

2 BETHESDA METRO CENTER PRELIMINARY PLAN AMENDMENT & SITE PLAN AMENDMENT



Description

Preliminary Plan: Request to convert existing retail space into office space to support a new building entrance, reduce public use space by approximately 1,546 square feet and increase gross floor area by 5,408 to accommodate building expansion.

Site Plan: Request to modify existing building to incorporate a reconfigured building entrance, redesign exterior plaza, and expand rear annex building by 6,382 square feet to create a larger amenity pavilion.

No. 11984260A & 81989060E
Completed: 03-21-2022

MCPB
Item No. 6
03-31-2022

Montgomery County
Planning Board
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LOCATION/ADDRESS

Located at the intersection of Montgomery Avenue and Woodmont Avenue; NE quadrant

MASTER PLAN

2017 *Bethesda Downtown Sector Plan*

ZONE

CR 8.0, C-8.0, R-7.75, H-250'; reviewed under previous CBD-3 Zone per Section 7.7.1.B.3 of the Zoning Ordinance

PROPERTY SIZE

1.31 tract acres

APPLICANT

Chevy Chase Land Company

ACCEPTANCE DATE

December 1, 2021

REVIEW BASIS

Chapter 59 & Chapter 50



Summary:

- Staff recommends approval with conditions of both the Preliminary Plan Amendment and the Site Plan Amendment.
- Pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, these amendments were reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014.
- In 1988 and 1989 the Planning Board approved a Project, Preliminary, and Site Plan to allow the construction of an office and retail building with underground parking and public use space resulting in a mid-block plaza connection to 3 & 4 Bethesda Metro. Subsequent amendments to improve the office building were submitted and approved following Staff and/or Planning Board review.
- The Applicant proposes to redesign building elements and expand the rear annex building to activate the aging property and rework currently underutilized spaces.
- Overall density is proposed to increase by 6,382 sf to the currently proposed 305,090 sf with an accompanying FAR of 5.34. Additionally, the Applicant proposes to decrease existing public use space by 1,546 sf to accommodate a new amenity pavilion; the remaining public use space maintains a level which far exceeds the minimum requirement for the CBD zone.

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SECTION 1: RECOMMENDATIONS AND CONDITIONS

PRELIMINARY PLAN 11984260A

Staff recommends approval of Preliminary Plan Amendment No. 11984260A, which proposes to decrease existing retail/restaurant space by 5,195 square feet, in support of a proposed building addition and new building entry, resulting in a net increase in gross floor area (GFA) of 5,408 square feet. The following conditions of approval will replace and supersede all previous conditions of approval. All site development elements shown on the latest electronic version of the Preliminary Plan Amendment as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

1. This Preliminary Plan is limited to one lot with a maximum density of 305,090 square feet of total development, consisting of up to 278,786 square feet of office, up to 17,305 square feet of retail, and up to 8,999 square feet of daycare use.
2. The Adequate Public Facilities (APF) review for the Preliminary Plan will remain valid for five (5) years from the initiation date pursuant to 50-4.3. J.5.a.
3. The Planning Board accepts the recommendations of the Montgomery County Department of Transportation (“MCDOT”) in its letter dated March 4, 2022, and hereby incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDOT provided that the amendments do not conflict with other conditions of the Preliminary Plan approval.
4. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services Right-of-Way (DPS-ROW) Section in its memo dated January 26, 2021. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of approval.
5. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”) – Water Resources Section in its letter dated November 15, 2021 and incorporates them as conditions of the Preliminary Plan approval. The Applicant must comply with each of the recommendations as set forth in the letter, which may be amended by MCDPS – Water Resources Section if the amendment does not conflict with any other conditions of approval.
6. The Planning Board has reviewed and accepts the recommendations of the Montgomery County Department of Permitting Services (“MCDPS”), Fire Department Access and Water Supply Section in its letter dated March 21, 2022 and incorporates them as conditions of approval. The Applicant must comply with each of the recommendations as set forth in the letter, which MCDPS may amend if the amendment does not conflict with other conditions of Preliminary Plan approval.
7. If an approved site plan amendment for the Subject Property substantially modifies the lot or right-of-way configuration or quantities shown on this Preliminary Plan, the Applicant must

obtain approval of a Preliminary Plan Amendment before certification of the Site Plan Amendment.

8. The portions of right-of-way along the Site's North Lane and East Lane frontages that cannot be dedicated to provide the master-planned rights-of-way widths are subject to an easement for future dedication. The extents of the easement and the following note must be included on the Certified Preliminary Plan, "Future dedication of 25 feet from the centerline along North Lane and 25 feet from the centerline on East Lane will be provided upon demolition of the existing building to accommodate redevelopment of the Site. However, no dedication is being provided with these amendments.

SITE PLAN 81989060E

Staff recommends approval of Site Plan Amendment No. 81989060E, which proposes to decrease existing retail/restaurant space by 5,195 square feet, in support of a proposed building addition and new building entry, resulting in a net increase in gross floor area (GFA) of 6,382 square feet. Additionally, the Site Plan Amendment proposes a slight decrease of 1,546 sf in public use space associated with the addition to the rear annex building.

Staff recommends approval of Site Plan Amendment No. 81989060E, with the addition of Conditions 16 and 17 and the removal of original Condition of Approval 5 associated with the designation of a restaurant use on the Subject Property; all other conditions remain in full force and effect. All site development elements shown on the latest electronic version of the Site Plan Amendment as of the date of this Staff Report submitted via ePlans to the M-NCPPC are required except as modified by the following conditions:

16. Density

The Site Plan is limited to a maximum density of 305,090 square feet of total development, consisting of up to 278,786 square feet of office, up to 17,305 square feet of retail, and up to 8,999 square feet of daycare use.

17. Public Open Space

The Applicant must provide a minimum of 20,237 square feet of Public Use Space (35.4% of net lot area) on-site.

SECTION 2: SITE DESCRIPTION

VICINITY

The Property is zoned CR-8.0 C-8.0 R-7.75 H-250' within the Bethesda Overlay Zone and is located in the northeast quadrant of the intersection of Woodmont Avenue and Montgomery Lane but is being reviewed under the CBD-3 Zone, pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance. Surrounding uses include office buildings to the north and south, the Hyatt Hotel, the Bethesda Metro entrance, as well as one- and two-story retail along Montgomery Lane to the east.



Figure 1 – Vicinity Map

PROPERTY DESCRIPTION

The Property is improved with a 17-story office building with ground floor retail, and entrances from Woodmont Avenue, North Lane, and a second story plaza. The Property includes a pedestrian entrance from Montgomery Lane that steps up into a second story plaza connecting to 3 Bethesda Metro and 4 Bethesda Metro, referred to as the Discovery Trail; the Bethesda Metro Station and bus depot is located under this pedestrian plaza. To the east of the plaza, the Property also has one- and two-story retail with entrances off Montgomery Lane and the plaza. The Property is 1.14 acres in size with 23,558 square feet of existing public use space within the plaza.

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

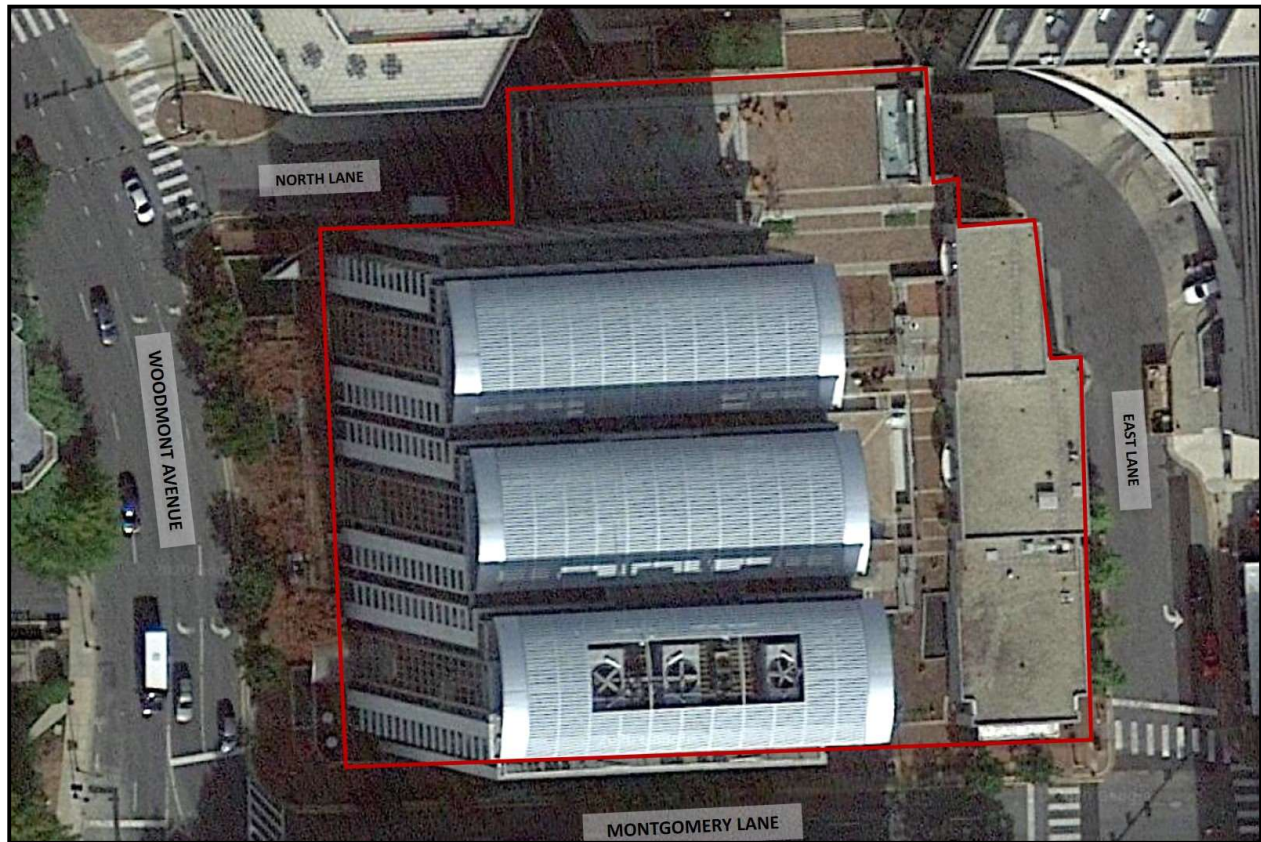


Figure 2 – Subject Property

SECTION 3: PROJECT DESCRIPTION

PREVIOUS APPROVALS

[PRELIMINARY PLAN NO. 119842600](#), [PROJECT PLAN NO. 9-88006](#), [SITE PLAN NO. 819890600](#)

In 1985, the Planning Board approved a Preliminary Plan of subdivision to create 1 lot on 49,000 square feet of land. Subsequently in 1989, the Planning Board approved a Project and Site Plan to allow 276,208 square feet of office, 22,500 square feet of retail and 23,558 square feet of public use space. Following these approvals, the Site Plan was amended three times to allow minor modifications to lighting, landscaping, drop off areas and seating areas. See Attachment A for a summary of those changes; the Site is currently approved to allow 276,209 square feet of commercial, 22,500 square feet of retail, and 21,783 square feet of public use space.

PROPOSAL

The Applicant requests to amend the previously approved Preliminary Plan to reallocate the previously approved areas of commercial and retail spaces in support of overall efforts to refresh the property. Proposed modifications include reconfiguration of the building entrance/creation of a new main entrance along Woodmont Avenue, designation of a new office lobby area, and a reallocation of space within the existing annex building to support a proposed amenity pavilion. In total, the Preliminary Plan Amendment seeks to convert approximately 5,195 square feet of the currently under performing retail/restaurant space into commercial use; this results in a net of 17,305 square feet allocated to retail uses while 278,786 square feet is allocated to commercial use.

In conjunction with this proposed Preliminary Plan amendment, the Applicant also seeks to amend the previously approved Site Plan in order to implement several physical modifications to the Property, as described below. Of the anticipated changes, the most significant is the proposed 6,382 square foot expansion and additional level added to the existing rear annex building. Collectively, the Amendments contained in this Application propose to increase density from 298,708 square feet to 305,090 square feet.

The proposed modifications are intended to attract and maintain tenants, improve site access and visibility, and active the public realm. The existing 175' tall building will remain while the largely cosmetic changes at key locations will provide needed visual updates and slight functional changes which will enhance the user experience.



Figure 3: Rendering of updated plaza stairs with inset view (upper right) of existing condition

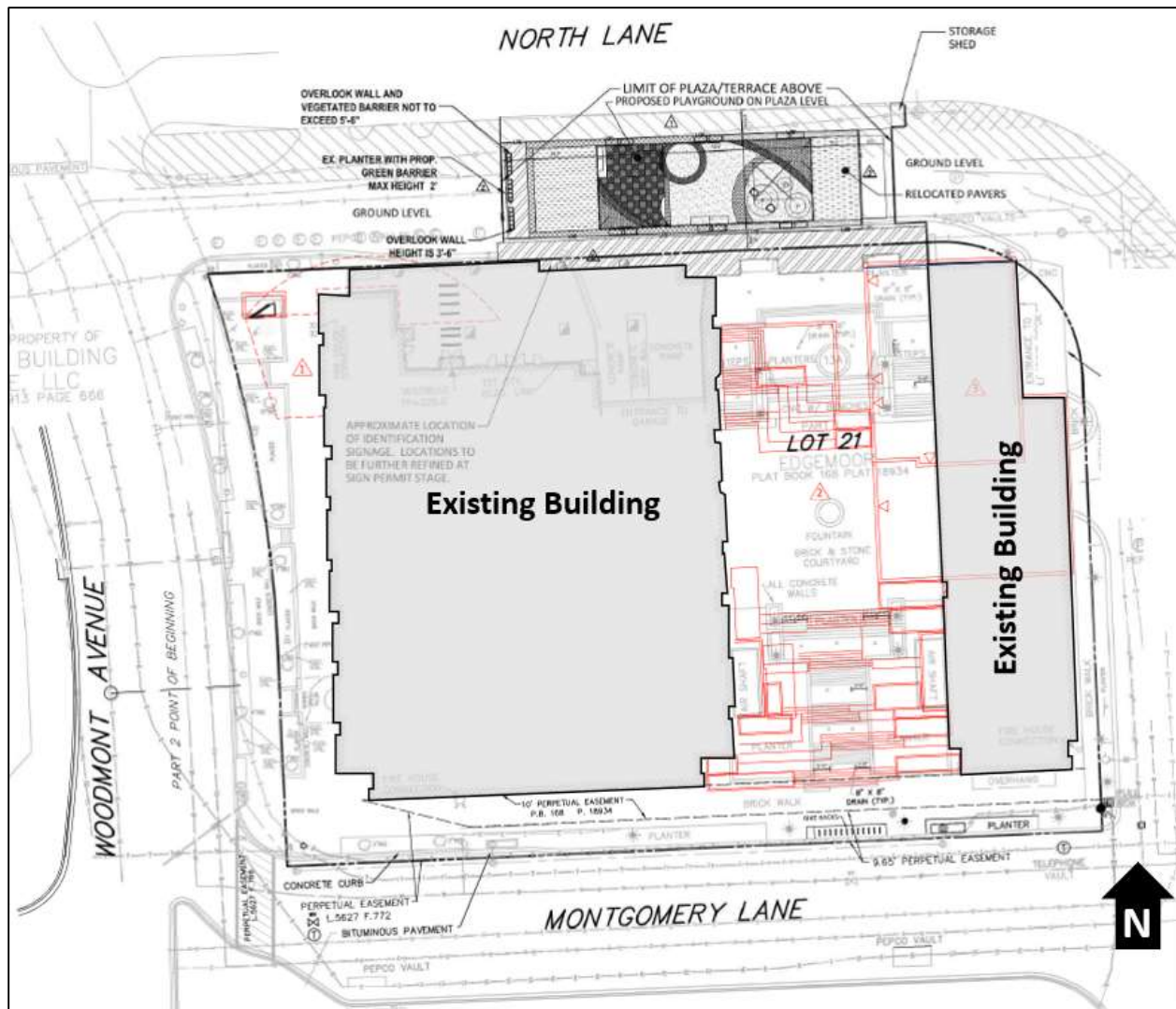


Figure 4: Redlined Site Plan - existing building with plaza updates, building addition, and canopy revisions in red

Currently the building entrance is situated along North Lane under the plaza level which has resulted in a mostly hidden entrance to the Property. Visitors must also navigate across garage access, Metro kiss-and-ride, and a loading area. In order to alleviate these conflicts and create a more visible and welcome arrival experience, the Applicant has proposed to relocate the main lobby to Woodmont Avenue while maintaining the North Lane access as a secondary entrance. As shown in Figure 4 above, the relocated entry would be located at the corner of Woodmont Avenue and North Lane.

A portion of the existing planter beds and raised seating along Woodmont Ave would be replaced with seasonal landscape plantings and an extended staircase leading to the office lobby. To accompany the new entrance, the widened staircase will lead visitors under an extended canopy towards two sets of double doors which serve to enhance functionality and accessibility.

To the east of the larger main building, the narrow annex building will be redesigned to become an amenity pavilion which includes conference facilities and a fitness center in place of the existing retail and restaurant spaces. This change, which results in the removal of underperforming aspects of the Property, is accompanied by the Applicant's request to eliminate Site Plan 819890600 Condition of Approval #5 which requires the Applicant to "[d]esignate a restaurant use...on the first floor of the retail pavilion and provide a commitment to entertainment-oriented restaurant uses and to community-oriented retail needs in accordance with Project Plan Condition #1." The Applicant notes that by providing more desirable tenant amenities and expanding the rear annex building by 6,382 square feet with an additional floor, the space will attract more users and further activate the public open space. This will also result in an overall increase to the approved gross floor area which brings the total building area to a total of 305,090 square feet.

OPEN SPACE

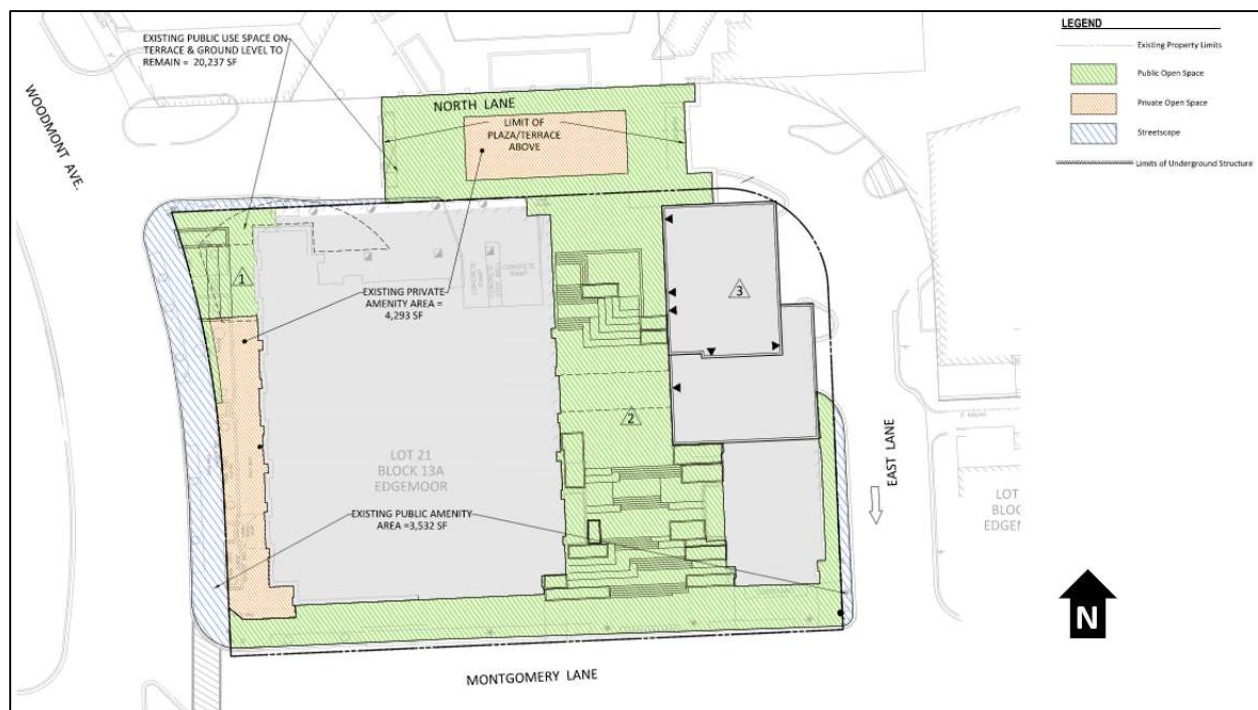


Figure 5: Open Space Diagram

The existing plaza and retail pavilion, located between Montgomery Lane and North Lane, is also proposed to undergo redesign. Currently the plaza is accessible from the mezzanine level of the main building or via an underused, steep staircase. Notably, there is no seating in the existing plaza and the lack of activating features contributes to the overall underutilization of the open space.

The proposed redesign of the plaza consists of widening the stairway and interspersing planted areas. The terraced steps will be wide enough for seating and informal social gathering while design choices

such as contrasting concrete and wood flooring will provide a visually interesting flow that will complement the redesign rear annex building. The main plaza area will incorporate café seating and seasonal landscaping in place of the existing water fountain. Additionally, a covered walkway featuring a green roof will connect to the main building to the renovated amenity pavilion to the east.

The Amendments to the building and plaza areas collectively result in a slight decrease of public use space from the previously approved 23,558 square feet to the proposed 21,783 square feet. With this decrease, the Project will continue to exceed the 20% (or 9,932 square feet) of public use space required under the CBD-3 Zone. Although the proposals result in a decrease in public use space, the modifications to the stairs and plaza will greatly enhance the useability of the space through the new seating, landscaping, and modernized design.

TRANSPORTATION

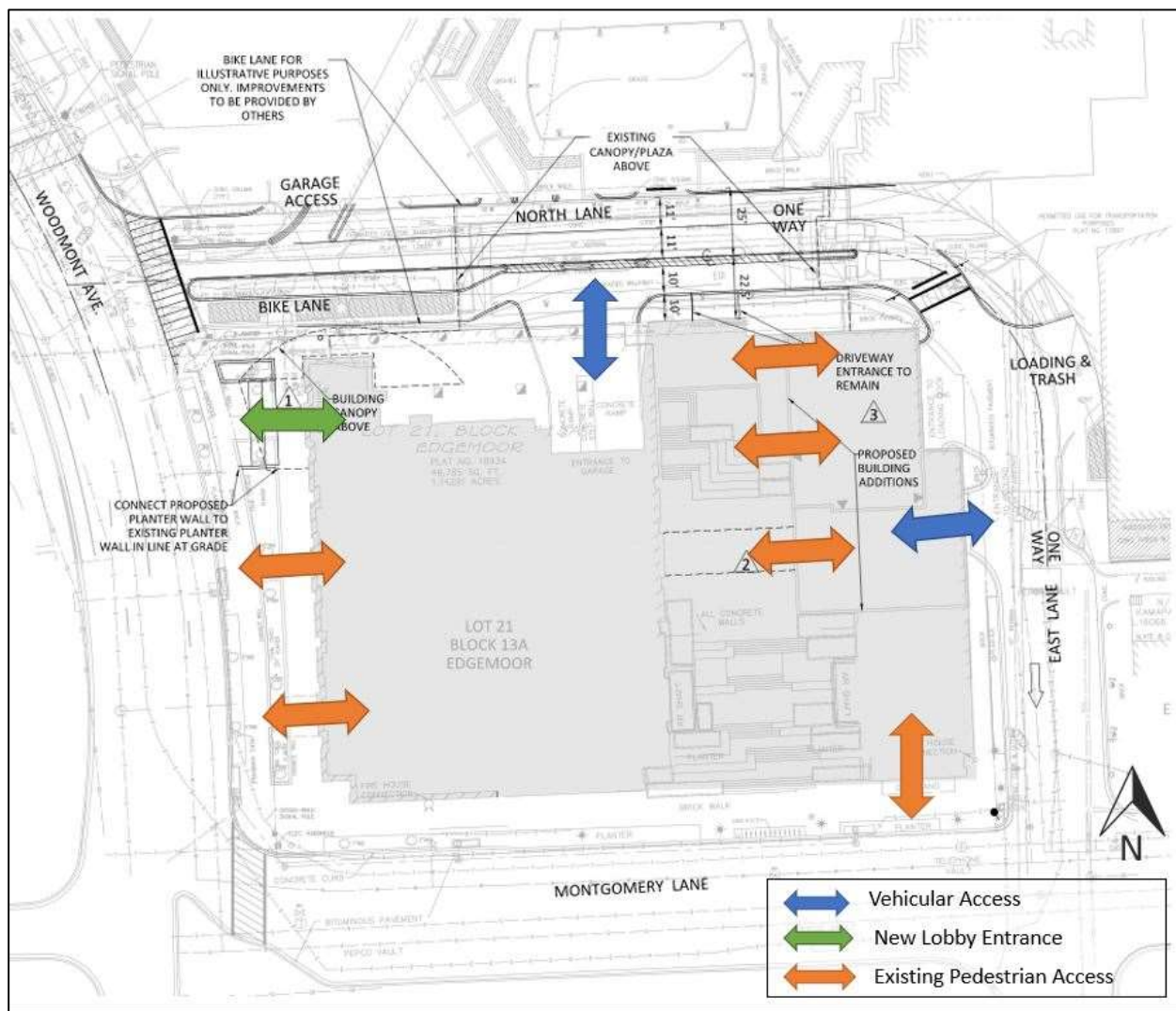


Figure 6 – Circulation Diagram

Access & Circulation

The Applicant proposes to move the main entrance and office lobby to Woodmont Avenue. This will be the primary access point for pedestrians. Pedestrians will continue to access the Site from North Lane, the plaza from the existing sidewalks along Wisconsin Avenue, and from staircases accessed from Montgomery Lane as well. Motor vehicles will continue to access the building from North Lane and East Lane. Bicycle access will be improved by the future separated bicycle lanes to be installed along the west side of Woodmont Avenue, the south side of North Lane, on East Lane, and the south side of Montgomery Avenue. The Applicant is not required to participate in the master-planned bicycle facilities along the Site frontages. None of the additional density proposed will impact the existing or master-planned right-of-way and will therefore not preclude future implementation of any envisioned bicycle and pedestrian improvements.

Parking and Loading

North Lane and East Lane are Business District Streets 40-feet in width, which operate one-way east & southbound between Woodmont Avenue and Montgomery Lane. There are two existing access points to the existing on-site garage: one from North Lane and a second from East Lane. The Applicant does not propose any changes to the existing vehicular parking access and internal circulation on-site. The Site will continue to provide a total of 434 spaces on site which consists of 321 spaces for the office and retail uses and 22 for the daycare use. As the Site is located within the Bethesda Parking Lot District, there is no minimum requirement for parking.

One (1) long-term and one (1) short-term bicycle parking spaces are provided on-site, as required for the previously approved daycare (Site Plan No. 81989060D). The office use was approved and built prior to the 2014 Zoning Code requirements for on-site bicycle parking.

Master Planned Facilities

Design is under way for the two-way separated bicycle lanes master planned along Woodmont Avenue and Montgomery Lane, which are anticipated to be installed by the Montgomery County Department of Transportation in FY2023. Implementation of the bicycle lanes along North Lane are a condition of approval for Preliminary Plan No. 11981068B, 4 Bethesda Metro Center (Condition 13.c).

No additional right-of-way dedications along the Site's frontages are required for this Project.

Transit Connectivity

The Site is situated directly on top of the Bethesda Metro Station, which is a transit hub serviced by Metrobus, RideOn, the Bethesda Circulator, and the MD 355 Flash Bus rapid transit service. The site of the future Purple Line Station is located approximately two blocks south of the Site.

ENVIRONMENT

Environmental Guidelines

The Subject Property is located within the Little Falls Branch watershed which is a Use I-P¹ watershed. The Site is not associated with any environmentally sensitive features such as forest areas, stream buffers, wetlands, 100-year floodplains, or steep slopes. Numerous street trees border the site, however none of the bordering trees are considered significant trees with sizes measuring at least 24” in diameter-at-breast-height (DBH). The soils associated with the Property are classified generally as urban land, which is not highly erodible or otherwise sensitive. There are no known rare, threatened, or endangered species on site. There are no known historic properties on site.

Forest Conservation

In lieu of a Natural Resource Inventory/Forest Stand Delineation (NRI/FSD), a simplified NRI in support of a Forest Conservation Exemption was submitted by the Applicant. This Exemption Request, No. 42022088E, was confirmed for the Subject Property on November 1, 2021. As such, this Application is subject to Chapter 22A Forest Conservation Law but is exempt from the requirement to submit a Forest Conservation Plan under Section 22A-5(s)(1). The Project meets the particular requirements of the exemption because the proposal is occurring on a tract of land less than 1.5-acres with no existing forest, or existing specimen or champion tree, and the afforestation requirements would not exceed 10,000 square feet.

Green Area

The *Bethesda Downtown Sector Plan* includes recommendations to achieve the urban green goals within the Sector Plan boundary. An important recommendation to this effect is the onsite 35% green area coverage minimum. The green cover may include singularly or a combination of intensive green roof (6 inches or deeper) or tree canopy cover.

However, given that this Application consists of limited Site Plan and Preliminary Plan amendments, rather than a full redevelopment, it is anticipated that the Applicant will not achieve the overall 35% minimum coverage for the entire Property. The Property was developed long before the current standards were in place and has relatively little canopy/green coverage with the existing coverage making up approximately 6,727 square feet (11.7% of site area). The submitted Green Area Exhibit shows a proposed green cover area of approximately 8,500 square feet (15.7% of site area). In previous partial redevelopment projects within this Sector Plan area, Applicants have been required

¹ Use I-P:

WATER CONTACT RECREATION & PROTECTION OF AQUATIC LIFE, AND PUBLIC WATER SUPPLY

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, industrial water supply, and use as a public water supply.

to demonstrate good faith efforts to maximize the Green Area provided over the entire site. In addition, Applicants are encouraged to use strategies including, but not limited to, the following: installation of additional planter boxes and generally explore all options to enhance the urban green area associated with the Subject Property. With the redesign plaza, stairway, and entry areas incorporating plantings as well as the green canopy connecting the main building and the amenity pavilion, the Applicant has demonstrated such efforts. Additionally, the Applicant will explore the installation of a SemperGreen Green Wall which consists of pre-planted, irrigated panels. With many successful green wall installations in the region and precedent images provided by the Applicant, Staff is amenable to the inclusion of this feature to further activate the public realm.

Stormwater Management (SWM)

This Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on November 15, 2021. As the project consists of less than 5,000 square feet of disturbance and less than 100 cubic yards of earth movement, a stormwater management plan and sediment control permit are not required.

SECTION 4: PRELIMINARY PLAN 11984260A FINDINGS AND ANALYSIS

By Planning Board Opinion mailed on April 9, 1985, the Planning Board approved Preliminary Plan No. 119842600 to allow one lot 49,000 square feet of land². The Preliminary Plan Amendment No. 11984260A would allow an increase in density from the previous approved 299,682 feet of combined commercial density to a total of 305,090 square feet of commercial density.

This Application has been reviewed for compliance with the Montgomery County Code, Chapter 50, Subdivision Regulations. The Application has been reviewed by other applicable State, County and City agencies and received all necessary interagency approvals. All findings approved by Preliminary Plan No 11984260A remain valid except as modified below.

Section 50.4.3.E.2.F.iii of the Subdivision Regulations requires that the property lines of corner lots be truncated 25 feet from the intersection. This provides additional right-of-way area at intersections that ensures adequate sight distance is available and creates space for traffic channelization and other traffic control devices. The regulation also allows the Planning Board to specify a greater or lesser truncation depending on the specific sight distance and traffic operation needs at the intersections adjacent to the Subject Property. The Applicant is providing less than the required truncation at the intersections of North Lane and Woodmont Avenue, Woodmont Avenue and Montgomery Lane, and Montgomery Lane and East Lane as the existing building location does not

² There were no conditions of approval included in the Planning Board Opinion pertaining to use or gross floor area.

allow for the full required truncation. The proposed non-standard truncation is appropriate because adequate sight distance already exists at these locations, and property line truncation was not required when the Preliminary Plan was first approved in 1985.

- 1. *The layout of the subdivision, including size, width, shape, orientation and density of lots, and location and design of roads is appropriate for the subdivision given its location and the type of development or use contemplated and the applicable requirements of Chapter 59.***

The layout, size, width, shape, and orientation of the proposed lots will be appropriate for the subdivision given its location and type of development as confirmed in the original 1984 Preliminary Plan approval. The current amendments do not propose any change to the lot size or boundaries of the Property.

Transportation and Utilities

Transportation and utilities are adequate for the Site. A finding for adequate transportation infrastructure, and compliance with applicable master plans is addressed in greater detail in Findings 2.c, 3.a and 3.b. of this report.

- 2. *The Preliminary Plan substantially conforms to the Master Plan.***

Land Use

The Project will continue to provide commercial, retail, and daycare uses at the current location as with confirmed in previously approved amendments.

Environment

The Application meets the Sector Plan recommendations, the Environmental Guidelines and Forest Conservation Law. As described in this report, the Subject Application is exempt from submitting a Forest Conservation Plan under Chapter 22A(s)(1).

Transportation

The Site has frontage on four (4) roadways: Woodmont Avenue, North Lane, East Lane, and Montgomery Lane. All Site frontages have been evaluated for compliance with the 2017 *Bethesda Downtown Sector Plan*, the 2018 *Master Plan of Highways and Transitways*, and the 2018 *Bicycle Master Plan*. The Site was most recently platted in 1993 (Plat No. 18934). The following includes a summary of the master plan recommendations applicable to the Sites four (4) frontages.

Woodmont Avenue is classified as an Arterial with a master-planned right-of-way of 80 feet. As confirmed by Plat No. 18934, Woodmont Avenue is currently 80-feet wide along the Site frontage. The 2018 *Bicycle Master Plan* and the 2017 *Bethesda Downtown Sector Plan* envisioned two-way separated bicycle lanes on the west side of roadway (opposite the Site).

Design of the bicycle lanes are fully funded, and as of the date of the staff report, design is expected to be completed by fall of 2022 (CIP 500119). No participation is required on behalf of the Applicant because the master-planned bikeway is on the side of the street opposite the Site.

North Lane is classified as a Business Street with a master-planned width of 50 feet. The existing right-of-way is 45 feet, and confronting property to the north, 4 Bethesda Metro Center, is required to record an easement for future dedication as part of approval of Preliminary Plan No. 11981068B, by way of Montgomery County Planning Board Resolution No.19-1929 (condition 10.e.). Condition 13.c. of Preliminary Plan No. 11981068B requires the property owner of 4 Bethesda Metro Center to construct master-planned separated bicycle lanes along the south side of North Lane. Although the bicycle facility is located on the south side of North Lane (along the Subject Applicant's frontage) because their construction is a condition of approval by another Application, the Applicant for the Subject Application will not be required to participate in their implementation. The Applicant has demonstrated that the Project will not preclude future implementation of the bicycle facility, and therefore the Subject Application complies with all applicable master plans.

East Lane is classified as a Business Street with a master-planned width of 80 feet. Currently, East Lane has a right-of-way width of 45 feet. Preliminary Plan No. 119842600 required the Applicant to dedicate a 5-foot perpetual easement along the Site frontage, and this was recorded by Plat No. 18934. The Subject Preliminary Plan Amendment does not propose new construction within the easement or existing right-of-way. The existing footprint along the Site's East Lane frontage is not proposed to change, and therefore the Subject Application complies with all applicable master plans.

Montgomery Lane is classified as a Business Street with a master-planned right-of-way width of 80 feet. According to Plat No. 18934, the roadway is 60.35 feet wide. An additional 10 feet along the Site frontage was dedicated by way of a perpetual easement. With the perpetual easement, 40-feet has been dedicated between the Site property line and the roadway centerline on Montgomery Lane. Per the 2018 *Bicycle Master Plan* a two-way separated bicycle lane is envisioned along the south side of Montgomery Lane. Design of the bicycle facility is complete and has been funded for construction. As of the date of this staff report, construction is expected to start in spring of 2022 and completion in summer of 2022. No participation is required on behalf of the Applicant; therefore, the Subject Application complies with all applicable master plans.

3. Public facilities will be adequate to support and service the area of the subdivision.

a) Roads and other Transportation Facilities

- i. **Existing Facilities**
- ii. **Proposed public transportation infrastructure**
- iii. **Proposed private transportation infrastructure**

Access will continue to be provided along North and East Lanes for motor vehicles. Pedestrian access will be improved by the proposed upgrades to the existing entrance on Woodmont Avenue. Pedestrians will continue to have access to the Site from North Lane, but it will be a secondary entrance. Bicycle access will be improved with the future implementation of the separated bicycle lanes on North Lane (to be installed by 4 Bethesda Metro Center) and the separated bicycle lanes on Montgomery Lane (to be installed by the Montgomery County Department of transportation). Transit access will continue to be provided by the bus loop and Metrorail Red Line Station located opposite the Site. Transit connections to destinations east of Bethesda will be improved when the Purple Line, located within a few blocks of the Site, is open and operational. No other proposed public or private transportation infrastructure is master planned or needed at this time.

b) Local Area Transportation Review (LATR)

The Applicant proposes to convert 5,195 square feet of existing retail and restaurant uses and construct an additional 1,187 square feet the Site for office amenity space, such as a workout room, yoga studio and conference rooms. The combined areas would result in a net increase of 6,382 square feet of office on the Site. Although the intent of the amenities is to be used by existing office tenants and is therefore may not generate new trips to the Site, the proposal analyzed the conversion in uses as if it were typical office space, which it could be used for in the future if the Subject Application is approved.

To make a finding for adequate public transportation facilities, the Applicant was required to estimate the number of net new person trips to be generated by the proposed increase of office use on-site in the morning and evening peak hours. In compliance with the *Local Area Transportation Review Guidelines* (LATR) the Applicant applied a trip credit for the trips generated by the existing restaurant and retail on the Site proposed to be converted to office use. After application of the trip credit, it was estimated that the Project will generate eight (8) net new person trips in the morning peak hour and a net decrease of three (3) person trips in the evening peak hour. As a project generating fewer than 50 net new person trips in either peak travel hours, a transportation impact study was not

required. Therefore, a finding can be made that the public transportation facilities are adequate to accommodate the Project, as conditioned.

c) Other Public Facilities and Services

Public facilities and services are available for the existing development and are expected to be adequate for the proposed amendments. Water, sewer, and other utilities are located in the rights-of-way adjacent to the Subject Property. Connections off one or more of the roads adjoining the Property will continue to provide service. The Montgomery County Fire Station No. 6 (Bethesda Fire Department) is located 1 mile from the Property on Wisconsin Avenue. The 2nd District Police Station, servicing the Downtown Bethesda area, is located on Rugby Avenue in the Woodmont Triangle. Electrical and telecommunication services are also available to continue serving the Subject Property.

4. All Forest Conservation Law, Chapter 22A requirements are satisfied.

This Application received a Forest Conservation Exemption approval (42022053E) from the requirement to submit a Forest Conservation Plan under Chapter 22A, as the Project is on a tract of land less than 1.5 acres with no existing forest, specimen, or champion trees.

5. All stormwater management, water quality plan, and floodplain requirements of Chapter 19 are satisfied.

This Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS Water Resources Division on November 15, 2021. As the project consists of less than 5,000 square feet of disturbance and less than 100 cubic yards of earth movement, a stormwater management plan and sediment control permit are not required.

6. Any burial site of which the applicant has actual notice or constructive notice or that is included in the Montgomery County Cemetery Inventory and located within the subdivision boundary is approved under Subsection 50-4.3.M.

Not applicable to this Property.

7. Any other applicable provisions specific to the property and necessary for approval of the subdivision is satisfied.

No other provisions apply to the Subdivision.

SECTION 5: SITE PLAN 881989060E FINDINGS AND ANALYSIS

Pursuant to the grandfathering provision of Section 59.7.7.1.B.3 of the Zoning Ordinance, this Amendment was reviewed under the standards and procedures of the Zoning Ordinance in effect on October 29, 2014, since the original Site Plan was approved on October 31, 1989. The proposed Amendment does not alter the intent of the previous findings except as modified below.

- 1. the site plan is consistent with an approved project plan for the optional method of development, if required, unless the Planning Board expressly modifies any element of the project plan;***

The Site Plan Amendment is consistent with the intent of the associated Project Plan 919880060, approved by the Planning Board on September 8, 1988. The Project Plan approved a maximum of 298,708 square feet of density for office and retail and 23,558 square feet of on-site public use space. This Site Plan Amendment will convert retail space into office use, which is an allowable use in the CBD 3 zone and reduce public use space by 1,546 square feet to accommodate an expanded amenity pavilion and redesigned public plaza. The remaining public use space will continue to exceed the minimum zoning requirement of 20%, as the Project will maintain 35% of the site as a public use space.

- 2. the site plan meets all of the requirements of the zone in which it is located, and where applicable conforms to an urban renewal plan approved under Chapter 56;***

The Site Plan Amendment data table has been modified as shown in Table 1 below to include the increase in office use space, reduction in retail space, and reduction in public use space. These changes remain in keeping with the requirements of the CBD-3 zone.

Table 1: 2 Bethesda Metro Center Site Plan Amendment 81989060E Data Table

Development Standard	Permitted/ Required	Previously Approved with Site Plan Amendment 81989060D	Proposed Site Plan Amendment 81989060E
Tract Area (sf)	n/a	57,064	57,064
Mapped Density CBD-3 Commercial (FAR/GFA)	n/a	4.68/267,209	4.88/278,786
Retail (FAR/GFA)	n/a	0.39/22,500	0.30/17,305
Daycare (FAR/GFA)	n/a	0.16/8,999	0.16/8,999
Total FAR/GFA		5.23/298,708	5.34/305,090 ⁴
Public Use Space (%/min s.f.)	20/11,412	38.2/21,783	
Off-Site Public Use Space	-	3,223 sf	3,223 sf
Parking Spaces			
Site Total	621 ¹	434	434
Daycare	27	22 ²	22 ²
Bicycle Parking	2	2 ³	2 ³

¹ No parking data was provided in original Site Plan opinion or subsequent approvals, required parking based on original Project Plan opinion, parking approved with subsequent amendments based on existing parking in garage on-site.

² The site is located within the Bethesda Parking Lot District and therefore is permitted to provide fewer than the required minimum number of spaces for the daycare use (59.6.2.3.H.1.a).

³ Per Section 59.6.2.4.C, 1 long-term and 1 short-term bike parking space is required.

⁴ Overall GFA increase of 6,382.

3. the locations of buildings and structures, open spaces, landscaping, recreation facilities, and pedestrian and vehicular circulation systems are adequate, safe, and efficient;

The Amendment proposes slight reductions to the square footage of public use and retail space provided as well as a slight increase in commercial space; These changes are proposed in order to revitalize an aging building and underutilized plaza area. No changes within the public rights-of-way are proposed. There are no changes proposed to the vehicular access and circulation for the Site. A new lobby entrance is proposed on Woodmont Avenue which will improve visibility and access for pedestrians. The existing pedestrian access on North Lane will remain but as a secondary access. Bicycle access to the Site will be improved with the implementation of the master-planned bikeways along Woodmont Avenue, North Lane, East Lane and Montgomery Lane. These facilities will be installed by others as no further participation is required per the Subject Application.

The proposed development is estimated to generate will generate eight (8) net new person trips in the morning peak hour and a net decrease of three (3) person trips in the evening peak hour. As a project generating fewer than 50 net new person trips in either peak travel hours, a transportation impact study was not required. Therefore, a finding can be made that the public transportation facilities are adequate to accommodate the Project as conditioned.

4. *each structure and use is compatible with other uses and other site plans, and with existing and proposed adjacent development;*

The conversion of existing retail space into office space is compatible with the other uses and adjacent existing and proposed development as the surrounding properties are also zoned CR, which allows commercial office space as a permitted use.

The reduction of public use space and expansion of the annex building is compatible with existing and proposed adjacent uses as the redesigned plaza with seating and landscape elements will further activate the space for the public while the new amenity pavilion will provide utility for building patrons. All proposed changes were implemented with the intent to enhance and complement the existing uses of the Subject Property.

5. *the site plan meets all applicable requirements of Chapter 22A regarding forest conservation, Chapter 19 regarding water resource protection, and any other applicable law.*

On November 1, 2021, the Applicant received a Forest Conservation Exemption approval (42022053E) from the requirement to submit a Forest Conservation Plan under Chapter 22A, as the Project is on a tract of land less than 1.5 acres with no existing forest, specimen, or champion trees.

This Application meets the stormwater management requirements of Chapter 19 of the County Code. The Applicant received a stormwater concept approval from MCDPS water resources division on November 15, 2021. As the project consists of less than 5,000 square feet of disturbance and less than 100 cubic yards of earth movement, a stormwater management plan and sediment control permit are not required.

SECTION 6: COMMUNITY OUTREACH

A notice regarding the subject amendment was sent to all parties of record by the Applicant on December 3, 2021. The notice gave interested parties 15 days to review and comment on the amended site plan per Montgomery County Zoning Ordinance Section 59.7.3.4.J.2. The Applicant has complied with all submittal and noticing requirements. Staff has not received any concerns or correspondence regarding the Amendment.

SECTION 7: CONCLUSION

The proposed modifications to the Site Plan and Preliminary Plan will not alter the overall character or impact the development with respect to the original findings of approval. Further, these modifications will not affect the compatibility of the development with respect to the surrounding neighborhood. Staff recommends approval with conditions of Preliminary Plan Amendment 11984260A and Site Plan Amendment Plan 81989060E.

ATTACHMENTS

Attachment A: Previous Approval Summary

Attachment B: Forest Conservation Exemption 42022053E

Attachment C: Agency Letters