



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

MCPB No. 20-118
Sketch Plan No. 320200060
4725 Cheltenham Drive
Date of Hearing: November 5, 2020

JAN 07 2021

RESOLUTION

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

WHEREAS, on July 3, 2020 Bozzuto Development Company ("Applicant") filed an application for approval of a sketch plan for construction of up to 80,000 square feet of density for residential development with a minimum of 15% MPDUs on 0.25 acres of CR 3.0C 2.0 R 2.75 H 90' zoned-land, located at 4725 Cheltenham Drive, approximately 110 feet east of Wisconsin Avenue, Lot 8 in the Westboro Subdivision ("Subject Property") in the Bethesda CBD Policy Area and Bethesda Overlay Zone in the 2017 *1Bethesda Downtown Sector Plan* (Sector Plan); and

WHEREAS, Applicant's sketch plan application was designated Sketch Plan No. 320200060, 4725 Cheltenham Drive ("Sketch Plan" or "Application"); and

WHEREAS, following review and analysis of the Application by Planning Board staff ("Staff") and other governmental agencies, Staff issued a memorandum to the Planning Board, dated October 23, 2020 setting forth its analysis and recommendation for approval of the Application subject to certain binding elements and conditions ("Staff Report"); and

WHEREAS, on November 5, 2020, the Planning Board held a public hearing on the Application at which it heard testimony and received evidence submitted for the record on the Application; and

WHEREAS, on November 5, 2020, the Planning Board voted to approve the Application subject to conditions, on the motion of Commissioner Cichy, seconded by Commissioner Verma, with a vote of 5-0; Chair Anderson, Vice-Chair Fani-Gonzalez,

Commissioner Cichy, Commissioner Patterson and Commissioner Verma voting in favor.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board approves Sketch Plan No. 320200060, 4725 Cheltenham Drive, for construction of up to 80,000 square feet of density for residential development with a minimum of 15% MPDUs on the Subject Property, subject to the following binding elements and conditions:¹

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

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

All other elements are illustrative.

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

1. Density

The Sketch Plan is limited to a maximum of 80,000 total square feet of development. The maximum number of dwelling units will be determined at Site Plan. The maximum density includes up to 35,596 square feet of density from the Bethesda Overlay Zone (BOZ) with a Park Impact Payment (PIP). The final square footage, including BOZ density and PIP payment, will be determined at Site Plan.

2. Height

The development is limited to a maximum height of 90 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.

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

- a. Major Public Facility, achieved by providing a financial contribution for planning/improvements to Cheltenham Urban Park and implementation of the bike lane on the north side of Cheltenham Drive, beyond the site frontage.
- b. Connectivity and Mobility achieved by providing fewer than the maximum parking spaces under the Zoning Ordinance and BOZ; and improved streetscape beyond site frontage at the alley entrance.
- c. Quality of Building and Site Design achieved through exceptional design and structured parking.
- d. Protection and Enhancement of the Natural Environment achieved through building lot terminations and energy conservation and generation.

4. Park Impact Payment (PIP)

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

5. Streetscape

The Applicant must install the Bethesda Streetscape Standard along the Site Frontage, including the undergrounding of utilities between the adjacent, off-site utility poles.

6. 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*.

7. Bethesda Downtown Plan Design Guidelines

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

- a. Address the Design Advisory Panel comments as specified in their May 27, 2020, meeting minutes;
- b. Conformance with the *Bethesda Downtown Plan Design Guidelines* recommendations pertaining to: street typology, parks and open space, site design, building form, creative placemaking, and any site-specific guidelines.

8. Building & Site Design

At time of Site Plan, the Applicant must address:

- a. Relationship of the building and site design to Cheltenham Urban Park;

- b. Articulation of massing at entry with regard to future development of property to west; and
- c. Treatment of western façade with greater articulation and potentially to extend northwest corner units to increase access to light and air.

9. MCDOT letter

The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Transportation ("MCDOT") in its letter dated October 20, 2020 and hereby incorporates them as conditions of the Sketch Plan approval, with the exception of comment No. 4d. The Planning Board recommends a driveway pavement width of no less than twenty (20) feet, with the final width to be determined at the time of Site Plan. The Applicant must comply with each of the recommendations as set forth in the letter except as modified herein, 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 Site Plan

In addition to any other requirements for Site Plans under Chapter 59, the following must be addressed when filing a Site Plan:

- a. Participation in the implementation of the Sector Plan-recommended Separated Bicycle Facilities on Cheltenham Drive;
- b. Minimize the number of curb cuts on Cheltenham Drive;
- c. Draft a Level 3 Results Transportation Demand Management Plan;
- d. Address the SITES & LEED recommendations of the Sector Plan, specifically related to energy efficiency and building design features;
- e. SWM concept approval which also addresses the *Bethesda Downtown Sector Plan* recommendations regarding SWM;
- f. Address Bird-Safe Design per the *Bethesda Downtown Sector Plan* Design Guidelines; and
- g. Provide a noise analysis or a waiver per Section 2.2.2 of the 1983 Noise Guidelines.

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

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

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

4725 Cheltenham Drive-Sketch Plan Data Table

Sketch Plan Data Table			
Section 59.4	Development Standard	Permitted/ Required	Approved
	Tract Area	n/a	16,147 sf (0.371 ac)
	Prior Dedication	n/a	5,493 sf (0.126 ac)
	Proposed Dedication	n/a	0 sf (0.00 ac)
	Site Area	n/a	10,654 sf (0.245 ac)
	Mapped Density		
	CR-3.0 C-2.0 R-2.75 H-90		
	Residential (GFA/ FAR)	44,404 sf (2.75)	44,404 sf (2.75)
	Commercial (GFA/FAR)	32,294 sf (2.0)	0 sf (0.00)
	Total Mapped Density (GFA/FAR)	48,441 SF (3.0)	44,404 sf (2.75)
	Bethesda Overlay Zone Density	n/a	35,596 sf (2.20)
	Total GFA/FAR	n/a	80,000 sf (4.95)
	MPDU Density (GFA/FAR)	15%	15%
	Building Height, max	90 feet	90 feet
	Public Open Space (min)	n/a	n/a
	Green Cover (min)	35% of Site Area	35% of Site Area
	Minimum Setbacks (ft)		
	Cheltenham Drive	0'	0'
	20' Private Alley	0'	0'

The final number of vehicular parking spaces will be determined at Site Plan based on the residential units.

The Sketch Plan conforms to the intent of the CR zone as described below:

- a) Implement the recommendations of applicable master plans.

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

1. **Parks and open spaces**, including new civic greens at Veteran's Park, Bethesda Farm Women's Cooperative Market, Capital Crescent Trail and new urban parks, pathways and gateways. Many of these parks on the eastern edge are to be connected through the creation of the Eastern Greenway.

2. **Affordable housing**, including the introduction of existing market-rate affordable housing, providing a mix of housing options and the provision of Moderately Priced Dwelling Units in exchange for development incentives.
3. **Environmental innovation**, including more energy-efficient buildings, better stormwater management, improved sidewalks and bicycle routes, and other measures to enhance community health and quality of life.
4. **Economic competitiveness**, based on new development, public amenities and proximity to public transit to attract businesses and visitors from throughout the region, and foster entrepreneurship and innovation.

The Property is designated as site 89 on page 99 of the Sector Plan. The Property is located in the Wisconsin Avenue Corridor District. This District is the main artery through the center of downtown Bethesda. With the existing Bethesda Metrorail Station, future Purple Line and bus rapid transit (BRT) options, Wisconsin Avenue is a critical focus area for improved access, mobility and pedestrian safety. The corridor is envisioned as a symbolic downtown center that reflects the character of adjacent neighborhoods and overall identity of Bethesda through innovative building designs and active public spaces. Specifically, the Project addresses the following goals as outlined in the Overarching Goals and Wisconsin Avenue Corridor sections of the Sector Plan:

- ***Incentivize expanded affordability for housing.***

The new mid-rise residential building will provide a minimum of 15% MPDUs. Given the Property's location in downtown Bethesda and within 0.3 miles of the Bethesda Metro Station, the Project provides additional, desired affordable housing in close proximity to transit, employment and other ancillary services.

- ***Take best advantage of existing and planned transit, including Metrorail, Purple Line light rail, bus rapid transit (BRT) and bus.***

The Applicant is proposing to redevelop the existing, low-density, aging automotive repair use with a mid-rise residential development that is more appropriately suited for the Property, given its transit-oriented location within 0.3 miles of the Metro Station and various bus routes. Given the Property's proximity to transit, it is anticipated that a large portion of the residents will utilize transit. To that end, the Applicant is proposing less than the minimum required parking in the Project and may not provide any

parking on-site. Final determination of the amount of parking provided will be made at the time of Site Plan.

- ***Incentivize development that adopts new green technologies to save energy and natural resources while creating an innovative and desirable community for the future.***

The Project will result in significant improvements to the treatment of stormwater management on-site, as there are no known stormwater management facilities located on the Property. The Project also will incorporate other green building technologies and energy efficient design principles, in compliance with the requirements of the County's Green Building Law.

- ***Promote a diversified mix of housing options in the Downtown through mixed-use and multi-unit residential zoned development.***

The Project will provide diverse housing opportunities by including a variety of unit sizes and layouts to facilitate the availability of new housing, in a range of types and rents, including a minimum of 15% MPDUs, within walking distance of the Metro.

- ***Preserve and protect existing single-unit neighborhoods in and around the Sector Plan area.***

The Project's design and the Property's location presents an opportunity to improve the relationship between downtown Bethesda's more intensive uses and the residential properties that are located just outside the Sector Plan boundary to the east. The residential use will be more compatible with the confronting Park and single-family residential properties just beyond, as compared to the current automotive repair use and associated surface parking lot. The building also has been designed to provide a gradual transition in scale from the more intensive density and building heights in the Wisconsin Avenue Corridor to the west and the Cheltenham Urban Park and single-family residential properties to the east.

- ***Provide a sufficient supply of housing to serve Bethesda's existing and future job growth.***

The Project will provide additional residential development, within close proximity to a high concentration of office, commercial and retail uses within downtown Bethesda.

- ***Improve neighborhood identity and character and beautify the city through improved streetscapes.***

The Project provides significant streetscape improvements along the Property's frontage, through the elimination of a vehicular curb cut along Cheltenham Drive, and through the realignment of the existing sidewalk along the Park's Cheltenham Drive frontage. Collectively, these improvements will provide an enhanced pedestrian connection between downtown Bethesda and the residential neighborhood to the east. Additionally, the streetscape improvements will promote Cheltenham Drive as a Canopy Corridor, as recommended in the Downtown Plan and Design Guidelines.

- ***Increase and improve alternative modes of public transportation, pedestrian mobility, and circulation systems.***

The Project will provide additional residential units in close proximity to various transit options, to promote the use of alternative modes of transportation for work and recreational trips. Additionally, the building design and streetscape improvements will enhance the pedestrian environment.

- ***Increase access and quality of parks and open space.***

The streetscape improvements provided along Cheltenham Drive both along the Property's and confronting Park's frontage will provide an enhanced physical connection to the Park, thereby facilitating its use and enjoyment by residents and larger community. The building massing has been strategically designed to increase sight lines to promote visual connections to the Park. Additionally, balconies are provided along the eastern façade to further engage and activate the Park. Having recognized this connection, it is important to note that the Property and Park are separated by an existing alley. The connectivity between the two uses needs to be carefully evaluated given the existing and proposed usage of the alley for vehicular access between Cheltenham Drive and Chase Avenue.

- ***Improve stormwater treatment.***

As mentioned above, the Project will provide stormwater management, on a site where there currently is none. Additionally, the Project responds to the following recommendations for the Wisconsin Avenue Corridor:

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

The Property currently is improved with an automotive repair use and associated surface parking lot. The Project will redevelop this underutilized site with a mid-rise residential development that is more reflective of the Property's urban, transit-oriented location.

- ***Develop compact nodes that place the highest intensity in those centers, provide distinctive infill buildings and step down to lower densities and heights near the edges.***

The Project provides a compatible and gradual transition between the higher densities and heights of the Wisconsin Avenue Corridor and the Park/ single-family residential properties on the eastern edge and just outside the Sector Plan boundary.

- ***Improve the pedestrian environment with upgraded streetscapes.***

The Project provides substantial improvements to the streetscape along Cheltenham Drive to promote the pedestrian connection between downtown Bethesda and residential neighborhood just outside the Sector Plan boundary. The streetscape improvements also implement the recommendations for this Canopy Corridor.

- ***Rezone the Property (Map #89) to increase the maximum allowable building heights to 90 feet to provide an appropriate transition to the adjacent single family unit neighborhoods of East Bethesda.***

The residential building has a maximum height of 90 feet, in conformance with this recommendation and the Property's zoning, which provides a compatible transition between the higher building heights in the Wisconsin Avenue Corridor ranging from 200' – 300' just west of the Property and the Cheltenham Urban Park and single-family residential neighborhood to the east. As discussed above, the building's massing and design will further modulate this scale and promoting this transition from the taller scaled buildings to the lower scale residential neighborhood.

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

The Project will redevelop existing underutilized commercial sites into a mid-rise building for the purposes of residential use.

- c) *Encourage development that integrates a combination of housing types, mobility options, commercial services, and public facilities and amenities, where parking is prohibited between the building and the street.*

The Project achieves such development by proposing a mid-rise residential building approximately 0.3 miles from public transit. The Project will enhance the pedestrian environment along both frontages and participate in the master planned separated bicycle lanes on Cheltenham Drive. Additionally, this multi-family residential development will facilitate diverse housing opportunities as the project includes 15% MPDUs.

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

The building height of 90 feet and residential use density is appropriate to the setting due to the Site's proximity to public transit and surrounding properties to include the East Bethesda residential neighborhood. Additionally, the development will be more compatible with the surrounding uses and future development.

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

The Project includes 80,000 square feet of residential uses. The site is located in close proximity to various commercial office and retail uses, including several recently approved and under construction office buildings. This Project will support the existing and future employment base 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 four categories to achieve the desired incentive density above the standard method limit. Final determination of public benefit points will be determined at the time of Site Plan.

The Bethesda Overlay Zone (BOZ) was adopted July 18, 2017, specifically to implement the recommendations of the *Bethesda Downtown Sector Plan* as it relates to density, building heights, affordable housing, parks, and design. The BOZ set a cap of overall development (32.4 million square feet) whereby the zoning approved for most properties retains the base density but

increases the heights on respective sites. An Applicant can request an allocation of density over the base density to build to the maximum height permitted by the Zone, as needed. An allocation of density from the BOZ requires a park impact payment of \$11.08/square foot based upon the density requested and facilitates acquisition of parkland in the downtown Bethesda area. This Application is requesting an allocation of 35,596 square feet from the BOZ initiating a Park Impact Payment (amount to be finalized during Site Plan review) to be paid at the time of building permit. The amount of density allocated from the BOZ for Application is deducted from the 32.4 million cap.

2. *Substantially conform with the recommendations of the applicable master plan;*

The Project substantially conforms to the recommendation of the 2017 *Bethesda Downtown Sector Plan*. The Project will develop a mid-rise residential use including a minimum of 15% MPDUs in the core of downtown Bethesda on an existing underutilized and constrained site.

The conceptual building design incorporates several urban design elements that will achieve design excellence and enhance the visual interest from several locations including on Cheltenham Drive, and along Wisconsin Avenue. To achieve this visual interest, the Applicant will provide a transparent lobby, a building base surrounding the lobby as a three-story expression, and an activated rooftop for amenity space. All of these elements contribute to the quality of urban design that the Sector Plan envisioned. The Design Advisory Panel endorsed this approach at their May 27, 2020 meeting, where they voted in support of the Project with further review of the Project's relationship to the park, the massing of the lobby entrance and architectural treatments along the western façade. The Project has been conditioned to further analyze the projections at the time of Site Plan.

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 10,654 square feet (SF) which results in a green cover requirement of at least 3,729 SF. Currently, the Application will provide 8 inches of depth green roof to fulfill this requirement in addition to treating on-site stormwater. The green cover provided by the green roof is listed at exactly the required size of 3,729 SF, with the final design to be confirmed at the Site Plan stage of the Application. The Planning Board is supportive of this proposal and encourages the

Applicant to continue to maintain at least this level of green cover as the Project evolves in order to maintain compliance with the Sector Plan's urban green goals.

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

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

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

The Project will enhance the streetscape along the Cheltenham Drive frontage and continue this streetscape improvement along the Cheltenham Urban Park frontage.

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

The circulation, parking, and loading is safe adequate and efficient. The main entrance is provided along Cheltenham Drive, where pedestrians will access directly from the sidewalk. All vehicular and service access will be provided from the adjacent public alley.

The alley is 20-feet wide and meets the minimum design standards for a public alley. The alley serves adjacent commercial uses. Pedestrian travel will be further enhanced by installation of the Bethesda Streetscape on all frontages.

Bicyclists will access the Property via Cheltenham Drive. Bicycle access and safety will be further improved with the final design and implementation of the master planned separated bike lanes along both sides of Cheltenham Drive. The Applicant will continue to coordinate with MCDOT staff, and the Subject Project will incorporate the master-planned separated bicycle lanes on Cheltenham Drive into subsequent designs and will participate in their implementation. The Project will provide long term bicycle parking internal to the parking garage as well as short term parking spaces near the building entrances, to 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 and the Public Benefit Points established with the Bethesda Overlay Zone in Section 59.4.9.2.C.4, including the recommendations and objectives of the Sector Plan and any applicable design guidelines, the Incentive Density Implementation Guidelines, the size and configuration of the site and its relationship to adjacent properties, similar public benefits nearby, and additional enhancements related to the individual public benefits, the following outline of public benefits supports the Applicant's request for incentive density and is appropriate for the community surrounding the site, as described below.

For the development, the Zoning Ordinance requires 100 points from 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.

Public Benefit Calculations

Public Benefits Calculations		
Public Benefit	Incentive Density Points	
	Max Allowed	Approved in Concept
59.4.7.3A: Major Public Facility		
Parks Financial Contribution	70	7.51
59.4.7.3C: Connectivity and Mobility		
Minimum Parking ¹	20	20
Streetscape	30	20
59.4.7.3E: Quality of Building and Site Design		
Exceptional Design ¹	30	23
Structured Parking	20	20
59.4.7.3.F: Protection and Enhancement of the Natural Environment		
Building Lot Termination (BLT)	30	1.54
Energy Conservation and Generation ¹	25	15
TOTAL		107.05

¹Denotes Sector Plan priority

Major Public Facilities

Parks Financial Contribution: The Applicant requests 7.51 points for financially contributing towards improvements to Cheltenham Avenue Urban Park to not exceed \$25,000, located directly east of the Property. The CR guidelines does not provide a point formula for payments towards Major Public Facilities but states that payments will be granted public benefit points after public review and assessment of master plan goals and community priorities. The Planning Board supports the category at this time

and further coordination with the Parks Department, review of the park improvements, public benefit points, and agency approval will be required at time of Site Plan review.

Connectivity and Mobility

Minimum Parking: The Applicant requests 20 points for providing a maximum of 23 parking spaces on-site and wishes to retain the flexibility to provide no parking with consideration of the Property's location within the Parking Lot District. 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. Final determination will be made at Site Plan and the Planning Board supports the category at this time.

Streetscape: The Project requests to implement off-site streetscape improvements along the Cheltenham Drive Urban Park frontage and install specialty paving at the entrance to the public alley. Further detail will be subject to review and approval by the Park's Department and Montgomery County Department of Permitting Services at the time of Site Plan review. The Applicant is seeking 20 public benefit points for this category and the Planning Board supports the category at this time.

Quality of Building and Site Design

Exceptional Design: The Applicant is seeking 23 points towards exceptional design. The Project satisfies a minimum of four of the Exceptional Design Criteria. The Project will redevelop an underutilized property in close proximity to public transit. The building provides context sensitive massing that responds to the location and constrained site. The mid-rise boutique façade activates the pedestrian environment while employing a variety of building materials that bridge the Wisconsin Avenue and the Cheltenham Drive Urban Park. Further details of the architectural scheme will be determined at Site Plan. The design scheme was evaluated at the May 27, 2020 Design Advisory Panel meeting, where the Panel endorsed the Project. The panel recommended that the Project's relationship of the building and site design to Cheltenham Urban Park, the articulation of massing relative to future development to the west, and the treatment of the western façade shall be addressed at time of Site Plan. The Planning Board supports the category at this time with further refinement at the time of Site Plan.

Structured Parking

The Applicant currently envisions a below-grade structured parking facility and is requesting 20 points from this category. The Planning Board supports this category and will further evaluate points at Site Plan. The Applicant

may decide at Site Plan to provide no structured parking without amending this Sketch Plan but would receive no public benefits points under this category.

Protection and Enhancement of the Natural Environment

Building Lot Termination (BLT): The Applicant requests 1.54 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. The Planning Board supports the Applicant's request at this time.

Energy Conservation and Generation: The Applicant is seeking a minimum of 15 points towards this category. The Project is designed to exceed energy-efficiency standards for this building typology. As the Project progresses to Site Plan, this category will be further evaluated. The Planning Board supports this category at this time.

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

The Project will be built in one phase.

BE IT FURTHER RESOLVED that the Board's approval of a sketch plan is in concept only and subject to further review at site plan, when, based on detailed review the Board may modify the Sketch Plan's binding elements or conditions based on the Montgomery County Code, the 2017 *Bethesda Downtown Sector Plan*, or other requirements; and

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

BE IT FURTHER RESOLVED that all binding site development elements shown on the latest version of 4725 Cheltenham Drive, Sketch Plan No. 320200060 received by M-NCPPC as of the date of the Staff Report are required, except as modified by the above conditions of approval; and

BE IT FURTHER RESOLVED that this Resolution constitutes the written opinion of the Board in this matter, and the date of this Resolution is JAN 07 2021 (which is the date that this Resolution is mailed to all parties of record); and

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

* * * * *

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of a resolution adopted by the Montgomery County Planning Board of the Maryland-National Capital Park and Planning Commission on motion of Commissioner Cichy, seconded by Commissioner Verma, with Chair Anderson, Vice Chair Fani-González, and Commissioners Cichy and Verma voting in favor, and Commissioner Patterson absent, at its regular meeting held on Thursday, December 10, 2020, in Wheaton, Maryland.



Casey Anderson, Chair
Montgomery County Planning Board



DEPARTMENT OF TRANSPORTATION

Marc Elrich
County Executive

Christopher R. Conklin
Director

February 3, 2022

Mr. Jonathan Bush, Planner Coordinator
Area 1 Planning Division
The Maryland-National Capital
Park & Planning Commission
2425 Reedie Drive, 14th floor
Wheaton, Maryland 20902

RE: Sketch Plan No. 32020006A
Site Plan No. 820220060
4725 Cheltenham Drive

Dear Mr. Bush:

This letter replaces MCDOT's Sketch Plan Letters dated January 10, 2022 and October 20, 2020.

We have completed our review of the revised Sketch Plan uploaded to eplans on December 6, 2021. This plan was reviewed by the Development Review Committee at its meeting on November 9, 2021. We recommend approval for the plan based to the following comments:

All Planning Board Opinions relating to this plan or any subsequent revision, preliminary or site plans should be submitted to the Montgomery County Department of Permitting Services in the package for record plats, storm drain, grading or paving plans, or application for access permit. This letter and all other correspondence from this department should be included in the package.

1. This project is not scheduled to go through the preliminary plan process. The conditions below pertain to the site plan as allowable by the County Code.
2. Per Section 49-31 (p) of the County Code, this project will require both Planning Board and MCDOT Director approval for the primary access being provided from the alley.
3. Cheltenham Drive:
 - a. Provide typical section for Cheltenham Drive. Based on plat #1113 Cheltenham Drive has

Office of the Director

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www.montgomerycountymd.gov/mcdot

a right-of-way of 80-feet and is classified as a Business District street. The typical section shall include bicycle facilities per the Bicycle Master Plan.

4. The Applicant is proposing to construct the ultimate bike lane section along the Property frontage and an interim bike lane in front of the Park and CVS site along Cheltenham Drive. We recommend that the applicant continue to coordinate with Ms. Patricia Shepherd of our Transportation Engineering Section at patricia.shepherd@montgomerycountymd.gov or at 240-777-7231. The applicant must submit a signing and marking and related construction plan prior to issuance of the right-of-way. The applicant must obtain DTEO approval of the design for the bike facility and related work. Prior to issuance of the first use and occupancy permit, the bike facilities must be installed and accepted by MCDOT.
5. Maintain a minimum 5-foot continuous open pathway (no grates) along all public streets.
6. Upgrade pedestrian facilities at intersections along the site frontage to comply with current ADA standards.
7. Street frontage improvements along Cheltenham Drive to be determined at site plan stage.
8. Bethesda streetscaping along their street frontage.
9. MCDOT will continue to review the submitted materials for primary access from the alley. Additional information may be needed to determine if the alley will provide adequate access for loading and passenger vehicles.
10. Submit a Traffic Impact Study if required, by the Planning Department.
11. At the site plan stage:
 - a. Show all existing topographic details (paving, storm drainage, driveways adjacent and opposite the site, sidewalks and/or bikeways, utilities, rights of way and easements, etc.) on the preliminary plan.
 - b. Submit storm drainage and/or flood plain studies, with computations for any portion of the subject site that drains to the Montgomery County public storm drain system. Analyze the capacity of the existing public storm drain system and the impact of the additional runoff. If the proposed subdivision is adjacent to a closed section street, include spread computations in the impact analysis.
 - c. Show the location of proposed driveways on the plan.
 - d. For safe simultaneous movement of vehicles, we recommend a driveway pavement width of no less than twenty (20) feet to allow vehicles to enter and exit the site without encroaching on the opposing lanes. This width will permit an inbound lane width of ten (10) feet and an exit lane width of ten (10) feet.
 - e. Submit a completed, executed MCDOT Sight Distances Evaluation certification form, for all existing and proposed site entrances onto County-maintained roads, for review and approval.
 - f. On the site plan, delineate the location and dimensions of the proposed truck loading and dumpster spaces.

12. Transportation Demand Management (TMD)

The project is located in the Red Subdivision Staging Policy Area (SSPA) and the Bethesda

Transportation Management District (TMD). The project proposes to develop 76,624 gsf. A project with greater than 40,000 gsf in a Red SSPA must submit a Project-based Level 3 Results Plan. The Plan must be submitted to and approved by MCDOT prior to issuance of any building permit by the Department of Permitting Services. A Level 3 Results Plan requires commitment by the owner or applicant to achieve a base Non-Auto Driver Mode Share (NADMS) that is 5% higher than the District's goal (55% blended for residents and for employees in the Bethesda TMD) as well as commuting goals at the project.

A Project-based TDM Results Plan must include the following:

- Appointment of Transportation Coordinator (a person to work with MDOT and TMD representatives to achieve NADMS and other commuting goals)
- Notification of the Transportation Coordinator's contact information and any changes to the information
- Access to the Project (owner must provide space on-site by prior arrangement with MCDOT or TMD representatives to allow the Department to promote TDM)
- TDM Information (TDM-related information must be displayed in a location(s) visible to employees, residents and other project users.)
- Selection of Strategies: The plan must include project-based strategies and demonstrate that the plan is achieving the goals for the project.
- Independent Monitoring (to determine whether the project is meeting its goals)
- Addition and/or Substitution of Strategies (if strategies initially selected by the owner or applicant do not result in the project achieving its goals after 6 years, revisions to the plan may be required.
- Funding Commitment (if strategies selected by the owner or applicant do not result in achievement of goals by 6 years after final occupancy, increased funding by the owner for existing or new
- Performance Incentives (owner or applicant may be eligible for incentives for continued achievement of goals over multiple years)

13. Permit and bond will be required as a prerequisite to MCDPS approval of the record plat. The permit will include, but not necessarily be limited to the following improvements (to be determined at preliminary plan stage):

- a. Improvements to the public right of way will be determined at the site plan stage based on a review of the additional information requested earlier in this letter.
- b. Enclosed storm drainage and/or engineered channel in all drainage easements.
- c. Underground utility lines.
- d. Bethesda Streetscaping.
- e. Street lights.
- f. Street trees in amended soil panels.
- g. Permanent monuments and property line markers.

Mr. Jonathan Bush
Sketch Plan No. 32020006A
February 3, 2022
Page 4

Thank you for the opportunity to review this sketch plan. If you have any questions or comments regarding this letter, please contact me at Brenda.Pardo@montgomerycountymd.gov or at (240) 777-7170.

Sincerely,

Brenda M. Pardo

Brenda M. Pardo, Engineer III
Development Review Team
Office to Transportation Policy

[SharePoint\teams\DOT\Director's Office\Development Review\Brenda\Sketch Plan\SP3202006A4725 Cheltenham Dr\Letters\3202006A-4725 Cheltenham Dr-DOT Sketch Plan Letter_1.10.22](#)

cc: Correspondence folder FY 2022
cc-e: Sam Farhadi, DPS
Sandra Brecher; MCDOT OTP
Beth Dennard; MCDOT OTP



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

DATE: 21-Sep-21
TO: Tim Hoffman - Soltez
Soltez
FROM: Marie LaBaw
RE: 4725 Cheltenham Drive
820220060

PLAN APPROVED

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

***** 1/18/2022 Revised FDC & hydrant locations *****

Memorandum

TO: Marie LaBaw, PhD, PE
FROM: Timothy Hoffman, PE
CC:
DATE: January 18, 2022
SUBJECT: 4725 Cheltenham, 32020006A / 820220060
Fire Department Access Plan Amendment, Scope of Work Letter

Dr. LaBaw,

Please find attached for your review the Amended Fire Department Access Plan (FDAP) for 4725 Cheltenham Drive.

The scope of work of this Amendment is the revised location of the second Fire Department Connection (FDC) from the front right corner (southeast) on the building facing Cheltenham Drive to the same corner of the building but now facing the adjacent public alley. Additionally the FDAP shows the revised public bike lane per M-NCPPC/MCDOT changes which includes moving the fire hydrant from the behind the curb to be located on the bike lane median adjacent to the Fire Lane. Both the existing and proposed hydrants are within 7' of the Fire Lane. The separation between the two FDC's meets the required distance.

Sincerely,



SOLTESZ

Timothy Hoffman, PE

FIRE CODE ENFORCEMENT

Fire Department Access Review

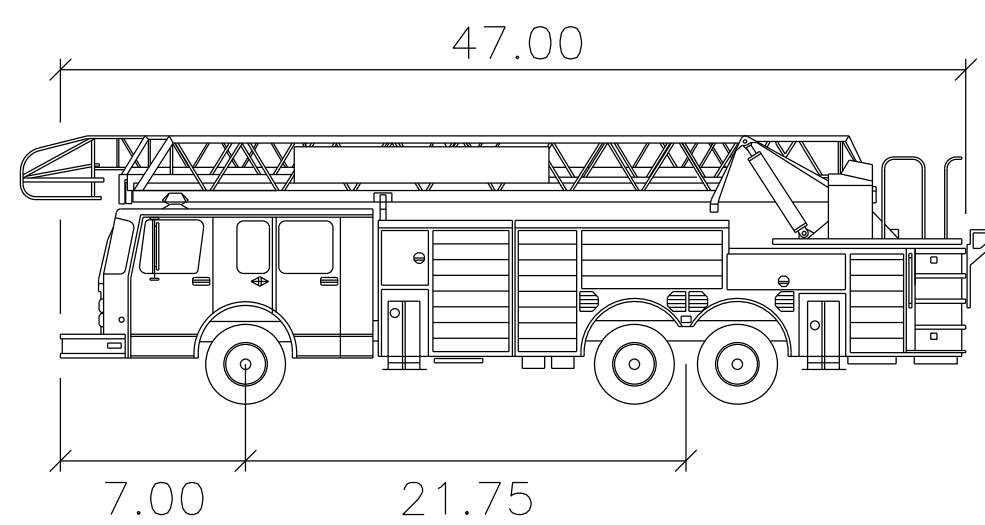
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation

BY: SAC FM: 43 DATE: 1/18/2022
original 9/21/2021



The original of this drawing document was prepared by Soltesz, Inc. (SOLTESZ). This document was not obtained directly from SOLTESZ, Inc. (SOLTESZ). SOLTESZ, Inc. (SOLTESZ) cannot guarantee the accuracy of any information that has been transmitted by electronic means.

- LEGEND**
- PROPOSED FIRE DEPARTMENT ACCESS LANE
 - EXISTING FIRE HYDRANT
 - EXISTING WATER LINE
 - PROPOSED WATER LINE
 - PROPOSED FDC
 - MAIN ENTRANCE
 - DOOR
 - ANNUNCIATOR PANEL



AT-29 Germantown feet

Width : 8.25
Track : 8.25
Lock to Lock Time : 6.0
Steering Angle : 33.2

NOTES:

- THIS EXHIBIT IS FOR FIRE COVERAGE ONLY.
- PER CODE, THE MINIMUM 20' FIRE ACCESS LANE HAS BEEN PROVIDED.
- MINIMUM 300' DISTANCE BETWEEN PROPOSED AND EXISTING FIRE HYDRANTS HAS BEEN PROVIDED.
- FIRE ACCESSIBLE LANES MUST MEET MCFRS APPARATUS LOADING TO BE NO LESS THAN 85,000 LBS OR MEET TERTIARY ROAD SUBGRADE.
- OLNEY-SANDY SPRING ROAD POSTED SPEED LIMIT IS 30 MPH EASTBOUND AND WESTBOUND APPROACHING THE PROJECT SITE. ALL BUILDINGS AND ADDITIONS ARE FULLY SPRINKLERED.

SCALE: 1" = 10'

EXISTING PARKING LOT

BITUMINOUS PAVEMENT

PROPOSED
MIXED-USE
BUILDING 76,841 SF
FFE= 347.50

CHELTENHAM DRIVE

WISCONSIN AVENUE

FIRE CODE ENFORCEMENT
Fire Department Access Review
Review based only upon information contained on this plan. Does not cover unsatisfactory layout resulting from omissions, errors or failure to clearly indicate conditions on this plan. Correction of such unsatisfactory layout to afford required access will be required if found upon inspection after installation.
BY: SAC PM: 43 DATE: 1/18/2022
original 9/21/2021

SOLTESZ, INC.

ROCKVILLE OFFICE
2 Research Place, Suite 100
Rockville, MD 20850
P. 301.948.2750 F. 301.948.9067
www.solteszco.com

Engineering
Surveying
Planning
Environmental Sciences

MISS UTILITY NOTE

INFORMATION CONCERNING EXISTING UNDERGROUND UTILITIES WAS OBTAINED FROM AVAILABLE RECORDS. THE CONTRACTOR MUST DETERMINE THE EXACT LOCATION AND ELEVATION OF ALL EXISTING UTILITIES AND UTILITY CROSSINGS BY DIGGING TEST PITS BY HAND, WELL IN ADVANCE OF THE START OF EXCAVATION. CONTACT MISS UTILITY AT 1-800-251-7777 48 HOURS PRIOR TO THE START OF EXCAVATION. IF CLEARANCES ARE LESS THAN SHOWN ON THE PLAN OR TIME IS 10 MINUTES, WHOEVER IS LESS, CONTACT THE ENGINEER AND THE UTILITY COMPANY BEFORE PROCEEDING WITH CONSTRUCTION. CLEARANCES LESS THAN NOTED MAY REQUIRE REVISIONS TO THE PLAN.

OWNER / DEVELOPER / APPLICANT

COMMUNITY THREE
650 F. STREET, NW
STE 650
WASHINGTON, DC 20004
(202) 233-3858
GRANT EPSTEIN

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A FULLY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 65922 EXPIRATION DATE: 05-31-2022



FIRE ACCESS PLAN

SITE PLAN #82020060

4725 CHELTENHAM DRIVE

BETHESDA (TOWN) ELECTION DISTRICT, MONTGOMERY COUNTY, MARYLAND

TAX MAP

HN122

WSSC 200' SHEET

208NW05

SITE DATUM

HORIZONTAL: 1" = 10'

VERTICAL: 1" = 10'

SHEET 1

OF 1

PROJECT NO.

4180-00-00

ZONING CATEGORY:

CR-3.0

MASTER PLAN:

BETHESDA

DOWNTOWN PLAN

DATE: 1/18/2022

DESIGNED: ECO

TECHNICIAN: ECO

CHECKED: TAH

CAD STPS: V8 / NCS

VERSION:

1/18/2022

ECO

TAH

V8 / NCS

Q:\1800000\Exhibits\Fire Access Plan\13-FDA-8201xxxx.sht Scale: 10.0000 sf / in. User: NCollins PLT.dwg PDF: Grey, 150 plots Plotted: TEXT, SUB.tbl 1/18/2022 1:08:10 PM



DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

Marc Elrich
County Executive

Aseem K. Nigam
Director

December 21, 2021

Jonathan Bush, Planner Coordinator
Down-County Planning Division
Montgomery County Planning Department
2425 Reedie Drive
Wheaton, Maryland 20902

Re: 4725 Cheltenham Drive
Sketch Plan No. 3202006A & Site Plan No. 820220060

Dear Mr. Bush:

The Montgomery County Department of Housing and Community Affairs (DHCA) has reviewed the above referenced plans and recommends Approval. Individual unit layouts will be determined at Agreement to Build stage.

Sincerely,

Somer Cross, Program Manager
Affordable Housing Programs Section

cc: Stephanie Dickel

Division of Housing

Affordable Housing

Common Ownership Communities

Landlord-Tenant Affairs

Multifamily Housing

1401 Rockville Pike, 4th Floor • Rockville, Maryland 20852 • 240-777-0311 • 240-777-3691 FAX • www.montgomerycountymd.gov/dhca

820220060 4725 Cheltenham Drive

Contact: Sam Farhadi at 240 777-6333

We have reviewed site plan file:

“07-SITE-820220060-004.pdf V3” uploaded on/ dated **“12/29/2021”** and

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

1. Address the following conditions of the MCDOT sketch plan 320200060 approval letter dated October 20, 2020:
 - a. 3 and 12; bicycle facilities approval by MCDOT.
 - b. 4b; complete drainage area maps and downstream adequacy analysis;
 - c. 4e; sight distance for the driveway at the alley. Please also ensure correct road classifications are used.
 - d. 6; Provide ADA compliant label or note for the proposed public sidewalks.
 - e. 8: All proposed streetscaping to be per standard Bethesda streetscaping standards. Please label/ note accordingly. Design exception package for any deviation is required.
 - f. 10: TIS review by MCDOT.
 - g. 11: TDM requirements.
2. Clarify the details of the proposed access to the alley.
3. Provide County standard pavement for the alley.
4. Provide public sidewalk/ bikeway:
 - a. Ensure FDC projection into ROW will not cause ADA compliancy issues.
 - b. Clarify cycle track traffic management at either end of the site.
5. The proposed bike racks should be designed per MCDOT requirements.
6. All non-woody landscaping in ROW needs to be per MC-704.01.



DEPARTMENT OF PERMITTING SERVICES

Marc Elrich
County Executive

Mitra Pedoeem
Director

January 28, 2021

Mr. Timothy Hoffman, P.E.
Soltesz, Inc
2 Research Place, Suite 100
Rockville, MD 20850

Re: **COMBINED STORMWATER MANAGEMENT
CONCEPT/SITE DEVELOPMENT
STORMWATER MANAGEMENT PLAN** for
4725 Cheltenham Drive
Preliminary Plan #: 820220060
SM File #: 287437
Tract Size/Zone: 0.24 Acres
Total Concept Area: 0.43 Acres
Lots/Block: N/A
Parcel(s): N/A
Watershed: Lower Rock Creek

Dear Mr. Hoffman:

Based on a review by the Department of Permitting Services Review Staff, the stormwater management concept for the above-mentioned site is **acceptable**. The stormwater management concept proposes to meet required stormwater management goals via Green Roof. The submission also includes a request for a waiver of a portion of the required stormwater management treatment, due to site constraints. That waiver is hereby **granted**.

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

1. A detailed review of the stormwater management computations will occur at the time of detailed plan review.
2. A waiver fee will be collected prior to permit issuance.
3. An engineered sediment control plan must be submitted for this development.

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

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

This letter must appear on the sediment control/stormwater management plan at its initial submittal. The concept approval is based on all stormwater management structures being located outside of the Public Utility Easement, the Public Improvement Easement, and the Public Right of Way unless specifically approved on the concept plan. Any divergence from the information provided to this office; or additional information received during the development process; or a change in an applicable Executive Regulation may constitute grounds to rescind or amend any approval actions taken, and to



2425 Reedy Drive, 7th Floor, Wheaton, Maryland 20902 | 240-777-0311
www.montgomerycountymd.gov/permittingervices

Mr. Timothy Hoffman, P.E.
January 28, 2022
Page 2 of 2

reevaluate the site for additional or amended stormwater management requirements. If there are subsequent additions or modifications to the development, a separate concept request shall be required.

If you have any questions regarding these actions, please feel free to contact Andrew Kohler at 240-777-6275.

Sincerely,



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

MCE: CN 287437

cc: N. Braunstein
SM File # 287437

ESD: Required/Provided 2790 cf / 429 cf
PE: Target/Achieved: 2.0"/0.31"
STRUCTURAL: N/A cf
WAIVED: 2790 cf

Bethesda Downtown Design Advisory Panel

Meeting Minutes

PROJECT: 4725 Cheltenham

DATE: October 27, 2021

The 4725 Cheltenham project was reviewed by the Bethesda Downtown Design Advisory Panel at Sketch Plan on May 27, 2020. On September 22, 2021, the Panel reviewed the project for Site Plan and again on October 27, 2021. The following meeting notes summarize the Panel's discussion, recommendations regarding design excellence, and the exceptional design public benefits points. The project is in the Site Plan stage and the Design Advisory Panel will determine if comments from Sketch Plan have been incorporated and take the final vote for design excellence public benefit points if it is determined the Project is suitable. Should you have any additional questions and/or comments please feel free to contact the Design Advisory Panel Liaison.

Attendees:

George Dove
Rod Henderer
Brian Kelly
Damon Orobona
Qiaojue Yu
Paul Mortensen, ex officio member, Senior Urban Designer in the Director's Office

Staff

Gwen Wright, Planning Director
Robert Kronenberg, Deputy Director
Stephanie Dickel, Regulatory Supervisor, DownCounty Planning
Grace Bogdan, Planner Coordinator, DownCounty Planning
Jonathan Bush, Planner Coordinator, DownCounty Planning
Hyojung Garland, Parks Planner
Domonic Quattrocchi, Parks Planner
Darren Flush, Acting Supervisor for Parks
Rachel Newhouse, Parks Planner
Emily Balmer, Administrative Assistant III, DownCounty Planning

Applicant Team

Steve Robbins, Attorney
Elizabeth Rodgers, Attorney
Grant Epstein, Developer
Mwangi Gathinji, Developer
Dave Yampolsky, Developer



Steve Dickens, Architect
Jose Mi Jauregui, Architect
Daniel Park, Engineer

No members of the public were in attendance

Discussion Points:

Staff: The Panel reviewed the Proposal at the September DAP meeting and this *is the second presentation by the Applicant for the Site Plan submission, addressing the main concerns by the DAP including the consistency of the eastern and western base façade.*

General

- I appreciated your presentation and the improvements from last month.
- What is the white material?
 - *Applicant Response: Grey metal panels.*
- On the east side below the balcony, what material is that? At first I interpreted it as different than brick
 - *Applicant Response: It's the same grey brick but the pattern changes to soldier course.*
- Did you look at the western vertical going away so the balcony has an open end that looks west? For the first two floors
 - *Applicant Response: Yes, we did and it was quite a debate, we ended with keeping the vertical given the unknown redevelopment of the CVS site. We ended up with this design but when we turned the corner with the planters and it just didn't look right.*
- What is the material at the base? Concrete?
 - *Applicant Response: No, it is also painted brick, it is hard to convey that in the model.*
- When you turn the corner with the 4th floor parapet, did you ever consider carrying that over and framing the western wall? May help tie in the material a little more
 - *Applicant Response: Yes, we did look at that and with your flexibility we may go back to it. I do think more than one solution could have resulted and we are open to it.*
- Is there a LEED rating for the building?
 - *Applicant Response: Yes, we are going after LEED silver and it may end up at LEED gold but we can't promise that right now.*
- Very good move to not provide any parking.

Panel Recommendations:

The Applicant is requesting 23 design excellence points. The Panel voted unanimously that the Project received 20 points for design excellence with the following comment:

- The financial contribution to the Park be prioritized to remove vegetation and improve overall appearance of the Cheltenham Drive Urban Park.

