




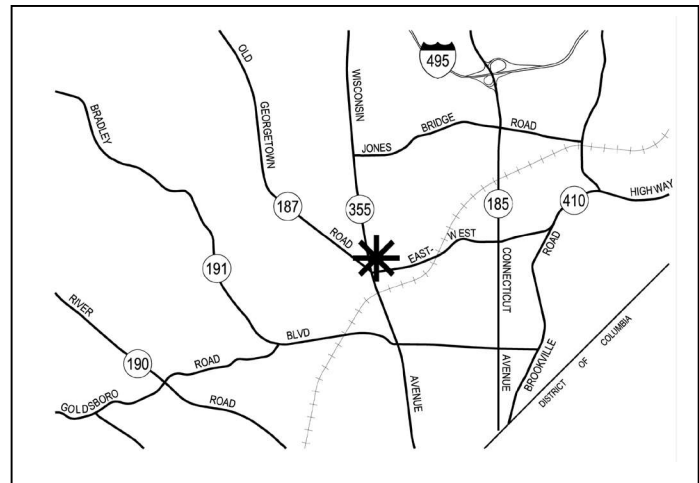
The Avondale, Site Plan No. 820210140

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Completed: 9.17.21

Description

- Request to construct a 70-foot 55,000 square feet multifamily development, comprised of 60 multifamily dwelling units to include 15% MPDUs, and underground parking; including up to 33,121 square feet of BOZ density and associated Park Impact Payment; A parking waiver request to reduce onsite parking from 31 to 29 spaces.
- Location: in the southeast quadrant of the intersection of Avondale Street and Wisconsin Avenue
- Zone: 0.26 acres in the CR-1.5, C-0.25, R-1.5, H-70 and Bethesda Overlay Zone (BOZ)
- 2017 *Bethesda Downtown Sector Plan*
- Applicant: SJ Investment Corporation
- Acceptance date: June 2, 2021



Summary

- Staff recommends **Approval** of the Optional Method Site Plan, with conditions.
- In 2020, the Planning Board approved Sketch Plan No. 320200050 and Preliminary Plan No. 120200220 to create 1 lot for a multi-family residential project of up to 55,000 square feet with up to 60 dwelling units.
- The proposed Project includes an allocation of Bethesda Overlay Zone density of up to 33,121 square feet. Based on this amount of BOZ density, the corresponding future Park Impact Payment is estimated to be \$318,863.86. For one additional public benefit point, this payment will be increased by \$3,188.64 (1%), to \$322,052.50.
- With the total density included in this project, the total development in Bethesda remains below 30.4 million square feet.
- The proposal will redevelop the Site with a residential building and seeks to achieve 111 public benefit points in the following categories: a park impact payment, minimum parking, enhanced accessibility for the disabled, architectural elevations, exceptional design, structured parking, public open space, building lot terminations, energy conservation & generation, and a recycling facility plan.
- Request for a parking waiver to provide 29 spaces instead of 31 as required, staff supports this request.
- Staff has received no correspondence raising concerns about the proposed project.

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SECTION 1: RECOMMENDATION AND CONDITIONS

Site Plan No.: 820210140

Staff recommends approval of Site Plan No. 820210140. The development must comply with the binding elements and conditions of approval for Sketch Plan No. 320200050 and Preliminary Plan No. 120200220. The Project density includes an allocation of up to 33,121 square feet of Bethesda Overlay Zone density. All site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions.

1. Density
The Site Plan is limited to a maximum of 55,000 square feet of residential development on the Subject Property, for up to 60 dwelling units, including 15% MPDUs.
2. Height
The development is limited to a maximum height of 70 feet, as measured from the building height measuring point, illustrated on the Certified Site Plan.
3. Bethesda Overlay Zone Density
 - a. Per Section 59.4.9.2.D.4 of the Zoning Ordinance, the Applicant must have a building permit application accepted by MCDPS that includes the core and shell of the principal building within two years of the date of the Planning Board Resolution. Within two years of MCDPS accepting the building permit application, the Applicant must obtain the building permit. The deadlines may not be extended. If the Applicant fails to comply with any of the deadlines in this condition, the entire Site Plan approval is revoked. The Applicant must submit documentation of the building permit acceptance and issuance to Planning Staff
 - b. The Applicant must pay to the M-NCPPC a Park Impact Payment of \$322,052.50 prior to release of the first above-grade building permit for the allocation of 33,121 square feet of Bethesda Overlay Zone Density, not including 5,175 square feet of MPDU density exempt from the PIP calculation. The PIP payment has been increased per Section 59-4.9.2.C.4.b.ii for public benefit points. In the event the final allocation of density from the BOZ is less than the approved amount, or if the amount of exempt MPDU density changes, the Applicant may apply to reduce the allocation of density from the BOZ, and/or modify the PIP through a minor site plan amendment.
4. Moderately Priced Dwelling Units (MPDUs)
 - a. The development must provide a minimum of 15 percent MPDUs, or a Department of Housing and Community Affairs (DHCA) approved equivalent, consistent with the requirements of Chapter 25A.
 - b. The Planning Board has reviewed and accepts the recommendations of Montgomery County Department of Housing and Community Affairs (DHCA) in its letter dated July 26, 2021 and incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which DHCA may amend provided that the amendments do not conflict with other conditions of the Site Plan approval.
5. Public Benefits
The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the CR Zone Incentive Density Implementation Guidelines for each one.
 - a. Major Public Facilities

- i. Park Impact Payment (PIP) – the Applicant must increase the Project’s PIP, \$318,863.86, by 1%, (\$3,188.64) to a total PIP of \$322,052.50, for one public benefit point. The final PIP payment will be determined in accordance with Site Plan Condition 3.b.
 - b. Connectivity between Uses, Activities, and Mobility Options
 - i. Minimum Parking – The Applicant must provide no more than 22 parking spaces.
 - c. Quality Building and Site Design
 - i. Architectural Elevations – The Applicant must construct the building in a manner consistent with the architectural elevations included in the Certified Site Plan, as determined by Staff.
 - ii. Exceptional Design – The exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the Certified Site Plan, as determined by Staff.
 - iii. Structured Parking – The Applicant must provide all parking spaces within the structured parking garage.
 - iv. Public Open Space - The Applicant must show 450 square feet as public open space on the Certified Site Plan.
 - d. Protection and Enhancement of the Natural Environment
 - i. Building Lot Termination – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment equivalent to 0.1136 BLTs to MCDPS.
 - ii. Energy Conservation & Generation – The Applicant must construct the building to exceed energy efficiency standards for the building type by 17.5%, as determined by MCDPS through the methodology established by ASHRAE 90.1 (2013) Appendix G. The final energy model must be submitted to DPS with the building permit application.
 - iii. Recycling Facility Plan – The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Environmental Protection (“MCDEP”), Waste Reduction and Recycling Section in its memorandum dated August 26, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the memorandum, which may be amended by the MCDEP – Waste Reduction and Recycling Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

6. Recreation Facilities

The Applicant must provide the minimum required recreation facilities as shown on the Certified Site Plan.

7. Public Amenities

- a. Prior to the issuance of the final use and occupancy certificate, the Applicant must construct the streetscape improvements, including the undergrounding of utilities, along the Property’s frontage on Avondale Street consistent with the 2020 Bethesda Downtown Streetscape Standards.
- b. The Applicant is responsible for maintaining all publicly accessible amenities including, but not limited to streetscape improvements.

Site Plan

8. Landscaping

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

9. Lighting

- a. Prior to Certified Site Plan approval, the Applicant must provide certification to Staff from a qualified professional that the exterior lighting in this Site Plan conforms to the latest Illuminating Engineering Society of North America (IESNA) recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded) for a development of this type. All on-site exterior area lighting must be in accordance with the latest IESNA outdoor lighting recommendations (Model Lighting Ordinance-MLO: June 15, 2011, or as superseded).
 - b. All on-site down-lights must have full cut-off or BUG-equivalent fixtures.
 - c. Deflectors must be installed on all proposed fixtures to prevent excess illumination and glare.
 - d. Illumination levels generated from on-site lighting must not exceed 0.5 footcandles (fc) at the lot line, excluding areas impacted by street lights within the right-of-way.
 - e. Streetlights and other pole-mounted lights must not exceed the height illustrated on the Certified Site Plan.
 - f. On the rooftop of the building, the light pole height must not exceed the height illustrated on the Certified Site Plan.
10. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated July 20, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Site Plan approval.

Environment

11. Noise Attenuation

- a. Prior to Certification of the Site Plan, the location and details for any required noise mitigation techniques must be approved by Staff. Current noise levels must be attenuated to no more than 65 dBA Ldn for ground level areas of common and individual outdoor activity.
- b. Prior to the issuance of the first building permit, the Applicant must provide certification to M-NCPPC Staff from an engineer who specializes in acoustical treatments that:
 - i. The installation of the noise mitigation techniques to attenuate the current noise levels to no more than 65 dBA Ldn for the exterior ground level living spaces are adequate.
 - ii. The building shell for residential dwelling units affected by exterior noise levels projected at or above 65 dBA Ldn will attenuate the projected exterior noise levels to an interior level not to exceed 45 dBA Ldn.
- c. Before the final inspection, the Applicant must certify to M-NCPPC Staff that the noise impacted units have been constructed in accordance with the certification of the engineer that specializes in acoustical treatments.
- d. If any changes occur to the Site plan which affect the validity of the noise analysis dated April 8, 2021, acoustical certifications, and/or noise attenuation features, a new noise analysis will be required to reflect the changes and new noise attenuation features may be required.
- e. Before issuance of any Use and Occupancy Certificate for any of the noise impacted units, a Professional Engineer must certify to the Planning Department and Department of Permitting Services that the noise impacted units have been constructed in accordance with the certification of an engineer that specializes in acoustical treatments.

12. Green Cover

- a. The Applicant must provide a Green Cover exhibit demonstrating compliance with the Bethesda Downtown Sector Plan Green Cover requirement. The Project must provide a minimum of 35% of

Green Cover on the Site comprised of intensive green roof, plantings and/or planter boxes, as shown on the Certified Site Plan.

- b. Any green roof installed pursuant to this condition must have a minimum soil depth of six inches.

13. Tree Save Plan (TSP) - As required by the confirmed Forest Conservation Exemption, the Applicant must provide a Tree Save Plan with this Application.

- a. As required by Chapter 22A-6(b), the Tree Save Plan must show mitigation planting consisting of native canopy trees to be planted as shown on the TSP or as approved by Staff. The mitigation plantings must be installed prior to the issuance of final use and occupancy permit.
- b. The Applicant must schedule the required site inspections by M-NCPPC Forest Conservation Inspection Staff per Section 22A.00.01.10 of the Forest Conservation Regulations.
- c. The Applicant must comply with all tree protection and tree save measures shown on the approved Tree Save Plan. Tree save measures not specified on the plan may be required by the M-NCPPC Forest Conservation Inspection Staff.
- d. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit financial surety, in a form approved by the M-NCPPC Office of the General Counsel, to the M-NCPPC Planning Department for the mitigation trees and maintenance, including invasive species management controls, credited toward meeting the requirements of the Tree Save Plan and Forest Conservation Exemption.
- e. Prior to any demolition, clearing, grading or construction for this development Application, the Applicant must submit a five-year Maintenance and Management Agreement (“MMA”) in a form approved by the M-NCPPC Office of General Counsel. The MMA is required for all forest planting areas, mitigation tree plantings, including variance tree mitigation plantings, and landscape plantings credited toward meeting the requirements of the Tree Save Plan. The MMA includes invasive species management control measures.
- f. The Limits of Disturbance (“LOD”) shown on the Final Sediment and Erosion Control Plan must be consistent with the LOD shown on the approved Final Forest Conservation Plan.

14. Transportation

Before the release of any above-grade building permit, the Applicant must coordinate with and gain approval from MCDOT on a Level 3 Results Transportation Demand Management (TDM) Plan to participate in the Bethesda Transportation Management District (TMD) and work towards the Sector Plan goal of 55 percent Non-Auto Driver Mode Share (NADMS).

15. Pedestrian & Bicycle Circulation

- a. The Applicant must provide a minimum of 29 long-term and 1 short-term bicycle parking spaces.
- b. The long-term spaces must be in a secured, well-lit bicycle room within the parking garage, and the short-term spaces must be inverted-U racks (or approved equal) installed along the building’s frontage and in a location convenient to the main residential entrance (weather protected preferred). The specific location(s) of the short-term bicycle rack(s) must be identified on the Certified Site Plan.
- c. The Applicant must provide 6-foot wide sidewalks with 6-foot planting/ furnishing panels along Avondale Street, as illustrated on the Certified Site Plan.

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

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way Section (DPS-ROW) in its memorandum dated July 8, 2021 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the memorandum, which may be amended by the DPS-ROW Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

17. Stormwater Management

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (MCDPS) – Water Resources Section in its Site Development Stormwater Management Plan letter dated July 23, 2021 and hereby incorporates them as conditions of the Site Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by the MCDPS – Water Resources Section provided that the amendments do not conflict with other conditions of the Site Plan approval.

18. Development Program

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

19. Site Plan Surety and Maintenance Agreement

Prior to issuance of any above grade building permit not including retaining walls, , the Applicant must enter into a Site Plan Surety and Maintenance Agreement with the Planning Board in a form approved by the M-NCPPC Office of General Counsel that outlines the responsibilities of the Applicant. The Agreement must include a performance bond(s) or other form of surety in accordance with Section 59.7.3.4.K.4 of the Montgomery County Zoning Ordinance, with the following provisions:

- a. A cost estimate of the materials and facilities, which, upon Staff approval, will establish the surety amount.
- b. The cost estimate must include applicable Site Plan elements, including, but not limited to plant material, on-site lighting, indoor and outdoor recreational facilities, site furniture, trash enclosures, private utilities, paths and associated improvements of development, including sidewalks, bikeways, storm drainage facilities, street trees and street lights. The surety must be posted before issuance of any building permit for development and will be tied to the development program.
- c. The bond or surety must be tied to the development program, and completion of all improvements covered by the surety will be followed by a site plan completion inspection. The surety may be reduced based upon inspector recommendation and provided that the remaining surety is sufficient to cover completion of the remaining work.

20. Certified Site Plan

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

- a. Include all applicable agency approval letters, development program, and the Site Plan resolution and other applicable resolution(s) on the cover sheets.
- b. Include the Loading Management Plan as reviewed and approved.
- c. The Certified Site Plan must contain notes describing the Bird-Safe design principles to be incorporated into the building architecture.
- d. Add a note stating that “Minor modifications to the limits of disturbance shown on the site plan within the public right-of-way for utility connections may be done during the review of the right-of-way permit drawings by the Department of Permitting Services”.
- e. Ensure consistency of all details and layout between Site and Landscape plans.

SECTION 2: SITE DESCRIPTION

Site Vicinity and Analysis

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

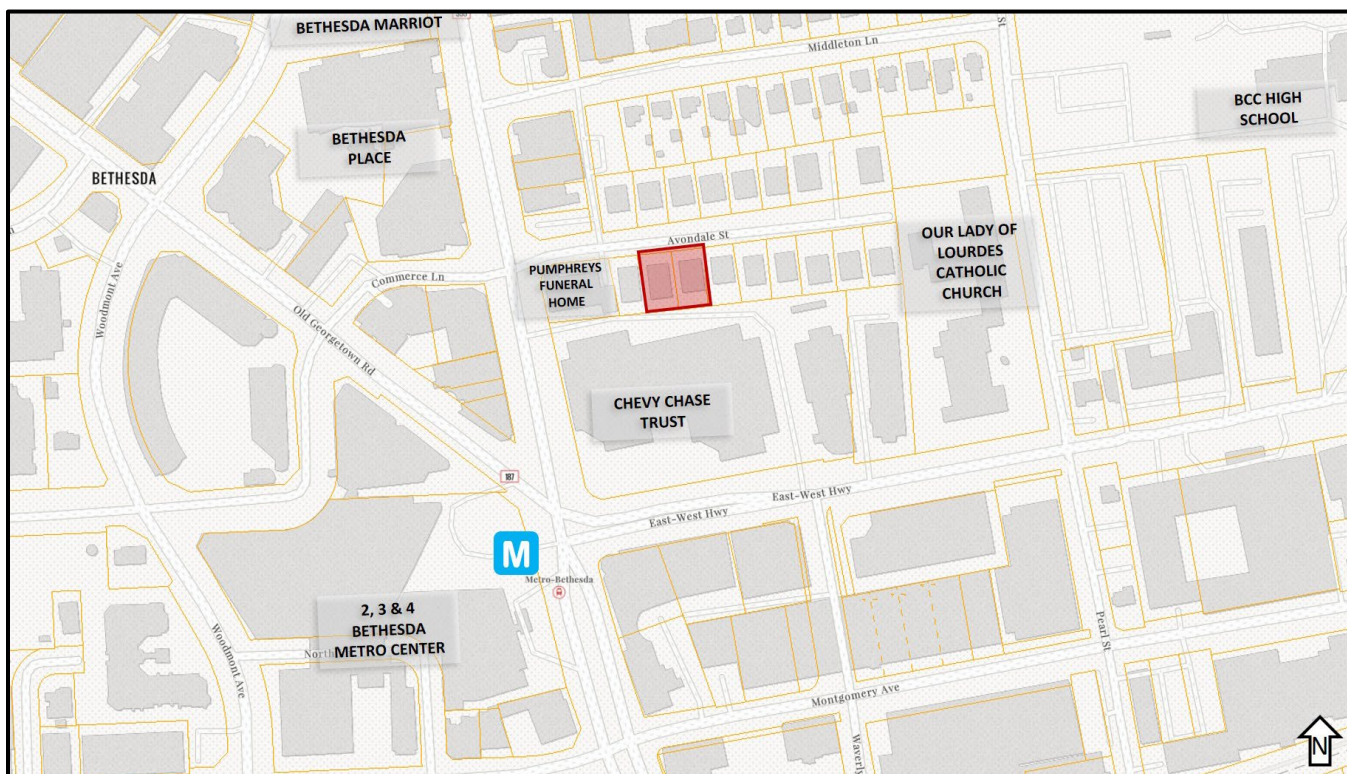


Figure 1 – Vicinity Map

Subject Property

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

Site Analysis

The southern portion of Avondale Street was rezoned from R-10 to CR 1.5 C 0.25 R 1.5 H 70' and the north side of the street was rezoned to CRN 0.75 C 0.0 R 0.75 H 45' with the 2017 *Bethesda Downtown Sector Plan*. Avondale Street is a two-way street which terminates to the east of the Site, just before Pearl Street. Avondale Street has on-street residential permit parking along the north and south side of the street. The Site is outside the Bethesda Parking Lot District (PLD). The Property does not contain any forest, streams, or environmental buffers. There are no known rare, threatened, or endangered species on-site; there are no 100-year floodplains, stream buffers, or wetlands on-site. There are no historic properties on-site.

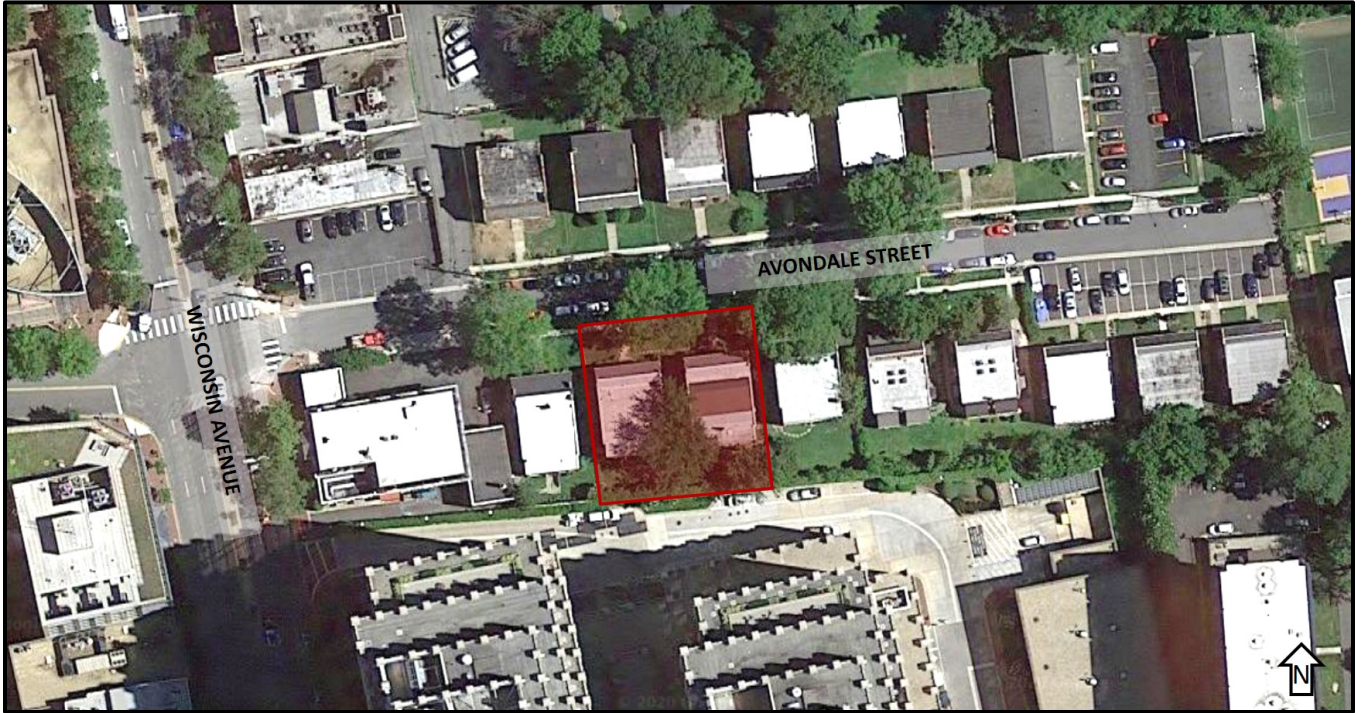


Figure 2 – Aerial Map

Surrounding Uses

The Property is surrounded by a mix of residential and non-residential uses. Abutting the Property to the west, north and east of the site are other multifamily residential dwellings. The neighboring properties immediately adjacent to the west and east have the same zonings as the Property, with the exception of one lot to the west and one immediately to the south and southwest are commercial service uses with Robert A. Pumphrey Funeral Homes (as noted in Figure 1) located at the corner of Wisconsin Avenue and Avondale Street and the office building to the south located at 7501 Wisconsin Avenue.

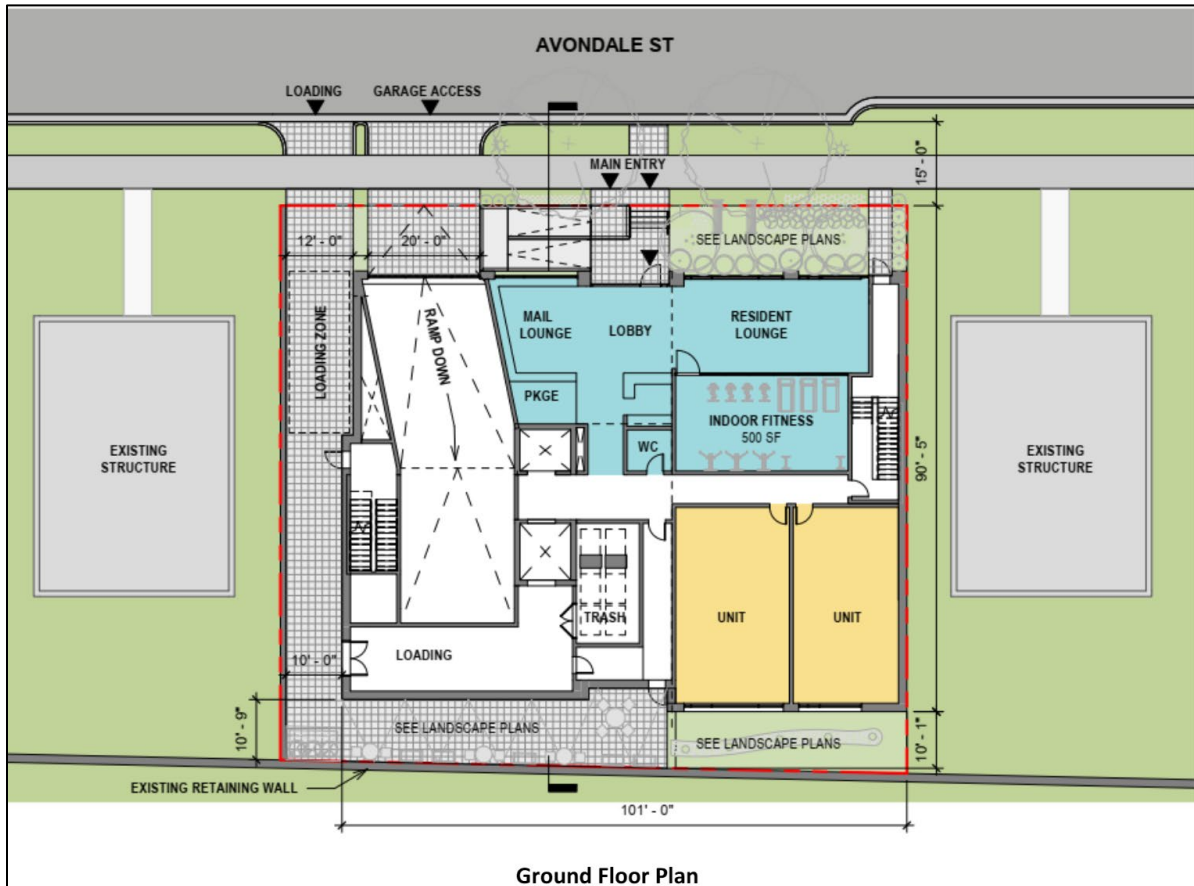
SECTION 3: PROJECT DESCRIPTION

Previous Approvals

On November 12, 2020, the Planning Board approved Sketch Plan No. 320200050 (MCPB Resolution No. 20-122) and Preliminary Plan No. 120200220 (MCPB Resolution No. 20-123) for the creation of one (1) lot for up to 55,000 square feet of residential uses (up to 60 multifamily dwelling units) and a future Bethesda Overlay Zone (BOZ) density allocation of up to 33,121 square feet.

Proposal

The Project, as proposed through Site Plan Application No. 820210140, represents a refinement of the Project density approved through the Sketch Plan No. 320200050 and Preliminary Plan No. 120200220. The Project will provide a residential building with a maximum density of up to 55,000 square feet of development, utilizing 21,879 square feet of Mapped Density and 33,121 square feet of BOZ density, with a maximum height of 70 feet.



Ground Floor Plan
Figure 3 – Illustrative Site Plan

As the first Property to redevelop along Avondale Street, the Applicant’s proposal establishes a vision for the block that initiates the vision of the 2017 Bethesda Downtown Sector Plan. This vision creates a character distinct to the Subject Property’s surroundings, including a deeper setback, which enhances the public realm and walkability, and will play a critical role in achieving a compatible development in this transitional area. The site is located within the urban core of Downtown Bethesda (within 700 feet of the Metro Station) and adjacent to existing low-rise multifamily development.

Building Design

The Project will achieve harmony with its site, neighborhood context and location within the urban core through proportion and architectural character. The proposed scale and massing consider the high-density area to the south and the lower density to the north. The architectural elements respond to the existing neighborhood context. The proposed design responds to the evolving architectural character of Downtown Bethesda and the design excellence expected for a new development in the Bethesda community. The Project is contemporary in style and proposes a modern residential building split by a recess in the façade to articulate the building as two linked towers of smaller scale. The main lobby at the center of the building is a functional element designed to provide visual interest, distinguishing the main entrance to the building with an architectural focal point at the pedestrian scale. The project takes into consideration that the Sector Plan supports the development of taller buildings between the Project site and Wisconsin Avenue to the west, the existing low-rise multifamily developments are not currently contemplated for development which requires treatment of the building’s west façade as a prominent profile of the Project.



Figure 4 – Avondale Street Frontage (Looking South)

The architectural concept includes sustainable design strategies to reduce the environmental impact of the Project. Each façade of the building responds to its adjacent context through solar orientation in order to maximize natural daylight opportunities in the dwelling units, enhance views and mitigate solar heat gain. The architectural plans as submitted suggest materials that compliment neighborhood character while introducing the Projects contemporary character to the existing urban condition.



Figure 5 – Perspective Rendering of Northern and Western Façades



Figure 6 – Aerial View from Northeast

Since the Sketch Plan approval, the Applicant has worked with the Design Advisory Panel (DAP) to refine the building's typology and satisfy Sketch Plan Condition No. 8, which stated:

8. Building & Site Design Prior to the submittal of the Site Plan, the Applicant must:
 1. Further refine the design of the consolidated entrance for loading/trash and the parking garage to reduce conflicts between pedestrians and motorists; and
 2. If public open space is provided for the purposes of public benefit points, further refine the proposed design to ensure it is open and welcoming to the public.

The architecture now reflects a façade that is split by a recess in the façade to articulate the building as two linked towers and the expression of a two-story base compliments the scale of the existing context. The main lobby serves a dual purpose at the center of the building as a functional element design to provide visual interest and to distinguish the main entrance to the building with an architectural focal point. As proposed, the Project satisfies the design requirements set forth as part of the Sketch Plan and Preliminary Plan approval. Visual representations of the Avondale Street façade include awnings and other design priorities of the Sector Plan are shown in Figures 6 and 7.

The architectural design of the Site Plan was also presented to the DAP on January 27, 2021 and March 24, 2021. The DAP was generally pleased with the progression of the architectural design, but asked the Project to explore the following:

1. Consolidate the ADA walkways along the front of the building to the west with the possibility of incorporating switchbacks if needed.
2. Further develop the landscape design, with special consideration along the front of the building in a manner that enhances the streetscape while simultaneously addressing accessibility.
3. Adjust the front canopy position at the front entrance to a more pedestrian scale.

The Project incorporated and integrated the DAP's concerns into the design and received unanimous recommendation from the DAP for twenty Exceptional Design points with no further conditions.



Figure 7 – Perspective Rendering of Main Entrance

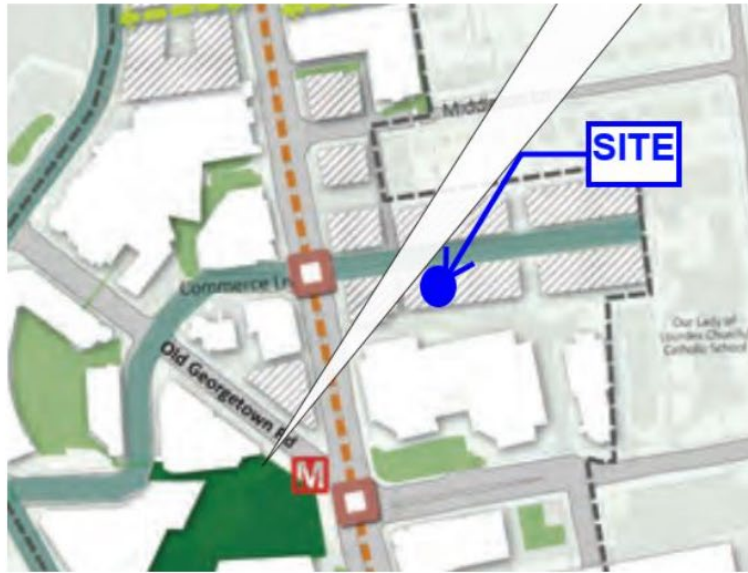


Figure 3.02. Wisconsin Avenue Corridor District Public Realm Improvements (Plan, p. 105)

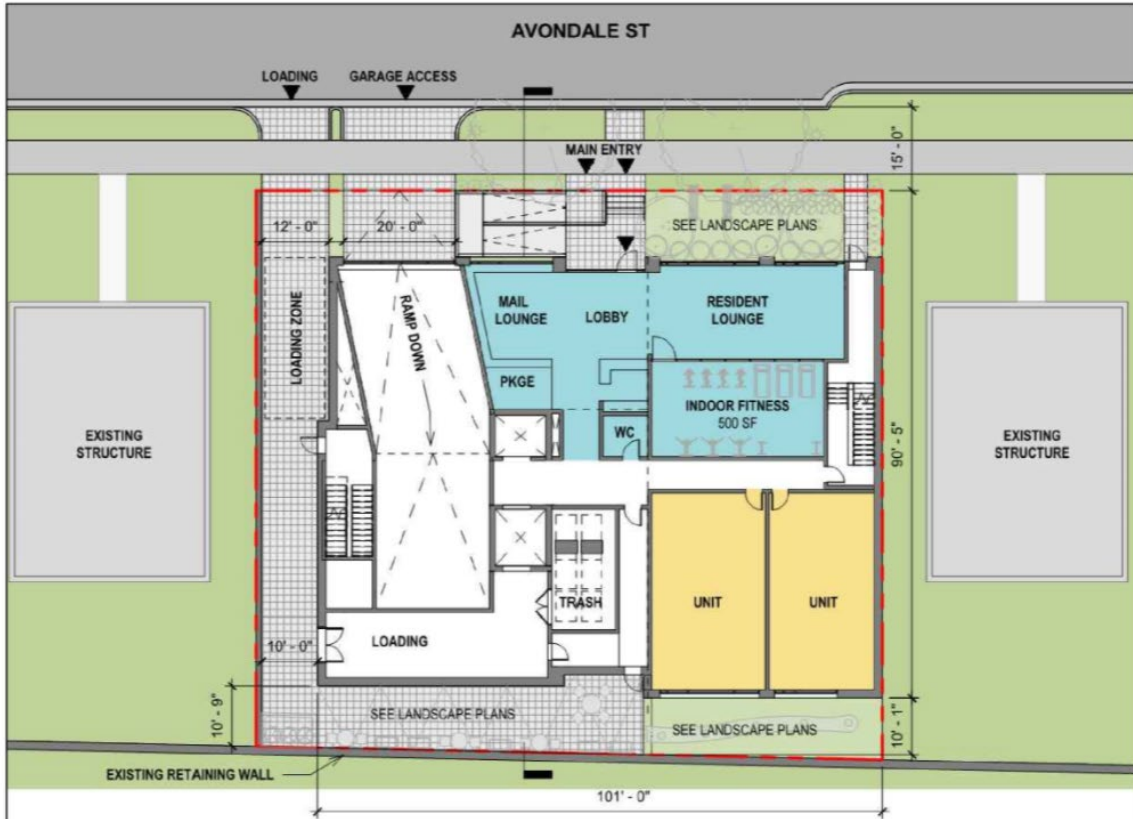


Figure 8 – Wisconsin Avenue Corridor District Public Realm Improvements

Open Space

The Project was reviewed under Section 59-4.5.4.B.1 of the Zoning Ordinance under the Optional Method of Development. The Site proposes 14,586 square feet within the CR Zone, therefore, no on-site public space is required, however the Applicant proposes 450 square feet of public open space, which will be located adjacent to the public right-of-way along the Sites primary frontage. The Project proposes 60 multifamily dwelling units. Section 59-6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units must offer recreational facilities in accordance with M-NCPPC’s Recreation Guidelines. The project proposes to meet the facility requirements by providing the following:

1. An indoor fitness room;
2. Resident lounge on the first floor;
3. A rooftop amenity space;
4. And picnic seating areas at the front and rear of the building.



LEVEL 1 AMENITIES
 (INDOOR FITNESS ROOM & RESIDENT LOUNGE)
 NTS

Figure 9 – Illustrative Rendering of Ground Floor Recreational Facilities

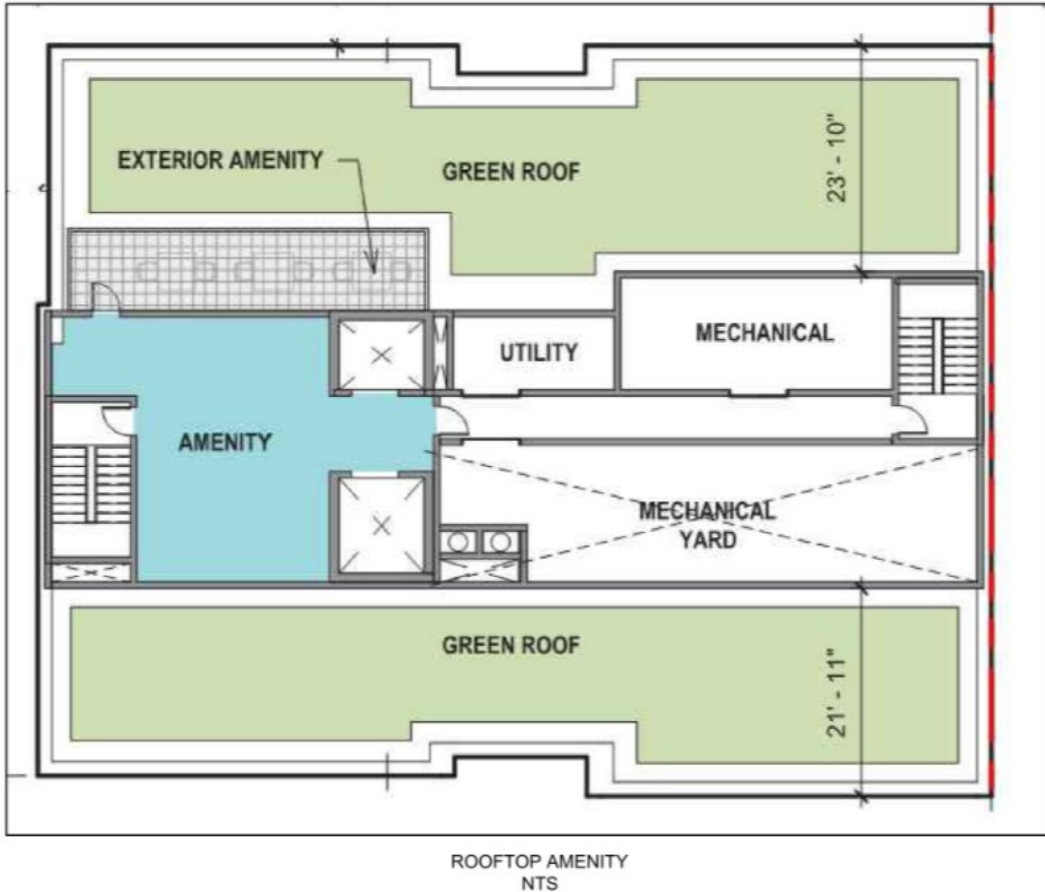


Figure 10 – Illustrative Rendering of Rooftop Amenities

Environment

The Subject Property is located within the Lower Rock Creek watershed, which is a Use I watershed¹. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, or steep slopes. The Site frontage lies adjacent to three specimen trees: two 38” diameter-at-breast-height (DBH) Willow Oaks and a 51” DBH Willow Oak. Due to the location of utility work associated with the project, these trees will be removed. A fourth specimen tree, a 38” DBH Willow Oak on the opposite side of Avondale Street, is not expected to be impacted by this Application.

Forest Conservation

This Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(2). Forest Conservation Exemption 42021038E was confirmed for the Subject Property on September 23, 2020. The Project meets the particular requirements of the exemption because the proposed activity occurs on a tract of land less than 1 acre that will not result in the clearing of more than a total of 20,000 square feet of existing forest, or any existing specimen or champion tree, and will not result in reforestation requirements more than 10,000 square feet.

¹ WATER CONTACT RECREATION, PROTECTION OF AQUATIC LIFE. Waters that are suitable for: water contact sports: play and leisure time activities where the human body may come in direct contact with the surface water; fishing; the growth and propagation of fish (other than trout); other aquatic life, and wildlife; agricultural water supply; and industrial water supply.

Although this Application qualifies for a Forest Conservation Exemption under 22A-5(s)(2), the proposed removal of three specimen trees triggers the requirement for a Tree Save Plan under Section 22A-6(b) of the Forest Conservation Law. The removal of these specimen trees, as shown on the Simplified NRI submitted with the exemption request, will be mitigated with the planting of four 2.5-3" caliper canopy trees. Given the constrained site frontage, which limits the available space for replacement plantings, Staff supports the mitigation plantings as shown on the Tree Save Plan provided with the Site Plan application.

Green Cover

The Subject Property consists of a site area of 11,226 square feet which results in a green cover requirement, per Section 2.4.1(B) of the *Bethesda Downtown Sector Plan*, of at least 3,929 square feet (35% of site area). This requirement may be met through green roof, native canopy cover, or a combination thereof. The Green Cover Exhibit as shown in Figure 11 provided proposes 5,675 square feet of green cover consisting of 6" depth green roof and deeper planting areas over structure; the provided green cover exceeds the Sector Plan recommendations for green cover. Staff supports the green cover exhibit as currently proposed and conditioned in this Staff Report.

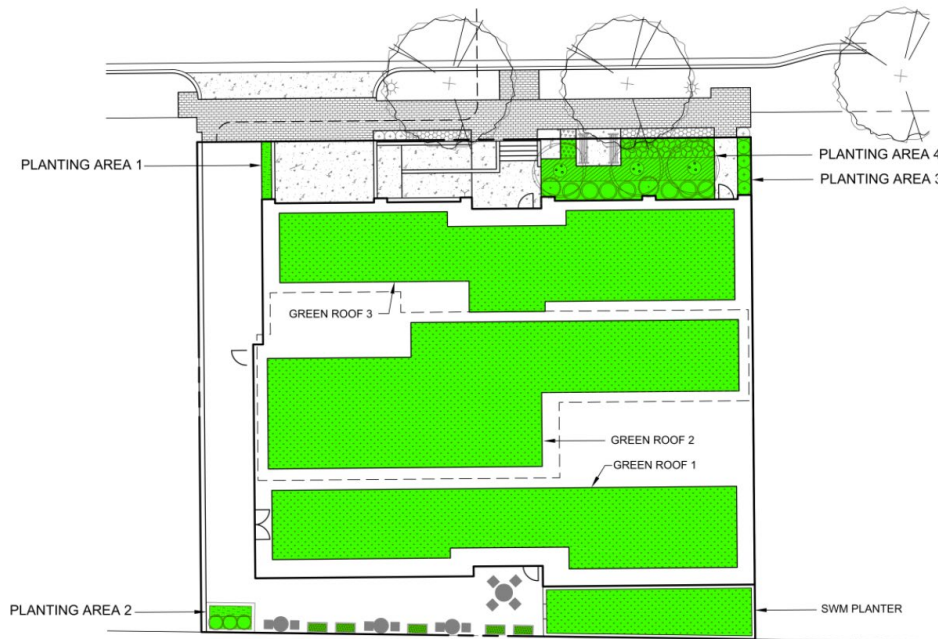


Figure 11 – Illustrative Rendering of Green Cover

Noise

The Subject Application provides residential units within 600 feet of an arterial roadway and is therefore subject to the noise regulations associated with residential development. To address development standards regarding noise mitigation, the Applicant coordinated with Polysonics Acoustics & Technology Consulting, a firm specializing in acoustics. The analysis shows that noise levels on the proposed building facades will fall below the Montgomery County Guideline of 65 dBA Ldn in all outdoor areas, and thus will require no mitigation to meet the guidelines. Polysonics further states that standard construction techniques may be used to meet the County Noise Guideline of 45 dBA Ldn for indoor areas

As conditioned, the Project will adequately mitigate interior and exterior noise for the proposed residential units.

Stormwater Management (SWM)

MCDPS Stormwater Management Section approved the Site Development Stormwater Management Plan on July 23, 2021 (Attachment C). Per the approval letter, the Project meets stormwater management requirements via Environmental Site Design to the Maximum Extent Practicable (“ESD to the MEP”) via the use of green roof and micro bioretention without the need for waivers. As conditioned, this Application will meet all applicable requirements of Chapter 19, Stormwater Management.

Transportation

Access and Circulation

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along each of Property frontage on Avondale Street, consistent with the Bethesda Streetscape Standards. The existing sidewalk will be widened to 6 feet and will be buffered from motorized traffic by a 6-foot tree panel. No designated bicycle facilities are master planned along Avondale Street. Due to the low volumes and low speeds of vehicular traffic, cyclists can comfortably travel within the roadway.

Vehicular access to the Site will occur via a consolidated curb cut on Avondale, on the western side of the Site. The consolidated curb cut, providing access to the designated loading area and the below-grade parking garage on Avondale Street limits interruption of the pedestrian realm and aligns with the County’s Vision Zero policy.

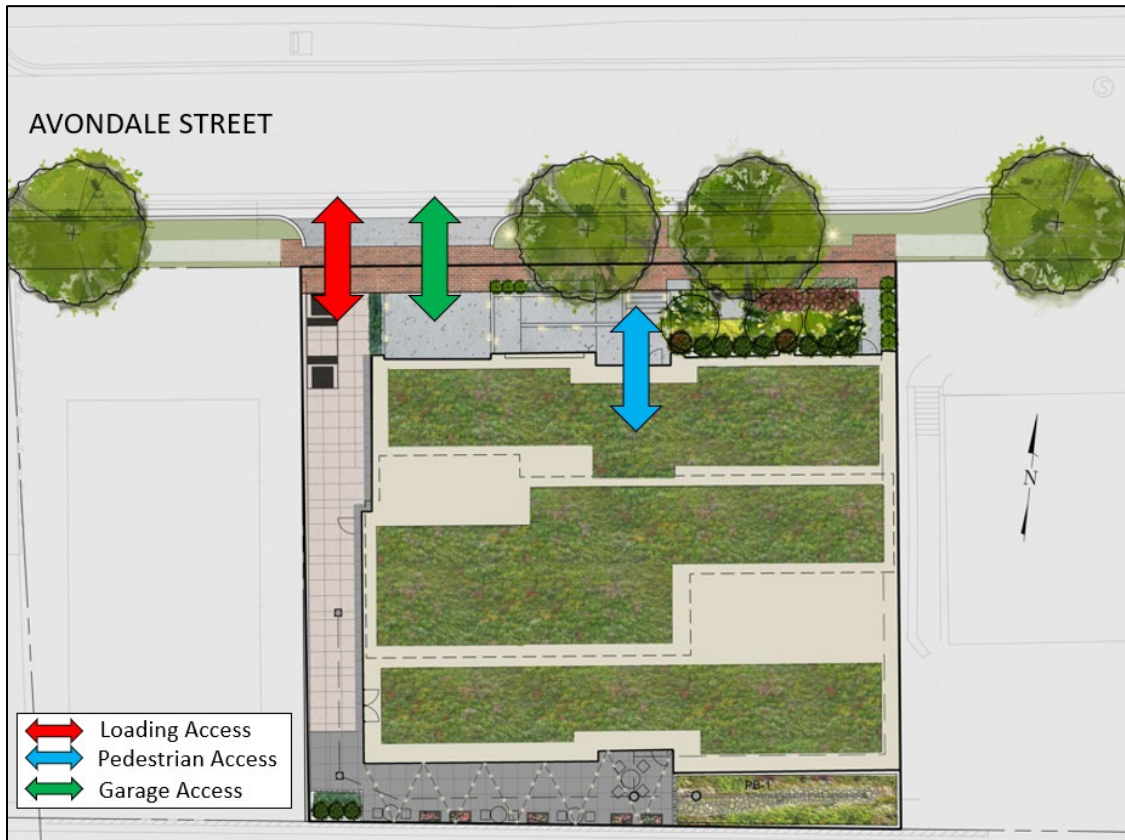


Figure 12– Pedestrian and Vehicular Circulation

The Applicant seeks a partial parking waiver pursuant to Section 59.6.2.3.H.2.a for two vehicle parking spaces. The Site is located within a Reduced Parking Area (within a CR Zone and within 1 mile of a transit station) but outside the Bethesda Parking Lot District boundary. For this reason, the Applicant must request a partial parking waiver when proposing fewer than the minimum vehicle parking spaces on-site (Section 59.6.2.10).

The Applicant proposes 29 long-term and 2 short-term bicycle parking spaces on-site, meeting the requirements of the Zoning Code. Long-term bicycle parking spaces will be located within the parking garage, accessed by a push-button, secure door. In compliance with Section 59.6.2.6.B. the bicycle parking room will be equipped with at least one outlet for every five spaces, distributed evenly to provide charging facilities for e-bikes. A bicycle repair station is also provided within the long-term parking room.

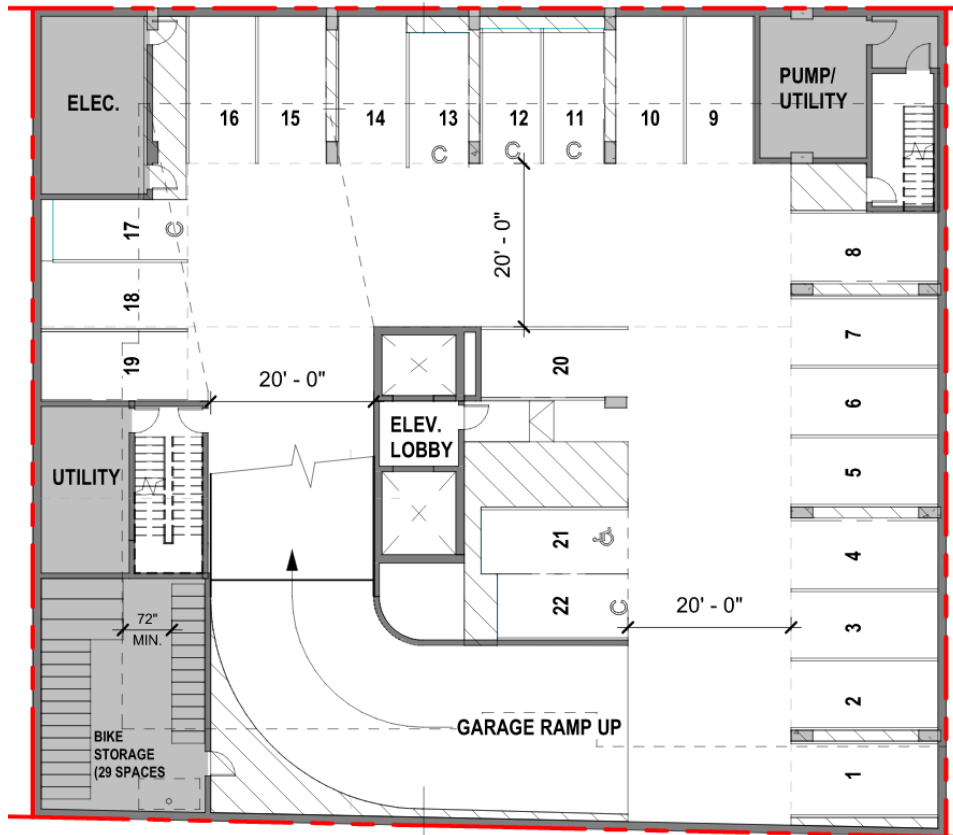


Figure 13: Parking Garage Layout Showing Bicycle Parking Room

The short-term bicycle parking spaces are located immediately adjacent to the front entrance of the Site, on the east side of the stairs to the lobby.

Loading and Curbside Management

As a multi-unit residential project with more than 50 units, the Project proposes an on-site loading facility within the building. As described previously, the loading space is accessed from the consolidated curb cut along the western side of the Site. The loading space is designed to accommodate SU-30 vehicles and will be used for deliveries, trash collection and by residents moving in and out of the building. The Applicant will be subject to a loading management plan that minimizes disruptions to Avondale Street during peak travel periods. Key elements of the loading management plan include the following:

1. The management company will oversee loading and deliveries. The management company will make staff available on-demand Monday through Friday between 7AM and 8 PM to assist with loading operations.

Outside of that time period, residents will need to electronically reserve time through the management company software for access to the loading space. Contact information for the management company for the project will be made available to all carriers and residents.

2. Adequate signage will be provided such that the loading areas is readily identifiable to carriers. The management company will monitor inbound and outbound truck maneuvers and will ensure that trucks accessing the loading area do not block vehicular, bike, or pedestrian traffic along Avondale Street except during those times when a truck is actively entering or exiting the loading dock.
3. Trash collection move ins/outs, routine deliveries will occur outside peak travel periods on Monday-Friday, 9:30 AM to 4:00 PM.
4. Carriers will be given a fob that provides access to the loading corridor only within the building to avoid loading from Avondale Street.
5. The management company will direct residents to utilize the loading area for deliveries and ride sharing pick-ups and drop-offs.

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station (located 0.1 mile the Site), Metrobus, RideOn, the Bethesda Circulator and future Purple Line.

SECTION 4: SITE PLAN ANALYSIS AND FINDINGS

ANALYSIS AND FINDINGS

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

The Site Plan conforms to all binding elements of Sketch Plan No. 320200020 and Preliminary Plan No. 120200220.

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

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

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

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

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

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

Use Standards

The proposed project proposes multi-family residential units which are permitted in the CR Zone.

Development Standards

The tract is approximately 0.26 acres or 14,586 gross square feet, zoned CR-1.5, C-0.25, R-1.5, H-70 and is within Bethesda Overlay Zone. The following Data Table shows the Application's conformance to the development standards of the zone.

Table 1: Site Plan Data Table

Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area CR-1.5, C-0.25, R-1.5, H-70 Previous Dedications	n/a	14,586 sf (0.26 ac) 3,360
	Site Area		11,226 sf (0.26 ac)
	Residential Density (GFA/ FAR)¹ CR-1.5, C-0.25, R-1.5, H-70 Maximum Dwelling Units Maximum Square Footage	n/a 21,879 sf (1.5)	Up to 60 Dwelling Units 55,000 sf (3.77 FAR) (21,879 SF Mapped Density)
	MPDU Density	15%	15% ²
	Commercial Density (GFA/ FAR)¹ CR-1.5, C-0.25, R-1.5, H-70	3,646 sf (0.25)	0 (0.00 FAR)
	Bethesda Overlay Zone Density	n/a	33,121 sf
	Maximum Total Density GFA/ FAR¹	21,879 sf (1.50)	55,000 sf (3.77 FAR)
	Building Height (max)	70 feet	70 feet
	Public Open Space (min)	0%	4%
	Green Cover	35%	50% (5,675 sf)
	Minimum Front Setback	0	11 feet
	Minimum Side Setback (East)	0	0 feet
	Minimum Side Setback (West)	0	10 feet
	Minimum Rear Setback	0	11 feet
Section 59.6.2	Parking ³	Permitted/ Required	Proposed
	Vehicle Parking Studio (14 market rate units): 3 MPDUs 1 Bedroom (36 market rate units): 6 MPDUs 2 Bedroom (1 market rate units): 0 MPDUs Total (51 market rate units): 9 MPDUs Vehicle Parking Total	12 minimum/ 17 maximum 30 minimum/ 53 maximum 1 minimum/ 2 maximum 24 minimum⁴/ 72 maximum	-- -- -- 22⁵
	Bicycle Parking (Long Term/ Short Term)	(29/1) 30	(29/2) 31
	Loading Spaces	1	1

¹ Density must not exceed maximum approval.

² The development must provide 15 percent Moderately Priced Dwelling Units (MPDUs)

³ Final number of vehicle and bicycle parking spaces to be determined at building permit based on final number of dwelling units.

⁴ Parking calculations account for 20% Bethesda Overlay Zone parking reduction in accordance with Section 59.4.9.2.C.6. MPDUs are adjusted in accordance with 59.6.2.3.1.2.b.

⁵ A parking waiver for two spaces is requested with the Subject Application.

Section 59.6.2.10 Parking Waiver

The deciding body may waive any requirement of Division 6.2, except the required parking in parking Lot District under Section 59.6.2.3.H.1, if the alternative design satisfies Section 59.6.2.1. Any request for a waiver of the vehicle parking space requirement under Section 59.6.2.4.B. requires application notice under Section 59.7.5.2.D.

The Applicant seeks a waiver for two off-street vehicle parking spaces. The minimum required number of parking spaces on-site to support the proposed 60 multifamily dwelling units is 24 and the Applicant is requesting to provide 22. Section 59.6.2.1 explains, "The intent of the vehicle and bicycle parking, queuing, and loading requirements is to ensure that adequate parking is provided in a safe and efficient manner." The requested waiver of roughly 6 percent meets this intent. The expected parking demand on-site for the proposed residential units on the Site will be significantly lower than the minimum capacity required by the Zoning Ordinance due to the proximity of imminent and existing rapid transit in the vicinity of the Site: the Bethesda Purple Line station, the existing Bethesda Red Line Metro Station, and several existing bus lines. The 29 parking spaces will provide adequate parking in a safe and efficient manner. The Applicant has complied with all noticing requirements for the parking waiver and the Applicant satisfies the necessary findings for a parking waiver.

The Bethesda Overlay Zone (BOZ)

The Bethesda Overlay Zone (BOZ) was adopted July 18, 2017, specifically to implement the recommendations of the Bethesda Downtown Sector Plan as it relates to density, building heights, affordable housing, parks, and design. The BOZ set a cap of overall development (32.4 million square feet) whereby the zoning approved for most properties retains the base density but increases the heights on respective sites. To qualify for BOZ density per Section 59.4.9.2.C.2.ii of the Zoning Ordinance, the Project must use all gross floor area allowed by the mapped CR FAR. The Subject Property is zoned the CR-1.5, C-0.25, R-1.5, H-70, which permits up to 21,879 square feet of total mapped density, 21,879 square feet of residential density. Since the Project proposes to maximize the total mapped density of 21,879 square feet and incorporates an additional 33,121 square feet of Bethesda Overlay Zone density, this qualification has been met. The Applicant is subject to a park impact payment valued at \$11.08/ square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. Based on the requested 33,121 square feet of BOZ density, the Applicant is required to make a Park Impact Payment of \$318,863.86. The Applicant is increasing the PIP by 1% (\$3,188.64), for one public benefit point, to a total PIP of \$322,052.50. The amount of density allocated from the BOZ for the Subject Application is deducted from the 32.4 million cap.

Section 4.5.4.B.4 - Form Standards

The Site Plan conforms to the intent of the form standards, including transparency, blank walls and active entrances. The Project proposes significant glass features at the ground-level for transparency as well as activating features on the ground-floor level, including a residential lobby along Avondale Street. As conditioned, the exterior architectural character, proportion, materials, and articulation must be substantially similar to the schematic elevations shown on the architectural drawings included in the Certified Site Plan, as determined by Staff.

ii. *Division 4.7. Optional Method Public Benefits*

In accordance with the Zoning Ordinance, Section 59.4.7.1., the Site Plan proposes the following public benefits to satisfy the requirements: Major Public Facilities, Connectivity and Mobility, Diversity of Uses and Activities, Quality of Building and Site Design, and Protection of the Natural Environment.

Table 2: Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Recommended
59.4.9.2.C.4.B.ii: Major Public Facilities		
Park Impact Payment	40	1
59.4.7.3C: Connectivity and Mobility		
Minimum Parking¹	20	10
Diversity of Uses and Activities		
Enhancing Accessibility For The Disabled	20	15
59.4.7.3E: Quality of Building and Site Design		
Architectural Elevations	30	15
Exceptional Design¹	30	20
Structured Parking	20	20
Public Open Space	30	4
59.4.7.3F: Protection and Enhancement of the Natural Environment		
BLTs	30	1
Energy Conservation & Generation¹	25	15
Recycling Facility Plan	10	10
TOTAL		111

¹ Denotes Sector Plan priority

Major Public Facilities

Park Impact Payment: The Applicant requests 1 point for increasing the required Park Impact Payment by 1% in accordance with Section 59.4.9.2.C.4.B.ii. Based on the Project’s requested BOZ density allocation of 33,121 square feet and associated Park Impact Payment valued at \$11.41 per square foot, the resulting Park Impact Payment is \$318,863.86. The additional Park Impact Payment for public benefit points, \$3,188.64, exceeds the required payment by 1% and is therefore eligible for 1 public benefit point. As a result of the 1% increase in Park Impact Payment, the total PIP will be \$322,052.50.

$$\begin{aligned}
 &33,121 \text{ SF BOZ Density} * \$11.41 \text{ per SF} = \$318,863.86 \text{ PIP Payment} \\
 &\$318,863.86 \text{ Base PIP Payment} * 0.01 = \$3,188.64 \text{ Major Public Facilities PIP Payment} \\
 &\$318,863.86 \text{ Base PIP} + \$3,188.64 \text{ Major Public Facilities PIP} = \$322,052.50 \text{ Total PIP} \\
 &1\% \text{ increase in PIP Payment} = 1 \text{ Public Benefit Point}
 \end{aligned}$$

Staff supports the Applicant’s request.

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 number of spaces on site. The Applicant is proposing 22 parking spaces for 60 units¹ (final unit count to be determined with the Certified Site Plan)² and is therefore eligible for 10 benefit points.

$$\begin{aligned} & [((\text{Maximum Allowed Parking}) - (\text{Parking Provided})) / \\ & ((\text{Maximum Allowed Parking}) - (\text{Minimum Parking}))] * 10 \\ & (75 - 22) / (75 - 24) * 10 = (53/51) * 10 = 10 \text{ points} \end{aligned}$$

Staff supports the Applicant's request.

Diversity of Uses and Activities

Enhanced Accessibility for the Disabled: The Applicant requests 15 points for constructing three dwelling units with interiors that satisfy American National Standards Institute A117.1 Residential Type A standards or an equivalent County standard.

$$\begin{aligned} \text{ANSI 117.1 Units (A)} &= 3 \\ \text{Total Units (T)} &= 60 \\ \text{Formula} &= (A/T) \times 300 = 15 \text{ points} \\ (3/60) \times 300 &= 15 \text{ points} \end{aligned}$$

Staff supports the Applicant's request.

Quality of Building and Site Design

Architectural Elevations: The Applicant requests 15 points for its location in a Sector Plan area and adhering to architectural elevations, included in the certified site plan, showing particular elements in the façade including signage, awnings and lighting, and design priorities of the applicable sector plan or implementing design guidelines. Staff supports the Applicant's request.

Exceptional Design: The Applicant requested 20 points for exceptional design and that request was endorsed by the Design Advisory Panel during its March 24, 2021 meeting. As a site receiving an allocation of Bethesda Overlay Zone density, the Project is required to achieve at least 10 exceptional design points, as determined by the Design Advisory Panel. Staff supports the Applicant's request.

Structured Parking: The Applicant requested 20 points structured parking as 100% of the Project's parking spaces to be provided in below grade parking garages. Staff supports the Applicant's request.

Staff supports the Applicant's request.

Public Open Space: The Applicant requests 4 points for 450 square feet of on-site public open space proposed with this Project. Staff supports the Applicant's request.

¹ 60 multifamily dwelling units comprised of: 20 studio units, 48 one-bedroom units and 1 two-bedroom units. Parking calculations require a minimum of 24 parking spaces and a maximum of 75 parking spaces.

² For the purposes of the Public Benefit Point calculations, Staff evaluated 65 on-site parking spaces would be provided with the Project.

Public Open Space Required (R) = 0 square feet
Public Open Space Provided (P) – 450 square feet
Net Lot Area (N) = 11,226 square feet
Formula: $(P/N) * 100 = 4$

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 1 point for the purchase of BLT Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the Applicant’s request.

Incentive Density = 47,707 SF
7.5% of Incentive Density = 3,578 SF
Equivalent Payment = $3,578 \text{ SF} / 31,500 \text{ SF} = 0.1136 \text{ BLT}$
 $0.11 \text{ BLT} * 9 \text{ Points Per BLT} = 1.02 \text{ points}$
= 1 point

Energy Conservation and Generation: The Applicant request 15 points for the exceeding energy-efficient standards for the building type by 17.5%. Staff supports the Applicant’s request.

Recycling Facility Plan: The Applicant requests 10 points for providing a recycling facility plan that exceeds the minimum requirements set forth in the Zoning Ordinance. The Applicant is reaching an agreement with the Montgomery County Department of Environmental Protection (MCDEP) Waste Reduction and Recycling Section. The Applicant proposes to provide dedicated recycling containers within the adjoining public streetscape, the provision of a commercial paper shredder and a cooking oil container in the trash/recycling room of the development. Staff supports the Applicant’s request for public benefit points based and pending MCDEP’s approval memorandum.

iii. Division 6.1. Site Access

Pedestrian access to the Site will be from the established sidewalk network and will be enhanced by streetscape improvements along the Property’s frontage on Avondale Street, consistent with the Bethesda Streetscape Standards.

Vehicular access to the Site will occur via a consolidated curb cut on Avondale Street on the western side of the Site. The consolidated curb cut on Avondale Street limits interruption of the pedestrian and bicycle routes and aligns with the County’s Vision Zero policy. Furthermore, the design of the driveway is such that the grade ramps up to the sidewalk grade, so that the sidewalk grade is continuous across the property frontage, thereby reminding motorists to watch for pedestrians crossing. This has the added benefit of minimizing interruption to pedestrian flow.

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

Vehicular access to the Site will occur via a consolidated curb cut on Avondales on the western side of the Site. The consolidated curb cut, providing access to the designated loading area and the below-grade parking garage on Avondale Street limits interruption of the pedestrian realm and aligns with the County's Vision Zero policy. The Applicant proposes 29 off-street parking spaces within the garage.

Loading and Curbside Management

As a multi-unit residential project with more than 50 units, the Project proposes an on-site loading facility on-site. As described previously, the loading space is accessed from the consolidated curb cut along the western side of the Site. The loading space is designed to accommodate SU-30 vehicles and will be used for deliveries, trash collection and by residents moving in and out of the building. The Applicant will be subject to a loading management plan that minimizes disruptions to Woodmont Avenue during peak travel periods. Key elements of the loading management plan include the following:

1. The management company will oversee loading and deliveries. The management company will make staff available on-demand Monday through Friday between 7AM and 8 PM to assist with loading operations. Outside of that time period, residents will need to electronically reserve time through the management company software for access to the loading space. Contact information for the management company for the project will be made available to all carriers and residents.
2. Adequate signage will be provided such that the loading areas is readily identifiable to carriers. The management company will monitor inbound and outbound truck maneuvers and will ensure that trucks accessing the loading area do not block vehicular, bike, or pedestrian traffic along Avondale Street except during those times when a truck is actively entering or exiting the loading dock.
3. Trash collection move ins/outs, routine deliveries will occur outside peak travel periods on Monday-Friday, 9:30 AM to 4:00 PM.
4. Carriers will be given a fob that provides access to the loading corridor only within the building to avoid loading from Avondale Street.
5. The management company will direct residents to utilize the loading area for deliveries and ride sharing pick-ups and drop-offs.

v. *Division 6.3. Open Space and Recreation*

The Site proposes 14,586 square feet within the CR Zone, therefore, no on-site public space is required, however the Applicant proposes 450 square feet of public open space, which will be located adjacent to the public right-of-way along the Sites primary frontage. The Project proposes 60 multifamily dwelling units. Section 59-6.3.9 of the Zoning Ordinance requires that any building containing 20 or more dwelling units must offer recreational facilities in accordance with M-NCPPC's Recreation Guidelines. The project proposes to meet the facility requirements by providing an array of recreational facilities.

vi. *Division 6.4. General Landscaping and Outdoor Lighting*

Landscaping and lighting, as well as other site amenities, will be provided to ensure that these facilities will be safe, adequate, and efficient for year-round use and enjoyment by residents and visitors. The Project will transform the existing streetscape along the Avondale Street

frontage with new street trees, wider sidewalks, and street lighting. The on-site lighting will limit the necessary light levels to streets and sidewalks.

As shown in the Development Standards table, the Site Plan meets all general requirements and development standards of Section 59.4.5 of the Zoning Ordinance, the optional method public benefits provisions of Section 59.4.7, and the general development requirements of Section 59.6.

e. *satisfies the applicable requirements of:*

i. *Chapter 19, Erosion, Sediment Control, and Stormwater Management; and* MCDPS Stormwater Management Section approved the Site Development Stormwater Management Plan on July 23, 2021. Per the approval letter, the Project meets stormwater management requirements via Environmental Site Design to the Maximum Extent Practicable (“ESD to the MEP”) via the use of green roof and micro bioretention.

ii. *Chapter 22A, Forest Conservation.*

The Application meets the requirements of Chapter 22A of the Montgomery County Code. A Forest Conservation Exemption request, designated Plan No. 42021038E, was confirmed on September 23, 2021. The Site is exempt from Article II of the Forest Conservation Law because the Project Site is less than 1 acre and the proposed development will not result in the clearing of more than a total of 20,000 square feet of existing forest, and will not result in reforestation requirements of more than 10,000 square feet.

As development proposes the removal of three specimen trees as previously described, this Application is subject to the Tree Save Provision under Forest Conservation Law section 22A-6(b). The Applicant has provided a Tree Save Plan which shows mitigation for this removal in the form of four canopy trees. As conditioned, this Application satisfies all requirements of Chapter 22A, Forest Conservation.

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

The Project provides adequate, safe, and efficient parking and circulation patterns. Vehicular access to the Site will occur via Avondale Street through a consolidated access point on the western side of the Site. The Project will be further regulated through the use of a loading management plan to limit disruptions caused by loading operations. The building’s main pedestrian entrance is central to the building and is accessed from Avondale Street.

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

The Project is in general conformance with the 2017 *Bethesda Downtown Sector Plan*.

The 2017 *Bethesda Downtown Plan* Design Guidelines delineates this Property within the ‘Expanded Center of Activity,’ along the east side the Wisconsin Corridor. The *Sector Plan* recommends ‘increased building heights appropriate to surrounding context,’ within the expanded centers of activity as noted by the Plan (Guidelines, p. 70) and then recommended rezoning the subject Property to its current CR-1.5, C-0.25, R-1-5, H-70 zoning classification ‘to

provide flexible development opportunities near the core of Downtown Bethesda and still maintain compatibility with its surrounding neighborhood (Guidelines, p. 100).

The Preliminary Plan No.: 120200220 approved the consolidation of the lots and the design of the building proposed by the Project seeks to provide a development ideal for the transitional area providing more housing opportunities near the Bethesda Metro Station.

As proposed, the building satisfies the vision outlined in the Plan through adding to the mix of housing options in close proximity to employment, retail offerings and existing and contemplated recreation opportunities of Downtown Bethesda. Sustainable design is an integral theme of the Plan and focuses on additional density in a walkable, transit-oriented areas such as the location of this Project. This project proposes greater density through the increased height that was recommended by the Plan and implemented by rezoning.

This Project seeks to meet or exceed multiple recommendations of the Plan. These recommendations include a green roof on more than 35% of the rooftop (Plan, p 15,16 and 90), incorporating environmental site design strategies such as stormwater planters and green roof (Plan, p. 62) and enhancing the area's affordable housing in proximity to transit station (Plan, p. 25, 32 and 97).

The Project is also located within the High-Performance Area of Downtown Bethesda. Per the recommendations of the Plan, optional method project in the High-Performance Area should be approved only if it achieves the maximum amount of public benefit points allowed for constructing buildings that exceed energy-efficiency standards for the building type (Plan, p. 66). The proposed building will exceed energy-efficiency standards for the building type by 17.5%.

Finally, the development pattern is consistent with the recommended 'Illustrative Potential Development,' (as illustrated in Figure 8) proposed in the Plan for the subject Property. The setback as proposed will initiate a development pattern envisioned by the Plan for Avondale Street and enhance a pedestrian friendly environment by defining the sidewalk and adding more activity to the street.

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

As discussed in the associated Preliminary Plan approval (MCPB No. 20-123), the development will be served by adequate public facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public facilities.

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

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

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

The Project seeks to achieve harmony with its site, neighborhood context and location within the urban core through proportion and architectural character. The proposed scale and massing are characteristic of a transitional area development between a very high-density area to the south and a lower density area to the north. The Project responds to the existing neighborhood context and the architecture is articulated with setback and offsets in the massing to reduce the scale of the building along the street. The Project incorporates frontage improvements as outlined in the Bethesda Downtown Plan Design Guidelines and the street level facades enhance the public realm.

Avondale is the first redevelopment to come forward on the block and, therefore, the first development to realize the vision set forth in the Plan for the south side of Avondale.

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

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

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

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

SECTION 5: CONCLUSION

Community Outreach

The Applicant held a pre-submittal public meeting on February 23, 2021 at 7:00 PM. This meeting was held in a virtual format due to the COVID-19 Pandemic. The Applicant has complied with all submittal and noticing requirements. As of the date of this Staff Report, Staff has not received correspondence on the Subject Application.

Conclusion

As conditioned, the Site Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan* and *Bethesda Downtown Design Guidelines*. Therefore, Staff recommends approval of the Site Plan with the conditions specified at the beginning of this report.

ATTACHMENTS

- A. Sketch Plan resolution
- B. Preliminary Plan resolution
- C. Design Advisory Panel Memorandum
- D. Agency Letters

