

7000 WISCONSIN AVENUE SITE PLAN AMENDMENT NO. 82020009A

Description

Request to reduce the overall approved density from 210,000 square feet to 196,744 square feet, which will consist of 189,000 square feet of multi-family residential uses and 7,744 square feet of commercial uses. This reduction in density results in a maximum of 181 multi-family dwelling units, with 32 MPDUs. The proposal results in a reduction of the previously requested and approved BOZ Density, which reduces the associated Park Impact Payment. The Amendment also proposes reducing the total parking spaces provided on-site from 139 spaces to 124 spaces and other minor revisions to the landscape and architectural plans.

PLAN TYPE: SITE PLAN
AMENDMENT
NO. 82020009A
COMPLETED: 12-06-2021

MCPB
Item No. 6
December 16, 2021

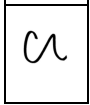
2425 Reddie Drive
Floor 14
Wheaton, MD 20902



Katie Mencarini, Planner Coordinator, Downcounty Planning, Katherine.mencarini@montgomeryplanning.org, 301.495-4549



Stephanie Dickel, Supervisor, DownCounty Planning, stephanie.dickel@montgomeryplanning.org, 301.495.4527



Elza Hisel-McCoy, Chief, DownCounty Planning, Elza.Hisel-McCoy@montgomeryplanning.org, 301.495.2115

LOCATION:

7000 Wisconsin Avenue

PROPERTY SIZE

0.71 acres or 30,977 gross square feet of tract area

MASTER PLAN & ZONE

2017 *Bethesda Downtown Sector Plan*; CR-3.0 C-3.0 R-2.75 H-120', and the Bethesda Overlay Zone (BOZ)

APPLICANT

Simpson Woodfield 7000 Wisconsin LLC

ACCEPTANCE DATE:

October 8, 2021

REVIEW BASIS:

Zoning Ordinance in effect on October 30, 2014



Summary

- Staff recommends approval of the Site Plan Amendment with conditions.
- The Project proposes to reduce the overall approved density from 210,000 square feet to 196,744 square feet, which will consist of 189,000 square feet of multi-family residential uses and 7,744 square feet of commercial uses. This reduction in density results in a reduction in total units from 200 to a maximum of 181 multi-family dwelling units, with 32 MPDUs (17.6%).
- The proposal results in a reduction of the previously requested and approved BOZ Density from 117,069 to 103,813 square feet, which reduces the associated Park Impact Payment from \$970,042 to \$896,383 based on the current rate of \$11.08 per square foot.
- The Amendment also proposes reducing the total parking spaces provided on-site from 139 spaces to 124 spaces and other minor revisions to the landscape and architectural plans.

Section 1: Recommendation and Conditions

Staff recommends approval of Site Plan Amendment 82020009A (“Subject Amendment”), to reduce the overall approved density from 210,000 square feet to 196,744 square feet, which will consist of 189,000 square feet of multi-family residential uses and 7,744 square feet of commercial uses. This reduction in density results in a reduction in total units from 200 to a maximum of 181 multi-family dwelling units, with 32 MPDUs (17.6%). A reduction in the total density also results in reduced Bethesda Overlay Zone (BOZ) Density and a lower Park Impact Payment (PIP). The Applicant is also proposing minor changes to the utility and landscape layouts, and to the unit mix. This will result in minor revisions to update the architectural footprint and ground floor layout. The Planning Board previously approved the Site Plan with 21 conditions. Staff recommends modifications to Conditions 3, 5a, 6, 7ai, and 7di, as provided below, while all other conditions remain in full force and effect:

3. Density

The Site Plan is limited to a maximum of **196,744 square feet** of total development on the Subject Property, including a maximum of **189,000 square feet** of residential uses, for up to **181 dwelling units** (17.6% MPDUs), and up to **7,744 square feet** of non-residential uses.

5a. Bethesda Overlay Zone Density

The Planning Board approves 103,813 square feet of Bethesda Overlay Zone (BOZ) density for this Application.

6. Park Impact Payment

The Applicant must pay to the M-NCPPC a Park Impact Payment of **\$896,383, based on the current rate of \$11.08 per square foot**, prior to release of the first above-grade building permit, or as may be adjusted through a minor amendment as set forth in Condition 5.c.

7. Public Benefits

The Applicant must provide the following public benefits and meet the applicable criteria and requirements of the Zoning Ordinance and the *CR and Employment Zones Incentive Density Implementation Guidelines* for each one.

a. Connectivity between Uses, Activities, and Mobility Options

i. Minimum Parking – The Applicant must provide no more than **124 parking spaces** for the residential use and no parking spaces for the commercial use is to be provided.

d. Protection and Enhancement of the Natural Environment

i. Building Lot Terminations (BLTs) – Before issuance of any building permit, the Applicant must provide proof of purchase and/or payment of **0.4315 BLTs** to MCDPS and M-NCPPC staff.

Section 2: Site Description

Site Vicinity and Analysis

The subject site (Subject Property or Property) is located at 6936 through 7000 Wisconsin Avenue, which is generally described as the northwest quadrant of the Wisconsin Avenue/ Bradley Boulevard intersection within the Wisconsin Avenue Corridor District of the 2017 *Bethesda Downtown Sector Plan*. In its current configuration, the Site is accessible via Wisconsin Avenue and a public alley, which connects with Woodmont Avenue and Bradley Boulevard. The Site is comprised of four parts of lots within the “George P. Saks” Subdivision, as recorded in the Montgomery County Land Records at Plats 911 and 1004 (dated 1938), and 1237 (dated 1940). The Site has a tract area of approximately 30,977 square feet (0.71 acres) and a site area of approximately 20,046 square feet (0.46 acres). The Property is zoned CR-3.0 C-3.0 R-2.75 H-120 and Bethesda Overlay Zone.

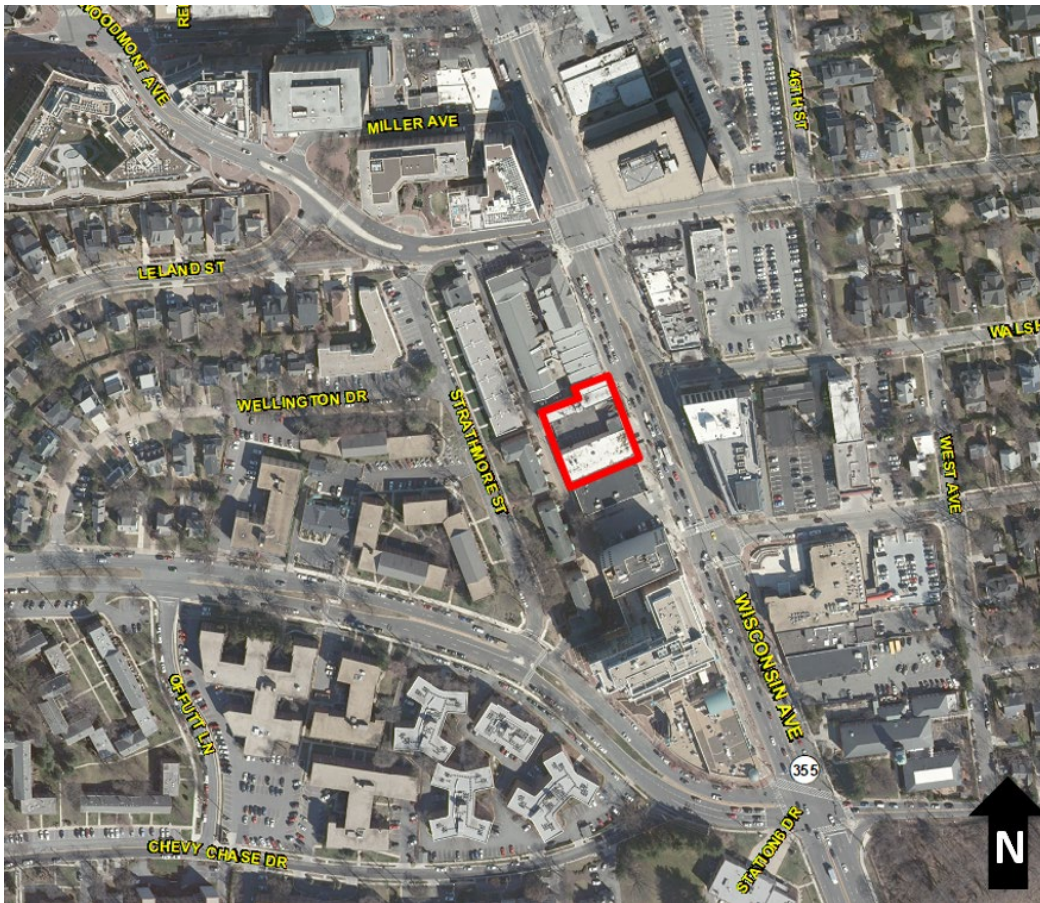


Figure 1- Aerial View

The Property is located within close proximity to the new southern entrance of the Bethesda Metro Station and Purple Line Station currently under construction and falls within the Bethesda Parking Lot District (PLD).

The Property was previously improved with single-story retail buildings of approximately 25,000 square feet of leasable area as well as a surface parking lot with 15 parking spaces, with tenants including Mattress Firm, Orvis, and a martial arts studio. Vehicular access to the Property was provided through a curb-cut on Wisconsin Avenue as well as through the 20-foot public alley located to the rear of the Property with connections to Woodmont Avenue and Bradley Boulevard. The Site is currently under construction and working towards realizing the previous regulatory applications, as approved by the Planning Board. Delivery of the building is projected for 2023.



Figure 2- Site Under Construction

There continue to be no known rare, threatened, or endangered species on site; there are no 100-year floodplains, stream buffers, or wetlands on site. Furthermore, there are no known historic or cultural properties on site.

Surrounding Uses

The Property is located within the block south of Woodmont Avenue, south of a single-story FedEx store and the recently developed 120-foot-tall Bethesda Solaire project that is located across Woodmont Avenue, to the north. The Bethesda Solaire project includes approximately 145 multi-family dwelling units and True Food Kitchen at the ground-floor. Immediately to the south of the Property are a number of retail buildings, including a Verizon store and Sleepy's Mattress store, and further to the south is the 90-foot tall Adagio Apartments closer to the intersection of Bradley Boulevard and Wisconsin Avenue. The Adagio Apartments include approximately 92 multi-family condominium units as well as ground-floor retail uses. The Strathmore garden-style apartments are located immediately to the west of the Property across the public alley. A number of single-story retail buildings are located to the east of the Property across Wisconsin Avenue, and to the southeast of the Property is a mixed-use commercial project with a Target, Trader Joes and several other stores. A 110-foot-tall office building is located to the northeast of the Property in the northwest quadrant of the intersection of Leland Street and Wisconsin Avenue.

Section 3: Project Description

[Previous Approvals](#)

Site Plan No. 82020090 and Preliminary Plan No. 120200090

The Montgomery County Planning Board Approved Site Plan No. 82020090 and Preliminary Plan No. 120200090 (“7000 Wisconsin Avenue”) at a public hearing on April 23, 2020. As conditioned, the Planning Board authorized the creation of one lot for a mixed-use project of up to 210,000 total square feet including up to 200,000 square feet of residential uses (up to 200 dwelling units) and up to 10,000 square feet of retail uses. The Project proposed including 17.6% moderately priced dwelling units (MPDUs) and the following public benefits: minimum parking, structured parking, exceptional design, public open space, a through-block connection, and energy conservation and generation. The Project received 12 feet of additional height due to the provision of MPDUs above 17.5%. In accordance with Section 59.4.9.2.3.c.i. of the Zoning Ordinance, a Park Impact Payment (PIP) was not required for the gross floor area allocated for MPDUs (for this project 29,520 square feet). The resulting BOZ density eligible for a PIP was 87,549 square feet, yielding a PIP of \$970,043 to fund park acquisition in downtown Bethesda.

[Proposal](#)

Since the time of receiving approval of the Site Plan just over a year ago (and other associated development entitlements), the Applicant has started to demolish the previous non-residential buildings located at the Property and obtained approval of the Record Plat. The Applicant has also submitted support of excavation and related permit applications to the Montgomery County Department of Permitting Services. In connection with the construction and permitting processes, the Applicant has refined the amount of development that will be constructed as part of the Project. More specifically, the Applicant is proposing to reduce the overall density from 210,000 square feet to 196,744 square feet, which will consist of 189,000 square feet of multi-family residential uses and 7,744 square feet of commercial uses. This reduction in density results in a maximum of 181 multi-family dwelling units, with 32 MPDUs. As a result of the reduced overall density, the Applicant is requesting less BOZ Density, which reduces the associated Park Impact Payment. Specifically, the Applicant requests to reduce the BOZ density approved from 117,069 to 103,813 square feet, which therefore reduces the prior approved PIP from \$970,042 to \$896,383 (103,813 – 22,912 (MPDU GFA) = 80,901 x \$11.08 square-foot).

In addition to reducing the overall density approved for the Project, the Applicant is proposing to decrease the number of parking spaces provided from 139 spaces to 124 spaces and make various minor revisions to the landscape and architectural plans, revisions to unit mix, and minor revisions to update the architectural footprint and ground floor layout, which are reflected on the submitted plans.

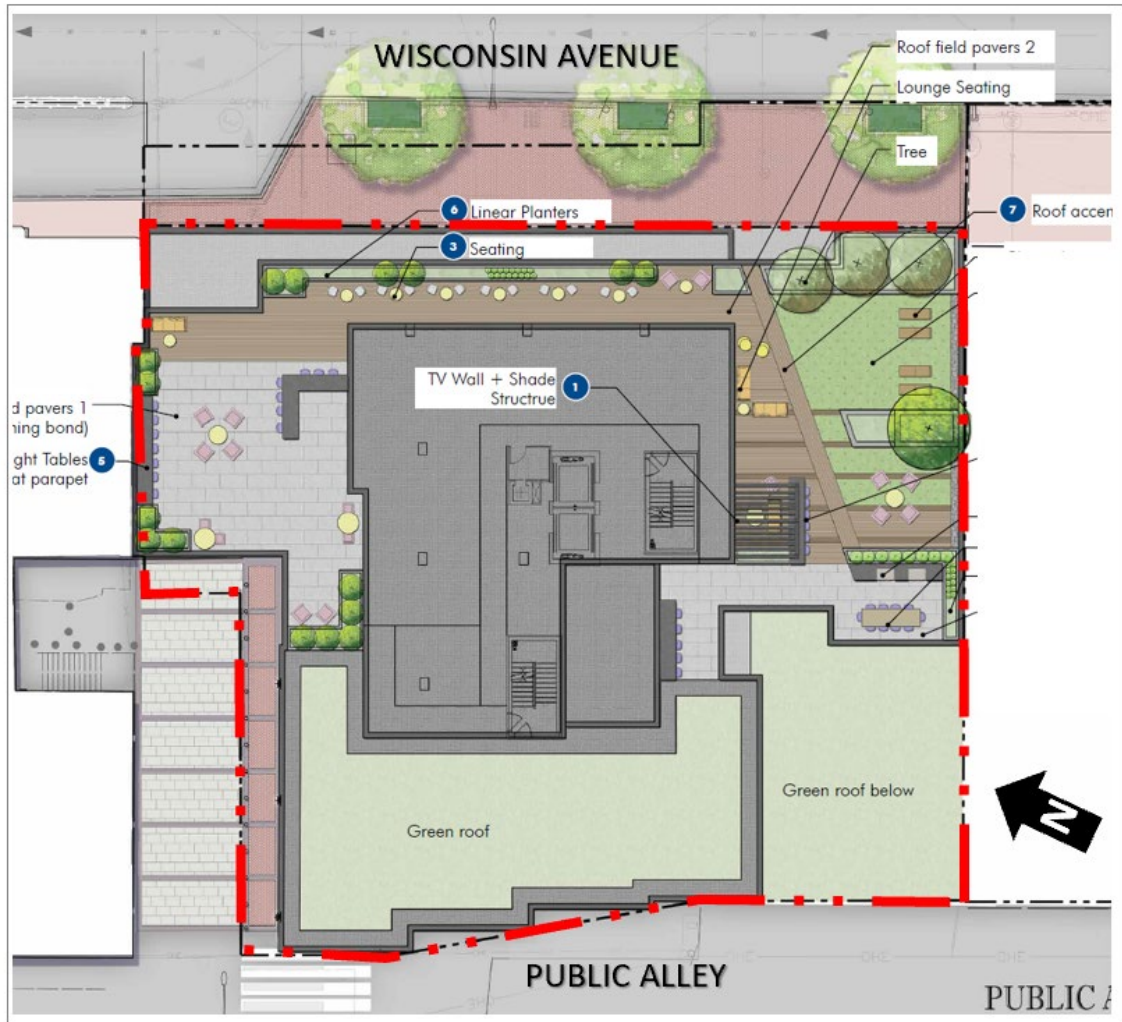


Figure 3- Proposed Site Plan Amendment

Section 4: Site Plan No. 8202009A Findings

This Amendment does not alter the intent, objectives, or requirements in the originally approved Site Plan and all previous findings remain in effect, except as modified below.

2. To approve a Site Plan, the Planning Board must find that the proposed development:

d. satisfies applicable use standards, development standards, and general requirements under this Chapter;

i. Division 4.5. Commercial/Residential Zones

Development Standards

The Tract is approximately 0.71 acres or 30,977 gross square feet, zoned CR- 3.0 C- 3.0 R- 2.75 H-120', and is within the Bethesda Overlay Zone. The following Data Table shows the Application's conformance to the development standards of the zone, with the changes shown in bold font.

Table 1 Project Data Table (Section 59.4) CR- 3.0 C- 3.0 R- 2.75 H-120

Development Standard	Permitted/Required	Previously Approved 820200090	Proposed 82020009A
Tract Area (Square Feet/ Acres)	n/a	30,977 sf (0.71)	No Change
Site Area (Square Feet/ Acres) Prior Dedication Proposed Dedication Site Area (Tract Area – Dedications)	n/a	8,981 sf (0.21) 1,950 sf (0.04) 20,046 sf (0.46)	No Change
Total Residential Density GFA (FAR)	85,187 sf (2.75)	200,000 sf (6.45)	189,000 sf (6.10)
Total Commercial Density GFA (FAR)	92,931 sf (3.0)	10,000 sf (0.32)	7,744 sf (0.19)
Total Mapped Density GFA (FAR)	Residential 85,187 sf (2.75) Commercial 92,931 sf (3.0) 92,931 sf (3.0)	Residential 82,931 sf (2.68) ⁴ Commercial 10,000 sf (0.32) 92,931 sf (3.0)	Residential 85,187 sf (2.75) Commercial 7,744 sf (0.25) 92,931 sf (3.0)
MPDU Density GFA (FAR)	15%	17.6% (36 units) 29,520 sf (0.95) ¹	17.6% (32 units) 22,912 sf (0.74) ¹
Bethesda Overlay Zone Density GFA (FAR)	n/a	117,069 sf (3.77)	103,813 (3.35)
Total GFA/ FAR	n/a	210,000 (6.77)	196,744 (6.29)
Building Height	110 feet ²	122 feet ³	No Change
Public Open Space (min)	0%	7% (1,440 sf)	No Change
Green Cover	35%	35% (7,017 sf)	No Change
Minimum Setbacks	n/a	0	No Change

¹ MPDU density, assumed at an average size of 842 square feet per unit for all 32 units (4 units above 15% requirement).

² The Sector Plan limits height to 110 feet because the Project does not provide a movie theater.

³ Section 59.4.9.2.C.3.b eliminates the height requirement to the extent necessary to provide MPDUs beyond 15%. These additional 4 MPDUs account for an additional 4,577 square feet of residential density. Given the Project's estimated average floorplate is of 15,148 SF, the Applicant requests one additional floor (12 feet) of additional height to accommodate the additional MPDUs.

⁴ The originally approved mapped residential density was incorrectly reported and is corrected with the Subject Amendment.

Table 1 Continued: Parking			
Parking	Spaces Required	Previously Approved 820200090	Proposed 82020009A
Vehicle Parking Residential (Proposed) Efficiency (19 market rate units); 4 MPDUS	(21 minimum/ 23 maximum)	--	--
1 Bedroom (64 market rate units); 13 MPDUS	(71 minimum/ 96 maximum)	--	--
2 Bedroom (66 market rate units); 15 MPDUS	(74 minimum/ 122 maximum)	--	--
Total Residential Units (181 Market rate; 36 MPDUs)	(166 minimum/ 241 maximum)	--	--
Reduced 20% (Bethesda Overlay Zone)		139	124
Commercial (Ancillary Retail) ⁴	132 Minimum	0	No Change
Total	0	139 ⁵	124⁵
	146		
Bicycle Parking (Long Term/Short Term)			
Residential	(95/5) 100 ⁶	(95/5) 100 ⁶	
Commercial	(1/1) 2	(1/1) 2	
Total Bicycle Parking	(96/6) 102	(96/6) 102	No Change
Loading Spaces	1	1	No Change

⁴ In accordance with the Local Area Transportation Review Guidelines standards on ancillary retail, no parking may be provided for the commercial use.

⁵ The Project is providing less parking than the minimum requirement in support of the Sector Plan recommended constrained parking policy and due to the Site's location within the Bethesda Parking Lot District.

⁶ Bicycle Parking requirement is limited to a maximum of 100 spaces.

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: Connectivity and Mobility, Diversity of Uses and Activities, Quality of Building and Site Design, and Protection of the Natural Environment

Table 2: Public Benefits Calculator			
Public Benefit	Incentive Density Points		
	Max Allowed	Previously Approved	Proposed 82020009A
59.4.7.3C: Connectivity and Mobility			
Minimum Parking	20	17	11
Through-Block Connections	30	20	No Change
59.4.7.3D: Diversity of Uses and Activities			
Affordable Housing ¹	Unlimited	39	No Change
59.4.7.3E: Quality of Building and Site Design			
Exceptional Design ¹	30	10	No Change
Public Open Space ¹	30	7.2	No Change
Structured Parking	20	20	No Change
59.4.7.3F: Protection and Enhancement of the Natural Environment			
BLTs	30	4.2	3.85
Energy Conservation and generation ¹	25	15	No Change
TOTAL		132.4	126.85

Connectivity and Mobility

Minimum Parking: The Applicant requests **12** points for providing fewer than the maximum allowed number of parking spaces. Points for this incentive are granted on a sliding scale from no points for providing the maximum allowable number of on-site spaces to 20 points for providing no more than the minimum numbers of spaces on site. Based on the formula set forth in the 2017 *Commercial/Residential and Employment Zones Incentive Density Implementation Guidelines*, provided below, Staff recommends **11** public benefit points in this category; the slight decrease is due to an error in the Applicant's calculation.

$$\begin{aligned} & [((\text{Maximum Allowed Parking}) - (\text{Parking Provided})) / \\ & ((\text{Maximum Allowed Parking}) - (\text{Minimum Parking}))] * 10 \\ & (241 - 124) / (241 - 132) * 10 = \mathbf{11} \text{ points} \end{aligned}$$

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests **3.8** points for the purchase of 0.4315 BLT easements or equivalent payment made for every 31,500 square feet of gross floor area comprising the 7.5% incentive density floor area, exclusive of any density allocated for MPDUs. Based on the calculation set forth in Section 59.4.7.3.F of the Zoning Ordinance, staff supports **3.8** points for this category.

$$\begin{aligned} & (((\text{Incentive Density} - \text{Standard Method Density}) * 7.5\%) / 31,500) * 9 = \\ & (((195,100) - (15,488 \text{ sf})) * 7.5\%) / 31,500 * 9 = 3.88 \text{ points} \end{aligned}$$

Section 5: Community Outreach

The Applicant has met all signage, noticing, and submission meeting requirements. In accordance with Section 59.7.3.4.J.1 of the County Code, the Subject Amendment meets the requirements for a Limited Major Amendment and therefore no pre-application community meeting was required.

One letter of opposition was received by the Applicant from a resident of the nearby Adagio Apartment Building. The concerns raised in the letter pertained to elements of the project which were previously approved by the Planning Board on April 23, 2020. Specifically, the resident is concerned about the total density proposed with the original Application and the consolidation of all vehicular access to and from the Site to the Public Alley along the rear of the Site. The Applicant has reached out to the resident to explain that the Subject Amendment proposes reducing the overall density. Additionally, the access and circulation for the Site was previously approved and is not changing with Subject Amendment.

Section 6: Conclusion

The Project complies with the general requirements and development standards of Section 4.5, the optional method public benefits provisions of Division 4.7, and the general development requirements of Article 59-6 of the Zoning Ordinance. The Project satisfies the findings of the Subdivision Regulations and is consistent with the goals and recommendations of the 2017 *Bethesda Downtown Sector Plan*. Therefore, Staff recommends approval of Site Plan No. 82020009A with the conditions modified from the previously approved Site Plan No. 820200090 specified at the beginning of this report.

Attachments

- A. Site Plan Amendment Cover Sheet and Statement of Justification
- B. Letter of Opposition