes above 2:12. The CR Zone Incentive Density Implementation Guidelines note that on sites larger than one acre five points is appropriate, but on sites of one acre or less 10 points is appropriate. The existing lot area of the West Side Properties is only 16,619 square feet, well under one acre. The Planning Board supports the category at this time.

*Energy Conservation and Generation:* The Sector Plan requires that all projects in the High-Performance area must exceed the current ASHRAE 90.1 requirement by at least 15 percent. The CR Zone Incentive Density Implementation Guidelines state that up to 15 points are available for constructing buildings that exceed the energy-efficiency standards for the

building type by 17.5 percent, however the BOZ permits up to 25 points for this benefit. Exceeding the energy efficiency standards by 17.5 percent in the BOZ proportionally allows each Project to receive 15 public benefit points. The Planning Board supports this category at this time for both the West Side and East Side Projects.

*Vegetated Area:* Up to 15 points may be granted for installation of planting in a minimum of 12 inches of soil, covering at least 5,000 square feet (not including vegetated roofs or stormwater management facilities. The Applicant requests 5 points for the East Side Project which will include plantings installed in a minimum soil depth of 12 inches and covering at least 5,000 square feet. These plantings will primarily be located in the park on former Parking Lot No. 24 and will replace existing impervious area. The Planning Board supports the category at this time.

*Vegetated Roof:* The Applicant requests 20 points for providing a vegetated roof on the East Side project with a soil depth of at least 6 inches and covering at least 33% of the total roof excluding space for mechanical equipment. Additional points may be granted if other criteria are met, including greater coverage, greater soil depth, plant species that provide habitat and native plant species. At the time of Site Plan, the Applicant will provide additional details on meeting the vegetated roof criteria. The Planning Board supports the Applicant's request at this time.

#### Retained Buildings

Up to 100 points may be granted to development that (a) maintains 75% of the structural system of the existing building; (b) uses an architectural deconstruction company or organization to remove recyclable materials prior to any demolition; and (c) submits documentation showing compliance with these criteria before the County issues a building permit for a new development. The Sketch Plan facilitates the rehabilitation and expansion of the Farm Women's Cooperative Market. 100% of the structure system of the Farm Women's Cooperative Market building will be retained. The Planning Board supports the category at this time.

7. *The Sketch Plan establishes a feasible and appropriate phasing plan for all structures, uses, rights-of-way, sidewalks, dedications, public benefits, and future preliminary and site plan applications.*

The Sketch Plan provides alternate development options for the redevelopment of the Properties, which involve the revitalization of the Farm Women's Cooperative Market and one of which requires MCDOT, Columbia Realty, and its affiliates to enter into a general development agreement

(GDA) for the redevelopment of Parking Lot 24 and, potentially, Parking Lot 10. The Applicant intends to implement the Project through separate Preliminary Plan and Site Plan applications for the East Side Properties and the West Side Properties. It is anticipated that the West Side Project will be developed in a single phase. Should development of the East Side Project need to occur in phases due to logistical complexities associated with the proposed work on the Farm Women's Cooperative Market site and on the County surface parking lots (which are in active use), details for any phasing of the East Side Project would be presented at the time of Preliminary Plan and Site Plan review for that component of the Project.

BE IT FURTHER RESOLVED that the Planning Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Planning Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the Sector Plan, or other requirements; and

BE IT FURTHER RESOLVED that this Resolution incorporates by reference all evidence of record, including maps, drawings, memoranda, correspondence, and other information; and

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of Bethesda Market, Sketch Plan No. 320190030, received by M-NCPPC as of the date of the Staff Report, are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is DEC 16 2019 (which is the date that this Resolution is mailed to all parties of record); and

\* \* \* \* \*

#### CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, December 5, 2019, in Silver Spring, Maryland.

  
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Casey Anderson, Chair  
Montgomery County Planning Board





**MONTGOMERY COUNTY PLANNING BOARD**  
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION

**NOV 25 2020**

MCPB No. 20-123  
Preliminary Plan No. 120200220  
Avondale  
Date of Hearing: November 12, 2020

**RESOLUTION**

WHEREAS, under Montgomery County Code Chapter 50, the Montgomery County Planning Board is authorized to review preliminary plan applications; and

WHEREAS, on May 19, 2020, SJ Investment Corporation ("Applicant") applied for approval of a preliminary plan of subdivision of property that would create one lot for multi-family residential development of up to 60 units on 0.33 acres of land in the CR 1.5 C 0.25 R 1.5 H 70' and BOZ zoned-land, located on Avondale Street approximately 200 feet east of Wisconsin Avenue ("Subject Property") in the Bethesda CBD Policy Area and 2017 *Bethesda Downtown Sector Plan* ("Sector Plan") area; and

WHEREAS, Applicant's preliminary plan application was designated Preliminary Plan No. 120200220, Avondale ("Preliminary Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 30, 2020, setting forth its analysis and recommendation for approval of the Application, subject to certain conditions ("Staff Report"); and

WHEREAS, on November 12, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, at the hearing the Planning Board voted to approve the Application, subject to certain conditions, by the vote certified below.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board APPROVES Preliminary Plan No. 120200220 to create one lot for multi-family residential development of up to 60 units on the Subject Property, subject to the following



conditions:<sup>1</sup>

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 must receive approval from MCDOT on a Level 3 Results Transportation Demand Management Plan (Per Section 42-A-25(b)(3) of the Montgomery County Code) 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.

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<sup>1</sup> For the purpose of these conditions, the term "Applicant" shall also mean the developer, the owner or any successor(s) in interest to the terms of this 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 plat recordation.
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.

BE IT FURTHER RESOLVED that having considered the recommendations and findings of its Staff as presented at the hearing and as set forth in the Staff Report, which the Board hereby adopts and incorporates by reference (except as modified herein), and upon consideration of the entire record, the Planning Board FINDS, with the conditions of approval, that:

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 through 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 of 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 as shown in the Data Table below. The Application has been reviewed by other applicable County agencies, all of which have recommended approval of the Plan.

Table 1: Preliminary Plan Data Table

Section 59.4	Development Standard	Permitted/ Required	Proposed
	<b>Tract Area</b>	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)
	<b>Site Area</b>	n/a	<b>11,226 sf (0.26 ac)</b>
	<b>Mapped Density</b>		
	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)
	<b>Total Mapped Density (GFA/FAR)</b>	<b>21,879 sf (1.5)</b>	<b>21,879 sf (1.5)</b>
	<b>Bethesda Overlay Zone Density</b>	<b>n/a</b>	<b>33,121 sf (2.27)</b>
	<b>Total GFA/FAR</b>	<b>n/a</b>	<b>55,000 sf (3.77)</b>

2. *The Preliminary Plan substantially conforms to the Master 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 frontages, 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 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) of the Montgomery County Code) 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 2). 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 2: 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
<b>Existing Use (Credit)</b> 8 Multi-family Low-Rise Units		5	7	4	6	8	12
<b>Proposed Use</b> 60 Mid Rise Dwelling Units		21	28	17	23	34	45
<b>Total Net New Trips</b>		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.

### 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. 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.

### Cluster Adequacy Test

The Project is located in the Bethesda-Chevy Chase High School Cluster. The student enrollment and capacity projections were based on the FY21 Annual School Test for the Cluster. The capacity projections found 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 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, which 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. *The Application satisfies all the applicable requirements of the Forest Conservation Law, Montgomery County Code Chapter 22A.*

This Application is subject to the 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 stormwater management to be achieved through utilization of a green roof and 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.

BE IT FURTHER RESOLVED that this Preliminary Plan will remain valid for 36 months from its initiation date (as defined in Montgomery County Code Section 50.4.2.G), and that prior to the expiration of this validity period, a final record plat for all property delineated on the approved Preliminary Plan must be recorded in the Montgomery County Land Records, or a request for an extension must be filed; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is NOV 25 2020 (which is the date that this Resolution is mailed to all parties of record); and

BE IT FURTHER RESOLVED that any party authorized by law to take an administrative appeal must initiate such an appeal within thirty days of the date of this Resolution, consistent with the procedural rules for the judicial review of administrative agency decisions in Circuit Court (Rule 7-203, Maryland Rules).

\* \* \* \* \*

### CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Verma, seconded by Commissioner Cichy, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor, and Commissioner Patterson absent at its regular meeting held on Thursday, November 12, 2020, in Wheaton, Maryland.

  
\_\_\_\_\_  
Casey Anderson, Chair  
Montgomery County Planning Board

# Bethesda Downtown Design Advisory Panel

## Meeting Minutes

PROJECT: Avondale, Site Plan submission

DATE: March 24, 2021

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*The **Avondale** project Site Plan submission was reviewed by the Bethesda Downtown Design Advisory Panel on January 27, 2021 and March 24, 2021. The following meeting notes summarize the Panel's discussion from March 24, recommendations regarding design excellence, and the exceptional design public benefits points. The project is in the Site Plan stage and the Design Advisory Panel will determine if comments from Sketch Plan have been incorporated and take the final vote for design excellence public benefit points. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.*

---

### Attendance:

#### Panel

George Dove

Rod Henderer

Damon Orobona

Qiaojue Yu

Brian Kelly

Paul Mortensen, ex officio member, Senior Urban Designer in the Director's Office

#### Staff

Robert Kronenberg, Deputy Director

Elza Hisel-McCoy, Chief, DownCounty Planning

Stephanie Dickel, Regulatory Supervisor, DownCounty Planning

Grace Bogdan, Planner Coordinator, DownCounty Planning

Emily Balmer, Administrative Assistant III, DownCounty Planning

#### Applicant Team

Soo Lee Cho, Miller, Miller & Canby

Kevin Park, SJ Investment Corp

Brett Swiatocha, Perkins Eastman DC Perkins

Pat LaVay, Macris Hendricks and Glascock, P.A.

*No members of the public were in attendance.*



*Staff: This is the Project's second presentation at Site Plan, at the first meeting, the DAP was pleased with the direction the architecture was moving in however requested the applicant team to further develop the landscape design to address the street and accessibility from the sidewalk to the building entry.*

## Discussion Points:

### Landscaping & Building Entry

- I appreciate that you've consolidated the landscape area at the front, it looks much more organized. What is the total grade change and width of the handicap ramp?

*Applicant Response: It is two feet total drop and the runs and landing are five feet.*

- Does it need to be five feet? If it could narrow to four feet on the runs, the planter area could be larger

*Applicant Response: If we did that, the landings would still need to be five feet so there wouldn't be much gain.*

- I think the revised plan has addressed our previous comments very well. The way it was divided up before, this is much more coherent.
- It is too bad that the ramp and the stairs share the walkway and entrance, but I think it works well.
- Has the team thought about addressing the grade inside the building as opposed to the exterior? It could become a unique interior entry.

*Applicant Response: Yes, actually we did look into that after our January meeting as one solution, but given the minimal size of our lobby space it became incredibly tight. We also looked at the elimination of the ramp and grade entirely by bringing the entire lobby up to grade, but became challenging to achieve the necessary floor to floor height above the lobby. Ultimately, we would end up losing an entire floor.*

### Façade

- Corner façade turn on the east side has evolved nicely with the blind windows, thank you for taking our comments into consideration.

### Panel Recommendations:

The Applicant is requesting 20 design excellence points, the Panel voted 5-0 in support of 20 points with no conditions.





DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich  
County Executive

Aseem K. Nigam  
Director

July 26, 2021

Mr. Jonathan Bush  
Down-County Planning Division  
Montgomery County Planning Department  
8787 Georgia Avenue  
Silver Spring, Maryland 20910

Re: The Avondale  
Site Plan No. 820210140

Dear Mr. Bush:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. The number of efficiency and one-bedroom MPDUs each must not exceed the ratio that market-rate efficiency and one-bedroom units respectively bear to the total number of market-rate units. The final MPDU bedroom mix, unit layouts and locations will be determined at the Agreement to Build stage.

Sincerely,

*Julia Chen*

Julia Chen, Planning Specialist  
Affordable Housing Programs Section

cc: Patrick La Vay, MHG

[https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/The Avondale/TheAvondaleDHCA Letter\\_7-26-2021.docx](https://mcgov.sharepoint.com/teams/DHCA/Housing/Affordable/Shared Documents/MPDU/Developments/The Avondale/TheAvondaleDHCA Letter_7-26-2021.docx)

**Division of Housing**

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • [www.montgomerycountymd.gov/dhca](http://www.montgomerycountymd.gov/dhca)





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**Department of Permitting Services**  
**Fire Department Access and Water Supply Comments**

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**DATE:** 20-Jul-21  
**TO:** Patrick La Vay - plavay@mhgpa.com  
Macris, Hendricks & Glascock  
**FROM:** Marie LaBaw  
**RE:** The Avondale  
820210140

---

**PLAN APPROVED**

1. Review based only upon information contained on the plan submitted **20-Jul-21**. Review and approval does not cover unsatisfactory installation resulting from errors, omissions, or failure to clearly indicate conditions on this plan.
2. Correction of unsatisfactory installation will be required upon inspection and service of notice of violation to a party responsible for the property.



9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886  
Phone: 301.670.0840  
[www.mhghpa.com](http://www.mhghpa.com)

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I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland License No. 16905, Expiration Date: 04/21/2022

SJ INVESTMENT CORP.  
2020 PENNSYLVANIA AVE, NW  
#304  
WASHINGTON, DC 20006  
(703)901-5370  
KEVIN@SJINVESTMENTCORP.COM

REVISIONS		
NO.	DESCRIPTION	DATE

TAX MAP HN122 WSSC 209NW05

PLAT 635

7TH ELECTION DISTRICT  
MONTGOMERY COUNTY  
MARYLAND

**THE AVONDALE**

LOTS 20 & 21  
GEORGE G. BRADLEY  
SUBDIVISION BETHESDA

PROJ. MGR	PGL
-----------	-----

DRAWN BY PGL

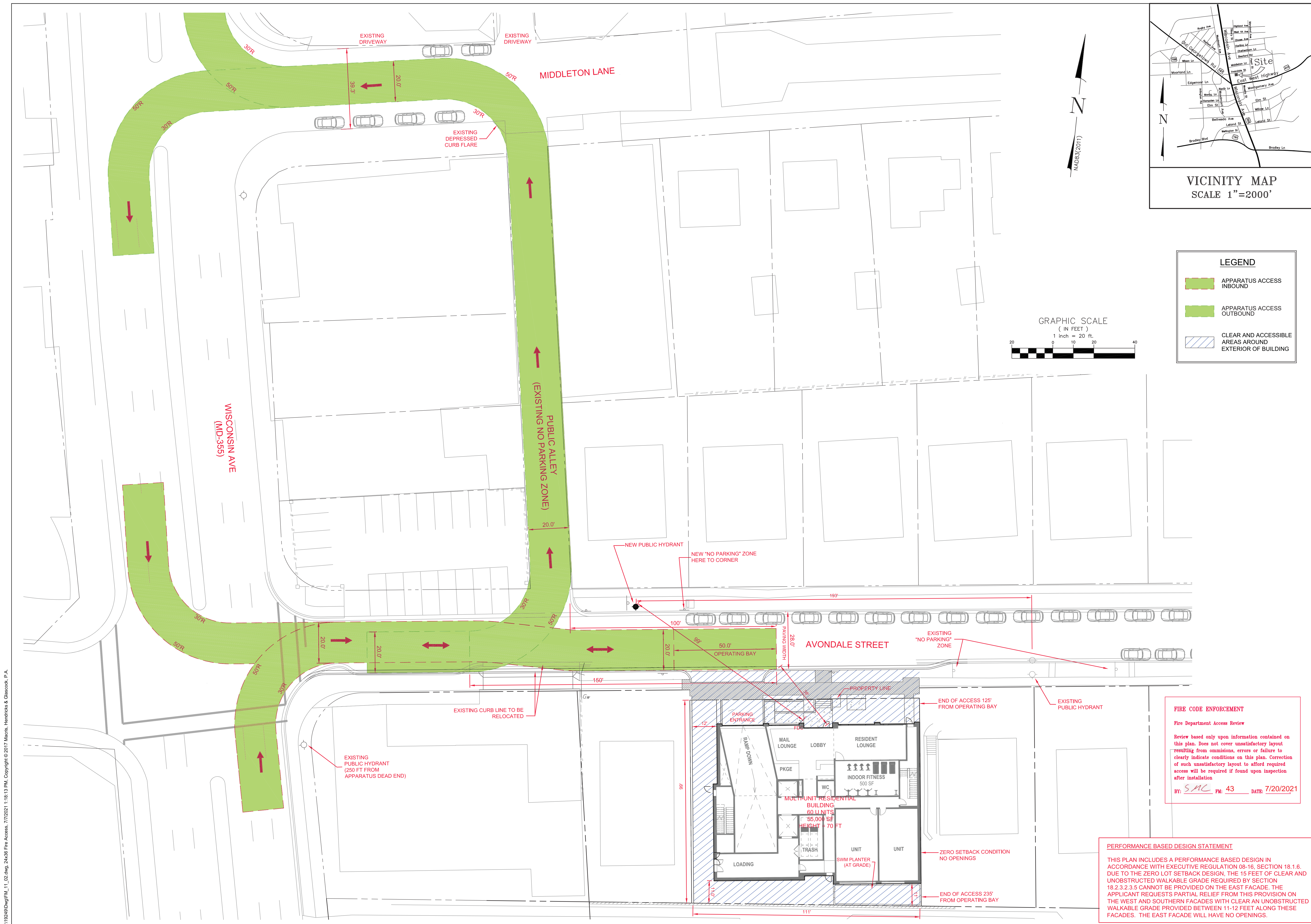
SCALE 1"=20'

DATE	07.07.2021
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## FIRE DEPARTMENT ACCESS PLAN

PROJECT NO. 19.249.11

SHEET NO. 1 OF 1





## DPS-ROW CONDITIONS OF APPROVAL

Attachment D  
**July 8, 2021**

### **820210140 The Avondale**

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

**“07-SITE-820210140-005.pdf V3”** uploaded on/ dated **“7/7/2021”**.

The followings need to be addressed prior to the certification of site plan:

1. Address MCDOT preliminary plan 120200220 approval letter comment 5 and remove any and all private structures (such as the proposed benches) out of ROW.
2. Access points on public roads:
  - a. Ensure of safe truck turning movement for all (especially right turn) movements;
  - b. Driveway apron should not cross the frontage or adjacent property consent is needed.
3. Provide public sidewalk smooth transition on the east side.



DEPARTMENT OF PERMITTING SERVICES

Mark Elrich  
County Executive

Mitra Peodeem  
Director

July 23, 2021

Mr. Mark Hollida  
MHG, PA  
9220 Wightman Road, Suite 120  
Montgomery Village, MD 20886

Re: **SITE DEVELOPMENT STORMWATER  
MANAGEMENT PLAN** for  
The Avondale  
Address: 4526 and 4530 Avondale Street  
Preliminary Plan #: Sketch Plan and Preliminary  
Plan 320200050/120200220  
Site Plan #: 82021040  
SM File #: 285977  
Tract Size: 11,230sq.ft. or 0.26 ac  
Total Concept Area: 14,240 sq.ft. or 0.33 ac  
Zone: CR-1.5, C-0.25, R-1.5, H-70  
Lots/Block: 20 and 21/George Bradley  
Subdivision  
Watershed: Lower Rock Creek/Class I

Dear Mr. Hollida:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via Green Roof and Microbioretention. A quantity waiver is being requested for volume not able to be treated in either ESD or Structural measures.

The following items will need to be addressed during the detailed sediment control/stormwater management plan stage:

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. An engineered sediment control plan must be submitted for this development.
3. All filtration media for manufactured best management practices, whether for new development or redevelopment, must consist of MDE approved material.

This list may not be all-inclusive and may change based on available information at the time.

Payment of a stormwater management contribution in accordance with Section 2 of the Stormwater Management Regulation 4-90 **is required**.

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way



2425 Reedy Dr., 7<sup>th</sup> Floor, Wheaton, MD 20902 | 240-777-0311  
[www.montgomerycountymd.gov/permitting-services](http://www.montgomerycountymd.gov/permitting-services)

Mr. Mark Hollida  
July 23, 2021  
Page 2 of 2

unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

This concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Mary Fertig at 240-777-6340 or at [mary.fertig@montgomerycountymd.gov](mailto:mary.fertig@montgomerycountymd.gov).

Sincerely,



Mark C. Etheridge, Manager  
Water Resources Section  
Division of Land Development Services

MCE: MMF

cc: N. Braunstein  
SM File # 285997

ESD: Required/Provided 2,701 cf / 1,254cf  
PE: Target/Achieved: 2.6" / 1.21"  
STRUCTURAL: N/A  
WAIVED: QN Waiver





## DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Adam Ortiz  
Director

## M E M O R A N D U M

August 26, 2021

TO: Jonathan Bush, Planner Coordinator  
Down-County Planning Division  
Montgomery County Planning Department

FROM: Eileen Kao, Chief  
Waste Reduction and Recycling Section  
Recycling and Resource Management Division

*Alan Pultyniswicz*  
for Eileen Kao

SUBJECT: The Avondale - SITE PLAN NO. 820210140  
CR Public Benefit Points - Recycling Facility Plan

The Waste Reduction and Recycling Section of Montgomery County's Department of Environmental Protection (DEP) Recycling and Resource Management Division has reviewed the proposed recycling facility plan for The Avondale, a new sixty (60) unit multi-family project, currently under Site Plan review by the Montgomery Planning Department. The developer has requested public benefit points for its recycling facility plan.

Based upon our review, the developer has not submitted an adequate recycling facility plan to obtain the maximum number of public benefit points. The Waste Reduction and Recycling Section has developed a list of required elements and a menu of options from which two activities must be implemented for a multi-family property to exceed Montgomery County's current recycling requirements and qualify for the full 10 public benefit points awarded for the Recycling Facility Plan.

**To qualify for the full 10 points awarded for the Recycling Facility Plan, a property must include the following three (3) services:**

**1. Foods Scraps Collection and Recycling through either:**

- a. **Food scraps recycling collection and service for residents (for offsite composting)**  
– providing food scraps recycling collection containers in trash/recycling rooms or a central location to allow residents to separate food scraps for recycling from trash.  
Contract for food scraps recycling collection service with a food scraps recycling collection service provider that takes the food scraps to an off-site compost facility for recycling and processing.

**Or**

- b. **Composting of certain types of food scraps onsite in community garden(s)** – providing food scraps collection containers in trash/recycling rooms or a central location to allow residents to separate certain types of food scraps from trash. The collected food scraps would then be composted onsite in the community garden with the end product being used as a soil amendment for the garden.
2. **Battery recycling collection containers and service for residents** – providing battery recycling collection containers for all types of household dry cell battery types (e.g., alkaline, lithium, NiCad, rechargeable) and sizes (e.g., AA, AAA, C, D, 9-Volt, various button batteries) in trash/recycling rooms or a central location. The collected batteries would then be sent for recycling (not disposal) to a battery recycling processing facility. Examples could include prepaid collection and recycling kits from providers such as, but not limited to, Battery Solutions, RECYCLEPAK, Lampmaster, Terracycle, Everlights, or any other household battery collection and recycling service.
3. **Plastic bags, film, and shrink wrap recycling collection containers and service** – providing recycling containers for the collection of plastic bags, plastic film, and shrink wrap such as air pillows, bubble wrap, grocery bags, dry cleaner bags, newspaper bags and sleeves, plastic shipping envelopes, shrink wrap, cereal box liner bags, and other plastic films in trash/recycling rooms or a central location. Collected bags and film may be taken to a local grocery store that will accept the plastic bags and plastic film as part of their recycling collection program, or contract for recycling collection service with a plastic bag/film recycling service provider.

**And any two (2) of the following options, or other proposed options reviewed and approved by DEP's Recycling and Resource Management Division:**

1. **Electronics/e-waste recycling collection containers and service** – providing recycling collection containers or a designated and clearly marked area for all types of household electronic/e-waste such as: digital cameras; computer monitors; computers; cordless phones; cell phones; CRT monitors; earphones and earbuds; extension and power cords and cables; fax machines; flat-screen monitors; inkjet, laser, and other printers; keyboards; projection televisions; radios; speakers; stereos; surge protectors; televisions; and VCRs. The collected items would then be sent for recycling (not disposal) to an electronics recycling processing facility. Contract for collection service with an electronics recycling collection service provider or participate in mail-back programs for electronics.
2. **Resident CFL (compact fluorescent light) bulb recycling collection and service** – providing recycling collection containers for all types of CFL light bulbs and tubes in trash/recycling rooms or a central location. The collected items would then be sent for

Mr. Jonathan Bush  
 August 26, 2021  
 Page 3

recycling (not disposal). Contract collection service with an CFL recycling service provider or participate in mail-back programs for CFL recycling.

3. **Textiles recycling collection containers and service** – providing recycling collection containers for all types of textiles in trash/recycling rooms or a central location. Textiles include bedspreads and blankets, clothes, fabric, linens (sheets, towels), shoes and sneakers. The collected items would then be sent for recycling (not disposal). Contract for recycling collection service with a textile recycling service provider. Note: *donating textiles to a reuse store (e.g., Goodwill) does not count towards recycling, but counts as a reuse opportunity.*
4. **Paper shredding and recycling for residents** – providing a commercial-grade paper shredder or shredding service to allow residents to shred sensitive documents and paper materials. Contract with a collector to pick up and recycle the shredded contents.
5. **Use cooking oil recycling** – Providing containers for the collection of use cooking oil container in the trash/recycling rooms or a central location for use by residents. This encourages residents to properly handle their used cooking oil for recycling rather pouring it down their kitchen drains or disposing in the trash. Contract for collection service with a contractor that takes the used cooking oil to a recycling facility, not a fuel blender or disposal facility.
6. **Swap/freecycle/donation storage areas** – providing a designated space or area (e.g., closet or storage room) where residents can drop-off unwanted gently-used and still functioning items or clothing for other residents to take and keep. This promotes reuse of still usable items, reduces waste, and can save residents time and money by not having to purchase similar new items. This program requires monitoring by the Property Manager, property staff or other designated person to ensure that it remains a donation and reuse opportunity. To this end, unclaimed items should be periodically donated, recycled, or disposed.
7. **Reuse Libraries/Centers** – providing a designated space or area (e.g., closet or storage room) for the collection of commonly used tools or appliances that residents could borrow for short term use and then return for others to use. This could include tools (e.g., hammers, screwdrivers, pliers, wrenches, drills, etc.) or small appliances (e.g., carpet cleaners, vacuums, sewing machines, irons, etc.). The idea is to provide items that residents might need for a one time or infrequent use that they would otherwise have to purchase and then never use again. This helps reduce waste and clutter and would be considered an amenity by residents.

The proposed Recycling Facility Plan in the Statement of Justification for The Avondale states the following:

*iii. Recycling Facilities Plan.*

*The Project will provide dedicated recycling facilities that will exceed what is already required under County regulations (Montg. Cnty. Executive Regulations 15-04AM and 18-04). The*

Mr. Jonathan Bush

August 26, 2021

Page 4

*Applicant proposes to provide dedicated recycling containers within the adjoining public streetscape as well as a paper shredder and a cooking oil container in the trash/recycling room of the development. (10 points)*

In summary, for The Avondale to qualify for the full 10 public benefit points for its recycling facility plan, it would need to incorporate the following:

1. Foods scraps collection and recycling
2. Battery recycling collection containers and service for residents
3. Plastic bags, film, and shrink wrap recycling collection containers and service

The proposed paper shredder and cooking oil recycling container would fulfill the requirement for the two additional activities, provided they comply with the criteria outlined above for each.

The proposed “dedicated recycling containers within the adjoining public streetscape” is not applicable, as placing recycling containers in public spaces is a requirement of Executive Regulation 1-15 Residential and Commercial Recycling and is not considered “above and beyond” the requirements of the County’s recycling regulations.

If you have any questions or would like to discuss any details, please contact Alan Pultyniewicz of my team at [Alan.Pultyniewicz@MontgomeryCountyMD.gov](mailto:Alan.Pultyniewicz@MontgomeryCountyMD.gov).