

4901 BATTERY LANE SKETCH PLAN

Description

Request for up to 420,528 square feet of density for a multifamily development with 15% MPDUs, including up to 281,865 square feet of BOZ density and associated PIP payment

No. 320220040

Completed: 12.23.2022

MCPB

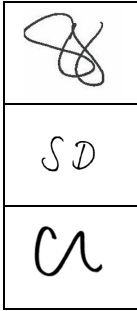
Item No. 6

01.06.2022

2425 Reddie Drive

Floor 13

Wheaton, MD 20902



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LOCATION:

Located on the north side of Battery Lane approximately 450 west of Woodmont Avenue

MASTER PLAN & ZONE

CR-1.5 C-0.5 R-1.5 H-120' and Bethesda Overlay Zone (BOZ) subject to the 2017 *Bethesda Downtown Sector Plan*

PROPERTY SIZE

2.12 tract acres

APPLICATION

WC Smith Development

ACCEPTANCE DATE:

October 6, 2021

REVIEW BASIS:

Chapter 59



Summary:

- Staff recommends **approval** with conditions.
- The Proposal will redevelop a Property containing two garden style apartment buildings with a new 12-story multifamily building with up to 399 units with 15% MPDUs.
- The Application includes 281,865 square feet of Bethesda Overlay Zone Density.
- The Proposal will provide two Sector-Planned pedestrian-only through block connections.
- An administrative extension request was approved, extending the review period from December 30, 2021 to January 30, 2021.
- If the Sketch Plan is approved, the Project will require subsequent Preliminary and Site Plan applications.
- No community correspondence has been received for the Project.

SECTION 1: RECOMMENDATIONS AND CONDITIONS

SKETCH PLAN 320220040

Staff recommends approval of 4901 Battery Lane, Sketch Plan No. 320220040, for up to 420,528 square feet of density for a multifamily development with 15% MPDUs, including up to 281,865 square feet of BOZ density and associated PIP payment on 2.12 acres, zoned CR-1.5 C-0.5 R-1.5 H-120' and within the Bethesda Overlay Zone, and within the 2017 *Bethesda Downtown Sector Plan*. The following site development elements shown on the latest electronic version as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the conditions below:

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

All other elements of the Sketch Plan are illustrative and subject to refinement at the time of Site Plan. This approval is subject to the following conditions:

1. Density

The Sketch Plan is limited to a maximum of 420,528 total square feet of residential development, including 15% MPDUs, and up to 281,865 square feet of Bethesda Overlay Zone (BOZ) Density. The maximum number of dwelling units will be determined at Site Plan.

2. Height

The development is limited to a maximum average building height of 120 feet, as measured from the building height measuring point to be illustrated on the Certified Site Plan.

3. Incentive Density

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

- a) Diversity of uses and activities, achieved by providing enhanced accessibility for the disabled;
- b) Connectivity and Mobility, achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and two through-block connections;

- c) Quality of Building and Site Design, achieved through architectural elevations, exceptional design, structured parking, and tower stepback; and
- d) Protection and Enhancement of the Natural Environment achieved through the purchase of building lot terminations, cool roof, and energy conservation.

4. Park Impact Payment

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

5. Streetscape

- a) The Applicant must install the Bethesda Streetscape Standard along the entire Site Frontage, including the undergrounding of utilities, as modified to accommodate any bus stop required by MCDOT.
- b) The Applicant must provide a double row of trees along the Battery Lane Site frontage, as shown in the Sketch Plan, unless a PUE or bus stop is required by MCDOT.
- c) The Applicant must provide a 7-foot minimum wide sidewalk and a 7-foot minimum wide tree buffer along the Battery Lane Site frontage.

6. Through Block Connection

The Applicant will design and construct two of the master-planned pedestrian connections envisioned for the Battery Lane District: one along the east side of the Site and one along the north (rear) of the Site. The east side connection shall be a minimum of 8 feet in width and the northern connection shall be a minimum of 10 feet in width, with the paving material to be finalized at Site Plan. Both connections will be ADA accessible.

7. Green Cover

At the time of Site Plan, the Applicant must provide on-site a minimum 35% of the site area as green cover, as described in Section 2.4.1 of the Bethesda Downtown Sector Plan and any proposed tree canopy must utilize tree species and canopy sizes at 20-year maturity per the M-NCPPC Approved Trees Technical Manual.

8. Bethesda Downtown Plan Design Guidelines

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

- a) Comments have been addressed from the Design Advisory Panel as specified in their September 22, 2021 meeting minutes; and

- b) Project conformance with the Bethesda Downtown Plan Design Guidelines in regards to street typology, parks and open space, site design, building form, creative placemaking, and any site-specific guidelines.
9. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated November 30, 2021, 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.
10. Future Coordination for Preliminary and Site Plan
- In addition to any other requirements for Preliminary Plans under Chapter 50 and Site Plans under Chapter 59, the following must be addressed when filing a Preliminary or Site Plan, as appropriate:
- a) Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
 - b) SWM concept approval which also addresses the recommendations of the Bethesda Downtown Sector Plan Water Quality Section (2.4.2.B);
 - c) Address Bird-Safe Design per the Bethesda Downtown Sector Plan Design Guidelines;
 - d) At the time of Preliminary Plan provide a noise analysis and/or request a waiver per Section 2.2.2 of the 1983 Noise Guidelines for the residential use;
 - e) At the time of Preliminary Plan, the Applicant will be required to dedicate an additional 10 feet of right-of-way from the centerline of Battery Lane to comply with the master-planned ROW total width of 70 feet;
 - f) The Applicant will include a detailed cross section for the total width of Battery Lane along the Site frontage at the time of Preliminary Plan;
 - g) Submit truck-turning templates with the Site Plan.
 - h) At the time of Site Plan, refine the streetscape improvements along the Site frontage on Battery Lane, in compliance with the 2017 Bethesda Downtown Streetscape Design Guidelines; and
 - i) Draft a Level 3 Results Transportation Demand Management Plan, per Section 42-A-25(b)(3) of County Code.

SECTION 2: VICINITY & SITE DESCRIPTION

VICINITY

The surrounding uses along Battery Lane are predominantly mid-rise residential buildings varying from three stories to ten stories in height. Directly to the west of the Subject Property is the recently constructed Sunrise of Bethesda (senior living). To the east is a four-story garden style apartment building. To the north of the Site is the beginning of the National Institutes of Health (NIH) Campus. Battery Lane Urban Park is located to the south west the Project.

BATTERY DISTRICT SKETCH & PRELIMINARY PLAN

On the north and south side of Battery Lane are 6 sites included in the approved Battery District Sketch Plan (320190080) and Preliminary Plan (120190140)¹, shown in blue shading in Figure 1 below, which recently received Planning Board approval for mixed use redevelopment of each of the sites totaling 1,752,000 square feet of density. The Battery Lane District Preliminary Plan established a roadway design for Battery lane which includes separated bicycle lanes and enhanced street trees, discussed in more detail in Section 3, Transportation. Although these approvals are separate from the proposed Sketch Plan application, we have highlighted them for context and the Battery Lane District approvals established a roadway design that all properties that redevelop along Battery Lane will need to adhere to. The Battery Lane District Sketch and Preliminary Plan resolutions are included as Attachment E.

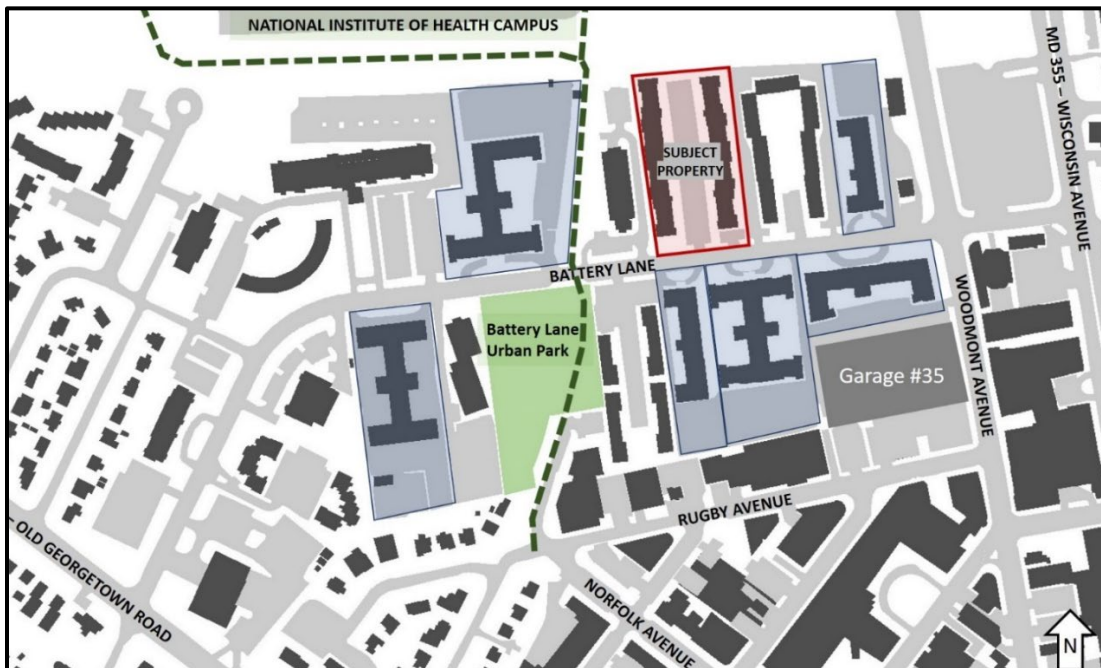


Figure 1 – Vicinity Map, Subject Property highlighted in red, Battery Lane District Sketch Plan highlighted in blue

¹ Battery Lane District Preliminary Plan only included 5 of the 6 sites from the associated Sketch Plan.

PROPERTY DESCRIPTION

The subject site (Subject Property, Property, or Project) consists of lots 26, 49, & 50 originally created in 1910 by Plat No. 134, “Northwest Park”, located on the north side of Battery Lane between Woodmont Avenue and Old Georgetown Road. The Project has a total tract area of 2.12 acres. The Property is currently improved with two garden style apartment buildings and associated parking, accessed by two curb cuts off of Battery Lane.



Figure 2 – Subject Property

The Property is within the area encompassed by the 2017 *Bethesda Downtown Sector Plan* (Sector Plan), specifically the Battery Lane District. The Project is located approximately ½ mile north of the Bethesda Metrorail Station and approximately ½ mile south of the Medical Center Metrorail Station. The Project is not within the Parking Lot District or the Bethesda Urban District.

SITE ANALYSIS

The Subject Property is located within the Rock Creek watershed which is a Use I² watershed. The Site is not associated with any areas of forest, or 100-year flood plains, however minor areas of steep slopes (greater than or equal to 20%) overlap the Property line along the northwest edge. Additionally, the northwest corner of the site is overlapped by an area of stream valley buffer associated with an offsite stream. Trees are found throughout the site although most trees within the bounds of the Property are sized below 24" in diameter-at-breast-height (DBH). The Property does contain one significant tree, measuring at least 24" but less than 30" DBH, as well as two specimen trees which measure at least 30" DBH. Additional specimen trees lie offsite within the stream valley buffer area to the north. The soils associated with the Property are classified generally as urban land and silt loam, neither of which are highly erodible or otherwise sensitive. There are no known rare, threatened, or endangered species on site. There are no known historic properties on or near the site.

² Use I-P:

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.

SECTION 3: PROJECT DESCRIPTION

PROPOSAL

The Applicant proposes to redevelop the Site with a new multifamily residential development with structured parking. The Applicant envisions up to 399 units with 15% MPDUs within a new 120-foot-tall building. The Proposal will also provide two through block connections, right-of-way dedication, undergrounding of utilities, and improved streetscape as established by the Battery District Sketch Plan and Preliminary Plan.

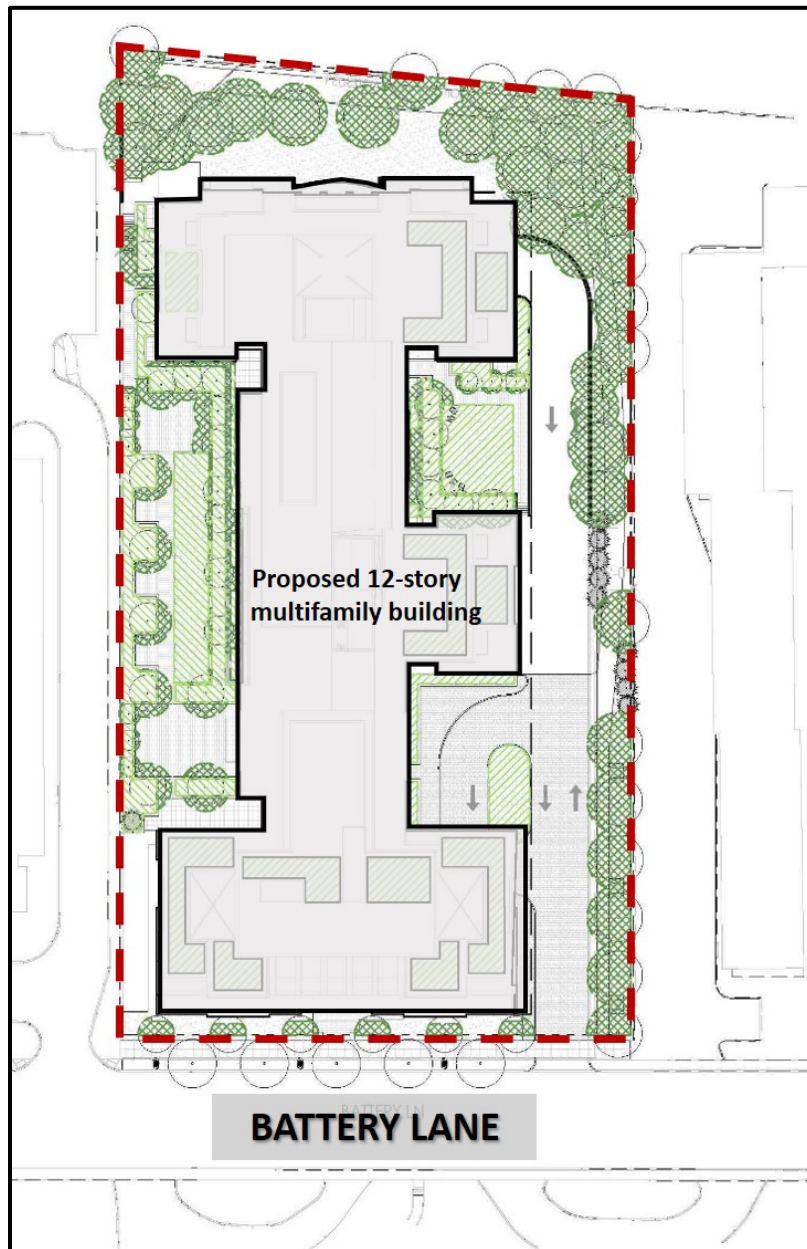


Figure 3 – Rendered Sketch Plan Proposal

BUILDING/ARCHITECTURE

The proposed massing will be set back approximately 25 feet from the Battery Lane curb and provide a defined three-story base lining Battery Lane with a stepback, six-story middle with an additional stepback at the 10th story, and tower above for a total of 12 stories. As the massing moves into the Site, the linear orientation will provide a courtyard space along the western Property line, and the eastern side will provide internal garage and loading access, and a pickup/dropoff area, as well as a north/south through block connection to the rear. The massing again becomes wider at the rear of the Property and will provide a 45-foot setback from an east/west through block connection in the rear.

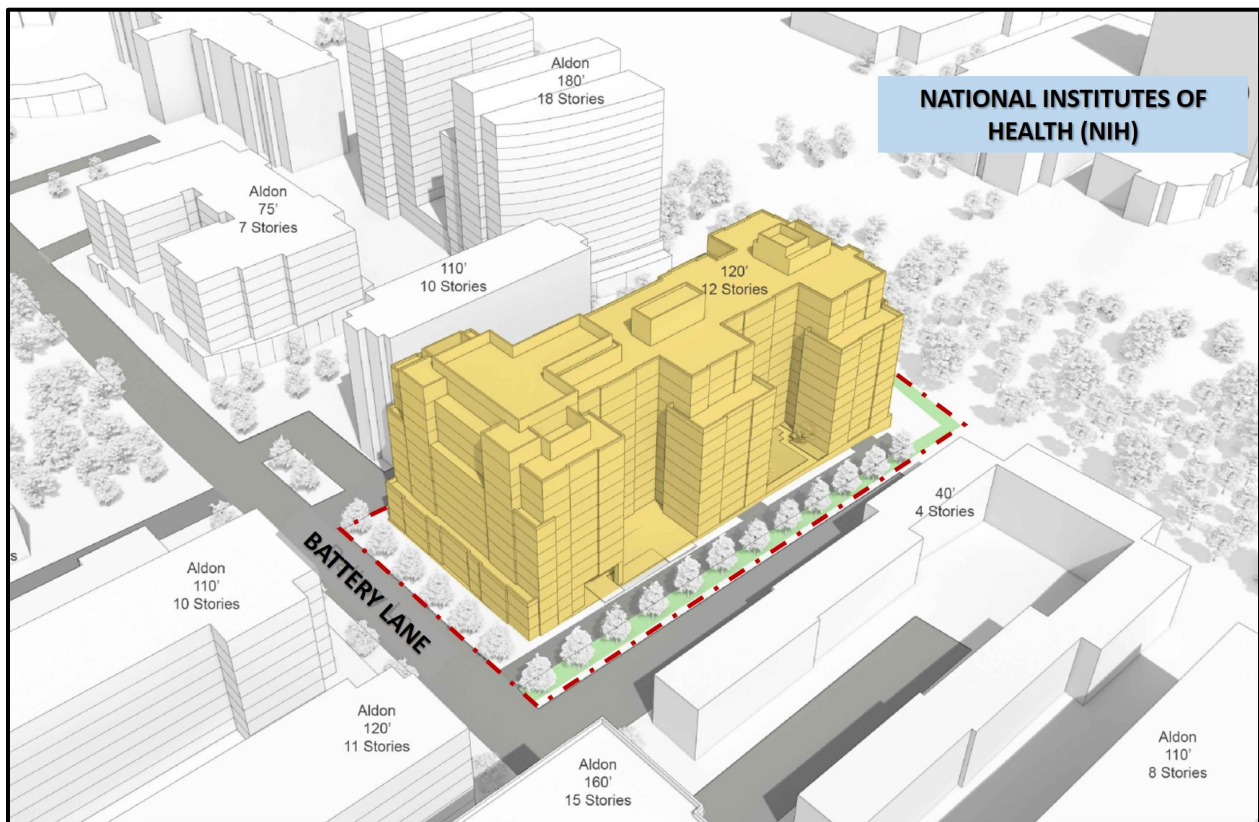


Figure 4 – Aerial Perspective looking into Site to the north

OPEN SPACE

With a tract area of 2.12 acres and one street frontage, the Applicant is not required to provide onsite public open space. Regardless, the Applicant will provide two public, pedestrian-only through block connections through the Site, which are described in further detail below.

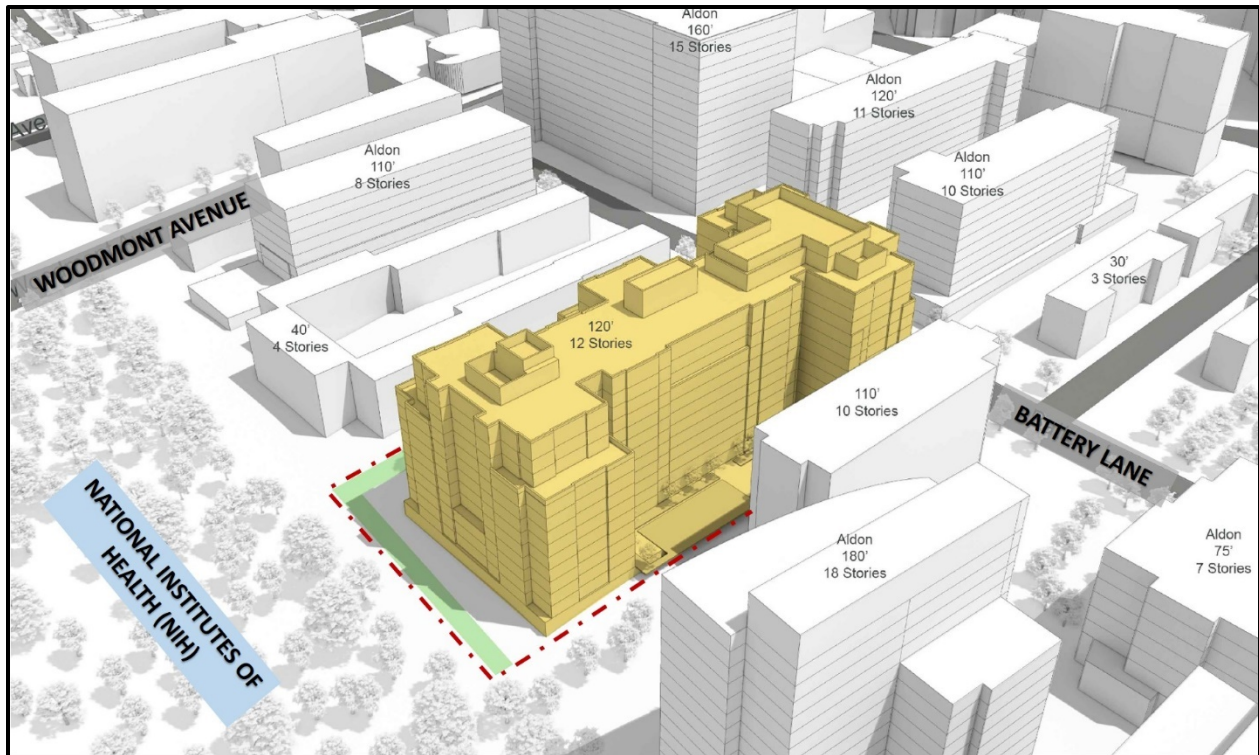


Figure 5– Aerial Perspective looking into Site to the south

TRANSPORTATION

Access and Circulation

All access to the Site will be provided from Battery Lane. The Sketch Plan proposes consolidating the two (2) existing curb cuts to a single, new one on the east side of the Site. The new full-movement driveway will provide access to an on-site pick-up/drop-off area, the required on-site loading³ and trash collection areas, and the on-site parking structure (Figure 6). The final design of the loading area and parking structure will be further refined and evaluated at the time of Site Plan. The Applicant indicates that the parking garage will consist of 322 vehicle spaces, which is more than the minimum (272) and fewer than the maximum (521 spaces). The final number of vehicular spaces will be determined at the time of Site Plan.

³ The Project proposes 399 dwelling units. Any project that includes upwards of 50 dwelling units (Section 59-6.2.8.B.1.) must provide one off-street loading space in compliance with the design standards of Section 59-6.2.8.C.

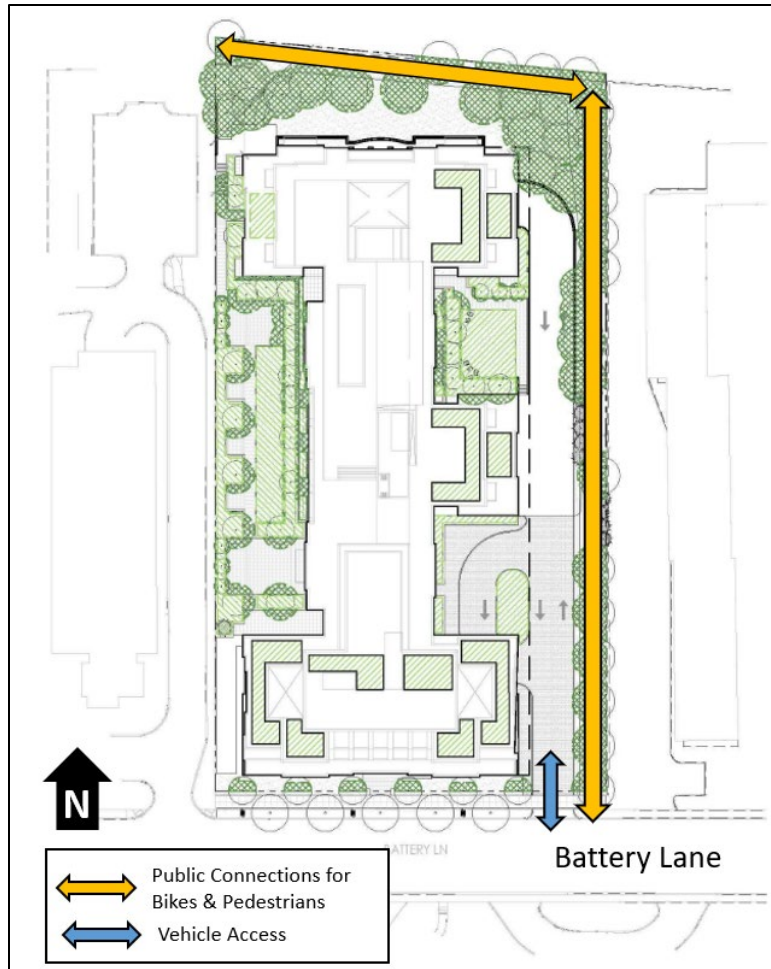


Figure 6 – Proposed Access and Circulation

Master-Planned Bikeways and Public Connections

The Sketch Plan also demonstrates conformance with the 2017 *Bethesda Downtown Sector Plan* by providing two of the master-planned Public Connections within the Battery Lane District; one that runs along the east side of the Site and another along the north (rear) of the Site, which ultimately connects to the North Bethesda Trolley Trail (modified page 69 of the Sector Plan included in Figure 7 below). The final design of the pathways will be determined at Site Plan, but as shown on the Sketch Plan the Applicant proposes to build both segments 10-feet wide, which is the minimum required for shared use paths in the County. The Applicant also proposes ample tree canopy along the public connections.

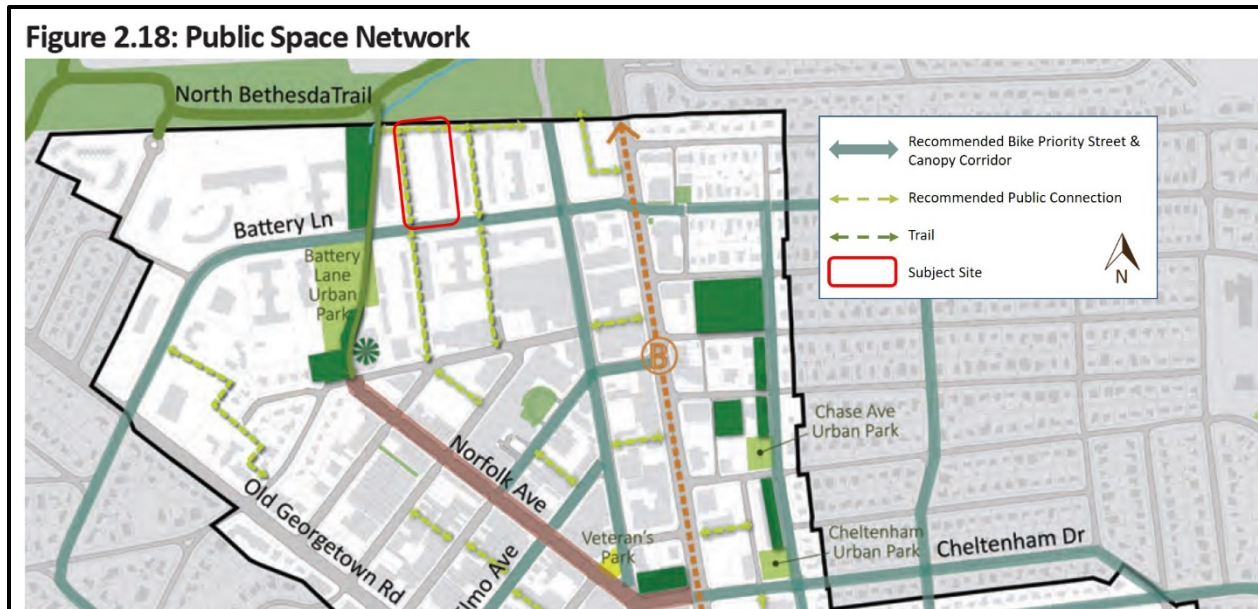


Figure 7 – Modified Public Space network map from the Sector Plan (pg 69)

The Subject Site is located along a master-planned Bike Priority Street and within the Sector Plan’s designated canopy corridors. The 2017 *Bethesda Downtown Plan Design Guidelines* recommend that streets within the canopy corridors provide the maximum sidewalk width possible and consider opportunities for double rows of trees (page 32). The Applicant is showing a double row of trees along the Battery Lane Site frontage and staff encourages the Applicant to keep this vegetative element as the streetscape improvements are finalized with the future Site Plan. The Sketch Plan also shows a 7-foot sidewalk buffered by a 7-foot tree lawn, which falls within the range of widths required for the Sidewalk Zones per the 2017 *Bethesda Downtown Plan Design Guidelines*. The Applicant will also be required to underground the existing overhead utilities along the Site frontage.

The 2018 *Bicycle Master Plan* also includes a separated bikeway along Battery Lane between Old Georgetown Road and Wisconsin Avenue. The Planning Board made a determination for the ultimate design, alignment and placement of the master-planned bikeway when they approved the Battery Lane District on April 23, 2020 (Preliminary Plan No. 120190240). The Board resolved that the two-way separated bikeway would be installed on the south side of Battery Lane. The ultimate cross section of Battery Lane is included in Figure 8.

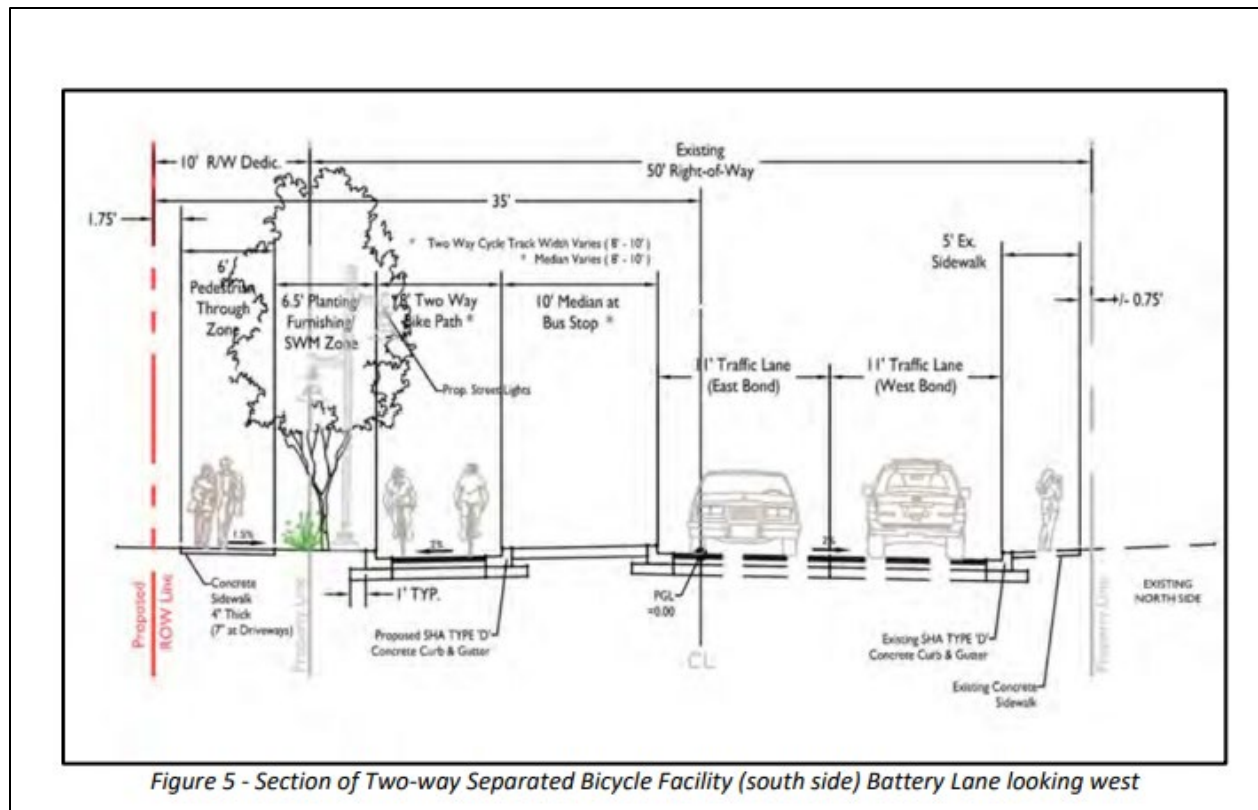


Figure 8 – Approved Cross Section for Battery Lane District Preliminary Plan 120190140

Given the approved cross section for Battery Lane, the Applicant will not be required to install a bikeway along the Site frontage. Future submission of the Preliminary Plan will include a cross section of Battery Lane showing any necessary right-of-way dedications and demonstrating how the frontage improvements for the Site will not hinder the installation of the master-planned bikeway on the south side of Battery Lane.

Transit Connectivity

The immediate area is well served by transit that includes the Red Line Bethesda Metrorail Station, several Metrobus and RideOn Stops (one located immediately east of the Site), bus stops served by the Bethesda Circulator, as well as the future Purple Line station.

Transportation Demand Management

As a project proposing a total square footage that is larger than 40,000 square feet within the Bethesda Transportation Management District (TMD), a Red Policy Area as designated by the 2021 *Growth and Infrastructure Policy*, the development is required to develop a Level 3 Results Transportation Demand Management (TDM) Plan with the Planning Board and MCDOT. The Applicant will also be required to participate in the Bethesda Transportation Management District (TMD). Specific details of the agreement will be determined at Preliminary Plan.

Adequate Public Facilities

Adequate Public Facilities (APF) review will be conducted at the time of Preliminary Plan. Although the Application does not require a formal APF transportation review at Sketch Plan, Staff is including the following illustrative summary of transportation impacts (Table 1), provided by the Applicant and modified by Planning Staff to reflect maximum densities requested in the Application. As a potential development with 399 mid-rise dwelling units, the Project is estimated to generate 193 total peak hour person trips in the morning and 165 total peak hour person trips in the evening. After accounting for peak hour trips currently associated with the existing 87 mid-rise multifamily units on the Site, (47 morning peak hour trips and 59 evening peak hour trips), the Project is estimated to generate 146 net new morning peak hour trips and 165 net new evening peak hour trips. As a result of the estimated transportation impact, the Project must submit a Transportation Impact Study with the Preliminary Plan to satisfy the Local Area Transportation Review (LATR).

Table 1 – Battery Lane Estimated Person Trip Generation

Land Use	Morning Peak Hour	Evening Peak Hour
Existing (credit)		
Residential Mid-Rise Multifamily 87 units	47	59
Proposed		
Residential Mid-Rise Multifamily 399 units	193	224
Net New Person Trips		
	146	165

Source: Transportation Statement by Wells & Associated dated November 10, 2020

Travel Mode Adequacy Test

The 2021 Subdivision Staging Policy requires evaluation all transportation modes, including: auto-drive, transit, walking and biking. Mode-specific adequacy tests are required for any project estimated to generate 50 or more net new peak hour person trips. The one exception is that projects within Red Policy Areas (such as the Subject Site) are not required to evaluate motor vehicle adequacy. The adequacy tests for transit, pedestrians, and bicyclists are still required. The mode split of the total person trips for the Project are summarized by travel mode in Table 2. The Project's estimated transportation impact necessitates that the Transportation Impact Study evaluate three of the four travel mode adequacy tests.

Table 2 – 4901 Battery Lane Trip Estimate by Mode

	Total Person-Trips	Auto-Driver	Transit	Pedestrian ⁴	Bicycle
Morning Peak Hour	146	74	18	42	24
Evening Peak Hour	165	84	19	46	27

Source: Transportation Statement by Wells & Associated dated November 10, 2020

- As the Site is located within a Red Policy area, a motor vehicle adequacy test is not required for the Project.
- Transit system adequacy will be evaluated by inventorying two (2) bus stops located within 1,000 feet of the Property. Where shelters and associated amenities are not provided, the Applicant must install the standard amenities in coordinating with MCDOT.
- Pedestrian system adequacy will be evaluated within 750 feet of the Property. The Applicant will coordinate with Planning Staff and MCDOT to define the scope of the Pedestrian Level of Comfort Analysis, Street Lighting review, and ADA compliance.
- Bicycle system adequacy will be evaluated by analyzing bikeways within 750 feet of the Property. Mitigation may be required to achieve a Level of Traffic Stress 2 (LTS-2) or lower, consistent with the Bicycle Master Plan.

ENVIRONMENT

The Subject Property is located within the Rock Creek watershed, which is a Use I watershed. The Site does not contain areas of forest, wetlands, or 100-year floodplains, but is associated with environmentally sensitive features which include a 100-foot stream valley buffer as well as minor areas of slopes equal to or greater than 25%. The Site also houses significant and specimen trees with additional specimen trees located just offsite to the north.

As recommended by the Sector Plan, the Site includes an east-west through-block connection, located at the rear of the Property, which is proposed to tie into a larger network connecting Woodmont Avenue to the Bethesda Trolley Trail. At the west end of this proposed connection, the 10-foot-wide path briefly coincides with the existing stream valley buffer. The Montgomery County Environmental Guidelines has specific language regarding stream valley protection; page 17 of the Environmental Guidelines states that “no buildings, structures, impervious surfaces, or activities requiring clearing or grading will be permitted in stream buffers, except for infrastructural uses, bikeways, and trails found to be necessary, unavoidable, and minimized.” To better balance the Sector Plan recommended connection with the County Environmental Guidelines, the Applicant has proposed a 15-foot-wide landscaped area, populated with canopy trees, to encompass the through-

⁴ Pedestrian trips are calculated by adding non-motorized and transit trips.

block pathway; further, the through-block path is proposed to be permeable asphalt within the stream valley buffer area. Given that the area of onsite stream buffer is minor, and the Applicant's proposal includes extensive landscaping and efforts to increase permeability, the current proposal meets the intent of Environmental Guidelines while providing the recommended pedestrian facilities.



Figure 9: Stream Buffer and Specimen Trees

Forest Conservation

All properties seeking approval of a Sketch Plan after February 26, 2018 must obtain approval of a Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) or Forest Conservation Exemption prior to Planning Board action on the Sketch Plan. Accordingly, an NRI/FSD was approved for the Subject Property on October 1, 2021. The plan, designated No. 420220090, identifies the existing man-made and natural features associated with the Property, such as the buildings, associated parking,

street trees and landscape elements. As described above, the on-site setting includes significant and specimen trees located near the site edges while the existing residential buildings and surface parking area make up most of the Site. There are no rare, threatened, or endangered species, no stream/buffers, or steep slopes on Site. There are no historic or cultural properties onsite.

Although there is no forest on-site or adjacent to the Property, a Forest Conservation Plan will be submitted as part of the future Preliminary/Site Plan submissions. Due to tract area, associated offsite work, and the residential designation of this project, Staff anticipates that a minor afforestation requirement will be associated with the future Forest Conservation Plan. Additionally, due to the location of significant trees on and near the Subject Property, the future Applications associated with this site will likely require a forest conservation variance for impact to trees that measure 30 inches DBH or greater.

Green Cover

The Sector Plan includes a number of recommendations to achieve the urban green goals. An important recommendation to this effect is the on-site 35% green coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper) or tree canopy cover. The Application consists of a Site Area of 84,990 square feet (SF) which results in a green cover requirement of at least 29,746 SF. Currently, the Application proposes to meet this requirement through tree canopy as well as an 8-inch-deep green roof. The green cover provided by tree canopy is currently 15,996 SF while the proposed green roof provides an additional 13,650 SF. These figures exactly meet the required size of 29,746 SF, with the final design to be confirmed at the Site Plan stage of the Application. The Applicant should continue to maintain at least this level of green cover as the Project evolves in order to maintain compliance with the Sector Plan's urban green goals.

Noise

The Project proposes residential units to be built adjacent to arterial roadways and would therefore be subject to a noise analysis needed at time of Preliminary Plan submission. However, a waiver may be submitted per Section 2.2.2 of the 1983 Noise Guidelines.

Stormwater Management

Although a stormwater management concept plan is not required at Sketch Plan, the Applicant has provided a concept stormwater management narrative. This narrative describes the proposed on-site stormwater management for the project as using Environmental Site Design (ESD) to the maximum practicable extent via planter-box style micro-bioretenention facilities and 8-inch green roof facilities. Final treatment methods and/or waivers will be determined at Preliminary and Site Plan. Submission and approval of the stormwater management concept to the Department of Permitting Services is required at Site Plan and will be further evaluated at that time.

SECTION 4: SKETCH PLAN 320220040 FINDINGS AND ANALYSIS

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

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

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

Table 3 – 4901 Battery Lane Sketch Plan Data Table

Section 59.4	Development Standard	Permitted/ Required	Proposed
	Tract Area	n/a	92,442 sf (2.12 acres)
	Prior Dedication	n/a	5,316 sf (0.122 acres)
	Proposed Dedication	n/a	2,136 sf (0.049)
	Site Area	n/a	84,990 sf (1.95 acres)
	Mapped Density		
	CR-1.5 C-0.5 R-1.5 H-120		
	Residential (GFA/FAR)	138,663 sf (1.5)	138,663 sf (1.5)
	Commercial (GFA/FAR)	46,221 sf (0.5)	0
	Total Mapped Density (GFA/FAR)	138,663 sf (1.5)	138,663 sf(1.5)
	BOZ Density	n/a	281,865 sf
	Total GFA/FAR		420,528 sf (4.55)
	MPDU requirement	15%	15%
	Building Height, max average	120 ft	120 ft
	Public Open Space (min s.f.)	0	0

a) Implement the recommendations of applicable master plans

BETHESDA DOWNTOWN SECTOR PLAN

The Project substantially conforms to the recommendations for the Property included in the 2017 *Bethesda Downtown Sector Plan*. Specifically, this Sector Plan builds on the past successes of Downtown Bethesda to create a truly sustainable downtown by focusing on components that will bolster the elements most in need of enhancement. The recommendations increase:

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

The Property is located within the Battery Lane District and is designated as site 6 on page 129 of the Sector Plan which recommends rezoning the Site to CR to promote enhanced redevelopment opportunities to foster a quality mix of housing options. This Battery Lane District consists of a range of housing types including garden style apartments along Battery Lane as well as single unit homes and low- to high-rise buildings. Within this district are over 1,000 units in 16 building complexes that provide one of the major sources of market-rate affordable housing in Bethesda. These buildings were mostly built in the 1950s and 1960s and lack amenities found in newer residential development. Battery Lane Park and the North Bethesda Trail are located in the center of the District and are heavily utilized, however wider buffered sidewalks and connections through long blocks are needed to make this neighborhood a truly walkable area. Specifically, the Project addresses the following applicable goals as outlined in the Sector Plan:

- *Preserve existing market-rate affordable housing.*

The current garden style apartments on the Property have no regulated affordable housing units. The Project will provide 15% of the total proposed 399 units as MPDUs, which would result in 60 affordable units.

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

The Proposal will provide a variety of unit types ranging from studios to 2 bedroom with den units. Additionally, the Applicant proposes to provide 9 Type A enhanced accessible units.

- *Improve pedestrian and bike connectivity through the district and along the park.*

The Project proposes to improve the frontage with new streetscape elements consistent with the Bethesda Design Guidelines and the enhanced framework established by the Battery Lane District Sketch and Preliminary Plan. Additionally, the Project will provide two Sector -Planned through block connections, a north/south pedestrian connection will contribute to the overall framework and District goals to allow pedestrian access through the large blocks to the south. The east/west pedestrian connection will contribute to a network that will ultimately provide access from Woodmont Avenue to the east to the Bethesda Trolley Trail to the west.

- *On private property, provide a minimum of 35 percent green cover, which may include singularly or a combination of intensive green roof and tree canopy.*

The Project will achieve the Sector Planned goal of 35% green cover through a combination of green roof, tree canopy, and various bioretention plantings.

Environmental Recommendations

Battery Lane is identified in the Sector Plan as a Canopy Corridor. Canopy Corridor designations are intended to create green corridors that connect parks, trails, stream buffers, and denser forest networks beyond the Bethesda boundaries. The corridors also align with recommended bike and pedestrian priority streets where tree canopy becomes a crucial element to enhance shade and comfort while also providing an ecological benefit.

In aligning the proposed development with these goals, the Applicant proposes improvements to the Battery Lane streetscape as well as a segment of the planned east-west through block connection that will eventually connect through to the expanded neighborhood green of Battery Lane Urban Park. Both the streetscape and the through block connection will improve the pedestrian experience and connect the greater Battery District neighborhood to the Bethesda Trolley Trail. Along the site frontage, the current proposal includes a 7-foot-wide sidewalk buffered on both sides by trees. The pedestrian realm is further enhanced by the inclusion of a 25' building setback from the curb. The Property also has access to the existing bike lanes along Battery Lane and the proposed cycle track to be re-built to the south side of Battery Lane.

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

The Proposal will replace two three-story garden apartments with associated surface parking with a new multifamily building with a variety of unit types and 15% MPDUs, structured parking, and consolidated access.

c) Encourage development that integrated 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 Proposal will provide a range of unit types from studios to two bedroom with den units. The Applicant proposes to provide 9 Type A enhanced accessible units as well. The consolidated access point will locate loading, garage access, and pickup/drop off areas internal to the Site, eliminating any parking between the building and the street. The Proposal will also provide two public, pedestrian only, through block connections within the Site, contributing to a District wide goal of improving nonvehicular mobility options.

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

The Proposal will increase the mix of housing type and density while proposing a height and massing that is compatible with the desired character of infill development within the Battery Lane District. The existing development located on along Battery Lane is a mix of lower-height garden style apartments and taller condominium buildings that reach about 10-11 stories. The proposed building will have a maximum of 120' in height, which is similar in height with the existing condominium buildings.

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

The Project will increase housing opportunities by providing high-density residential of varying styles in proximity to existing commercial and employment areas such as NIH and other commercial businesses within Downtown Bethesda.

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 100 public benefit points from a minimum of 4 categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

2. Substantially conforms to the recommendations of the applicable master plan:

As discussed in Finding 1.a above, the Project substantially conforms to the recommendation of the 2017 Bethesda Downtown Sector Plan. The Proposal will redevelop the 3 story garden apartments and associated surface parking with a new multifamily building with 15% MPDUs and two Sector-Planned through block connections.

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

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

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

The Proposal will achieve compatible relationships with existing and pending nearby development. The proposed building will be of a similar height to the neighboring Property to the east which is approximately ten stories in height. The approved Battery Lane District Sketch and Preliminary Plan will redevelop 5 properties in proximity to this Site with a similar maximum building height. The creation of two through block connections will ultimately improve District wide nonvehicular mobility options.

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

As proposed, circulation, parking, and loading is safe adequate and efficient. The existing two curb cuts on the Site will be consolidated into one that can serve pick-up and drop-off, short-term deliveries, on-site loading, trash collection and access to and from the proposed parking garage. The Applicant proposes 322 spaces within the parking garage which is between the minimum and maximum required by the Zoning Code. The final number of parking spaces will be determined at the time of Site Plan.

Pedestrian travel will be further enhanced by installation of the Bethesda Streetscape on the Battery Lane frontage, and by implementation of the two master-planned public bicycle and pedestrian connections along the east and north (rear) sides of the Site.

The Project will provide long term bicycle parking internal to the parking garage, the design and final placement will be finalized at the time of Site Plan.

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

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

For the proposed development, the Zoning Ordinance requires 100 points in 4 categories. The Applicant proposes to exceed the 100 point requirement utilizing 4 categories. Although at the time of Sketch Plan review only the categories need be approved, the following table shows both the categories and points for the public benefits requested at Sketch Plan to demonstrate the project's ability to meet the requirement to provide sufficient benefit points.

Table 4: Public Benefit Calculations

Public Benefits	Incentive Density	
	Max Allowed	Requested
59.4.7.3C: Connectivity and Mobility		
Minimum Parking	20	8
Through Block Connection	30	20
59.4.7.3.D: Diversity of Uses and Activities		
Enhanced Accessibility	20	7
59.4.7.3E: Quality of Building and Site Design		
Architectural Elevations	20	15
Exceptional Design	30	15
Structured Parking	20	20
Tower Stepback	20	20
59.4.7.3.F: Protection and Enhancement of the Natural Environment		
Building Lot Terminations (BLT)	30	7
Cool Roof	15	5
Energy Conservation	25	5
TOTAL		122

CONNECTIVITY AND MOBILITY

Minimum Parking

The Applicant requests 8 point for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on-site. Staff supports the subcategory at this time.

Through Block Connection

The Applicant requests 20 point for providing two Sector-Planned through block connections. Through block connection are intended to create safe and attractive pedestrian only connections between streets. The proposed north/south connection will provide pedestrians access from Battery Lane to the rear east/west through block connection, which will ultimately connect pedestrians from Woodmont Avenue to the east through the rear of several properties on the north side of Battery Lane to the Bethesda Trolley Trail to the west. The Bethesda Design Advisory Panel provided comments on further development of the proposed connections hardscape and design elements to be further reviewed at the time of Site Plan. Staff supports the subcategory at this time.

DIVERSITY OF USES AND ACTIVITIES

Enhanced Accessibility

The Applicant requests 7 points for exceeding the requirements for the Americans with Disabilities Act (ADA). The Applicant proposes to construct 9 units that satisfy the American National Standards Institute A117.1 Residential Type A standards, or a County equivalent. Staff supports the subcategory at this time with final calculation to be determined at the time of Site Plan.

QUALITY OF BUILDING AND SITE DESIGN

Architectural Elevations

The Applicant requests 15 points for providing architectural elevations as part of the Certified Site Plan showing particular elements of the design such as minimum amounts of transparency, maximum separation between doors, and other design priorities of the applicable Sector Plan and implementing design guidelines. The Sketch Plan is intended to be conceptual in nature with an emphasis on building densities, massing, and heights. Staff supports the subcategory at this time with further details and refinement to be provided at the time of Site Plan.

Exceptional Design

The Applicant requested 15 points for exceptional design and the Design Advisory Panel (DAP) voted in support that the Project was on track to receive a minimum 10 points at their September 22, 2021 meeting with the following comments:

- Strengthen relationship of the rear of the building with the proposed east/west connection at the northern portion of the Property.
- Provide consistent pavement material and design pedestrian connections recognizable as the public realm not private pathways.
- Further identify style of the building with a base, middle, and top that clearly relate to one another.

Staff supports the subcategory at this time, with final review at Site Plan.

Structured Parking

The Applicant requests 20 points for providing structured parking. Staff supports the subcategory at this time.

Tower Stepback

The Applicant requests 20 points for providing a tower stepback. The Bethesda Implementation Guidelines states 10 points can be granted for projects that step back a minimum 6 feet behind the first-floor façade. Additional points can be granted if other criteria are met such as deeper setbacks; setback at a lower level; integration of setbacks with reduced floor plate sizes on upper stories. The Project proposes two stepbacks, at the 3rd and the 10th level. Final points will be evaluated at the time of Site Plan based on final building design and justification that all criteria have been met. Staff supports the subcategory at this time.

PROTECTION AND ENHANCEMENT OF THE NATURAL ENVIRONMENT

Building Lot Termination (BLT)

The Applicant requests 7 points for the purchase of BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area. Points are granted by the calculation of BLTs as provided in Section 59.4.7.3.F of the Zoning Ordinance. Staff supports the Applicant's request at this time.

Cool Roof

The Applicant requests 5 points for proposing to provide a cool roof that will collectively meet or exceed a solar reflectance index (SRI) of 75. Staff supports the subcategory at this time with final review of size and location at the time of Site Plan.

Energy Conservation

The Applicant requests 5 points for constructing a building that will exceed the energy efficient standards for the building type. Points are granted based on percent exceeding the standard. Staff supports the subcategory at this time with final review of size and location at the time of Site Plan.

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

The Project will be built in one phase.

SECTION 7: COMMUNITY OUTREACH

The Applicant held a pre-submittal public meeting on July 29, 2021 related to the Sketch Plan. The meeting was conducted virtually per COVID-19 Guidelines and has complied with all submittal and noticing requirements. In addition to the required public meeting, the Applicant has conducted additional outreach.

As of date of this Staff Report, no correspondence has been received.

SECTION 8: CONCLUSION

As conditioned the Sketch Plan application satisfies the findings under Section 59.4.5.4 of the Zoning Ordinance and substantially conforms to the recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of the 4901 Battery Lane Sketch Plan No. 320220040, with the conditions specified at the beginning of this report.

ATTACHMENTS

Attachment A: Sketch Plan

Attachment B: Agency Letters

Attachment C: NRI/FSD

Attachment D: Design Advisory Panel Meeting Minutes, September 22, 2021

Attachment E: Battery Lane Sketch and Preliminary Plan resolutions